

At a meeting of the Cumberland County Board of Supervisors held at 7:00 p.m. on the 13<sup>th</sup> day of December, 2016, at the Cumberland County Circuit Court Room:

Present: William F. Osl, Jr., District 1  
Lloyd Banks, Jr., District 2, Chairman  
Kevin Ingle, District 3, Vice-Chairman  
David Meinhard, District 4  
Parker Wheeler, District 5  
Vivian Giles, County Administrator | Attorney  
Nicci Edmondston, Assistant County Administrator

Absent: Sara Carter, Planning Director

**1. Call to Order**

The Chairman called the meeting to order.

**2. Welcome and Pledge of Allegiance**

The Welcome and Pledge of Allegiance were led by Chairman Banks.

**3. Roll Call**

County Administrator, Vivian Giles, called the roll.

**4. Approval of Agenda**

On a motion by Supervisor Wheeler and carried unanimously, the Board approved the Agenda as amended:

Vote: Mr. Osl – aye                      Mr. Banks – aye  
Mr. Ingle – aye                      Mr. Meinhard – aye  
Mr. Wheeler – aye

**5. State and Local Department/Agencies**

a) Dr. Amy Griffin Superintendent of Cumberland County Schools

Dr. Amy Griffin, School Superintendent, gave the following report to the Board:

- Mr. George Reid has agreed to accept the District 4 position for School Board for the next three years
- Delegate Tommy Wright visited the Schools in November
- Eighth graders visited the Moton Museum
- The Varsity Football Team was notified that in January 2017, they will receive the State Sportsmanship Award for our Division
- On December 3, the Band Booster Club hosted a Breakfast with Santa and the NJHS hosted a Holiday Bazaar.
- CCPS' two essay winners read their essays at the Farmville Christmas Tree lighting ceremony.
- On December 2, 2016, the Division held the Betty Scales Day of Service.
- The Senior Academic Jacket Ceremony was held recently.

Dr. Griffin also provided the Board with a handout providing data showing that localities that have more

financial stability are receiving more state and federal funding compared to those that are below the poverty level. Dr. Griffin also provided a resolution that was approved by the School Board at their meeting on 12/12/16 urging the General Assembly to provide a cost of competing adjustment for salaries and operations similar to those provided to the 18 school divisions in Northern Virginia, to reissue the enrollment loss budget line item, to approve the 2% compensation supplement, and to consider other long term solutions to provide equitable funding to school divisions across the State.

b) VDOT

Ms. Carrie Shephard informed the Board that VDoT is completing shoulder work on Rt. 45 South, Cumberland Road, and then will be moving to Route 610, for shoulder and prep work for paving in the spring. They are cutting brush on Rt. 620 and then will be moving to Route 633.

Supervisor Osl thanked VDoT for cleaning up the edges of Rt. 690, Columbia Road, and requested a speed limit sign to be posted on Whiteville Road in order to enforce the speed limit.

Supervisor Wheeler requested that VDoT look at Edgewood Drive in Kimberly Hills as the asphalt is breaking in pieces.

Supervisor Ingle thanked VDoT for the work that they did preparing for Cumberland Christmas parade.

c) Ms. Robin Sapp, Cumberland Public Library –

Ms. Sapp was not present.

- d) Ms. Kelly Snoddy, Peter Francisco Soil & Water Conservation District

Ms. Kelly Snoddy reviewed recent activities of the Conservation District with the Board.

## 6. **Public Comments**

Ms. Carol Miller thanked County Staff for helping her with her smoke detectors. Ms. Earlene Canaan thanked the Board for the creation of the Department of Fire and Emergency Medical Services, but voiced concerns with Cartersville Volunteer Rescue Squad participating in soft billing for services. Mr. Dan Pempel informed the Board that the Randolph Volunteer Fire Department is still having radio communication issues with the current tower, and they would like to co-locate on a taller tower across Route 45.

Mr. Bernie Becker discussed a rescue call where a resident refused transport by ambulance for fear of receiving a bill from Cumberland Volunteer Rescue Squad. Mr. Becker informed the resident that it was a soft billing and that the resident was not required to pay, yet the individual still refused transport. The Board agreed that the revenue recovery program needs amendment but was needed in the county. Mr. Dennis Dodson requested that the Rescue Squad inform the residents that they are not responsible to pay the full bill.

## 7. **Public Hearings**

- a) Ratify set public hearing for Conditional Use permit 16-11 Old Bank Building

On a motion by Supervisor Osl and carried unanimously, the Board ratified and set the public hearing for Conditional Use Permit 16-11 Old Bank Building for December 13, 2016:

Vote: Mr. Osl – aye                      Mr. Banks – aye  
Mr. Ingle – aye                      Mr. Meinhard – aye  
Mr. Wheeler – aye

b) Conditional Use Permit 16-11 Old Bank Building

In the Summary provided to the Board by Sara Carter, Zoning Administrator, Ms. Carter informed the Board Mr. Jack Ingle is requesting a CUP in order to address lot deficiencies and reduce setbacks to allow construction of a deck. The lots in the courthouse area were originally developed smaller than currently permitted. Additionally, the structure on the lot in question was constructed prior to the movement of Anderson Highway to its current location. Due to the location of Route 60 and the large setbacks from primary highways, the lot is unbuildable. While the building is legally non-conforming, no further improvements would be allowed.

The Chairman opened the public hearing. With no citizens signed up to speak, the Chairman then closed the public hearing.

On a motion by Supervisor Wheeler and carried unanimously, the Board approved Conditional Use Permit 16-11 Old Bank Building:

Vote: Mr. Osl – aye                      Mr. Banks – aye  
Mr. Ingle – aye                      Mr. Meinhard – aye  
Mr. Wheeler – aye

c) Conditional Use Permit 16-10 4 Wheel Drive Specialty Conversion Division Inc.

Mr. Patrick McSweeney represents the 4-Wheel Drive Specialty Conversion Division, Inc. which is the applicant on CUP 16-10. The purpose of this CUP is for: Off-site collection, transportation and disposal of waste; Sales and outdoor display of carports; garage or service station; Porta-John business. Also the two existing CUPs governing this property would be revoked in conjunction with the approval of a new CUP which addresses all uses on the property. Mr. McSweeney discussed his objection with condition #9. The Board and Mr. McSweeney revised that condition to allow for water trucks to be parked on adjacent lots between 5 p.m. and 8 a.m.

The Chairman opened the public hearing. With no citizens signed up to speak, the Chairman then closed the public hearing.

On a motion by Supervisor Osl and carried unanimously, the Board approved CUP 16-10:

Vote: Mr. Osl – aye                      Mr. Banks – aye  
Mr. Ingle – aye                      Mr. Meinhard – aye  
Mr. Wheeler – aye

d) Ratify set public hearing for Code Amendment 16-09 Revisions to Conditional Uses in the A-2 District

On a motion by Supervisor Osl and carried unanimously, the Board ratified the set public hearing for Code Amendment 16-09 Revisions to Conditional Uses In the A-2 District:

Vote: Mr. Osl – aye                      Mr. Banks – aye  
Mr. Ingle – aye                      Mr. Meinhard – aye  
Mr. Wheeler – aye

e) Code Amendment 16-09 Revisions to Conditional Uses in the A-2 District

In the summary provided to the Board by Sara Carter, Zoning Administrator, Ms. Carter informed the Board that CUP 16-10 seeks to bring Mr. Mo Duncan's business, 4-Wheel Drive Specialty Conversion Division, Inc., into conformity with the Zoning Ordinance and provide conditions to mitigate community concerns regarding the appearance of the site. In order for the CUP to address all of the uses on the site, a code amendment is required to add additional uses to the Conditional Use section of the A-2 District.

The Planning Commission recommends that the following uses be added to the A-2 district as Conditional Uses:

- Offsite collection, transportation and disposal of refuse, garbage, sewage and household and other solid waste
- Sales and outdoor display of carports
- Garage, automotive repair

The Chairman opened the public hearing. With no citizens signed up to speak, the Chairman then closed the public hearing.

On a motion by Supervisor Wheeler and carried unanimously, the Board approved Code Amendment 16-09 Conditional Uses in the A-2 District:

**Sec. 74-133. - Permitted uses with conditional use permit.**

The following uses are permitted in the A-2 district with a conditional use permit:

- (1) Airstrips.
- (2) Animal research facility.
- (3) Antique shops.

- (4) Borrow, extraction, excavation and stockpiling of soil, gravel, or sand, consistent with the provisions of section 74-150.
- (5) Churches and cemeteries.
- (6) Convenience and general stores.
- (7) Event facilities
- (8) Fire and rescue facilities.
- (9) Garage, automotive repair
- (10) Golf courses, country clubs, golf driving ranges and mini-golf.
- (11) Group home.
- (12) Guesthouse.
- (13) Gun clubs with or without indoor or outdoor shooting ranges, skeet shooting ranges and ball clubs.
- (14) Kennels, commercial.
- (15) Landfill (CDD) (including inert waste).
- (16) Livestock markets.
- (17) Nursery schools and private kindergartens.
- (18) Nursing home, convalescent home and rest home.
- (19) Off site collection, transportation and disposal of waste
- (20) Parks and playgrounds.
- (21) Porta-John business[es].
- (22) Public utilities.
- (23) Public utility generating plants, public utility booster or relay stations, transformer substations, meters and other facilities, including railroads and facilities, and water and sewerage facilities.
- (24) Racetracks (auto, motorcycle, and horse).
- (25) Radio stations, television stations and cable TV facilities, communication station and/or tower or related facilities; subject to provisions of [section 74-731](#) et seq.
- (26) Retail sales and display of storage sheds and carports
- (27) Special recreational events.
- (28) Transitional home.
- (29) Veterinary hospital.
- (30) Wood products (processing and assemblage of), as defined in [section 74-2](#)

Vote:           Mr. Osl – aye                               Mr. Banks – aye  
                   Mr. Ingle – aye                       Mr. Meinhard – aye  
                   Mr. Wheeler – aye

f)       Cumberland Community Center Lease Agreement

County Administrator, Vivian Giles, requested approval of a lease of three rooms in Pod C in the Cumberland Community Center Complex to James River Therapeutic Services for \$600 per month for a one year term and authorize her to execute the lease on behalf of the county.

On a motion by Supervisor Wheeler and carried, the Board approved the lease between the County and James River Therapeutic Services for three rooms known as C-3, C-4 and C-5 at the Cumberland Community Center Complex for a one year term and authorized Ms. Giles to execute the lease on behalf of the county:

Vote: Mr. Osl – aye                      Mr. Banks – aye  
Mr. Ingle – aye                      Mr. Meinhard – aye  
Mr. Wheeler – aye

## **8. County Attorney/County Administrator Report**

- a) Consent Agenda
  - 1) Approval of Bills for November 2016 and December 2016. Approved bills for December 13, 2016 total \$150,826.21. Ratified bills for November 8, 2016 thru December 12, 2016 of warrants total \$315,983.48 with check numbers ranging from 74063-74320. Direct Deposits total \$159,789.73.
  - 2) Approval of Minutes (November 1, 2016)

On a motion by Supervisor Osl and carried unanimously, the Board approved the consent agenda:

Vote: Mr. Osl – aye                      Mr. Banks – aye  
Mr. Ingle – aye                      Mr. Meinhard – aye  
Mr. Wheeler – aye

b) Approve and adopt revised Facility Use Fees

On a motion by Supervisor Osl and carried unanimously, the Board approved the revised Facility Use fees:

Public Facility	Description	Rental Fee per day		Designated Contact
Cumberland Community Center*	Gymnasium	4 hours or less	\$50	Stephany S. Johnson
		more than 4 hours	\$100	
Cumberland Community Center*	Open Fields	\$40		
	Cafeteria			
	Pod E Classroom			
	Restrooms			
Ballfields on Route 13	2 Baseball diamonds	\$100		
	Outfield/Football/Soccer			
	Restrooms			

Vote: Mr. Osl – aye                      Mr. Banks – aye  
 Mr. Ingle – aye                      Mr. Meinhard – aye  
 Mr. Wheeler – aye

c) Request for refund for overpayment of taxes

On a motion by Supervisor Meinhard and carried unanimously, the Board approved a refund for overpayment of taxes in the amount of \$3,367.50:

Vote: Mr. Osl – aye                      Mr. Banks – aye  
 Mr. Ingle – aye                      Mr. Meinhard – aye  
 Mr. Wheeler – aye

d) Copier Lease Agreement

The Board discussed options regarding leasing or purchasing a new copier.

On a motion by Supervisor Osl and carried by the following vote: the Board approved the purchase of a Canon ImageRunner Advanced C7570i copier from Key Office in the amount of \$19,230.00:

Vote: Mr. Osl – aye                      Mr. Banks – nay  
Mr. Ingle – aye                      Mr. Meinhard – aye  
Mr. Wheeler – aye

e) Approve 2017 Board meeting dates

On a motion by Supervisor Meinhard and carried unanimously, the Board set their regular 2017 meeting dates as the second Tuesday of each month at 7:00 p.m. in the Circuit Court Room of the Cumberland Courthouse unless otherwise noted:

January 10, 2017  
February 14, 2017  
March 14, 2017  
\*\*March 22, 2017  
\*\*March 23, 2017  
\*April 04, 2017  
April 11, 2017  
May 09, 201  
June 13, 2017  
July 11, 2017  
August 8, 2017  
September 12, 2017  
October 10, 2017  
November 14, 2017  
December 12, 2017

\* Budget Public Hearing

\*\*Budget Workshops held in the Administration Conference Room

Vote: Mr. Osl – aye Mr. Banks – aye  
Mr. Ingle – aye Mr. Meinhard – aye  
Mr. Wheeler – aye

f) Approve revised FY17-18 budget calendar

On a motion by Supervisor Meinhard and carried unanimously, the Board approved the revised FY17-18 Budget calendar as presented:

**CUMBERLAND COUNTY  
FISCAL YEAR 2017-2018 BUDGET CALENDAR**

December 19, 2016	Finance Manager prepares budget instruction and estimate forms. Instruction and estimate forms are issued to departments and agencies.
January 2017	County Administrator and Treasurer prepare revenue estimates.
January 27, 2017	Deadline for submission of budget requests to the Finance Manager.
February 3, 2017	Finance Manager presents budget requests to County Administrator.
February 22-23, 2017	Departments, agencies and school administration present budget requests to the Board of Supervisors. School Board and Board of Supervisors hold a joint public budget meeting.
March 17, 2017	County Administrator issues recommended budget to the Board of Supervisors.

March 20- March 31, 2017	Board of Supervisors budget work sessions. Approval of budget, tax rates, and capital improvement program for publication.
March 24, 2017 March 31, 2017	Advertise proposed budget, tax rates, and capital improvement program for public hearing.
April 4, 2017	Public Hearing on the proposed budget, tax rates, and capital improvement program.
April 17, 2017	Adoption of fiscal year 2017-2018 budget, tax rates, and capital improvement program.
June 2017	Appropriation of funds for the adopted fiscal year 2017-2018 budget.

**This calendar is subject to change at any time at the direction of the Board of Supervisors.**

Vote:	Mr. Osl – aye	Mr. Banks – aye
	Mr. Ingle – aye	Mr. Meinhard – aye
	Mr. Wheeler – aye	

## **9. Finance Director's Report**

### a) Monthly budget Report

There was no discussion regarding the monthly budget report.

### b) CCPS Appropriation for VTSS grant - \$25,000

On a motion by Supervisor Wheeler and carried, the Board approved the Appropriation for CCPS for the VTSS grant in the amount of \$25,000:

Vote: Mr. Osl – aye Mr. Banks – aye  
Mr. Ingle – aye Mr. Meinhard – aye  
Mr. Wheeler – aye

c) CCPS Supplemental Appropriation - \$250,533

On a motion by Supervisor Wheeler and carried, the Board approved the Appropriation for CCPS in additional funding for the 2016-2017 School year in the amount of \$250,533:

VOTE: Mr. Osl – aye Mr. Banks – aye  
Mr. Ingle – aye Mr. Meinhard – aye  
Mr. Wheeler – aye

d) Request for Appropriation for Litter Grant Funds - \$6,192.00

On a motion by Supervisor Wheeler and carried, the Board approved the Appropriation of Litter Grant Funds in the amount of \$6,192:

VOTE: Mr. Osl – aye Mr. Banks – aye  
Mr. Ingle – aye Mr. Meinhard – aye  
Mr. Wheeler – aye

e) Request for appropriation for the Sheriff's Office - \$120

On a motion by Supervisor Wheeler and carried, the Board approved the Appropriation for the Sheriff's Office in the amount of \$120:

VOTE: Mr. Osl – aye Mr. Banks – aye  
Mr. Ingle – aye Mr. Meinhard – aye  
Mr. Wheeler – aye

- f) Request for appropriation of grant funds for the Cumberland Business Park - \$272,176

On a motion by Supervisor Wheeler and carried, the Board approved the Appropriation of grant funds for the Cumberland Business Park in the amount of \$272,176:

VOTE:                    Mr. Osl – aye                    Mr. Banks – aye  
                              Mr. Ingle – aye                Mr. Meinhard – aye  
                              Mr. Wheeler – aye

- g) Request for appropriation of grant funds for the Circuit Court Clerk’s Office for restoration of deed books - \$20,938.10

On a motion by Supervisor Wheeler and carried, the Board approved the Appropriation of grant funds for the Circuit Court Clerk’s Office for restoration of deed books in the amount of \$20,938.10:

VOTE:                    Mr. Osl – aye                    Mr. Banks – aye  
                              Mr. Ingle – aye                Mr. Meinhard – aye  
                              Mr. Wheeler – aye

- h) Request for appropriation for the Circuit Court Clerk’s Office for the Computer Indexing System - \$1,750.00

On a motion by Supervisor Wheeler and carried unanimously, the Board approved an appropriation for the Circuit Court Clerk’s Office for the Computer Indexing System in the amount of \$1,750:

Vote:                    Mr. Osl – aye                    Mr. Banks – aye

Mr. Ingle – aye                      Mr. Meinhard – aye  
Mr. Wheeler – aye

**10. Planning Director’s Report**

- a) Planning Project update

There was no discussion on the Planning Project updates.

- b) Set public hearing for Code Amendment 16-11 One Room School House

On a motion by Supervisor Wheeler and carried unanimously, the Board set Code Amendment 16-11 One Room School House for a public hearing for January 10, 2017:

VOTE:                      Mr. Osl – aye                      Mr. Banks – aye  
                                 Mr. Ingle – aye                      Mr. Meinhard – aye  
                                 Mr. Wheeler – aye

- c) Appoint Planning Commission as the Local Board of Building Code Appeals

On a motion by Supervisor Meinhard and carried unanimously, the Board appointed the Planning Commission as the Local Board of Building Code Appeals:

Vote:                      Mr. Osl – aye                      Mr. Banks – aye  
                                 Mr. Ingle – aye                      Mr. Meinhard – aye  
                                 Mr. Wheeler – aye

**11. Old Business**

N/A

**12. New Business**

N/A

**13. Public Comments (Part 2)**

There were no citizens signed up to speak. Ms. Carol Miller stated that she did not understand why the Board would allow a one-room school. Religion and Education need to move forward.

**14. Board Member Comments**

N/A

**15. Adjourn into Closed Meeting-**

There was no Closed Meeting

**16. Reconvene in Open Meeting-**

There was no Closed Meeting

**17. Additional Information**

- a) Treasurer's Report
- b) DMV Report-N/A
- c) Monthly Building Inspections Report
- d) Approved Planning Commission meeting minutes – October 24, 2016

e) Approved IDA meeting minutes – September 27, 2016

**18. Adjourn -**

On a motion by Supervisor Meinhard and carried, unanimously, the Board adjourned the meeting until the next regularly scheduled meeting to be held on January 10, 2017 at 7:00 p.m. in the Circuit Court Room in the Cumberland Courthouse, Cumberland, Virginia.

Vote:           Mr. Osl – aye                           Mr. Banks – aye  
                  Mr. Ingle – aye                   Mr. Meinhard – aye  
                  Mr. Wheeler – aye

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Lloyd Banks, Jr., Chairman

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Vivian Giles, County Administrator/County Attorney