

At a meeting of the Cumberland County Board of Supervisors held at 7:00 p.m. on the 17th day of April, 2018, at the Cumberland County Circuit Court Room:

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

Absent: None

1. Call to Order

The Chairman called the meeting to order.

2. Welcome and Pledge of Allegiance

The Pledge of Allegiance was led by the Chairman.

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 presented:

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 Public Schools, Dr. Amy Griffin gave the following report to the Board:

- The class of 2018 Valedictorian is Holly Tillett, and the Salutatorian is Bobbie Umberger.
- The Jump Rope for heart earned \$4,158.
- Purple Up was celebrated last Friday to honor Military Families.
- The 5th and 6th grade bands held their spring concert last Thursday. The 7th, 8th, and high school band will have their spring concert tonight.
- April is autism awareness month.
- Prom was held on April 14th.
- Third grade held a science field day.
- The Robotics Team received a \$10,000 donation from a Cumberland Alumnus.
- The second Grade performed Romeo and Juliet.
- There is a new program for IT Interns at the High School.
- Kindergarten Registration will be held on April 19th.
- The High School held a career fair.
- Delegate Tommy Wright visited the Elementary School and brought coloring books for students.

b) VDOT

Ms. Carrie Sheppheard, Assistant Residency Engineer, provided the Board with a maintenance update. The

Secondary Six Year Plan is in need of approval, and requests the Board set a public hearing for June.

6. Public Comments

William Bruce thanked VDOT for surfacing his road. He also stated that there are contractors that dispose of large amounts of trash and could be from out of the county. There needs to be a fee for contractors. There is a Tire Amnesty day upcoming. Is there is a possibility of gradual reduction of the Land Use Program. There is a lot of money owed to the County in back taxes that needs to be collected.

Mrs. Ashley Long had signed up to speak but declined the opportunity to comment.

Ms. Deanna Lacey introduced Ms. Magan Lewis as the new Director of the Cumberland Public Library. The Library held a successful sweets in the stacks event. Summer Reading will begin June 4th. Volunteers are needed, and welcomed.

Mrs. Patty Pedrick stated that the Land Use Program was approved in 2000 when the county was not in such a bad financial shape. The Land Use Program for timber should be eliminated.

7. Public Hearings

a. CA 18-02 Tax Relief for the elderly and permanently disabled

County Administrator, Vivian Giles, informed the Board that this request was brought at the request of Julie Phillips, Commissioner of the Revenue. The proposed amendment will raise the income limit and the maximum exemption limit for real property tax relief for the elderly and disabled citizens. The cost to the county will be less than \$10,000.

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 CA 18-02 Tax Relief for the Elderly and Disabled:

BOARD OF SUPERVISORS
OF
COUNTY OF CUMBERLAND, VIRGINIA
RESOLUTION RECOMMENDING
PROPOSED AMENDMENT TO THE
CODE OF CUMBERLAND COUNTY
CODE AMENDMENT 18-02:
“AN ORDINANCE AMENDING CHAPTER 58- REGARDING TAXATION OF
THE PERSONAL PROPERTY OF ELDERLY AND DISABLED PERSONS”

April 17, 2018

At a meeting of the Board of Supervisors of Cumberland County, Virginia, held at the Circuit Courtroom of the Cumberland County Courthouse, Cumberland, Virginia 23040 commencing at 7:00 p.m., April 17, 2018, the following action was taken following a duly held public hearing during which time County staff provided a review of the code amendment proposal and members of the public offered comment:

On a motion made by Supervisor Wheeler, it was moved that the Board of Supervisors of Cumberland County adopt, in accordance with the following Resolution, an ordinance amending Chapter 58 Taxation relating to taxation of personal property of elderly and disabled persons;

Following presentation of the Resolution, the Board of Supervisors adopted and approved the Resolution according to the votes stated below:

<u>Present:</u>	<u>Vote:</u>
Kevin Ingle, Chairman	aye
Parker Wheeler, Vice-Chairman	aye
William F. Osl	aye
Lloyd Banks, Jr.	aye
David Meinhard	aye
<u>Absent:</u>	None

WHEREAS, the Board of Supervisors duly advertised and held a public hearing on December 12, 2017; and

WHEREAS, the Board of Supervisors carefully considered the testimony and evidence presented at the public hearing in support or opposition to the proposed Code Amendment; and

WHEREAS, in its review of the Code Amendment, the Board of Supervisors gave reasonable consideration to furthering the goals of the County; and

WHEREAS, after discussion, staff presentation and due deliberation with respect to such information, including information and materials presented at this public hearing, and the comments in support or opposition to the proposed Code Amendment, the Board of Supervisors desires to affirm its findings and to take action with respect to the Code Amendment;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors, as follows:

- a. The foregoing recitals are hereby incorporated by this reference.
- b. Upon consideration of the foregoing, the Board of Supervisors considers it appropriate to amend the Code of Cumberland County in accordance with the specific text and provisions of the Code Amendment as attached hereto and incorporated herein by this reference.
- c. The Board of Supervisors further finds that the Code Amendment is in substantial accordance with the County's Comprehensive Plan and Zoning Ordinance.
- d. Upon consideration of the foregoing, the proposed Code Amendment text, testimony, staff remarks, and public comment, the Cumberland County Board of Supervisors adopts, as set forth in the specific ordinance text as attached hereto, and requests county staff to do and perform such acts necessary and as consistent with this Resolution for recommendation of adoption of the ordinance.
- e. This Resolution is effective immediately.

DIVISION 3. - PROPERTY OF ELDERLY AND DISABLED PERSONS

Sec. 58-241. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Income means total gross income from all sources, without regard to whether a tax return is actually filed. Income shall not include benefits or receipts from borrowing or other debt.

Permanently and totally disabled means unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment or deformity which can be expected to result in death or can be expected to last for the duration of such person's life.

Real estate includes manufactured homes.

(Code 1990, § 8B-1(c)—(e); Ord. of 5-12-1999)

Cross reference— Definitions generally, [§ 1-2](#).

Sec. 58-242. - Exemption of real estate taxes.

(a) The board of supervisors provides for the exemption from taxation of real estate and manufactured homes as defined in Code of Virginia, § 36-85.3, of certain property owned by eligible elderly and handicapped persons, upon the conditions and in such amounts as set forth in this division. Such real estate shall be owned by and be occupied as the sole dwelling of anyone at least 65 years of age or anyone found to be permanently and totally disabled. The exemptions provided by this division shall apply solely to the principal dwelling and up to one acre of land upon which it is situated. For the purposes of qualifying as the owner of real estate to which the exemptions granted in this division apply, the ownership requirement shall mean that the person holds at least a 25 percent interest in the real estate on December 31 of the year immediately preceding the taxable year for which the exemption is claimed.

(b) A dwelling jointly held by a husband and wife may qualify if either spouse is 65 or over or is permanently and totally disabled.

(Code 1990, § 8B-1(a), (b); Ord. of 5-12-1999)

Sec. 58-243. - Restrictions and exemptions.

(a) The exemptions and restrictions granted pursuant to this division shall be subject to the following restrictions and conditions, and only those persons who may satisfy the provisions of this division and these restrictions and conditions shall qualify for an exemption of taxes:

(1) Subject to subsection (a)(2) of this section, the total combined income received from all sources during the preceding calendar year by owners of the dwelling who use it as their principal residence and owners' relatives who live in the dwelling shall not exceed ~~\$162~~,000.00.

(2) Notwithstanding the provisions of subsection (a)(1) of this section, if a person qualifies for an exemption under this division, and if the person can prove by clear and convincing evidence that the person's physical or mental health has deteriorated to the point that the only alternative to permanently residing in a hospital, nursing home, convalescent home or other facility for physical or mental care is to have a relative move in and provide care for the person, and if a relative does move in for that purpose, then none of the income of the relative or of the relative's spouse shall be counted towards the income limit provided the owner of the residence has not transferred assets in excess of \$10,000.00 without adequate consideration within a three-year period prior to or after the relative moves into such residence.

(3) The net combined financial worth, including the present value of all equitable interests, as of December 31 of the immediately preceding calendar year, of the owners, and of the spouse of any owner, excluding the value of the dwelling and the land, not exceeding one acre, upon which it is situated shall not exceed \$100,000.00.

(Code 1990, § 8B-2; Ord. of 5-12-1999; Ord. No. 10-08, 7-13-2010, eff. 1-1-2011)

Sec. 58-244. - Amount of exemption from real estate taxes.

(a) Subject to the provisions of subsection (b) of this section, where the person claiming the exemption from real estate taxes conforms to the qualifications set forth in this division and does not exceed the limitations contained in this section, the tax exemption shall be as shown on the following schedule:

Cumberland County Schedule for Real Estate Tax Exemption for Elderly and Disabled Persons	
Total Income (All Sources)	Tax Exemption (percent)
\$0.00 to \$81 ,000.00	75
\$118 ,0001.00 to \$1622 ,000.00	50

(b)The person qualifying shall be exempted from the amount of the real estate taxes assessed against such property in an amount not to exceed ~~\$300400~~.00.

(Code 1990, § 8B-3; Ord. of 5-12-1999; Ord. of 12-12-2001(2) ; Ord. No. 10-08, 7-13-2010, eff. 1-1-2011)

Sec. 58-245. - Application for exemption.

(a)The person claiming an exemption under this division shall file annually with the commissioner of the revenue on forms to be supplied by the county an affidavit or written statement setting forth the names of the related person occupying such real estate and that the total combined net worth, including equitable interests and the combined income from all sources, of the persons specified in this division does not exceed the limits prescribed in this division.

(b)If such person is under 65 years of age, such form shall have attached a certification by the Social Security Administration, the Department of Veterans Affairs or the Railroad Retirement Board, or if such person is not eligible for certification by any of these agencies a sworn affidavit by two medical doctors who are either licensed to practice medicine in the commonwealth or are military officers on active duty who practice medicine with the United States armed forces, to the effect that the person is permanently and totally disabled; however, a certification pursuant to [42 USC 423\(d\)](#) by the Social Security Administration so long as the person remains eligible for such social security benefits shall be deemed to satisfy such definition in Code of Virginia, § 58.1-3217. The affidavit of at least one of the doctors shall be based upon a physical examination of the person by such doctor. The affidavit of one of the doctors may be based upon medical information contained in the records of the Civil Service Commission which is relevant to the standards of determining permanent and total disability.

~~(c)Penalties and interest. To change the due date for filing applications for exemption from real estate taxes for the elderly and disabled persons to March 1 of each year.~~

(d)The commissioner of the revenue shall also make any other reasonably necessary inquiry of persons seeking such exemption, requiring answers under oath, to determine qualifications as specified in this division, including qualification as permanently and totally disabled and qualification for exclusion of life insurance benefits paid upon the death of an owner of a dwelling, or as otherwise specified in this division. In addition, the owner may be required to produce certified tax returns to establish the income or financial worth of any applicant for tax relief.

(Code 1990, § 8B-5; Ord. of 5-12-1999; Ord. of 6-6-2006, § 1)

Sec. 58-246. - Notice of exemption.

The treasurer shall enclose written notice, in each real estate tax bill, of the terms and conditions of this division allowing real estate tax exemption. The treasurer shall also employ any other reasonable means necessary to notify residents of the county about the terms and conditions of the real estate tax exemption program established by this article for elderly and handicapped residents of the county.

(Code 1990, § 8B-6; Ord. of 5-12-1999)

Sec. 58-247. - Absence from residence.

The fact that persons who are otherwise qualified for tax exemption by this division are residing in hospitals, nursing homes, convalescent homes or other facilities for physical or mental care for extended periods of time shall not be construed to mean that the real estate for which tax exemption is sought does not continue to be the sole dwelling of such persons during such extended periods of other residence so long as such real estate is not used by or leased to others for consideration.

(Code 1990, § 8B-7; Ord. of 5-12-1999)

Sec. 58-248. - Effective date of exemption.

(a) Any exemption under this division may be granted for any year following the date the qualifying individual occupying such dwelling and owning title or partial title reaches the age of 65 years or for any year following the date the disability occurred. Changes in income, financial worth, ownership of property or other factors occurring during the taxable year for which an affidavit is filed and having the effect of exceeding or violating the limitations and conditions provided in this division shall nullify any exemption for the remainder of the current taxable year and the taxable year immediately following.

(b) A change in ownership to a spouse, when such change resulted solely from the death of the qualifying individual, or a sale of such property shall result in a prorated exemption for the then current taxable year. The proceeds of the sale which would result in the prorated exemption shall not be included in the computation of net worth or income as provided in subsection (a) of this section. Such prorated portion shall be determined by multiplying the amount of the exemption by a fraction wherein the number of complete months of the year such property was properly eligible for such exemption is the numerator and the number 12 is the denominator.

(Code 1990, § 8B-7; Ord. of 5-12-1999)

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

b. REZ 18-01 Robert Wise

 Zoning Administrator, JP Duncan, informed the Board that Mr. Robert Wise applied for a Rezoning from A-2 to B-1 for a vacant one-acre parcel of land along Route 60, Anderson Highway, near the Route 13 interchange. The surrounding properties are a mixture of single family residential and commercial zoning. The rezoning is requested for the purpose of future development.

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 Meinhard and carried unanimously, the Board approved REZ 18-01 Robert Wise:

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 March 2018 and April 2018. Approved bills for April 17, 2018 are \$212,136.12. Ratified bills for March 14, 2018 to April 16, 2018 of warrants total \$547,605.88 with check numbers ranging from 77085-77352. Direct Deposits total \$243,063.22.
 - 2) Approval of Minutes (March 13, 2018)

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) Ratify Contract with Van der Linde Recycling, Container Rentals

On a motion by Supervisor Banks and carried unanimously, the Board ratified the contract with Van der Linde Recycling, Container Rentals:

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

c) Adopt calendar year 2018 tax rates

A motion was made by Supervisor Wheeler to approve the 2018 tax rates as published and presented at the public hearing held on April 10, 2018.

Supervisor Meinhard made a substitute motion to table a vote on the 2018 tax rates until May 2018 to allow more time for the Board to review the county’s financial status and whether there is a need for a tax increase. Although there is a potential for additional revenue, which has not been confirmed, the current budget includes a \$500,000 shortfall.

Supervisor Osl voiced concern with tabling action due to the time constraints and the need of the Commissioner of the Revenue to print the land book and corresponding tax bills to be generated. Supervisor Meinhard agreed with scheduling a special called meeting to take action regarding the 2018 tax rates prior to the May 8 Board meeting. However, it was advised by Ms. Giles that there is insufficient time to advertise proposed new tax rates prior to a special called meeting. Supervisor Wheeler called for the question.

Supervisor Meinhard’s motion to table action on the 2018 tax rates failed by the following vote:

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

Supervisor Wheeler’s original motion carried by the following vote, the Board adopting the 2018 tax rates as

advertised and presented at the public hearing held on April 10, 2018:

<u>Levy</u>	<u>2017 Actual Levy</u>	<u>2018 Proposed Levy</u>
Real Estate & Manufactured Homes	\$.78	\$.78
Personal Property	\$ 4.50	\$ 4.50
Personal Property – Emergency Services	\$ 4.50	\$ 4.50
Personal Property – Disabled Veterans	\$.01	\$.01
Airplanes	\$.50	\$.50
Machinery & Tools	\$ 3.75	\$ 3.75
Heavy Construction Machinery	\$ 3.75	\$ 3.75
Public Service Corporations	\$.78	\$.78

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

d) Adopt FY 2018-2019 Budget

County Administrator, Vivian Giles, informed the Board that one amendment to the budget was needed. She requested that the Board remove the Debt Service Reserve Fund \$24,000 income item and increase the debt service fund contribution by \$24,000.

Supervisor Wheeler requested an amendment to increase expenditures by \$5,000 to include a contribution to Piedmont Senior Resources in that amount.

Supervisor Banks suggested reducing the budget by the \$500,000 shortfall in revenue.

On a motion by Supervisor Wheeler, and carried by the following vote, the Board adopted the 2018-2019 budget with the amendments recommended by Ms. Giles and Mr. Wheeler:

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

A motion was made by Supervisor Meinhard to gradually eliminate the Land Use Program for all four categories and set the required public hearing, which failed by the following vote:

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

- e) Approve Capital Improvements Plan (CIP) FY 2018-19 through 2022-23

On a motion by Supervisor Osl, and carried by the following vote, the Board approved the Capital Improvement Program (CIP) for FY 2018-19 through FY 2022-23:

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

- f) Lease of vehicles for the Sheriff's Department

On a motion by Supervisor Banks, and carried unanimously, the Board approved a lease program for Sheriff's Department vehicles:

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

g) Purchase of vehicle for Animal Control

County Administrator, Vivian Giles, informed the Board that there is a need to immediately purchase a truck for one of the animal control officers and that the funds for this purchase are available in the current budget with savings from Piedmont Regional Jail.

On a motion by Supervisor Wheeler, and carried by the following vote, the Board approved a purchase of a truck for the Animal Control department in an amount not to exceed \$40,000:

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

Supervisor Banks suggested the Board request the County Administrator to create a vehicle use policy as there are county employees that are abusing the use of county vehicles.

h) CA 18-01 Building Permit fees

On a motion by Supervisor Osl, and carried unanimously, the Board approved CA 18-01 Building Permit Fees:

**BOARD OF SUPERVISORS
OF
COUNTY OF CUMBERLAND, VIRGINIA
RESOLUTION RECOMMENDING
PROPOSED AMENDMENT TO THE
CODE OF CUMBERLAND COUNTY
CODE AMENDMENT18-01:**

**“AN ORDINANCE AMENDING CHAPTER 14 OF THE CUMBERLAND
COUNTY CODE REGARDING BUILDING PERMIT FEES”**

April 17, 2018

At a meeting of the Board of Supervisors of Cumberland County, Virginia, held at the Circuit Courtroom of the Cumberland County Courthouse, Cumberland, Virginia 23040 commencing at 7:00 p.m., April 17, 2018, the following action was taken following a duly held public hearing during which time County staff provided a review of the code amendment proposal and members of the public offered comment:

On a motion made by Supervisor Osl, it was moved that the Board of Supervisors of Cumberland County adopt, in accordance with the following Resolution, an ordinance amending Chapter 14 Buildings and Building Regulations, relating to the fee schedule;

Following presentation of the Resolution, the Board of Supervisors adopted and approved the Resolution according to the votes stated below:

<u>Present:</u>	<u>Vote:</u>
Kevin Ingle, Chairman	aye
Parker Wheeler, Vice-Chairman	aye
William F. Osl	aye
David Meinhard	aye
Lloyd Banks, Jr.	aye
Absent:	None

WHEREAS, the Board of Supervisors duly advertised and held a public hearing on March 13, 2018; and

WHEREAS, the Board of Supervisors carefully considered the testimony and evidence presented at the public hearing in support or opposition to the proposed Code Amendment; and

WHEREAS, in its review of the Code Amendment, the Board of Supervisors gave reasonable consideration to furthering the goals of the County; and

WHEREAS, after discussion, staff presentation and due deliberation with respect to such information, including information and materials presented at this public hearing, and the comments in support or opposition to the proposed Code Amendment, the Board of Supervisors desires to affirm its findings and to take action with respect to the Code Amendment;

Towers	\$100.00 minimum or \$7.00 per \$1000.00 of contract value (whichever is greater)
Code Investigate Fees: Charged to applicants discovered by the Building Official Department to be working without a required permit	\$25.00 or 25% of applicable permit fee, whichever is greater
Demolition Fee (includes all structures regardless of use)	Commercial: \$50.00 or 25% of applicable permit fee, (whichever is greater) \$25.00
Administrative Fees: Extensions, take-over, transfers, reinstatements, modifications	\$25.00
Amendments or Add Mechanic Lien Agent	\$10.00
Certificate Of Occupancy for an existing building which no permit is required or change in use occurs	\$50.00
Certificate Of Occupancy for an existing building which a permit is required or change in use occurs	\$75.00 on top of permit fees
Address Fee	\$12.00
Re-Inspection Fee (If over two inspections for the same violation)	\$35.00 (Payable in advance)

Refunds are subject to review when an application for a permit is cancelled by written request to the Building Official prior to six months of issue, a processing fee of \$50.00 will be retained, state fees plus any additional cost incurred.

The commonwealth of Virginia imposes a 2.00% levy on all building permit fees

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) Request for Appropriation for CCPS - \$10,000 STEM grant funds

Supervisor Banks made a motion to approve a request for appropriation from Cumberland County Public Schools in the amount of \$10,000 for STEM Program Grant Funds:

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 regarding this item.

- b) Set public hearing for CUP 18-01 4-Wheel Drive Conversion Specialty

On a motion by Supervisor Osl, and carried unanimously, the Board set CUP 18-01 4-Wheel Drive Conversion Specialty for public hearing on May 8, 2018:

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

- c) Set public hearing for CUP 18-02 El Jinete Mexican Restaurant

On a motion by Supervisor Osl, and carried unanimously, the Board set CUP 18-02 el Jinete Mexican Restaurant for public hearing on May 8, 2018:

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

Mr. Wheeler – aye

d) Set public hearing for CUP 18-03 Kat’s Kennels

On a motion by Supervisor Osl, and carried unanimously, the Board set CUP 18-03 Kat’s Kennels for public hearing on May 8, 2018:

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

11. Old Business

N/A

12. New Business

Patriot Day will be held on Saturday, April 28, 2018. Pine View Bulk Foods and Deli is the new Grocery Store on Plank Road opened for business on April 11, 2018. This store offers fresh meats, cheese, and baked goods amongst many other items.

13. Public Comments (Part 2)

Mrs. Ashley Long recommends the Board create a committee comprised of citizens to work toward growing economic development and increasing revenue.

Mr. Larry Thompson supports the Land Use Program, and states that those citizens who participate in the program are not just trying to save money, they are trying to live. He urged those in attendance who may be against the program to talk to farmers and foresters in hopes that they may better understand the program and its necessity.

Mr. William Bruce stated that the County is \$250 million dollars in debt, and urged the Supervisors not to count on revenue before it is there. He also suggested a food tax as a way of increasing revenues.

14. Board Member Comments

Supervisor Wheeler urged citizens to visit Pine View Bulk Foods on Plank Road.

Chairman Ingle stated that more education is needed on the Land Use Program before it is repealed.

Supervisor Banks is concerned that those deriving the greatest benefit from the Land Use Program are not Cumberland County residents.

15. Adjourn into Closed Meeting-

On a motion by Supervisor Osl and carried, the Board entered into closed meeting pursuant to the Virginia Code Sections below to discuss the subjects identified:

Pursuant to Virginia Code § 2.2-3711.A.5: Discussion concerning a prospective business where no previous announcement has been made;

Subject: Development of the Cumberland Business Park on Commerce Road, and development on Route 60, Anderson Highway

Pursuant to Virginia Code § 2.2-3711.A.7: Consultation with Legal Counsel

Subject: Host Community Agreement

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

16. Reconvene in Open Meeting-

The Board returned to regular meeting on a motion by Supervisor Osl.

A motion was made by Mr. Osl and adopted by the following vote:

Mr. Osl - aye
Mr. Banks – aye
Mr. Ingle – aye
Mr. Meinhard - aye
Mr. Wheeler - aye

That the following Certification of a Closed Meeting be adopted in accordance with The Virginia Freedom of Information Act:

WHEREAS, the Board of Supervisors of Cumberland County has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Cumberland County hereby certifies that, to the best of each member’s knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board of Supervisors of Cumberland

County.

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

17. Additional Information

- a) Treasurer’s Report
- b) DMV Report
- c) Monthly Building Inspections Report
- d) Approved Planning Commission meeting minutes – N/A
- e) Approved EDA meeting minutes – N/A

18. Adjourn -

On a motion by Supervisor Wheeler and carried unanimously, the Board adjourned the meeting until the next regular meeting of the Board on May 8, 2018:

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

Wm. Kevin Ingle, Chairman

Vivian Giles, County Administrator/County Attorney