

At a meeting of the Cumberland County Board of Supervisors held at 7:00 p.m. on the 10<sup>th</sup> day of September 2019, at the Cumberland County Circuit Court Room:

Present: David Meinhard, District 4, Chairman  
Parker Wheeler, District 5, Vice-Chairman  
William F. Osl, Jr., District 1  
Lloyd Banks, Jr., District 2  
Kevin Ingle, District 3  
Don Unmussig, County Administrator  
Jennifer Crews, Finance Director  
JP Duncan, Zoning Administrator  
Brian Butler, County Attorney  
Stephany Johnson, Deputy Clerk

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, Don Unmussig, called the roll.

**4. Approval of Agenda**

On a motion by Supervisor Meinhard, 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 Public Schools

Dr. Griffin gave the following report to the Board:

- On September 11, 2019, the Cumberland Elementary school will be holding their second annual remembrance ceremony where they will raise the Freedom Flag
- Feed More provided 200 bags of food for school and county employees
- Citizen CUCPS program will begin this year where students will be required to have a minimum of 40 service learning hours by graduation
- Pre-K Grandparents day was a success as there were over 125 grandparents were served
- The Cumberland Bands Program has purchased new uniforms

Dr. Griffin also asked the Board to consider beginning the RFP (Request for Proposals) process for the floor replacement at the Cumberland Elementary School.

- b) VDOT

There was no VDOT representative present

- c) Mrs. Doris Seal, Cumberland Community Cares Food Bank

Mrs. Seal thanked the Board for the repairs to the air conditioning unit, and gave the following report to the Board:

- A demo kitchen is expected to be installed this week. This installation will allow cooking demonstrations with the food that is received from the food bank.
- The Food bank has now added direct store pick up this summer, where volunteers pick up food donated from Food Lion and Target. They have received 7,000 pounds of food to date from these two stores.
- Delma's Market is a farmer's market held each Friday from 3:00 p.m. to 6:00 p.m., where residents can access fresh produce for a donation.
- Cumberland is still considered a food desert as 63 percent of households are under the income level for assistance. The Food bank serves over 900 families each month.
- Delma's Pantry is working with the Extension Office in the creation of a Community Garden.

Mrs. Seal thanked the wonderful volunteers, and the support of the Board of Supervisors, without them, this would not be possible.

d) Cumberland Public Library

Ms. Diana Lacey, President of the Cumberland Public Library Board of Trustees, introduced the new Library Director, Mrs. Lisa Davis. Mrs. Davis thanked the Board and stated that she was excited for the new opportunity to serve the citizens of Cumberland.

6. **Public Hearing Notices/Set Public Hearings**

- a) Set public hearing for CA 19-04 Watershed Protection Ordinance



The Chairman opened the public hearing. Mr. Ron Tavernier stated according to the State Code, localities are required to provide a secondary source for drinking water. He requested the Board keep the boundaries and buffers around the Reservoir to ensure clean water. With no other citizens signed up to speak, the Chairman then closed the public hearing.

Supervisor Osl stated that the Board submitted 7 items of concern to the Planning Commission to review, and only 2 were considered. The County desires economic development around the Reservoir for a potential revenue stream, as well as to provide recreational activities for residents. He states that the prohibition of tree pruning without the permission of Henrico County, DEQ, and the County is excessive. The pruning requirements are already in the Buffer Management Plan, and do not need to be included in County Code. Also, the Plan restricts the use of watercraft in restricted areas, but the restricted areas are not defined. Supervisor Banks states that the Board should not act tonight, instead bring it back before the Board next month after more discussion between staff and Henrico County.

On a motion by Supervisor Wheeler, and carried unanimously, the Board tabled action on this item until their next regular meeting to be held on October 8, 2019:

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 August 2019 and September 2019. Approved bills for September 10, 2019 total \$95,638.62. Ratified bills for August 14, 2019 through September 9, 2019 of warrants total \$623,571.73, Direct Deposits total \$162,440.17, all with check numbers ranging from 80392-80650.
  - 2) Approval of Minutes – August 13, 2019

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

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

b) Board of Equalization appointments needed

County Administrator, Don Unmussig, informed the Board that Board of Equalization appointments recommendations are needed by the October 8, 2019 meeting. Those recommendations will then be sent to the Circuit Court Judge for appointment.

c) Expand hours of Transfer Stations

On a motion by Supervisor Meinhard, and carried by the following unanimously, the Board approved a revision to the Transfer Station hours of operation:

	SUN	MON	TUE	WED	THU	FRI	SAT
Hamilton	1-5	8-5	Closed	8-5	1-5	8-5	8-5
Madison	8-5	8-5	8-5	8-5	8-5	8-5	8-5
Randolph	1-5	8-5	Closed	8-5	1-5	8-5	8-5

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

d) Resolution in memory of the life and service of John Holman

On a motion by Supervisor Osl, and carried unanimously, the Board directed staff to draft a resolution honoring the life and service of John Holman:

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



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 a public hearing for CP 19-01 Comprehensive Plan Amendment

On a motion by Supervisor Osl, and carried unanimously, the Board set a public hearing for CP 19-01 Comprehensive Plan Amendment for October 9, 2019:

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

c) Planning Commission reappointment

On a motion by Supervisor Osl, and carried unanimously, the Board reappointed Randy Bryant to the Planning Commission for a three- year term expiring September 30, 2022:

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

**11. County Attorney’s Report**

N/A

**12. Old Business**

N/A

### 13. New Business

#### Edgewood Drive Culvert

Supervisor Wheeler is requesting the county install a culvert in the alleyway on Edgewood Drive between 301 Dana Drive and 200 Virginia Avenue. The property owners state that when vehicles enter the alleyway to access utilities from the entrance on Lynn Drive, they must turn around in residents' yards. Installation of this culvert will allow a separate ingress and egress.

Supervisor Wheeler made a motion to direct staff to install the culvert. Supervisor Ingle suggested that all of the affected property owners be notified prior to any action by the Board. Supervisor Wheeler withdrew his motion.

On a motion by Supervisor Ingle and carried by the following vote, the Board directed JP Duncan, Zoning Administrator, to notify residents whose property touches the alleyway between Dana Drive and Virginia Avenue, and bring back to the Board for consideration at their October 8, 2019 meeting:

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

#### Comprehensive Plan Amendments

Supervisor Meinhard made a motion to make changes to the Comprehensive Plan, designating the following roads as growth areas, and send this change to the Planning Commission for review:

- Route 45 in its entirety
- Route 60 in its entirety

- Route 600, River Road, from the intersection of Route 45, Cumberland Road, to High Bridge
- Route 600, Plank Road, from the intersection of Route 45, Cumberland Road, to the Buckingham County line, with the exception of the area designated as a conservation easement
- Route 637, Airport Road, from the intersection of Route 45, Cumberland Road, to the intersection of Pleasant Valley Road, to include both North and South Airport Roads
- Route 634, Salem Church Road, from the intersection of Route 45, Cumberland Road, to the Biosolids Facility
- Route 690, Columbia Road, from the intersection of Route 45, Cartersville Road, to the Fluvanna County line
- Route 610, Duncan Store Road, from its intersection of Rt. 690, Columbia Road, to the Buckingham County line

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

**14. Public Comments**

Mrs. Betty Myers suggested that the \$400,000 the county received from Green Ridge be set aside and not spent, voiced concern with the word frustrate being included in the Host Community Agreement, and questioned the county’s authority to lease property at the Community Center when the county does not own the property.

Mr. Ron Tavernier asked the Board why item 6.8b of the Host Community Agreement does not specify a timeline for Green Ridge to resolve any material breach, other than as practically possible, asked why the county will provide a landfill monitor instead of Green Ridge, and what the job description was. He also stated that the new ditches VDOT created on Miller lane were to deep and that cars would get stuck in them.

Ms. Eureka Tyree requested that since the Board plans to honor John Holman, that they also pass a resolution in appreciation for Travis Gilliam, and James “Jimmy” Ownby.

Mr. Butch Pond commended the Board for their Resolution for Elbert Womack at their last meeting.

**15. Board Member Comments**

The Chairman directed staff to prepare a resolution for Travis Gilliam and Jimmy Ownby for consideration at their next meeting. This item was approved by unanimous consent. He also thanked everyone in attendance for coming.

Supervisor Ingle answered questions raised by the citizens during public comments

Supervisor Osl reviewed the job description of the landfill monitor.

Supervisor Banks thanked those in attendance.

**16. Adjourn into Closed Meeting**

On a motion by Supervisor Osl and carried, the Board entered into closed meeting pursuant to the Virginia Code Section set for the below to discuss the subject identified:

- Virginia Code § 2.2-3711.A.5: Discussion of prospective business where no previous announcement has been made; Subject: Development and occupancy of the Cumberland Business Park on Commerce Road
- Virginia Code § 2.2-3711.A.7: Consultation with Legal Counsel regarding probable litigation; Subject: Piedmont Regional Jail

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

**17. Reconvene in Open Meeting**

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

A motion was made by Supervisor 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, (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, and (iii) no action was taken in closed meeting.

**18. Action on Closed meeting item**

On a motion by Supervisor Osl, and carried unanimously, the Board directed staff to set request Piedmont Regional Jail Authority call a special meeting to address staffing issues and provide an action plan:

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

**19. Additional Information**

- a) Treasurer’s Report
- b) DMV Report
- c) Monthly Building Inspections Report
- d) Approved Planning Commission meeting minutes – July 22, 2019
- e) Approved EDA meeting minutes – N/A

**20. Adjourn -**

On a motion by Supervisor Osl and carried unanimously, the Board adjourned the meeting until the next regular meeting of the Board on October 8, 2019 at 7:00 p.m. in Court Room A of the Cumberland Courthouse, unless a special called meeting is necessary:

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

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David Meinhard, Chairman

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Stephany S. Johnson, Deputy Clerk