

At a meeting of the Cumberland County Board of Supervisors held at 7:00 p.m. on the 12<sup>th</sup> day of November 2019, at the Cumberland County Circuit Court Room:

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

Absent: Lloyd Banks, Jr., District 2

**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**

Deputy Clerk, Stephany Johnson, called the roll.

**4. Approval of Agenda**

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

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

**5. Resolution in appreciation of Travis Gilliam**

On a motion by Supervisor Osl, and carried unanimously, the Board approved a Resolution in appreciation of Mr. Travis Gilliam:

**Resolution of appreciation  
Upon the retirement of  
Travis Gilliam**

**WHEREAS**, Travis Gilliam, a lifelong resident, has dedicated himself to service to the County of Cumberland and to its citizens; and

**WHEREAS**, he began his service to Cumberland County in the Sheriff's Office as a Deputy Sheriff in July 1988. He served as a Deputy for eight (8) years, and in 1997 was promoted to Sargent, then Chief Deputy in 2006 before becoming the School Resource Officer for Cumberland High School in 2010; and

**WHEREAS**, Travis has served under three (3) Sheriff's during his tenure; and

**WHEREAS**, Travis has volunteered countless hours for the Cumberland Youth League, Cumberland Recreation Department, as well as many other groups; and

**WHEREAS**, he is a devoted husband to his wife of twenty-two (22) years, Tamara Harris-Gilliam, loving father to his three (3) children, and adopted father to all children he mentored throughout his time; and

**WHEREAS**, Travis has tirelessly served the County and its citizens with distinction and integrity, and has earned deep respect, and esteem of those with whom he has worked over the years; and

**NOW, THEREFORE, BE IT RESOLVED** that the Cumberland County Board of Supervisors, through this resolution, express its high regard and profound appreciation for the service that Travis Gilliam has performed for the County of Cumberland and its citizens over the past thirty-one (31) years, and wish his much success in his future endeavors.

**Adopted the 12<sup>th</sup> day of November 2019.**

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

**6. Resolution in memory of John Holman**

On a motion by Supervisor Ingle, and carried unanimously, the Board approved a Resolution in memory of Mr. Jimmy Ownby:

**Resolution in Remembrance of  
The life and service of  
Jimmy L. Ownby**

**WHEREAS**, Jimmy L. Ownby, was born on the 23<sup>rd</sup> day of February 1941 to the late Fred and Della Ownby, and left this earth on June 28, 2019; and

**WHEREAS**, Jimmy, born and raised in Cumberland, served his country in the Virginia Army National Guard for six (6) years; and

**WHEREAS**, during his fifty (50) years in law enforcement, he served in Cumberland County as a full-time Deputy Sheriff for eighteen (18) years beginning in 1973, and most recently as Court Security since 2008. He also served under two sitting Sheriffs, and was awarded officer of the year in Chesterfield County in 1972; and

**WHEREAS**, Jimmy loved being outdoors, taking especially good care of his lawn, and had a passion for restoring old cars, including his numerous 1957 Chevy's, 2-seater T-birds and his 1964 and 1989 Mustang's; and

**WHEREAS**, he has tirelessly served the County and its citizens with distinction and integrity as a professional employee and is a devoted husband to Ailene Ownby for fifty-five (55) years, father to three (3) sons, and grandfather of five (5); and

**WHEREAS**, Jimmy has distinguished himself through his loyal commitment to improving the quality of life for all citizens of Cumberland County, and has earned the deep respect and esteem of all those with whom he has worked with over the years; and

**NOW, THEREFORE, BE IT RESOLVED** that the Cumberland County Board of Supervisors, through this resolution, honors the life, and records the death of Jimmy L. Ownby and extends to the family its deepest sympathy; and

**BE IT FURTHER RESOLVED**, that the Cumberland County Board of Supervisors directs that a copy of this resolution be made a part of the permanent records of the official minutes of the Cumberland County Board of Supervisors, and that a copy be given to the family.

**Adopted the 12<sup>th</sup> day of November 2019.**

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

Supervisor Ingle also recognized the life and service of Jimmy Ownby's wife, Mrs. Aileen Ownby, and her contributions to the county and its' citizens.

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

- a) Dr. Amy Griffin, Superintendent of Cumberland County Public Schools

Dr. Griffin gave the following report to the Board:

- Cumberland Elementary School hosted a Veteran's Day breakfast on November 11<sup>th</sup>, and an Innovation night at the end of October with Parent Teacher Conferences
- American Youth Policy Forum to be held on November 19, 2019
- CCES now has new Club called Girls Who Code
- CHS Students and staff will visit workplaces such as PieTech
- As of November 8, 2019, Cumberland County Public Schools celebrates 50 years of integration
- JROTC participated in the Raider Challenge
- The Bands Program recently hosted their Harvest Dinner Theater, and is hosting their annual Breakfast with Santa fundraiser on Saturday, December 7, 2019
- Foxborough Farms set up a petting zoo at CCES
- Jenny Macintosh presented
- The Newly created Computer Science Honor Society held their induction ceremony recently

- b) VDOT

Mr. Steve Snell, Assistant Residency Engineer, provided the Board with a PowerPoint presentation reviewing the new federally mandated weight-restriction signage for bridges in the commonwealth. A copy of the presentation is available in the official board file. VDOT will finish county-wide mowing, brush-cutting and shoulder repairs next week.

- c) Cumberland Public Library

Ms. Lisa Davis, Library Director, informed the Board that the Christmas Tree Lighting ceremony on December 9, 2019 at 6:00 p.m. and open house on December 14, 2019 from noon until 2:00 p.m.

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

N/A

**9. Public Hearings**

- a) TransTech Alliance Amendments

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 the Ordinance to amend the TransTech Alliance Agreement:

BOARD OF SUPERVISORS  
OF THE  
COUNTY OF CUMBERLAND, VIRGINIA

**ORDINANCE**

AMENDING THE TRANSTECH ALLIANCE AGREEMENT

**November 12, 2019**

At a meeting of the Board of Supervisors of Cumberland County, Virginia, in the Circuit Courtroom of the Cumberland County Courthouse at Cumberland, Virginia commencing at 7:00 p.m., November

12, 2019, the following action was taken following a duly held public hearing during which staff provided a review of the proposed County Ordinance and members of the public offered comment:

Following a reading of the recitals and the resolutions for adoption of the proposed ordinance and on duly recognized motion, the Board of Supervisors adopted and approved the Resolution according to the cotes stated below:

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<u>Present:</u>	<u>Vote:</u>
William F. Osl, Jr., Vice-Chairman	aye
William K. Ingle	aye
Parker Wheeler, Chairman	aye
<u>Absent:</u>	Lloyd Banks, Jr.

Dated: November 12, 2019

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**WHEREAS**, the counties of Brunswick, Charlotte, Greenville, Lunenburg, Mecklenburg, Nottoway and the City of Emporia (the “Member Jurisdictions”) created a regional entity to increase business and other opportunities within the region pursuant to Section 15.2-1300 et seq. of the Code of Virginia, which authorizes the joint exercise of powers by political subdivisions; and

**WHEREAS**, in 2012, the Member Jurisdictions by ordinance adopted the TransTech Alliance Regional Development Agreement which created a board to put such regional development effort into place and that created the TransTech Alliance to accomplish such purpose; and

**WHEREAS**, the Member Jurisdictions have proposed amendments to the Regional Development Agreement which includes the requirements to become a member, requirements to withdraw as a member, and other technical amendments; and

**WHEREAS**, Buckingham, Cumberland and Prince Edward Counties have since joined the Alliance; and

**WHEREAS**, at the June 6, 2019 Board meeting the Member Jurisdictions agreed to amend the by-laws and the Alliance Agreement; and

**NOW, THEREFORE, BE IT RESOLVED AND ORDAINED by the Cumberland County Board of Supervisors, as follows:**

- a. The foregoing recitals are hereby incorporated by this reference.

- b. Upon consideration of the foregoing, and pursuant to Virginia Code § 15.2-1300, the Board of Supervisors of Cumberland County deems it appropriate to by ordinance and this resolution approve the regional development agreement.
- c. Accordingly, the Board of Supervisors of Cumberland County, Virginia does hereby adopt the following Ordinance:

**AN ORDINANCE**

Approving the Amendments to the Regional Development Agreement attached hereto, which includes requirements to become a member, requirements to withdraw as a member, and other technical amendments and authorizes the County Administrator or Board of Supervisors Chairman to execute such Agreement on behalf of Cumberland County.

In addition, the Board appoints the following two persons as Board members of the TransTech Alliance:

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_

Alternate: \_\_\_\_\_

- d. This Resolution and the Ordinance herein contained shall be effective immediately.

Vote:	Mr. Osl – aye Mr. Ingle – aye	Mr. Banks – aye Mr. Wheeler – aye
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**10. County Attorney/County Administrator Report**

- a) Consent Agenda
  - 1) Approval of Bills for October 2019 and November 2019. Approved bills for November 12, 2019 total \$182,565.73. Ratified bills for October 9, 2019 through November 11, 2019 of warrants total \$617,910.11, Direct Deposits total \$156,778.60, all with check numbers ranging from 80844-81164.

2) Approval of Minutes – October 3, 2019, October 8, 2019 and October 9, 2019

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

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

b) Ratify Board of Equalization appointments

On a motion by Supervisor Osl and carried by the following vote, the Board appointed Randy Bryant, Yvonne Earvin, Theresa Denaro, John Godsey and Larry Atkins to the Board of Equalization:

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

c) Set public hearing for Clothes Closet Lease

On a motion by Supervisor Ingle, and carried by the following vote, the Board set a public hearing for the Clothes Closet lease for December 10, 2019:

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

d) Set public hearing for James River Therapeutics Lease

On a motion by Supervisor Ingle, and carried by the following vote, the Board set a public hearing for the James River Therapeutic Services lease for December 10, 2019:

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

e) Set public hearing for Bear Creek Academy Lease



**WHEREAS**, Holiday Lake 4-H Educational Center (HL4HEC) serves nineteen (19) Virginia localities which includes the counties of Albemarle, Amherst, Appomattox, Amelia, Brunswick, Buckingham, Campbell, Charlotte, Cumberland, Fluvanna, Greene, Louisa, Lunenburg, Mecklenburg, Nelson, Nottoway, and Prince Edward as well as the cities of Charlottesville and Lynchburg; and

**WHEREAS**, HL4HEC is located in the 20,000-acre Appomattox/Buckingham State Forest, the largest state forest in Virginia; and

**WHEREAS**, the 4-H Center leases 157.8 acres from the Virginia Department of Forestry on a long-term lease through the year 2080; and

**WHEREAS**, the objectives of HL4HEC are:

To provide four seasons annually of educational camping programs for 4-Hers in Central, Southside and specialized camps across the state of Virginia. To provide special programs and activities to include Natural Resource Education as a resource for school groups, 4-H clubs, the summer 4-H camping program as well as for adults. To provide facilities, programs, and services necessary to serve as the Virginia 4-H Shooting Education Center. To provide quality facilities and support services year-round for diverse groups from multiple geographical regions. To evaluate the effectiveness of educational programming on an ongoing basis and to revise programming to meet the changing needs of stakeholders; and

**WHEREAS**, today at HL4HEC, over ten thousand (10,000) participants (many of which are underserved youth) benefit annually from a variety of programs. Holiday Lake 4-H Educational Center has served the youth and adults of Central/Southside Virginia and beyond since 1941. Thousands of urban youth get to experience the “forest” through 4-H and Natural Resource Education programs at the 4-H Center. For almost 80 years, Cumberland County has played an active part of the more than one hundred thousand (100,000) lives that have been enriched at the 4-H Center through educational programs, friendships and a closeness to nature; and

**WHEREAS**, in 2011 HL4HEC was registered as a Virginia Historic Landmark and listed on the National Register of Historic Places. The historic registration (which in part includes 15 cabins built in 1937 by the WPA which are still used today) assures that the original character of the historic buildings will be preserved; and

**WHEREAS**, through a memorandum of understanding between the Appomattox County School Board and HL4HEC, the 4-H Center serves as a designated evacuation site to be utilized in the event of an emergency which would require students to be taken out of the Appomattox County Schools and be temporarily located at HL4HEC.

**NOW THEREFORE BE IT RESOLVED**, the 4-H Center’s capital improvement projects include facility upgrades/installations to include Medical Clinic Facility and Equipment Upgrade (including floor replacement and AED), PA System (Active Shooter), ADA



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

**12. Planning Director’s Report**

a) Planning Project Update

There was no discussion regarding this item.

b) Set public hearings

1) CUP 19-08 Harris Porch

On a motion by Supervisor Ingle and carried by the following vote, the Board set CUP 19-08 Harris porch for public hearing on December 10, 2019:

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

2) CUP 19-07 Boese LLA

On a motion by Supervisor Ingle and carried by the following vote, the Board set CUP 19-07 Boese LLA for public hearing on December 10, 2019:

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

3) CA 19-08 Erosion and Sediment Control Ordinance

On a motion by Supervisor Ingle and carried by the following vote, the Board set CA 19-08 Erosion and Sediment Control Ordinance for public hearing on December 10, 2019:

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



**16. Public Comments**

Mrs. Betty Rankin congratulated the newly elected Board members and gave her well wishes to the outgoing board members. She also stated that the county spent \$1,200 on the installation of a culvert on non-county owned property. Mr. Bernard Pond stated that Dr. Griffin, School Superintendent, spoke at the most recent Cumberland Landfill Alert meeting, and that she deserved a round of applause.

**17. Board Member Comments**

Supervisors Osl, Ingle and Wheeler stated that the county is fortunate to have Dr. Griffin, and congratulated the newly elected Board members.

**18. 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.1: Personnel;  
Subject: Discussion regarding the County Administrator position; assignment and reassignment of administrative duty
- 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 pending litigation;  
Subject: Opioid litigation

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

**19. 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 – absent  
Mr. Ingle – 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.

On a motion by Supervisor Osl and carried by the following vote, the Board withdrew from the negotiating class regarding the opioid litigation:

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

On a motion by Supervisor Osl and carried by the following vote, the Board approved an employment contract with Mr. Donald Unmussig for the County Administrator position:

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

Supervisor Ingle urged citizens to submit a volunteer application for EDA appointment.

**20. Additional Information**

- a) Treasurer’s Report
- b) DMV Report
- c) Monthly Building Inspections Report
- d) Approved Planning Commission meeting minutes – August 26, 2019
- e) Approved EDA meeting minutes – July 23, 2019, July 29, 2019, and August 19, 2019

**21. Adjourn -**

On a motion by Supervisor Osl and carried unanimously, the Board adjourned until the next regular meeting at 7:00 p.m. on Tuesday, December 10, 2019 in Court Room A of the Cumberland Courthouse:

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

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Parker Wheeler, Chairman

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Stephany S. Johnson, Deputy Clerk