

At an electronic meeting of the Cumberland County Board of Supervisors held at 7:00 p.m. on the 12th day of May 2020, at the Board Meeting Room, located at 1 Courthouse Circle, Cumberland, Virginia:

Electronically Present: Brian Stanley, District 1, Chairman
Ron Tavernier, District 2
Eurika Tyree, District 3, Vice-Chairman
Gene Brooks, District 4
Robert Saunders, Jr., District 5
Brian Butler, County Attorney

Physically Present: Don Unmussig, County Administrator
Jennifer Crews, Finance Director
Stephany S. Johnson, Deputy Clerk
Shawn Howard, IT Director

Absent: None

Before calling the meeting to order, Chairman Brian Stanley read the following statement:

“With the current COVID-19 pandemic disaster, this meeting is being held via electronic communication pursuant to the Emergency Ordinance adopted by the Board of Supervisors on April 8, 2020. Said Ordinance can be found on the Board of Supervisors webpage on the County website under electronic meetings located at <https://www.cumberlandcounty.virginia.gov/board-supervisors>, as well as on Board’s meeting page for the April 8, 2020 meeting located at <https://www.cumberlandcounty.virginia.gov/node/486>. With the uncertainty of the pandemic, we cannot be sure how long electronic meetings will be necessary. An audio recording is being made of this meeting. Meeting notice was posted to the County website on May 6, 2020, which included the notice of opportunities for the public to access and participate in this electronic meeting. Public comments were to be submitted electronically to administration@cumberlandcounty.virginia.gov by 5:00 p.m. today. Public comments received will be posted to the Board meeting page located at <https://www.cumberlandcounty.virginia.gov/node/442>.

There are no Board members physical present as all Board members are participating by electronic communication. All speakers should identify themselves when speaking. Supervisors who leave the meeting or arrive, must verbally note attendance. All votes will be by roll call and recorded in the minutes. We appreciate everyone’s patience during this process, and I will now call the meeting to order.”

1. Call to Order

The Chairman called the meeting to order at 7:00 p.m.

2. Roll Call

Deputy Clerk, Stephany Johnson, called the roll.

3. Welcome and Pledge of Allegiance

The Pledge of Allegiance was led by the County Administrator.

4. Approval of Agenda

On a motion by Supervisor Brooks and seconded by Supervisor Tyree, the Board approved the agenda as amended:

Vote:	Mr. Stanley – aye	Mr. Tavernier – aye
	Mrs. Tyree – aye	Mr. Brooks – aye
	Mr. Saunders – aye	

5. State and Local Department/Agencies

- a. Cumberland County Public Schools
N/A
- b. Cumberland Public Library
N/A

The School System and Library provided an update to the Board which was included in the addendum.

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

N/A

7. **Public Hearings**

N/A

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

a. Consent Agenda

- 1) Approval of Bills for April 2020 and May 2020.
Approved bills for May 12, 2020 total \$ 210,548.61.
Ratified bills for April 15, 2020 through May 11, 2020 of warrants total \$381,776.60 and Direct Deposits total \$157,536.75, all with check numbers ranging from 82067-82322.
- 2) Approval of Minutes – April 8, 2020, April 14, 2020, and April 28, 2020

On a motion by Supervisor Tavernier and seconded by Supervisor Saunders, the Board approved the consent agenda as presented:

Vote:	Mr. Stanley – aye	Mr. Tavernier – aye
	Mrs. Tyree – aye	Mr. Brooks – aye
	Mr. Saunders – aye	

b. Appointments to the South-Central Workforce Development Board

On a motion by Supervisors Tyree and seconded by Supervisor Stanley, the Board appointed Mr. Addison Gills to the South-Central Workforce Development Board for a two year term:

Vote: Mr. Stanley – aye Mr. Tavernier – aye
Mrs. Tyree – aye Mr. Brooks – aye
Mr. Saunders – aye

c. Appointments needed for the Board of Zoning Appeals

On a motion by Supervisor Tavernier and seconded by Supervisor Tyree, the Board recommended Mr. Chant Connock, Mr. Charles Baber, and Dr. Bill Burger to the Circuit Court for appointment to the Board of Zoning Appeals:

Vote: Mr. Stanley – aye Mr. Tavernier – aye
Mrs. Tyree – aye Mr. Brooks – aye
Mr. Saunders – aye

d. Appointments needed for the Planning Commission

On a motion by Supervisor Tyree and seconded by Supervisor Tavernier, the Board reappointed Dr. Bill Burger and Stephen Donahue to the Planning Commission for a three-year term beginning August 1, 2020 and expiring July 31, 2023:

Vote: Mr. Stanley – aye Mr. Tavernier – aye
Mrs. Tyree – aye Mr. Brooks – aye
Mr. Saunders – aye

The Board will consider appointment for a District 5 representative at their next regular meeting.

e. Appointments needed for the Economic Development Authority

On a motion by Supervisor Saunders and seconded by Supervisor Tyree, the Board appointed James Ennis to the EDA for a four-year term beginning May 1, 2020 and expiring April 30, 2024, and reappointed Mr. Jack Lawhorne

for a four-year term beginning June 1, 2020 and expiring May 31, 2024:

Vote: Mr. Stanley – aye Mr. Tavernier – aye
Mrs. Tyree – aye Mr. Brooks – aye
Mr. Saunders – aye

f. Proposed Information Technology Security and Use Policy

On a motion by Supervisor Stanley and seconded by Supervisor Tyree, the Board approved an Information Technology Security and Use Policy:

**COUNTY OF CUMBERLAND, VIRGINIA
INFORMATION TECHNOLOGY SECURITY AND USE POLICY
ADOPTED BY THE BOARD OF SUPERVISORS MAY 12, 2020**

1.1 Purpose

This policy establishes the minimum standards for all County employees and volunteers to ensure the appropriate, responsible, and safe use of electronic communications, regardless of the system utilized.

1.2 Applicability

This procedure applies to all full-time, part-time regular and part-time County employees, contractors, interns, on-call workers, and volunteers connecting to the County resources.

1.3 Responsibilities and Requirements

All County employees and volunteers must comply with this policy. Any work-related posting to the facsimile, internet or intranet or E-mail system is a professional communication in your capacity as a County employee or volunteer. The tone must be professional, and the content must be accurate.

Inappropriate or unauthorized use, including using the facsimile, network, internet, intranet, or e-mail system in any fraudulent manner will result in disciplinary action.

A. Retention of Electronic Communication

Electronic communications shall be archived and retained as defined by the Virginia Public Records Act and managed by the Library of Virginia.

B. Acceptable Use

County issued electronic communication tools are provided to facilitate effective and efficient County operations. Authorized purposes may include occasional personal communications from the employee's workplace, when such communications are of short duration, and whenever possible, made before/after work or during lunch or authorized breaks.

The Acceptable Use Policy also applies to the use of personally owned electronic devices while at the workplace, whether connected to a County network or using a County publicly accessible Wi-Fi connection. In areas where employees must share equipment or resources for network access, employees using the resources to fulfill job responsibilities always have priority over those desiring access for personal use.

Use of personally-owned electronic devices in the employee's work area is left up to the discretion of department management. Use of streaming media (such as Internet Radio) on County devices is also left up to the discretion of the department management, unless it is determined by the IT Department that it creates a disruption or problem within the County network or on an individual workstation, in which case such use is prohibited.

C. Use Requirements

When using electronic communications tools and social media, users shall:

1. Follow all applicable County policies. Users may not violate any provision of this policy, or any other policy, regulation, law or guideline as set forth by local, State or Federal law. This may include but is not limited to copyright laws, trademark laws, and other requirements.
2. Be responsible and professional in their activities.
3. When communicating or posting to social media, be clear that the communication or posting is personal and is not a communication of the County.
4. Exercise the appropriate care to protect the County's electronic communication tools against the introduction of viruses, spyware, malware, or other harmful attacks. Check with the appropriate IT Staff prior to downloading or accessing a file or document if the source of the file or other circumstances raises doubts about its safety.
5. Maintain the conditions of security (including safeguarding of passwords) under which they are granted access.

D. Prohibited Use

The following activities are prohibited on County electronic devices unless required for law enforcement activities:

1. Intentionally accessing, viewing, downloading, uploading, posting, or transmitting information that is abusive, offensive, harassing, threatens violence, or that discriminates based on race, color, religion, gender, national origin, age, or disability.
2. Intentionally accessing, viewing, downloading,

uploading, posting, or transmitting sexually explicit material. Sexually explicit material includes any description of or any picture, photograph, drawing, motion picture film, digital image or similar visual representation depicting nudity, sexual excitement, or sexual conduct of any kind.

3. Operating a business, product advertising, or conducting business for profit or personal gain.
4. Using County e-mail systems excessively for personal use. Use of County email is intended primarily for official County business. Personal use, if necessary, should be limited to incidental use and is subject to review and enforcement for abuse and misuse.
5. Gambling.
6. Arranging for the sale or purchase of illegal drugs or illicit activity.
7. Communication with elected representatives or public or political organizations via County e-mail to express opinions regarding political issues outside of work-related communications.
8. Sending of Countywide e-mail or e-mail broadcasts without first obtaining approval by the County Administrator or his/her designee.
9. Reproduction or transmission of any material in violation of any local, State, Federal or international law or requirement, including material that does not comply with federal copyright or trademark laws and copying or reproducing any licensed software, except as expressly permitted by the software license.
10. Electronically transmitting confidential information

outside of the County network to external sources.

11. Intentionally creating a computer virus and/or placing a virus on the County's network or any other network. Intentionally drafting, forwarding, or transmitting chain letters. Intentionally accessing a computer without authorization or by a means exceeding authorized access using the County's network or any other network (Hacking).
12. Any attempt to gain access to any other system or user's personal computer data without the consent of the other system or user.
13. Intentionally circumventing security and control features associated with County filtering policies or other Internet policies by using publicly accessible Internet wireless networks (such as Verizon air cards or public Wi-Fi) from County devices for purposes other than approved, official County government business.
14. Downloading or installing software without IT Department approval.
15. Forwarding of County email which constitutes official County government correspondence to a personal email account (such as Yahoo, GMAIL, or other Internet based email accounts), which reduces the ability to routinely manage the content.
16. Any other use of the network that violates Cumberland County policies or Code of Ethics.

- 1.4 Posting or Transfer of Confidential or Inappropriate Information**
Sensitive or confidential information that needs to be protected for governmental business, legal, or regulatory reasons must not be posted to the internet or transmitted insecurely. County

Employees shall use secure file and large file transfer protocols developed by the IT Director.

County personnel and volunteers are prohibited from the following:

- (1) speech or images containing obscene, vulgar, or sexually explicit activity or language;
- (2) speech or images that ridicule, malign, disparage, or otherwise express bias against any race, any religion, or any protected class of individuals;
- (3) speech or images that reflect behavior that would reasonably be considered reckless or irresponsible;
- (4) speech or images that reflect negatively on the County; and
- (5) discussion of sensitive, confidential, proprietary, or classified information.

Examples of social media or online postings that are inappropriate, and for which an employee or volunteer may be disciplined include, but are not limited to, posts or comments that:

- (a) impair the performance of your duties;
- (b) impair discipline and harmony among coworkers;
- (c) impair working relationships of the County;
- (d) interfere with County business or operations;
- (e) disclose confidential or sensitive information; or
- (f) negatively affect the public perception of the County.

The employee or volunteer should be aware of their association with the County in online social networks. The employee or volunteer should assume that his/her speech and related activities on social media sites will reflect upon the County. The employee or volunteer shall not post, transmit, or otherwise disseminate any information to which they have access as a result of their employment unless it is already public information. The employee or volunteer should ensure their profile and related content is consistent with how they want to present themselves as a County employee or volunteer, appropriate with the public

trust associated with the position, and consistent with County and departmental personnel policies.

The employee or volunteer is prohibited from posting department logos, uniforms, or anything else identifying the department or County on a social media site or web page in a manner that reflects poor judgment or unprofessional actions.

1.5 Disciplinary Action for Violation of this Administrative Policy

Violation of this policy shall result in disciplinary action up to and including termination and restitution for all incurred damages and repair costs to the County's Equipment, Network, and Services, to include downtime that may occur.

1.6 Ownership & Management of County Information

All County owned computer systems, hardware, software, and any related systems and devices are the property of Cumberland County. These include, but are not limited to, network equipment, e-mail, documents, spreadsheets, calendar entries, appointments, tasks, and notes, which reside in part or in whole on any County computer system or equipment. Accordingly, information stored on such systems or devices is also County property and subject to review at any time. Employees and volunteers have no expectation of privacy in the use of County resources. Electronic mail records are accessible by the IT Department staff as necessary.

Additionally, the County Attorney, County Administration, Human Resources and the Police Department may have reason to review the electronic files of employees and volunteers, which may be shared with others as necessary for legal and/or policy enforcement reasons. All County department directors shall work through the Police Department, County Attorney or Human Resources to evaluate the need to review electronic records of an employee pursuant to an investigation. The Police Department, County Attorney or Human Resources Department may then request permission from the County Administrator or designee for the retrieval of records and forward that permission to the Director of Information Technology or designee for processing. In

the event that an employee or volunteer is unexpectedly unavailable for other than disciplinary reasons and access to the employee's/volunteer's records is needed to support the ongoing operation of the business, the department director may request access to the electronic records from the Director of Information Technology or designee.

As with any other data (whether for citizens or employees), computerized information maintained by the County is subject to federal, state and local laws. Any County business e-mail or other communications, regardless of origin, may be subject to disclosure under the Virginia Freedom of Information Act ("VFOIA"), the Privacy Protection Act, and judicial subpoena. Since privacy cannot be assured within email systems, confidential information shall not be transmitted by non-secure email.

1.7 Security of Cumberland County Technology Resources

Users are responsible for the use of their user account and should take all reasonable precautions to prevent unauthorized persons from being able to use their account. No one shall share their passwords. For business continuity and emergencies, exceptions may be granted with Director of Information Technology (or County Administrator) and Department Head approval. All passwords shall follow applicable County password management standards. It is the responsibility of every employee/volunteer to report suspected security breaches immediately to the IT Department by contacting the main phone number to report a suspected breach.

Music/Video files: Music/Video files are not authorized to be stored on county computer systems to prevent violation of copyright infringement laws. If music/video files are found during routine scans of network systems, the IT department will remove them and the user will be notified via e-mail.

Picture files: Non-Work related/Personal Picture files are not authorized to be stored on the County's servers. If Non-Work related/Personal Picture files are found during routine scans of

network systems, the user will be notified via e-mail to (re)move the files by a certain time and/or date. If the files are not (re) moved by the time specified, the IT department will remove them.

1.8 Filtering

The IT Department will install and maintain filtering software for all County computers. Internet filtering of County computers is in accordance with the prohibitive uses described in Section 1.3(D). Exceptions to the filtering requirement may be made on an individual employee basis for appropriate governmental purposes. Department Heads should forward such request in writing to the Director of Information Technology for approval, identifying the individual employee and/or physical personal computer requesting the exception and the reason the exception is needed. The IT Department will maintain a list of unfiltered devices and users, which shall be periodically audited. The filtering of County computers does not relieve persons from the requirements specified in this policy, nor does it provide a defense to violations of this policy.

The IT Department also maintains SPAM filters which automatically filters and removes suspect or dangerous email from delivery and places them into a SPAM folder. Incoming e-mail that could be interpreted as SPAM may include, but is not limited to, unacceptable file extensions (such as .exe files), excessively large size file attachments, objectionable content based upon subject title, and recognized malware or virus signatures. End users are provided the capability to manage their SPAM folders but should exercise extreme caution in removing items designated by the system as SPAM.

1.9 Distribution of Electronic Information, Internet and Network Resource Policy to County Employees; Employee Acknowledgment

A copy of the Electronic Information, Internet, and Network Resource Policy shall be distributed to each County employee with an Employee Acknowledgement. Each County employee shall acknowledge receipt of the Policy by signing and dating the

Employee Acknowledgement form in the presence of a witness who shall also sign and date the Acknowledgement. The executed Employee Acknowledgement shall be returned to the Human Resources Department for filing in the respective employee's personnel file.

2.0 Acknowledgement

By signing below, I,

_____, as a county employee, volunteer, or otherwise having access to and using any electronic device for county purposes, acknowledge receipt of, and have read and understand the above Information Technology Security and Use Policy. I further acknowledge that any violation of this policy shall result in disciplinary action up to and including termination and restitution for all incurred damages and repair costs to the County's Equipment, Network, and Services, to include downtime that may occur.

Employee Name (Print)

Employee's Immediate Supervisor (Print)

Employee Signature

Supervisor's Signature

Date

Date

Vote: Mr. Stanley – aye
Mrs. Tyree – aye
Mr. Saunders – aye

Mr. Tavernier – aye
Mr. Brooks – aye

9. Finance Director's Report

- a. Monthly budget Report

There was no discussion regarding this item.

- b. Request for appropriation of local receipts for CCPS - \$158,167.55:

On a motion by Supervisor Tavernier, and seconded by Supervisor Tyree, the Board approved the appropriation of \$158,167.55 in local receipts to Cumberland County Public Schools:

Vote: Mr. Stanley – aye Mr. Tavernier – aye
Mrs. Tyree – aye Mr. Brooks – aye
Mr. Saunders – aye

- c. Request for appropriation of grant funds for CCPS - \$50,000:

On a motion by Supervisor Tyree, and seconded by Supervisor Brooks, the Board approved the appropriation of grant funds in the amount of \$50,000 to Cumberland County Public Schools:

Vote: Mr. Stanley – aye Mr. Tavernier – aye
Mrs. Tyree – aye Mr. Brooks – aye
Mr. Saunders – aye

10. Planning Director's Report

- a. Planning Project Update

There was no discussion regarding this item.

11. County Attorney's Report

County Attorney, Brian Butler, summarized the following for the record for holding this meeting electronically:

“During a disaster, the Code of Virginia requires and allows governing bodies, localities and other public entities to conduct their meetings in manners which are consistent with providing continuity of government in a safe and healthy manner, and for the public safety, health and welfare of the governing body and all attendees, interested parties consistent with open government. The virus, which is a communicable disease of public health threat, makes it impractical and unsafe, even life threatening, for a quorum of the governing body to assemble in one location. The virus also makes it impractical and unsafe, as well as life-threatening for the public and the localities’ staff to gather in the same location to participate in this meeting. Pursuant to the declaration of the federal government, state government and this locality, a disaster exists, which allows us to provide for continuity of government for a period not exceeding six months pursuant to Virginia Code § 15.2-1413. Appropriate declarations of emergency have been made on all levels pursuant to Virginia Code § 44-146.21 paragraph C.”

12. Old Business

N/A

13. New Business

N/A

14. Public Comments

There were no public comments received.

15. Board Member Comments

None.

16. Additional Information

- a) Treasurer’s Report
- b) DMV Report

- c) Monthly Building Inspections Report – N/A
- d) Approved Planning Commission meeting minutes – N/A
- e) Approved EDA meeting minutes – N/A

17. Adjourn -

On a motion by Supervisor Brooks and seconded by Supervisor Saunders, the Board adjourned the meeting until the next meeting of the Board to be held at 6:00 p.m. on June 9, 2020 in the Circuit Courtroom of the Cumberland Courthouse located at 17 Courthouse Circle, Cumberland, Virginia, unless otherwise noted.

Brian Stanley, Chairman

Don Unmussig, County Administrator