

At a meeting of the Cumberland County Board of Supervisors held at 6:00 p.m. on the 11th day of August 2020, at the Cumberland County Circuit Courtroom:

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
Don Unmussig, County Administrator
Jennifer Crews, Finance Director
Chelsey White, Zoning Administrator
Brian Butler, County Attorney
Stephany Johnson, Deputy Clerk

Absent: None

1. Call to Order

The Chairman called the meeting to order at 6:00 p.m.

2. Roll Call

Deputy Clerk, Stephany Johnson, called the roll.

3. Adjourn into Closed Meeting

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

- Pursuant to VA Code § 2.2-3711.A.6: Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected; and

- Pursuant to VA Code § 2.2-3711.A.8: Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel.
Subject: Contract negotiations

4. Reconvene in Open Meeting

The Board returned to regular meeting on a motion by the Chairman at 7:00 p.m.:

A motion was made by Supervisor Tyree, seconded by Supervisor Tavernier, and adopted by the following vote:

Mr. Stanley –	aye
Mr. Tavernier –	aye
Mrs. Tyree –	aye
Mr. Brooks –	aye
Mr. Saunders -	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 session on this date pursuant to an affirmation 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 session to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion by which the closed session was convened were heard,

discussed or considered by the Board of Supervisors of Cumberland County; and (iii) no action was taken in closed session.

5. Welcome and Pledge of Allegiance

The Welcome and Pledge of Allegiance was led by the Chairman.

6. Approval of Agenda

On a motion by Supervisor Tavernier, seconded by Supervisor Tyree, and carried unanimously, the Board approved the agenda as presented:

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

7. State and Local Departments/Agencies/Community Service Providers

a. Dr. Chip Jones, Superintendent - Cumberland County Public Schools

Dr. Jones gave the following update to the Board:

- The annual convocation was held virtually on August 5, 2020
- Beulah Marshall Wiley was inducted into the CUCPS Alumni Hall of Fame. She was a community activist and was instrumental in the creation of the Buckingham Community Center
- The Elementary School was awarded an afterschool grant in the amount of \$200,000 for three years, totaling \$600,000.
- The School System has partnered with the Extension Office and the Cumberland Community Cares Food Bank to provide a pilot program called the PATH Program that offers \$40 vouchers to qualified residents for fresh fruits and vegetables.

- The first day of the 20/21 school year began virtually on August 10, 2020
- The Elementary School floor project continues and is nearing completion.
- Due to COVID-19, and schools being closed, the School System has seen some decrease in expenditures, and has received \$385,000 in CARES Act funding in the spring. These funds were used to help offset the budget deficit for the FYE21 School Year. The School System is expected to receive another \$385,000 in CARES Act funds and anticipates purchasing additional WIFI access points to locate throughout the county, to help with food costs and additional instructional supplies as needed.

b. VDOT

There was no VDOT representative present.

c. Mrs. Lisa Davis, Director – Cumberland County Public Library

Mrs. Lisa Davis, Director of the Cumberland County Public Library provided the Board with the following update:

- New operating hours for the Library are Mondays from 9am to 7pm, Tuesdays through Fridays from 9am to 6pm, and Saturdays from 10am to 2pm. Mrs. Davis provided those in attendance with a magnet with the new hours of operation. The Library is open, but only allowed 10 people in the building at one time including staff. Residents can print, copy and fax, and use the library's devices. Residents can connect to the free WIFI with their own devices from their vehicles.
- The Library Board of Directors met and have authorized the temporary forgiveness of fines on overdue books. Almost \$2,000 in fines have been forgiven.
- The Library anticipates receipt of approximately \$11,000 in CARES Act funding and plan make some COVID preparations and to purchase additional WIFI access points to locate at The Cartersville Ruritan Building, the American

Legion Hall at Sunnyside, and at a church in District 4 near River Road.

- At the request of the Chairman, Mrs. Davis provided a status update on the equipment of the Library. The AC system has had leaks. The two HVAC units are beyond their lifespan.

- d. Mr. Shannon Lewis, Forester, Cumberland State Forest – payment in lieu of taxes

Mr. Lewis, though not in attendance, provided the Board with a report and update on the State Forest accomplishments throughout the year. The total income generated from Timber and firewood sales for FYE20 was \$482,584.99 and provided the county with a \$60,323.12 payment in lieu of taxes.

- e. Cumberland Community Cares Food Bank update

Mrs. Doris Seal, Co-founder of the Cumberland Community Cares Food Bank, provided the board with an update on activities and a comparison report for families served from 2019 to 2020, in which the demand has nearly tripled due to COVID-19. The Food Bank also serves as the Emergency Crisis Center for food distribution for the region.

Mrs. Paula Totten provided an update on the Cumberland PATH Program, which is a pilot program that provides \$40 per month in fruit and vegetable vouchers for households in Cumberland County with young children and/or older adults. The goal of the program is to increase access to healthy foods and increase food security in rural locations.

Mrs. Catherine Fleischman discussed the Center for Rural Culture and their partnership with the Food Bank and the PATH Program. The Center for Rural Culture hosts the nation's oldest online farmer's market.

8. Public Hearing Notices/Set Public Hearings

N/A

9. Public Hearings

N/A

10. County Administrator's Report

a. Consent Agenda

- i. Approval of Bills for July 2020 and August 2020. Approved bills for August 11, 2020 total \$161,456.53. Ratified bills for July 15, 2020 through August 10, 2020 of warrants total \$576,881.64, and Direct Deposits total \$169,244.56, all with check numbers ranging from 82637 to 82916.
- ii. Approval of Minutes (July 14, 2020)

On a motion by Supervisor Stanley, seconded by Supervisor Tavernier, and carried unanimously, the Board approved the consent agenda:

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

b. One appointment needed to the Central Virginia Workforce Development Board

By unanimous consent, the Board tabled action on this item until the next regular meeting of the Board to be held on September 8, 2020.

c. Planning Commission – one appointment needed for District 5

By unanimous consent, the Board tabled action on this item until the next regular meeting of the Board to be held on September 8, 2020.

- d. Virginia’s Growth Alliance (VGA) appointment needed

By unanimous consent, the Board tabled action on this item until the next regular meeting of the Board to be held on September 8, 2020.

- e. IFB # 07-24-20 Food Bank Building Modifications – notice of intent to award; Harold Collins Clearing & Grading

Staff issued an Invitation for Bids for modifications to the Food Bank building located at 1550 Anderson Highway, and only received one responsive and responsible bid. That bid was from Harold Collins Clearing & Grading with a base amount of \$51,500.00. The current state of the building is grossly inadequate for the volume of operations even prior to COVID. The proposed modifications will better equip the volunteers to serve the residents of Cumberland and include an electric pallet jack with a scale, the addition of a covered unloading area for deliveries and a portable roller system. Staff confirmed with the Virginia Office of the Secretary of Finance that these building modifications were an acceptable use of the CARES Act funds.

On a motion by Supervisor Brooks and seconded by Supervisor Saunders, the Board approved the award of a contract for the Food Bank Building Modifications to Harold Collins Clearing & Grading:

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

- f. CARES Act Funds – preliminary approval and appropriation

County Administrator, Don Unmussig, informed the Board that the County has received approximately \$866,000 in CARES Act funds and anticipates a second round of funding in the same amount. With this money, comes enormous constraints on spending. Localities must warranty that the expenditures are directly related to COVID-19.

On a motion by Supervisor Tyree and seconded by Supervisor Tavernier, the Board approved and appropriated the \$866,000 in CARES Act funding:

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

g. EDA Appointments

Effective July 1, 2020, EDA Directors are now required to complete the Statement of Economic Interest form instead of the previously required Financial Disclosure Form. The Statement of Economic Interest form is a 26-page document that asks very in-depth information. Mr. Fred Shumaker and Mr. James Henshaw have since resigned from the EDA because of this new requirement. Localities across the Commonwealth are experiencing the same issues. In addition to these two resignations, the terms of Mr. John Godsey and Mr. Leroy Pfeiffer, Sr. are set to expire July 31. Therefore, there are a total of 4 potential appointments needed.

Supervisor Brooks made a motion to approve the reappointment of Leroy Pfeiffer, Sr. and John Godsey to the Economic Development Authority.

Supervisor Tavernier made a substitute motion to advertise the vacancies, add them to the website and postpone action until the September meeting of the Board.

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

Supervisor Brooks' motion failed due to lack of a second, and the approval of the substitute motion.

h. Water & Sewer Extension Project for Cumberland Business Park

County Administrator, Don Unmussig, reminded the Board that the County was awarded a Tobacco Commission grant in the amount of \$998,999 for the water and sewer upgrade to the Cumberland Business Park. Staff will begin working with two architectural and engineering firms for the construction of the water and sewer extension project. A lease has been executed with Braven Environmental for the shell building at the industrial park. According to Braven, their expected first day of operation is June of 2021.

Supervisor Tavernier inquired about the proposed revisions to the intersection of Commerce Road and Anderson Highway. Mr. Unmussig reminded the Board that that intersection revision was previously submitted to VDOT as a Smart-Scale Project but was not selected by VDOT. Mr. Unmussig is working with VDOT for a possible Economic Development Access Grant to widen Commerce Road and fix the internal access road to the Industrial Park, and potentially the intersection in question.

i. Personal Property Tax Relief Act (PPTRA) Resolution

On a motion by Supervisor Saunders and seconded by Supervisor Tyree, the Board approved the PPTRA rate for 2020 of 39.08% and approved the following resolution:

**Resolution Pursuant to
Cumberland County Code § 58-291
Adoption of the Calendar Year 2020
Personal Property Tax Relief Act
Percentage to be Applied to
Tangible Personal Property**

August 11, 2020

12. Planning Director's Report

a. Planning Project Update

Zoning Administrator, Mrs. Chelsey White, provided the Board with an update for the month of July 2020. Mrs. White also updated the Board per Supervisor Tavernier's request from the July meeting, that the tower on Salem Church Road is a cell tower. Supervisor Stanley also inquired as to the proposed update to the sign ordinance, which Mr. Unmussig confirmed may be forthcoming in September.

13. County Attorney's Report

N/A

14. Old Business

N/A

15. New Business

N/A

16. Public Comments

Mr. Cecil Youngblood stated that 25% - 30% of the refuse will pass through the courthouse area on its way to the landfill, and he is concerned for the safety of residents due to the increase in traffic. He also states that there have not been enough studies conducted regarding water and air pollution.

Mr. Kennell reminded the Board members of their responsibility to ensure the safety of the citizens and referenced his copy of the Board of Supervisors manual. He provided the Board with a copy off a letter from DEQ to Jerry Cifor, President of Green Ridge dated July 1, 2020, and a second letter from DEQ to Jerry Cifor dated August 6, 2020 regarding Green Ridge's Notice of Intent filed with DEQ and requested the Boards receipt of these letter to go on record.

Mrs. Betty Myers had signed up to speak but passed on the opportunity.

Ms. Glenna Stiles stated that there must be a way for the residents to overrule the Board members. She also stated that Supervisor Stanley attended Cumberland County Landfill Alert (CCLA) meetings prior to his election to the Board, and that his comments accusing someone tied to CCLA making the comments about lynching residents was beneath him.

17. Board Member Comments

Supervisor Stanley stated that he appreciates CCLA disavowing the writer of the racist and threats towards the Board, but it is indicative that supporters of CCLA's cause have made threats toward the Board with the intent to intimidate.

Supervisor Tavernier stated that he wants to stand up for CCLA as he does not believe the person who threatened the Board was a member and suggested that the Chairman was misinformed by making the accusation against CCLA. Mr. Tavernier stated that during his membership with CCLA, there was never any discussions of hostile or violent nature.

18. Additional Information

- a. Treasurer's Report
- b. DMV Report
- c. Monthly Building Inspections Report
- d. Approved Planning Commission meeting minutes – June 22, 2020
- e. Approved Economic Development Authority meeting minutes – January 28, 2020, May 4, 2020, June 3, 2020 and June 15, 2020

19. Adjourn

On a motion by Supervisor Tyree, seconded by Supervisor Saunders, and carried unanimously, the Board adjourned the meeting until the next regular meeting of the Board to be held on September 8, 2020 at 6:00 p.m. in the Circuit Courtroom of the Cumberland Courthouse.

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

Mr. Tavernier – aye
Mr. Brooks – aye

Brian Stanley, Chairman

Don Unmussig, County Administrator