

At a meeting of the Cumberland County Board of Supervisors held at 7:00 p.m. on the 14th day of February 2023, 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
Derek Stamey, County Administrator
Jennifer Crews, Assistant County
Administrator/Finance Director
Kemper Beasley, County Attorney
Tiana Branch, Deputy Clerk

Absent: Stephany Johnson, Zoning Administrator

1. **Call to Order**

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

2. **Roll Call of Members**

Tiana Branch, Deputy Clerk, called the roll.

3. **Welcome and Pledge of Allegiance**

The Pledge of Allegiance was led by the Chairman.

4. **County Administrator Comments**

County Administrator, Derek Stamey, provided the Board with the following report:

- Comprehensive Plan Update – surveys, community meetings, and website
- Economic Development Strategic Plan Update – survey is live for

businesses to complete

- EDA Openings – (3) at large openings on the EDA currently.
- Bear Creek Lake State Park Connector Trail Grant Award – Virginia Tobacco Commission - \$218,000 grant
- Patriot Day Reminder: Saturday April 22, 2023 from 12-4 pm @ the Courthouse Complex.

5. **Approval of Agenda**

Chairman Stanley made a motion to amend the agenda before the approval. The amendment was made to go into closed session prior to the State and Local Departments/Agencies/Community Service Provider Reports.

On a motion by Supervisor Stanley, seconded by Supervisor Tyree and carried unanimously, the Board approved the amendment to the agenda.

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

On a motion by Supervisor Tavernier, seconded by Supervisor Saunders and carried unanimously, the Board approved the agenda as amended.

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

6. **Adjourn into Closed Meeting**

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

- 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: Discussion of current contractual obligations of Cumberland County as a result of Host Agreement with Greenridge

Purpose of Closed Meeting: Consultation with County Attorney regarding legal obligations of Cumberland County

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

7. **Reconvene in Open Meeting**

The Board reconvened to open meeting on a motion 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.

8. State and Local Departments/Agencies

a. Cumberland County Public Schools

Dr. Chip Jones, Superintendent, gave the following update to the Board:

- Happy Valentine's Day
- Shout to Mr. Stamey for his one year anniversary in Cumberland County
- This week we are celebrating Kindness Week. We have a Kindness Challenge Bingo posted on social media
- February is School Board Appreciation Month, School Board Clerk Month, and CTE Month.
- The board appointed Ms. Everleane Randolph as the District V Representative
- Our CHS Lady Dukes Varsity Basketball Team improved to 20-1 record, won the JRD Championship, were the regular season JRD champions, and Coach John Trent was named the JRD Coach of the Year
- The CHS Dukes Wrestling Team won the JRD Championship and was named runner up during regional action and four wrestlers placed fourth, three wrestlers placed second, and two placed first
- The CCES Virginia Tiered Systems of Support Leadership Team received the VASCD Team Award
- The Moton Museum presented to CCES students today in honor of Black History Month
- One of our high school students successfully completed the Small Unmanned Aircraft Systems pilot certification. This is a first for CuCPS
- Basketball teams celebrated Senior Night
- CMS Lady Dukes participated in the Southside Middle School Basketball Tournament in Mecklenburg
- CuCPS hosted the Southside Middle School Basketball Tournament
- CCES is hosting Innovation Night on Thursday, February 16, 2023
- Last week we celebrated National School Counseling Week—thank you to Ms. Johnson, Ms. Ellinghausen, and Ms. Sacra
- CuCPS participated in National Wear Red Day
- CMS hosted the National Junior Honor Society ceremony where over 15 students were inducted

- CCES is gearing up for Pre-KG registration which will be held February 28-March 3
- CuCPS now has a Jazz Band and they will do their inaugural performance on April 13, 2023, during the spring concert
- CHS CNA students finished their clinicals at Heritage Hall in Dillwyn
- CCES fourth grade students was named the CuCPS Spelling Bee winner—her father serves in the military was able to be there via Facetime
- CCES celebrated the 100th Day of School
- CuCPS celebrated Principal Week during the week of January 15th. Thank you to Ms. Gills, Mr. Williams, and Mr. Hoyt
- Ms. Scott-Thompson was featured by CodeVA
- The CMS basketball teams, chorus, Teachers of the Year, our Magna Award winner were all celebrated at the Longwood Basketball game where it was CMS Night. Our basketball team played a halftime scrimmage.
- Two of our band students participated in districts
- CuCPS participated in the Farmville Area Chamber of Commerce Leadership Farmville Education and Economic Development Roundtable with Prince Edward County Schools, Fuqua School, and Longwood Small Business Development Center
- CuCPS Foundation 5K is scheduled for Saturday, March 11, 2023—get your walking/running shoes ready!
- CuCPS is hosting a Region 8 Career Fair on March 1, 2023, at the Farmville Train Station
- As always, thank you for your support of CuCPS

b. Cumberland Public Library

Mrs. Lisa Davis, Director of Public Library, was absent and had nothing to report.

c. Cumberland Fire and EMS

Fire & EMS Chief, Andy Aigner, provided the Board with the following report:

Administrative Efforts:

- Currently completing FY 24 and FY 24-FY 48 Capital Improvement

Requests

- Completing the creation of the department's SOP Manual, mission, vision, and goals
 - Focus on reducing response times
 - Increasing times that transport units are available.
 - Fire and EMS/Dispatch collaboration.

Comprehensive update to be provided at the Public Safety Budget Workshop in March.

Special Project Efforts

- Randolph Fire Station Renovations are 95% complete.
- Project is being completed two months early and under budget.
- Highlights – living quarters and space for ambulance at the station, public meeting space has been doubled from ~1,200 square feet to ~21,000 square feet along with improved electrical capacity, lighting, and storage.
- Ribbon Cutting tentatively scheduled for March 14 at 5 pm.
- Radio System Update to be provided at Public Safety Budget Workshop in March.

d. VDOT

Resident Engineer, Scott Frederick, was not present but provided the Board with the following report:

Maintenance Report – typical, routine, wintertime maintenance throughout Cumberland County.

- Cutting and brush removal in right-of-ways.
- Machining gravel roads and adding stone where needed.
- Trees identified along 45 and 690 that need to be removed – scheduling in process.
- Rural Rustic Project to begin soon, Route 664 and 679 (Angola Road).
- Traffic Study at the intersection of Route 46, Route 616, and Route 684 has been completed and will be presented at the March 14, 2023 Board meeting. Includes options prior to implementing a 4 way stop.
- Last Fall the County submitted a list of roads requesting their review for safety, speed limits, and signage. Additional updates will be provided of the findings at the March 2023 Board of Supervisors meeting.

- As a reminder the Board will hold a Secondary 6 Year Plan Workshop on Wednesday, March 14, 2023 at 6 pm.

e. Commissioner of the Revenue – Tax Relief for Elderly & Disabled Rates

The Board was presented with a request to adjust the Tax Relief for Elderly & Disabled Exemption as recommended by the Commissioner of the Revenue, Julie Phillips. The adjustment leaves the asset limit at \$100,000, raises the income limit to \$30,000, and raises the exemption to \$500.

On a motion by Supervisor Tyree, seconded by Supervisor Tavernier and carried unanimously, the Board approved the Tax Relief for Elderly & Disabled adjustments as presented.

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

f. Finance Director’s Report

i. Monthly budget Report:

There was no discussion regarding this item.

ii. Appropriation for CuCPS

On a motion by Supervisor Tavernier, seconded by Supervisor Tyree, and carried unanimously, the Board approved the budget appropriation for Cumberland County Public Schools in the amount of \$56,423.51:

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

g. Planning and Zoning Administrator's Report

i. Planning Project Updates

There was no discussion regarding this item.

ii. Planning Commission Upcoming Vacancies

Members of the Board were reminded of the four Planning Commissioners terms set to expire in 2023.

h. County Attorney's Report

County Attorney, Kemper Beasley, had nothing to report.

9. **Consent Agenda**

a. Approval of Bills

b. Approval of Minutes (January 10, 2023 and January 23, 2023)

c. Appointments

i. Piedmont Senior Resources Reappointments – Jessica Ownby & Robert Saunders

d. MOU – FEMA Assistance to Firefighter's Grant

e. Request to Set Public Hearings

i. CA 22-03 Short Term Rentals

ii. Consideration of Lease Agreement and Dark Fiber Installation – Central Virginia Services, Inc.

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

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

10. **Old Business**

N/A

11. **New Business**

a. Resolution for Opioid Settlement

County Attorney, Kemper Beasley, presented the Board with the following resolution regarding the Opioid Settlement:

A RESOLUTION OF THE CUMBERLAND COUNTY BOARD OF SUPERVISORS APPROVING THE COUNTY'S PARTICIPATION IN THE PROPOSED SETTLEMENT OF OPIOID-RELATED CLAIMS AGAINST TEVA, ALLERGAN, WALMART, WALGREENS, CVS, AND THEIR RELATED CORPORATE ENTITIES, AND DIRECTING THE COUNTY ATTORNEY AND/OR THE COUNTY'S OUTSIDE COUNSEL TO EXECUTE THE DOCUMENTS NECESSARY TO EFFECTUATE THE COUNTY'S PARTICIPATION IN THE SETTLEMENTS

February 14, 2023

WHEREAS, the opioid epidemic that has cost thousands of human lives across the country also impacts Cumberland County, Virginia ("Cumberland") by adversely impacting the delivery of emergency medical, law enforcement, criminal justice, mental health and substance abuse services, and other services by Cumberland's various departments and agencies; and

WHEREAS, Cumberland has been required and will continue to be required to allocate substantial taxpayer dollars, resources, staff energy and time to address the damage the opioid epidemic has caused and continues to cause the citizens of Cumberland; and

WHEREAS, Cumberland has filed suit against Teva, Allergan, Walmart, Walgreens, CVS, and certain of their related corporate entities for their role in the distribution, manufacture, and sale of the pharmaceutical opioid products that have fueled the opioid epidemic that has harmed Cumberland; and

WHEREAS, the County's suit seeks recovery of the public funds previously expended and to be expended in the future to abate the consequences and harms of the opioid epidemic; and

WHEREAS, settlement proposals have been negotiated that will cause Teva, Allergan, Walmart, Walgreens, and CVS to pay billions of dollars nationwide to

resolve opioid-related claims against them; and

WHEREAS, the County has approved and adopted the Virginia Opioid Abatement Fund and Settlement Allocation Memorandum of Understanding (the “Virginia MOU”), and affirms that these pending settlements with Teva, Allergan, Walmart, CVS, and Walgreens shall be considered “Settlements” that are subject to the Virginia MOU, and shall be administered and allocated in the same manner as the opioid settlements entered into previously with the Distributors and Janssen; and

WHEREAS, the County’s outside opioid litigation counsel has recommended that the County participate in the settlements in order to recover its share of the funds that the settlement would provide; and

WHEREAS, the County Attorney has reviewed the available information about the proposed settlements and concurs with the recommendation of outside counsel;

NOW THEREFORE BE IT RESOLVED that the Cumberland County Board of Supervisors, this 14th day of February, 2023, approves the County’s participation in the proposed settlement of opioid-related claims against Teva, Allergan, Walmart, Walgreens, CVS, and their related corporate entities, and directs the County Attorney and/or the County’s outside counsel to execute the documents necessary to effectuate the County’s participation in the settlements, including the required release of claims against settling entities.

Adopted the 14th day of February 2023.

On a motion by Supervisor Tavernier, seconded by Supervisors Saunders and carried unanimously, the Board adopted the Opioid Resolution as presented:

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

b. Green Ridge Project Update

Green Ridge Attorney, William Shewmake, presented the Board and the public with an update on the status of the Green Ridge Project.

12. **Public Hearings**

a. CA 22-05 Business Personal Property

County Administrator, Derek Stamey, presented the Board with an overview.

With no citizens signed up to speak, the Chairman closed the Public Hearing.

On a motion by Supervisor Brooks, seconded by Supervisor Saunders, and carried unanimously, the Board approved CA 22-05 Business Personal Property:

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

b. CUP 22-03 Anna’s Puppies

County Administrator, Derek Stamey, presented the Board with an overview.

Margaret VanSiclen spoke in support of Anna’s Puppies as a previous customer.

With no others citizens signed up to speak, the Chairman closed the Public Hearing.

On a motion by Supervisor Tyree, seconded by Supervisor Tavernier, and carried unanimously, the Board approved CUP 22-03 Anna’s Puppies:

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

c. CUP 22-15 Denaro Christmas Tree Farm

County Administrator, Derek Stamey, presented the Board with an overview.

With no citizens signed up to speak, the Chairman closed

the Public Hearing.

On a motion by Supervisor Brooks, seconded by Supervisor Saunders, and carried unanimously, the Board approved CUP 22-15 Denaro Christmas Tree Farm:

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

13. **Additional Information**

- a) Treasurer’s Report
- b) DMV Report
- c) Monthly Business License Report
- d) Monthly Building Inspections Report – December 2022 (Amended) & January 2023
- e) Commonwealth Regional Council Report
- f) Cumberland Extension Office Monthly Newsletter – N/A
- g) Approved Planning Commission meeting minutes – November 14, 2022
- h) Approved EDA meeting minutes – November 16, 2022
- i) Approved BZA minutes – N/A

14. **Public Comments**

Betty Myers commended the County for all of the positive changes moving forward. She also suggested a public hearing be held to discuss how citizens feel about the Green Ridge updates.

Rose McClinton was not present at the time of her public comment.

Tim Kennell recommended the Board consider “tearing up” the Host Agreement with Green Ridge. He also asked Members of the Board for support with a grant he is currently seeking for the County.

Barbara Speas also commended the County for the positive actions taken by the Board and staff. She also supported the suggestions made of “tearing up” the Host Agreement with Green Ridge and holding a hearing for citizens. She also addressed the concerns she still has about the landfill coming to the County.

15. **Chairman and Board Member Comments**

16. **Adjourn -**

On a motion by Supervisor Brooks and seconded by Supervisor Tyree, the Board adjourned until the Joint Budget Workshop with School Board at 6:00 p.m. on February 28, 2023 in the Cumberland County Middle/High School Cafetorium.

Brian Stanley, Chairman

Derek Stamey, County Administrator