

COUNTY of
CUMBERLAND
VIRGINIA

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Judy Hollifield
County Administrator

P.O. Box 110
Cumberland, VA 23040
(804) 492-3625 Phone
(804) 492-9224 Fax

jhollifield@cumberland-co.com

County Administrator
Judy O. Hollifield

Assistant Administrator
Sherry Swinson

County Attorney
Darvin E. Satterwhite

Board of Supervisors

William F. Osl, Jr.

Clifton C. White

Van H. Petty

Elbert R. Womack

Jeremiah D. Heaton

At a regular meeting of the Cumberland County Board of Supervisors held at 7:00 p.m. on the 10th day of May 2005, at the Cumberland Courthouse:

Present: W.F. Osl, Jr., Chairman, District 1
Clifton C. White, District 2
Van Petty, District 3
Elbert Womack, District 4
Jeremiah Heaton, District 5
Darvin E. Satterwhite, County Attorney
Judy O. Hollifield, County Administrator
Sherry Swinson, Assistant County Administrator

The Chairman called the meeting to order and the County Administrator called the roll.

The invocation was led by Reverend Leroy McLaughlin, New Hope Baptist Church, and the pledge of allegiance was led by the Chairman.

1. Approval of Agenda

On a motion by Mr. Osl and carried, the Board approved an addendum to the agenda as follows:

5. Public Hearing
 - b) Coyotes (added draft ordinance)
6. Department/Agencies
 - c) Request for supplemental appropriation of local receipts (school fund)
7. County Administrator's Report
 - a) Consent agenda – add
 - 4) Correct Library budget (appropriate additional \$6,527 effective 7/1/05)
 - e) Transfer of surplus sheriff's vehicle to Piedmont Regional Jail
 - f) Discuss purchase of van (\$1,000) for County youth Activities

8. County Attorney's Report
c) Additional proposed ordinance amendments

Vote: Mr. Osl - aye Mr. White - aye
 Mr. Petty - aye Mr. Womack - aye
 Mr. Heaton - aye

2. **Resolution in Recognition and Appreciation of Woman's Club of Cumberland**

Mr. Osl read the following resolution and presented it to two members of the Woman's Club who were in attendance at the Board meeting. Mrs. Pat Bickle and Mrs. Juanita Urban:

**RESOLUTION
IN RECOGNITION AND APPRECIATION OF
WOMAN'S CLUB OF CUMBERLAND**

WHEREAS, the Woman's Club of Cumberland, organized and federated in 1955, is celebrating fifty years of volunteer service in Cumberland County, and in 1955, sixteen members pledged to 1) unite members through opportunities for community service and 2) promote common interests in art, conservation, education, health, international affairs and public affairs; and

WHEREAS, two charter members, Barbara Smith and Rebecca French, remain active in 2005, and forty-six members support the following:

- the Woman's Club of Cumberland was instrumental in establishing the Cumberland County Public Library, contributing to its expansion, funding technology upgrades, serving in Trustee and Board positions and volunteering on an ongoing basis;
- the Woman's Club of Cumberland was instrumental in the establishment of the Cumberland County Public Schools Foundation, Inc., adopting the Foundation as its Community Improvement Program, serving in board positions, making a significant contribution to the Walk for Education and funding a scholarship for high school graduates;
- the Woman's Club of Cumberland continues to support the Cumberland County Public Schools, providing volunteers in various reading programs and history tutoring, sponsoring student art and writing contests, staffing the Publishing Center in the After School Enrichment Program and recognizing teachers in numerous ways throughout the school year.

- the Woman’s Club of Cumberland sponsored semi-annual Hugh O’Brien Youth seminars that target county sophomores with leadership potential, coordinating and facilitating workshops and funding a partial HOBY scholarship.
- the Woman’s Club of Cumberland was primarily instrumental in the creation of the Cumberland County Christmas Mother Program, serving in board positions, providing financial support and volunteering on an ongoing basis.
- the Woman’s Club of Cumberland sponsored an annual Blood Drive, organizing and publicizing the event, providing refreshments to donors and volunteering throughout the drive.
- the Woman’s Club of Cumberland supported Operational Smile, making Smile Bags and donating bag contents for distribution to international missions to surgically repair faces of disfigured children.
- the Woman’s Club of Cumberland partnered with the Farmville Herald and Cumberland Bulletin to publicize programs and projects, the club’s “Conservation Corner,” and the Community Improvement Program’s fundraisers, grant and scholarship activities.
- The Woman’s Club of Cumberland makes annual contributions to local groups and organizations, supporting community goals and objectives.

NOW, THEREFORE, BE IT RESOLVED, that the Cumberland County Board of Supervisors recognizes and appreciates the Woman’s Club of Cumberland for the many contributions to the community over the past fifty years.

ADOPTED the 10th day of May 2005.

VOTE: Mr. Osl – aye Mr. White – aye
 Mr. Petty – aye Mr. Womack – aye
 Mr. Heaton – aye

3. VDOT – Mark McKissick

Mark McKissick, VDOT, met with the Board to discuss concerns regarding the secondary road system.

On a motion by Mr. White and carried, the Board adopted the following resolution:

WHEREAS the street described below was established prior to July 1, 1992 and currently serves at least 3 families per mile; and

WHEREAS, the Virginia Department of Transportation has deemed this county's current subdivision control ordinance meets all necessary requirements to qualify this county to recommend additions to the secondary system of state highways, pursuant to Sec. 33.1-72.1, Code of Virginia, and

WHEREAS, after examining the ownership of all property abutting this street, this Board finds that speculative interest does not exist.

NOW, THEREFORE, BE IT RESOLVED this Board requests the following street be added to the secondary system of state highways, pursuant to Section 33.1-72.1 (D), Code of Virginia.

Name of Street: Morris Drive Length: 0.24 miles
From: Route 600
To: Dead End
Guaranteed Right-of-Way Width: 60 feet

BE IT FURTHER RESOLVED this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED this Board requests the Virginia Department of Transportation to improve said street to the prescribed minimum standards, funding said improvements pursuant to Section 33.1-72.1 (D) Code of Virginia, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer of the Virginia Department of Transportation.

Vote: Mr. Osl - aye Mr. White - aye
Mr. Petty - aye Mr. Womack - aye
Mr. Heaton - aye

4. Introduction of Water & Sewer Advisory Committee

Mr. Petty introduced the members of the Water & Sewer Advisory Committee who were present:

Carolyn Helgeson – District 3
Doris Brown – District 3
Richard Meador – District 2
Bill Eastlake – District 5

Not present were: Stanley O’Neal, District 5; Roger Hatcher, District 4;
Scott Newton (Chairman), District 1.

5. **Public Hearings**

- a) Consider Ordinance re: Water Rates (adopted by Emergency Ordinance in April 2005)

The County Attorney explained that the emergency ordinance which was adopted in April had to be advertised for public hearing to be adopted permanently into the County Code. The Chairman opened the hearing and one speaker, the Director of the Public Library, asked to be notified of the rate that would be charged for the Library. The hearing was then closed.

On a motion by Mr. Petty and carried, the Board adopted the following ordinance pertaining to water rates:

AN ORDINANCE ADOPTING NEW ARTICLE III, “WATER”, OF CHAPTER 66, “UTILITIES,” OF THE CUMBERLAND COUNTY CODE TO REGULATE THE USE OF THE COUNTY PUBLIC WATER SYSTEM.

WHEREAS, the County of Cumberland anticipates operating a public water system serving the citizens of Cumberland County; and,

WHEREAS, in order to assure the public health, safety and general welfare of the users of the public water system and to properly manage the use and enjoyment of the County’s water resources, it is necessary to set rates for the users of public water system.

NOW THEREFORE, BE IT ORDAINED, that new Article III, “Water” of

Chapter 66, "Utilities," of the Cumberland County Code is hereby adopted as follows:

[Sec. 299. Reserved.]

ARTICLE III. WATER

DIVISION 1. GENERALLY

Sec. 66-300. Water usage rates.

Users of water from the County public water system shall pay County water bills based upon the following rates for each metered unit or structure:

(a) Residential Rate:

- For the first 2,000 gallons, a \$25.00 minimum monthly fee shall be payable;
- For any amounts used exceeding 2,000 gallons per month, the user shall pay at a rate of \$4.00 per 1,000 gallons or part thereof.

(b) Governmental/Educational Users Rate:

- For the first 2,000 gallons, a \$100.00 minimum monthly fee shall be payable;
- For any amounts exceeding 2,000 gallons per month, the user shall pay at a rate of \$15.00 per 1,000 gallons or part thereof.

Effective Date: May 10, 2005

Vote: Mr. Osl - aye

Mr. White – aye

Mr. Petty – aye

Mr. Womack – aye

Mr. Heaton – aye

b) Bounty on Coyotes

The County Attorney explained that State Code allows payment of a bounty on coyotes up to \$50.00, which can come from whatever funds that may be available. Board members had questions regarding the types of firearms that could be used, and how other counties verified that the killing had been done within their county. Another question was whether the State budget item in the amount of \$50,000.00 for payment of bounties was available to Cumberland County.

The Chairman opened the public hearing and since there were no speakers, the hearing was closed.

The Board agreed to gather information from other counties on the impact of adopting this ordinance prior to making a decision at the June meeting.

6. Department and Agencies

a) School Request for Supplemental Appropriation

Linda Staylor, Assistant Superintendent for Finance requested that the Board consider a supplemental appropriation to the school for local receipts collected and deposited with the County Treasurer, architectural fees, and repairs related to the Fire Marshal's report.

On a motion by Mr. Heaton and carried, the Board appropriated \$73,709.69 for local receipts, \$50,462.25 for architectural fees, and \$70,720.86 for repairs related to the Fire Marshal's report.

Vote: Mr. Osl - aye Mr. White - aye
 Mr. Petty - aye Mr. Womack - aye
 Mr. Heaton - aye

b) Ms. Staylor and a student representative presented the Board with copies of the booklet on Cumberland County, prepared through a Learn and Serve Grant.

7. County Administrator's Report

a) Consent Agenda

The County Administrator explained each item in the consent agenda and on a motion by Mr. Womack and carried, the Board approved the following items as presented:

1. Approved minutes for April 2005.
 2. Approved bills for May 2005 totaling \$183,253.94 and ratified bills for April 2005 of warrants totaling \$189,661.44 with check numbers ranging from 44491 to 44713. Direct Deposit totaling \$77,982.72.
 3. Memorandum of Agreement between County and eVA (for procurement of vendors on State vendor list, and for quick quotes). A copy of the agreement is filed with the Official Board of Supervisors file for May 10, 2005.
 4. Corrected Library budget for FY 2005-06 – approved an additional \$6,527.00 in funding.
- b) Recommendations to Circuit Court Judge for Equalization Board.

Mr. Osl recommended that Cabell Metts serve on the Equalization Board. (This item will be on the agenda until all recommendations are received from each District, then forwarded to the Circuit Court Judge.)

Vote: Mr. Osl – aye Mr. White – aye
Mr. Petty – aye Mr. Womack – aye
Mr. Heaton – aye

- c) Appointment to Workforce Investment Board

No recommendations were available.

- d) Water & Sewer Advisory Committee By-Laws

The Water & Sewer Advisory Committee by-laws state that changes made by the Committee to the by-laws, must have final approval by the Board of Supervisors.

On a motion by Mr. Petty and carried, the Board adopted the Water & Sewer Advisory Committee by-laws as presented at the last meeting.

Vote: Mr. Osl – aye Mr. White – aye
Mr. Petty – aye Mr. Womack – aye
Mr. Heaton – aye

- e) Transfer of Sheriff’s vehicle to Piedmont Regional Jail

On a motion by Mr. Osl and carried, the Board authorized the transfer of a surplus sheriff’s vehicle to Piedmont Regional Jail.

Vote: Mr. Osl – aye Mr. White – aye
Mr. Petty – aye Mr. Womack – aye
Mr. Heaton – aye

- f) Purchase of van for County youth activities

On a motion by Mr. Womack and carried, the Board authorized the purchase of a van from Davis Pontiac, in the amount of \$1000, for use in transporting County youth for 4-H, Youth League, Boy Scouts, Girl Scouts, and any other community related events.

Vote: Mr. Osl – aye Mr. White – aye
Mr. Petty – aye Mr. Womack – aye
Mr. Heaton – aye

8. **Assistant County Administrator’s Report**

- a) Project Updates

The Assistant County Administrator stated that she and Stephanie Heintzleman were presenters at the statewide Greenways Conference held in Richmond last Monday. Their topic was the development of the civil rights in education heritage trail.

The trail connecting the proposed museum to Bear Creek Lake State Park is almost complete from Foster Road to the Cumberland State Forest. All of the infrastructure has been laid. The trail has been graded and minor improvements are being made, including the installation of a fence along ten feet of the easement. The trail should be completed by July. The waterline construction should be

completed by the first of August and the meeting facility should be completed by the first of October and the cabins by the end of November.

The 10th anniversary of the driving tour of the Route of Lee's Retreat is this Friday, the 13th at 1:00 p.m. at Fork Inn, Route 460, Sutherland, Dinwiddie County. Everyone is invited to attend.

Members of the Virginia Heartland hosted members of the Virginia Tobacco Commission, Senator Charles Hawkins and Tom Arthur, this past week and visited a number of the current and hopefully future projects funded by the commission, including High Bridge Rails to Trails and the Farmville Municipal Airport.

The week before, County Officials and representatives from Nottoway, Prince Edward, Cumberland and Appomattox, met with representatives from the Department of Conservation and Recreation and Norfolk Southern to discuss the status of the High Bridge project. The abandonment is complete with the real estate department of NS reviewing their land holdings before turning over to the State. Norfolk Southern reported that this donation would probably be made by the end of the year. DCR will start the master planning process, which takes 16-18 months to complete. In the meantime, it will use grant monies to secure the corridor, perform a resource assessment; conduct public meetings and start the master planning process.

The Tobacco Commission will be holding a special projects committee meeting in June and vote on those grant award recommendations in July when the full Commission meets in Farmville.

The Reservoir team will meet with the US Army Corps of Engineers on May 25th in their Norfolk offices. A copy of the joint permit application is available in the County Administrator's office for perusal.

The Commonwealth Transportation meets next week and will officially approve the \$200,000.00 of the streetscape funding, which will then be available in October.

9. County Attorney's Report

- a) Recommendation from Planning Commission on ordinance amending Code to recite procedures and requirements regarding amendments to the zoning ordinance

The County Attorney stated that the Planning Commission will conduct a public hearing on May 16th to consider amendments to the zoning ordinance.

- b) Set Public hearing to consider changes to County Code re: Section 26-122

A public hearing will be scheduled for June to consider a change to the ordinance which allows Cumberland County to place a lien on real estate for delinquent charges on water and sewer accounts. The General Assembly authorized this change.

- c) Additional proposed ordinance amendments

If further changes are required in the subdivision ordinance to meet VDOT requirements, then a joint public hearing with the Planning Commission will be required in order to have the changes in place by July 1st. The Board agreed to meet with Alan Leatherwood, VDOT Engineer, to discuss the changes that are required.

- d) Fees for subdivision reviews, rezoning, etc.

Fees for subdivision reviews, rezoning, etc. must now be incorporated into the County Code, therefore, a public hearing must be held by the Planning Commission in June.

The Board referred this item to the Planning Commission for action.

- e) Set public hearing for amendments to Traffic Ordinance

The Board agreed to set public hearings in June for amendments to the traffic ordinance, and update to the ordinance setting a \$5.00 fee which goes into the Courthouse Security Fund.

10. Board Members

Mr. Osl stated that he and the County Administrator attended a conference on Innovations in Government and gathered information from county and other government representatives on various topics and issues, and found that one county is issuing an RFP for a commerce park,

to attract the type of business they want to their county.

New charter and bylaws for a new entity, Commonwealth Regional Council, to replace Virginia's Heartland and Piedmont Planning District Commission, are included in the Board packet. The Board asked the County Attorney to look over the information and provide input, so that the Board can take action at the June meeting.

Mr. White commended the Public Works Department for the appearance of County property.

He also stated that in view of the fact that a transfer station had to be closed unexpectedly on a Saturday, due to an employee's illness, that he has explained to some citizens that we are trying to work out a plan so that this would be a rare occurrence.

Mr. Petty reported that the Cumberland Rescue Squad has been able to bring their level of service back to what it was in January 2005, and they are making changes to their by-laws to help alleviate some of the problems which had existed. A check with the 911 call center in June needs to be made to verify level of response.

Mr. Petty attended a VACo Telecommunications Committee meeting and updated the Board on various issues that could affect Cumberland in the future.

Mr. Womack stated that he attended the public meeting regarding the airport and explained the options for expansion that were discussed at the meeting. He stated that he wants to see Cumberland County utilize the airport.

Mr. Womack also recommended that the public and Board view the coyote ordinance as a benefit to farmers, not just recreation for the hunters.

Mr. Heaton was concerned about the Town of Farmville's process for expanding the runway at the Farmville Airport, and that Cumberland County was not a part of this process.

11. Public Comments

Sharon Eels, Cumberland County Public Library Director, on behalf of the Library Board, requested a meeting with the Board of Supervisors. The

Library Board would like to discuss what the Board of Supervisors wants to see as the future of the Library.

12. Additional Information

N/A

13. Adjourn

The Chairman ordered the meeting adjourned until Tuesday, June 14th, 2005 at 6:00 p.m. in the Circuit Courtroom.

Chairman

County Administrator