

At a regular meeting of the Cumberland County Board of Supervisors held at 7:00 p.m. on the 11th day of April 2006, 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
Vacant Position, District 5
John F. Rick, Acting County Attorney
Judy Ownby, County Administrator
Sherry Swinson, Assistant County Administrator
Jill Matthews, Finance Director
Sandy Sullivan, Deputy Clerk

The Chairman called the meeting to order and the Deputy Clerk called the roll.

The invocation was led by Rev. 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 amended the agenda as follows:

- 2) VDOT
 - a) Calvin Flowers - District 5 (requested to bring drainage problem to VDOT's attention
 - b) INFO only - Six-year program public hearings

- 5. County Administrator's Report
 - e) Adoption of budget for FY 2006-07; Adoption of CIP for FY 2006-07 - 2010-11; Adoption of tax rates for 2006

meeting. There was one speaker that felt that the ordinance would cause a hardship to citizens.

The Chairman closed the public hearing.

Board members stated that the proposed ordinance only deals with public health and safety issues along with property that endangers others.

On a motion by Mr. Womack and carried the Board adopted the following ordinance:

WHEREAS, the Board finds the following ordinance to be in the best interests of the health, safety and general welfare of the citizens of Cumberland County.

NOW THEREFORE, BE IT ORDAINED, pursuant to §15.2-906 of the Code of Virginia 1950 (as amended) that the Cumberland County Code be amended to add new Article IV entitled "Removal, Repair, etc., of Buildings and Other Structures," to Chapter 14 "Buildings and Building Regulations," of the Cumberland County Code, to state as follows:

Article III. Removal, Repair, etc., of Buildings and Other Structures

Sec. 14-70. The owners of property in Cumberland County, shall at such time or times as the Board of Supervisors may prescribe, remove, repair or secure any building, wall or any other structure which might endanger the public health or safety of other residents of Cumberland County.

Sec. 14-71. The County through its own agents or employees may remove, repair or secure any building, wall or any other structure which might endanger the public health or safety of other residents of the County, if the owner and lien holder of such property after reasonable notice and a reasonable time to do so, has failed to remove, repair or secure the building, wall or other structure. For purposes of this Article, repair may include maintenance work to the exterior of a building to prevent deterioration of the building or adjacent buildings. For purposes of this Article, reasonable notice includes a written notice (i) mailed by certified or registered mail, return receipt requested, sent to the last known address of the property owner and (ii) published once a week for two successive weeks in a newspaper having general circulation in

the County. No action shall be taken by the County to remove, repair or secure any building, wall or other structure for at least 30 days following the later of the return of the receipt or newspaper publication.

Sec. 14-72. In the event the County, through its own agents or employees, removes, repairs or secures any building, wall or any other structure after complying with the notice provisions of this Article, the cost or expenses thereof shall be chargeable to and paid by the owners of such property and may be collected by the locality as taxes are collected.

Sec. 14-73. Every charge authorized by this Article or by Virginia Code §15.2-900 with which the owner of any such property has been assessed and which remains unpaid shall constitute a lien against such property ranking on a parity with liens for unpaid local taxes and enforceable in the same manner as provided in Virginia Code §58.1-3940 et seq. and §58.1-3965 et seq. The County may waive such liens in order to facilitate the sale of the property. Such liens may be waived only as to a purchaser who is unrelated by blood or marriage to the owner and who has no business association with the owner. All such liens shall remain a personal obligation of the owner of the property at the time the liens were imposed;

Sec. 14-74. Any persons who fails to comply with the directives of the County made pursuant to this Article and, thereby violates this Article, shall pay to the County a civil penalty, not to exceed a total of \$1,000.

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

4. Department and Agencies

a) Sherrie McGuire, Longwood Small Business

Ms. Sherrie McGuire, Longwood Small Business thanked the Board for the opportunity to speak and to be able to work with the IDA.

Ms. McGuire also explained the services of Longwood Small Business and stated that a calendar of events can be found on their website. Also, she extended an

offer of their counseling services to Cumberland Businesses.

- b) Jerry Giles - LEPC Report; Public Works report

Mr. Giles was not present.

- c) Emergency Services Committee report

Kevin Ingle gave an updated report of the Emergency Services Committee and stated that Phase I of the Communications Project is progressing well. He also stated that the RIP and Run Report shows pertinent information that is transmitted to units responding to calls.

Mr. Ingle also stated that GPS units have been delivered and will be available for testing for thirty days. The testing will determine if GPS units or 911 markers are more feasible to communications.

- d) Jill Matthews, Finance Manager

- 1) Agreement with AuditHead

Mrs. Matthews explained the proposed agreement to the Board of Supervisors.

It was the consensus of the Board of Supervisors to table a decision until the next Board meeting to allow the County Attorney adequate time to review the agreement.

- 2) Long Term Care Insurance

Mrs. Matthews explained the proposed long term care insurance plan which would be of no cost to the County. The plan would be a benefit to employees and their families.

It was the consensus of the Board of Supervisors to table for further decision at the next Board of Supervisors meeting in May.

5. County Administrator's Report

a) Consent Agenda

The County Administrator explained each item in the consent agenda and the following actions were taken:

On a motion by Mr. Petty and carried, the Board approved the items in the consent agenda as presented:

1. Approved minutes for March 2006.
2. Approved bills for April 2006 totaling \$90,751.69 and ratified bills for March 2006 of warrants totaling \$388,673.23 with check numbers ranging from 47137 to 47378. Direct Deposit totaling \$96,276.90.

b) Appointments

- Director of Emergency Services

The County Administrator explained that this appointment takes the place of the Fifth District Supervisor which is vacant at this time.

On a motion by Mr. Osl and carried, the Board appointed Cliff White to serve as the Director of Emergency Services.

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

c) Appropriation

- Clerk's Office - \$4,152.16

On a motion by Mr. Osl and carried the Board appropriated \$4,152.16 to the Clerk's Office from the Technology Trust Fund.

GENERAL FUND EXPENDITURES

General Government Administration	\$1,215,694
Judicial Administration	322,396
Public Safety	1,584,511
Public Works	955,489
Health	120,291
Education - Comm. College	37,786
Parks, Recreational & Cultural	171,539
Community Development	433,154
Sales Tax	5,000
Interest on Erroneous Assessments	1,000
Miscellaneous Projects Reserve	50,000
Courthouse Project Debt Service	<u>229,335</u>
TOTAL GENERAL FUND EXPENDITURES	<u>\$5,126,195</u>

TRANSFERS TO OTHER FUNDS

Transfer to School Fund	\$ 3,858,327
Transfer to School Capital Projects	295,819
Transfer to Textbook Fund	52,249
Transfer to School Debt Fund	502,221
Transfer to Social Services Fund	268,074
Transfer to Comp. Services Act	364,800
Transfer to Water Fund	<u>54,900</u>
TOTAL TRANSFERS TO OTHER FUNDS	<u>\$ 5,396,390</u>

GRAND TOTAL GENERAL FUND EXPENDITURES **\$10,522,585**

SCHOOL OPERATING FUND

<u>Revenue</u>	
Local	\$ 3,869,907
State	\$ 8,476,884
Federal	<u>\$ 2,274,425</u>
Total	\$14,621,216
<u>Expenditures</u>	
	\$14,621,216

SCHOOL CAPITAL PROJECTS

<u>Revenue</u>	
Local	\$ 295,819
<u>Expenditures</u>	
	\$ 295,819

SCHOOL DEBT FUND

<u>Revenue</u>	
Local	\$ 502,221
*Includes COPS interest	

State (Constr. Fund)	\$ 120,543
State (1/2 Lottery)	<u>\$ 116,152</u>
Total	\$ 738,916

Expenditures \$ 738,916

SCHOOL TEXTBOOK FUND

<u>Revenue</u>	
Local	\$ 40,669
State	<u>\$ 101,580</u>
Total	\$ 142,249

Expenditures \$ 142,249

SOCIAL SERVICES FUND

<u>Revenue</u>	
Local	\$ 268,074
State	266,646
Federal	<u>606,615</u>
Total	\$ 1,141,335

Expenditures \$ 1,141,335

COMPREHENSIVE SERVICES ACT

<u>Revenue</u>	
Local	\$ 364,800
State	<u>835,200</u>
Total	\$ 1,200,000

Expenditures \$ 1,200,000

CAPITAL IMPROVEMENTS PROGRAM

<u>Revenue</u>	
Local	\$ 1,234,960

Expenditures \$ 1,234,960

E-911 FUND

<u>Revenue</u>	
Local Taxes	\$ 65,000
Balance Forward	<u>21,839</u>
Total	\$ 86,839

Expenditures \$ 86,839

SEWER OPERATING FUND

<u>Revenue</u>	
Local	\$ 180,304
Balance Forward	<u>0</u>

Total	\$	180,304
<u>Expenditures</u>	\$	180,304

WATER OPERATING FUND

<u>Revenue</u>		
Local	\$	53,200
<u>Expenditures</u>	\$	53,200

COURTHOUSE CONSTRUCTION FUND

<u>Revenue</u>		
Balance Fwd	\$	67,000
<u>Expenditures</u>		
Debt Service	\$	67,000

***TOTAL ADOPTED BUDGET** **\$24,888,033**

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

Cumberland County CIP Table							
FY 2005-06 - 2010-11 Mar '06							
Cumberland County							
Capital Improvement Plan	Estimated						
FY 2005-06 - 2010-11	Cost	2006-07	2007-08	2008-09	2009-10	2010-11	Comment/Source of Funds
County Administration							
Renovation of Flippens Store (U)	\$ 555,000	\$ 555,000					CIP/Grants/county budget
GIS Mapping (D)	\$ 200,000		\$ 50,000	\$ 50,000			CIP/State
Maintenance							
Pitched Roof-Records (U)	\$ 92,000	\$ 62,000					CIP
Replacement truck	\$ 28,200	\$ 28,200					
Backhoe/dump truck (N)	\$ 50,000		\$ 50,000				CIP
Sheriff-replacement vehicle (N)	\$ 53,200	\$ 53,200					CIP
Cumberland Fire Dept.							
Vehicle Replacement (U)	\$ 165,000	\$ 15,000	\$ 15,000				CIP
Cartersville Fire Dept.							
Fire Truck (U)	\$ 211,000	\$ 17,750					CIP, grants, donations
Pumper Tank Fire Truck (N)	\$ 250,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	CIP, donations
Randolph Fire-generator (N)	\$ 32,210	\$ 32,210					CIP
Sewer / Water							
Spare Pumps (N)	\$ 11,000	\$ 11,000					CIP
Water-Courthouse area	\$ 1,600,000	\$ 555,000					CIP,grants,Rural Development
Innovation Center (D)	\$ 250,000	\$ 250,000					CIP
Industrial Park							
Expansion - Riverside		\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000		Town, EDA, CIP, RD
New Business Park (D)	\$ 575,000		\$ 25,000	\$ 500,000	\$ 50,000		CIP/grants
School Projects							
Track renovation	\$ 129,683		\$ 129,683				
Addition to bus stop (N)	\$ 58,000		\$ 58,000				
Lights for ballfields (N)	\$ 255,000		\$ 255,000				
Bleachers/football field (N)	\$ 140,000		\$ 140,000				
New Schools	\$ 36,911,000		\$36,911,000				
New Buses	\$ 119,000	\$ 61,000	\$ 58,000				
Bus Lease	\$ 59,319	\$ 59,319					
Computer Hardware	\$ 175,500	\$ 175,500					
Computer System Upgrade(N)		\$ 45,000	\$ 45,000	\$ 45,000	\$ 45,000	\$ 45,000	CIP
Old Clerk's Office-renovation(D)	\$ 80,000	\$ 50,000					CIP
Social Services-generator (N)	\$ 10,000	\$ 10,000					CIP
Library							
Marquee sign (D)	\$ 15,000		\$ 15,000				CIP
Lighting-parking & drive (N)	\$ 29,750		\$ 29,750				CIP
Automation System Upgrade (D)	\$ 50,000				\$ 50,000		CIP
Heat pump replacement (D)	\$ 10,000				\$ 10,000		CIP
Ballfield Upgrade/Bleachers(N)		\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000		\$4000 thru 2009-10
Ballpark-State Forest (N)	\$ 568,820		\$ 284,410	\$ 284,410			
TOTAL		\$2,059,179	\$38,144,843	\$1,058,410	\$234,000	\$ 95,000	

VDOT has conducted a pedestrian observation in the village area and does not recommend putting in crosswalks. Ms. Swinson requested that at least one crosswalk be installed.

Ms. Swinson reminded citizens that Patriot's Day will be April 22, 2006 from 1:00 until 8:00 p.m.

7. County Attorney's Report - John Rick

No comments.

8. Board Members

Mr. Petty stated that Cumberland will be participating in Jamestown 2007 and that a meeting will be held in May to start focusing on the event.

Mr. Womack reminded citizens to participate in Patriot's Day on April 22, 2006.

Mr. White stated the Board met with Allied today and that the specifics of the proposed landfill should be published in the newspapers next week and that the proposed landfill would provide significant revenue for the County over the next twenty years.

Mr. White also stated that the Youth League will be having opening ceremonies on April 22, 2006 at 10:00 a.m.

Mr. Osl thanked the Board members for their hard work on the proposed landfill and budget process.

9. Public Comments

One citizen stated that an event was held on April 1, 2006 and that eighty signatures were received against the landfill and that four signatures were received supporting the landfill. He also stated that he felt as though the County is spending too much on the renovations to Flippen's Store and feels that the Board should increase taxes and not support the proposed landfill.

10. Additional Information

N/A

11. Closed Session

On a motion by Mr. Osl and carried, the Board entered into closed meeting under VA Code Section 2.2-3711 A(7) for contract negotiations; and A(1) personnel.

The Board returned to regular session on a motion by Mr. Osl.

A motion was made by Mr. Osl and adopted by the following vote:

Mr. Osl – aye
Mr. White – aye
Mr. Petty – aye
Mr. Womack – 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, and (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.

No action was taken on the items discussed.

12. Adjourn

The Chairman ordered the meeting recessed until Tuesday, April 18, 2006, 8:00 a.m. for a meeting re: landfill contract in the Old Clerk's Office.

Chairman

County Administrator

