

At a regular meeting of the Cumberland County Board of Supervisors held at 7:00 p.m. on the 8th day of May 2007, 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
Robert Oertel, District 5
Howard Estes, County Attorney
Judy Ownby, County Administrator
Jill Matthews, Assistant County Administrator
Stephanie Jamison, Deputy Clerk

Also Present: Michael P. Cooper, Economic Development
Andy V. Sorrell, Planning & Zoning

The Chairman called the meeting to order.

The invocation was led by Rev. Dargon B. Lucas 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:

5. Departments/Agencies (additional info)
 - d) Emergency Services Report - request for commitment letter to Goochland County for purchase of vehicles
6. Asst. County Administrator
 - c) Compactor bids - Madison Transfer Station
 - d) Report on Commercial Paper Financing
 - e) Consider participation in Specialized Foster Care Home in Louisa (CSA)
 - f) Report on Hazardous Waste/Tire Disposal Day
2. County Administrator
 - b) Relay for Life Proclamation

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

2. Resolution of Appreciation for Mrs. Dorothy Putney

RESOLUTION OF APPRECIATION

WHEREAS, Mrs. Dorothy Putney, now deceased, was a major contributor to the building of the first public library in Cumberland County; and

WHEREAS, Mrs. Putney was approached by John McRae, a Cumberland native, who had moved from the County but wished to donate something to the Community, whereupon she asked for a contribution to start a building fund for a Library; and

WHEREAS, Mrs. Putney was able to bring a \$50,000 donation by Mr. McRae along with contributions from the Woman's Club, private citizens, businesses, Friends of the Library, and a loan from the State to build a library; and eventually see a newly constructed Library; and

WHEREAS, in later years the Library Board recognized the need for an addition to the Library, and through donations, contributions by the County, and fundraisers, the addition to the building was completed, and

WHEREAS, Mrs. Putney devoted and volunteered many hours to the operation of the Library and cataloging books, and whereas it was her initial contact with Mr. John McRae, for whom the Library is named, that enabled the Library to be built;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors recognizes that Mrs. Dorothy Putney was instrumental in starting the Cumberland County Public Library through her determined efforts to make books available, encourage reading, promote education and preserve genealogical records among all citizens in the County; and

BE IT FURTHER RESOLVED that the Board of Supervisors acknowledges with profound appreciation, the many years of unselfish devotion and service to the Cumberland County Public Library, provided by Mrs. Dorothy Putney; and

BE IT FURTHER RESOLVED that the Board of Supervisors directs that a copy of this resolution be made a part of the permanent record of the minutes of the May 8, 2007 meeting; and a copy be sent to Mrs. Putney's husband, John Putney, and her daughter, Alice Putney Metts; and

BE IT FURTHER RESOLVED that the Board of Supervisors requests that the Library Board consider placing a picture of Mrs. Dorothy Putney upon the walls of the Library beside those of other major contributors Virginia Horger and Ann Kinsey, acknowledging Mrs. Putney's many contributions to the Cumberland County Public Library.

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

b) Relay for Life Proclamation

RELAY FOR LIFE PROCLAMATION

WHEREAS, the American Cancer Society Relay For Life is a means of raising funds to support a cure for cancer by bringing together friends, family, businesses, hospitals, schools, and churches, and

WHEREAS, Relay For Life is a celebration of cancer survivorship and community spirit, and

WHEREAS, each year more than 2.25 million people (including 460,000 cancer survivors) take part in this overnight event, and

WHEREAS, Relay For Life honors survivors and raises much-needed funds for American Cancer Society research, education, advocacy and patient services,

NOW, THEREFORE, BE IT RESOLVED, that the Cumberland County Board of Supervisors proclaims the week of May 13 - 19, 2007, as Relay For Life Week, and

BE IT FURTHER RESOLVED that a Relay For Life Event will be held May 18, 2007 from 7 p.m. until midnight at the Cumberland County High School track for all who wish to participate.

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

3. **VDOT - Alan Leatherwood, Resident Engineer**

Alan Leatherwood was unable to attend so Mark McKissick addressed the Board. He gave the following updates; 601 is on schedule to finish early July and then work will start on 626 (Bonbrook Creek Rd.). VDOT is cutting back the branches on 610 and some information from the traffic study in Cartersville should be available in a month. Aaron Hickman has contacted Verizon regarding Morris Rd.

Mr. White stated that a stop sign on 685 was obscured. Mr. Womack stated that there was a hump on 600. VDOT is waiting for DCR to turn the right of way over to them to fix this problem.

4. **Public Hearings**

N/A

5. **Department and Agencies**

- a) Jon Donnelly- Old Dominion Emergency Medical Services Alliance (ODEMSA)

Mr. Donnelly stated that significant progress has been made in Cumberland County since the November resolution, which reorganized the Cumberland Volunteer Rescue Squad. This could not have been accomplished without the hard work of Rose Payne (Cumberland Rescue Squad), Kevin Ingle (Cumberland Fire Department), the support of Cartersville Rescue Squad and the Board of Supervisors.

- b) Fred Pribble- Draper Aden Association - Resolution to participate in regional water supply planning application

Mr. Pribble stated that the state has mandated counties to develop a water supply plan, and regional plans are due November 2011 then the state will develop a plan.

RESOLUTION

**Regional Water Supply Planning and Application for a
Water Supply Planning Grant**

Whereas the Virginia General Assembly has mandated the development of local and regional water supply plans throughout the Commonwealth and the State Water Control Board has developed regulations to implement this planning process; and

Whereas, based upon these regulations, local governments may elect to join one or more other local governments to develop a regional water supply plan; and

Whereas, it is reasonable and prudent for the following local governments to coordinate and collaborate in the development of a regional water supply plan: Henrico County, Goochland County, Cumberland County and Powhatan County; and,

Whereas the Virginia Department of Environmental Quality has announced the availability of grant funds to help localities offset some of the costs related to the development of these plans and is encouraging localities to submit applications for grant funds to undertake regional water supply plans; and for purposes of this DEQ water supply grant program, these Counties will submit a grant application to request funds to pay a portion of the costs of preparing Phase I of a regional water supply plan that will include Henrico County, Goochland County, Powhatan County and Cumberland County; and

Whereas, Henrico County is designated as the lead agency in the regional planning effort and is designated as the locality with grant management responsibilities; and

NOW, THEREFORE BE IT RESOLVED that Cumberland County agrees to participate with Henrico County, Goochland County, and Powhatan County in the development of a regional water supply plan that will comply with mandated regulations; and

BE IT FURTHER RESOLVED that Henrico County is authorized to develop an application for water supply planning grant funds to offset the cost of developing Phase I of the said regional water supply plan; and

BE IT FURTHER RESOLVED that Henrico County intends to provide approximately \$113,258 in matching funds and Goochland County intends to provide approximately \$34,500 in matching funds for the project for work performed to meet the requirements of the regional water supply planning effort, and

BE IT FINALLY RESOLVED that the State Water Control Board and the Department of Environmental Quality should consider this resolution and similar resolutions from each of the participating localities their Letters of Intent to participate in a regional water supply plan with a completion due date of November 2, 2011, in accordance with 9 VAC 25-780-50.B.4.

Mr. White made a motion and it carried to approve the Regional Water Supply Planning and Application for a Water Supply Planning Grant.

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

c) Karen Mulleins- School Construction Progress Report

Mrs. Mulleins stated that 12% of the budget had been allocated. Cumberland is on the priority list for the literary loan. With Congressman Goode's assistance the request for Cumberland Emergency Shelter was approved for funding. The visitor management system will undergo some tweaking and then be installed in the High School and Middle School over the summer.

The foundation for the new school was poured on May 4th and is on target to be completed by June. The 1945 cornerstone is on display at the library. To date 29 bricks have been sold with a total of \$1,860 raised.

Mr. White asked when the last date to purchase bricks would be. Mrs. Mulleins stated that this was going to be an ongoing project and bricks should be available through January 2008.

d) Kevin Ingle- Emergency Services Committee Report

Mr. Ingle stated that there have been some delays in the communications project because of delays in RFP; it should be completed in June. The grant was approved for the generator at Randolph. Pagers have been received and distributed to volunteers. Three grant requests have been completed to help replace air packs, pumper truck and personal protective gear.

A burn building is being considered within the county. Grants are available for this type of purchase and surrounding counties could find this beneficial as well. A Hazmat trailer is located at Cumberland High School. The Fire Department can pull the trailer to other areas if needed. The total number of calls for April was 119.

Emergency Services Report - request for commitment letter to Goochland County for purchase of vehicles.

Mr. Ingle stated that these vehicles were used but in good mechanical condition. The total number of vehicles for purchase is five. The cost is between \$8,000-\$10,000 per vehicle. It will cost \$300 per vehicle for lettering with a total cost of \$51,500 without repainting of the vehicles.

Mr. White stated that the older vehicles should be sold once the new ones are acquired.

On a motion by Mr. Womack and carried the Board agreed to send a commitment letter to Goochland County for purchase of vehicles.

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

- e) Dave Hale- Chairman, CLAC Monthly Report

The Citizens Landfill Advisory Committee holds meetings the 1st Monday of each month. There are members from the affected area on the committee. They are still working on the land assessment agreement.

6. **Asst. Administrator/Finance & Human Resources**

- a) Monthly budget report

Mrs. Matthews stated that 16% of the budget was remaining.

- b) Consider CIP Policy

Mr. Osl made a motion and it carried to adopt the CIP Policy with the recommended changes.

CAPITAL IMPROVEMENTS PROGRAM (CIP)

A CIP (Capital Improvements Program) is a five-year plan that helps guide the construction, acquisition, and financing of capital projects. It identifies the need for a project, the project cost, priority, year the project is started and completed, and payment methods. Capital projects are major non-recurring expenses that have a useful life of more than two years. CIP projects are generally considered inappropriate for the annual operating budget due to their size and unexpected long useful life. Examples of CIP projects are recreation centers, libraries, firefighting equipment, government buildings, and water/wastewater improvements.

A CIP must be based on the Comprehensive Plan and should be limited to 5 years. It should be reviewed every year and a year added on to keep the CIP a five-year plan. Once adopted the CIP does not bind the governing body to carry out any of the projects addressed in the CIP, nor does it appropriate or require the money to be spent. It is a declaration of the intentions of spending public funds and is not legally binding or a guarantee the projects required will be done. It is a tool to help appropriate funds for future budgets.

A minimum cost value of \$50,000 has been set, and a project must meet this minimum to be considered a capital project.

ADVANTAGES OF PREPARING A CIP

Ensure money is spent wisely; anticipate future needs; avoid duplication; eliminate poorly planned projects; encourages cooperation among department; spread financial expenses out more evenly; meet community goals, financial capabilities, and growth; plan early acquisition of land for future projects; increase public support; plan utility improvements; and determine financing techniques.

PARTICIPANTS IN CIP PROCESS

Department Heads - Prepares inventory of capital facilities and identifies needed projects; provides design costs and estimates for projects.

County Administrator - Conducts initial review of CIP requests.

Assistant County Administrator - Prepares financial analysis and recommends ways to finance projects and helps prepare the capital budget.

CIP Committee - Reviews and ranks departmental requests; prepares CIP for review by Planning Commission. (Committee to include County staff members appointed by County Administrator)

Planner - Submits CIP to Planning Commission for review.

Planning Commission - Reviews CIP for conformity with the Comprehensive Plan; prepares final recommended CIP for adoption by the Board of Supervisors.

Board of Supervisors - Adopts and implements the CIP.

10 STEPS TO PREPARING A CIP

1. **Schedule Development.** A schedule of activities is established. This schedule includes deadlines for submitted requests, public hearing and work session dates, and date the plan is to be adopted.
2. **Program Development.** The Assistant County Administrator will work on designing, printing, distributing, and clarifying forms to be used in the CIP process.

3. **Preliminary Planning.** Each department will review their budget status, long-term work programs, and how they relate to the implications of their proposed public improvements to determine which projects are to be submitted for consideration.
4. **Preliminary Reviews.** A preliminary review by the County Administrator is conducted. The County Administrator will provide commentary, and give general priorities and recommendations
5. **Preparation of the Project Request Forms.** The department heads will prepare and submit their project requests, with any supporting information, to the CIP Committee. Full operating costs for the project, including manpower, should be included in the requests. The CIP Committee then prepares the forms for presentation to the Planning Commission.
6. **CIP Committee Review and Recommendation.** The CIP Committee reviews the project information presented to them by department heads. The Committee evaluates the various projects in terms of needs, feasibility, and previous planning. The Committee may hold work sessions to review the information submitted. The Committee reviews the forms in a meeting with the County Administrator, department heads, and other involved individuals. All projects are thoroughly discussed and reasonable alternatives considered. The Committee ranks the projects and decides which ones to include in the CIP and prepares proposal for review by the Planning Commission.
7. **Planning Commission.** The Commission reviews the projects submitted for conformity with the Comprehensive Plan, and evaluates ranking of included projects. The Planning Commission then holds a public hearing on the final draft of the plan, which may be a joint meeting with the Board of Supervisors. The Planning Commission recommends approval of the final draft of the CIP proposals to the Board of Supervisors.
8. **Board Presentation.** The County Administrator and Assistant County Administrator and CIP Committee representative present the final draft of the CIP to the Board of Supervisors.

9. **Board Review.** The Board will thoroughly review the final draft and will hold at least one public hearing on the CIP. The Board may also hold work session to review the plan submitted.

10. **Approval by Board.** The Board approves the final draft of the CIP.

11. **Updates.** The County Administrator monitors the capital budget and notifies the Board when it needs modified. The CIP and budget are to be updated annually. New projects are ranked and previously approved projects are re-evaluated.

JUSTIFICATION CODES

Mandated - project is clearly and specifically required by a federal or state mandate or court ruling.

Remove hazards - makes possible the removal of an obvious or potential hazard to public health or safety.

Maintains existing service - permits an existing standard of service to be maintained where decreases in services would otherwise have been necessary.

Increased efficiency - reduces operating costs.

Increased revenues - makes possible a net gain in revenues available to the County.

Improves existing service - makes possible an expansion or increase of an existing service or improvements in the standard of existing services.

New service - makes possible the provision of a new service.

Convenience - increases convenience of comfort.

Other - (describe)

PRIORITY CODES

- 1 Required & Urgent.
- 2 Highly desirable, affects efficiency and effectiveness.
- 3 Desirable.
- 4 Marginally beneficial.
- 5 Not justified.

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

c) Compactor bids- Madison Transfer Station

An additional compactor is needed at Madison Transfer Station to accommodate the heavy volume of trash each week. On many weekends, Madison is forced to close because the compactor and bins are filled.

Mr. Osl stated that he would like to see a detailed overview of the financial picture.

The Board asked the County to gather more information and they will look at the compactor bids again at the next Board meeting.

d) Report on Commercial Paper Financing

VML/VACo Commercial Paper Program
5/8/2007

New High/Middle School Complex	\$3,648,843.04
Luther P. Jackson Building	\$1,527,649.56
Faithful Gould	\$ 32,252.00
Sheriff's Dept. Vehicles	\$ 48,508.40
Flippens Building	\$ 350,882.72
Interest Payments	\$ 88,745.15
VACo/VML Closing costs- Attorneys	\$ 15,124.50
Schools PPEA- Attorneys	\$ 34,672.00
School Board Bond Council	\$ 7,018.00
Clerks Office Roof	\$ 14,436.20

Total Project Draws to Date: \$5,768,131.57

e) Consider participation in Specialized Foster Care Home in Louisa (CSA)

Mr. Petty made a motion and it carried to authorize the expenditure of \$2,000 from the CSA budget for Cumberland's share of hiring a part-time consultant for a six month period to assist in opening the Foster Care Home in Louisa.

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

f) Report on Hazardous Waste/Tire Disposal Day

Mrs. Matthews reported that the Hazardous Waste/Tire Disposal Day was a huge success. The county had five tractor trailer loads of tires hauled away. Kern Environmental collected a wide variety of hazardous waste items as well. The Hazardous waste portion cost \$20,135 and the tire disposal was \$5,000. An individual from the county collected batteries and gave \$2 per battery to Randolph Fire Department.

She also mentioned that the Extension Office, is interested in holding an event for disposal of pesticides in September and asked if the county wanted to participate. The Board stated that they would support Extension's event but would wait until later to hold another larger waste disposal day.

7. County Administrator's Report

a) Consent Agenda

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

- 1) Approval of minutes for April- deleted
- 2) Approval of bills - April & May

Approved bills for May 2007 totaling \$75,751.76 and ratified bills for April 2007 of warrants totaling \$427,723.59 with check numbers ranging from 50434 to 50731. Direct Deposit totaling \$120,621.08.

- 3) Refer Conditional Use Permit application to Planning Commission
- 4) Accept Piedmont Regional Juvenile Detention Center budget for FY 2007-08

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

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

- b) Consider VA Cooperative Extension's request for funding of water quality testing program

Mr. Womack made a motion and it carried to allocate of up to \$3,000 of county funds for the water testing program (cost of test, \$33, will be reduced by \$10 each in county funds).

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

8. Director of Community Development

- a) Update on projects

Mr. Cooper discussed the June 6th Cumberland historic bus tour. There is a \$10 registration fee and lunch will be provided. He also gave an update on the SVCC project (opening of a middle college this fall). Renovation is needed but there is some flexibility.

The first phase is to replace the windows on the front of the building as well as the roof. SVCC will help provide funding for the furniture. Mr. White asked where the School Board was on this project since it is a lease agreement between the County and School Board. Mr. Cooper stated that the School Board was involved in the discussions with SVCC. Phase two is the build out of classrooms.

The Board encouraged Mr. Cooper to continue on with the SVCC project.

- b) Consider date for public input session on water reservoir project; middle college

Sandra Thompson with the Middle College will present information at the June 12, 2007 Board meeting.

Henrico may own the reservoir, however Cumberland County will have control over usage of surface water, land surrounding the reservoir, how it is developed, etc.

9. County Attorney's Report

a) Wireless Authority by-laws

Mr. Estes gave the by-laws to the Board members and a Public Hearing was scheduled for June 12, 2007 during the regular Board of Supervisors meeting.

b) Consider public hearing to increase Courthouse Security fee from \$5 to \$10 as permitted by State Code

Mr. Estes stated that the Board had the support of the Judges and Clerks office. A public hearing was scheduled for June 12, 2007 during the regular Board of Supervisors meeting.

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

10. Board Members

Mr. Osl - District 1

Mr. Osl stated that there was a Smart Growth Workshop on June 11th from 9:30-4pm at the LPJ Center. This is a joint meeting with the Board of Supervisors, the Planning Commission and the Cumberland Farm Bureau. He mentioned what a wonderful job everyone did on Patriots Day.

Mr. White - District 2

Mr. White also expressed his appreciation for a successful Patriots Day. He stated that Effingham Tavern would be a great tourist attraction for Cumberland County. Dr. Oulie told Mr. White that he would be willing to serve on the CLAC if the Board was unable to find someone to fill the vacancy.

Mr. Petty - District 3

Mr. Petty stated that he had recently been to a VACO regional input session. He inquired about which book the Commissioner of Revenue used with obtaining estimates for personal property tax. Our County uses the NADA blue book.

Mr. Womack - District 4

Mr. Womack attended a meeting with Andy Sorrell regarding VACO concerns. Only one legislator attended. A citizen reported to him that children had climbed up the tower at Randolph fire department and a fence needed to be put up. He would also like to see Cumberland County painted on the water tank.

Mr. Oertel - District 5

No comments

11. Public Comments

A citizen spoke about the James River Batteau Festival in June. This is the 22nd annual event; there will be a historical reenactment. There is a stop in Cartersville on June 22nd; boats should be arriving about 4pm.

12. Additional Information

N/A

13. The Board returned to closed session

On a motion by Mr. Osl and carried, the Board entered into closed meeting under VA Code Section 2.2-3711 A(6) contract negotiation re: water reservoir project; A(7) for consultation with legal counsel re: litigation; A(3) purchase of real estate for public purpose; and A(6), A(30), Award of contract.

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
Mr. Oertel - 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.

14. Adjourn

The Chairman ordered the meeting adjourned until May 14th, 7:30pm, for a meeting with Cumberland Volunteer Rescue Squad, at the squad building.

Chairman

County Administrator