

At a regular meeting of the Cumberland County Board of Supervisors held at 7:00 p.m. on the 12th day of June 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,
Director of Community Development
Andy V. Sorrell,
Planning & Zoning Administrator

The Chairman called the meeting to order.

The invocation was led by Mr. Petty 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:

4. Department/Agencies
 - d) Additional info/Request for appropriation-esc.
5. Assistant County Administrator
 - b) Additional Request for appropriation-
 - 1) No Child Left Behind Grand- \$285,000 (no local funds)
 - 2) Supplemental Appropriation of \$187,942 (receipts, state and federal funds)
 - 3) Additional info re: cash receipts, reimbursements, etc.
 - h) Additional info re: Flippen building.

WHEREAS, the Cumberland County Board of Supervisors initiated a review of its current fee; and

WHEREAS, the Board of Supervisors directed staff to prepare a draft of a revision to the County Code to reflect the amendment of the fee amount from \$5.00 to \$10.00; and

WHEREAS, the Board of Supervisors further directed staff to make the text of the new provision available for public review; and

WHEREAS, the Board of Supervisors duly advertised, providing notice of its public hearing, and duly received comment on the proposed ordinance on June 12, 2007; and

WHEREAS, after discussion, preparation, staff presentation and due deliberation, including public input and presentation at its June 12, 2007, meeting, the Board of Supervisors desires to finalize and affirm its findings and to take action on the proposed amendment to County Code Section 26-121, by increasing the courthouse security fee from \$5.00 to \$10.00;

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors, as follows:

- a. The Board of Supervisors, after due consideration of public comment received, determines that the County Code amendment is consistent with, and substantially in accord with, the County's objectives with regard to taxation and are consistent with the public necessity and convenience.
- b. Upon consideration of the proposed text, testimony, staff remarks, and public comment, and after consideration of the current provisions set forth in Chapter 26 of the County Code, the Board of Supervisors amends the County Code as follows:

1. Amend the current Section 26-121 to read as follows:
Sec. 26-121. Amount assessed.

The sum of \$5.00 is hereby assessed against each defendant as part of the costs in each criminal or traffic case in the general district and circuit courts of the county, wherein the defendant is convicted of a violation of any statute of the Commonwealth of Virginia or ordinance of the county. Assessments under this article shall be in addition to all other costs provided by law.

WHEREAS, the subject property is located on the north side of Rt. 60 (Anderson Highway) at its intersection with Rt. 669 (Criss Road) on the west side of Rt. 669 and more particularly described as Tax Map Parcels 65A2-A-2 and 65A2-A-2A (the "Property"), containing in the aggregate approximately 3.0 acres of Tax Map 65A2-A-2 and approximately 2.940 acres of Tax Map 65A2-A-2A, as shown on the Plat attached to the Rezoning Application; and

WHEREAS, the Board of Supervisors duly referred the Rezoning Application to the County Planning Commission for its recommendation on May 8, 2007; and

WHEREAS, the Planning Commission directed staff to make the Rezoning Application available for public review; and

WHEREAS, the Planning Commission duly advertised and held a public hearing on June 5, 2007; and

WHEREAS, the Planning Commission carefully considered the testimony and evidence presented at the public hearing in support or opposition to the proposed Rezoning Application; and

WHEREAS, in its review of the Rezoning Application, the Planning Commission gave reasonable consideration to numerous factors, including but not limited to the following: the existing use and character of the Property, the County's Comprehensive Plan, the suitability of the Property for various uses, the trends of growth or change, and the current and future requirements of the County as to land use; and

WHEREAS, after discussion, staff presentation and due deliberation with respect to such information, including information and materials presented at this public hearing, the Planning Commission desires to affirm its findings and make its recommendations to the Board of Supervisors with respect to the Rezoning Application;

WHEREAS, the Planning Commission recommends approval of this Rezoning Application; and

WHEREAS, the Board of Supervisors duly advertised and held a public hearing on June 12, 2007; and

WHEREAS, the Board of Supervisors carefully considered the testimony and evidence presented at the public hearing in support or opposition to the proposed Rezoning Application including the information and recommendation from the Planning Commission; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors as follows:

- c. The foregoing recitals are hereby incorporated by this reference.
- d. Upon consideration of the foregoing and the conditions and standards set forth in the Zoning Ordinance, the Board of Supervisors considers it appropriate to rezone the Property in accordance with the Rezoning Application.
- e. The Board of Supervisors further finds that the request made in the Rezoning Application in substantial accordance with the County's Comprehensive Plan.
- f. The Board of Supervisors has also determined that the request made in the Rezoning Application furthers the general purpose and objectives of the Zoning Ordinance;
- g. Upon consideration of the proposed Rezoning Application, testimony, staff remarks, and public comment, and after consideration of the foregoing, the Board of Supervisors approves the Rezoning Application #07-04-01 to rezone the Property from R-2 to B-2 for use as a farm stand.
- h. This Resolution is effective immediately.

BE IT FURTHER RESOLVED that said recommendation shall be subject to the voluntarily proffered conditions set forth in the Applicant's proffer statement titled "Statement of Proffer for Tax Map Parcel 65A2-A-2 and 65A2-A-2A" and provided prior to the meeting of the Board of Supervisors and presented at this meeting; and provided, further, that a copy of said proffer statement shall be recorded in the Office of the Clerk of the Circuit Court for Cumberland County and that such filing shall take place prior to sixty (60) days after rezoning is granted or such rezoning shall be deemed null and void and the Property will revert to its prior status.

This Resolution is effective immediately.

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

c) Creation of Wireless Authority

The Chairman opened the Public Hearing. A citizen spoke about how the county needed this but they were concerned about the Board members serving on the Wireless Authority and receiving compensation. She also asked if any loans or grants had been applied for.

Mr. White stated that Mr. Hickman, IT Manager, had shared with him some grants that may be available but the Wireless Authority had to be established before they could be applied for.

After a brief discussion by the Board it was agreed that any Board members serving on the Wireless Authority would not receive compensation. The Chairman closed the public hearing.

On a motion by Mr. Petty and carried the Board adopted the resolution with the recommended changes.

WHEREAS, a meeting of the Board of Supervisors of Cumberland County, Virginia was held on June 12, 2007; and

WHEREAS, for economic development and other public purposes, the Board of Supervisors has made a determination that a wireless authority needs to be created to provide high-speed data service and internet access service to local businesses, local government and the public; and

WHEREAS, the Board of Supervisors duly advertised and held a public hearing on June 12, 2007; and

WHEREAS, after discussion, staff presentation and due deliberation with respect to information and data regarding establishing a wireless authority, including documentation, information and materials presented at the public hearing, the Board of Supervisors desires to affirm its findings and

to take action with respect to the establishment of a wireless authority; and

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors, as follows:

1. The Cumberland County Wireless Authority (hereinafter, the "Authority") shall be created pursuant to the Virginia Wireless Service Authorities Act, Virginia Code § 15.2-5431.1 et seq.

2. The Articles of Incorporation of the Authority shall be as follows:

ARTICLES OF INCORPORATION OF THE CUMBERLAND COUNTY WIRELESS AUTHORITY

The Cumberland County Board of Supervisors, pursuant to Virginia Code §15.2-5431.1 et seq., hereby establishes and adopts these Articles of Incorporation of the Cumberland County Wireless Authority.

(a) The name of the Authority is "Cumberland County Wireless Authority."

(b) The address of its principal office is: P.O. Box 110, Cumberland, VA 23040.

(c) The Authority shall be physically located in the Cumberland County offices at the Cumberland County Courthouse in Cumberland, Virginia.

(d) The Authority shall consist of five members, each of whom shall reside in a different electoral district of Cumberland County. The names, addresses, and terms of office are as follows:

<u>Name of Member</u>	<u>Address</u>	<u>Term of Office</u>
William F. Osl, Jr.	158 Oakland Ln. Columbia, VA 23038	3 years
Clifton C. White	6481 Anderson Highway Powhatan, Virginia 23139	3 years

Van H. Petty	1963 Anderson Hwy. Cumberland, VA 23040	3 years
Elbert R. Womack	1725 River Road Farmville, Virginia 23901	3 years
Elizabeth Jamerson	396 Pleasant Valley Rd Farmville, VA 23901-4105	3 years

The term of office of the members shall begin on the later of the date the certificate of incorporation or the charter is issued by the State Corporation Commission. The successor of each member shall be appointed by the Cumberland County Board of Supervisors for a term of three years. The Cumberland County Board of Supervisors' Chairman, or his designee from the Board of Supervisors, shall be appointed by the Cumberland County Board of Supervisors to the Authority and shall serve in an ex-officio capacity. Any person who is appointed to serve the remaining term of his predecessor, however, shall serve only for the unexpired term of office. Members shall hold office until their successors have been appointed, and they may succeed themselves.

- (e) The purpose of the Authority is to exercise all powers conferred by the Virginia Wireless Service Authorities Act, Virginia Code § 56.484.7:1 et seq., including the provision of qualifying communications services thereunder.

3. The Cumberland County Board of Supervisors, after duly advertising the Resolution and Notice of Hearing pursuant to Virginia Code § 15.2-5431.5, does hereby adopt this Resolution creating the Cumberland County Wireless Authority.

BE IT FURTHER RESOLVED, that this Resolution, approved this 12th day of June, 2007, by the Cumberland County Board of Supervisors, is effective immediately.

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

4. Department and Agencies

a) Sandra Thompson, SVCC re: Middle College

Ms. Thompson shared a power point presentation with the Board. The target group for the Middle College is 18-25 years of age who have separated from High School without a diploma. The teacher will work with these students to get their GED certificate and participate in a workforce readiness program. In the Southside region 31% of students did not graduate. SVCC hopes to exceed 200 students in the program for the entire area.

Almost half of the students participating in the Middle College program have gone on to college. The Cumberland campus will have one teacher, a classroom and a computer lab with 20 computers (can accommodate 60 students). The program will be individualized for each student depending on their needs. The program is designed to get students in and out within 3 weeks. The furniture for the classrooms and lab space was donated and will be set up conference style so the county may use the space too.

b) Justin Funk, Dept. of Forestry

Mr. Funk shared with the Board that the Forestry department will be starting some fire safety programs in the school this fall.

He stated that 4,000-6,000 acres a year are burned due to forest fires. Cumberland has had 5 reported fires which burned 25 acres. He stated that the volunteer fire departments responded each time, and did an outstanding job in putting out the fires.

c) Karen Mulleins- School Construction Progress Report

Ms. Mulleins stated that to date the School has spent 14% of the budget. The slab has been poured for the Middle School. The foundation for the entire school will be completed shortly. In the next 60 days the pavement will be complete. The Middle school and High School will be implementing the visitor management system; ID badges will be made in house.

To date the brick campaign has sold 30 bricks with a total of \$1,887 collected.

d) Kevin Ingle- Emergency Services Committee Report

Mr. Ingle stated that the Randolph tower security fencing is in the works. There was a delay in the RFP but it should not impact the July completion date. Kristen Queen is working with the Emergency services committee on brochures. The committee is looking into alternate insurance providers for the rescue and fire departments. There are 3 houses available in the community that can be used as burn buildings for training purposes.

He stated that the ESC is requesting appropriation of the remaining FY 06-07 budget, and appropriation of funds for the vehicles which will be purchased from Goochland.

e) Dave Hale- Chairman, CLAC Monthly Report

Mr. Hale stated that at this time he did not have any recommendations to present to the Board but that the committee continues to be productive.

f) Jerry Giles- Water & Sewer Advisory Committee

Mr. Giles stated that the recommended cost for construction to provide water from the county meter to a residential site is \$2,000. The cost for construction to a commercial site is \$2,500.

A question was asked about the security fencing around the water tower. This construction is included in the Flippens store renovation.

Mr. Osl made a motion and it carried to hold a Public Hearing at the next Board meeting regarding water connection fees.

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

BE IT RESOLVED that the Cumberland County Board of Supervisors does hereby make the following appropriations for FY 2006-07 effective July 1, 2006:

GENERAL FUND

The following annual appropriations are hereby made to the General Fund as budgeted for FY 2006-07. These funds are to be expended only by order of the Board of Supervisors:

Fund 100

Board of Supervisors	\$ 98,362
County Administrator	155,616
Legal Services	75,000
Independent Auditor	22,700
Commissioner of Revenue	214,052
License Bureau	1,860
Treasurer	251,830
Accounting	130,249
Grant Writing	38,822
Data Processing	139,060
Electoral Board	17,082
Registrar	71,061
Circuit Court	15,310
General District Court	4,845
Magistrates	6,998
Clerk of Circuit Court	195,065
Commonwealth's Attorney	100,178
Sheriff	1,094,924
School Resource Officer	42,673
Volunteer Fire Departments	114,747
Ambulance and Rescue	75,075
Emergency Services	15,000
Forestry Service	5,814
Detention	25,000
Probation Officer	5,186
Building Inspections	89,453
Animal Control	116,439
Medical Examiner	200
Refuse Disposal	453,281
Litter Grant	5,143
Recycling	29,000
General Properties	468,065
Supplement Local Health	88,682
Piedmont Senior Resources	787
Central VA Health Planning	1,173

Piedmont Disability Services Board	500
Chapter 10 Board	28,000
State and Local Hospitalization	1,149
CSA Management	35,500
Community College	2,286
Special Olympics	200
Parks, Recreation	61,022
Tri-County Life Learners	2,500
Local Library	107,817
Planning Commission	37,350
Planning/Zoning Dept.	99,315
Biosolids/Code Enforcement	38,527
Community & Economic Development	131,080
IDA	1,000
Board of Zoning Appeals	1,320
Bright Hope Day Care	4,200
Historical Society	500
Clothes Closet	6,660
STEPS, Inc.	17,400
Commonwealth Regional Council	17,276
Prince Edward Cannery	900
Resource Conservation & Development	812
Longwood Small Business Development Center	3,405
Farmville Area Chamber of Commerce	1,250
Southside Violence Prevention Ctr	5,000
Longwood Visual Arts Community Campaign	1,000
Meals on Wheels	16,000
Agricultural Advisory Board	3,500
Environmental Management	6,159
Extension Service	40,500
Nondepartmental (Sales Tax)	5,000
Interest on Erroneous Assessments	1,000
Miscellaneous Projects Reserve	50,000
Courthouse Project Debt Service	<u>229,335</u>
Total	\$ 5,126,195

Fund 160

The following annual appropriations are hereby made to the E-911 Fund as budgeted for FY 2006-07. These funds are to be expended only by order of the Board of Supervisors:

E-911 Fund Expenditures	\$ 86,839
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Fund 201

The following annual appropriations are hereby made to the Social Services Fund as budgeted for FY 2006-07. These funds are to be expended only by order of the Social Services Board:

Social Services Fund Expenditures	\$ 1,141,335
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Fund 205

The following annual appropriations are hereby made to the School Fund as budgeted for FY 2006-07. These funds are to be expended only by order of the School Board:

School Operating Fund Expenditures	\$14,621,216
School Debt Fund Expenditures	738,916
School Capital Projects	295,819
School Textbooks	<u>142,249</u>
Total	\$15,798,200

Fund 302

The following annual appropriations are hereby made to the Capital Projects Fund as budgeted for FY 2006-07. These funds are to be expended only by order of the Board of Supervisors:

Capital Projects Expenditures	\$ 1,234,960
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Fund 303

The following annual appropriations are hereby made to the Courthouse Construction Fund as budgeted for FY 2006-07. These funds are to be expended only by order of the Board of Supervisors:

Courthouse Debt Service Expenditures	\$ 67,000
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Fund 500

The following annual appropriations are hereby made to the CSA Fund as budgeted for FY 2006-07. These funds are to be expended only by order of the Social Services Board:

CSA Fund Expenditures	\$ 1,200,000
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Fund 501

The following annual appropriations are hereby made to the Sewer Fund as budgeted for FY 2006-07. These funds are to be expended only by order of the Board of Supervisors:

Sewer Fund Expenditures \$ 180,304

Fund 505

The following annual appropriations are hereby made to the Water Fund as budgeted for FY 2006-07. These funds are to be expended only by order of the Board of Supervisors:

Water Fund Expenditures \$ 53,200

TOTAL BUDGET APPROPRIATIONS \$24,888,033

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

d) Appropriation of \$8,230.43 to Social Services budget

The Board requested additional information, and will take action at the next meeting.

e) Short-term financing update

The Assistant County Administrator presented the monthly report for short-term financing and stated that total draws to date are approximately \$6.5 million, with the majority being the school project.

f) Appropriation - emergency services vehicles

The Assistant County Administrator stated the Emergency Services Committee is requesting appropriation of \$47,300 to pay for the vehicles being purchased from Gochland. The money can either be appropriated to the individual departments or to the ESC once they have established themselves as an association.

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors, as follows:

1. The Cumberland County Public Utilities is authorized to take the steps necessary to fluoridate the County's water supply.
2. The Cumberland County Public Utilities shall keep an accurate record of the type and amount of fluoride compound introduced and the quantities of water treated.
3. The Cumberland County Public Utilities shall conduct and keep records of tests for fluoride compound in the treated waters in accordance with CDC engineering and administrative recommendations for water fluoridation, or otherwise required by the Virginia Department of Health.
4. The Cumberland County Public Utilities shall make copies of the records required above and submit such records to the Virginia Department of Health on a monthly basis as part of the required monthly report.

BE IT FURTHER RESOLVED by the Board of Supervisors that this resolution is hereby effective immediately.

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

- e) Consider continuing resolution regarding reorganization of Cumberland Volunteer Rescue Squad

The Chairman stated that the Rescue squad has made significant progress but they are still having problems recruiting members. Therefore, they would like to continue operating with the County's assistance for an additional period of time.

On a motion by Mr. Osl and carried the Board adopted the continuation of the resolution of Cumberland Volunteer Rescue Squad amending the resolution by removing the time parameters.

BOARD OF SUPERVISORS
OF THE
COUNTY OF CUMBERLAND, VIRGINIA
AMENDED AND RESOLUTION

REORGANIZATION OF THE CUMBERLAND COUNTY VOLUNTEER EMERGENCY
SERVICES

June 12, 2007

WHEREAS, the Cumberland Volunteer Rescue Squad, a non-profit organization, has been in operation for over 30 years, providing emergency patient care to the citizens of Cumberland County; and

WHEREAS, in recent years the membership of Cumberland Volunteer Rescue Squad has had a debilitating loss of volunteers, an inability to recruit new members, an inability to properly fill administrative offices, and an inability to staff appropriate personnel for emergency response coverage; and

WHEREAS, the administrative arm of Cumberland Volunteer Rescue Squad repeatedly has tried but has been unable to provide the direction necessary to resolve the many issues which have resulted in a major burden on the current volunteer operational officers, the active volunteer members, and other emergency services agencies that operate within Cumberland County; and

WHEREAS, the Cumberland Volunteer Rescue Squad, despite the best intentions and efforts of its members, is unable to remedy the overwhelming administrative and operational issues within the organization without assistance; and

WHEREAS, it is the responsibility of the Cumberland County Board of Supervisors to ensure the best interests, health, and public safety of its citizenry and that the Board of Supervisors seeks to ensure the protection and care of its citizens; and

WHEREAS, after considerable discussion and evaluation, the Cumberland County Board of Supervisors and emergency services leaders consider a reorganization of emergency services and administration thereof is in the best interest of the County's citizens; and

WHEREAS, the Cumberland County Board of Supervisors adopted a resolution on November 14, 2006 to effect such improvements in the operations and administrative oversight of the Cumberland Volunteer Rescue Squad; and

WHEREAS, it is further determined that the process set forth in such resolution has been effective but requires additional time for completion; and

WHEREAS, the Board seeks to amend and restate the terms in the November 14, 2006 resolution;

BE IT RESOLVED by the Board of Supervisors, as follows:

- a. The reorganization of the Cumberland County emergency services and its volunteer organizations shall continue to include the partnership with the Cumberland Volunteer Rescue Squad and Cumberland Volunteer Fire Department (the "Volunteer Organizations"), to wit:

the funding in support of the Volunteer Organizations shall continue to be dependent on the Volunteer Organizations operating under a partnership agreement. This partnership shall continue to function under one Leadership Team (detailed below) while maintaining two separate branches. This Leadership Team is empowered to act on behalf of the Volunteer Organizations in all capacities necessary for reorganization and continued operation of the Volunteer Organizations and for the betterment of emergency patient care in the County.

- b. The President and Captain (as set forth in the Attached Organizational Chart) will provide monthly progress reports to the County Administrator with periodic meetings to be held with an ad hoc committee (the "Leadership Team") comprised of the County Administrator, a Board of Supervisors Representative, the President and the Captain. A six-month review will be held to determine if the Cumberland Volunteer Rescue Squad has adequate membership and leadership to dissolve the partnership, if it will be necessary to continue with the partnership for another period of time, or if other action is indicated.
- c. To qualify for funding from the County, all Cumberland Volunteer Rescue Squad records will continue to be made available or presented to the County for audit and review.

No one acting on behalf of the Cumberland Volunteer Rescue Squad may enter into any agreements, contracts or act in any position of authority, except with regards to patient care in the line of duty, other than by explicit approval from the President or Captain. The existing bylaws and standard operating procedures (SOPs) of Cumberland Volunteer Rescue Squad will continue to be in compliance with this Amended and Restated Resolution, and the Cumberland Volunteer Rescue Squad will continue to operate under the SOPs of the Cumberland Volunteer Fire Department and the rules/regulations of the Virginia Office of Emergency Medical Services (OEMS). Issues that arise that cannot be addressed by either of these resources will be addressed on a case-by-case basis in writing by the Leadership Team.

- d. Each of the Volunteer Organizations of this partnership shall remain separate by holding separate meetings and maintaining separate minutes, financial records, and rosters. All financial disbursements for the Cumberland Volunteer Rescue Squad will be subject to a review and approval process that includes authorization for payment by the responsible officer in charge and requiring the signature of the President or Captain on all disbursements made by the Treasurer. Any Cumberland Volunteer Fire Department member appropriately certified and approved by the Captain will be given membership rights and added to the active roster within the Cumberland Volunteer Rescue Squad entity for the sole purpose of the betterment of patient care. Any Cumberland Volunteer Rescue Squad member who wishes to attain membership within the Cumberland Volunteer Fire Department will be subject to the application and approval process of the Cumberland Volunteer Fire Department.
- e. The County Administrator shall provide all Cumberland Volunteer Rescue Squad members with formal notice and copies of this Amended and Restated Resolution. Failure of any current member of the Cumberland Volunteer Rescue Squad to comply with the resolution and/or the efforts herein stated shall be removed at the direction of the Cumberland Volunteer Rescue Squad leadership.

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

RESOLUTION

Endorsement for the Issuance of a Permit for the Construction of the Cobbs Creek Reservoir by the Virginia Department of Environmental Quality

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, Cumberland County has partnered with Henrico County, Goochland County, and Powhatan County to develop the Cobbs Creek Reservoir in accordance with the mandated water supply plans and associated regulations; and

Whereas, the project is viewed by many as a model for the DEQ's regional water supply planning regulations implemented in response to the drought of 2002; and,

Whereas, the proposed multi-purpose reservoir would provide the following primary benefits:

- A reliable, long term water supply for Cumberland, Henrico, Goochland and Powhatan counties.
- Reduced stress upon the James River during critical drought conditions.
- Low flow augmentation of James River flows to benefit in-stream uses such as fisheries, recreation and water quality.
- A recreation amenity to the region's citizens and others who will visit the reservoir; and

Whereas, the 1,100-acre project will impact only 32 acres of wetlands which will be mitigated through the restoration of compromised wetlands and streams. Once constructed, the reservoir will provide additional wetlands and wildlife habitat; and

- f) Other project updates

Mr. Cooper thanked the community for their support of the county tours.

9. County Attorney's Report

- a) Consider amendment to Festival Ordinance/set public hearing

The County Attorney explained that changes were needed to allow for better administration of the ordinance. A public hearing was set for the July 10th Board meeting.

- b) Resolution approving the assignment of cable television franchise

The county attorney stated that under the Telecommunications Act if this is not acted on within 90 days it is defacto approved. Therefore, he has spoken with company representatives and amended the resolution as needed for Board approval.

On a motion by Mr. Womack and carried, the Board approved the assignment of the cable television franchise

WHEREAS, Cebridge Acquisition, LLC d/b/a Suddenlink Communications ("Franchisee") owns, operates and maintains a cable television system ("System") serving the County of Cumberland, Virginia pursuant to a franchise agreement (the "Franchise") issued by the County of Cumberland, Virginia (the "County" or "Franchise Authority"), and Franchisee is the duly authorized holder of the Franchise; and

WHEREAS, JetBroadband VA, LLC ("JetBroadband") has entered into an Asset Purchase Agreement (the "Agreement") with Cebridge Acquisition, LLC in which, among other things, the Franchisee proposes to sell and assign to JetBroadband VA, LLC certain of the assets, including the Franchise, used by the Franchisee in the operation of the System (the "Transaction"); and

WHEREAS, Franchisee and JetBroadband have requested the consent of the County as Franchise Authority for the assignment of the Franchise in accordance with the requirements of the Franchise and applicable law and have filed with the County as franchise authority a franchise assignment application on FCC Form 394 that includes relevant information concerning the Transaction and the legal, technical and financial qualifications of JetBroadband (collectively, the "Application"); and

WHEREAS, the County as franchise authority has had its staff review the Application, examine the legal, financial and technical qualifications of JetBroadband, and upon such staff recommendation for approval by the County as Franchise Authority followed all required procedures to consider and act upon the Application, and considered the comments of all interested parties; and

WHEREAS, JetBroadband has represented that it will comply with the terms and conditions of the Franchise; and

WHEREAS, the County as franchise authority believes that it is in the best interest of the County and its citizens to approve the Application and the assignment of the Franchise and the System to JetBroadband, as described in the Application.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY AS FOLLOWS:

1. The County as the franchise authority hereby approves the Application and consents to the assignment of the Franchise and the System to JetBroadband, all in accordance with the terms of the Franchise and applicable law and JetBroadband shall comply with the terms and conditions of the Franchise.
2. The County as franchise authority, without undertaking to verify the same by independent investigation and upon reliance on certifications by representatives of Franchisee and JetBroadband as to certain facts, confirms that (a) the Franchise was properly granted or assigned to Franchisee and is in full force and effect, (b) the Franchise represents the entire understanding of the parties and the Franchisee has no obligations to the franchise authority other than those specifically stated in the Franchise, (c)

c) Consider Abandoned Vehicle Program Agreement

The County Attorney recommended that the County continue with the current program and amend the current contract to put it in proper form.

On a motion by Mr. Osl that carried the Board agreed to continue the current program the County has in place, with necessary amendments to the contract form.

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

10. **Board Members**

Mr. Osl - District 1

Mr. Osl stated that he attended the Cumberland High School graduation and \$400,000 in scholarship money was awarded. He mentioned the Southside Community College to students.

Mr. Osl also attended the Powhatan County Board of Supervisors meeting. They were considering a resolution opposing landfill truck traffic through Powhatan and Mr. Osl questioned if there was any economic development that Cumberland could do that would be supported by Powhatan.

Mr. White - District 2

Mr. White asked that the County do some research on the fuel keys. He stated that Cartersville Rescue Squad fuel station is non operational. Jill Matthews will follow up with Kelly Hale regarding this issue.

Mr. Petty - District 3

No comments

Mr. Womack - District 4

Mr. Womack requested that the County not forget to look into putting the County name or logo on the water tower.

Mr. Oertel - District 5

Mr. Oertel asked if anyone has picked up plans for the Old Elementary School. Mr. Cooper stated that they had a pre-bid meeting that morning where 10 contractors attended.

Mr. Oertel also stated that he did not want to use the same procedure that was used to renovate the Flippen building.

11. Public Comments

A citizen from Cumberland Rd. spoke in support of the PDR program. The citizen also asked that the county look into what they can do for senior citizens.

12. Additional Information

a) Workforce Investment Board membership list (two vacancies exist for Cumberland - need to be business representatives)

b) Minutes of Water & Sewer Advisory Committee meeting

13. Adjourn

The Chairman ordered the meeting adjourned. The next meeting will be held on June 20th 8:30am in the Old Clerks Office.

Chairman

County Administrator