

At a regular meeting of the Cumberland County Board of Supervisors held at 7:00 p.m. on the 11th day of March, 2008, at the Cumberland County Circuit Court Room:

Present: William F. Osl, Jr., Chairman, District 1
Timothy Kennell, 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
Mike Cooper, Director, Community Development
Andrew Sorrell, Zoning Administrator
Stephany Johnson, Deputy Clerk

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

The invocation was led by Supervisor 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:

- 3. Public Hearings
 - b) Coyote Ordinance (ADDITIONAL INFORMATION)
- 7. County Administrator-
 - a.) Consent Agenda
 - 3.) Appropriation of \$8,725.56 in Four for Life funds to Cartersville and Cumberland Rescue Squads (1/2 each)
 - b.) 3.) Water & Sewer Advisory Committee (ADDITIONAL INFORMATION)

Vote: Mr. Osl – aye Mr. Kennell – aye
Mr. Petty-aye Mr. Womack – aye
Mr. Oertel – aye

2.) VDoT - Allen Leatherwood, Resident Engineer-

- a) Transportation Revenue Forecast –
Mr. Leatherwood informed the Board that there have been reductions in Transportation Revenue, with the total amount for next year being between \$200,000.00 to \$250,000.00
- b) Update on Rt. 620 bridge –
Mr. Leatherwood informed the Board that the bridge on Rt. 620 has been opened with a 5 ton weight limit, and the Rt. 621 bridge is still closed.

3.) **Public Hearing –**

a.) Joint Public Hearing with VDoT re: 6-year Plan-

Mr. Leatherwood reviewed the priority list for the 6 year plan, and informed the Board that the Transportation Revenue has diminished since the last meeting.

The Chairman then opened the public hearing. One citizen praised the Board for adding the .7 of a mile on Jenkins Church Rd. to the 6-year plan. Another citizen was concerned as to whether petitions from citizens were effective. The chairman stated that the Board needs, and welcomes citizen input.

With no other citizens signed up to speak, the Chairman closed the public hearing.

Mr. Leatherwood stated that a petition says the landowner plans to donate the land, but until a deed is signed, they could not move forward. Mr. Leatherwood also informed the Board that approval of the 6-year plan should wait until after the funding has been approved by the General Assembly. Mr. Oertel requested trimming of limbs on Rt. 651, Cedar Lane.

b.) Coyote Ordinance –

County Attorney, Howard Estes described the draft ordinance for the Coyote bounty. Mr. Estes also informed the Board that the County does not have the authority to create an incentive program, and suggested that the Board could provide Farm Bureau with a grant to create and operate this program.

The Chairman turned the meeting over to the Animal Control Officer, John Sullivan. Mr. Sullivan introduced Chad Fox, a Biologist from the U.S. Department of Agriculture. Mr. Fox provided the Board with informational handouts on coyotes in Virginia, and discussed many options to control the coyote population. Mr. Fox stated that in his opinion, a bounty would not fix the problem, that trapping, improving fencing, and guard animals are more effective. Mr. Sullivan informed the Board that the number of farm animals injured or killed due to coyote attacks have risen by 20 or 30 each year.

The Chairman opened the public hearing.

One citizen voiced concerns about shooting a coyote on Sunday, as hunting on Sunday's is illegal. Mr. Fox stated that it is not illegal to shoot at them, but it is illegal to kill them. One citizen recommended to the Board that a bounty be put in place for one year in order to gather pertinent data as to where the problem areas are. Another citizen stated that a bounty and trapping together would work. A representative of the Agriculture Advisory Board recommended enacting the bounty for a one year period and recommended educational programs.

With no other speakers, the Chairman closed the public hearing.

The Chairman stated that he is in agreement with the suggestion of the Agriculture Advisory Board. The Board voiced concerns about fraudulent claims of coyotes killed in other counties and brought into Cumberland to collect the bounty. The Chairman suggested that the claim form contain a certification by the County landowner stating that the coyote was killed on

their property, as well as if any farm animals were injured or killed by the coyote.

On a motion by the Mr. Oertel and carried the Board adopted a Bounty on coyotes killed within the County as follows:

Sec. 10-4. Killing of coyotes permitted; bounty established; procedures for claims.

(a) The killing of coyotes within the boundaries of the county is hereby authorized for bounties upon the following conditions: A bounty of \$50.00 shall be paid by the county, from available funds, for each coyote killed within the boundaries of the county on agricultural lands and payment is limited to only those claims whereby a landowner ratifies and affirms that the coyote was killed on the landowners property.

(b) All payments shall be contingent upon the furnishing of such identifying information as requested by the county's designated agent. The board of supervisors shall be the approving authority for payment of all claims presented.

(c) The total amount of bounties to be paid under this section shall not exceed the sum of \$2,500.00 per calendar year, except by additional appropriation by the board.

(d) It shall be unlawful for any person to present a false claim or to receive any money on a false claim under this section, which act shall constitute a Class 1 misdemeanor.

Vote: Mr. Osl – aye Mr. Kennell – aye
 Mr. Petty-aye Mr. Womack – aye
 Mr. Oertel – aye

A motion was made by Mr. Osl to limit the timeframe of the Bounty for a one year period, as recommended by the Agricultural Advisory Committee:

Vote: Mr. Osl – aye Mr. Kennell – nay
 Mr. Petty – aye Mr. Womack – nay
 Mr. Oertel – nay

The motion was defeated by a 3-2 vote.

4.) Departments and Agencies -

a.) David Foley, Robinson, Farmer, Cox Associates –

Mr. David Foley informed the Board that there have been recent changes to the AICPA auditing standards and there are many more requirements the County must meet in order to prepare for the audit. Mr. Foley reviewed the County's audit for the 2006-2007 fiscal year, and commended the County for their efforts.

b.) Sandra Thompson – SVCC

Mrs. Thompson informed the Board that recently, a gentleman became the first graduate from the Cumberland Campus. Mrs. Thompson also mentioned that the number of students in the middle college has tripled in the past 3 months as there are now 12 students enrolled. She also stated that the percentage of students enrolled in the first year is higher than at any other SVCC campus. Mrs. Thompson informed the Board that there is a newly opened cyber café which

consists of 8 computers with DSL internet access for the citizens of the county, as well as tradesmen courses that will begin this month, and so far, there are 13 students enrolled for the plumbing class, and 16 students enrolled for the electrical class. Mrs. Thompson informed the Board that they are applying for a \$50,000.00 Great Expectations Grant for Foster care classes, and thanked the Board for their support.

c.) Dr. Jim Thornton – Superintendent of Schools –

Dr. Thornton informed the Board of a \$25,000.00 grant received from the Virginia Department of Education, and that DOE has highlighted Cumberland's accomplishments in their report.

d.) Karen Mulleins – School Construction Progress Report –

Mrs. Mulleins stated that 62% of the budget had been allocated, and that the roof work would soon be completed. Mrs. Mulleins also informed the Board that the Brick campaign has sold a total of 66 bricks, to raise \$3,486.00 to date.

e.) Kevin Ingle – Emergency Services Committee –

Mr. Ingle discussed the Communications project with the Board, and also mentioned a possible grant through Phillip Morris for a medical dispatcher. A proposed table top exercise with the Fire Departments, Rescue Squads, and the Sheriff's Department is planned for this year.

Mr. Ingle informed the Board that the Fire departments will convert to MSA air tanks to allow all EMS units the opportunity to use each others air tanks if needed. Cumberland Volunteer Rescue Squad is applying for grants to re-chasse two of the existing units for the price of purchasing 1 new unit.

5.) Assistant County Administrator's Report –

a.) Monthly Budget Report –

Mrs. Matthews reviewed the monthly budget report stating that expenditures are in line for this time of year.

b.) Short-Term Financing Report -

Mrs. Matthews reviewed the short-term financing report.

c.) Appropriation – Clerk's Office \$1,492.00 –

On a motion by Supervisor Oertel and carried, the Board appropriated \$1,492.00 to the Clerks Office for the cost of microfilming land records (No local funds required):

Vote: Mr. Osl – aye	Mr. Kennell – aye
Mr. Petty – aye	Mr. Womack – aye
Mr. Oertel - aye	

d.) Tire Disposal Day –

Mrs. Matthews informed the Board that Tire Disposal Day will be held Saturday, May 10th, 2008 from 9 a.m. to 3 p.m. at the Randolph Volunteer Fire Department. There will be a 50 tire limit per household, and those citizens planning to bring more than 15 tires, should register with the Accounting Department ahead of time

to inform them of the amount of tires they plan to bring. This year they will accept tires on the rim as well as car batteries. Only residents, not businesses will be allowed to bring tires.

- e.) Request for appropriation – \$8,725.56 Four-for-Life Funds disbursed to CVVRS and CVRS –

On a motion by the Chairman and carried, the Board appropriated \$8,725.56 to be divided equally between the Cartersville and Cumberland and Rescue Squads:

Vote:	Mr. Osl – aye	Mr. Kennell – aye
	Mr. Petty - aye	Mr. Womack – aye
	Mr. Oertel – aye	

6.) Planner/Zoning Administrator, Andrew Sorrell -

- a.) Recent PC actions –

Mr. Sorrell informed the Board that the Planning Commission has prepared minor amendments to the Subdivision Ordinance, as well as held the public hearing on the Capital Improvements Project. The Planning Commission has reviewed the plan for industrial access road to the landfill.

- b.) Landfill site plan –

The Planning Commission reviewed the landfill site plan at their meeting on February 25th, 2008.

- c.) Poultry Development plan regulations –

The Planning Commission will discuss the Poultry Development Plan regulations at their regular March meeting.

- d.) Recent PDR and TDR meetings -

The Purchase of Development Rights Committee (PDR) is currently finalizing the program application.

The Transfer of Development Rights Committee (TDR) has made progress, and Mr. Sorrell stated that he attended the State TDR meeting where he reviewed Cumberland’s proposed program with other localities.

7.) County Administrator’s Report –

On a motion by Supervisor Petty and carried, the Board approved the consent agenda as follows:

Consent Agenda –

- e.) Approval of Minutes – January and February 2008

- e.) Approval of Bills – February 2008 and March 2008
Ratified bills for February 2008 of warrants totaling \$216,422.01, with check numbers ranging from 52926 to 53237. Direct deposits totaling \$134,896.15. Approved Bills for March 2008 totaling \$117,551.03.

- b.) Appointments –

- 1.) Citizen’s Landfill Advisory Committee –

Supervisor Petty nominated Allen Blakely, and Supervisor Kennell nominated Rick Nickel. The Board agreed to table the decision until the next Board meeting pending further information.

2.) PDR Committee –

On a motion by the Chairman and carried, the Board appointed Catherine Fleischman to the Purchase of Development Rights Committee:

Vote: Mr. Osl – aye Mr. Kennell – aye
Mr. Petty - aye Mr. Womack – aye
Mr. Oertel – aye

3.) Water & Sewer Advisory Committee -

On a motion by Supervisor Womack and carried, the Board reappointed Doris Brown from District 3, Roger Hatcher from District 4, and Major Thompson from District 5, to the Water & Sewer Advisory Committee:

Vote: Mr. Osl – aye Mr. Kennell – aye
Mr. Petty - aye Mr. Womack – aye
Mr. Oertel – aye

The nomination for District 1 will be heard at the April 8th, 2008 regular Board meeting. The Chairman directed staff to contact Mr. Hatcher and inform him that the services of the Committee are still needed.

c.) Amendment to ordinance requesting background checks for certain positions-

The board agreed to set a public hearing on April 8, 2008 at 7 p.m. for the proposed changes to the ordinance.

8.) Director of Community Development –

a) Update on projects

1.) Reservoir master planning project –

Mr. Cooper advised the Board that Virginia Tech (VT) and Virginia Commonwealth University (VCU) are asking the Board to create and appoint citizens to the “Community Project Committee” who will assist the universities in the planning process for the reservoir. The Committee will consist of one citizen from each district, one Board representative, the County Planner, Andrew Sorrell, The Director of Community Development, Michael Cooper, The Planning Commission Chair or his representative, and three affected property owners.

On a motion by the Chairman and carried, the Board appointed the following to the Community Project Committee:

William F. Osl, Jr. – Board Representative
Andrew Sorrell – County Planner
Michael Cooper – Director of Community Development
Parker Wheeler, or his representative – Planning Commission
Ray Wooten – District five

Vote: Mr. Osl – aye Mr. Kennell – aye
Mr. Petty – aye Mr. Womack – aye

Mr. Oertel – aye

2.) Waterline extension design project –

On a motion by Supervisor Kennell and carried, the Board awarded a contract to Draper Aden Associates for the Ppublic Water System Expansion – Design Phase in the amount of \$78,500.00:

Vote: Mr. Osl – aye Mr. Kennell – aye
 Mr. Petty – aye Mr. Womack – aye
 Mr. Oertel – aye

This contract is fully funded by grants received from the Virginia Tobacco Indemnification, Community Revitalization Commission and the Virginia Department of Health.

3.) Resolution regarding Shell building project –

On a motion by Supervisor Oertel and carried, the Board adopted the following:

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF
THE COUNTY OF CUMBERLAND, VIRGINIA**

WHEREAS, the residents of the County of Cumberland have identified certain economic development objectives they wish to see achieved in order to sustain and develop employment opportunities in the County; and

WHEREAS, said objectives have been outlined in the County’s Comprehensive Plan, duly adopted September 12th, 2006; and

WHEREAS, corresponding policies by which said objectives should be accomplished are thus identified and referenced in said Comprehensive Plan; and

WHEREAS, one such policy identified under Objective 3, Subpart F: Economic Development, in Section IV of said Comprehensive Plan encourages development of the “full economic potential of existing areas of economic clusters such as the Riverside Industrial Park;” and

WHEREAS, the Board of Supervisors of the County of Cumberland is fully committed to developing the economic and employment opportunities desired by residents and herein referenced; now therefore be it

RESOLVED, that the Board of Supervisors of the County of Cumberland subsequently proposes to further develop the employment opportunities at Riverside Industrial Park by constructing an approximately 20,000 square foot industrial shell building, wherein space shall be made available for lease, at fair market value, by new and expanding businesses; and be it further

RESOLVED, that the Board of Supervisors of the County of Cumberland very respectfully requests that the Economic Development Administration consider this project for an investment through its Development Facilities grant.

Vote: Mr. Osl – aye Mr. Kennell – aye
 Mr. Petty – aye Mr. Womack – aye
 Mr. Oertel – aye

Mr. Cooper also supplied the Board with updates on the Museum Project, High Bridge Trail State Park, and the Educational Advancement Center.

9.) County Attorney's Report -

County Attorney, Howard Estes informed the Board that he attended an Industrial Development Authority (IDA) meeting, and they are interested in becoming more active in the Economic Development of the County.

The Wireless Authority met recently and reviewed different possibilities for creating a wireless system.

10.) Board Member Comments-

Mr. Osl thanked the Board members and staff for their diligent work throughout the Budget process.

Mr. Kennell thanked the County Administrator and Assistant County Administrator for their hard work, and appreciated the opportunity to meet the County staff. The second District 2 Community meeting will be held on March 19th, 2008 at 7 p.m. in the Cumberland County Elementary School Cafeteria.

Mr. Petty mentioned that the Wireless Authority may have a location for a pilot project, and they are still working on the pricing.

Mr. Womack informed the Board that Piedmont Regional Jail is experiencing plumbing problems and the cost of repairs is approximately \$1,000,000.00.

Mr. Oertel thanked County Staff for their hard work in assisting with the budget work shops.

11.) Public Comments-

Juanita Urban, Chairman of the Cumberland Patriot Day Planning Committee informed the Board that this year's festivities will be on Saturday, April 19th, 2008 on the Courthouse lawn. Mrs. Urban thanked County staff for their support, and reviewed the list of activities for the day.

12.) Additional Information-

- a.) 2006 annual building permit data for VA.
- b.) County building inspections monthly report

The Chairman adjourned the meeting until the Joint work session with the School Board to be held on March 12th, 2008 at 5:30 p.m. in the Cumberland County Conference Room.

Chairman

County Administrator