

At a meeting of the Cumberland County Board of Supervisors held at 9:00 a.m. on the 15th day of October 2008 at the Cumberland County Old Clerk's Office, Cumberland, Virginia:

Present: William F. Osl, Jr., Chairman, District 1
Timothy Kennell, District 2
Van H. Petty, Vice-Chairman, District 3
Elbert R. Womack, District 4
Robert J. Oertel, District 5
Howard Estes, County Attorney
Judy Ownby, County Administrator
Jill Matthews, Asst. County Administrator
Absent: Michael Cooper, Asst. County Administrator

Also

Present: Beverly Ayers, Darlene Pelot, W. C. Sprouse, Sheri McGuire – IDA members; Kristen Queen, staff
Absent: Thomas Baldwin and Fred Shumaker, IDA

Chairman Ayers, called the IDA meeting to order and conducted items of business in open session prior to meeting with the Board of Supervisors.

Chairman Osl called the Board of Supervisors meeting to order and established a quorum. There was discussion regarding the ownership of the Cumberland Community Center with the IDA members. Many questions were brought up about financing issues, responsibility for debt service, liability issues, how the IDA was expected to manage the property, etc. It was decided that the IDA would conduct a work session with Assistant Administrator/Finance, Jill Matthews, to become more familiar with the County budget. The work session is scheduled for November 5th, at 9:00 a.m. in Pod E of the Community Center.

The IDA entered into closed session with the Board of Supervisors and discussed items under VA Code Section 2.2-3711 (A-5, A-6 and A-7) (see below).

CLOSED MEETING

On a motion by Mr. Osl and carried, the Board entered into closed meeting under VA Code Section 2.2-3711 A(5) discussion concerning a prospective business locating in the

County when no previous announcement of the business' intention of locating in the County has been made; A(6) investment of public funds re: business, water reservoir project; and A(7) for consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.

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

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

Mr. Osl – aye
Mr. Kennell – 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.

The IDA also reconvened in open session, certified under VA Code Section 2.2-3712, and adjourned their meeting.

The Board of Supervisors had additional items to discuss in closed session.

CLOSED MEETING

On a motion by Mr. Osl and carried, the Board entered into closed meeting under VA Code Section 2.2-3711 A(1) personnel; A(6) investment of public funds re: water reservoir project; and facility use policy; and A(7) for consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.

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

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

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

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IDA Appointment

On a motion by Mr. Womack and carried, the Board appointed Constance Pepper to the IDA for a term expiring September 2012.

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

The Chairman adjourned the meeting until 9:00 a.m. on November 5th, for a work session to discuss the PDR recommendations.

Chairman

County Administrator