

At a meeting of the Cumberland County Board of Supervisors held at 9:00 a.m. on the 5th day of November 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  
Andy Sorrell, Planner/Zoning Administrator  
Stephany Johnson, Deputy Clerk  
Jill Matthews, Asst. County Administrator  
(arrived after PDR discussion)  
Michael Cooper, Asst. County Administrator  
(arrived after PDR discussion)

The meeting was called to order by the Chairman and a quorum was established.

#### PDR Workshop

Mr. Sorrell began by explaining the history of the purchase of development rights (PDR) program, and the ranking process of the PDR committee. The Board reviewed the ranking of the applications and asked questions about the process. Mr. Sorrell will take Board recommendations to the PDR committee and any recommendations for changes will be brought back to the Board of Supervisors.

The Board agreed with the recommendations of the PDR committee regarding the ranking of the four applications and suggested talking to the applicants to see what they are willing to offer to add to the program. Applicants present were given an opportunity by the Board to make comments and provide input. They asked the Board to identify where they want development, but also to decide where they want agriculture and to protect the surrounding area by adding buffers.

The Board thanked the applicants for their input and this concluded the PDR work 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.

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.

No action was taken regarding the items discussed.

**CLOSED MEETING**

On a motion by Mr. Osl and carried, the Board entered into closed meeting under VA Code Section 2.2-3711 A(6) investment of public funds and (A-7) consultation with legal counsel re: water reservoir project and contract negotiaton; and A(6) investment of public funds re: VML/VACo financing; and (A-5) discussion regarding prospective business where no discussion of the business locating in the County has been announced.

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. 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:

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No action was taken on the items discussed.

#### Re-zoning application

Mr. Petty informed the Board that a re-zoning application has been submitted to the Planning Department, and it will be forwarded to the Board at a later date.

#### Randolph Fire Department Lease

The County Attorney reviewed a draft Deed of Lease to the Randolph Fire Department with the Board, and requested that they review and give him feedback and comments.

#### VACo/VML Financing

The County Attorney advised the Board that a resolution for approval of the VACo/VML direct loan application needs to be adopted at the regular Board meeting. This will be added to the agenda.

#### Wireless Authority

Mr. Petty updated the Board on the meeting of the Wireless Authority and stated that Blue Ridge Public TV would like to sell the tower which the County uses for 911 communications. The cost of a new tower would be approximately \$80,000, however, debt service on this amount is not expected to exceed the amount of rent paid to BRPTV. More information will be forthcoming.

The Chairman adjourned the meeting until the regular meeting which will be held on November 12<sup>th</sup> (due to the Veterans Day holiday).

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Chairman

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County Administrator