

At a meeting of the Cumberland County Board of Supervisors held at 6:30 p.m. on the 2nd day of December 2009 at the Cumberland County Administration Building conference room, Cumberland, Virginia:

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

The Chairman called the meeting to order and stated that the purpose was to enter into closed session regarding specific legal matters.

On a motion by Chairman Osl and carried, the Board entered into closed meeting under VA Code Section 2.2-3711 (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. 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:

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.

At 7:00 p.m. members of the Cumberland Volunteer Rescue Squad met with the Board to discuss Revenue Recovery.

Mr. Kennell, Board representative on the ESC and Director of Emergency Services, stated that before moving forward on revenue recovery, the Board wished to discuss the budget and financial situation of the CVRS.

Mr. Zirkle, President of the CVRS, gave background on the number of members and how funds were spent (for equipment, training, operations, etc.). , He explained that the County's contribution was used for these purposes, as well as the proceeds from mortgaging the CVRS building.

Mr. Zirkle gave an estimate of what he believes can be collected through revenue recovery. It was discussed that the amount most likely will cover the cost of annual operations, excluding capital expenditures.

Mr. Oertel and Mr. Womack questioned Mr. Zirkle about the fact that CVRS wishes to expand into the southern end of the County and asked when this is to take place. They were assured that this would be a transition and a planned process so that response time and service to the citizens would not be impacted.

The Attorney for CVRS, Mr. Jackson, asked if the Board plans to take action through a resolution or ordinance to allow revenue recovery by the rescue squads. There was discussion on whether Board approval is required

and although Mr. Jackson is of the opinion that it is not required, counsel for the County, Mr. Estes stated that action must be taken by the Board of Supervisors in order for revenue recovery to be implemented. All agreed that the rescue squad wishes to have the Board's approval.

Mr. Petty stated that the citizens expect a certain level of service and they also want a comfort level with the CVRS, therefore, an explanation of revenue recovery and squad care must be sent out to the public.

There was additional discussion about CVRS finances, budget, and various other concerns and issues. The Board asked for a financial audit of the squad's books. They were presented with an audit of the checkbook, so the Board asked staff to contact the CPA to ask if additional financial information was available.

Finally, the Board agreed to direct the County Attorney to draft an ordinance to put revenue recovery in place. This will be presented at the December meeting to schedule a public hearing at the January 2010 meeting. The rate structure will be inserted after the ordinance is drafted.

Mr. Zirkle invited the Board members to CVRS Christmas banquet on December 11, 2009 at 7pm.

The Chairman ordered the meeting adjourned until 4:30pm on December 3, 2009 for a meeting with the Water & Sewer Advisory Committee.

Chairman

County Administrator