

**BOOK 12 PAGE 324**

At a regular meeting of the Cumberland County Board of Supervisors held at 7:00 p.m. on the 8<sup>th</sup> day of December, 2009, at the Cumberland County Circuit Court Room:

Present: William F. Osl, Jr., Chairman, District 1  
Timothy Kennell, District 2  
Van Petty, Vice Chairman, 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, Assistant County Administrator  
Stephany Johnson, Deputy Clerk

Absent: Andrew Sorrell, Zoning Administrator

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

The invocation and the Pledge of Allegiance were led by the Chairman.

**1) Approval of Agenda-**

On a motion by the Chairman and carried, the Board amended the agenda as follows:

- Add'l Info 6) Assistant County Administrator/Finance
  - c) Update on transfer station improvements
- Add'l info 8) County Administrator
  - c) CRC Regional Hazardous Mitigation Plan (match requirement)
- Add'l Info 10) County Attorney's Report
  - Update on meeting with CVRS re: Revenue Recovery
- Add'l Info 13) Additional Information
  - f) Building Inspections Monthly Report

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

2) **Resolution of Appreciation upon the Retirement of Marjorie White**

On a motion by the Chairman and carried, the Board adopted the Resolution in appreciation of Marjorie White:

**RESOLUTION OF APPRECIATION  
UPON THE RETIREMENT OF MARJORIE WHITE**

**WHEREAS**, Marjorie White has dedicated more than eighteen (18) years of service to the County of Cumberland and more than sixteen (16) of those years as Chief Deputy in the Office of the Commissioner of the Revenue; and

**WHEREAS**, she began her employment with Cumberland County on November 1, 1991, and earned the Master Deputy Commissioner of the Revenue Certification from the University of Virginia, Weldon Cooper Center for Public Service on July 1, 2003; and during her years of outstanding service she has distinguished herself through her dedication and commitment to serving the citizens of Cumberland County; and

**WHEREAS**, she has tirelessly served the County and its citizens with professionalism and integrity as the Chief Deputy Commissioner of the Revenue, and has assisted countless citizens with their State income taxes and all other assessed taxes over the years; and

**WHEREAS**, Marjorie White is a faithful member of Payne Memorial United Methodist Church who contributes to the church's many activities and is known for her loyalty and service to God, family, friends, and community; and

**WHEREAS**, she has earned the deep respect and esteem of all those with whom she has worked over the years; and

**NOW, THEREFORE, BE IT RESOLVED** that the members of the Cumberland County Board of Supervisors, through this Resolution, express their high regard and profound appreciation for the services that Marjorie White has performed for the County of Cumberland over the past eighteen (18) years, and wish her much contentment and happiness during her retirement years.

Adopted this 8<sup>th</sup> day of December 2009.

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

**3) VDoT-Kevin Wright, Acting Residency Administrator**

Acting Residency Administrator, Kevin Wright, introduced himself to the Board members. The Board informed the VDoT representatives of the citizen complaint regarding water runoff from River Road onto his property. Mr. Mark McKissick, Resident Engineer, informed the Board that a request to study the speed limit in front of New Life Church has been sent to the District Office. Supervisor Womack stated that the lines on Route 45 South were faded which makes it difficult to see at night.

**4) Public Hearings -**

a) Road naming/E-911 Ordinance

County Attorney, Howard Estes, reviewed the proposed Ordinance. Supervisor Womack and the Chairman both thanked staff for their hard work. After some discussion, the Chairman opened the public hearing. With no citizens signed up to speak, the Chairman then closed the public hearing.

On a motion by Supervisor Womack and carried, the Board adopted the E-911/Road naming Ordinance:

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

**RESOLUTION  
APPROVING AND ADOPTING  
PROPOSED AMENDMENTS TO THE  
CODE OF CUMBERLAND COUNTY:**

**CODE AMENDMENT 09-12:**

**“AN ORDINANCE AMENDING CHAPTER 48 OF THE  
CUMBERLAND COUNTY CODE TO ADD IN CHAPTER 48  
“PUBLIC SAFETY” A NEW ARTICLE III WHICH ADDS SECTIONS  
48-1 THROUGH 48-58 REGARDING  
ROAD NAMING AND E-911 ADDRESSING**

**December 8, 2009**

At a meeting of the Board of Supervisors of Cumberland County, Virginia, in the Cumberland County Courthouse, Cumberland, Virginia 23040 commencing at 7:00 p.m., December 8, 2009, the following action was taken following a duly held public hearing during which time county staff provided a review of the proposed County Code amendment and members of the public offered comment:

On a motion made by Supervisor Womack, it was moved that the Board of Supervisors of Cumberland County approve and adopt, in accordance with the following Resolution, an ordinance amending the County Code to add Sections 48-1 through 48-58 regarding road naming and E-911 addressing in the County;

Following a presentation of the Recitals and Resolutions, the Board of Supervisors adopted and approved the Recitals and Resolutions according to the votes stated below:

-----  
Present:

Vote:

**BOOK 12 PAGE 324**

William F. Osl, Jr., Chairman	aye
Timothy M. Kennell	aye
Van H. Petty	aye
Elbert R. Womack	aye
Robert J. Oertel	aye
<u>Absent:</u>	None

-----

**WHEREAS**, at a regular monthly meeting held on December 8, 2009, staff provided the Board of Supervisors with an overview of the proposed amendments to the Code of Cumberland County, Virginia, which said amendments (collectively the “Code Amendment 09-12”) adds an Article III to Chapter 48 “Public Safety” regarding road naming and E-911 addressing throughout the County; and

**WHEREAS**, the proposed provisions are attached to this resolution; and

**WHEREAS**, the Board of Supervisors duly advertised and held a public hearing on December 8, 2009; and

**WHEREAS**, the Board of Supervisors carefully considered the testimony and evidence presented at the public hearing in support or opposition to the proposed Code Amendment 09-12 including the information and recommendation from county staff; and

**WHEREAS**, in its review of the Code Amendment 09-12, the Board of Supervisors gave reasonable consideration to furthering the goals of the County with regard to the public safety, health, welfare and convenience of the citizenry, as expressed in the proposed provisions; and

**WHEREAS**, after conducting a public hearing and considering the comments of County staff and the general public and after discussion and due deliberation with respect to such information, including information and materials presented at the public hearing and the comments in support or opposition to the proposed Code Amendment 09-12, the Board of Supervisors desires to affirm its findings and to take action with respect to the Code Amendment 09-12;

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

- a. The foregoing recitals are hereby incorporated by this reference.
- b. The Board of Supervisors further finds that the Code Amendment 09-12 is in substantial accordance with the safety, health, welfare and public necessity and convenience of the County's citizens.
- c. Upon consideration of the foregoing, the Board of Supervisors considers it appropriate to amend the Code of Cumberland County in accordance with the specific text and provisions of Code Amendment 09-12 as attached hereto and incorporated herein by this reference.
- d. Upon consideration of the foregoing, the Board of Supervisors approves and adopts Code Amendment 09-12.
- e. This Resolution is effective immediately.

**5) Departments and Agencies -**

- a) Bernice Ford, Elementary School Principal

Ms. Ford, Principal of the Cumberland Elementary School, informed the Board that even in the elementary school, rigor is an

important factor. Rigor for the elementary is high expectations for the students. The teachers are promoting a higher level of thinking, and assigning tasks that involve critical thinking. This plan is still in the planning stages, and should be implemented by August 2010.

b) Keith White, Recreation Director

Recreation Director, Keith White, informed the Board that the Cumberland Recreation Department has the privilege of taking over the football, cheerleading and soccer programs. Cumberland County's flag football team is this year's James River District Champions. Mr. White introduced the Football Commissioner, Mr. Howard Perez, and Head Coach, Mr. Clay Boykins. The Board congratulated the team on their victory, and posed for pictures with the players and coaching staff.

6) **Assistant County Administrator/Finance**

a) Consent Agenda-

- 1) Approval of minutes for November 2009
- 2) Approval of Bills- November 2009 and December 2009  
Approved bills for December 2009 total \$53,972.87.  
Ratified bills for November 2009 of warrants total \$182,474.53 with check numbers ranging from 57725-57922. Direct deposits for December 2009 total \$78,199.86.
- 3) Appropriation of second half of FY 2009-10 budget

**BOARD OF SUPERVISORS  
OF THE  
COUNTY OF CUMBERLAND, VIRGINIA  
RESOLUTION  
FISCAL YEAR 2009 - 2010 BUDGET APPROPRIATION**

December 8, 2009

**BOOK 12 PAGE 323**

At a meeting of the Cumberland County Board of Supervisors held the 8th day of December 2009, on a motion by Mr. Womack and carried, the Board adopted the following resolution:

BE IT RESOLVED that the Cumberland County Board of Supervisors does hereby make the following appropriations for FY 2009-10 effective January 1, 2009:

**GENERAL FUND**

One half of the following annual appropriations are hereby made to the General Fund as budgeted for FY 2009-10. These funds are to be expended only by order of the Board of Supervisors:

**Fund 100**

Board of Supervisors	\$ 68,837
County Administrator	158,120
Legal Services	285,000
Independent Auditor	30,000
Commissioner of Revenue	227,271
Assessor	50,000
Equalization Board	1,500
Treasurer	260,188
Accounting	190,535
Data Processing	175,396
Electoral Board	18,815
Registrar	61,290
Circuit Court	15,840
General District Court	13,145
Magistrates	6,698
Clerk of Circuit Court	209,702
Commonwealth's Attorney	113,142
Sheriff	1,259,195
School Resource Officer	41,127
Volunteer Fire Departments	103,230
Ambulance and Rescue	73,620
Emergency Services	9,625
Forestry Service	8,139
Detention	30,000

**BOOK 12 PAGE 324**

Probation Officer	1,226
Building Inspections	109,190
Animal Control	131,130
Refuse Disposal	578,919
Recycling	29,000
General Properties	694,207
Supplement Local Health	99,310
Piedmont Senior Resources	787
Central VA Health Planning	1,212
Chapter 10 Board	28,840
State and Local Hospitalization	1,341
CSA Management	66,328
Community College	2,709
Special Olympics	200
Parks, Recreation	59,690
Tri-County Life Learners	2,500
Local Library	118,800
Planning Commission	20,100
Planning/Zoning Dept.	113,764
Biosolids/Code Enforcement	4,850
Community & Economic Development	165,047
IDA	7,650
Wireless Authority	10,000
Board of Zoning Appeals	3,800
Historical Society	500
Clothes Closet	1,960
HOPE	5,000
Piedmont Area Transit	10,000
Commonwealth Regional Council	15,700
Prince Edward Cannery	900
Resource Conservation & Development	812
Longwood Small Business Development Center	3,891
Farmville Area Chamber of Commerce	1,500
Southside Violence Prevention Ctr	7,000
Longwood Visual Arts Community Campaign	1,000
Meals on Wheels	15,000
Environmental Management	9,500
Extension Service	46,000
Nondepartmental (Sales Tax)	5,000

**BOOK 12 PAGE 323**

Interest on Erroneous Assessments	500
Miscellaneous Projects Reserve	<u>50,000</u>
Total	\$5,838,978

**Fund 120**

One half of the following annual appropriations are hereby made to the Economic Development Fund as budgeted for FY 2009-10. These funds are to be expended only by order of the Board of Supervisors:

Economic Development Fund	\$ 50,000
---------------------------	-----------

**Fund 150**

One half of the following annual appropriations are hereby made to the Sheriff's Forfeiture Fund as budgeted for FY 2009-10. These funds are to be expended only by order of the Board of Supervisors:

Sheriff's Forfeiture Fund	\$ 30,000
---------------------------	-----------

**Fund 160**

One half of the following annual appropriations are hereby made to the E-911 Fund as budgeted for FY 2009-10. These funds are to be expended only by order of the Board of Supervisors:

E-911 Fund Expenditures	\$ 60,131
-------------------------	-----------

**Fund 201**

One half of the following annual appropriations are hereby made to the Social Services Fund as budgeted for FY 2009-10. These funds are to be expended only by order of the Social Services Board:

Social Services Fund Expenditures	\$ 1,260,080
-----------------------------------	--------------

**Fund 205**

One half of the following annual appropriations are hereby made to the School Fund as budgeted for FY 2009-10. These funds are to be expended only by order of the School Board:

**BOOK 12 PAGE 324**

School Operating Fund Expenditures	15,774,312
School Capital Projects	423,390
School Textbooks	<u>128,111</u>
Total	\$16,325,813

**Fund 208**

One half of the following annual appropriations are hereby made to the Courthouse Maintenance Fund as budgeted for FY 2009-10. These funds are to be expended only by order of the Board of Supervisors:

Courthouse Maintenance Fund	\$ 3,000
-----------------------------	----------

**Fund 209**

One half of the following annual appropriations are hereby made to the Law Library Fund as budgeted for FY 2009-10. These funds are to be expended only by order of the Board of Supervisors:

Law Library Fund	\$ 1,000
------------------	----------

**Fund 302**

One half of the following annual appropriations are hereby made to the Capital Projects Fund as budgeted for FY 2009-10. These funds are to be expended only by order of the Board of Supervisors:

Capital Projects Expenditures	\$ 318,270
-------------------------------	------------

**Fund 500**

One half of the following annual appropriations are hereby made to the CSA Fund as budgeted for FY 2009-10. These funds are to be expended only by order of the Social Services Board:

CSA Fund Expenditures	\$ 1,000,000
-----------------------	--------------

**Fund 501**

One half of the following annual appropriations are hereby made to the Sewer Fund as budgeted for FY 2009-10. These funds are to be expended only by order of the Board of Supervisors:

**BOOK 12 PAGE 323**

Sewer Fund Expenditures \$ 262,447

Fund 505

One half of the following annual appropriations are hereby made to the Water Fund as budgeted for FY 2009-10. These funds are to be expended only by order of the Board of Supervisors:

Water Fund Expenditures \$ 145,031

Fund 733

One half of the following annual appropriations are hereby made to the Special Welfare Fund as budgeted for FY 2009-10. These funds are to be expended only by order of the Board of Supervisors:

Special Welfare Fund \$ 55,000

**TOTAL BUDGET APPROPRIATIONS \$11,673,025**

On a motion by Supervisor Womack and carried, the Board approved the consent agenda:

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

b) Monthly Budget Report

Assistant County Administrator, Jill Matthews, reviewed the budget report. Supervisor Oertel reminded staff that the Piedmont Disability Services Board has disbanded. There were no additional questions.

c) Update on Transfer Station upgrades

Assistant County Administrator, Jill Matthews, informed the Board that to date, the Contractor has completed the majority of the work at the three transfer stations. The only items still to be

completed by the contractor are the paving at Madison and the surface treatment at Randolph. Once these items have been completed, the Maintenance Department will then be able to complete the rest of the improvements.

7) **Planner/Zoning Administrator-** In Mr. Sorrell's absence, Assistant County Administrator, Michael Cooper, reviewed Mr. Sorrell's agenda items for the Board.

a) Monthly report of Planning Commission activity/actions

Mr. Cooper reviewed the Planning Commission's activities for the month of November 2009.

b) Citizen's Landfill Advisory Committee appointments

Mr. Cooper informed the Board that the terms for the Citizens' Landfill Advisory Committee members expire on December 31, 2009. Loren Glover, Jack Ingle, John Skelly, and Alan Blakely wish to be re-appointed.

On a motion by the Chairman and carried, the Board re-appointed Loren Glover (District 2), Jack Ingle (District 3), John Skelly (District 5), and Alan Blakely (At-Large, Goshen Road area) to the Citizen's Landfill Advisory Committee for a term expiring December 31, 2012:

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

The District 1 and At-Large (the Woods Subdivision) appointments will be made at the January 2010 Board meeting.

c) Board of Zoning Appeals appointments

Mr. Cooper informed the Board that the terms for Mr. Don Gantt, Ms. Vacelo Moore, and Mr. Sherman Langhorne expire on January 31, 2010. Both Mr. Gantt and Mr. Langhorne wish to be

reappointed. Ms. Moore does not wish to be reappointed. Staff is requesting recommendations by the Board to the Circuit Court for appointment to the BZA.

On a motion by the Chairman and carried, the Board recommends the Circuit Court Judge appoint Mr. Don Gantt, Dr. William Burger, and Mr. Sherman Langhorne to the Board of Zoning Appeals for a term expiring January 31, 2015:

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

**8) County Administrator's Report –**

a) Recommendations for appointment to Board of Equalization

County Administrator, Judy Ownby, informed the Board that recommendations for appointment to the Board of Equalization were as follows: Cabell Metts, District 1; Robert Rigsby, District 2; John Godsey, District 3; Andy Blanton, District 4; and Larry Atkins, District 5.

On a motion by Supervisor Womack and carried, the Board recommends the Circuit Court Judge appoint Mr. Cabell Metts, Mr. Robert Rigsby, Mr. John Godsey, Mr. Andy Blanton, and Mr. Larry Atkins to the Board of Equalization for a term expiring March 31, 2010:

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

b) Legislative Priorities

After some discussion, and by unanimous consent, the Board revised their Legislative Priorities as follows:

2010 CUMBERLAND COUNTY

**LEGISLATIVE PRIORITIES**

The Cumberland County Board of Supervisors has developed the following legislative positions for consideration by VACo and our representatives to the General Assembly.

1. UDA's – Amend Urban Development Areas (UDA's) such that localities with a population of 50,000 or less have the option of creating Urban Development Areas.

2. Taxes-Request a JLARC study to understand and analyze the value and lost revenue of property owned by a political subdivision that is tax exempt in another political subdivision.

3. Transportation – require VDOT to implement a Plan with the local governing body to establish maintenance priorities.

4. Situs for Taxation – amend Section 58.1-3511A requiring that situs for assessment and taxation of personal property, merchants capital and machinery and tools (would not include motor vehicles, travel trailers, boats and airplanes which are already assessed based on where they are “normally garaged, docked or parked”) be in the county, district, town or city in which the property is “normally used, located or held out for sale” instead of where the property “may be physically located on tax day.”

5. Comprehensive Services Act – the General Assembly should provide that court-ordered children be classified as “mandated” for the purposes of receiving state reimbursements.

6. School Construction and debt service – the State should provide recurring money for school facility debt service on a per pupil basis and in addition to SOQ funding, to establish a permanent revenue source and formula for distributing school construction and debt service funding to localities.

7. Increase the current level of school construction funding from the Literary Loan program to \$15 million per project and provide to localities on a sliding scale based on the composite index.

8. Funding for State mandated positions – provide adequate funding for Magistrates, Sheriff and other constitutional officer staffing. Cumberland County has a small population, but large land area and the five deputies funded by the Compensation Board are not adequate to perform 24-hour law enforcement, court security and other legally required duties.

c) CRC Regional Hazardous Mitigation Plan

The Commonwealth Regional Council (CRC) has been awarded grant funding from FEMA to undertake an update of the CRC's Regional Hazard Mitigation Plan. The local match for Cumberland is \$2,678.57, and can be comprised of in-kind contributions as well as local funds. Leland Leeds, Cumberland Building Inspector, was appointed by the Board previously to serve on the Project Management Team, and has agreed to continue to serve.

On a motion by Supervisor Petty, and carried, the Board appointed Lee Leeds to the Project Management Team for the CRC Regional Hazard Mitigation Plan Update:

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

d) Consider request from Planning Commission member to schedule a workshop with the Board of Supervisors

Planning Commission Chairman, Parker Wheeler, requested joint workshops with the Board and the Planning Commission in order to better the communication and understanding between the two Boards.

After some discussion, and with unanimous consent, the Board agreed to schedule workshops with the Planning Commission. The Chairman directed the County Administrator to create an agenda, and schedule these workshops after the holidays.

9) **Assistant County Administrator/Community Development**

a) Update on projects and IDA activities

1) Proposed waterline extension

Mr. Cooper stated that final comments have been received from the State and have been forwarded to the engineer for incorporation in the draft plans. Mr. Cooper thanked the Board for the comments received at the joint work session with the Water and Sewer Advisory Committee. Mr. Cooper also informed the Board that the next meeting of the Water and Sewer Advisory Committee has been changed from December 22, 2009 to January 5, 2009.

2) Road Bore Project

Mr. Cooper informed the Board that a road bore is necessary to connect a new business located at 1588 Anderson Hwy. to public utilities. However, an acceptable bid was not received through the regular procurement efforts, and this project has gone out to bid. As staff does not want to delay the business any longer, Mr. Cooper requested authorization for staff to award a bid for an amount not to exceed \$20,000.

On a motion by Supervisor Womack and carried, the Board authorized Assistant County Administrator, Michael Cooper, to award a contract for the road bore project at 1588 Anderson Hwy, for an amount not to exceed \$20,000:

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

- b) Information on a new marketing tool

Mr. Cooper informed the Board that Kristen Queen, Marketing Assistant, has been conducting a significant amount of research on the benefits of social networking for government agencies. Mrs. Queen is proposing the County establish a Facebook page as a social networking site for marketing and tourism purposes. Other jurisdictions that use Facebook include the Town of Farmville, Fluvanna, Powhatan, Lynchburg, and Appomattox, as well as the Virginia Association of Counties.

**10) County Attorney's Report -**

- a) Update on meeting with CVRS regarding Revenue Recovery

County Attorney, Howard Estes, informed the Board that a Resolution was adopted by the Board of Supervisors in 1999 endorsing the Farmville Town Council's decision to direct the Prince Edward Volunteer Rescue Squad to initiate revenue recovery.

- b) Supplemental Audit Services

County Attorney, Howard Estes, informed the Board that Mrs. Matthews is requesting authorization to issue an RFP for supplemental auditing services to identify potential state revenues, grants, and other sources of funds, and potential savings for the County in its effort to continue to balance the budget.

On a motion by Supervisor Kennell and carried, the Board authorized issuance of an RFP for supplemental auditing services:

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

Mr. Oertel – aye

**12) Board Member Comments-**

The Chairman informed the Board that he was in attendance at a meeting of the Agricultural Committee, a subcommittee of the Virginia Tobacco Commission, and reviewed the many projects that will receive funding from the Tobacco Commission. The Chairman commended all for the work on the transfer stations, and also commended staff for their work on the Community Center.

Supervisor Kennell voiced his condolences for the family of Donald Reigle. Mr. Reigle was a volunteer for the Red Cross, and participated on the LEPC. He was dedicated to providing service to those in need. Mr. Kennell also wished everyone Happy Holidays.

Supervisor Petty informed the Board that Mr. Mickey Simms, the General Manager for the Buggs Island Telephone Cooperative, wished to make a presentation to the Board in February 2010 to provide an update on their plans for wireless internet services for the County.

Supervisor Womack noted the major difference in the construction industry between 2008 and 2009, especially here in Cumberland. Mr. Womack also wished everyone a Merry Christmas.

Supervisor Oertel stated that the Cumberland Christmas Mother will be serving more than 7,400 children this year. Mr. Oertel also mentioned some of the many donations that the Clothes Closet provides for County residents.

The Chairman recommended recognizing and showing appreciation for the many committees and groups like the Clothes Closet and Christmas Mother Program that are such an asset to the County. Beginning in 2010, the Board set up a schedule to recognize volunteer organizations.

**13) Public Comments**

There were two citizens signed up to speak. One citizen spoke of a problem with water run-off from River Road onto his property. Another citizen questioned the availability of E-911 markers for residents.

**14) Additional Information-**

- a) News Release from Governor's Office re: ban on smoking
- b) Change in Health Director – Dr. Charles Konigsberg
- c) Recycling Report
- d) Blackstone Area Bus System – Transit Development Plan 2010-2015
- e) Fund-raising letter from Cumberland Volunteer Fire Department
- f) Building Inspections Monthly Report

**15) Closed Session-**

On a motion by Mr. Osl and carried, the Board entered into closed meeting under VA Code Section 2.2-3711 (A-7) consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel regarding contract negotiations where the information is proprietary and confidential.

The Board returned to open session on a motion by the Chairman.

A motion was made by the Chairman 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 2.2-3711 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.

On a motion by the Chairman and carried, the Board set a public hearing for Emergency Services Management for Revenue Recovery for January 12, 2009:

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

**16) Adjourn-**

With no additional business to come before the Board, the Chairman adjourned the meeting until the next regular meeting of the Board scheduled for Tuesday, January 12, 2010 at 7:00 p.m. in the Courthouse.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
County Administrator