

At a regular meeting of the Cumberland County Board of Supervisors held at 7 p.m. on the 13<sup>th</sup> day of July, 2010 at the Circuit Courtroom, Cumberland, County, Virginia:

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

Absent: Michael Cooper, Asst. County 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. Agenda - Addendum**

On a motion by Supervisor Osl and carried, the Board approved an addendum to the agenda as follows:

- ADD AFTER Recognition of Volunteers:
- 2.5 Presentation by Mrs. Whitmore and Mrs. Payne re: Free Clinic
- 6. Public Hearings
  - a) Updated resolution for CUP 10-01
- 8. Asst. County Administrator/Finance
  - c) Application for Rural Development grant funding – Courthouse addition/Sallyport
- 14. Additional Information
  - d) Building Inspector's Monthly Report

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

## 2. Recognition of Volunteers-

### a) Christmas Parade Committee

The Chairman read the Resolution of Appreciation and presented it to the representative, Ms. Barbara Gamage.

On a motion by Chairman Kennell and carried, the Board adopted the Resolution of Appreciation for the Volunteers of the Cumberland Christmas Parade Committee:

### **RESOLUTION OF APPRECIATION**

#### Cumberland County Christmas Parade

**WHEREAS**, the first effort to hold a Christmas Parade in Cumberland County, was sponsored by the Vocational Department at Cumberland High School around 1984; and

**WHEREAS**, the Cumberland County Christmas Parade, was later sponsored by the Cumberland Masonic Lodge and Ruritan of Cumberland and Cartersville in 1994 under the general direction of Ray Turner with the assistance of Carol Jean Barker, Freddie Gamage, Van Petty and Barbara Gamage; and

**WHEREAS**, in 1994 there were 112 units participating in the parade and in years since, the parade has grown and expanded into more units, better floats, marching bands, antique cars, trucks and tractors; and

**WHEREAS**, each year the Committee selects a Grand Marshall who represents the theme for the year; and

**WHEREAS**, in 1999 the theme for the parade centered around the Sesquicentennial Celebration of Cumberland County; and in 2008 the Grand Marshall was Mr. Ed Bessell, one of the first football coaches of Cumberland High School, and following their coach in the parade were the members of the first football team; and

**WHEREAS**, the Committee members work many hours to provide an event suitable for families and citizens of Cumberland County to enjoy during the Christmas season; and

**WHEREAS**, the young and old alike look forward to the annual Christmas Parade;

**NOW, THEREFORE, BE IT RESOLVED**, that the Cumberland County Board of Supervisors recognizes the time and effort of the Christmas Parade Committee in planning and organizing the annual Cumberland County Christmas Parade; and

**BE IT FURTHER RESOLVED** that the Cumberland County Board of Supervisors directs that this resolution of appreciation be made a permanent part of the official minutes of the Cumberland County Board of Supervisors.

Adopted the 13th day of July 2010.

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

**3. Ms. Payne, Ms. Whitmore and Ms. Holman – Free Clinic**

Ms. Payne provided the Board with a handout of information on the proposed free clinic, which will be located next to New Life Assembly of God church. Following the presentation by the three representatives, the Board directed the County Administrator to provide a letter of support from the Board, and invited them to come back after the clinic is established to give an update.

#### **4. Public Comments-**

One citizen commented that he disagreed with the Board's decision to impose a \$5.00 administrative fee on water and sewer customers in the County, and asked them to reconsider their decision.

A citizen stated that she was aware of the inappropriate email which had been circulated among County staff and asked what actions were taken; she also asked how vacant County jobs are advertised and the ratio of minorities in position. She mentioned that she had obtained a copy of the Code of Ethics. Two other citizens had relinquished their time to this citizen.

Another citizen from the 5<sup>th</sup> District stated that she was also aware of the email and was troubled by it. She said she is proud of the County, that tremendous progress has been made in cultivating race relations and she was glad that immediate action was taken regarding the email.

#### **5. VDOT -**

Acting Residency Administrator, Kevin Wright, informed the Board that VDOT crews will continue with maintenance of right-of-ways, including mowing throughout the County. He stated that Rt. 654 bridge replacement work has resumed and should be completed within 90 days. Problems with potholes cannot be addressed until we receive some rainfall.

#### **6. Unfinished Business -**

a) Code Amendment 10-06 re: land use application fee.

The County Attorney explained that last month the Board held a public hearing regarding an increase in the land use application fee from \$10 to \$40. The Board agreed to table the decision until further research could be done.

Board members had discussion on this issue, stating that after reviewing the process with the Commissioner of the Revenue, they felt

comfortable that the increase was in line with other counties, and due to the amount of work required for each parcel and the net savings to the landowner, the increase in the fee was justified.

Supervisor Osl moved to withdraw last month's motion to table action on the Code Amendment to increase the land use application fee.

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

On a motion by Supervisor Womack and carried, the Board adopted Code Amendment CA 10-06 to provide an increase in the land use application fee:

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

**ADOPTING AMENDMENTS TO THE CODE OF CUMBERLAND  
COUNTY:  
CODE AMENDMENT 10-06**

**AN ORDINANCE AMENDING CHAPTER 58 OF THE  
CUMBERLAND COUNTY CODE, SPECIFICALLY AMENDING SECTION  
58-212. APPLICATIONS FOR SPECIAL ASSESSMENT; FEES**

**July 13, 2010**

At a meeting of the Board of Supervisors of Cumberland County, Virginia, in the Circuit Courtroom at Cumberland Courthouse, Virginia commencing at 7:00 p.m., July 13, 2010, the following action was taken following a duly held public hearing during which time County staff provided a review of the code amendment proposal 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

Code of Cumberland County, Virginia by revising fees related to land use taxation;

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

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

**WHEREAS**, at a regular monthly meeting held on May 11, 2010, the Board of Supervisors of Cumberland County Virginia duly voted to set for public hearing proposed amendments to the Code of Cumberland County, Virginia which said amendments (collectively, the "Code Amendment") revise certain fees and charges for land use designation as set forth in Cumberland County Code Section 58-212 and as shown on the attached revised section of the ordinance which by this reference is made a part hereof; and

**WHEREAS**, the Board of Supervisors duly advertised and held a public hearing on June 8, 2010; 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; and

**WHEREAS**, in its review of the Code Amendment, the Board of Supervisors gave reasonable consideration to furthering the goals of the County, its citizenry and general welfare;

**WHEREAS**, after discussion, staff presentation and due deliberation with respect to such information, including information and materials presented at this public hearing, and the comments in support or opposition to the proposed Code Amendment, the Board of Supervisors desires to affirm its findings and to take action with respect to the Code Amendment;

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

a. The foregoing recitals are hereby incorporated by this reference.

b. Upon consideration of the proposed Code Amendment, testimony, staff remarks, and public comment, the Board of Supervisors adopts and approves the Code Amendment numbered 10-06 to amend the County Code of Cumberland, Virginia as set forth in the specific text as attached to this Resolution.

c. The Code Amendment adopted by this Resolution is effective July 13, 2010.

**Sec. 58-212. Applications for special assessment; fees.**

(a) Applications for taxation of real estate on the basis of use assessment shall be submitted to the commissioner of the revenue on the forms provided by the state department of taxation and supplied by the commissioner of the revenue. The application shall include such additional schedules, photographs and drawings as may be required by the commissioner of the revenue.

(b) Applications shall be submitted:

(1) At least 60 days preceding the tax year for which such taxation is sought; or

(2) In any year in which general reassessment is being made, until 30 days have elapsed after the notice of increase in assessment has

been mailed to the property owner in accordance with Code of Virginia, § 58.1-3330, or 60 days preceding the tax year, whichever is later.

(c) The application shall be signed by all property owners of the subject property. An owner of an undivided interest in the property may apply on behalf of owners that are minors or that can not be located, upon submitting an affidavit attesting to such facts.

(d) A separate application shall be filed for each parcel or tract shown on the land book.

(e) An application fee of \$40.00 shall accompany each application.

(f) An application shall be submitted whenever the use or acreage of such land previously approved changes; however, no application fee shall be required when a change in acreage occurs solely as a result of a conveyance necessitated by governmental action or condemnation of a portion of any land previously approved.

(g) If any tax on the land affected by an application is delinquent when the application is filed, the application shall not be accepted. Upon payment of all delinquent taxes, interest and penalties relating to such land, the application shall then be treated in accordance with this section.

(h) Such property owner must revalidate annually with the commissioner of the revenue any application previously approved. A revalidation fee of \$40.00 shall accompany each application for revalidation every sixth year. Late filing of a revalidation form must be made on or before the effective date of the assessment and accompanied with a late filing fee of \$40.00.

## **7. Public Hearings**

### **a) Conditional Use Permit No. 10-01, National Communication Towers, LLC.**

Mr. Andrew Sorrell, Planner/Zoning Administrator, presented the proposed application for location of a telecommunications tower and related facilities on Tax Map 51, Section A, Parcel 22, approximately 14.781 acres.

Chairman Kennell opened the public hearing and no one was signed up to speak. He then closed the public hearing.

On a motion by Supervisor Osl and carried, the Board approved CUP 10-01:

**BOARD OF SUPERVISORS  
OF THE  
COUNTY OF CUMBERLAND, VIRGINIA  
RESOLUTION  
GRANTING  
CONDITIONAL USE PERMIT  
APPLICATION #10-01  
FOR TAX MAP PARCEL 51-A-22  
REQUESTED BY  
NATIONAL COMMUNICATION TOWERS, LLC**

**July 13, 2010**

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., July 13, 2010, the following action was taken following a duly held public hearing during which time the Planning and Zoning Administrator provided a review of the conditional use permit request, the applicant provided a review of the proposal and members of the public offered comment:

On a motion made by Supervisor Osl, it was moved that the Board of Supervisors of Cumberland County grant the Conditional Use Permit in accordance with the following Recitals and Resolutions;

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

-----	
<u>Present:</u>	<u>Vote:</u>
Timothy Kennell, Chairman	aye

William F. Osl, Jr. aye

Van H. Petty aye

Elbert R. Womack aye

Robert J. Oertel aye

Absent: None

-----

**WHEREAS**, National Communication Towers, LLC (the “Applicant”) filed a conditional use permit application and supporting materials (the “CUP Application, CUP #10-01”) seeking a conditional use permit for the property described below in accordance with Section 74-143 of Chapter 74 of the Cumberland County Code of Ordinances (the “Zoning Ordinance”); specifically, the Applicant has requested a conditional use permit to allow for the construction and operation of a 250 foot tall telecommunications tower and related facilities; and

**WHEREAS**, the subject property is located on the south side of Route 60 (Anderson Highway) and is accessed from a 30 foot private access easement entering onto Route 60. The affected property is approximately one (1) mile east of the intersection of Rt. 60 and Rt. 646 (Maxey Mill Road). The affected property is currently zoned A-2, Agricultural and R-2, Rural Residential. The proposed tower would be on an approximately 125 feet by 125 foot leased area on the portion of the property with A-2 zoning. The parcel is not located in a growth area as designated by the Comprehensive Plan. The affected property is located in Election District 2 and more particularly described as Tax Map Parcel 51-A-22 (the “Property”), with respect to approximately 14.781 acres, as shown on the Site Plan attached to the CUP Application; and

**WHEREAS**, the Board of Supervisors duly referred the CUP Application to the County Planning Commission for its recommendation on April 13, 2010; and

**WHEREAS**, the Planning Commission directed staff to make the CUP Application available for public review on May 24, 2010; and

**WHEREAS**, the Planning Commission duly advertised and held a public hearing on June 21, 2010; and

**WHEREAS**, after the Planning Commission duly considered the testimony and evidence presented at the public hearings and workshops in support or opposition to the proposed CUP Application and gave reasonable consideration to numerous factors, including but not limited to the County's Comprehensive Plan and the suitability of the Property for various uses, the Planning Commission recommended approval of the conditional use permit; and

**WHEREAS**, the Board of Supervisors duly advertised and held a public hearing on July 13, 2010; and

**WHEREAS**, the Board of Supervisors carefully considered the Planning Commission's recommendation and the testimony and evidence presented at the public hearing on June 21, 2010, in support or opposition to the proposed CUP Application and gave reasonable consideration to numerous factors, including but not limited to the following: the existing use and character of the Property, the County's Comprehensive Plan, the suitability of the Property for the proposed use, the trends of growth or change, and the current and future requirements of the County as to land for various purposes as determined by population and economic studies, the conditional use permit standards more fully described in Section 74-702 of the Zoning Ordinance and the supplemental standards for communications antennas and towers more fully described in Section 74-731 through 747 of the Zoning Ordinance; and

**WHEREAS**, in its review of the CUP Application, the Board of Supervisors further finds that the proposed telecommunication tower and its related facilities provide a reasonable signal coverage that cannot be accommodated on an existing tower; and

**WHEREAS**, in its review of the CUP Application, the Board of Supervisors gave reasonable consideration to numerous factors, including but not limited to the following: the existing use and character of the Property, the County's Comprehensive Plan, the suitability of the Property for various uses, the trends of growth or change, and the current and future requirements of the County as to land for various purposes as determined by population and economic studies; and

**WHEREAS**, after discussion, staff presentation and due deliberation with respect to such documentation, information and data, including information and materials presented at this public hearing, the Board of Supervisors desires to affirm its findings and take action with respect to the CUP Application;

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

- a. The foregoing recitals are hereby incorporated by this reference.
- b. Upon consideration of the foregoing and the conditions set forth in the Zoning Ordinance, including Section 74-702 and the supplemental standards for communications antennas and towers more fully described in Section 74-731 through 747 of the Zoning Ordinance, the Board of Supervisors finds it appropriate to grant Conditional Use Permit #10-01 in accordance with the CUP Application.
- c. The Board of Supervisors further finds that the request made in the CUP Application is in substantial accordance with the County's Comprehensive Plan.

d. The Board of Supervisors has also determined that the request made in the CUP Application furthers the general purpose and objectives of the Zoning Ordinance and such use would be beneficial and appropriate taking into consideration public health, safety, necessity, convenience, general welfare and good zoning practice; and

The Board of Supervisors hereby grants the CUP Application to the Applicant to allow the use of a 250 foot tall telecommunications tower and related facilities on the Property subject to the following terms and conditions:

1. This conditional use permit shall allow for construction work to commence on January 1, 2011 through December 31, 2011, and any such expansion activities commenced thereafter shall require a new conditional use permit.

2. All operations on the Property shall comply with all applicable health and environmental laws, rules and regulations, and with all County, State and Federal Laws which govern construction and operation of the tower.

3. As a condition for the permit, NCT shall provide on a reserved basis and at no cost or expense to the County or its political subdivisions (collectively, the "County") space on the tower to the County of not less than 10 feet in radial direction and at a height of at least 80 feet above ground level for the installation by the County, at the County's sole cost and expense, for communications equipment and antennas. NCT shall also make space available for ground equipment supporting such County tower use. NCT shall be able to install its own or third-party antennas and/or equipment located on the same height and/or platform, pass through the County space, perform construction to increase the height of the tower and/or take any other action as may be necessary or incidental to NCT's ownership or operation of the tower. Such County use shall be consistent with Federal Communications Commission ("FCC") licenses for wireless telecommunications service and be operated in a lawful and proper manner, in accordance with good

engineering practices and be compliant with all applicable laws, ordinances, rules and regulations, relating to such operation and use.

4. All representations of National Communication Tower, LLC's conditional use permit application #10-01 for a 250 foot Telecommunication Tower and associated equipment, including all attached documentation, filed on the week of March 10, 2010, are included herein as conditions.

5. This permit shall not become effective until a removal bond in the amount of \$25,000 pursuant to Section 74-745 of the Zoning Ordinance has been approved by the County Attorney executed, and filed with the County Administrator.

6. The radius width shall be limited to three (3) feet for any antennae or dish placed on the tower.

e. This Resolution is effective immediately and the approved conditional use permit is effective from January 1, 2011 through December 31, 2011.

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

**b) Code Amendment 10-07 – Amend the due date for personal property tax returns**

County Attorney, Howard Estes, reviewed the proposed change to the Code to amend the due date for personal property tax returns from March 1 to February 1, and due date for personal property taxes from November 15 to June 15.

The Chairman opened the public hearing and no one was signed up to speak. He then closed the public hearing.

Supervisor Petty stated that after much thought and input from citizens, he is not in favor of making the change in due dates

at this time due to the hardship on citizens. The Commissioner of the Revenue explained to the Board that it would be a hardship on her staff to prepare this information in the time frame required, however, she would make it work, if the Board adopted this change.

After further Board discussion, the Board agreed not to take any action on this Code amendment, and to reconsider it during next year's budget work sessions.

**c) Code Amendment 10-08 - Update tax relief Ordinance for the elderly and disabled**

County Attorney, Howard Estes, explained that the tax relief for the elderly and disabled was adopted many years ago and that the Board had asked him to update the ordinance. New income and asset limits are included in the proposed ordinance.

The Chairman opened the public hearing and no one was signed up to speak. He then closed the public hearing.

On a motion by Supervisor Osl and carried, the Board adopted Code Amendment 10-08:

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

**ADOPTING AMENDMENTS TO THE CODE OF  
CUMBERLAND COUNTY:  
CODE AMENDMENT 10-08**

**AN ORDINANCE AMENDING Chapter 58 of the  
Cumberland County Code, specifically amending Sections 58-  
243 and 58-244 to amend the income and asset limits for real  
property tax relief for elderly and disabled persons**

**July 13, 2010**

At a meeting of the Board of Supervisors of Cumberland County, Virginia, in the Circuit Courtroom at Cumberland Courthouse, Virginia commencing at 7:00 p.m., July 13, 2010, the following action was taken following a duly held public hearing during which time County staff provided a review of the code amendment proposal and members of the public offered comment:

On a motion made by Supervisor Osl, it was moved that the Board of Supervisors of Cumberland County approve and adopt, in accordance with the following Resolution, an ordinance amending the Code of Cumberland County, Virginia by increasing the income and asset limits for real property tax relief for elderly and disabled persons;

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

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

**WHEREAS**, at a regular monthly meeting held on June 8, 2010, the Board of Supervisors of Cumberland County Virginia duly voted to set for public hearing proposed amendments to the

Code of Cumberland County, Virginia which said amendments (collectively, the "Code Amendment") increase the income and asset limits for real property tax relief for elderly and disabled persons, as shown on the attached revised sections of the ordinance which by this reference is made a part hereof; and

**WHEREAS**, the Board of Supervisors duly advertised and held a public hearing on July 13, 2010; 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; and

**WHEREAS**, in its review of the Code Amendment, the Board of Supervisors gave reasonable consideration to furthering the goals of the County, its citizenry and general welfare;

**WHEREAS**, after discussion, staff presentation and due deliberation with respect to such information, including information and materials presented at this public hearing, and the comments in support or opposition to the proposed Code Amendment, the Board of Supervisors desires to affirm its findings and to take action with respect to the Code Amendment;

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

a. The foregoing recitals are hereby incorporated by this reference.

b. Upon consideration of the proposed Code Amendment, testimony, staff remarks, and public comment, the Board of Supervisors adopts and approves the Code Amendment numbered 10-08 to amend the County Code of Cumberland, Virginia as set forth in the specific text as attached to this Resolution.

c. The Code Amendment adopted by this Resolution is effective January 1, 2011.

Sec. 58-243. Restrictions and exemptions.

(a) The exemptions and restrictions granted pursuant to this division shall be subject to the following restrictions and conditions, and only those persons who may satisfy the provisions of this division and these restrictions and conditions shall qualify for an exemption of taxes:

(1) Subject to subsection (a)(2) of this section, the total combined income received from all sources during the preceding calendar year by owners of the dwelling who use it as their principal residence and owners' relatives who live in the dwelling shall not exceed \$16,000.00.

(2) Notwithstanding the provisions of subsection (a)(1) of this section, if a person qualifies for an exemption under this division, and if the person can prove by clear and convincing evidence that the person's physical or mental health has deteriorated to the point that the only alternative to permanently residing in a hospital, nursing home, convalescent home or other facility for physical or mental care is to have a relative move in and provide care for the person, and if a relative does move in for that purpose, then none of the income of the relative or of the relative's spouse shall be counted towards the income limit provided the owner of the residence has not transferred assets in excess of \$ 10,000.00 without adequate consideration within a three-year period prior to or after the relative moves into such residence.

(3) The net combined financial worth, including the present value of all equitable interests, as of December 31 of the immediately preceding calendar year, of the owners, and of the spouse of any owner, excluding the value of the dwelling and the land, not exceeding one acre, upon which it is situated shall not exceed \$100,000.00.

Sec. 58-244. Amount of exemption from real estate taxes.

(a) Subject to the provisions of subsection (b) of this section, where the person claiming the exemption from real estate taxes conforms to the qualifications set forth in this division and does not exceed the limitations contained in this section, the tax exemption shall be as shown on the following schedule:

*Cumberland County Schedule for Real Estate Tax Exemption  
for Elderly and Disabled Persons*

TABLE INSET:

Total Income (All Sources)	Tax Exemption (percent)
\$0.00 to \$8,000.00	75
\$ 8,0001.00 to \$16,000.00	50

(b) The person qualifying shall be exempted from the amount of the real estate taxes assessed against such property in an amount not to exceed \$300.00.

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

**d) Rural Development - application for funding**

Ms. Matthews explained that grant funding in the amount of \$25,000 is being sought from Rural Development for Sheriff’s vehicles. It requires a cash or in-kind match of \$16,000, which will be covered through the CIP budget and existing equipment which can be reinstalled in the new vehicles.

The Chairman opened the public hearing and no one was signed up to speak. He then closed the public hearing.

On a motion by Chairman Kennell and carried, the Board authorized the submission of an application for funding through Rural Development for the purpose of purchasing Sheriff’s vehicles:

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

## 8. Departments/Agencies

### a) Treasurer's Report –

Treasurer, Lee Pfeiffer, presented a report showing collection of delinquent taxes, and investment of cash. (A copy of this report is included in the official Board file for 7/13/10.)

### b) Amy Griffin – School's Request for appropriation of rollover funds

The School had rollover funds for FY 2009-10 in the amount of \$145,200. They have requested that \$100,000 be re-appropriated to the school which they will use to fund substitutes and pay for half the lawn care contract for FY 2011. They recommended that the Board consider setting aside the remaining \$45,200 to put in a maintenance/mechanical fund in the CIP.

On a motion by Supervisor Osl, the Board approved an appropriation of \$100,000 to the School Fund; and \$45,200 to the County CIP Fund, designated as maintenance/mechanical:

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

## 9. Assistant Administrator/Finance & Human Resources

### a) Consent Agenda

On a motion by Supervisor Petty and carried, the Board approved the following items on the consent agenda:

- 1) Approval of minutes for June 2010
- 2) Approval of bills –June 2010 and July 2010  
Approved bills for July 13, 2010 total \$91,234.69. Ratified bills for June 2010 of warrants totaling \$ 270,189.44.  
Ratified bills for July 2010 of warrants totaling \$ 33,180.29.

Direct deposits totaling \$ 153,434.69. Check numbers ranging from 59147 to 59383.

3) Appropriations:

- \$4,467.16 – Clerk’s Office (no local funds)
- \$2,779.39 – Clerk’s Office (no local funds)
- \$38,184 – Treasurer’s Office (salaries/benefits)
- \$197,500 – CIP (balance forward – business park)

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

b) Monthly budget report

There were no questions concerning the monthly budget report.

c) Application for Rural Development Funding

Mrs. Matthews explained that in order to seek grant funding from Rural Development for a secured sally port at the Courthouse, a public hearing is required.

On a motion by the Chairman and carried, the Board agreed to advertise a notice of intent to seek grant funding from Rural Development and set the public hearing for the regular meeting in August.

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

**10. Planner/Zoning Administrator –**

a) CLAC appointments –

No appointment was made.

b) Planning Commission activities –

Mr. Sorrell gave an update of the previous month's activities and action by the Planning Commission.

c) Update on Subdivision Ordinance -

The Planning Commission and staff are currently working on a draft revised ordinance, and plan to request a joint workshop with the Board to review the proposed revisions.

d) Festival Permit -

Mr. Sorrell stated that Sharon Baptist Church has applied for a festival permit. The event will be held on July 31, 2010 and 200 are expected to be in attendance.

On a motion by Supervisor Oertel and carried, the Board approved a festival permit for Sharon Baptist Church, at 1130 Plank Road, Farmville, VA, on July 31, 2010:

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

e) Referral of Rezoning Request -

A rezoning request to initiate the use of a veterinary hospital offering boarding services has been filed.

On a motion by Supervisor Womack and carried, the Board referred the application for rezoning Tax Map 65A3-A-54 - 2.603 acres from A-2/R-2 to B-1 for the purpose of a veterinary hospital to the Planning Commission for review:

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

## 11. County Administrator's Report

a) Social Services vacancy –

The County Administrator reported that a vacancy from District 2 exists on the Social Services Board. Chairman Kennell stated that he would have an appointment to make at the August meeting.

b) Approval of annual performance contract with Crossroads Services Board –

Ms. Ownby asked for the Board’s approval of the annual performance contract submitted by Crossroads Services Board.

On a motion by Mr. Womack and carried, the Board approved the FY 2011 annual performance contract between Crossroads Community Services Board & DBHDC, which is required by State Code to be approved by the local Boards of Supervisors:

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

**12. Assistant County Administrator/Community Development**

In Mr. Cooper’s absence, Mrs. Matthews presented his report.

a) Discounted Connection Fee Opportunity

Mrs. Matthews explained that Board action is needed to support the offer of discounted fees to existing customers who currently have taps, when the water line extension is built.

On a motion by Mr. Petty and carried, the Board agreed to offer (for a 90-day period) a discounted connection fee of \$50 for residential property, and \$100 for commercial property to property owners in the existing waterline service area:

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

### **13. County Attorney's Report**

The County Attorney stated that a public hearing is required for USDA funding for the waterline extension.

On a motion by Supervisor Osl and carried, the Board set a public hearing on USDA funding for the waterline extension for the August meeting:

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

### **14. Board member comments -**

Mr. Petty distributed some information on Fair Housing to the Board members.

Mr. Osl stated that in response to comments made about the inappropriate emails, the Board of Supervisors and County Administration do not have control of the employees who sent the emails.

Mr. Womack informed the Board that several Piedmont Regional Jail employees will receive certificates for length of service at the next meeting. He also stated that Dr. Gordon is now the Medical Director at PRJ.

Mr. Oertel said that he is dismayed that we have not been able to finalize an agreement on the water reservoir project.

Mr. Kennell thanked everyone for coming to the meeting and appreciated the comments.

The Chairman adjourned the meeting until the next regular meeting of the Board scheduled for August 10, 2010 at 7:00 p.m. in the Circuit Courtroom of the Cumberland Courthouse, Cumberland, Virginia.

---

Chairman

---

County Administrator