

At a special called meeting of the Cumberland County Board of Supervisors held at 8:30 a.m. on the 30th day of August 2010 at the Old Clerk's Office Conference Room, Cumberland, Virginia:

Present: Timothy Kennell, Chairman, District 2
Van H. Petty, District 3
Elbert R. Womack, Vice-Chairman, District 4
Robert J. Oertel, District 5
Judy Ownby, County Administrator
Jill Matthews, Asst. County Administrator
Michael Cooper, Assistant County Administrator
Stephany S. Johnson, Deputy Clerk

Absent: William F. Osl, Jr., District 1

1. Call to order

Chairman Kennell called the meeting to order and the County Administrator, Judy Ownby, called the roll.

2. Approval of Agenda

By unanimous consent, the Board adopted the agenda as presented:

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

3. Adoption of Resolution Authorizing the Issuance and Sale of the County's Revenue Anticipation Note, Series 2010

On a motion by Supervisor Womack and carried, the Board adopted the Resolution authorizing the issuance and sale of the County's Revenue Anticipation Note, Series 2010:

**BOARD OF SUPERVISORS
OF
COUNTY OF CUMBERLAND, VIRGINIA
RESOLUTION
AUTHORIZING THE ISSUANCE AND SALE OF
THE COUNTY'S REVENUE ANTICIPATION NOTE, SERIES
2010**

August 30, 2010

At a meeting of the Board of Supervisors of Cumberland County, Virginia, in the Circuit Courtroom at Cumberland Courthouse, Virginia commencing at 8:30 a.m. on August 30, 2010, the following Resolution, authorizing the issuance and sale of the County's Revenue Anticipation Note, Series 2010, was adopted and approved according to the votes stated below:

| | |
|------------------------------|--------|
| William F. Osl, Jr. | absent |
| Timothy M. Kennell, Chairman | aye |
| Van H. Petty | aye |
| Elbert R. Womack | aye |
| Robert J. Oertel | aye |

The undersigned Clerk of the Board of Supervisors of Cumberland County, Virginia, certifies that such meeting was a regularly scheduled meeting and that, during the consideration of the following Resolution, a quorum was present and that the attendance and voting members in attendance on the following Resolution were as set forth above and hereby further certifies that the following constitutes a true, complete and correct copy of the Resolution adopted at a meeting of the Board of Supervisors of Cumberland County, Virginia, held on August 30, 2010.

WHEREAS, the Board of Supervisors of the County of Cumberland, Virginia (the "County") has determined that there

remain no outstanding balances on any short-term revenue anticipation notes, including the line of credit entered into with Central Virginia Bank ("Bank") in Fiscal Year 2010; and

WHEREAS, the Board of Supervisors of the County has determined that it is necessary and advisable to borrow money and issue its revenue anticipation note in anticipation of the collection of the taxes and revenues of the County for the current year pursuant to Section 15.2-2629 of the Code of Virginia of 1950, as amended:

NOW, THEREFORE, BE IT RESOLVED by the Cumberland County Board of Supervisors:

1. Authorization, Issuance and Sale of the 2010 Note.

Pursuant to the Constitution and statutes of the Commonwealth of Virginia, including the Public Finance Act of 1991, Chapter 26, Title 15.2, Code of Virginia of 1950, as amended, (the "Act") the County is authorized to issue its revenue anticipation note. The Board of Supervisors authorizes the issuance of its revenue anticipation note in the maximum principal amount of \$1,500,000 in anticipation of the collection of taxes and revenues for the fiscal year ending June 30, 2011 (the "Note").

2. Authorization of Note.

The Board of Supervisors accepts the proposal of the Bank to purchase the County's Revenue Anticipation Note, Series 2010 (the "Note") on the terms set forth in the Bank's commitment letter proposal dated June 15, 2009 (the "Proposal") and by extension thereof. The Chairman of the Board of Supervisors and the County Administrator, or either of them, are authorized to arrange for the issuance of the Note in anticipation of the collection of taxes and revenues of the County for the current fiscal year. The Note shall mature not earlier than August 31, 2011. The Note shall be issued on the terms set forth in the Proposal and on such additional terms, not inconsistent with the Proposal, as the Chairman of the Board of Supervisors or the County Administrator may approve, such approval to be evidenced conclusively by the execution and delivery of the Note. The principal amount of the Note shall not exceed \$1,500,000. The

Note shall bear interest at an interest rate not to exceed 6.25% on a taxable or non-taxable basis.

3. Note Form. The Note shall be in such a form, with such completions, omissions, insertions and changes not inconsistent with this Resolution, as may be approved by the officers signing such Note, whose approval shall be evidenced conclusively by the execution and delivery of such Note.

4. Pledge of Tax Revenues. The Note shall be payable from the collection of the taxes and revenues of the County for the current fiscal year, which revenues are pledged to the payment of principal of and interest on the Note.

5. Appointment of Note Registrar and Paying Agent; Transfer. The Treasurer is appointed as Note Registrar and Paying Agent for the Note. The County Administrator may appoint a subsequent registrar and/or one or more paying agents for the Note by giving written notice to the owner of the Note specifying the name and location of the principal office of any such registrar or paying agent. This Note may be transferred only by an assignment duly executed by the registered owner hereof or such owner's attorney or legal representative in a form satisfactory to the Note Registrar. Such transfer shall be made in the registration books kept by the Note Registrar upon presentation and surrender hereof and the County shall execute, and the Note Registrar shall authenticate, if necessary, and deliver in exchange, a new Note having an equal aggregate principal amount, of the same form and maturity, bearing interest at the same rate, and registered in such name as requested by the then registered owner hereof or such owner's attorney or legal representative. Any such exchange shall be at the expense of the County, except that the Note Registrar may charge the person requesting such exchange the amount of any tax or other governmental charge required to be paid with respect thereto.

The County Administrator may designate a successor Note Registrar and/or Paying Agent, provided that written notice specifying the name and location of the principal office of any such successor shall be given to the registered owner of this Note.

Upon registration of transfer of this Note, the Note Registrar shall furnish written notice to the transferee of the name and location of the principal office of the Note Registrar and/or the Paying Agent.

6. Execution of the Note. The Chairman of the Board of Supervisors or the County Administrator, either of whom may act, is authorized and directed to execute and to affix the seal of the County thereto and to deliver the Note to the Bank upon execution of the extension closing papers. The manner of execution and affixation of the seal may be by facsimile.

7. Bank Qualification. If deemed necessary by and in the interests of the Bank, the Board of Supervisors designates the Note as a "qualified tax-exempt obligation" pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986, as amended. The Board of Supervisors does not anticipate that the County will issue, together with any tax-exempt bonds issued by any subordinate entity, an aggregate amount of tax-exempt bonds (not including certain private activity bonds) in excess of \$30,000,000 in calendar year 2010.

8. Effective Date; Applicable Law. This Resolution shall take effect immediately. The Board of Supervisors elects to issue the Note pursuant to the provisions of the Public Finance Act of 1991, in accordance with Section 15.2-2601 of such Act.

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

4. Resolution- Board of Supervisor's consent for the Cobbs Creek Reservoir Project

No action was taken on this item.

5. Other discussions

The Board discussed working with the Town of Farmville regarding the collection of personal property taxes from Cumberland Residents within the Town limits.

The Board also discussed filling one maintenance position. The Board directed Assistant County Administrator, Jill Matthews, to bring further information to the Board at their next regular meeting.

6. Adjourn

Chairman Kennell adjourned the meeting until the next regular meeting of the Board scheduled for September 14, 2010.

Chairman

County Administrator