



a) Melodi Goff

On a motion by the Chairman and carried, the Board adopted resolutions of appreciation for Melodi Goff and Judy Marion. The Chairman read the resolution to Mrs. Goff:

**RESOLUTION OF APPRECIATION**

Melodi Goff

WHEREAS, Melodi Goff began her employment as Director of the Cumberland County Public Library in October 2006; and

WHEREAS, she has worked tirelessly to improve technology and reader services at the Cumberland County Public Library during her employment; and

WHEREAS, she has diligently worked to continue the partnership between the Schools and the Library which has resulted in an exceptional and rewarding experience for the children; and

WHEREAS, she has implemented and improved many activities and services for patrons of the library and overseen the usage of the library during this period; and

WHEREAS, she has planned and organized all tasks and programs, insuring that the Cumberland County Public Library offers more hours and more services than many other small, rural libraries;

NOW, THEREFORE, BE IT RESOLVED, that the members of the Cumberland County Board of Supervisors, through this resolution, express their appreciation for the excellent service provided by Melodi Goff during her employment at the Cumberland County Public Library, and wish her much success in her future endeavors.

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 12<sup>th</sup> day of October 2010.

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

b) Judy Marion

The Chairman read the Resolution of Appreciation and presented it to Mrs. Judy Marion:

**RESOLUTION OF APPRECIATION  
UPON THE RETIREMENT OF JUDY MARION**

WHEREAS, Judy Marion has dedicated thirty-nine (39) years of service to the County of Cumberland, including part-time work in the Treasurer's Office and the Sheriff's Department from 1971 to 1975; and

WHEREAS, she began her full-time employment in July 1975 and has served faithfully under five County Sheriffs: Sheriff Fred Adams; Sheriff Henry Blanton III; Sheriff Marshall Smith; Sheriff Claude Meinhard; and Sheriff Darrell Hodges; and

WHEREAS, Judy Marion 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, and has been a loyal employee to the Sheriff's Department throughout the years; and

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

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 Judy Marion has performed for the County of Cumberland over the past 39 years, and wish her much contentment and happiness during her retirement years.

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 12<sup>th</sup> day of October 2010.

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

**3. Public Comments-**

There were no citizens signed up to speak.

**4. VDOT –**

Mrs. Jorge Huckabee-Mayfield provided the Board with and reviewed a status report. All roadside mowing will be complete by the end of October, and brush trimming will continue. Mrs. Huckabee-Mayfield also stated that road patching will be complete before winter and they will continue to address customer requests. Supervisor Womack stated that the brush on Cottontown Road has not yet been cleared, and this continues to be a danger to drivers as it limits visibility. Supervisor Womack also mentioned another area of concern on Rt. 600 River Road.

The Chairman stated that Rt. 606, Blenheim Road is in poor condition and needs to be scraped. The Chairman also inquired as to whether Blenheim Road could be considered a Rural Rustic Road; Mrs. Huckabee-Mayfield will investigate. Supervisor Osl mentioned the proposed closing of the Muddy Creek Bridge for repairs. He stated that this causes concern for emergency services as this road is traveled when transporting patients from the north end of the County.

**5. Public Hearings**

a) Code Amendment 10-09 – Veterinary Hospital

Zoning Administrator, Andrew Sorrell, reviewed the proposed Code Amendment and informed the Board that there are two other related and concurrent zoning applications being processed. 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 Osl and carried, the Board adopted the resolution for Code Amendment 10-09, amending Chapter 74 of the County Code amending section 74-2 Definitions, regarding various Zoning Definitions:

BOARD OF SUPERVISORS  
OF  
COUNTY OF CUMBERLAND, VIRGINIA  
RESOLUTION  
ADOPTING AMENDMENTS TO THE  
CODE OF CUMBERLAND COUNTY:  
CODE AMENDMENT 10-09:

**BOOK 12 PAGE 594**

“AN ORDINANCE AMENDING CHAPTER 74 OF THE CUMBERLAND COUNTY CODE AMENDING SECTION 74-2. DEFINITIONS. REGARDING VARIOUS ZONING DEFINITIONS.”

**October 12, 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., October 12, 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 by revising text pertaining to certain animal confinement uses and how such uses are permitted in Cumberland County;

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

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<u>Present:</u>	<u>Vote:</u>
Timothy Kennell, Chairman	Aye
William F. Osl, Jr.	Aye
Van H. Petty	Aye
Elbert R. Womack	Aye
<u>Absent:</u>	Robert J. Oertel
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**WHEREAS**, at a regular monthly meeting held on September 20, 2010, the Planning Commission discussed the proposed amendments to the Code of Cumberland County, which said amendments (collectively the “Code Amendment”) address “AN ORDINANCE AMENDING CHAPTER 74 OF THE CUMBERLAND COUNTY CODE AMENDING SECTION 74-2. DEFINITIONS. REGARDING VARIOUS ZONING DEFINITIONS” (as shown in the attached ordinance); and

**WHEREAS**, the Planning Commission directed staff to prepare the Code Amendment for public review on August 16, 2010; and

**WHEREAS**, the Planning Commission duly advertised and held a public hearing on September 20, 2010; and

**WHEREAS**, the Planning Commission 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 Planning Commission gave reasonable consideration to furthering the goals of the County's Comprehensive Plan and Zoning Ordinance by addressing ordinance provisions regarding the above defined uses and in what zoning districts such facilities shall be a permitted use or a conditional use; and

**WHEREAS**, after conducting a public hearing and considering the comments of County staff, landowners, residents, and the general public, the Planning Commission found that the Code Amendment furthers the goals of the Comprehensive Plan and Zoning Ordinance by providing greater clarity to certain animal confinement uses permitted in Cumberland County; and

**WHEREAS**, after conducting a public hearing and considering the comments of County staff, landowners, residents, and the general public, the Planning Commission found it necessary to provide further clarification on certain animal confinement uses; such further clarification was reviewed on September 27, 2010 after which time the Planning Commission found that such clarifications to the Code Amendment furthers the goals of the Comprehensive Plan and Zoning Ordinance by providing greater clarity to certain animal confinement uses permitted in Cumberland County; and

**WHEREAS**, the Board of Supervisors duly advertised and held a public hearing on October 12, 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 recommendation from the Planning Commission; and

**WHEREAS**, in its review of the Code Amendment, the Board of Supervisors gave reasonable consideration to furthering the goals of the County's Comprehensive Plan and Zoning Ordinance by providing greater clarity to certain animal confinement uses permitted Cumberland County;

**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. The Board of Supervisors further finds that the Code Amendment is in substantial accordance with the County's Comprehensive Plan and Zoning Ordinance.

c. Upon consideration of the proposed Code Amendment, testimony, staff remarks, and public comment, the Board of Supervisors adopts and approves the Code Amendment entitled 10-09 to amend the County Code of Cumberland, Virginia and permit certain animal confinement uses in Cumberland County with the specific text and provisions of such ordinance as attached to this Resolution.

d. This Resolution is effective immediately.

b) REZ 10-01 – Veterinary Hospital

Zoning Administrator, Andrew Sorrell, reviewed the proposed Rezoning Application and reminded the Board that there are two other related and concurrent zoning applications being processed. 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 a resolution for Rezoning application 10-01 for tax map parcel 65A3-A-54, requesting that the zoning be changed from R-2, Rural Residential and A-2, Agricultural to B-1, Business:

**BOARD OF SUPERVISORS  
OF THE  
COUNTY OF CUMBERLAND, VIRGINIA  
RESOLUTION  
APPROVING AND ADOPTING  
REZONING APPLICATION #10-01  
FOR TAX MAP PARCEL 65A3-A-54  
REQUESTED BY GARY & PHYLLIS GRONEWEG  
October 12, 2010**

At a meeting of the Board of Supervisors of Cumberland County, Virginia, in the Cumberland County Circuit Courtroom, Cumberland, Virginia commencing at 7:00 p.m., October 12, 2010, the following action was taken following a duly held public hearing during which time County staff provided a review of the rezoning request, the applicant's representative and agents

provided a review of the 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, the request to rezone from R-2, Rural Residential and A-2, Agricultural to B-1, Business the property described in said Resolution;

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

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<u>Present:</u>	<u>Vote:</u>
Timothy Kennell, Chairman	Aye
William F. Osl, Jr.,	Aye
Van H. Petty	Aye
Elbert R. Womack	Aye
<u>Absent:</u>	Robert J. Oertel
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**WHEREAS**, Gary C. & Phyllis M. Groneweg (the “Applicant”) filed a rezoning application and supporting materials (the “Rezoning Application”) seeking to rezone the property described below from A-2, Agricultural and R-2, Rural Residential to B-1, Business in accordance with Chapter 74 of the Cumberland County Code of Ordinances (the “Zoning Ordinance”); specifically, the Applicant has requested the rezoning in order to allow for commercial business use of the Property; and

**WHEREAS**, the subject property is located on east side of Rt. 45 (Cumberland Road) at its intersection with Rt. 727 (Hillcrest Road) approximately 500 feet south of the Rt. 45 and Rt. 60 (Anderson Highway) intersection and more particularly described as Tax Map Parcel 65A3-A-54 (the “Property”), with respect to approximately 2.603 acres; and

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

**WHEREAS**, the Planning Commission directed staff to make the Rezoning Application available for public review on August 16, 2010; and

**WHEREAS**, the Planning Commission duly advertised and held a public hearing on September 20, 2010; and

**WHEREAS**, after such public hearing the Planning Commission adopted a resolution recommending to the Board of Supervisors that it approve and adopt the Rezoning Application; and

**WHEREAS**, the Board of Supervisors duly advertised and held a public hearing on October 12, 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 Rezoning Application, including the information and recommendation from the Planning Commission;

**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 and standards set forth in the Zoning Ordinance, the Board of Supervisors considers it appropriate to rezone the Property in accordance with the Rezoning Application;

c. The Board of Supervisors further finds that the request made in the Rezoning 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 Rezoning Application furthers the general purpose and objectives of the Zoning Ordinance;

e. Upon consideration of the proposed Rezoning Application, testimony, staff remarks, and public comment, and after consideration of the foregoing, the Board of Supervisors approves the Rezoning Application #10-01 to rezone the Property from A-2, Agricultural and R-2, Rural Residential to B-1, Business for commercial business development.

This Resolution is effective immediately.

c) CUP 10-02 – Veterinary Hospital

Zoning Administrator, Andrew Sorrell, reviewed the Conditional Use Permit application with the Board members. 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 Osl and carried, the Board adopted a Resolution approving Conditional Use Permit 10-02 for tax map parcel 65A3-A-54:

BOARD OF SUPERVISORS  
OF THE  
COUNTY OF CUMBERLAND, VIRGINIA  
RESOLUTION APPROVING  
CONDITIONAL USE PERMIT  
APPLICATION #10-02  
FOR TAX MAP PARCEL 65A3-A-54  
REQUESTED BY GARY & PHYLLIS GRONEWEG  
October 12, 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., October 12, 2010, the following action was taken following a duly held public hearing during which time County staff provided a review of the conditional use permit request, the applicant's representative and agents 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, in accordance with the following Resolution, the request for the conditional use permit described in said Resolution;

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 Kennell, Chairman	Aye
William F. Osl, Jr.	Aye
Van H. Petty	Aye
Elbert R. Womack	Aye
<u>Absent:</u>	Robert J. Oertel

**WHEREAS**, Gary and Phyllis Groneweg (the "Applicant") filed a conditional use permit application and supporting materials (the "CUP Application, CUP #10-02") seeking a conditional use permit for the property described below in accordance with Chapter 74 of the Cumberland County Code of Ordinances (the "Zoning Ordinance"); specifically, the Applicant has requested a conditional use permit to initiate a "veterinary

hospital” and a “commercial kennel” both of which are commercial uses; and

**WHEREAS**, the subject property is located on east side of Rt. 45 (Cumberland Road) at its intersection with Rt. 727 (Hillcrest Road) approximately 500 feet south of the Rt. 45 and Rt. 60 (Anderson Highway) intersection. and more particularly described as Tax Map Parcel 65A3-A-54 (the “Property”), with respect to approximately 2.603 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 September 14, 2010; and

**WHEREAS**, the Planning Commission directed staff to make the CUP Application available for public review on August 16, 2010; and

**WHEREAS**, the Planning Commission duly advertised and held a public hearing on September 27, 2010; and

**WHEREAS**, the Planning Commission carefully considered the testimony and evidence presented at the public hearing in support or opposition to the proposed CUP Application; and

**WHEREAS**, after the Planning Commission duly considered the testimony and evidence presented at the public hearing 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, and the conditional use permit standards more fully described in Sections 74-423, 74-701 and 74-702 of the Zoning Ordinance; and

**WHEREAS**, the Planning Commission, by resolution adopted at its September 27, 2010 meeting after a duly held public hearing, recommends conditional approval of this CUP Application with seven (7) conditions; and

**WHEREAS**, the Board of Supervisors duly advertised and held a public hearing on October 12, 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 CUP Application including the information and recommendation from the Planning Commission;

**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 on the Zoning Ordinance, including Sections 74-423, 74-701 and 74-702, the Board of Supervisors finds it appropriate to grant Conditional Use Permit #10-02 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 would be beneficial and appropriate taking into consideration public health, safety, necessity, convenience, general welfare and good zoning practice.

e. The Board of Supervisors hereby grants the CUP Application to the Applicant, to allow the for the use of a "veterinary hospital" and a "commercial kennel" (as shown in the CUP Application), on the Property subject the following terms and conditions:

- 1) Operation and construction of the veterinary hospital and associated commercial kennel shall follow all applicable state regulations governing the practice of veterinary medicine as governed by the Virginia Board of Veterinary Medicine or such applicable successor agency, found in the Virginia Administrative Code 18 VAC 150-20-10 et seq. effective November 25, 2009 and as may be amended from time to time.
- 2) Facility shall contain no more than twelve (12) enclosed (fenced) runs.
- 3) All animals shall be kept in pens or other enclosures designed and maintained for humane and secure confinement.
- 4) The veterinary hospital shall be air-conditioned, contain a ventilation system and be constructed of sound absorbing materials so as not to create undue noise or emission of odor at adjacent property lines. Indoor runs shall, at a minimum, be serviced by a ventilation system to circulate air.
- 5) In all cases, animals shall be confined indoors from 9:00 p.m. to 6:00 a.m. daily. In exceptional cases, the animal may be briefly escorted outside by staff during the hours of enclosed confinement.
- 6)

a. If outdoor confinement or exercise runs are utilized, a wooded buffer of a minimum fifty (50) feet or greater shall be retained from all side and rear property lines adjacent to the facility. Such 50 foot wooded buffer may be reduced to 35 feet when used in combination with solid 6 foot tall fence and may be reduced to 25 feet when used in combination with an earthen berm no smaller than 4 feet in height with a double staggered row of evergreen trees a minimum of 18 inches in height planted upon such berm at time of planting.

b. If no such areas of outdoor confinement or exercise runs are utilized, the applicable zoning setbacks and buffer requirements for B-1, Business zoning shall apply.

7) Prior to the issuance of a zoning permit by the county and to the satisfaction of the zoning administrator, the applicant shall provide a written statement that lists the types of wastes (such as, but not limited to, medical waste, animal excrement, animal remains and other biological matter) the facility produces and a safe and sanitary method for ensure the disposal of such wastes. Such disposal methods shall be safe and prevent contamination or pollution of adjacent lands or water bodies.

f. This Resolution is effective immediately.

**6. Departments/Agencies**

N/A

**7. Assistant Administrator/Finance & Human Resources** – In Ms. Matthews absence, County Administrator, Judy Ownby reviewed her report.

a) Consent Agenda

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

- 1) Approval of minutes for September 2010
- 2) Approval of bills –September 2010 and October 2010  
Approved bills for October 12, 2010 totaling \$80,544.54.  
Ratified bills for September 2010 of warrants totaling \$ 212,243.97. Ratified bills for October 2010 of warrants totaling \$589.00. Direct deposits totaling \$ 149,091.28. Check numbers ranging from 59673 to 59925.
- 3) Supplemental appropriation – Sheriff's Department for \$1,296.00 (no local funds)

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

- b) Monthly budget report

County Administrator, Judy Ownby, reviewed the report. The Board members had no questions.

**8. Planner/Zoning Administrator -**

- a) CLAC vacancies/Proposed changes to CLAC Annual meeting schedule -

Zoning Administrator, Andrew Sorrell, informed the Board that there are three vacancies on the Citizens Landfill Advisory Committee; One from District 1, District 5, and the Woods Subdivision. No appointments were made at this time. Mr. Sorrell, on behalf of the CLAC, requested that the Board allow and authorize the CLAC to amend their Bylaws to require only one meeting in January of each year, to be their annual meeting. Other meetings can be called as necessary.

On a motion by Supervisor Osl and carried, the Board amended the Bylaws of the CLAC to require only one annual meeting of the CLAC to be held in January of each year, and other meetings to be called as necessary:

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

- b) CUP Renewal – Northfield Foundation and Central Virginia Concrete

Zoning Administrator, Andrew Sorrell, informed the Board that the Conditional Use Permits issued for Northfield Foundation and Central Virginia Concrete have come up for renewal.

On a motion by Supervisor Osl and carried, the Board renewed CUP 09-03 for the Northfield Foundation for a term of 1 year expiring in October 2011:

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

It was the consensus of the Board to defer action on CUP 09-04 for Central Virginia Concrete until the next regular meeting of the Board.

- c) Special Temporary Use Permit 10-03 – David & Mary Ann Hale

Zoning Administrator, Andrew Sorrell, informed the Board that staff had received a request from Mr. & Mrs. Hale to temporarily allow no more than two (2) recreational vehicles to temporarily locate on their property. Mr. Hale has provided a temporary residence for two workers constructing the Bear Garden Power Plant. According to Mr. Hale, the two individuals are on his property as his guests and the living arrangement is not commercial in nature.

On a motion by Supervisor Osl and carried, the Board approved STUP 10-03 for a term of 1 year expiring November 2011:

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

- d) Update on Planning Commission Actions

Zoning Administrator, Andrew Sorrell, provided the Board with and reviewed a report of recent Planning Commission actions.

- e) Review of Subdivision Ordinance and proposed amendments from Planning Commission

The Planning Commission has received some feedback from residents regarding the proposed subdivision amendments. At the Planning Commission meeting on October 18, 2010, the Commission will compare the proposed amendments to ordinances of surrounding localities to ensure they are in line.

- f) Refer REZ 10-02 to the Planning Commission

On a motion by Supervisor Osl and carried, the Board referred REZ 10-02 to the Planning Commission for review:

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

On a motion by Supervisor Petty and carried, the Board requested to hold a joint public hearing regarding REZ 10-02 with the Planning Commission on November, 9, 2010:

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

- g) Refer CUP 10-03 to the Planning Commission

On a motion by Supervisor Osl and carried, the Board referred CUP 10-03 to the Planning Commission for review:

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

- h) Refer CA 10-11 to the Planning Commission

On a motion by Supervisor Osl and carried, the Board referred CA 10-11 to the Planning Commission for review:

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

**9. County Administrator's Report**

- a) Appointment of two members to the Recycling Taskforce

On a motion by Supervisor Petty and carried, the Board appointed Angela Whittaker and Penelope Melino to the Recycling Taskforce:

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

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

- a) E&S update/report

Mr. Cooper informed the Board that the current erosion & sediment control plan reviewer will be on leave for 8-12 weeks. Since we do not have a certified E&S plan reviewer on staff, we

will need to make other arrangements for this period of time. Staff was approached by Nottoway County, who is willing to assist Cumberland with plan reviews as needed. Nottoway proposed a rate of \$20 per hour plus mileage reimbursement for travel. This rate is favorable to those previously offered by Burgess & Niple.

On a motion by the Chairman and carried, the Board authorized the County administrator to enter into an agreement with Nottoway County for E&S Plan review services as needed, at a rate not to exceed \$20 an hour, plus mileage reimbursement, for a period beginning on November 1, 2010 and not to exceed 16 weeks:

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

b) Approval of Right-of-way dedication plat

Mr. Cooper informed the Board that the proposed right-of-way dedication plat is for Tax map # 49-A-72, 0.119 acres. The maintenance facilities and animal pound are located on this parcel, which is adjacent to the property recently acquired by the IDA. As part of the Business Park project, the IDA intends to ultimately construct the extension of Poorhouse Road through its new property, for which the additional right-of-way is required.

On a motion by Supervisor Petty and carried, the Board approved the dedication of 0.119 acres, Tax map # 49-A-72, for public right-of-way purposes:

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

c) Water & Sewer Advisory Committee vacancy

N/A

d) Water Supply Plan Grant/Authorization for RFP

Mr. Cooper informed the Board that the County is required to submit its water supply plan to the state in accordance with VA Code § 9 VAC 25-780-120 by November 2011. The County was also awarded grant funds in the amount of \$3,000 for the water supply plan. While the grant funds will contribute to the expenses of the project, it is expected that the total project cost will exceed the county's small purchase policy threshold. Therefore, Mr. Cooper requests authorization to issue a Request

for proposals to complete the remaining portions of the water supply plan.

On a motion by Supervisor Womack and carried, the Board authorized staff to issue a Request for Proposals for Contractual Services related to the water supply plan project in an amount not to exceed \$50,000:

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

e) Other project updates

Mr. Cooper informed the Board that staff has applied for grant funds in the amount of \$35,000 to assist with the cost of connecting private residences to the County water system. Also, the County has received the first annual contractual payment for the Cobbs Creek Reservoir Project from Henrico County.

**11. County Attorney's Report**

N/A

**12. Board member comments -**

Supervisor Petty informed the Board that the Wireless Authority issued an RFP for Broadband Internet Services, and plan to offer the award of the Contract on October 13, 2010. He also suggested using grant funds received for the recycling program to help educate the citizens about the program. The Virginia Cooperative Extension is being restructured to regionalize offices. Counties do have the option to have a county presence which would allow for one agent within a county.

Supervisor Womack informed the Board that the Cumberland Library will be hiring a Librarian in the near future. The proposed Free Clinic expected to be open near Farmville has found irreconcilable defects in the structure, and will be holding an auction on November 6, 2010 as a fund-raiser. Supervisor Womack also commended the Jail staff and inmates for the hard work in painting the Administration and Courthouse buildings. He also directed the County Administrator to calculate the total cost and bring this information before the Board at their next meeting, and write thankful correspondence to the Town of Farmville for the use of their bucket truck.

Supervisor Osl reiterated the need for education of the Recycling Program.

The Chairman thanked Piedmont Regional Jail for their hard work spent renovating the County facilities and grounds.

The Chairman adjourned the meeting until the next regular meeting of the Board scheduled for November 9, 2010 at 6:00 p.m. in the Circuit Courtroom of the Cumberland Courthouse, Cumberland, Virginia.

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Chairman

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County Administrator