

At a regular meeting of the Cumberland County Board of Supervisors held at 7 p.m. on the 14th day of December, 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
Michael Cooper, Asst. County Administrator

Absent: Andrew Sorrell, Planning Director
Stephany Johnson, Deputy Clerk

The Chairman called the meeting to order and the County Administrator called the roll. The invocation was led by Reverend Wong, 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:

6. Assistant County Administrator/Finance
 - a) Consent Agenda
 - 4) Appropriation of \$521,000 to Correction & Detention (funds received from Bureau of Justice for SCAAP)

10. County Attorney's Report
 - b) Consider ordinance to allow golf carts on School Road
 - c) Consider ordinance amendment to add section providing for personnel management and administration of county employees

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

2. Resolution of Appreciation and In Memory of William M Smith II

On a motion by the Chairman and carried, the Board adopted a Resolution of Appreciation and in Memory of William M. Smith II:

WHEREAS, Mr. William Morgan “Bill” Smith, II, now deceased, served Cumberland County in many ways during his lifetime; and

WHEREAS, Bill Smith graduated from Cumberland High School, earned his Bachelor’s degree from the College of William and Mary, and worked and served as Executive Director of Central Piedmont Action Council for over 30 years; and

WHEREAS, while at CPAC he devoted himself to projects such as opening day care centers and Head Start Centers in Cumberland and the surrounding counties; and

WHEREAS, he was instrumental in securing grants and funding for the construction of the Central Virginia Community Health Center, Arvon, Virginia, which serves the citizens of Cumberland; and

WHEREAS, he attended Board of Supervisors meetings and reported on those meetings to WFLO and the *Cumberland Bulletin* and served as editor of the newspaper during its circulation; and

WHEREAS, Bill Smith was very interested in the history of Cumberland County and regularly attended Patriot Day dressed in full historic costume, served as President of the Cumberland Ruritan and volunteered on many worthy community projects; and

WHEREAS, Bill Smith tirelessly gave of his time and energy over many years to maintain the buildings and grounds of Grace Episcopal Church, Ca Ira, a historic landmark; and

WHEREAS, Bill Smith was a friend who will be greatly missed by Cumberland County citizens;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors acknowledges with profound appreciation, Bill Smith's many years of service to Cumberland County and its citizens; and

BE IT FURTHER RESOLVED that the Board of Supervisors directs that a copy of this resolution be made a part of the permanent record of the official minutes of the Cumberland County Board of Supervisors; and that a copy be given to his family.

Adopted the 14th day of December 2010.

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

3. Public Comments-

Terry Goldman, new Director of the Cumberland County Public Library, introduced himself to the Board and said he looks forward to working in the County.

A citizen commented on the agenda item regarding waiver of set-back requirements on County property and asked about the purpose for set-backs. He stated that he regretted that the County Fire Marshall had resigned.

Two citizens spoke about the poor condition of Carriage Hill Road and asked if and when the road could be taken over by VDOT. The Board asked staff to find out who is responsible for maintaining the private roads and contact the two citizens by letter of the findings.

4. Public Hearings

N/A

5. Departments and Agencies

a) VDOT –

VDoT representatives were not present; however the Board had comments about Muddy Creek bridge repair. The Board directed staff to contact VDOT and ask what the problems were with the bridge that it had to be replaced. The Board was also concerned that VDOT does not hold public information sessions prior to posting notices of road/bridge closures. Closure of the bridge for a period of 5 months, will require that citizens take a 30-minute detour which will prove to be inconvenient to some, and possibly life-threatening to others, since the road/bridge is used by emergency services vehicles.

6. Assistant Administrator/Finance & Human Resources –

a) Consent Agenda

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

- 1) Approval of minutes for November 2010
- 2) Approval of bills –November and December 2010
Approved bills for December 14, 2010 totaling \$ 181,464.00. Ratified bills for November 2010 of warrants totaling \$ 147,926.20. Ratified bills for December 2010 of warrants totaling \$ 52,325.49. Direct deposits totaling \$ 149,074.06. Check numbers ranging from 60170 to 60389.
- 3) Appropriation of \$26,541.67 from Department of Emergency Management for the Code Red/Reverse 911 project.
- 4) Appropriation of \$521,000 to Correction & Detention (funds received from Bureau of Justice for SCAAP)

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 report. The Board members had no questions.
- c) Authorize RFP for trash disposal services
On a motion by Mr. Womack and carried, the Board authorized staff to issue an RFP for trash disposal services.

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

7. Planning Director – (Mr. Cooper presented the Planner’s report)

- a) CLAC appointments
No appointments at this time.
- b) Recycling Committee – appointments and change to by-laws. This item will be brought back at the January meeting.
- c) Exemption of County-owned property from setback requirements

Mr. Cooper explained that improvements were needed to the structure of Pump Station 8. The Board discussed this issue and agreed to waive set-back requirements in this particular instance, however, they asked that the Planning Commission develop a policy regarding exemptions for set-backs and bring back at a future date.

On a motion by Mr. Oertel and carried the Board approved the exemption of set-back requirements as requested for the County Pump Station 8 property:

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

d) Planning Commission Action

Planning Director, Andrew Sorrell, provided the Board with the Planning Commission Activity Report. The Board members had no questions.

8. County Administrator's Report

a) Re-appointments to Crossroads Services Board

On a motion by Mr. Osl and carried, the Board reappointed Mr. Elbert Womack and Mr. David Patteson to an additional three-year term, ending December 31, 2013, on the Crossroads Services Board.

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

b) Consider appointment of local contact for Battlefield Preservation Conference –

The County Administrator stated that Mr. Oertel suggested Mr. John Butler to represent the County at this conference, since he is a County citizen who is very involved in preserving the history of the County and state. The Board directed staff to contact Mr. Butler and ask him if he is interested in attending this conference.

c) Resignation of County Fire Marshall

The County Administrator informed the Board that Mr. Kevin Ingle resigned as County Fire Marshall. She informed the Board that she is reaching out to the Fire Department members to see if there is any interest from another member, before having to contact the State Fire Marshall's office. This item will be brought back to the Board in January.

9. Assistant County Administrator/Community Development

a) Waterline extension project – The Assistant County Administrator informed the Board that this project will soon be ready for bids, with construction to begin in the spring.

11. County Attorney's Report

a) Report on Brown's Voting Precinct

The County Attorney stated that the Brown's voting precinct property was auctioned to the Lipscomb's, who are adjoining landowners. The deed has been prepared and purchase agreement is in place. This transaction should be finalized by the end of the year.

b) School Road – use of golf carts

The Attorney informed the Board that the School uses golf carts to run equipment back and forth to different areas of school property, however, this is a public road and an ordinance is required to permit use of the golf carts. The Board directed the County Attorney to draft an ordinance that would cover School and County property and bring back at the January meeting.

c) Amendment to add a section providing for personnel management and administration of County employees.

Mr. Estes stated that in reviewing the ordinance and personnel manual, he noted that a section needs to be added to provide for personnel management by the County Administrator. He will draft an ordinance which needs to be set for public hearing.

On a motion by Mr. Womack and carried, the Board set a public hearing for the January meeting to add a section to the County Code providing for personnel management and administration of County employees:

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

d) Redistricting -

The County Attorney informed the Board that Census figures would

soon be released, therefore, the redistricting process will need to begin. He asked the Board to start thinking about appointments to a committee for redistricting, which would be made up of about 20 citizens from each of the precincts. He reviewed the fact that the redistricting recommendations would be sent to the Department of Justice for final approval.

12. Board member comments -

Mr. Oertel thanked the County staff, teachers and Social Services employees for all they do, and wished everyone a Merry Christmas.

Mr. Osl said he spoke to David Smith regarding the current Extension restructuring, and whether it meets the legislative intent. The Board directed the County Administrator to get with Mr. Osl to draft a letter to the appropriate officials at VA Tech, questioning the proposed changes to Extension.

Mr. Petty said he and the County Administrator met with Linda Eanes and a VA Tech representative regarding the proposed restructuring. It appears that the plan may cause us to lose the Extension Office in Cumberland County. The Board agreed that efforts must be made to prevent that from happening.

Mr. Kennell thanked the staff for everything during 2010, and said he looks forward to 2011.

Mr. Womack also thanked the staff for comments he received from them after the last Board meeting, and wished everyone a Merry Christmas.

The Chairman adjourned the meeting until the organizational meeting on January 11, 2011, in the Circuit Courtroom of the Cumberland Courthouse, Cumberland, Virginia.

Chairman

County Administrator