

At a regular meeting of the Cumberland County Board of Supervisors held at 7:00 p.m. on the 15th day of August 2006, at the Cumberland Courthouse:

Present: W. F. Osl, Jr., Chairman, District 1
Clifton C. White, District 2
Van Petty, District 3
Elbert Womack, District 4
Christine Ross, District 5
Brian Brown, County Attorney
Judy Ownby, County Administrator
Sherry Swinson, Assistant County Administrator
Jill Matthews, Assistant County Administrator

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

The invocation was led by Rev. Cameron Cloud, Hatcher Baptist Church, and the Pledge of Allegiance was led by the Chairman.

1. Approval of Agenda

On a motion by Mr. Osl and carried, the Board amended the agenda as follows:

2. VDOT – citizen’s road safety concerns
3. Public Hearings
 - b) Proposed rezoning – Plank Road (letter from citizen)
4. Departments and Agencies
 - b) Delete LEPC/Public Works Report
5. Assistant County Administrator/Finance & Human Resources
 - d) Set public hearing on ordinance amendment to change late charge on sewer fees imposed 10 days after due date (instead of 20 days)

Statement from Petty Pedrick, Chairperson of Meals On Wheels

Vote: Mr. Osl – aye Mr. White – aye
 Mr. Petty – aye Mr. Womack – aye
 Mrs. Ross – aye

Meals On Wheels – Patty Petrick

Mrs. Pedrick thanked the Board for their support for Meals On Wheels. The organization is kicking off their membership drive to raise funds to meet their goal of providing (5) five meals a week to citizens in need. Mrs. Pedrick requested that Mr. Osl become the first member of their volunteer taxi organization and would like the other Board members to also join. The program currently provides thirty meals, three days each week. Mrs. Pedrick explained the need for additional financial help and outlined the overhead costs involved in operating the Meals On Wheels program.

2. VDOT – Mr. McKissick

RT. 626, Bonbrook Creek Road – bridge is finished and guardrails are in place. The Project has been temporarily deferred due to the fact that VDOT has not yet obtained right of way for ten parcels.

VDOT has made progress on the Rt. 600 railroad crossing problem. He has received positive comments regarding the situation.

Rt. 601 is going back to bid in November.

Rt. 638 construction is expected to be completed the second week of September.

Boom axe work is being done on the northern part of the county.

Mr. Osl stated that he had sent an email to Judy Ownby regarding safety concerns that several citizens had raised with him in regards to vegetation growing out over the road. There are three specific areas that have been considered a problem. Ms. Ownby stated that she had forwarded the email to Alan Leatherwood.

Mr. Womack stated that he would like to add Holman Mill Road near Guinea Creek to the list of concerns as limbs have grown out over the road hindering the view of drivers as they approach the bridge. Mr. Womack also thanked VDOT for the work that was done on Jamestown Road at the intersection of Spillman Road to improve safety.

3. Public Hearings

a) Joint Public Hearing with VDOT – 6 year plan

Mr. McKissick stated that he was dealing with secondary road and would only be taking comments. No questions were to be answered during the meeting but VDOT representatives would be available outside the courthouse for those who would like to speak to them.

The Chairman opened the public hearing and a forty year resident of Duncan Store Road spoke to stress the importance of improving a two mile stretch of highway due to the high traffic of large trucks and equipment from area businesses. The citizen presented a petition to the Board of Supervisors that was signed by residents of Duncan Store Road. A second citizen of Duncan Store Road spoke to need of improvements to Duncan Store Road. The citizen expressed his concern for safety for those who travel the road. There were no other speakers – the Chairman closed the hearing.

A work session will be scheduled in September for VDOT and the Board of Supervisors to review the plan and consider citizen input.

b) Public Hearing – Proposed Rezoning of Plank Road Development

Planner, Catherine Kahl discussed the proposed development and outlined the terms of the application for rezoning. Ms. Kahl described the layout of the proposed senior community and highlighted several changes to the Proffers Statement for the proposed development.

Shannon Rogers, an engineer with Southern Land Services, complemented the county staff on their hard work on the Plank Road project. Mr. Rogers expressed the desire of his company to create a somewhat self-contained community for residents that are 55 and older. Mr. Osl pointed out that current maps showed the YMCA as part of the planned community, which may not be included in the final plans. Mr. Osl explained that he did not want citizens to be misled as to the inclusion of the YMCA in the community. Van Petty commented on the fact the proposed community would be the first of this kind in Cumberland County and would be a real asset.

The Chairman opened the public hearing regarding the proposed rezoning. A resident of Route 45 stated that she was disappointed that the proposed community was mostly residential which would be a drain on goods and services in the county without generating the equivalent revenue. Mr. Osl stated that most of the citizens concerns were addressed in the proffers and that the proposed community would be age restricted – over 55 – and is intended to be a retirement community, a continuing care facility and ultimately a final care facility. A Garden Path resident spoke and expressed her concern for the large number of residence in relation to the 77 acre site. The citizen also questioned the procedure for enforcement of the over 55 age restrictions.

With no other speakers, the Chairman closed the public hearing.

Van Petty expressed his concern for the need to clarify procedures for enforcement of the various elements of the contract. Shannon Rogers suggested that the usual route for enforcement is through the courts system – the County Planner later concurred.

Mr. Osl suggested that meeting schedule be adjusted to allow the large number of citizens that had signed up for public comments to speak before moving on with additional business of the evening. The other members of the Board agreed. Twelve citizens spoke in regards to the proposed landfill, some in support and some against. Several members of the citizens group *Residents Against Pollution* were present and spoke. One citizen who had signed up was not present but spoke later during the meeting. One citizen elected to hold his comments until the end of the meeting.

The Chairman spoke to the sensitive nature of the subject of the proposed landfill and assured citizens that the Board has explored every other available option for funding new schools and other capital projects. Mr. Osl thanked participants for their demeanor and sharing their thoughts and concerns.

4. Departments and Agencies

a) State Forestry Manager – Gary Heiser

Gary Heiser, State Forestry Manager, presented the Board of Supervisors with a check for \$89,626. This check represents 25% of the agencies gross revenues paid to the county in lieu of taxes. Mr. Heiser reported that there was a database being developed on ArcView to document old home places that were located in the state forest and the families that lived there. Mr. Heiser reported that Luck Stone had agreed to donate 600 tons of gravel per year to the state forest.

Mr. Osl congratulated Mr. Heiser on the condition of the state forest in Cumberland and thanked him for hard work.

b) Jerry Giles – LEPC Report / Public Works Reports Deleted

c) Emergency Services Committee report – Report

Kelly Hale with the Emergency Services Committee reported that the committee continues to work through the recruiting and retention package and discussed the personal property tax relief to establish standard criteria for what would be considered a member in good standing across the five agencies.

There was further discussion regarding use of the school fuel depot. It was agreed that, due to the distance, Randolph Fire Department and Cartersville Fire Department would not benefit from the use of the fuel depot located at the school. However, Cartersville Rescue Squad, Cumberland Fire Department and Cumberland Rescue Squad would be working with the school to get keys and gain access to the fuel depot.

Virginia Department of Emergency Management has donated a hazardous materials trailer that will be picked up soon. The trailer is fully equipped and will be housed in the county and made available for any emergencies in the region.

Ms. Hale requested that a member of the Board or County Administration attend the combined summit of volunteer and paid volunteer agencies in Charlottesville on August 26 & 27, 2006. Cliff White volunteered to do so.

Ms. Hale reported that there was a problem with false alarms at the school. Due to regulations, the various fire departments are required to remain on the scene until a representative of the school system arrives to take possession of the school. She further reported that the cost was between \$300 and \$700 per truck to respond to the false alarm.

5. **Assistant County Administrator/Finance & Human Resources**

a) Mrs. Matthews recommended that an account be established by the County for purchase of fuel for Cartersville Fire & Rescue and Randolph District Fire Department. Fuel charges would then be invoiced by the county to the various agencies. The Board agreed that this would be the appropriate way to assist the agencies involved.

b) On a motion by Elbert Womack and carried, the Board approved the list of Year End Budget transactions. (copy in official Board file)

Vote: Mr. Osl – aye Mr. White – aye
 Mr. Petty – aye Mr. Womack – aye
 Mrs. Ross – aye

c) Mrs. Matthews explained that Randolph Fire Department was requesting assistance in financing a pumper truck in the amount of \$174,400. Their current first-out pumper truck blew an engine and is not worth the cost of repairs. Steve Thompson, Fire Chief with Randolph District Fire Department explained the need for a new truck and the failed attempts to obtain financing on their own. The Chairman deferred the item to be discussed at a financing workshop to be scheduled in the next ten days. The County Administrator inquired about a previously applied for grant with Rural Development for a pumper truck. It was discussed that, with the county's financial backing, the fire department could obtain a grant for \$65,000 and possibly an additional \$55,000 grant from Rural Development.

d) The Board agreed to set a public hearing for the regular meeting on September 12, 2006 for amendment to the sewer ordinance.

6. **County Administrator's Report**

a) Consent Agenda

The County Administrator explained each item in the consent agenda and the following actions were taken:

On a motion by Christine Ross and carried, the Board approved the following items in the consent agenda as presented:

- 1) Approved minutes for July 2006.
- 2) Ratified bills for July 2006 totaling \$566,552.44 with check numbers ranging from 48190 to 48434 and Direct Deposit totaling \$101,760.22. Ratified bills for August 2006 totaling \$355,499.03.

b) Referral of landfill rezoning application to the Planning Commission.

On a motion by Van Petty and carried, the Board referred the landfill rezoning application to the Planning Commission.

Vote: Mr. Osl – aye Mr. White – aye
 Mr. Petty – aye Mr. Womack – aye
 Mrs. Ross – aye

c) Appointments

- 1) Planning Commission – District 4

David Brown has indicated that he does not wish to be reappointed to the Planning Commission. Mr. Womack does not have an appointment at this time but anticipates a decision on an appointment to be announced at the regular September Board meeting.

Mr. White expressed his appreciation for the civility demonstrated by those in favor of and opposed to the proposed landfill. Mr. White stated that the county has already authorized \$725,000 towards the design of a new school.

Mr. White encouraged the Board to review and approve the renovation plans for Flippens Store so that the project can move forward.

Mr. White stated that he would like to use funds originally designated for soccer fields in the Bear Creek Lake area for construction of two regulation soccer fields behind the Old Elementary School. Mr. White contacted the Virginia for Virginians Program of the National Guard and is in the process of securing their services to complete site work for the project.

Mr. White suggested that a *Frequently Asked Questions* section be added to the County website to address questions and concerns on the subject of the proposed landfill.

Mr. Osl had no statement.

10. Additional Public Comments

Shiloh Road resident expressed his objection to the county providing internet service to several Hot Spots within the county for public use. The resident viewed this service as a security risk to the county's network and believed that it may cause a problem with interstate commerce.

Courthouse area resident expressed her displeasure with the Board for considering the proposed landfill. The resident stated that she had shocking information pertaining to the landfill. The chairman invited the resident to share any information that would be useful in considering the proposed landfill – the resident declined to do so.

The Chairman adjourned the meeting. The next meeting will be held August 17, 2006 at 6:00 p.m. in the Old Clerk's Office.

*NOTE: The adjourned meeting for August 17, 2006 was cancelled and a Special Meeting was called by the Board of Supervisors for August 28, 2006 at 6:00 p.m., in the Old Clerks Office.

Chairman

County Administrator