

At a meeting of the Cumberland County Board of Supervisors held at 6:00 p.m. on the 30<sup>th</sup> day of April 2009 in the Circuit Courtroom, in the Cumberland Courthouse, Virginia:

Present: William F. Osl, Jr., Chairman, District 1  
Timothy Kennell, District 2  
Van H. Petty, Vice-Chairman, District 3  
Elbert R. Womack, District 4  
Robert J. Oertel, District 5  
Judy Ownby, County Administrator  
Jill Matthews, Asst. County Administrator  
Michael Cooper, Asst. County Administrator  
Stephany Johnson, Deputy Clerk

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

**1) Approval of Agenda-**

By unanimous consent, the Board amended the agenda as follows:

Insert - Closed Session – VA Code Section 2.2-3711 A(1) personnel

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

**2) CLOSED MEETING**

On a motion by Mr. Osl and carried, the Board entered into closed meeting under VA Code Section 2.2-3711 A(1) personnel;

The Board returned to regular session on a motion by Mr. Osl.

A motion was made by Mr. Petty and adopted by the following vote:

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

that the following Certification of a Closed Meeting be adopted in accordance with The Virginia Freedom of Information Act:

WHEREAS, the Board of Supervisors of Cumberland County has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Cumberland County hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board of Supervisors of Cumberland County.

No action was taken regarding the items discussed.

**3) Review of proposed FY 2009-2010 budget**

a) Request from Cartersville Rescue Squad

Assistant County Administrator/Finance, Jill Matthews, informed the Board that Cartersville Rescue Squad submitted a request for payment in the amount of \$730.90. The Board had previously approved payment for the Cartersville Rescue Squad in the amount of \$236.40 for interest on a balance carried on an ambulance purchase, in

lieu of providing a loan to the ESC for the ambulance. The difference in the amount approved for payment, and the amount requested, is due to the ESC carrying the balance longer than expected.

By unanimous consent, the Board approved to move forward with the amount that was previously approved.

b) 2009 Real Estate Total Assessed Value and Tax

County Administrator, Judy Ownby, informed the Board that the Commissioner of Revenue's office has completed the County's Real Estate Assessments, and reviewed the total value and total tax.

c) State Aid Reductions FY 2009-2010

County Administrator, Judy Ownby, informed the Board that communication has been received from the Department of Planning and Budget regarding the State Aid reductions for FY 2009-2010. The amount requested to be returned to the Commonwealth is approximately the same as last year. Each locality is required to choose the method of returning the State revenue no later than June 1, 2009.

Since the localities are mandated to adhere to more and more state regulations, with limited or sometimes no funding with which to comply, the majority of the Board agreed to correspond with the Commonwealth prior to selecting a method of revenue reduction, outlining the concerns and issues that these burdensome regulations and mandates are placing on the localities.

The Board stated that they would like to retain the \$64,000 that the Commonwealth has requested we return for use in offsetting unfunded mandates such as the Erosion and Sediment Control Program.

On a motion by Supervisor Womack and carried by the following vote, the Board directed the County

Administrator to send correspondence to the Commonwealth as discussed:

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

**4) Adoption of FY 2009-2010 Budget**

Assistant County Administrator/Finance, Jill Matthews, informed the Board that items previously discussed by the Board members have been incorporated in the proposed budget totaling \$28,994,652. The advertised proposed budget was in the amount of \$28,434,087. County Attorney, Howard Estes informed the Board that action cannot be taken to approve the budget if the total amount is more than that which was advertised, as this would require an additional public hearing.

The Chairman stated that the Board has two options, one of which would include adopting the advertised budget, and amending it at a later date, or the Board could hold another public hearing.

On a motion by the Chairman and carried, the Board adopted the FY 2009-2010 budget, as advertised, in the amount of \$28,434,087:

REVENUE ESTIMATES

GENERAL FUND REVENUES

REVENUE FROM LOCAL SOURCES

General Property Taxes	\$ 6,425,600
Other Local Taxes	1,358,800
Permits, Privilege Fees & Reg.	66,400
Fines & Forfeitures	85,000
Revenue from Use of Money & Property	61,410
Charges for Services	37,660
Miscellaneous Revenue	1,988,000

(Includes project reimbursements, host fees, etc.)	
Transfer from IDA	2,700
Transfer from CIP Fund	150,000
Transfer from Economic Development Fund	50,000
Rollover Balance	<u>1,100,000</u>

Subtotal \$11,325,570

REVENUE FROM COMMONWEALTH \$ 2,012,315

TOTAL GENERAL FUND REVENUE **\$13,337,885**

EXPENDITURE ESTIMATES

**GENERAL FUND EXPENDITURES**

General Government Administration	\$1,559,963
Judicial Administration	350,422
Public Safety	1,824,447
Public Works	1,230,209
Health	133,027
Education - Comm. College	68,862
Parks, Recreational & Cultural	189,243
Community Development	534,656
Non-departmental Expenditures	<u>55,500</u>

TOTAL GENERAL FUND EXPENDITURES **\$5,946,329**

**TRANSFERS TO OTHER FUNDS**

Transfer to School Fund	\$ 3,423,714
Transfer to School Capital Projects	423,390
Transfer to Social Services Fund	303,804
Transfer to Comp. Services Act	333,333
Transfer to Debt Service Fund	2,764,680
Transfer to E911 Fund	60,131
Transfer to Sewer Fund	7,504
Transfer to Capital Improvements Fund	<u>75,000</u>

TOTAL TRANSFERS TO OTHER FUNDS **\$ 7,391,556**

GRAND TOTAL GENERAL FUND EXPENDITURES      **\$13,337,885**

**SCHOOL OPERATING FUND**

**Revenue**

Local	\$ 3,423,714
State	\$10,377,612
Federal	<u>\$ 1,972,986</u>
Total	\$15,774,312

**Expenditures**                      **\$15,774,312**

**SCHOOL CAPITAL PROJECTS**

**Revenue**

Local	\$ 423,390
-------	------------

**Expenditures**                      \$ 423,390

**SCHOOL TEXTBOOK FUND**

**Revenue**

State	\$ 128,111
-------	------------

**Expenditures**                      \$ 128,111

**SOCIAL SERVICES FUND**

**Revenue**

Local	\$ 303,804
State	131,144
Federal	<u>825,132</u>
Total	\$ 1,260,080

**Expenditures**                      \$ 1,260,080

**COMPREHENSIVE SERVICES ACT**

<u>Revenue</u>	
Local	\$ 333,333
State	<u>666,667</u>
Total	\$ 1,000,000
<u>Expenditures</u>	\$ 1,000,000

**CAPITAL IMPROVEMENTS PROGRAM**

<u>Revenue</u>	
Local	\$ 75,000
Balance Forward	150,000
Loan Proceeds	<u>116,450</u>
Total	\$ 341,450
<u>Expenditures</u>	\$ 341,450

**E-911 FUND**

<u>Revenue</u>	
Local Taxes	\$ 60,131
<u>Expenditures</u>	\$ 60,131

**SEWER OPERATING FUND**

<u>Revenue</u>	
Local	\$ 266,004
<u>Expenditures</u>	\$ 266,004

**WATER OPERATING FUND**

<u>Revenue</u>	
Local	\$ 232,377
<u>Expenditures</u>	\$ 232,377

**ECONOMIC DEVELOPMENT FUND**

<u>Revenue</u>	
Balance Forward	\$ 50,000

Expenditures                   \$    50,000

**DEBT SERVICE FUND**

Revenue  
    Local                                 \$  2,764,680  
    (Includes COPS Interest)  
    State (Construction Fund)             98,223  
    Total                                 \$  2,862,903

Expenditures                         \$  2,862,903

**SHERIFF'S FORFEITURE FUND**

Revenue                                 \$    30,000

Expenditures                         \$    30,000

**COURTHOUSE MAINTENANCE FUND**

Revenue                                 \$     3,000

Expenditures                             \$     3,000

**LAW LIBRARY FUND**

Revenue                                 \$     1,000

Expenditures                         \$     1,000

**SPECIAL WELFARE FUND**

Revenue                                 \$    55,000

Expenditures                         \$    55,000

**\*TOTAL PROPOSED BUDGET           \$28,434,087**

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

The Chairman stated that the Board will continue to discuss options to increase revenues or decrease costs to further improve the budget. The Chairman also thanked all of the employees, agencies and departments who have worked with the Board on budget reductions.

Supervisor Womack suggested sending correspondence to all departments and agencies that receive local funds from the County, requesting that they take similar actions as the Board regarding the budget, and notify the Board of their actions.

On a motion by Supervisor Womack, and carried, the Board directed the County Administrator to send the correspondence on behalf of the Board:

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

**5) Adoption of FY 2009-10 – 2013-14 CIP –**

Assistant County Administrator/Finance, Jill Matthews, reviewed the CIP.

On a motion by Supervisor Petty and carried, the Board adopted the FY 2009-2010 – 2013-2014 CIP (copy in official board file):

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

**6) Other information**

a) Information on Swine Flu

Communication was received from Dr. Karen Remley, State Health Commissioner, regarding the swine flu outbreak.

b) Patriot Ridge Shopping Center

The Chairman informed the Board that the developer has multiple businesses interested in locating their business in the new shopping center. The General Assembly has enacted a new law that requires a traffic impact study be completed by VDoT prior to the property being re-zoned, and the project moving forward. The Chairman voiced his frustration with this new law as it has taken four months to have the traffic impact study completed.

Supervisor Womack suggested drafting a letter to the Legislators, the Virginia Department of Transportation Board member, and Commissioner of VDoT informing them of the issues related to the traffic impact study requirement.

On a motion by the Chairman and carried, the Board authorized the County Administrator to draft communication to Legislators, the Virginia Department of Transportation Board member, and Commissioner of VDoT regarding issues related to the traffic impact study:

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

The Board took a short recess prior to the Public Hearing.

**7) Public Hearing on proposed Bond Issuance-**

County Attorney, Howard Estes, informed the Board that the proposed bond issuance is for the waterline extension project. Mr. Estes reviewed the resolution, and informed the Board that

there is a shortfall in the funding package provided by USDA. Assistant County Administrator/Community Development, Michael Cooper, informed the Board that there are options to reducing the budget for the project, including removing alternate designs for the project. In order to keep the project on schedule, Mr. Estes suggested moving forward, adopting the resolution, and making the necessary changes to the project design to keep the cost consistent with the amount awarded by the USDA.

The Chairman opened the public hearing. With no citizens signed up to speak, the Chairman then closed the public hearing.

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

**AUTHORIZING AND APPROVING THE ACCEPTANCE OF A GRANT IN  
THE AMOUNT OF \$1,000,000 AND EXECUTION OF A GRANT  
AGREEMENT ASSOCIATED THEREWITH  
AND  
THE ISSUANCE, SALE AND AWARD OF A WATER SYSTEM REVENUE  
BOND OF THE COUNTY OF CUMBERLAND, VIRGINIA, IN THE  
MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$939,000, AND  
PROVIDING FOR THE FORM, DETAILS AND PAYMENT THEREOF**

April 30, 2009

At a meeting of the Board of Supervisors of Cumberland County, Virginia, in the Circuit Courtroom of the Cumberland County Courthouse at Cumberland, Virginia commencing at 7:00 p.m., April 30, 2009, the following action was taken:

Following a duly called public hearing and presentation of the recitals and the resolutions for adoption and on a motion by Supervisor Petty, the Board of Supervisors adopted and approved the Resolution according to the votes stated below:

-----	
<u>Present:</u>	<u>Vote:</u>
William F. Osl, Jr., Chairman	aye
Timothy Kennell	aye
Robert J. Oertel	aye

Van H. Petty	aye
Elbert R. Womack	aye
<u>Absent:</u>	None

-----

**WHEREAS**, the Board of Supervisors (the "Board") of Cumberland County, Virginia (the "County"), seeks to secure grant funding in the amount of \$1,000,000 and desires to issue a water system revenue bond in the maximum principal amount of \$939,000 to finance all or a portion of the costs of infrastructure improvements, including equipment, land and easement acquisition and related costs and expenses, for the construction of Phase II improvements (the "Project") to the Cumberland Courthouse Area Water System (the "System");

**WHEREAS**, the County has applied to the United States Department of Agriculture, Rural Development ("USDA") for such grant funds and for the purchase of such bond, and USDA has agreed to such grant funding and for the purchase of such bond pursuant to a letter dated March 30, 2009 from USDA, a draft loan resolution presented to the County by USDA, and the terms of a Grant Agreement and a Financing Agreement between USDA and the County, the forms of which have been presented to this meeting;

**WHEREAS**, USDA has requested that the County's Industrial Development Authority ("IDA") enter into an Availability Agreement or Support Agreement (either of which is the "Support Agreement"), in such manner and form acceptable to USDA, pursuant to which the IDA will agree to consider, from time to time so long as such water system revenue bond is outstanding, paying sufficient funds for the payment of operating and maintenance expenses related to the System, and debt service on such bond to the extent System revenues are insufficient therefore and further under which the Board will agree to consider, from time to time so long as such water system revenue bond is outstanding, appropriating such sums to the IDA, with understanding that the Board is under no legal obligation to make such appropriations;

**WHEREAS**, after the Board duly held a public hearing at its meeting of April 30, 2009 with regard to the issuance of the Bond pursuant to the provisions of the Virginia Public Finance Act and

specifically Va. Code § 15.2-2606 and thereafter approved the issuance by Resolution;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF CUMBERLAND COUNTY, VIRGINIA:**

**1. Incorporation by Reference.** The foregoing recitals and the attached Exhibit A Loan Resolution presented by USDA to the Board are hereby incorporated by reference.

**2. Issuance and Sale of Bonds.** The Board determines that it is in the best interests of the County to issue the County's water system revenue bond in the maximum aggregate principal amount of \$939,000. Pursuant to the Constitution and statutes of the Commonwealth of Virginia, including the Public Finance Act of 1991, the Board hereby authorizes and provides for the issuance and sale of the bond to provide funds, together with other available funds, to finance the Project and to pay costs of issuing the bond.

**3. Authorization of Financing Agreement and Grant Agreement.** The forms of the Financing Agreement and Grant Agreement are hereby approved. The County Administrator is authorized to execute the Financing Agreement and Grant Agreement in substantially such forms, with such completions, omissions, insertions and changes not inconsistent with this Resolution as may be approved by the County Administrator, whose approval shall be evidenced conclusively by the execution and delivery thereof. The issuance and sale of the bond to or at the direction of USDA shall be upon the terms and conditions of the Financing Agreement and the Grant Agreement. All capitalized terms used but not defined herein shall have the same meaning as set forth in the Financing Agreement.

**4. Authorization of Support Agreement.** The form of the Support Agreement presented to this meeting is approved. The Chairman of the Board and the County Administrator, either of whom may act, are authorized to execute a Support Agreement in substantially such form as required by USDA, with such completions, omissions, insertions and changes not inconsistent with this resolution as may be approved by the Chairman or County Administrator, whose approval shall be evidenced conclusively by the execution and delivery thereof. The Chairman and

County Administrator are further directed to seek approval of such Support Agreement by the IDA. The County Administrator is hereby authorized and directed to carry out the obligations imposed by the Support Agreement on the County Administrator. The Board hereby undertakes a non-binding obligation to appropriate such amounts as may be requested from time to time pursuant to the Support Agreement, to the fullest degree and in such manner as is consistent with the Constitution and laws of the Commonwealth of Virginia. The Board, while recognizing that it is not empowered to make any binding commitment to make such appropriations in future fiscal years, hereby states its intent to make such appropriations in future fiscal years, and hereby recommends that future Boards do likewise during the term of the Support Agreement.

**5. Bond Details.** The bond shall be issued as a single, registered bond, designated "Water System Revenue Bond, Series 2009" (the "Bond"). The Bond shall be dated the date of its delivery to or for the account of USDA, shall be numbered R-1, shall bear interest at a rate not to exceed 2.75% per annum and shall mature no later than December 31, 2049. The Bond shall provide for USDA to make principal advances from time to time in an aggregate amount not to exceed \$939,000 and to note such advances on the Bond as moneys are advanced. An authorized representative of USDA shall enter the amount and the date of each such principal advance on the Certificate of Principal Advances on the Bond when the proceeds of each such advance are delivered to the County. The County Administrator is authorized to determine the denomination of the Bond and to establish the maturity schedule (including payment dates) for the Bond, all in such manner as the County Administrator shall determine to be in the best interest of the County subject to the parameters established above. If the aggregate amount of principal advances on the Bond shall be less than the denomination of such Bond, the principal amount due on such Bond shall be reduced to the extent thereof as provided in the Financing Agreement. All payments due on the Bond shall be payable in lawful money of the United States of America. Payments shall be made by check or draft mailed to the registered owner at its address as it appears on the registration books kept for that purpose by the County Treasurer, who is appointed registrar and paying agent (the "Registrar"), on the 15<sup>th</sup> day of the month preceding the payment date, except that the final payment is

payable upon presentation and surrender of the Bond at the office of the Registrar.

**6. Payment and Prepayment Provisions.** Subject to Section 4, the principal of the Bond shall be payable on the dates and in the amounts and subject to prepayment as set forth in the provisions of the Bond and as required by USDA.

**7. Execution and Form of Bond.** The Bond shall be signed by the Chairman of the Board and the County's seal shall be affixed thereon and attested by the Clerk of the Board. The Bond shall be issued as a typewritten bond in substantially the form of Exhibit B attached hereto, with such completions, omissions, insertions and changes not inconsistent with this Resolution as may be approved by the Chairman of the Board, whose approval shall be evidenced conclusively by the execution and delivery of the Bond.

**8. Preparation of Printed Bonds.** Upon request of the registered owner and upon presentation of the Bond at the office of the Registrar, the County shall arrange to have prepared, executed and delivered in exchange as soon as practicable bonds in printed form in an aggregate principal amount equal to the unpaid principal of the Bond in typewritten form, in denominations of \$5,000 and multiples thereof (except that one bond may be issued in an odd denomination of not less than \$5,000), of the same form and maturity and registered in such names as requested by USDA or its duly authorized attorney or legal representative. The printed bonds may be executed by the facsimile signature of the Chairman or Vice Chairman of the Board with a facsimile of the County's seal printed thereon and attested by the facsimile signature of the Clerk of the Board; provided, however, that if both of such signatures are facsimiles, no bond shall be valid until it has been authenticated by the manual signature of the Registrar and the date of authentication noted thereon. The typewritten bond surrendered in any such exchange shall be canceled.

**9. Pledge of Revenues.** The principal of the Bond and any other amounts due USDA shall be payable solely from revenues from the System and other sources, if any, pledged thereto upon the terms and conditions set forth with USDA and consistent with this Resolution. Additional bonds secured on a parity as to the pledge of Revenues with

the Bond may be issued. Nothing herein, in the Financing Agreement or in any document provided to USDA shall be deemed to create or constitute a general obligation indebtedness of or a pledge of the faith and credit of the Commonwealth of Virginia or of any county, city, town or other political subdivision of the Commonwealth, including Cumberland County, Virginia.

**10. Registration and Transfer of Bond.** Upon surrender of the Bond at the office of the Registrar, together with an assignment duly executed by the registered owner or its duly authorized attorney or legal representative in such form as shall be satisfactory to the Registrar, the County shall execute and deliver in exchange a new Bond having an equal aggregate principal amount, of the same form and maturity and registered in such name as requested by the then registered owner or its duly authorized attorney or legal representative. Any such exchange shall be at the County's expense, except that the 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 Registrar shall treat the registered owner as the person or entity exclusively entitled to payment and the exercise of all other rights and powers of the owner, except that installments shall be paid to the person or entity shown as owner on the registration books on the 15<sup>th</sup> day of the month preceding each payment date.

**11. Mutilated, Lost or Destroyed Bond.** If the Bond has been mutilated, lost or destroyed, the County shall execute and deliver a new Bond of like date and tenor in exchange and substitution for, and upon cancellation of, such mutilated Bond or in lieu of and in substitution for such lost or destroyed Bond; provided, however, that the County shall so execute and deliver only if the registered owner has paid the reasonable expenses and charges of the County in connection therewith and, in the case of a lost or destroyed Bond, (a) has filed with the County evidence satisfactory to the Treasurer that such Bond was lost or destroyed and (b) has furnished to the Treasurer satisfactory indemnity.

**12. Preparation and Delivery of the Bond; Costs.** The Chairman of the Board and the Clerk of the Board are authorized and directed to take all proper steps to have the Bond prepared and executed in accordance with its terms and to deliver it to or for the account of USDA as the

purchaser thereof upon receipt of the first principal advance thereunder. The Chairman of the Board and the Clerk of the Board are further authorized and directed to agree to and comply with any and all further conditions and requirements of USDA not inconsistent with this Resolution and the letter from USDA to the County Administrator dated March 30, 2009 in connection with its purchase of the Bond and its offer of the Grant. All costs and expenses in connection with the undertaking of the Project and the preparation and execution of the documents necessary to further the purposes herein, including the County's fees and expenses and the fees and expenses of the County Attorney serving as bond counsel shall be paid from the proceeds of the Bond or legally available funds of the County. If for any reason the Bond and related financing documents are not executed, it is understood that all such expenses shall be paid by the County.

**13. Other Actions.** All other actions of County officials in conformity with the purposes and intent of this Resolution, compliant with the conditions set forth in the letter from USDA to the County Administrator dated March 30, 2009, and in furtherance of the issuance and sale of the Bond and acceptance and execution of the Grant are ratified, approved and confirmed. The County officials are authorized and directed to execute and deliver all certificates and other instruments considered necessary or desirable in connection with the issuance, sale and delivery of the Bond and acceptance and execution of the Grant pursuant to this Resolution. Any authorization herein to execute a document shall include authorization to deliver it to the other parties thereto and to record such document where appropriate.

**BE IT RESOLVED BY THE BOARD OF SUPERVISORS that this Resolution is hereby effective immediately.**

**8) Closed Session**

On a motion by Mr. Osl and carried, the Board entered into closed meeting under VA Code Section 2.2-3711 A(5) contract negotiations; A(6) investment of public funds; and A(7) consultation with legal counsel.

The Board returned to regular session on a motion by Mr. Osl.

A motion was made by Mr. Petty and adopted by the following vote:

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

that the following Certification of a Closed Meeting be adopted in accordance with The Virginia Freedom of Information Act:

WHEREAS, the Board of Supervisors of Cumberland County has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Cumberland County hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board of Supervisors of Cumberland County.

No action was taken regarding the items discussed.

**9) Adjourn-**

With no additional business to come before the Board, the Chairman adjourned the meeting until the next regular meeting of the Board to be held at 7 p.m. on Tuesday, May 12<sup>th</sup>, 2009 in the Circuit Courtroom.

---

Chairman

---

County Administrator