

At a meeting of the Cumberland County Board of Supervisors held at 7:00 p.m. on the 13th day of September, 2016, at the Cumberland County Circuit Court Room:

Present: William F. Osl, Jr., District 1
Lloyd Banks, Jr., District 2, Chairman
Kevin Ingle, District 3, Vice-Chairman
David Meinhard, District 4
Parker Wheeler, District 5
Vivian Giles, County Administrator | Attorney
Sara Carter, Planning Director

Absent: None

1. Call to Order

The Chairman called the meeting to order.

2. Welcome and Pledge of Allegiance

The Welcome and Pledge of Allegiance were led by Chairman Banks.

3. Roll Call

County Administrator, Vivian Giles, called the roll.

4. Approval of Agenda

On a motion by Supervisor Meinhard and carried unanimously, the Board approved the Agenda as amended:

Vote: Mr. Osl – aye Mr. Banks – aye
Mr. Ingle – aye Mr. Meinhard – aye
Mr. Wheeler – aye

5. State and Local Department/Agencies

- a) Dr. Amy Griffin Superintendent of Cumberland County Schools

Dr. Amy Griffin, School Superintendent, gave the following report to the Board:

- Mr. George Reid was appointed District 4 School Board member until the special election in November
- A good Samaritan donated car loads of supplies to two brand new teachers
- Oakwood United Methodist Church recently donated \$300 to the School
- Powhatan Junior High School donated 10 tables to the Agriculture department
- Pre-K celebrated Grandparent’s day and invited Grandparent’s to come to lunch with the students
- The Varsity Football Team visited the Elementary School and had breakfast with students

- b) VDOT

There was no VDoT representatives present.

- c) Ms. Robin Sapp, Cumberland Public Library –

Ms. Sapp was not present.

- d) Mr. Joe Hines, Timmons Group – VGA Project

Mr. Hines shared a PowerPoint presentation to the Board regarding economic development and the importance of Cumberland's participation in Virginia's Growth Alliance (VGA). A copy of the presentation is in the official Board file.

6. **Public Comments**

Mr. Lou Siegel inquired as to why it is taking so long to complete the building at the Cartersville Fire Department and the Poorhouse Industrial Park. How much is the new EMS director paid? Is this position part-time or full time? How much is the paid Rescue Squad for Cumberland?

Dr. Christine Ross inquired about economic development opportunities such as tourism. Can the county get the money back for the visitor's center or the stage at the Community Center? Can the County continue to market the landfill site on Route 60? Why do businesses located within the Town of Farmville in Cumberland County have to pay taxes to both entities?

7. **Public Hearings**

- a) Ratify the public hearing notice and set a public hearing for Conditional Use Permit 16-07 – Oliver for September 13, 2016:

On a motion by Supervisor Osl and carried unanimously, the Board ratified the public hearing notice,

and set Conditional Use Permit 16-07 – Oliver for Public Hearing on September 13, 2016:

Vote: Mr. Osl – aye Mr. Banks – aye
Mr. Ingle – aye Mr. Meinhard – aye
Mr. Wheeler – aye

b) Conditional Use Permit CUP 16-07 Oliver

Zoning Administrator, Sara Carter informed the Board that this is a request to address lot deficiencies to allow the expansion of a non-conforming garage in the Trice’s Lake neighborhood. 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 Wheeler and carried unanimously, the Board approved Conditional Use Permit 16-07 Oliver:

Vote: Mr. Osl – aye Mr. Banks – aye
Mr. Ingle – aye Mr. Meinhard – aye
Mr. Wheeler – aye

c) Debt Restructuring

On a motion by Osl and carried unanimously, the Board ratified the public hearing, and set the Debt restructuring public hearing for September 13, 2016:

Vote: Mr. Osl – aye Mr. Banks – aye
Mr. Ingle – aye Mr. Meinhard – aye
Mr. Wheeler – aye

Chairman Banks stated that the Board had discussed refinancing in a previous public meeting, and the consensus was to restructure the debt. Currently there is approximately \$17 million in debt with a 3% interest rate that has large balloon payments in the future. Mr. Jimmy Sanderson with Davenport & Company informed those in attendance that in 2025 the interest rate will reset to a yet-to-be-determined level. The refinance anticipates an interest savings of approximately 1% annually. Chairman Banks stated that he is in favor of the refinancing. He was hesitant early on because there are transaction costs, but the county is reducing payments.

The Chairman opened the public hearing. Dr. Christine Ross stated that she is in favor of the refinancing. Mrs. Patty Pedrick asked if the contracts with Davenport and Sands Anderson are a moot point. The Chairman stated that the contracts have been ratified. Ms. Suzanne Moore asked how the repayment schedules worked. Mr. Jimmy Sanderson stated that there is one principal payment and two interest payments per year. With no additional citizens signed up to speak, the Chairman then closed the public hearing.

On a motion by Supervisor Wheeler and carried unanimously, the Board approved the Debt Restructuring:

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$18,500,000 GENERAL OBLIGATION SCHOOL BOND OF THE COUNTY OF CUMBERLAND, VIRGINIA, TO BE SOLD TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY AND PROVIDING FOR THE FORM AND DETAILS THEREOF

WHEREAS, the Board of Supervisors (**the “Board”**) of the County of Cumberland, Virginia (**the “County”**), has determined that it is necessary and expedient to borrow an amount not to exceed \$18,500,000 and to issue its general obligation school bond (**as more**

specifically defined below, the “Local School Bond”) for the purpose of financing and refinancing certain capital projects for school purposes; and

WHEREAS, the County held a public hearing, duly noticed, on September 13, 2016, on the issuance of the Local School Bond in accordance with the requirements of Section 15.2-2606, Code of Virginia 1950, as amended (**the “Virginia Code”**); and

WHEREAS, the School Board of the County has, by resolution, requested the Board of Supervisors to authorize the issuance of the Local School Bond and consented to the issuance of the Local School Bond; and

WHEREAS, Virginia Public School Authority (**“VPSA”**) has offered to purchase the Local School Bond along with the local school bonds of certain other localities with a portion of the proceeds of certain bonds to be issued by VPSA in the fall of 2016 (**the “VPSA Bonds”**);

WHEREAS, the Bond Sale Agreement (as defined below) shall indicate that \$17,400,000 is the amount of proceeds requested (**the “Proceeds Requested”**) from VPSA in connection with the sale of the Local School Bond;

WHEREAS, VPSA’s objective is to pay the County a purchase price for the Local School Bond which, in VPSA’s judgment, reflects the Local School Bond’s market value (**the “VPSA Purchase Price Objective”**), taking into consideration such factors as the amortization schedule the County has requested for the Local School Bond relative to the amortization schedules requested by other localities, the purchase price to be received by VPSA from the sale of the VPSA Bonds and other market conditions relating to the sale of the VPSA Bonds; and

WHEREAS, such factors may result in the Local School Bond having a purchase price other than par and consequently (i) the County may have to issue the Local School Bond in a principal amount of Bonds that is greater than or less than the Proceeds Requested in order to receive an amount of proceeds that is substantially equal to the Proceeds Requested, or (ii) if the maximum authorized principal amount of the Local School Bond set forth in section 1 below does not exceed the Proceeds Requested by at least the amount of any discount, the purchase price to be paid to the County, given the VPSA Purchase Price Objective and market conditions, will be less than the Proceeds Requested; and

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

1 **Authorization of Bonds and Use of Proceeds.** The Board hereby determines that it is advisable to contract a debt and issue and sell its general obligation school bond in an

aggregate principal amount not to exceed \$18,500,000 (**the “Bonds” or the “Local School Bond”**) for the purpose of financing and refinancing certain capital projects for school purposes as described in Exhibit B. The Board hereby authorizes the issuance and sale of the Local School Bond in the form and upon the terms established pursuant to this Resolution.

2 **Sale of the Local School Bond**. The sale of the Local School Bond, within the parameters set forth in paragraph 4 of this Resolution, to VPSA is authorized. Given the VPSA Purchase Price Objective and market conditions, the Board acknowledges that the limitation on the maximum principal amount on the Local School Bond set forth in paragraph 1 of this Resolution restricts VPSA's ability to generate the Proceeds Requested; however, the Local School Bond may be sold for a purchase price not lower than 95% of the Proceeds Requested. The Chairman or Vice Chairman of the Board and the County Administrator (**each a “Delegate”**), or any of them and such other officer or officers of the County as either may designate are hereby authorized and directed to enter into an agreement with VPSA providing for the sale of the Local School Bond to VPSA (**the “Bond Sale Agreement”**). The Bond Sale Agreement shall be in substantially the form submitted to the Board at this meeting, which form is hereby approved, with such completions, insertions, omissions and changes not inconsistent with this Resolution as may be approved by the County officer executing the Bond Sale Agreement.

3 **Details of the Local School Bond**. The Local School Bond shall be dated 16 days prior to the date of its issuance and delivery or such other date designated by VPSA; shall be designated “General Obligation School Bond, Series 2016”; shall bear interest from its dated date payable semi-annually on each January 15 and July 15 beginning July 15, 2017 (**each an “Interest Payment Date”**), at the rates established in accordance with Section 4 of this Resolution; and shall mature on July 15 in the years (**each a “Principal Payment Date”**) and in the amounts acceptable to a Delegate (**the “Principal Installments”**), subject to the provisions of Section 4 of this Resolution.

4 **Interest Rates and Principal Installments**. Each Delegate is hereby authorized and directed to accept the interest rates on the Local School Bond established by VPSA, provided that each interest rate shall be five one-hundredths of one percent (0.05%) over the interest rate to be paid by VPSA for the corresponding principal payment date of the VPSA Bonds, a portion of the proceeds of which will be used to purchase the Local School Bond, and provided further that the true interest cost of the Local School Bond does not exceed two and ninety-six one-hundredths percent (2.96%) per annum. The Interest Payment Dates and the Principal Installments are subject to change at the request of VPSA. Each Delegate is hereby authorized and directed to accept changes in the Interest Payment Dates and the Principal Installments at the request of VPSA, provided that the aggregate principal amount of the Local School Bond shall not exceed the maximum principal amount authorized by this Resolution

and the final maturity of the Local School Bond shall not exceed thirteen (13) years from the date of the issuance and delivery of the Local School Bond. The execution and delivery of the Local School Bond as described in Section 8 hereof shall conclusively evidence the approval and acceptance of all of the details of the Local School Bond by the Delegate as authorized by this Resolution.

5 **Form of the Local School Bond.** The Local School Bond shall be initially in the form of a single, temporary typewritten bond substantially in the form attached hereto as Exhibit A.

6 **Payment: Paying Agent and Bond Registrar.** The following provisions shall apply to the Local School Bond:

(a) For as long as VPSA is the registered owner of the Local School Bond, all payments of principal, premium, if any, and interest on the Local School Bond shall be made in immediately available funds to VPSA at, or before 11:00 a.m. on the applicable Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption, or if such date is not a business day for Virginia banks or for the Commonwealth of Virginia, then at or before 11:00 a.m. on the business day next succeeding such Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption.

(b) All overdue payments of principal and, to the extent permitted by law, interest shall bear interest at the applicable interest rate or rates on the Local School Bond.

(c) The Delegate is authorized and directed to designate a qualified financial institution as Bond Registrar and Paying Agent for the Local School Bond and such designation shall be conclusive.

7 **Prepayment or Redemption.**

The Principal Installments of the Local School Bond held by VPSA coming due on or before July 15, 2026, and the definitive Bonds for which the Local School Bond held by VPSA may be exchanged that mature on or before July 15, 2026, are not subject to prepayment or redemption prior to their stated maturities. The Principal Installments of the Local School Bond held by VPSA coming due on or after July 15, 2027, and the definitive bonds for which the Local School Bond held by VPSA may be exchanged that mature on or after July 15, 2027, are subject to prepayment or redemption at the option of the County prior to their stated maturities in whole or in part, on any date on or after July 15, 2026, upon payment of the prepayment or redemption prices (expressed as percentages of Principal Installments to be prepaid or the principal amount of the Local School Bond to be redeemed) set forth below plus accrued interest to the date set for prepayment or redemption:

Dates

Prices

July 15, 2026 through July 14, 2027	101%
July 15, 2027 through July 14, 2028	100½
July 15, 2028 and thereafter	100

Provided, however, that the Principal Installments of the Local School Bond shall not be subject to prepayment or redemption prior to their stated maturities as described above without first obtaining the written consent of VPSA or other registered owner of the Local School Bond. Notice of any such prepayment or redemption shall be given by the Bond Registrar to VPSA or other registered owner by registered mail not more than ninety (90) and not less than sixty (60) days before the date fixed for prepayment or redemption.

If VPSA refunds the VPSA Bonds in the future and such refunding causes the Local School Bond to be deemed refunded, the prepayment or redemption of the Local School Bond will be subject to VPSA approval and subject to similar prepayment or redemption provisions as set forth above that correspond to the call period of the VPSA bonds issued in part to refund the Local School Bond.

8 Execution of the Local School Bond. The Chairman or Vice Chairman and the Clerk or any Deputy Clerk of the Board are authorized and directed to execute and deliver the Local School Bond and to affix the seal of the County thereto.

9 Pledge of Full Faith and Credit. For the prompt payment of the principal of, premium, if any, and the interest on the Local School Bond as the same shall become due, the full faith and credit of the County are hereby irrevocably pledged, and in each year while any portion of the Local School Bond shall be outstanding there shall be levied and collected in accordance with law an annual ad valorem tax upon all taxable property in the County subject to local taxation sufficient in amount to provide for the payment of the principal of and premium, if any, and the interest on the Local School Bond as such principal, premium, if any, and interest shall become due, which tax shall be without limitation as to rate or amount and in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

10 Use of Proceeds Certificate and Certificate as to Arbitrage. The Chairman or Vice Chairman of the Board, the County Administrator and such other officer or officers of the County as either may designate are hereby authorized and directed to execute and deliver on behalf of the County a Use of Proceeds Certificate and Tax Compliance Agreement (**the “Tax Compliance Agreement”**) setting forth the expected use and investment of the proceeds of the Local School Bond and containing such covenants as may be necessary in order to show compliance with the provisions of the Internal Revenue Code of 1986, as amended (**the**

“Code”), and applicable regulations relating to the exclusion from gross income of interest on the VPSA Bonds. The Board covenants on behalf of the County that (i) the proceeds from the issuance and sale of the Local School Bond will be invested and expended as set forth in such Tax Compliance Agreement and that the County shall comply with the other covenants and representations contained therein and (ii) the County shall comply with the provisions of the Code so that interest on the VPSA Bonds will remain excludable from gross income for federal income tax purposes.

11 **State Non-Arbitrage Program; Proceeds Agreement.** The Board hereby determines that it is in the best interests of the County to authorize and direct the County Treasurer to participate in the State Non-Arbitrage Program in connection with the Local School Bond. The Chairman or Vice Chairman of the Board, the County Administrator and such officer or officers of the County as either may designate are hereby authorized and directed to execute and deliver a Proceeds Agreement with respect to the deposit and investment of proceeds of the Local School Bond by and among the County, the other participants in the sale of the VPSA Bonds, VPSA, the investment manager and the depository, substantially in the form submitted to the Board at this meeting, which form is hereby approved.

12 **Continuing Disclosure Agreement.** The Chairman or Vice Chairman of the Board, the County Administrator and such other officer or officers of the County as either may designate are hereby authorized and directed to execute a Continuing Disclosure Agreement, as set forth in Appendix D to the Bond Sale Agreement, setting forth the reports and notices to be filed by the County and containing such covenants as may be necessary in order to show compliance with the provisions of the Securities and Exchange Commission Rule 15c2-12, under the Securities Exchange Act of 1934, as amended, and directed to make all filings required by Section 3 of the Bond Sale Agreement should the County be determined by VPSA to be a MOP (as defined in the Bond Sale Agreement).

13 **Refunding.** The Board hereby acknowledges that VPSA may issue refunding bonds to refund any bonds previously issued by VPSA, including the VPSA Bonds issued to purchase the Local School Bond, and that the purpose of such refunding bonds would be to enable VPSA to pass on annual debt service savings to the local issuers, including the County. Each of the Delegates is authorized to execute and deliver to VPSA such allonge to the Local School Bond, revised debt service schedule, IRS Form 8038-G or such other documents reasonably deemed necessary by VPSA and VPSA’s bond counsel to be necessary to reflect and facilitate the refunding of the Local School Bond and the allocation of the annual debt service savings to the County by VPSA. The Clerk of the Board is authorized to affix the County’s seal on any such documents and attest or countersign the same.

14 **Filing of Resolution.** The appropriate officers or agents of the County are hereby authorized and directed to cause a certified copy of this Resolution to be filed with the Circuit Court of the County of Cumberland, Virginia.

15 **Election to Proceed under Public Finance Act.** In accordance with Section 15.2-2601 of the Virginia Code, the Board elects to issue the Local School Bond pursuant to the provisions of the Public Finance Act of 1991, Chapter 26 of Title 15.2 of the Virginia Code.

16 **Further Actions.** The members of the Board and all officers, employees and agents of the County are hereby authorized to take such action as they or any one of them may consider necessary or desirable in connection with the issuance and sale of the Local School Bond and otherwise in furtherance of this Resolution and any such action previously taken is hereby ratified and confirmed.

17 **Effective Date.** This Resolution shall take effect immediately.

* * *

CERTIFICATION OF ADOPTION OF RESOLUTION

The undersigned Clerk of the Board of Supervisors of the County of Cumberland, Virginia hereby certifies that the Resolution set forth above was adopted during an open meeting on September 13, 2016, by the Board of Supervisors with the following votes:

Aye: Supervisor William F. Osl, Jr.
Chairman Lloyd Banks, Jr.,
Vice Chairman Kevin Ingle
Supervisor David Meinhard
Supervisor Parker Wheeler

Nay: None

Abstentions: None

Absent: None

Signed this 13th day of September, 2016.

EXHIBIT A

(FORM OF TEMPORARY BOND)

NO. TR-1

\$_____

UNITED STATES OF AMERICA
COMMONWEALTH OF VIRGINIA
COUNTY OF CUMBERLAND
General Obligation School Bond
Series 2016

Dated Date: _____ [16 days prior to issuance], 2016

Issue Date: November __, 2016

The **COUNTY OF CUMBERLAND, VIRGINIA (the "County")**, for value received, hereby acknowledges itself indebted and promises to pay to the **VIRGINIA PUBLIC SCHOOL AUTHORITY ("VPSA")** the principal amount of _____ DOLLARS (\$_____), in annual installments in the amounts set forth on Schedule I attached hereto payable on July 15, 201_ and annually on July 15 thereafter to and including July 15, 20__ (**each a "Principal Payment Date"**), together with interest from the dated date of this Bond on the unpaid installments, payable semi-annually on January 15 and July 15 of each year, commencing on July 15, 2017 (**each an "Interest Payment Date"**, together with any **Principal Payment Date**, a **"Payment Date"**), at the rates

per annum set forth on Schedule I attached hereto, subject to prepayment or redemption as hereinafter provided. Principal of and interest and premium, if any, on this Bond are payable in lawful money of the United States of America.

For as long as VPSA is the registered owner of this Bond, _____ as bond registrar **(the "Bond Registrar")**, shall make all payments of the principal, premium, if any, and interest on this Bond, without the presentation or surrender hereof, to VPSA, in immediately available funds at or before 11:00 a.m. on the applicable Payment Date or date fixed for prepayment or redemption. If a Payment Date or date fixed for prepayment or redemption is not a business day for banks in the Commonwealth of Virginia or for the Commonwealth of Virginia, then the payment of principal, premium, if any, or interest on this Bond shall be made in immediately available funds at or before 11:00 a.m. on the business day next succeeding the scheduled Payment Date or date fixed for prepayment or redemption. Upon receipt by the registered owner of this Bond of said payments of principal, premium, if any, and interest, written acknowledgment of the receipt thereof shall be given promptly to the Bond Registrar, and the County shall be fully discharged of its obligation on this Bond to the extent of the payment so made. Upon final payment, this Bond shall be surrendered to the Bond Registrar for cancellation.

The full faith and credit of the County are irrevocably pledged for the payment of the principal of and the premium, if any, and interest on this Bond. The resolution adopted by the Board authorizing the issuance of the Bonds provides, and Section 15.2-2624, Code of Virginia 1950, as amended, requires, that there shall be levied and collected an annual tax upon all taxable property in the County subject to local taxation sufficient to provide for the payment of the principal, premium, if any, and interest on this Bond as the same shall become due which tax shall be without limitation as to rate or amount and shall be in addition to all other taxes authorized to be

levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

This Bond is duly authorized and issued in compliance with and pursuant to the Constitution and laws of the Commonwealth of Virginia, including the Public Finance Act of 1991, Chapter 26, Title 15.2, Code of Virginia 1950, as amended, and resolutions duly adopted by the Board of Supervisors of the County and the School Board of the County to provide funds for capital projects for school purposes.

This Bond may be exchanged without cost, on twenty (20) days written notice from VPSA, at the office of the Bond Registrar on one or more occasions for one or more temporary bonds or definitive bonds in marketable form and, in any case, in fully registered form, in denominations of \$5,000 and whole multiples thereof, and having an equal aggregate principal amount, having principal installments or maturities and bearing interest at rates corresponding to the maturities of and the interest rates on the installments of principal of this Bond then unpaid. This Bond is registered in the name of VPSA on the books of the County kept by the Bond Registrar, and the transfer of this Bond may be effected by the registered owner of this Bond only upon due execution of an assignment by such registered owner. Upon receipt of such assignment and the surrender of this Bond, the Bond Registrar shall exchange this Bond for definitive bonds as hereinabove provided, such definitive bonds to be registered on such registration books in the name of the assignee or assignees named in such assignment.

The principal installments of this Bond coming due on or before July 15, 2026 and the definitive Bonds for which this Bond may be exchanged that mature on or before July 15, 2026, are not subject to prepayment or redemption prior to their stated maturities. The principal installments of this Bond coming due on or after July 15, 2027, and the definitive Bonds for which

this Bond may be exchanged that mature on or after July 15, 2027, are subject to prepayment or redemption at the option of the County prior to their stated maturities in whole or in part, on any date on or after July 15, 2026, upon payment of the prepayment or redemption prices (expressed as percentages of principal installments to be prepaid or the principal amount of the Bonds to be redeemed) set forth below plus accrued interest to the date set for prepayment or redemption:

<u>Dates</u>	<u>Prices</u>
July 15, 2026 through July 14, 2027	101%
July 15, 2027 through July 14, 2028	100½
July 15, 2028 and thereafter	100

Provided, however, that the principal installments on this Bond shall not be subject to prepayment or redemption prior to their stated maturities as described above without the prior written consent of VPSA or other registered owner of this Bond. Notice of any such prepayment or redemption shall be given by the Bond Registrar to VPSA or other registered owner by registered mail not more than ninety (90) and not less than sixty (60) days before the date fixed for prepayment or redemption.

If VPSA refunds its bonds issued in part to purchase this Bond in the future and such refunding causes this Bond to be deemed refunded, the prepayment or redemption of this Bond will be subject to VPSA approval and subject to similar prepayment or redemption provisions as set forth above that correspond to the call period of the VPSA bonds issued in part to refund this Bond.

All acts, conditions and things required by the Constitution and laws of the Commonwealth of Virginia to happen, exist or be performed precedent to and in the issuance of

this Bond have happened, exist and have been performed in due time, form and manner as so required, and this Bond, together with all other indebtedness of the County, is within every debt and other limit prescribed by the Constitution and laws of the Commonwealth of Virginia.

IN WITNESS WHEREOF, the Board of Supervisors of the County of Cumberland, Virginia has caused this Bond to be issued in the name of the County of Cumberland, Virginia, to be signed by its Chairman or Vice Chairman, its seal to be affixed hereto and attested by the signature of its Clerk, and this Bond to be dated [_____], 2016.

COUNTY OF CUMBERLAND, VIRGINIA

(SEAL)

ATTEST:

Clerk, Board of Supervisors of the
County of Cumberland, Virginia

Chairman, Board of Supervisors of the
County of Cumberland, Virginia

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(PLEASE PRINT OR TYPEWRITE NAME AND ADDRESS, INCLUDING ZIP CODE, OF ASSIGNEE)

PLEASE INSERT SOCIAL SECURITY OR OTHER

IDENTIFYING NUMBER OF ASSIGNEE: _____

the within Bond and irrevocably constitutes and appoints

_____ attorney to exchange said Bond for definitive bonds in lieu of which this Bond is issued and to register the transfer of such definitive bonds on the books kept for registration thereof, with full power of substitution in the premises.

Date: _____

Registered Owner

Signature Guaranteed:	(NOTICE: The signature above must correspond with the name of the Registered Owner as it
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<p>_____</p> <p>(NOTICE: Signature(s) must be guaranteed by an “eligible guarantor institution” meeting the requirements of the Bond Registrar which requirements will include Membership or participation in STAMP or such other “signature guarantee program” as may be determined by the Bond Registrar in addition to, or in substitution for, STAMP, all in accordance with the Securities Exchange Act of 1934, as amended.</p>	<p>appears on the front of this Bond in every particular, without alteration or change.)</p>
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EXHIBIT B

Provide financing and refinancing of the County’s high school complex school facilities located in the County, all of which constitute capital projects for public school purposes.

Vote: Mr. Osl – aye Mr. Banks – aye
 Mr. Ingle – aye Mr. Meinhard – aye
 Mr. Wheeler – aye

d) Virginia’s Heartland Regional Industrial Facility Authority

County Administrator, Vivian Giles, informed the Board that the group has been idle for years due to no activity, and is now active again.

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 Meinhard and carried unanimously, the Board approved an Ordinance to reconstitute and confirm the Virginia's Heartland Regional Industrial Facility Authority:

**AN ORDINANCE TO RECONSTITUTE AND CONFIRM THE VIRGINIA'S
HEARTLAND REGIONAL INDUSTRIAL FACILITY AUTHORITY**

SEPTEMBER 13, 2016

WHEREAS the Cumberland County Board of Supervisors (the Board) has determined that the economic growth and development of Cumberland County and the comfort, convenience, and welfare of its citizens require the development of a large regional industrial facility; and,

WHEREAS the purpose of the large regional facility is to complement the existing smaller facilities available in the County and to attract the business prospects that desire a large facility not otherwise available in the "Heartland Region"; and

WHEREAS the creation of a large regional facility will draw a large number of prospects, not otherwise coming to the County into the County as industry support or business support to the larger regional industrial facility and will facilitate economic development in the County that would not otherwise be available; and

WHEREAS the Board has recognized that regional cooperation in industrial development will assist the County and other cooperating localities to achieve a greater degree of economic stability; and,

WHEREAS the Board has further determined that joint action through a regional industrial facilities authority will facilitate the development of needed facilities and enhance the economic base for the member localities by developing, owning, and operating one or more facilities on a cooperative basis; and,

WHEREAS the Board has determined that formation of a regional industrial facilities authority in cooperation with the counties of Amelia, Buckingham, Charlotte, Lunenburg and Prince Edward along with Cumberland County (the "Heartland Counties") and in compliance with the Virginia Regional Industrial Facilities Act, Chapter 64 of Title 15.2 of the Code of Virginia, 1950, as amended, will benefit the inhabitants of the region and other areas of the Commonwealth, for the increase of their commerce, and for the promotion of their safety, health, welfare, convenience and prosperity;

NOW TIHEREFORE, BE IT ORDAINED by the Board of Supervisors of Cumberland County, Virginia that:

IN accord with Title 15.2, Chapter 64 of the 1950 Code of Virginia, as amended, there is hereby created the Virginia's Heartland Regional Industrial Facility Authority, provided:

THAT this ordinance shall become effective upon adoption of a similar ordinance by each of the Heartland Counties; and

THAT the adopting ordinance of each of the Heartland Counties shall contain provisions regarding the Virginia's Heartland Regional Industrial Facility Authority identical to the provisions as stated in the following ordinance, and

BE IT FURTHER ORDAINED,

1.) The Chairman of Cumberland County Board of Supervisors is authorized, upon review and majority vote of the members of the Board of Supervisors in favor of the Agreement, to execute an agreement establishing the respective rights and obligations of Cumberland County and each of the other Heartland Counties with respect to the Virginia's Heartland Regional Industrial Facility Authority, consistent with Title 15.2, Chapter 64 of the 1950 Code of Virginia, as amended, and

2.) Definitions.

"Act" shall mean the Regional Industrial Facilities Act, Chapter 64 of Title 15.2 of the Code of Virginia, 1950, as amended.

"Agreement" shall mean the "Agreement for Cost Sharing and Revenue Sharing between each of the Heartland Counties."

"Authority" shall mean the regional industrial facility authority created hereby by cooperative action of each of the Heartland Counties and named herein, the Virginia Heartland Regional Industrial Facility Authority."

"Board of Directors" shall mean the Board of Directors of the Virginia Heartland Regional Industrial Facility Authority.

"Governing Body" shall mean the board of supervisors of counties that are members of the Authority.

"Member Localities" shall mean all members of the Virginia Heartland Regional Industrial Facility Authority, which initially include Amelia County, Buckingham County, Charlotte County, Cumberland County, Lunenburg County and Prince Edward County.

3.) Creation, Name, Powers, Dissolution and Fiscal Year.

- (a.) There is hereby created, pursuant to the Act and in conjunction with the adoption of a similar ordinance by the Board of Supervisors of each of the Heartland's Counties, a political subdivision of the Commonwealth named the "Virginia's Heartland Regional Industrial Facility Authority." The Virginia's Heartland Regional Industrial Facility Authority may use the short name, "Heartland Authority".
- (b.) The Authority is vested with the powers of a body corporate, including the power to sue and be sued in its own name, plead and be impleaded, and adopt and use a common seal and alter the same as may be deemed expedient. The Authority shall have all rights, duties and powers provided by provision of the Act, and including such powers, rights, and duties as may hereafter be set forth from time to time in the Act.
- (c.) The Authority may be dissolved by resolution of the Board of Directors in compliance with provisions for dissolution stated in the Act.
- (d.) The fiscal year for the Authority shall be the same as that of the Commonwealth.

4.) Purpose.

The Authority is charged with the specific purpose to develop the "Virginia's Heartland First Regional Industrial Park" as a regional industrial park and for the additional purpose of future development of other industrial properties or other reasons as permitted by the Act and as agreed upon by the Member Localities.

5.) Membership.

The Member Localities of the Authority are Amelia County, Buckingham County, Charlotte County, Cumberland County, Lunenburg County and Prince Edward County, each of which is a political subdivision of the Commonwealth of Virginia, and each of which is authorized by the Act to participate in the Authority. The membership may, with the approval of the Board of Directors, be expanded in compliance with provision for expansion as stated in the Act.

6.) Member Locality Agreement.

The Authority shall be governed by the Act, this Article, and by the Agreement executed by the Governing Body of each Member Locality. The Agreement shall establish the respective rights and obligations of the Member Localities and shall provide for revenue and economic growth-sharing arrangements with respect to tax revenues and other income and revenues generated by any facility owned by the Authority.

7.) Board of Directors

- (a.) The powers, rights, and duties conferred by the Act upon the Authority shall be exercised by a Board of Directors, which shall initially consist of two members appointed by the Governing Body of each Member Locality. The number of directors of the Authority may be supplemented by decision of and appointment by the Governing Bodies as permitted by the Act.
- (b.) Each Member Locality shall initially appoint to the Board of Directors the County Administrator and either a member of the Governing Body or a member of the Industrial Development Authority. Subsequent appointments shall be two of the following: the County Administrator, a member of the Governing Body or a member of the Industrial Development Industrial Authority.
- (c.) Each member of the Board of Directors shall serve for a term of four years and may be reappointed for one additional four-year term, with the following exception regarding the initial Board of Directors to provide for staggered terms. One of the two members appointed from each Member Locality to the initial Board of Directors shall be appointed for a term of two years and may be reappointed for an additional four-year term. The term of office of the members of the initial Board of Directors shall begin on the date of the creation of the Authority.
- (c.) Each member of the Board of Directors, before entering upon the discharge of the duties of the office, shall take and subscribe to the oath prescribed in section 49-1 of the Code of Virginia, 1950, as amended, and shall serve in compliance with the Act, this Article, and the Agreement.

- (d.) The Board of Directors shall adopt bylaws, rules and/or regulations to carry out the provisions of the Act. The bylaws, rules, or regulations shall, among other things, specify the principal office for the Authority, identify the schedule and place for meetings of the Board of Directors, and provide for the general administration of the operations of the Authority.
- (e.) Members of the Board of Directors shall be reimbursed for actual expenses incurred in the performance of their duties from funds available to the Authority.

8.) Principal office location, records, and title to property.

The principal office of the Authority shall be located within a Member Locality. All records shall be kept at such office. The title to all property of every kind belonging to the Authority shall be titled to the Authority, which shall hold such title for the benefit of its Member Localities.

9.) Funding.

Funding of the Authority shall be by appropriation as decided from time-to-time by the Governing Bodies of the Member Localities and from such other sources as are identified in the Agreement.

10.) Required Reports.

- (a.) Annual Reports. The Board of Directors shall report to the Governing Body of each Member Locality annually, on or before the last March meeting of the Governing Body, on the activities of the Authority. In addition to oral presentation at the meeting, a written annual report shall be provided prior to the meeting and shall contain, at a minimum, the following information:
 - (i.) A financial update through December 31 of the current fiscal year,
 - (ii.) After completion of the first fiscal year, an audited financial report showing expenditures and revenues and a statement showing financial condition at the end of the preceding fiscal year;
 - (iii.) A written report, approved by the Board of Directors, of the activities and accomplishments of the Authority and recommendations regarding future activities of the Authority; and
 - (iv.) A list of tenants, purchasers or other persons occupying the Virginia's Heartland First Regional Industrial Park or any other regional industrial facilities developed by the Authority.
- (b.) Special Reports. Upon written request of the Governing Body of any Member Locality, the Board of Directors shall report to the Governing Body within (30) days of receipt of the request or

within a longer period if so provided in the written request. The special report shall describe the activities and financial status of the Authority within the six-month period immediately preceding the request, or as otherwise specified in the written request and shall be furnished to each Member Locality.

A written report shall be provided if requested.

Adopted this 13th day of September, 2016.

Lloyd Banks, Jr., Chairman
Cumberland County Board of Supervisors

Vivian Giles, County Administrator
Clerk to the Board

REGIONAL INDUSTRIAL FACILITY AUTHORITY AGREEMENT FOR COST SHARING AND REVENUE SHARING BETWEEN AMELIA COUNTY, VIRGINIA, BUCKINGHAM COUNTY, VIRGINIA, CHARLOTTE COUNTY, VIRGINIA, CUMBERLAND COUNTY, VIRGINIA, LUNENBURG COUNTY, VIRGINIA AND PRINCE EDWARD COUNTY, VIRGINIA

Virginia's Heartland First Regional Industrial Park

This agreement is made and entered into this ____day of December, 2000, by and between the Amelia County Board of Supervisors (hereafter "Amelia County"), the Buckingham County Board of Supervisors (hereafter "Buckingham County"), the Charlotte County Board of Supervisors (hereafter "Charlotte County"), the Cumberland County Board of Supervisors (hereafter "Cumberland County"), the Lunenburg County Board of Supervisors (hereafter "Lunenburg County"), and the Prince Edward County Board of Supervisors (hereafter "Prince Edward"). Amelia County, Buckingham County, Charlotte County, Cumberland County, Lunenburg County and Prince Edward County are collectively referred to as the "Heartland Counties".

RECITATIONS:

- A. The Virginia Economic Development Partnership has determined that seventy- five percent (75%) of business prospects fail to visit any Heartland County due to the lack of large industrial parks (minimum acreage of 200-300 acres).
- B. The Heartland Counties have heretofore agreed to work cooperatively to develop the Virginia's Heartland First Regional Industrial Park as a regional industrial park, incorporating the approximately 400 acres ("Phase I") owned by the Virginia's Heartland Partnership, Inc. (the "Partnership"). The purpose of the regional industrial park is to enhance the desirability of smaller facilities in the Heartland Counties and not to be in competition with those existing facilities.
- C. A Preliminary Engineering Report for the Virginia's Heartland First Regional Industrial Park (the "Project") completed by Dewberry & Davis, Inc. and dated January 10, 2000, provides a cost estimate of \$2,773,830 for the Phase I.
- D. To assist in the development of the Project, an application was made on behalf of the Heartland Counties by Virginia's Heartland Partnership, Inc., (the "Agent") to request \$1,375,000 from the Virginia Industrial Site Development Fund (ISDF) which is the maximum amount available from the program. The state funds which were awarded to the Project on August 23, 2000, will be spent toward the infrastructure and site preparation of the Project. The award is subject to certain conditions including, but not limited to, the creation of an industrial facilities authority or the designation of a lead county.
- E. To further assist in the development of the Project, the Partnership submitted a request for an additional \$1,375,000 to the Virginia Tobacco and Indemnification and Community Revitalization Commission (the "Commission"). The Commission made a conditional commitment for such funds and the required conditions were satisfied with the filing of the application on October 30, 2000.
- F. The Virginia Regional Industrial Facilities Act, Chapter 64 of title 15.2 of the Code of Virginia, 1950, as amended (the "Act"), allows for local jurisdictions in the

Commonwealth to form regional industrial authorities and to share development costs and tax revenues from regional industrial parks.

WITNESSETH: That for and in consideration of the mutual benefits inuring to each of the parties hereto, and in further consideration of the duties and responsibility hereby imposed upon the parties hereto, the parties do hereby covenant and agree as follows:

1. Creation of Regional Industrial Facility Authority.

The Heartland Counties agree to establish a regional industrial facility authority through adoption of respective ordinances, as allowed by and in compliance with the Act. The powers, rights, and duties of the Authority shall be exercised by a Board of Directors composed of twelve members, to include two from each county and who shall each be a member of the county Board of Supervisors, members of the Industrial Development Authority or the County Administrator as appointed by each respective Board of Supervisors. The terms and duties of the members of the Board of Directors shall be specified as in the ordinance and in the Act. The regional industrial facility authority shall be named the "Virginia's Heartland Regional Authority or to be reinvested in the Authority, which shall be determined by the Board of Directors of the Authority. The portion of proceeds due to each Heartland County shall be paid within sixty (60) days of the closing on the sale.

7. Sharing of Tax Revenues.

Once one or more industries have located within the Project, Charlotte County will begin to realize tax revenues from such industries for business personal property tax ("business personal property" tax shall include all taxes other than real estate taxes). Charlotte County alone shall set the rate at which business personal property is taxed and the due date of such taxes. Charlotte County will incur costs such as police, fire and public safety expenses and will suffer loss of income from state and federal sources because of the location of the Project and therefore, shall retain five percent (5%) of the business personal property tax revenues collected from industry located within the Project ("Project Revenues"). The remaining ninety-five percent (95%) shall be distributed as follows:

(i.) fifty percent (50%) to the Authority for maintenance of the Project and (ii.) forty-five percent (45%) to the Agent for regional marketing efforts.

8. Payment of Tax Revenues to the Authority.

Cumberland County shall pay the portion of business personal property tax revenues due to the Authority within sixty (60) days of actual receipt of such tax.

9. Joint Marketing and Management of the Industrial Park.

It shall be the responsibility of the Partnership to market the Virginia's Heartland's First Regional Industrial Park. The Heartland Counties have previously agreed to funding for the Partnership.

10. VDOT Industrial Access Funds.

As "host" locality, Charlotte County acknowledges that it must be the locality which applies for industrial access road funding (unless legislation becomes available to allow the Authority to access such funds), if needed for a particular industry (or industries). It is not the intent of any Heartland County to apply for these funds unless a qualified industry meets the private investment requirements for the program. Any proposal to locally fund or locally match state funding for permanent road construction must be considered as separate from this Agreement, subject to approval by all Heartland Counties.

AMELIA COUNTY BOARD OF SUPERVISORS

BY: _____
CHAIRMAN

ATTEST: _____
CLERK

BUCKINGHAM COUNTY BOARD OF SUPERVISORS

BY: _____
CHAIRMAN

ATTEST: _____
CLERK

CHARLOTTE COUNTY BOARD OF SUPERVISORS

BY: _____
CHAIRMAN

ATTEST:

CLERK

CUMBERLAND COUNTY BOARD OF SUPERVISORS

BY: _____
CHAIRMAN

ATTEST:

CLERK

LUNENBURG COUNTY BOARD OF SUPERVISORS

BY: _____
CHAIRMAN

ATTEST:

CLERK

PRINCE EDWARD COUNTY BOARD OF SUPERVISORS

BY: _____
CHAIRMAN

ATTEST:

CLERK

BOARD OF SUPERVISORS OF CUMBERLAND COUNTY, VIRGINIA

RESOLUTION

RE: APPOINTMENTS TO BOARD OF DIRECTORS OF VIRGINIA'S HEARTLAND REGIONAL INDUSTRIAL FACILITY AUTHORITY

IT IS HEREBY RESOLVED that Vivian Seay Giles, County Administrator for Cumberland County, Virginia, is hereby appointed as a member of the Board of Directors of Virginia's Heartland Regional Industrial Facility Authority for a term extending to and through June 30, 2020.

IT IS HEREBY FURTHER RESOLVED that Kevin Ingle, District 3 Supervisor on the Board of Supervisors of Cumberland County, Virginia, is hereby appointed as a member of the Board of Directors of Virginia's Heartland Regional Industrial Facility Authority for a term extending to and through June 30, 2018.

ADOPTED this 13th day of September, 2016.

VOTING AYE	VOTING NAY	ABSENT/ABSTAIN
Supervisor William F. Osl. Jr.		
Chairman Lloyd Banks, Jr.		
Vice-Chairman Kevin Ingle		
Supervisor David Meinhard		
Supervisor Parker Wheeler		

The undersigned hereby certifies that the foregoing is an accurate account of the vote taken at a duly convened meeting of the Board of Supervisors of Cumberland County, Virginia, on the 13TH day of September, 2016, at which a quorum was present at the time the meeting was convened and at the time said vote was taken.

Vivian Seay Giles, Clerk

BOARD OF SUPERVISORS OF CUMBERLAND COUNTY, VIRGINIA

ORDINANCE

RE: TERMS OF OFFICE OF APPOINTEES TO BOARD OF DIRECTORS OF VIRGINIA'S HEARTLAND REGIONAL INDUSTRIAL FACILITY AUTHORITY

RECITALS:

- R-1 In 2000 the Cumberland County Board of Supervisors adopted an ordinance creating Virginia's Heartland Regional Industrial Facility Authority ("Heartland Authority").
- R-2 In paragraph 7 of the 2000 ordinance, membership on the Heartland Authority Board of Directors was limited to two four-year terms for each appointee.
- R-3 Section 15.2-6403.A. of the Code of Virginia allows the reappointment of members to the Heartland Authority Board of Directors for as many four-year terms as the appointing governing body desires.
- R-4 The Cumberland County Board of Supervisors adopts this ordinance to remove the term limit imposed by the 2000 ordinance, and instead provide for reappointment of members to the Heartland Authority Board of Directors as provided for in Section 15.2-6403.A. of the Code of Virginia.

IT IS, ACCORDINGLY, HEREBY ORDAINED AS FOLLOWS:

- 1. Each appointee to the Heartland Authority Board of Directors shall serve for a term of four years, and may be reappointed for as many terms as the Cumberland County Board of Supervisors desires.
- 2. Except to the extent amended hereby, all terms and conditions of the 2000 ordinance shall remain in force and effect.

ADOPTED this 13th day of September, 2016.

VOTING AYE	VOTING NAY	ABSENT/ABSTAIN
Supervisor William F. Osl. Jr.	_____	_____
Chairman Lloyd Banks, Jr.	_____	_____
Vice-Chairman Kevin Ingle	_____	_____
Supervisor David Meinhard	_____	_____
Supervisor Parker Wheeler	_____	_____

The undersigned hereby certifies that the foregoing is an accurate account of the vote taken at a duly convened meeting of the Board of Supervisors of Cumberland County, Virginia, on the 13TH day of September, 2016, at which a quorum was present at the time the meeting was convened and at the time said vote was taken.

Vivian Seay Giles, Clerk

Vote: Mr. Osl – aye Mr. Banks – aye
 Mr. Ingle – aye Mr. Meinhard – aye
 Mr. Wheeler – aye

8. County Attorney/County Administrator Report

- a) Consent Agenda
 - 1) Approval of Bills for August 2016 and September 2016. Approved bills for September 13, 2016 total \$299,655.36. Ratified bills for August 10, 2016 thru September 12, 2016 of warrants total \$313,074.67 with check numbers ranging from 73519-73740. Direct Deposits total \$151,773.59.
 - 2) Approval of Minutes (August 9, 2016 and August 25, 2016)

On a motion by Supervisor Osl and carried unanimously, the Board approved the consent agenda:

Vote: Mr. Osl – aye Mr. Banks – aye
 Mr. Ingle – aye Mr. Meinhard – aye
 Mr. Wheeler – aye

- b) Re-appointments
 - i. Board of Zoning Appeals – Mr. A. Quinten Parker and Mr. Lynn Ayers

On a motion by Supervisor Osl and carried unanimously, the Board recommends Mr. A. Quinten Parker and Mr. Lynn Ayers for appointment to the Board of Zoning Appeals:

Vote: Mr. Osl – aye Mr. Banks – aye
Mr. Ingle – aye Mr. Meinhard – aye
Mr. Wheeler – aye

ii. Water and Sewer Advisory Committee – Ms. Carolyn Helgeson

On a motion by Supervisor Osl and carried unanimously, the Board appointed Ms. Carolyn Helgeson to the Water and Sewer Advisory Committee for a three year term expiring September 30, 2019:

Vote: Mr. Osl – aye Mr. Banks – aye
Mr. Ingle – aye Mr. Meinhard – aye
Mr. Wheeler – aye

iii. Economic Development Authority – Mr. Leroy Pfeiffer, Sr., and Mr. John Godsey

On a motion by Supervisor Osl and carried, the Board appointed Mr. Leroy Pfeiffer Sr., and Mr. John Godsey to the Economic Development Authority for a four year term expiring August 31, 2020:

Vote: Mr. Osl – aye Mr. Banks – aye
Mr. Ingle – aye Mr. Meinhard – aye
Mr. Wheeler – aye

iv. Social Services Board – Ms. Rosa Woodard

On a motion by Supervisor Osl and carried unanimously, the Board appointed Ms. Rosa Woodard to the Social Services Board for a four year term expiring April 31, 2020:

Vote: Mr. Osl – aye Mr. Banks – aye
Mr. Ingle – aye Mr. Meinhard – aye
Mr. Wheeler – aye

c) Lottery for Localities Initiative:

County Administrator, Vivian Giles, informed the Board that this matter was brought before the Board by the Nottoway County Board of Supervisors. They propose a formal request to change the State code to allow a five percent return of lottery sales to the localities where the winning lottery tickets were sold. This proposal will not take money away from the schools.

On a motion by Supervisor Meinhard and carried unanimously, the Board agreed to support Nottoway County in their initiative to bring a portion of lottery winnings back to the localities:

Vote: Mr. Osl – aye Mr. Banks – aye
Mr. Ingle – aye Mr. Meinhard – aye
Mr. Wheeler – aye

d) Request from York County to support a Meals Tax Authority Initiative

County Administrator, Vivian Giles, informed the Board that this matter was brought before the Board by the York County Board of Supervisors. They propose a formal

request to change the State code to allow Counties the ability to implement a meals tax without referendum and at a higher rate than currently authorized, the same as cities and towns and select counties.

On a motion by Supervisor Meinhard and carried by the following vote, the Board agreed to support York County in their initiative to bring equality among all Counties, Cities and Towns and their ability to implement a meals tax in their jurisdictions:

Vote: Mr. Osl – aye Mr. Banks – aye
Mr. Ingle – nay Mr. Meinhard – aye
Mr. Wheeler – aye

- e) Request for Appropriation for payoff of deed of trust for Cumberland Volunteer Rescue Squad

The Cumberland Volunteer Rescue Squad has offered to transfer all assets to the County in exchange for the payoff of the building in the amount of \$65,922.75.

On a motion by Supervisor Wheeler and carried, the Board approved an appropriation not to exceed \$70,000 to pay off the Cumberland Volunteer Rescue Squad building located at 1641 Anderson Highway, and accept the deed in the form as provided:

Vote: Mr. Osl – aye Mr. Banks – aye
Mr. Ingle – aye Mr. Meinhard – aye
Mr. Wheeler – aye

- f) Waterline Extension Easement across County property

On a motion by Supervisor Meinhard and carried unanimously, the Board approved a Waterline Extension Easement to allow the waterline to cross county property located at 049-A-71A, 049-A-71A1, and 049-A-72, also known as the Madison Landfill property, the Animal Control Property and the Maintenance Property:

Vote: Mr. Osl – aye Mr. Banks – aye
Mr. Ingle – aye Mr. Meinhard – aye
Mr. Wheeler – aye

9. Finance Director’s Report

- a) Monthly budget Report

There was no discussion regarding the monthly budget report.

- b) Refund of overpayment of taxes

On a motion by Supervisor Ingle and carried unanimously, the Board approved the refund of overpayment of taxes:

Vote: Mr. Osl – aye Mr. Banks – aye
Mr. Ingle – aye Mr. Meinhard – aye
Mr. Wheeler – aye

- c) Request for reimbursement from Randolph Volunteer Fire Department in the amount of \$12,152.75 for the final truck payment of Engine 41:

On a motion by Supervisor Ingle and carried unanimously, the Board approved a reimbursement request

for Randolph Volunteer Fire Department for the final truck payment of Engine 41 in the amount of \$12,152.75:

VOTE: Mr. Osl – aye Mr. Banks – aye
 Mr. Ingle – aye Mr. Meinhard – aye
 Mr. Wheeler – aye

- d) Supplemental Appropriation for CUCPS Plugged in grant in the amount of \$35,000

On a motion by Supervisor Ingle and carried unanimously, the Board approved a supplemental appropriation for Cumberland County Public Schools for the Plugged In grant in the amount of \$35,000:

Vote: Mr. Osl – aye Mr. Banks – aye
 Mr. Ingle – aye Mr. Meinhard – aye
 Mr. Wheeler – aye

- e) Request for Appropriation - \$120.00 donation to Friends of Cumberland County Animal Control

On a motion by Supervisor Ingle and carried, the Board appropriated a donation to the Friends of Cumberland County Animal Control in the amount of \$120.00:

Vote: Mr. Osl – aye Mr. Banks – aye
 Mr. Ingle – aye Mr. Meinhard – aye
 Mr. Wheeler – aye

10. Planning Director's Report

- a) Planning Project update

There was no discussion on the Planning Project updates.

- b) Reappointment of Randy Bryant to the Planning Commission

On a motion by Supervisor Wheeler and carried unanimously, the Board reappointed Randy Bryant to the Planning Commission for a three year term expiring October 1, 2019:

VOTE:

Mr. Osl – aye	Mr. Banks – aye
Mr. Ingle – aye	Mr. Meinhard – aye
Mr. Wheeler – aye	

- c) Set public hearing for Conditional Use Permit 16-01 Event Barn for Robbie Lipscomb

On a motion by Supervisor Wheeler and carried unanimously, the Board set Conditional Use Permit CUP 16-01 for Public Hearing on October 11, 2016:

Vote:

Mr. Osl – aye	Mr. Banks – aye
Mr. Ingle – aye	Mr. Meinhard – aye
Mr. Wheeler – aye	

- d) Set public hearing for Conditional Use Permit 16-09 N. Whiteville Cell Tower

On a motion by Supervisor Wheeler and carried unanimously, the Board set Conditional Use Permit CUP 16-09 for Public Hearing on October 11, 2016:

Vote: Mr. Osl – aye Mr. Banks – aye
Mr. Ingle – aye Mr. Meinhard – aye
Mr. Wheeler – aye

- e) Set public hearing for Code Amendment 16-08 In-Home Daycare

On a motion by Supervisor Wheeler and carried unanimously, the Board set Conditional Use Permit CUP 16-08 for Public Hearing on October 11, 2016:

Vote: Mr. Osl – aye Mr. Banks – aye
Mr. Ingle – aye Mr. Meinhard – aye
Mr. Wheeler – aye

11. Old Business

N/A

12. New Business

N/A

13. Public Comments (Part 2)

Mr. Lou Siegel stated that the County will lose volunteers if you have paid crews. Cartersville is next. They will be next to ask for payoff of their debt. Consolidate the rescue squads.

14. Board Member Comments

15. Adjourn into Closed Meeting-

On a motion by Supervisor Osl and carried, the Board entered into closed meeting pursuant to the Virginia Code Sections below:

Pursuant to Virginia Code § 2.2-3711.A.7: Consultation with Legal Counsel

Subject: Community Host Agreement

Subject: County Real Property Policies and Acquisition

Pursuant to Virginia Code § 2.2-3711.A.1.: Personnel;

Subject: Assignment of duties and raises

Vote: Mr. Osl – aye Mr. Banks – aye
Mr. Ingle – aye Mr. Meinhard – aye
Mr. Wheeler – aye

16. Reconvene in Open Meeting-

The Board returned to regular meeting on a motion by Supervisor Osl.

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

Mr. Osl - aye
Mr. Banks – aye
Mr. Ingle – aye
Mr. Meinhard - aye
Mr. Wheeler - 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.

17. Additional Information

- a) Treasurer's Report
- b) DMV Report
- c) Monthly Building Inspections Report
- d) Approved Planning Commission meeting minutes
- e) Approved IDA meeting minutes

18. Adjourn -

On a motion by the Chairman and carried, unanimously, the Board adjourned the meeting until the next regularly scheduled meeting to be held on October 11, 2016 at 7:00 p.m. in the Circuit Court Room in the Cumberland Courthouse, Cumberland, Virginia.

Vote: Mr. Osl – aye Mr. Banks – aye
 Mr. Ingle – aye Mr. Meinhard – aye
 Mr. Wheeler – aye

Lloyd Banks, Jr., Chairman

Vivian Giles, County Administrator/County Attorney