



CUMBERLAND COUNTY BOARD OF SUPERVISORS

Regular Monthly Meeting Cumberland County Circuit Courtroom A Cumberland, VA

September 13, 2016
Regular Meeting – 7:00 p.m.

1. **Call to Order**
2. **Welcome and Pledge of Allegiance**
3. **Roll Call**
4. **Approval of Agenda** **Motion**
5. **State and Local Departments/Agencies/Community Service Providers**
 - a. Dr. Amy Griffin, Superintendent of Cumberland County Public Schools **Information**
 - b. VDOT **Information**
 - c. Ms. Robin Sapp, Cumberland Public Library **Information**
 - d. Mr. Joe Hines, Timmons Group – VGA project **Information**
6. **Public Comments (Part one)**
7. **Public Hearings**
 - a. Ratify the public hearing notice and set a public hearing for Conditional Use Permit 16-07 for September 13, 2016
 - b. Conditional Use Permit 16-07 (pg. 1-10)
 - c. Debt restructuring (pg. 11-25)
 - d. Virginia's Heartland Regional Industrial Facility Authority (pg. 26-39)
8. **County Attorney/County Administrator Report**
 - a. Consent agenda **Motion**
 - i. Approval of bills
 - ii. Approval of Minutes (August 9, 2016 and August 25, 2016) (pg. 40-62)
 - b. Re-appointments
 - i. Board of Zoning Appeals – Mr. Quinten Parker and Mr. Lynn Ayers (pg. 63) **Motion**
 - ii. Water and Sewer Advisory Committee – Ms. Carolyn Helgeson (pg. 64) **Motion**
 - iii. Economic Development Authority – Mr. Leroy Pfeiffer, Sr., and Mr. John Godsey (pg. 65) **Motion**
 - iv. Social Services Board – Ms. Rosa Woodard (pg. 66) **Motion**
 - c. Lottery for Localities (pg. 67-74) **Motion**

- d. Request from York County to support a Meals Tax Authority Initiative (pg. 75-83) **Motion**
 - e. Request for Appropriation for payoff of deed of trust for Cumberland Volunteer Rescue Squad (pg. 84) **Motion**
- 9. Finance Director's Report**
- a. Monthly Budget Report (pg. 85-92) **Information**
 - b. Refund of overpayment of taxes (pg. 93-94) **Motion**
 - c. Request for reimbursement from Randolph Volunteer Fire Department in the amount of \$12,152.75 for the final truck payment of Engine 41 (pg. 95-96) **Motion**
- 10. Planning Director's Report**
- a. Planning Project updates (pg. 97-98) **Information**
 - b. Reappointment of Randy Bryant to the Planning Commission (pg. 99) **Motion**
 - c. Set public hearing for Conditional Use Permit 16-01 Event Barn for Robbie Lipscomb (pg. 100) **Motion**
 - d. Set public hearing for Conditional Use Permit 16-09 N. Whiteville Cell Tower (pg. 101) **Motion**
 - e. Set public hearing for Code Amendment 16-08 In-Home Daycare (pg. 102) **Motion**
- 11. Old Business**
- 12. New Business**
- 13. Public Comments (Part two)**
- 14. Board Members Comments**
- 15. Adjourn into Closed Meeting (pg. 103-104) **Motion****
- Pursuant to VA. Code § 2.2-3711.A.7: Consultation with Legal Counsel;
Subject: Host Community Agreement
- 16. Reconvene in Open Meeting **Motion****
- Roll call vote pursuant to Virginia Code § 2.2-3712 certifying “that to the best of each member’s knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body.”
- 17. Additional Information – (pg. 105-112)**
- a. Treasurer’s Report
 - b. DMV Report
 - c. Monthly Building Inspections Report
 - d. Approved Planning Commission meeting minutes – N/A
 - e. Approved IDA minutes-N/A
- 18. Adjourn – Regular Meeting – October 11, 2016**



STAFF REPORT
CUP 16-07
Oliver
Conditional Use Permit
Cumberland County, Virginia
Board of Supervisors Public Hearing
September 13, 2016

General Information:

Processing schedule: The Planning Commission considered this request on August 22, 2016, and recommends approval to the Board of Supervisors unanimously. A public hearing has been notified and advertised for the September 13, 2016 Board of Supervisors meeting. Since the application was received after the last Board meeting, a public hearing was not set for this proposal. In the interest of time, staff completed the steps for a public hearing, and requests that the Board ratify the public hearing and hold it at this meeting.

Application Information:

Applicant: Jerry Oliver
Requested action: Conditional Use Permit to address lot deficiencies to allow the expansion of a non-conforming garage in the Trice's Lake neighborhood.
Location: Tax map parcel 16A2-1-105B and 16A2-1-106B
Voting District: 1
Zoning: R-2
Comprehensive Planning Area: Not in a growth area
Size: Less than 1 acre
Existing uses on the site: residential

Surrounding Area Information:

Adjacent existing uses

Adjacent zoning

Adjacent Comprehensive
Plan Planning Area

North	Residential	R-2	Not in a Growth Area
South	Residential	R-2	Not in a Growth Area
East	Residential	R-2	Not in a Growth Area
West	Residential	R-2	Not in a Growth Area

Summary of Request and Background Information:

The Trice’s Lake area is all zoned R-2. Most of the lots are non-conforming as to lot size and frontage. While the Trice’s Lake CUP allows for development of lots in the area, it does not address the overall non-conformity of particular structures or dwellings. Mr. Oliver owns a total of six lots in the Trice’s Lake community. He has an existing house and garage that he is renovating. The garage is non-conforming on the side yard setback, with a 12 foot setback, rather than the required 15 foot setback. He would like to expand the garage to the rear with a pole barn. Because he is expanding his non-conformity, he is unable to get a zoning permit for this expansion without relief from the requirement. His adjacent neighbor does not have a problem with the expansion. The applicant is willing to vacate property lines that are between his lots to address the other setbacks.

Consistency with the Comprehensive Plan:

Under the land use goals for the Comprehensive Plan, Objective 1 reads, “Through effective zoning, regulate future development to protect existing land use patterns within Cumberland County.” This proposal will allow the development of this property in a way that is consistent with surrounding development.

Consistency with the Zoning Ordinance:

Section 74-786 of the Zoning Ordinance states the grounds for granting a CUP for lot issues. It states, “Preexisting nonconforming lots, parcels, uses or structures that fail to meet the width, area, setback or frontage requirements of this chapter may apply for a conditional use permit to address any such deficiencies, provided the granting of the conditional use permit promotes good zoning practice and will not adversely affect the public health, safety and welfare. The fee for this conditional use permit shall be waived.”

Conclusion:

Staff believes the requested action is consistent with the recommendations of the Comprehensive Plan and the Zoning Ordinance.

Planning Commission Recommendation:

It is the opinion of the Planning Commission that the request promotes good zoning practice and allows both lots to be fully utilized and improved.

The Planning Commission feels that the location and intended use of the property is consistent with the recommendations of the Zoning Ordinance and Comprehensive Plan. Therefore, the Planning Commission recommends **approval** of CUP 16-07 unanimously, with relief from one side yard setback for Tax Map 16A2-1-106B, allowing development towards the adjacent property (16-A2-1-106B-1) with a three foot relief.

This CUP is granted indefinitely. However, if the underlying zoning is changed in the future that would allow the same, similar, or greater development on the parcel than granted by this CUP, it shall be rescinded at the initiation of the Zoning Administrator, with no further action required by the Planning Commission or Board of Supervisors.

Suggested Motion:

Mr. Chairman, because this request meets the intent and spirit of the Zoning Ordinance and Comprehensive Plan, I move that the Board of Supervisors approve CUP 16-07, a conditional use permit request in accordance with Sec. 74-786 of the Cumberland County Zoning Ordinance to allow for the correction of lot deficiencies.

Or,

Mr. Chairman, because this request does not meet the intent and spirit of the Zoning Ordinance and Comprehensive Plan, I move that the Board of Supervisors deny CUP 16-07.

Submitted by:

Sara Carter
Planning Director



COMMONWEALTH OF VIRGINIA
COUNTY OF CUMBERLAND

Internal Use Only	
FILE # _____	STAFF _____
RECEIVED _____	
COMPLETED _____	
FEE/Ck. # _____	
RECEIPT #	<i>no fee</i>

Application for Conditional Use Permit

Last revised 7/07/10

Form must be completed in ink, Pencil will not be accepted.

IMPORTANT NOTE: FOR CERTAIN LARGE-SCALE DEVELOPMENTS, STATE LAW NOW REQUIRES A TRAFFIC IMPACT ANALYSIS (T.I.A.) be completed and submitted with a rezoning application **before** the County can deem the application complete.

***Please see the attached T.I.A. info sheet and checklist to determine if such a study shall be required as part of the application. Please contact the zoning administrator for any questions.*

Project Name (how should we refer to this application?): Oliver Garage Addition

Proposal: Match the set back of the existing garage on the property

Location: 14 Lakeside Drive, Columbia, VA 23038

Tax Map Parcel(s): 16A2-1-106B

Zoning: R2 Comprehensive Plan Area: NOT in a growth area

Election District: 200 1

of Acres to be Covered by Conditional Use Permit (if a portion of a parcel or parcels it must be delineated on a plat): less than one acre

Is this an amendment to an existing conditional use permit? If Yes, provide CUP # or approval date: Triled lake CUP YES NO

A Preliminary Site Plan is Required with Application for a CUP. Have you submitted a preliminary site plan? YES NO

Is this a proposal for a shopping center or telecommunication tower? If so, additional information is required additional conditions/use restrictions apply. Please see the Planning & Zoning Dept. for more info. YES NO

Is an amendment to the subdivision or zoning ordinance also proposed as part of the CUP application? If so, complete and attach the Code Amendment application. YES NO

Contact Person (who should we call/write concerning this project?): _____

Anthony J Olivier

Address: 8521 Trabue Road City: Richmond State: VA Zip: 23235

Daytime Phone: (804) 405-1232 Fax #: () Email: joliver2225@gmail.com

Owner of Record (who currently owns the property?): _____

Anthony J ~~Olivier~~ *Olivier*

Address: 8521 Trabue Road City: Richmond State: VA Zip: 23235

Daytime Phone: (804) 405-1232 Fax #: (____) _____ Email: joliver2225@gmail.com

Applicant (who is the contact person representing?): _____

Anthony J ~~Olivier~~ *Olivier*

Address: 8521 Trabue Road City: Richmond State: VA Zip: 23235

Daytime Phone: (804) 405-1232 Fax #: (____) _____ Email: joliver2225@gmail.com

Does the owner of this property own (or have any ownership interest) in any abutting property? If yes, please list those tax map parcel numbers. 16A2-1-105B, 16A2-1-204C, and 16A2-1-205C

Section 74-702 of the Cumberland County Zoning Ordinance provides guidelines for conditional use permit applications.

Please address the following standards which will be reviewed by the staff in analysis of your request. If you need assistance filling out these items, staff is available.

Provide a written statement demonstrating that:

1. The establishment, maintenance or operation of the CUP will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare;
2. The CUP will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
3. The establishment of the CUP will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
4. The exterior architectural appeal and functional plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable district as to cause a substantial depreciation in the property values within the neighborhood;
5. Adequate utilities, access roads, drainage or necessary facilities have been or are being provided;

- 6. Ingress and egress to property and structures on the property with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access of fire or catastrophe are adequately provided for;
- 7. Off-street parking and loading areas where required with particular attention to the items in # 1. above and the economic, noise, glare or odor effects of the special exception on adjoining properties and properties generally in the district are adequately provided for;
- 8. Refuse and service areas, with particular reference to the items in #s 1. and 2. above are adequately provided for;
- 9. Appropriate screening and buffering with reference to type, dimensions and character of the use are adequately provided for;
- 10. Any signs and exterior lighting are compatible and in harmony with properties in the district with reference to aesthetics, glare, traffic safety and economic effect;
- 11. Required building setbacks and other open spaces are adequately provided for;
- 12. The proposed use is compatible with adjacent properties and other property in the zoning district;
- 13. An adequate supply of light and air to adjacent property is adequately provided for; and
- 14. The CUP shall, in all other respects, conform to the applicable regulations of the zoning district in which it is located, except as such regulations may, in each instance, be modified by the Board of Supervisors.

Describe your request in detail and include all pertinent information such as the number of persons involved in the use, operating hours, and any unique features of the proposed use: _____

See Attachment 1.

Describe briefly the improvements proposed. State whether new buildings or structures are to be constructed, existing buildings or structures are to be used or additions made to existing buildings or structures. Give dimensions of the buildings that are to be constructed and the dimensions of any existing buildings on the property (attach any necessary information). _____

See Attachment 1.

Attachments Required – provide two (2) copies of each

1. *Recorded plat or boundary survey of the property requested for the permit.* If there is no recorded plat or boundary survey, please provide legal description of the property and the Deed Book and page number or Plat Book and page number.

Note: If you are requesting a permit for a portion of the property, it needs to be described or delineation on a copy of the plat or surveyed drawing.

2. *Ownership information* – If ownership of the property is in the name of any type of legal entity or organization including, but not limited to, the name of a corporation, partnership or association, or in the name of a trust, or in a fictitious name, a document acceptable to the County must be submitted certifying that the person signing below has the authority to do so.

If the applicant is a contract purchaser or an agent of the owner, an owner/agent agreement must be attached (ask staff for form if needed).

Owner/ Applicant Must Read and Sign

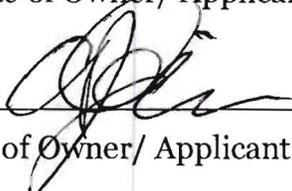
I hereby certify that I own the subject property, or have the legal power to act on behalf of the owner in filing this application. I also certify that the information provided on this application and accompanying information is accurate, true, and correct to the best of my knowledge.

Anthony J. ~~Oliver~~ OLIVER

8/14/2016

Print Name of Owner/ Applicant

Date



804-405-1232

Signature of Owner/ Applicant

Daytime Phone # of Signatory

Oliver Garage Addition, Attachment 1

Description of Request

This CUP is requested to allow the proper construction of an addition to the garage located at 14 Lakeside Drive, Columbia, VA, 23038. The garage addition will be used to store recreational items such as kayaks, an ATV, an ATV trailer, and yard maintenance equipment that are currently stored openly on the property. The owner desires to match the set back and roof line of the existing garage. However, the existing garage has a 13 foot set back from the neighbor's property line, while the County requires a 15 foot setback. The proposed addition will match the dimensions of the existing garage, will maintain the same roof line, and will be completed with siding and paint that also matches the existing garage. Doing so will create a uniform, aesthetically pleasing structure. In addition, maintaining the set back of the existing garage will prevent the addition from being noticed when viewing from the front yard. If the owner is required to conform to the County's 15 foot set back, the resulting structure will be a visual nuisance since the walls and roof line of the new structure will no longer match. The owner has contacted the adjacent property owner, Daniel Lingerfelt (804-357-8229), regarding the proposed addition. Mr. Lingerfelt has no issue with the proposed addition. In fact, he prefers that the addition matches the setback of the existing garage as it will be more visually appealing.

In summary, the proposed addition will help improve aesthetics within the neighborhood and will have no negative impact on the community standards outlined in the CUP application, including:

- Public health, safety, morals, comfort, or general welfare
- Property values
- Surrounding development
- Utilities/road access
- Ingress/egress
- Parking
- Refuse services
- Signage/lighting
- Open space
- Zoning
- Light/air for adjacent properties

Description of Proposed Improvements

The proposed improvement is an addition to the existing garage located at 14 Lakeside Drive, Columbia, VA. The existing garage is 14' wide by 22' long. The proposed addition is an extension to the back side of the garage. The dimensions of the extension are 14' wide x 24' long. The addition will match the dimensions of the existing garage, will maintain the same roof line, and will be completed with siding and paint that also matches the existing garage. Asphalt shingles on the existing garage will be replaced

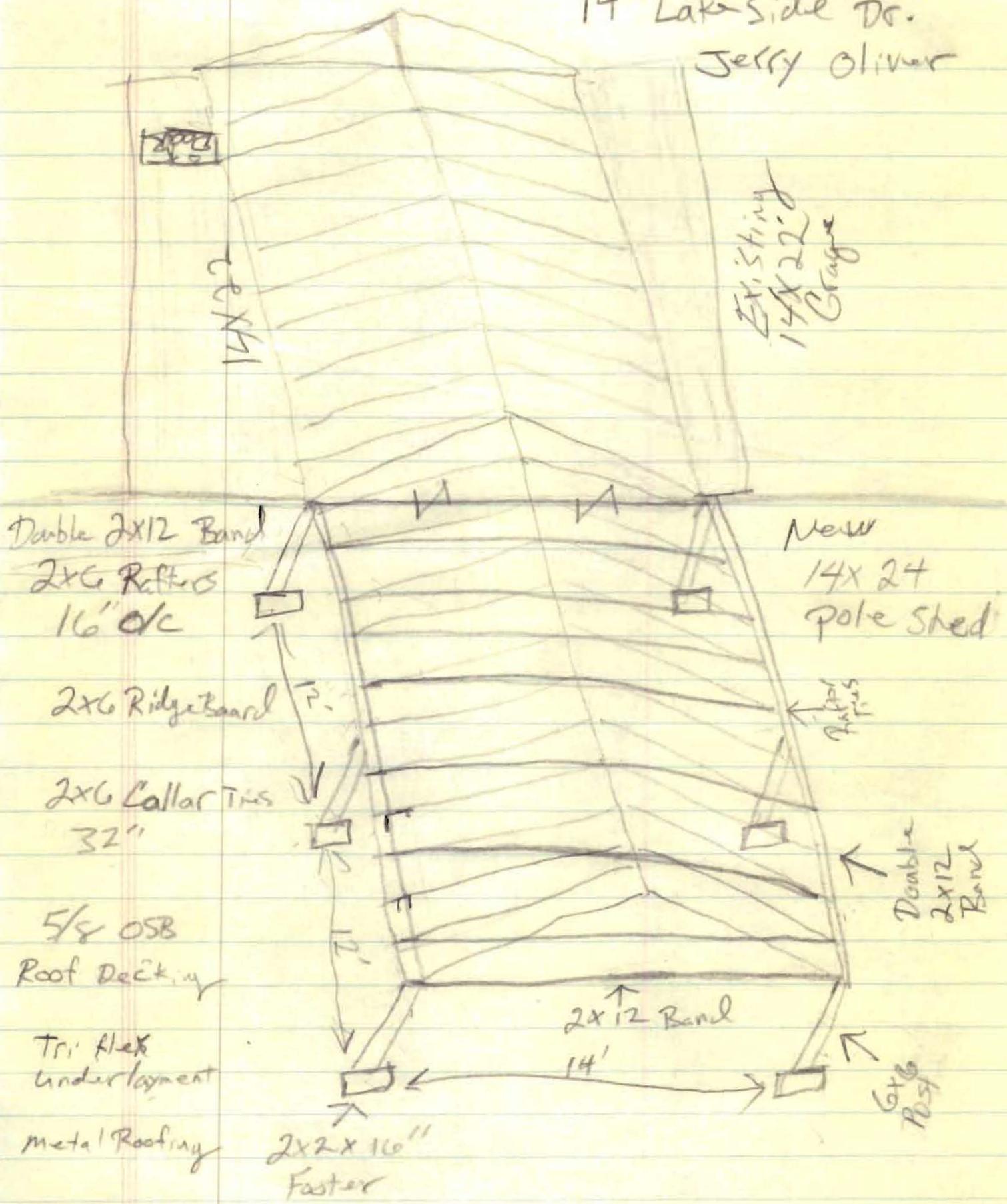
by a new tin roof, covering the both the existing and new addition so that the completed structure is uniform. The South side of the new addition will be an open bay, while the remaining sides of the addition will be enclosed.

to be
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14 Lakeside Dr.
Jerry Oliver



**NOTICE OF PUBLIC HEARING CONCERNING THE INTENTION
OF THE BOARD OF SUPERVISORS OF THE COUNTY OF CUMBERLAND,
VIRGINIA TO PROPOSE FOR PASSAGE A RESOLUTION AUTHORIZING THE
ISSUANCE OF AN ESTIMATED MAXIMUM AMOUNT OF UP TO \$18,500,000
GENERAL OBLIGATION SCHOOL BONDS, SERIES 2016 OF THE COUNTY OF
CUMBERLAND, VIRGINIA AND PROVIDING FOR THE FORM AND DETAILS
THEREOF**

Notice is hereby given to all interested persons of a public hearing concerning the intention of the Board of Supervisors of the County of Cumberland, Virginia (**the “County”**), to propose for passage at a regular meeting of the Board of Supervisors of the County to be held on Tuesday, September 13, 2016 at 7:00 p.m. or as soon thereafter as possible in the Cumberland County Circuit Court Room, located at 1 Courthouse Circle, Cumberland, Virginia 23040, a resolution authorizing the issuance of an estimated maximum of \$18,500,000 principal amount of general obligation school bonds of the County. The proposed uses for which more than ten percent of the bond proceeds are expected to be used are to finance and refinance the County's high school complex school facilities located in the County, all of which constitute capital projects for public school purposes. Persons may appear and present their views at the public hearing. A copy of the full text of the resolution is on file in the office of the County Administrator of the County located at 1 Courthouse Circle, Cumberland, Virginia 23040 and is available for public inspection during normal business hours. Anyone needing assistance or accommodation under the provisions of the Americans with Disabilities Act should call the County Administrator's Office at (804) 492-3625.

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

**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:

<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 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:

Nay:

Abstentions:

Absent:

Signed this ____ day of September, 2016.

By: _____
Clerk, Board of Supervisors

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

<p>Signature Guaranteed:</p> <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>(NOTICE: The signature above must correspond with the name of the Registered Owner as it appears on the front of this Bond in every particular, without alteration or change.)</p>
--	---

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.

**CUMBERLAND COUNTY BOARD OF SUPERVISORS
NOTICE OF PUBLIC HEARING**

Notice is hereby given that on September 13, 2016, the Cumberland County Board of Supervisors will conduct a public hearing, which may be continued or adjourned, as required under applicable law, with respect to the adoption by the Board of an ordinance regarding the reconstitution and confirmation of the Virginia's Heartland Regional Industrial Facility Authority.

The public hearing, which may be continued or adjourned, will be conducted at 7:00 p.m., or as soon thereafter as the matter may be heard by the Board of Supervisors in the Circuit Courtroom of the Cumberland County Courthouse, Cumberland County, Virginia. Interested persons may appear at such time and place and present their views whether orally or in writing, or submit written comments prior to the hearing. The Board may set time limits on speakers and other rules and procedures for the conduct of this public hearing. Any persons with disabilities are urged to contact the County Administrator's Office at (804) 492-3625 prior to the public hearing to arrange for any necessary accommodations. For additional information, please contact the County Administrator's Office.

Vivian Giles, County Administrator
By Order of the Cumberland County
Board of Supervisors

**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, Cumberland 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 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.

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
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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.

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
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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.

At a meeting of the Cumberland County Board of Supervisors held at 7:00 p.m. on the 9th day of August, 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
Julie Pfeiffer, Finance 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 presented:

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:

- CUCPS first day of school was on August 8, 2016
- The JROTC class will be able to attend the Museum for Military vehicles in Richmond in September
- The YMCA has agreed to do low-impact exercises for community members Tuesdays and Thursdays at the Elementary School
- The Cumberland Ruritans hosted a lunch for the entire CUCPS staff, and the Payne Memorial Church hosted a voluntary prayer breakfast for all CUCPS staff
- The Sheriff Department provided staff with critical incident training
- Sharon Baptist Church hosted a free back-to-school-supplies give away

- b) VDOT

MR. Scot Shippee informed the Board that VDoT's primary focus is mowing on secondary routes and they will begin mowing primary routes again soon. Cleaning out ditches and pipes, brush cutting, and patching pot-holes will continue as needed. A contract will be going out in the near

future for brush cutting on the entire Rt. 690 (Columbia Road) corridor. Supervisor Osl asked Mr. Shippee if millings were available for the Board to purchase to apply to Samuels Drive. Mr. Shippee informed the Board that the contractor owns the millings, and suggested contacting a contractor such as Colony Construction to inquire about purchasing millings directly from them.

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

Ms. Sapp was not present.

- d) Mr. Shannon Lewis, Cumberland State Forest

Mr. Shannon Lewis, Cumberland State Forest Manager provided an update of activities at the State Forest; and provided a payment in lieu of taxes in the amount of \$46,225.00.

- e) Mr. Charlie Whalen

Mr. Charlie Whalen, Bear Creek Lake Manager, informed the Board that the YCC, Youth Conservation Core is assisting the State Forest in managing the coffee trail and shoreline restoration. This summer is successful so far looks to be up 10-15% from last year.

6. Public Comments

Dr. Christine Ross thanked the Board for having two public comment sections on the agenda. The Community needs to work together to keep our students and our young adults in the County. The School Board approved a resolution to allow the county to restructure debt and potentially save \$500,000 annually. What are we doing as a county to expand our economic development options? What are we doing to attract business at the airport?

7. Public Hearings

a) Conditional Use Permit CUP 16-04 Hoffman

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

On a motion by Supervisor Osl and carried unanimously, the Board approved Conditional Use Permit 16-04 Hoffman:

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

b) Conditional Use Permit CUP 16-06 Ingle – Martin

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 Ingle and carried unanimously, the Board approved Conditional Use Permit 16-06 Ingle-Martin:

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

c) Code Amendment CA 16-07 Structure Heights

Zoning Administrator, Sara Carter, informed the Board that under current Ordinance, accessory structures cannot be taller than the primary structure. The Planning Commission reviewed the height standards for structures in all districts, and recommends changes to the A-2 and A-20 categories for height regulations.

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 Code Amendment 16-07 Structure Heights:

**BOARD OF SUPERVISORS
OF
COUNTY OF CUMBERLAND, VIRGINIA
RESOLUTION RECOMMENDING
PROPOSED AMENDMENT TO THE
CODE OF CUMBERLAND COUNTY
CODE AMENDMENT 16-07:
“AN ORDINANCE AMENDING CHAPTER 74-138 AND 74-
167 TO ADDRESS BUILDING HEIGHTS OF STRUCTURES
IN THE A-2 AND A-20 DISTRICTS”**

August 9, 2016

At a meeting of the Board of Supervisors of Cumberland County, Virginia, held at the Circuit Courtroom of the Cumberland County Courthouse, Cumberland, Virginia 23040 commencing at 7:00 p.m., August 9, 2016, the following action was taken following a duly held public hearing during which time County staff provided a review of

the code amendment proposal and members of the public offered comment:

On a motion made by Supervisor Wheeler, it was moved that the Board of Supervisors of Cumberland County adopt, in accordance with the following Resolution, an ordinance amending Chapter 74-138 and 74-167 Zoning relating to heights of structures;

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

<u>Present:</u>	<u>Vote:</u>
Lloyd Banks, Jr., Chairman	aye
David Meinhard, Vice-Chairman	aye
William F. Osl	aye
Kevin Ingle	aye
Parker Wheeler	aye
<u>Absent:</u>	none

WHEREAS, the Board of Supervisors duly advertised and held a public hearing on August 9, 2016; and

WHEREAS, the Board of Supervisors carefully considered the testimony and evidence presented at the

public hearing in support or opposition to the proposed Code Amendment; and

WHEREAS, in its review of the Code Amendment, the Board of Supervisors gave reasonable consideration to furthering the goals of the County; and

WHEREAS, after discussion, staff presentation and due deliberation with respect to such information, including information and materials presented at this public hearing, and the comments in support or opposition to the proposed Code Amendment, the Board of Supervisors desires to affirm its findings and to take action with respect to the Code Amendment;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors, as follows:

- a. The foregoing recitals are hereby incorporated by this reference.
- b. Upon consideration of the foregoing, the Board of Supervisors considers it appropriate to amend the Code of Cumberland County in accordance with the specific text and provisions of the Code Amendment as attached hereto and incorporated herein by this reference.
- c. The Board of Supervisors further finds that the Code Amendment is in substantial accordance with the County's Comprehensive Plan and Zoning Ordinance.
- d. Upon consideration of the foregoing, the proposed Code Amendment text, testimony, staff remarks, and public

comment, the Cumberland County Board of Supervisors adopts, as set forth in the specific ordinance text as attached hereto, and requests county staff to do and perform such acts necessary and as consistent with this Resolution for recommendation of adoption of the ordinance.

- e. This Resolution is effective immediately.

A-2:

- **Sec. 74-138. - Height regulations.**

Buildings in an A-2 district may be erected up to 35 feet in height, except that:

- (1) The height limit for dwellings may be increased up to 45 feet and up to three stories provided there are two side yards for each permitted use, each of which is 15 feet or more, plus one foot or more of side yard for each additional foot of building height over 35 feet.
- (2) A public or semipublic building such as a church, library or community center may be erected to a height of 60 feet from grade, provided that required front, side and rear yards shall be increased one foot for each foot in height over 35 feet.
- (3) Church spires, belfries, cupolas, chimneys, flues, flagpoles, television antennas, ~~and~~ radio aerials, and bona fide farm buildings or structures as defined by Va. Code § 36-97 as that section may from time to time be amended and/or recodified are exempt from height requirements.
- ~~(4) No accessory building which is within 20 feet of any property line shall be more than one story high. All accessory buildings shall be less than the main building in height.~~

A-20:

- **Sec. 74-167. - Height regulations.**

Buildings in an A-20 district may be erected up to 35 feet in height, except that:

- (1) The height limit for dwellings may be increased up to 45 feet and up to three stories provided there are two side yards for each permitted use, each of which is a minimum of 50 feet and contains a minimum of one foot of side yard for each additional foot of building height over 35 feet.

Example: Proposed building height of 40 feet equals 50 + five additional feet over 35 feet = 55-foot minimum required side yard setback for each side.

- (2) No accessory building which is within 50 feet of any property line shall be more than one story high. All accessory buildings shall be less than the main building in height.
- (3) A public or semipublic building such as a library or community center may be erected to a height of 60 feet from grade, provided that required front, side and rear yards shall each be increased one foot for each foot in height over 35 feet.
- (4) Cupolas, chimneys, flues, flagpoles, television antennas, ~~and~~ radio aerials, and bona fide farm buildings or structures as defined by Va. Code § 36-97 as that section may from time to time be amended and/or recodified are exempt from height requirements.

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

d) Code Amendment CA 16-03 Utilities

County Administrator, Vivian Giles, informed the Board that the proposed Code Amendment was provided to the Water and Sewer Advisory Committee for review and that both staff and the Committee had been working on this proposal for some time. The proposed rate increase is

projected to generate between \$5,000 and \$7,000 of revenue per month.

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

On a motion by Supervisor Osl and carried unanimously, the Board approved Code amendment 16-03 Utilities:

Sec. 66-51. Utility charges.

Customers shall pay charges for utility service comprised of and in accordance with the following schedules of rates and charges:

(a) *Monthly service charges.* The monthly service charge shall be comprised of the following:

- (1) *Customer account charge.* A monthly administrative charge of \$5.00 shall be levied on each customer account. However, customers who have only a water service account or a wastewater service account shall pay a monthly administrative charge of \$3.50. Customers shall pay an administrative fee of \$25.00 when they open or revise a utilities account. The charge shall be applied on the first utility bill after the revision.
- (2) *Commodity charge.* Based on the table below for metering requirements, ERU determinations and other usage-based rate charges
 - (i) *Water:* \$25.00 per 2,000 gallons or part thereof and \$5.00 per 1,000 gallons or part thereof thereafter **except for residential and governmental and educational users.**
 - (ii) *Wastewater:* \$33.00 per equivalent residential unit (ERU) as such standard is determined by the Virginia Department of Health regulations.
 - (iii) Reserved.
 - (iv) Commodity charge and rate assignment:

Customer Class	WASTEWATER CHARGES		WATER CHARGES
	A rate of \$25.00 per ERU applies		Rate Charges as follows:
	Unit Equivalent	ERU's Per Unit	

(a)	Residential	1 family unit	1	\$25.00 for first 2,000 gallons, additional usage @ \$4.00 per 1,000 gallons
	Noncommercial, nonresidential facilities	Per structure	1	
(b)	Car wash, Laundromat, Restaurants, Industries or Industrial-zoned, Salons and Barber Shops	Meter required	Meter required	\$25.00 for first 2,000 gallons, additional usage @ \$5.00 per 1,000 gallons
(c)	Professional, Office, Retail space (not storage) and Business (except those otherwise listed)	Per 1,000 sq. feet	1	\$25.00 for first 2,000 gallons, additional usage @ \$5.00 per 1,000 gallons
(d)	Nursing/convalescent and homes for the aged	Per bed	0.45	\$25.00 for first 2,000 gallons, additional usage @ \$5.00 per 1,000 gallons
	Motels, hotels and bed & breakfast	Per room	0.45	
(e)	Governmental and educational	Flat rate as determined by the board of supervisors	Flat rate as determined by the board of supervisors	\$115.00 first 2,000 gallons, additional usage @ \$17.00 per 1,000 gallons

- (v) Customers requiring metered wastewater service shall be charged \$33.00 for the first 2,000 gallons, and an additional \$5.00 per 1,000 gallons thereafter.
- (vi) Any customer using in excess of 50,000 gallons of wastewater monthly will be required to be metered.
- (vii) Uses not enumerated in the table above shall be charged according to the most similar usage rate as determined by the public utilities director.

(3) *Nonuser service charge.* Regardless of water use, customers who are required to connect but choose not to use the county water system shall be charged a monthly nonuser service charge comprised of (i) a customer account charge pursuant to section 66-51(a)(i) and either (a) \$25.00 for residential service or (b) \$25.00 for commercial service.

(4) *Customer account setoff.* The county shall set off any refunds to which a customer is entitled against any debts that the consumer owes the county.

(b) *Ancillary charges.*

Type		Charge
(1)	Bulk water charge	\$800.00 up to 1,000 gallons; \$20.00 per 1,000 gallons or any part thereof thereafter
(2)	Bacteriological test for new construction, per test	28.00
(3)	Meter testing charges:	
(i)	5/8inch	35.00
(ii)	1-inch	35.00
(iii)	1½-inch	45.00
(iv)	2-inch	45.00
(v)	Meters that are larger than two inches will be charged the actual cost of the test	
(4)	Temporary voluntary meter disconnection fee	Customer cost charge plus capacity costs charge for each billing period of disconnection, plus service reconnection fee
(5)	Meter reinstallment fee	Customers shall pay a charge of \$60.00 for reinstalling meters that are two inches or smaller. Consumers shall pay the actual cost incurred by the county for labor, materials and equipment, plus 25 percent for reinstalling meters that are larger than two inches.

- (c) Multiple-family dwellings, schools, churches, businesses, industries and other types of units will be valued in multiples of an ERU.
- (d) A consumer who has paid a connection fee shall pay the monthly service charges and ancillary charges, irrespective of whether the consumer is actually receiving utility service.
- (e) Significant industrial users shall pay a surcharge for the cost of treating excessive strength waste or pollutants in accordance with such schedule as approved in advance by the public utilities director.

- (f) When a water meter is tested at the consumer's request and the test establishes that the meter is inaccurate according to applicable industry standards, the consumer shall not be assessed the meter testing charge.
- (g) In addition to other applicable enforcement penalties, any person who makes an erroneous request for system repairs or a service call to the county and it is determined that such request or call involved a matter that was not related to the improper functioning or operation of the county's facilities shall pay the following fees:
 - (1) For erroneous system repairs or service calls made Monday through Friday during normal county business hours (8:30 a.m. to 4:30 p.m.), \$50.00; or
 - (2) For erroneous system repairs or service calls made at any time other than those set forth in subsection (1) of this section, or during any holiday observed by the county, \$75.00.

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 July 2016 and August 2016. Approved bills for August 9, 2016 total \$302829.40. Ratified bills for July 13, 2016 thru August 8, 2016 of warrants total \$488,059.09 with check numbers ranging from 73225-73518. Direct Deposits total \$150,262.27.
 - 2) Approval of Minutes (July 12, 2016 and July 18, 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) Appointment of a Board member to the Virginia’s Heartland Regional Industrial Facility Authority-

b) FYE16 Year End Transactions

On a motion by Supervisor Osl and carried unanimously, the Board approved the FYE2016 Year End Transactions as presented:

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

c) Appropriation of \$8,474.90 to the Sheriff's Department

On a motion by Supervisor Wheeler and carried unanimously, the Board approved a supplemental appropriation for the Sheriff's Department in the amount of \$8,474.90:

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) Speed study request for Cobbs Creek Plan area

Zoning Administrator, Sara Carter, informed the Board that during meetings for the Cobbs Creek Plan Amendment, several citizens expressed concern regarding the increased traffic and speed along Columbia, Duncan

Store and Amphill Roads. VDoT will conduct a speed study of these roads at the county's request. The Planning Commission respectfully requests the Board to direct staff to make this request to VDoT as soon as possible so that the speed study may be complete prior to the mobilization of the next phase of construction at the reservoir.

On a motion by Supervisor Osl and carried unanimously, the Board requested a Speed Study Plan for the Cobbs Creek Plan area:

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

11. Old Business

N/A

12. New Business

County Administrator, Vivian Giles, requests that the Board set a debt restructuring workshop. It was the consensus of the Board to set the debt restructuring workshop for Thursday, August 25, 2016 at 7:00 p.m. Ms. Giles also informed the Board that there will be a Town Hall meeting regarding Emergency Services on August 16, 2016 at 7:00 p.m. in the Circuit Court Room of the Cumberland Courthouse.

13. Public Comments (Part 2)

Mr. Lou Seigel asked for clarification on the PPTRA. The Chairman informed Mr. Seigel about the Personal Property Tax Relief Act. Mr. Seigel also questioned a request for funds at a

previous LEPC meeting for emergency services vehicles. He stated that the building construction on poorhouse road is moving pretty slowly, as is the Cartersville Volunteer Fire Department building. Mr. Seigel also informed the Board that he serves on the Marine Corps League Honor Guard and they are available for all branches of Service

Ms. Suzanne Moore was signed up to speak, but declined.

Mr. Tom Perry informed the Board that the LEPC did not request finds for emergency services vehicles, they only discussed assets around the state. Mr. Perry also informed those in attendance that there were serious issues with the builder for the Cartersville Fire House, and his contract has been terminated. A new builder has been hired and work will begin soon.

14. Board Member Comments

Supervisor Ingle clarified that he made a motion to approve CUP 16-06 Ingle-Martin, as he is not a descendent of Mr. Ingle.

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

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

Subject: Compensation and assignment of duties in Finance, Grants Administration and Planning and Zoning

Pursuant to Virginia Code § 2.2-3711.A.6: Investment of Public Funds

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

Subject: Emergency Services

Pursuant to Virginia Code § 2.2-3711.A.6: Investment of
Public Funds

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

Subject: Cumberland County Debt Structure

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-June 13, 2016
- e) Approved IDA meeting minutes-May 24, 2016
- f) The Executive Mansion's request for a Holiday Tree Ornament

18. Adjourn -

On a motion by the Chairman and carried, unanimously, the Board adjourned the meeting until a workshop scheduled for August 25, 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

At a meeting of the Cumberland County Board of Supervisors held at 7:00 p.m. on the 25th day of August, 2016 at the Cumberland County Courthouse, 1 Courthouse Circle, Cumberland, Virginia:

Present: Lloyd Banks, Jr., District 2, Chairman
David Meinhard, District 4, Vice-chairman
William F. Osl, Jr., District 1
Kevin Ingle, District 3
Parker Wheeler, District 5
Vivian Seay Giles, County Administrator/County Attorney

1. Call to Order

The Chairman called the Board of Supervisors meeting to order. The County Administrator called the roll.

The purpose of the meeting was to conduct a work session relating to a potential refinancing of county bond obligations and to conduct other items of public business.

2. Roll Call

County Administrator, Vivian Giles, called the roll.

3. Approval of Agenda

On a motion by Supervisor Ingle and carried unanimously, the Board approved the Agenda.

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

4. Discussion of Debt Restructuring

The Board heard a presentation by James Sanderson of Davenport & Company and Dan Siegel of Sands Anderson regarding options for the restructuring of a portion of the county’s outstanding debt. The objective, as presented, is to provide options to Cumberland County to save money while improving annual cash flow.

5. Ratify Resolution for CA 16-03 Utilities

On a motion by Supervisor Osl and carried unanimously, the Board approved the resolution for CA 16-03:

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

6. Purchase of vehicles for Maintenance and Animal Control

The need for vehicles was discussed and the purchase of a truck for animal control was authorized. No vote was taken.

7. Park Bench donation

The South Central Association of Realtors has offered to purchase and place at the administration building a park bench for use by citizens. On a

motion by Supervisor Wheeler and carried unanimously, the Board accepted the donation of a park bench from the South Central Association of Realtors.

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

8. Adjourn

On a motion by Supervisor Ingle and carried, the Board adjourned until September 13, 2016 at 7:00 p.m. in the Cumberland County Board of Supervisors Conference Room, 1 Courthouse Circle, 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



MEMO

To: Board of Supervisors, Cumberland County
Vivian Seay Giles, County Administrator/Attorney

From: Sara Carter, Planning Director

Date: September 6, 2016

Re: **Board of Zoning Appeals Appointments**

There are two Board of Zoning Appeals members whose terms expired in January, 2016. These members are: Quentin Parker and Lynn Ayers. Both are willing to continue their service on the Board of Zoning Appeals. Members of the Board of Zoning Appeals are appointed by the Circuit Court upon a recommendation of the Board of Supervisors. Their terms are for five years. Once the Board makes a recommendation, staff will work with the Clerk of the Circuit Court to have these members reappointed. Members appointed for this term will be proposed for a term from September 15, 2016- September 14, 2021.



MEMO

To: Board of Supervisors, Cumberland County
Vivian Seay Giles, County Administrator/Attorney

From: Stephany S. Johnson, Deputy Clerk/FOIA Officer

Date: September 7, 2016

Re: **Water and Sewer Advisory Committee Reappointment**

The term of Ms. Carolyn Helgeson, who represents District 3 on the Water and Sewer Advisory Committee, expires on September 30, 2016. Ms. Helgeson has indicated her willingness to continue serving on the Committee for another term. The term for Water and Sewer Advisory Committee is three years. If she is reappointed, her term would be from September 30, 2016 to September 30, 2019.



MEMO

To: Board of Supervisors, Cumberland County
Vivian Seay Giles, County Administrator/Attorney

From: Stephany S. Johnson, Deputy Clerk/FOIA Officer

Date: September 7, 2016

Re: Economic Development Authority Reappointment

The terms of Mr. John Godsey and Mr. Leroy Pfeiffer, Sr., who serve as Directors on the Economic Development Authority, expired on August 31, 2016. Both Directors have expressed their willingness to continue serving on the Authority for another term. The term for the Economic Development Authority is four years. If they are reappointed, their terms would be from August 31, 2016 to August 31, 2020.



MEMO

To: Board of Supervisors, Cumberland County
Vivian Seay Giles, County Administrator/Attorney

From: Stephany S. Johnson, Deputy Clerk/FOIA Officer

Date: September 7, 2016

Re: Social Services Board Reappointment

The term of Ms. Rosa Woodard, who serves on the Social Services Board, expired on April 31, 2016. Ms. Woodard has expressed her willingness to continue serving on the Board for another term. The term for the Social Services Board is four years. If reappointed, her term would be from April 31, 2016-April 31, 2020.

Stephany Johnson

From: mayor@townofcrewe.com
Sent: Sunday, August 07, 2016 10:42 PM
To: Vivian Giles; BOS@fauquiercounty.gov; admin@greenvillecountyva.gov; dwhittington@greenvillecountyva.gov; pweiler@powhatanva.gov; dakeyser@rappahannockcountyva.gov; carol.white@russellcountyva.us; NDickenson@spotsylvania.va.gov; dstanley@warrencountyva.net
Cc: Stephany Johnson; chris.granger@fauquiercounty.gov; richard.gerhardt@fauquiercounty.gov; maltman@powhatanva.gov; bmelton@powhatanva.gov; cwwroth@rappahannockcountyva.gov; roger@genevawelchgallery.com; cyakabouski@spotsylvania.va.us; gcebula@spotsylvania.va.us; McLaughlinTJ@spotsylvania.va.us; David.Ross@spotsylvania.va.us; GBenton@spotsylvania.va.us; PTrampe@spotsylvania.va.us
Subject: A Lottery for Localities
Attachments: Lottery for Localities Letter to Legislators.pdf

To:

Cumberland County Board of Supervisors
c/o Vivian Giles, County Administrator

Fauquier County Board of Supervisors
c/o Renee P. Culbertson, MMC, Deputy Clerk

Greenville County Board of Supervisors
c/o K. David Whittington, County Administrator

Powhatan County Board of Supervisors
c/o Patricia A. Weiler, County Administrator

Rappahannock County Board of Supervisors
c/o Deborah A. Keyser, County Administrator

Russell County Board of Supervisors
c/o Carol White, County Administrator

Spotsylvania County Board of Supervisors
c/o Mark B. Taylor, County Administrator

Warren County Board of Supervisors
c/o Douglas P. Stanley, County Administrator

Subject: Lottery for Localities Effort

Greetings;

Attached for your information is a formal request from the elected leadership of the Nottoway County communities to their legislators requesting a change in the current Virginia state law to allow a five percent return of lottery sales to Virginia localities. This plan, as proposed, will not take away money from the school systems.

We believe this proposal will be of benefit to all localities in the Commonwealth and urge your offices, local town and city councils and County Boards of Supervisors to go on record in support, by contacting your state representatives and by urging the Virginia Municipal League and Virginia Association of Counties to make it a part of their 2017 legislative agenda.

The only way to accurately estimate what additional general revenues your Towns and County could have received in 2015 (had this proposal been in place) is by knowing the total lottery sales from your local vendors. We recommend you request from the Va Lottery the total 2015 lottery sales for your locality to see what 5% might mean to your general revenue budget.

I will be glad to speak on this proposal with you or any member of the city staff that you direct.

with warmest regards,

Greg Eanes
Mayor
Town of Crewe
Home: 434-645-1722
Cell: 434-298-1238

*A Joint Petition
from the representatives of the citizens of Nottoway County, Virginia*



344 West Courthouse Road
P.O. Box 92
Nottoway, Va 23933
434-645-8696
nottoway@nottoway.org

Senator Frank Ruff
P.O. Box 332
Clarksville, VA 23927

14 July 2016

Delegate Thomas C. Wright, Jr.
P.O. Box 1323
Victoria, Va 23974

Subject: Lottery for Localities



100 West Elm Street
Blackstone, Va 23824
434-292-7251
Info@townofblackstoneva.com

Gentlemen;

We are requesting a 'Lottery for Localities'. Specifically we are requesting legislation that will allocate 5% of total lottery sales back to the general revenue funds of localities where those sales originated. It is envisioned the allocation will be culled from total sales and subtracted from that portion of the lottery pool designated as the 'prize pool' (approximately 60.6% of sales). In this way, the public school funding allocation (approximately 29% of sales) is untouched. No monies are diverted from public education by our formula.



224 Second Street
Burkeville, Va 23922
434-767-4095
Burkeville1@embarqmail.com

The attached background paper and plan provides facts in regards to the Virginia State Lottery in Nottoway County (as a case study of a Virginia community). It outlines what we envision as a course for action that will benefit all Virginia's localities and Virginia's citizens. This plan has been presented to the governing bodies of the three towns and the county. These governing bodies have voted for support of this plan and seek legislation that will implement this concept to the benefit of all Virginians.



125 East Carolina Ave.
Crewe, Va 23930
434-645-9453
creweva@embarqmail.com

The revenue infusion a 'Lottery for Localities' can provide to local governments will have a positive impact for cash strapped rural communities facing an ever shrinking business and community tax base while demands for public services rise. We feel this is a discussion that needs to be initiated across the Commonwealth with local governments and state officials. We are open to constructive dialogue and suggestions on how make this concept a reality.

By copy of this letter, we are formally requesting the Virginia Municipal League and the Virginia Association of Counties to make this legislation a priority on their respective legislative agenda for the 2017 session.

Respectfully,



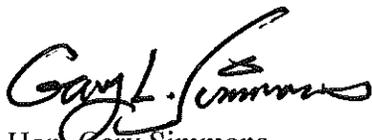
Hon. Greg Eanes
Mayor
Town of Crewe



Hon. William C. Coleburn
Mayor
Town of Blackstone



Hon. Joe Morrisette
Mayor
Town of Burkeville



Hon. Gary Simmons
Chairman
Nottoway County Board of Supervisors

Cc:

Virginia Municipal League
P.O. Box 12164
Richmond, Va 23241

Virginia Association of Counties
1207 East Main Street, Suite 300
Richmond, Va 23219-3627

Hon. Riley E. Ingram
Chair, Cities, Counties and Towns
3302 Oaklawn Boulevard
Hopewell, Va 23860

Sen. Thomas K. Norment
Co-Chair, Senate Finance
P.O. Box 6205
Williamsburg, Va 23188

Hon. Chris S. Jones
Chair, Appropriations Committee
P.O. Box 5059
Suffolk, Va 23435-0059

Sen. Bill Stanley
Chair, Local Government
13508 Booker T. Washington
Highway
Moneta, Va 24121

Sen. Emmett Hanger
Co-Chair, Senate Finance
P.O. Box 2
Mount Solon, Va 22843-0002

Lottery for Localities A Course for Action

1. Background: The Virginia State Lottery is a \$1.8 billion¹ state run enterprise. The sales of lottery tickets are untaxed by localities. The lottery been referred to as a ‘backdoor tax’ or ‘regressive tax’ in which the poor give money to the state government.² Lottery spending drains rural communities of dollars that might otherwise be spent energizing our local economies by generating local retail sales as well as meals, gas and lodging taxes for our local general revenue. Virginia Lottery disbursements for calendar year 2015 resulted in an estimated \$1.166 billion (60.6%) devoted to prizes; \$103 million (5.6%) was paid out to retailers and \$90.8 million (4.9%) was devoted to operating costs. That left \$533.8 million (28.9%) to be distributed to Virginia’s public school systems in accordance to a state formula.³

2. Local Sales: In response to a request for information, the Virginia Lottery submitted the data below reflecting the Nottoway County calendar year 2015 sales of Virginia Lottery tickets.⁴

 we're game virginia lottery	OFFICIAL LOTTERY RECORD TOTAL SALES: CERTAIN ZIP CODES CALENDAR YEAR 2015	
	<u>ZIP Code</u>	<u>Total Sales</u>
	23824	\$3,676,892.25
	23922	\$495,168.25
	23930	<u>\$2,035,514.50</u>
	Sum:	\$6,207,575.00

3. Local Education Return: The \$6.2 million in local sales results in just over \$2 million a year returning to Nottoway County Schools. Lottery proceeds are paid to the county school system twice a month. The formula used by the lottery to return monies to school systems is not based on locality sales but on a student per capita formula. For example, Fairfax County, the fastest growing county in Virginia and among the ten richest in the nation, received over \$36 million in lottery proceeds in FY2015.⁵

¹ 2015 figures from the Virginia State Lottery website. \$1.844 billion in sales.

² It is not our intent to suggest the lottery should be abolished, only to make an observation.

³ See Virginia Lottery website for the overall breakdown.

⁴ Phone inquiry and E-mail dated 19 May 2016, Greg Eanes to Amy Roper, Policy, Process and Legal Document Administrator, Va State Lottery; E-mail response dated 23 May from Roper to Eanes, with attachment.

⁵ See Virginia Lottery for payouts, https://www.valottery.com/playing_matters.aspx.

4. Prior Efforts at Taxation: In the 2012 Legislative Session Senator Frank Ruff proposed a bill for a sales tax on the purchase of lottery tickets. The Virginia Municipal League supported the measure. The Virginia Lottery opposed the bill and was successful in defeating the bill during the Senate Finance Committee hearing. VML Director of Fiscal Policy Neal Menkes says, “To the best of my knowledge no attempt has been made since 2012.”⁶

5. Virginia Constitution: VML advises the Virginia Constitution, specifically Article X, Section 7-A “*explicitly identifies public education as the sole purpose of Lottery proceeds.*” The Virginia General Assembly can redirect a portion of the Lottery Proceeds Fund for other purposes but it requires a 4/5 majority vote in both Houses (32 Senators and 80 House members).⁷ The power to change the formula to benefit all Virginia communities rests with the Virginia General Assembly.

6. Observations: Using 2015 lottery sales figures, if the Nottoway County lottery sales were taxed at 5% or had a 5% kick-back to locality general revenue funds, the county and towns would take in \$310,378.74.⁸ It is envisioned the 5% formula be split between the County and the Towns with the County receiving 40% of the total revenues generated in the incorporated towns and 100% of total revenues generated by retail outlets outside of the towns. Using 2015 sales figures this would result in the following (estimated):

Blackstone	\$110,306.77 (-)
Burkeville	\$15,455.05
Crewe	\$61,065.43
Nottoway County	\$124,151.49 (+)
Grand Total	\$310, 978.74

Note: Three of the 23824 outlets are outside of Blackstone and in the County therefore the actual total for Blackstone would be less and the total for the county would be more. The data used was requested from the Lottery based on the zip codes of the Lottery retail outlets.

While larger communities might view these amounts as ‘chump change’, they do represent significant sums to rural communities. If Crewe received an additional \$61,000 it could pay down the debt from government mandates, improve infrastructure, etc. These are monies that could help town governments take care of big ticket items and desired community development projects which it seldom has funds to address.

Using 2015 figures, state lottery total sales were \$1.844 billion. Pulling off 5% off the total sales would result in \$92,200,000 that could be returned to localities.

Taking \$92.2 million from the 2015 prize payout portion *only* would reduce the payout fund from \$1.166 billion to 1.073 billion and does not take away from the amount returned to local

⁶ E-mail dated 19 May 2016 from Neal Menkes to Eanes.

⁷ Ibid.

⁸ Of course this would fluctuate depending on annual sales. The estimated 5% levy on 2015 sales for the 23824 zip code would equate to \$183,844.61; on 23922 sales equates to \$24,758.41 and 23930 sales at \$101,775.73.

school systems.⁹ Lottery jackpots are announced ahead of sales. The diversion of the 5% of sales is invisible to individual players and will not impact those announcements nor deter people from playing the lottery.

Lottery returns to localities should be based on local sales and not a per capita basis. In this way, we in the locality only get a percentage of what is generated in our localities.

Further, the lottery funds that come to the localities should be unrestricted and for our general revenue to address local needs.

This should be viewed as a bi-partisan effort which benefits all Virginia's taxpayers and local governments regardless of the size of their populations.

7. Proposed Course of Action:

- a. Enact legislation to allocate 5% of total lottery sales to the localities in which the sales are made.
 - i. Only the prize payout portion of the funds will be impacted (trimmed from 60.6% to 55.6% of total lottery allocations);
 - ii. These funds are to be culled by the Virginia Lottery from sales and placed in a separate 'Lottery for Localities' fund until payout;
 - iii. Payouts to localities to be made on a quarterly basis;
 - iv. Payouts to localities will go to incorporated town, county or city general revenue funds, based on total lottery sales in those localities;
 - v. Payouts to localities will be unrestricted in how they are spent.
 - vi. County governments would receive up to 40% of incorporated town lottery proceeds unless the county government opts for a lower percentage at the local level.
- b. Phased Implementation:
 - i. Legislation passed in the 2017 session will take effect on 1 July 2017.
 - ii. It is envisioned the 5% would be culled from the last six months of 2017 sales and these could be paid by 15 January 2018 with follow-on payments after every quarter.

⁹ It is envisioned the new formula could be locked in as follows: Prize Pool, 55.6%, Lottery for Localities Fund, 5%, Retailers, 5.6%, Operating Costs, 4.9% and Public School Fund, 28.9%.

- iii. This phased implementation gives the Virginia State Lottery more than six months to orchestrate the administrative procedures to accommodate the new legislative mandate while building the 'Lottery for Localities' pool.

-end-

COUNTY ADMINISTRATOR

Neil A. Morgan



BOARD OF SUPERVISORS

Walter C. Zaremba

District 1

Sheila S. Noll

District 2

W. Chad Green

District 3

Jeffrey D. Wassmer

District 4

Thomas G. Shepperd, Jr.

District 5

August 26, 2016

Ms. Vivian Giles
 County Administrator
 Cumberland County
 1 Courthouse Circle
 Cumberland, Virginia 23040

Dear Ms. Giles:

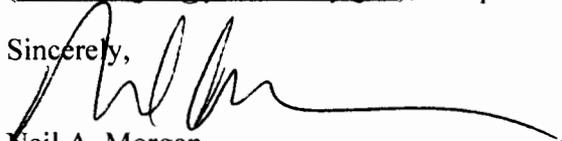
The York County Board of Supervisors has tasked me to develop and implement a legislative engagement strategy to seek General Assembly approval of changes to Section 58.1-3833 of the Code of Virginia that would equalize the meals taxation authority among cities, towns, and counties. We are well aware that requests for broader legislation to equalize all taxing authority of cities, towns, and counties have been proposed in the past and vigorously supported by the Virginia Association of Counties (VACo) and member counties, yet have been soundly defeated. Accordingly, our Board has decided that it wishes to focus on the meals tax authority with the objective of creating a coalition of counties and other constituencies that would support such an initiative. I'm happy to report that our preliminary discussions with the VACo Finance Committee and others concerning a focus on the meals tax alone have been productive and promising.

I am enclosing a short statement describing the current enabling statute, the application of meals taxes by cities, towns, and counties across the Commonwealth, and the specific factors that we believe make this initiative worthy of consideration for York and other counties. Our proposal would cap the opportunity at an 8 percent rate, which is consistent with the maximum rate established by any of the cities currently possessing the meals taxation authority, and would allow the authority to be exercised without need for a referendum.

Please consider identifying this as a potential legislative priority as you work with your Board to prepare for the 2017 General Assembly session. Of course, and as you well know, support for counties being granted such authority does not in any way obligate a governing body to actually adopt a new or increased meals tax, but would simply provide the opportunity to do so should the governing body of a county determine such an action to be an appropriate way to address revenue demands. Gaining that option, and having the opportunity to alleviate pressures on the real estate tax rate, is York's motivation.

Should you agree and wish to be involved or kept abreast of efforts to have this initiative introduced for consideration in the 2017 session of the General Assembly, please let me know either by letter, an email (Neil.Morgan@yorkcounty.gov), or a phone call (757-890-3320). Thanks for your consideration.

Sincerely,



Neil A. Morgan
 County Administrator

Enclosure

224 Ballard Street • P.O. Box 532 • Yorktown, Virginia 23690-0532 • (757) 890-3320

Fax: (757) 890-4002 • TDD (757) 890-3621 • Email: bos@yorkcounty.gov*A Hampton Roads Community*

Meals Tax Authority – Legislative Engagement

Introduction

Section 58.1-3833 of the Code of Virginia (see attached) authorizes counties to levy a tax on the purchase of all prepared and ready to eat food and beverages, at a rate not to exceed 4%, if approved in a voter referendum. The referendum may be initiated by a resolution adopted by the governing body or by a petition signed by at least 10% of the registered voters in the county. Five counties (Arlington, Roanoke, Rockbridge, Frederick, and Montgomery) have been granted an exemption from the referendum requirement, so their governing bodies can act on their own initiative. Meals taxes are assessed in addition to the retail sales tax, which in Hampton Roads is 6%.

Meals tax applies to:

- Prepared food and beverages (ready-to-eat) at restaurants, lunchrooms, cafeterias, coffee shops, cafes, taverns, delis, food trucks, etc.
- Alcoholic and non-alcoholic beverages served with a meal

Meals tax does not apply to:

- Groceries
- Food sold through vending machines

According to information compiled by the Weldon Cooper Center for Public Service for 2014, 47 of Virginia's 95 counties assessed a meals tax in 2014. Forty-six (46) counties reported a tax rate of between 3.1% and 4%, while one (Dickenson) reported a rate of 2%. ¹ There are no restrictions on the use of the revenue generated by the meals tax; however, some localities earmark a portion or all of the revenue for a specific purpose.

It is important to note that towns and cities are not subject to the referendum process or the 4% cap on the meals tax rate. All 38 of Virginia's cities assess a meals tax, with the lowest rate being 4%, the highest 7.5%, and the median being 6%. The median rate assessed by the 104 towns with a meals tax is 5%, with a minimum of 2% and a maximum of 8%.

York County's meals tax rate is 4%, which will generate projected revenues of \$5.9 million in FY17. Each of the jurisdictions bordering York County imposes a meals tax (Hampton-7.5%, Newport News-7.5%, Poquoson-6%, Williamsburg-5%, James City County-4%, Gloucester-4%).

Issue

York County, like other Virginia counties, is heavily dependent on the real estate and personal property tax and, accordingly, has interest in alternative opportunities for revenue growth to meet increasing obligations and demands for County-funded programs and services. The constraint imposed by the current enabling legislation (4% rate cap) prevents the County from doing so and stands in contrast to the opportunities available to the four cities that border York

¹ Two other counties (Henrico and Middlesex) established a meals tax after the 2014 data was compiled, both at 4%.

Meals Tax Authority – Legislative Engagement

County. In a number of locations along those borders, restaurants are located on abutting properties (one in the county, one in the city) with differing meals tax rates. For many, and particularly in the case of the tourists and travelers, there likely is no awareness of the border or the different tax rate and, therefore, no impact (at least from a taxation standpoint) on which restaurant the prospective diner chooses to patronize (i.e., no competitive advantage or disadvantage). Undoubtedly, the same situation exists in many locations across the Commonwealth.

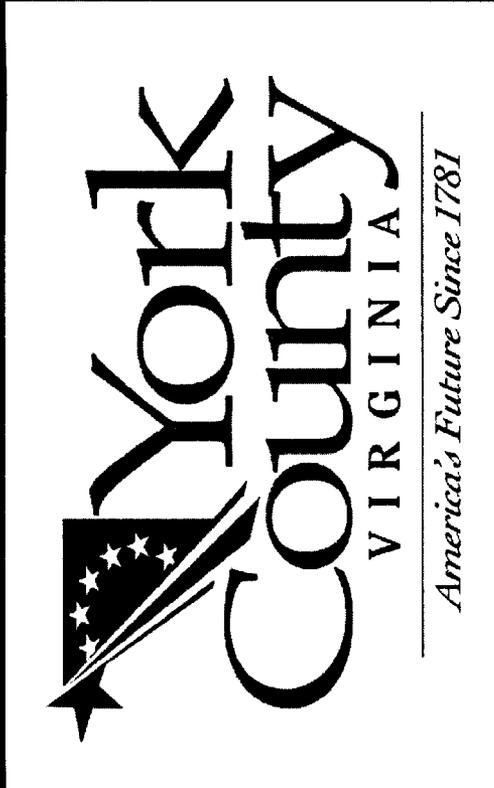
Real estate and personal property tax rate increases apply to all property-owning residents, regardless of their ability to pay. Conversely, dining out is largely a discretionary decision so the meals tax is paid by residents, as well as tourists and travelers, who dine out by choice, convenience, or other considerations.

As noted previously, York County's 4% meals tax is projected to generate \$5.9 million in revenue in FY2017. Increasing the County's rate from 4% to 5% (for example, to match the Williamsburg rate) would generate approximately \$1.4 million annually in additional revenue. If earmarked, for example, to enhance the Capital Improvements Program budget, the funding able to be devoted to County and School projects would be increased by almost 10%. In other words, a modest 5-cent increase in a \$5 fast food meal (20 cents meals tax @ 4% vs. 25 cents @ 5%) would help produce significant gains in the County's ability to address capital project needs.

York County has proposed and supported requests in past legislative sessions to amend the Code of Virginia to give counties the same taxing authority as towns and cities. This all-inclusive approach (which would add authority to tax cigarettes and admissions, and remove limitations on meals and transient occupancy) has not been supported by the General Assembly. Recognizing that opposition, the York County Board of Supervisors has determined that it would be prudent to focus on a proposal to provide counties with additional authority only for the meals tax.

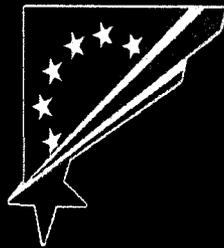
Accordingly, the York County Board of Supervisors wishes to ascertain the interest of other counties and potential advocates in working cooperatively to engage, educate and influence members of the General Assembly regarding the disparity between cities/towns and counties regarding meals taxing authority with the objective of gaining support for legislation to equalize it in the 2017 session of the General Assembly. Specifically, the desired legislation would:

- Enable counties, on the initiative and action by their governing bodies (and without referendum), to establish a meals tax at a rate determined appropriate by the governing body, but not to exceed 8%.



Meals Tax Parity for Counties

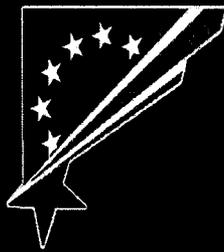
York County



Meals Tax Parity for Counties

- Section 58.1-3833 of COV currently authorizes Counties to levy a tax on the purchase of prepared and ready to eat food and beverages:
 - *At a rate not to exceed 4%*
 - *If approved by a referendum initiated by the governing body or by petition of at least 10% of registered voters*
 - *Arlington, Roanoke, Rockbridge, Frederick and Montgomery Counties are exempt from referendum requirement*
- Cities and Towns are not capped at 4% and are not subject to a referendum requirement

YorkCounty



Meals Tax Parity for Counties

- 47 of Virginia's 95 counties assessed a Meals Tax in 2014
 - Rates ranged from 3.1% to 4% (*only one County had a 2% rate*)
- All Cities (38) assessed a Meals Tax
 - Lowest - 4%
 - Highest - 7.5%
 - Median - 6%
- Cities bordering York County
 - Hampton / Newport News – 7.5%
 - Poquoson – 6%
 - Williamsburg – 5%

York County



Meals Tax Parity for Counties

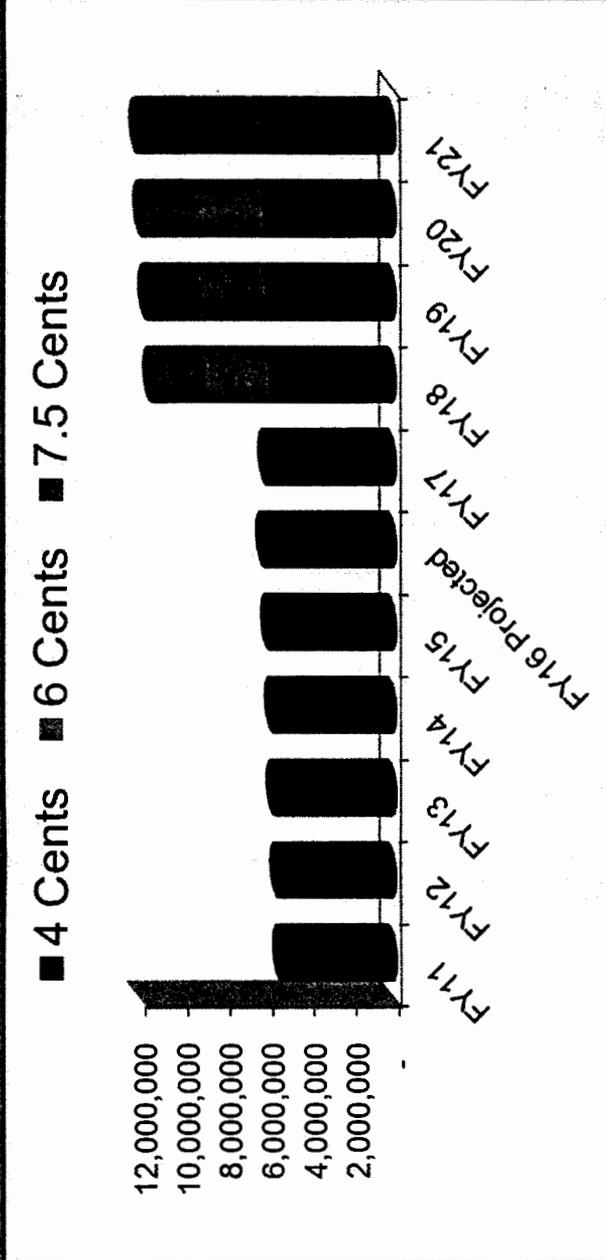
- Meals Tax parity would provide a revenue enhancement option to relieve pressures on Real Estate and Personal Property
- Dining out is largely discretionary – by choice or convenience
- Meals Taxes are paid by residents and tourists / travelers
- Decisions on dining destinations are not dependent on meals tax rates

YorkCounty



Meals Tax Parity for Counties

Impact of Potential Rate Increase for York County



Increasing the rate from 4 cents to 6 cents provides additional revenue of \$3 million.

Increasing the rate to 7.5 cents adds \$5.3 million of additional revenue.

Note: 50% of Meals Taxes are Shared with the School Division.

YorkCounty



Meals Tax Parity for Counties

Legislative Proposal

Enable counties, on the initiative and action by their governing bodies (and without referendum), to establish a meals tax at a rate determined appropriate by the governing body, but not to exceed 8%.

YorkCounty



DATE: September 7, 2016
TO: Cumberland County Board of Supervisors
FROM: Vivian Seay Giles
RE: September 13, 2016 Board Agenda Item
Request for Appropriation for Payoff of Deed of
Trust Note - Cumberland Volunteer Rescue Squad, Inc.

Recommendation

Appropriate up to \$70,000 for the payoff of the deed of trust note secured by the real property of Cumberland Volunteer Rescue Squad, Inc. The payoff amount through September 16, 2016 is \$65,922.75.

Information

Cumberland Volunteer Rescue Squad, Inc. has voted to convey all assets, including cash but excluding fundraising proceeds, to Cumberland County in exchange for the payoff of the deed of trust note secured by the organization's real property located on Anderson Highway in Cumberland County. Documents are being held in escrow pending the payoff of the deed of trust note.

** GENERAL FUND REVENUES**

Monthly Financial Report To Council For September 2016

	Estimated 2016/2017 Budget to Date -----	Actual 2016/2017 Budget to Date -----	(Over) or Under Budget to Date -----
Revenue			
Balance Forward			
Fund Revenue	38,575,813.00	6,134,300.86	32,441,512.14
Total Revenue	38,575,813.00	6,134,300.86	32,441,512.14
Expenditures			
* Board of Supervisors *	45,838.00	10,738.47	35,099.53
* County Administrator *	352,420.00	44,567.23	307,852.77
	5,000.00		5,000.00
* Legal Services *		11,857.00	(11,857.00)
* Independent Auditor *	34,500.00		34,500.00
* Commissioner of Revenue *	229,771.00	38,505.33	191,265.67
* Treasurer *	277,133.00	48,328.76	228,804.24
* Accounting *	115,032.00	20,539.25	94,492.75
* Data Processing *	216,256.00	28,570.90	187,685.10
* Electoral Board *	25,076.00	1,145.54	23,930.46
* Registrar *	84,556.00	14,339.08	70,216.92
* Circuit Court *	14,810.00	9.90	14,800.10
* General District Court *	10,210.00	377.11	9,832.89
* Magistrate *	575.00	39.42	535.58
* Clerk of Circuit Court *	222,117.00	34,742.39	187,374.61
* Law Library *	1,000.00	120.16	879.84
* Commonwealth's Attorney *	207,854.00	34,246.47	173,607.53
* Sheriff *	1,502,998.00	283,026.27	1,219,971.73
* School Resource Officer *	62,016.00	10,343.39	51,672.61
* E911 *	23,100.00	202.25	22,897.75
Cumberland Vol.FIRE DEPT	39,500.00	19,750.00	19,750.00
Cartersville Volun.	39,500.00	19,750.00	19,750.00
Cumberland Vol. Rescue Squad	39,500.00		39,500.00
Prince Edward Vol. Rescue Squad	9,500.00	4,750.00	4,750.00
Randolph Fire Dept.	39,500.00	19,750.00	19,750.00
Cartersville Vol. Rescue Squad	37,970.00	18,985.00	18,985.00
Chesterfield Med-Flight Program	300.00		300.00
* Forestry Service *	8,705.00		8,705.00
* Emergency Services *	17,102.00		17,102.00
* Probation Office *	1,328.00	45.03	1,282.97
* Correction & Detention *	275,000.00	83,512.06	191,487.94
* Building Inspections *	113,265.00	22,659.77	90,605.23
* Animal Control *	112,346.00	19,389.69	92,956.31
* Medical Examiner *	200.00		200.00
* Refuse Disposal *	596,376.00	47,732.99	548,643.01
* General Properties *	681,038.00	104,170.34	576,867.66
* Supplement of Local Health Dept *	98,753.00	24,688.25	74,064.75
* Chapter 10 Board - Crossroads *	34,000.00	17,000.00	17,000.00
* CSA Management *	31,517.00	6,000.33	25,516.67
* Community Colleges *	7,000.00	3,516.00	3,484.00
* Recreation *	64,699.00	8,644.54	56,054.46
* Local Library *	115,450.00	57,725.00	57,725.00

** GENERAL FUND REVENUES**

Monthly Financial Report To Council For September 2016

	Estimated 2016/2017 Budget to Date -----	Actual 2016/2017 Budget to Date -----	(Over) or Under Budget to Date -----
Expenditures			
* Planning Commission *	9,950.00	1,074.67	8,875.33
* Planning/Zoning Dept. *	67,403.00	10,445.30	56,957.70
* Community & Economic Developmnt *	19,052.00		19,052.00
* Board of Zoning Appeals *	650.00		650.00
	10,570.00		10,570.00
* Farmville Area Chamber of Commerce	1,500.00	750.00	750.00
* Longwood Small Bus. Dev. Ctr. *	3,000.00	1,500.00	1,500.00
* Southside Violence Prevention *	5,000.00	2,500.00	2,500.00
Peter Francisco SWD	10,000.00	5,000.00	5,000.00
* Extension Agents *	50,563.00	188.47	50,374.53
	2,500.00		2,500.00
* NONDEPARTMENTAL *	16,000.00	255.70	15,744.30
TRANSFERS	8,094,568.00	1,373,626.04	6,720,941.96
COMMONWEALTH'S ATTORNEY		913.40	(913.40)
SHERIFF	55,000.00	2,800.00	52,200.00
HEALTH INSURANCE	2,100,000.00	366,983.11	1,733,016.89
DENTAL INSURANCE	132,875.00	21,044.18	111,830.82
PATIENT CENTERED OUTCOME FEE (PCOR)		563.68	(563.68)
* Administration *	1,302,121.00	212,310.83	1,089,810.17
	15,005,885.00	1,531,537.18	13,474,347.82
	1,160,759.00	148,579.73	1,012,179.27
* Elementary School - Lit Loan *	221,667.00		221,667.00
* COPS97 Loan *	373,788.00	362,312.50	11,475.50
* High/Middle School - VPSA Loan *	922,501.00	743,931.24	178,569.76
PUBLIC FACILITY NOTE 2009	389,759.00	31,714.16	358,044.84
* AMERESCO *	145,952.00	145,952.00	
* SunTrust Loan-HS/MS *	1,491,402.00		1,491,402.00
* Suntrust Loan - Courthouse *	248,697.00	232,583.95	16,113.05
	500,000.00	76,866.88	423,133.12
* SEWER FUND - Enterprise Fund *	311,415.00	34,688.44	276,726.56
* WATER FUND - ENTERPRISE FUND *	130,425.00	21,183.77	109,241.23
COMMUNITY CENTER PURCHASE		23,962.02	(23,962.02)
MADISON INDUSTRIAL PARK		100,421.27	(100,421.27)
		825.20	(825.20)
Total Expenditure	38,575,813.00	6,514,281.64	32,061,531.36
Total Revenues			
Less Total Expenditures		(379,980.78)	379,980.78

ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	BALANCE UNCOLLECTED
1101	** Real Estate Taxes **	5,585,000.00	5,585,000.00	145,191.36	145,191.36	5,439,808.64
1102	* Real/Personal Public Service *	775,000.00	775,000.00	.00	.00	775,000.00
1103	* Personal Property Taxes *	1,806,000.00	1,806,000.00	168,246.63	168,246.63	1,637,753.37
1104	* Machinery & Tools *	115,000.00	115,000.00	15,319.21	15,319.21	99,680.79
1106	* Penalties & Interest *	259,000.00	259,000.00	32,628.18	32,628.18	226,371.82
1201	* Local Sales & Use Taxes *	425,000.00	425,000.00	77,631.30	77,631.30	347,368.70
1202	* Consumer' Utility Taxes *	172,000.00	172,000.00	29,008.05	29,008.05	142,991.95
1203	* Business License Taxes *	107,000.00	107,000.00	8,121.10	8,121.10	98,878.90
1204	* Franchise License Taxes *	10,000.00	10,000.00	.00	.00	10,000.00
1205	* Motor Vehicle License Tax *	230,000.00	230,000.00	21,562.11	21,562.11	208,437.89
1207	* Taxes On Recordation & Wills *	45,000.00	45,000.00	13,362.42	13,362.42	31,637.58
1301	* Animal Licenses *	8,000.00	8,000.00	66.00	66.00	7,934.00
1303	* Permits & Other Licenses *	52,000.00	52,000.00	7,740.22	7,740.22	44,259.78
1401	* Court Fines & Forfeitures *	145,000.00	145,000.00	23,304.97	23,304.97	121,695.03
1501	* Revenue From Use Of Money *	35,000.00	35,000.00	1,470.51	1,470.51	33,529.49
1502	* Revenue From Use Of Property *	15,000.00	15,000.00	2,030.00	2,030.00	12,970.00
1601	* Court Costs *	48,360.00	48,360.00	12,202.64	12,202.64	36,157.36
1602	* Commonwealth's Attorney Fees *	900.00	900.00	151.04	151.04	748.96
1603	* Charges For Law Enforcement *	40,000.00	40,000.00	.00	.00	40,000.00
1608	* Charges Sanitation & Removal *	600.00	600.00	169.00	169.00	431.00
1612	* REC DEPT - ADULT LEAGUE FEES *	3,500.00	3,500.00	.00	.00	3,500.00
1613	* Charges For Parks & Recreation *	21,000.00	21,000.00	1,712.50	1,712.50	19,287.50
1616	* Charges For Planning / Ccm Dev *	2,000.00	2,000.00	125.00	125.00	1,875.00
1899	* Miscellaneous *	1,670,940.00	1,670,940.00	1,141,105.17	1,141,105.17	529,834.83
2101	* Service Charges *	48,000.00	48,000.00	46,225.88	46,225.88	1,774.12
2201	**NON-CATEGORICAL AID**	1,295,535.00	1,295,535.00	115,186.96	115,186.96	1,180,348.04
2301	* Commonwealth Attorney *	156,000.00	156,000.00	26,644.28	26,644.28	129,355.72
2302	* Sheriff *	561,533.00	561,533.00	76,302.57	76,302.57	485,230.43
2303	* Commissioner Of Revenue *	76,000.00	76,000.00	12,741.23	12,741.23	63,258.77
2304	* Treasurer *	93,000.00	93,000.00	13,335.27	13,335.27	79,664.73
2306	* Registrar/Electoral Boards *	38,199.00	38,199.00	.00	.00	38,199.00
2307	* Clerk Of The Circuit Court *	144,000.00	144,000.00	23,998.93	23,998.93	120,001.07
2308	* DMV License Agent *	18,000.00	18,000.00	3,110.98	3,110.98	14,889.02
2404	**GRANT FUNDS**	58,000.00	58,000.00	8,418.33	8,418.33	49,581.67
3301	**GRANT FUNDS**	24,000.00	24,000.00	.00	.00	24,000.00
--FUND TOTAL--		14,083,567.00	14,083,567.00	2,027,111.84	2,027,111.84	12,056,455.16

FUND #-150

2402	ASSET FORFEITURE REVENUE (STATE)	25,000.00	25,000.00	.00	.00	25,000.00
4106	** Carryover Balance **	30,000.00	30,000.00	.00	.00	30,000.00
--FUND TOTAL--		55,000.00	55,000.00	.00	.00	55,000.00

FUND #-170

1902	HEALTH INSURANCE CONTRIBUTIONS	2,110,000.00	2,110,000.00	518,242.40	518,242.40	1,591,757.60
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REVENUE SUMMARY
7/01/2016 - 9/07/2016

ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	BALANCE UNCOLLECTED
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2000	DENTAL INSURANCE CONTRIBUTIONS	116,600.00	116,600.00	29,282.96	29,282.96	87,317.04
2002	BALANCE FORWARD	6,275.00	6,275.00	.00	.00	6,275.00

	-- FUND TOTAL--	2,232,875.00	2,232,875.00	547,525.36	547,525.36	1,685,349.64
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FUND #-201

1899	* Miscellaneous Revenue *	.00	.00	14.03	14.03	14.03-
2401	* Welfare *	170,646.00	170,646.00	66,849.93	66,849.93	103,796.07
3305	* Social Services *	812,406.00	812,406.00	113,784.60	113,784.60	698,621.40
4105	* Fund Transfers *	319,069.00	319,069.00	31,385.20	31,385.20	287,683.80

	-- FUND TOTAL--	1,302,121.00	1,302,121.00	212,033.76	212,033.76	1,090,087.24
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FUND #-205

1803	* Expenditure Refunds *	.00	.00	67,072.12	67,072.12	67,072.12-
1899	* Miscellaneous Revenue *	287,299.00	287,299.00	193.68	193.68	287,105.32
2402	* State Education *	9,227,170.00	9,227,170.00	1,310,946.24	1,310,946.24	7,916,223.76
3302	* Education *	1,716,997.00	1,716,997.00	158,099.63	158,099.63	1,558,897.37
4105	* Fund Transfers *	3,774,419.00	3,774,419.00	.00	.00	3,774,419.00

	-- FUND TOTAL--	15,005,885.00	15,005,885.00	1,536,311.67	1,536,311.67	13,469,573.33
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88

FUND #-207

1501	* INTEREST ON BANK DEPOSITS *	.00	.00	135.85	135.85	135.85-
1899	** MISC REVENUE **	.00	.00	1,249.20	1,249.20	1,249.20-
1901	** LOCAL CONTRIBUTIONS **	464,560.00	464,560.00	383,398.96	383,398.96	81,161.04
2404	** STATE FUNDS **	696,199.00	696,199.00	.00	.00	696,199.00

	-- FUND TOTAL--	1,160,759.00	1,160,759.00	384,784.01	384,784.01	775,974.99
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FUND #-302

1501	* Interest On Bank Deposits *	.00	.00	7.75	7.75	7.75-
	-- FUND TOTAL--	.00	.00	7.75	7.75	7.75-

FUND #-401

1501	**INTEREST**	24,000.00	24,000.00	12,308.64	12,308.64	11,691.36
4105	** Transfers **	3,769,766.00	3,769,766.00	1,342,240.84	1,342,240.84	2,427,525.16

	-- FUND TOTAL--	3,793,766.00	3,793,766.00	1,354,549.48	1,354,549.48	2,439,216.52
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FUND #-500

2404	*REVENUE FROM STATE*	350,000.00	350,000.00	257.84	257.84	349,742.16
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REVENUE SUMMARY
7/01/2016 - 9/07/2016

TIME 13:53

ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	BALANCE UNCOLLECTED
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4105	*TRANSFERS*	150,000.00	150,000.00	.00	.00	150,000.00 100.00
	--FUND TOTAL--	500,000.00	500,000.00	257.84	257.84	499,742.16 99.94

FUND # -501

1501	**INTEREST REVENUE**	.00	.00	15.50	15.50	15.50- 100.00-
1619	**CHARGES & FEES**	416,000.00	416,000.00	56,954.26	56,954.26	359,045.74 86.30
1620	SEWER LATE PAYMENT PENALTY	10,200.00	10,200.00	953.94	953.94	9,246.06 90.64
1630	**ADMIN FEES/CHARGES**	15,640.00	15,640.00	2,621.92	2,621.92	13,018.08 83.23
1803	MISCELLANEOUS	.00	.00	658.80	658.80	658.80- 100.00-
	--FUND TOTAL--	441,840.00	441,840.00	61,204.42	61,204.42	380,635.58 86.14

FUND # -515

1501	INTEREST SEWER RESERVE	.00	.00	117.58	117.58	117.58- 100.00-
	--FUND TOTAL--	.00	.00	117.58	117.58	117.58- 100.00-

FUND # -540

1501	INTEREST WATER RESERVE	.00	.00	17.15	17.15	17.15- 100.00-
	--FUND TOTAL--	.00	.00	17.15	17.15	17.15- 100.00-

FUND # -715

1899	Rent of General Property	.00	.00	9,100.00	9,100.00	9,100.00- 100.00-
	--FUND TOTAL--	.00	.00	9,100.00	9,100.00	9,100.00- 100.00-

FUND # -733

1899	* Miscellaneous Revenue *	.00	.00	1,280.00	1,280.00	1,280.00- 100.00-
	--FUND TOTAL--	.00	.00	1,280.00	1,280.00	1,280.00- 100.00-

	--FINAL TOTAL--	38,575,813.00	38,575,813.00	6,134,300.86	6,134,300.86	32,441,512.14 84.09
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ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	ENCUMBRANCE AMOUNT	UNENCUMBERED BALANCE	% REMAINING
11010	* Board of Supervisors *	45,838.00	45,838.00	10,738.47	10,738.47	.00	35,099.53	76.57
12100	* County Administrator *	352,420.00	352,420.00	44,567.23	44,567.23	.00	307,852.77	87.35
12200	VRS	5,000.00	5,000.00	.00	.00	.00	5,000.00	100.00
12210	* Legal Services *	.00	.00	11,857.00	11,857.00	.00	11,857.00	100.00
12240	* Independent Auditor *	34,500.00	34,500.00	.00	.00	.00	34,500.00	100.00
12310	* Commissioner of Revenue *	229,771.00	229,771.00	38,505.33	38,505.33	.00	191,265.67	83.24
12410	* Treasurer *	277,133.00	277,133.00	48,328.76	48,328.76	.00	228,804.24	82.56
12430	* Accounting *	115,032.00	115,032.00	20,539.25	20,539.25	.00	94,492.75	82.14
12510	* Data Processing *	216,256.00	216,256.00	28,570.90	28,570.90	.00	187,685.10	86.78
13100	* Electoral Board *	25,076.00	25,076.00	1,145.54	1,145.54	.00	23,930.46	95.43
13200	* Registrar *	84,556.00	84,556.00	14,339.08	14,339.08	.00	70,216.92	83.04
21100	* Circuit Court *	14,810.00	14,810.00	9.90	9.90	.00	14,800.10	99.93
21200	* General District Court *	10,210.00	10,210.00	377.11	377.11	.00	9,832.89	96.30
21300	* Magistrate *	575.00	575.00	39.42	39.42	.00	535.58	93.14
21600	* Clerk of Circuit Court *	222,117.00	222,117.00	34,742.39	34,742.39	.00	187,374.61	84.35
21800	* Law Library *	1,000.00	1,000.00	120.16	120.16	.00	879.84	87.98
22100	* Commonwealth's Attorney *	207,854.00	207,854.00	34,246.47	34,246.47	.00	173,607.53	83.52
31250	* Sheriff *	62,016.00	62,016.00	283,026.27	283,026.27	.00	1,219,971.73	81.16
31400	* School Resource Officer *	1,502,998.00	1,502,998.00	10,343.39	10,343.39	.00	51,672.61	83.32
31400	* E911 *	23,500.00	23,500.00	202.25	202.25	.00	22,897.75	99.12
32221	*Cumberland Vol. FIRE DEPT*	39,500.00	39,500.00	19,750.00	19,750.00	.00	19,750.00	50.00
32222	*Cartersville Volun.*	39,500.00	39,500.00	19,750.00	19,750.00	.00	39,500.00	100.00
32301	*Cumberland Vol. Rescue Squad*	39,500.00	39,500.00	.00	.00	.00	39,500.00	100.00
32302	*Prince Edward Vol. Rescue Squad*	9,500.00	9,500.00	4,750.00	4,750.00	.00	4,750.00	50.00
32303	*Randolph Fire Dept.*	39,500.00	39,500.00	19,750.00	19,750.00	.00	19,750.00	50.00
32304	*Cartersville Vol. Rescue Squad*	37,970.00	37,970.00	18,985.00	18,985.00	.00	18,985.00	50.00
32306	*Chesterfield Med-Flight Program*	300.00	300.00	.00	.00	.00	300.00	100.00
32400	* Forestry Service *	8,705.00	8,705.00	.00	.00	.00	8,705.00	100.00
32500	* Emergency Services *	17,102.00	17,102.00	.00	.00	.00	17,102.00	100.00
33000	* Probation Office *	1,328.00	1,328.00	45.03	45.03	.00	1,282.97	96.60
33400	* Correction & Detention *	275,000.00	275,000.00	83,512.06	83,512.06	.00	191,487.94	69.63
34100	* Building Inspections *	112,892.00	112,892.00	22,659.77	22,659.77	.00	90,605.23	79.99
35100	* Animal Control *	112,346.00	112,346.00	19,389.69	19,389.69	.00	92,956.31	82.74
35300	* Medical Examiner *	200.00	200.00	.00	.00	.00	200.00	100.00
42400	* Refuse Disposal *	596,376.00	596,376.00	47,732.99	47,732.99	.00	548,643.01	91.99
43200	* General Properties *	681,038.00	681,038.00	104,170.34	104,170.34	.00	576,867.66	84.70
51200	* Supplement of Local Health Dept *	98,753.00	98,753.00	24,688.25	24,688.25	.00	74,064.75	75.00
52500	* Chapter 10 Board - Crossroads *	34,000.00	34,000.00	17,000.00	17,000.00	.00	17,000.00	50.00
61230	* CSA Management *	31,517.00	31,517.00	6,000.33	6,000.33	.00	25,516.67	80.96
68000	* Community Colleges *	7,000.00	7,000.00	3,516.00	3,516.00	.00	3,484.00	49.77
71500	* Recreation *	64,699.00	64,699.00	8,644.54	8,644.54	.00	56,054.46	86.63
73100	* Local Library *	115,450.00	115,450.00	47,725.00	47,725.00	.00	67,725.00	59.00
81100	* Planning Commission *	9,950.00	9,950.00	1,074.57	1,074.57	.00	8,875.43	89.19
81110	* Planning/Zoning Dept *	67,403.00	67,403.00	10,303.40	10,303.40	.00	57,099.60	84.56
81200	* Community & Economic Development *	19,052.00	19,052.00	.00	.00	.00	19,052.00	100.00
81400	* Board of Zoning Appeals *	650.00	650.00	.00	.00	.00	650.00	100.00
81514	Transportation	10,570.00	10,570.00	.00	.00	.00	10,570.00	100.00

UNENCUMBERED BALANCE REMAINING

ENCUMBRANCE AMOUNT

Y-T-D AMOUNT

CURRENT AMOUNT

APPR. AMOUNT

BUDGET AMOUNT

DESCRIPTION

ACCT#

FUND #

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ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	ENCUMBRANCE AMOUNT	UNENCUMBERED BALANCE	REMAINING \$
67500	* High/Middle School - VPSA Loan *	922,501.00	922,501.00	743,931.24	743,931.24	.00	178,569.76	19.35
67700	PUBLIC FACILITY NOTE 2009	389,759.00	389,759.00	31,714.16	31,714.16	.00	358,044.84	91.86
67800	* AMERESCO *	145,952.00	145,952.00	145,952.00	145,952.00	.00	.00	.00
95600	* SunTrust Loan-HS/MS *	1,491,402.00	1,491,402.00	.00	.00	.00	1,491,402.00	100.00
95700	* SunTrust Loan - Courthouse *	248,697.00	248,697.00	232,583.95	232,583.95	.00	16,113.05	6.47
	-- FUND TOTAL--	3,793,766.00	3,793,766.00	1,516,493.85	1,516,493.85	.00	2,277,272.15	60.02
FUND # -500								
53900		550,000.00	500,000.00	76,866.88	76,866.88	.00	423,133.12	84.62
	-- FUND TOTAL--	550,000.00	500,000.00	76,866.88	76,866.88	.00	423,133.12	84.62
FUND # -501								
94900	* SEWER FUND - Enterprise Fund *	311,415.00	311,415.00	34,688.44	34,688.44	.00	276,726.56	88.86
95900	* WATER FUND - ENTERPRISE FUND *	130,425.00	130,425.00	21,183.77	21,183.77	.00	109,241.23	83.75
	-- FUND TOTAL--	441,840.00	441,840.00	55,872.21	55,872.21	.00	385,967.79	87.35
FUND # -715								
81610	COMMUNITY CENTER PURCHASE	.00	.00	23,962.02	23,962.02	.00	23,962.02	100.00
81620	MADISON INDUSTRIAL PARK	.00	.00	100,421.27	100,421.27	.00	100,421.27	100.00
	-- FUND TOTAL--	.00	.00	124,383.29	124,383.29	.00	124,383.29	100.00
FUND # -733								
53010		.00	.00	825.20	825.20	.00	825.20	100.00
	-- FUND TOTAL--	.00	.00	825.20	825.20	.00	825.20	100.00
	-- FINAL TOTAL--	38,625,840.00	38,575,813.00	6,514,281.64	6,514,281.64	.00	32,061,531.36	83.11



L. O. Pfeiffer, Jr.
TREASURER OF CUMBERLAND COUNTY
P.O. Box 28
Cumberland, VA 23040
(804) 492-4297
Fax 492-5365



TO: Vivian Seay Giles, County Administrator

FROM: L.O. Pfeiffer, Jr. *LOP*

RE: Refund on Overpayment of Taxes

Date: August 12, 2016

The Commissioner of Revenue's Office has processed an abatement to a Real Estate tax assessment for Tax Years 2011 through 2016. This abatement results in a refund to the property owner in the amount of \$4497.76 for overpayment of taxes.

By law, approval from the Board of Supervisors is required before issuing a refund of taxes over \$2,500.00. I am therefore requesting that the Board of Supervisors authorize the Treasurer to issue the check for the tax refund. Since this account deals with Tax Relief, I have requested the Commissioner of Revenue to provide you with the documentation concerning this abatement in accordance with the applicable disclosure guidelines.

Please let me know if you need any additional information on this.

Cc: The Honorable Julie Phillips



CUMBERLAND COUNTY
OFFICE OF THE COMMISSIONER OF THE REVENUE
P.O. BOX 77 ~ CUMBERLAND, VIRGINIA 23040
(804) 492-4280 ~ Fax: (804) 492-3342
www.cumberlandcounty.virginia.gov

JULIE A. PHILLIPS
Master Commissioner

To: Vivian Giles
From: Julie A. Phillips, MCR
RE: Refund on Overpayment of Taxes

On August 5, 2016 a taxpayer applied for the Disabled Veteran exemption on their Real Property. Because the taxpayer was eligible as of January 1, 2011, I processed an abatement for tax years 2011-2016. Due to the private nature of this exemption, I am withholding the name of the taxpayer to receive the refund.

Please let me know if you need any additional information.



Julie A. Phillips, MCR

8/17/16
Date

cc: The Honorable L.O. Pfeiffer, Jr.

RECEIVED AUG 29 2016



RANDOLPH DISTRICT
VOLUNTEER FIRE DEPARTMENT
2145 Cumberland Road
Farmville, Virginia 23901

August 25, 2016

Director of Finance
County of Cumberland
P. O. Box 110
Cumberland, Virginia 23040

Good Day,

Please find enclosed a bank account transaction history for RDVFD showing the final payment for Engine 41 in the amount of \$12,152.75. This includes the annual payment of \$11,820.00 and the remaining balance of \$332.75.

Please consider this as a request for reimbursement.

Sincerely,

Sandy Spillman
Sandy Spillman, Treasurer
RANDOLPH DISTRICT
VOLUNTEER FIRE DEPARTMENT

BB&T
Account Transaction History

AIF Name **RANDOLPH DISTRICT VOLUNTEER
FIRE DEPARTMENT INC**

08/24/2016

Page 1

2145 CUMBERLAND RD
FARMVILLE VA 23901-4237

Account # 0000151536816

Posting Date	Effective Date	Debit Credit	Tran Code	Description	Reference #	Check/ Serial #	Amount	Ending Balance
08/08/2016	08/08/2016	C	0013	DEPOSIT	2102848674	0	\$1,062.00	\$49,290.76
08/09/2016	08/09/2016	D	7511	CHECK	2905733592	3269	\$340.69	\$48,950.07
08/10/2016	08/10/2016	D	7511	CHECK	2906362815	3264	\$38.81	\$48,911.26
08/10/2016	08/10/2016	D	7511	CHECK	2906757412	3266	\$933.52	\$47,977.74
08/10/2016	08/10/2016	D	7511	CHECK	2906759239	3267	\$46.95	\$47,930.79
08/11/2016	08/11/2016	D	7583	CHECK	2104805502	3262	\$115.00	\$47,815.79
08/11/2016	08/11/2016	D	7511	CHECK	2907363953	3265	\$69.43	\$47,746.36
08/11/2016	08/11/2016	D	7511	CHECK	2907268214	3268	\$16.00	\$47,730.36
08/12/2016	08/12/2016	C	0013	DEPOSIT	2105637274	0	\$19,780.00	\$67,510.36
08/15/2016	08/15/2016	D	7511	CHECK	290637217	3263	\$222.88	\$67,287.48
08/19/2016	08/19/2016	D	7583	CHECK	21000044	3270	\$13.00	\$67,274.48
08/23/2016	08/23/2016	D	7645	PAYMENT USDA RD INFO RANDOLPH DISTRICT VOLU ACH CORP DER	600560750	0	\$12,152.75	\$55,121.73

COPY

Please be aware that the Ending Balance only reflects items posted. It **does not** include holds or unavailable deposit funds that may reduce the available balance used to pay items.
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**Planning Projects:
September 2016**

Zoning:		
<i>Pending Zoning Questions and Requests</i>		
<i>CUP's and Rezoning Requests</i>		
Robert Lipscomb	525 Holman Mill Road	The application has now been completed with the submission of a site plan. The Planning Commission has set a public hearing for September 26, 2016. A Board of Supervisors public hearing is requested for October 11, 2016.
Mo Duncan	1936 Cartersville Road	The applicant seeks to amend his existing zoning to address on-going concerns with storage and uses at his existing business. At this time, there is not yet a completed application.
Jerry Oliver	14 Lakeside Drive	The applicant seeks a CUP for expansion of a non-conforming structure on a non-conforming lot. The Planning Commission heard this case on August 22, 2016 and recommends approval to the Board of Supervisors unanimously. The application was turned in after the last Board meeting, and so no public hearing has been set. Staff has advertised and notified for a public hearing, and requests that the Board ratify the public hearing notice and hold the hearing at the September 13, 2016 meeting.
North Whiteville Cell Tower	37 Jenkins Ridge Road	A CUP for this use was approved in 2012. However, there was a three year timeframe for the approval that was not met. The applicant has a new cell provider that would like to get the tower constructed. The Planning Commission will hold a public hearing on the proposal on September 26, 2016, and a Board of Supervisors hearing is requested for October 11, 2016.
Alexander and Louise Hoffman	188 and 190 Trice's Lake Road	Approved.
Jack Ingle and Faye Martin	9 and 13 Fitzgerald Road	Approved.
<i>Zoning Compliance Issues-</i> Four cases under legal review. Three cases working on coming into compliance. Two cases in the Notice of Violation stage.		
Comprehensive Plan Amendment (Northern Area):		
<p>During the introductory meetings held in the area, citizens had particular questions regarding two areas of concern: assessments/market trends and road maintenance/safety. Staff scheduled two additional meetings in the area. The first, regarding assessments and market trends, was held on Monday, August 29, and included the county's Commissioner of the Revenue, Julie Phillips and the county's assessment consultant, Randy Willis. The second meeting was held on August 31, and included the resident engineer from the Dillwyn residency of VDOT, Scot Shippee and the county Sheriff, Darrell Hodges, along with law enforcement officers from the State Police and DMV. Both meetings were well attended. The next meetings to be scheduled will be to address the community vision of the area. Staff is hoping to schedule a series of three meetings during the month of October.</p>		
Subdivisions:		
<i>Pending Subdivisions</i>		
Pearl Mayers	Morningside Drive	Subdivision of one lot.

Doc Carter	Something Lane, off of Stoney Point Road	Family division of three parcels.
Other Regulatory Functions:		
<i>Erosion and Sediment Control Applications</i>		
Henrico County-Thalle	Cobbs Creek	Contractors that worked to complete the utility corridor clearing are completing stabilization of the corridor and preparing to leave the site.
Henrico County-Primoris	Cobbs Creek	Pipeline relocation is well underway, and the contractors for the project are fully mobilized.
Poorhouse Road Waterline	Poorhouse Road	Project underway.
<i>Code Amendment Questions</i>		
Structure Heights	Countywide	Approved.
Childcare as a home occupation	Countywide	The Planning Commission has requested that staff review the changes in State Code regarding licensure of in-home daycares and ensure that the County Code matches it. The Planning Commission would like to increase what citizens are allowed to do in their homes as a home occupation if they are able to meet state requirements. The Commission will hold a public hearing on the proposal on September 26, and requests that the Board hold a public hearing on October 11, 2016.
Contractor as a CUP in the A-2 district	Countywide	There is an applicant who would like to run his contractor business in an area of the county that is zoned A-2. The Commission is willing to consider his request in conjunction with an ordinance amendment to add the use as a conditional use in the A-2, rather than rezone an agricultural area to an industrial classification. The Commission will hold a public hearing on the proposal on September 26, and requests that the Board hold a public hearing on October 11, 2016.
Watershed Protection Ordinance	Cobbs Creek Reservoir Watershed	The Henrico County Attorney's office is currently working on a draft Ordinance amendment in consultation with county staff.
Definitions	Countywide	An update should happen as part of mixed use district. The first draft was completed as part of the initial review of the Ordinance for the mixed use district. Deferred by the Planning Commission until completion of CCR Plan Amendment.
Business uses	Countywide	All business uses should be inclusive as the Ordinance moves from a less intensive to a more intensive business zone. In other words, all uses in the B-3 should be included in B-2, and so on. Deferred by the Planning Commission until completion of CCR Plan Amendment.
Overlay district standards	Anderson Highway between 45 and 45	Standards to require improved appearance in mixed use district around the Courthouse. Deferred by the Planning Commission until completion of CCR Plan Amendment.
Mixed Use Zoning District	Cumberland Road and Anderson Highway	Combine uses in B-3 and R-2 for a mixed use district. Deferred by the Planning Commission until completion of CCR Plan Amendment.



MEMO

To: Board of Supervisors, Cumberland County
Vivian Seay Giles, County Administrator/Attorney

From: Sara Carter, Planning Director

Date: September 1, 2016

Re: **Planning Commission Appointment**

The term of Randy Bryant, who represents District 1 on the Planning Commission, expires on October 1, 2016. Mr. Bryant has indicated his willingness to continue serving on the Commission for another term and is eligible for reappointment. The term for Planning Commissioners is three years. If he is reappointed, his term would be from October 2, 2016 to October 1, 2019.



MEMO

To: Board of Supervisors, Cumberland County
Vivian Seay Giles, County Administrator/Attorney

From: Sara Carter, Planning Director

Date: September 7, 2016

Re: **CUP #16-01 Robert Lipscomb**
Tax Map Parcel #91-A-1
Address: 525 Holman Mill Road
A-2 Agriculture
CUP for event facility

Robert Lipscomb is seeking a CUP for the use of a barn in an A-2 district for an event facility. The Planning Commission will hold a public hearing on this proposal on September 26, 2016, and the Board is requested to hold a public hearing on October 11, 2016.

Staff recommends that the Board set a public hearing for October 11, 2016 for a Conditional Use Permit to allow an event facility on 525 Holman Mill Road.



MEMO

To: Board of Supervisors, Cumberland County
Vivian Seay Giles, County Administrator/Attorney

From: Sara Carter, Planning Director

Date: September 7, 2016

Re: **CUP #16-09 North Whiteville Tower**
Tax Map Parcel #29-A-100B
Address: Adjacent to 37 Jenkins Ridge Road
A-2 Agriculture
CUP for communications tower

National Communications Towers, Inc. proposed a tower for this parcel, and was approved for a CUP in 2012. However, the CUP had an expiration date of three years from approval if the tower had not yet begun construction. Therefore, the CUP expired in November of 2015. NCT now has a new provider who is interested in the site, if approvals can be regained for the location. The Planning Commission will hold a public hearing on this proposal on September 26, 2016, and the Board is requested to hold a public hearing on October 11, 2016.

Staff recommends that the Board set a public hearing for October 11, 2016 for a Conditional Use Permit to allow a communications tower adjacent to 37 Jenkins Ridge Road.



MEMO

To: Board of Supervisors, Cumberland County
Vivian Seay Giles, County Administrator/Attorney

From: Sara Carter, Planning Director

Date: September 7, 2016

Re: **CA #16-08 In Home Daycare
Countywide
Code Amendment to the A-2, A-20 RA-1, R-1, and R-3 districts**

In the last few years, there have been numerous changes in State Code and regulations regarding in-home daycare licensure. The previous interpretations and regulations of the Zoning Ordinance for this use no longer match State Code. With the increasing regulations for in home daycare on the state level, the Planning Commission is exploring an Ordinance amendment for Chapter 74 of the Cumberland County Code that would allow individuals that meet State requirements and licensure to have this use as a permitted use, rather than having to go through a conditional use permit process. The Planning Commission will hold a public hearing on this proposal on September 26, 2016, and the Board is requested to hold a public hearing on October 11, 2016.

Staff recommends that the Board set a public hearing for October 11, 2016 for a Code Amendment to allow in home daycares as a permitted use in the A-2, A-20, RA-1, R-1 and R-3 districts.

Mr. Chairman, I move that the Cumberland County Board of Supervisors adopt the resolution provided and that each member certify 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, (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Cumberland County Board of Supervisors, and (iii) no action was taken in closed session regarding the items discussed.

The Board returned to regular session on a motion by the Chairman.

A motion was made by Supervisor _____ adopted by the following vote:

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

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.

Collection Rates - As of August 31, 2016

Real Estate:

	Current Collection %	Prior Year %	Change
Tax Year - 2015	95.62%	95.57%	+ 0.05%
Tax Year 2016 - 1st Half	91.96%	92.11%	- 0.15%

Personal Property:

	Current Collection %	Prior Year %	Change
Tax Year - 2014	98.25%	98.28%	- 0.03%
Tax Year - 2015	95.37%	96.14%	- 0.77%

Treasurer's Office

Outstanding Collections Report

August 31, 2016

Real Estate

	<u>As of 7/31/16</u>	<u>As of 8/31/16</u>	<u>Change</u>	<u>% Collected</u>	<u>Abatements/ Exonerations</u>
2000-2005	6,148.53	5,891.16	\$ 257.37	4.19%	
2006	4,569.31	4,569.31			
2007	7,291.91	7,291.91			
2008	10,808.92	10,808.92			
2009	13,694.29	13,599.17	95.12	0.69%	
2010	27,400.37	27,086.30	314.07	1.15%	
2011	50,808.26	49,744.23	1,064.03	2.09%	\$ 754.12
2012	83,053.61	81,145.91	1,907.70	2.30%	754.12
2013	128,305.73	126,022.14	2,283.59	1.78%	754.12
2014	170,670.77	165,537.01	5,133.76	3.01%	726.02
2015	252,994.63	242,920.92	10,073.71	3.98%	726.02
2016 (First Half)	262,111.41	236,332.25	25,779.16	9.83%	391.68
Total	\$ 1,017,857.74	\$ 970,949.23	\$ 46,908.51		

Personal Property

	<u>As of 7/31/16</u>	<u>As of 8/31/16</u>	<u>Change</u>	<u>% Collected</u>	<u>Abatements/ Exonerations</u>
2011	\$ 33,277.06	33,153.57	123.49	0.37%	
2012	32,109.35	32,084.55	24.80	0.07%	
2013	34,569.53	34,212.80	356.73	1.03%	\$ 72.14
2014	49,546.85	48,804.50	742.35	1.50%	459.81
2015	148,804.80	130,957.65	17,847.15	11.99%	1,819.23
Total	\$ 298,307.59	\$ 279,213.07	\$ 19,094.52		

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUS BALANCE	DEBIT	CREDIT	ENDING BALANCE
* TREASURER'S ACCOUNTABILITY *					
ASSETS					
100-0000	CASH IN OFFICE	1,000.00			1,000.00
100-0105	C&F BANK - CHECKING	750,000.00	3,277,252.28		750,000.00
100-0115	C&F BANK - INVESTMENT ACCT	1,172,619.67	1,040.19	770,146.28	403,513.58
100-0120	C&F BANK - SAVINGS ACCT	21,161.87	1,992.12		23,153.99
100-0121	C&F BANK-IPR ACCOUNT	14,056.83			14,056.83
100-0122	ESSEX BANK - CD	2,236,584.08			2,236,584.08
100-0124	C&F BANK-FAF (JUSTICE)	15,589.11			15,589.11
100-0125	C&F BANK-FAF (TREASURY)	2,710.45			2,710.45
100-0126	NEW HORIZON BANK-MONEY MKT	483,993.12	164.43		484,157.55
100-0128	C&F BANK-MONEY MARKET ACCT				
100-0129	FIRST BANK	104,484.81	47.93		104,532.74
100-0131	LOCAL GOV INVESTMENT POOL	5,287.55	2.20		5,289.75
100-0137	RIVER COMM BANK - CERT. OF DEPOSIT				
100-0140	FIRST BANK/SEWER RESERVE	123,838.85	56.81		123,895.66
100-0141	FIRST BANK/WATER RESERVE	18,068.18	8.29		18,076.47
100-0142	C&F BANK/ASSET FORFEITURE (SAF)	66,416.82			66,416.82
100-0143	C&F BANK-IDA RD OES DSR	63,388.21			63,388.21
100-0144	C&F BANK-GOVERNOR'S SCHOOL FUND	369,908.79	306,088.53	66,686.33	609,310.99
100-0145	C&F BANK-WATERLINE EXT DSR ACCT	7,086.61			7,086.61
100-0146	RETURNED CHECKS	1,958.01	727.43	968.34	1,717.10
100-0155	E & S CONTROL BOND ESCROW	263,520.90			263,520.90
100-0160	**ASSETS**	5,721,673.86	3,587,380.21	4,115,053.23	5,194,000.84
TOTAL ASSETS					
		5,721,673.86	3,587,380.21	4,115,053.23	5,194,000.84
REVENUE FUND BALANCES					
300-0000	GENERAL FUND BALANCE	3,844,310.17	1,833,584.35	1,472,166.12	3,482,891.94
300-0100	ECONOMIC DEVELOPMENT FUND	38,871.00			38,871.00
300-0120	ASSET FORFEITURE FUND BALANCE	84,716.38			84,716.38
300-0150	HEALTH INSURANCE FUND	158,987.40	195,903.45	188,730.30	151,814.25
300-0170	SOCIAL SERVICES FUND BALANCE		113,205.94	113,205.94	
300-0201	NCLB FUND				
300-0203	SCHOOL CONTINGENCY FUND	672,079.01	672,079.01		
300-0204	SCHOOL FUND BALANCE				
300-0205	GOVERNOR'S SCHOOL FUND (GSSV)	369,908.79	66,686.33	710,329.22	341,250.37
300-0207	CAPITAL PROJECTS FUND BALANCE	14,264.00		306,088.53	609,310.99
300-0302	DEBT SERVICE FUND			7.75	14,271.75
300-0401	COMPREHENSIVE SERVICES ACT			1,342,240.84	39,105.00
300-0500	UTILITY FUND (WATER/SEWER)	11,376.68	49,076.39	9,971.39	28,164.03
300-0501	SEWER RESERVE FUND (DSR)	123,838.85	21,267.34	38,054.69	123,895.66
300-0515	WATER RESERVE FUND	18,068.18		56.81	18,076.47
300-0540	WATERLINE EXT DSR FUND	7,086.61		8.29	7,086.61
300-0545	IDA OES RD DSR FUND	63,388.21			63,388.21
300-0550	IPR FUND BALANCE	14,056.83			14,056.83
300-0580	IDA FUND BALANCE	4,649.84	51,308.98	3,700.00	42,959.14
300-0715	SPECIAL WELFARE FUND BALANCE	15,637.35	241.74	115.00	15,510.61
300-0733	**REVENUE FUND BALANCES**	5,441,239.30	4,714,673.22	4,184,674.88	4,911,240.96
TOTAL PRIOR YR FUND BALANCE					
		5,441,239.30	4,714,673.22	4,184,674.88	4,911,240.96
TOTAL REVENUE					

TOTAL EXPENDITURE
TOTAL CURRENT FUND BALANCE

9/01/16
FUND #-999

5,441,239.30-
CUMBERLAND CO
BALANCE SHEET
7/31/2016

4,911,240.96-
PAGE 2
TIME 11:26

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUS BALANCE	DEBIT	CREDIT	ENDING BALANCE
400-0000	**OTHER FUND BALANCES**				
400-0105	OVERPAYMENTS		24.94	24.94	
400-0110	PREPAID TAXES	14,109.16-		2,297.82-	16,406.98-
400-0140	COMMONWEALTH DEBIT ACCOUNT	27.50		27.50	
400-0150	COMMONWEALTH CREDIT ACCOUNT	90.00-	874.37	874.37-	90.00-
400-0160	EROSION & SED CONTROL BOND ESCROW	263,520.90-			263,520.90-
400-0210	COMMONWEALTH FUNDS PAID IN ERROR				
400-0216	ATTORNEY FEES	2,742.00-	899.31	3,224.63-	2,742.00-
	OTHER FUND BALANCES	280,434.56-	899.31	3,224.63-	282,759.88-
		280,434.56-	899.31	3,224.63-	282,759.88-
500-0000	**UNCOLLECTED TAXES**				
500-0010	PUBLIC SERVICE CORP. TAXES PP/RE	392,681.21			392,681.21
500-0077	UNCOLLECTED 2016 REAL ESTATE TAX	3,096,908.51	2,574.31	64,020.99-	3,035,461.83
500-0078	UNCOLLECTED 2015 REAL ESTATE TAX	259,517.61		6,522.98-	252,994.63
500-0079	UNCOLLECTED 2014 REAL ESTATE TAX	176,142.60		5,471.83-	170,670.77
500-0080	UNCOLLECTED 2013 REAL ESTATE TAXES	129,058.46		752.73-	128,305.73
500-0081	UNCOLLECTED 2012 REAL ESTATE TAXES	83,258.20		204.59-	83,053.61
500-0082	UNCOLLECTED 2011 REAL ESTATE TAXES	51,036.63		228.37-	50,808.26
500-0083	UNCOLLECTED 2010 REAL ESTATE TAXES	28,263.98		863.61-	27,400.37
500-0084	UNCOLLECTED 2009 REAL ESTATE TAXES	13,845.30		151.01-	13,694.29
500-0085	UNCOLLECTED 2008 REAL ESTATE TAXES	10,825.82		16.90-	10,808.92
500-0086	UNCOLLECTED 2007 REAL ESTATE TAXES	7,291.91		7,291.91	
500-0087	UNCOLLECTED 2006 REAL ESTATE TAXES	4,569.31		4,569.31	
500-0150	UNCOLLECTED 2005/2000 REAL ESTATE	6,401.26		252.73-	6,148.53
500-0154	2010 VEHICLE LICENSE TAX				
500-0155	2011 VEHICLE LICENSE TAX	6,850.32			6,850.32
500-0156	2012 VEHICLE LICENSE TAX	5,978.97		85.00-	5,893.97
500-0157	2013 VEHICLE LICENSE TAX	7,064.24		177.00-	6,887.24
500-0158	2014 VEHICLE LICENSE TAX	9,953.94	46.00	481.44-	9,518.50
500-0159	2015 VEHICLE LICENSE TAX	30,189.19	69.00	4,054.60-	26,203.59
500-0160	2016 VEHICLE LICENSE TAX				
500-0173	UNCOLL. 2010 PERSONAL PROPERTY TAX				
500-0174	UNCOLL. 2011 PERSONAL PROPERTY TAX	33,575.36		298.30-	33,277.06
500-0175	UNCOLL. 2012 PERSONAL PROPERTY TAX	33,124.88	74.70	1,090.23-	32,109.35
500-0176	UNCOLL. 2013 PERSONAL PROPERTY TAX	35,611.42	73.08	1,114.97-	34,569.53
500-0177	UNCOLL. 2014 PERSONAL PROPERTY TAX	52,058.50	599.29	3,110.94-	49,546.85
500-0178	UNCOLL. 2015 PERSONAL PROPERTY TAX	174,461.34	2,164.58	27,821.12-	148,804.80
500-0179	UNCOLL. 2016 PERSONAL PROPERTY TAX				
500-0200	RESERVE UNCOLLECTED COUNTY TAXES	4,648,668.96-	116,701.89	5,583.51-	4,537,550.58-
500-0400	UNCOLL MISC FEES	3,498.57			3,498.57
500-0401	RESERVE-MISC FEES	3,498.57-			3,498.57-
500-0800	UNCOLLECTED WATER CHARGES	11,512.49	8,373.63	11,336.70-	8,549.42
500-0810	RESERVE UNCOLLECTED WATER CHARGES	11,512.49-			11,336.70
500-0900	UNCOLLECTED SEWER CHARGES	16,938.25	20,442.42	26,309.75-	11,070.92
500-0910	RESERVE UNCOLLECTED SEWER CHARGES	16,938.25-			20,442.42-
500-1010	UNCOLLECTED 2010 ROLLBACK TAX				

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUS BALANCE	DEBIT	CREDIT	ENDING BALANCE
500-1011	UNCOLLECTED 2011 ROLLBACK TAX		373.90		373.90
500-1012	UNCOLLECTED 2012 ROLLBACK TAX		348.40		348.40
500-1013	UNCOLLECTED 2013 ROLLBACK TAX		322.91		322.91
500-1014	UNCOLLECTED 2014 ROLLBACK TAX		308.21		308.21
500-1015	UNCOLLECTED 2015 ROLLBACK TAX		281.79		281.79
500-1016	UNCOLLECTED 2016 ROLLBACK TAX		278.46		278.46
500-1099	RESERVE-UNCOLLECTED ROLLBACK TAXES			1,913.67	1,913.67
	UNCOLLECTED TAXES		190,679.02	190,679.02	
510-2010	COMMONWEALTH REIMB-PPTRA				
510-2011	COMMONWEALTH REIMB-2010				
510-2012	COMMONWEALTH REIMB-2011	871,678.44			871,678.44
510-2013	COMMONWEALTH REIMB-2012	873,291.79		8.13	873,283.66
510-2014	COMMONWEALTH REIMB-2013	865,105.18		8.14	865,097.04
510-2015	COMMONWEALTH REIMB-2014	873,118.68	423.55	319.96	873,222.27
510-2016	COMMONWEALTH REIMB-2015	876,085.60	408.03	12.18	876,481.45
510-9999	ESTIMATED COMMONWEALTH RESERVE	4,359,279.69	348.41	831.58	4,359,762.86
	COMMONWEALTH REIMB-PPTRA		1,179.99	1,179.99	
			191,859.01	191,859.01	
600-0000	**STATE ACCOUNTS**				
600-0173	UNCOLL. STATE INCOME TAX-2014				
600-0174	UNCOLL. STATE INCOME TAX-2015				
600-0185	ESTIMATED STATE INCOME TAX-2015		324.00	364.00	40.00
600-0186	ESTIMATED STATE INCOME TAX-2016		364.00	324.00	40.00
600-0190	RESERVE UNCOLLECTED STATE TAXES		688.00	688.00	
	STATE ACCOUNTS		688.00	688.00	
700-0000	**DEBT FUNDS**				
700-0151	CERT OF PARTICIPATION -ELEM 97	700,000.00		340,000.00	360,000.00
700-0221	LITERARY LOAN - ELEMENTARY SCHOOL	1,833,333.27			1,833,333.27
700-0222	HIGH SCH/MIDDLE SCH-SUNTRUST LOAN	16,935,000.00			16,935,000.00
700-0226	SEWER LOAN - FARMERS HOME ADM	1,345,682.48			1,345,682.48
700-0227	WATERLINE EXT LOAN-USDA	912,906.46			912,906.46
700-0231	COURTHOUSE LOAN-SUNTRUST	1,609,000.00		214,000.00	1,395,000.00
700-0236	PUBLIC FACILITIES NOTE-2009	3,940,000.00			3,940,000.00
700-0237	VPSA	7,648,264.00		551,304.00	7,096,960.00
700-0239	IDA RD LOAN-OES PROPERTY	1,874,400.46			1,874,400.46
700-0240	AMERESCO LOAN	965,460.00			965,460.00
700-0250	RESERVE DEBT FUND	37,764,046.67	1,105,304.00	1,105,304.00	36,658,742.67
	DEBT FUNDS		1,105,304.00	1,105,304.00	
			1,105,304.00	1,105,304.00	

Transactions for DMV Select

August 2016

	# Transactions	Total \$	# Helped	# Transactions	Total \$	# Helped
1	51	\$2,521.05	8	17	\$645.20	7
2	34	\$1,592.86	10	18	\$1,087.62	14
3	34	\$1,718.17	11	19	\$4,836.57	8
4	19	\$806.33	5	20		
5	26	\$1,322.38	8	21		
6				22	\$1,657.35	12
7				23	\$926.45	9
8	26	\$809.02	11	24	\$975.97	7
9	22	\$566.75	5	25	\$1,449.56	5
10	23	\$1,211.25	6	26	\$1,425.75	10
11	19	\$611.75	8	27		
12	31	\$1,333.97	4	28		
13				29	\$4,675.91	15
14				30	\$3,093.98	13
15	38	\$1,850.28	8	31	\$3,264.94	12
16	27	\$1,247.89	11	777	\$39,631.00	207

CUMBERLAND COUNTY

**BUILDING INSPECTIONS
DEPARTMENT**



AUGUST 2016

**MONTHLY
REPORT**

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August	Current Month 2015	YTD 2015	Current Month 2016	YTD 2016
Singlewides	0	6	1	4
Doublewides	2	7	1	7
Modular	0	1	0	5
New Homes	1	9	3	7
Ag & Exempt	0	1	0	4
Garages & Carports	2	12	3	22
Additions & Remodels	3	18	2	14
Misc	13	96	18	92
Commercial	8	25	3	19
Totals	29	174	31	173
Total Fees Collected	\$4,983.65	\$27,492.80	\$3,504.21	\$22,502.22
E-911 Fees Collected	\$12.00	\$180.00	\$36.00	\$142.00
Zoning Fees Collected	\$20.00	\$180.00	\$72.00	\$233.00
S & E Fees Collected	\$0.00	\$450.00	\$0.00	\$500.00
Total Estimated Value	\$741,966.00	\$4,945,743.00	\$478,649.00	\$4,439,168.00
Admin. Fees	\$0.00	\$20.00	\$10.00	\$40.00
CO's Issued	5	20	3	24

