



CUMBERLAND COUNTY BOARD OF SUPERVISORS

Regular Monthly Meeting Cumberland County Circuit Courtroom A Cumberland, VA

October 11, 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** **Information**
 - a. Dr. Amy Griffin, Superintendent of Cumberland County Public Schools **Information**
 - b. VDOT **Information**
 - c. Ms. Robin Sapp, Cumberland Public Library **Information**
6. **Public Comments (Part one)**
7. **Public Hearings** **Motion**
 - a. Conditional Use Permit 16-01 Event Barn for Robbie Lipscomb (pg. 1-7) **Motion**
 - b. Conditional Use Permit 16-09 N. Whiteville Cell Tower (pg. 8-35) **Motion**
 - c. Code Amendment 16-08 In-Home Daycare (pg. 36-42) **Motion**
8. **County Attorney/County Administrator Report** **Motion**
 - a. Consent agenda **Motion**
 - i. Approval of bills
 - ii. Approval of Minutes - September 13, 2016 (pg. 43-83)
 - b. Vote to extend real property reassessment (pg. 84) **Motion**
 - c. Cigarette Tax Authority Resolution (pg. 85-88) **Motion**
 - d. Domestic Violence Resolution (pg. 89-91) **Motion**
9. **Finance Director's Report** **Information**
 - a. Monthly Budget Report (pg. 92-99) **Motion**
 - b. Budget/CIP Calendar (pg. 100-101) **Motion**
 - c. Supplemental Appropriation – Sheriff's Office - \$516.00 (pg. 102-103) **Motion**

10. **Planning Director's Report**
 - a. Planning Project updates (pg. 104-105) **Information**
11. **Old Business**
12. **New Business**
13. **Public Comments (Part two)**
14. **Board Members Comments**
15. **Adjourn into Closed Meeting** **Motion**

N/A
16. **Reconvene in Open Meeting** **Motion**

N/A
17. **Additional Information – (pg. 106-121)**
 - a. Treasurer's Report
 - b. DMV Report
 - c. Monthly Building Inspections Report
 - d. Approved Planning Commission meeting minutes
 - e. Approved IDA minutes-N/A
18. **Adjourn – Regular Meeting – November 8, 2016**



**STAFF REPORT
CUP 16-01**

Event Barn (Robbie Lipscomb, applicant)
Conditional Use Permit
Cumberland County, Virginia
Board of Supervisors Public Hearing
October 11, 2016

General Information:

Processing schedule: The Planning Commission received a complete application on August 22, 2016. They held a public hearing on September 26, 2016 and recommend approval to the Board of Supervisors with the attached conditions unanimously. The Board of Supervisors has set their public hearing for October 11, 2016.

Application Information:

Owner: Larry and Deborah Thompson
Agent: Robbie Lipscomb
Requested Action: Conditional Use Permit for an event facility (indoor and outdoor)
Location: Tax Parcel: 91-A-1
Address: 525 Holman Mill Road
Voting District: 4
Existing Zoning: A-2
Proposed Zoning: A-2 with CUP for event facility
Size: Total parcel acreage: 61.683
Acreage to be covered by CUP: 1.7 acres
Existing land uses: House and outbuildings
Comp. plan area: Not in a growth area
Overlay districts: None

Surrounding Area Information:

<u>Direction</u>	<u>Adjacent existing uses</u>	<u>Adjacent zoning</u>	<u>Adjacent Comp. Plan Area (2013)</u>
North	Vacant	A-2	Not in a growth area
South	Vacant	A-2	Not in a growth area
East	Vacant	A-2	Not in a growth area
West	Residential	A-2	Not in a growth area

Summary of Request and Background Information:

On August 26, 2015, Robert Lipscomb received a zoning permit and Larry Thompson received a Farm Structure Affidavit for the purpose of building a barn. At that time, Mr. Lipscomb mentioned that he and his future wife were planning to get married at the barn, and that they may wish to hold occasional events at the barn. Staff indicated that the festival permit process addressed gatherings, and that a CUP would be required if the number of events met the standards listed in the festival permit portion of the County Code.

After the structure was completed, the applicant invited staff to the facility, as they were looking to use the structure as a regular venue. After a site visit in November, staff worked with the applicant to determine the best way to address the use. Originally, staff recommended a CUP similar to what was done for Bodacious, but the applicant correctly noted that the festival permit language specifically addressed outdoor events, and the applicant's intent was to hold indoor events. Staff then worked on adding a definition for "event venue" and designating districts in the County Code. The code amendment was adopted by the Board of Supervisors on April 12, 2016.

An application for a CUP for an event venue was received on March 1, 2016. Staff brought the application to the Planning Commission at their March 14, 2016 workshop meeting. The Commission decided to defer the public hearing until the following information was received: a professionally rendered site plan, confirmation from VDOT and the State Health Department of required conditions, and a resolution of the question of the legality of the easement.

The property owner, Mr. Larry Thompson, visited staff to determine what would be needed to complete the process on July 18, 2016. He subsequently attended the Planning Commission meeting on July 25, 2016 and stated that he would ensure that all information would be provided by the following Commission meeting. Mr. Thompson provided information for the Commission on August 22, 2016, including the site plan and recorded easement. The Planning Commission met that night, and scheduled the public hearing for the CUP.

The Planning Commission held their public hearing on September 26, 2016. There were two speakers, both of whom expressed support for the application. The Commission recommends approval to the Board on a unanimous vote.

Consistency with the 2013 Comprehensive Plan:

The proposed use is within in an area not designated for growth in the 2013 Comprehensive Plan.

The following goals, objectives and policies of the 2013 Comprehensive Plan would be achieved by the proposed CUP:

Goal 5: It is the goal of this plan to encourage the creation of appropriate economic opportunity for current and future citizens of Cumberland County.

Objective 1: Encourage the overall strengthening and diversification of the economic base of Cumberland County to provide a sound tax base and to support the provision of needed public services.

Objective 4: To encourage the development of essential employment opportunities within Cumberland County for the resident workforce.

Goal 3: It is the goal of this comprehensive plan to promote the wise and efficient utilization of lands within Cumberland to result in the sustainability of land resources and harmonious development of lands to serve the divergent interest and needs of the citizens of Cumberland County.

Objective 1: Through effective zoning, regulate future development to protect existing land use patterns within Cumberland County.

Consistency with the Zoning Ordinance:

The proposed use of the subject property is compatible with surrounding zoning and the intent of the district.

Public Notification:

Notice was published in the Farmville Herald on September 23 and 30, 2016.

Adjacent notice for both hearings was sent by certified mail to adjacent property owners.

One property owner contacted the county as a result of receiving notice. They had no concerns with the use at all, however, they suggested that a limitation on the number of people present at any one event be established. The limit they suggested was 300 attendees at any one event. The applicant has agreed to this condition.

At the Planning Commission public hearing, two Cumberland County citizens expressed strong support for the application.

Conclusion:

The proposed use in this area is compliance with the Comprehensive Plan and the intent of the A-2 district, with a mix of agricultural and business uses, if impacts of the use are appropriately addressed. Comments from agencies follow.

VDOT- The applicant has three options to address VDOT concerns. They have received a VDOT permit based upon following Option 3.

Option 1 - Applicant shall acquire a new sight distance easement(s) across parcels necessary to obtain 610 feet of sight distance in either direction. If these easements are acquired, all vegetation and/or obstructions which restricts sight distance must be cleared and maintained as clear by the applicant. This may include excavation of material as necessary. The applicant will need to hire a land surveyor to determine the limits of the easement in order to meet the sight distance requirement.

Option 2 – Applicant shall obtain a new access easement to a location where there is suitable site distance to construct a commercial entrance. Sight distance easements may also be required if sight lines to achieve 610 feet are off of the right of way.

Option 3 – Applicant may apply for a Special Event Permit from the Land Use Section for each event that is held. I have attached a copy of the permit documentation for reference, but it will require the owner to obtain the services of a law enforcement officer for traffic control during each event.

Health- The Health Department has indicated that the applicant needs to have additional engineering consideration before they are in compliance. They have been in touch with the property owner regarding this requirement.

The Health Department has stated that revisions of the existing permit will need to be done according to Health Department regulation: 12VAC5-610-310- (Revisions of approved plans). Since the use may exceed the original proposed design and use of the barn, it is required that the services of a licensed professional engineer be obtained to ensure proper design of the facility for uses intended. An application to expand/modify the current onsite system will be required if needed.

Building- Upon approval of a CUP, the Building Official will work with the applicant to complete inspections and approve any changes that will be required to receive a Certificate of Occupancy.

Recommendation:

The Commission recommends approval to the Board of Supervisors with the following conditions:

1. Health Department permit: The Health Department has indicated that the proposal requires review by a PE to ensure the proper design of the system.
2. Building, septic, well and electrical: The applicant shall comply with all federal, state and local regulations pertaining to applicable building codes and private water, sewer and electricity. The applicant shall provide a written letter from the Cumberland County Health Department indicating compliance with their codes for the facility.
3. Compliance with plan required: The applicant shall comply with the site plan attached to the application in regard to the areas to be used for events and parking. In no case may drives or parking areas be closer than any setbacks for the underlying zoning district. Such provisions shall at a minimum include gravel at the site entrance and if necessary at vehicle parking locations.
4. Community safety: If county or state law enforcement is required to respond to restore order to those on the property more than two (2) times in a thirty (30) day period the conditional use permit shall be reviewed by the Board of Supervisors, and may be revoked at the Board’s discretion.
5. Refuse disposal: After each event, all trash will be removed from the site within forty-eight hours.
6. Noise control: Noise shall be restricted between the hours of 11:00 p.m. and 7:00 a.m. daily. The noise and sounds level shall be undetectable at all property lines and at conversation levels on the property so as not to disturb residents of adjacent properties.

7. Lighting: Lighting shall not constitute a nuisance and shall not produce glare or spillover onto adjacent properties.
8. Maximum attendance: No event shall have more than 300 total attendees, regardless of whether the event is indoors or outdoors.
9. The operator is required to request an annual fire and safety inspection from the Cumberland County EMS Director, and implement safety measures required by Code, and to maintain the use of the thirty foot easement.
10. Renewal of conditional use permit: Regular renewal of the conditional use permit shall be required to demonstrate continued compliance. Such renewals shall be subject to providing documentation from each referring state and local agency as to the applicant's performance and compliance with the criteria used to approve the use, as well as a review of any code infractions and/or violations. Renewals shall be based upon the following schedule:
 - a. 1 year after approval;
 - b. 2 years after approval;
 - c. 5 years after approval;
 - d. Every five years thereafter;
 - e. Renewal shall be required upon any change in property ownership, program provider, licensing type and/or management.

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 16-01, a conditional use permit to allow an event facility in A-2 zone, with the proposed conditions.

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 16-01.

Respectfully submitted by:
Sara Carter
Planning Director

DENNIS A. & DIANE B
T.M. 82-A-23

HOLMAN MILL ROAD
VA. SEC. RTE. 640

(D.B. 183, P. 760)

1077.3±

30ESMT

S78°01'17"E →

GRAVELED

ROBERT L. III &
CAROLYN R. BANTON
T.M. 90-A-89
(# 541 HOLMAN MILL RD.)

310.63'

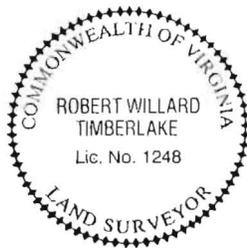
N45°09'38"E

ROD

GRAVELED

ENTRANCE ROAD

N44°50'22"W



Robert Willard Timberlake

MARJORIE B. & JUDY
HAMLIN
T.M. 91-A-1A
(# 577 HOLMAN MILL R.)

PAVED AND GRAVELED
AREAS SHOWN SHADED

E- = ELEC. LINE
P- = PROPERTY LINE

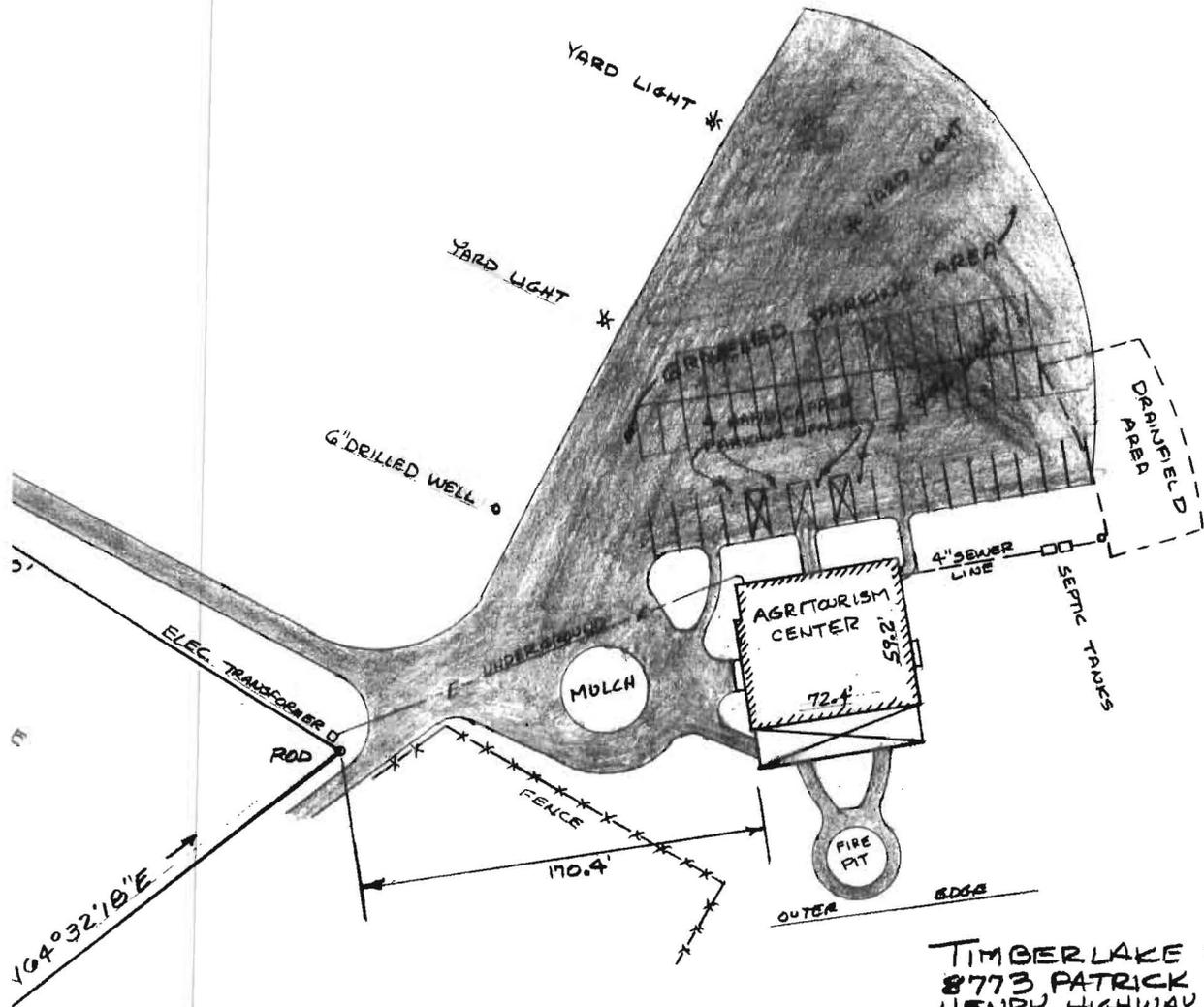
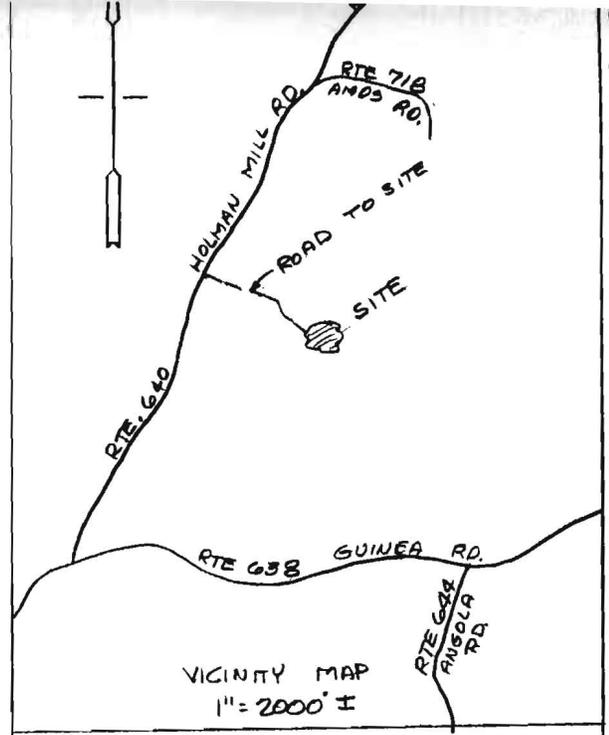
SITE PLAN
SHOWING THE
AGRITOURISM CENTER

PREPARED FOR

LARRY AND DEBORAH THOMPSON

LOCATED IN RANDOLPH

LARRY & DEBORAH THOMPSON
NST # 20061163 & # 2006136
T.M. 91-A-1
525 HOLMAN MILL ROAD
FARMVILLE, VA.
23901



TIMBERLAKE & CO.
8773 PATRICK
HENRY HIGHWAY
CREWE, VA. 23930
434-645-7628
PLAN NO P-05-59A



**STAFF REPORT
CUP 16-09**

NCT Tower North Whiteville
Conditional Use Permit
Cumberland County, Virginia
Board of Supervisors Public Hearing
October 11, 2016

General Information:

Processing schedule: The Planning Commission held a public hearing on this proposal on September 26, 2016. They recommend the CUP unanimously to the Board of Supervisors. The Board of Supervisors has a public hearing set for October 11, 2016.

Application Information:

Applicant: National Communication Towers, LLC
Owner(s): Douglas L. Martin Jr. and Priscilla Martin
Agent: Mr. Al Doss
Requested action: Conditional Use Permit to allow a telecommunication tower.
Location: Tax map number: 29-A-100B
Located adjacent to 37 Jenkins Ridge Road
Voting District 1
Zoning: A-2
Comprehensive Planning Area: Not in a growth area
Size: 0.3587 acres (125' x 125') lease area on an 11.332 acre parcel
Existing uses on the site: Vacant

Surrounding Area Information:

<u>Direction</u>	<u>Adjacent existing uses</u>	<u>Adjacent zoning</u>	<u>Adjacent Comp. Plan Area (2013)</u>
North	Residential	A-2	Not in a growth area
South	Residential and Vacant	A-2	Not in a growth area
East	Residential	A-2	Not in a growth area
West	Vacant	A-2	Not in a growth area

Summary of Request and Background Information:

This application is a reconsideration of CUP 12-02, which expired last year, due to inactivity. The only changes from the previously approved application is that the subject parcel is slightly smaller (the Martins have subdivided their house from this parcel) and there may be a need to construct a lattice tower, rather than a monopole tower.

The applicant proposes to construct and maintain a telecommunication tower approximately 198 feet tall on a 125 wide by 125 wide (15,625 square feet) portion of property proposed to be leased from the property owners. Structures on the proposed lease area would include the tower, unmanned support buildings and equipment pads, which would all be surrounded by a six (6) foot tall security fence. The proposed tower location is within the A-2 district and not within a growth area as defined by the Comprehensive Plan.

Access to the proposed lease area would be from a proposed 30' access easement that would begin at an existing unnamed private drive north of Jenkins Ridge Road (Route 697).

The supplemental zoning regulations for telecommunication towers indicate a preference for those 199 feet in height (a tower under 200 feet tall does not require lighting by the Federal Aviation Administration). Because of changing FAA regulations, the applicant requests the ability to use either a lattice or monopole tower, depending on whether a monopole tower would be required to be lit. If a monopole were to require lighting, a lattice tower would be used. According to the applicant's simulations the tower was visible along sections of Cumberland Road (Route 45) and Jenkins Ridge Road (Route 697). Images showing the possible visibility of the proposed tower are included in the attachment.

Consistency with the Comprehensive Plan:

The policy of Section IV, Section F, Objective 3 of the Comprehensive Plan is to "Provide appropriate infrastructure (water, sewer, **telecommunications**, and electrical power) to support basic industry in the Cumberland Courthouse area and other areas where infrastructure can be feasibly extended..."

Consistency with the Zoning Ordinance:

Section 74-732 of the Zoning Ordinance states the intent of guidelines concerning communication towers and antennas is to encourage the location of towers in nonresidential areas and minimize the total number of towers and tower sites throughout the county; encourage strongly the joint use of new and existing tower sites and use of existing utility transmission rights-of-way; encourage towers to be located in areas where the adverse impact on the county is minimal; encourage users of towers and antennas to locate, design and configure them in a way that minimizes the adverse visual impact of

the towers and antennas and makes them compatible with surrounding land uses to the extent possible; provide adequate sites for the provision of wireless communication services with minimal negative impact on the resources of the county; encourage the locating of towers along St. Routes 13, 45, and 60 corridors; encourage public/private partnerships, where possible, that promote the communications needs of the county, especially fire and emergency rescue services; and strongly encourage the use of monopoles and camouflaging for towers located in or near residential areas and to comply with all federal and state regulations.

Public Notification:

Notice was published in the Farmville Herald on September 23 and 30, 2016.

Adjacent notice for both hearings was sent by certified mail to adjacent property owners.

Conclusion:

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

Staff Recommendation:

It is the opinion of staff that the request promotes good zoning practice and limits potential for adversely affecting adjacent properties.

Staff feels that the location and intended use of the property is consistent with the recommendations of the Zoning Ordinance and Comprehensive Plan. Therefore, staff recommends **approval** of CUP 16-09 with the following conditions:

1. This conditional use permit shall allow for construction work commenced on or before **(3) years from the effective date of the conditional use** permit, and any such expansion activities commenced thereafter shall require a new conditional use permit.
2. All operations on the Property shall comply with all applicable health and environmental laws, rules and regulations, and with all County, State and Federal Laws which govern construction and operation of the tower.
3. All representations of National Communication Tower, LLC's conditional use permit application #16-09 for a 198 foot Telecommunication Tower and associated equipment, including all attached documentation, filed with their application, are included herein as conditions.
4. This permit shall not become effective until a removal bond in the amount of \$25,000 pursuant to Section 74-745 of the Zoning Ordinance has been approved by the County Attorney executed, and filed with the County Administrator.

5. Panel antennas shall be limited to ten square feet per antenna, and dish antennas shall be limited to a six foot diameter.
6. If a monopole tower will not require being lit per FAA regulations, then a monopole tower shall be constructed. If a monopole tower will require lighting, then a lattice tower shall be constructed.

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 16-09, a conditional use permit to allow a communications tower in an A-2 zone, with the proposed conditions.

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 16-09.

Respectfully submitted by:
Sara Carter
Planning Director



COMMONWEALTH OF VIRGINIA
COUNTY OF CUMBERLAND

Internal Use Only	
CUP # _____	STAFF _____
RECEIVED _____	
COMPLETED _____	
FEE/CK # _____	
RECEIPT # _____	

Application for Conditional Use Permit

Last revised 7/13/09

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?): North Whiteville Tower

Proposal: 195' Self Support Communications Tower and support facility

Location: 37 Jenkins Ridge Road, Cartersville, VA 23027

Tax Map Parcel(s): 029-A-100A

Zoning: A2 Comprehensive Plan Area: _____

Election District: 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): 0.3587 Acres (15,625 S.F.)

Is this an amendment to an existing conditional use permit? If Yes, provide CUP # or approval date: CUP # 12-02 expired 11/12/2015

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

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

Address: 5413 Patterson Ave., Suite 101 City: Richmond State: VA Zip: 23226

Daytime Phone: (804) 366-1165 Fax #: (804) 673-4242 Email: adoss@nationaltowers.com

Owner of Record (who currently owns the property?): Douglas L. Martin, Jr. and Priscilla Ann Curran

Address: 37 Jenkins Ridge Road City: Cartersville State: VA Zip: 23027

Daytime Phone: (804) 690-8213 Fax #: () Email: _____

Applicant (who is the contact person representing?): National Communication Towers, LLC

Address: 5413 Patterson Ave. City: Richmond State: Va Zip: 23226

Daytime Phone: (804) 366-1165 Fax #: (804) 673-4242 Email: adoss@nationaltowers.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. _____

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: This request is for the construction and operation of a communications facility, including a 195' Monopole Tower. The facility will be unmanned and in operation 24 hours a day. No offices or habitable buildings will be on site, therefore water and sewer will not be required. The site is approximately 1/3 of an acre in size within a 14.78 acre parcel and the compound will be enclosed by an eight foot tall security fence.

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). The site dimensions are 125' X 125' and will be graded for a positive drainage slope of 2%. A 195' tall tower will be erected within a 80' X 90' fenced compound enclosed by an 8' tall security fence. Small self contained equipment buildings and/or equipment pads will also be located within the compound.

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.

A. S. Doss, VP of Development

9/5/2012
Date

Print Name of Owner/ Applicant

A. S. Doss

804-366-1165

Signature of Owner/ Applicant

A. S. Doss

Daytime Phone # of Signatory

8/29/2012

Traffic Impact Analysis Information Sheet:

How do I know if a T.I.A. is required to be submitted with my application?

If the proposed development will increase the number of vehicle trips during peak hours on roads maintained by VDOT by 250 trips for a commercial development or 100 trips for a residential development you likely will need to submit a T.I.A.

How do I know if my proposal will increase the traffic to the amount that would require a TIA?

Below is a listing of some general guidelines as provided by VDOT's T.I.A. administrative guidelines:

For a **residential** development, a TIA may be required if the development proposes:

- ③ 100 or more single family dwelling units;
- ③ 150 or more apartment units; or
- ③ 190 or more condo/townhomes

For a **commercial** development, a TIA may be required if the development proposes a(n):

- ③ light industrial building of 260,000sf or more;
- ③ hotel containing 300 rooms or more;
- ③ elementary school of 600 students or more or a high school of 550 students or more;
- ③ hospital of 110 beds or more;
- ③ general office building 150,000 sq. ft. or larger;
- ③ business park 170,000 sq. ft. or larger;
- ③ shopping center 20,000 sq. ft. or larger;
- ③ home improvement store 60,000 sq. ft. or larger;
- ③ drive thru bank containing 5 bays or more;
- ③ fast food restaurant with a drive thru window of 4,000 sq. ft. or larger; or
- ③ gas station with convenience store containing 16 hoses or more.

What are the fees associated with VDOT's T.I.A.?

This fee is collected directly by VDOT and is separate and in addition to the County's application fee. Both are required before an application is deemed complete.

- ③ \$250.00 for a low-volume road;
- ③ \$500.00 for less than 100 vehicles per peak hour; or
- ③ \$1,000.00 for more than 100 vehicles per peak hour.

What is the background and purpose for the TIA requirements and where can I find additional information?

Chapter 527 of the 2006 Acts of Assembly added § 15.2-2222.1 to the Code of Virginia. The amendment establishes procedures by which localities submit proposals that will affect the state-controlled transportation network to VDOT for review and comment. The chapter also directs VDOT to develop regulations to carry out the provisions of the statute.

The regulation VDOT prepared is titled, Traffic Impact Analysis Regulations (24 VAC 30-155), sets forth procedures and requirements governing VDOT's review of and submission of comments regarding comprehensive plans and amendments to comprehensive plans, rezoning proposals, and subdivision plats, site plans and plans of development and the accompanying traffic impact analyses. The regulation also identifies when those documents must be submitted, and the documents and information that must be submitted to VDOT to facilitate the required review and submission of comments. The regulation also establishes the scope and nature of the review and a schedule of fees to be paid upon submission of a proposal to VDOT for review.

The regulation includes standards for when traffic impact analyses must be submitted to VDOT for different types of development proposals as well as what must be contained in the analyses (Information provided by VDOT). VDOT has prepared the following website on the Chapter 527 requirements:

<http://www.virginiadot.org/projects/chapter527/default.asp>

Cumberland County Department of Planning & Zoning
 ♦ Box 110 ♦ Cumberland, VA 23040 ♦ 804-492-3520 ♦ Fax - 804-492-3697

Section 74-702 (1-14)

COUNTY OF CUMBERLAND Application for Conditional Use Permit National Communication Towers, LLC

Provide a written statement demonstrating that:

1. The proposed communication facility will enhance the quality of life and the safety of the residents and the general public within the projected service area of the communications facility by providing wireless services along the Rt. 45 corridor. The facility will also provide the infrastructure needed to support the equipment of Cumberland County's Sheriff's Department and Emergency Services should it be needed by these agencies.
2. The proposed facility will not emit noise or other types of pollution into the environment. Since it will be unmanned it will not require County Services such as water and sewer. Road use impact is minable and once constructed the facility will generate from 6 to 8 light vehicular trips into the site a month. Also, there has been no documented evidence of diminished property values due to communication facilities or other types of utilities such as power substations, transmission lines, telephone poles and water tanks.
3. The proposed facility is located on a 14.78 acre parcel of land owned by Douglas L. Martin, Jr. and Priscilla Ann Curran. The proposed communications facility will be located within the A2 Zoning District. No variance to the Zoning Ordinances is being requested for this facility. The surrounding properties vary in size and the facility should not have an adverse impact on them for future use. The compound of the facility will be screened from the view of Rt. 45 and adjoining parcels by the existing trees.
4. The Compound area of the proposed facility will be screened from the view of Rt. 45 and adjacent parcels by the existing trees growing on the parcel. The buildings and the equipment in the compound will be of a neutral color and the Self Support Tower will have a non-glossy galvanized finish. The proposed Monopole Tower will not be lit, also

no signage or advertisement placed on the tower. There is no verifiable evidence of Communication Towers, Substations, Transmission Lines and Towers, Telephone Poles and Water Tanks contributing to the devaluation of properties these structures are located on or adjacent to.

5. Power and Telco exist along Jenkins Ridge Road and will most likely be installed to the site along the proposed access road. Utilities will tie into the existing lines and will be buried underground to the site. The site and the access road will be designed by a Certified Engineer licensed to do business in the State of Virginia and will comply with all Local, State and Federal regulations and building codes.
6. The ingress/egress of the site will enter from Jenkins Ridge Road. The entrance will comply with the most current VDOT standards. Once the site is constructed an estimated 6 to 8 trips a month by light duty vehicles is anticipated into the site.
7. Adequate parking and turn-around space will be provided at the proposed facility. There will be no odor, noise, glare or economic devaluation associated with the facility or imposed on adjoining properties.
8. The proposed facility will not generate any refuse; nor will any refuse or toxic substances be introduced into the site.
9. The compound, fence and support structures of the proposed facility will be buffered from the view of existing roadways and by existing vegetation and tree growth on the parcel.
10. No signs or advertising will be placed on the tower; however an 18" X 24" site identification sign will be placed on the compound fence. The tower will be lit and no security type lighting will be installed at the site.
11. All setback requirements will be met or exceeded and the tower will be designed to collapse within the lot lines of the parcel. The proposed facility consists of a Leased Area of 125' X 125' with a 30' Ingress/Egress, Utility Easement.

12. Section 74-143 of the Cumberland County Zoning Ordinances permits towers and communication facilities in A2 districts by a Conditional Use Permit. Also, the lack of Cellular Communications in the area further solidifies the need for the proposed facility and its compatibility with adjacent and other properties within the zoning district.
13. The site is located within the lot lines of a 14.87 acre parcel of land zoned A-2. The facility will be constructed 680' north west of the intersection of Jenkins Ridge Road and Rt. 45.
14. National Communication Towers, LLC will comply with all applicable regulations of the zoning district and any Conditions of Approval imposed by the Board of Supervisors of Cumberland County.

November 28, 2012

National Communication Towers, LLC
c/o Al Doss
5413 Patterson Avenue, Suite 101
Richmond, VA 23226

**RE: TM # 29-A-100A
National Communication Towers LLC
Conditional Use Permit Request 12-02**

Dear Mr. Doss,

Please accept this letter as official notification of the action taken on November 13, 2012 by the Board of Supervisors in regards to the application referenced above. Your conditional use permit was **approved** with the following six (6) conditions:

1. This conditional use permit shall allow for construction work commenced on or before three (3) years from the effective date of the conditional use permit, and any such expansion activities commenced thereafter shall require a new conditional use permit.
2. All operations on the Property shall comply with all applicable health and environmental laws, rules and regulations, and with all County, State and Federal Laws which govern construction and operation of the tower.
3. All representations of National Communication Tower, LLC's conditional use permit application #12-02 for a 195 foot Telecommunication Tower and associated equipment, including all attached documentation, filed on September 5, 2012, are included herein as conditions.
4. As a condition for the permit, NCT shall provide on a reserved basis and at no cost or expense to the County or its political subdivisions (collectively, the "County") space on the tower to the County of not less than .10 feet in radial direction and at a height of at least 80 feet above ground level for the installation by the County, at the County's sole cost and expense, for communications equipment and antennas. NCT shall also make space available for ground equipment supporting such County tower use. NCT shall be able to install its own or third-party antennas and/or equipment located on the same height and/or platform, pass through the County space, perform construction to increase the height of the tower and/or take any other action as may be necessary or incidental to NCT's ownership or operation of the tower. Such County use shall be consistent with Federal Communications Commission ("FCC") licenses for wireless telecommunications service and be operated in a lawful and

proper manner, in accordance with good engineering practices and be compliant with all applicable laws, ordinances, rules and regulations, relating to such operation and use.

5. This permit shall not become effective until a removal bond in the amount of \$25,000 pursuant to Section 74-745 of the Zoning Ordinance has been approved by the County Attorney executed, and filed with the County Administrator.
6. The radius width shall be limited to three (3) feet for any antennae or dish placed on the tower.

Prior to a certificate of occupancy being granted, a building permit and the final site plan must be approved. Any items on the site plan not installed at the time the certificate of occupancy is requested shall require bonding. The removal bond stipulated in condition 5 above must also be provided prior to issuance of the certificate of occupancy.

Staff review comments of the site plan submitted with the conditional use permit shall be provided under separate cover. If I can be of any further assistance, please feel free to contact me at 804-492-3520.

Sincerely,



Bret Schardein
Deputy County Administrator
& Planning Director

Copy: File

ADJACENT PROPERTY OWNERS
North Whiteville Tower, Cumberland County

- 022-A-6 B Leslie M. & Robert T. Jackson
68 Jenkins Ridge Road
Cartersville, VA 23027
- 022-A-6B1 R. Alan Anderson & Randall B. Daves
112 Jenkins Ridge Road
Cartersville, VA 23027
- 029-A-99 Bryan P. Hamlett
Nora Shaban
4808 Fort McHenry Parkway
Glen Allen, VA 23060-9215
- 029-2-5 Cumberland Cabinet Components, LLC
4808 Fort McHenry Parkway
Glen Allen, VA 23060
- 030-A-1 Terry Cable
1444 Cartersville Road
Cartersville, VA 23027
- 030-A-9 Christopher L. Willis
1387 Cartersville Road
Cartersville, VA 23027
- 030-A-15 Olinga W. Scales
1359 Cartersville Road
Cartersville, VA 23027
- 030-A-23 Douglas L. Martin, Jr & Priscilla Curran
37 Jenkins Ridge Road
Cartersville, VA 23027

NATIONAL COMMUNICATION TOWERS, LLC

5413 Patterson Avenue, Suite 101
Richmond, Virginia 23226
Telephone: 804-673-8800
Facsimile: 804-673-4242

North Whiteville Tower Balloon Flight Certification Statement September 20, 2012

General weather conditions: clear, average visibility was 7+ miles, light winds averaging 0 to 4 MPH from 8:00 AM to 9:26 AM and mostly calm throughout the morning.

8:00 AM: Balloon launched, winds calm at 0-4 MPH; clear

9:26 AM: Balloon flight ended

Comments:

- 1) At 8:35 AM Brett Schardein arrived onsite to view the tower location. He then accompanied me, and Al Doss to assess the visibility of the balloon from different vantage points along various roadways. Once particular areas of interest were agreed upon photos were taken to produce a tower simulation from those locations.

Date: 9/24/2012



Stephen B. Gallagher

Vice President of Construction

Monopole Tower Simulation

September 20, 2012

5413 Patterson Avenue

Suite 101

Richmond, VA 23226

804.673.8800



NCT

NCT North Whiteville Balloon Observation Map

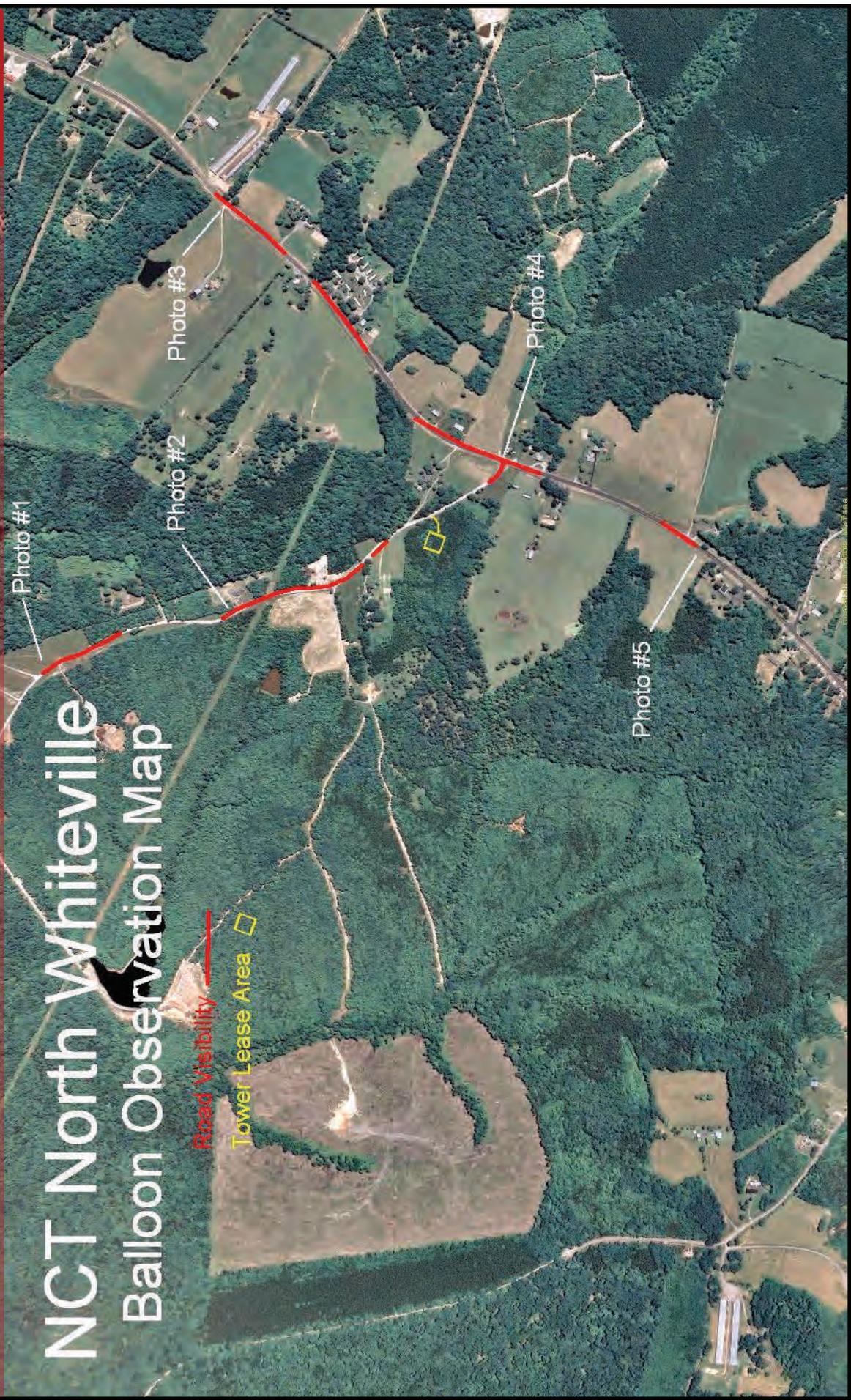




PHOTO 1: BALLOON FLIGHT

BALLOON

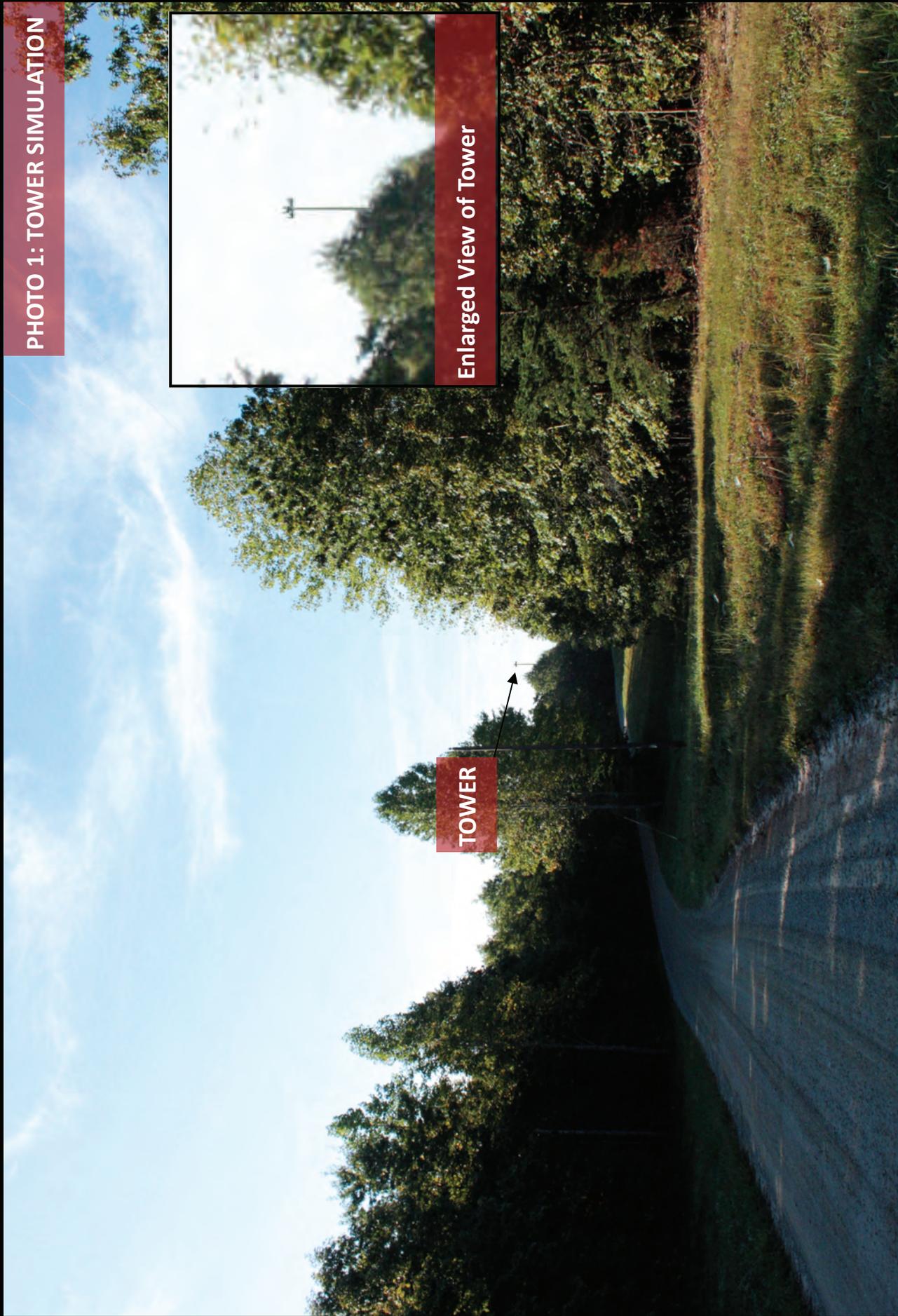
Enlarged View of Balloon

VIEW FROM THE NORTHWEST (LOOKING TO THE SOUTHEAST ~2,365')

LOCATION: JENKINS RIDGE ROAD

NCT

PHOTO 1: TOWER SIMULATION



TOWER

Enlarged View of Tower

VIEW FROM THE NORTHWEST (LOOKING TO THE SOUTHEAST ~2,365')

LOCATION: JENKINS RIDGE ROAD

NCT

PHOTO 2: BALLOON FLIGHT



VIEW FROM THE NORTHWEST (LOOKING TO THE SOUTHEAST ~1,370')

LOCATION: BOX 68 JENKINS RIDGE ROAD

N C T

PHOTO 2: TOWER SIMULATION



VIEW FROM THE NORTHWEST (LOOKING TO THE SOUTHEAST ~1,370')

LOCATION: BOX 68 JENKINS RIDGE ROAD

NCT

PHOTO 3: BALLOON FLIGHT



Enlarged View of Balloon

BALLOON

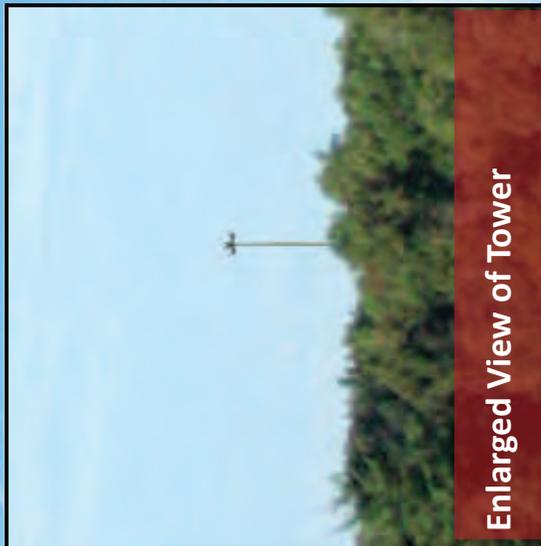


VIEW FROM THE NORTHEAST (LOOKING TO THE SOUTHWEST ~2,690')

LOCATION: 1462 CARTERSVILLE ROAD (RT 45)

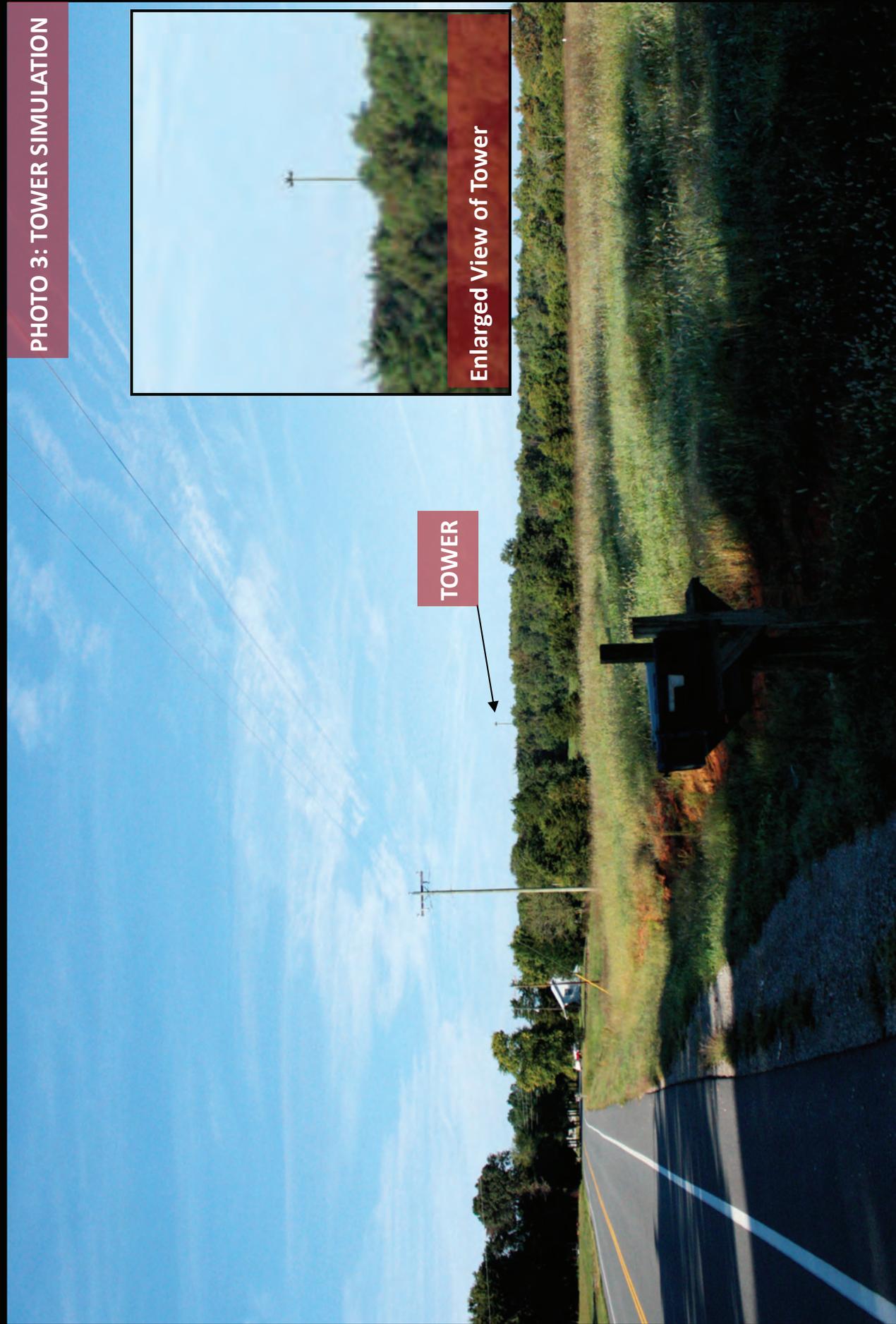
N C T

PHOTO 3: TOWER SIMULATION



Enlarged View of Tower

TOWER



VIEW FROM THE NORTHEAST (LOOKING TO THE SOUTHWEST ~2,690')

LOCATION: 1462 CARTERSVILLE ROAD (RT 45)

NCT

PHOTO 4: BALLOON FLIGHT



VIEW FROM THE SOUTHEAST (LOOKING TO THE NORTHWEST ~775')

LOCATION: INTERSECTION OF CARTERSVILLE RD (RT 45) & JENKINS RIDGE ROAD

N C T

PHOTO 4: TOWER SIMULATION



VIEW FROM THE SOUTHEAST (LOOKING TO THE NORTHWEST ~775')
LOCATION: INTERSECTION OF CARTERSVILLE RD (RT 45) & JENKINS RIDGE ROAD

N C T

PHOTO 5: BALLOON FLIGHT



Enlarged View of Balloon

BALLOON

**VIEW FROM THE SOUTH (LOOKING TO THE NORTH ~1,750')
LOCATION: 1324 CARTERSVILLE ROAD (RT 45)**

N C T

PHOTO 5: TOWER SIMULATION

TOWER



VIEW FROM THE SOUTH (LOOKING TO THE NORTH ~1,750')
LOCATION: 1324 CARTERSVILLE ROAD (RT 45)

NCT



MEMO

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

From: Sara Carter, Planning Director

Date: October 4, 2016

Re: **CA 16-08 In Home Daycare**

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 recommending 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 held a public hearing on this proposal on September 26, 2016, and the Board has set a public hearing for October 11, 2016.

This amendment increases the ability for Cumberland citizens to start and continue daycares as a business in their homes, with the stipulation of meeting State Code requirements and providing off-street parking, lighting and fencing, and meeting the requirements of the district for acreage.

Attachments: Proposed language

Resolution for adoption of CA 16-08

BOARD OF SUPERVISORS
OF
COUNTY OF CUMBERLAND, VIRGINIA
RESOLUTION RECOMMENDING
PROPOSED AMENDMENT TO THE
CODE OF CUMBERLAND COUNTY
CODE AMENDMENT 16-08:

“AN ORDINANCE AMENDING CHAPTER 74-2, 74-132, 74-162, 74-182, 74-222, AND 74-302 TO ADDRESS IN HOME DAYCARE IN THE A-2, A-20, RA-1, R-1 AND R-3 DISTRICTS”

October 11, 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., October 11, 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 _____, and seconded by _____, it was moved that the Board of Supervisors of Cumberland County adopt, in accordance with the following Resolution, an ordinance amending Chapter 74-2, 74-132, 74-182, 74-222, and 74-302 Zoning relating to in home daycares;

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

Present:

Vote:

Lloyd Banks, Jr., Chairman

David Meinhard, Vice-Chairman

William F. Osl

Kevin Ingle

Parker Wheeler

Absent:

Dated: _____

Attested: _____

WHEREAS, the Board of Supervisors duly advertised and held a public hearing on October 11, 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.

Sec. 74-2. Definitions.

In home daycare means a daycare run as an accessory use to a single family residential home, subject to the conditions of state licensure, with access approved by VDOT, providing at least two parking spaces off of the street for customers, adequate lighting and fencing for safety and meeting the bulk requirements of the subject zoning district, without any bonus provision.

Sec. 74-132. - Permitted uses and structures.

Permitted uses and structures in the A-2 district are as follows:

- (1) Minor subdivisions, conventional;
- (2) Major subdivisions, cluster;
- (3) Single-family detached dwellings;
- (4) Two-family dwellings;
- (5) Manufactured homes;
- (6) Accessory uses and structures.
- (7) Agriculture, general farming and forestry.
- (8) Boarding, rooming or lodging houses and bed and breakfast inns.
- (9) Boat landings and piers.
- (10) Cabinet-making, furniture and upholstery shops (home-based).
- (11) Cemeteries, family or church (Subject to Virginia Code §57-26)
- (12) Childcare (home-based).
- (13) Churches (less than 100,000 square feet)
- (14) Farm-based equipment sales/service.
- (15) Foster care and adult family care (home-based).
- (16) Garden shops, greenhouses, nurseries.
- (17) Home occupations (Refer to [section 74-2](#)).
- (18) Hunting lodges and clubs and boat clubs.
- (19) In home daycare
- ~~(19)~~ Kennels, private.
- ~~(20)~~ Off-street parking for permitted uses.
- ~~(21)~~ Poultry processing facilities (Refer to article 74-XXIII)
- ~~(22)~~ Preserves and conservation areas.
- ~~(23)~~ Riding schools, horse breeding establishments, riding stables.
- ~~(24)~~ Sawmills (portable).
- ~~(25)~~ Special events.
- ~~(26)~~ Wayside stands (temporary, seasonable or sale of on-site farm products).

Sec. 74-162. - Permitted uses and structures.

Permitted uses and structures in the A-20 district are as follows:

- (1) Minor subdivisions, conventional;
- (2) Major subdivisions, conventional;
- (3) Single-family detached dwellings;
- (4) ~~Manufactured homes, class A;~~ Modular homes;
- (5) Agriculture, general farming and forestry.
- (406) Boarding, rooming or lodging houses and bed and breakfast inns.
- (67) Boat landings and piers.
- (448) Foster care and adult family care (home-based).
- (89) Guest houses.
- (910) Home occupations.
- (11) In home daycare
- (12) Kennels, private.
- (713) Preserves and conservation areas.

Sec. 74-182. - Permitted uses and structures.

Permitted uses and structures in the RA-1 district are as follows:

- (1) Minor subdivisions, conventional;
- (2) Major subdivisions, cluster;
- (3) Single-family detached dwellings;
- (4) Modular housing units;
- (5) Accessory uses and structures;
- (86) Agriculture, provided that any agricultural industry plant shall be located at least 200 feet back from the street.
- (427) Churches, cemeteries.
- (98) Dairying and forestry, provided that any processing plant or sawmill shall be located at least 200 feet back from the street.
- (479) Foster care and adult family care (home-based).
- (710) General farming.
- (611) Home occupations;
- (12) In home daycare
- (183) Kennels, private.
- (14) Lodges, hunting clubs, boat clubs and golf clubs.

- (145) Parks, playgrounds and recreation areas of a public or noncommercial nature.
- (136) Preserves and conservation areas.
- (157) Public utility booster or relay stations, transformer substations, transmission lines, pipes, meters and other facilities for the provision and maintenance of public

utilities, including railroads and facilities, and water and sewer installations, all with a conditional use permit, and subject to the 35-foot height limit for this district.

~~(158)~~ Sawmills, portable, with a conditional use permit.

(109) Schools, hospitals and similar public or semipublic buildings.

~~(4620)~~ Retail commercial establishments which provide goods and/or services directly related to the recreational activities available in the public recreational area to which access is provided in this zone, but only with conditional use permit, and provided the architectural design, any signs, and layout of the premises are in keeping with the natural and aesthetic qualities of the area.

Sec. 74-222. - Permitted uses and structures.

Permitted uses and structures in an R-1 district are as follows:

(1) Minor subdivisions, conventional;

(2) Major subdivisions, cluster;

(3) Single-family detached dwellings;

(4) Two-family dwellings;

(5) Modular housing units;

(6) Accessory uses and structures.

(7) Boarding, rooming or lodging houses and bed and breakfast inns.

(11) Foster care and adult family care (home-based).

(8) Home occupations.

(9) In home daycare

~~(910)~~ Off-street parking as required by this chapter.

~~(101)~~ Public utilities such as poles, lines, distribution transformers, pipes, meters, and/or other facilities necessary for the provisions and maintenance, including water and sewer facilities.

Sec. 74-302. - Permitted uses and structures.

Permitted uses and structures in an R-3 district are as follows:

(1) Minor subdivisions, conventional;

(2) Major subdivisions, cluster;

(3) Single-family detached dwellings;

(4) Two-family dwellings;

(5) Modular housing units;

(6) Accessory uses and structures;

~~(427)~~ Boarding, rooming or lodging houses and bed and breakfast inns;

- (~~408~~) Cemeteries;
- (9) Church or civic community centers;
- (~~130~~) Foster care and adult family care (home-based).
- (~~711~~) Home occupations;
- (12) In home daycare
- (~~813~~) Public library, civic clubs and lodges;
- (~~144~~) Uses relating to agriculture, limited to the raising of field crops, haying and grazing pasture land, and forestry;

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

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

Absent: None

1. Call to Order

The Chairman called the meeting to order.

2. Welcome and Pledge of Allegiance

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

3. Roll Call

County Administrator, Vivian Giles, called the roll.

4. Approval of Agenda

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

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

5. State and Local Department/Agencies

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

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

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

- b) VDOT

There was no VDoT representatives present.

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

Ms. Sapp was not present.

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

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

6. **Public Comments**

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

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

7. **Public Hearings**

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

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

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

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

b) Conditional Use Permit CUP 16-07 Oliver

Zoning Administrator, Sara Carter informed the Board that this is a request to address lot deficiencies to allow the expansion of a non-conforming garage in the Trice’s Lake neighborhood. The Chairman opened the public hearing. With no citizens signed up to speak, the Chairman then closed the public hearing.

On a motion by Supervisor Wheeler and carried unanimously, the Board approved Conditional Use Permit 16-07 Oliver:

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

c) Debt Restructuring

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 **Prepayment or Redemption.**

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

Dates

Prices

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

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

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

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

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

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

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

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

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

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

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

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

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

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

* * *

CERTIFICATION OF ADOPTION OF RESOLUTION

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

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

Nay: None

Abstentions: None

Absent: None

Signed this 13th day of September, 2016.

EXHIBIT A

(FORM OF TEMPORARY BOND)

NO. TR-1

\$_____

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

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

Issue Date: November __, 2016

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

COUNTY OF CUMBERLAND, VIRGINIA

(SEAL)

ATTEST:

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

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

ASSIGNMENT

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

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

PLEASE INSERT SOCIAL SECURITY OR OTHER

IDENTIFYING NUMBER OF ASSIGNEE: _____

the within Bond and irrevocably constitutes and appoints

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

Date: _____

Registered Owner

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

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

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

d) Virginia’s Heartland Regional Industrial Facility Authority

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

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

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

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

SEPTEMBER 13, 2016

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

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

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

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

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

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

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

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

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

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

BE IT FURTHER ORDAINED,

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

2.) Definitions.

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

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

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

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

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

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

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

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

4.) Purpose.

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

5.) Membership.

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

6.) Member Locality Agreement.

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

7.) Board of Directors

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

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

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

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

9.) Funding.

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

10.) Required Reports.

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

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

Adopted this 13th day of September, 2016.

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

Vivian Giles, County Administrator
Clerk to the Board

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

Virginia's Heartland First Regional Industrial Park

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

RECITATIONS:

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

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

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

1. Creation of Regional Industrial Facility Authority.

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

7. Sharing of Tax Revenues.

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

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

8. Payment of Tax Revenues to the Authority.

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

9. Joint Marketing and Management of the Industrial Park.

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

10. VDOT Industrial Access Funds.

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

AMELIA COUNTY BOARD OF SUPERVISORS

BY: _____
CHAIRMAN

ATTEST: _____
CLERK

BUCKINGHAM COUNTY BOARD OF SUPERVISORS

BY: _____
CHAIRMAN

ATTEST: _____
CLERK

CHARLOTTE COUNTY BOARD OF SUPERVISORS

BY: _____
CHAIRMAN

ATTEST:

CLERK

CUMBERLAND COUNTY BOARD OF SUPERVISORS

BY: _____
CHAIRMAN

ATTEST:

CLERK

LUNENBURG COUNTY BOARD OF SUPERVISORS

BY: _____
CHAIRMAN

ATTEST:

CLERK

PRINCE EDWARD COUNTY BOARD OF SUPERVISORS

BY: _____
CHAIRMAN

ATTEST:

CLERK

BOARD OF SUPERVISORS OF CUMBERLAND COUNTY, VIRGINIA

RESOLUTION

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

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

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

ADOPTED this 13th day of September, 2016.

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

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

Vivian Seay Giles, Clerk

BOARD OF SUPERVISORS OF CUMBERLAND COUNTY, VIRGINIA

ORDINANCE

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

RECITALS:

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

IT IS, ACCORDINGLY, HEREBY ORDAINED AS FOLLOWS:

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

ADOPTED this 13th day of September, 2016.

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

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

Vivian Seay Giles, Clerk

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

8. County Attorney/County Administrator Report

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

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

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

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

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

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

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

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

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

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

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

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

iv. Social Services Board – Ms. Rosa Woodard

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

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

c) Lottery for Localities Initiative:

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

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

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

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

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

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

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

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

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

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

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

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

- f) Waterline Extension Easement across County property

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

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

9. Finance Director’s Report

- a) Monthly budget Report

There was no discussion regarding the monthly budget report.

- b) Refund of overpayment of taxes

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

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

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

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

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

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

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

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

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

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

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

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

10. Planning Director's Report

a) Planning Project update

There was no discussion on the Planning Project updates.

b) Reappointment of Randy Bryant to the Planning Commission

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

VOTE:

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

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

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

Vote:

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

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

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

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

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

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

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

11. Old Business

N/A

12. New Business

N/A

13. Public Comments (Part 2)

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

14. Board Member Comments

15. Adjourn into Closed Meeting-

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

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

Subject: Community Host Agreement

Subject: County Real Property Policies and Acquisition

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

Subject: Assignment of duties and raises

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

16. Reconvene in Open Meeting-

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

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

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

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

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

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

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

17. Additional Information

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

18. Adjourn -

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

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

Lloyd Banks, Jr., Chairman

Vivian Giles, County Administrator/County Attorney



DATE: October 5, 2016
TO: Cumberland County Board of Supervisors
FROM: Vivian Seay Giles
RE: October 11, 2016 Board Agenda Item
Real Property Reassessment

Recommendation

Upon prior decision by the Board of Supervisors, vote to conduct general reassessments in Cumberland County at six-year intervals.

Information

A determination was made previously by the Board of Supervisors to schedule the next general real property reassessment for Cumberland County to be effective January 1, 2020. The last general reassessment was effective January 1, 2014. Va. Code § 58.1-3252 requires counties to conduct general reassessments every four years but authorizes counties with populations of less than 50,000 to conduct general reassessments at five-year or six-year intervals upon a majority vote of the Board of Supervisors.

Stephany Johnson

From: Vivian Giles
Sent: Friday, September 30, 2016 4:30 PM
To: Stephany Johnson
Subject: FW: Cigarette Taxation Equality
Attachments: Resolution 2016-20 Cigarette Tax.pdf

Stephany,

Please include on the October agenda.

Vivian

Vivian Seay Giles, J.D., LL.M.
County Administrator | County Attorney
Cumberland County, Virginia
1 Courthouse Circle, Post Office Box 110
Cumberland, Virginia 23040
Telephone 804.492.3578
Facsimile 804.492.9224



From: Jennifer R Druien [mailto:jrdruien@wytheco.org]
Sent: Friday, September 30, 2016 3:17 PM
To: 'Tracy Gee' <tgee@lunenburgva.net>; info@clarkecounty.gov; dstanley@warrencountyva.net; mprice@shenandoahcountyva.us; jwmccarthy@rappahannockcountyva.gov; ehoch@culpepercounty.gov; dcampbell@madisonco.virginia.gov; cgoodwin@louisa.org; snichols@fluvannacounty.org; bdavid@orangecountyva.gov; twfranklin@surrycountyva.gov; cculley@co.caroline.va.us; 'Reese Peck' <rpeck@essex-virginia.org>; rmquicke@co.richmond.va.us; 'Norm Risavi' <nrisavi@westmoreland-county.org>; 'Kenny Eades' <keades@co.northumberland.va.us>; fpleva@lancova.com; 'Tom Swartzwelder' <tswartzwelder@kingandqueenco.net>; mconner@co.mathews.va.us; countyadmin@kingwilliamcounty.us; knunez@co.northampton.va.us; ddavis@sussexcountyva.com; administration@princegeorgecountyva.gov; cwoolridge@brunswickco.com; nottoway@nottoway.org; wayne.carter@mecklenburgva.com; kjackson@powhatanva.gov; Vivian Giles <vgiles@cumberlandcounty.virginia.gov>; bcarter@buckinghamcounty.virginia.gov; scarter@nelsoncounty.org; sjbrowning@countyofamherst.com; susan.adams@appomattoxcountyva.gov; rclark@charlotteva.com; james.halasz@co.halifax.va.us; clarence.monday@pittgov.org; thall@co.henry.va.us; ltowarnicki@ci.martinsville.va.us; hcboard@htcnet.org; aharrison@bathcountyva.org; tmorris@floydcova.org; carrolladmin@carrollcountyva.org; info@pulaskicounty.org; cmcklarney@gilescounty.org; eworkman@bland.org; pgreen@tazewellcounty.org; craig.horn@buchanancounty-va.gov; knoe@scottcountyva.com; ddpoe@leecova.org; lonzo.lester@russellcountyva.us; dmoore@dickensonva.org; nsimon@lexingtonva.gov; bthrower@ci.emporia.va.us; 'Chris Morris' <cmorris@ci.martinsville.va.us>; mcarter@smythcounty.org;

info@wytheco.org

Subject: Cigarette Taxation Equality

Please find attached Wythe County Resolution 2016-20 requesting amendment to Code of Virginia Section 58.1-3831 to allow all Virginia Counties the power to levy tax upon the sale or use of cigarettes. Wythe County requests your support of this proposed change to the Code of Virginia. If you have any questions or would like to further discuss the proposed amendment please contact our office.

Thank you

Jennifer Druen
Wythe County Offices
340 South Sixth Street
Wytheville VA 24382
276-223-4503
jrdruen@wytheco.org





County of Cumberland Virginia

RESOLUTION OF THE BOARD OF SUPERVISORS OF CUMBERLAND COUNTY CIGARETTE TAX LEVY AUTHORITY

OCTOBER 11, 2016

WHEREAS, The County of Cumberland, Virginia requests that all Counties in Virginia have equal rights; and

WHEREAS, Cumberland County requests that the Code of Virginia be amended, as necessary, to ensure equal rights to all counties in the Commonwealth; and

WHEREAS, counties in Virginia, including Cumberland County, have been required to fund shortfalls in state and federal funding through local tax collections; and

WHEREAS, Cumberland County has identified a means to lessen the burden on property taxes by implementing a cigarette tax that has previously been approved by state legislative action for certain counties and all cities and towns, and seeks the ability for those counties who wish to do so to impose the cigarette tax.

NOW, THEREFORE BE IT RESOLVED, that the Cumberland County Board of Supervisors hereby requests that Va. Code § 58.1-3831 be amended to enable all Virginia counties to levy tax upon the sale or use of cigarettes; and

BE IT FURTHER RESOLVED, that a copy of the requested amendments to Va. Code § 58.1-3831 be attached to this resolution.

Adopted this 11th day of October, 2016.

Lloyd Banks, Jr., Chairman, Board of Supervisors

Vivian Seay Giles, County Administrator/County Attorney

Va. Code § 58.1-3831

All Fairfax and Arlington Ccounties shall have the power to levy tax upon the sale or use of cigarettes. Such tax shall be in such amount and on such terms as the governing body may by ordinances prescribe, not to exceed five cents per pack or the amount levied under state law, whichever is greater. The provisions of § 58.1-3830 shall apply to such counties, mutatis mutandis.



DATE: October 5, 2016
TO: Cumberland County Board of Supervisors
FROM: Vivian Seay Giles
RE: October 11, 2016 Board Agenda Item
Domestic Violence Resolution

Recommendation

Adopt the attached resolution in recognition of October as Domestic Violence Awareness Month.

Information

The Women's Club of Cumberland provided the draft resolution for adoption by the Board of Supervisors in recognition of October as Domestic Violence Awareness Month. The Women's Club requests that the resolution be read aloud and adopted at the October meeting of the Board of Supervisors.



County of Cumberland Virginia

RESOLUTION OF THE BOARD OF SUPERVISORS OF CUMBERLAND COUNTY PROCLAIMING THE MONTH OF OCTOBER DOMESTIC VIOLENCE AWARENESS MONTH

OCTOBER 11, 2016

WHEREAS, one in every four women will experience domestic violence during her lifetime; and

WHEREAS, approximately 15.5 million children are exposed to domestic violence every year; and

WHEREAS, when a family member is abused, it can have long-term damaging effects on the victim that also leave a mark on family, friends, and the community at large; and

WHEREAS, families are indispensable to a stable society, and they should be a place of support to instill responsibility and values in the next generation; and

WHEREAS, violence against women and children is a prevalent social ill due to the historical imbalance of power in gender and age; however, domestic violence is widespread and is devastating to society as a whole; and

WHEREAS, the problem of domestic violence is not confined to any group or groups of people, but crosses all economic, racial, gender, educational, religious, and societal barriers, and is sustained by societal indifference; and

WHEREAS, the crime of domestic violence violates an individual's privacy, dignity, security, and humanity due to the systemic use of physical, emotional, sexual, physiological, and economical control and/or abuse; and

WHEREAS, victims should have help to find the compassion, comfort, and healing they need, and domestic abusers should be punished to the full extent of the law; and

WHEREAS, victims of violence should have access to medical and legal services, counseling, emergency and transitional housing, and other supportive services so that they can escape a cycle of abuse; and

WHEREAS, we encourage domestic violence victims and their families to seek assistance from appropriate victims' services organizations such as Cumberland Family Services; and

WHEREAS, it is important to recognize the compassion and dedication of the individuals who provide services to victims of domestic violence and work to increase public understanding of this significant problem; and

WHEREAS, local programs, state coalitions, national organizations, and other agencies nationwide are committed to increasing public awareness of domestic violence and its prevalence, and to eliminating it through prevention and education; and

WHEREAS, important partnerships have been formed among criminal and juvenile justice agencies, healthcare providers, allied professionals, and victim services to assist victims of domestic violence and their families; and

WHEREAS, we dedicate ourselves to protecting vulnerable members of our community; and

WHEREAS, Cumberland County has a moral obligation to work to prevent domestic violence, address its brutal and destructive effects and make ending domestic violence a local priority; and

NOW, THEREFORE BE IT RESOLVED, that the Cumberland County Board of Supervisors hereby proclaims the month of October as Domestic Violence Awareness Month and urges all citizens to actively support Cumberland Family Services' work toward the elimination of domestic violence.

Adopted this 10th day of October, 2016.

Lloyd Banks, Jr., Chairman, Board of Supervisors

Vivian Seay Giles, County Administrator/County Attorney

** GENERAL FUND REVENUES**

Monthly Financial Report To Council For October 2016

	Estimated 2016/2017 Budget to Date	Actual 2016/2017 Budget to Date	(Over) or Under Budget to Date
	-----	-----	-----
Revenue			
Balance Forward		3,844,310.17	
Fund Revenue	38,575,813.00	8,403,930.47	30,171,882.53
Total Revenue	38,575,813.00	12,248,240.64	26,327,572.36
Expenditures			
* Board of Supervisors *	45,838.00	14,134.74	31,703.26
* County Administrator *	352,420.00	67,595.61	284,824.39
	5,000.00		5,000.00
* Legal Services *		33,189.50	(33,189.50)
* Independent Auditor *	34,500.00		34,500.00
* Commissioner of Revenue *	229,771.00	57,087.78	172,683.22
* Treasurer *	277,133.00	70,798.55	206,334.45
* Accounting *	115,032.00	25,588.24	89,443.76
* Data Processing *	216,256.00	56,159.97	160,096.03
* Electoral Board *	25,076.00	1,714.32	23,361.68
* Registrar *	84,556.00	23,330.50	61,225.50
* Circuit Court *	14,810.00	225.76	14,584.24
* General District Court *	10,210.00	877.63	9,332.37
* Magistrate *	575.00	51.14	523.86
* Clerk of Circuit Court *	222,117.00	55,645.37	166,471.63
* Law Library *	1,000.00	501.15	498.85
* Victim and Witness Assistance *		1,785.46	(1,785.46)
* Commonwealth's Attorney *	207,854.00	51,753.22	156,100.78
* Sheriff *	1,502,998.00	410,467.67	1,092,530.33
* School Resource Officer *	62,016.00	15,526.69	46,489.31
* E911 *	23,100.00	9,357.24	13,742.76
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	904.26	(604.26)
* Forestry Service *	8,705.00	8,705.34	(.34)
* Emergency Services *	17,102.00	1,500.00	15,602.00
* Probation Office *	1,328.00	289.29	1,038.71
* Correction & Detention *	275,000.00	141,963.60	133,036.40
* Building Inspections *	113,265.00	33,169.24	80,095.76
* Animal Control *	112,346.00	28,991.43	83,354.57
* Medical Examiner *	200.00		200.00
* Refuse Disposal *	596,376.00	151,799.15	444,576.85
* General Properties *	681,038.00	174,484.60	506,553.40
* Supplement of Local Health Dept *	98,753.00	46,876.17	51,876.83
* Chapter 10 Board - Crossroads *	34,000.00	17,000.00	17,000.00
* CSA Management *	31,517.00	9,541.60	21,975.40
* Community Colleges *	7,000.00	3,516.00	3,484.00
* Recreation *	64,699.00	11,319.84	53,379.16

** GENERAL FUND REVENUES**

Monthly Financial Report To Council For October 2016

	Estimated 2016/2017 Budget to Date	Actual 2016/2017 Budget to Date	(Over) or Under Budget to Date
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Expenditures			
* Local Library *	115,450.00	57,725.00	57,725.00
* Planning Commission *	9,950.00	1,376.67	8,573.33
* Planning/Zoning Dept. *	67,403.00	15,537.34	51,865.66
* Community & Economic Developmnt *	19,052.00	10,965.76	8,086.24
* Board of Zoning Appeals *	650.00		650.00
Clothes Closet		5.86	(5.86)
	10,570.00		10,570.00
* Farmville Area Chamber of Commerc	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	636.66	49,926.34
	2,500.00		2,500.00
* NONDEPARTMENTAL *	16,000.00	581.80	15,418.20
TRANSFERS	8,094,568.00	1,538,266.91	6,556,301.09
COMMONWEALTH'S ATTORNEY		3,853.15	(3,853.15)
SHERIFF	55,000.00	2,800.00	52,200.00
HEALTH INSURANCE	2,100,000.00	617,900.47	1,482,099.53
DENTAL INSURANCE	132,875.00	30,873.42	102,001.58
PATIENT CENTERED OUTCOME FEE(PCOR)		563.68	(563.68)
* Administration *	1,302,121.00	306,431.12	995,689.88
	15,005,885.00	2,721,528.02	12,284,356.98
	1,160,759.00	148,579.73	1,012,179.27
* Vehicle Upgrades & Replacement *		33,941.26	(33,941.26)
Randolph Community Center		12,152.75	(12,152.75)
		66,293.57	(66,293.57)
* 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	47,571.24	342,187.76
* 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	128,303.02	371,696.98
* SEWER FUND - Enterprise Fund *	311,415.00	77,279.94	234,135.06
* WATER FUND - ENTERPRISE FUND *	130,425.00	35,502.08	94,922.92
COMMUNITY CENTER PURCHASE		33,374.78	(33,374.78)
MADISON INDUSTRIAL PARK		487,016.73	(487,016.73)
		7,140.35	(7,140.35)
Total Expenditure	38,575,813.00	9,489,567.06	29,086,245.94
Total Revenues			
Less Total Expenditures		2,758,673.58	(2,758,673.58)

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CUMBERLAND CO

REVENUE SUMMARY
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ACCT# DESCRIPTION BUDGET AMOUNT APPR. AMOUNT CURRENT AMOUNT Y-T-D AMOUNT BALANCE UNCOLLECTED

FUND #100

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	296,938.10	375,423.84	5,209,576.16
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	392,184.81	422,997.06	1,383,002.94
1104	** Machinery & Tools *	115,000.00	115,000.00	25,985.91	27,991.26	87,008.74
1106	** Penalties & Interest *	259,000.00	259,000.00	25,876.27	42,637.24	216,362.76
1201	** Local Sales & Use Taxes *	425,000.00	425,000.00	81,937.83	117,147.05	307,852.95
1202	** Consumer' Utility Taxes *	172,000.00	172,000.00	33,589.95	43,994.40	128,005.60
1203	** Business License Taxes *	107,000.00	107,000.00	9,136.24	11,504.42	95,495.58
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	40,598.88	45,180.92	184,819.08
1207	** Taxes On Recordation & Wills *	45,000.00	45,000.00	14,301.02	17,931.01	27,068.99
1301	** Animal Licenses *	8,000.00	8,000.00	94.00	106.00	7,894.00
1303	** Permits & Other Licenses *	52,000.00	52,000.00	8,220.10	11,278.99	40,721.01
1401	** Court Fines & Forfeitures *	145,000.00	145,000.00	21,351.62	30,178.40	114,821.60
1501	** Revenue From Use Of Money *	35,000.00	35,000.00	591.17	1,845.92	33,154.08
1502	** Revenue From Use Of Property *	15,000.00	15,000.00	1,620.00	2,690.00	12,310.00
1601	** Court Costs *	48,360.00	48,360.00	11,664.33	16,186.65	32,173.35
1602	** Commonwealth's Attorney Fees *	900.00	900.00	228.47	275.67	624.33
1603	** Charges For Law Enforcement *	40,000.00	40,000.00	.00	.00	40,000.00
1608	** Charges Sanitation & Removal *	600.00	600.00	219.00	292.00	308.00
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	37.74	1,498.74	19,501.26
1616	** Charges For Planning / Com Dev *	2,000.00	2,000.00	575.00	700.00	1,300.00
1899	** Miscellaneous *	1,670,940.00	1,670,940.00	16,402.81	1,148,765.50	522,174.50
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	106,945.40	146,393.32	1,149,141.68
2301	** Commonwealth Attorney *	156,000.00	156,000.00	25,791.96	40,185.81	115,814.19
2302	** Sheriff *	561,533.00	561,533.00	75,903.01	122,610.58	438,922.42
2303	** Commissioner Of Revenue *	76,000.00	76,000.00	12,135.82	19,089.09	56,910.91
2304	** Treasurer *	93,000.00	93,000.00	14,682.62	22,002.54	70,997.46
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	36,638.43	107,361.57
2308	** DMV License Agent *	18,000.00	18,000.00	3,259.99	4,835.65	13,164.35
2404	**GRANT FUNDS**	58,000.00	58,000.00	8,443.35	12,686.84	45,313.16
3301	**GRANT FUNDS**	24,000.00	24,000.00	.00	.00	24,000.00
--FUND TOTAL--						11,314,273.79
14,083,567.00						1,298,940.21
2,769,293.21						80.33

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

FUND #170

1902	HEALTH INSURANCE CONTRIBUTIONS	2,110,000.00	2,110,000.00	479,692.01	658,362.41	1,451,637.59
68.79						68.79

ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	BALANCE UNCOLLECTED
2000	DENTAL INSURANCE CONTRIBUTIONS	116,600.00	116,600.00	26,288.72	36,348.62	80,251.38
2002	BALANCE FORWARD	6,275.00	6,275.00	.00	.00	6,275.00
	--FUND TOTAL--	2,232,875.00	2,232,875.00	505,980.73	694,711.03	1,538,163.97
	FUND #-201					68.88
1899	* Miscellaneous Revenue *	.00	.00	1,111.33	1,121.33	1,121.33
2401	* Welfare *	170,646.00	170,646.00	69,893.40	98,933.93	71,712.07
3305	* Social Services *	812,406.00	812,406.00	114,613.58	167,383.79	645,022.21
4105	* Fund Transfers *	319,069.00	319,069.00	277.07	31,662.27	287,406.73
	--FUND TOTAL--	1,302,121.00	1,302,121.00	185,895.38	299,101.32	1,003,019.68
	FUND #-205					77.02
1803	* Expenditure Refunds *	.00	.00	21,627.44	71,712.88	71,712.88
1899	* Miscellaneous Revenue *	287,299.00	287,299.00	215.52	215.52	287,083.48
2402	* State Education *	9,227,170.00	9,227,170.00	1,333,301.47	1,971,602.53	7,255,567.47
3302	* Education *	1,716,997.00	1,716,997.00	339,986.60	361,929.32	1,355,067.68
4105	* Fund Transfers *	3,774,419.00	3,774,419.00	2,554.72	2,554.72	3,771,864.28
	--FUND TOTAL--	15,005,885.00	15,005,885.00	1,697,685.75	2,408,014.97	12,597,870.03
	FUND #-207					83.95
1501	* INTEREST ON BANK DEPOSITS *	.00	.00	150.74	286.59	286.59
1899	** MISC REVENUE **	.00	.00	1,249.20	1,249.20	1,249.20
1901	** LOCAL CONTRIBUTIONS **	464,560.00	464,560.00	115,986.24	422,061.04	42,498.96
2404	** STATE FUNDS **	696,199.00	696,199.00	.00	.00	696,199.00
	--FUND TOTAL--	1,160,759.00	1,160,759.00	117,386.18	423,596.83	737,162.17
	FUND #-302					63.50
1501	* Interest On Bank Deposits *	.00	.00	7.75	15.50	15.50
	--FUND TOTAL--	.00	.00	7.75	15.50	15.50
	FUND #-401					100.00
1501	**INTEREST**	24,000.00	24,000.00	.00	12,308.64	11,691.36
4105	** Transfers **	3,769,766.00	3,769,766.00	161,809.08	1,504,049.92	2,265,716.08
	--FUND TOTAL--	3,793,766.00	3,793,766.00	161,809.08	1,516,358.56	2,277,407.44
	FUND #-500					60.03
2404	*REVENUE FROM STATE*	350,000.00	350,000.00	178,965.46	179,223.30	170,776.70
						48.79

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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
	--FUND TOTAL--	500,000.00	500,000.00	178,965.46	179,223.30	320,776.70

FUND #-501

1501	**INTEREST REVENUE**	.00	.00	8.68	24.18	24.18
1619	**CHARGES & FEES**	416,000.00	416,000.00	62,618.20	90,097.53	325,902.47
1620	SEWER LATE PAYMENT PENALTY	10,200.00	10,200.00	1,011.54	1,493.49	8,706.51
1630	**ADMIN FEES/CHARGES**	15,640.00	15,640.00	2,776.83	4,100.42	11,539.58
1803	MISCELLANEOUS	.00	.00	732.00	732.00	732.00
	--FUND TOTAL--	441,840.00	441,840.00	67,147.25	96,447.62	345,392.38

FUND #-515

1501	INTEREST SEWER RESERVE	.00	.00	60.77	117.58	117.58
	--FUND TOTAL--	.00	.00	60.77	117.58	117.58

FUND #-540

1501	INTEREST WATER RESERVE	.00	.00	8.86	17.15	17.15
	--FUND TOTAL--	.00	.00	8.86	17.15	17.15

FUND #-580

1501	INTEREST REVENUE	.00	.00	.72	.72	.72
	--FUND TOTAL--	.00	.00	.72	.72	.72

FUND #-715

1899	Rent of General Property	.00	.00	9,100.00	12,800.00	12,800.00
	--FUND TOTAL--	.00	.00	9,100.00	12,800.00	12,800.00

FUND #-733

1899	* Miscellaneous Revenue *	.00	.00	4,117.68	4,232.68	4,232.68
	--FUND TOTAL--	.00	.00	4,117.68	4,232.68	4,232.68

	--FINAL TOTAL--	38,575,813.00	38,575,813.00	4,227,105.82	8,403,930.47	30,171,882.53
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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	8,487.80	14,134.74	.00	31,703.26	69.16
12100	* County Administrator *	352,420.00	352,420.00	46,757.55	67,595.61	.00	284,824.39	80.81
12200	VRS	5,000.00	5,000.00	.00	.00	.00	5,000.00	100.00
12210	* Legal Services *	.00	.00	33,189.50	33,189.50	.00	33,189.50	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	38,272.60	57,087.78	.00	172,683.22	75.15
12410	* Treasurer *	277,133.00	277,133.00	46,862.64	70,798.55	.00	206,334.45	74.45
12430	* Accounting *	115,032.00	115,032.00	14,898.92	25,588.24	.00	89,443.76	77.75
12510	* Data Processing *	216,256.00	216,256.00	50,146.19	56,159.97	.00	160,096.03	74.03
13100	* Electoral Board *	25,076.00	25,076.00	1,147.56	1,714.32	.00	23,361.68	93.16
13200	* Registrar *	84,556.00	84,556.00	16,510.10	23,330.50	.00	61,225.50	72.40
21100	* Circuit Court *	14,810.00	14,810.00	225.76	225.76	.00	14,584.24	98.47
21200	* General District Court *	10,210.00	10,210.00	802.63	877.63	.00	9,332.37	91.40
21300	* Magistrate *	575.00	575.00	51.14	51.14	.00	523.86	91.10
21600	* Clerk of Circuit Court *	222,117.00	222,117.00	38,402.35	55,645.37	.00	166,471.63	74.94
21800	* Law Library *	1,000.00	1,000.00	380.99	501.15	.00	498.85	49.88
21910	* Victim and Witness Assistance *	.00	.00	1,785.46	1,785.46	.00	1,785.46	100.00
22100	* Commonwealth's Attorney *	207,854.00	207,854.00	34,668.14	51,753.22	.00	156,100.78	75.10
31200	* Sheriff *	1,502,998.00	1,502,998.00	277,672.12	410,467.27	.00	1,092,530.33	72.69
31250	* School Resource Officer *	62,016.00	62,016.00	10,354.02	15,526.69	.00	46,489.31	74.96
31400	* E911 *	23,100.00	23,100.00	9,271.90	9,357.24	.00	13,742.76	59.49
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	19,750.00	50.00
32301	*Cumberland Vol. Rescue Squad*	39,500.00	39,500.00	19,750.00	19,750.00	.00	19,750.00	50.00
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 Wed-Flight Program*	300.00	300.00	904.26	904.26	.00	604.26	201.42
32400	* Forestry Service *	8,705.00	8,705.00	8,705.34	8,705.34	.00	.34	.00
32500	* Emergency Services *	17,102.00	17,102.00	1,500.00	1,500.00	.00	15,602.00	91.22
33300	* Probation Office *	1,328.00	1,328.00	289.29	289.29	.00	1,038.71	78.21
33400	* Correction & Detention *	275,000.00	275,000.00	59,981.54	141,963.60	.00	133,036.40	48.37
34100	* Building Inspections *	113,265.00	113,265.00	23,202.07	33,169.24	.00	80,095.76	70.71
35100	* Animal Control *	112,346.00	112,346.00	20,159.76	28,991.43	.00	83,354.57	74.19
35300	* Medical Examiner *	200.00	200.00	.00	.00	.00	200.00	100.00
42400	* Refuse Disposal *	596,376.00	596,376.00	136,942.08	151,799.15	.00	444,576.85	74.54
43200	* General Properties *	681,038.00	681,038.00	140,395.34	174,484.60	.00	506,553.40	74.37
51200	* Supplement of Local Health Dept *	98,753.00	98,753.00	22,187.92	46,876.17	.00	51,876.83	52.53
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	6,571.96	9,541.60	.00	21,975.40	69.72
68000	* Community Colleges *	7,000.00	7,000.00	.00	.00	.00	7,000.00	100.00
71500	* Recreation *	64,699.00	64,699.00	8,874.74	11,319.84	.00	53,379.16	82.50
73100	* Local Library *	115,450.00	115,450.00	57,725.00	57,725.00	.00	57,725.00	50.00
81100	* Planning Commission *	9,950.00	9,950.00	472.00	1,376.67	.00	8,573.33	86.16
81110	* Planning/Zoning Dept. *	67,403.00	67,403.00	10,762.21	15,537.34	.00	51,865.66	76.94
81200	* Community & Economic Development *	19,052.00	19,052.00	10,965.76	10,965.76	.00	8,086.24	42.44
81400	* Board of Zoning Appeals *	650.00	650.00	.00	.00	.00	650.00	100.00

ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	ENCUMBRANCE AMOUNT	UNENCUMBERED BALANCE	REMAINING
81513	*Clothes Closet*	.00	.00	5.86	5.86	.00	5.86-	100.00-
81514	Transportation	10,570.00	10,570.00	.00	.00	.00	10,570.00	100.00
81535	* Farmville Area Chamber of Commere	1,500.00	1,500.00	750.00	750.00	.00	750.00	50.00
81541	* Longwood Small Bus. Dev. Ctr. *	3,000.00	3,000.00	1,500.00	1,500.00	.00	1,500.00	50.00
81542	* Southside Violence Prevention *	5,000.00	5,000.00	2,500.00	2,500.00	.00	2,500.00	50.00
82401	*Peter Francisco SWD*	10,000.00	10,000.00	5,000.00	5,000.00	.00	5,000.00	50.00
83500	* Extension Agents *	50,563.00	50,563.00	636.66	636.66	.00	49,926.34	98.74
83501	holiday lake 4-h educational center	2,500.00	2,500.00	.00	.00	.00	2,500.00	100.00
90000	* NONDEPARTMENTAL *	16,000.00	16,000.00	581.80	581.80	.00	15,418.20	96.36
93100	**TRANSFERS**	8,094,568.00	8,094,568.00	164,640.87	1,538,266.91	.00	6,556,301.09	80.99
	--FUND TOTAL--	14,083,567.00	14,083,567.00	1,415,096.83	3,243,682.06	.00	10,839,884.94	76.96
FUND #-150								
22100	COMMONWEALTH'S ATTORNEY	.00	.00	3,853.15	3,853.15	.00	3,853.15-	100.00-
31200	SHERIFF	55,000.00	55,000.00	2,800.00	2,800.00	.00	52,200.00	94.90
	--FUND TOTAL--	55,000.00	55,000.00	6,653.15	6,653.15	.00	48,346.85	87.90
FUND #-170								
62100	HEALTH INSURANCE	2,100,000.00	2,100,000.00	433,381.22	617,900.47	.00	1,482,099.53	70.57
63100	DENTAL INSURANCE	132,875.00	132,875.00	20,052.90	30,873.42	.00	102,001.58	76.76
64100	PATIENT CENTERED OUTCOME FEE (PCOR)	.00	.00	.00	563.68	.00	563.68-	100.00-
	--FUND TOTAL--	2,232,875.00	2,232,875.00	453,434.12	649,337.57	.00	1,583,537.43	70.91
FUND #-201								
53100	* Administration *	1,302,121.00	1,302,121.00	193,225.18	306,431.12	.00	995,689.88	76.46
	--FUND TOTAL--	1,302,121.00	1,302,121.00	193,225.18	306,431.12	.00	995,689.88	76.46
FUND #-205								
61100		15,005,885.00	15,005,885.00	2,352,449.17	2,721,528.02	.00	12,284,356.98	81.86
	--FUND TOTAL--	15,005,885.00	15,005,885.00	2,352,449.17	2,721,528.02	.00	12,284,356.98	81.86
FUND #-207								
61100	GOVERNOR'S SCHOOL EXPENDITURES	1,160,759.00	1,160,759.00	81,893.40	148,579.73	.00	1,012,179.27	87.19
	--FUND TOTAL--	1,160,759.00	1,160,759.00	81,893.40	148,579.73	.00	1,012,179.27	87.19
FUND #-302								
94337	* Vehicle Upgrades & Replacement *	.00	.00	33,941.26	33,941.26	.00	33,941.26-	100.00-

ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	ENCUMBRANCE AMOUNT	UNENCUMBERED BALANCE	REMAINING
94380	*Randolph Community Center*	.00	.00	12,152.75	12,152.75	.00	12,152.75-	100.00-
95150	Real Property Acquisition	.00	.00	66,293.57	66,293.57	.00	66,293.57-	100.00-
	--FUND TOTAL--	.00	.00	112,387.58	112,387.58	.00	112,387.58-	100.00-
FUND #-401								
67200	* Elementary School - Lit Loan *	221,667.00	221,667.00	.00	.00	.00	221,667.00	100.00
67400	* COPS97 Loan *	373,788.00	373,788.00	.00	362,312.50	.00	11,475.50	3.07
67500	* High/Middle School - VPSA Loan *	922,501.00	922,501.00	.00	743,931.24	.00	178,569.76	19.35
67700	PUBLIC FACILITY NOTE 2009	389,759.00	389,759.00	31,714.16	47,571.24	.00	342,187.76	87.79
67800	* AMERESCO *	145,952.00	145,952.00	145,952.00	.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	.00	232,583.95	.00	16,113.05	6.47
	--FUND TOTAL--	3,793,766.00	3,793,766.00	177,666.16	1,532,350.93	.00	2,261,415.07	59.60
FUND #-500								
53900		500,000.00	500,000.00	60,251.14	128,303.02	.00	371,696.98	74.33
	--FUND TOTAL--	500,000.00	500,000.00	60,251.14	128,303.02	.00	371,696.98	74.33
FUND #-501								
94900	* SEWER FUND - Enterprise Fund *	311,415.00	311,415.00	64,254.28	77,279.94	.00	234,135.06	75.18
95900	* WATER FUND - ENTERPRISE FUND *	130,425.00	130,425.00	27,260.40	35,502.08	.00	94,922.92	72.77
	--FUND TOTAL--	441,840.00	441,840.00	91,514.68	112,782.02	.00	329,057.98	74.47
FUND #-715								
81610	COMMUNITY CENTER PURCHASE	.00	.00	18,878.78	33,374.78	.00	33,374.78-	100.00-
81620	MADISON INDUSTRIAL PARK	.00	.00	450,203.75	487,016.73	.00	487,016.73-	100.00-
	--FUND TOTAL--	.00	.00	469,082.53	520,391.51	.00	520,391.51-	100.00-
FUND #-733								
53010		.00	.00	6,898.61	7,140.35	.00	7,140.35-	100.00-
	--FUND TOTAL--	.00	.00	6,898.61	7,140.35	.00	7,140.35-	100.00-
	--FINAL TOTAL--	38,575,813.00	38,575,813.00	5,420,552.55	9,489,567.06	.00	29,086,245.94	75.40

**CUMBERLAND COUNTY
FISCAL YEAR 2017-2018 BUDGET CALENDAR**

December 19, 2016	Finance Manager prepares budget instruction and estimate forms. Instruction and estimate forms are issued to departments and agencies.
January 2017	County Administrator and Treasurer prepare revenue estimates.
January 27, 2017	Deadline for submission of budget requests to the Finance Manager.
February 3, 2017	Finance Manager presents budget requests to County Administrator.
February 22-23, 2017	Departments, agencies and school administration present budget requests to the Board of Supervisors. School Board and Board of Supervisors hold a joint public budget meeting.
March 17, 2017	County Administrator issues recommended budget to the Board of Supervisors.
March 20- March 31, 2017	Board of Supervisors budget work sessions. Approval of budget, tax rates, and capital improvement program for publication.
March 24, 2017 March 31, 2017	Advertise proposed budget, tax rates, and capital improvement program for public hearing.
April 5, 2016	Public Hearing on the proposed budget, tax rates, and capital improvement program.
April 12, 2016	Adoption of fiscal year 2016-2017 budget, tax rates, and capital improvement program.
June 2016	Appropriation of funds for the adopted fiscal year 2016-2017 budget.

This calendar is subject to change at any time at the direction of the Board of Supervisors.

CUMBERLAND COUNTY, VA.
CALENDAR FOR DEVELOPMENT OF THE
FY 2018 – 2022 CAPITAL IMPROVEMENTS PROGRAM

TENTATIVE SCHEDULE

October 14, 2016	CIP package to departments
October 28, 2016	CIP requests returned to Finance Manager
November 18, 2016	Requests and recommendations are sent to CIP Committee for review
November 21-30, 2016	CIP Committee meets to review requests and begin ranking projects
December 5-16, 2016	CIP Committee is available for to meet with requestors
January 3, 2017	CIP Committee presents and recommends proposed CIP to Planning Commission for public hearing
February 27, 2017	Planning Commission holds public hearing on Capital Improvements Plan
April 4, 2017	Board holds public hearing on CIP
April 11, 2017	Adoption of CIP

Request For Appropriation

Department: Sheriff's Office

Code: 1-400-31200

Appropriate from:

Code	Item	Amount
MISCSH	MISC CASH	\$516.00

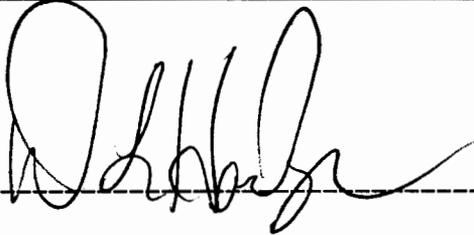
Appropriate to:

Code	Item	Amount
31200-6010	POLICE SUPPLIES	516.00

Reason for Request:

TO PURCHASE FIRST AID TACTICAL TRAUMA KITS FOR EACH PATROL VEHICLE

Signature



Date

9/13/16

Approved:

Board of Supervisors

Date

CRAIG'S FIREARM SUPPLY, INC.

8761 CHAPMAN HIGHWAY
KNOXVILLE, TN 37920

Invoice

Date	Invoice #
8/30/2016	4767

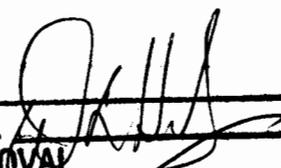
Bill To
CUMBERLAND CO. SHERIFF'S OFFICE PO BOX 71 CUMBERLAND, VA 23040 ATTN: ACCTS PAYABLE

Ship To
CUMBERLAND CO. SHERIFF'S OFFICE 1492 ANDERSON HWY CUMBERLAND, VA 23040 ATTN: SHERIFF HODGES

S.O. No.	P.O. Number	Terms	Due Date	Rep	Via
	BILL BLACK EMAIL	Net 30	9/29/2016	RGG	UPS

Quantity	Item Code	Description	Price Each	Amount
20	ELITE FA142BK	ELITE FIRST AID TACTICAL TRAUMA KIT # 1	25.00	500.00
1	FREIGHT	BLACK FREIGHT	16.00	16.00

DATE REC'D _____

DEPT APPROVAL  _____

CO ADMIN APPROVAL _____

CHECK # _____

DATE PAID _____

BUDGET CODE 31200-6010

			Subtotal	\$516.00
			Sales Tax	\$0.00
			Total	\$516.00
Phone #	Fax #	E-mail	Payments/Credits	\$0.00
865-573-4567	865-573-0820	ACB4567@COMCAST.NET	Balance Due	\$516.00

**Planning Projects:
October 2016**

Zoning:		
<i>Pending Zoning Questions and Requests</i>		
<i>CUP's and Rezoning Requests</i>		
Robert Lipscomb	525 Holman Mill Road	The Planning Commission held their public hearing on September 26, 2016 and recommend the proposal to the Board of Supervisors unanimously. A Board of Supervisors public hearing has been set 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	Approved.
North Whiteville Cell Tower	37 Jenkins Ridge Road	The Planning Commission held a public hearing on this proposal on September 26, 2016, and recommends approval to the Board of Supervisors unanimously. A Board of Supervisors hearing has been set for October 11, 2016.
<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):		
Staff is hoping to schedule a series of visioning meetings during the month of October.		
Subdivisions:		
<i>Approved Lot Line Adjustments</i>		
Midway Baptist Church	777 Guinea Road	Lot line adjustments between three parcels in order to add acreage to Midway Baptist Church.
Stephen Campitell and James Carey	216 Sugar Fork Road	Lot line adjustments between three parcels.
J.C.M III (Cabell Metts) and William and Jeannie Hurt	1832 Cartersville Road	Lot line adjustment between two parcels.
Alexander and Louise Hoffman	190 Trice's Lake Road	Lot line adjustment between two parcels.
<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 in the testing phase.
Henrico County-Dam & Buildings	Cobbs Creek	Erosion and Sediment Control plans for the rest of the construction on-site have been reviewed and approved.
Poorhouse Road Waterline	Poorhouse Road	Project underway.
Liggins home	Stoney Point Road	Agreement in Lieu of a Plan for a Single Family Home.
Code Amendment Questions		
Childcare as a home occupation	Countywide	The Planning Commission held a public hearing on the proposal on September 26, and recommends approval to the Board of Supervisors unanimously. The Board of Supervisors has set a public hearing for 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 applicant has not yet completed an application.
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.

Collection Rates - As of September 30, 2016

Real Estate:

	Current Collection %	Prior Year %	Change
Tax Year - 2015	95.73%	95.69%	+ 0.04%
Tax Year 2016 - 1st Half	92.41%	92.75%	- 0.34%

Personal Property:

	Current Collection %	Prior Year %	Change
Tax Year - 2014	98.34%	98.35%	- 0.01%
Tax Year - 2015	95.85%	96.63%	- 0.78%

Treasurer's Office
Outstanding Collections Report

September 30, 2016

Real Estate

	<u>As of 8/31/16</u>	<u>As of 9/30/16</u>	<u>Change</u>	<u>% Collected</u>	<u>Abatements/ Exonerations</u>
2000-2005	\$ 5,891.16	\$ 5,666.48	\$ 224.68	3.81%	
2006	4,569.31	4,531.10	38.21	0.83%	
2007	7,291.91	7,255.71	36.20	0.49%	
2008	10,808.92	10,597.21	211.71	1.96%	
2009	13,599.17	13,558.81	40.36	0.29%	
2010	27,086.30	26,441.29	645.01	2.38%	
2011	49,744.23	49,423.42	320.81	0.64%	
2012	81,145.91	80,139.06	1,006.85	1.24%	
2013	126,022.14	124,172.96	1,849.18	1.46%	
2014	165,537.01	162,916.42	2,620.59	1.58%	
2015	242,920.92	236,862.54	6,058.38	2.49%	
2016 (First Half)	236,332.25	223,022.34	13,309.91	6.53%	\$ 49.35
Total	\$ 970,949.23	\$ 944,587.34	\$ 26,361.89		

Personal Property

	<u>As of 8/31/16</u>	<u>As of 9/30/16</u>	<u>Change</u>	<u>% Collected</u>	<u>Abatements/ Exonerations</u>
2011	\$ 33,153.57	\$ 32,360.32	793.25	2.39%	\$ 58.57
2012	32,084.55	31,994.45	90.10	0.28%	24.80
2013	34,212.80	34,120.08	92.72	0.27%	32.28
2014	48,804.50	46,374.97	2,429.53	4.98%	2144.33
2015	130,957.65	117,320.67	13,636.98	10.41%	1,977.43
Total	\$ 279,213.07	\$ 262,170.49	\$ 17,042.58		

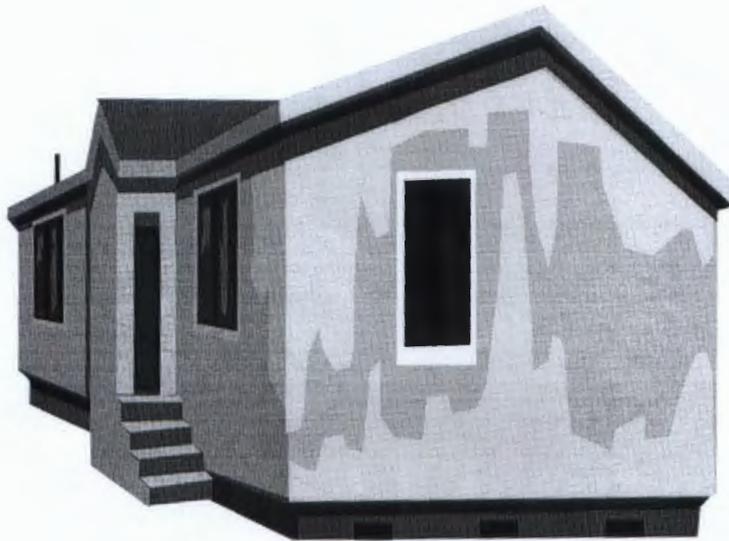
Transactions for DMV Select

September 2016

	# Transactions	Total \$	# Helped	# Transactions	Total \$	# Helped
1	40	\$1,769.72	11	17		
2	42	\$1,527.33	8	18		
3				19	\$2,408.78	8
4				20	\$613.80	6
5				21	\$676.50	8
6	25	\$1,354.05	8	22	\$972.25	4
7	20	\$935.85	9	23	\$1,159.90	6
8	23	\$1,091.73	15	24		
9	25	\$1,471.29	11	25		
10				26	\$1,735.47	8
11				27	\$1,228.17	10
12	26	\$788.50	10	28	\$1,914.15	6
13	25	\$835.25	12	29	\$1,561.52	12
14	23	\$728.50	9	30	\$3,418.49	15
15	24	\$1,210.12	9	31		
16	29	\$1,834.20	5	631	\$29,235.57	190

CUMBERLAND COUNTY

**BUILDING INSPECTIONS
DEPARTMENT**



SEPTEMBER 2016

**MONTHLY
REPORT**

**COUNTY of
CUMBERLAND
VIRGINIA**
FOUNDED • 1749

Building Official's Office

Leland H. Leeds
Building Official
lleeds@cumberlandcounty virginia.gov

Mackenzie Tate
Building Coordinator
mtate@cumberlandcounty virginia.gov

P.O. Box 110
1 Courthouse Circle
Cumberland, VA 23040
(804) 492-9114 Phone

September	Current Month 2015	YTD 2015	Current Month 2016	YTD 2016
Singlewides	2	8	0	4
Doublewides	0	7	0	7
Modular	0	1	0	5
New Homes	1	10	2	9
Ag & Exempt	1	2	0	4
Garages & Carports	1	13	5	27
Additions & Remodels	2	20	1	15
Misc	15	111	20	112
Commercial	4	29	0	19
Totals	25	199	28	201
Total Fees Collected	\$2,506.60	\$29,999.40	\$2,181.26	\$24,683.48
E-911 Fees Collected	\$0.00	\$180.00	\$0.00	\$142.00
Zoning Fees Collected	\$20.00	\$200.00	\$30.00	\$263.00
S & E Fees Collected	\$0.00	\$450.00	\$0.00	\$500.00
Total Estimated Value	\$324,675.00	\$5,270,418.00	\$424,716.00	\$4,863,884.00
Admin. Fees	\$10.00	\$30.00	\$10.00	\$50.00
CO's Issued	2	22	3	27



**MINUTES OF THE CUMBERLAND COUNTY
PLANNING COMMISSION
Regular Meeting
Cumberland County Community Center Rm. C-8
Monday, July 25, 2016
6:30 p.m.**

PRESENT: Bill Burger, District 3, Chairman
Randy Bryant, District 1, Vice-Chairman
Stephen Donahue, District 2
Hubert Allen, District 4
Larry Atkins At-Large
Irene Wyatt, At-Large
David Meinhard, Board of Supervisors member

ALSO PRESENT: Sara Carter, Planning Director

ABSENT: Roland Gilliam, District 5

CALL TO ORDER AND ROLL CALL

Chairman Burger called the Planning Commission's regular meeting of Monday, July 25, 2016 to order at 6:30 p.m. and a quorum was established.

APPROVAL OF AGENDA

MOTION:

Commissioner Allen made a motion to approve the agenda. Commissioner Wyatt seconded. The motion carried unanimously with a vote of 6-0.

APPROVAL OF MINUTES (5/23/2016)

MOTION:

Commissioner Donahue made a motion to approve the minutes as written. Commissioner Allen seconded the motion. The motion carried unanimously 6-0.

APPROVAL OF MINUTES (6/13/2016)

MOTION:

Commissioner Allen made a motion to approve the minutes as written. Commissioner Donahue seconded the motion. The motion carried unanimously 6-0.

PUBLIC HEARING: CODE AMENDMENT 16-07 BUILDING HEIGHTS

Staff provided an overview of a code amendment relating to heights of structures, particularly accessory structures in agricultural and residential districts. Staff prepared an Ordinance amendment, based upon email feedback from the Commission that shows changes in the A-2 and

A-20 districts. All residential districts have been included in the packet, in case the Commission wishes to make changes to those as well.

PUBLIC HEARING:

Chairman Burger opened the public hearing.

Mrs. Carol Miller asked why this provision restricting heights of accessory structures was in the Ordinance to begin with.

Staff responded that they were uncertain why it was there.

Chairman Burger stated that he was certain that it had not been addressed during his tenure. He suspected that it had been there since the original Ordinance was adopted.

Commissioner Donahue asked if the 35 foot limitation was high enough, and questioned why public/semi-public buildings could be higher.

Mr. Larry Thompson asked what the definition of a “bona-fide agricultural structure.” He requested that the definition be included.

Staff responded that State Code provided guidance for this.

Chairman Burger closed the public hearing.

COMMISSIONER DISCUSSION:

Commissioner Bryant stated there are many accessory structures that are taller in height than the primary structure.

Commissioner Donahue stated that he has already made his comments.

Commissioner Wyatt agreed with Vice-Chairman Bryant.

Commissioners Allen and Atkins stated that they were pleased with the Ordinance as written.

MOTION:

Commissioner Allen made a motion to recommend the Ordinance as written to the Board of Supervisors. Vice-Chairman Bryant seconded the motion.

Chairman Burger requested a friendly amendment to reference State Code provisions defining family. Commissioner Allen accepted the amendment.

Commissioner Donahue requested clarification on the motion, and what would be recommended.

Commissioner Donahue then made a substitute motion that the height requirements of #1 and #2 be combined and reflect what is allowed for public/semi-public buildings for all districts. There was then a discussion about what would then be allowed. Commissioner Donahue expressed concern regarding the different treatment between public and private uses. The motion failed for lack of a second.

The Commission voted on the amended motion. The motion passed unanimously.

DISCUSSION: CUP 16-04 HOFFMAN

Staff provided an overview of the Hoffman case. The Hoffmans seek to adjust the boundary line between their two contiguous lots. They require a CUP since one of the lots will become more non-conforming due to the change.

MOTION:

Commissioner Allen made a motion that the Commission recommend approval of the CUP. Vice-Chairman Bryant seconded the motion. The motion passed unanimously.

DISCUSSION: CUP 16-06 INGLE-MARTIN

Staff provided an overview of the Ingle-Martin case. Mr. Ingle and Ms. Martin would like to trade land between two adjacent pieces of property, but Ms. Martin will become more non-conforming. In addition, both of the properties are non-conforming as to setbacks. Since the CUP is addressing non-conformities, reduced setbacks are being proposed to allow for home improvements in the future.

Chairman Burger asked when the road change was made. Mr. Ingle responded that the change occurred in 1963.

MOTION:

Commissioner Allen made a motion that the Commission recommend approval of the CUP. Commissioner Donahue seconded the motion. The motion passed unanimously.

DISCUSSION: COBBS CREEK AREA PLAN AMENDMENT

Staff updated the Commission about the two meetings that have been held so far for the Cobbs Creek Reservoir Area Plan Amendment.

There are two additional information meetings that citizens have requested: one for traffic and speed issues, and one for assessment and market questions.

The Commission discussed the community concerns about speed and traffic in the area. Staff suggested that the Commission recommend to the Board of Supervisors that a speed study be conducted for Amphill, Columbia and Duncan Store Roads.

MOTION:

Commissioner Allen made a motion that the Commission recommend a speed study to the Board of Supervisors. Vice-Chairman Bryant seconded the motion. The motion passed 5-0-1, with Commissioner Donahue abstaining.

DISCUSSION: PENDING CASES

CUP 16-01 EVENT BARN:

Staff let the Commission know that a Notice of Violation had been sent to the property owners of the event barn (Larry and Deborah Thompson). Mr. and Mrs. Thompson were present for the

meeting. Mr. Lipscomb was unable to attend, but wanted input from the Commission regarding what would be required for the easement. Ms. Giles added that the easement needed to have good title and that the language would be negotiated between the two parties.

Commissioner Allen asked whether the Commission could stipulate the width of the easement, and Ms. Giles acknowledged that yes, since it is a conditional use, it can be required. The Commission discussed the requirements for the easement. The Commission generally agreed that the easement should be 50 feet, clearly stated for commercial use, and surveyed.

Mr. Larry Thompson asked to address the Commission. He stated that the use is not commercial. He stated that the county is made up of its citizens, not the employees. Mr. Thompson stated that the county had been out to see the building. The building is intended to be an agricultural building for two purposes: first, to promote Virginia grown products in this barn, and second, to allow people to use it for parties and gatherings. The purpose is not to charge people, but to do good for the county. He stated that all has been done as it should, and that he has a \$2m insurance policy on it. People in the neighborhood and county can use it. The Thompsons improved the property and gained an easement and put in a driveway. He has invited multiple people from the county to see it. He received nothing from the county, and then received a threatening letter. He is concerned that he cannot get a fifty foot easement. He can only get a thirty foot easement. He and Mr. Lipscomb have been informed that they need three things: a site plan, the VDOT land use agreement, and the easement. He stated that if the building is called a commercial structure, it shuts the project down. It is a problem in the county that employees want to change the county around. He stated that the easement for 30 feet is in place, but no more than that is available. If there cannot be an agreement made on this, then they will be shut down. He stated that the site plan was going to cost \$7500. The County will benefit from this project, and the County needs money and common sense. He stated that they had been threatened and that the government should work with people, and they have never been invited to come to any meetings. The problem is government demanding and taking away instead of working with the people. He asked the Commission to work with him and come see the barn.

Chairman Burger expressed to the property owner that the Commission had not yet received a complete application, and required a professional site plan. The Commission had been requesting this plan and other information (health department, VDOT and easement) since March.

Commissioner Allen asked if the property had been used for rent. Mr. Thompson said they have allowed neighbors and friends to use it. Commissioner Allen asked about an event on July 9th. Through the discussion, Mrs. Thompson stated that they are not charging for use of the building. It had been used by friends and family members.

The Commission and Mr. Thompson discussed the easement and what was needed to go forward with the application.

Staff clarified how the notification and communication had occurred with Mr. Lipscomb (the agent) and the Thompsons (the owners). The Thompsons did not receive the communication on the project while it was still being handled as a CUP application. However, they did receive the Notice of Violation as the property owners.

Commissioner Donahue stated that he wanted to let the applicant take responsibility for what happened there and waive the requirements. He felt that a 30 foot easement was adequate, and made a motion to that effect.

Staff clarified the requirements for the facility, the reasoning for adding an event facility to the Code, and the State Code requirements for agri-tourism.

Chairman Burger stated that the Commission needs a complete package, and do not need a site plan for all 62 acres.

REZ 16-01 DUNCAN:

Staff updated the Commission that we are awaiting a completed package from Mr. Duncan.

GENERAL CITIZEN COMMENT

Ms. Carol Miller of Cumberland Road stated that the Commission was doing a great job. She asked whether a windmill would be restricted in height. Dr. Burger answered no, as that would be agricultural. She also asked the location of the August 1 meeting.

OLD BUSINESS

None.

NEW BUSINESS

Staff requested feedback from the Commission regarding solar structures on individual properties. If a structure is just for the use of the property, it has been previously viewed as an accessory structure with no need for any further zoning approval. Staff wanted to ensure that this interpretation is still the will of the Commission. The Commission expressed support for this interpretation.

The Commission discussed having a tour of Northfield Plantation, and decided to meet an hour early for the next meeting to tour the facility.

Ms. Giles reviewed the results of the previous Board of Supervisors meeting, and let the Commission know that the Capital Improvement Plan had now been approved as recommended by the Planning Commission.

GENERAL COMMISSIONER COMMENTS

None.

ADJOURNMENT

MOTION:

At 8:17 p.m., Commissioner Donahue moved to adjourn to the next Planning Commission meeting of July 25, 2016, at 5:30 p.m. at Northfield Plantation or as soon after as may be heard. Commissioner Allen seconded. The motion carried unanimously with a vote of 6-0.

Attested:

Bill Burger, Planning Commission Chairman Date

Sara Carter, Planning Director Date

**MINUTES OF THE CUMBERLAND COUNTY
PLANNING COMMISSION
Tour of Northfield Plantation
189 Old Buckingham Road, Cumberland, VA
Monday, August 22, 2016
5:30 p.m.**

PRESENT: Bill Burger, District 3, Chairman (arrived 5:44)
Randy Bryant, District 1, Vice-Chairman (arrived 5:39)
Hubert Allen, District 4
Larry Atkins At-Large
Irene Wyatt, At-Large
David Meinhard, Board of Supervisors member

ALSO PRESENT: Sara Carter, Planning Director

Commissioner Wyatt called the Monday, August 22nd meeting of the Cumberland County Planning Commission to order for a 5:30 tour of Northfield Plantation, as being developed by Higgins Events.

Heather Higgins, of Higgins Events at Northfield Plantation, gave a tour to the Planning Commission and answered questions about the renovation and on-going plans for the site.

The Commission adjourned to their regular meeting time and place of Monday, August 22, 2016 at 6:30 p.m. at the Cumberland County Community Center, Room C-8.

**MINUTES OF THE CUMBERLAND COUNTY
PLANNING COMMISSION
Regular Meeting
Cumberland County Community Center Rm. C-8
Monday, August 22, 2016
6:30 p.m.**

PRESENT: Bill Burger, District 3, Chairman
Randy Bryant, District 1, Vice-Chairman
Hubert Allen, District 4
Roland Gilliam, District 5
Larry Atkins At-Large
Irene Wyatt, At-Large
David Meinhard, Board of Supervisors member

ALSO PRESENT: Sara Carter, Planning Director
Vivian Giles, County Attorney/Administrator (arrived 6:57)

ABSENT: Stephen Donahue, District 2

CALL TO ORDER AND ROLL CALL

Chairman Burger called the Planning Commission's regular meeting of Monday, August 22, 2016 to order at 6:30 p.m. and a quorum was established.

APPROVAL OF AGENDA

MOTION:

Commissioner Allen made a motion to approve the agenda. Vice-Chairman Bryant seconded. The motion carried unanimously with a vote of 6-0.

DISCUSSION: CUP 16-07 OLIVER

Staff provided an overview of the Conditional Use Permit request from Jerry Oliver. He owns six contiguous lots in Trice's Lake, with a house on one and a garage on another. He would like to expand the garage with a pole barn to the rear that lines up with the existing garage. However, the garage does not meet the side yard setbacks to his neighbor's property. A three foot relief to the Ordinance requirement is needed to construct the barn as planned. The adjacent neighbor is fine with the expansion.

Commissioner Gilliam asked about the aesthetics of the proposal, and confirmed that the proposed use would not harm the appearance of the community.

MOTION:

Commissioner Gilliam made a motion to recommend approval of CUP 16-07 to the Board of Supervisors for approval.

DISCUSSION: POTENTIAL ZONING CASE FOR IAN BROCK

Staff reviewed the situation of Ian Brock, who owns property on River Road. He has a construction company and has been storing equipment on the property. Staff received a complaint on the property, not about appearance, but about noise and ingress/egress issues. Mr. Brock would like to get legal with his use on the property and is willing to address the issues on it, but the current Ordinance does not have provision for a contracting business in the A-2. Staff feels that this use can be appropriate in the A-2 and wanted to find out if the Commission would be supportive of an Ordinance amendment that would allow it as a conditional use.

Mr. Brock stated that he does not do any fabrication on the site. It is a storage yard for equipment and a small amount of material. Commissioner Wyatt clarified that the primary use is for storage. Commissioner Allen asked what the primary type of construction is for the business. Mr. Brock responded that he primarily bids on parks and recreation jobs, such as High Bridge Trail.

Chairman Burger stated that he had driven out to the site and asked Mr. Brock some questions regarding the driveway and the distances to the nearest homes. Vice-Chairman Bryant agreed that there are other businesses in the county with similar uses that have not been addressed, and are non-conforming. Commissioner Allen asked how long Mr. Brock had been on the site. Mr. Brock stated that he has been out there for about one year. Chairman Burger asked whether there would

be VDOT issues at the driveway. Staff responded that there are likely to be some sight distance issues, in the direction of River Road towards Farmville. There are likely ways to address this issue, and VDOT will work with the applicant to find the best way to address the safety concern. Commissioner Gilliam asked about the neighbor concerns and the original complaint. Staff responded that the complaint was based upon noise issues, and the noise was likely associated with the logging operation that has since been completed. Additionally, they have concerns regarding the entrance, but the VDOT review should take care of that concern.

The Commission expressed agreement that they would be willing to consider an amendment to address Mr. Brock's use as a CUP in the A-2 district.

DISCUSSION: PENDING CASES

CUP 16-01 EVENT BARN:

Staff showed the Commission the site plan that Mr. Thompson turned in on the day of the meeting, along with the easement language that has been recorded. Mr. Thompson, Mr. Lipscomb, and their attorney, David Mitchel were present for the meeting. Staff expressed that the application is now considered complete. There are a few questions on the site plan that staff will need to follow up with Mr. Thompson on, but there is no reason to delay the application further.

MOTION:

Commissioner Allen made a motion to hold a public hearing on the proposal on September 26, 2016. Vice-Chairman Bryant seconded the motion. The motion passed unanimously 6-0.

Mr. Mitchel asked why a public hearing was being held. Staff clarified that the practice of the Commission is to hold a public hearing for any CUP's that involve uses, but they do not hold public hearings for CUP for lot issues.

REZ 16-01 MO DUNCAN:

Mr. Duncan's attorney has been in touch with staff and stated that the application and code amendment are ready, but he is waiting to get the site plan from Woody Cofer. There should be a complete application soon. Staff asked the Commission if a public hearing could be set once the site plan and application was received. Vice-Chairman Bryant asked if the CUP would prohibit washing of the vehicles on the opposite side of the street. Staff responded that conditions can be imposed. Staff expressed that it is critical that the conditions for the new CUP be clear to all parties and well written so that the conditions are understood by everyone over time.

Staff wanted to know if a public hearing should be scheduled as soon as an application and site plan are in hand. The Commission discussed the schedule for review. After some discussion, the Commission decided to consider the rezoning request at a workshop prior to having a public hearing. The next workshop is set for September 12, which may not allow enough time for all of the information to be available.

Commissioner Allen requested that the information for the rezoning be forwarded to the Commission as soon as it is received.

MOTION:

Commissioner Wyatt made a motion that the workshop meeting be rescheduled to October 3rd, and the September 12 workshop be cancelled. Commissioner Allen seconded the motion. The motion passed unanimously 6-0.

GENERAL CITIZEN COMMENT

None.

OLD BUSINESS

None.

NEW BUSINESS

Staff presented a question to the Commission regarding in home daycare. In the past, staff had required citizens to get zoning approval for in home daycares of over seven children, but had treated daycares of six or fewer children as home occupations, and thus permitted within residential and agricultural districts. The delineation between six and seven children matched how the state was regulating the same use, so it was an easy distinction to make. However, in the last few years, changes in the State Code for in home daycare mean that licensing happens at all levels, and the delineation occurs after there are more than 12 children. Staff suggested that the Zoning Ordinance be amended to allow in home daycare as a permitted use in the residential and agricultural districts.

The Commission discussed some parameters for in home daycare. They felt that the following should be included: acreage requirements, good entrance and exit, parking spaces, lighting, fencing, and the width of the private drive. With these considerations, in home daycare can be a permitted use.

Ms. Giles reviewed the results of the previous Board of Supervisors meeting.

GENERAL COMMISSIONER COMMENTS

None.

ADJOURNMENT

MOTION:

At 7:18 p.m., Commissioner Allen moved to adjourn to the next regular Planning Commission meeting of September 26, 2016, or as soon after as may be heard. Vice-Chairman Bryant seconded. The motion carried unanimously with a vote of 6-0.

Attested:

Bill Burger, Planning Commission Chairman Date

Sara Carter, Planning Director Date