

At a meeting of the Cumberland County Board of Supervisors held at 7:00 p.m. on the 14th day of June 2022, at the Cumberland County Circuit Courtroom:

Present: Brian Stanley, District 1, Chairman
Ron Tavernier, District 2
Eurika Tyree, District 3, Vice-Chairman
Gene Brooks, District 4
Robert Saunders, Jr., District 5
Derek Stamey, County Administrator
Jennifer Crews, Finance Director
Kemper Beasley, County Attorney
Tiana Branch, Deputy Clerk
Stephany Johnson, Zoning Administrator

1. Call to Order

The Chairman called the meeting to order at 7:00 p.m.

2. Roll Call of Members

Tiana Branch, Deputy Clerk, called the roll.

3. Welcome and Pledge of Allegiance

The Pledge of Allegiance was led by the Chairman.

4. Moment of Silence for Mr. Bobby Jones, Prince Edward Board of Supervisor

Chairman Stanley asked all in attendance to join members of the Board in a moment of silence in honor of the late Mr. Robert “Bobby” Jones, Prince Edward County Board of Supervisor. Mr. Jones served as Prince Edward County Board of Supervisor for over twenty-one years and thirty-six years on the Prince Edward Planning Commission. Mr. Jones passed away on May 15, 2022.

5. Approval of Agenda

Chairman Stanley made a motion to amend three items on the agenda before the approval. The first was an official statement from the Cumberland County Board of Supervisors. The statement will be read into the minutes immediately after the approval of the agenda.

The second item was related to the public hearing on the lease/leaseback of real property. He asked the Board to consider adding language to consider approval of a resolution for the radio system lease financing in addition to the resolution on the lease/leaseback of real property.

The last amendment, under new business, an order to consider authorizing the County Administrator to enter into a third-party agreement between Cumberland County, Firefly, and the Thomas Jefferson Planning District.

On a motion by Supervisor Tavernier, seconded by Supervisor Tyree and carried unanimously, the Board approved the agenda as amended.

Vote:	Mr. Stanley – aye	Mr. Tavernier – aye
	Mrs. Tyree – aye	Mr. Brooks – aye
	Mr. Saunders – aye	

Chairman Stanley gave the following on behalf of the Cumberland County Board of Supervisors:

“The Cumberland County Board of Supervisors is aware of the actions taken by both federal and state officials related to a commercial animal breeding operation located within Cumberland County. The Board acknowledges and supports the authority of the facility's federal permitting agency, the United States Federal Department of Agriculture, along with certain Virginia agencies, to administer permits and seek to enforce applicable animal welfare laws pertaining to the facility. The Cumberland County Board of Supervisors does not condone the mistreatment of animals of any kind and supports all efforts to ensure that animals are treated appropriately and humanely.”

6. County Administrator Comments

County Administrator, Derek Stamey, provided the Board with the following updates:

I wanted to take the opportunity to congratulate the efforts of our youth baseball teams here in Cumberland County. This past week and weekend Cumberland hosted the Dixie Youth baseball district tournament for Coach pitch all stars. Four (4) localities were represented with 60 ball players and an overall spectator attendance of 1,000 people over the 4-day tournament. Cumberland's coach pitch team is advancing to the state tournament in South Hill, VA the week of July 8th.

Cumberland's minor baseball team participated in their regional tournament in Buckingham County and went undefeated throughout the tournament and will represent Cumberland County for the first time ever in 30 years at the state tournament in that age bracket to be held in Martinsville, VA the week of July 8th. The minors team hasn't lost a game all season including the regional tournament.

I also wanted to recognize all of the staff and volunteers who played a role in hosting these tournaments.

We will be recognizing these teams as well as one of our high school track and field teams at an upcoming Board meeting.

7. State and Local Departments/Agencies

a. Cumberland County Public Schools

Dr. Jones, Superintendent gave the following update to the Board:

- Celebrated Senior Walk at CCES
- Seniors graduated on May 13, 2022
- QuickStart Tennis awarded KG students with books
- Soccer made it to postseason play
- Envirothon team competed at the state level

- End of the Year celebrations at each school
- Girls Track Team was named the James River Champions
- CCES 21st Century held a space camp
- Girls track team was named the Region 1B Champions
- The CHS soccer team members were named to James River All District Teams
- CMS is sponsoring Family Summer Bingo that promotes family engagement
- The Girls track team was named the VHSL Class One Runner Up
- Our track teams brought home four state championships!
- Ms. Emily Overstreet, CCES art teacher, was named the Longwood University Rotunda Outstanding Alumni
- Summer learning is taking place which includes academics, field trips, and civic engagement
- Student artwork on display at the LCVA Youth Art Exhibit–impressive creations!
- Congratulations to the Cumberland Recreation baseball team for making it to the States
- Thank you for the continued support of Cumberland County Public Schools

b. VDOT

Assistant Residency Engineer, Steven Snell, provided the Board with the following report:

Ongoing Road Work:

- Preparation for resurfacing has started on Route 608 - This work is part of the Rural Rustic Program
- Mowing of Primary Routes has started this month.

Ongoing Bridge Work:

- The replacement bridge at Route 621 to Amelia County is under construction - This work is scheduled to be completed by late fall.

Completed Improvements:

- Road patching and leveling is completed on Route 608

- Resurfacing is being completed on Route 604

Supervisor Tavernier asked that Brown Road be added to the list to be resurfaced due to new homes being constructed on that road.

c. Cumberland Public Library

Mrs. Lisa Davis, Librarian, was absent but provided the Board with the following report:

Hours and Staffing

- The library is open on a regular schedule with an average attendance of about 35 people per day.
- Our Children’s Area has reopened, but with limited toys.
- During business hours, the library is still distributing at-home rapid-response Covid-19 test kits and has a pretty good supply on hand.

Financial

- I am now awaiting approval through the Library of Virginia to purchase a soundproof pod (similar to a phone booth) for county residents to use for tele-medicine visits, online job interviews, and virtual meetings. If approved, the item would be paid for through additional ARPA funding and could be in place as soon as July.
- I did receive the grant to cover the cost of replacing the four remaining heat pumps with the group covering 2/3 of the cost of replacement. I have been in touch with the engineer who will be doing our building assessment and, once that is finished, then we can select projects to complete.
- Our community survey for strategic planning is complete and all of our gift card winners for completing or sharing the survey have been contacted. We had over 200 responses to our survey and we are now analyzing the results to better inform our strategic planning.
- A Dollar General Youth Literacy grant was submitted in early June. If the library gets it, we will be purchasing materials to update the Juvenile and Young Adult collections as well as some graphic novels. As part of the grant, we will be holding book discussions with school-aged children to help with their reading comprehension skills.
- I have ordered three new computers for patron usage and they are supposed to be installed on June 14. Our Chromebook stations will be set up soon.

Programming

- The community calendar is up and operational. Besides sending an article to the newspaper about the calendar, the library will be reaching out to churches in the area in order to get their special services and activities posted for the county residents to access. In addition, I have designed a bookmark with a QR code which will help residents locate the calendar and then use it easier.
- At the end of May, we had 100 children registered with *Dolly Parton's Imagination Library*. A Facebook post celebrating that achievement was shared and ended up reaching over 3500 people within 7 days of the posting. We are now up to 118 children approved for the program with 10 children who have already graduated.
- The library offered a basic *Canva* class on May 23 to help businesses, civic groups and churches design their own professional looking flyers, newsletters, social media graphics and much more. Because so many other people have expressed an interest in this free Internet-based desktop publishing platform, two additional classes have been planned. One will be held on Monday, June 20, from 10 – 11 AM and the other will be Friday, June 24, from 3 – 4 PM. The free classes will be held at the library and registered participants should bring their own devices. An advanced level Canva class will be held later this summer.
- The library's Summer Reading Program is now underway on Monday nights until July 25. This year's theme is "Oceans of Possibilities". We are utilizing *Beanstack* or paper logs to keep track of reading and *Checker's Library TV* for part of the programming. We also have some adult programming lined up at the same time. Please check out schedules for more details. Sign up is available at the library or through the Summer Reading Challenge on *Beanstack*.

Events Calendar

+Details on the library's website or Facebook.

*Registration or entry fee required

+Details on the library's website or Facebook.

*Registration or entry fee required - see below.

June 2022

*13 - Summer Reading Program - 5:30 - 6:30 PM

*13 - Speaker - Community Programs Available
Through Delma's Pantry/Cumberland PATH -
5:30 - 6:30 PM

*20 - Canva Class - 10 - 11 AM - bring own device

*20 - Summer Reading Program - 5:30 - 6:30 PM

21 - EOY Library Trustees' Meeting - 2 PM

- *25 - Canva Class - 2 - 3 PM - bring own device
- *27 - Summer Reading Program - 5:30 - 6:30 PM
- *27 - Speaker - Recent Research for Dementia and Alzheimer's - 5:30 - 6:30 PM

July 2022

- 4 - Library closed for 4th of July
- *11 - Summer Reading Program - 5:30 - 6:30 PM
- 12 - Library Trustees' Meeting - 2 PM
- *18 - Summer Reading Program - 5:30 - 6:30 PM
- *25 - Summer Reading Finale - 5 - 6:30 PM

A knitting/crocheting group meets weekly on Wednesdays from 1 to 3 PM.

Lunchtime Technology Support - Monday, Tuesday, Thursday, and Friday from 12 - 1 PM. No registration.

The *Beanstack* app is used for logging reading and the awarding of badges/prizes for reading challenges.

*We have a 2022 Reading Challenge going on now with a chance at a \$50 Amazon Card.

*We have our Summer Reading Challenge going on until July 24 with several \$50 gift cards available.

Contact the library for more details.

Rep. Bob Good's field director is at the library on the first Thursday of each month from 9-11 AM.

For more information, call (804) 492-5807.

Cumberland Co VA Happenings calendar:



Cumberland Happenings

<https://teamup.com/ksczax32pakoyzbi3a>

d. Cumberland Fire and EMS

Fire and EMS Chief, Tom Perry, was absent but provided the Board with the following report:

- There have been a total of 98 calls for service.
 - 4 Mutual Aid Requests for Buckingham
 - 1 Mutual Aid Request from Powhatan
 - No mutual aid requested by Cumberland County Fire & EMS
 - Storm damage throughout the county on May 27, 2022. No structural damage. Multiple trees down throughout the County.
 - 2 Missing person reports with both subjects found safe. County drone was requested in both cases.

- Radio system project is still moving forward.
- We continue to see ongoing issues related to the proposed Randolph District Fire house
- Chief's Corner
 - The Fire Chief's meeting was held on May 26, 2022. Discussion on all current projects as well as calls for service, and ongoing issues related to Fire & EMS.
 - Mr. Stamey and I attended the RDVFD #4 auxiliary meeting to provide an overview of Fire & EMS responsibilities as well as the proposed addition.
 - Mr. Stamey and I also attended CVFD #2 executive committee meeting. Good discussion had by all regarding funding, personnel, and department expectations.

e. Finance Director's Report

i. Monthly budget Report:

There was no discussion regarding this item.

ii. Request to Appropriate Funds for FY 2023 funds

On a motion by Supervisor Tyree, seconded by Supervisor Saunders, and carried unanimously, the Board approved the appropriation of \$40,105,250 in funds for the budget commencing July 1, 2022:

Vote:	Mr. Stanley – aye	Mr. Tavernier – aye
	Mrs. Tyree – aye	Mr. Brooks – aye
	Mr. Saunders – aye	

f. Planning and Zoning Administrator's Report

i. Planning Project Updates

There was no discussion regarding this item.

ii. STUP 22-01 Byler

Planning/Zoning Administrator, Stephany Johnson,

presented the Board with overview of the Special Temporary Use Permit.

On a motion by Supervisor Tyree, seconded by Supervisor Brooks, and carried unanimously, the Board approved STUP 22-01 Byler:

Vote: Mr. Stanley – aye Mr. Tavernier – aye
Mrs. Tyree – aye Mr. Brooks – aye
Mr. Saunders – aye

- g. County Attorney’s Report
County Attorney, Kemper Beasley, informed members of the Board and the public that next court date regarding the roundabout case is set for Tuesday, July 19, 2022 at 11 a.m.
Supervisor Tavernier asked if there was an update on the Collins case. Mr. Beasley clarified that no hearing has been scheduled yet.

8. Consent Agenda

- a. Approval of Bills for May 2022
- b. Approval of Minutes –May 10, 2022 & May 17, 2022
- c. Employee Manual Revisions
- d. Appointments
 - i. Department of Social Services Board (District 3) – Jerry Seal
 - ii. Department of Social Services Board (District 5) – Michael Ross

On a motion by Supervisor Tavernier, seconded by Supervisor Saunders and carried unanimously, the Board approved the consent agenda as presented:

Vote: Mr. Stanley – aye Mr. Tavernier – aye
Mrs. Tyree – aye Mr. Brooks – aye
Mr. Saunders – aye

Mr. Saunders – aye

b. Consideration of a Resolution Authorizing a Lease/Leaseback of Real Property and Improvements Owned by Cumberland County

County Administrator, Derek Stamey, provided an overview and read the two resolutions as presented.

**RESOLUTION OF THE BOARD OF SUPERVISORS OF
THE COUNTY OF CUMBERLAND, VIRGINIA APPROVING LEASE REFUNDING
OBLIGATION**

WHEREAS, the Board of Supervisors (**the “Board of Supervisors”**) of the County of Cumberland, Virginia (**the “County”**) directed Davenport & Company LLC (**the “Financial Advisor”**) to prepare and distribute a Request for Proposals (**the “RFP”**) to obtain financing proposals to refinance various County obligations for potential debt service savings;

WHEREAS, the Financial Advisor reviewed responses to the RFP for the refunding of the Refunded Obligations (as defined below) and along with the County’s Bond Counsel, Sands Anderson PC, Richmond, Virginia (**“Bond Counsel”**) and the County Administrator recommends that the Board of Supervisors accept the proposal dated April 29, 2022 (**the “Proposal”**) from Truist Bank (**the “Lender”**) for such financing with an interest rate as set forth in such Proposal and subject to such other terms as set forth therein;

WHEREAS, the County has previously entered into a Deed and Agreement of Prime Lease dated as of September 1, 2012 (**the “Original Prime Lease”**) with SunTrust Bank and a Deed and Agreement of Financing Lease dated as of September 1, 2012 (**the “Original Financing Lease”**) in connection with the refunding of the Industrial Development Authority of Cumberland County, Virginia’s (**the “Authority”**) previously issued \$3,845,000 Public Facility Lease Revenue Bonds (Cumberland County Courthouse Expansion Project), Series 2001 (**the “Series 2001 Bonds”**), the proceeds of which were loaned to the County to enable the County to finance the construction, renovation and other costs of certain improvements, upgrades and additions to the existing courthouse building and administrative facilities for the benefit of the County

WHEREAS, the County previously issued the following obligations (**together with the Series 2001 Bonds, the “Refunded Obligations”**) to finance and refinance a variety of County and County public schools projects: the County’s \$772,000 Sewer Revenue Bond, Series 1995A, the County’s \$776,800 Sewer Revenue Bond, Series 1995B, the County’s \$344,500 Sewer Revenue Bond, Series 1996, the County’s \$5,000,000 Series 1997 Literary Fund Loan obligation and the Authority’s \$2,000,000 Public Facilities Lease Revenue Bond, Series 2010;

WHEREAS, the Lender has offered to loan funds to the County to refund the Refunded Obligations and to secure such loan by amending and restating the Original Prime Lease and the

Original Financing Lease which conveyed a leasehold interest in the real property and improvements constituting the County Courthouse Complex (**the “Leased Property”**); and

WHEREAS, there have been presented to this meeting drafts of the following documents (**collectively, the “Documents”**) in connection with the transactions described above, copies of which shall be filed with the records of the Board of Supervisors:

- a. an Amended and Restated Deed and Agreement of Prime Lease, dated as of June 1, 2022, between the County and the Lender, conveying to the Lender a leasehold interest in the Leased Property described therein (**the “Prime Lease”**); and
- b. an Amended and Restated Deed and Agreement of Financing Lease, dated as of June 1, 2022, between the Lender and the County (**the “Financing Lease”**) conveying back to the County a leasehold interest in such Leased Property and establishing the payment of rental payments (**“Basic Rent”**) thereunder;

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Cumberland, Virginia:

1. All costs and expenses in connection with the undertaking of the refunding of the Refunded Obligations and the execution and delivery of the Documents, including the fees and expenses of the County, the fees and expenses of Bond Counsel, the County Attorney and the Financial Advisor, and other fees and expenses related thereto, for the execution and delivery of the Documents, shall be paid from the proceeds therefrom or other funds of the County.
2. The Board of Supervisors hereby instructs the Financial Advisor and Bond Counsel to take all such action as necessary or appropriate to conclude the refinancing as so set forth in the Proposal by the execution and delivery of the Documents.
3. The following plan for refunding the Refunded Obligations is approved. The County shall use the proceeds of the Financing Lease to provide for the refunding of the Refunded Obligations and to lease the Leased Property to the Lender for a lease term of not to exceed December 31, 2046 and to lease the Leased Property from the Lender for a lease term ending October 1, 2041. The aggregate principal component of Basic Rent under the Financing shall not exceed \$3,725,000 and the interest component of Basic Rent under the Financing Lease shall not exceed 3.370% per annum in accordance with the Proposal. The obligation of the County to pay rent under the Financing Lease will be subject to the Board of Supervisors of the County making annual appropriations for such purpose. The Board of Supervisors on behalf of the County has adopted this resolution as its moral obligation to the payment of the Financing Lease and as a statement of its intent to consider the appropriation of funds sufficient to pay rent under the Financing Lease annually during the term thereof. If the Board of Supervisors exercises its right not to appropriate money for rental payments, the Lender may terminate the Financing Lease or otherwise exclude the County from possession of the Leased Property.

4. The Board of Supervisors hereby approves the Proposal and the Documents and, subject to other terms as set forth therein with such changes, including but not limited to changes in the principal payment amounts, dated dates, payment dates and rates as may be approved by the officer executing them whose signatures shall be conclusive evidence of his approval of the same. The Chairman or Vice Chairman of the Board of Supervisors is hereby authorized to determine the final terms of the Documents, including, but not limited to the principal amount, maturity and amortization, whose determination shall be conclusive, as evidenced by his execution of such Documents.
5. The Chairman or Vice Chairman of the Board of Supervisors, or either of them, and the County Administrator and Clerk of the Board of Supervisors are each hereby authorized and directed to execute the Documents and such other instruments and documents as are necessary to create and perfect a complete assignment of the rents and profits due or to become due in favor of the Lender, to refund the Refunded Obligations and to lease the Leased Property.
6. The County represents and covenants that it shall not take or omit to take any action the taking or omission of which will cause the interest components of Basic Rent to be an “arbitrage bond” within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (**the “Code”**) or otherwise cause the interest components of Basic Rent to be includable in gross income for Federal income tax purposes under existing law. Without limiting the generality of the foregoing, the County shall comply with any provision of law that may require the County at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds of the Financing Lease.
7. Any authorization herein to execute a document shall include authorization to deliver it to the other parties thereto and to record such document where appropriate.
8. All other acts of the officers of the County that are in conformity with the purposes and intent of this resolution and in furtherance of the execution and delivery of the Documents and the refunding of the Refunded Obligations, are hereby approved, ratified and confirmed.
9. Nothing in this Resolution, the Documents or any other documents executed or delivered in relation thereto shall constitute a debt or a pledge of the faith and credit of the County, and the County shall not be obligated to make any payments under the Documents except from payments made by or on behalf of the County under the Financing Lease pursuant to annual appropriation thereof in accordance with applicable law.
10. The County recommends that Sands Anderson PC, Richmond, Virginia, serve as bond counsel and hereby appoints such firm to supervise the proceedings and approve the execution and delivery of the Documents.
11. The County hereby designates the Financing Lease as a “qualified tax-exempt obligation” for the purpose of Section 265(b)(3) of the Code. The County does not reasonably anticipate (nor do any of its subordinate entities reasonably anticipate) issuing more than

\$10,000,000 in qualified tax-exempt obligations during calendar year 2022 for the benefit of the County and the County (and any of its subordinate entities) will not designate more than \$10,000,000 of qualified tax-exempt obligations for the benefit of the County pursuant to Section 265(b)(3) of the Code during such calendar year.

12. The Board of Supervisors has determined to authorize the County, if and as necessary, to utilize SNAP in connection with the investment of the proceeds of the Financing Lease.
13. This resolution shall take effect immediately.

ADOPTED THIS 14th DAY OF JUNE, 2022.

Betty Myers expressed that she thought this was the second debt restructure since the current Board has been elected. She asked if this debt would affect our future generations financially.

With no other citizens signed up to speak, the Chairman closed the Public Hearing.

On a motion by Supervisor Tyree, seconded by Supervisor Saunders, and carried unanimously, the Board approved the resolution authorizing a lease/leaseback of real property and improvements owned by Cumberland County:

Vote:	Mr. Stanley – aye	Mr. Tavernier – aye
	Mrs. Tyree – aye	Mr. Brooks – aye
	Mr. Saunders – aye	

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF CUMBERLAND, VIRGINIA APPROVING RADIO SYSTEM
LEASE FINANCING**

WHEREAS, the Board of Supervisors (**the “Board of Supervisors”**) of the County of Cumberland, Virginia (**the “County”**) has determined (i) that a true and very real need exists for certain equipment and improvements, and the installation thereof, consisting of public safety radios, transmission and related equipment (**the “Equipment”**) described in the Lease Agreement (as hereinafter defined); (ii) that the Equipment is essential to the governmental functions of the County; and (iii) that it reasonably expects the Equipment to continue to be essential to the governmental functions of the County for a period not less than the term of the Lease Agreement as described herein; and

WHEREAS, the County proposes to enter into an Equipment Lease Purchase Agreement, in the aggregate principal amount not to exceed \$2,100,000 (**the “Lease Agreement”**) with Truist

Bank (**the “Lessor”**) to finance the purchase of the Equipment over approximately eight (8) years; and

WHEREAS, (i) all amounts payable by the County under the Lease Agreement (**the “Lease Obligations”**) are subject to appropriation by the Board of Supervisors; (ii) the Board of Supervisors is under no obligation to make any appropriation with respect to the Lease Agreement; (iii) the Lease Agreement is not a general obligation of the County or a charge against the general credit or taxing power of the County; and (iv) amounts payable by the County under the Lease Agreement do not constitute a debt of the County within the meaning of any constitutional, charter or statutory limitation; and

WHEREAS, the County is entering into the Lease Agreement to finance the acquisition of the Equipment and will be providing the moral obligation pledge of the County to support the payment of Lease Obligations (**the “Moral Obligation Pledge”**); and

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Cumberland, Virginia:

1. The financing of the Equipment pursuant to the Lease Agreement is hereby approved. The Board of Supervisors hereby approves the Lease Agreement reflecting an aggregate principal component of Lease Obligations thereunder not to exceed \$2,100,000, with a term no later than December 31, 2030, an interest cost of the interest component of Lease Obligations thereunder at an annual rate not to exceed 3.13%, with the final terms and interest rate to be approved by the County whose execution thereof shall be conclusive evidence of such approval. The form of the Lease Agreement will be in substantially the form submitted to this meeting and the Chairman or Vice-Chairman of the Board of Supervisors or the County Administrator, any of whom is authorized to act, are hereby authorized and directed to execute and deliver to the Lessor the Lease Agreement in substantially such form, with such changes and amendments as the officer executing the same shall approve, such approval to be conclusively evidenced by his execution and delivery thereof. The obligation of the County to pay rent under the Lease Agreement will be subject to the Board of Supervisors of the County making annual appropriations for such purpose.
2. The Board of Supervisors on behalf of the County has adopted this resolution as its moral obligation to the payment of the Lease Agreement. The obligation of the County to pay rent under the Lease Agreement and to make any payments under the Moral Obligation Pledge will be subject to the Board of Supervisors of the County making annual appropriations for such purpose.
3. The County represents and covenants that it shall not take or omit to take any action the taking or omission of which will cause the Lease Agreement to be an “arbitrage bond” within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (**the “Code”**) or otherwise cause the interest on the Lease Agreement to be includable in gross income for Federal income tax purposes under existing law. Without limiting the generality of the foregoing, the County shall comply with any provision of law that may require the County at any time to rebate to the United States any part of the earnings derived from the investment of

the gross proceeds from the execution and delivery of the Lease Agreement.

4. The County hereby declares, in accordance with U.S. Treasury Regulation Section 1.150-2, as amended from time to time, the County's intent to reimburse the County with the proceeds of the Lease Agreement for expenditures related to the Equipment (**the "Expenditures"**) made on and after the date which is no more than 60 days prior to the date hereof. The County reasonably expects on the date hereof that it will reimburse itself for the Expenditures with the proceeds of the Lease Agreement. Each Expenditure was and will be either (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditures), (b) a cost of issuance with respect to the Lease Agreement, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the County so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the County.
5. The County will make a reimbursement allocation, which is a written allocation by the County that evidences the County's use of proceeds of the Lease Agreement to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Equipment are placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The County recognizes that exceptions are available for certain "preliminary expenditures," costs of issuance, certain de minimis amounts, expenditures by "small issuers" (based on the year of issuance and not the year of expenditure) and expenditures for construction projects of at least 5 years.
6. The County hereby designates the Lease Agreement as a "qualified tax-exempt obligation" for the purpose of Section 265(b)(3) of the Code. The County does not reasonably anticipate (nor do any of its subordinate entities reasonably anticipate) issuing more than \$10,000,000 in qualified tax-exempt obligations during calendar year 2022 for the benefit of the County and the County (and any of its subordinate entities) will not designate more than \$10,000,000 of qualified tax-exempt obligations for the benefit of the County pursuant to Section 265(b)(3) of the Code during such calendar year.
7. The Board of Supervisors intends for the Lease Agreement to be treated as complying with the provisions of Section 148(f)(4)(D) of the Code and Section 1.148-8 of the U.S. Treasury Regulations thereunder, which provides an exception from the "rebate requirement," since the Lease Agreement (1) is issued by the County which is a governmental unit with general taxing powers, (2) no obligation which is a part of the Lease Agreement is a private activity bond, (3) 95% or more of the net proceeds of the Lease Agreement are to be used for local governmental activities of the County, and (4) the aggregate face amount of all tax-exempt bonds (other than private activity bonds) issued by the County during the calendar year 2022 (and bonds issued by any subordinate entity of the County) is not reasonably expected to exceed \$5,000,000 increased by the lesser of \$10,000,000 or so much as are attributable to the financing of the construction of public school facilities within the meaning of Section 148(f)(D)(vii) of the Code.
8. Any authorization herein to execute a document shall include authorization to deliver it to the

other parties thereto and to record such document where appropriate.

9. All other acts of the officers of the County that are in conformity with the purposes and intent of this resolution and in furtherance of the execution and delivery of the Lease Agreement and the undertaking of the acquisition, equipping and installation of the Equipment are hereby approved, ratified and confirmed. County officials are authorized and directed to execute and deliver all agreements, certificates and other instruments considered necessary or desirable in connection with the execution and delivery of the Lease Agreement pursuant to this Resolution, including, but not limited to a loan agreement, project fund agreement, escrow agreement and any other agreements, financing statements or certificates.
10. Nothing in this Resolution, the Lease Agreement or the Moral Obligation Pledge or any documents executed or delivered in relation thereto shall constitute a debt or a pledge of the faith and credit of the County, and the County shall not be obligated to make any payments under the Lease Agreement except from payments made by or on behalf of the County pursuant to annual appropriation thereof by the Board of Supervisors in accordance with applicable law.
11. This resolution shall take effect immediately.

ADOPTED THIS 14th OF JUNE, 2022.

On a motion by Supervisor Tavernier, seconded by Supervisor Saunders, and carried unanimously, the Board approved the resolution authorizing the approval of the radio system financing:

Vote:	Mr. Stanley – aye	Mr. Tavernier – aye
	Mrs. Tyree – aye	Mr. Brooks – aye
	Mr. Saunders – aye	

13. Additional Information

- a) Treasurer’s Report
- b) DMV Report
- c) Monthly Business License Report
- d) Monthly Building Inspections Report
- e) Commonwealth Regional Council Report
- f) Cumberland Extension Office Monthly Newsletter – N/A
- g) Approved Planning Commission meeting minutes – January 10, 2022, February 14, 2022, February 28, 2022, March 7, 2022, March 21, 2022 and April 18, 2022

- h) Approved EDA meeting minutes – April 7, 2022
- i) Approved BZA minutes – N/A
- j) Clerk’s Office FOIA Training Notice

14. Public Comments

Betty Myers referenced the June 15, 2022 Farmville Herald article regarding Green Ridge. She questioned the accuracy of some of the statements made in the article.

Robin Mead expressed her beliefs that Board members should keep citizens up to date with landfill updates. She stated that she believed the Board should add the updates the monthly regularly reported items on the agenda.

Dr. Melba Moore introduced herself to members of the Board and the community as the new Executive Director of the Crossroad Community Services Board. She also thanked members of the Board for recently appointing Chanda Giles to the Crossroads Community Services Board.

Barbara Speas requested that Board members ask VDOT to consider adding a horse and buggy road sign up for the family that just moved onto Tarwallet Road. She also asked that the Board consider adding updates on the landfill to the agenda and questioned the authority the Board has on decision making regarding the landfill. She asked the status on the parks provided by Green Ridge.

15. Chairman and Board Member Comments

Supervisor Tavernier addressed the concern regarding the horse and buggy road sign. He stated that based on prior conversations with VDOT the road signs are currently up are countywide and cover every road in the county.

Chairman Stanley clarified that the Board did not factor in any revenue from the parks when considering the budget. He also stated that a link to the DEQ website is on the county website for citizens to

view updates on the landfill.

Supervisor Tavernier addressed the ongoing survey that citizens can fill out to give feedback on what they would like to see.

County Administrator, Derek Stamey, addressed the concerns on the parks and staff's goals for the project.

16. Adjourn -

On a motion by Supervisor Brooks and seconded by Supervisor Saunders, the Board adjourned until the next regular monthly meeting at 7:00 p.m. on July 12, 2022 in the Cumberland County Circuit Courtroom located at 17 Courthouse Circle, Cumberland, Virginia.

Brian Stanley, Chairman

Derek Stamey, County Administrator