



# CUMBERLAND COUNTY BOARD OF SUPERVISORS

## Regular Monthly Meeting Cumberland County Circuit Courtroom A Cumberland, VA

January 9, 2018  
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. **Election of Chairman** **Motion**
6. **Election of Vice-Chairman** **Motion**
7. **Organizational & Administrative Matters**
  - a. 2018 BOS regular meeting schedule revised (pg. 1) **Motion**
  - b. Review By-laws (pg. 2-20) **Motion**
  - c. Review Code of Ethics and Standards of Conduct (pg. 21-24) **Motion**
  - d. Review Committee Appointments (pg. 25) **Motion**
8. **State and Local Departments/Agencies/Community Service Providers**
  - a. Dr. Amy Griffin, Superintendent of Cumberland County Public Schools **Information**
  - b. VDOT **Information**
  - c. Mrs. Kelly Snoddy, PFSWCD **Information**
9. **Public Comments (Part one)**
10. **Public Hearings**
  - CUP 17-05 Peterson home (pg. 26-33) **Motion**
  - CA 17-03 Open burning, blasting, fireworks (pg. 34-45) **Motion**
11. **County Attorney/County Administrator Report**
  - a. Consent agenda **Motion**
    - i. Approval of bills
    - ii. Approval of Minutes (December 12, 2017) (pg. 46-61)
  - b. Resolution in celebration of Dorothy Elizabeth Williams (pg. 62) **Motion**

12. **Finance Director's Report**
  - a. Monthly Budget Report (pg. 63-71) **Information**
  
13. **Planning Director's Report**
  - a. Renewal for CUP 16-10 4-Wheel drive Specialty Conversion (pg. 72-73) **Motion**
  - b. Set public hearing for CUP 17-06 The Venue at Orchard View Farm (pg. 74) **Motion**
  - c. Set public hearing for CUP 17-07 ACP Temporary Construction Yard (pg. 75) **Motion**
  
14. **Old Business**
  
15. **New Business**
  
16. **Public Comments (Part two)**
  
17. **Board Members Comments**
  
18. **Additional Information – (pg. 76-85)**
  - a. Treasurer's Report
  - b. DMV Report
  - c. Monthly Building Inspections Report
  - d. Approved Planning Commission meeting minutes – N/A
  - e. Approved IDA minutes - N/A
  
19. **Adjourn – Regular Meeting – February 13, 2018.**



**Cumberland County  
Board of Supervisors  
Proposed 2018 Meeting Schedule  
Second Tuesday of each month at 7:00 p.m.,  
Circuit Courtroom of the Cumberland Courthouse unless otherwise noted**

**January 9, 2018**

**February 13, 2018**

**\*February 21, 2018**

**\*February 22, 2018**

**March 13, 2018**

**\*\*April 3, 2018**

**April 10, 2018**

**May 8, 2018**

**June 12, 2018**

**July 10, 2018**

**August 14, 2018**

**September 11, 2018**

**October 9, 2018**

**November 13, 2018**

**December 11, 2018**

**\*Budget Workshops held in the Administration Conference Room**

**\*\*Budget Public Hearing**

**Adopted 01/09/2018**

**CUMBERLAND COUNTY, VIRGINIA  
BOARD OF SUPERVISORS  
Adopted January 9, 2018**

**Statement of Intent and Purpose**

The intent of these By-laws of the Cumberland County, Virginia Board of Supervisors is as follows:

- (1). To establish ways and means by which the Board of Supervisors as the governing body of Cumberland County, Virginia shall conduct itself in the performance of its duties and responsibilities;
- (2). To establish certain procedures to be followed by the Board of Supervisors as individual members and as a governing body, and by appointed officials and employees of the Board of Supervisors, to help ensure legality, fairness and consistency in the conduct of governance of Cumberland County; and
- (3). To establish certain rules and guidelines considered vital to the conduct of the Cumberland County government and the proper functioning of its elected and appointed officials, employees, agencies, departments, organizations; and the promotion and protection of the interests of the citizens of the county.

To these ends these By-laws are so adopted.

### **By-laws Definitions**

As used in these By-laws, the following terms are defined:

Action of Record: An action taken or decision made by the Board recorded in the Minutes of the Meetings. Action of Record may take the following forms:

- a. Motions with votes of the members of the Board recorded.
- b. Consensus agreement of the Board without vote by the Board.
- c. Directive of the Chairman in the exercise of that office during the conduct of an official meeting of the Board.

Advisory Board: Pursuant to § 15.2-1411 of the Virginia Code, a designated group of persons other than members of the Board formed by the Board for the purpose of undertaking work on matters germane to the interests of the Board or county.

Board: The Cumberland County Board of Supervisors.

Committee: Pursuant to § 15.2-1411 of the Virginia Code, a designated group of persons that may be formed by the Board for the purpose of undertaking work on matters germane to the interests of the Board or county.

County Code: The *Cumberland County Code*.

Directive: An exercise of discretionary authority granted to the Chairman from the Board empowering the Chairman as follows:

- a. To enforce the protocols of Article 8.5. of these By-laws for the conduct of business and discourse before the Board to ensure proper decorum, civility, fairness and order.
- b. To cause the removal of any person or persons without charge of civil or criminal offense for misconduct, disruption or disturbance of a meeting of the Board of Supervisors consistent with adopted policies and procedures of the Board;
- c. To charge any person or persons with civil or criminal offenses pursuant to federal, state or local laws for the misconduct, disruption or disturbance of a meeting of the Board.

Ex-officio: A form of membership or appointment to a body or group where the individual may participate in proceedings or discussions, but shall not serve in an official leadership capacity nor vote in an official manner.

Item of Business: A matter to be presented before the Board at an official meeting, specified on the Meeting Agenda or modification thereof, and which may be subject to an Action of Record.

Meeting or official meeting: Any Annual, Regular, or Special Meeting of the Board of Supervisors. The following terms may also be used to further define and specify purposes for meetings. Meetings as defined herein are not exclusive of each other and may be concurrently conducted.

a. Annual Meeting: Pursuant to § 15.2-1416 of the Virginia Code, the Board's first meeting in the month of January.

b. Joint Meeting: A Joint Meeting may be conducted simultaneously with one or more corporate and politic bodies for the purpose of review, inquiry and discussion of matters of mutual interest or in the interest of expedient disposition of public business matters. Action of Record may be taken at said meeting, and a quorum of both the Board and other body(ies) is required to Call to Order and conduct a Joint Special Meeting.

c. Public Information Meeting: A Public Information Meeting shall be limited to the dissemination of information to and/or from the public where the Board of Supervisors will take no Action of Record at said meeting. A quorum of the Board of Supervisors is not required to Call to Order and conduct a Public Information Meeting. Public Information Meetings may be called in the name of the Board of Supervisors or administratively by the County Administrator or his designee.

d. Public Hearing: A public hearing shall be conducted at said meeting and the Board of Supervisors may take Action of Record on such matters as may arise from the Public Hearing. A quorum of the Board of Supervisors is required to Call to Order and conduct a Public Hearing.

e. Recessed Meeting: A meeting conducted at a date, place and time set by the Board of Supervisors as a continuation of a previously held meeting. A Recessed Meeting shall be scheduled no later than the date of the next Regular Meeting.

f. Rescheduled Meeting: A Rescheduled Meeting shall be for the purpose of conducting a meeting of the Board of Supervisors where, by virtue of necessity or at the discretion of the Board of Supervisors, the originally scheduled meeting cannot be conducted on its prescribed date or time or at its prescribed location pursuant to these By-laws. Action of Record may be taken on any Item of Business presented at a Rescheduled Meeting, and a quorum of the Board of Supervisors is required to Call to Order and conduct a Rescheduled Meeting.

g. Workshop Meeting: A Workshop Meeting shall be for the purpose of in-depth review, inquiry and discussion of specified Items of Business where Action of Record may be taken by the Board of Supervisors. A quorum of the Board of Supervisors is required to Call to Order and conduct said meeting. Workshop Meetings may also be called and scheduled for the purposes of presentations to the Board of Supervisors for educational and informational purposes.

Primary Motion: The first motion presented following informal discussion of any Item of Business at a Board meeting.

Substitute Motion: A motion presented succeeding and in lieu of a primary motion on any Item of Business at a Board meeting.

Virginia Code: The 1950 Code of Virginia, as amended.

**Construction**

As used in these By-laws, the masculine shall include the feminine, and the singular the plural unless otherwise specified herein. The word "shall" is mandatory and not discretionary; the word "may" is permissive and discretionary. The word "approve" shall be considered to be followed by the words "or disapprove".

### **Article 1. General**

1.1. The County of Cumberland is a political subdivision of the Commonwealth of Virginia, and is bestowed all powers and authorities granted generally to counties without charters as set forth in the Virginia Code.

### **Article 2. Board of Supervisors**

2.1. The County of Cumberland is governed by a Board consisting of five (5) Supervisors elected from the citizenry of Cumberland County, one (1) Supervisor from each of the county's five (5) Election Districts. Terms of each Supervisor are for four (4) years and may be successive. Qualifications for election to the Board of Supervisors are prescribed in the Virginia Code and Election Districts shall be defined by ordinance and set out in the County Code.

2.2. The Board of Supervisors is the governing body of the County of Cumberland and exercises all powers and authorities granted generally to counties without charters as set forth in the Virginia Code.

2.3. The Board of Supervisors at its discretion may authorize by appropriate action and annually provide for such sums for their salaries and expenses as members of the Board pursuant to the Virginia Code.

### **Article 3. Officers of the Board of Supervisors**

3.1. Pursuant to § 15.2-1422 of the Virginia Code, the Board shall elect annually from its membership a Chairman and Vice-Chairman.

3.2. The term of office of the Chairman and Vice-Chairman shall be one (1) calendar year beginning immediately upon being elected at the Annual Meeting until the election at the Board's next Annual Meeting the following calendar year.

### **Article 4. Election of Officers**

4.1. Election of officers of the Board shall be held at the Annual Meeting. In the absence of a quorum of the Board at the Annual Meeting, the current seated officers shall continue to exercise their offices until such time as a quorum is present at a subsequent Regular Meeting of the Board, at which time election of officers shall be held. The Board may defer election of officers to a Recessed Meeting from the Annual Meeting upon motion and vote of a majority of Board members present.

4.2. Election of officers of the Board shall be the first Item of Business at the Annual Meeting when elections are to be held.

4.3. Nominations for officers shall be conducted in open session upon motion by Board members and acceptance of the nomination. A motion with a majority vote of the Board members present is required to close nominations, at which time election of officers will be conducted in reverse order of the discussion of nominations. A majority vote of a quorum of the Board is needed to elect officers.

4.4. In the event of a tie vote during the election of officers, either by an abstaining vote or an even quorum of the Board present and voting, election of that officer shall be tabled to the next Regular Meeting of the Board and the Board shall proceed with other officer elections. In the event of a subsequent tie vote, a single blind lot drawing from the slate of seconded nominations shall select the officer. Officers selected in this manner shall be fully vested with all duties and powers accorded the office pursuant to the Virginia Code and these By-laws. The current seated officers shall continue to exercise their offices until new officers are elected or selected in this event.

4.5. Upon election of new officers, the new Chairman and Vice-Chairman shall preside at that meeting and all other meetings during the term for so which elected.

#### **Article 5. Duties and Powers of Officers of the Board of Supervisors**

5.1. In accordance with accepted rules of order and parliamentary practice, the Chairman is to preside at all meetings of the Board. The Vice-Chairman shall act with the full power and authority of the Chairman in the absence of the Chairman at any meeting of the Board. In the absence of the Chairman and Vice-Chairman, the remaining Board members shall choose an Acting Chairman for the meeting. Where an Acting Chairman is needed for a meeting, the Board need not designate an Acting Vice-Chairman. Where used in these Bylaws, Chairman shall also be construed to mean Acting Chairman.

5.2. When the Board is engaged in official meetings, whether held in the Board of Supervisors Meeting Room or at some other location, the building and associated grounds constituting the meeting place are under the control of the Chairman for the orderly conduct of the meeting. In addition to the exercise of parliamentary powers, the Chairman or Acting Chairman is empowered to issue Directives that shall be recorded as an Action of Record in order to facilitate orderly conduct of meetings.

5.3. The Chairman of the Board is empowered to administer oaths pursuant to § 15.2-1410 of the Virginia Code and shall be the head of the county government pursuant to § 15.2-1423 of the Virginia Code.

5.4. The Chairman shall adhere to and is empowered to enforce the protocols of Article 8.5 during official meetings of the Board. The Chairman shall act as parliamentarian of the Board, and shall seek the advice of the County Attorney or, in his absence, the County Administrator in the interpretation of the provisions of these By-laws and other established procedures for the conduct of meetings.

5.5. In the event of a vacancy in the office of Chairman due to death, resignation or removal from office as a member of the Board, the Vice-Chairman shall assume the

position of Acting Chairman until a chairman is appointed . In the event of a similar vacancy in the office of Vice-Chairman, the most recent past Vice-Chairman of the Board shall assume the position of Acting Vice-Chairman. In the event of concurrent vacancies in both the office of Chairman and Vice-Chairman, the most recent past Chairman and Vice-Chairman shall respectively assume these offices. Election of new officers shall occur pursuant to Article 4 of these By-Laws at the first Regular Meeting after the vacancy on the Board has been filled pursuant to § 15.2-1424 of the Virginia Code. In this event, such newly elected officers shall serve until the next Annual Meeting of the Board. Officers selected in this manner shall be fully vested with all duties and powers accorded their office pursuant to the Virginia Code and these By-laws.

5.6. The Chairman shall be an ex-officio member of all Committees and Advisory Boards of the Board, privileged to attend and participate in all meetings of such Committees and Advisory Boards, including closed meetings, but shall not vote on Committee matters unless appointed as a Committee member.

### **Article 6. Meetings of the Board of Supervisors**

6.1. The Annual Meeting of the Board shall be held on the second Tuesday of January. The Regular Meetings of the Cumberland County Board of Supervisors for shall be on the second Tuesday of each month. These Annual and Regular Meetings shall be Called to Order at 6:00 p.m. and shall be held at Cumberland County Circuit Court Room in the County Courthouse Building on Rt. 60, Cumberland C.H., Virginia.

The Annual and Regular Meeting date, place and time shall continue indefinitely unless changed by appropriate action of the Board.

6.2. The Board will attempt to complete all Items of Business at the Annual and Regular Meetings by 11:00 p.m. The Board may recess such meetings from day to day, or from time to time or from place to place not beyond the time fixed for the next Regular Meeting, until the business before the Board is complete.

6.3. If the Annual or any Regular Meeting day falls on a legal holiday, the meeting may be held on the holiday or rescheduled as determined by the Board by Action of Record taken at the Annual Meeting or any Regular or Special Meeting prior to the holiday. If rescheduled other than at the Annual Meeting, public notice shall be served pursuant to § 15.2-1416 of the Virginia Code.

6.4. Special Meetings of the Board may be approved and scheduled, or a Called Special Meeting conducted by the Board pursuant to § 15.2-1417 and § 15.2-1418 of the Virginia Code. A special meeting of the governing body shall be held when called by the chairman or requested by two or more of the members of the board of supervisors. The call or request shall be made to the clerk, and shall specify the matters to be considered at the meeting. Upon receipt of such call or request, the clerk of the governing body, after consultation with the chairman, shall immediately notify each member of the Board and the county attorney, as appropriate in writing delivered in person or to his place of residence or business to attend such meeting at the time and place stated in the notice. Such notice shall specify the matters to be considered at the meeting. No matter not

specified in the notice shall be considered at such meeting, unless all members are present. The notice may be waived if all members of the Board of Supervisors attend the special meeting or sign a waiver.

A Special Meeting may also be scheduled or called for specific purposes, as follows:

- a. Joint Special Meeting;
- b. Public Information Meeting;
- c. Public Hearing;
- d. Rescheduled Meeting;
- e. Workshop Meeting.

Special Meetings of the Board may be scheduled at the Annual Meeting for the calendar year and set out in the Operational Procedures of the Board.

6.5. The Annual, Regular and Special Meetings of the Board shall be open to the public. The Board reserves the right to enter into Closed Meeting pursuant to the Virginia Code at any official meeting.

6.6. Closed meetings will be restricted for those proper purposes enumerated in the Virginia Code and all Closed Meetings will be held in strict accordance with Virginia law.

6.7. No gathering of members of the Board of Supervisors, whether there be a number equal to or exceeding a quorum of the Board or a lesser number, shall be considered an official meeting of the Board unless such gathering takes place at a bona fide Annual, Regular or Special Meeting as set forth in these By-laws. No Action of Record may be taken on any matter outside of the time, place and location of an official meeting of the Board. Similarly when a quorum, (3) three or more members is gathered in one place outside an official meeting, those Board Members present may not discuss any past, current or future county business.

6.8. The Sheriff of Cumberland County shall, upon request, provide at least one (1) deputy to attend the Annual and Regular Meetings of the Board and, upon request of the Board or County Administrator, at any other official meeting. When in attendance of any official meeting, deputies shall be under the direction of the Chairman of the Board during the period of the official meeting (including any brief recess thereof), and under the direction of the County Administrator, Acting County Administrator, or his designee during the period prior to the meeting's Call to Order and immediately upon final Recess or Adjournment of the meeting.

#### **Article 7. Agendas for Board of Supervisors Meetings**

7.1. The Annual and Regular Meetings of the Board shall have a formal Meeting Agenda prepared by the County Administrator or his designee. The County Administrator at his (her) discretion, and the County Attorney and Board members individually may by request to the County Administrator place matters of business on the Agenda for discussion, information and /or action by the Board as are germane to the affairs and

interests of the Board and county. Agendas for Special Meetings are optional at the discretion of the Board of Supervisors or County Administrator.

7.2. The Order of Business of the Meeting Agenda for the Annual and Regular Meetings of the Board shall be generally as follows:

1. Call to Order and Determination of Quorum
2. Roll Call of Members
3. Closed Meeting
4. Welcome, Invocation and Pledge of Allegiance
5. Approval of the Agenda
6. Public Comments(optional)
7. Public Hearing (if any)
8. VDOT Matters
9. Presentations from Department/Agencies/Organizations
10. Assistant County Administrators Report
11. Planning Director's Report
12. County Administrator's Report
13. Community Development Director's Report
14. County Attorney's Report
15. Board Member Reports
16. Adjournment

Deviations from the Order of Business may be made at the discretion of the County Administrator during the preparation of the Meeting Agenda, and by the Board as a modification of the Meeting Agenda at the time of Approval of the Agenda. The Board by motion and majority vote of those present may eliminate any of the above items in the Order of Business for a specific meeting or meetings, or through the time of the next Annual Meeting in its entirety, and may also restore any item so eliminated or add other items by like Action of Record at any meeting.

7.3. A request for modification of the Meeting Agenda shall be made from the Board Table and only by members of the Board, County Administrator, or County Attorney. Approval of modification requires majority vote of Board members present. A modification made at the time of Approval of the Agenda shall be reflected in the Minutes of the Meeting at which the modification was made. Items scheduled for action on the Meeting Agenda may be deferred to a later time in the meeting by consensus agreement of a majority of Board members present. Items previously acted upon during the course of the meeting may be revisited at a later time in the meeting by a motion to reconsider and a majority vote of Board members present. An item may not be reconsidered more than twice.

7.4. The Board shall take no Action of Record on any matter that is not on the Meeting Agenda unless a modification to the Meeting Agenda is requested at the time of Approval of the Agenda. Modification of the Meeting Agenda requires a majority vote of Board members present.

7.5. Closed Meetings and business matters brought before the Board under Board Member Reports exempt from the provisions of this article.

7.6. The Meeting Agenda and supporting documents comprising the Meeting Agenda Book should be delivered to members of the Board a minimum of five (5) calendar days in advance of the meeting date. The supporting documentation should include recommendations on actions prepared by county administrative personnel and other county officials if a recommendation is available and appropriate. The Meeting Agenda Book may be rendered in electronic format for use by the Board at its discretion.

### **Article 8. Conduct of Meetings of the Board of Supervisors**

8.1. The Board shall generally follow Roberts' Rules of Order Newly Revised, Procedure in Small Boards but failure to follow Robert's Rules of Order shall not invalidate any Board action, the provisions of Article 8.4 notwithstanding. In following these rules of parliamentary procedure, the Board intends that special attention will be given to the following:

- a. Protecting the rights of each individual member of the Board, county administrative employees and the public.
- b. Preserving and ensuring a spirit of harmony and cooperation within the Board, and between individual Board members.
- c. Allowing full and free discussion among the members of the Board in order to ensure that all viewpoints are considered prior to taking action on behalf of the county.

8.2. Where provisions of these By-laws differ from similar procedures established by Robert's Rules of Order, provisions of these By-laws shall prevail.

8.3. Repealed. (This section referenced seating at meetings for Board Members)

8.4. The following rules and procedures shall prevail at meetings of the Board:

- a. A quorum of the Board is a majority of the membership comprising at least three (3) of the five (5) members of the Board. A quorum must be present to Call to Order and continue an official meeting and to take Action of Record.
- b. The Chairman shall Call to Order an official meeting at the designated time and determine a quorum. If a quorum is not present at the designated time, the Chairman may direct a delay of up to fifteen (15) minutes in the start of the meeting at his discretion. Any further delay in the start of the meeting may be made only with the consensus agreement of the majority of those Board members present.

- c. Should for any reason a quorum not be maintained continuously during any official meeting, the meeting shall adjourn at that time. A Board member's physical presence on the grounds of the location of the meeting shall be considered as being present at the meeting and satisfactory for the maintenance of a quorum. Board members shall notify the Chairman if required to leave the grounds of the location of the meeting, either temporarily or for the remainder of the meeting.
- d. All informal and formal discussions of Items of Business and Actions of Record must be made from the Board Table. Any Board member away from the Board Table but maintaining physical presence at the meeting location at the time of an Action of Record will be counted as having cast an abstaining vote.
- e. Informal discussion of an Item of Business by Board members is permitted while no primary or substitute motion is pending.
- f. A second to a primary and substitute motion is not required in order to formally discuss and/or vote upon the motion. Voting shall be by show of hands. The Chairman shall verbally summarize the vote upon conclusion of an Action of Record, noting by individual name those Board members abstaining or voting in the minority on the Item of Business.
- g. Any member of the Board may terminate debate or discussion of an Item of Business and call for a vote on a pending motion by "calling for the question" after being recognized by the Chairman.
- h. An abstaining vote is neither an affirmative nor a negative vote and has no effect on the vote, or the status of the quorum.
- i. A tie vote fails. The Board does not designate a tiebreaker pursuant to § 15.2-1421 of the Virginia Code.
- j. A substitute motion will be voted on prior to the primary motion, in reverse order (i.e. the substitute motion will be voted on first). Only one (1) substitute motion will be considered prior to a vote on the primary motion.
- k. The Chairman is authorized to speak in discussions, and can vote on all motions and/or all questions but may not call for the question. The Chairman may temporarily relinquish the position. The Chairman may do so by passing the gavel to the Vice-Chairman or Acting Vice-Chairman prior to the start of discussion of an Item of Business. Upon completion of the Item of Business, the gavel shall be returned to the Chairman.
- l. A primary motion may be amended prior to vote with the concurrence of the originating Supervisor of the primary motion. The amended primary motion is then treated as the primary motion, and not a substitute motion. A primary motion

may not be amended if a substitute motion is pending until conclusion of vote on the substitute motion. An amendment to a primary motion opposed by the originating Supervisor shall not be voted on until action is taken on the original primary motion.

- m. If a primary or substitute motion is made at a Board meeting where at least four (4) members are present and the motion is voted on and fails, the same or a substantively similar motion cannot be reconsidered by the Board during that fiscal year except by a primary or substitute motion made by a member of the Board who voted on the prevailing side where there are no less than four (4) Board members present, and only if two-thirds (2/3) of the Board members present vote to reconsider the motion again.
- n. A primary or substitute motion may be made to tentatively act upon an Item of Business where a final Action of Record is anticipated at a later date. All Items of Business tentatively acted upon by the Board shall be considered bound by the tentative action if not otherwise reconsidered by the Board within three (3) calendar months of the date of the tentative action.
- o. A motion to Table an Item of Business for consideration at a future meeting, or to remain Tabled indefinitely may be made either as a primary or substitute motion but not by consensus agreement. An action to Table an Item of Business to a later time within the same meeting may be passed by consensus agreement of a majority of Board members present.

8.5. The following protocols will be followed at meetings of the Board:

- a. Official meetings of the Board are open to public observation and, as set out herein, public participation. When not addressing the Board and/or attending public as herein described, those present at an official meeting shall be respectful of the rights of others.
- b. Board members are to be polite and courteous in addressing other members of the Board and all those present at Board meetings, and all Board members are to maintain proper decorum in their conduct at meetings of the Board (i.e., refrain from "name calling", derogatory remarks and other forms of personal affronts).
- c. Those persons and organizations with Items of Business before the Board should be represented at an official meeting if so requested by the Board of Supervisors, individual members of the Board, the County Administrator, County Attorney, or any person acting on behalf of these.
- d. Those persons and organizations with Items of Business before the Board may address the Board upon recognition and invitation of the Chairman to approach the Podium, where upon they shall identify themselves, any title and organization they represent, and provide a mailing address to facilitate any correspondence

needed subsequent to the Item of Business. As a guideline, presentations to the Board pursuant to an Item of Business should be limited to ten (10) minutes. The Chairman at his discretion may end a presentation after such time has elapsed or may permit continuation of it. The Board by Action of Record may overrule the Chairman's decision in this regard.

- e. The discourse of those presenting at the Podium shall be made part of the Minutes of the Meeting subject to Article 9 of these By-laws.
- f. Those individuals of the public attending any official meeting of the Board of Supervisors without an approved Item of Business on the Meeting Agenda or modification thereof shall not be permitted at the Podium at any time other than during the Open portion of a public hearing. No person shall address the Board during an official meeting from the audience unless recognized by the Chairman.
- g. At any official meeting of the Board where a public hearing is set on the Meeting Agenda, or a Public Hearing of the Board pursuant to Article 6.4, the Chairman shall first permit general presentation and discussion of the matter of the public hearing from the Podium and/or from the Board Table. At the conclusion of such presentation/ discussion, the Chairman shall Open the public hearing and invite those of the public attending the meeting to the Podium to comment.
- h. At the discretion of the Chairman, or with the consensus agreement of the majority of the Board, those speaking during the open portion of a public hearing may be limited to a specified length of time for comments at the Podium. The Chairman at his discretion may provide a verbal advisory to a speaker at the Podium when thirty (30) seconds remain of the specified time to conclude comments. During public hearings, speakers may address the Board only on matters pertaining or germane to the issue for which the public hearing is being held. No speaker is to engage in political statements, personal attacks upon members of the Board of Supervisors, county employees or officials, or any other person, nor are speakers entitled to use abusive language or discuss matters outside the issue for which the public hearing is being held. Violation of this rule shall enable the Chairman by directive to take appropriate measures to rule the speaker out of order and to have the speaker removed from the meeting, if necessary and take such other steps the Chairman deems appropriate, including bringing appropriate charges against the person and bringing the charges in the name of the Board of Supervisors.
- i. No discourse at a public hearing, whether during general presentation and discussion or during the Open portion of the hearing is required to be entered into the Minutes unless conducted at the Podium.
- j. Upon conclusion of speakers at the Podium, the Chairman shall close the public hearing. A motion and majority vote of a quorum of Board members present at a public hearing shall overrule the Chairman's decision to close the public hearing

or to limit speakers, in which event speakers may continue until the Board by majority vote ends the public hearing. A motion and majority vote of a quorum of Board members present shall also close the public hearing in this event. An Action of Record may be taken at the close of a public hearing at the discretion of the Board. Board Member Reports shall facilitate the presentation of comments, reports and proposed Items of Business not otherwise part of the Meeting Agenda by individual Board members in round table fashion. Matters may be presented for information, discussion and action and/or scheduled for further consideration as an Item of Business at a future meeting of the Board. When speaking during Board Member Reports, Board members shall be limited to ten (10) minutes, at which time the Chairman may at his discretion suspend further presentation from the Board member and request action by consensus agreement of Board members present at the Board Table to permit additional time to conclude the presentation. No Board member shall yield time or place under Board Member Reports to any other Board member or other person. No member of the Board shall have any other position reserved for them on the Meeting Agenda other than under Board Member Reports.

8.6. The Board may at its discretion adopt specific rules and procedures relative to the conduct of certain types of public hearings other than those set forth in this Article. Such specific rules and procedures shall be adopted in the manner prescribed for amendment of these By-Laws set forth in Article 13 and shall become part of these By-Laws upon adoption. Where a public hearing is conducted by another party on behalf of or before the Board, the rules and procedures governing that public hearing shall be as prescribed by the party conducting it.

### **Article 9. Minutes of the Meetings of the Board of Supervisors**

9.1. At all official meetings of the Board at which a quorum is present Minutes of the meeting shall be taken and shall be approved by the Board and recorded in the office of the Cumberland County Administrators Office.

9.2. Public Information Meetings and Workshop Meetings as defined in these By-laws may be recorded as Minutes at the direction of the Board. At any such meeting where an Action of Record is taken, Minutes shall be taken and approved by the Board and recorded.

9.3. Pursuant to § 15.2-1536 and § 15.2-1538 of the Virginia Code, the County Administrator shall serve as Clerk of the Board and shall carry out the duties specified in § 15.2-1539 of the Virginia Code. The County Administrator may designate a Recording Clerk to take and prepare the Minutes of the Board and to assist in the exercise of the office of Clerk of the Board. Minutes shall be prepared on the basis of both written notes and audio recordings. Where technically possible, audio recordings shall be made of all official meetings of the Board, subject to the provisions of Paragraph 9.2 of this Article. The specific language of the Minutes of any given meeting shall be at the discretion of the County Administrator, who shall endeavor to render the Minutes in the most accurate and neutral way possible. The County Administrator shall review and correct all Minutes

prior to dissemination to the Board for adoption.

9.4. The Board may at its discretion generally prescribe the form and content of the Minutes of its meetings in keeping with professionally accepted standards for it. At minimum, the Minutes shall contain the styling of the Item of Business stated on the Meeting Agenda or modification thereof, the Action of Record, the vote by individual member or consensus expression of the Board, or directive of the Chairman. Where practical, a brief synopsis of any discussion of the Item of Business shall also be included.

9.5. Minutes of any meeting shall generally be presented at the next or following Regular Meeting of the Board where at least five (5) working days exist between the successive meetings.

9.6. Minutes shall not be considered official until approved by the Board and recorded. After approval of the Board but prior to recordation, the County Administrator may make additions or corrections to the Minutes that do not materially affect the substance or content of the Minutes. These include, but are not limited to: correction of mis-spellings, typographical errors and incorrect grammar; page renumbering; clarification of content and errors of omission. Should evidence of an error in a recorded vote be discovered after approval but prior to recordation, the County Administrator shall attempt to verify it and correct by the best available means, including corroboration by individual Board members and other reliable witnesses to the meeting.

9.7. Should an error or evidence of an error in the Minutes of any Meeting of the Board be discovered after recordation, the County Administrator shall bring the error before the Board at the next official meeting as is practical. The Board by vote of a majority of those members present at the meeting at which the error was made shall correct the Minutes by amendment. Members of the Board not present at said meeting shall abstain from voting on the correction. Should no majority of Board members present at the meeting in which an error was made in the Minutes be or remain seated as members of the Board, a majority vote of the presently seated Board members shall then correct the Minutes by amendment.

9.8. Amendment to the recorded Minutes of any Meeting shall be entered as an Action of Record in the Minutes of the Meeting at which the amendment was made. In addition and where practical as determined by the County Administrator or Recording Clerk, the recorded Minutes shall be altered to include the amendment, either by insertion of a new, corrected page in sequence or by separate Amendment Addendum at the beginning or first page of the recorded Minutes of the Meeting to be corrected. Whether by insertion of a new corrected page or by Amendment Addendum, the correction shall be clearly documented as a correction of previously recorded Minutes, indicating the first date of recordation, the date of Board action to amend the Minutes, and the date of recordation of the amended Minutes.

9.9. When audio recordings of Board meetings are made, the County Administrator shall cause their preservation for a period of time not to exceed two (2) calendar years from the date of the meeting, at which time they may be discarded. Where preserved, audio recordings shall be considered publicly accessible without charge upon prior appointment for review through the office of County Administrator.

9.10. When video recordings of Board meetings or portions thereof are made, the preservation of said recordings shall be at the discretion of the County Administrator. The Board may at its discretion direct the preservation of specific recordings, and the County Attorney may request preservation of specific recordings only if such recordings are needed to support legal proceedings, pending or anticipated.

9.11. Verbatim transcription of the proceedings of any meeting in its entirety shall not be undertaken except by majority vote of the Board and only in instances where excerpted verbatim transcriptions of a portion or portions of the proceedings are insufficient to address the need. Any verbatim transcription generated, whether of an entire meeting or portion(s) thereof, shall not be adopted or made part of the official Minutes of any meeting.

9.12. Individual members of the Board and the County Attorney may request excerpted verbatim transcription of a portion or portions of any meeting through the County Administrator. If requested by a member of the Board, the County Administrator and/or the Recording Clerk will make a reasonable effort to generate a requested transcription prior to any subsequent meeting of the Board; the generation of such transcription is subordinate to the preparation and review of the Minutes and other duties and responsibilities of the involved personnel. A request by the County Attorney shall be made only if such transcription is needed to support legal proceedings, pending or anticipated. The County Administrator at his discretion may make any verbatim transcription requested generally available to all members of the Board.

9.13. Unapproved Minutes shall be released publicly upon incorporation into and completion of the Meeting Agenda Book. At the discretion of the County Administrator, unapproved Minutes may be released publicly at an earlier time; availability of completed unapproved Minutes shall not compel release at such earlier time.

9.14. No recording device shall be used during any Closed Meeting of the Board unless the majority of the members of the Board present at the meeting vote to allow recording of the Closed Meeting. Any such recording shall remain in the sole custody of the County Administrator, County Attorney, Chairman or other member of the Board designated by the Board.

#### **Article 10. Appointments of the Board of Supervisors**

10.1. The Board at its discretion may, and where required and in accordance with the Virginia Code or other law, shall from time to time establish and make appointments of its members and other persons to various positions, groups, organizations, committees,

advisory boards and other bodies, both formal and informal, for such purposes as are in the interest of the Board and county.

10.2. Except as otherwise provided in these By-laws or other law, appointments of the Board may be made at any official meeting upon motion and majority vote of a quorum of the Board and recorded as an Action of Record.

10.3. Except as otherwise provided by Action of Record or by law, all appointees of the Board shall be authorized and expected to represent the interests of the Board and county in all matters to which their appointment is charged.

10.4. Except as otherwise provided by law, all appointments of the Board shall discharge their duties with diligence, and may be removed prior to the end of the term of said appointment by motion and majority vote of a quorum of the Board and recorded as an Action of Record. Any vacancy in an appointment shall be filled in the manner as the original and for the remainder of the original term of the appointment.

10.5. Pursuant to § 44-146.19 B. 2. of the Virginia Code, the Board at the Annual Meeting shall appoint one of its members or the County Administrator to be Director of Emergency Services of the county. The Director shall serve in that capacity until the next Annual Meeting, at which time he may be reappointed or a successor appointed at the pleasure of the Board. A vacancy in the Director's position may be filled by a majority vote of the Board at any Regular or Special Meeting. The Director may be removed from that position and a successor appointed to fill the remainder of the original term by majority vote of the Board at any official meeting. During an impending or declared state or local emergency, in the absence of the Director of Emergency Services, the Chairman or Vice-Chairman of the Board shall assume the duties and responsibilities of that position pursuant to the Virginia Code. In the event either the Chairman or Vice-Chairman is the Director, the County Administrator shall serve as the third designee to assume responsibility in the absence of the Chairman or Vice-Chairman. In the absence of the Chairman, Vice-Chairman and County Administrator, any member of the Board may act in the capacity of Director of Emergency Services until such time as one of these three officials is able to assume the position. The Director of Emergency Services or any member of the Board acting in such capacity shall exercise only those powers granted in § 44-146.21 of the Virginia Code. The Emergency Services Coordinator of the county shall be an administrative employee of the office of County Administrator, subject to the personnel policies of the Board.

10.6. The Board shall officially recognize no prerogative of any of its members to make or nominate appointments to any group, organization, committee, advisory board or other body except in accordance with the provisions of these By-laws or other law.

## **Article 11. Committees and Advisory Boards of the Board of Supervisors**

11.1. Pursuant to § 15.2-1411 of the Virginia Code, the Board may at its discretion establish Committees of the Board and Advisory Boards by Resolution and vote of a

majority of the Board members at any official meeting. Committees may be solely composed of members of the Board or may be jointly composed of Board members and other individuals appointed or otherwise authorized to participate in Committee activities. Board approval of such other individuals is not required unless specified by Resolution. Advisory Boards shall be composed persons other than members of the Board and may include other individuals appointed by Advisory Board members to participate in Advisory Board activities. Board approval of such other individuals is not required unless specified by Resolution. Board members may be appointed as ex-officio members of Advisory Boards.

11.2. A Resolution establishing any Committee shall state the purpose and scope of activities of the Committee, including any specific responsibilities for and grant of authority to pursue the matter for which it has been established. The Resolution shall state the composition of the members of the Committee, either by name or title, and may designate who shall chair the Committee, by name or title. No member of the Board shall be appointed to a Committee if not present at the meeting at which appointments are made. A majority vote of a quorum of the Board is needed to appoint Committee members.

11.3. Unless otherwise specified within the establishing Resolution, Committees shall be reestablished and Committee appointments made at each Annual Meeting of the Board. Failure to reestablish dissolves the Committee as of adjournment of the Annual Meeting. Appointments to Committees may be for successive terms.

11.4. Unless otherwise specified within the establishing Resolution, Committees shall organize and direct their own affairs in the manner that their members deem appropriate to the matters that they are charged. These include, but are not limited to, adoption of Committee by-laws or procedures, designation of Committee officers, the taking of Minutes of Committee meetings, the appointment of sub-committees or working groups, solicitation of assistance in pursuit of Committee matters, and such other things as deemed appropriate by Committee members.

11.5. Meetings and activities of Committees shall be open to the public. Any Committee, when conducting business matters which are exempt from public disclosure pursuant to the Virginia Code may sequester itself for all or a portion of the Committee meeting at which such matters are being discussed.

11.6. Advisory Boards shall be subject to the provisions governing Committees of the Board as set forth in this Article.

11.7. The Board at its discretion may establish compensation for all Committee and Advisory Board members not to exceed fifty (\$50.00) dollars per meeting pursuant to § 15.2-1411 of the Virginia Code. Such compensation shall be specified in the Resolution establishing the Committee or Advisory Board, subject to Board appropriation of funds. Unless specified, no Committee or Advisory Board member shall receive compensation.

11.8. Committees of the Board and Advisory Boards shall only be established pursuant to this Article. Nothing herein shall be construed so as to prevent meetings or consultations by and between members of the Board, county administrative officials and employees and other parties for the purpose of pursuing matters of interest to the Board and county which are otherwise consistent with Virginia law.

**Article 12. Offices of County Administrator and County Attorney**

12.1. Pursuant to § 15.2-1536 of the Virginia Code, the Board shall appoint a County Administrator and a County Attorney. The County Administrator and County Attorney shall be employees of the Board, serving at the pleasure of the Board, and shall have their compensation established by the Board.

12.2. The County Administrator shall be the chief administrative officer for the county pursuant to § 15.2-1540 of the Virginia Code. The County Administrator shall exercise all powers, duties and responsibilities pursuant to § 15.2-407 and § 15.2-1541 of the Virginia Code and in accordance with the County Code and Board policies.

12.3. The County Attorney shall exercise all powers, duties and responsibilities pursuant to § 15.2-1542 of the Virginia Code and in accordance with the County Code and Board policies.

12.4. In the event of vacancy in the office of County Administrator due to death, resignation or removal from office, the Assistant County Administrator shall assume responsibility as Acting County Administrator until such time as the Board shall again fill that office. At the Board's discretion upon motion and vote of a majority of Board members at any Regular or Special Meeting, a county administrative employee other than the Assistant County Administrator may be designated as Acting County Administrator. The Assistant County Administrator is designated Deputy Clerk of the Board pursuant to § 15.2-1502 of the Virginia Code for the limited purpose of serving as Clerk to the Board in the temporary absence or unavailability of the County Administrator.

12.5. In the event of vacancy in the office of County Attorney due to death, resignation or removal from office, the Board may engage the services of private legal counsel to serve in the capacity of Acting County Attorney until such time as the Board shall again fill that office. In the event of the temporary absence or unavailability of the County Attorney, the Board authorizes the County Administrator at his discretion to engage the services of private legal counsel as necessary to represent the Board and county.

**Article 13. Adoption and Amendment of By-laws of the Board of Supervisors**

13.1. Upon adoption, the provisions of these By-laws shall take effect immediately and shall continue until amended or re-adopted. The full text of these By-laws shall be made part of the Minutes of the Meeting at which they were adopted.

13.2. Amendment to these By-laws may be made as an Item of Business on the Meeting Agenda or modification thereof at any Regular Meeting, Adjourned Meeting, Special

Meeting, Called Special Meeting, and/or Rescheduled Meeting of the Board. Amendment to these By-laws shall be by vote of a majority of Board members and recorded as an Action of Record. Unless otherwise specified, any amendment is effective upon adoption; no amendment shall be made retroactively effective. The full text of an amendment to these By-laws shall be made part of the Minutes of the Meeting at which they were adopted.

**Article 14. Limitations of By-laws of the Board of Supervisors**

14.1. If any provision or requirement of these By-laws be found inconsistent with the provisions of the Virginia Code, the County Code, or any other law or statute, it shall be deemed void. In this event, all remaining provisions of these By-laws shall remain in full force and effect.

**Article 15. Adoption and Amendment of General Policies and Operational Procedures of the Board of Supervisors**

15.1 The Board may from time to time adopt such other General Policies and Operational Procedures as it deems necessary and appropriate to its conduct and to matters under its charge, such policies and procedures being consistent with these By-laws and other law.

15.2. Matters that the Board may address by General Policies and Operational Procedures generally shall be those not otherwise addressed by law but which are material to the conduct, operation and interests of the Board or county.

15.3. Adoption and amendment of General Policies and Operational Procedures shall be made in a manner similar to that prescribed for the By-laws of the Board as set out in Article 13 and subject to the limitations set out in Article 14 herein.

--- NOTHING FOLLOWS ---

**CODE OF ETHICS AND STANDARDS OF CONDUCT  
FOR MEMBERS OF  
THE CUMBERLAND COUNTY BOARD OF SUPERVISORS**

*Adopted January 9, 2018*

**CODE OF ETHICS**

Recognizing that persons who hold public office have been given a public trust and that the stewardship of such office demands the highest levels of ethical and moral conduct, any person serving on the Cumberland County Board of Supervisors will adhere to the following Code of Ethics.

- 1.) Uphold the Constitution, laws and regulations of the United States and all governments therein and never knowingly be a part of their evasion.
- 2.) Put loyalty to the highest moral principles and to the county as a whole above loyalty to individuals, district, or particular groups.
- 3.) Give a full measure of effort and service to the position of trust for which stewardship has been granted; giving earnest effort and best thought to the performance of duties.
- 4.) Seek to find and use the most equitable, efficient, effective, and economical means for getting tasks accomplished.
- 5.) Adopt policies and programs that support the rights and recognize the needs of all citizens regardless of race, sex, age, religion, creed, Country of origin or disability.
- 6.) Avoid adopting policies, supporting programs, or engaging in activities that discriminate against or offend individuals because of race, sex, age, religion, creed, Country of origin, or disability
- 7.) Ensure the integrity of the actions of the Board of Supervisors by avoiding discrimination through the dispensing of special favors or unfair privileges, to any one whether for remuneration or not. A member should never accept for himself or family members, favors or benefits under circumstances which might be construed by

reasonable persons as influencing the performance of governmental duties.

- 8.) Make no private promises of any kind binding upon the duties of any office, since a public servant has no private word which can be binding on a public duty.
- 9.) Engage in no business with the County Government, or the school system either directly or indirectly, which is inconsistent with the conscientious performance of government duties except as may be consistent with the conflict of interest statutes in the Code of Virginia.
- 10.) Never use any information gained in confidentiality in the performance of governmental duties as a means of making private profit.
- 11.) Expose through appropriate means and channels, corruption, misconduct, or neglect of duty whenever discovered.
- 12.) Adhere to the principle that the public's business should be conducted in the public view by observing and following the letter and spirit of the Freedom of Information Act using closed sessions only to deal with the sensitive personnel, legal matters, contractual matters by the Code of Virginia.
- 13.) Avoid using the position of public trust to gain access to the media for the purposes of criticizing colleagues, citizens or personnel, impugning their integrity, or vilifying their personal beliefs.
- 14.) Make sure, when responding to the media, that a clear distinction is made between personal opinion or belief and a decision made by the Board.
- 15.) Review these principles orally and in public session at the annual organizational meeting each year.
- 16.) Pledge to honor and uphold these principles, ever conscious that public office is a public trust.

## **STANDARDS OF CONDUCT**

Recognizing that persons holding a position of public trust are under constant observation by the media and interested county residents, and recognizing that maintaining the integrity and dignity of the public office is essential for maintaining high levels of public confidence in our institutions of government, every current and future member of the Board of Supervisors will adhere to the following Standards of Conduct:

- 1.) Avoid during public meetings and during the performance of public duties the use of abusive, threatening, or intimidating language or gestures directed at colleagues, citizens, or personnel.
- 2.) Pay all taxes due to the County, State, or National Government.
- 3.) Avoid a private lifestyle that causes public doubt upon the integrity and competence of the County Government.
- 4.) Make a conscientious effort to be well prepared for each meeting.
- 5.) Recognizing the dignity of each individual, the Board shall attempt to avoid offering public criticism of colleagues or County employees.
- 6.) Work to create a positive environment in public meetings where citizens will feel comfortable in their roles as observers or participants.
- 7.) Maintain an attitude of courtesy and consideration toward all colleagues and staff during all discussions and deliberations.
- 8.) Be tolerant. Allow citizens, employees or colleague's sufficient opportunity to present their views.
- 9.) Be respectful and attentive. Avoid comments, body language or distracting activity that conveys a message of disrespect for the presentations from citizens, personnel, or colleagues.
- 10.) Be concise. Avoid the practice of taking more time to address an issue before the body than is necessary and essential for an adequate consideration of those matters being discussed.

- 11.) Provide appropriate mechanisms for disciplining members who violate the code of ethics and standards of conduct by using, as a final measure of discipline, censure or removal from the position.
- 12.) Board members will follow the procedure of communicating directly with the County Administrator and/or the Chairman of the Board on all County matters.

### **CITIZENS AND MEDIA CONTACTS**

- 1.) In responding to questions, from the media or citizens, Board members should:
  - a.) Remind the listener that they are not speaking for the entire Board;
  - b.) Clarify their position on a particular item;
  - c.) Make “no public comment” on closed session matters in reference to individuals, real estate, and other areas addressed pursuant to Section 2.2-3711 of the Code of Virginia.
- 2.) Each Board member must remember that personnel matters are to remain confidential and that it is the obligation of the Board and its membership to protect the privacy of the individual.
- 3.) The Board will focus on issues and avoid making public comments about individuals, staff members, fellow Board members, community residents or media representatives. The Board Chairman should be the main contact for County matters. When requested to do any interview, the Board member asked, should contact the Chairman and the County Administrator to tell them of the nature of the interview. In turn, they will tell the other Board members of the circumstances of the interview. This procedure does not preclude any member from responding to individual questions from the media.

## Cumberland County Board of Supervisors

### Calendar Year 2017 Board and Commission Assignments

Board / Commission	Board Representative	Staff Representative
Events Committee	Mr. Osl	
Landfill Advisory Committee	Mr. Banks	
Civil Rights Committee		
Chief Local Elected Officials (CLEO)	Mr. Meinhard	Ms. Giles
Cobbs Creek Project	Mr. Osl	Mrs. Carter
Community Policy Management	Mr. Osl	Ms. Giles
Crossroads Community Services	Mr. Banks	
Planning Commission	Mr. Meinhard	Mrs. Carter
Library Board of Trustees	Mr. Osl	
Emergency Services Committee	Mr. Ingle	Mr. Perry
Farmville Area Chamber of Commerce		Mrs. Salerno
Heartland Authority	Mr. Ingle	Ms. Giles
Economic Development Authority	Mr. Meinhard	Ms. Giles
Leadership Class Steering Committee	Mr. Meinhard	
Local Emergency Planning Committee	Chairman or designee	
Museum Advisory Board	Mr. Meinhard	
Piedmont Court Services	Mr. Wheeler	
Piedmont Regional Jail Board	Mr. Wheeler	Ms. Giles
Piedmont Juvenile Detention Center Board		Ms. Giles
Recycling Task Force	Mr. Ingle	
Resource Conservation & Development	Mr. Osl	Ms. Giles
Sesquicentennial Committee	Mr. Meinhard	
Social Services Board	Mr. Ingle	
Water & Sewer Advisory Board	Mr. Ingle	Mr. Saxtan
Wireless Authority	Mr. Ingle	Mr. Howard



**STAFF REPORT**  
**CUP 17-05**  
**Peterson Home**  
Conditional Use Permit  
Cumberland County, Virginia  
Planning Commission Meeting  
January 8, 2018

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**General Information:**

Processing schedule: Staff is asking the Planning Commission to discuss this proposal and forward a recommendation to the Board of Supervisors, so that the Board can conduct a public hearing on January 9, 2018.

**Application Information:**

Applicant/Owner: Joe Harner for Oakwood Homes  
Requested action: Conditional Use Permit to address lot deficiencies and reduce setbacks on a lot on Jamestown Road.  
Location: Tax map parcel 104-A-100  
Voting District: 5  
Zoning: A-2  
Comprehensive Planning Area: Not in a growth area  
Size: 1.04 acres  
Existing uses on the site: Vacant

**Surrounding Area Information:**

	<u>Adjacent existing uses</u>	<u>Adjacent zoning</u>	<u>Adjacent Comprehensive Plan Planning Area</u>
North	Residential	A-2	Not in a growth area
South	Vacant/Forested	A-2	Not in a growth area
East	Residential	A-2	Not in a growth area
West	Vacant/Forested	A-2	Not in a growth area

### **Summary of Request and Background Information:**

This is a lot legally divided many years ago. While it is a legal building lot, it is very narrow (approximately 100 feet wide), and a conventional house with a normal placement would not meet the side setbacks. If a relief of four feet on each side is granted, the 56 foot wide home can be placed near the center of the lot, and there would be a 21 foot side yard setback on each side.

### **Consistency with the Comprehensive Plan:**

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

### **Consistency with the Zoning Ordinance:**

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

### **Conclusion:**

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

### **Staff Recommendation:**

It is the opinion of staff that the request promotes good zoning practice and allows this lot to be fully utilized and improved.

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 17-05 with the following setbacks and conditions.

1. The lot shall not be subdivided, nor shall boundary lines be adjusted to cause the lot to become smaller and more non-conforming in the future.
2. Setbacks for this parcel are:
  - Front (Jamestown Road): Standard setbacks apply
  - Rear: Standard setbacks apply
  - Side yards: 21 feet
  - Accessory: Standard setbacks apply

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

**Suggested Motion:**

Mr. Chairman, because this request meets the intent and spirit of the Zoning Ordinance and Comprehensive Plan, I move that the Planning Commission recommend approval to the Board of Supervisors for CUP 17-05, a conditional use permit request in accordance with Sec. 74-786 of the Cumberland County Zoning Ordinance to allow for the correction of lot deficiencies.

Or,

Mr. Chairman, because this request does not meet the intent and spirit of the Zoning Ordinance and Comprehensive Plan, I move that the Planning Commission recommend denial of CUP 17-05 to the Board of Supervisors.

Submitted by:

Sara Carter  
Planning Director



COMMONWEALTH OF VIRGINIA  
COUNTY OF CUMBERLAND

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

### Application for Conditional Use Permit

Last revised 7/07/10

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

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

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

Project Name (how should we refer to this application?): Peterson

Proposal: CUP For lot Deficiencies

Location: TBD Jamestown Rd.

Tax Map Parcel(s): 104-A-100

Zoning: A2 Comprehensive Plan Area: NOT In a growth Area

Election District: Randolph

# of Acres to be Covered by Conditional Use Permit (if a portion of a parcel or parcels it must be delineated on a plat): 1.04

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

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

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

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

Contact Person (who should we call/write concerning this project?): Joe Harner or

Jeté Ledger Oakwood Homes Farmville

Address: 2650 wst 3<sup>rd</sup> St. City: Farmville State: Va Zip: 23901

Daytime Phone: (434) 315-8956 Fax #: (434) 315-0047 Email: 1749@clayton.net

**Owner of Record** (who currently owns the property?): CMIH Homes Inc.

Address: P.O. Box 4098 City: Merquille State: TN Zip: 37802

Daytime Phone: (434) 315-8956 Fax #: (434) 315-0049 Email: 1749@clayton.net

**Applicant** (who is the contact person representing?): Joe Harner or Jeff Ledger

Oakwood Homes Farmville Va 23901

Address: 2650 W<sup>st</sup> 3<sup>rd</sup> St. City: Farmville State: Va Zip: 23901

Daytime Phone: (434) 315-8956 Fax #: (434) 315-0049 Email: 1749@clayton.net

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. NO

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: \_\_\_\_\_

lot width of 98' with a 56 foot long home will  
only have 21' feet of side yard on each side

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). \_\_\_\_\_

Single family home 28x56

**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.

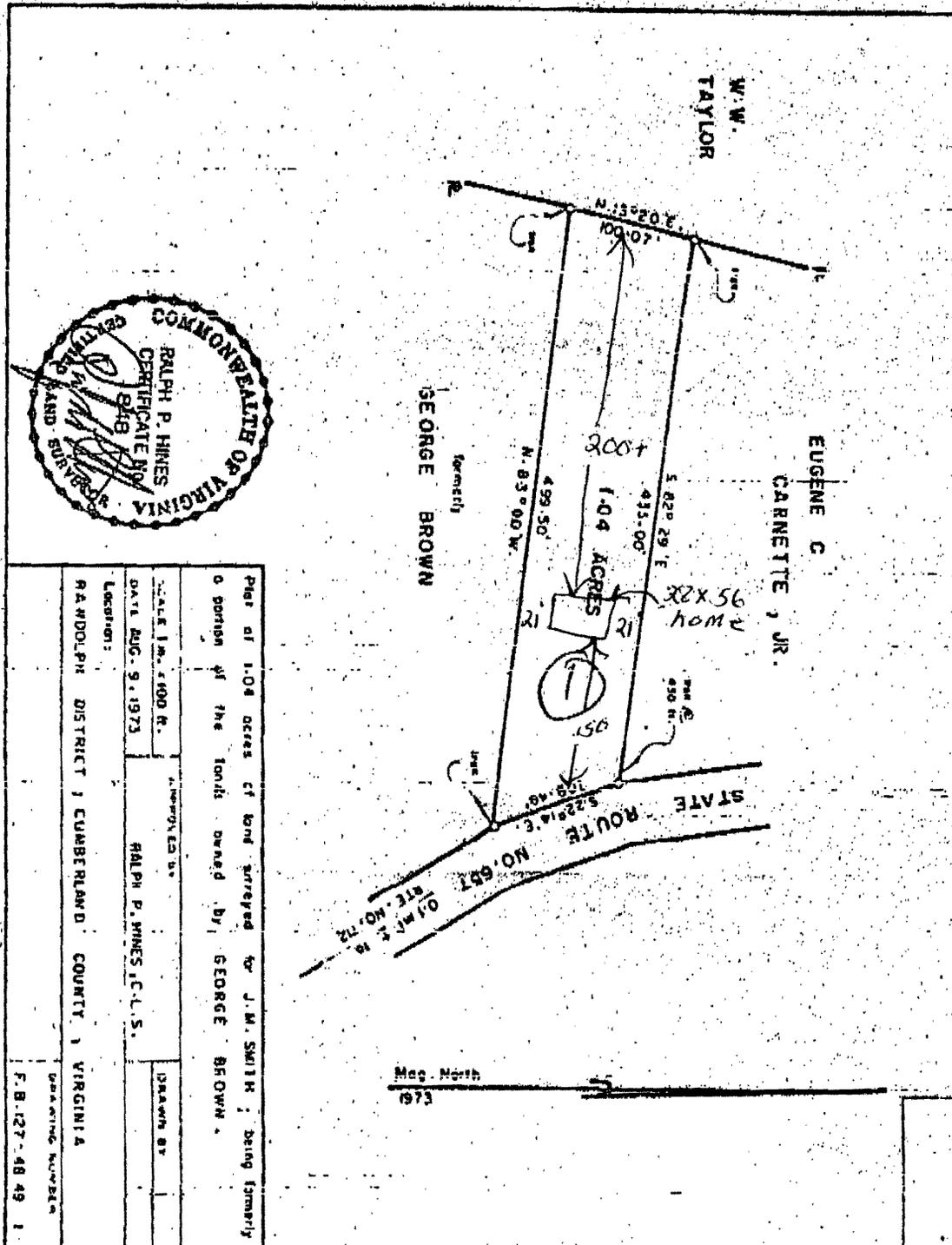
Joseph Hanner Oakwood Homes  
 Print Name of Owner/ Applicant

12-4-17  
 Date

Joseph Hanner  
 Signature of Owner/ Applicant

434-315-8956  
 Daytime Phone # of Signatory

BOOK 120 PAGE 366



Plat of 1.04 acres of land surveyed to J.M. SMITH ; being formerly a portion of the land owned by GEORGE BROWN.

SCALE 1 in. = 400 ft.

DATE DEC. 9, 1973

RAWDOLPH DISTRICT | CUMBERLAND COUNTY | VIRGINIA

DRAWN BY

DRAWING NUMBER

F.B. 127-4849 1

Virginia: In the Clerk's Office of the Circuit Court of Cumberland County, October 30, 1973.  
This affidavit, with plats attached, was this day presented in said office and, with certificate of acknowledgment annexed, admitted to record at 2:00 o'clock, p. m.

Teste: Demagie H. Tunstall Clerk.

Examined and Mailed To:  
James M. Smith  
Rt. 2 Box 112  
Farmville, Va. 23901



**DATE:** January 9, 2018  
**TO:** Cumberland County Board of Supervisors  
**FROM:** Vivian Seay Giles  
**RE:** CA 17-03

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### **Recommendation**

Approve the amendment of Chapter 38 of the Code of the County of Cumberland, Virginia to add Section 38-4, amend Section 38-31, and repeal sections 38-33, 38-34, and 38-36.

### **Information**

The Cumberland County fire marshal has recommended the adoption of local code provisions allowing for the implementation of a permit process for large scale burning, for all blasting, and for all fireworks. The addition of Section 38-4 would accomplish this objective, and the language as drafted is recommended by the fire marshal.

The amendment of Section 38-31 and the repeal of sections 38-33, 38-34, and 38-36 are recommended to make the Code of the County of Cumberland, Virginia consistent with the Code of Virginia. Since the adoption of those sections in Cumberland, the Code of Virginia has been amended. The amendments proposed here mirror those later state code amendments in our local code.

**An ordinance to amend Chapter 38 of the Code of the County of Cumberland as follows:**

**Sec. 38-4. – Permits, Conditions, and Fees.**

Permits shall be required for all blasting, open burning, and fireworks displays in Cumberland County. Permits shall be issued and all activities conducted in accordance with the provisions of this section.

- (a) **Blasting Permit.** The fee for a blasting permit shall be \$100.00. In order to obtain a blasting permit, the blasting company must comply with all of the following:
  - (1) Supply a certificate of insurance in an amount to be determined by the Fire Marshall.
  - (2) Supply copies of Commonwealth of Virginia blasting certifications.
- (b) **Blasting Conditions.** In all blasting activities, the applicant must at all times comply with the following conditions:
  - (1) Use blasting mats and backfill as required by a Cumberland County Fire Marshall.
  - (2) Provide seismograph readings and blasting reports as required by a Cumberland County Fire Marshall.
  - (3) Refrain from blasting during thunderstorms.
  - (4) Report all unintended damage resulting from the blasting to a Cumberland County Fire Marshall.
  - (5) Post the blasting permit on the site at all times until blasting is complete.
  - (6) Ensure there are no magazines on the site during blasting.
  - (7) Ensure that all blasting and all storage of blasting materials, agents, and explosives complies with all federal, state, and local laws and regulations at all times.
  - (8) Ensure that no explosives remain on the site overnight. All explosives in the ground must be detonated the same day.
- (c) **Open Burning Permit.** An open burning permit must be obtained for all open burning activities exceeding 100 square feet. The fee for an open burning permit shall be \$50.00. In order to obtain an open burning permit, the applicant must comply with all of the following:

- (1) All applicants must submit a site diagram clearly showing the location of the burn pile(s) and distances to roadways and nearest buildings. All site diagrams must be approved by the Fire Marshall for the issuance of an open burning permit.
  - (2) Open burning permits shall be issued for a period not to exceed six months.
- (d) **Open Burning Conditions.** In all open burning activities which are subject to this section, the applicant must at all times comply with the following conditions:
- (1) Notify Cumberland County Fire & EMS prior to the commencement of all open burning under the permit.
  - (2) Attend all open burning at all times until fully extinguished.
  - (3) Conduct all open burning as far as possible from roadways to prevent smoke from affecting driver safety.
  - (4) Refrain from open burning during periods of high winds or when wind is likely to carry smoke or ash to dwellings, buildings, or roadways.
  - (5) A Cumberland County Fire Marshall, in his or her sole discretion, may at any time require the extinguishment of a fire for which a permit has been issued until such time as conditions are more favorable or less dangerous.
  - (6) Burning of the following is strictly prohibited under a permit:
    - i. Hazardous or toxic materials and their containers.
    - ii. Rubber tires, rubber products, asphalt, petroleum products, treated lumber.
    - iii. Industrial or commercial waste.
    - iv. Animal carcasses or animal waste.
    - v. Garbage, including rotting animal or vegetable matter.
    - vi. Demolition materials such as building materials or parts of buildings being torn down.
    - vii. Materials transported from outside of Cumberland County for purposes of disposal.
  - (7) No accelerants may be used to ignite any fire.
  - (8) All open burning must be at least 50 feet from any building on the property on which the open burning is conducted and at least 300 feet from any building on any other property, except that open burning for land clearing debris shall be conducted at

minimum of 750 feet from the nearest building. Notwithstanding the foregoing, burning of items in an approved container must be conducted at least 15 feet from the nearest building.

- (e) **Fireworks Permit.** A fireworks permit must be obtained for all fireworks/pyrotechnics displays. The fee for a fireworks permit shall be \$75.00. In order to obtain a fireworks permit, the applicant must comply with all of the following:
- (1) Submit a site plan illustrating distances from launch areas to buildings and structures, highways, and viewing areas.
  - (2) Submit a valid certificate of insurance listing Cumberland County as an additional insured with liability limits of not less than one million dollars (\$1,000,000) for personal injury and/or property damage.
  - (3) Provide a copy of the Virginia State Fire Marshall's Pyrotechnician certificate and copy of the ATF certificate for the shooter.
  - (4) Submit a list of the amounts and sizes of pyrotechnics that will be launched (shot list).
- (f) **Fireworks Conditions.** All fireworks/pyrotechnics displays must at all times comply with the following conditions:
- (1) The applicant must at all times comply with all federal, state, and local laws, regulations, and ordinances regarding sale, storage, and display of fireworks.
  - (2) All displays shall be fired/initiated by electronic means via a master control board. Hand firing of cakes and other fireworks are prohibited unless expressly approved by the Fire Marshall.
  - (3) Comply with such other conditions and procedures as the Fire Marshall may require in accordance with the Virginia Fire Prevention Code.

### **Sec. 38-31 – Unlawful use of certain fireworks.**

Except as otherwise provided in this article, it shall be unlawful for any person to transport, manufacture, store, sell, offer for sale, expose for sale, buy, use, ignite or explode any firecracker, torpedo, skyrocket or other substance or thing, of whatever form or construction, that contains any explosive or flammable compound or substance and is intended or commonly known as fireworks, and which explodes, rises into the air or travels laterally or fires projectiles into the air, other than sparks or other fireworks permitted under the Virginia Fire Prevention Act.

**Sec. 38-33 – Permits for fireworks.** Repealed.

**Sec. 38-34 – Penalty for violation.** Repealed.

**Sec. 38-36 – Certain exempted fireworks.** Repealed.



**APPLICATION FOR FIREWORKS**

**PERMIT FEE \$75.00**

Office of the Fire Marshal  
1 Courthouse  
Circle  
Cumberland VA  
23040

Display

Retail Sales

Application Date: \_\_\_\_\_

Applicant Name: \_\_\_\_\_

Applicant Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Date of Event: \_\_\_\_\_ Time of Event: \_\_\_\_\_

Purpose of Event: \_\_\_\_\_ Event Location: \_\_\_\_\_

Event Sponsor: \_\_\_\_\_ Phone: \_\_\_\_\_

Retail Sales Location: \_\_\_\_\_ Dates: From \_\_\_\_\_ To \_\_\_\_\_

Fireworks Company Name: \_\_\_\_\_

Fireworks Company Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Company Contact Name: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

All applicable codes relating to the sale, storage, and display of fireworks shall be followed. Applicable codes include, but are not limited to, the Virginia Statewide Fire Prevention Code, NFPA codes, the Uniform Statewide Building Code, and any other zoning or local regulations. Also required when submitting this application:

1. A copy of the site plan stating distances from the launch area to buildings/structures, highways, and viewing areas
2. A valid certificate of insurance listing Cumberland County as an additional insured is required
3. Copy of the Virginia State Fire Marshal's Pyrotechnician Certificate and copy of the ATF certificate for the shooter
4. List of amounts and sizes of pyrotechnics that will be launched (shot list)

If application is related to retail sales, a floor plan shall accompany the application identifying the location(s) of storage and the retail display. A list of all products for retail sales shall accompany this application. A permit shall be issued prior to the delivery of any product for retail sales. Failure to comply with all applicable regulations will result in the revocation of the permit. I agree the information provided is true and correct and further agree to comply with all regulations.

Permit fees and a copy of the application should be taken to the County Administration Office at 1 Courthouse Circle, Cumberland Va 23040, or mailed to PO Box 110 Cumberland, 23040. Proof of payment (stamped copy of application) should then be submitted to the Office of the Fire Marshal.

Applicant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Fee Received: \_\_\_\_\_ Check Number: \_\_\_\_\_

Check Date: \_\_\_\_\_

Fire Marshal Approval: \_\_\_\_\_

Date: \_\_\_\_\_

Zoning: \_\_\_\_\_

Date: \_\_\_\_\_

Building Inspections: \_\_\_\_\_

Date: \_\_\_\_\_

County Administration Approval: \_\_\_\_\_

Date: \_\_\_\_\_

**REGULATIONS GOVERNING THE DISCHARGE OF  
FIREWORKS/PYROTECHNICS**

A permit to conduct a fireworks/pyrotechnics display will be granted subject to the following conditions contained in the Virginia Statewide Fire Prevention Code, the Cumberland County Code and NFPA 1123/1124. **\*\* DENOTES FIREWORKS ONLY**

1. A true copy of the valid liability insurance policy or certificate of insurance with liability limits of no less than one million dollars (\$1,000,000) for personal injury and/or property damage, caused by or as a result of the fireworks/pyrotechnics display, shall be delivered to the Cumberland County Fire Marshal's Office no later than thirty (30) days prior to the date of the requested display. Such insurance shall name the County of Cumberland as additional insured, as the County's interest may appear, because of the subject fireworks/pyrotechnics display.
2. The display shall be handled by a competent operator. The name of the operator shall be submitted to the Fire Marshal's Office no later than sixty (60) days prior to the date of the requested display, along with a copy of the operators Virginia State Fire Marshal's Pyrotechnician Certificate and a copy of the operator's ATF certificate for shooter.
3. All pyrotechnic displays, fireworks and the like **shall** be fired/initiated by electronic means via a master control board. Hand firing of shells cakes and other fireworks are prohibited unless expressly approved by the Chief Fire Marshal.
4. Storage: All fireworks/pyrotechnics shall be stored and transported according to the requirements of the NFPA 1124.
  - a. As soon as fireworks/pyrotechnics have been delivered to the display site, they shall not be left unattended nor be allowed to become wet.
  - b. All shells shall be inspected upon delivery to the display site by the display operators. Any shells having tears, leaks, broken fuses, or showing signs of having been wet shall not be fired. After the display, any such shells shall either be returned to the supplier or be destroyed according to the supplier's instructions.\*\*
  - c. All shells shall be separated according to diameter and stored in tightly covered containers of metal, wood, or plastic or in fiber drums or corrugated cardboard cartons meeting U. S. Department of Transportation specifications for transportation of fireworks/pyrotechnics. A flame-resistant tarpaulin, meeting the requirement of NFPA 701, shall be permitted to be used as a covering over the containers, if additional protection is desired. \*\*
  - d. The shell storage area shall be located at a minimum distance of not less than 25 feet from the discharge site. Exception: where acceptable to the authority having jurisdiction, alternate protective measures may be used in lieu of the above requirements. \*\*
  - e. During the display, shells shall be stored upwind from the discharge site. If the wind should shift during the display, the shell storage area shall be relocated to as again to be upwind from the discharge site. \*\*

**Installation of Mortars**

Mortars shall be inspected for dents, bent ends, and cracked or broken plugs prior to ground placement. Mortars found to be defective in any way shall not be used. Any scale on the inside surface of the mortars shall be removed.

- a. Mortars shall be positioned so that the projectile is carried away from spectators and into a clear area acceptable to the authority having jurisdiction. \*\*

- b. Mortars shall be either buried securely into the ground to a depth of 2/3 to 3/4 of their length or fastened securely in mortar boxes or drums. In soft ground, heavy timber or rock slabs shall be placed beneath the mortars to prevent their sinking or being driven into the ground during firing. \*\*
- c. In damp ground, a weather-resistant bag shall be placed under the bottom of the mortar prior to placement in the ground to protect the mortar against moisture. \*\*
- d. Weather-resistant bags shall be placed over the open end of the mortar in damp weather to keep moisture from accumulating on the inside surface of the mortar. \*\*
- e. Sand bags, dirt boxes, or other suitable protection shall be placed around the mortar to protect the operator from ground bursts. This requirement shall not apply to the down-range side of the discharge site. \*\*
- f. Mortars shall be inspected before the first shells are loaded to be certain that foreign matter has not accumulated in the bottom of the mortar. \*\*
- g. Special set-ups may require the use of flame-resistant tarpaulins. They shall meet the requirements of NFPA 701. \*\*
- h. Metal mortars shall be deemed acceptable for use with all shells. Paper mortars shall only be used for discharge of single and double break shells. A 30-second cooling period shall be allowed between firing and reloading of paper mortars. \*\*
- i. A cleaning tool shall be provided for cleaning debris out of the mortars between firing. \*\*

**Site Location**

The intent of this section is to provide guidance for clearances upon which the fire official shall base its approval for outdoor fireworks display site. **Where added safety precautions have been taken, or particularly favorable conditions exist, the fire official may decrease the recommended separation distances as deemed appropriate. When unusual or safety threatening conditions exist, the fire official may increase the minimum separation distance as deemed necessary.**

<u>Shell Size</u>	<u>Minimum Radius of Outdoor Display Site of Fireworks</u>
3 in. (76 mm)	300 ft.
4 in. (102 mm)	400 ft.
5 in. (127 mm)	500 ft.
6 in. (152 mm)	600 ft.
7 in. (178 mm)	700 ft.
8 in. (203 mm)	800 ft.
10 in. (254 mm)	1000 ft.
12 in. (305 mm)	1200 ft.

The areas selected for the discharge site, spectator viewing area, parking areas and the potential landing area shall be inspected and approved by the authority having jurisdiction.

**Discharge Site**

The area selected for the discharge of aerial shells shall be located so that the trajectory of the shells will not come within 25 feet of any overhead object.

- a. Ground display pieces shall be located at a minimum distance of 100 feet from spectator viewing areas and parking areas. Exception: for moveable ground pieces, such as wheels, this minimum distance shall be increased to 150 feet. \*\*
- b. Mortars shall be separate from spectator viewing areas, parking areas, storage of hazardous materials and from residential occupancies by the minimum distances specified on the above table or as approved by the Fire Marshal. \*\*
- c. Fireworks shall not be discharged within 100 feet of any tent or canvas shelter. \*\*

## **Potential Landing Area**

The potential landing area shall be a large, clear open area acceptable to the authority having jurisdiction.

- a. Spectators, vehicles, or any readily combustible materials shall not be located within the potential landing area during the display. \*\*
- b. The potential landing area shall be approved by the Fire Marshal. \*\*

## **Operation of the Display**

The sponsor of the display shall provide adequate fire protection for the display as required by the authority having jurisdiction.

- a. The sponsor shall consult with the authority having jurisdiction to determine the level of fire protection required. \*\*
- b. Monitors whose sole duty shall be the enforcement of crowd control shall be located around the display area by the sponsor. The authority having jurisdiction shall determine the number of monitors needed and their placement. \*\*
- c. If, in the opinion of the authority having jurisdiction or the display operator, lack of crowd control should pose a danger, the display shall be immediately discontinued until such time as the situation is corrected. \*\*
- d. If, at any time, high winds or inclement weather prevail, such that in the opinion of either the authority having jurisdiction or the display operator, a definite danger exists, the public display shall be postponed until weather conditions improve to an acceptable level. \*\*
- e. Display operators and assistants shall use only flashlights or electric lighting for artificial illumination. \*\*
- f. No smoking or open flames shall be allowed in the fireworks/pyrotechnics storage area as long as explosives are present. Signs to this effect shall be conspicuously posted. \*\*
- g. Fireworks/pyrotechnics shall be inspected by the fire official prior to the event, and a final "ok-to-fire" shall be ordered by the Fire Marshal before the display commences. \*\*

## **Operator Qualifications**

Public display operators shall be licensed or approved in accordance with all applicable state, county, or municipal laws.

- a. All operators shall be at least 21 years old. Assistants shall be at least 18 years old.
- b. An adequate number of operators, assistants, and monitors shall be on hand to conduct the display.
- c. No person shall handle or be involved in the firing of fireworks/pyrotechnics while under the influence of any controlled substance which could adversely affect judgment, movements or stability.

Any fireworks/pyrotechnics that remain un-fired after the display is concluded shall be immediately disposed of in a safe manner for the particular type of fireworks/pyrotechnics remaining. The Chief of the Fire Marshal's Office shall seize, take, remove, or cause to be removed at the expense of the owner all stocks of fireworks/pyrotechnics stored or held in violation of this article. No permit issued shall be transferable. The permit will be valid only on the days indicated and only during the times indicated.

The preceding regulations are necessary to ensure life safety and property safety for the citizens and visitors of the County of Cumberland .

***Grass in the shooting area must be mowed to a height no greater than two inches prior to set up of equipment.***



County of Cumberland  
Department of Fire & EMS  
Office of the Fire Marshal

Application for Blasting Permit

Must be received a minimum of 15 days prior to anticipated blasting operation.

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Company: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Contact Number: \_\_\_\_\_

Location of Blasting: \_\_\_\_\_

Dates of Blasting: \_\_\_\_\_

Site Number: \_\_\_\_\_

1. Permit Fee is \$100.00. **Permit fees and a copy of the application should be taken to the County Administration Office at 1 Courthouse Circle, Cumberland VA, 23040. Or mailed to ,P.O. Box 110, Cumberland VA, 23040. Two weeks prior to any blasting. Proof of payment (stamped copy of application) should then be submitted to the Office of the Fire Marshal.**
2. The blasting company must supply a certificate of insurance for a minimum of \$1,000,000 of General Liability Coverage with the application. Homeowners must have a minimum of \$250,000.
3. Blasters shall supply copies of their State of Virginia Certifications with the application.
4. Blasting mats and backfill shall be used when required by the Fire Official.
5. Warning signs shall be posted as required. Warning signs shall be at least 4'x4' in bright contrasting colors with letters as large as possible reading "DANGER BLASTING."
6. Seismograph readings are required as determined by the Fire Official.
7. The Fire Official shall be provided with a copy of all blasting reports and, upon request, seismograph readings.
8. Normal blasting shall be done during daylight hours only (8am to 5pm).
9. There shall be no blasting during thunderstorms.
10. Any damage that occurs as a result of blasting shall be reported to the Office of the Fire Marshal.
11. A Cumberland blasting permit from the Office of the Fire Marshal is required to be on-site at all times when blasting.
12. Magazines shall not be located on-site where there is blasting.
13. The blasting operation shall comply with the provisions of the Virginia Statewide Fire Prevention Code, County ordinances, and nationally recognized standards applicable to handling, storage, and use of explosives or blasting agents.
14. No overnight storage of explosives.
15. All explosives in the ground must be shot the same day.

**COMPLAINTS MAY CAUSE A PERMIT TO BE REVOKED**

<b>Comments:</b>
<b>Applicant Signature:</b>

Fee Collected: \$ \_\_\_\_\_

Check # \_\_\_\_\_

Cash



**County of Cumberland  
Department of Fire & EMS  
Office of the Fire Marshal  
Open Burning Regulations**

*The following information is provided as a summary of the open burning regulations for Cumberland County.*

*If you have any questions regarding open burning, please contact the Office of the Fire Marshal at (804)492-3800 ext 1021*

**A. For opening burning:**

**ALL**

Prior to all open burning, the Fire & EMS office must be notified at **(804)492-3800** with the location and times of the burning.

1. Open burning conducted with a permit or in accordance with regulations does not exempt any person from being held accountable for damages or injuries as a result of the burning. All persons responsible for the open burning are required to follow all applicable codes and ordinances. Cost for any emergency response required due to a failure to maintain control of the open burning may be charged to the responsible party.
3. From February 15<sup>th</sup> through April 30<sup>th</sup> of each year, the State Forestry laws supersede local ordinances.
4. All open burning will be constantly attended until the fire is completely extinguished.
5. Burning must be conducted as far away as possible from roadways to prevent smoke from affecting a driver's safety.
6. Burning will be conducted when winds will not carry smoke and ash to another person's dwelling, building, or roadways.
7. Any open burning that causes objectionable smoke or odor will require extinguishment until more favorable winds are present. Multiple complaints for the same location may result in revocation of a permit.
8. Burning of the following is **strictly prohibited**:
  - a. Hazardous or toxic materials and their containers.
  - b. Rubber tires, rubber products, asphalt, petroleum products, treated lumber.
  - c. Industrial or commercial waste.
  - d. Animal carcasses or animal waste.
  - e. Garbage, including rotting animal or vegetable matter.
  - f. Demolition materials such as building materials or parts of buildings being torn down.
  - g. Materials transported from another location or property.
9. Applications will be processed within 10 days of receipt of the application and permit fee.
10. No Accelerants may be used to ignite any fire.

**B. Private homeowners, landowners, or their tenants may burn on their property if the following conditions are met:**

1. The location of the materials to be burned must be at least 300 feet from the nearest building on another person's property and at least 50 feet from any building on the property on which the fire is located. Written (dated) permission from neighbors must be obtained prior to burning if the materials are within 300 feet of their building(s).
2. The pile size is limited to 8' by 8'. If the material to be burned exceeds the 8'x8' maximum size, a permit is required. Adequate precautions must be taken to prevent the fire from spreading. This can be done by plowing or grubbing the soil around the pile and providing an ample water supply.
3. Materials which may be burned include: leaves, limbs, yard rakings, garden trimmings, brush and other plant materials, household refuse, and trash accumulated during day-to-day living.
4. Items burned in an approved container (55 gal drum) may be burned no closer than 15' to a building on your own property.

**C. Burning conducted by contractors, property owners, homeowners, or tenants:**

1. A permit is required for burning conducted by any person(s) involving piles exceeding 8'x8'.
2. Applicants for open burning must provide permit and/or approved Contractor numbers prior to the issuance of a burn permit for land clearing or new construction sites.
3. Permits are available at the Cumberland Fire & EMS, Administration Office during normal business hours (8:30am-5pm).
  - a. Applications must be accompanied by a \$50 fee. Checks, money orders, or the exact cash amount are accepted.
  - b. Applications must be accompanied by a site diagram clearly showing the location of the burn pile(s) and distances to roadways and the nearest buildings on another person's property. The Fire Marshal must approve all site plans and may require a site visit prior to issuing a permit.
  - c. Open burning for land clearing debris, the minimum distance from any building on another person's property for open burning is 750 feet. Written (dated) permission must be obtained from the property owner and maintained on-site for the duration of the permit and a copy attached to the application for any burning conducted closer than 750 feet to a building.
  - d. Open burning permits can be issued for a period not to exceed 6 Months if the Fire Marshal issues a permit for less than 6 Months then one extension can be approved at no additional charge as long as it is within the 6 month time period. Any requests for an extension must be requested from the Fire Marshal prior to the expiration of the permit.



County of Cumberland  
Department of Fire & EMS  
Office of the Fire Marshal

Application for Open Burning Permit

Check One:             Debris Waste             Land Clearing

Date: \_\_\_\_\_

Applicant Name: \_\_\_\_\_

Mailing/Business Address: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_ Emergency Phone: \_\_\_\_\_

Business License Number: \_\_\_\_\_ Locality: \_\_\_\_\_

Site Supervisor or Contact Person: \_\_\_\_\_

Location of Open Burning: \_\_\_\_\_

Property Owner: \_\_\_\_\_

Tax Map Number: \_\_\_\_\_ (Attach a site map/diagram showing burn pile location and distances to closest buildings and roadways)

I/We accept full responsibility for compliance with the Virginia Statewide Fire Prevention Code as adopted and amended by Cumberland County and all applicable Cumberland County ordinances governing opening burning. I/We have received the Cumberland County Open Burning Guidelines and have reviewed them prior to making this application. I/We understand this permit requires the constant management of the open burning in order to reduce the potential for damage or other adverse effects on other private or public property and, in the event of such damage, the permit holder may be held liable for the damages and any costs for emergency services necessitated by the permitted open burning. The Office of the Fire Marshal must be notified should any damage occur as the result of the open burning being conducted under this permit. Prior to ignition of the burn, the permit holder must notify the Cumberland County Fire & EMS Office of the date, time, and location of the permitted open burning at (804) 492 3800 EXT 1021

Permits will be processed and issued within 10 days of receipt of the complete application and permit fee. The \$50.00 fee must accompany this application. Checks, money orders, and cash (exact amount) are acceptable. **Permit fees and a copy of the application should be taken to the County Administrative office located at 1 Courthouse Circle, Cumberland VA, 23040. Proof of payment (stamped copy of application) should then be submitted to the Office of the Fire Marshal.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Doug Martin, Fire Marshal or Robbie Felts, Fire Marshal  
Office (804) 492-3800 Extension 1021  
1 Courthouse Circle  
Cumberland, VA 23040

At a meeting of the Cumberland County Board of Supervisors held at 7:00 p.m. on the 12<sup>th</sup> day of December, 2017, at the Cumberland County Circuit Court Room:

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

Absent: None

**1. Call to Order**

The Chairman called the meeting to order.

**2. Welcome and Pledge of Allegiance**

The Pledge of Allegiance was led by the Chairman.

**3. Roll Call**

County Administrator, Vivian Giles, called the roll.

**4. Approval of Agenda**

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

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

**5. State and Local Department/Agencies**

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

Dr. Griffin provided the Board and Ms. Giles with a handout from the VDOE regarding the new Virginia graduation requirements. The new requirements maintain high expectations in English, math, science and history, while reducing the number of required SOL tests. These new requirements will begin with the freshman of the 2018/19 school year.

- b) VDOT

Ms. Carrie Shephard informed the Board that VDOT continues to work on the Rural Rustic Roads which include Route 735, Mt. Airy Lane, Route 703, Hunter’s Trail, and Route 667, Carter Road. They will continue to add stone over the next month so that surface treatment will be possible in the spring. They also continue brush cutting and responding to citizen complaints for pot holes.

- c) Ms. Robin Sapp, Cumberland Public Library

Ms. Sapp was not in attendance.

Chairman Ingle stated that Mrs. Sara Carter has been with the County for many years, and has accomplished a great deal. She has been very instrumental in the success we’ve had over the last few years. She has news that she is

moving on to bigger and better things. The Board appreciates all of the effort she has put into Cumberland County. Mrs. Carter stated that she is very thankful for her time here. Cumberland has been a warm and welcoming community, and she will be incredibly privileged if her next community is as kind to her as Cumberland has been.

Chairman Ingle also mentioned that Judge Woodson's Mother passed today, and he asked that the community keep the Woodson family in their thoughts during this difficult time.

## **6. Public Comments**

There were no citizens signed up to speak.

## **7. Public Hearings**

### **a) CA 17-01 Revision of R-1 Density Countywide**

Zoning Administrator Sara Carter informed the Board that through a recent request for a proposed single family home in Kimberly Hills, it was necessary to review the density standard in the R-1 district. During that review, it was discovered that at the time of the adoption of the density standard in 2012, the Code was not drafted to accurately reflect the Planning Commission's intent to differentiate between allowed lot sizes with sewer only and lot sizes with sewer and water. The Code needs to be corrected.

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

On a motion by Supervisor Wheeler and carried unanimously, the Board approved CA 17-01 Revision of R-1 Density Countywide:

Sec. 74-224. - Area and density regulations.

The residential, general (R-1) district shall be composed of a base density and density bonus over the base density depending upon if connections to public utilities shall be made as prescribed in Table 16.

TABLE 16		
	LOT WITH PUBLIC SEWER	LOT WITH PUBLIC WATER
BASE	NO	NO
BONUS 1	YES	NO
BONUS 2	YES	YES

The minimum gross residential density and the minimum lot area shall be as prescribed in Table 17.

TABLE 17 RESIDENTIAL, GENERAL (R-1) DENSITY AND LOT AREA REGULATIONS		
	GROSS RESI- DENTIAL DENSITY	MINIMUM LOT AREA
Base	1 dwelling unit per 1 acre	1 acre
Bonus 1	1 dwelling unit per 20,000 square feet	20,000 square feet
Bonus 2	4 dwelling units per 1 acre	10,890 square feet

(Ord. No. 11-05, § c, 7-12-2011; Ord. No. 13-06, 10-14-2014)

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

b) REZ 17-03 Cumberland Dollar General on Cumberland Road

Zoning Administrator Sara Carter informed the Board that they had before them an application for rezoning from A-2 to B-2. The applicant, Par 5 Development Group, LLC is proposing to rezone 3.5 acres of an 8.75 acre lot on which they intend to construct a Dollar General Store just three parcels south of Holman Mill Road on Cumberland Road. There are proffered conditions with this application, and the Planning Commission recommended denial to the Board unanimously because of the location.

Mr. Zack Ivey with Par 5 Development Group provided the Board with a handout regarding Dollar General, facts, their literacy foundation, and economic advantages. Supervisor Banks asked Mr. Ivey if there was any intention in installing a turning lane. Mr. Ivey responded that at this point there was not an intent to construct a turn lane but they were not far enough along to know whether a turn lane would be required by VDOT. Ms. Carrie Shephard, Assistant Resident Engineer for VDOT, stated that she could not say definitely without further review, but the site may not require a turn lane. Supervisor Osl inquired about the requirement of a commercial entrance. Mr. Ivey informed the Board that a commercial entrance would definitely be required.

The Chairman opened the public hearing. No citizens were signed up to speak, however, an adjacent land owner requested to speak. Mr. Frank Fields, Jr. owner of parcel 72-A-35 on Cumberland Road, voiced his concerns with the proposed site. Mainly he expressed concerns about trash, traffic, loitering on the property after hours and the hazards that large truck traffic will bring. With no other citizens

wishing to speak, the Chairman then closed the public hearing.

The Board and Mr. Ivey discussed the proposed buffer and aesthetics of the building. When questioned by Supervisor Wheeler, Zoning Administrator Sara Carter confirmed that this property is not in a growth area and the proposed rezoning would not be consistent with the Comprehensive Plan.

Supervisor Banks stated that he was shocked that the Board was at this point. For six years, he has heard that Cumberland is open for business. Cumberland needs businesses and revenue. Now we have a credible business and we are being picky. The business is offering a six foot fence with a buffer and trying to be a good neighbor and satisfy all parties. Mr. Banks expressed concern that if this business is turned away, that would send a message to all potential businesses that they are not welcome.

Supervisor Wheeler agreed that this is not a perfect situation, nor is it a good situation. He stated that there are better sites for this business, and this site is not the site to approve for this particular business. Even as pro-business there are some limits that you have to set, and you have to follow the Comprehensive Plan. Supervisor Osl stated that the Planning Commission voted unanimously to deny the application. The Chairman clarified that the Board is not voting for a Dollar General store to come into Cumberland. They are voting to rezone a piece of property to allow for a commercial building to be constructed on this piece of property to be offered to Dollar General for lease. If Dollar General moves out of that building, any business allowed in the B-2 zoning could occupy that building.

Supervisor Osl asked if the applicant could have applied for a conditional use permit instead of rezoning. Mrs. Carter replied that yes, they could have applied for a conditional use permit but decided to apply for rezoning instead so that they could have the greater sign area allowed

in the commercial zoning district as opposed to the agricultural zoning district. Supervisor Banks called for the question.

A motion was made by Supervisor Banks to approve REZ 17-03 Cumberland Dollar General on Cumberland Road, which failed by the following vote:

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

**8. County Attorney/County Administrator Report**

- a) Consent Agenda
  - 1) Approval of Bills for November 2017 and December 2017. Approved bills for November 14, 2017 are \$62,266.80. Ratified bills for October 11, 2017 to November 13, 2017 of warrants total \$337,020.58 with check numbers ranging from 76167 - 76435. Direct Deposits total \$163,365.22.
  - 2) Approval of Minutes (November 14, 2017)

On a motion by Supervisor Banks 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) Set public hearing for CA 17-03 Open burning and Fireworks permit

On a motion by Supervisor Banks and carried unanimously, the Board set CA 17-03 for public hearing on January 9, 2018:

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

c) UAS Integration Pilot Program Memorandum of Agreement

On a motion by Supervisor Meinhard and carried unanimously, the Board approved the UAS Integration Pilot Program Memorandum of Agreement as amended:

**MEMORANDUM OF AGREEMENT**

**BETWEEN**

**INNOVATION AND ENTREPRENEURSHIP INVESTMENT AUTHORITY**

**AND**

**CUMBERLAND COUNTY BOARD OF SUPERVISORS**

This agreement (hereinafter referred to as the “Agreement”) is made and entered into this 12<sup>TH</sup> day of December, 2017 (“Effective Date”) by and between the Innovation and Entrepreneurship Investment Authority (“IEIA”), a political subdivision of the Commonwealth of Virginia with offices at 2214 Rock Hill Rd, Suite 600 Herndon, VA 20170, and the Cumberland County Board of Supervisors, (“Team Member”) having its offices at 1 Courthouse Circle, Cumberland, VA 23040, both of which shall also hereinafter be referred to as the “Party” or “Parties,” respectively.

WHEREAS, The Federal Aviation Administration hereinafter referred to as (“FAA”) has released Screening Information Request DTFWA-18-R-0001, Unmanned Aircraft Systems Integration Pilot Program, hereinafter referred to as (“Solicitation” or “Program”); and

WHEREAS, it has been determined that IEIA will act as the Lead Applicant and Lead Participant hereinafter referred to as (“Lead”) for the Solicitation and any subsequent selection by the FAA for a pilot program; and

WHEREAS, IEIA and the Team Member desire to set forth the scope of their collaboration by this Memorandum of Agreement hereinafter referred to as (“MOA”).

NOW THEREFORE, the parties agree as follows:

1. PURPOSE. The above identified Parties, because of their diverse capabilities, have determined that they would benefit from entering into a Memorandum of Agreement, between their respective organizations in order to develop the best technical proposal in response to the Solicitation, leading to the selection by the FAA of the Commonwealth of Virginia for a pilot program. In addition to this MOA the Parties may agree to negotiate and enter into subsequent agreements consistent with each Party's specific roles and responsibilities with respect to the requirements of the Solicitation.
2. SCOPE. IEIA will be the responsible party to coordinate, prepare and submit all information required by the Solicitation. Team Member agrees that it will named as a team member to IEIA for the furnishing of information in support of responding to the Solicitation and any subsequent subject pilot program.
3. BURDEN OF COSTS. Each party will be solely and individually responsible and liable for its own expenses and costs, and will bear all risks and liabilities incurred by it, arising out of its obligations and efforts under this MOA. Neither party shall have any right to any reimbursement, payment or compensation of any kind from the other for any work performed or services rendered pursuant to this MOA.
4. PUBLICITY. Any news releases, public announcements, advertisement or publicity released by either party concerning this MOA will be subject to prior written approval of the other. Said approval will not be unreasonably denied by either party.
5. TERMINATION.
  - (a) This MOA shall remain in force from the effective date hereof and shall terminate upon the earliest of the following, unless extended by mutual agreement of the parties
    - (i) Upon notification by the FAA that the Solicitation submitted will not be considered for a subsequent selection by the FAA for a pilot program; or
    - (ii) Upon thirty (30) days written notice by either party; or
    - (iii) Official announcement of notice by the FAA on the cancellation of the Solicitation; or
    - (iv) The receipt of official notice from the FAA that the Team Member will not be approved as a team member under a pilot program; or
    - (v) The expiration of a one (1) year period commencing on the date of the Agreement except as such period may be extended by mutual agreement; or
    - (vi) The insolvency, bankruptcy or reorganization under bankruptcy laws or assignment for the benefit of creditor of either party; or
    - (vii) The suspension or debarment by the U.S. Government of IEIA or the Team Member; or
    - (viii) Upon entering into a subsequent agreement in support of selection by the FAA for a pilot program.

6. ARRANGEMENT. This MOA is not intended by the parties to constitute or create a joint venture, pooling arrangement, partnership, or formal business organization of any kind, and the rights and obligations of the parties shall be only those expressly set forth herein.
7. ASSIGNMENT OF MOA. This MOA may not be assigned or otherwise transferred by either party in whole or in part without the express prior written consent of the other party.
8. MODIFICATION OF MOA. This MOA shall not be amended or modified, nor shall any waiver of any right hereunder be effective unless set forth in a document executed by duly authorized representatives of both IEIA and Team Member. The duly authorized waiver of any breach of any term, covenant or condition herein contained shall not be deemed to be a waiver of any subsequent breach of the same or any other term, covenant or condition herein.
9. ENTIRE MOA. This MOA contains all of the agreements, representations and understandings of the parties hereto and supersedes and replaces any and all previous understandings, commitments or arrangements, oral or written, not herein incorporated.
10. COUNTERPARTS. This MOA may be executed by the parties hereto in separate counterparts, each of which when so executed and delivered shall be an original for all purposes, but all such counterparts shall together constitute but one and the same instrument.
11. SECTION AND PARAGRAPH HEADINGS. The section and paragraph headings herein are for convenience only and shall not limit in any way the scope of any provision of this MOA.
12. EFFECTIVE DATE. This MOA shall become effective upon the date of the last signature hereto.

IN WITNESS WHEREOF, the parties set forth their agreement by signing below:

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

d) Holiday Calendar – Full Day on December 22, 2017

On a motion by Supervisor Wheeler and carried unanimously, the Board approved a change to the Holiday calendar to include a full day on December 22, 2017:

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) Appropriation request - \$4,250 from the Circuit Court Clerk's Office

On a motion by Supervisor Osl and carried unanimously, the Board approved an appropriation of \$4,250 for the Circuit Court Clerk's Office:

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

- c) CUCPS Appropriation request - \$48,772.36 in grant funds

On a motion by Supervisor Osl and carried unanimously, the Board approved an appropriation of \$48,772.36 in grant funds for Cumberland County Public Schools:

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.

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

- b) Reappoint Mr. William Flippen and one other to the Planning Commission

Zoning Administrator, Sara Carter informed the Board that there are two Commissioner’s terms that will expire on December 31, 2017. Mr. William Flippen wishes to continue to serve and Mrs. Irene Wyatt does not. Both are at-large positions.

After some discussion, on a motion by Supervisor Osl, the Board reappointed Mr. William Flippen and appointed Mr. Leo Henderson to the Planning Commission for a three year term from January 1, 2018 to December 31, 2020:

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

- c) Set public hearing for CA 17-05 Peterson Home:

On a motion by Supervisor Meinhard and carried unanimously, the Board set CA 17-05 Peterson Home for public hearing on January 9, 2018:

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

- d) Renewal for CUP 16-10; 4-Wheel drive Specialty Conversion:

The zoning administrator provided the Board with photos that were taken December 12, 2017 of Mr. Mo Duncan's property. The fence around the trailers looks to be in compliance, but no fence had been constructed on the front of the property as required. Instead, hay bales had been stacked along the front property line. Mr. Duncan's site plan specifically discusses a fence, and during discussions, he stated he was looking at a six foot board fence. Staff has met with Mr. Duncan multiple times over the last year, and he has not come into compliance with several of his conditions.

On a motion by Supervisor Osl and carried unanimously, the Board granted an extension on CUP 16-10 until the next meeting of the Board on January 9, 2018:

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

**11. Old Business**

None

**12. New Business**

Supervisor Meinhard inquired as to whether there is any part of Rt. 45 South, Cumberland Road, that is in a growth area.

**13. Public Comments (Part 2)**

There were no citizens signed up to speak.

**14. Board Member Comments**

Supervisor Wheeler stated that we want business but not at all costs. There is a limit to what you need to do. We can't have businesses just anywhere. Merry Christmas to everyone.

**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 to discuss the subjects identified:

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

Subject: Community Host Agreement

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

Subject: Discussion of performance and salaries as it relates to overtime policies and resignation and discipline of employees

Pursuant to Virginia Code § 2.2-3711.A.5: Discussion regarding prospective business where no previous announcement has been made;

Subject: New business opportunities at the Cumberland Business Park and elsewhere in the county

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. Osl 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.

At the direction of the Chairman, it was the consensus of the Board to provide heating oil for the Cumberland Food Bank at 1550 Anderson Highway.

On a motion by Supervisor Banks and carried unanimously, the Board requested staff to obtain a study by the state Department of Fire Programs to perform a comprehensive evaluation and make recommendations regarding fire and rescue services in

Cumberland County:

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

The Chairman informed the Board and the public that there is a vacancy on the Social Services Board in District three and has requested that interested persons send a letter to the County.

**17. Additional Information**

- a) Treasurer’s Report
- b) DMV Report
- c) Monthly Building Inspections Report
- d) Approved Planning Commission meeting minutes – September 11, 2017, September 25, 2017, and September 26, 2017
- e) Approved EDA meeting minutes – N/A

**18. Adjourn -**

On a motion by Supervisor Wheeler and carried unanimously, the Board adjourned the meeting until the next regular meeting of the Board to be held on January 9, 2018 at 7:00 p.m. in the Circuit Court Room of the Cumberland Courthouse.

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

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Wm. Kevin Ingle, Chairman

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Vivian Giles, County Administrator/County Attorney

**Resolution in Celebration of the  
One Hundredth Birthday  
of  
Dorothy Elizabeth Williams**



**WHEREAS**, Dorothy Elizabeth Williams is a resident of Cumberland County, Virginia; and

**WHEREAS**, on January 15, 2018, Dorothy Elizabeth Williams will celebrate her one hundredth birthday; and

**WHEREAS**, during her one hundred years, Mrs. Williams has enjoyed reading, working complicated crossword puzzles, and watching television; and

**WHEREAS**, Mrs. Williams is a lifetime member of Sharon Baptist Church in Cumberland County, Virginia, and the members of Sharon Baptist Church now ask the Cumberland County Board of Supervisors to join them in congratulating Mrs. Dorothy Elizabeth Williams at the time of this milestone birthday.

**NOW, THEREFORE, BE IT RESOLVED** that the Cumberland County Board of Supervisors, through this resolution, congratulates Mrs. Dorothy Elizabeth Williams on a life well lived and on celebrating her one hundredth birthday, and wishes for Mrs. Williams the celebration of many more birthdays in the future.

**Adopted the 9<sup>th</sup> day of January, 2018.**

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Chairman  
Cumberland County Board of Supervisors

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Vivian Seay Giles, County Administrator  
Clerk to the Board

## \*\* GENERAL FUND REVENUES\*\*

## Monthly Financial Report To Council For January 2018

	Estimated 2017/2018 Budget to Date -----	Actual 2017/2018 Budget to Date -----	(Over) or Under Budget to Date -----
<b>Revenue</b>			
Balance Forward		4,507,693.25	
Fund Revenue	38,639,561.00	19,709,175.52	18,930,385.48
<b>Total Revenue</b>	<b>38,639,561.00</b>	<b>24,216,868.77</b>	<b>14,422,692.23</b>
<b>Expenditures</b>			
* Board of Supervisors *	46,357.00	23,466.50	22,890.50
* County Administrator *	293,883.00	142,228.90	151,654.10
* Legal Services *	2,500.00	10,764.00	(8,264.00)
* Independent Auditor *	36,000.00	1,186.69	34,813.31
* Commissioner of Revenue *	244,927.00	125,205.41	119,721.59
* Assessor *	72,000.00		72,000.00
* License Bureau *		224.97	(224.97)
* Treasurer *	291,933.00	140,771.78	151,161.22
* Accounting *	167,228.00	75,417.97	91,810.03
* Data Processing *	297,350.00	119,104.24	178,245.76
* Electoral Board *	25,076.00	70,167.11	(45,091.11)
* Registrar *	92,869.00	43,588.32	49,280.68
* Circuit Court *	14,810.00	542.00	14,268.00
* General District Court *	10,700.00	3,425.86	7,274.14
* Magistrate *	1,125.00	86.48	1,038.52
* Clerk of Circuit Court *	221,249.00	113,330.46	107,918.54
* Law Library *	1,200.00	316.31	883.69
* Victim and Witness Assistance *	61,639.00	4,271.07	57,367.93
* Commonwealth's Attorney *	216,384.00	107,655.39	108,728.61
* Sheriff *	1,681,304.00	988,075.61	693,228.39
* School Resource Officer *	65,290.00	32,689.62	32,600.38
* E911 *	28,600.00	2,021.96	26,578.04
*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*		42,227.22	(42,227.22)
*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	28,955.48	9,014.52
*Chesterfield Med-Flight Program*	300.00	300.00	
* Forestry Service *	8,705.00	8,705.34	(.34)
* CUMBERLAND FIRE & EMS *	474,530.00	180,137.89	294,392.11
* Probation Office *	950.00	412.29	537.71
* Correction & Detention *	275,000.00	149,440.61	125,559.39
* Building Inspections *	137,280.00	69,097.35	68,182.65
* Animal Control *	124,180.00	55,630.56	68,549.44
* Medical Examiner *		60.00	(60.00)
* Refuse Disposal *	648,263.00	270,531.90	377,731.10
* General Properties *	728,504.00	317,932.08	410,571.92
* Supplement of Local Health Dept *	99,113.00	63,409.71	35,703.29
* Chapter 10 Board - Crossroads *	34,000.00	17,000.00	17,000.00
* CSA Management *	33,371.00	13,215.31	20,155.69
* Community Colleges *	8,000.00		8,000.00

## \*\* GENERAL FUND REVENUES\*\*

## Monthly Financial Report To Council For January 2018

	Estimated 2017/2018 Budget to Date -----	Actual 2017/2018 Budget to Date -----	(Over) or Under Budget to Date -----
Expenditures			
* Recreation *	62,115.00	26,619.53	35,495.47
* Local Library *	115,450.00	57,725.00	57,725.00
* Planning Commission *	9,950.00	2,961.12	6,988.88
* Planning/Zoning Dept. *	70,240.00	34,047.86	36,192.14
* Community & Economic Developmnt *	17,052.00	15,451.00	1,601.00
* Board of Zoning Appeals *	650.00		650.00
	10,590.00	10,590.00	.
* 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 *	51,645.00	14,951.00	36,694.00
	2,500.00	1,250.00	1,250.00
* NONDEPARTMENTAL *	24,400.00	2,319.22	22,080.78
**TRANSFERS**	7,346,609.00	3,248,043.20	4,098,565.80
COMMONWEALTH'S ATTORNEY	5,000.00		5,000.00
SHERIFF	50,000.00	3,008.33	46,991.67
HEALTH INSURANCE	2,187,030.00	1,305,349.17	881,680.83
DENTAL INSURANCE	138,600.00	62,671.00	75,929.00
PATIENT CENTERED OUTCOME FEE(PCOR)	12,300.00	618.45	11,681.55
* Administration *	1,384,961.00	693,809.36	691,151.64
	14,831,134.00	6,348,784.26	8,482,349.74
	1,201,311.00	454,242.44	747,068.56
* Sheriff's Office *	66,000.00		66,000.00
* Elementary School - Lit Loan *	216,667.00		216,667.00
* COPS97 Loan *	371,475.00	372,225.00	(750.00)
* High/Middle School - VPSA Loan *	808,419.00	743,332.99	65,086.01
* HS/MS-VPSA LOAN #2 *		485,928.26	(485,928.26)
PUBLIC FACILITY NOTE 2009	389,751.00	303,674.18	86,076.82
* AMERESCO *	150,113.00	150,113.00	
* SunTrust Loan-HS/MS *	907,501.00		907,501.00
* Suntrust Loan - Courthouse *	248,695.00	235,112.25	13,582.75
	750,000.00	568,883.99	181,116.01
* SEWER FUND - Enterprise Fund *	272,054.00	157,629.68	114,424.32
* WATER FUND - ENTERPRISE FUND *	157,447.00	71,303.03	86,143.97
COMMUNITY CENTER PURCHASE	126,314.00	71,563.50	54,750.50
MADISON INDUSTRIAL PARK		903.99	(903.99)
	23,500.00	10,666.90	12,833.10
Total Expenditure	38,639,563.00	18,749,124.10	19,890,438.90
Total Revenues			
Less Total Expenditures	(2.00)	5,467,744.67	(5,467,746.67)

ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	BALANCE	UNCOLLECTED
FUND #-100							
1101	** Real Estate Taxes **	5,610,000.00	5,610,000.00	90,629.50	2,791,926.35	2,818,073.65	50.23
1102	* Real/Personal Public Service *	790,000.00	790,000.00	.00	540,752.63	249,247.37	31.55
1103	* Personal Property Taxes *	1,800,500.00	1,800,500.00	120,940.15	1,679,471.90	121,028.10	6.72
1104	* Machinery & Tools *	130,000.00	130,000.00	2,002.14	160,077.43	30,077.43	23.13
1106	* Penalties & Interest *	247,000.00	247,000.00	28,502.12	108,767.85	138,232.15	55.96
1201	* Local Sales & Use Taxes *	425,000.00	425,000.00	38,298.64	249,834.85	175,165.15	41.21
1202	* Consumer' Utility Taxes *	172,000.00	172,000.00	14,074.17	87,557.05	84,442.95	49.09
1203	* Business License Taxes *	106,000.00	106,000.00	2,817.20	30,446.91	75,553.09	71.27
1204	* Franchise License Taxes *	16,000.00	16,000.00	.00	.00	16,000.00	100.00
1205	* Motor Vehicle License Tax *	230,000.00	230,000.00	14,177.77	176,412.22	53,587.78	23.29
1207	* Taxes On Recordation & Wills *	44,500.00	44,500.00	12,374.82	43,110.85	1,389.15	3.12
1301	* Animal Licenses *	8,000.00	8,000.00	436.00	1,468.00	6,532.00	81.65
1303	* Permits & Other Licenses *	46,300.00	46,300.00	4,760.81	43,782.23	2,517.77	5.43
1401	* Court Fines & Forfeitures *	110,000.00	110,000.00	23,468.06	87,397.69	22,602.31	20.54
1501	* Revenue From Use Of Money *	40,000.00	40,000.00	571.10	23,556.90	16,443.10	41.10
1502	* Revenue From Use Of Property *	16,000.00	16,000.00	21,486.55	24,196.55	8,196.55	51.22
1601	* Court Costs *	47,860.00	47,860.00	6,424.42	27,801.70	20,058.30	41.91
1602	* Commonwealth's Attorney Fees *	800.00	800.00	190.17	422.24	377.76	47.22
1603	* Charges For Law Enforcement *	37,000.00	37,000.00	.00	.00	37,000.00	100.00
1604	*Charges for Fire & Rescue Service*	300,000.00	300,000.00	1,751.84	11,047.48	288,952.52	96.31
1608	* Charges Sanitation & Removal *	800.00	800.00	70.00	694.00	106.00	13.25
1612	* REC DEPT - ADULT LEAGUE FEES *	1,500.00	1,500.00	.00	.00	1,500.00	100.00
1613	* Charges For Parks & Recreation *	18,400.00	19,838.00	840.00	10,448.45	9,389.55	47.33
1616	* Charges For Planning / Com Dev *	2,500.00	2,500.00	300.00	1,075.00	1,425.00	57.00
1899	* Miscellaneous *	1,455,117.00	1,455,117.00	1,213.06	1,148,030.64	307,086.36	21.10
2101	* Service Charges *	46,000.00	46,000.00	.00	19,667.25	26,332.75	57.24
2201	**NON-CATEGORICAL AID**	1,280,535.00	1,280,535.00	30,986.09	905,130.69	375,404.31	29.31
2301	* Commonwealth Attorney *	170,099.00	170,099.00	13,506.39	83,709.41	86,389.59	50.78
2302	* Sheriff *	582,811.00	582,811.00	50,864.15	286,563.76	296,247.24	50.83
2303	* Commissioner Of Revenue *	77,324.00	77,324.00	7,078.42	41,222.48	36,101.52	46.68
2304	* Treasurer *	94,170.00	94,170.00	7,477.38	49,131.26	45,038.74	47.82
2306	* Registrar/Electoral Boards *	42,423.00	42,423.00	.00	.00	42,423.00	100.00
2307	* Clerk Of The Circuit Court *	153,374.00	153,374.00	17,142.23	79,992.46	73,381.54	47.84
2308	* DMV License Agent *	18,000.00	18,000.00	1,971.02	10,214.67	7,785.33	43.25
2404	**GRANT FUNDS**	113,639.00	199,839.00	4,464.96	166,740.08	33,098.92	16.56
3301	**GRANT FUNDS**	20,000.00	20,000.00	3,370.30	3,370.30	16,629.70	83.14
-- FUND TOTAL--		14,253,652.00	14,341,290.00	522,189.46	8,894,021.28	5,447,268.72	37.98
FUND #-150							
1501	INTEREST-STATE	30.00	30.00	.00	15.43	14.57	48.56
2402	ASSET FORFEITURE REVENUE (STATE)	25,000.00	25,000.00	1,750.00	4,830.50	20,169.50	80.67
4106	** Carryover Balance **	29,970.00	29,970.00	.00	.00	29,970.00	100.00
-- FUND TOTAL--		55,000.00	55,000.00	1,750.00	4,845.93	50,154.07	91.18

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ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	BALANCE	UNCOLLECTED
FUND #-170							
1902	HEALTH INSURANCE CONTRIBUTIONS	2,215,500.00	2,215,500.00	338,428.63	1,144,846.01	1,070,653.99	48.32
2000	DENTAL INSURANCE CONTRIBUTIONS	122,430.00	122,430.00	16,092.90	59,017.75	63,412.25	51.79
--FUND TOTAL--		2,337,930.00	2,337,930.00	354,521.53	1,203,863.76	1,134,066.24	48.50
FUND #-201							
1899	* Miscellaneous Revenue *	.00	.00	.00	3,688.11	3,688.11	100.00-
2401	* Welfare *	183,131.00	183,131.00	43,764.68	213,953.84	30,822.84	16.83-
3305	* Social Services *	856,100.00	856,100.00	67,559.40	360,396.27	495,703.73	57.90
4105	* Fund Transfers *	345,730.00	345,730.00	.00	109,579.54	236,150.46	68.30
--FUND TOTAL--		1,384,961.00	1,384,961.00	111,324.08	687,617.76	697,343.24	50.35
FUND #-205							
1803	* Expenditure Refunds *	.00	.00	5,222.47	68,163.76	68,163.76	100.00-
1899	* Miscellaneous Revenue *	145,199.00	145,199.00	3,085.42	43,671.64	101,527.36	69.92
2402	* State Education *	9,200,559.00	9,210,559.00	712,074.47	4,100,565.65	5,109,993.35	55.47
2403	* State Education *	.00	5,000.00	.00	5,000.00	.00	.00
2404	* State Education *	.00	.00	1,534.15	1,534.15	1,534.15	100.00-
3302	* Education *	1,564,957.00	1,564,957.00	92,164.37	717,101.27	847,855.73	54.17
4105	* Fund Transfers *	3,905,419.00	3,905,419.00	.00	1,071,591.00	2,833,828.00	72.56
--FUND TOTAL--		14,816,134.00	14,831,134.00	814,080.88	6,007,627.47	8,823,506.53	59.49
FUND #-207							
1501	* INTEREST ON BANK DEPOSITS *	.00	.00	.00	1,538.46	1,538.46	100.00-
1899	** MISC REVENUE **	185,896.00	185,896.00	761.34	3,562.34	182,333.66	98.08
1901	** LOCAL CONTRIBUTIONS **	418,000.00	418,000.00	45,105.76	267,412.72	150,587.28	36.02
2404	** STATE FUNDS **	597,415.00	597,415.00	74,219.38	148,438.76	448,976.24	75.15
--FUND TOTAL--		1,201,311.00	1,201,311.00	120,086.48	420,952.28	780,358.72	64.95
FUND #-302							
4105	* Fund Transfers *	66,000.00	66,000.00	.00	.00	66,000.00	100.00
--FUND TOTAL--		66,000.00	66,000.00	.00	.00	66,000.00	100.00
FUND #-401							
1501	**INTEREST**	24,000.00	24,000.00	.00	12,338.05	11,661.95	48.59
1899	MISC REVENUE	.00	.00	.00	38,701.74	38,701.74	100.00-
4104	PROCEEDS FROM INDEBTEDNESS	371,475.00	371,475.00	.00	.00	371,475.00	100.00
4105	** Transfers **	2,697,146.00	2,697,146.00	.00	1,859,558.66	837,587.34	31.05
--FUND TOTAL--		3,092,621.00	3,092,621.00	.00	1,910,598.45	1,182,022.55	38.22

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ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	BALANCE	UNCOLLECTED
FUND #-500							
2404	*REVENUE FROM STATE*	500,000.00	500,000.00	670.00	99,795.18	400,204.82	80.04
4105	*TRANSFERS*	250,000.00	250,000.00	.00	125,000.00	125,000.00	50.00
--FUND TOTAL--		750,000.00	750,000.00	670.00	224,795.18	525,204.82	70.02
FUND #-501							
1501	**INTEREST REVENUE**	1,000.00	1,000.00	.00	.00	1,000.00	100.00
1619	**CHARGES & FEES**	405,000.00	405,000.00	31,727.45	209,831.86	195,168.14	48.18
1620	SEWER LATE PAYMENT PENALTY	7,500.00	7,500.00	529.83	2,721.71	4,778.29	63.71
1630	**ADMIN FEES/CHARGES**	16,000.00	16,000.00	1,342.00	8,336.89	7,663.11	47.89
1803	MISCELLANEOUS	.00	.00	.00	1,531.80	1,531.80	100.00-
--FUND TOTAL--		429,500.00	429,500.00	33,599.28	222,422.26	207,077.74	48.21
FUND #-515							
1501	INTEREST SEWER RESERVE	.00	.00	.00	649.40	649.40	100.00-
--FUND TOTAL--		.00	.00	.00	649.40	649.40	100.00-
FUND #-540							
1501	INTEREST WATER RESERVE	.00	.00	.00	94.74	94.74	100.00-
--FUND TOTAL--		.00	.00	.00	94.74	94.74	100.00-
FUND #-545							
1200	DSR PAYMENTS (FR UTILITY FUND)	.00	.00	.00	3,540.00	3,540.00	100.00-
1501	INTEREST	.00	.00	.00	2.12	2.12	100.00-
--FUND TOTAL--		.00	.00	.00	3,542.12	3,542.12	100.00-
FUND #-550							
1200	DSR PAYMENTS	.00	.00	.00	10,224.00	10,224.00	100.00-
1501	**INTEREST REVENUE**	.00	.00	.00	23.42	23.42	100.00-
--FUND TOTAL--		.00	.00	.00	10,247.42	10,247.42	100.00-
FUND #-580							
1501	INTEREST REVENUE	.00	.00	1.16	6.51	6.51	100.00-
--FUND TOTAL--		.00	.00	1.16	6.51	6.51	100.00-

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ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	BALANCE	UNCOLLECTED
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FUND #-715							
1899	Rent of General Property	44,000.00	44,000.00	4,375.00	25,650.00	18,350.00	41.70
4105	Transfer from General Fund	82,314.00	82,314.00	.00	82,314.00	.00	.00
	--FUND TOTAL--	<u>126,314.00</u>	<u>126,314.00</u>	<u>4,375.00</u>	<u>107,964.00</u>	<u>18,350.00</u>	<u>14.52</u>
FUND #-733							
1899	* Miscellaneous Revenue *	20,000.00	20,000.00	3,385.89	9,926.96	10,073.04	50.36
3305	*FEDERAL FUNDS*	3,500.00	3,500.00	.00	.00	3,500.00	100.00
	--FUND TOTAL--	<u>23,500.00</u>	<u>23,500.00</u>	<u>3,385.89</u>	<u>9,926.96</u>	<u>13,573.04</u>	<u>57.75</u>
	--FINAL TOTAL--	<u>38,536,923.00</u>	<u>38,639,561.00</u>	<u>1,965,983.76</u>	<u>19,709,175.52</u>	<u>18,930,385.48</u>	<u>48.99</u>

ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	ENCUMBRANCE AMOUNT	UNENCUMBERED BALANCE	% REMAINING
FUND #-100								
11010	* Board of Supervisors *	46,357.00	46,357.00	3,349.52	23,466.50	.00	22,890.50	49.37
12100	* County Administrator *	293,883.00	293,883.00	22,890.77	142,228.90	.00	151,654.10	51.60
12210	* Legal Services *	2,500.00	2,500.00	612.00	10,764.00	.00	8,264.00	330.56-
12240	* Independent Auditor *	36,000.00	36,000.00	.00	1,186.69	.00	34,813.31	96.70
12310	* Commissioner of Revenue *	244,927.00	244,927.00	20,906.25	125,205.41	.00	119,721.59	48.88
12320	* Assessor *	72,000.00	72,000.00	.00	.00	.00	72,000.00	100.00
12340	* License Bureau *	.00	.00	.00	224.97	.00	224.97	100.00-
12410	* Treasurer *	291,933.00	291,933.00	24,513.24	140,771.78	.00	151,161.22	51.77
12430	* Accounting *	167,228.00	167,228.00	12,077.55	75,417.97	.00	91,810.03	54.90
12510	* Data Processing *	297,350.00	297,350.00	21,918.09	119,104.24	.00	178,245.76	59.94
13100	* Electoral Board *	25,076.00	25,076.00	59,759.95	70,167.11	.00	45,091.11	179.81-
13200	* Registrar *	92,869.00	92,869.00	7,277.87	43,588.32	.00	49,280.68	53.06
21100	* Circuit Court *	14,810.00	14,810.00	210.00	542.00	.00	14,268.00	96.34
21200	* General District Court *	10,700.00	10,700.00	852.64	3,425.86	.00	7,274.14	67.98
21300	* Magistrate *	1,125.00	1,125.00	.00	86.48	.00	1,038.52	92.31
21600	* Clerk of Circuit Court *	221,249.00	221,249.00	21,913.27	113,330.46	.00	107,918.54	48.77
21800	* Law Library *	1,200.00	1,200.00	.00	316.31	.00	883.69	73.64
21910	* Victim and Witness Assistance *	61,639.00	61,639.00	2,552.63	4,271.07	.00	57,367.93	93.07
22100	* Commonwealth's Attorney *	216,384.00	216,384.00	18,106.09	107,655.39	.00	108,728.61	50.24
31200	* Sheriff *	1,595,104.00	1,681,304.00	129,880.94	988,075.61	.00	693,228.39	41.23
31250	* School Resource Officer *	65,290.00	65,290.00	5,438.24	32,689.62	.00	32,600.38	49.93
31400	* E911 *	28,600.00	28,600.00	57.48	2,021.96	.00	26,578.04	92.93
32221	*Cumberland Vol.FIRE DEPT*	39,500.00	39,500.00	.00	19,750.00	.00	19,750.00	50.00
32222	*Cartersville Volun.*	39,500.00	39,500.00	.00	19,750.00	.00	19,750.00	50.00
32301	*Cumberland Vol. Rescue Squad*	.00	.00	.00	42,227.22	.00	42,227.22	100.00-
32302	*Prince Edward Vol. Rescue Squad*	9,500.00	9,500.00	.00	4,750.00	.00	4,750.00	50.00
32303	*Randolph Fire Dept.*	39,500.00	39,500.00	.00	19,750.00	.00	19,750.00	50.00
32304	*Cartersville Vol. Rescue Squad*	37,970.00	37,970.00	.00	28,955.48	.00	9,014.52	23.74
32306	*Chesterfield Med-Flight Program*	300.00	300.00	.00	300.00	.00	.00	.00
32400	* Forestry Service *	8,705.00	8,705.00	.00	8,705.34	.00	.34	.00
32500	* CUMBERLAND FIRE & EMS *	474,530.00	474,530.00	42,733.64	180,137.89	.00	294,392.11	62.03
33300	* Probation Office *	950.00	950.00	30.68	412.29	.00	537.71	56.60
33400	* Correction & Detention *	275,000.00	275,000.00	.00	149,440.61	.00	125,559.39	45.65
34100	* Building Inspections *	137,280.00	137,280.00	11,244.67	69,097.35	.00	68,182.65	49.66
35100	* Animal Control *	124,180.00	124,180.00	8,912.30	55,630.56	.00	68,549.44	55.20
35300	* Medical Examiner *	.00	.00	.00	60.00	.00	60.00	100.00-
42400	* Refuse Disposal *	648,263.00	648,263.00	47,633.48	270,531.90	.00	377,731.10	58.26
43200	* General Properties *	728,504.00	728,504.00	54,924.62	317,932.08	.00	410,571.92	56.35
51200	* Supplement of Local Health Dept *	99,113.00	99,113.00	22,326.75	63,409.71	.00	35,703.29	36.02
52500	* Chapter 10 Board - Crossroads *	34,000.00	34,000.00	.00	17,000.00	.00	17,000.00	50.00
61230	* CSA Management *	33,371.00	33,371.00	1,651.43	13,215.31	.00	20,155.69	60.39
68000	* Community Colleges *	8,000.00	8,000.00	.00	.00	.00	8,000.00	100.00
71500	* Recreation *	60,677.00	62,115.00	2,863.45	26,619.53	.00	35,495.47	57.14
73100	* Local Library *	115,450.00	115,450.00	.00	57,725.00	.00	57,725.00	50.00
81100	* Planning Commission *	9,950.00	9,950.00	1,304.68	2,961.12	.00	6,988.88	70.24
81110	* Planning/Zoning Dept. *	70,240.00	70,240.00	5,650.50	34,047.86	.00	36,192.14	51.52
81200	* Community & Economic Developmnt *	17,052.00	17,052.00	.00	15,451.00	.00	1,601.00	9.38

ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	ENCUMBRANCE AMOUNT	UNENCUMBERED BALANCE	% REMAINING
81400	* Board of Zoning Appeals *	650.00	650.00	.00	.00	.00	650.00	100.00
81514	Transportation	10,590.00	10,590.00	.00	10,590.00	.00	.00	.00
81535	* Farmville Area Chamber of Commerc	1,500.00	1,500.00	.00	750.00	.00	750.00	50.00
81541	* Longwood Small Bus. Dev. Ctr. *	3,000.00	3,000.00	.00	1,500.00	.00	1,500.00	50.00
81542	* Southside Violence Prevention *	5,000.00	5,000.00	.00	2,500.00	.00	2,500.00	50.00
82401	*Peter Francisco SWD*	10,000.00	10,000.00	.00	5,000.00	.00	5,000.00	50.00
83500	* Extension Agents *	51,645.00	51,645.00	163.95	14,951.00	.00	36,694.00	71.05
83501	holiday lake 4-h educational center	2,500.00	2,500.00	.00	1,250.00	.00	1,250.00	50.00
90000	* NONDEPARTMENTAL *	24,400.00	24,400.00	606.51	2,319.22	.00	22,080.78	90.49
93100	**TRANSFERS**	7,346,609.00	7,346,609.00	.00	3,248,043.20	.00	4,098,565.80	55.78
--FUND TOTAL--		14,253,653.00	14,341,291.00	552,363.19	6,709,304.32	.00	7,631,986.68	53.21
FUND #-150								
22100	COMMONWEALTH'S ATTORNEY	5,000.00	5,000.00	.00	.00	.00	5,000.00	100.00
31200	SHERIFF	50,000.00	50,000.00	175.00	3,008.33	.00	46,991.67	93.98
--FUND TOTAL--		55,000.00	55,000.00	175.00	3,008.33	.00	51,991.67	94.53
FUND #-170								
62100	HEALTH INSURANCE	2,187,030.00	2,187,030.00	267,386.99	1,305,349.17	.00	881,680.83	40.31
63100	DENTAL INSURANCE	138,600.00	138,600.00	13,477.64	62,671.00	.00	75,929.00	54.78
64100	PATIENT CENTERED OUTCOME FEE(PCOR)	12,300.00	12,300.00	.00	618.45	.00	11,681.55	94.97
--FUND TOTAL--		2,337,930.00	2,337,930.00	280,864.63	1,368,638.62	.00	969,291.38	41.45
FUND #-201								
53100	* Administration *	1,384,961.00	1,384,961.00	117,515.68	693,809.36	.00	691,151.64	49.90
--FUND TOTAL--		1,384,961.00	1,384,961.00	117,515.68	693,809.36	.00	691,151.64	49.90
FUND #-205								
61100		14,816,134.00	14,831,134.00	1,155,237.67	6,348,784.26	.00	8,482,349.74	57.19
--FUND TOTAL--		14,816,134.00	14,831,134.00	1,155,237.67	6,348,784.26	.00	8,482,349.74	57.19
FUND #-207								
61100	GOVERNOR'S SCHOOL EXPENDITURES	1,201,311.00	1,201,311.00	89,098.25	454,242.44	.00	747,068.56	62.18
--FUND TOTAL--		1,201,311.00	1,201,311.00	89,098.25	454,242.44	.00	747,068.56	62.18
FUND #-302								
94327	* Sheriff's Office *	66,000.00	66,000.00	.00	.00	.00	66,000.00	100.00

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CUMBERLAND CO  
EXPENDITURE SUMMARY  
7/01/2017 - 1/04/2018

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ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	ENCUMBRANCE AMOUNT	UNENCUMBERED BALANCE	% REMAINING
--FUND TOTAL--		66,000.00	66,000.00	.00	.00	.00	66,000.00	100.00
FUND #-401								
67200	* Elementary School - Lit Loan *	216,667.00	216,667.00	.00	.00	.00	216,667.00	100.00
67400	* COPS97 Loan *	371,475.00	371,475.00	.00	372,225.00	.00	750.00-	.20-
67500	* High/Middle School - VPSA Loan *	808,419.00	808,419.00	.00	743,332.99	.00	65,086.01	8.05
67600	* HS/MS-VPSA LOAN #2 *	.00	.00	.00	485,928.26	.00	485,928.26-	100.00-
67700	PUBLIC FACILITY NOTE 2009	389,751.00	389,751.00	14,201.83	303,674.18	.00	86,076.82	22.08
67800	* AMERESCO *	150,113.00	150,113.00	.00	150,113.00	.00	.00	.00
95600	* SunTrust Loan-HS/MS *	907,501.00	907,501.00	.00	.00	.00	907,501.00	100.00
95700	* Suntrust Loan - Courthouse *	248,695.00	248,695.00	.00	235,112.25	.00	13,582.75	5.46
--FUND TOTAL--		3,092,621.00	3,092,621.00	14,201.83	2,290,385.68	.00	802,235.32	25.94
FUND #-500								
53900		750,000.00	750,000.00	82,925.39	568,883.99	.00	181,116.01	24.14
--FUND TOTAL--		750,000.00	750,000.00	82,925.39	568,883.99	.00	181,116.01	24.14
FUND #-501								
94900	* SEWER FUND - Enterprise Fund *	272,054.00	272,054.00	24,527.36	157,629.68	.00	114,424.32	42.05
95900	* WATER FUND - ENTERPRISE FUND *	157,447.00	157,447.00	15,875.14	71,303.03	.00	86,143.97	54.71
--FUND TOTAL--		429,501.00	429,501.00	40,402.50	228,932.71	.00	200,568.29	46.69
FUND #-715								
81610	COMMUNITY CENTER PURCHASE	126,314.00	126,314.00	9,170.45	71,563.50	.00	54,750.50	43.34
81620	MADISON INDUSTRIAL PARK	.00	.00	.00	903.99	.00	903.99-	100.00-
--FUND TOTAL--		126,314.00	126,314.00	9,170.45	72,467.49	.00	53,846.51	42.62
FUND #-733								
53010		23,500.00	23,500.00	3,311.63	10,666.90	.00	12,833.10	54.60
--FUND TOTAL--		23,500.00	23,500.00	3,311.63	10,666.90	.00	12,833.10	54.60
--FINAL TOTAL--		38,536,925.00	38,639,563.00	2,345,266.22	18,749,124.10	.00	19,890,438.90	51.47



## MEMO

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

From: Sara Carter, Planning Director

Date: December 6, 2017

Re: **Renewal of Conditional Use Permit 16-10**

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The Board approved CUP 16-10 at the December 13, 2016 meeting. One of the conditions was a renewal clause.

Staff mailed a letter to the applicant to remind him of the renewal that would be required, and heard no response. Staff has spoken with and had meetings with Mr. Duncan several times over the last year, and he has not come into compliance with several of his conditions.

Following are the approved conditions for CUP 16-10:

1. This conditional use permit is granted for the exclusive use of the applicant and is limited to the uses on the Site specified therein.
2. The site plan prepared by Woodrow K. Cofer, certified land surveyor, which was submitted as a part of the application, is attached to the permit and will govern the location of features on the Site.
3. All port-a-john units shall be located so as not to be visible from the public road or adjoining properties. Screening shall be provided and permanently maintained as shown on the site plan.
4. Vehicles transporting port-a-johns or waste of any kind may not be parked in the open area in front of the principal structure on the Site, except briefly as the business legitimately requires, and at all other times while on the Site must be parked behind screening shown on the approved site plan. Vehicles of customers, visitors, vendors and employees may be parked in the open area. Loading and unloading of port-a-johns must be conducted behind screening shown on the approved site plan and, except for emergencies, may be conducted only between 5:30 AM and 10:30 PM.
5. Noncompliance with any of the conditions attached to the conditional use permit shall be cause for revocation of the permit; provided, however, that the permit holder shall be given notice of any asserted violation and an opportunity to respond.
6. All artificial lighting shall be directed away from adjoining properties and the adjacent public highways.

7. The permitholder shall comply with all applicable federal, Virginia and County statutes, codes, and regulations in the conduct of the uses authorized by this conditional use permit.
8. An updated site plan that shows the minimum line of sight and designated on the ground and on a sketch provided to the applicant and the agent shall govern the location of any structures or vehicles along the front of the property. No structures or vehicles may be located within one foot of the minimum line of sight. The applicant shall grant an easement to VDOT if required by law or state regulation, which shall be shown on a surveyed site plan to ensure that this setback is maintained in perpetuity.
9. Parking of vehicles on adjoining properties for the purpose of taking on water on those vehicles shall be allowed; provided, however, that those vehicles shall not be allowed to remain on the adjoining properties once the loading of water is concluded.
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.

Since the approval of the CUP, the applicant has submitted the site plan as required, but no work has been done on the screening components, or moving vehicles to comply with the plan.

Staff recommends revoking the CUP for non-compliance.



## MEMO

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

From: Sara Carter, Planning Director

Date: January 2, 2018

Re: **CUP #17-06 The Venue at Orchard View Farm  
Tax Map Parcel #36-A-6  
Address: 136 Baber Road  
A-2 Agriculture  
CUP request for an event facility**

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Kevin Frazier is requesting a CUP for an event facility in an A-2 district. He and his wife have been working on developing an orchard and outdoor kitchen/event space on the property, but do not want to be limited to agricultural events (which would be allowed by right on a working farm). There is potential for other events such as weddings or family gatherings.

The Planning Commission is planning to hold a public hearing on January 8, 2018, and anticipates forwarding the application to the Board for their February meeting.

**Staff recommends that the Board set a public hearing for February 13, 2018 for a Conditional Use Permit to allow an event facility on Tax Map 36-A-6.**



## MEMO

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

From: Sara Carter, Planning Director

Date: January 2, 2018

Re: **CUP #17-07 ACP Temporary Construction Yard  
Tax Map Parcel #71-A-10  
Address: TBD Salem Church Road  
A-2 Agriculture  
CUP request for borrowing and stockpiling and for utility  
operations**

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Atlantic Coast Pipeline, LLC is requesting a CUP for a temporary construction yard in an A-2 district. While this is not an enumerated use in the district, it is a combination of two enumerated conditional use permit uses, borrowing and stockpiling and utility operations. The use is for the duration of the construction of the Atlantic Coast Pipeline, and the intent is for the land to return to forestry use after the completion of the project.

The Planning Commission is planning to hold a public hearing on January 8, 2018, and anticipates forwarding the application to the Board for their February meeting.

**Staff recommends that the Board set a public hearing for February 13, 2018 for a Conditional Use Permit to allow a temporary construction yard on Tax Map 71-A-10.**

**Treasurer's Office**  
**Outstanding Collections Report**

December 31, 2017

**Real Estate**

	<u>As of 11/30/17</u>	<u>As of 12/31/17</u>	<u>Change</u>	<u>% Collected</u>	<u>Abatements/ Exonerations</u>
2000-2005	\$ 5,638.67	\$ 5,638.67			
2006	4,010.62	4,010.62			
2007	6,400.16	6,347.46	\$ 52.70	0.82%	
2008	8,322.75	8,299.15	\$ 23.60	0.28%	
2009	10,922.18	10,808.86	113.32	1.03%	
2010	21,466.66	21,131.07	335.59	1.56%	
2011	38,619.71	38,564.27	55.44	0.14%	
2012	65,140.03	64,917.01	223.02	0.34%	
2013	97,717.30	97,147.89	569.41	0.58%	
2014	115,992.01	114,271.91	1,720.10	1.48%	
2015	156,447.51	152,564.29	3,883.22	2.48%	
2016	227,626.35	223,204.18	4,422.17	1.94%	121.68
2017	467,360.81	409,049.22	58,311.59	12.48%	1132.54
Total	\$ 1,225,664.76	\$ 1,155,954.60	\$ 69,710.16		

**Personal Property**

	<u>As of 11/30/17</u>	<u>As of 12/31/17</u>	<u>Change</u>	<u>% Collected</u>	<u>Abatements/ Exonerations</u>
2012	\$ 27,994.74	\$ 27,994.74			
2013	28,959.07	28,771.64	\$ 187.43	0.65%	
2014	33,985.64	33,498.24	487.40	1.43%	
2015	46,763.71	45,795.62	968.09	2.07%	24.82
2016	118,360.57	111,950.75	6,769.82	5.72%	
2017	667,367.02	555,990.43	111,376.59	16.69%	904.80
Total	\$ 923,430.75	\$ 804,001.42	\$ 119,789.33		

# Collection Rates - As of December 31, 2017

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**Real Estate:**

	Current Collection %	Prior Year %	Change
Tax Year - 2016	96.20%	96.07%	+0.13%
Tax Year - 2017	93.08%	92.82%	+0.26%

**Personal Property:**

	Current Collection %	Prior Year %	Change
Tax Year - 2016	96.38%	97.01%	- 0.63%
Tax Year - 2017	82.50%	82.63%	-0.13%

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUS BALANCE	DEBIT	CREDIT	ENDING BALANCE
* TREASURER'S ACCOUNTABILITY *					
**ASSETS**					
100-0000	CASH IN OFFICE	1,000.00			1,000.00
100-0105	C&F BANK - CHECKING	647,400.71	5,532,810.58	5,355,211.29-	825,000.00
100-0115	C&F BANK - INVESTMENT ACCT		1,616,354.81		1,616,354.81
100-0120	C&F BANK - SAVINGS ACCT	77,157.76	51,053.77		128,211.53
100-0121	ESSEX BANK-IPR ACCOUNT	14,065.22	1.19		14,066.41
100-0122	ESSEX BANK - CD	1,860,902.51	14,678.44	475,580.95-	1,400,000.00
100-0124	C&F BANK-FAF (JUSTICE)	15,603.52			15,603.52
100-0125	NEW HORIZON BANK-MONEY MKT				
100-0128	FIRST BANK	231,215.72	476,006.22		707,221.94
100-0131	VIRGINIA INVESTMENT POOL		500,180.72		500,180.72
100-0135	LOCAL GOV INVESTMENT POOL	306,185.55	1,000,810.41		1,306,995.96
100-0137	FIRST BANK/SEWER RESERVE	125,337.21	131.21		125,468.42
100-0141	FIRST BANK/WATER RESERVE	18,286.76	19.14		18,305.93
100-0142	C&F BANK/ASSET FORFEITURE (SAF)	64,837.26			64,837.26
100-0143	VA INVESTMENT POOL-IDA-OES DSR	73,683.34	10,232.73		83,916.07
100-0144	C&F BANK-GOVERNOR'S SCHOOL FUND	559,147.76	74,233.53	77,429.96-	555,951.33
100-0145	C&F BANK-WATERLINE EXT DSR ACCT	10,636.37	3,540.00		14,176.37
100-0146	RETURNED CHECKS	1,036.62		387.08-	649.54
100-0155	E&S CONTROL BOND ESCROW-ESSEX BANK	265,171.69	27,925.09		293,096.78
100-0160	**ASSETS**	4,271,668.03	9,307,977.84	5,908,609.28-	7,671,036.59
	TOTAL ASSETS	4,271,668.03	9,307,977.84	5,908,609.28-	7,671,036.59
**REVENUE FUND BALANCES**					
300-0000	GENERAL FUND BALANCE	3,359,019.35-	855,468.54	4,218,566.93-	6,722,117.74-
300-0100	ECONOMIC DEVELOPMENT FUND	38,871.00-			38,871.00-
300-0120	ASSET FORFEITURE FUND BALANCE	77,607.45-			77,607.45-
300-0150	HEALTH INSURANCE FUND	361,810.53	258,471.92	264,209.45-	356,073.00
300-0170	SOCIAL SERVICES FUND BALANCE		127,937.45	127,937.45-	
300-0201	SCHOOL CONTINGENCY FUND				
300-0204	SCHOOL FUND BALANCE		1,223,788.77	1,223,788.77-	
300-0205	GOVERNOR'S SCHOOL FUND (GSSV)	559,147.76-	77,429.96	74,233.53-	555,951.33-
300-0207	CAPITAL PROJECTS FUND BALANCE				
300-0302	DEBT SERVICE FUND		14,201.83	14,201.83-	
300-0401	COMPREHENSIVE SERVICES ACT	26,901.80-		717.69-	27,619.49-
300-0500	UTILITY FUND (WATER/SEWER)	18,165.37	47,904.01	42,575.89-	23,493.49
300-0501	SEWER RESERVE FUND (DSR)	125,337.21-		131.21-	125,468.42-
300-0515	WATER RESERVE FUND	18,286.79-		19.14-	18,305.93-
300-0540	WATERLINE EXT DSR FUND	10,636.37-		3,540.00-	14,176.37-
300-0545	IDA OES RD DSR FUND	73,683.34-		10,232.73-	83,916.07-
300-0550	IPR FUND BALANCE	14,065.22-		1.19-	14,066.41-
300-0580	IDA FUND BALANCE	56,008.80-	19,491.84	3,775.00-	40,291.96-
300-0715	SPECIAL WELFARE FUND BALANCE	11,869.61-	2,259.86	3,797.00-	13,406.75-
300-0733	**REVENUE FUND BALANCES**	3,991,458.80-	2,626,954.18	5,987,727.81-	7,352,232.43-
	TOTAL PRIOR YR FUND BALANCE	3,991,458.80-	2,626,954.18	5,987,727.81-	7,352,232.43-
TOTAL REVENUE					
TOTAL EXPENDITURE					
TOTAL CURRENT FUND BALANCE					

TOTAL LIABILITIES AND FUND BALANCE 3,991,458.80- 2,626,954.18 5,987,727.81- 7,352,232.43-

12/20/17  
FUND #-999

\*GL070\*  
\* TREASURER'S ACCOUNTABILITY \*

CUMBERLAND CO  
BALANCE SHEET  
11/30/2017

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ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUS BALANCE	DEBIT	CREDIT	ENDING BALANCE
400-0000	**OTHER FUND BALANCES**				
400-0105	OVERPAYMENTS	15.72	2,728.37	4,443.99-	1,699.90-
400-0110	PREPAID TAXES	11,465.26-	.28	8,972.16-	20,437.14-
400-0140	COMMONWEALTH DEBIT ACCOUNT		17.66		17.66
400-0150	COMMONWEALTH CREDIT ACCOUNT	90.00-	259.76	259.76-	90.00-
400-0160	EROSION & SED CONTROL BOND ESCROW	265,171.69-		27,925.09-	293,096.78-
400-0210	COMMONWEALTH FUNDS PAID IN ERROR				
400-0216	ATTORNEY FEES	3,498.00-			3,498.00-
	**OTHER FUND BALANCES**	280,209.23-	3,006.07	41,601.00-	318,804.16-
		280,209.23-	3,006.07	41,601.00-	318,804.16-
500-0000	**UNCOLLECTED TAXES**				
500-0010	PUBLIC SERVICE CORP. TAXES PP/RE	497,662.66		497,666.79-	4.13-
500-0076	UNCOLLECTED 2017 REAL ESTATE TAX	2,152,574.09		1,685,213.28-	467,360.81
500-0077	UNCOLLECTED 2016 REAL ESTATE TAX	237,373.87		9,747.52-	227,626.35
500-0078	UNCOLLECTED 2015 REAL ESTATE TAX	161,752.10		5,304.59-	156,447.51
500-0079	UNCOLLECTED 2014 REAL ESTATE TAX	119,138.42		3,146.41-	115,992.01
500-0080	UNCOLLECTED 2013 REAL ESTATE TAXES	99,103.89		1,386.59-	97,717.30
500-0081	UNCOLLECTED 2012 REAL ESTATE TAXES	65,487.02	120.93	467.92-	65,140.03
500-0082	UNCOLLECTED 2011 REAL ESTATE TAXES	38,761.49		141.78-	38,619.71
500-0083	UNCOLLECTED 2010 REAL ESTATE TAXES	21,701.55		234.89-	21,466.66
500-0084	UNCOLLECTED 2009 REAL ESTATE TAXES	10,922.18			10,922.18
500-0085	UNCOLLECTED 2008 REAL ESTATE TAXES	8,322.75			8,322.75
500-0086	UNCOLLECTED 2007 REAL ESTATE TAXES	6,496.36		96.20-	6,400.16
500-0087	UNCOLLECTED 2006 REAL ESTATE TAXES	4,010.62			4,010.62
500-0150	UNCOLLECTED 2005/2000 REAL ESTATE	5,638.67			5,638.67
500-0156	2012 VEHICLE LICENSE TAX	5,240.97			5,240.97
500-0157	2013 VEHICLE LICENSE TAX	5,978.63		26.59-	5,952.04
500-0158	2014 VEHICLE LICENSE TAX	7,239.07			7,216.07
500-0159	2015 VEHICLE LICENSE TAX	10,490.53		184.00-	10,306.53
500-0160	2016 VEHICLE LICENSE TAX	24,794.69		1,704.57-	23,090.12
500-0161	2017 VEHICLE LICENSE TAX	187,379.93	85.00	90,066.85-	97,398.08
500-0175	UNCOLL. 2012 PERSONAL PROPERTY TAX	28,048.06		53.32-	27,994.74
500-0176	UNCOLL. 2013 PERSONAL PROPERTY TAX	29,211.08		252.01-	28,959.07
500-0177	UNCOLL. 2014 PERSONAL PROPERTY TAX	34,345.19		359.55-	33,985.64
500-0178	UNCOLL. 2015 PERSONAL PROPERTY TAX	47,951.32	621.00	1,808.61-	46,763.71
500-0179	UNCOLL. 2016 PERSONAL PROPERTY TAX	128,517.16	6,076.21	16,232.80-	118,360.57
500-0180	UNCOLL. 2017 PERSONAL PROPERTY TAX	1,637,458.83	6,394.62	976,486.43-	667,367.02
500-0200	RESERVE UNCOLLECTED COUNTY TAXES	5,575,601.13-	3,289,527.94	12,222.00-	2,298,295.19-
500-0400	UNCOLL MISC FEES	3,367.57		40.00-	3,327.57
500-0401	RESERVE-MISC FEES	3,367.57-	40.00		3,327.57-
500-0800	UNCOLLECTED WATER CHARGES	16,161.86	10,607.65	9,883.38-	16,886.13
500-0810	RESERVE UNCOLLECTED WATER CHARGES	16,161.86-	9,883.38	10,607.65-	16,886.13-
500-0900	UNCOLLECTED SEWER CHARGES	24,229.70	24,010.06	23,821.51-	24,418.25
500-0910	RESERVE UNCOLLECTED SEWER CHARGES	24,229.70-	23,821.51	24,010.06-	24,418.25-
500-1010	UNCOLLECTED 2010 ROLLBACK TAX				
500-1011	UNCOLLECTED 2011 ROLLBACK TAX				

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUS BALANCE	DEBIT	CREDIT	ENDING BALANCE
500-1012	UNCOLLECTED 2012 ROLLBACK TAX		36.92		36.92
500-1013	UNCOLLECTED 2013 ROLLBACK TAX		34.48		34.48
500-1014	UNCOLLECTED 2014 ROLLBACK TAX		29.33		29.33
500-1015	UNCOLLECTED 2015 ROLLBACK TAX		27.09		27.09
500-1016	UNCOLLECTED 2016 ROLLBACK TAX		26.19		26.19
500-1017	UNCOLLECTED 2017 ROLLBACK TAX		23.63		23.63
500-1099	RESERVE-UNCOLLECTED ROLLBACK TAXES			177.64-	177.64-
	**UNCOLLECTED TAXES**		3,371,365.94	3,371,365.94-	
COMMONWEALTH REIMB-PPTRA					
510-2010	COMMONWEALTH REIMB-2010				
510-2011	COMMONWEALTH REIMB-2011				
510-2012	COMMONWEALTH REIMB-2012	871,723.72			871,723.72
510-2013	COMMONWEALTH REIMB-2013	871,735.92			871,735.92
510-2014	COMMONWEALTH REIMB-2014	871,848.22			871,848.22
510-2015	COMMONWEALTH REIMB-2015	868,174.28			868,174.28
510-2016	COMMONWEALTH REIMB-2016	870,931.76		46.43-	870,885.33
510-2017	COMMONWEALTH REIMB. 2017	881,235.81	2,543.74	2,824.57-	880,954.98
510-9999	ESTIMATED COMMONWEALTH RESERVE	5,235,649.71-	2,871.00	2,543.74-	5,235,322.45-
	COMMONWEALTH REIMB-PPTRA		5,414.74	5,414.74-	
			3,376,780.68	3,376,780.68-	
**STATE ACCOUNTS**					
600-0000	UNCOLL. STATE INCOME TAX-2016				
600-0173	UNCOLL. STATE INCOME TAX-2015				
600-0174	ESTIMATED STATE INCOME TAX-2017	23,910.00-			23,910.00-
600-0185	ESTIMATED STATE INCOME TAX-2016				
600-0186	RESERVE UNCOLLECTED STATE TAXES	23,910.00			23,910.00
600-0190					
**STATE ACCOUNTS**					
**DEBT FUNDS**					
700-0000	CERT OF PARTICIPATION -ELEM 97				
700-0151	LITERARY LOAN - ELEMENTARY SCHOOL	1,666,666.60			1,666,666.60
700-0221	HIGH SCH/MIDDLE SCH-SUNTRUST LOAN				
700-0222	VPSA-HS/MS LOAN #2	14,865,000.00			14,865,000.00
700-0223	SEWER LOAN - FARMERS HOME ADM	1,277,842.59			1,277,842.59
700-0226	WATERLINE EXT LOAN-USDA	886,819.41			886,819.41
700-0227	COURTHOUSE LOAN-SUNTRUST	1,176,000.00			1,176,000.00
700-0231	PUBLIC FACILITIES NOTE-2009	3,520,000.00			3,520,000.00
700-0236	VPSA-HS/MS LOAN #1	6,532,196.00			6,532,196.00
700-0237	IDA RD LOAN-OES PROPERTY	1,835,798.71			1,835,798.71
700-0239	AMERESCO LOAN	758,237.00			758,237.00
700-0240	RESERVE DEBT FUND	32,518,560.31-			32,518,560.31-
700-0250					
**DEBT FUNDS**					

# Transactions for DMV Select

December 2017

	# Transactions	Total \$	# Helped		# Transactions	Total \$	# Helped
1	47	\$3,223.00	14	17			
2				18	45	\$1,263.82	11
3				19	21	\$1,070.40	6
4	40	\$2,165.28	5	20	29	\$1,189.00	4
5	19	\$744.59	2	21	30	\$805.75	5
6	22	\$504.09	16	22			
7	30	\$3,354.30	7	23			
8	18	\$1,530.00	7	24			
9				25			
10				26			
11	27	\$865.58	7	27	49	\$1,586.75	8
12	18	\$1,286.74	5	28	45	\$1,483.47	4
13	12	\$233.75	6	29	68	\$4,036.97	10
14	21	\$313.26	8	30			
15	21	\$1,020.45	6	31			
16					562	\$26,677.20	131

**CUMBERLAND COUNTY**

**BUILDING INSPECTIONS  
DEPARTMENT**



**DECEMBER  
2017**

**MONTHLY  
REPORT**

# COUNTY of CUMBERLAND VIRGINIA

FOUNDED • 1749

## Building Official's Office

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December	Current Month 2016	YTD 2016	Current Month 2017	YTD 2017
Singlewides	0	10	0	5
Doublewides	2	9	1	12
Modular	0	3	0	6
New Homes	2	14	2	21
Ag & Exempt	0	3	1	5
Garages & Carports	0	15	0	23
Additions & Remodels	1	26	0	24
Misc	8	148	12	141
Commercial	3	37	4	47
<b>Totals</b>	<b>16</b>	<b>262</b>	<b>18</b>	<b>280</b>
Total Fees Collected	\$3,991.08	\$40,446.66	\$2,173.59	\$47,914.50
E-911 Fees Collected	\$48.00	\$300.00	\$12.00	\$300.00
Zoning Fees Collected	\$30.00	\$300.00	\$30.00	\$430.00
S & E Fees Collected	\$200.00	\$950.00	\$100.00	\$1,200.00
Total Estimated Value	\$1,005,184.00	\$7,196,066.00	\$453,603.00	\$19,028,837.00
Admin. Fees	\$0.00	\$30.00	\$0.00	\$105.50
CO's Issued	1	33	4	48

2017 Inspections Completed	2017 Inspections Completed																				
	(A) Res	(1)Buildings	(2)Addition (Garage)	(3)Remodel	(4)Modular / Manufactured	(5)Other (decks, sheds etc.)	(6)Non Building (pools, fences)	(B) Comm	(1)Buildings	(2)Addition	(3)Remodel	(4)Modular / Manufactured	(5)Other (decks, sheds etc.)	(6)Non Building (ools, fences)	Building	Electrical	Plumbing	Mechanical	Gas	Property Maintenance	Total Inspections for the month
January	21	4	6	1	5	6	1	1	1	0	0	0	0	0	15	15	7	9	0	0	46
Febuary	52	10	9	8	11	21	0	0	0	0	0	0	0	0	33	24	11	10	9	1	88
March	54	11	12	4	10	23	0	2	0	0	0	0	2	0	37	29	13	9	6	0	94
April	31	5	5	7	2	24	0	6	0	1	0	0	0	0	23	20	11	9	5	0	68
May	29	5	4	4	10	8	0	6	1	0	2	0	2	1	32	13	5	5	0	0	55
June	33	9	2	5	7	9	2	8	5	0	2	0	1	0	33	15	7	7	2	0	64
July	30	8	6	1	10	15	1	12	4	0	1	2	5	0	27	18	12	4	1	0	62
August	46	4	8	6	8	23	0	9	4	0	0	0	5	0	37	25	9	8	2	0	0
Spetember	45	16	5	2	9	11	2	3	3	0	0	0	2	0	38	16	12	7	1	0	0
October	58	16	12	4	16	11	2	0	0	0	0	0	0	0	52	19	12	10	3	0	96
November	46	15	3	6	13	10	0	1	1	0	0	0	0	0	34	18	21	9	3	0	85
December	33	16	3	0	4	10	0	2	0	0	0	0	2	0	24	11	13	7	1	0	56
Totals #'s	478	119	75	48	105	171	8	50	19	1	5	2	19	1	385	223	133	94	33	1	869

Total S & E Inspections Completed for 2017

January	0
February	4
March	13
April	7
May	12
June	9
July	18
August	21
September	13
October	26
November	11
December	10
<b>Total</b>	<b>144</b>