



## CUMBERLAND COUNTY BOARD OF SUPERVISORS

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

February 12, 2019  
Regular Meeting – 7:00 p.m.

1. **Call to Order**
2. **Welcome and Pledge of Allegiance**
3. **Roll Call**
4. **Approval of Agenda** **Motion**
5. **State and Local Departments/Agencies/Community Service Providers** **Information**
  - a. Dr. Amy Griffin, Superintendent of Cumberland County Public Schools **Information**
  - b. VDOT **Information**
  - c. Ms. Barbara Gamage, Cumberland Historical Society **Information**
6. **Public Hearing Notices/Set Public Hearings** **Motion**
  - a. CUP 19-01 Marathon Canopy Install (pg. 1) **Motion**
  - b. CA 18-07 Communications, Antennas and Towers (pg. 1)
7. **Public Hearings** **Motion**
  - a. CUP 19-01 Marathon Canopy Install (pg. 2-17) **Motion**
  - b. CA 18-07 communications antennae's and towers (pg. 18-37) **Motion**
8. **County Attorney/County Administrator Report** **Motion**
  - a. Consent agenda **Motion**
    - i. Approval of bills
    - ii. Approval of Minutes (January 8, 2019) (pg. 38-70)
  - b. Review Committee Appointments (pg. 71) **Motion**
  - c. Solid Waste Management Plan amendment (handout) **Motion**
  - d. CA 19-01 Noise Ordinance amendments update (handout) **Discussion**
  - e. Certification request for STEPS (pg. 72-74) **Motion**
  - f. Proposed amendment to the Tax Incentive Program (pg. 75-77) **Motion**
9. **Finance Director's Report** **Information**
  - a. Monthly Budget Report (pg. 78-87) **Information**
  - b. Cumberland County Public Schools request for appropriation of grant funds - \$12,122 (pg. 88-92) **Motion**

For questions or information, please contact [info@cumberlandcounty.virginia.gov](mailto:info@cumberlandcounty.virginia.gov) or call 804/492-3800.

- c. Cartersville Volunteer Rescue Squad Contributions **Motion**
  
- 10. Planning Director’s Report**
  - a. Planning Project updates (pg. 93-94) **Information**
  
- 11. Old Business**
  
- 12. New Business**
  
- 13. Public Comments**
  
- 14. Supplemental Information**
  
- 14. Board Members Comments**
  
- 15. Additional Information – (pg. 95-105)**
  - a. Treasurer’s Report
  - b. DMV Report
  - c. Monthly Building Inspections Report
  - d. 2018 Annual Business License Report
  - e. Approved Planning Commission meeting minutes – N/A
  - f. Approved EDA minutes – October 16, 2018
  
- 16. Adjourn – Budget Workshop, February 20, 2019 at 5:00 p.m., Board meeting Room, Administration Building**

**CUMBERLAND COUNTY BOARD OF SUPERVISORS  
PUBLIC HEARING**

The Cumberland County Board of Supervisors will meet on Tuesday, February 12, 2019, at 7:00 p.m., or as soon thereafter as may be heard, in the Circuit Courtroom of Cumberland County in Cumberland, Virginia, to conduct public hearings pursuant to Virginia Code Section 15.2-2204, which such hearings may be continued or adjourned, as required under applicable law, and to consider the following items and taking actions in furtherance thereof:

**Conditional Use Permit (CUP) 19-01 Marathon Canopy Install-** A conditional use request to allow the construction of a larger canopy to shelter gas pumps. The property is located at 3156 Cumberland Road, and is described as tax map parcel 73-A-58. The parcel is 10 acres, and is zoned A-2 with a conditional use permit. The parcel is not within the designated growth area and is in Election District 4.

**Code Amendment (CA) 18-07, Communications Antennas and Towers-** This code amendment is to modify the Communications Antennas and Towers portion of the Cumberland County Zoning Code. The purpose of this amendment is to modernize the Cumberland County Code, and bring it into compliance with Virginia State Code.

Copies of the complete text of the proposed development applications are available for public review at the office of the Cumberland County Planning Department, County Administration Building, 1 Courthouse Circle, Cumberland, Virginia between 8:30 am and 4:30 pm of each business day. The public is invited to attend this hearing at which persons affected may appear and present their views. Questions or comments may be directed to Mr. James P. Duncan, Planning Director at (804) 492-3520. Persons with disabilities are urged to contact the County Administrator's Office at (804) 492-3625 at least five (5) days prior to the meeting to arrange for any necessary accommodations.

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TO: Farmville Herald

Advertise on the following dates: January 30, 2019 and February 6, 2019  
Authorized by: Cumberland County Planning Department  
Bill to: Cumberland County Board of Supervisors  
PO Box 110, Cumberland, VA, 23040

JP Duncan  
Planning Director  
Cumberland County, Virginia 23040  
Email: [jpduncan@cumberlandcounty.virginia.gov](mailto:jpduncan@cumberlandcounty.virginia.gov)  
Phone: (804) 492-3520 Fax: (804)492-9224



**STAFF REPORT**  
**CUP 19-01**  
**Marathon Canopy Install**  
**Conditional Use Permit**  
**Cumberland County, Virginia**  
**Board of Supervisors Public Hearing**

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**General Information:**

Processing schedule: The Planning Commission unanimously recommended this proposal on January 7, 2019 with a public hearing. The Board of Supervisors will hold a public hearing on February 12, 2019.

**Application Information:**

Owner: Pilvinder Kaur  
Applicant: Phillips Aluminum Co.  
Agent: Tabitha Gaulding  
Requested Action: Conditional Use Permit for: Constructing a canopy that occupies the front setback.  
Tax Parcel Number: 73-A-58  
Address: 3156 Cumberland Road  
Election District: 4  
Existing Zoning: A-2 with CUP  
Proposed Zoning: A-2 with CUP  
Size: 10 acres  
Existing land uses: Gas Station/Convenience Store  
Comp. plan area: Not in a growth area  
Overlay districts: None

**Surrounding Area Information:**

<u>Direction</u>	<u>Adjacent existing uses</u>	<u>Adjacent zoning</u>	<u>Adjacent Comp. Plan Area (2013)</u>
All	Agricultural/Residential	A-2	Not in a Growth Area

\*Note: The northern portion of this parcel has been rezoned as B-2, and current plans are to place a Dollar General adjacent to this property.

**Summary of Request and Background Information:**

Gary Singh has recently started renovating what was Midway Grocery Store on this property, and a part of this renovation is installing this canopy to cover gas tanks.

The proposed gas station canopy will measure 24 feet long and 36 feet wide. Attached details of the canopy have been provided as a part of the application.

**Consistency with the 2013 Comprehensive Plan:**

The proposed use is within a designated growth area in the 2013 Comprehensive Plan.

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

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

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

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

**Consistency with the Zoning Ordinance:**

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

**Public Notification:**

Notice was published in the Farmville Herald on January 30, 2019 and February 6, 2019.

Adjoining property owners were sent a notice for the public hearing via certified mail on December 20, 2018.

**Conclusion:**

The proposed use in this area is compliance with the Comprehensive Plan and the intent of the A-2 zoning district, with a mix of commercial and residential uses.

The Planning Commission recommends that the proposed canopy is approved per the submitted site plan.

Respectfully submitted by:  
JP Duncan  
Planning Director





COMMONWEALTH OF VIRGINIA  
COUNTY OF CUMBERLAND

Internal Use Only	
FILE #	STAFF
RECEIVED	12/17/19
COMPLETED	
FEE/Ck. #	None
RECEIPT #	

### 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?): MARATHON CANOPY INSTALL

Proposal: TO PERMIT A NEW CANOPY INSTALL AT LOCATION

Location: 3156 CUMBERLAND ROAD CUMBERLAND, VA

Tax Map Parcel(s): 73-A-58

Zoning: A-2 w/ CUP Comprehensive Plan Area: not in a growth area

Election District: 4

# of Acres to be Covered by Conditional Use Permit (if a portion of a parcel or parcels it must be delineated on a plat): 10

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?): TABITHA GAULDING

Address: 196 THEATER ROAD City: SOUTH HILL State: VA Zip: 23970

Daytime Phone: (434) 584-9402 Fax #: (434) 447-3266 Email: TABITHA-TIS@OUTLOOK.COM

**Owner of Record** (who currently owns the property?): PILVINDER KAUR

Address: 1439 DONOVAN MILL LAND City: POWHATAN State: VA Zip: 23139

Daytime Phone: (\_\_\_\_) \_\_\_\_\_ Fax #: (\_\_\_\_) \_\_\_\_\_ Email: \_\_\_\_\_

**Applicant** (who is the contact person representing?): TABITHA GAULDING

**PHILLIPS ALUMINUM CO**

Address: 196 THEATER ROAD City: SOUTH HILL State: VA Zip: 23970

Daytime Phone: (434) 584-9402 Fax #: (434) 447-3266 Email: TABITHA-TIS@OUTLOOK.COM

Does the owner of this property own (or have any ownership interest) in any abutting property? If yes, please list those tax map parcel numbers. \_\_\_\_\_

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

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

Provide a written statement demonstrating that:

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

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

Describe your request in detail and include all pertinent information such as the number of persons involved in the use, operating hours, and any unique features of the proposed use: INSTALLING A NEW GAS STATION CANOPY IN FRONT OF THE EXISTING BUILDING.

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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). IMPROVEMENTS WILL BE A NEW CANOPY.

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**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**

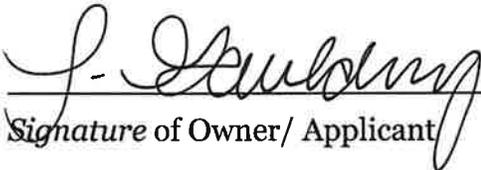
I hereby certify that I own the subject property, or have the legal power to act on behalf of the owner in filing this application. I also certify that the information provided on this application and accompanying information is accurate, true, and correct to the best of my knowledge.

**TABITHA GAULDING**

**16/6/18**

Print Name of Owner/ Applicant

Date



Signature of Owner/ Applicant

**(434)584-9402**

Daytime Phone # of Signatory

## **Traffic Impact Analysis Information Sheet:**

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

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

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

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

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

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

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

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

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

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

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

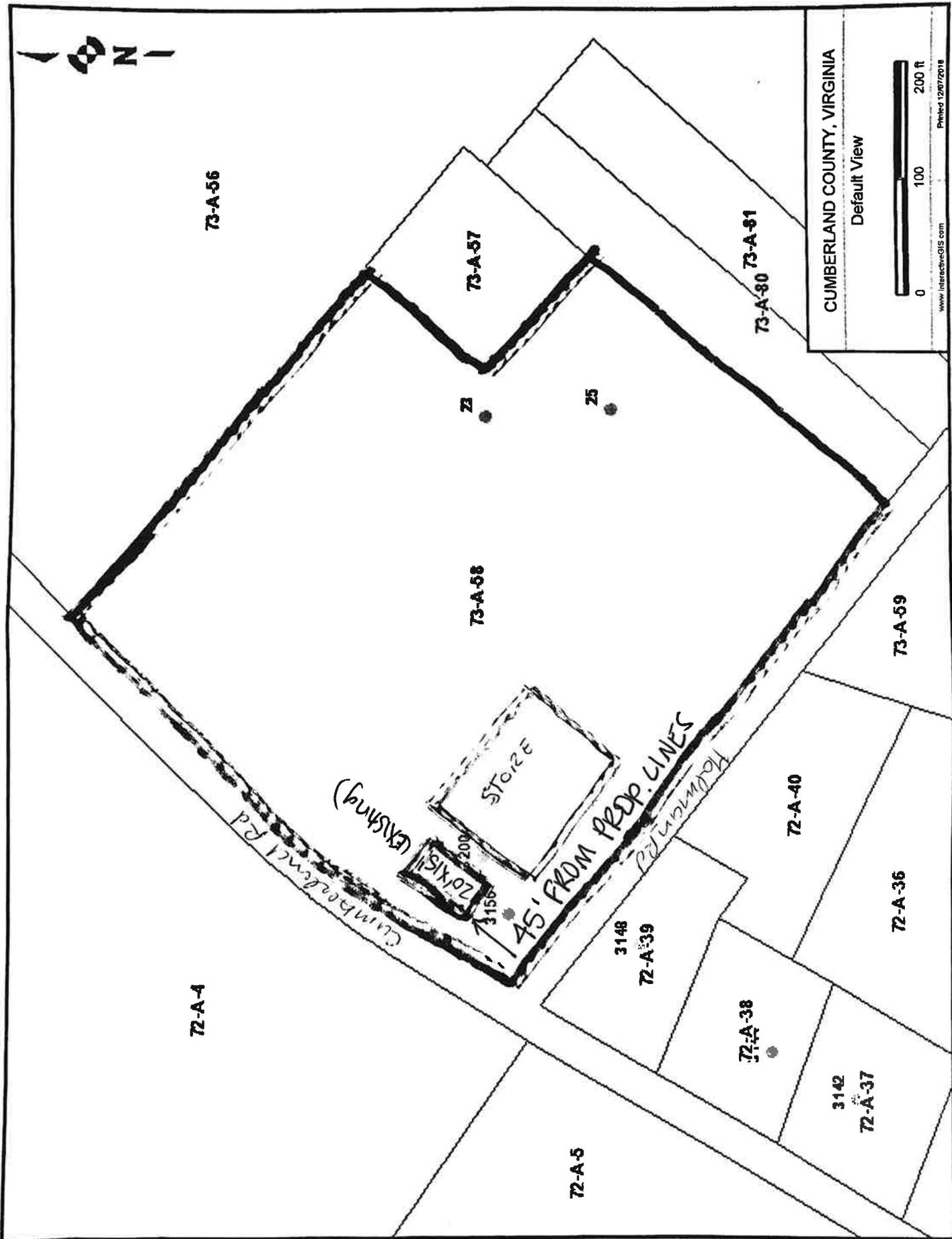
### **What is the background and purpose for the TIA requirements and where can I find additional information?**

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

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

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

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



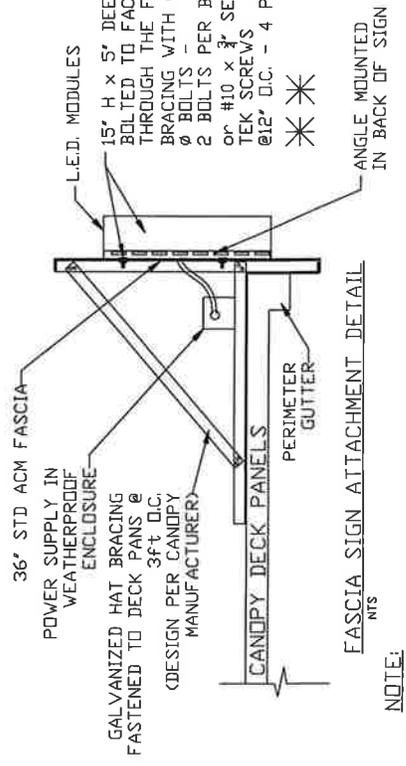
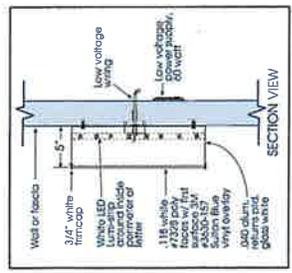
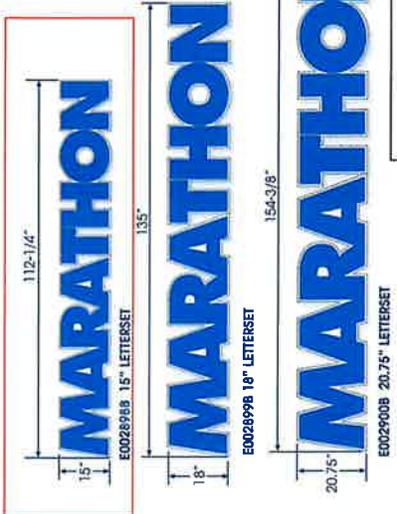
CUMBERLAND COUNTY, VIRGINIA

Default View

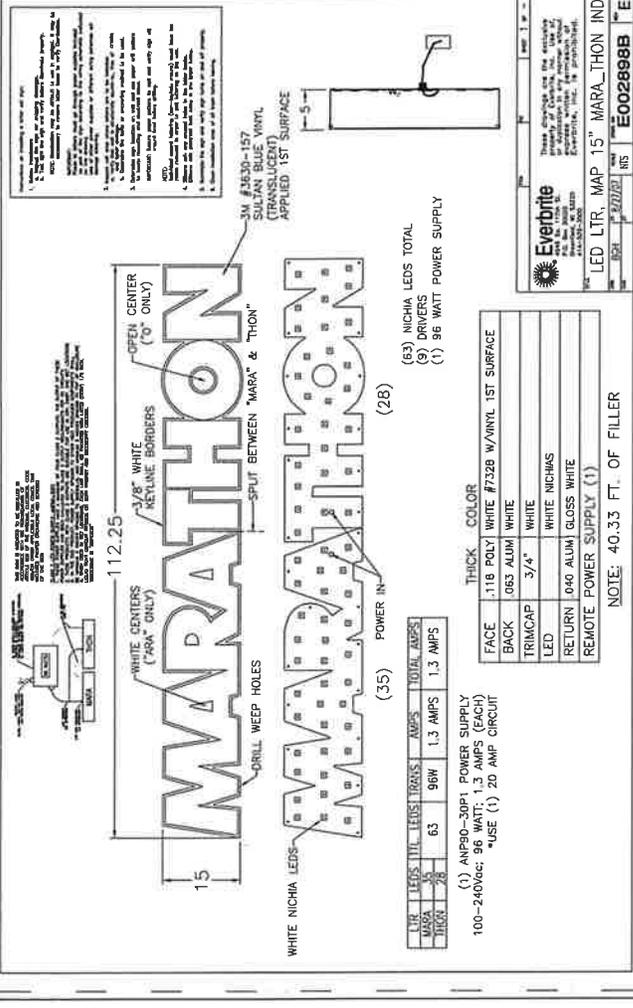


www.interactiveGIS.com Printed 12/07/2018

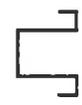
**CANOPY MOUNT SIGNAGE**  
LED-Illuminated Channel Lettersets



NOTE:  
DESIGN FASCIA SPACING IS TO BE 32\"/>



EVERBRITE  
LED LTR, MAP 15\"/>



TYP SECTION - 20 GO  
HAT CHANNEL BRACING  
NTS

15' H x 5' DEEP SIGN  
BOLTED TO FASCIA AND  
THROUGH THE FASCIA  
BRACING WITH (4 min) 3/8"  
Ø BOLTS  
2 BOLTS PER BRACE  
or #10 x 3/4\"/>



ANGLE MOUNTED  
IN BACK OF SIGN

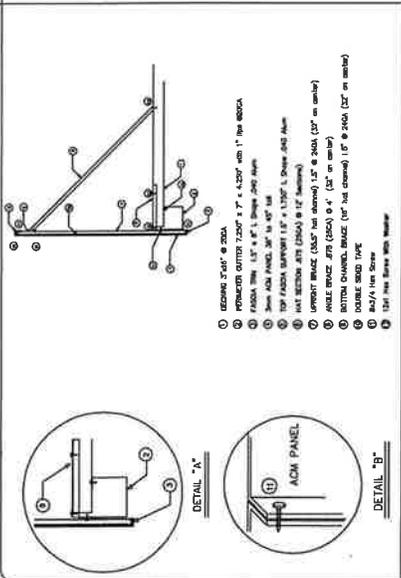
ALL WORK TO BE IN ACCORDANCE WITH THE 2015 VCC



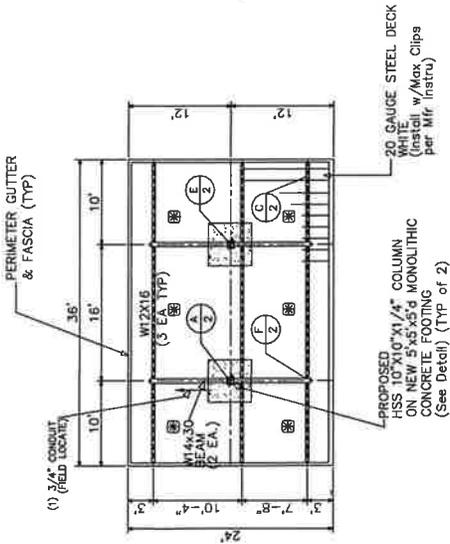
PHILLIPS ALUMINUM CO.  
SHELBY, NORTH CAROLINA 28150  
(704) 487-7869 FAX (704) 487-1832

PREPARED FOR: MARATHON STATION  
LOCATION: 3166 CUMBERLAND RD  
CUMBERLAND, VA 23040  
SCALE: NTS  
DRAWING #  
SHEET: 3 OF 3

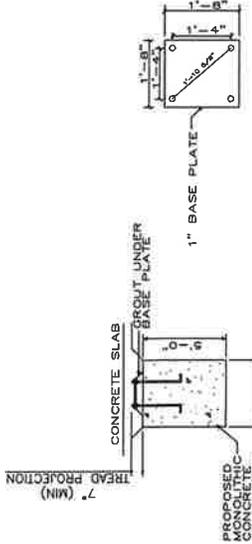
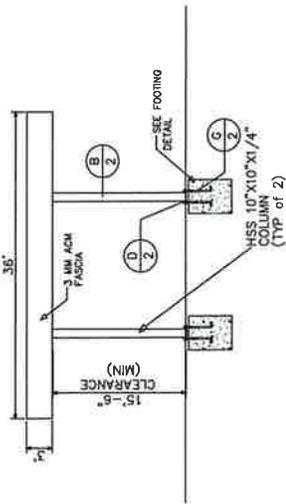
11/12/18



**FASCIA DETAIL**



**STEEL FRAMING PLAN**



**ANCHOR BOLT PATTERN**

1. FOOTINGS ARE ASSUMED TO BEAR ON SOIL WITH A MINIMUM ALLOWABLE BEARING PRESSURE OF 1,500 POUNDS PER SQUARE FOOT.
2. ANCHOR BOLTS ARE 1 1/4" DIA. - FOUR EACH PER FOOTING.
3. ANCHOR BOLT PATTERN IS 16" ON CENTER.
4. IF FILL IS USED IT SHALL BE GRANULAR, STRUCTURAL FILL COMPACTED TO 100% MODIFIED PROCTOR.

**FOOTING DETAIL (U.N.O.)**

**FOUNDATION NOTES**

**LEGEND**

- ☒ CANNOT LIGHT EXHAUST
- ☒ CANNOT LIGHT EXHAUST - CPT 250
- ☒ EXACT TYPE OF EXHAUST TO BE FIELD DETERMINED (RING OR OTHERS)

S477 TOWER SPECIFICATIONS		
SOIL PERMEABILITY	REQUIRED MIN. BOLT TENSILE (KSI)	TOWER MIN. TENSILE (PT LBS)
80%	27100	200
70%	27100	200
60%	27100	200
50%	27100	200
40%	27100	200
30%	27100	200
20%	27100	200
15%	27100	200
10%	27100	200
5%	27100	200
1.5"	41100	600
1.75"	50000	1000
2.0"	59000	1500
2.25"	68000	2000
2.5"	77000	2500
2.75"	86000	3000
3.0"	95000	3500

LAT 37.440608  
LONG -78.328864

ALL WORK TO BE IN ACCORDANCE WITH THE 2015 VCC



PHILLIPS ALUMINUM CO.  
3032 POLKVALE ROAD  
SHELBY COUNTY, TN 37165  
(704) 487-7988 FAX (704) 487-1832

PREPARED FOR **MARATHON STATION**  
LOCATION **3156 CUMBERLAND RD  
CUMBERLAND, VA 23040**

SCALE **DRAWING #**  
N/S **672** **1 OF 3** SHEET

11/12/18 REV1

**FRAMING SCHEDULE**  
 COL - SEE PLAN  
 BEAM - SEE PLAN  
 PURLIN - SEE PLAN

DESIGN LOADS: (PER ASCE 7-10 & BC 2015)  
 RISK CATEGORY: II  
 USE GROUP: U  
 WIND SPEED: 115 MPH  
 1603.1.1 FLOOR LIVE LOAD: N/A  
 1603.1.2 ROOF LIVE LOAD: 25 PSF  
 DEAD & COLLATERAL LOAD: 10 PSF  
 TOTAL ROOF DESIGN LOAD: 35 PSF  
 1603.1.3 ROOF SNOW LOAD: N/A  
 SNOW LOAD COEFFICIENT: 1.0  
 IMPORTANCE FACTOR (I): 1.0  
 PLATE ROOF SNOW LOAD (Ps): 25 PSF  
 GROUND SNOW LOAD (Pg): 25 PSF  
 ULTIMATE DESIGN WIND SPEED, Vult (3 SEC GUST): 115 MPH  
 NOMINAL DESIGN WIND SPEED, Vnd: 90 MPH  
 INTERNAL PRESSURE COEFFICIENT (Cp): 0.00  
 COMPONENTS AND CLADDING: 20.6 PSF  
 EARTHQUAKE LOAD DESIGN DATA: 20.6 PSF  
 SEISMIC IMPORTANCE FACTOR (I<sub>s</sub>): 1.0  
 MAPPED SPECTRAL RESPONSE ACCELERATIONS  
 S<sub>1</sub>=0.072 g S<sub>m</sub>=0.366 g  
 S<sub>0.1</sub>=0.174 g

**SITE CLASS RESPONSE COEFFICIENTS**  
 S<sub>1</sub>=0.072 g S<sub>m</sub>=0.366 g  
 S<sub>0.1</sub>=0.174 g

**SEISMIC DESIGN CATEGORY: B**  
 BASIC SEISMIC FORCE RESISTING SYSTEM: CANTILEVERED COLUMN  
 RESPONSE MODIFICATION FACTOR (R): 1.25  
 OVERSTRESS COEFFICIENT (C<sub>o</sub>): 1.0  
 EQUIVALENT LATERAL FORCE ANALYSIS PROCEDURE USED  
 DESIGN BASE SHEAR (V): 1.38 RIPS / COLUMN (MAX)  
 (SEISMIC DOES NOT CONTROL)

**FOOTING DESIGN:**  
 CONSTRAINED CONDITION  
 LATERAL BEARING PRESSURE: 100 PSF/FL  
 MAX. END BEARING PRESSURE: 1500 PSF  
 EXTEND FOOTING BELOW FROST LINE  
 CONCRETE: (PER ACI 318-11) - 3000 PSI STRENGTH (MIN)

**BOLTS**  
 BOLTS SHALL CONFORM TO ASTM A325 FOR STRUCTURAL STEEL CONNECTIONS. BOLTS SHALL BE TIGHTENED PER AISC TURN OF THE NUT METHOD. U.N.O.

**STEEL**  
 ERECTION OF STEEL STRUCTURE SHALL BE PERFORMED PER ALL AMERICAN INSTITUTE OF STEEL CONSTRUCTION (AISC) ERECTION PROVISIONS.  
 1. STRUCTURAL STEEL SHALL CONFORM TO:  
 Wide Flange Beams - ASTM A992, Grade 50, F<sub>y</sub> = 50 KSI  
 Structural Angles and Channel - ASTM A36, F<sub>y</sub> = 36 KSI  
 Structural Plates - ASTM A572, Grade 50  
 Structural Tubing - ASTM A500, Grade B  
 F<sub>y</sub> = 42 KSI (ROUND) F<sub>y</sub> = 48 KSI (SQ / RECT)  
 Structural Pipe - ASTM A53, Grade B, F<sub>y</sub> = 35 KSI  
 Rebar - ASTM A615, GRADE 60, F<sub>y</sub> = 60 KSI  
 3. ALL STEEL FRAMING MEMBERS ARE TO BE PAINTED WITH A RED OXIDE PRIMER

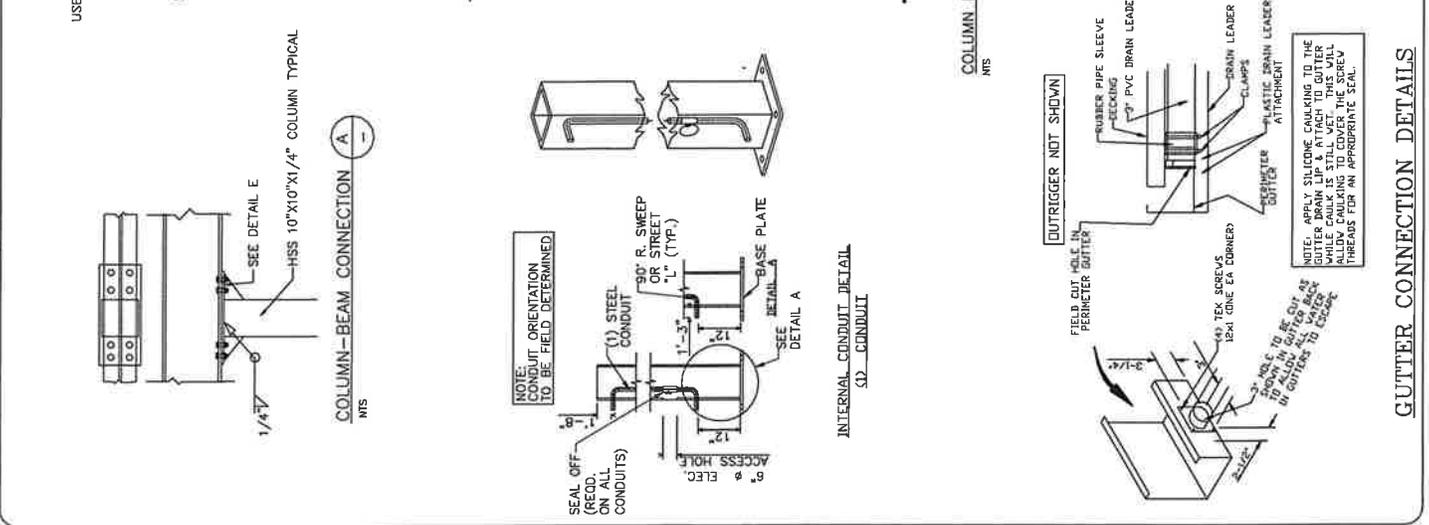
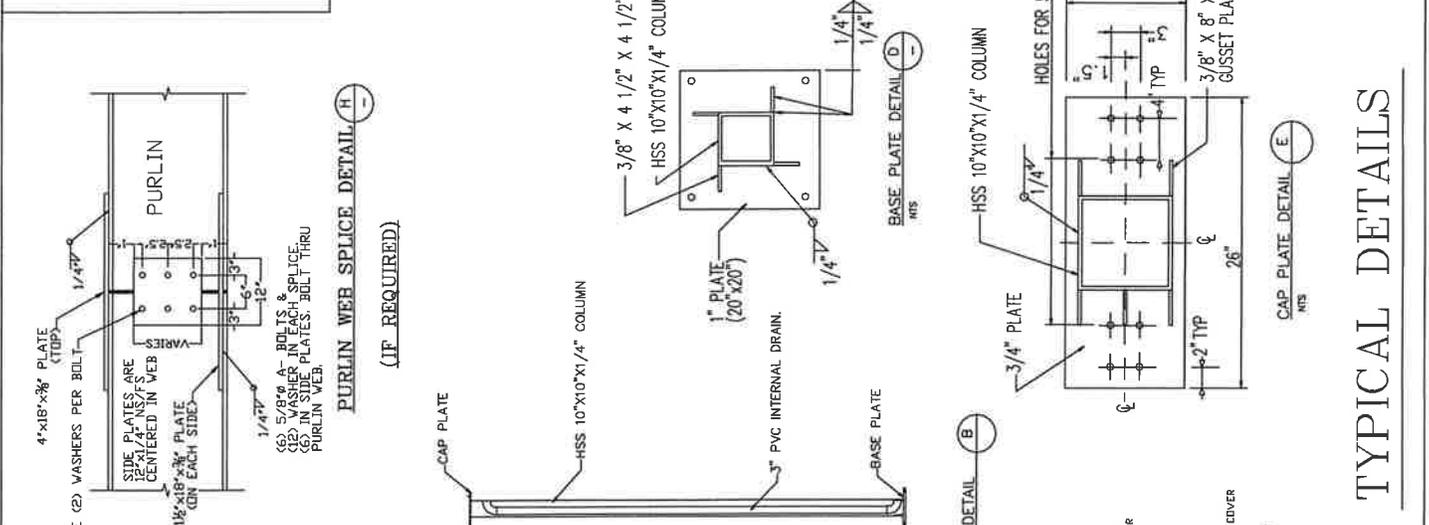
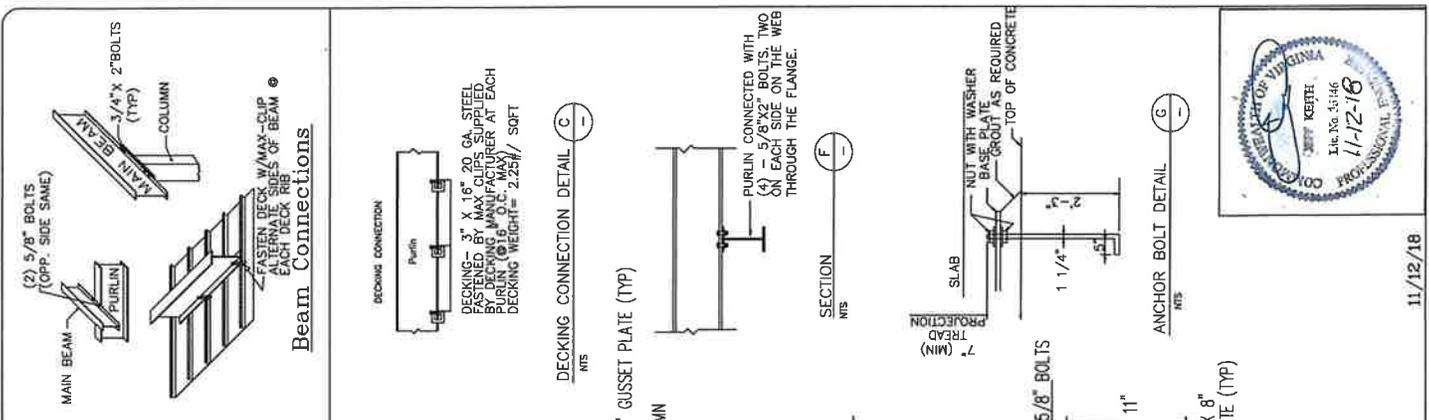
**WELDS**  
 ALL WELDED CONNECTIONS SHALL BE IN ACCORDANCE WITH LATEST AWS SPECIFICATIONS, USING E70XX ELECTRODES. ALL WELDING SHALL BE PERFORMED BY AN AWS CERTIFIED WELDER.

**ROOF PANELS**  
 20 GA ROLLED FORM STEEL DECKING INSTALLED W/ MAX CLIPS PER MFR. INSTRUCTIONS. U.N.O.

**FOUNDATIONS**  
 SEE FOOTING PLANS FOR DETAILS.

**GROUT**  
 Factory Package - ASTM 109  
 Non-Corrosive and Non-Staining  
 To be mixed with water for consistency suitable for application and 30 minute working time

ALL WORK TO BE IN ACCORDANCE WITH THE 2015 VCC

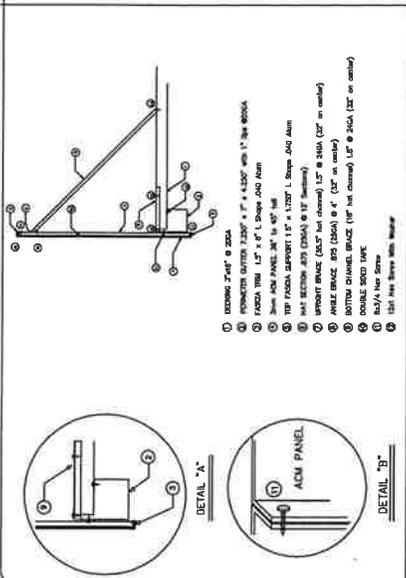


11/12/18

GUTTER CONNECTION DETAILS

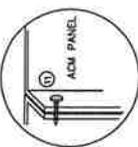
2 OF 3





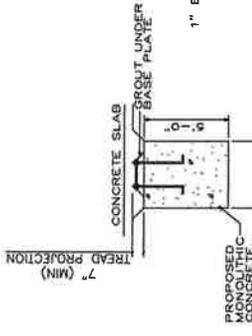
- 1) 1/2" x 1/2" x 1/2" @ 20GA
- 2) PERIMETER GUTTER 2.00" x 1.75" x 1.50" with 1" Slope 400 Alum
- 3) FASCIA 1.5" x 1.5" x 1/2" L Slope 400 Alum
- 4) 3/4" x 1/2" PANEL 3/4" x 1/2" x 1/2" Alum
- 5) 1/2" TOP FASCIA SUPPORT 1.5" x 1.00" L Slope 400 Alum
- 6) 1/2" SECTION 401 (20GA) @ 12" Spacing
- 7) GROUND ANGLE (20GA) Not shown 1.5" x 1.5" @ 20GA (2" on center)
- 8) ANCHOR BOLTS 1/2" dia @ 4" (2" on center)
- 9) DOUBLE STAKE 1/2"
- 10) 1/2" x 1/2" Not Shown

DETAIL "A"



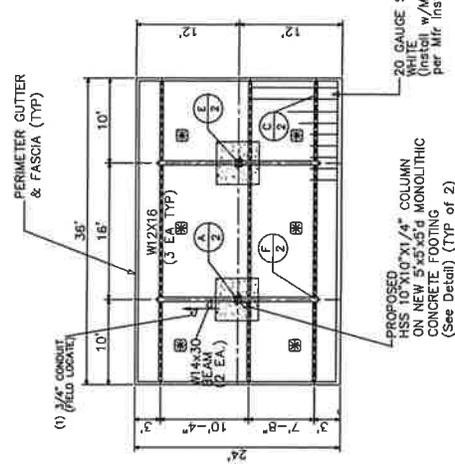
DETAIL "B"

FASCIA DETAIL



FOOTING DETAIL (U.N.O.)  
FOUNDATION NOTES

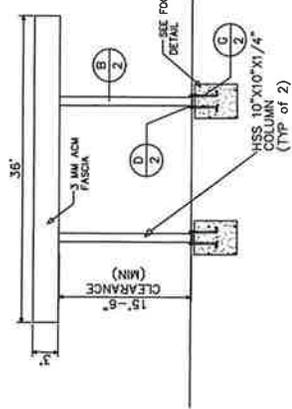
- NOT TO SCALE  
ANCHOR BOLT PATTERN
1. FOOTINGS ARE ASSUMED TO BEAR ON SOIL WITH A MINIMUM ALLOWABLE BEARING CAPACITY OF 1,500 POUNDS PER SQUARE FOOT.
  2. ANCHOR BOLTS ARE 1 1/4" DIA. - FOUR EACH PER FOOTING.
  3. ANCHOR BOLT PATTERN IS 16" ON CENTER.
  4. IF FILL IS USED IT SHALL BE GRANULAR, STRUCTURAL FILL COMPACTED TO 100% MODIFIED PROCTOR.



STEEL FRAMING PLAN

LEGEND

☒ CANOPY LIGHT FIXTURE  
☒ PERIMETER GUTTER  
☒ EXACT LOCATION TO BE FIELD DETERMINED (BRING BY OTHERS)



ELEVATION

ROD DIAMETER	ASME TENSILE SPECIFICATION	MINIMUM TENSILE STRENGTH (LBS)	MINIMUM ELLIPTICAL AREA TENSILE (SQ IN)	MINIMUM TENSILE ELONGATION (%)
5/8"	A36	58,000	1.75	20
3/4"	A36	63,000	1.88	20
1"	A36	72,000	2.12	20
1 1/8"	A36	81,000	2.36	20
1 1/4"	A36	88,000	2.54	20
1 3/8"	A36	95,000	2.72	20
1 1/2"	A36	102,000	2.90	20
1 5/8"	A36	109,000	3.08	20
1 3/4"	A36	116,000	3.26	20
1 7/8"	A36	123,000	3.44	20
2"	A36	130,000	3.62	20

LAT 37.440608  
LONG -78.328864

ALL WORK TO BE IN ACCORDANCE WITH THE 2015 VCC



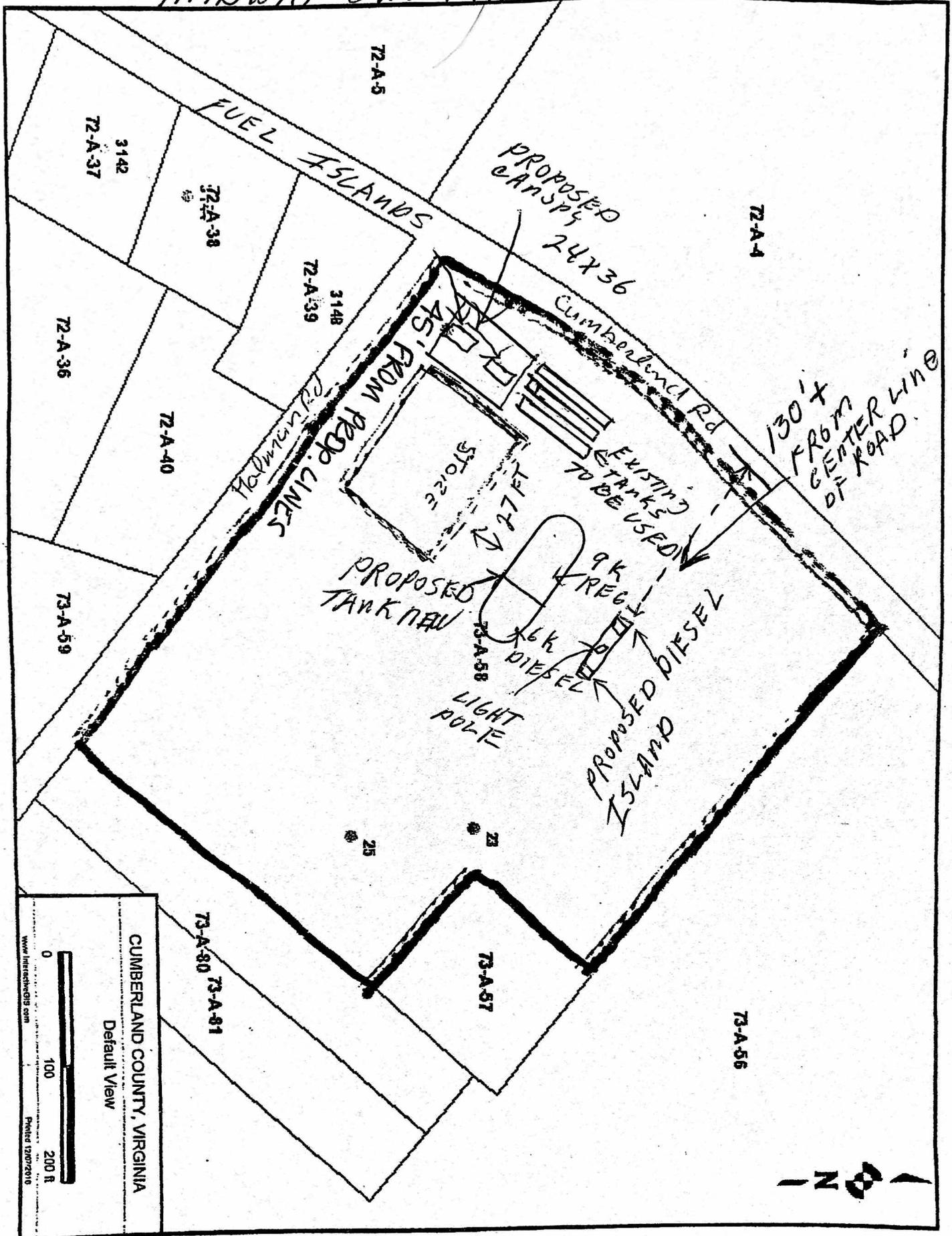
PHILLIPS ALUMINUM CO.  
3032 POLKVILLE ROAD  
SHELBY, NORTH CAROLINA 28150  
(704) 487-7986 FAX (704) 487-1832

PREPARED FOR: MARATHON STATION  
LOCATION: 8156 CUMBERLAND RD  
CUMBERLAND, VA 23040  
SCALE: DRAWING # 672 SHEET 1 OF 3

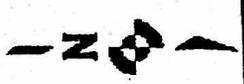
11/12/18 REV I



# MIDWAY GROCERY



CUMBERLAND COUNTY, VIRGINIA  
 Default View  
 0 100 200 ft  
 www.intertekgis.com  
 Printed 12/07/2010



## Subdivision III. - Communications Antennae and Towers

### Sec. 74-731. - Definitions.

The following words, terms and phrases, when used in this subdivision, shall will have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

"Administrative review-eligible project" means a project that provides for:

1. The installation or construction of a new structure that is not more than 50 feet above ground level, provided that the structure with attached wireless facilities is (i) not more than 10 feet above the tallest existing utility pole located within 500 feet of the new structure within the same public right-of-way or within the existing line of utility poles; (ii) not located within the boundaries of a local, state, or federal historic district; (iii) not located inside the jurisdictional boundaries of a locality having expended a total amount equal to or greater than 35 percent of its general fund operating revenue, as shown in the most recent comprehensive annual financial report, on undergrounding projects since 1980; and (iv) designed to support small cell facilities; or
2. The co-location on any existing structure of a wireless facility that is not a small cell facility.

"Alternative tower structure" means manmade trees, silos, clock towers, bell steeples, light poles, utility poles, buildings, and similar alternative-design mounting structures that camouflage or conceal the presence of antennae or towers.

"Antenna" means communications equipment that transmits or receives electromagnetic radio signals used in the provision of any type of wireless communications services.

"Base station" means a station that includes a structure that currently supports or houses an antenna, transceiver, coaxial cables, power cables, or other associated equipment at a specific site that is authorized to communicate with mobile stations, generally consisting of radio transceivers, antennas, coaxial cables, power supplies, and other associated electronics.

"Co-locate" means to install, mount, maintain, modify, operate, or replace a wireless facility on, under, within, or adjacent to a base station, building, existing structure, utility pole, or wireless support structure. "Co-location" has a corresponding meaning.

"Department" means the Department of Transportation.

"Existing structure" means any structure that is installed or approved for installation at the time a wireless services provider or wireless infrastructure provider provides notice to a locality or the Department of an agreement with the owner of the structure to co-locate equipment on that structure.

"Existing structure" includes any structure that is currently supporting, designed to support, or capable of supporting the attachment of wireless facilities, including towers, buildings, utility poles, light poles, flag poles, signs, and water towers.

"FAA" means the Federal Aviation Administration.

"FCC" means the Federal Communications Commission.

"Height" when referring to a tower or other structure means the distance measured from ground level to the highest point on the tower or other structure, even if the highest point is an antenna or lightning rod.

"Micro-wireless facility" means a small cell facility that is not larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height and that has an exterior antenna, if any, not longer than 11 inches.

"New structure" means a wireless support structure that has not been installed or constructed, or approved for installation or construction, at the time a wireless services provider or wireless infrastructure provider applies to a locality for any required zoning approval.

"Project" means (i) the installation or construction by a wireless services provider or wireless infrastructure provider of a new structure or (ii) the co-location on any existing structure of a wireless facility that is not a small cell facility. "Project" does not include the installation of a small cell facility by a wireless services provider or wireless infrastructure provider on an existing structure to which the provisions of Va. Code § 15.2-2316.4 apply.

"Small cell facility" means a wireless facility that meets both of the following qualifications: (i) each antenna is located inside an enclosure of no more than six cubic feet in volume, or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than six cubic feet and (ii) all other wireless equipment associated with the facility has a cumulative volume of no more than 28 cubic feet, or such higher limit as is established by the Federal Communications Commission. The following types of associated equipment are not included in the calculation of equipment volume: electric meter, concealment, telecommunications demarcation boxes, back-up power systems, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and other services.

"Standard process project" means any project other than an administrative review-eligible project.

"Tower" means any structure that is designed and constructed primarily for the purpose of supporting one or more antennae, including self-supporting lattice towers, guy towers, or monopole towers. The term "tower" includes, but is not limited to, television transmission towers, microwave towers, common-carrier towers, wireless communications towers, alternative tower structures, and the like.

"Utility pole" means a structure owned, operated, or owned and operated by a public utility, local government, or the Commonwealth that is designed specifically for and used to carry lines, cables, or wires for communications, cable television, or electricity.

"Water tower" means a water storage tank, or a standpipe or an elevated tank situated on a support structure, originally constructed for use as a reservoir or facility to store or deliver water.

"Wireless facility" means equipment at a fixed location that enables wireless communications between user equipment and a communications network, including (i) equipment associated with wireless services, such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services, such as microwave backhaul, and (ii) radio transceivers, antennas, coaxial, or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration.

"Wireless infrastructure provider" means any person that builds or installs transmission equipment, wireless facilities, or wireless support structures, but that is not a wireless services provider.

"Wireless services" means (i) "personal wireless services" as defined in 47 U.S.C. § 332(c)(7)(C)(i); (ii) "personal wireless service facilities" as defined in 47 U.S.C. § 332(c)(7)(C)(ii), including commercial mobile services as defined in 47 U.S.C. § 332(d), provided to personal mobile communication devices through wireless facilities; and (iii) any other fixed or mobile wireless service, using licensed or unlicensed spectrum, provided using wireless facilities.

"Wireless services provider" means a provider of wireless services.

"Wireless support structure" means a freestanding structure, such as a monopole, tower, either guyed or self-supporting, or suitable existing structure or alternative structure designed to support or capable of supporting wireless facilities. "Wireless support structure" does not include any telephone or electrical utility pole or any tower used for the distribution or transmission of electrical service.

~~Alternative tower structure means manmade trees, silos, clock towers, bell steeples, light poles, utility poles, buildings, and similar alternative design mounting structures that camouflage or conceal the presence of antennas or towers.~~

~~Antenna means any apparatus designed for telephonic, data, radio or television communications through the sending and/or receiving of electromagnetic waves.~~

~~FAA means the Federal Aviation Administration.~~

~~FCC means the Federal Communications Commission.~~

~~Height, when referring to a tower or other structure, means the distance measured from ground level to the highest point on the tower or other structure, even if the highest point is an antenna or lightning rod.~~

~~Tower means any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term "tower" includes television transmission towers, microwave towers, common carrier towers, wireless communications towers, alternative tower structures, and the like.~~

(Code 1990, § 14-69(1)(b); Ord. of 1-12-2000)

**Cross reference**— Definitions generally, § 1-2.

### **Sec. 74-732. - Purpose, goals and intent of use regulations.**

- (a) —The purpose of  ~~supplementary regulation in~~ this subdivision is to establish general guidelines for the siting of towers and antennae~~s~~. These goals are to:
- (1) — Encourage the location of towers in nonresidential areas and minimize the total number of towers and tower sites throughout  ~~the Cumberland county~~ Cumberland County;
  - (2) — Encourage  ~~strongly~~ the joint use of new and existing tower sites and use of existing utility transmission rights-of-way;
  - (3) — Encourage towers to be located in areas where  ~~the~~ their adverse impact  ~~on the county~~ is minimal;
  - (4) — Encourage users of towers and antennae~~s~~ to locate, design, and configure them in a way that minimizes the adverse visual impact of the towers and antennae~~s~~ and makes them compatible with surrounding land uses to the extent possible;
  - (5) — Provide adequate sites for the provision of wireless communication services with minimal negative impacts  ~~on the resources of the county~~;
  - (6) — Encourage the siting of towers along  ~~the corridors of State Routes 13, 45, and 60~~ St. Routes 60, 45, and Route 13 corridors;
  - (7) — Encourage public/private partnerships, where possible, that promote the communications needs of  ~~the county~~ Cumberland County, especially fire and emergency rescue services; and
  - (8) — Strongly encourage the use of monopoles and camouflaging for towers located in or near residential areas.
- (b)  ~~The supplementary regulation in this~~ This subdivision is intended to comply with all federal and state regulations.

(Code 1990, § 14-69(1)(b); Ord. of 1-12-2000)

### ~~(a)~~ **Sec. 74-733. - Applicability.**

~~(a) The supplementary regulation in this~~ This subdivision ~~shall will~~ governs standard process projects.

(b) This subdivision does not govern:

(1) Administrative review-eligible projects;

(2) Any tower or antenna that is operated by a federally licensed amateur radio station operator; and any tower used exclusively for receive-only antennae for amateur radio station operation; the location of towers that exceed 50 feet in height, and antennas that are installed at to a height greater than fifty (50) feet in height.

(3) The placement of one or more additional buildings to serve an existing structure, or the placement of additional equipment in an existing building; or

~~(1)~~(4) The placement of one or more antennae on or in an existing structure if the addition of the antenna does not add more than the lesser of twenty (20) feet or 25 percent (25%) to the height of the existing structure and does not require additional lighting pursuant to FAA or other statutory or regulatory requirements.

(Code 1990, § 14-69(1)(b); Ord. of 1-12-2000)

~~Sec. 74-734. Amateur radio and receive-only antennas.~~

~~Nothing~~ The supplementary regulation in this subdivision shall will not govern any tower or the installation of any antenna that is operated by a federally licensed amateur radio station operator or is used exclusively for receive-only antennas for amateur radio station operation.

(Code 1990, § 14-69(1)(b); Ord. of 1-12-2000)

~~Sec. 74-735. Existing structures and towers.~~

~~The placement of an antenna on or in an existing structure such as a building, sign, light pole, utility pole, including placement within an existing transmission/utility tower, or tower, water tank, or other freestanding structure or existing tower or pole shall will be permitted without the need for a conditional use permit by special exception so long as if the addition of the antenna shall does not add more than the lesser of twenty (20) feet or 25 percent (25 %) (whichever is less) to the height of the structure or tower and shall does not require additional lighting pursuant to FAA or other applicable requirements. Such permitted use also may also include the placement of additional buildings or other supporting equipment used in connection with the antenna so long as if such building or equipment is placed within the existing structure or lot property and is necessary for such use.~~

(Code 1990, § 14-69(1)(b); Ord. of 1-12-2000)

## **Sec. 74-736. - General guidelines and requirements.**

~~(a) (a) Principal or accessory use.~~ For purposes of determining compliance with area requirements and, at the sole discretion of the zoning administrator:

(1) -antennae and towers may be considered either principal or accessory uses;

- (2) ~~a.~~ An existing use or an existing structure on the same lot ~~shall~~ will not alone preclude the installation of antennes or towers on such lot; ~~and, for purposes of determining whether the installation of a tower or antenna complies with district regulations, t~~  
the dimensions of the entire parcel ~~lot shall~~ control, even ~~where~~ though the antennes or towers ~~is~~ may be located on a leased area of less than the entire parcel. ~~within such lots. †~~
- ~~(1) (b)~~ Towers that are constructed, and antennes that are installed, in accordance with the provisions of this subdivision ~~supplementary regulation~~ shall will not be deemed to constitute the expansion of a nonconforming use or structure.
- ~~(b)~~ ~~Inventory of existing sites.~~ Each applicant for an antenna and or tower shall provide to the county an inventory of its existing facilities that are either within the locality or within five miles of the border, including specific information about the location, height, and existing use and available capacity of each tower. The county may share such information with other applicants applying for approvals or a conditional use permit by special exceptions under this supplementary regulation or other organizations seeking to locate antennas within the jurisdiction of the county; however, the county shall not, by sharing such information, in any way represent or warrant that such sites are available or suitable.
- ~~(c)~~ ~~Design; lighting.~~ The requirements set forth in this section shall will govern the location of ~~a~~ All applications for towers and the installation of all antennes governed by this subdivision ~~supplementary regulation~~ must comply with the following:
- (1) ~~—~~ The tower designs shall ~~must provide for either maintain~~ a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color, so as to reduce visual obtrusiveness. Dish antennes will be of a neutral, non-reflective color with no logos.
  - (2) ~~—~~ At a facility site, the design of the buildings and related structures shall ~~must~~, to the extent possible, use materials, colors, textures, screening and landscaping that will blend the tower facilities to the natural setting and surrounding structures.
  - (3) ~~—~~ If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.
  - (4) ~~—~~ Towers shall ~~must~~ not be artificially lighted unless required by the FAA or other governing ~~applicable~~ authority. ~~If lighting is required, the county may review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding views.~~
  - (5) ~~—~~ No advertising of any type may be placed on ~~any~~ the tower or accompanying facility unless as part of retrofitting an existing sign structure.
  - (6) ~~—~~ To permit co-location, the tower shall ~~must~~ be designed and constructed to permit extensions to a -maximum height of one hundred ninety-nine (199) feet, except as otherwise provided in the approved conditional use permit ~~by special exception~~.

- (7) — ~~\_\_\_\_\_ Towers shall~~ must be designed to collapse within the parcel boundaries ~~lot lines~~ in the event ~~case~~ of structural failure.
- (8) — ~~\_\_\_\_\_ Except where the provisions of an approved conditional use permit~~ by special exception or other governmental regulations restrict the height of the tower, ~~or where a stealth design is used, an engineering report,~~ certifying that the proposed tower is compatible for co-~~l~~ocation with a minimum of four (4) users, including the primary user, must be submitted. If the height of the tower is restricted or a stealth design is used and the tower cannot accommodate four (4) users, a report must be submitted that describes the design limitations for co-~~l~~ocation.

(Code 1990, § 14-69(1)(b); Ord. of 1-12-2000)

#### **Sec. 74-737. - Federal requirements.**

All towers and antennaes must meet or exceed current standards and regulations of the FAA; the FCC, including, but not limited to, those governing emission control; the FCC, and all any other agencies, if any, of the federal government with the authority to regulate towers and antennaes. ~~This requirement includes meeting all regulatory emission control standards established by the FCC.~~

(Code 1990, § 14-69(1)(b); Ord. of 1-12-2000)

#### **Sec. 74-738. - Building codes.**

To ensure the structural integrity of towers, ~~all the owner of a towers shall~~ must ~~be~~ ensure that ~~it is~~ designed and at all times maintained in compliance with all standards contained in applicable federal, state and local building building codes and regulations.

(Code 1990, § 14-69(1)(b); Ord. of 1-12-2000)

#### **Sec. 74-739. - Information required.**

Each applicant requesting a conditional use permit ~~by special exception~~ under this supplementary regulation subdivision ~~shall~~ must submit the following:

- ~~(a1)~~ — A scaled plan, ~~and~~ a scaled elevation view, and other supporting drawings, calculations and other documentation, signed and sealed by a state-licensed professional engineer, showing the location and dimensions of all improvements, including information concerning topography, zoning, vegetation buffers, tower height requirements, setbacks, drives, parking, fencing, landscaping, and adjacent uses and ~~adjacent~~ buildings.
- ~~(2) — A statement justifying the need for the project.~~

- (~~b3~~)—A certification from a licensed professional engineer ~~experienced with the design and operation of towers and antennas~~ that the emissions from the facility will not exceed the maximum permissible exposure (MPE) standard established by the FCC.
- (~~c4~~)—Verifiable evidence from the applicant of the lack of space on suitable existing towers, buildings or other structures to locate the proposed antennae~~s~~ and the lack of space on existing tower sites to construct a suitable tower for the proposed antennae. A ~~certified~~ statement from a licensed professional engineer must be provided if radio-frequency interference or signal quality is used as the rationale for eliminating co-~~l~~ocation on an existing facility.
- (~~d5~~)—A signed statement from the applicant, or a duly authorized agent or representative, of the willingness and ability to allow co-~~l~~ocation on the proposed tower and co-~~l~~ocation of a second tower on the site (where appropriate). ~~The statement must be signed by an officer of the company or individual authorized to commit the company.~~
- (~~6e~~)—A signed statement from the applicant, or a duly authorized agent or representative, describing the efforts considered and taken to screen or camouflage the facility and reduce its visual impact. This statement should consider at a minimum design, height, location, and landscaping alternatives.
- ~~(7) A proposed construction schedule.~~
- ~~(8) A figure depicting the radio frequency coverage (or propagation map) of the proposed facility and all nearby facilities.~~
- (~~97f~~)—~~The applicant shall must provide a~~At least two (2) different actual photographs of the site that include simulated photographic images of the proposed tower. The photographs with the simulated image ~~shall must~~ illustrate how the facility will look from adjacent roadways, nearby residential areas, or public use buildings, such as ~~a~~ schools, and churches, etc. ~~C~~The county staff reserves the right to select the location for the photographic images and require additional images. The applicant ~~shall must~~ also conduct a balloon test to demonstrate the height of a proposed tower ~~and provide the county with a 48-hour notice of the test.~~
- (~~108g~~)—~~\_\_\_\_\_~~ An affidavit ~~must be submitted~~ attesting to the fact that the lease agreement does not prohibit or discourage co-~~l~~ocation, or if so, an explanation of the reason or reasons why co-location is prohibited or discouraged. for such provisions.
- (~~119h~~)—~~The county may require o~~Other information deemed necessary by County staff or officials to assess compliance with this subdivision.

(Code 1990, § 14-69(1)(b); Ord. of 1-12-2000)

**Sec. 74-740. - Factors considered in granting a conditional use permit ~~by special exception~~ for new towers.**

The applicant ~~shall must~~ obtain a conditional use permit ~~by special exception from the county~~ before erecting towers or antennae~~s~~ covered by this subdivision. The following factors, and

those standards described in this subdivision, will be used in determining whether to issue a conditional use permit ~~by special exception~~:

- (~~1a~~) — Height of the proposed tower;
- (~~2b~~) — Proximity of the tower to residential structures, residential district boundaries, and other visually sensitive facilities such as churches and schools;
- (~~3c~~) — Nature of the uses and impacts of the proposed facility on adjacent and nearby properties;
- (~~d4~~) — Surrounding topography;
- (~~e5~~) — Surrounding tree coverage and foliage;
- (~~f6~~) — Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;
- (~~g7~~) — Proposed ingress and egress;
- (~~h8~~) — Co-location policy and efforts to co-locate;
- (~~i9~~) — Consistency with the comprehensive plan and the purposes to be served by zoning;
- (~~10j~~) — Availability of suitable existing towers and other structures as discussed in section 74-741;
- (~~1k1~~) — Proximity to private airports;
- (~~12l~~) — Proposed methods of mitigation for the visual impacts of the project, including proposed landscaping or screening; and
- (~~m13~~) — \_\_\_\_\_ Communications needs of the county.

(Code 1990, § 14-69(1)(b); Ord. of 1-12-2000)

### **Sec. 74-741. - Availability of suitable existing towers or other structures.**

No conditional use permit for a new tower ~~shall~~ ay be ~~granted permitted~~ unless the applicant demonstrates, to the reasonable satisfaction of the county ~~County~~, that no existing tower or structure can accommodate the applicant's proposed antenna ~~and that the facility is needed to provide reasonable signal coverage~~. Evidence submitted to demonstrate that no existing tower or structure can accommodate the applicant's proposed antenna may consist of information confirming any one or more of the following:

- (~~1a~~) — ~~There are~~ ~~no~~ existing towers or structures are located within the geographic area required ~~that~~ meet the applicant's engineering requirements.;
- (~~b2~~) — Existing towers or structures are not of sufficient height to meet the applicant's engineering requirements.;
- (~~c3~~) — Existing towers or structures do not have sufficient structural strength to support the applicant's proposed antennae and related equipment.;
- (~~d4~~) — The applicant's proposed antennae would cause electromagnetic interference with the antennae on the existing towers or structures, or the antennae on the existing towers or structures would cause interference with the applicant's proposed antennae.;

~~(e5)~~ — The fees, costs or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable.;

~~(f6)~~ — ~~The applicant demonstrates that there are o~~Other limiting factors that render the use of existing towers and structures unsuitable or unfeasible.

(Code 1990, § 14-69(1)(b); Ord. of 1-12-2000)

#### **Sec. 74-742. - Security fencing.**

Towers ~~must~~shall be enclosed by security fencing that is not less than six feet in height which and shall also be equipped with ~~an~~ appropriate anticlimbing design or device.

(Code 1990, § 14-69(1)(b); Ord. of 1-12-2000)

#### **Sec. 74-743. - Landscaping.**

The following requirements ~~shall~~will govern the landscaping surrounding towers for which a conditional use permit ~~by special exception~~ is required:

~~(1a)~~ — Tower facilities ~~shall~~must be landscaped with a buffer of plant materials that effectively screen the view of the support buildings from adjacent ~~property~~property owners. The standard buffer ~~shall~~must consist of a landscaped strip at least four (4) feet wide outside the perimeter of the facilities. The applicant may propose off-site landscaping if ~~that it~~ better mitigates the visual impacts of the proposed facility. In such cases, a written agreement must be provided, including approval by the owner of the parcel on which the landscaping will be located~~done~~.

~~(2b)~~ — Existing mature tree growth and natural land forms on the site ~~shall~~must be preserved to the maximum extent possible. In some cases, such as towers sited on large, wooded lots, ~~the county~~it may ~~be determine~~determined that ~~the natural~~existing growth around the ~~property~~ perimeter of the parcel may be ~~is~~constitutes a sufficient buffer.

(Code 1990, § 14-69(1)(b); Ord. of 1-12-2000)

#### ~~Sec. 74-744. — Local government access.~~

~~Owners of towers shall provide the county collocation opportunities as a community benefit to improve communication for county departments and emergency services, provided it does not conflict with the collocation requirement of section 74-736(c)(8). The county shall have the right of first refusal to any available collocation space at no cost to the county; however, the county shall be responsible for placing and maintaining its own equipment.~~

~~(Code 1990, § 14-69(1)(b); Ord. of 1-12-2000)~~

**Sec. 74-~~745~~744. - Removal of abandoned antennes and towers.**

Any antenna or tower that is not operated for a continuous period of ~~12~~twenty-four (24) months ~~shall will~~ be considered abandoned, and the owner of each such antenna or tower ~~(or its successors or assigns)~~ ~~shall must~~ remove the antenna or tower, or both, within ~~90~~one hundred eighty (180) days of receipt of notice from the ~~county~~County notifying the owner of such removal ~~equipment~~ requirement. Removal includes the removal of the tower, all tower and fence footers, underground cables, and all support buildings ~~except that. The b~~ any one or more support buildings may remain with owner's ~~consent~~approval. If there are two (2) or more users of a single tower, ~~the abandonment of the use of the tower and/or equipment is section~~ ~~shall must not become~~ effective ~~when until the last all~~ users ceases ~~entirely its~~ using of the tower and equipment. ~~The county shall require a bond, letter of credit or other appropriate surety as approved by the county in the amount needed to cover the demolition costs and site restoration costs. The applicant must submit the estimated costs for demolition and site restoration prior to the issuance of bonds, which will be reviewed and approved by the county. If the bond expires or is not renewed, the conditional use permit by special exception may be revoked or terminated.~~

(Code 1990, § 14-69(1)(b); Ord. of 1-12-2000)

**~~Sec. 74-746. — Required yearly report.~~**

~~The owner of each such antenna or tower shall submit a report to the county once a year, no later than July 1. The report shall state the current user status of the tower. Each company shall also submit an annual plan that describes the company's expected needs (countywide) for new towers and antennas for the next year (based on the county's fiscal year).~~

~~(Code 1990, § 14-69(1)(b); Ord. of 1-12-2000)~~

**Sec. 74-747. — Procedure Fees.**

Applications will be processed, decisions on applications rendered, and appeals of decisions made in accordance with the procedures set forth in Article 7.2 of the Code of Virginia, 1950, as amended, Va. Code § 15.2-2316.3, et seq.

- ~~(a) The fee for a conditional use permit shall be imposed to cover the cost of any professional consultation required by the county not less than \$2,000.00 and shall be in addition to the \$550.00 regular conditional use permit fee.~~

~~(Code 1990, § 14-69(1)(b); Ord. of 1-12-2000; Ord. of 9-13-2005(2), § 2)~~

Secs. 74-~~748~~7485—74-780. - Reserved.

## Subdivision III. - Communications Antennae and Towers

### Sec. 74-731. - Definitions.

The following words, terms and phrases, when used in this subdivision, will have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*"Administrative review-eligible project"* means a project that provides for:

1. The installation or construction of a new structure that is not more than 50 feet above ground level, provided that the structure with attached wireless facilities is (i) not more than 10 feet above the tallest existing utility pole located within 500 feet of the new structure within the same public right-of-way or within the existing line of utility poles; (ii) not located within the boundaries of a local, state, or federal historic district; (iii) not located inside the jurisdictional boundaries of a locality having expended a total amount equal to or greater than 35 percent of its general fund operating revenue, as shown in the most recent comprehensive annual financial report, on undergrounding projects since 1980; and (iv) designed to support small cell facilities; or
2. The co-location on any existing structure of a wireless facility that is not a small cell facility.

*"Alternative tower structure"* means manmade trees, silos, clock towers, bell steeples, light poles, utility poles, buildings, and similar alternative-design mounting structures that camouflage or conceal the presence of antennae or towers.

*"Antenna"* means communications equipment that transmits or receives electromagnetic radio signals used in the provision of any type of wireless communications services.

*"Base station"* means a station that includes a structure that currently supports or houses an antenna, transceiver, coaxial cables, power cables, or other associated equipment at a specific site that is authorized to communicate with mobile stations, generally consisting of radio transceivers, antennas, coaxial cables, power supplies, and other associated electronics.

*"Co-locate"* means to install, mount, maintain, modify, operate, or replace a wireless facility on, under, within, or adjacent to a base station, building, existing structure, utility pole, or wireless support structure. "Co-location" has a corresponding meaning.

*"Department"* means the Department of Transportation.

*"Existing structure"* means any structure that is installed or approved for installation at the time a wireless services provider or wireless infrastructure provider provides notice to a locality or the Department of an agreement with the owner of the structure to co-locate equipment on that structure.

"Existing structure" includes any structure that is currently supporting, designed to support, or capable of supporting the attachment of wireless facilities, including towers, buildings, utility poles, light poles, flag poles, signs, and water towers.

"FAA" means the Federal Aviation Administration.

"FCC" means the Federal Communications Commission.

"Height" when referring to a tower or other structure means the distance measured from ground level to the highest point on the tower or other structure, even if the highest point is an antenna or lightning rod.

"Micro-wireless facility" means a small cell facility that is not larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height and that has an exterior antenna, if any, not longer than 11 inches.

"New structure" means a wireless support structure that has not been installed or constructed, or approved for installation or construction, at the time a wireless services provider or wireless infrastructure provider applies to a locality for any required zoning approval.

"Project" means (i) the installation or construction by a wireless services provider or wireless infrastructure provider of a new structure or (ii) the co-location on any existing structure of a wireless facility that is not a small cell facility. "Project" does not include the installation of a small cell facility by a wireless services provider or wireless infrastructure provider on an existing structure to which the provisions of Va. Code § 15.2-2316.4 apply.

"Small cell facility" means a wireless facility that meets both of the following qualifications: (i) each antenna is located inside an enclosure of no more than six cubic feet in volume, or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than six cubic feet and (ii) all other wireless equipment associated with the facility has a cumulative volume of no more than 28 cubic feet, or such higher limit as is established by the Federal Communications Commission. The following types of associated equipment are not included in the calculation of equipment volume: electric meter, concealment, telecommunications demarcation boxes, back-up power systems, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and other services.

"Standard process project" means any project other than an administrative review-eligible project.

"Tower" means any structure that is designed and constructed primarily for the purpose of supporting one or more antennae, including self-supporting lattice towers, guy towers, or monopole towers. The term "tower" includes, but is not limited to, television transmission towers, microwave towers, common-carrier towers, wireless communications towers, alternative tower structures, and the like.

*"Utility pole"* means a structure owned, operated, or owned and operated by a public utility, local government, or the Commonwealth that is designed specifically for and used to carry lines, cables, or wires for communications, cable television, or electricity.

*"Water tower"* means a water storage tank, or a standpipe or an elevated tank situated on a support structure, originally constructed for use as a reservoir or facility to store or deliver water.

*"Wireless facility"* means equipment at a fixed location that enables wireless communications between user equipment and a communications network, including (i) equipment associated with wireless services, such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services, such as microwave backhaul, and (ii) radio transceivers, antennas, coaxial, or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration.

*"Wireless infrastructure provider"* means any person that builds or installs transmission equipment, wireless facilities, or wireless support structures, but that is not a wireless services provider.

*"Wireless services"* means (i) "personal wireless services" as defined in 47 U.S.C. § 332(c)(7)(C)(i); (ii) "personal wireless service facilities" as defined in 47 U.S.C. § 332(c)(7)(C)(ii), including commercial mobile services as defined in 47 U.S.C. § 332(d), provided to personal mobile communication devices through wireless facilities; and (iii) any other fixed or mobile wireless service, using licensed or unlicensed spectrum, provided using wireless facilities.

*"Wireless services provider"* means a provider of wireless services.

*"Wireless support structure"* means a freestanding structure, such as a monopole, tower, either guyed or self-supporting, or suitable existing structure or alternative structure designed to support or capable of supporting wireless facilities. "Wireless support structure" does not include any telephone or electrical utility pole or any tower used for the distribution or transmission of electrical service.

(Code 1990, § 14-69(1)(b); Ord. of 1-12-2000)

**Cross reference**— Definitions generally, § 1-2.

### **Sec. 74-732. - Purpose, goals and intent of use regulations.**

- (a) The purpose of this subdivision is to establish general guidelines for the siting of towers and antennae. These goals are to:
  - (1) Encourage the location of towers in nonresidential areas and minimize the total number of towers and tower sites throughout Cumberland County;

- (2) Encourage the joint use of new and existing tower sites and use of existing utility transmission rights-of-way;
  - (3) Encourage towers to be located in areas where their adverse impact is minimal;
  - (4) Encourage users of towers and antennae to locate, design, and configure them in a way that minimizes the adverse visual impact of the towers and antennae and makes them compatible with surrounding land uses to the extent possible;
  - (5) Provide adequate sites for the provision of wireless communication services with minimal negative impacts;
  - (6) Encourage the siting of towers along the corridors of State Routes 13, 45, and 60;
  - (7) Encourage public/private partnerships, where possible, that promote the communications needs of Cumberland County, especially fire and emergency rescue services; and
  - (8) Strongly encourage the use of monopoles and camouflaging for towers located in or near residential areas.
- (b) This subdivision is intended to comply with all federal and state regulations.

(Code 1990, § 14-69(1)(b); Ord. of 1-12-2000)

**Sec. 74-733. - Applicability.**

- (a) This subdivision governs standard process projects.
- (b) This subdivision does not govern:
  - (1) Administrative review-eligible projects;
  - (2) Any tower or antenna that is operated by a federally licensed amateur radio station operator; and any tower used exclusively for receive-only antennae for amateur radio station operation;
  - (3) The placement of one or more additional buildings to serve an existing structure, or the placement of additional equipment in an existing building; or
  - (4) The placement of one or more antennae on or in an existing structure if the addition of the antenna does not add more than the lesser of twenty (20) feet or 25 percent (25%) to the height of the existing structure and does not require additional lighting pursuant to FAA or other statutory or regulatory requirements.

(Code 1990, § 14-69(1)(b); Ord. of 1-12-2000)

(Code 1990, § 14-69(1)(b); Ord. of 1-12-2000)

(Code 1990, § 14-69(1)(b); Ord. of 1-12-2000)

**Sec. 74-736. - General guidelines and requirements.**

- (a) For purposes of determining compliance with area requirements and at the sole discretion of the zoning administrator:

- (1) antennae and towers may be considered either principal or accessory uses;
  - (2) an existing use or an existing structure on the same lot will not alone preclude the installation of antennae or towers on such lot; and the dimensions of the entire parcel control, even where the antenna or tower is located on a leased area of less than the entire parcel.
- (b) Towers that are constructed, and antennae that are installed, in accordance with the provisions of this subdivision will not be deemed to constitute the expansion of a nonconforming use or structure.
- (c) All applications for towers and antennae governed by this subdivision must comply with the following:
- (1) The tower design must provide for a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color so as to reduce visual obtrusiveness. Dish antennae will be of a neutral, non-reflective color with no logos.
  - (2) At a facility site, the design of the buildings and related structures must, to the extent possible, use materials, colors, textures, screening and landscaping that will blend the tower facilities to the natural setting and surrounding structures.
  - (3) If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.
  - (4) Towers must not be artificially lighted unless required by the FAA or other governing authority.
  - (5) No advertising of any type may be placed on any tower or accompanying facility unless as part of retrofitting an existing sign structure.
  - (6) To permit co-location, the tower must be designed and constructed to permit extensions to a maximum height of one hundred ninety-nine (199) feet, except as otherwise provided in the approved conditional use permit.
  - (7) Towers must be designed to collapse within the parcel boundaries in the event of structural failure.
  - (8) Except where the provisions of an approved conditional use permit or other governmental regulations restrict the height of the tower, or where a stealth design is used, an engineering report certifying that the proposed tower is compatible for co-location with a minimum of four (4) users, including the primary user, must be submitted. If the height of the tower is restricted or a stealth design is used and the tower cannot accommodate four (4) users, a report must be submitted that describes the design limitations for co-location.

(Code 1990, § 14-69(1)(b); Ord. of 1-12-2000)

**Sec. 74-737. - Federal requirements.**

All towers and antennae must meet or exceed current standards and regulations of the FAA; the FCC, including, but not limited to, those governing emission control; and all other agencies, if any, of the federal government with the authority to regulate towers and antennae.

(Code 1990, § 14-69(1)(b); Ord. of 1-12-2000)

**Sec. 74-738. - Building codes.**

To ensure the structural integrity of towers, all towers must be designed and at all times maintained in compliance with all federal, state and local building codes and regulations.

(Code 1990, § 14-69(1)(b); Ord. of 1-12-2000)

**Sec. 74-739. - Information required.**

Each applicant requesting a conditional use permit under this subdivision must submit the following:

- (a) A scaled plan, a scaled elevation view, and other supporting drawings, calculations and other documentation, signed and sealed by a state-licensed professional engineer, showing the location and dimensions of all improvements, including information concerning topography, zoning, vegetation buffers, tower height requirements, setbacks, drives, parking, fencing, landscaping, and adjacent uses and buildings.
- (b) A certification from a licensed professional engineer that the emissions from the facility will not exceed the maximum permissible exposure (MPE) standard established by the FCC.
- (c) Verifiable evidence from the applicant of the lack of space on suitable existing towers, buildings or other structures to locate the proposed antennae and the lack of space on existing tower sites to construct a suitable tower for the proposed antennae. A statement from a licensed professional engineer must be provided if radio-frequency interference or signal quality is used as the rationale for eliminating co-location on an existing facility.
- (d) A signed statement from the applicant, or a duly authorized agent or representative, of the willingness and ability to allow co-location on the proposed tower and co-location of a second tower on the site (where appropriate).
- (e) A signed statement from the applicant, or a duly authorized agent or representative, describing the efforts considered and taken to screen or camouflage the facility and reduce its visual impact. This statement should consider at a minimum design, height, location, and landscaping alternatives.
- (f) At least two (2) different photographs of the site that include simulated photographic images of the proposed tower. The photographs with the simulated image must illustrate how the facility will look from adjacent roadways, nearby residential areas, or public use buildings, such as schools and churches. County staff reserves the right to select the

location for the photographic images and require additional images. The applicant must also conduct a balloon test to demonstrate the height of a proposed tower.

- (g) An affidavit attesting to the fact that the lease agreement does not prohibit or discourage co-location, or if so, an explanation of the reason or reasons why co-location is prohibited or discouraged.
- (h) Other information deemed necessary by County staff or officials to assess compliance with this subdivision.

(Code 1990, § 14-69(1)(b); Ord. of 1-12-2000)

**Sec. 74-740. - Factors considered in granting a conditional use permit for new towers.**

The applicant must obtain a conditional use permit before erecting towers or antennae covered by this subdivision. The following factors, and those standards described in this subdivision, will be used in determining whether to issue a conditional use permit:

- (a) Height of the proposed tower;
- (b) Proximity of the tower to residential structures, residential district boundaries, and other visually sensitive facilities such as churches and schools;
- (c) Nature of the uses and impacts of the proposed facility on adjacent and nearby properties;
- (d) Surrounding topography;
- (e) Surrounding tree coverage and foliage;
- (f) Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;
- (g) Proposed ingress and egress;
- (h) Co-location policy and efforts to co-locate;
- (i) Consistency with the comprehensive plan and the purposes to be served by zoning;
- (j) Availability of suitable existing towers and other structures as discussed in section 74-741;
- (k) Proximity to private airports;
- (l) Proposed methods of mitigation for the visual impacts of the project, including proposed landscaping or screening; and
- (m) Communications needs of the county.

(Code 1990, § 14-69(1)(b); Ord. of 1-12-2000)

**Sec. 74-741. - Availability of suitable existing towers or other structures.**

No conditional use permit for a new tower may be granted unless the applicant demonstrates, to the reasonable satisfaction of the County, that no existing tower or structure can accommodate the applicant's proposed antenna. Evidence submitted to demonstrate that no existing tower or structure can accommodate the applicant's proposed antenna may consist of information confirming any one or more of the following:

- (a) There are no existing towers or structures are located within the geographic area required that meet the applicant's engineering requirements.
- (b) Existing towers or structures are not of sufficient height to meet the applicant's engineering requirements.
- (c) Existing towers or structures do not have sufficient structural strength to support the applicant's proposed antennae and related equipment.
- (d) The applicant's proposed antennae would cause electromagnetic interference with the antennae on the existing towers or structures, or the antennae on the existing towers or structures would cause interference with the applicant's proposed antennae.
- (e) The fees, costs or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable.
- (f) Other limiting factors that render the use of existing towers and structures unsuitable or unfeasible.

(Code 1990, § 14-69(1)(b); Ord. of 1-12-2000)

**Sec. 74-742. - Security fencing.**

Towers must be enclosed by security fencing that is not less than six feet in height which is equipped with appropriate antilimbing design or device.

(Code 1990, § 14-69(1)(b); Ord. of 1-12-2000)

**Sec. 74-743. - Landscaping.**

The following requirements will govern the landscaping surrounding towers for which a conditional use permit is required:

- (a) Tower facilities must be landscaped with a buffer of plant materials that effectively screen the view of the support buildings from adjacent property owners. The standard buffer must consist of a landscaped strip at least four (4) feet wide outside the perimeter of the facilities. The applicant may propose off-site landscaping if it better mitigates the visual impacts of the proposed facility. In such cases, a written agreement must be provided, including approval by the owner of the parcel on which the landscaping will be located.
- (b) Existing mature tree growth and natural land forms on the site must be preserved to the maximum extent possible. In some cases, such as towers sited on large, wooded lots, it may be determined that existing growth around the perimeter of the parcel constitutes a sufficient buffer.

(Code 1990, § 14-69(1)(b); Ord. of 1-12-2000)

**Sec. 74-744. - Removal of abandoned antennae and towers.**

Any antenna or tower that is not operated for a continuous period of twenty-four (24) months will be considered abandoned, and the owner of each such antenna or tower must remove the antenna or tower, or both, within one hundred eighty (180) days of receipt of notice from the County notifying the owner of such removal requirement. Removal includes the removal of the tower, all tower and fence footers, underground cables, and all support buildings except that any one or more support buildings may remain with owner's consent. If there are two (2) or more users of a single tower, the abandonment of the use of the tower and/or equipment is effective when the last user ceases entirely its use of the tower and equipment.

(Code 1990, § 14-69(1)(b); Ord. of 1-12-2000)

**Sec. 74-747. – Procedure.**

Applications will be processed, decisions on applications rendered, and appeals of decisions made in accordance with the procedures set forth in Article 7.2 of the Code of Virginia, 1950, as amended, Va. Code § 15.2-2316.3, *et seq.*

Secs. 74-748—74-780. - Reserved.

At a meeting of the Cumberland County Board of Supervisors held at 7:00 p.m. on the 8<sup>th</sup> day of January, 2019, 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  
JP Duncan, Zoning Administrator

Absent: Nicci Edmondston, Assistant County Administrator

**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 Osl and carried unanimously, the Board approved the amended Agenda as amended:

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

**5. Election of Chairman**

Supervisor Wheeler nominated Supervisor Ingle for Chairman, but he declined. Supervisor Banks then nominated Supervisor Meinhard for Chairman.

On a motion by Supervisor Banks, and carried by the following vote, the Board appointed Supervisor Meinhard as 2019 Board Chairman:

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

**6. Election of Vice-Chairman**

Supervisor Ingle nominated Supervisor Wheeler for Vice-Chairman, and Supervisor Osl made a motion to close the nominations.

On a motion by Supervisor Osl, and carried unanimously, the Board appointed Supervisor Wheeler as 2019 Board Vice-Chairman:

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

**7. Organizational & Administrative Matters**

- a. Review By-laws

On a motion by Supervisor Osl, and carried unanimously, the Board adopted the By-laws as amended:

**CUMBERLAND COUNTY, VIRGINIA  
BOARD OF SUPERVISORS  
Adopted January 8, 2019**

## **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 shall be on the second Tuesday of each month. These Annual and Regular Meetings shall be Called to Order at 7:00 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. Welcome, Invocation and Pledge of Allegiance
4. Approval of the Agenda
5. Public Hearing (if any)
6. VDOT Matters
7. Presentations from Department/Agencies/Organizations
8. Assistant County Administrators Report
9. Planning Director's Report
10. County Administrator's Report
11. Community Development Director's Report
12. County Attorney's Report
13. Public Comments(optional)
14. Board Member Reports
15. Closed Meeting
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 or during an open public comment period, 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 ---

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

b.     Review Code of Ethics and Standards of Conduct

On a motion by Supervisor Banks, and carried unanimously, the Board adopted the Code of Ethics and Standards of Conduct:

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

*Adopted January 8, 2019*

**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.

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

c. Review Committee appointments

The Board reviewed the Committee appointments, and tabled action.

On a motion by Chairman Meinhard, and carried unanimously, the Board tabled action on this item until the next regular meeting of the Board to be held on Tuesday, February 12, 2019:

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

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

a) Henrico County, Cobb’s Creek Reservoir update

Mr. Chip England, Director of Public Utilities with Henrico County, Mr. Tim Foster, Deputy County Manager with Henrico County, Mr. Mike Wooden, Engineer with Arcadis, Mr. Ed Overman, Capital Projects Manager with Henrico County, and Ms. Emily McConnell, Utilities Engineer with Henrico County were in attendance and provided the Board with a PowerPoint presentation update of the Cobbs Creek Reservoir Project. A copy of the presentation and fact sheet provided to the Board are available in the official Board file.

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

Dr. Griffin gave the following report to the Board:

- Officer James Turney will be the School Resource Officer at Cumberland Elementary School
- Code RVA application process has begun. Rising 9<sup>th</sup> grade students may apply.
- The CTE Market opened today
- The Bands Program auditioned for the All District Bands where two students made first chair.

c) VDOT

Assistant Resident Engineer, Ms. Carrie Shephard, was not in attendance.

**9. Public Hearings**

a. Randolph Volunteer Fire Department Lease

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

On a motion by Supervisor Wheeler, and carried unanimously, the Board approved a lease with Randolph Volunteer Fire Department at 2145 Cumberland Road for a fifteen (15) year term:

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

b. Cumberland Community Cares Food Bank

The Chairman opened the public hearing. Mrs. Doris Seal provided the Board with an update of activities since the inception of the group. Supervisor Wheeler asked that the lease term be changed from one (1) year to two (2) years.

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

On a motion by Supervisor Wheeler, and carried unanimously, the Board approved a lease with Cumberland Community Cares Food Bank at 1550 Anderson Highway for a two (2) year term:

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

A copy of the update provided by Mrs. Seal to the Board is available in the Official Board file.

c. Solid Waste Management Plan amendment

County Administrator, Vivian Giles, informed the Board that the current Solid Waste Management Plan references the Republic Landfill. The proposed changes replace language referencing the Republic Landfill with the proposed Green Ridge Landfill. Ms. Giles also informed the Board that additional data is needed prior to adoption by the Board, and suggests that they table action until the next regular meeting.

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

On a motion by Supervisor Osl, and carried unanimously, the Board tabled action on this item until the February 12, 2019 Board meeting:

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

d. CUP 18-10 Precision Cell Salem Church Road Tower

The Chairman opened the public hearing. Mr. Bobby McElroy, representative with Precision Cellular was available to answer any questions that the Board may have. Mr. McElroy stated that Sprint would be the anchor tenant, with options for Verizon, AT&T and T-Mobile to collocate. With no other citizens signed up to speak, the Chairman then closed the public hearing.

On a motion by Supervisor Wheeler, and carried unanimously, the Board approved CUP 18-10 Precision Cell Salem Church Road tower:

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

e. CUP 18-11 Timber Creek Farm

Mr. JP Duncan, Zoning Administrator, informed the Board that the owner is Mr. & Mrs. Larry Thompson, and the applicant is Mrs. Whitney Lipscomb. The event facility has been in operation since 2016. Mr. Duncan states that he has received one complaint regarding noise from one adjacent property owner, and has had another adjacent neighbor state that there are no issues with the facility.

The original application submitted requested permission to build an approximately 1,000 square foot bridal suite, and increase the maximum number of attendees to exceed 300. The Planning Commission did not approve of the increase in attendees, and does not make that recommendation to the Board.

Mr. Paul Mack, Attorney for the applicant, stated that the CUP was unanimously recommended by the Planning Commission, and is consistent with the Comprehensive Plan.

He also states that there have been no problems with the event facility, and have a letter from the Sheriff confirming as confirmation.

The Chairman opened the public hearing. Dr. Lee Banton states that he does not have issue with the proposed bridal suite, but he emphatically opposes the request to increase the number of attendants, as it contradicts the recorded easement to the property. He states that he is also concerned with the potential gang activity that might be attracted to an open to the public event.

Ms. Judy Hanlin is also an adjoining land owner, and states that she has no opposition to the bridal suite, and have not had any issues with events held at the facility, and do not look for any problems in the future. Mrs. Whitney Lipscomb states that she is interested in increasing the number of attendees in order to host charity events at the facility. Mr. Larry Thompson states that the facility is open for various charitable events, and they are not planning on having gangs or heavy drinking.

Dr. Lee Banton states that elected bodies need to be careful with Conditional Use Permits, and there is a legal binding agreement on record relating to 150 event attendees. Also, there is gang activity which target open events. Mr. Mack, the applicant's attorney, reiterated that the Planning Commission did not recommend increasing the number of applicants, and therefore, they are only seeking approval to build the bridal suite.

The Chairman then closed the public hearing. Ms. Giles clarified that the easement language does not limit the traffic to 150 persons.

On a motion by Supervisor Banks, and carried by the following vote, the Board approved CUP 18-11 Timber Creek Farm:

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

**10. County Attorney/County Administrator Report**

- a) Consent Agenda
  - 1) Approval of Bills for December 2018 and January 2019. Approved bills for January 8, 2019 total \$219,224.72. Ratified bills for December 12, 2018 to January 7, 2019 of warrants total \$448,313.48 with check numbers ranging from 79790-79000. Direct Deposits total \$170,146.10.
  - 2) Approval of Minutes – December 11, 2018 and December 13, 2018

On a motion by Supervisor Wheeler 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) Discuss Request for Proposals for EMS Services

County Administrator, Vivian Giles, informed the Board that the current contract with Emergency Services Solutions allows for a one (1) year extension. If the Board chooses to issue an RFP, that process will need to begin soon. Further discussions can be held at the upcoming budget workshops.

**11. Finance Director's Report**

- a) Monthly budget Report

There was no discussion regarding the monthly budget report.

b) Resolution for USDA grant funds for police vehicles

On a motion by Supervisor Wheeler, and carried, the Board adopted a Resolution accepting the USDA Facilities Use Grant in the amount of \$25,000 for emergency vehicles:

**RESOLUTION OF THE GOVERNING BODY OF  
THE COUNTY OF CUMBERLAND, VIRGINIA**

**January 8, 2019**

The Governing Body of the County of Cumberland, Virginia, consisting of five (5) members, in a duly called meeting held on the 8<sup>th</sup> day of January, 2019, at which a quorum was present **RESOLVED** as follows:

**BE IT HEREBY RESOLVED**, that, in order to facilitate obtaining financial assistance from the United States of America, acting by and through the Rural Housing Service, an agency of the United States Department of Agriculture, (The Government) in the purchase of public safety vehicles to serve the community, the governing body does hereby adopt and abide by the covenants contained in the agreements, documents, and forms required by the Government to be executed; and

**BE IT FURTHER RESOLVED** that, the County Administrator be authorized to execute on behalf of the Board of Supervisors of The County of Cumberland, Virginia, the above-referenced agreements and to execute such other documents, including, but not limited to, debt instruments and security instruments as may be required in obtaining the said financial assistance; and

**BE IT FURTHER RESOLVED** that the Cumberland County Board of Supervisors hereby ratifies the acceptance of the USDA Rural Development Community Facilities Grant in the amount of \$25,000, as approved at the regular meeting of the Board, held on August 8, 2017, and ratifies the approval and execution by the County Administrator, in the past or in the future, of all forms required for said grant.

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This **RESOLUTION**, along with a copy of the above referenced documents, is hereby entered into the permanent minutes of the meetings of this Board.

Adopted this 8<sup>th</sup> day of January, 2018

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

- c) Request for Appropriation of grant funds – Cumberland County Public Schools - \$1,500.00

On a motion by Supervisor Wheeler, and carried unanimously, the Board approved an appropriation request for grant funds from Cumberland County Public Schools in the amount of \$1,500.00

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

**12. Planning Director’s Report**

- a) Planning Project Update

There was no discussion regarding this item.

- b) Renewal request for CUP 17-06 The Venue at Orchard View Farm

Mr. JP Duncan, Zoning Administrator, informed the Board that there have been no complaints received, and nothing has changed.

On a motion by Supervisor Ingle and carried unanimously, the Board renewed CUP 17-06 Venue at Orchard View Farm for a two (2) year term.

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

**13. Old Business**

Supervisor Osl requested an update on an amendment to the Noise Ordinance. Ms. Giles states that a revision is in progress, but a draft should be brought to the Board at their February meeting.

**14. New Business**

County Administrator, Vivian Giles, informed the Board that the CIT Project is still moving forward. We have been provided a survey for citizens to submit regarding evaluation of broadband services where they live.

**15. Public Comments**

Ms. Elizabeth Myers requested that staff add the signed Host Community Agreement with Green Ridge be added to the website. She also asked to go on record stating that the county is operating at a \$500,000 deficit. One Board member stated that there was no raise included in the 2018-2019 budget, when in fact there was a raise of 1.5%.

**16. Supplemental Information**

None

**17. Board Member Comments**

Supervisor Ingle stated that the meeting with Mr. Walt Bailey regarding Emergency Services went well. A Revenue Recovery

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Ordinance is needed to include Fire Departments. The County should consider having an executive employee to monitor emergency services as well as run calls when available.

Supervisor Wheeler thanked Supervisor Ingle for his service as Chairman.

Supervisor Osl stated that he hoped everyone had a blessed Christmas, and wished everyone a Happy New Year, and hopes that citizens will continue to participate in the Board's meetings.

**18. Adjourn into Closed Meeting-**

On a motion by Supervisor Osl and carried, the Board entered into closed meeting pursuant to the Virginia Code Section set forth below to discuss the subject identified:

- Pursuant to Virginia Code § 2.2-3711.A.7: Consultation with Legal Counsel  
Subject: Review pending litigation – Cumberland County Circuit Court
- Pursuant to Virginia Code § 2.2-3711.A.7: Consultation with Legal Counsel  
Subject: Road name change request for Timber Creek Farm

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

**19. Reconvene in Open Meeting-**

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

A motion was made by Supervisor 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.

**20. Additional Information**

- a) Treasurer's Report
- b) DMV Report
- c) Monthly Building Inspections Report
- d) 2018 Annual Building Inspections Report

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- e) Approved Planning Commission meeting minutes for October 2, 2018, October 22, 2018, and October 30, 2018
- f) Approved EDA meeting minutes – N/A

**21. Adjourn -**

On a motion by Supervisor Osl and carried by the following vote, the Board adjourned the meeting until the next regular meeting of the Board to be held on Tuesday, February 12, 2019 at 7:00 p.m. in the Circuit Courtroom:

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

## Cumberland County Board of Supervisors

### Calendar Year 2019 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	Mr. Duncan
Community Policy Management	Mr. Osl	Ms. Giles
Crossroads Community Services	Mr. Wheeler	
Planning Commission	Mr. Meinhard	Mr. Duncan
Library Board of Trustees	Mr. Osl	
Emergency Services Committee	Mr. Ingle	
Farmville Area Chamber of Commerce		Ms. Giles
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

RECEIVED JAN 28 2019



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225 Industrial Park Rd. Farmville, VA 23901 | (434) 315-5909

January 25, 2019

Ms. Vivian Seay Giles  
Cumberland County Administrator  
P.O. Box 110  
Cumberland, Virginia 23040

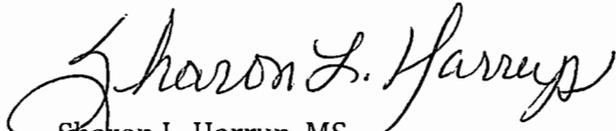
Dear Ms. Giles,

Enclosed you will find a *Certification of Local Government Approval for Nonprofit Organizations Receiving VHSP Funds from State Subrecipients*. STEPS is respectfully requesting you sign this form in support of STEPS receiving funding for the Virginia Homeless Solutions Program (VHSP) for fiscal year 2019-2020 from the Virginia Department of Housing and Community Development.

If you would like for us to send a representative from STEPS to your Board of Supervisors meeting to share information on VHSP services, we would be more than willing. Please contact me at (434) 315-5905 Ext. 212 to have a STEPS representative at your February meeting. It is significant to note in Fiscal Year 2017-2018, STEPS served 281 individuals who needed shelter services and safe housing.

Please feel free to reach out to us with any questions or concerns regarding VHSP or its funding. We appreciate the trust you have placed in us to meet the needs of those experiencing homelessness and those to whom we are able to provide services to prevent homelessness in your locality!

Respectfully submitted by,

A handwritten signature in black ink that reads "Sharon L. Harrup". The signature is written in a cursive style with a large initial 'S'.

Sharon L. Harrup, MS  
STEPS President & CEO

Enclosure: *Certification of Local Government Approval for Nonprofit Organizations  
Receiving VHSP Funds from State Subrecipients*

**CERTIFICATION OF LOCAL GOVERNMENT APPROVAL**

**FOR NONPROFIT ORGANIZATIONS**

**RECEIVING VHSP FUNDS FROM STATE SUBRECIPIENTS**

I, Vivian Seay Giles County Attorney/County Administrator (*name and title*), duly authorized to act on behalf of Cumberland County (*name of jurisdiction*), hereby approves STEPS, Inc. to provide the following services for our citizens in need:

- **Rapid Re-housing**
- **Prevention**
- **Shelter Services**

By: \_\_\_\_\_

Signature and Date

Vivian Seay Giles

Typed or Written Name of Signatory Local Official

County Administrator/County Attorney

Title

Note: This certification does NOT need to be completed annually for the same activities funded the previous year. The State only needs to document that it has offered the local government the opportunity to withdraw its previous approval.



# CUMBERLAND COUNTY

## Business Tax Incentives

### Growth Area Tax Rebates:

The applicable tax categories available for rebate under this Policy are Cumberland County Machinery and Tools tax, Cumberland County Business and Professional Occupational License tax, and Cumberland County Real Estate Tax. Tax rebate incentives shall only apply to businesses located in Cumberland County's High Intensity and Industrial Growth Areas as delineated on the official 2013 future land use map.

### Determination of eligibility:

- Business looking to locate or expand shall request consideration based upon location in the county's Industrial or High Intensity Growth Areas
- Administrator shall recommend approval of application to Industrial Development Authority (IDA)
- Administrator shall determine which tier is applicable, based upon the information provided in the application

### Tax Rebate Incentive Tiers:

- Tier # 1 - \$2,500,000 minimum capital investment and 25 jobs
- Tier # 2 - \$500,000 minimum capital investment and 15 jobs
- Tier # 3 - \$50,000 minimum capital investment and 5 jobs
- Tier # 4 - \$25,000 capital investment and 3 jobs

### Determination of Tax Abatement Structure:

- Tier #1
  - Category A – company with payroll in excess of \$15/hr or \$30,000/yr avg.
    - 100% rebate at end of 1st through 5th full tax years
  - Category B - company with payroll that is less than above
    - 80% rebate at end of 1st through 5th full tax years
  - Category C – Broadband infrastructure investment – no jobs required
    - 100% rebate at the end of 1<sup>st</sup> through 5<sup>th</sup> full tax years of taxes paid on new capital investment of at least \$2,500,000. An additional one year of rebate for each additional \$1,000,000 of investment over \$2,500,000 for a maximum rebate period of ten years.
- Tier #2
  - Category A – company with payroll in excess of \$15/hr or \$30,000/yr avg.
    - 70% rebate at end of 1st full tax year
    - 60% rebate at end of 2nd full tax year
    - 50% rebate at end of 3rd full tax year

- 40% rebate at end of 4th full tax year
  - 30% rebate at end of 5th full tax year
  - 20% rebate at end of 6th full tax year
- Category B - company with payroll that is less than above
  - 60% rebate at end of 1st and 2nd full tax years
  - 40% rebate at end of 3rd and 4th full tax years
  - 20% rebate at end of 5th full tax year
- Tier #3
  - Category A – company with payroll in excess \$15/hr or \$30,000/yr avg.
    - 60% rebate at end of 1st full tax year
    - 50% rebate at end of 2nd full tax year
    - 40% rebate at end of 3rd full tax year
    - 30% rebate at end of 4th full tax year
    - 20% rebate at end of 5th full tax year
  - Category B - company with payroll that is less than above
    - 50% rebate at end of 1st and 2nd full tax years
    - 30% rebate at end of 3rd and 4th full tax years
    - 20% rebate at end of 5th full tax year
- Tier #4
  - 40% rebate at end of 1st and 2nd full tax years
  - 20% rebate at end of 3rd , 4th , and 5th full tax years

**Refund Procedure:**

- At the time a Determination of Eligibility is approved, the Cumberland County Commissioner of the Revenue shall be informed in writing and provided with documentation of the level of rebate that shall apply.
- All appropriate taxes shall be assessed and collected by the Cumberland County Commissioner of Revenue at the time they are due and payable.
- Within six months of the date the taxes are paid for one full tax year, a rebate check will be processed and returned to the qualifying company. In no case will the rebate be paid if the company is delinquent in any tax or fee due to Cumberland County.

**Fast Track Permitting**

Businesses will receive one stop fast track business development assistance, expanded staff assistance in applying for local permits and zoning changes. Requests will receive priority consideration by the responsible local government agency.

**Local Assistance**

County staff will introduce new industries to the various local banks, schedule initial appointments, and coordinate any other activities needed to ensure a smooth transition.

**Temporary Office Space**

New companies locating in the county will be given free office space at the community center if available, not to exceed one year.

**Fire Prevention Assistance**

New or existing businesses can request the county's fire Department to visit their site and assess the fire prevention program. Furthermore, specific fire prevention opportunities will be discussed.

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

## Monthly Financial Report To Council For February 2019

	Estimated 2018/2019 Budget to Date -----	Actual 2018/2019 Budget to Date -----	(Over) or Under Budget to Date -----
<b>Revenue</b>			
Balance Forward		5,003,542.53	
Fund Revenue	40,226,859.00	22,174,282.42	18,052,576.58
<b>Total Revenue</b>	<b>40,226,859.00</b>	<b>27,177,824.95</b>	<b>13,049,034.05</b>
<b>Expenditures</b>			
* Board of Supervisors *	46,117.00	21,221.55	24,895.45
* County Administrator *	298,724.00	166,820.17	131,903.83
* Legal Services *	1,000.00	71,185.08	(70,185.08)
* Independent Auditor *	36,000.00	13,763.57	22,236.43
* Commissioner of Revenue *	259,158.00	128,782.23	130,375.77
* Assessor *	104,000.00		104,000.00
* Treasurer *	293,670.00	158,207.99	135,462.01
* Accounting *	157,046.00	89,927.89	67,118.11
* Data Processing *	305,491.00	126,971.91	178,519.09
* Electoral Board *	25,096.00	13,527.14	11,568.86
* Registrar *	97,937.00	43,679.46	54,257.54
* Circuit Court *	14,800.00	1,083.25	13,716.75
* General District Court *	7,630.00	2,014.33	5,615.67
* Magistrate *	1,125.00		1,125.00
* Clerk of Circuit Court *	224,407.00	123,456.40	100,950.60
* Law Library *	1,200.00	360.31	839.69
* Victim and Witness Assistance *	69,370.00	3,294.81	66,075.19
* Commonwealth's Attorney *	221,898.00	107,867.51	114,030.49
* Sheriff *	1,661,393.00	855,736.08	805,656.92
* School Resource Officer *	66,404.00	35,447.55	30,956.45
* E911 *	25,200.00	2,686.38	22,513.62
*Cumberland Vol.FIRE DEPT*	44,500.00	55,701.67	(11,201.67)
*Cartersville Volun.*	39,500.00	50,701.67	(11,201.67)
*Prince Edward Vol. Rescue Squad*	10,000.00	10,000.00	
*Randolph Fire Dept.*	39,500.00	50,701.67	(11,201.67)
*Cartersville Vol. Rescue Squad*	37,970.00	37,970.00	
*Chesterfield Med-Flight Program*	400.00	400.00	
* Forestry Service *	8,705.00		8,705.00
* CUMBERLAND FIRE & EMS *	480,030.00	348,210.49	131,819.51
* Probation Office *	550.00		550.00
* Correction & Detention *	285,000.00	577,500.78	(292,500.78)
* Building Inspections *	142,981.00	70,222.10	72,758.90
* Animal Control *	125,800.00	56,021.45	69,778.55
* Medical Examiner *	200.00	20.00	180.00
* Refuse Disposal *	924,674.00	476,043.80	448,630.20
* General Properties *	753,626.00	414,361.41	339,264.59
* Supplement of Local Health Dept *	92,417.00	56,750.85	35,666.15
*Piedmont Senior Resources*	5,000.00	5,000.00	
* Chapter 10 Board - Crossroads *	34,000.00	34,000.00	
* CSA Management *	33,381.00	17,339.92	16,041.08
* Community Colleges *	8,000.00	8,000.00	
* Recreation *	63,827.00	36,582.35	27,244.65

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

## Monthly Financial Report To Council For February 2019

	Estimated 2018/2019 Budget to Date -----	Actual 2018/2019 Budget to Date -----	(Over) or Under Budget to Date -----
Expenditures			
* Local Library *	115,450.00	115,450.00	
* Planning Commission *	9,950.00	4,674.39	5,275.61
* Planning/Zoning Dept. *	83,113.00	48,740.19	34,372.81
* Community & Economic Developmnt *	19,052.00	15,052.00	4,000.00
* Board of Zoning Appeals *	650.00		650.00
	10,590.00		10,590.00
* Farmville Area Chamber of Commerc	1,500.00	1,500.00	
* Longwood Small Bus. Dev. Ctr. *	3,000.00	3,000.00	
* Southside Violence Prevention *	5,000.00	5,000.00	
*Peter Francisco SWD*	10,000.00	10,000.00	
* Extension Agents *	53,329.00	26,753.46	26,575.54
	2,500.00	2,500.00	
* NONDEPARTMENTAL *	19,122.00	6,712.45	12,409.55
**TRANSFERS**	7,703,536.00	4,181,944.69	3,521,591.31
COMMONWEALTH'S ATTORNEY	5,000.00	1,903.85	3,096.15
SHERIFF	50,000.00		50,000.00
HEALTH INSURANCE	2,689,500.00	1,065,265.61	1,624,234.39
DENTAL INSURANCE	115,000.00	51,378.99	63,621.01
PATIENT CENTERED OUTCOME FEE(PCOR)	12,500.00	546.92	11,953.08
* Administration *	1,384,961.00	815,767.72	569,193.28
	15,125,590.00	7,853,037.17	7,272,552.83
	1,290,402.00	516,896.75	773,505.25
	35,000.00		35,000.00
* Elementary School - Lit Loan *	211,667.00		211,667.00
* High/Middle School - VPSA Loan *		892,500.36	(892,500.36)
* HS/MS-VPSA LOAN #2 *	1,200,590.00	1,201,340.00	(750.00)
PUBLIC FACILITY NOTE 2009	389,067.00	321,689.44	67,377.56
* AMERESCO *	154,394.00	154,394.00	
* SunTrust Loan-HS/MS *	892,500.00		892,500.00
* Suntrust Loan - Courthouse *	248,579.00	253,924.97	(5,345.97)
	750,000.00	534,303.44	215,696.56
* SEWER FUND - Enterprise Fund *	272,172.00	172,611.57	99,560.43
* WATER FUND - ENTERPRISE FUND *	171,328.00	97,992.68	73,335.32
COMMUNITY CENTER PURCHASE	120,590.00	64,319.86	56,270.14
MADISON INDUSTRIAL PARK		750.00	(750.00)
	23,500.00	10,458.54	13,041.46
Total Expenditure	40,226,859.00	22,701,970.82	17,524,888.18
Total Revenues			
Less Total Expenditures		4,475,854.13	(4,475,854.13)

2/06/2019

\*GL0600A\*

CUMBERLAND CO  
EXPENDITURE SUMMARY  
7/01/2018 - 2/06/2019

TIME 7:28

PAGE 1

ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	ENCUMBRANCE AMOUNT	UNENCUMBERED BALANCE	% REMAINING
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	--FINAL TOTAL--	.00	.00	.00	.00	.00	.00	.00

REVENUE SUMMARY  
7/01/2018 - 2/06/2019

TIME

7:28

ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	BALANCE	UNCOLLECTED
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FUND #--100

1101	** Real Estate Taxes **	5,850,000.00	5,850,000.00	58,545.62	2,907,648.47	2,942,351.53	50.29
1102	** Real/Personal Public Service *	860,000.00	860,000.00	.00	487,051.02	372,948.98	43.36
1103	** Personal Property Taxes *	1,994,500.00	1,994,500.00	85,247.60	1,795,223.76	199,276.24	9.99
1104	** Machinery & Tools *	200,000.00	200,000.00	1,243.50	273,084.35	73,084.35	36.54
1106	** Penalties & Interest *	247,000.00	247,000.00	25,355.00	165,091.66	81,908.34	33.16
1201	** Local Sales & Use Taxes *	500,000.00	500,000.00	45,486.38	308,079.11	191,920.89	38.38
1202	** Consumer Utility Taxes *	173,000.00	173,000.00	14,419.94	102,880.18	70,119.82	40.53
1203	** Business License Taxes *	111,000.00	111,000.00	15,115.27	35,671.61	75,328.39	67.86
1204	** Franchise License Taxes *	15,000.00	15,000.00	.00	.00	15,000.00	100.00
1205	** Motor Vehicle License Tax *	230,000.00	230,000.00	10,727.11	189,416.51	40,583.49	17.64
1207	** Taxes On Recordation & Wills *	68,600.00	68,600.00	14,834.75	63,877.15	4,722.85	6.88
1301	** Animal Licenses *	8,000.00	8,000.00	3,860.00	4,488.00	3,512.00	43.90
1303	** Permits & Other Licenses *	76,600.00	76,600.00	4,485.35	33,632.01	42,967.99	56.09
1401	** Court Fines & Forfeitures *	150,000.00	150,000.00	16,467.43	81,970.31	68,029.69	45.68
1501	** Revenue From Use Of Money *	40,000.00	40,000.00	3,686.03	43,938.80	3,938.80	9.84
1502	** Revenue From Use Of Property *	15,000.00	15,000.00	450.00	1,850.00	13,150.00	87.66
1601	** Court Costs *	47,060.00	47,060.00	7,906.70	31,133.69	15,926.31	33.84
1602	** Commonwealth's Attorney Fees *	800.00	800.00	158.63	652.72	147.28	18.41
1604	** Charges For Fire & Rescue Service*	200,000.00	200,000.00	12,298.79	89,248.60	110,751.40	55.37
1608	** Charges Sanitation & Removal *	.00	.00	.00	190.00	190.00	100.00
1613	** Charges For Parks & Recreation *	16,000.00	16,000.00	1,315.00	9,637.00	6,363.00	39.76
1616	** Charges For Planning / Com Dev *	2,500.00	2,500.00	.00	175.00	2,325.00	93.00
1899	** Miscellaneous *	1,704,901.00	1,704,901.00	4,616.85	1,153,491.75	551,409.25	32.34
2101	** Service Charges *	40,000.00	40,000.00	.00	84,381.58	44,381.58	110.95
2201	**NON-CATEGORICAL AID**	1,304,535.00	1,304,535.00	33,708.82	939,308.25	365,226.75	27.99
2301	** Commonwealth Attorney *	170,099.00	170,099.00	13,839.20	98,109.53	71,989.47	42.32
2302	** Sheriff *	582,811.00	582,811.00	52,855.11	344,037.40	238,773.60	40.96
2303	** Commissioner Of Revenue *	82,444.00	82,444.00	7,078.42	49,124.56	33,319.44	40.41
2304	** Treasurer *	98,262.00	98,262.00	7,383.60	56,410.20	41,851.80	42.59
2306	** Registrar/Electoral Boards *	42,423.00	42,423.00	.00	.00	42,423.00	100.00
2307	** Clerk Of The Circuit Court *	159,984.00	159,984.00	17,142.23	93,172.47	66,811.53	41.76
2308	** DMV License Agent *	19,000.00	19,000.00	1,309.50	13,602.22	5,397.78	28.40
2404	**GRANT FUNDS**	52,000.00	52,000.00	3,529.33	74,516.92	22,516.92	43.30
3301	**GRANT FUNDS**	23,000.00	23,000.00	.00	1,200.00	21,800.00	94.78
--FUND TOTAL--		15,084,519.00	15,084,519.00	463,066.16	9,531,794.83	5,552,724.17	36.81

FUND #--150

1501	INTEREST-STATE	30.00	30.00	.00	38.94	8.94	29.80
2402	ASSET FORFEITURE REVENUE (STATE)	25,000.00	25,000.00	257.20	5,988.78	19,011.22	76.04
4106	** Carryover Balance **	29,970.00	29,970.00	.00	.00	29,970.00	100.00
--FUND TOTAL--		55,000.00	55,000.00	257.20	6,027.72	48,972.28	89.04

FUND #--170

1902	HEALTH INSURANCE CONTRIBUTIONS	2,680,000.00	2,680,000.00	.00	477,758.69	2,202,241.31	82.17
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ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	BALANCE UNCOLLECTED	%
2000	DENTAL INSURANCE CONTRIBUTIONS	137,000.00	137,000.00	.00	22,784.09	114,215.91	83.36
	--FUND TOTAL--	2,817,000.00	2,817,000.00	.00	500,542.78	2,316,457.22	82.23
FUND #-201							
1899	* Miscellaneous Revenue *	.00	.00	1,057.00	3,208.93	3,208.93-	100.00-
2401	* Welfare *	183,131.00	183,131.00	32,550.71	265,349.87	82,218.87-	44.89-
3305	* Social Services *	856,100.00	856,100.00	55,914.59	416,789.70	439,310.30	51.31
4105	* Fund Transfers *	345,730.00	345,730.00	.00	75,220.93	270,509.07	78.24
	--FUND TOTAL--	1,384,961.00	1,384,961.00	89,522.30	760,569.43	624,391.57	45.08
FUND #-205							
1803	* Expenditure Refunds *	.00	.00	18,626.29	74,015.79	74,015.79-	100.00-
1899	* Miscellaneous Revenue *	145,199.00	145,199.00	.00	125,627.31	19,571.69	13.47
2402	* State Education *	9,465,831.00	9,465,831.00	793,829.51	5,120,467.76	4,345,363.24	45.90
2404	* State Education *	.00	.00	9,691.11	14,498.13	14,498.13-	100.00-
3302	* Education *	1,609,141.00	1,609,141.00	90,510.92	849,056.05	760,084.95	47.23
4105	* Fund Transfers *	3,905,419.00	3,905,419.00	.00	1,412,021.78	2,493,397.22	63.84
	--FUND TOTAL--	15,125,590.00	15,125,590.00	912,657.83	7,595,686.82	7,529,903.18	49.78
FUND #-207							
1501	* INTEREST ON BANK DEPOSITS *	.00	.00	26.61	3,552.61	3,552.61-	100.00-
1899	** MISC REVENUE **	274,987.00	274,987.00	.00	24,617.21	250,369.79	91.04
1901	** LOCAL CONTRIBUTIONS **	420,940.00	420,940.00	.00	270,634.56	150,305.44	35.70
2404	** STATE FUNDS **	594,475.00	594,475.00	70,870.66	177,176.65	417,298.35	70.19
	--FUND TOTAL--	1,290,402.00	1,290,402.00	70,897.27	475,981.03	814,420.97	63.11
FUND #-302							
1501	* Interest On Bank Deposits *	.00	.00	129.84	721.52	721.52-	100.00-
4105	* Fund Transfers *	35,000.00	35,000.00	.00	35,000.00	.00	.00
	--FUND TOTAL--	35,000.00	35,000.00	129.84	35,721.52	721.52-	2.06-
FUND #-401							
4105	** Transfers **	3,096,797.00	3,096,797.00	.00	2,339,111.98	757,685.02	24.46
	--FUND TOTAL--	3,096,797.00	3,096,797.00	.00	2,339,111.98	757,685.02	24.46
FUND #-500							
1899	*MISCELLANEOUS REVENUE*	.00	.00	.00	8,271.49	8,271.49-	100.00-

ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	BALANCE UNCOLLECTED
2404	*REVENUE FROM STATE*	500,000.00	500,000.00	720.90	297,828.44	202,171.56
4105	*TRANSFERS*	250,000.00	250,000.00	.00	250,000.00	.00
	--FUND TOTAL--	750,000.00	750,000.00	720.90	556,099.93	193,900.07
	FUND #--501					25.85
1501	**INTEREST REVENUE**	5,000.00	5,000.00	.00	.00	5,000.00
1619	**CHARGES & FEES**	415,000.00	415,000.00	32,068.91	241,427.98	173,572.02
1620	SEWER LATE PAYMENT PENALTY	7,500.00	7,500.00	666.12	3,585.91	3,914.09
1630	**ADMIN FEES/CHARGES**	16,000.00	16,000.00	1,342.00	9,843.91	6,156.09
1803	MISCELLANEOUS	.00	.00	.00	1,939.40	1,939.40
	--FUND TOTAL--	443,500.00	443,500.00	34,077.03	256,797.20	186,702.80
	FUND #--515					42.09
1501	INTEREST SEWER RESERVE	.00	.00	.00	1,461.26	1,461.26
	--FUND TOTAL--	.00	.00	.00	1,461.26	1,461.26
	FUND #--540					100.00
1501	INTEREST WATER RESERVE	.00	.00	.00	213.20	213.20
	--FUND TOTAL--	.00	.00	.00	213.20	213.20
	FUND #--545					100.00
1200	DSR PAYMENTS (FR UTILITY FUND)	.00	.00	.00	3,540.00	3,540.00
1501	INTEREST	.00	.00	.00	4.96	4.96
	--FUND TOTAL--	.00	.00	.00	3,544.96	3,544.96
	FUND #--580					100.00
1501	INTEREST REVENUE	.00	.00	1.24	8.30	8.30
	--FUND TOTAL--	.00	.00	1.24	8.30	8.30
	FUND #--715					100.00
1899	Rent of General Property	50,000.00	50,000.00	7,375.00	28,475.00	21,525.00
4105	Transfer from General Fund	70,590.00	70,590.00	.00	70,590.00	.00
	--FUND TOTAL--	120,590.00	120,590.00	7,375.00	99,065.00	21,525.00
						17.84

REVENUE SUMMARY  
7/01/2018 - 2/06/2019

ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	BALANCE	UNCOLLECTED %
1899	* Miscellaneous Revenue *	20,000.00	20,000.00	1,382.84	11,656.46	8,343.54	41.71
3305	*FEDERAL FUNDS*	3,500.00	3,500.00	.00	.00	3,500.00	100.00
	--FUND TOTAL--	23,500.00	23,500.00	1,382.84	11,656.46	11,843.54	50.39
	--FINAL TOTAL--	40,226,859.00	40,226,859.00	1,580,087.61	22,174,282.42	18,052,576.58	44.87

ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	ENCUMBRANCE AMOUNT	UNENCUMBERED BALANCE	REMAINING
11010	* Board of Supervisors *	46,117.00	46,117.00	413.40	21,221.55	.00	24,895.45	53.98
12100	* County Administrator *	298,724.00	298,724.00	504.10	166,820.17	.00	131,903.83	44.15
12210	* Legal Services *	1,000.00	1,000.00	25,341.73	71,185.08	.00	70,185.08	18,500-
12340	* Independent Auditor *	36,000.00	36,000.00	.00	13,763.57	.00	22,236.43	61.76
12310	* Commissioner of Revenue *	259,158.00	259,158.00	1,860.79	128,782.23	.00	130,375.77	50.30
12320	* Assessor *	104,000.00	104,000.00	.00	.00	.00	104,000.00	100.00
12410	* Treasurer *	293,670.00	293,670.00	6,949.26	158,207.99	.00	135,462.01	46.12
12430	* Accounting *	157,046.00	157,046.00	10,597.42	89,927.89	.00	67,118.11	42.73
12510	* Data Processing *	305,491.00	305,491.00	12,232.05	126,971.91	.00	178,519.09	58.43
13100	* Electoral Board *	25,096.00	25,096.00	.00	13,527.14	.00	11,568.86	46.09
13200	* Registrar *	97,937.00	97,937.00	.00	43,679.46	.00	54,257.54	55.40
21100	* Circuit Court *	14,800.00	14,800.00	.00	1,083.25	.00	13,716.75	92.68
21200	* General District Court *	7,630.00	7,630.00	58.82	2,014.33	.00	5,615.67	73.59
21300	* Magistrate *	1,125.00	1,125.00	.00	.00	.00	1,125.00	100.00
21600	* Clerk of Circuit Court *	224,407.00	224,407.00	118.60	123,456.40	.00	100,950.60	44.98
21800	* Law Library *	1,200.00	1,200.00	.00	360.31	.00	839.69	69.97
21910	* Victim and Witness Assistance *	69,370.00	69,370.00	335.93	3,294.81	.00	66,075.19	95.25
22100	* Commonwealth's Attorney *	221,898.00	221,898.00	142.64	107,867.51	.00	114,030.49	51.38
31200	* Sheriff *	1,661,393.00	1,661,393.00	16,146.17	855,736.08	.00	805,656.92	48.49
31250	* School Resource Officer *	66,404.00	66,404.00	.00	35,447.55	.00	30,956.45	46.61
31400	* E911 *	25,200.00	25,200.00	114.48	2,686.38	.00	22,513.62	89.33
32221	*Cumberland Vol. FIRE DEPT*	44,500.00	44,500.00	24,750.00	55,701.67	.00	11,201.67	25.17-
32222	*Cartersville Volun.*	39,500.00	39,500.00	19,750.00	50,701.67	.00	11,201.67	28.35-
32302	*Prince Edward Vol. Rescue Squad*	10,000.00	10,000.00	5,250.00	10,000.00	.00	.00	.00
32303	*Randolph Fire Dept.*	39,500.00	39,500.00	19,750.00	50,701.67	.00	11,201.67	28.35-
32304	*Cartersville Vol. Rescue Squad*	37,970.00	37,970.00	37,970.00	37,970.00	.00	.00	.00
32306	*Chesterfield Med-Flight Program*	400.00	400.00	250.00	400.00	.00	.00	.00
32400	* Forestry Service *	8,705.00	8,705.00	.00	.00	.00	8,705.00	100.00
32500	* CUMBERLAND FIRE & EMS *	480,030.00	480,030.00	52,044.86	348,210.49	.00	131,819.51	27.46
33300	* Probation Office *	550.00	550.00	.00	.00	.00	550.00	100.00
33400	* Correction & Detention *	285,000.00	285,000.00	-101,577.75	577,500.78	.00	292,500.78	102.63-
34100	* Building Inspections *	142,981.00	142,981.00	712.22	70,222.10	.00	72,758.90	50.88
35100	* Animal Control *	125,800.00	125,800.00	2,613.52	56,021.45	.00	69,778.55	55.46
35300	* Medical Examiner *	200.00	200.00	.00	20.00	.00	180.00	90.00
42400	* Refuse disposal *	924,674.00	924,674.00	49,308.11	476,043.80	.00	448,630.20	48.51
43200	* General Properties *	753,626.00	753,626.00	61,703.95	414,361.41	.00	339,264.59	45.01
51200	* Supplement of Local Health Dept *	92,417.00	92,417.00	.00	56,750.85	.00	35,666.15	38.59
51405	*Piedmont Senior Resources*	5,000.00	5,000.00	2,500.00	5,000.00	.00	.00	.00
52500	* Chapter 10 Board - Crossroads *	34,000.00	34,000.00	17,000.00	34,000.00	.00	.00	.00
61230	* CSA Management *	33,381.00	33,381.00	.00	17,339.92	.00	16,041.08	48.05
68000	* Community Colleges *	8,000.00	8,000.00	4,500.00	8,000.00	.00	.00	.00
71500	* Recreation *	63,827.00	63,827.00	5,110.16	36,582.35	.00	27,244.65	42.68
73100	* Local Library *	115,450.00	115,450.00	57,725.00	115,450.00	.00	.00	.00
81100	* Planning Commission *	9,950.00	9,950.00	50.34	4,674.39	.00	5,275.61	53.02
81110	* Planning/Zoning Dept. *	83,113.00	83,113.00	245.80	48,740.19	.00	34,372.81	41.35
81200	* Community & Economic Development *	19,052.00	19,052.00	.00	15,052.00	.00	4,000.00	20.99
81400	* Board of Zoning Appeals *	650.00	650.00	.00	.00	.00	650.00	100.00

ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	ENCUMBRANCE AMOUNT	UNENCUMBERED BALANCE	% REMAINING
81514	Transportation	10,590.00	10,590.00	.00	.00	.00	10,590.00	100.00
81535	* Farmville Area Chamber of Commerc	1,500.00	1,500.00	750.00	1,500.00	.00	.00	.00
81541	* Longwood Small Bus. Dev. Ctr. *	3,000.00	3,000.00	1,500.00	3,000.00	.00	.00	.00
81542	* Southside Violence Prevention *	5,000.00	5,000.00	2,500.00	5,000.00	.00	.00	.00
82401	*Peter Francisco SMD*	10,000.00	10,000.00	5,000.00	10,000.00	.00	.00	.00
83500	* Extension Agents *	53,329.00	53,329.00	11,958.06	26,753.46	.00	26,753.46	49.83
83501	holiday lake 4-h educational center	2,500.00	2,500.00	1,250.00	2,500.00	.00	.00	.00
90000	* NONDEPARTMENTAL *	19,122.00	19,122.00	3,721.77	6,712.45	.00	12,409.55	64.89
93100	**TRANSFERS**	7,703,536.00	7,703,536.00	.00	4,181,944.69	.00	3,521,591.31	45.71
	--FUND TOTAL--	15,084,519.00	15,084,519.00	564,077.97	8,632,888.95	.00	6,391,630.05	42.37
FUND #-150	COMMONWEALTH'S ATTORNEY	5,000.00	5,000.00	150.00	1,903.85	.00	3,096.15	61.92
31200	SHERIFF	50,000.00	50,000.00	.00	.00	.00	50,000.00	100.00
	--FUND TOTAL--	55,000.00	55,000.00	150.00	1,903.85	.00	53,096.15	96.53
FUND #-170	HEALTH INSURANCE	2,689,500.00	2,689,500.00	850.39	1,065,265.61	.00	1,624,234.39	60.39
62100	DENTAL INSURANCE	115,000.00	115,000.00	366.58	51,378.99	.00	63,621.01	55.32
64100	PATIENT CENTERED OUTCOME FEE (PCOR)	12,500.00	12,500.00	.00	546.92	.00	11,953.08	95.62
	--FUND TOTAL--	2,817,000.00	2,817,000.00	1,216.97	1,117,191.52	.00	1,699,808.48	60.34
FUND #-201	Administration *	1,384,961.00	1,384,961.00	144,652.68	815,767.72	.00	569,193.28	41.09
53100		1,384,961.00	1,384,961.00	144,652.68	815,767.72	.00	569,193.28	41.09
	--FUND TOTAL--	1,384,961.00	1,384,961.00	144,652.68	815,767.72	.00	569,193.28	41.09
FUND #-205	GOVERNOR'S SCHOOL EXPENDITURES	15,125,590.00	15,125,590.00	1,170,008.18	7,853,037.17	.00	7,272,552.83	48.08
61100		15,125,590.00	15,125,590.00	1,170,008.18	7,853,037.17	.00	7,272,552.83	48.08
	--FUND TOTAL--	15,125,590.00	15,125,590.00	1,170,008.18	7,853,037.17	.00	7,272,552.83	48.08
FUND #-207	SHERIFFS OFFICE EQUIPMENT LEASING	35,000.00	35,000.00	.00	.00	.00	35,000.00	100.00
95200		35,000.00	35,000.00	.00	.00	.00	35,000.00	100.00
	--FUND TOTAL--	35,000.00	35,000.00	.00	.00	.00	35,000.00	100.00

ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	ENCUMBRANCE AMOUNT	UNENCUMBERED BALANCE	REMAINING \$
FUND # -401								
67200	* Elementary School - Lit Loan *	211,667.00	211,667.00	.00	.00	.00	211,667.00	100.00
67500	* High/Middle School - VFSA Loan *	.00	.00	149,404.85	892,500.36	.00	892,500.36	100.00-
67600	* HS/MS-VFSA LOAN #2 *	1,200,590.00	1,200,590.00	308,848.75	1,201,340.00	.00	750.00-	.06-
67700	PUBLIC FACILITY NOTE 2009	389,067.00	389,067.00	13,294.04	321,689.44	.00	67,377.56	17.31
67800	* AMERESCO *	154,394.00	154,394.00	.00	154,394.00	.00	.00	.00
95600	* SunTrust Loan-HS/MS *	892,500.00	892,500.00	.00	.00	.00	892,500.00	100.00
95700	* SunTrust Loan - Courthouse *	248,579.00	248,579.00	13,189.15	253,924.97	.00	5,345.97-	2.115-
	--FUND TOTAL--	3,096,797.00	3,096,797.00	484,736.79	2,823,848.77	.00	272,948.23	8.81
FUND # -500								
53900		750,000.00	750,000.00	184,311.86	534,303.44	.00	215,696.56	28.75
	--FUND TOTAL--	750,000.00	750,000.00	184,311.86	534,303.44	.00	215,696.56	28.75
FUND # -501								
94900	* SEWER FUND - Enterprise Fund *	272,172.00	272,172.00	26,673.35	172,611.57	.00	99,560.43	36.57
95900	* WATER FUND - ENTERPRISE FUND *	171,328.00	171,328.00	10,423.65	97,992.68	.00	73,335.32	42.80
	--FUND TOTAL--	443,500.00	443,500.00	37,097.00	270,604.25	.00	172,895.75	38.98
FUND # -715								
81610	COMMUNITY CENTER PURCHASE	120,590.00	120,590.00	9,122.05	64,319.86	.00	56,270.14	46.66
81620	MADISON INDUSTRIAL PARK	.00	.00	.00	750.00	.00	750.00-	100.00-
	--FUND TOTAL--	120,590.00	120,590.00	9,122.05	65,069.86	.00	55,520.14	46.04
FUND # -733								
53010		23,500.00	23,500.00	.00	10,458.54	.00	13,041.46	55.49
	--FUND TOTAL--	23,500.00	23,500.00	.00	10,458.54	.00	13,041.46	55.49
	--FINAL TOTAL--	40,226,859.00	40,226,859.00	2,661,336.07	22,701,970.82	.00	17,524,888.18	43.56



## CUMBERLAND COUNTY PUBLIC SCHOOLS

P. O. BOX 170  
CUMBERLAND, VIRGINIA 23040  
(804) 492-4212  
FAX (804)492-9869

AMY GRIFFIN, Ed.D.  
Division Superintendent

GINGER SANDERSON  
School Board Chairman

EURIKA TYREE,  
School Board Vice-Chairman

GEORGE LEE DOWDY III  
School Board Member

CHRISTINE ROSS, PH.D.  
School Board Member

GEORGE REID  
School Board Member

January 14, 2019

TO: Board of Supervisors of Cumberland County

FROM: Amy W. Griffin, Ed.D.

SUBJECT: Appropriation for Additional Funding for the 2018-2019 School Year

On behalf of the Cumberland County School Board, we are requesting an appropriation in the amount of \$12,122 for additional grants listed below:

- (FY 18) Equipment Assistance Grants for the School Nutrition Programs \$12,122

A copy of the grant awards is attached.

If you have any questions or concerns, please feel free to give me a call.

**SCHOOL BOARD**  
**CUMBERLAND COUNTY PUBLIC SCHOOLS**

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**SUBJECT:**

Supplemental Appropriation

**DATE:**

January 14, 2019

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**Background:**

The administration is requesting that the School Board petition the Cumberland County Board of Supervisors for the following supplemental appropriation:

- (FY 18) Equipment Assistance Grants for the School Nutrition Programs                      \$12,122

**Recommendation:**

It is recommended that the Superintendent petition the Cumberland County Board of Supervisors for the following appropriation:

- (FY 18) Equipment Assistance Grants for the School Nutrition Programs                      \$12,122

**Action:**

Approval

Bd01-14-19SA



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF EDUCATION

P.O. BOX 2120

RICHMOND 23218-2120

December 14, 2018

Dr. Amy Griffin, Superintendent  
Cumberland County Public Schools  
1541 Anderson Hwy  
Cumberland, VA 23040

Dear Dr. Griffin:

**SUBJECT: Award Notification for the Fiscal Year 2018 (FY 18) Equipment Assistance Grants for the School Nutrition Programs**

Congratulations on being selected as a recipient of the FY 18 Equipment Assistance Grant funds for your school nutrition program.

This document provides important information about the grant process. There are six attachments that accompany this letter and the Grant Award Notification.

- **Grant Award Notification (GAN)** This form lists the grant amount for the school division and the approved amount for each site. The funds are only for the equipment proposed in the grant application and approved by Virginia Department of Education (VDOE).
- **Attachment A: Special Terms and Conditions for the GAN.** Please read this document.
- **Attachment B** (to be completed for federal grant awards \$25,000 or greater): **Federal Funding Accountability and Transparency Act (FFATA Reporting)** This document details the required reporting of sub grant data and executive compensation data for sub recipients. It is important that you read this document, answer the three questions on the second page, sign the document and return the document to the VDOE **within five days of receiving the Grant Award Notification.** Please return this document electronically to [SNPPolicy@doe.virginia.gov](mailto:SNPPolicy@doe.virginia.gov).
- **Attachment C: FY 18 Equipment Assistance Grant Acceptance Form.** Please indicate if your school division will accept the grant funds. Please return this form electronically to [SNPPolicy@doe.virginia.gov](mailto:SNPPolicy@doe.virginia.gov) by **January 11, 2019.**
- **Attachment D: Request for Grant Equipment Reimbursement Form** – Funds for this grant are paid on a reimbursement bases. VDOE will only reimburse school divisions on the

actual expenses up to the award amount approved for each piece of equipment. Costs that exceed the grant award amount will be the responsibility of the school division. Unexpended funds for one piece of equipment cannot be used for another school or site. All funds must be spent and reimbursement requests received by **September 13, 2019**. Complete the Request for Grant Equipment Reimbursement Form once the equipment has been purchased. Along with the form, please submit the following required supporting documentation:

- purchase order and/or contracts;
- itemized invoices with details of each expense;
- proof of receipts or vouchers of expenses;
- proof of payment (i.e., copies of checks, general ledger showing payment entries, or other payment documents the division uses).

Submit all documentation to [SNPPolicy@doe.virginia.gov](mailto:SNPPolicy@doe.virginia.gov). Reimbursements will be made through the EDI (Electronic Data Interface).

- **Attachment E: FNS Terms and Conditions:** Please read the required USDA Terms and Conditions.
- **Attachment F: FY 18 Equipment Assistance Grant Checklist:** Please use the checklist as guidance to assist in the equipment grant process.

## PROCUREMENT

School divisions are required to follow federal, state, and local procurement laws and regulations when purchasing equipment with these grant funds and provide for full and open competition. Federal procurement regulations at 7 CFR 210.21 and 2 CFR Part 200.317-326 applies. As with all federal grant funds, equipment procured using NSLP Equipment Assistance Grant funds must be necessary, reasonable, and allocable. Once the procurement process is complete, the Purchase Order (PO) and/or contract should be issued as soon as possible in order to obligate (encumber) the funds. School divisions may begin obligating the funds immediately.

If you have questions, please contact Denise Branscome, Policy & Research Specialist at (804) 225-2330 or email [SNPPolicy@doe.virginia.gov](mailto:SNPPolicy@doe.virginia.gov).

Sincerely,

*Sandy Curwood*

Dr. Sandra C. Curwood, RDN  
Director, Office of School Nutrition Programs

SCC/bdb/lj

Attachments

- A. Special Terms and Conditions
- B. Federal Funding Accountability and Transparency Act (FFATA Reporting) -if applicable
- C. FY 18 Equipment Assistance Grant Acceptance Form
- D. Request for Grant Equipment Reimbursement Form
- E. FNS Terms and Conditions
- F. FY 18 Equipment Assistance Grant Checklist

c: William Brandt, Food Service Supervisor



**GRANT AWARD NOTIFICATION**

Recipient Information		DOE Information	
1. Contact Information	Dr. Amy Griffin, Superintendent Cumberland County Public Schools 1541 Anderson Hwy Cumberland VA 23040	10. Grant Authority:	USDA CFDA 10.579
2. Universal Identifier (DUNS):	159573831	11. FAIN:	181VA377N8103
3. Payee Number:	00025	12. Federal/State Award Date:	201818N810341
4. Grant Award Title:	FY 2018 NSLP Equipment Assistance Denise Branscome, Policy Specialist School Nutrition Programs Barbara.branscome@doe.virginia.gov (804)225-2330	13. Total Federal/State Award:	593,545.00
6. Grant Award Number:	1VA300377	14. Fund Source:	Federal
7. Grant Award Type:	New	15. Project Code:	86804
8. Grant Award Amount:	Original/Previous Award Current Award Total Award	16. Revenue Source Code:	CFDA 10.579
9. Period of Grant Award:	July 2018- September 2020	17. Program Service Area:	1850200
22. Program Specific Instructions:	<ol style="list-style-type: none"> <li>Funds must be obligated and/or expended by August 31, 2019 with documentation sent to the VA DOE School Nutrition Programs.</li> <li>The recipient must adhere to the grant terms and conditions.</li> <li>Funds will be paid to the Division on a reimbursement basis ONLY. Reimbursement will only be paid for the actual expenses up to the award approved for each item and only for the equipment items approved.</li> <li>Funds may only be used for the sites approved and for the equipment specified on the grant application for each site.  <p style="text-align: center;">Equipment Amount Cumberland County Central Kitchen      Tilt Skillet      \$ 12,122</p> </li> </ol>	18. Recipient Type:	Sub Recipient
23. Authorized By:		19. Fiscal Year:	Federal FY18
24. Authorized By:	Sandra Curwood, Director, School Nutrition Programs Kent Dickey, Deputy Superintendent Finance & Operations	20. Indirect Cost Rate:	* Choose an item.
25. Date:	12/12/18	21. Special Terms and Conditions: All federal grant awards are subject to 2 CFR Part 200, and Appendix II for contracts made with federal funds from this grant award. All awards are further subject to "Additional Required Special Terms and Conditions for Grant Awards" on Attachment A. For Federal grant awards \$25,000 or greater, Attachment B – FFATA Reporting must be completed, signed, and returned to 5. DOE Contact within five days of receipt of this Grant Award Notification. This award is not for research and development. Indirect cost rates negotiated by DOE on LEA's behalf can be viewed at <a href="http://www.doe.virginia.gov/school_finance/budget/index.shtml">http://www.doe.virginia.gov/school_finance/budget/index.shtml</a>	

**Planning Projects Update  
January 2019**

<b>Zoning:</b>		
<b><i>Pending Zoning Questions and Requests</i></b>		
<b><i>CUP's and Rezoning Requests</i></b>		
CUP 19-01 Marathon Canopy Install	3156 Cumberland Rd	The applicant seeks to build a larger gas station canopy than what currently exists.
<b><i>Zoning Compliance Issues-</i></b> Three cases filed for injunction in the Circuit Court.		
<b>Subdivisions:</b>		
<b><i>Approved Division</i></b>		
Part of Tax Map Parcel No. 24-A-53 Lying West of State Route No. 616	Deep Run Road	2 parcel subdivision
Tax Parcel 73-A-98 into two parcels	Agee Lane	2 parcel family subdivision
<b>Other Regulatory Functions:</b>		
<b><i>Erosion and Sediment Control Applications</i></b>		
Henrico County- MEB/Haymes	Cobbs Creek	Clearing and grading for the main project has begun.
Raman Enterprises, Inc	Bear Creek Market	Construction has begun.
Stoltzfus Homes	Cumberland Road	Agreement in Lieu of a Plan for a dwelling.
<b><i>Code Amendment Questions</i></b>		
Watershed Protection Ordinance	Cobbs Creek Reservoir Watershed	The Henrico County Attorney's office has submitted a draft Ordinance to Cumberland for their review. The Planning Commission held a workshop on the draft on June 12, 2017. They held a second workshop meeting on September 11, 2017. Staff is reviewing a draft prepared by the consultant.
Definitions	Countywide	An update should happen as part of mixed use district. The first draft was completed as part of the initial review of the Ordinance for the mixed use district. Deferred by the Planning Commission until completion of CCR Plan Amendment.
Business uses	Countywide	All business uses should be inclusive as the Ordinance moves from a less intensive to a more intensive business zone. For instance, all uses in the B-3 should be included in B-2, and so on. Deferred by the Planning Commission until completion of CCR Plan Amendment.
Overlay district standards	Anderson Highway between 45 and 45	Standards to require improved appearance in mixed use district around the Courthouse. Deferred by the Planning Commission until completion of CCR Plan Amendment.
Mixed Use Zoning District	Cumberland Road and Anderson Highway	Combine uses in B-3 and R-2 for a mixed use district. Deferred by the Planning Commission until completion of CCR Plan Amendment.

Front Setback	Along primary roads	Look into reducing the amount of front setback along primary roads in the county. The current setback is 130 feet, which could possibly be reduced with keeping the intent of the Zoning Code intact.
Communications Antennas and Towers	Countywide	This code amendment seeks to bring the Cumberland County Code into compliance with Virginia State Code.

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

January 31, 2019

**Real Estate**

	<u>As of 12/31/18</u>	<u>As of 01/31/19</u>	<u>Change</u>	<u>% Collected</u>	<u>Abatements/ Exonerations</u>
2001-2007	\$ 10,965.31	\$ 10,965.31			
2008	5,634.15	5,188.86	\$ 445.29	7.90%	
2009	7,079.00	6,771.41	307.59	4.34%	
2010	14,933.05	14,619.97	313.08	2.09%	
2011	23,022.63	22,883.17	139.46	0.60%	
2012	43,226.47	42,642.69	583.78	1.35%	
2013	73,073.92	71,841.85	1,232.07	1.68%	
2014	90,751.62	89,441.94	1,309.68	1.44%	
2015	110,806.93	108,519.75	2,287.18	2.06%	
2016	152,236.87	147,353.04	4,883.83	3.21%	
2017	224,865.71	218,198.06	6,667.65	2.96%	508.72
2018	417,676.00	382,320.62	35,355.38	8.46%	
Total	\$ 1,174,271.66	\$ 1,120,746.67	\$ 53,524.99		

**Personal Property**

	<u>As of 12/31/18</u>	<u>As of 01/31/19</u>	<u>Change</u>	<u>% Collected</u>	<u>Abatements/ Exonerations</u>
2014	28,349.66	28,156.90	192.76	0.68%	20.75
2015	34,363.97	34,019.55	344.42	1.00%	24.82
2016	57,517.42	54,333.30	3,184.12	5.53%	51.60
2017	93,687.46	12,269.16	12,269.16	11.58%	524.33
2018	556,807.40	507,757.56	59,049.84	10.60%	1,503.84
Total	\$ 808,492.19	\$ 636,536.47	\$ 75,040.30		

# Collection Rates - As of January 31, 2019

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## Real Estate:

	Current Collection %	Prior Year %	Change
Tax Year - 2017	96.31%	96.36%	-0.05%
Tax Year - 2018	93.55%	93.58%	-0.03%

## Personal Property:

	Current Collection %	Prior Year %	Change
Tax Year - 2017	97.05%	96.51%	+ 0.54%
Tax Year - 2018	84.60%	83.73%	+0.87%

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	625,000.00	3,096,497.07		625,000.00
100-0115	C&F BANK - INVESTMENT ACCT	322,381.39	1,172.42	153,822.61	169,731.20
100-0120	C&F BANK - SAVINGS ACCT	129,896.17	17,010.50		146,906.67
100-0121	ESSEX BANK - IPR ACCOUNT	14,080.48	1.16		14,081.64
100-0122	ESSEX BANK - CD	1,409,236.86	11,680.67	1,420,917.53	
100-0125	C&F BANK-FAF (JUSTICE)	8,853.14	2.28		8,855.42
100-0131	FIRST BANK	494,772.58	201,302.60		696,075.18
100-0135	VIRGINIA INVESTMENT POOL	810,975.45	602,532.74		1,413,508.19
100-0137	LOCAL GOV INVESTMENT POOL	1,322,989.41	504,222.17		1,827,211.58
100-0141	FIRST BANK/SEWER RESERVE	127,899.57	266.65		128,166.22
100-0142	FIRST BANK/WATER RESERVE	18,560.64	38.91		18,699.55
100-0143	C&F BANK/ASSET FORFEITURE (SAP)	71,511.06	2,698.03		74,209.09
100-0144	VA INVESTMENT POOL-IDA-OES DSR	83,908.88			83,908.88
100-0145	C&F BANK-GOVERNOR'S SCHOOL FUND	634,835.68	70,897.01	93,070.96	612,661.73
100-0146	C&F BANK-WATERLINE EXT DSR ACCT	17,727.84	1.69		17,729.53
100-0155	RETURNED CHECKS	50.00			50.00
100-0160	E&S CONTROL BOND ESCROW-ESSEX BANK	29,353.40	29,318.59		34.81
	**ASSETS**	6,123,132.55	4,508,323.90	4,793,626.76	5,837,829.69
	TOTAL ASSETS	6,123,132.55	4,508,323.90	4,793,626.76	5,837,829.69
**REVENUE FUND BALANCES**					
300-0000	GENERAL FUND BALANCE	5,977,260.65	725,375.72	484,877.52	5,736,762.45
300-0100	ECONOMIC DEVELOPMENT FUND	38,871.00			38,871.00
300-0120	ASSET FORFEITURE FUND BALANCE	78,610.35		2,700.31	81,310.66
300-0150	HEALTH INSURANCE FUND	1,245,910.75	10,774.89		1,256,685.64
300-0201	SOCIAL SERVICES FUND BALANCE		102,424.01		67.91
300-0204	SCHOOL CONTINGENCY FUND				
300-0205	SCHOOL FUND BALANCE	634,835.68	1,194,635.65		612,661.73
300-0207	GOVERNOR'S SCHOOL FUND (GSSV)	101,788.16	93,070.96		101,918.70
300-0302	CAPITAL PROJECTS FUND BALANCE		13,294.04		
300-0401	DEBT SERVICE FUND			13,294.04	
300-0500	COMPREHENSIVE SERVICES ACT	197,380.01	8,007.44		205,387.45
300-0501	UTILITY FUND (WATER/SEWER)	46,035.64	36,232.88		38,310.77
300-0515	SEWER RESERVE FUND (DSR)	127,899.57		43,957.75	128,166.22
300-0540	WATER RESERVE FUND	18,660.64	38.91		18,699.55
300-0545	WATERLINE EXT DSR FUND	17,727.84	1.69		17,729.53
300-0550	IDA OES RD DSR FUND	83,908.88			83,908.88
300-0580	IPR FUND BALANCE	14,080.48	1.16		14,081.64
300-0715	IDA FUND BALANCE	40,327.44	9,135.25	4,550.00	35,742.19
300-0733	SPECIAL WELFARE FUND BALANCE	13,706.87	5,598.31		13,684.37
	**REVENUE FUND BALANCES**	6,053,111.18	2,190,541.71	1,931,290.58	5,793,860.05
	TOTAL PRIOR YR FUND BALANCE	6,053,111.18	2,190,541.71	1,931,290.58	5,793,860.05
TOTAL REVENUE					
TOTAL EXPENDITURE					
TOTAL CURRENT FUND BALANCE					
TOTAL LIABILITIES AND FUND BALANCE					

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUS BALANCE	DEBIT	CREDIT	ENDING BALANCE
400-0000	**OTHER FUND BALANCES**				
400-0105	OVERPAYMENTS	2,070.31-	6,367.81	3,735.76-	561.74
400-0110	PREPAID TAXES	37,891.06-	1,410.20	7,309.11-	43,789.97-
400-0140	COMMONWEALTH DEBIT ACCOUNT				
400-0150	COMMONWEALTH CREDIT ACCOUNT	90.00-	2,849.21	2,849.21-	90.00-
400-0160	EROSION & SED CONTROL BOND ESCROW	29,353.40-	29,318.59		34.81-
400-0210	COMMONWEALTH FUNDS PAID IN ERROR				
400-0216	ATTORNEY FEES	616.60-	39,945.81	13,894.08-	616.60-
	**OTHER FUND BALANCES**	70,021.37-	39,945.81	13,894.08-	43,969.64-
		70,021.37-	39,945.81	13,894.08-	43,969.64-
500-0000	**UNCOLLECTED TAXES**				
500-0010	PUBLIC SERVICE CORP. TAXES PP/RE	14,073.61		14,077.99-	4.38-
500-0075	UNCOLLECTED 2018 REAL ESTATE TAX	478,284.15	20,791.36	81,399.51-	417,676.00
500-0076	UNCOLLECTED 2017 REAL ESTATE TAX	232,497.80	435.58	8,067.67-	224,865.71
500-0077	UNCOLLECTED 2016 REAL ESTATE TAX	157,161.98		4,925.11-	152,236.87
500-0078	UNCOLLECTED 2015 REAL ESTATE TAX	111,557.86		750.93-	110,806.93
500-0079	UNCOLLECTED 2014 REAL ESTATE TAX	92,054.86		1,303.24-	90,751.62
500-0080	UNCOLLECTED 2013 REAL ESTATE TAXES	74,610.24		1,536.32-	73,073.92
500-0081	UNCOLLECTED 2012 REAL ESTATE TAXES	44,622.64		1,396.17-	43,226.47
500-0082	UNCOLLECTED 2011 REAL ESTATE TAXES	23,515.70		493.07-	23,022.63
500-0083	UNCOLLECTED 2010 REAL ESTATE TAXES	15,547.06		614.01-	14,933.05
500-0084	UNCOLLECTED 2009 REAL ESTATE TAXES	7,333.74		254.74-	7,079.00
500-0085	UNCOLLECTED 2008 REAL ESTATE TAXES	5,655.00		20.85-	5,634.15
500-0150	UNCOLLECTED 2007/2001 REAL ESTATE	10,965.31			10,965.31
500-0157	2013 VEHICLE LICENSE TAX	5,134.22		23.00-	5,111.22
500-0158	2014 VEHICLE LICENSE TAX	6,148.39		47.28-	6,101.11
500-0159	2015 VEHICLE LICENSE TAX	7,928.41		40.17-	7,888.24
500-0160	2016 VEHICLE LICENSE TAX	13,322.09		297.47-	13,024.62
500-0161	2017 VEHICLE LICENSE TAX	21,410.29		1,082.05-	20,328.24
500-0162	2018 VEHICLE LICENSE TAX	99,665.74	23.00	10,073.23-	89,615.51
500-0176	UNCOLL. 2013 PERSONAL PROPERTY TAX	25,612.10		114.98-	25,497.12
500-0177	UNCOLL. 2014 PERSONAL PROPERTY TAX	28,446.17		96.51-	28,349.66
500-0178	UNCOLL. 2015 PERSONAL PROPERTY TAX	34,446.20		82.23-	34,363.97
500-0179	UNCOLL. 2016 PERSONAL PROPERTY TAX	58,964.66		1,447.24-	57,517.42
500-0180	UNCOLL. 2017 PERSONAL PROPERTY TAX	112,626.36	299.25	6,968.99-	105,956.62
500-0181	UNCOLL. 2018 PERSONAL PROPERTY TAX	639,848.55	592.70	73,633.85-	566,807.40
500-0200	RESERVE UNCOLLECTED COUNTY TAXES	2,321,433.13-	207,450.65	20,868.93-	2,134,851.41-
500-0400	UNCOLL MISC FEES	3,164.32			3,164.32
500-0401	RESERVE-MISC FEES	3,164.32-			3,164.32-
500-0800	UNCOLLECTED WATER CHARGES	20,015.26	9,689.91	16,736.35-	12,968.82
500-0810	RESERVE UNCOLLECTED WATER CHARGES	20,015.26-	16,736.35	9,689.91-	12,968.82-
500-0900	UNCOLLECTED SEWER CHARGES	23,287.23	24,287.34	26,513.02-	21,061.55
500-0910	RESERVE UNCOLLECTED SEWER CHARGES	23,287.23-	26,513.02	24,287.34-	21,061.55-
500-1013	UNCOLLECTED 2013 ROLLBACK TAX	6,873.99	19.60	19.60-	6,873.99
500-1014	UNCOLLECTED 2014 ROLLBACK TAX	5,610.45	18.87	18.87-	5,610.45
500-1015	UNCOLLECTED 2015 ROLLBACK TAX	7,037.09	17.54	17.54-	7,037.09

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUS BALANCE	DEBIT	CREDIT	ENDING BALANCE
500-1016	UNCOLLECTED 2016 ROLLBACK TAX	6,835.72	17.08	17.08-	6,835.72
500-1017	UNCOLLECTED 2017 ROLLBACK TAX	6,253.97	15.68	15.68-	6,253.97
500-1018	UNCOLLECTED 2018 ROLLBACK TAX	4,211.19	14.04	14.04-	4,211.19
500-1099	RESERVE-UNCOLLECTED ROLLBACK TAXES	36,822.41-	102.81	102.81-	36,822.41-
	**UNCOLLECTED TAXES**		307,047.78	307,047.78-	
510-2013	COMMONWEALTH REIMB-PPTRA	871,665.19			871,665.19
510-2014	COMMONWEALTH REIMB-2013	871,492.25			871,492.25
510-2015	COMMONWEALTH REIMB-2014	867,650.66		15.73-	867,634.93
510-2016	COMMONWEALTH REIMB-2015	871,041.15		58.27-	870,982.88
510-2017	COMMONWEALTH REIMB-2016	877,506.76	177.19	14.27-	877,669.68
510-2018	COMMONWEALTH REIMB-2017	873,281.23	157.94	238.30-	873,200.87
510-9999	ESTIMATED COMMONWEALTH RESERVE	5,232,637.24-	326.57	335.13-	5,232,645.80-
	COMMONWEALTH REIMB-PPTRA		661.70	661.70-	
			307,709.48	307,709.48-	
600-0000	**STATE ACCOUNTS**				
600-0173	UNCOLL. STATE INCOME TAX-2016				
600-0174	UNCOLL. STATE INCOME TAX-2017				
600-0185	ESTIMATED STATE INCOME TAX-2017	14,782.00-		2,201.00-	16,983.00-
600-0186	ESTIMATED STATE INCOME TAX-2018	14,782.00	2,201.00	2,201.00-	16,983.00
600-0190	RESERVE UNCOLLECTED STATE TAXES			2,201.00-	
	**STATE ACCOUNTS**				
700-0000	**DEBT FUNDS**				
700-0221	LITERARY LOAN - ELEMENTARY SCHOOL	1,499,999.93			1,499,999.93
700-0223	VPSA-HS/MS LOAN #2	14,295,000.00			14,295,000.00
700-0226	SEWER LOAN - FARMERS HOME ADM	1,230,067.79			1,230,067.79
700-0227	WATERLINE EXT LOAN-USDA	869,005.66			869,005.66
700-0231	COURTHOUSE LOAN-SUNTRUST	952,000.00			952,000.00
700-0236	PUBLIC FACILITIES NOTE-2009	3,295,000.00			3,295,000.00
700-0237	VPSA-HS/MS LOAN #1	5,953,268.00			5,953,268.00
700-0239	IDA RD LOAN-OES PROPERTY	1,808,781.68			1,808,781.68
700-0240	AMERESCO LOAN	640,617.00			640,617.00
700-0250	RESERVE DEBT FUND	30,543,740.06-			30,543,740.06-
	**DEBT FUNDS**				

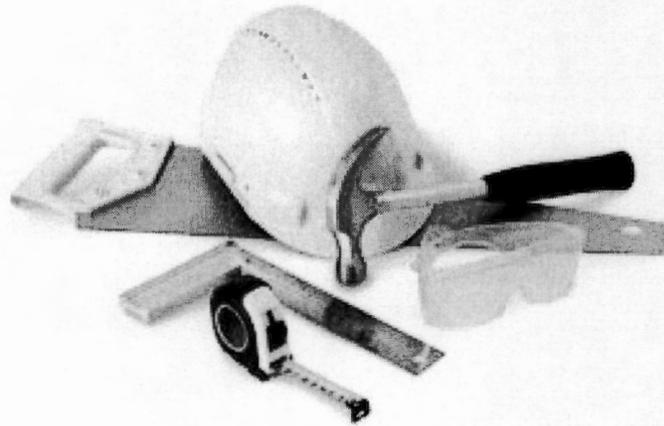
# Transactions for DMV Select

January 2019

	# Transactions	Total \$	# Helped	# Transactions	Total \$	# Helped
1				17	\$592.25	6
2	55	\$3,805.32	15			
3	38	\$1,653.00	12			
4	48	\$2,150.00	13			
5				21		
6				22	\$1,564.33	15
7	36	\$1,348.06	14	45	\$2,853.72	12
8	27	\$998.88	10	36	\$2,114.14	14
9	20	\$683.12	7	49	\$2,756.97	14
10	32	\$2,723.17	6			
11	34	\$1,399.31	8			
12				28	\$2,096.83	9
13				29	\$1,676.24	8
14	25	\$1,869.75	6	39	\$1,781.63	8
15	37	\$1,737.73	14	52	\$3,043.87	8
16	18	\$1,262.36	11	748	\$38,110.68	210

**CUMBERLAND COUNTY**

**BUILDING INSPECTIONS  
DEPARTMENT**



**JANUARY  
2019**

**MONTHLY  
REPORT**

# COUNTY of CUMBERLAND VIRGINIA

FOUNDED • 1749

## Building Official's Office

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

Mackenzie Tate  
Building Coordinator  
mtate@cumberlandcounty.virginia.gov

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

January	Current Month 2018	YTD 2018	Current Month 2018	YTD 2018
Singlewides	0	0	0	0
Doublewides	4	4	1	1
Modular	1	1	0	0
New Homes	4	4	1	1
Ag & Exempt	0	0	0	0
Garages & Carports	2	2	0	0
Additions & Remodels	1	1	2	2
Misc	10	10	20	20
Commercial	5	5	7	7
<b>Totals</b>	<b>27</b>	<b>27</b>	<b>31</b>	<b>31</b>
Total Fees Collected	\$21,999.36	\$21,999.36	\$3,117.65	\$3,117.65
E-911 Fees Collected	\$108.00	\$108.00	\$24.00	\$24.00
Total Estimated Value	\$5,247,911.00	\$5,247,911.00	\$368,263.00	\$368,263.00
Admin. Fees	\$0.00	\$0.00	\$0.00	\$0.00
CO's Issued	4	4	2	2





## CUMBERLAND COUNTY

OFFICE OF THE COMMISSIONER OF THE REVENUE  
P.O. Box 77 ~ Cumberland, Virginia 23040  
(804) 492-4280 ~ Fax: (804) 492-3342  
www.cumberlandcounty.virginia.gov

JULIE A. PHILLIPS  
Master Commissioner

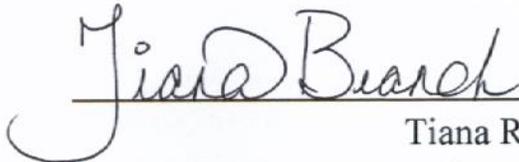
TO: Board of Supervisors  
RE: 2018 Annual Business License Report  
January 1, 2018 – December 31, 2018

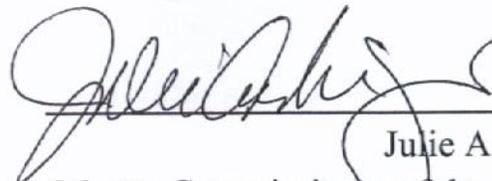
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Total Number of Business Licenses Issued:	422
Total Amount of License Fees Collected in 2018:	\$86,485.09

I do solemnly swear in making out this report, I have to the best of my knowledge and ability complied with the law prescribing the duties of a Business License Inspector.

Given under my hand, this 23rd day of January 2019.

  
\_\_\_\_\_  
Tiana R. Branch  
Deputy Commissioner

  
\_\_\_\_\_  
Julie A. Phillips  
Master Commissioner of the Revenue

**MINUTES OF THE ECONOMIC DEVELOPMENT AUTHORITY  
SPECIAL CALLED MEETING  
COUNTY ADMINISTRATION BUILDING DOWNSTAIRS CONFERENCE ROOM  
CUMBERLAND COUNTY COURTHOUSE COMPLEX  
TUESDAY, OCTOBER 16, 2018  
9:00 A.M.**

**PRESENT:** Fred Shumaker, Chairman  
John Godsey, Director  
Brian Stanley, Director  
Joe Hazlegrove, Director

**ABSENT:** Leroy Pfeiffer, Sr., Vice Chair  
James Henshaw, Director  
Jack Lawhorne, Director

**ALSO PRESENT:** Vivian Giles, County Administrator/County Attorney  
Sierra Duncan, Senior Executive Assistant

**CALL TO ORDER AND ROLL CALL**

Mr. Shumaker called to order the meeting of the Economic Development Authority of Cumberland County, Virginia on Tuesday, October 16, 2018 at 9:00 a.m. and a quorum was established.

**APPROVAL OF AGENDA**

On a motion by Mr. Stanley and seconded by Mr. Hazlegrove, the agenda was approved as presented. The motion carried unanimously 4-0.

**APPROVAL OF MINUTES**

On a motion by Mr. Stanley and seconded by Mr. Godsey, the minutes from the 9/25/2018 meeting were approved as presented. The motion carried unanimously 4-0.

**ADJOURN INTO CLOSED MEETING**

On a motion by Mr. Brian Stanley and seconded by Mr. John Godsey, the Board entered into closed meeting pursuant to the Virginia Code §2.2-3711 A.5 "Discussion of prospective business where no previous announcement has been made". The subject was potential development Route 45 South. The motion carried 4-0.

**RECONVENE IN OPEN MEETING**

A motion was made by Director Hazlegrove and adopted by the following vote:

Mr. Shumaker -	Yes
Mr. Stanley -	Yes
Mr. Godsey -	Yes
Mr. Hazlegrove -	Yes

Mr. Henshaw - Not Present  
Mr. Lawhorne - Not Present  
Mr. Pfeiffer - Not Present

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

WHEREAS, the Economic Development Authority of the County of Cumberland, Virginia 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 Economic Development Authority of the County of Cumberland, Virginia hereby certifies that, to the best of each director's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Economic Development Authority of the County of Cumberland, Virginia; and (iii) no action was taken in closed session regarding the items discussed.

**ADJOURN**

On a motion by Mr. Hazlegrove and seconded by Mr. Stanley, the Board adjourned the meeting until the next regular meeting of the Authority to be held November 27, 2018, at 9:00 a.m. in the County Administration Building Downstairs Conference Room, Cumberland County Courthouse Complex in Cumberland, Virginia.