



CUMBERLAND COUNTY BOARD OF SUPERVISORS

Regular Monthly Meeting Cumberland County Circuit Courtroom A Cumberland, VA

Agenda for:
February 12, 2013

Regular Meeting – 7:00 p.m.

1. Invocation and Pledge of Allegiance

2. Approval of Agenda Motion

3. Public Hearing
 - a) CUP 12-03 NCT Raines Tavern Telecommunications Tower (pg. 1-56) Motion
 - b) CUP 11-06 NCT Guinea Mills Telecommunications Towers (pg. 57-107) Motion

4. Public Comments

5. State and Local Departments/Agencies
 - a) VDOT Information
 - b) Dr. Amy Griffin, Superintendent of Cumberland County Public Schools Information

6. County Attorney/County Administrator Report
 - a) Approval of Minutes Motion
 - b) Appointment to CPMT (pg. 108)
 - c) Authorize release of Deeds of Trust benefiting the Cumberland County Housing Community Development Corp. (pg. 109-111) Motion
 - d) Authority to acquire easements, initiate condemnation proceedings For purposes of the Cumberland County water line project (pg. 112-113) Motion
 - e) Consideration of Resolution supporting Midland Trail as a National Scenic Byway (pg. 114-116) Motion
 - f) Consideration of RFP results-Refuse Disposal (pg. Handout) Motion

7. Finance Director's Report
 - a) Consent agenda Motion
 - 1) Approval of bills
 - 2) Monthly Budget Report (pg. 117-128)
 - b) Appropriation of \$747.20 Building Inspections (pg. 129-132) Motion
 - c) Appropriation of \$4,353.83 Piedmont Regional Jail (pg. 133-134) Motion
 - d) Appropriation of \$6,603 Circuit Court Clerk's Office (pg. 135-136) Motion
 - e) Budget Workshop Schedule (pg. 137) Information

8. Planning Director's Report
 - a) Update on Planning Commission activities Information
 - b) County Project update (pg. 138-139) Information

9. Public Comments (Part two)

10. Board Members Comments

11. Additional Information – (pg. 140-164)
 - a) Treasurer's Report
 - b) DMV Report
 - c) Recycling Report
 - d) Building Inspections Report

12. Adjourn – Scheduled meeting: March 12, 2013



STAFF REPORT
CUP 12-03
Conditional Use Permit
Cumberland County, Virginia
Board of Supervisors Public Hearing
February 12, 2013

General Information:

Processing schedule: A public hearing with the Board of Supervisors for CUP 12-03 is scheduled for **Tuesday February 12, 2013 at 7:00 p.m. in the Circuit Court Room**. The applicant or authorized representative is required to attend.

Application Information:

Applicant: National Communication Towers, LLC
Owner(s): Herbert Jr. & Sandra Wilkerson
Agent: Mr. Al Doss
Requested action: Conditional Use Permit to allow a telecommunication tower.
Location: TAX PARCEL 90-A-12B: located at approximately ¼ mile east of the intersection of Thompson Road (Route 699) and Lewis Road (Route 695). The closest physical address would be 98 Thompson Road, Farmville VA 23901.
Voting District: 4
Zoning: A-2
Comprehensive Planning Area: Rural Area
Size: 0.3587 acres (125' x 125') lease area on a 7.49 acres parcel
Existing uses on the site: The parcel is entirely forested.

Attachments:

- A) Application – includes preliminary site plan
- B) CUP # 12-03 proposed resolution

Surrounding Area Information:

	<u>Adjacent existing uses</u>	<u>Adjacent zoning</u>	<u>Adjacent Comprehensive Plan Planning Area</u>
North	Forest/medium residential	A-2	Rural Area
South	Forest/agricultural/ light residential	A-2	Rural Area
East	Forest	A-2	Rural Area
West	Forest/medium residential	A-2	Rural Area

Summary of Request and Background Information:

The applicant proposes to construct and maintain a telecommunication tower approximately 195 feet tall on a 125 wide by 125 wide (15,625 square feet) portion of property proposed to be leased from the property owners. Structures on the proposed lease area would include the tower, unmanned support buildings and equipment pads, which would all be surrounded by a six (6) foot tall security fence.

The proposed tower location zoned A-2, Agricultural and is not within a growth area as defined by the Comprehensive Plan.

Access to the proposed lease area would be from an existing entrance onto the parcel off of Lewis Road (Route 695).

The supplemental zoning regulations for telecommunication towers indicate a preference for those 199 feet in height (a tower under 200 feet tall does not require lighting by the Federal Aviation Administration). To limit the visual impact a monopole style tower was chosen. The applicant conducted a balloon test to illustrate the proposed tower's minimal visual impact. According to the applicant's simulations the tower would be visible along short portions of Cumberland Road (Route 45), Thompson Road (Route 699) and Lewis Road (Route 695). Images showing the possible visibility of the proposed tower are included in the attachment.

Staff has reviewed the CUP application finds that it addresses the requirements of the zoning ordinance for telecommunication towers as cited below.

The applicant addresses the general conditional use permit standards, the general guidelines and requirements, building code requirements, information required, factors considered in granting a CUP, availability of other towers, security fencing, landscaping, government access, removal and yearly reports. A site plan has been included in the application.

Staff spoke with the Commission of Revenue's office and found that a comparable tower may pay approximately \$1,500 a year in taxes.

Consistency with the Comprehensive Plan:

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

Consistency with the Zoning Ordinance:

Section 74-732 of the Zoning Ordinance states the intent of guidelines concerning communication towers and antennas is to encourage the location of towers in nonresidential areas and minimize the total number of towers and tower sites throughout the county; encourage strongly the joint use of new and existing tower sites and use of existing utility transmission rights-of-way; encourage towers to be located in areas where the adverse impact on the county is minimal; encourage users of towers and antennas to locate, design and configure them in a way that minimizes the adverse visual impact of the towers and antennas and makes them compatible with surrounding land uses to the extent possible; provide adequate sites for the provision of wireless communication services with minimal negative impact on the resources of the county; encourage the locating of towers along St. Routes 13, 45, and 60 corridors; encourage public/private partnerships, where possible, that promote the communications needs of the county, especially fire and emergency rescue services; and strongly encourage the use of monopoles and camouflaging for towers located in or near residential areas and to comply with all federal and state regulations.

Public Notification:

All required public notices have been made for legal advertisements and adjacent property owner notifications. Legal notices ran in the Farmville Herald on January 25 and February 1, 2013 and adjacent property owner notices were mailed on January 29, 2013. Notice of the meeting was included on the Planning Department’s Facebook page and notice was posted in the Planning Department as well as the County Administration bulletin board.

Public Input:

Staff spoke with one neighboring property owner who had concerns about the visual impact of the tower as well as potential health hazards that may be caused by the proximity of the tower.

Conclusion:

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

Planning Commission Recommendation:

After conducting a public hearing on January 28, 2103, the Planning Commission unanimously recommended the Board of Supervisors **approve** CUP 12-03 with the following conditions (and also reflected in the attached resolution):

1. This conditional use permit shall allow for construction work commenced on or before **(3) years from the effective date of the conditional use** permit, and any such expansion activities commenced thereafter shall require a new conditional use permit.
2. All operations on the Property shall comply with all applicable health and environmental laws, rules and regulations, and with all County, State and Federal Laws which govern construction and operation of the tower.
3. All representations of National Communication Tower, LLC's conditional use permit application #12-03 for a 195 foot Telecommunication Tower and associated equipment, including all attached documentation, filed on September 5, 2012, are included herein as conditions.
4. As a condition for the permit, NCT shall provide on a reserved basis and at no cost or expense to the County or its political subdivisions (collectively, the "County") space on the tower to the County of not less than 10 feet in radial direction and at a height of at least 80 feet above ground level for the installation by the County, at the County's sole cost and expense, for communications equipment and antennas. NCT shall also make space available for ground equipment supporting such County tower use. NCT shall be able to install its own or third-party antennas and/or equipment located on the same height and/or platform, pass through the County space, perform construction to increase the height of the tower and/or take any other action as may be necessary or incidental to NCT's ownership or operation of the tower. Such County use shall be consistent with Federal Communications Commission ("FCC") licenses for wireless telecommunications service and be operated in a lawful and proper manner, in accordance with good engineering practices and be compliant with all applicable laws, ordinances, rules and regulations, relating to such operation and use.
5. This permit shall not become effective until a removal bond in the amount of \$25,000 pursuant to Section 74-745 of the Zoning Ordinance has been approved by the County Attorney executed, and filed with the County Administrator.
6. The radius width shall be limited to three (3) feet for any dish placed on the tower. Antennae placed on the tower shall not extend beyond four (4) feet above the one hundred ninety-five (195) foot tower height.

Suggested Motion:

Mr. Chairman, because this request meets the intent and spirit of the and Zoning Ordinance, I move that the Board of Supervisors adopt the attached resolution (B) granting CUP 12-03 , a conditional use permit request in accordance with Sec. 74-131 through Sec. 74-747 of the Cumberland County Zoning Ordinance to allow for a "telecommunications tower and related facilities."

Submitted by:

Rachel Falkenstein
Planning Director

Attachments: A - Application
 B - Draft resolution



COMMONWEALTH OF VIRGINIA
COUNTY OF CUMBERLAND

Internal Use Only
CUP # 12-03 STAFF RE
RECEIVED 10/15/12
COMPLETED 10/15/12
FEE/CK 6250/9227
RECEIPT # 74739

Application for Conditional Use Permit

Last revised 7/13/09

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

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

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

Project Name (how should we refer to this application?): Raines Tavern Communications Tower

Proposal: 195' Self Support Communications Tower and support facility

Location: 88 Thompson Road, Farmville, VA 23901

Tax Map Parcel(s): 090-A-12 B

Zoning: A2 Comprehensive Plan Area: _____

Election District: 4 (Randolph Magisterial District)

of Acres to be Covered by Conditional Use Permit (if a portion of a parcel or parcels it must be delineated on a plat): 0.3587 Acres (15,625 S.F.)

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

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

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

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

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

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

Owner of Record (who currently owns the property?): Herbert & Sandra Wilkerson, Jr.

Address: 88 Thompson Road City: Farmville State: VA Zip: 23901

Daytime Phone: (434) 392-6983 Fax #: () Email: _____

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

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

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

Does the owner of this property own (or have any ownership interest) in any abutting property? If yes, please list those tax map parcel numbers. 90-A-10 & 90-A-11

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

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

Provide a written statement demonstrating that:

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

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

Describe your request in detail and include all pertinent information such as the number of persons involved in the use, operating hours, and any unique features of the proposed use: This request is for the construction and operation of a communications facility, including a 195' Monopole Tower. The facility will be unmanned and in operation 24 hours a day. No offices or habitable buildings will be on site, therefore water and sewer will not be required. The site is approximately 1/3 of an acre in size within a 7.5 acre parcel and the compound will be enclosed by an eight foot tall security fence.

Describe briefly the improvements proposed. State whether new buildings or structures are to be constructed, existing buildings or structures are to be used or additions made to existing buildings or structures. Give dimensions of the buildings that are to be constructed and the dimensions of any existing buildings on the property (attach any necessary information). The site dimensions are 125' X 125' and will be graded for a positive drainage slope of 2%. A 195' tall tower will be erected within a 80' X 90' fenced compound enclosed by an 8' tall security fence. Small self contained equipment buildings and/or equipment pads will also be located within the compound.

Attachments Required – provide two (2) copies of each

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

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

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

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

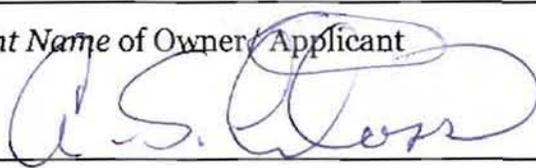
Owner/ Applicant Must Read and Sign

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

A. S. Doss, VP of Development

Print Name of Owner/ Applicant

10/10/12
Date



804-366-1165

Signature of Owner/ Applicant

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:

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

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

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

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

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

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

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

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

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

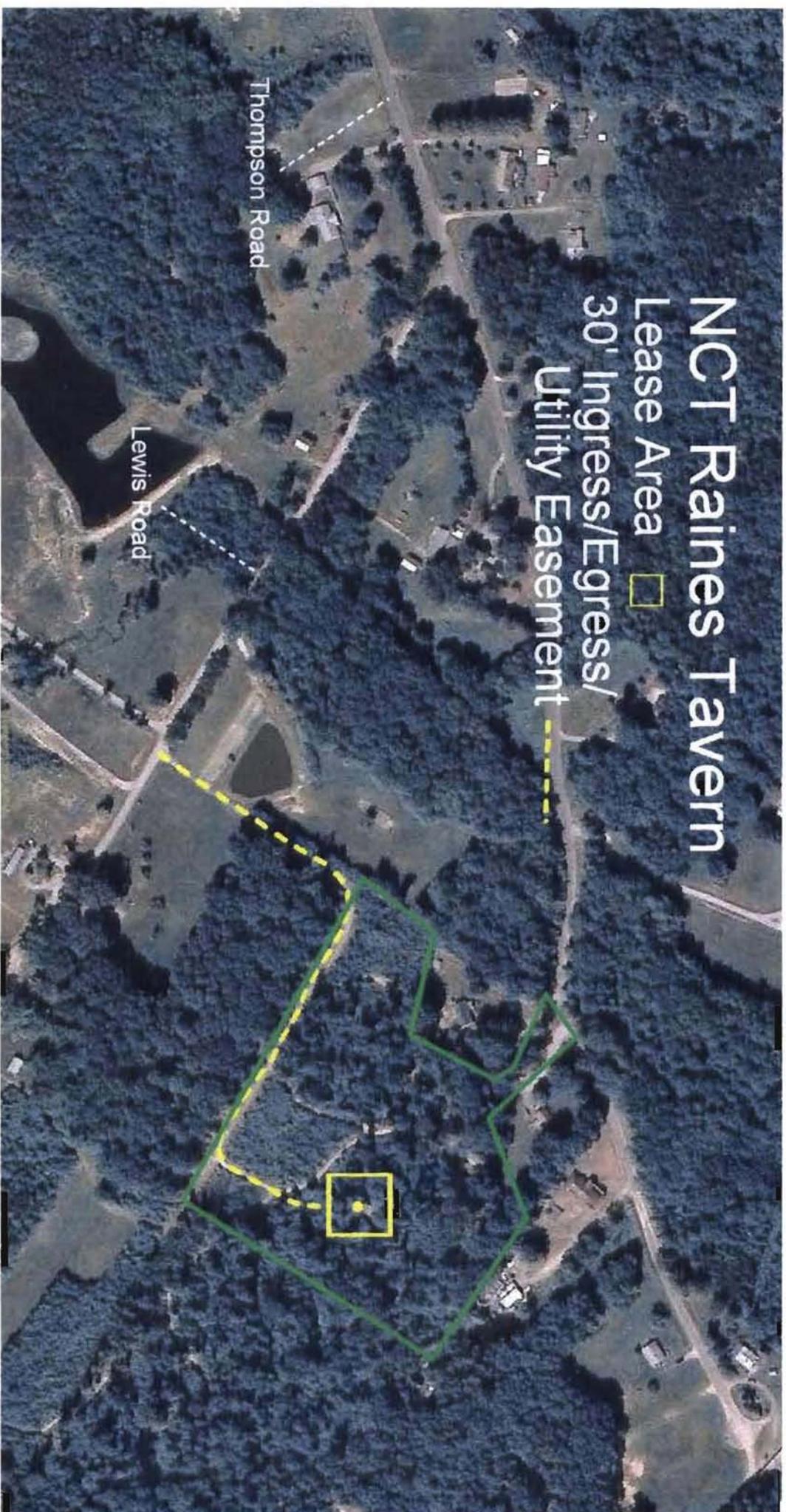
The regulation includes standards for when traffic impact analyses must be submitted to VDOT for different types of development proposals as well as what must be contained in the analyses (Information provided by VDOT). VDOT has prepared the following website on the Chapter 527 requirements:

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

NCT Raines Tavern

Lease Area 

30' Ingress/Egress/
Utility Easement 



Raines Tavern Adjacent Parcels Lot Line Overlay

Subject Parcel



ADJACENT PROPERTY OWNERS
NCT Raines Tavern Communications Tower
Cumberland County

089-A-61 Ronald L & Joyce G. Thompson
090-A-12 A 60 Thompson Road
Farmville, VA 23901

089-A-62 Christopher Floyd Hartley
P.O. Box 183
Farmville, VA 23901

090-A-112 C Gilbert & Betty Radun
69 Camelot Farm Lane
Farmville, VA 23901

090-A-12 D Ray Thompson
2860 Camp Hydaway Road
Lynchburg, VA 24501-7519

090-A-13 Christine J. Klink
98 Thompson Road
Farmville, VA 23901

090-A-14 Domenico Aldi
214 Allen Mills Road
Prospect, VA 23960

090-A-17 B Janet & Freeman C. Wallace
136 Thompson Road
Farmville, VA 23901

Section 74-702 (1-14)

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

Provide a written statement demonstrating that:

1. The proposed communication facility will enhance the quality of life and the safety of the residents and the general public within the projected service area of the communications facility by providing wireless services along the Rt. 45 corridor. The facility will also provide the infrastructure needed to support the equipment of Cumberland County's Sheriff's Department and Emergency Services should it be needed by these agencies.
2. The proposed facility will not emit noise or other types of pollution into the environment. Since it will be unmanned it will not require County Services such as water and sewer. Road use impact is minable and once constructed the facility will generate from 6 to 8 light vehicular trips into the site a month. Also, there has been no documented evidence of diminished property values due to communication facilities or other types of utilities such as power substations, transmission lines, telephone poles and water tanks.
3. The proposed facility is located on a 7.5 acre parcel of land owned by Herbert and Sandra Wilkerson, Jr. The proposed communications facility will be located within the A2 Zoning District. No variance to the Zoning Ordinances is being requested for this facility. The surrounding properties vary in size and the facility should not have an adverse impact on them for future use. The compound of the facility will be screened from the view of Thompson Road, Rt. 45 and adjoining parcels by the existing trees.
4. The Compound area of the proposed facility will be screened from the view of Thompson Road, Rt. 45 and adjacent parcels by the existing trees growing on the parcel. The buildings and the equipment in the compound will be of a neutral color and the Self Support Tower will have a non-glossy galvanized finish. The proposed Monopole Tower

will not be lit, also no signage or advertisement placed on the tower. There is no verifiable evidence of Communication Towers, Substations, Transmission Lines and Towers, Telephone Poles and Water Tanks contributing to the devaluation of properties these structures are located on or adjacent to.

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

12. Section 74-143 of the Cumberland County Zoning Ordinances permits towers and communication facilities in A2 districts by a Conditional Use Permit. Also, the lack of Cellular Communications in the area further solidifies the need for the proposed facility and its compatibility with adjacent and other properties within the zoning district.
13. The site is located within the lot lines of a 7.5 acre parcel of land zoned A-2. The facility will be constructed 3100' east of Rt. 45.
14. National Communication Towers, LLC will comply with all applicable regulations of the zoning district and any Conditions of Approval imposed by the Board of Supervisors of Cumberland County.

Section 74-736
GENERAL GUIDELINES AND REQUIREMENTS
Application for Conditional Use Permit
National Communication Towers, LLC

- (b) NCT Sites within 5 miles of Cumberland County.

Cumb/Buck County Line	37-29-37.7N 78-20-40.8W
Hillcrest	37-28-55N 78-16-52.7W
Cumberland Court House 20 Range Road Cumberland, VA 23040	37-28-55.09N 778-16-52.69W 215' RC Available
Maxey Mill 633 Anderson Hwy. Cumberland, VA 23040	37-31-36.70N 78-10-04.50W Zoned 250' RC Available
Columbia 2705 Marle Road Columbia, VA 23098	37-45-31.32N 78-09-06.06W 185' RC Available

- (c-1) The tower will maintain a galvanized finish and the attachments shall be neutral in color with no visible logos. Since the tower will be lit the FAA does not require the tower to be painted red and white for daylight visibility.
- (c-2) The buildings and equipment cabinets shall be neutral in color in order to blend in with the compound and its surroundings. Existing trees will screen the facility from the view of RT 45 and adjoining parcels.
- (c-3) All antennas and equipment installed at the facility shall be neutral in color.
- (c-4) Under the current guidelines the FAA will not require tower to be lit.

- (c-5) No advertising or other signage will be permitted at the facility other than the RF signs required by the FCC and the site identification sign. NCT will also post an 18" X 24" sign with the owner's name, address, telephone number and address of the site.
- (c-6) The tower will be designed to a height of 199' AGL with a design loading capable of carrying the equipment of 6 collocations. Please see the attached RFQ Design Request dated 9/24/12
- (c-7) Should a catastrophic event occur the top section of the tower will be designed to fold over onto the lower portion, essentially collapsing upon itself.
- (c-8) The tower will be designed to structurally accommodate the equipment loading of 6 collocations. Space in the fenced compound will be available for 6 or more equipment shelters or equipment pads. Please see the attached RFQ Design Request dated September 24, 2012.

Section 74-737
FEDERAL REQUIREMENTS

The tower will be designed to meet or exceed all current standards and regulations set forth by all Local, State and Federal agencies including the FAA and FCC. The emissions will not exceed the allowable standards set by the FCC.

Section 74-738
Building Codes

The current standard is Revision "F", the tower will be designed under revision "G" which is a more stringent structural design. The tower will also be designed and maintained in compliance with all Local, State, and Federal regulations and building codes. The tower is designed for a 90 mph basic wind in accordance with the TIA/EIA-222-G standard and is also designed for a 30 mph basic wind with 0.75 in. ice. Deflections are based upon a 60 mph wind. The tower is designed for Exposure C to the TIA-222-G standard. The tower structure is designed according to Structure Class II, Topographic Category 1 and a crest height of 0' per the TIA-222-G Standard. All construction practices will be in compliance with the current OSHA Handbook.

Section 74-739. Information Required
Application for Conditional Use Permit
National Communication Towers, LLC

- (1) Please see the attached **SITE PLAN**.
- (2) Please see the attached **STATEMENT OF JUSTIFICATION**.
- (3) Please see the **NIER LETTER** signed by Mark Taylor, RF Engineer.
- (4) Please see the attached **STATEMENT OF COLLOCATABLE STRUCTERS**.
- (5) Please see the attached **STATEMENT OF WILLINGNESS TO ALLOW COLLOCATION**.
- (6) Please see the attached **VISUAL IMPACT STATEMENT**.
- (7) Please see the attached **PROPOSED CONSTRUCTION SCHEDULE**.
- (8) Please see the attached **SIGNAL PROPAGATION STUDIES** statement.
- (9) Please see the attached **PHOTO SIMULATIONS** and visibility maps of the proposed tower.
- (10) Please see the attached **COLLOCATION AFFIDAVIT**.
- (11) Please see the attached **ADDITIONAL INFORMATION STATEMENT**.

Section 74-739, Paragraph (1)

SITE PLAN

Please see the attached Survey by Shadrack & Associates.

Signed: A. S. Doss

A. S. Doss
Vice President of Development

Date: 10/10/12

Notes

- The subject property appears not to be located within the limits of the CSD that have been identified as defined by the Federal Geographic Administration Community Plans #00043-1200-0, effective date June 18, 2012 (Page 2).
- This survey was made without the benefit of a title search and therefore does not represent a warranty or assurance that the survey is correct or that the property is free of all liens.
- This survey was made without the benefit of a title search and therefore does not represent a warranty or assurance that the survey is correct or that the property is free of all liens.

N/T Ronald L. & Joyce G. Thompson
Instrument #000410
Tax Parcel 90-A-81
Zoned: A2

N/T Herbert Wilkerson, Jr. & Sandra Wilkerson
Deed Book 171, Page 474
Tax Parcel 90-A-10
Zoned: A2

Christina J. King
Instrument #0001087
Tax Parcel 90-A-13
Zoned: A2

N/T June T. & Frederick C. Wallace
Deed Book 306, Page 271
Tax Parcel 90-A-129
Zoned: A2

LEGAL REFERENCE
Herbert Wilkerson, Jr. & Sandra Wilkerson
Deed Book 257, Page 521
Tax Parcel 90-A-128
Zoned: A2

C/L Proposed Tower
3723'x28" N
7821'x0.44" W
Ground Dist = 461.00'

Lease Parcel
0.3587 Acres
(15,625 Sq. Ft.)

7.49 Acres

N/T Ronald L. & Joyce G. Thompson
Deed Book 257, Page 516
Tax Parcel 90-A-734
Zoned: A2

N/T Gilbert & Betty Rodan
Deed Book 257, Page 129
Tax Parcel 90-A-120
Zoned: AP

State Route #695
Lewis Road
(40' R/W)

Legal Description - 30' Ingress/Egress & Utility Easement

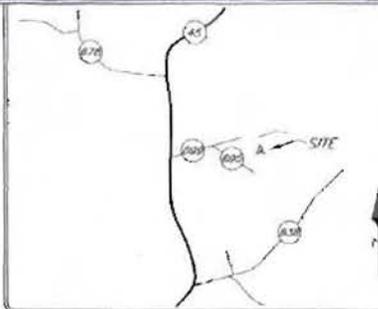
COMMENCEMENT of a point on the northern boundary of the right of way of State Route No. 695 (Main Road), said point being 0.214 miles east of the intersection of the northern boundary of the right of way of State Route No. 695 and the northern boundary of the right of way of State Route No. 695, thence along the eastern boundary of the right of way of State Route No. 695 in a westerly direction along the northern boundary of the existing 50' Access & Utility Easement to 1250.74' ± 311.91' to a point on the northern boundary of said easement, thence continuing along the northern boundary of the existing 50' Access & Utility Easement in a southerly direction S 57°42'30" E 831.52 feet to a point, said point being the actual point and place of beginning.

Thence along the northern boundary of the existing 50' Access & Utility Easement in a westerly direction along the centerline of a 30' Ingress/Egress & Utility Easement to 307.58' ± 138.58 feet to a point, thence S 72°38'20" E 111.00 feet to a point, said point being the terminus of the centerline of the 30' Ingress/Egress & Utility Easement.

Thence continuing in a westerly direction the following the (2) course and distance:

- 1) = 70°12'00" W 82.50 feet to a point
- 2) Thence N 74°38'00" E 125.00 feet to a point
- 3) Thence S 70°21'20" E 125.00 feet to a point
- 4) Thence S 72°38'00" E 125.00 feet to a point
- 5) Thence N 70°12'00" W 82.50 feet to a point, said point being the point and place of beginning for the Lease Parcel, including 0.3587 Acres, more or less.

N/T Roy Thompson
Deed Book 257, Page 525
Tax Parcel 90-A-130
Zoned: A2



Locality Map Scale: 1"=2000'

Legend

1. Easement	13. Easement
2. Easement	14. Easement
3. Easement	15. Easement
4. Easement	16. Easement
5. Easement	17. Easement
6. Easement	18. Easement
7. Easement	19. Easement
8. Easement	20. Easement
9. Easement	21. Easement
10. Easement	22. Easement
11. Easement	23. Easement
12. Easement	24. Easement

I hereby certify that this document being, to the best of my professional knowledge and belief, is correct and complete and that the information presented hereon is true and correct and that I am a duly Licensed Professional Engineer, Land Surveyor, and Certified Cadastral Architect.



SURVEY PLAT SHOWING
A 30' INGRESS/EGRESS & UTILITY EASEMENT
AND A 0.3587 ACRE LEASE PARCEL
SITUATED NORTH OF STATE ROUTE #695,
RANDOLPH DISTRICT, CUMBERLAND COUNTY, VIRGINIA
DATE: OCTOBER 15, 2012



Shadrach & Associates, LLC
LAND SURVEYING
1000 N. 10th St., Suite 100, Charlottesville, VA 22902-1001
Phone: (434) 974-8888 or Fax: (434) 974-8889

Section 74-739, Paragraph (2)

Statement of Justification and Impact Conditional Use Permit Application National Communication Towers, LLC Raines Tavern Communications Tower, Cumberland, Virginia

National Communication Towers L.C. ("National") as lessee, hereby applies for a Conditional Use Permit to allow a telecommunications facility and accessory structures on leased land. The leased land is located on property known by Tax Map Parcel 090-A-12B. The parcel is located on the south side of Thompson Road, approximately 3,100 feet east of Rt. 45. According to the tax records of Cumberland County it is owned by Herbert Wilkerson, Jr. and Sandra, husband and wife.

National is requesting a Conditional Use Permit to allow a self support Monopole Tower, measuring approximately 195' in height with a 4' lightning rod, to be located on a leased area, measuring 125' x 125'. The facility will be designed to allow multiple collocations on the tower and within a secure fenced compound area. The exact number and types of future users is difficult to predict, however the tower will be designed to accommodate a mix of carrier types. The design mix will include: 6 or more users of panel antennas (typically 15 panels, 12" wide x 72" high, per user). Likewise, the compound area is designed to accommodate a mix of shelter types and sizes as denoted on the drawings submitted with this application.

The 7.5 acre parcel is zoned A2. According to the Cumberland County zoning ordinance, telecommunication facilities are permitted on A2 zoned properties, with Conditional Use Permits. Proper setback distances have been observed and are denoted on the enclosed plans.

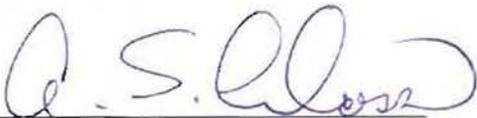
National develops telecommunication facilities for collocations by cellular, PCS, paging and other wireless services which rely upon a network of elevated platforms in areas where the carriers have gaps in signal coverage, or "holes." Such a hole exists along the Route 45 corridor. Supported by propagation studies, National believes communications facility located on the subject parcel will enable carriers to fill this gap, while minimizing the effect on surrounding property owners. Cumberland County Wireless Authority may also co-locate its broadcast equipment on the tower.

The FCC has authorized several carriers to provide wireless services in this part of Cumberland County. Those carriers include: Sprint, AT&T, Nextel, Verizon Wireless U.S. Cellular and Ntelos.

The facility will be in continuous operation but will produce no interference with other types of communications including: radio, television, cable TV, garage door openers or other consumer electronic equipment. No offices will be constructed on the site, so neither sewer nor water facilities will be required. The facility will produce no refuse, noise, vibration, dust, glare, odors or fumes. Neither National nor any of the tower users will introduce hazardous or toxic substances to the site. After completion of construction, the only traffic associated with the site will be short visits by technicians on a monthly basis to test or replace equipment components. In most instances towers below 200' are not required by the FAA to be lit.

The facility will provide a vital public safety service to this part of the County in two important ways. First, the County may incorporate the tower into its communication network utilized by law enforcement and fire and rescue personnel. Second, this new facility will enable wireless services to be extended to this part of the County, enabling the public at large to utilize those services for important medical or life-safety calls.

The proposed use conforms to the provisions of all applicable ordinances, regulations, adopted standards and conditions. National is not seeking any waiver or variance for the proposed use at this time. National respectfully requests the approval of this Conditional Use Permit application.



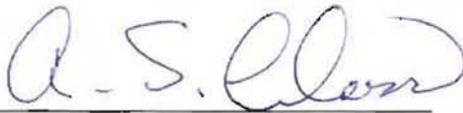
Al Doss
Vice President of Development
National Communication Towers, L.L.C.

10/10/12
Date

Section 74-739, Paragraph (3)

NIER LETTER

Please see the attached NIER Letter from Edge Wireless.

Signed: 

A. S. Doss
Vice President of Development

Date: 10/10/12

September 27, 2012

Mr. Al Doss
Vice President of Operations
National Communication Towers, LLC
5413 Patterson Ave., Suite 101
Richmond, VA. 23226

RE: Radiation Statement for the Proposed Telecommunications Structure at the Raines Tavern, Location 37-23-14.87N, 78-21-39.73W, Cumberland County, VA.

Dear Mr. Doss:

This letter is provided per the request of National Communications Towers, L.L.C., and addresses the basic concepts of interference and exposure for a commercial tower operating on FCC licensed frequencies.

Maximum Permissible Exposure

I certify that I am a licensed professional engineer with my primary experience in the design and operation of communication towers and antennas. I further certify at the time of application that the NIER (non-ionizing electromagnetic radiation) expected to be emitted from the facility will not result in a level of exposure at any point below the tower or beyond the property line of the facility which exceeds the lowest applicable exposure standards established by any regulatory agency of the Federal Government or by the American National Standards Institute (ANSI).

The amount of power radiated from a typical grouping of antennas on a co-located site fall well below the Maximum-Permissible-Exposure (MPE) set forth in the Federal Communications Commission (FCC) rules (47 CFR §1.1310) as adopted from the National Council on Radiation Protection (NCRP) and Institute of Electrical and Electronic Engineers (IEEE), standard IEEE C-95.1-1992. In all cases of actual measurements I have found only isolated occurrences of the signal level exceeding standards. Generally, these conditions are only found with a heavily used rooftop site where direct antenna access is possible, typically within five (5) feet in front of the direction of transmission. Conversely, with the proposed tower the lowest antenna will be well over eighty (80) feet above ground level and is classified as a "controlled environment", i.e., the general population will not have access. With the busiest co-location (multi-carrier) tower sites I have not found an MPE exceeding or approaching the standard at ground level which is considered an "uncontrolled environment" or where the general population does have access.

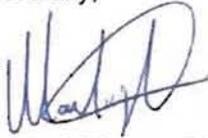
For the proposed site it is estimated that as many as six (6) carriers may use the location. This number of simultaneous users on a single tower has previously been measured many times without breach of the standard. The current service providers of Cellular, PCS, Broadband, and ESMR typically use relatively low power to balance the link with the low powered hand-held phone and as such do not approach the MPE standard at ground level.

Interference

Since all carriers that would likely be mounted on the tower are specifically licensed by the FCC to operate in the cellular or ESMR (collectively 800 MHz band), PCS (1900 MHz band), AWS (1700/2100 MHz band), or the 2.6 GHz WIMAX/BRS data service band there is commonly a wide frequency separation with public safety, radio, television and local government services. These consumer and public safety communications generally operate in the lower frequency range of 100 MHz to 800 MHz. Typical public safety and E-911 facilities are sufficiently far in frequency from most operators and can easily be protected from interference. Due to this large frequency separation and the low radiated power typical of "cellular" or "PCS" type services, these operators are unlikely to cause interference to the County or the County inhabitant's communications. All power level and antenna pattern specifications are determined and provided by the individual carriers. Worst case, i.e., full power and full frequency band usage assumptions are considered in determining interference issues. Actual frequency usage is provided by the carriers and is generally a small portion of their total FCC license spectral allocation.

Should you have any questions please contact me via the information listed below.

Cordially,



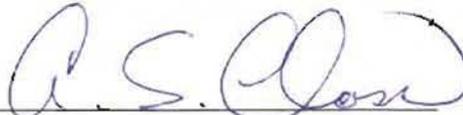
Mark A. Taylor, P.E.
Edge Wireless, L.L.C.
marktaylor03@comcast.net



Section 74-739, Paragraph (4)

STATEMENT OF COLLOCATABLE STRUCTURES

National Communication Towers, LLC has verified there are no other suitable structures within a one mile radius capable of meeting the service coverage objectives. The closest tower is 1.3 miles to the south and will not bridge the coverage gap to the north of 5.4 miles to our zoned Guinea Mills tower.

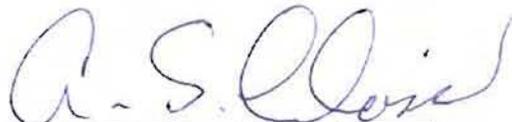
Signed: 
A. S. Doss
Vice President of Development

Date: 10/10/12

Section 74-739, Paragraph (5)

STATEMENT OF WILLINGNESS TO ALLOW COLLOCATION

National Communication Towers, LLC is a developer of communication facilities and is licensed to do business in the state of Virginia. An extensive amount of research is dedicated to each location to determine if there is a need for a communications facility in a given area. Once a need is established and a site is identified, NCT will start the design process for the facility. The facility will be designed for the maximum potential of collocations including both phone and data transmissions and will accommodate a minimum of six collocations. NCT will actively market and solicit collocations within the facility to all users that are licensed to broadcast cellular phone transmissions and both licensed and unlicensed data transmissions. Should an additional tower be needed the site will be designed to accommodate the construction of an additional structure.

Signed: 
A. S. Doss
Vice President of Development

Date: 10/10/12

NATIONAL COMMUNICATION TOWERS, LLC

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

September 24, 2012

Raines Tavern
Cumberland County, VA
37-23-14.87N
-78-22-39.73W

National Communication Towers (NCT) is requesting a quote for a monopole tower with the following specifications:

Height: 195' Monopole plus 4' lightning rod

Loading:

Rad Ctr	Panel Antenna	Qty	Coax	Qty	Mounts
195	96"x12"x8"	15	1-5/8"	18	Low Profile
185	96"x12"x8"	15	1-5/8"	18	Low Profile
175	72"x12"x8"	12	1-5/8"	15	Low Profile
165	72"x12"x8"	12	1-5/8"	15	Low Profile
155	72"x12"x8"	12	1-5/8"	12	Low Profile
145	72"x12"x8"	12	1-5/8"	12	Low Profile

Safety Climb

Step Bolts

Designed to collapse within 125' X 125' lease area

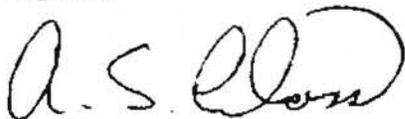
Revision G for structural analysis, Cumberland County, VA

Certified foundation design, tower drawings and engineer's letter to be provided

Delivery to: 88 Thompson Road, Farmville, Virginia 23901

Should you have any questions please call feel free to contact me.

Regards,



Al Doss

Vice President of Development
National Communications Towers, LLC
Office: 804-673-8800 Ext. 303
Cell: 804-366-1165
Fax: 804-673-4242
adoss@nationaltowers.com

Section 74-739, Paragraph (6)

VISUAL IMPACT STATEMENT

The proposed tower will be located within a 7.5 acre parcel of land owned by Herbert and Sandra Wilkerson, Jr.; the parcel is zoned A2. The tower compound will be screened from view by existing tree and vegetation growth and will not be visible from Thompson Road or Rt. 45. We are proposing to construct an unlit 195' Monopole tower to help mitigate any negative impact the tower may have upon the view shed.

Signed: A. S. Doss
A. S. Doss
Vice President of Development

Date: 10/10/12

Section 74-739, Paragraph (7)

PROPOSED CONSTRUCTION SCHEDULE

**Pending Approval by the B.O.S.
Assuming an 18 Month Expiration Date**

Months 1-3: Complete tenant lease

Months 4-10: Complete Due Diligence items

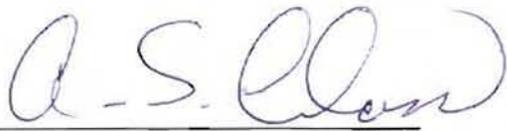
Months 11-14: Site Plan Approval and Building Permit

**Months 15- 16: Grade site, dig foundation, install ground ring,
pour mud matt, Lay out tower centroid, place rebar,
tie foundation steel, set anchor bolts, Install grounding,
verify steel and anchor bolts, Pour Foundation, Backfill
foundation, finish grade site, complete grounding,
install compound stone and set H-frame**

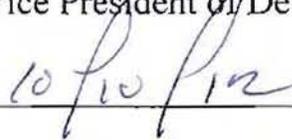
Month 17: Stack tower, install Security Fence

Month 18: Tennant to start collocation

Signed: _____


A. S. Doss
Vice President of Development

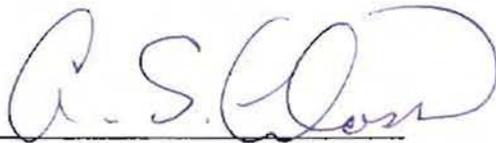
Date: _____



Section 74-739, Paragraph (8)

SIGNAL PROPAGATION STUDIES

See the attached signal propagation studies.

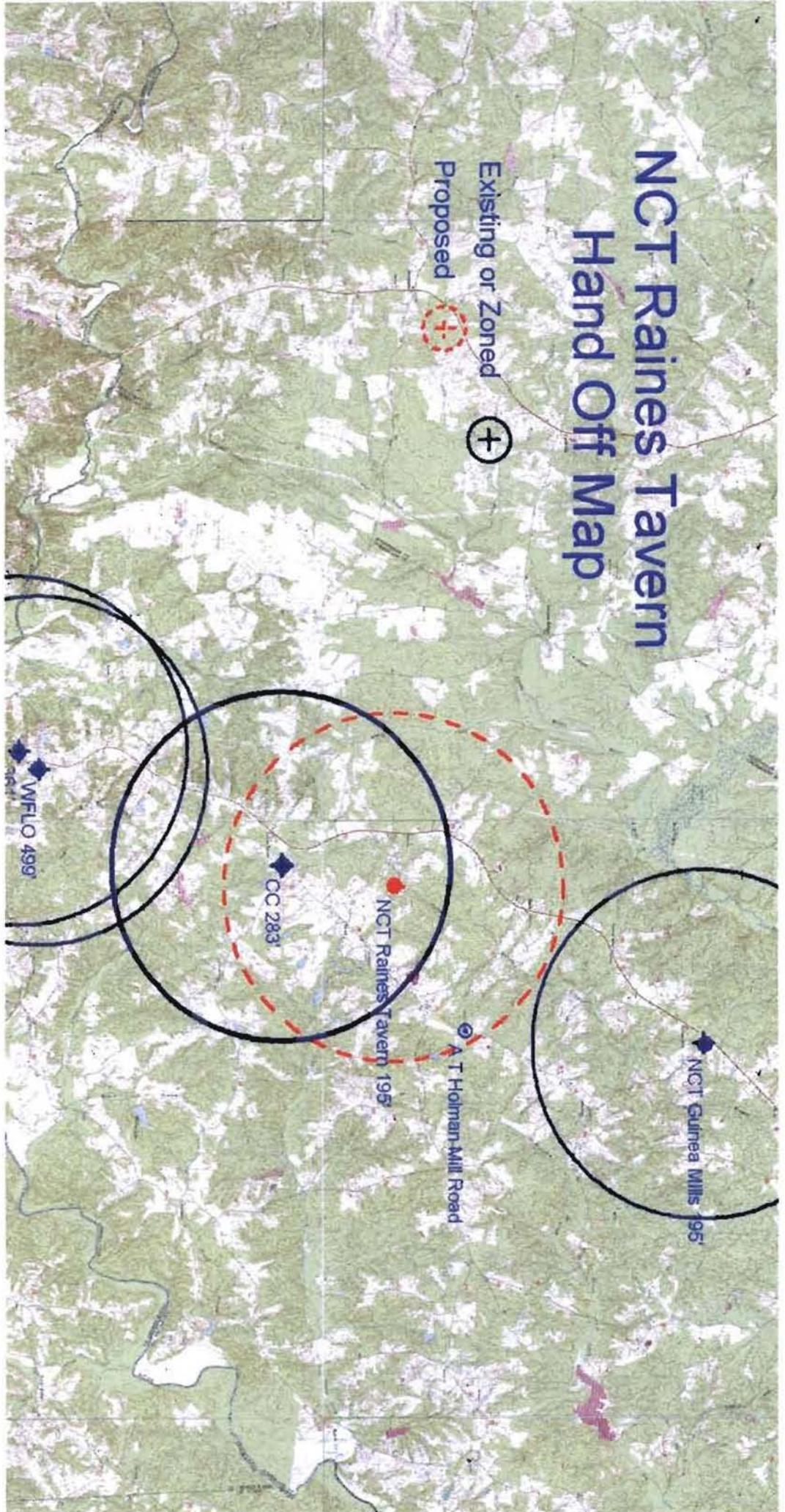
Signed: 

A. S. Doss
Vice President of Development

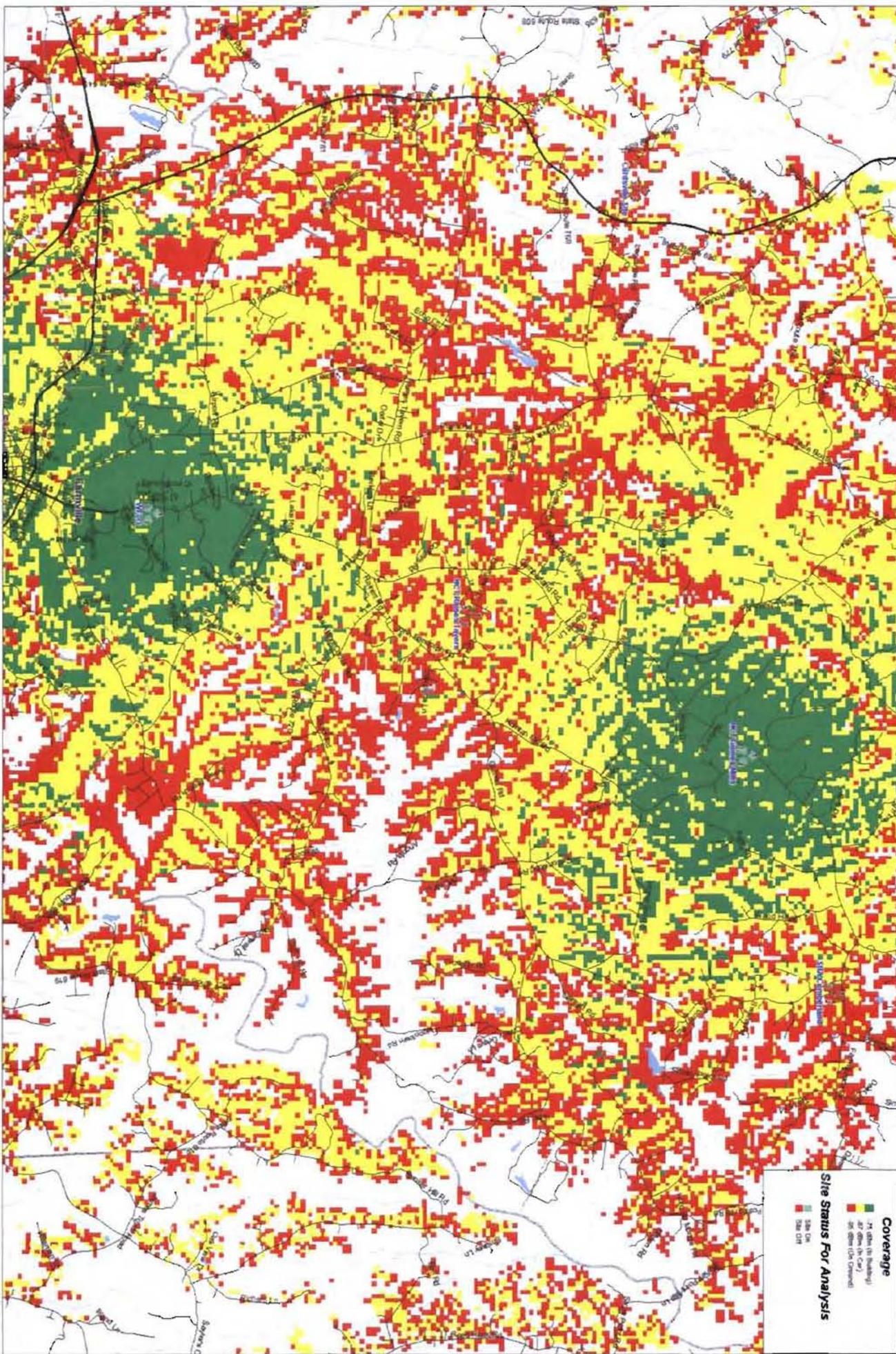
Date: 10/10/12

NCT Raines Tavern Hand Off Map

Existing or Zoned 
Proposed 



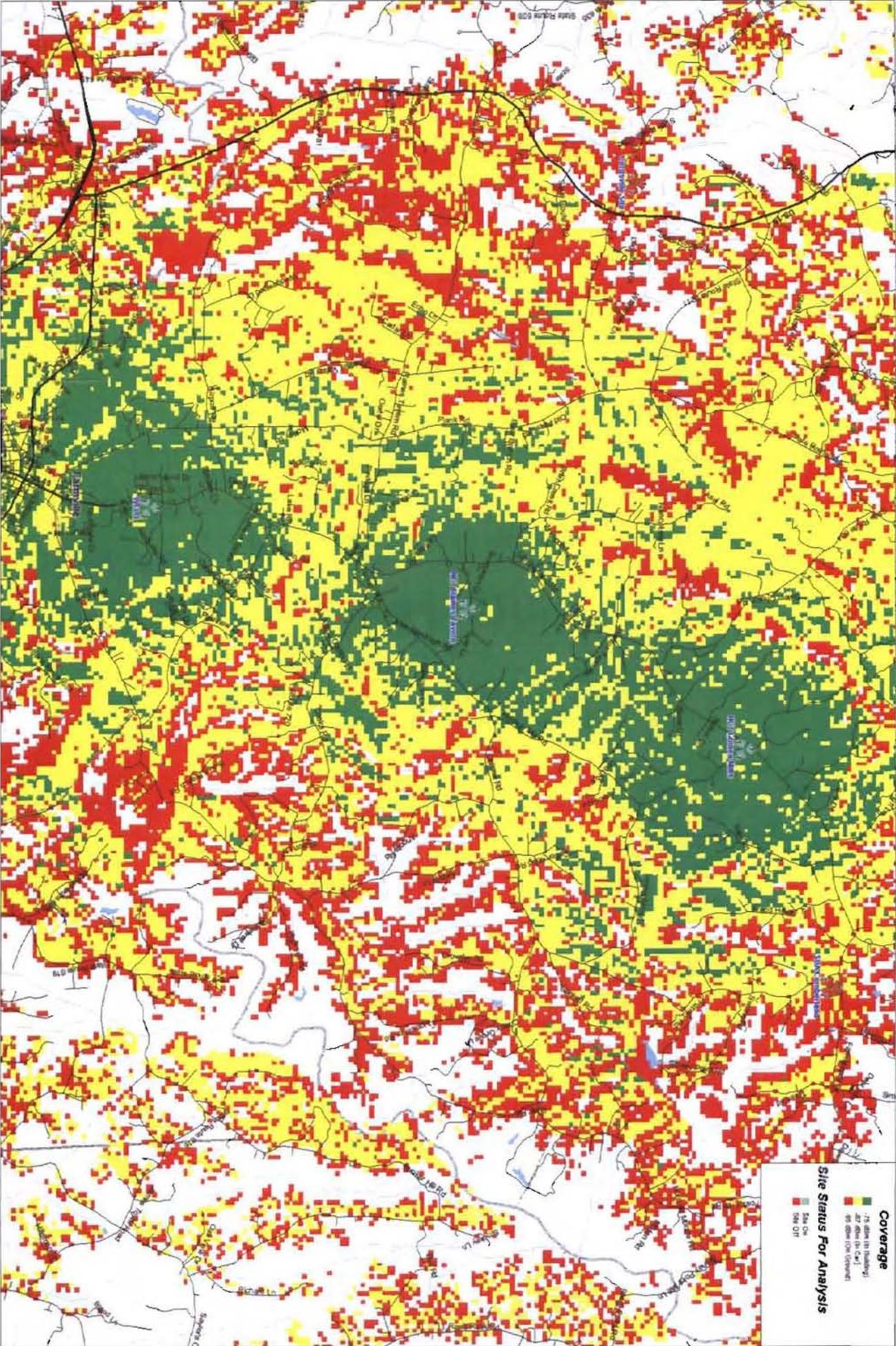
National Communication Towers, LLC
Propagation Analysis: 1800 MHz Rural Propagation Model
Sites Include: TGB Position - Proposed NCT Raines Tavern (OM), Existing NCT Guinea Mills (196), and Existing WFLQ (2007)



Coverage
21 dBm (to Building)
47 dBm (to Car)
56 dBm (to Cell Tower)

Site Status For Analysis
25m OM
50m OM

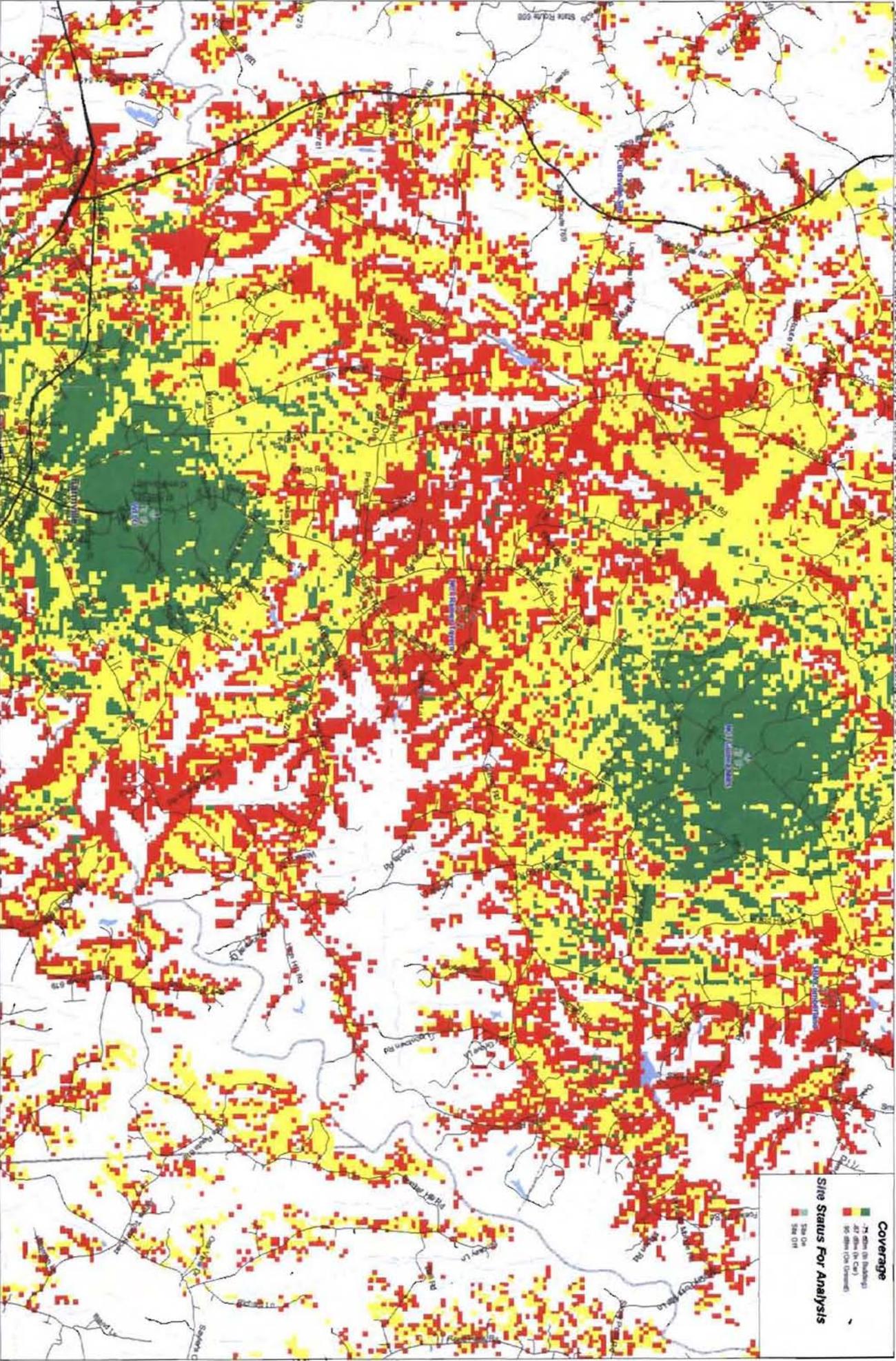
National Communication Towers, L.L.C.
Propagation Analysis: 1900 MHz Rural Propagation Model
Sites Include: T98 Fosdick - Proposed NCT Raines Tavern (1957), Existing NCT Guinea Mills (1957), and Existing WFLQ (2007)



Coverage
-75 dBm to -80 dBm
-80 dBm to -85 dBm
-85 dBm to -90 dBm

Site Status For Analysis
Site On
Site Off

National Communication Towers, LLC
Propagation Analysis: 1900 MHz Rural Propagation Model
Sites Include: 5th Position - Proposed NCT Raines Tavern (0M), Existing NCT Guinea Mills (1557), and Existing WFLD (1607)



Coverage

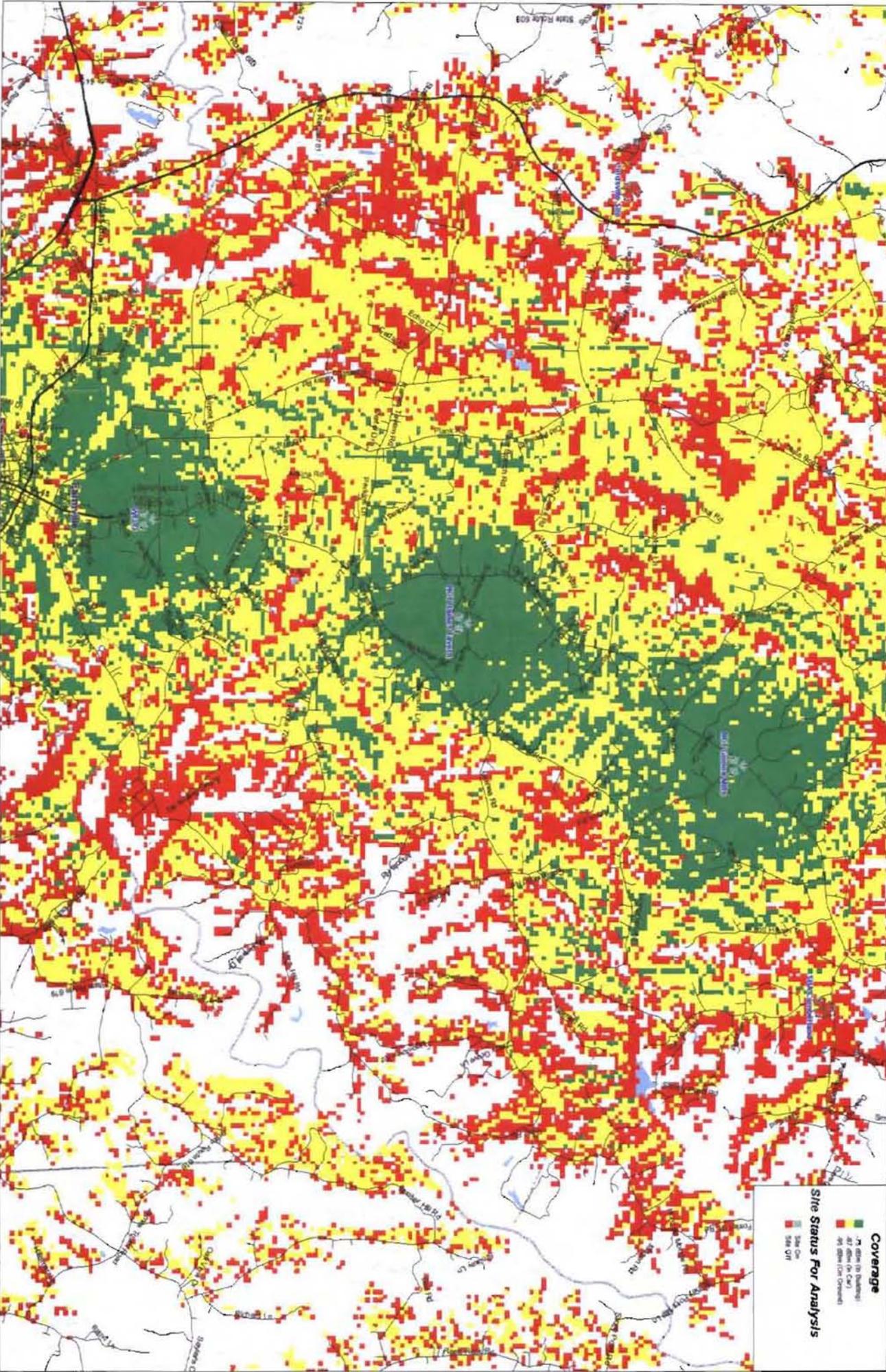
- 75 dBm (G Building)
- 67 dBm (G Cr.)
- 50 dBm (G Cr.)

Site Status For Analysis

- 5th Pos
- 1557
- 1607

National Communication Towers, LLC.

Propagation Analysis: 1900 MHz Rural Propagation Model
Sites Include: 5th Position - Proposed NCT Raines Tavern (155), Existing NCT Guinea Mills (155), and Existing WFLO (160)



NCT Raines Tavern Balloon Visibility Map



Photo #3

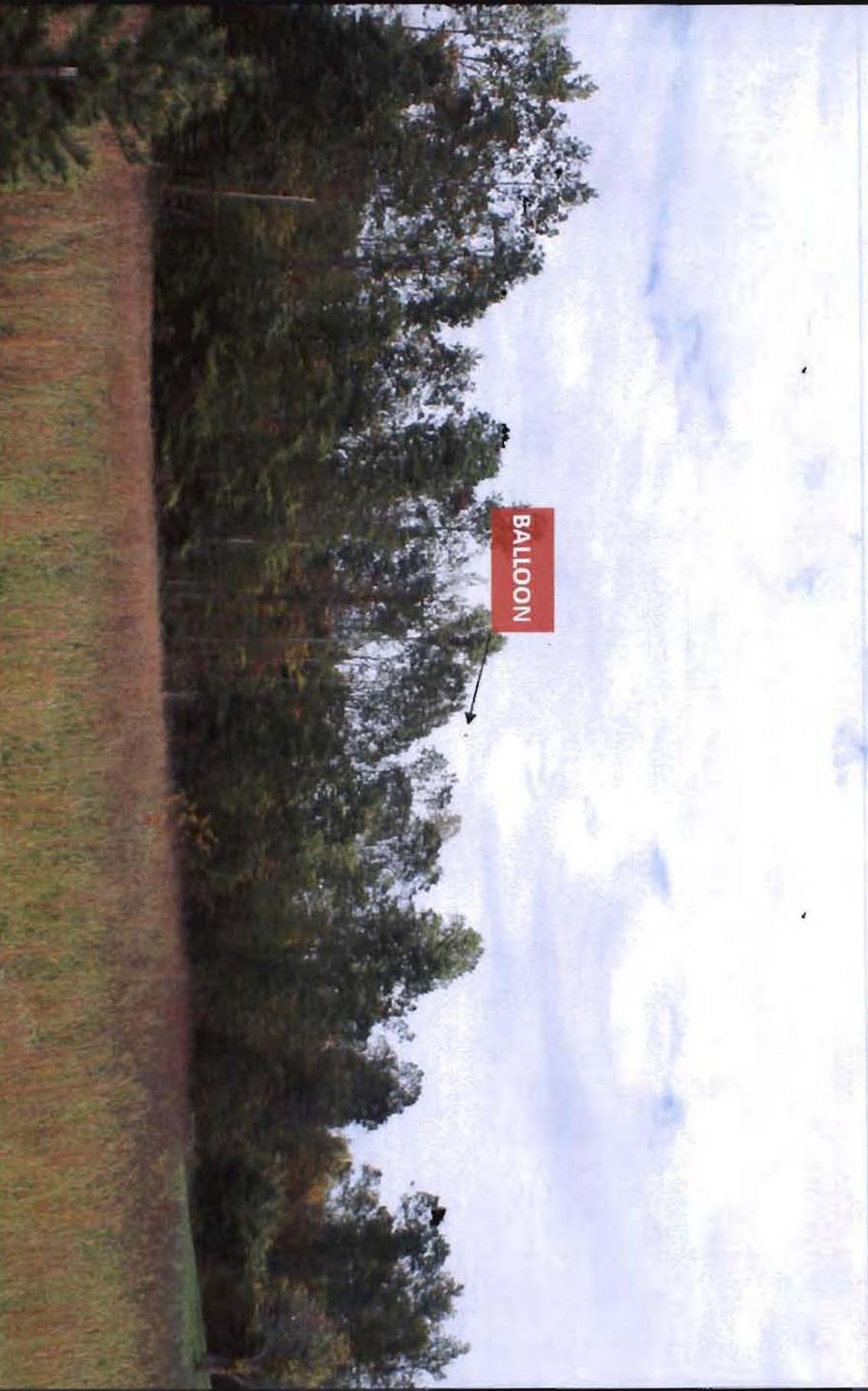
Photo #4

Photo #1

Photo #2

NCT Raines Tavern 195

PHOTO 1: BALLOON FLIGHT



VIEW FROM THE SOUTHWEST (LOOKING TO THE NORTHEAST ~950')

LOCATION: INTERSECTION OF PAULINE LANE AND LEWIS ROAD

N C T

PHOTO 1: TOWER SIMULATION

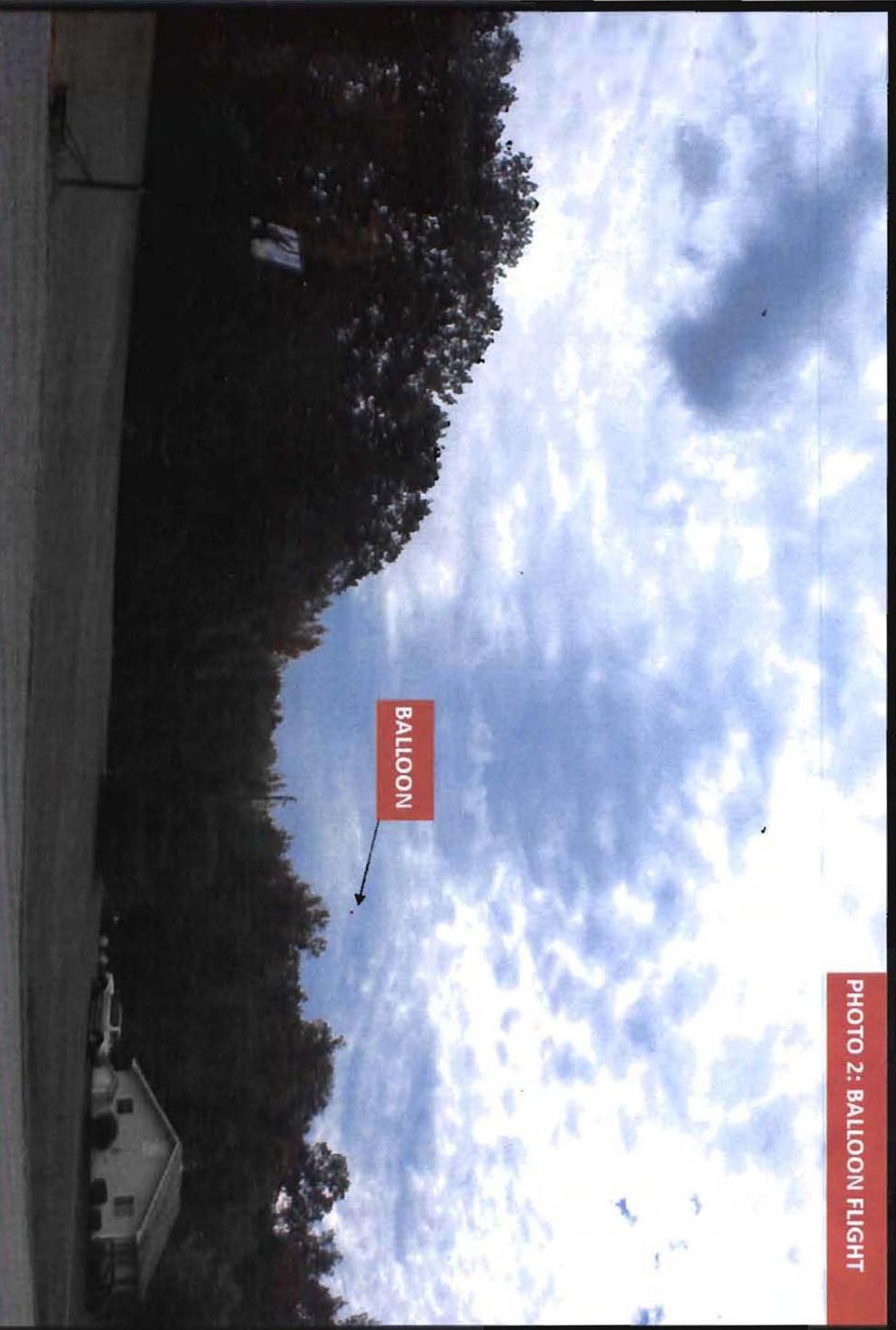


TOWER

VIEW FROM THE SOUTHWEST (LOOKING TO THE NORTHEAST ~950')
LOCATION: INTERSECTION OF PAULINE LANE AND LEWIS ROAD

N C T

PHOTO 2: BALLOON FLIGHT



VIEW FROM THE NORTHEAST (LOOKING TO THE SOUTHWEST ~890')
LOCATION: CUL DE SAC ON LEWIS ROAD

N C T

PHOTO 2: TOWER SIMULATION



VIEW FROM THE NORTHEAST (LOOKING TO THE SOUTHWEST ~890')
LOCATION: CUL DE SAC ON LEWIS ROAD

N C T

PHOTO 3: BALLOON FLIGHT



Enlarged View of Balloon



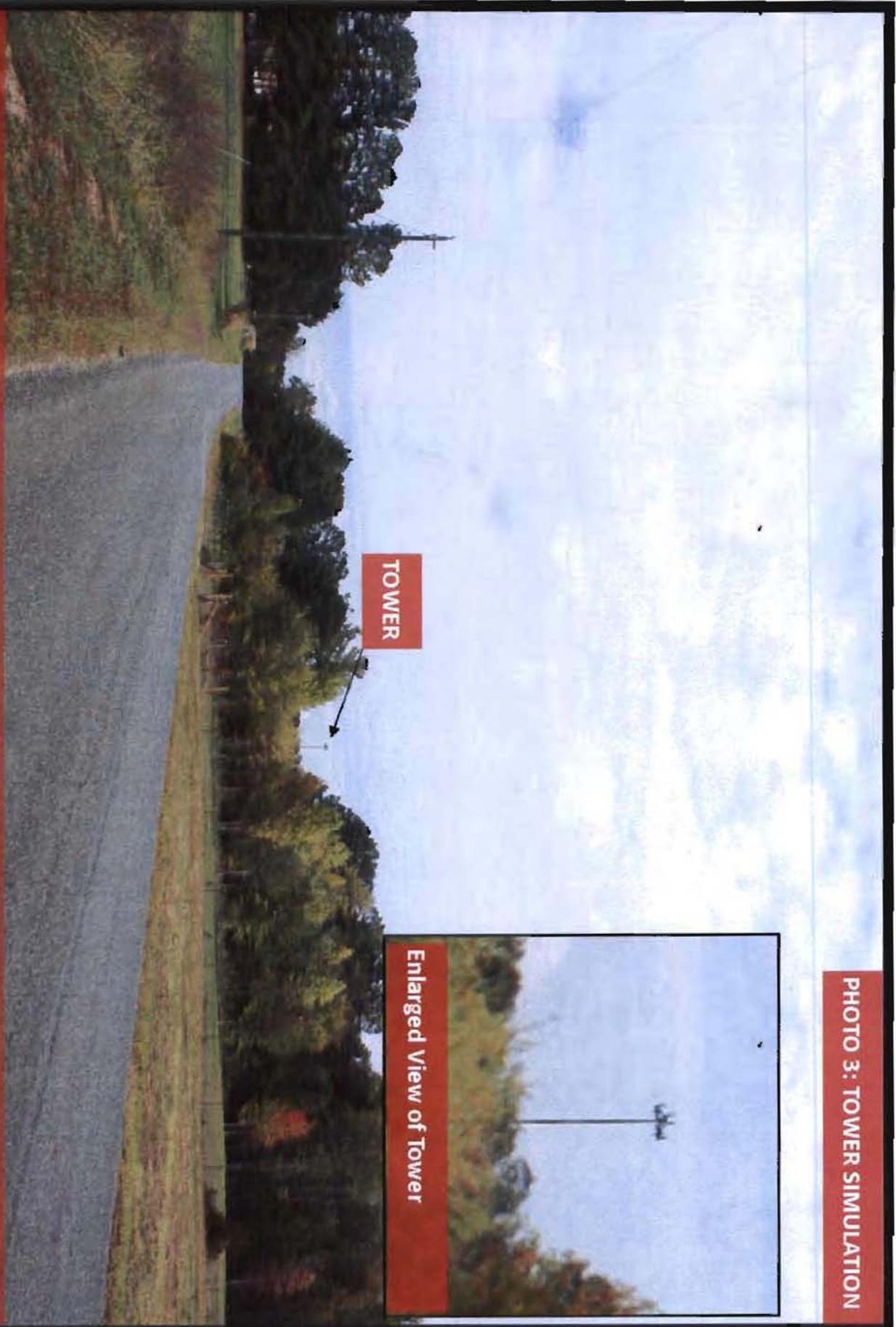
BALLOON

VIEW FROM THE WEST (LOOKING TO THE EAST ~2,700')

LOCATION: LEWIS ROAD ~440' EAST OF ITS INTERSECTION WITH ROUTE 45

N C T

PHOTO 3: TOWER SIMULATION



TOWER

Enlarged View of Tower

VIEW FROM THE WEST (LOOKING TO THE EAST ~2,700')

LOCATION: LEWIS ROAD ~440' EAST OF ITS INTERSECTION WITH ROUTE 45

N C T

PHOTO 4: BALLOON FLIGHT



Enlarged View of Balloon

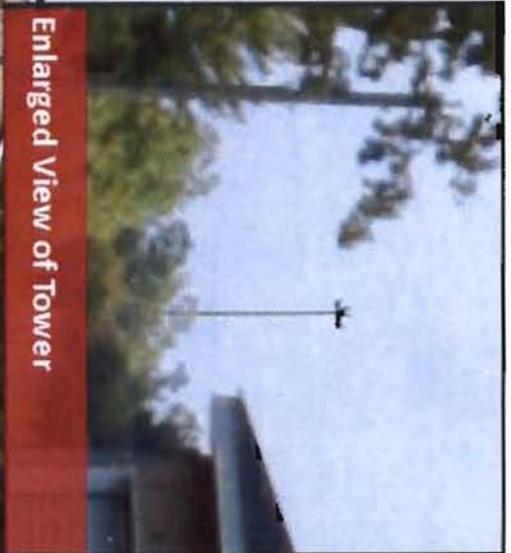


VIEW FROM THE WEST (LOOKING TO THE EAST ~3,125')

LOCATION: ROUTE 45 ~180' NORTH OF ITS INTERSECTION WITH LEWIS ROAD

N C T

PHOTO 4: TOWER SIMULATION



Enlarged View of Tower



VIEW FROM THE WEST (LOOKING TO THE EAST ~3,125')

LOCATION: ROUTE 45 ~180' NORTH OF ITS INTERSECTION WITH LEWIS ROAD

N C T

Section 74-739, Paragraph (10)

COLLOCATION AFFIDAVIT

This Affidavit is to confirm the Ground Lease to be executed by and between National Communication Towers, LLC and Herbert and Sandra Wilkerson, Jr. does not in any way prohibit or impede the collocation of users on the tower provided their equipment is within the design parameters of the tower.

Signed: A. S. Doss
A. S. Doss
Vice President of Development

Date: 10/10/12

Section 74-739, Paragraph (11)

ADDITIONAL INFORMATION STATEMENT

In order to ensure compliance with all Cumberland County Zoning Regulations, National Communication Towers, LLC will provide any other information or documentation requested by Cumberland County Officials with regards to this Conditional Use Request.

Signed: A. S. Doss
A. S. Doss
Vice President of Development

Date: 10/10/12

Section 74-740

FACTORS CONSIDERED IN GRANTING A CUP

- (1) The 195' height of the tower above ground level (AGL) is needed to effectively meet the coverage objective of the area.
- (2) The tower will be located approximately 3,100' east of Rt. 45 within the A-2 zoning district. The 7.5 acre parcel is partially open and forested; trees will screen the facility from view of Rt. 45 and Thompson Road. A 195' Monopole tower is being proposed to help mitigate any negative impact the facility may have upon the area. There are no churches or schools within the immediate area of the tower's location.
- (3) All of the adjoining parcels are zoned A-2. Also, there has been no documented evidence of diminished property values due to communication facilities or other types of utilities such as power substations, transmission lines, transmission towers, telephone poles and water tanks.
- (4) The surrounding topography is rolling and the site drains primarily to the east. The Rt. 45 corridor itself maintains a steady elevation but the topography within the service area has elevation changes of 200'.
- (5) The proposed Communications Facility is located on the south side of Thompson Road and approximately 3100' east of Rt. 45. Areas adjacent to the compound have trees that will screen the facility from the view of Rt. 45.
- (6) The tower will be designed using "break-point technology". Should a catastrophic event occur the top portion of the tower will fold over onto itself and remain standing.
- (7) The ingress/egress of the site will utilize an existing entrance and road off of Lewis Road. Once the site is constructed an estimated 6 to 8 trips a month by light duty vehicles is anticipated into the site.

- (8) National Communication Towers, LLC provides the infrastructure and the platform for both licensed and unlicensed wireless providers to attach their equipment to. The facility will be designed to accommodate the equipment loads of 6 collocations. NCT evaluates and designs each site to maximize its collocation potential and will make every effort possible to assure the site will fit into the design parameters of all possible users.
- (9) It is our belief the proposed CUP falls within the scope of Cumberland County's Comprehensive Plan and the facility will serve to enhance the County's communications needs and will provide wireless services to its citizens.
- (10) There are no other structures within a 1 mile radius that meet the criteria and coverage objectives of the proposed Communication Facility. The closest tower is 1.4 miles to the south of the proposed facility and will not bridge the coverage gap of 5.4 mile to the zoned Guinea mills tower to the north.
- (11) The closest airport registered with the FAA is 4.5 miles to the southwest. The tower will be registered with FCC and will be recorded on the FAA flight database. The tower will comply with all FAA marking requirements and regulations.
- (12) In order to mitigate the potential visual impact of the proposed Communications Facility we are proposing to build a 195' Monopole Tower. Existing trees on the parcel will mitigate the view of the compound from Rt. 45.
- (13) Space on the tower will be proffered, rent free, for Cumberland County's E911 and police equipment. The Facility will serve to enhance the County's communications needs and will provide wireless services to its citizens.

Section 74-741

AVAILABILITY OF OTHER STRUCTURES

- (1) No other structures within a 1 mile radius of the proposed facility meet the coverage objective of the proposed facility.

Section 74-741
SECURITY FENCING

The compound will be secured by a 6' chain-link fence with a 2' anti-climbing device on top. Only authorized personnel may enter the facility through locked gates.

Section 74-743
LANDSCAPING

- (1) The proposed Communications Facility is located approximately 3100' east of Rt. 45. It is our belief the existing tree coverage on the parcel is sufficient to screen the facility from Rt. 45.

Section 74-744
LOCAL GOVERNMENT ACCESS

One Radiation Center space on the tower will be available, rent free, for Cumberland County's E-911 and police equipment.

Section 74-745
REMOVAL OF ABANDONED TOWERS

National Communication Towers, LLC will post applicable bonds for the removal of the tower and equipment also, tower removal is addressed within the Ground Lease.

Section 74-746
REQUIRED YEARLY REPORT

National Communication Towers, LLC will submit to Cumberland County a yearly report of the status of the facility by July 1. The report shall include the current users of the tower and any additional towers NCT plans for the next year countywide.

BOARD OF SUPERVISORS
OF THE
COUNTY OF CUMBERLAND, VIRGINIA
RESOLUTION
RECOMMENDATION
FOR CONDITIONAL USE PERMIT APPLICATION #12-03
FOR TAX MAP PARCEL 90-A-12B
REQUESTED BY
NATIONAL COMMUNICATION TOWERS, LLC

February 12, 2013

At a meeting of the Board of Supervisors of Cumberland County, Virginia, in the Cumberland County Courthouse, Cumberland, Virginia 23040 commencing at 7:00 p.m., February 12, 2013, the following action was taken following a duly held public hearing during which time County staff provided a review of the conditional use permit request, the applicant's representative and agents provided a review of the proposal and members of the public offered comment:

On a motion made by _____, it was moved that the Board of Supervisors of Cumberland County grant the Conditional Use Permit in accordance with the following Recitals and Resolutions;

Following a reading of the Recitals and Resolutions, the Board of Supervisors adopted and approved the Recitals and Resolutions according to the votes stated below:

Present:

Vote:

David Meinhard, Chairman

Lloyd Banks, Jr., Vice-Chairman

William F. Osl, Jr.

Kevin Ingle

Parker Wheeler

Dated: _____

Attested: _____
Vivian Seay Giles, Clerk to the Board of Supervisors

WHEREAS, National Communication Towers, LLC (the “Applicant”) filed a conditional use permit application and supporting materials (the “CUP Application, CUP #12-03”) seeking a conditional use permit for the property described below in accordance with Section 74-143 of Chapter 74 of the Cumberland County Code of Ordinances (the “Zoning Ordinance”); specifically, the Applicant has requested a conditional use permit to allow for the construction and operation of a 195 foot tall telecommunications tower and related facilities; and

WHEREAS, the subject property is located on a private road listed as Pauline Lane, and is proposed to be accessed from an existing private access easement. The property is approximately ¼ of a mile east of the intersection of Thompson Road (Route 699) and Lewis Road (Route 695). The affected property is currently zoned A-2, Agricultural. The proposed tower would be on an approximately 125 feet by 125 foot leased area on the portion of the property. The parcel is not located in a growth area as designated by the Comprehensive Plan. The affected property is located in Election District 4 and more particularly described as Tax Map Parcel 90-A-12B (the “Property”), with respect to approximately 7.499 acres, as shown on the Site Plan attached to the CUP Application; and

WHEREAS, the Board of Supervisors duly referred the CUP Application to the County Planning Commission for its recommendation on November 13, 2012; and

WHEREAS, the Planning Commission directed staff to make the CUP Application available for public review on November 19, 2012; and

WHEREAS, the Planning Commission duly advertised and held a public hearing on January 28, 2013; and

WHEREAS, after the Planning Commission duly considered the testimony and evidence presented at the public hearing in support or opposition to the proposed CUP Application and gave reasonable consideration to numerous factors, including but not limited to the following: the existing use and character of the Property, the County’s Comprehensive Plan, the suitability of the Property for the proposed use, the trends of growth or change, and the current and future requirements of the County as to land for various purposes as determined by population and economic studies, the conditional use permit standards more fully described in Section 74-702 of the Zoning Ordinance and the supplemental standards for communications antennas and towers more fully described in Section 74-731 through 747 of the Zoning Ordinance;

WHEREAS, the Board of Supervisors duly advertised and held a public hearing on February 12, 2013; and

WHEREAS, the Board of Supervisors carefully considered the Planning Commission’s recommendation and the testimony and evidence presented at the public hearing on January 28, 2013, in support or opposition to the proposed CUP Application and gave reasonable

consideration to numerous factors, including but not limited to the following: the existing use and character of the Property, the County's Comprehensive Plan, the suitability of the Property for the proposed use, the trends of growth or change, and the current and future requirements of the County as to land for various purposes as determined by population and economic studies, the conditional use permit standards more fully described in Section 74-702 of the Zoning Ordinance and the supplemental standards for communications antennas and towers more fully described in Section 74-731 through 747 of the Zoning Ordinance; and

WHEREAS, in its review of the CUP Application, the Board of Supervisors further finds that the proposed telecommunication tower and its related facilities provide a reasonable signal coverage that cannot be accommodated on an existing tower; and

WHEREAS, the Board expressly approves the use of a communication tower on the property subject to the conditions included in the CUP application; and

WHEREAS, after discussion, staff presentation and due deliberation with respect to such documentation, information and data, including information and materials presented at this public hearing, the Board of Supervisors desires to affirm its findings and take action with respect to the CUP Application;

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

- a. The foregoing recitals are hereby incorporated by this reference.
- b. Upon consideration of the foregoing and the conditions set forth on the Zoning Ordinance, including Section 74-702 and the supplemental standards for communications antennas and towers more fully described in Section 74-731 through 747 of the Zoning Ordinance, the Board of Supervisors finds it appropriate to grant Conditional Use Permit #12-03 in accordance with the CUP Application.
- c. The Board of Supervisors further finds that the request made in the CUP Application is in substantial accordance with the County's Comprehensive Plan.
- d. The Board of Supervisors has also determined that the request made in the CUP Application furthers the general purpose and objectives of the Zoning Ordinance and such use would be beneficial and appropriate taking into consideration public health, safety, necessity, convenience, general welfare and good zoning practice; and

The Board of Supervisors grants the CUP Application to the Applicant to allow the use of a 195 foot tall telecommunications tower and related facilities on the Property subject to the following terms and conditions:

1. This conditional use permit shall allow for construction work commenced on or before **(3) years from the effective date of the conditional use permit**, and any such expansion activities commenced thereafter shall require a new conditional use permit.

2. All operations on the Property shall comply with all applicable health and environmental laws, rules and regulations, and with all County, State and Federal Laws which govern construction and operation of the tower.
 3. All representations of National Communication Tower, LLC's conditional use permit application #12-03 for a 195 foot Telecommunication Tower and associated equipment, including all attached documentation, filed on September 5, 2012, are included herein as conditions.
 4. As a condition for the permit, NCT shall provide on a reserved basis and at no cost or expense to the County or its political subdivisions (collectively, the "County") space on the tower to the County of not less than 10 feet in radial direction and at a height of at least 80 feet above ground level for the installation by the County, at the County's sole cost and expense, for communications equipment and antennas. NCT shall also make space available for ground equipment supporting such County tower use. NCT shall be able to install its own or third-party antennas and/or equipment located on the same height and/or platform, pass through the County space, perform construction to increase the height of the tower and/or take any other action as may be necessary or incidental to NCT's ownership or operation of the tower. Such County use shall be consistent with Federal Communications Commission ("FCC") licenses for wireless telecommunications service and be operated in a lawful and proper manner, in accordance with good engineering practices and be compliant with all applicable laws, ordinances, rules and regulations, relating to such operation and use.
 5. This permit shall not become effective until a removal bond in the amount of \$25,000 pursuant to Section 74-745 of the Zoning Ordinance has been approved by the County Attorney executed, and filed with the County Administrator.
 6. The radius width shall be limited to three (3) feet for any dish placed on the tower. Antennae placed on the tower shall not extend beyond four (4) feet above the one hundred ninety-five (195) foot tower height.
- e. This Resolution is effective immediately.



STAFF REPORT
Amendment to CUP 11-06
Conditional Use Permit
Cumberland County, Virginia
Board of Supervisors Public Hearing
February 12, 2013

General Information:

Processing schedule: A public hearing with the Board of Supervisors for Amendment to CUP 11-06 is scheduled for **Tuesday, February 12, 2013 at 7:00 p.m.** in the circuit courtroom of the Cumberland County Courthouse. The applicant or authorized representative is required to attend the meeting.

Application Information:

Applicant: National Communication Towers, LLC
Owner(s): Julia M. Tipton
Agent: Mr. Al Doss
Requested action: Amend conditions of CUP 11-06 Guinea Mills Telecommunication Tower
Location: TAX PARCEL 73-A-58; the intersection of Cumberland Road (Route 45) and Holman Mill Road (Route 640), on the same parcel as the Midway Grocery.
Voting District: 4
Zoning: A-2
Comprehensive Planning Area: Rural Area
Size: 0.3587 acres (125' x 125') lease area on a 10.000 acre parcel
Existing uses on the site: Lease area is vacant cleared land. The parcel also includes the Midway Grocery store and a mobile home belonging to an adjacent parcel.

Attachments:

- A) Application – includes preliminary site plan
- B) Proposed resolution

Surrounding Area Information:

	<u>Adjacent existing uses</u>	<u>Adjacent zoning</u>	<u>Adjacent Comprehensive Plan Planning Area</u>
North	Silviculture/forest	A-2	Rural Area
South	Houses/forest	A-2	Rural Area
East	Grocery/silviculture	A-2	Rural Area
West	Houses/forest	A-2	Rural Area

Summary of CUP 11-06 Guinea Mills Tower:

CUP 11-06 was approved unanimously by the Board of Supervisors on November 11, 2011 after a unanimous recommendation for approval from the Planning Commission. The permit became effective on April 1, 2012. The permit allowed for the construction and maintenance of a telecommunication tower approximately 195 feet tall on a 125 foot by 125 foot (15,625 square feet) portion of property to be leased from Julia M. Tipton. Structures on the lease will include the tower, unmanned support buildings and equipment pads, which will all be surrounded by a 6 foot tall security fence.

The tower site is located within the A-2, Agricultural zoning district and is not within a growth area as defined by the Comprehensive Plan. Access to the lease area will be from a 30 foot access easement that will begin at an existing unnamed private drive north of Holman Mill Road (Route 640).

The supplemental zoning regulations for telecommunication towers indicate a preference for those 199 feet in height (a tower under 200 feet tall does not require lighting by the Federal Aviation Administration). To limit the visual impact a monopole style tower was chosen. The applicant conducted a balloon test to illustrate the proposed tower's minimal visual impact. According to the applicant's simulations the tower will be clearly visible along sections of Cumberland Road (Route 45) and Holman Mill Road (Route 640). Images showing the visual simulation of this tower are included in the attachment.

Requested Amendment:

Amendments or variations of adopted conditions may be made after a public hearing before the Board of Supervisors (sec. 74-677).

The applicant has requested that previously approved conditions 1, 6, and 7 of this permit be amended as follows:

1. This conditional use permit shall allow for construction work commenced on or before ~~one (1)~~ **three (3) years** from the effective date of the conditional use permit, and any such expansion activities commenced thereafter shall require a new conditional use permit.

2. All operations on the Property shall comply with all applicable health and environmental laws, rules and regulations, and with all County, State and Federal Laws which govern construction and operation of the tower.
3. As a condition for the permit, NCT shall provide on a reserved basis and at no cost or expense to the County or its political subdivisions (collectively, the "County") space on the tower to the County of not less than 10 feet in radial direction and at a height of at least 80 feet above ground level for the installation by the County, at the County's sole cost and expense, for communications equipment and antennas. NCT shall also make space available for ground equipment supporting such County tower use. NCT shall be able to install its own or third-party antennas and/or equipment located on the same height and/or platform, pass through the County space, and perform construction to increase the height of the tower and/or take any other action as may be necessary or incidental to NCT's ownership or operation of the tower. Such County use shall be consistent with Federal Communications Commission ("FCC") licenses for wireless telecommunications service and be operated in a lawful and proper manner, in accordance with good engineering practices and be compliant with all applicable laws, ordinances, rules and regulations, relating to such operation and use.
4. All representations of National Communication Tower, LLC's conditional use permit application #11-06 for a 195 foot Telecommunication Tower and associated equipment, including all attached documentation, filed on August 15, 2011, are included herein as conditions.
5. The conditional use permit shall not become effective until a removal bond in the amount of \$25,000 pursuant to Section 74-745 of the Zoning Ordinance has been approved by the County Attorney executed, and filed with the County Administrator.
6. The radius width shall be limited to three (3) feet for any ~~antennae or~~ dish placed on the tower. **Antennae placed on the tower shall not extend beyond four (4) feet above the one hundred ninety-five (195) foot tower height.**
- ~~7. The conditional use permit shall allow for construction commenced between April 1, 2012 and April 1, 2013. Any activities commenced thereafter shall require a new conditional use permit.~~

Conditions 1 and 7 address the timeframe for construction to commence. Since these conditions state similar parameters, the proposed amendment would eliminate Condition 7 and extend the timeframe in Condition 1 for construction to commence to from 1 year to 3 years.

Condition 6 addresses dishes and antennae placed on the tower. The original condition has a limit on the *radius* of dishes and antennae. Since the term radius only applies to circular structures this condition has been amended to limit antennae height instead.

Consistency with the Comprehensive Plan and Zoning Ordinance

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

Section 74-732 of the Zoning Ordinance states the intent of guidelines concerning communication towers and antennas is to encourage the location of towers in nonresidential areas and minimize the total number of towers and tower sites throughout the county; encourage strongly the joint use of new and existing tower sites and use of existing utility transmission rights-of-way; encourage towers to be located in areas where the adverse impact on the county is minimal; encourage users of towers and antennas to locate, design and configure them in a way that minimizes the adverse visual impact of the towers and antennas and makes them compatible with surrounding land uses to the extent possible; provide adequate sites for the provision of wireless communication services with minimal negative impact on the resources of the county; encourage the locating of towers along St. Routes 13, 45, and 60 corridors; encourage public/private partnerships, where possible, that promote the communications needs of the county, especially fire and emergency rescue services; and strongly encourage the use of monopoles and camouflaging for towers located in or near residential areas and to comply with all federal and state regulations.

Public Notification:

All required public notices have been made for legal advertisements and adjacent property owner notifications. Legal notices for the public hearing ran in the Farmville Herald on January 25 and February 1, 2013 and adjacent property owner notices were mailed on January 29, 2013 for the Board’s public hearing.

Public Input:

At the time of this writing staff has not received any public input regarding the proposed amendment.

Conclusion/Staff Recommendation:

Staff finds that the proposed amendment to CUP 11-06 adequately addresses the requirements of the zoning ordinance for telecommunication towers. The application addresses the general conditional use permit standards, the general guidelines and requirements, building code requirements, information required, factors considered in granting a CUP, availability of other towers, security fencing, landscaping, government access, removal and yearly reports. A site plan has been included in the original application.

It is the opinion of staff that the request promotes good zoning practice and limits potential for adversely affecting adjacent properties. The location and intended use of the property is consistent with the recommendations of the Zoning Ordinance and Comprehensive Plan.

Staff recommends approval of the amendment to CUP 11-06 with the amended conditions referenced above (and also reflected in the attached resolution).

Suggested Motion:

Mr. Chairman, because this request meets the intent and spirit of the and Zoning Ordinance, I move that the Board of Supervisors adopt the attached resolution (B) granting the amendment to CUP 12-03, a conditional use permit request in accordance with Sec. 74-131 through Sec. 74-747 of the Cumberland County Zoning Ordinance to allow for a "telecommunications tower and related facilities."

Submitted by:

Rachel Falkenstein
Interim Planning Director

Attachments: A - Application
B - Draft resolution



December 4, 2012

Bret Schardein
Director of Planning
P.O. Box 110
1 Courthouse Circle
Cumberland, VA 23040

RE: CUP 11-06 Renewal
Tax Map 73-A-58

Dear Mr. Schardein,

Condition number 7 of the above mentioned CUP requires construction of the tower to be completed by April 1, 2013. We are requesting a two year extension as we are not currently in the position to complete the construction of the tower before the expiration of the CUP. We believe an additional 2 year extension will allow us to execute a lease with one of the major Service Providers in the Communications Industry. Also we would like to modify the language in condition number 6 to exclude "antenna" and only reference "dish".

Enclosed please find our check in the amount of \$275.00 for the Zoning Fees.

Sincerely,

A handwritten signature in blue ink, appearing to read "A. S. Doss", with a large, loopy flourish at the end.

Al Doss
Vice President of Development

CC: file



COMMONWEALTH OF VIRGINIA
COUNTY OF CUMBERLAND

Internal Use Only
CUP # 11-06 STAFF BS
RECEIVED 8/15/11
COMPLETED 8/16/11
FEE/Ck. # 8735
RECEIPT # 558424

Application for Conditional Use Permit

Last revised 7/13/09

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

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

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

Project Name (how should we refer to this application?): Guinea Mills Tower

Proposal: 195' Self Support Communications Tower and support facility

Location: 3156 Cumberland Road, Cumberland, VA 23040

Tax Map Parcel(s): 073-A-58

Zoning: A2 Comprehensive Plan Area: _____

Election District: 4 (Randolph Magisterial District)

of Acres to be Covered by Conditional Use Permit (if a portion of a parcel or parcels it must be delineated on a plat): 0.3587 Acres (15,625 S.F.)

Is this an amendment to an existing conditional use permit? If Yes, provide CUP # or approval date: CUP 11-06 (April 1, 2012) YES NO

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

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

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

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

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

Owner of Record (who currently owns the property?): Julia M. Tipton

Address: 3156 Cumberland Road City: Cumberland State: VA Zip: 23040

Daytime Phone: (804) 492-4122 Fax #: () Email: _____

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

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

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

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

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

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

Provide a written statement demonstrating that:

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

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

Describe your request in detail and include all pertinent information such as the number of persons involved in the use, operating hours, and any unique features of the proposed use: This request is for the construction and operation of a communications facility, including a 195' Monopole Tower. The facility will be unmanned and in operation 24 hours a day. No offices or habitable buildings will be on site, therefore water and sewer will not be required. The site is approximately 1/3 of an acre in size within a 10 acre parcel and the compound will be enclosed by an eight foot tall security fence.

Describe briefly the improvements proposed. State whether new buildings or structures are to be constructed, existing buildings or structures are to be used or additions made to existing buildings or structures. Give dimensions of the buildings that are to be constructed and the dimensions of any existing buildings on the property (attach any necessary information). The site dimensions are 125' X 125' and will be graded for a positive drainage slope of 2%. A 195' tall tower will be erected within a 80' X 90' fenced compound enclosed by an 8' tall security fence. Small self contained equipment buildings and/or equipment pads will also be located within the compound.

Attachments Required – provide two (2) copies of each

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

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

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

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

Owner/ Applicant Must Read and Sign

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

A. S. Doss, VP of Development

Print Name of ~~Owner~~ Applicant

8/10/2011
Date

A. S. Doss

804-366-1165

Signature of Owner/ Applicant

Daytime Phone # of Signatory

Julia M. Tipton
Julia M Tipton / OWNER

8-12-11
Date:

Traffic Impact Analysis Information Sheet:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 74-702 (1-14)

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

Provide a written statement demonstrating that:

1. The proposed communication facility will enhance the quality of life and the safety of the residents and the general public within the projected service area of the communications facility by providing wireless services along the Rt. 45 corridor. The facility will also provide the infrastructure needed to support the equipment of Cumberland County's Sheriff's Department and Emergency Services should it be needed by these agencies.
2. The proposed facility will not emit noise or other types of pollution into the environment. Since it will be unmanned it will not require County Services such as water and sewer. Road use impact is minable and once constructed the facility will generate from 6 to 8 light vehicular trips into the site a month. Also, there has been no documented evidence of diminished property values due to communication facilities or other types of utilities such as power substations, transmission lines, telephone poles and water tanks.
3. The proposed facility is located on a 10 acre parcel of land owned by Julia M. Tipton. The proposed communications facility will be located within the A2 Zoning District. No variance to the Zoning Ordinances is being requested for this facility. The surrounding properties vary in size and the facility should not have an adverse impact on them for future use. The compound of the facility will be screened from the view of Rt. 45 and Holman Road by the existing trees growing on the parcel and the store building.
4. The Compound area of the proposed facility will be screened from the view of Rt. 45 and Holman Road by the existing trees growing on the parcel and the store building. The buildings and the equipment in the compound will be of a neutral color and the Self Support Tower will have a non-glossy galvanized finish. The proposed Monopole Tower

will not be lit, also no signage or advertisement placed on the tower. There is no verifiable evidence of Communication Towers, Substations, Transmission Lines and Towers, Telephone Poles and Water Tanks contributing to the devaluation of properties these structures are located on or adjacent to.

5. Power and Telco exist along Rt. 45 and Holman Mill Road and will most likely be installed to the site along the proposed access road. Utilities will tie into the existing lines and will be buried underground to the site. The site and the access road will be designed by a Certified Engineer licensed to do business in the State of Virginia and will comply with all Local, State and Federal regulations and building codes.
6. The ingress/egress of the site will utilize a existing entrance into the parcel off of Holman Mill Road. The entrance will comply with the most current VDOT standards. Once the site is constructed an estimated 6 to 8 trips a month by light duty vehicles is anticipated into the site.
7. Adequate parking and turn-around space will be provided at the proposed facility. There will be no odor, noise, glare or economic depravation associated with the facility or imposed on adjoining properties.
8. The proposed facility will not generate any refuse; nor will any refuse or toxic substances be introduced into the site.
9. The compound, fence and support structures of the proposed facility will be buffered from the view of existing roadways and by existing vegetation and tree growth on the parcel.
10. No signs or advertising will be placed on the tower; however an 18" X 24" site identification sign will be placed on the compound fence. The tower will be lit and no security type lighting will be installed at the site.
11. All setback requirements will be met or exceeded and the tower will be designed to collapse within the lot lines of the parcel. The proposed

facility consists of a Leased Area of 125' X 125' with a 30' Ingress/Egress, Utility Easement.

12. Section 74-143 of the Cumberland County Zoning Ordinances permits towers and communication facilities in A2 districts by a Conditional Use Permit. Also, the lack of Cellular Communications in the area further solidifies the need for the proposed facility and its compatibility with adjacent and other properties within the zoning district.
13. The site is located within the lot lines of a 10 acre parcel of land zoned A-2. The facility will be constructed 450' east of Rt. 45 and approximately 230' directly behind the store building.
14. National Communication Towers, LLC will comply with all applicable regulations of the zoning district and any Conditions of Approval imposed by the Board of Supervisors of Cumberland County.

ADJACENT PROPERTY OWNERS
Application for Conditional Use Permit
National Communication Towers, LLC

Guinea Mills Cumberland County:

- 072-A-4 Monticello Forest LLC
C/O RMK Timberland Group
260 Peachtree St. NE, Suite D
Atlanta, GA 30319-3020
- 072-A-5 Forestree GM LLC
13950 Ballantyne Corporat, Suite 150
Charlotte, NC 28277-8203
- 072-A-39 Laura D. Richmond
072-A-40 C/O Laura R. Moss
3148 Cumberland Road
Cumberland, VA 23040
- 073-A-56 James & Janice H. Wallen Jr.
5925 Oak Grove Street
Lorton, VA 22079-4116
- 073-A-57 Robert D. Wright
498 Davenport Road
Cumberland, VA 23040
- 073-A-59 Earline Baker
30 Holman Mill Road
Cumberland, VA 23040
- 073-A-80 Charles H. & Victoria McHenry
25 Holman Mill Road
Cumberland, VA 23040

Section 74-736
GENERAL GUIDELINES AND REQUIREMENTS
Application for Conditional Use Permit
National Communication Towers, LLC

(b) NCT Sites within 5 miles of Cumberland County.

Cumb/Buck County Line	37-29-37.7N 78-20-40.8W
Hillcrest	37-28-55N 78-16-52.7W
Cumberland Court House 20 Range Road Cumberland, VA 23040	37-28-55.09N 778-16-52.69W 215' RC Available
Maxey Mill 633 Anderson Hwy. Cumberland, VA 23040	37-31-36.70N 78-10-04.50W Zoned 250' RC Available
Columbia 2705 Marle Road Columbia, VA 23098	37-45-31.32N 78-09-06.06W 185' RC Available

(c-1) The tower will maintain a galvanized finish and the attachments shall be neutral in color with no visible logos. Since the tower will be lit the FAA does not require the tower to be painted red and white for daylight visibility.

(c-2) The buildings and equipment cabinets shall be neutral in color in order to blend in with the compound and its surroundings. NCT will plant screening plants to screen the facility from the view of RT 60 and the adjoining parcels.

(c-3) All antennas and equipment installed at the facility shall be neutral in color.

(c-4) Under the current guidelines the FAA will not require tower to be lit.

- (c-5) No advertising or other signage will be permitted at the facility other than the RF signs required by the FCC and the site identification sign. NCT will also post an 18" X 24" sign with the owner's name, address, telephone number and address of the site.
- (c-6) The tower will be designed to a height of 199' AGL with a design loading capable of carrying the equipment of 6 collocations. Please see the attached RFQ Design Request dated 8/02/2011
- (c-7) The tower will be designed using "break-point technology". Should a catastrophic event occur the top section of the tower will be designed to fail within the 160' elevation. The upper 35' of the tower will most likely fall within the 125' X 125' lease area. Please see the attached RFQ Design Request dated 8/02/2011.
- (c-8) The tower will be designed to structurally accommodate the equipment loading of 6 collocations. Space in the fenced compound will be available for 6 or more equipment shelters or equipment pads. Please see the attached RFQ Design Request dated August 2, 2011.

Section 74-737
FEDERAL REQUIREMENTS

The tower will be designed to meet or exceed all current standards and regulations set forth by all Local, State and Federal agencies including the FAA and FCC. The emissions will not exceed the allowable standards set by the FCC.

Section 74-738
Building Codes

The tower will be designed and maintained in compliance with all Local, State, and Federal regulations and building codes. The tower is designed for a 90 mph basic wind in accordance with the TIA/EIA-222-G standard and is also designed for a 30 mph basic wind with 0.75 in. ice. Deflections are based upon a 60 mph wind. The tower is designed for Exposure C to the TIA-222-G standard. The tower structure is designed according to Structure Class II, Topographic Category 1 and a crest height of 0' per the TIA-222-G Standard. All construction practices will be in compliance with the current OSHA Handbook.

Section 74-739. Information Required
Application for Conditional Use Permit
National Communication Towers, LLC

- (1) Please see the attached **SITE PLAN**.
- (2) Please see the attached **STATEMENT OF JUSTIFICATION**.
- (3) Please see the **NIER LETTER** signed by Mark Taylor, RF Engineer.
- (4) Please see the attached **STATEMENT OF COLLOCATABLE STRUCTERS**.
- (5) Please see the attached **STATEMENT OF WILLINGNESS TO ALLOW COLLOCATION**.
- (6) Please see the attached **VISUAL IMPACT STATEMENT**.
- (7) Please see the attached **PROPOSED CONSTRUCTION SCHEDULE**.
- (8) Please see the attached **SIGNAL PROPAGATION STUDIES** statement.
- (9) Please see the attached **PHOTO SIMULATIONS** and visibility maps of the proposed tower.
- (10) Please see the attached **COLLOCATION AFFIDAVIT**.
- (11) Please see the attached **ADDITIONAL INFORMATION STATEMENT**.

Section 74-739, Paragraph (1)

SITE PLAN

Please see the attached Survey by Shadrack & Associates.

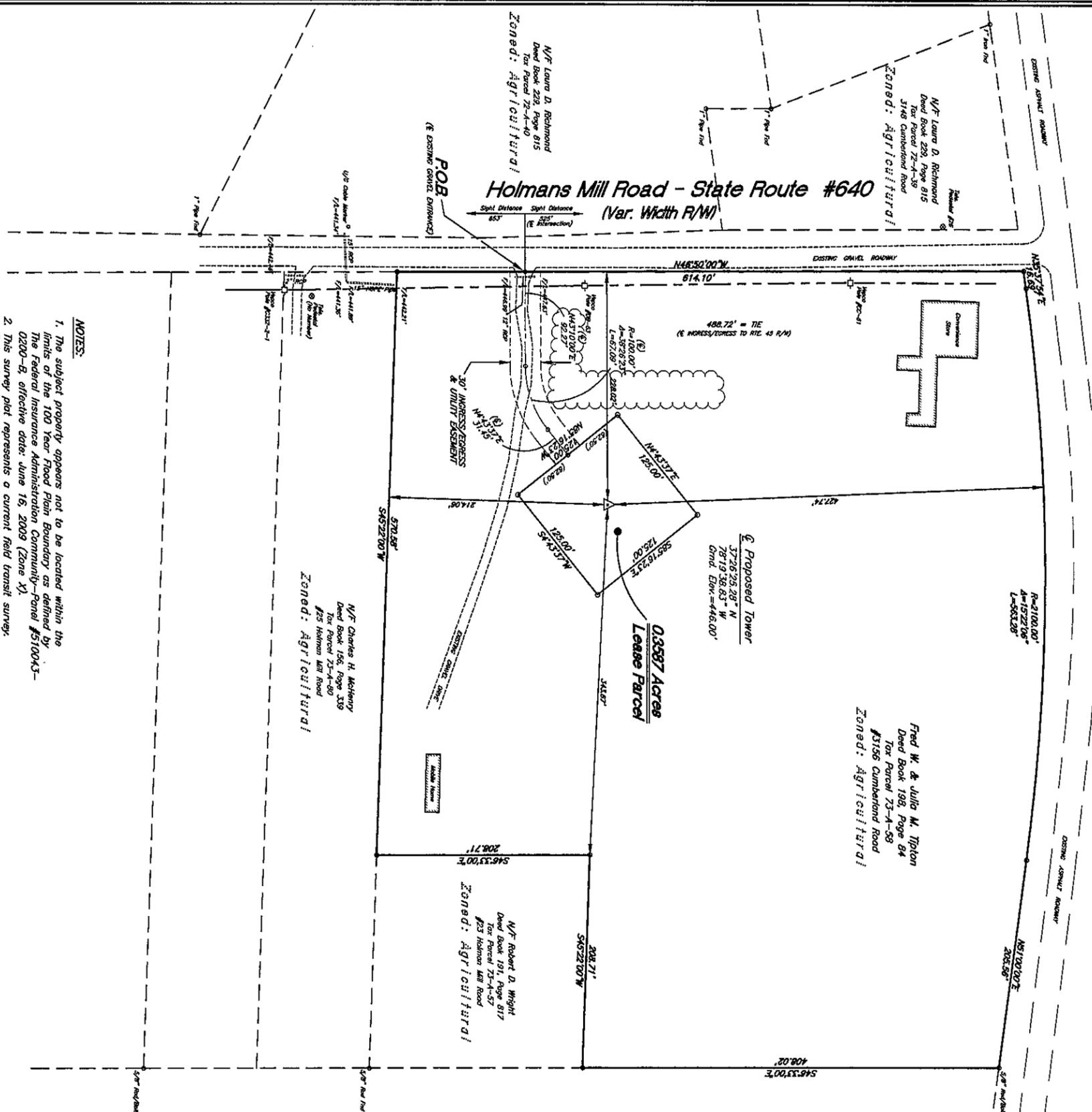
Signed: A. S. Doss

A. S. Doss

Vice President of Development

Date: 8/10/2011

Cumberland Road - State Route #45
(80' R/W)



Fred W. & Julia M. Tipton
Deed Book 198, Page 84
Tax Parcel 73-A-58
#3156 Cumberland Road
Zoned: Agricultural

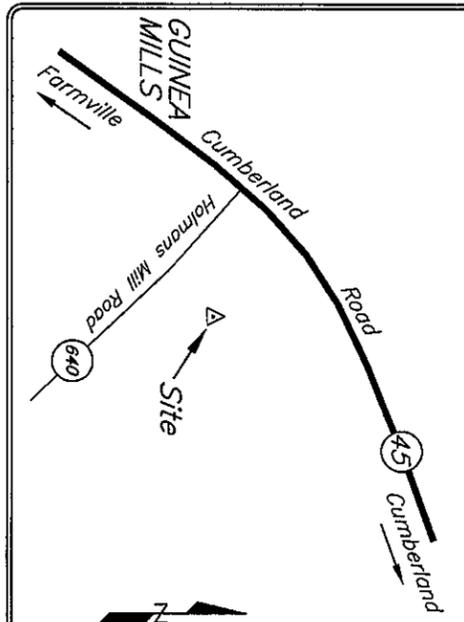
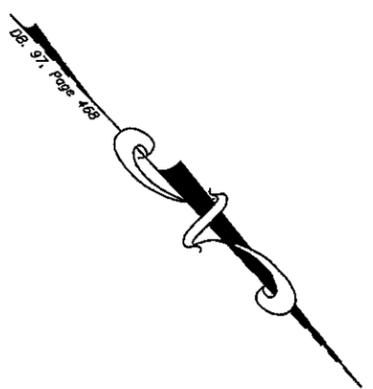
Proposed Tower
3726.25, 28° N
7819.38, 83° W
Gnd. Elev. = +46.00'

0.3587 Acres
Lease Parcel

N/F Charles H. McHenry
Deed Book 156, Page 339
Tax Parcel 73-A-4-90
#23 Holmans Mill Road
Zoned: Agricultural

N/F Robert D. Wright
Deed Book 191, Page 817
Tax Parcel 73-A-4-57
#23 Holmans Mill Road
Zoned: Agricultural

N/F James Wilkins, Jr.
Deed Book 114, Page 555
Tax Parcel 73-A-58
#352 Cumberland Road
Zoned: Agricultural



- Legend**
- Free Hydrant
 - Handicap Parking Spaces
 - Painted Parking Spaces (Reg.)
 - Water Meter
 - Water Valve
 - Lamp Post (Metal Post w/ Light)
 - Drainage Manhole
 - Sanitary Manhole
 - Cable T.V. Pedestal
 - Verizon Telephone Pedestal
 - U/G Fiber Optic Marker
 - Gas Valve
 - Upro Pole
 - Upro Transformer
 - Final Survey Traverse Point
 - Miss Frame Sign
 - Handicap Parking Sign
 - Irrigation Valve
 - Yard Inlet (Drainage)
 - Concrete Surface
 - Reinforced Concrete Pipe
 - Corrugated Metal Pipe
 - U/G Fiber Optic Marker
 - P.O.B. Point of Beginning

LEGAL DESCRIPTION - 30' Ingress/Egress and Utility Easement

BEGINNING at a point on the northern boundary of the right of way line of State Route No. 640 (Holmans Mill Road), said point being 488.72 feet East of the intersection of the eastern boundary of the right of way line of State Route No. 45 (Cumberland Road) and the northern boundary of the right of way line of State Route No. 640, thence leaving the northern boundary of the right of way line of State Route No. 640 in a northeasterly direction along the centerline of a 30' Ingress/Egress and Utility Easement N 43°10'00" E 92.27 feet to a point;

Thence along a curve to the left having a radius of 100.00 feet, a delta angle of 38°26'23" and an arc length of 67.09 feet to a point;

Thence N 04°43'37" E 31.45 feet to a point, said point being the terminus of the centerline of the 30' Ingress/Egress and Utility Easement.

LEGAL DESCRIPTION - Lease Parcel

BEGINNING at a point on the northern boundary of the right of way line of State Route No. 640 (Holmans Mill Road), said point being 488.72 feet East of the intersection of the eastern boundary of the right of way line of State Route No. 45 (Cumberland Road) and the northern boundary of the right of way line of State Route No. 640, thence leaving the northern boundary of the right of way line of State Route No. 640 in a northeasterly direction along the centerline of a 30' Ingress/Egress and Utility Easement N 43°10'00" E 92.27 feet to a point;

Thence along a curve to the left having a radius of 100.00 feet, a delta angle of 38°26'23" and an arc length of 67.09 feet to a point;

Thence N 04°43'37" E 31.45 feet to a point, said point being the terminus of the centerline of the 30' Ingress/Egress and Utility Easement and the Actual Point and Place of Beginning of the Lease Parcel;

Thence continuing in a northeasterly direction the following five (5) courses and distances:

- 1) N 85°16'23" W 62.50 feet to a point;
- 2) Thence N 4°43'37" E 125.00 feet to a point;
- 3) Thence S 85°16'23" E 125.00 feet to a point;
- 4) Thence S 4°43'37" W 125.00 feet to a point;
- 5) Thence N 85°16'23" W 62.50 feet to a point, said point being the Point and Place of Beginning for the Lease Parcel, containing 0.3587 Acres, more or less.

I hereby certify that this boundary survey, to the best of my professional knowledge and belief, is correct and complies with the minimum procedures and standards established by the Virginia State Board of Architects, Professional Engineers, Land Surveyors, and Certified Landscape Architects.



SURVEY PLAT SHOWING
A 30' INGRESS/EGRESS & UTILITY EASEMENT
AND A 0.3587 ACRE LEASE PARCEL SITUATED
ON THE EAST LINE OF STATE ROUTE 45
RANDOLPH DISTRICT, CUMBERLAND COUNTY, VIRGINIA
JULY 25, 2011

Shadrach & Associates, LLC
LAND SURVEYING
450 Sandstone Blvd., Suite 10-B • Roanoke, Virginia 24060
Phone: (804)378-3300 • Fax: (804)378-3301

Section 74-739, Paragraph (2)

Statement of Justification and Impact Conditional Use Permit Application National Communication Towers, LLC Guinea Mills Tower, Cumberland, Virginia

National Communication Towers L.C. (“National”) as lessee, hereby applies for a Conditional Use Permit to allow a telecommunications facility and accessory structures on leased land. The leased land is located on property known by Tax Map Parcel 073-A-58. The parcel is located on the east side of Rt. 45 behind Midway Grocery. According to the tax records of Cumberland County it is owned by Julia M. Tipton.

National is requesting a Conditional Use Permit to allow a self support Monopole Tower, measuring approximately 195’ in height with a 4’ lightning rod, to be located on a leased area, measuring 125’ x 125’. The facility will be designed to allow multiple collocations on the tower and within a secure fenced compound area. The exact number and types of future users is difficult to predict, however the tower will be designed to accommodate a mix of carrier types. The design mix will include: 6 or more users of panel antennas (typically 15 panels, 12” wide x 72” high, per user). Likewise, the compound area is designed to accommodate a mix of shelter types and sizes as denoted on the drawings submitted with this application.

The 10 acre parcel is zoned A2. According to the Cumberland County zoning ordinance, telecommunication facilities are permitted on A2 zoned properties, with Conditional Use Permits. Proper setback distances have been observed and are denoted on the enclosed plans.

National develops telecommunication facilities for collocations by cellular, PCS, paging and other wireless services which rely upon a network of elevated platforms in areas where the carriers have gaps in signal coverage, or “holes.” Such a hole exists along the Route 45 corridor. Supported by propagation studies, National believes communications facility located on the subject parcel will enable carriers to fill this gap, while minimizing the effect on surrounding property owners. Cumberland County Wireless Authority may also co-locate its broadcast equipment on the tower.

The FCC has authorized several carriers to provide wireless services in this part of Cumberland County. Those carriers include: Sprint, AT&T, Nextel, Verizon Wireless U.S. Cellular and Ntelos.

The facility will be in continuous operation but will produce no interference with other types of communications including: radio, television, cable TV, garage door openers or other consumer electronic equipment. No offices will be constructed on the site, so neither sewer nor water facilities will be required. The facility will produce no refuse, noise, vibration, dust, glare, odors or fumes. Neither National nor any of the tower users will introduce hazardous or toxic substances to the site. After completion of construction, the only traffic associated with the site will be short visits by technicians on a monthly basis to test or replace equipment components. In most instances towers below 200' are not required by the FAA to be lit.

The facility will provide a vital public safety service to this part of the County in two important ways. First, the County may incorporate the tower into its communication network utilized by law enforcement and fire and rescue personnel. Second, this new facility will enable wireless services to be extended to this part of the County, enabling the public at large to utilize those services for important medical or life-safety calls.

The proposed use conforms to the provisions of all applicable ordinances, regulations, adopted standards and conditions. National is not seeking any wavier or variance for the proposed use at this time. National respectfully requests the approval of this Conditional Use Permit application.



Al Doss
Vice President of Development
National Communication Towers, L.L.C.

8-10-2011
Date

Section 74-739, Paragraph (3)

NIER LETTER

Please see the attached NIER Letter from Edge Wireless.

Signed: 

A. S. Doss
Vice President of Development

Date: 8/10/2011

August 8, 2011

Mr. Al Doss
Vice President of Operations
National Communication Towers, LLC
5413 Patterson Ave., Suite 101
Richmond, VA. 23226

RE: Radiation Statement for the Proposed Telecommunications Structure at the Guinea Mills Site, Location 37-26-25.28N, 78-19-38.83W, Cumberland County, VA.

Dear Mr. Doss:

This letter is provided per the request of National Communications Towers, L.L.C., and addresses the basic concepts of interference and exposure for a commercial tower operating on FCC licensed frequencies.

Maximum Permissible Exposure

I certify that I am a licensed professional engineer with my primary experience in the design and operation of communication towers and antennas. I further certify at the time of application that the NIER (non-ionizing electromagnetic radiation) expected to be emitted from the facility will not result in a level of exposure at any point below the tower or beyond the property line of the facility which exceeds the lowest applicable exposure standards established by any regulatory agency of the Federal Government or by the American National Standards Institute (ANSI).

The amount of power radiated from a typical grouping of antennas on a co-located site fall well below the Maximum-Permissible-Exposure (MPE) set forth in the Federal Communications Commission (FCC) rules (47 CFR §1.1310) as adopted from the National Council on Radiation Protection (NCRP) and Institute of Electrical and Electronic Engineers (IEEE), standard IEEE C-95.1-1992. In all cases of actual measurements I have found only isolated occurrences of the signal level exceeding standards. Generally, these conditions are only found with a heavily used rooftop site where direct antenna access is possible, typically within five (5) feet in front of the direction of transmission. Conversely, with the proposed tower the lowest antenna will be well over eighty (80) feet above ground level and is classified as a "controlled environment", i.e., the general population will not have access. With the busiest co-location (multi-carrier) tower sites I have not found an MPE exceeding or approaching the standard at ground level which is considered an "uncontrolled environment" or where the general population does have access.

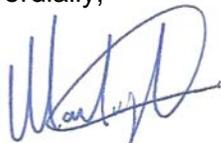
For the proposed site it is estimated that as many as six (6) carriers may use the location. This number of simultaneous users on a single tower has previously been measured many times without breach of the standard. The current service providers of Cellular, PCS, Broadband, and ESMR typically use relatively low power to balance the link with the low powered hand-held phone and as such do not approach the MPE standard at ground level.

Interference

Since all carriers that would likely be mounted on the tower are specifically licensed by the FCC to operate in the cellular or ESMR (collectively 800 MHz band), PCS (1900 MHz band), AWS (1700/2100 MHz band), or the 2.6 GHz WIMAX/BRS data service band there is commonly a wide frequency separation with public safety, radio, television and local government services. These consumer and public safety communications generally operate in the lower frequency range of 100 MHz to 800 MHz. Typical public safety and E-911 facilities are sufficiently far in frequency from most operators and can easily be protected from interference. Due to this large frequency separation and the low radiated power typical of "cellular" or "PCS" type services, these operators are unlikely to cause interference to the County or the County inhabitant's communications. All power level and antenna pattern specifications are determined and provided by the individual carriers. Worst case, i.e., full power and full frequency band usage assumptions are considered in determining interference issues. Actual frequency usage is provided by the carriers and is generally a small portion of their total FCC license spectral allocation.

Should you have any questions please contact me via the information listed below.

Cordially,

A handwritten signature in blue ink, appearing to read "Mark A. Taylor".

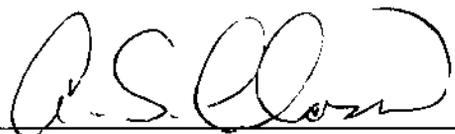
Mark A. Taylor, P.E.
Edge Wireless, L.L.C.
marktaylor03@comcast.net



Section 74-739, Paragraph (4)

STATEMENT OF COLLOCATABLE STRUCTURES

National Communication Towers, LLC has verified there are no other suitable structures within a one mile radius capable of meeting the service coverage objectives. The closest tower is 3.3 miles to the northeast and does not provide adequate service in the area of the proposed tower.

Signed: 
A. S. Doss
Vice President of Development

Date: 8/10/2011

Section 74-739, Paragraph (5)

STATEMENT OF WILLINGNESS TO ALLOW COLLOCATION

National Communication Towers, LLC is a developer of communication facilities and is licensed to do business in the state of Virginia. An extensive amount of research is dedicated to each location to determine if there is a need for a communications facility in a given area. Once a need is established and a site is identified, NCT will start the design process for the facility. The facility will be designed for the maximum potential of collocations including both phone and data transmissions and will accommodate a minimum of six collocations. NCT will actively market and solicit collocations within the facility to all users that are licensed to broadcast cellular phone transmissions and both licensed and unlicensed data transmissions. Should an additional tower be needed the site will be designed to accommodate the construction of an additional structure.

Signed: A. S. Doss
A. S. Doss
Vice President of Development

Date: 8/10/2011

NATIONAL COMMUNICATION TOWERS, LLC

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

August 2, 2011

Guinea Mills
Cumberland County, VA
37-26-25.28N
-78-19-38.83W

National Communication Towers (NCT) is requesting a quote for a monopole tower with the following specifications:

Height: 195' Monopole plus 4' lightning rod

Loading:

Rad Ctr	Panel Antenna	Qty	Coax	Qty	Mounts
195	72"x12"x8"	15	1-5/8"	18	Low Profile
185	72"x12"x8"	15	1-5/8"	18	Low Profile
175	72"x12"x8"	12	1-5/8"	15	Low Profile
165	72"x12"x8"	12	1-5/8"	15	Low Profile
155	72"x12"x8"	12	1-5/8"	12	Low Profile
145	72"x12"x8"	12	1-5/8"	12	Low Profile

Safety Climb

Step Bolts

Designed to collapse within 125' X 125' lease area

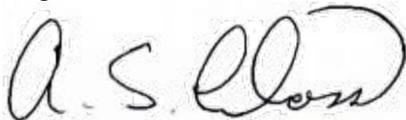
Revision G for structural analysis, Cumberland County, VA

Certified foundation design, tower drawings and engineer's letter to be provided

Delivery to: 3156 Cumberland Road, Cumberland County, Virginia 23040

Should you have any questions please call feel free to contact me.

Regards,



Al Doss

Vice President of Development
National Communications Towers, LLC
Office: 804-673-8800 Ext. 303
Cell: 804-366-1165
Fax: 804-673-4242
adoss@nationaltowers.com

Section 74-739, Paragraph (6)

VISUAL IMPACT STATEMENT

The proposed tower will be located on a 10 acre parcel of land owned by Julia M. Tipton; the parcel is zoned A2. The tower compound will be screened from Holman Mill Road, Rt. 640, by the existing tree cover. A row of existing trees will also help screen the facility from the view of Rt. 45 along with the existing store building. Since the tower will be located approximately 450' east of Rt. 45 we are proposing to construct a 195' Monopole tower to help mitigate any negative impact the tower may have upon the area.

Signed: 
A. S. Doss
Vice President of Development

Date: 8/10/2011

Section 74-739, Paragraph (7)

PROPOSED CONSTRUCTION SCHEDULE

Pending Approval by the B.O.S.

Assuming a 12 Month Expiration Date

Months 1-3: Complete tenant lease

Months 4-7: Site Plan Approval and Building Permit

**Months 8- 10: Grade site, dig foundation, install ground ring,
pour mud matt, Lay out tower centroid, place rebar,
tie foundation steel, set anchor bolts, Install grounding,
verify steel and anchor bolts, Pour Foundation, Backfill
foundation, finish grade site, complete grounding,
install compound stone and set H-frame**

Month 11: Stack tower, install Security Fence

Month 12: Tennant to start collocation

Signed: _____

A. S. Doss

Vice President of Development

Date: _____

8/10/2011

Section 74-739, Paragraph (8)

SIGNAL PROPAGATION STUDIES

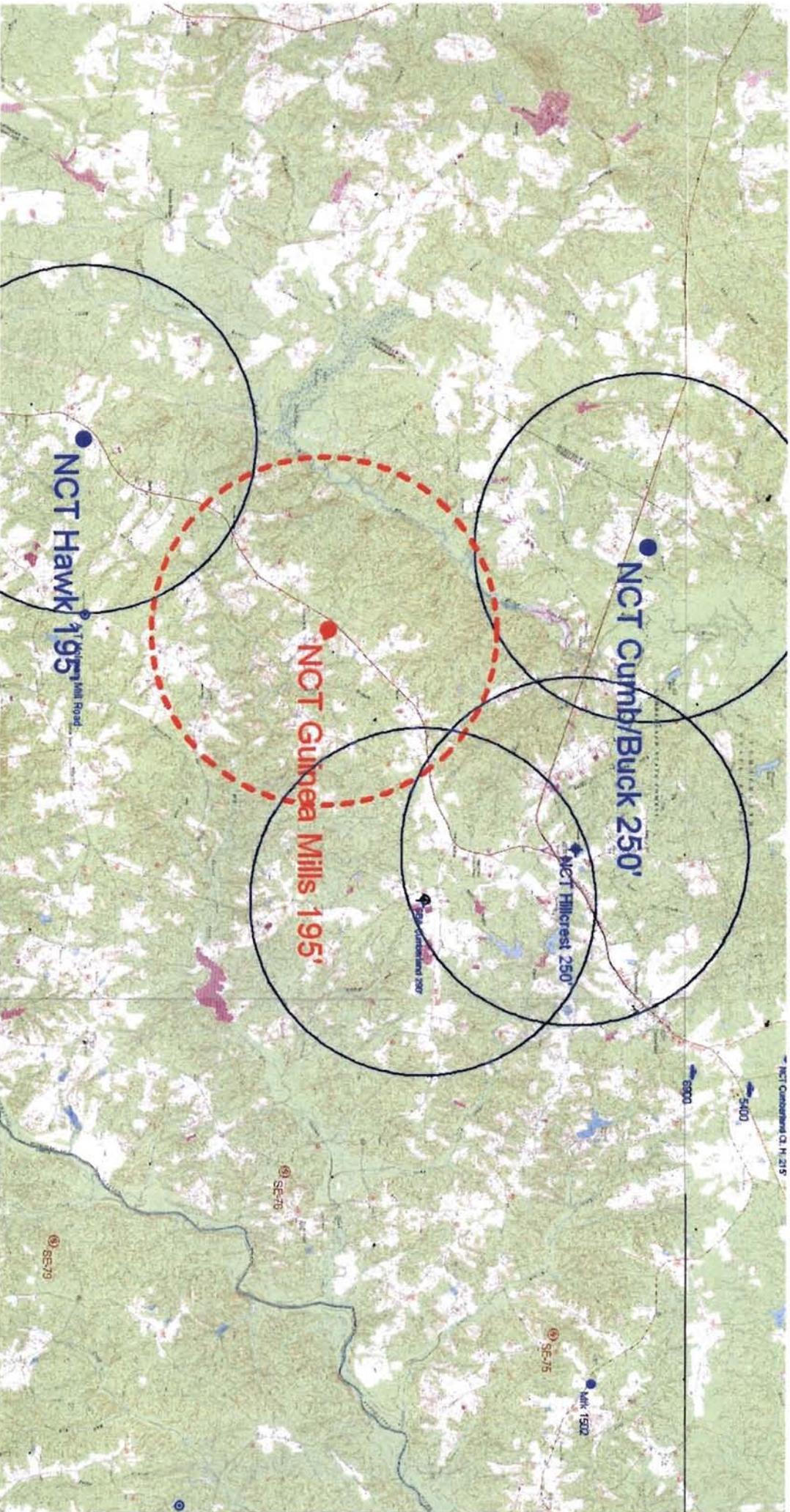
See the attached signal propagation studies.

Signed: A. S. Doss

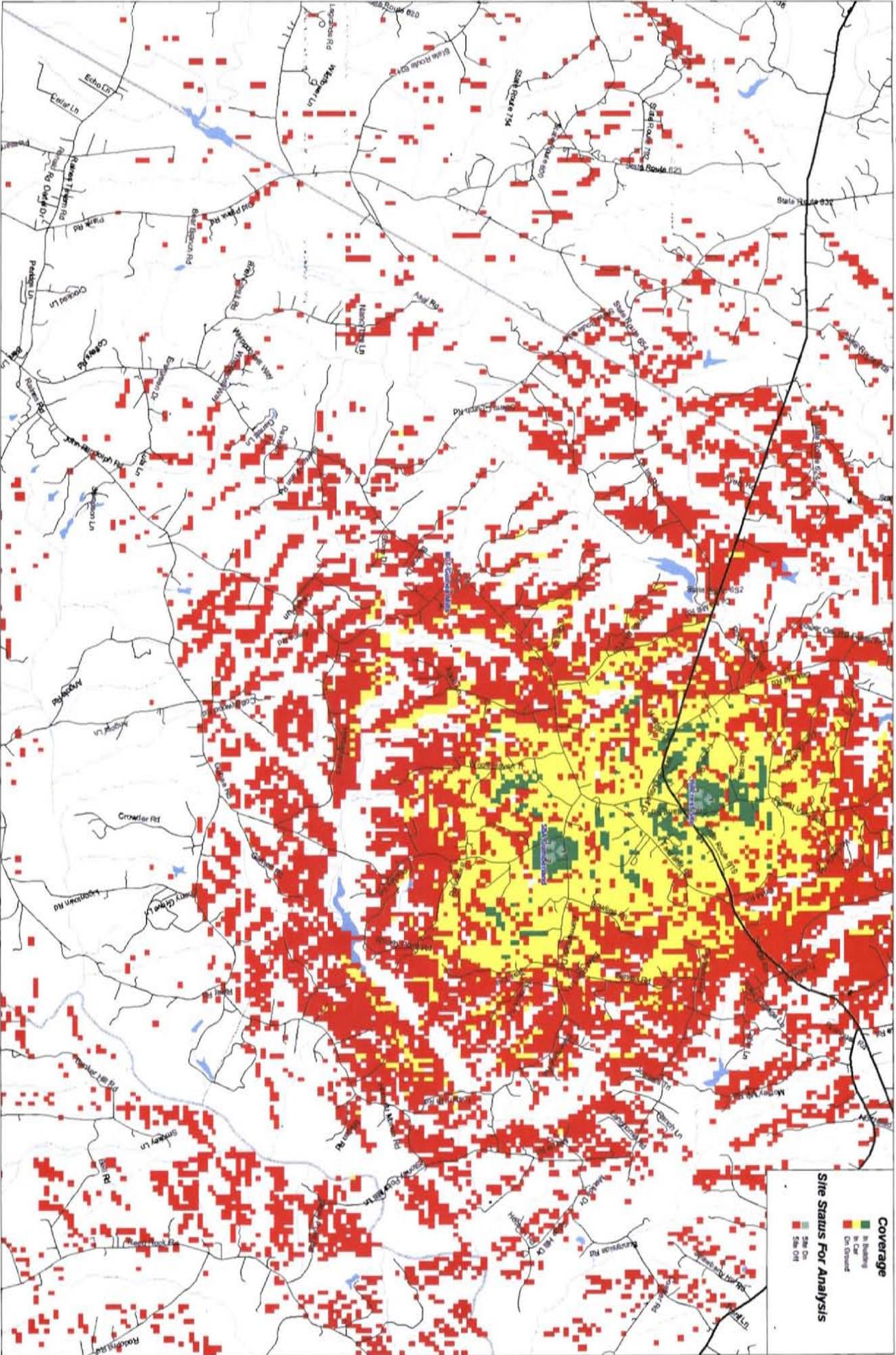
A. S. Doss

Vice President of Development

Date: 8/10/2011



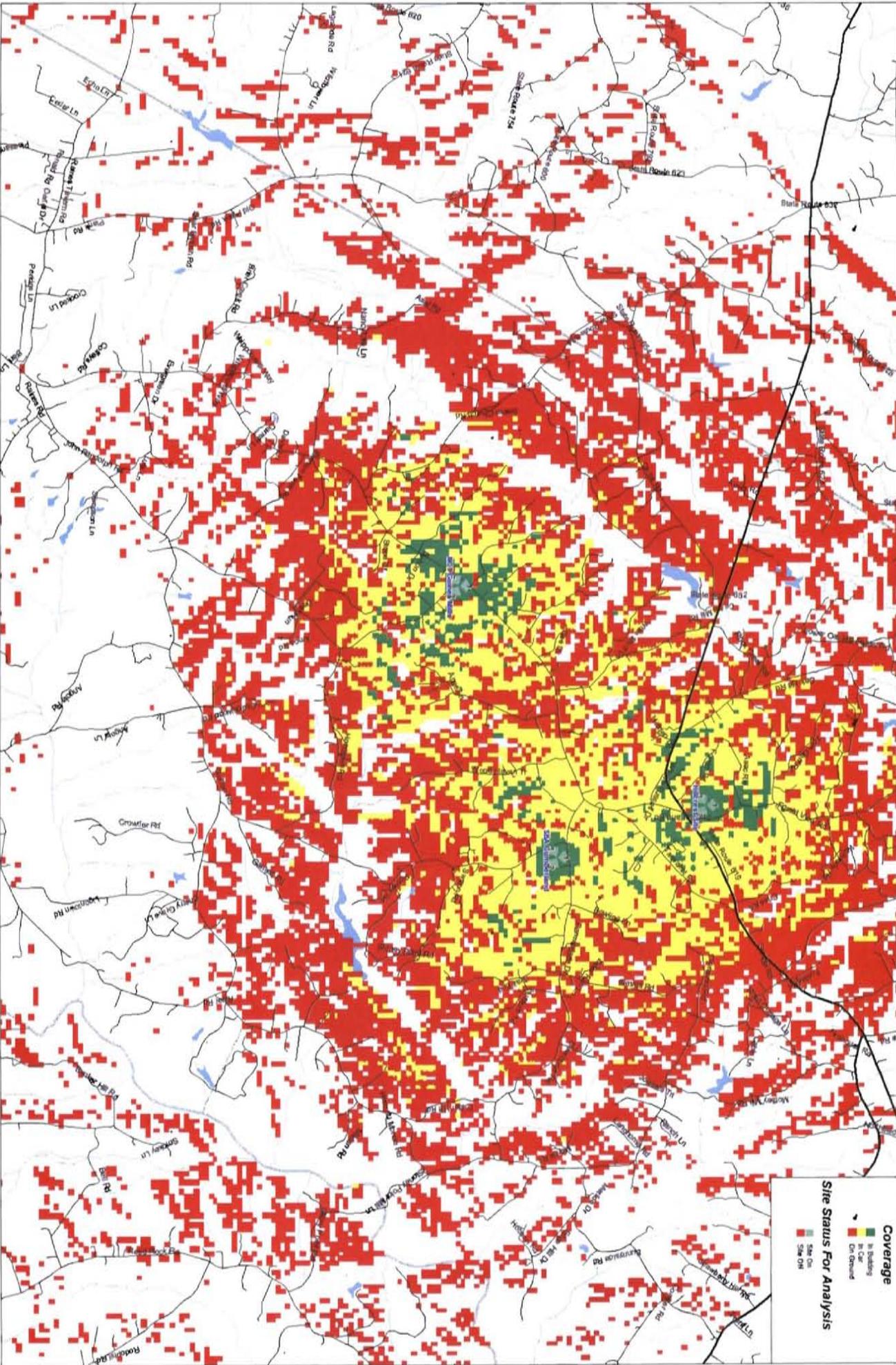
National Communication Towers, LLC.
Propagation Analysis: 1900 MHz Rural Propagation Model
Sites Include: Existing NCT Hillcrest Sites at 200' and Existing SBA Site at 250'



Coverage
In Building
In Coverage
Out of Coverage

Site Status For Analysis
In Building
In Coverage
Out of Coverage

National Communication Towers, L.L.C.
Propagation Analysis: 1900 MHz Rural Propagation Model
Sites Include: Proposed Guilhea Mills at 155', Existing NCT Hillcrest Sites at 200' and Existing SBA Site at 250'.



Section 74-739, Paragraph (9)

PHOTO SIMULATIONS

Please see the attached Photo Simulations and visibility maps.

Signed: 
A. S. Doss
Vice President of Development

Date: 8/10/2011

NCT Guinea Mills Balloon Visibility Map

Visible ———

Rt. 45

Hollman Mill Road







Rt. 45 and Hollman Road



View from 45 in front of parcel

Section 74-739, Paragraph (10)

COLLOCATION AFFIDAVIT

This Affidavit is to confirm the Ground Lease executed by and between National Communication Towers, LLC and Julia M. Tipton does not in any way prohibit or impede the collocation of users on the tower provided their equipment is within the design parameters of the tower.

Signed: 
A. S. Doss
Vice President of Development

Date: 8/10/2011

Section 74-739, Paragraph (11)

ADDITIONAL INFORMATION STATEMENT

In order to ensure compliance with all Cumberland County Zoning Regulations, National Communication Towers, LLC will provide any other information or documentation requested by Cumberland County Officials with regards to this Conditional Use Request.

Signed: A. S. Doss
A. S. Doss
Vice President of Development

Date: 8/10/2011

Section 74-740
FACTORS CONSIDERED IN GRANTING A CUP

- (1) The 195' height of the tower above ground level (AGL) is needed to effectively meet the coverage objective of the area.
- (2) The tower will be located approximately 450' east of Rt. 45 within the A-2 zoning district. The 10 acre parcel is mostly open with some trees that will help screen the facility from view of Rt. 45 and Holman Mill Road. A 195' Monopole tower is being proposed to help mitigate any negative impact the facility may have upon the area. There are no churches or schools within the immediate area of the tower's location.
- (3) All of the adjoining parcels are zoned A-2. Also, there has been no documented evidence of diminished property values due to communication facilities or other types of utilities such as power substations, transmission lines, transmission towers, telephone poles and water tanks.
- (4) The surrounding topography is rolling and the site drains to the north. The Rt. 45 corridor itself maintains a steady elevation but the topography within the service area has elevation changes of 200'.
- (5) The proposed Communications Facility is located approximately 450' east of Rt. 45. Areas adjacent to the compound have some trees that will help screen the facility from the view of Rt. 45 and Holman Mill Road.
- (6) The tower will be designed using "break-point technology". Should a catastrophic event occur the top 35' of the tower will become separated from the remainder of the tower and will likely fall within the lease area.
- (7) The ingress/egress of the site will utilize an existing entrance off of Holman Mill Road and the drive will be exclusively located on the parcel. Once the site is constructed an estimated 6 to 8 trips a month by light duty vehicles is anticipated into the site.
- (8) National Communication Towers, LLC provides the infrastructure and

- the platform for both licensed and unlicensed wireless providers to attach their equipment to. The facility will be designed to accommodate the equipment loads of 6 collocations. NCT evaluates and designs each site to maximize its collocation potential and will make every effort possible to assure the site will fit into the design parameters of all possible users.
- (9) It is our belief the proposed CUP falls within the scope of Cumberland County's Comprehensive Plan and the facility will serve to enhance the County's communications needs and will provide wireless services to its citizens.
 - (10) There are no other structures within a 1 mile radius that meet the criteria and coverage objectives of the proposed Communication Facility. The closest tower is 3.3 miles from the proposed facility and does not provide adequate service to the area.
 - (11) The closest airport registered with the FAA is 8.8 miles to the southwest. The tower will be registered with FCC and will be recorded on the FAA flight database. The tower will comply with all FAA marking requirements and regulations.
 - (12) In order to mitigate the potential visual impact of the proposed Communications Facility we are proposing to build a 195' Monopole Tower. Existing trees on the parcel will help to mitigate the view of the compound from Rt. 45 and Holman Mill Road.
 - (13) Space on the tower will be proffered, rent free, for Cumberland County's E911 and police equipment. The Facility will serve to enhance the County's communications needs and will provide wireless services to its citizens.

Section 74-741

AVAILABILITY OF OTHER STRUCTURES

- (1) No other structures within a 1 mile radius of the proposed facility meet the coverage objective of the proposed facility.

Section 74-741
SECURITY FENCING

The compound will be secured by a 6' chain-link fence with a 2' anti-climbing device on top. Only authorized personnel may enter the facility through locked gates.

Section 74-743
LANDSCAPING

- (1) The proposed Communications Facility is located approximately 450' east of Rt. 45. It is our belief the existing tree coverage on the parcel is sufficient to screen the facility from Rt. 45 and Holman Mill Road.

Section 74-744
LOCAL GOVERNMENT ACCESS

One Radiation Center space on the tower will be available, rent free, for Cumberland County's E-911 and police equipment.

Section 74-745
REMOVAL OF ABANDONED TOWERS

National Communication Towers, LLC will post applicable bonds for the removal of the tower and equipment also, tower removal is addressed within the Ground Lease.

Section 74-746
REQUIRED YEARLY REPORT

National Communication Towers, LLC will submit to Cumberland County a yearly report of the status of the facility by July 1. The report shall include the current users of the tower and any additional towers NCT plans for the next year countywide.

NCT Guinea Mills 195' Monopole



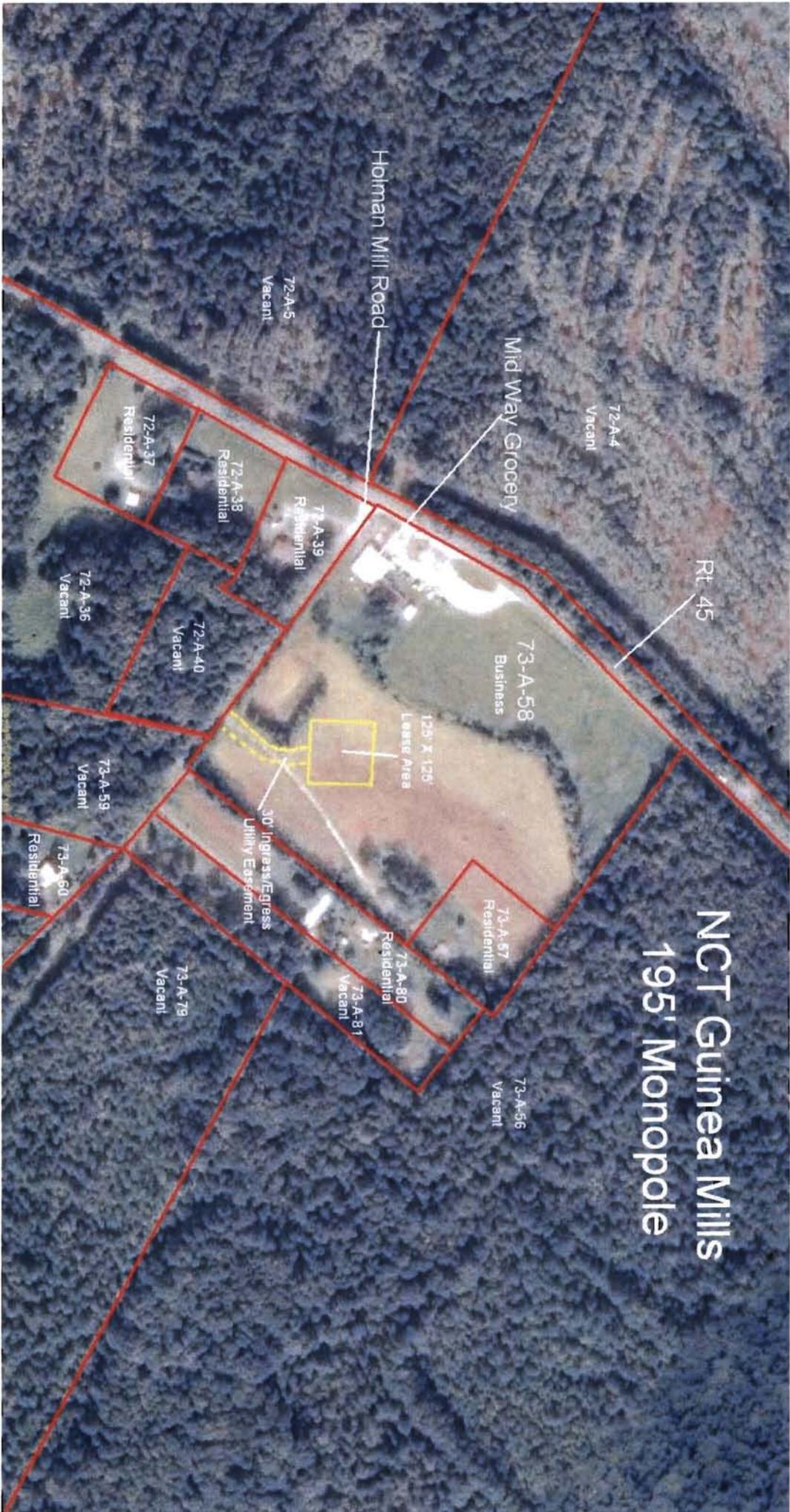
Mid Way Grocery

73-A-58
Business

125' X 125'
Lease Area

30' Ingress/Egress
Utility Easement

NCT Guinea Mills 195' Monopole



BOARD OF SUPERVISORS
OF THE
COUNTY OF CUMBERLAND, VIRGINIA
RESOLUTION
AMENDING
CONDITIONAL USE PERMIT #11-06
FOR TAX MAP PARCEL 73-A-58
REQUESTED BY
NATIONAL COMMUNICATION TOWERS, LLC

February 12, 2013

At a meeting of the Board of Supervisors of Cumberland County, Virginia, in the Cumberland County Courthouse, commencing at 7:00 p.m., February 12, 2013, the following action was taken following a duly held public hearing during which time County staff provided a review of the request to amend the conditional use permit, the applicant's representative and agents provided a review of the proposal and members of the public offered comment:

On a motion made by _____, it was moved that the Board of Supervisors of Cumberland County amend, in accordance with the following Resolution, the conditional use permit described in said Resolution;

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

Present:

Vote:

David Meinhard, Chairman

Lloyd Banks, Jr., Vice-Chairman

William F. Osl, Jr.

Kevin Ingle

Parker Wheeler

Dated: _____

Attested: _____

Vivian Seay Giles, Clerk to the Board of Supervisors

WHEREAS, National Communication Towers, LLC (the “Applicant”) seeking an amendment to conditions of conditional use permit 11-06 (the “CUP Application, CUP #11-06”) for the property described below in accordance with Section 133 of Chapter 74 of the Cumberland County Code of Ordinances (the “Zoning Ordinance”); specifically, the Applicant requested an amendment to conditions of the conditional use permit for the construction and operation of a 195 foot tall telecommunications tower and related facilities; and

WHEREAS, the subject property is located at the intersection of Cumberland Road (Route 45) and Holman Mill Road (Route 640) and is proposed to be accessed from a proposed 30 foot private access easement entering onto Holman Mill Road (Route 640). The affected property is currently zoned A-2, Agricultural. The proposed tower would be on an approximately 125 feet by 125 foot leased area on the portion of the property. The parcel is not located in a growth area as designated by the Comprehensive Plan. The affected property is located in Election District 4 and more particularly described as Tax Map Parcel 73-A-58 (the “Property”), with respect to approximately 10.000 acres, as shown on the Site Plan attached to the CUP Application; and

WHEREAS, the Board of Supervisors duly advertised and held a public hearing on February 12, 2013; and

WHEREAS, the Board of Supervisors carefully considered evidence presented at the public hearing on February 12, 2013, in support or opposition to the proposed CUP Application and gave reasonable consideration to numerous factors, including but not limited to the following: the existing use and character of the Property, the County’s Comprehensive Plan, the suitability of the Property for the proposed use, the trends of growth or change, and the current and future requirements of the County as to land for various purposes as determined by population and economic studies, the conditional use permit standards more fully described in Section 74-702 of the Zoning Ordinance and the supplemental standards for communications antennas and towers more fully described in Section 74-731 through 747 of the Zoning Ordinance; and

WHEREAS, in its review of the CUP Amendment, the Board of Supervisors further finds that the proposed amendment to the permit for telecommunication tower and its related facilities provide a reasonable signal coverage that cannot be accommodated on an existing tower; and

WHEREAS, the Board expressly approves the use of a communication tower on the property subject to the amended conditions included in the CUP application; and

WHEREAS, after discussion, staff presentation and due deliberation with respect to such documentation, information and data, including information and materials presented at this public hearing, the Board of Supervisors desires to affirm its findings and take action with respect to the CUP Application;

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

- a. The foregoing recitals are hereby incorporated by this reference.
- b. Upon consideration of the foregoing and the conditions set forth on the Zoning Ordinance, including Section 74-702 and the supplemental standards for communications antennas and towers more fully described in Section 74-731 through 747 of the Zoning Ordinance, the Board of Supervisors find it appropriate to grant the amendment to Conditional Use Permit #11-06 in accordance with the CUP Application.
- c. The Board further finds that the request to amend the CUP is in substantial accordance with the County's Comprehensive Plan.
- d. The Board has also determined that the request to amend the CUP furthers the general purpose and objectives of the Zoning Ordinance and such use would be beneficial and appropriate taking into consideration public health, safety, necessity, convenience, general welfare and good zoning practice; and

The Board of Supervisors hereby amends the conditions of the CUP to allow the use of a 195 foot tall telecommunications tower and related facilities on the Property subject to the following terms and conditions:

1. This conditional use permit shall allow for construction work commenced on or before **three (3) years from the effective date of the conditional use permit**, and any such expansion activities commenced thereafter shall require a new conditional use permit.
2. All operations on the Property shall comply with all applicable health and environmental laws, rules and regulations, and with all County, State and Federal Laws which govern construction and operation of the tower.
3. As a condition for the permit, NCT shall provide on a reserved basis and at no cost or expense to the County or its political subdivisions (collectively, the "County") space on the tower to the County of not less than 10 feet in radial direction and at a height of at least 80 feet above ground level for the installation by the County, at the County's sole cost and expense, for communications equipment and antennas. NCT shall also make space available for ground equipment supporting such County tower use. NCT shall be able to install its own or third-party antennas and/or equipment located on the same height and/or platform, pass through the County space, and perform construction to increase the height of the tower and/or take any other action as may be necessary or incidental to NCT's ownership or operation of the tower. Such County use shall be consistent with Federal Communications Commission ("FCC") licenses for wireless telecommunications service and be operated in a lawful and proper manner, in accordance with good engineering practices and be compliant with all applicable laws, ordinances, rules and regulations, relating to such operation and use.

4. All representations of National Communication Tower, LLC's conditional use permit application #11-06 for a 195 foot Telecommunication Tower and associated equipment, including all attached documentation, filed on August 15, 2011, are included herein as conditions.
 5. The conditional use permit shall not become effective until a removal bond in the amount of \$25,000 pursuant to Section 74-745 of the Zoning Ordinance has been approved by the County Attorney executed, and filed with the County Administrator.
 6. The radius width shall be limited to three (3) feet for any dish placed on the tower. Antennae placed on the tower shall not extend beyond four (4) feet above the one hundred ninety-five (195) foot tower height.
- e. This Resolution shall be effective immediately.

DRAFT



**Cumberland County Comprehensive Planning and Management Team
PO Box 110
Cumberland VA 23040**

Served by the following Agencies:

Department of Social Services
Crossroads Community Services Board
Cumberland Public Schools
Cumberland Health Department
Cumberland Sheriff's Office
Parent Representative
Cumberland Office on Youth

Alice Metts
CSA Program Manager and
FAPT Chairman

PHONE: 804-492-3561
FAX: 804-492-5737
email: ametts@cumberlandcounty.virginia.gov

February 5, 2013

Dear Members of the Board of Supervisors,

It has come to my attention that Mrs. Susan Oertel, our current Parent Representative on the Comprehensive and Planning Team, has asked to resign from our team. She has been an excellent member of the team by bringing her knowledge of services and of the youth we serve to our group. Mrs. Oertel has served on the team for almost ten years now and feels she needs to let someone else participate. She has numerous responsibilities in the community and at home, so she feels she can no longer keep up with the constant changes within the CSA world.

If you agree to accept this resignation, I would like to recommend Linda Eanes as an appropriate replacement for Mrs. Oertel. Ms. Eanes has been serving on our team as a representative of 4-H, she has offered many free or low cost programs to our youth and their families and is well aware of the mission of CPMT to build community based services as well as purchased programs for the youth we serve. Ms. Eanes is very familiar with working with at risk youth both through her work and her personal experiences. Please consider her as a candidate for the position of Parent Representative on the CPMT.

In addition, I would like to personally invite each of you to the CPMT/FAPT Retreat on March 5, 2013, at the Community Center from 9 AM until after lunch. This will afford you the opportunity to meet the members of both teams, to understand the job of both groups and to learn how we are trying to build new programs for at risk youth in our county. Please let me know if you can attend so we can have lunch for you.

Sincerely,

Alice Metts
Alice Metts
CSA Program Manager

BOARD OF SUPERVISORS
OF THE
COUNTY OF CUMBERLAND, VIRGINIA
RESOLUTION
APPROVING AND AUTHORIZING
THE RELEASE OF RECORD OF DEEDS OF TRUST
CUMBERLAND HOUSING COMMUNITY DEVELOPMENT CORPORATION

February 12, 2013

WHEREAS, Cumberland County has been contacted by the Virginia Department of Housing and Community Development regarding certain Deeds of Trust of record in the Circuit Court Clerk's Office of Cumberland County, Virginia; and

WHEREAS, the said Deeds of Trust stand for the benefit of Cumberland Housing Community Development Corporation; and

WHEREAS, the said Deeds of Trust were prepared, executed, and existed in order to secure payments, if any required, under the Indoor Plumbing and Dry Well Programs; and

WHEREAS, according to the records of the Virginia Department of Housing and Community Development, all payments required under the said Indoor Plumbing and Dry Well Programs for properties located in Cumberland County, Virginia have been received and accordingly the said Deeds of Trust should be released forthwith from all real properties located in Cumberland County, Virginia; and

WHEREAS, Cumberland Housing Community Development Corporation is an organization no longer in existence and no longer duly licensed by the Virginia State Corporation Commission; and

WHEREAS, the Virginia Department of Housing and Community Development has contacted staff of Cumberland County, Virginia to request that the County release all Deeds of Trust of record in the Circuit Court Clerk's Office of Cumberland County, Virginia held by the Cumberland Housing Community Development Corporation in order to remove from the affected real properties those liens, as required by the Code of Virginia.

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

- a. The foregoing recitals are hereby incorporated by this reference.
- b. Upon consideration of the foregoing, the Board of Supervisors deems it appropriate to do so and does hereby authorize the release of all Deeds of Trust of record in the Circuit Court Clerk's Office of Cumberland County, Virginia held by Cumberland Housing Community Development Corporation.
- c. The Chairman of the Board is authorized to execute for each such Deed of Trust a Certificate and Affidavit of Satisfaction, Form CC-1505, in substantially the form presented at this meeting, with such completions, omissions, insertions and changes not inconsistent with this Resolution as may be approved by the Chairman of the Board in consultation with the county attorney and whose approval shall be evidenced conclusively by the execution and delivery thereof.
- d. All other actions of County officials in conformity with the purposes and intent of this Resolution and in furtherance of the release of the said Deeds of Trust are ratified, approved and confirmed. The County officials are authorized and directed to execute and deliver all certificates and other instruments considered necessary or desirable in connection with, and pursuant to, this Resolution.
- e. This Resolution is effective immediately.

CERTIFICATE AND AFFIDAVIT OF SATISFACTION

COMMONWEALTH OF VIRGINIA VA. CODE §§ 55-66.3 to 55-66.6

..... Circuit Court
is the location of the following record referenced by this certificate:

.....
DATE, DEED OF TRUST OTHER LIEN DEED BOOK NO. PAGE NO. INSTRUMENT NUMBER

..... OR
TAX MAP REFERENCE NUMBER PARCEL IDENTIFICATION NUMBER

.....
NAME(S) OF GRANTOR(S)/MAKER(S)

.....
NAME(S) OF TRUSTEE(S)

\$
AMOUNTS AND TOTAL OF NOTE(S)

I/WE, lien creditor, settlement agent, or title insurance company, who made payment in satisfaction of the above-mentioned note(s) secured by the above-mentioned deed of trust or other lien, do hereby certify that the same has/have been paid in full, and the lien therein created and retained is hereby released.

..... DATE AUTHORIZED SIGNER

- LIEN CREDITOR
- SETTLEMENT AGENT (CRESPA Registration No.
(Settlement Agent's AFFIDAVIT and NOTICE OF INTENT is attached.)
Pursuant to authority granted by Virginia Code § 55-66.3(E)
- TITLE INSURANCE COMPANY (Title Insurance Company's Affidavit and Notice of Intent is attached.)
Pursuant to authority granted by Virginia Code § 55-66.3(E)

State/Commonwealth of City County of

Acknowledged, subscribed and sworn to before me this day of, 20

by
LIEN CREDITOR, SETTLEMENT AGENT OR TITLE INSURANCE COMPANY

.....
PRINTED NAME OF NOTARY PUBLIC

.....
SIGNATURE OF NOTARY PUBLIC
(My commission expires)
Registration No.

VIRGINIA:
IN THE CLERK'S OFFICE OF THE CIRCUIT COURT

This certificate and affidavit of satisfaction was presented and, with the Certificate annexed, admitted to record on

..... at m.
DATE TIME

Clerk's fee of \$ have been paid.

....., Clerk by Deputy Clerk

|||

BOARD OF SUPERVISORS
OF THE
COUNTY OF CUMBERLAND, VIRGINIA
RESOLUTION
APPROVING AND AUTHORIZING
THE ACQUISITION OF EASEMENTS AND
THE INITIATION OF CONDEMNATION PROCEEDINGS
FOR THE CONSTRUCTION, MAINTENANCE, AND REPAIR
OF THE COUNTY PUBLIC WATER SUPPLY SYSTEM

February 12, 2013

WHEREAS, Cumberland County has undertaken the construction of a water line extension along Route 60 and Fleming Road, which project is financed by loan and grant funds provided by the United States Department of Agriculture, Rural Development; and

WHEREAS, in furtherance of the said project, the acquisition of easements over and across the affected real properties, both by purchase and by condemnation, is necessary; and

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

- a. The foregoing recitals are hereby incorporated by this reference.
- b. Upon consideration of the foregoing, the Board of Supervisors deems it appropriate to do so and does hereby authorize the purchase of all easements over and across real properties located in Cumberland County, Virginia necessary for the construction, repair and maintenance of the water line extension along Route 60 and Fleming Road and Route 13, pursuant to the authority granted in Va. Code § 15.2-1800 *et seq.*
- c. Upon consideration of the foregoing, the Board of Supervisors deems it appropriate to do so and does hereby authorize the acquisition by eminent domain through condemnation proceedings, when needed, all easements over and across real properties located in Cumberland County, Virginia necessary for the construction, repair and maintenance of the

water line extension along Route 60 and Fleming Road and Route 13, pursuant to the authority granted in Va. Code § 15.2-1901 *et seq.*

- d. The Chairman of the Board and the County Administrator are authorized to execute, and to record and file with the Circuit Court of Cumberland County, Virginia, all documents necessary and appropriate for the acquisition of all easements, the acquisition of which is authorized hereunder; and all documents necessary and appropriate for the exercise of the power of eminent domain and the condemnation proceedings thereunder for the acquisition of all easements, the acquisition of which is authorized hereunder; and to pay to all appropriate parties the amounts necessary for the acquisition of said easements.
- e. All other actions of County officials in conformity with the purposes and intent of this Resolution and in furtherance of the acquisition of all easements need for the construction, maintenance and repair of the county water system along Route 60, Fleming Road, and Route 13, by purchase or by the exercise of the power of eminent domain, are here ratified, approved and confirmed. The County officials are authorized and directed to execute and deliver all certificates and other instruments considered necessary or desirable in connection with, and pursuant to, this Resolution.
- f. This Resolution is effective immediately.

Vivian Giles

From: Kara Asboth <kasboth@ahchamber.com>
Sent: Wednesday, December 19, 2012 11:51 AM
To: Vivian Giles
Cc: Teresa Hammond
Subject: Virginia Midland Trail Initiative Information
Attachments: Midland Trail Resolution - Final Draft[1].doc

Follow Up Flag: Follow up
Flag Status: Flagged

Ms. Giles,

Good afternoon. I'm forwarding you a copy of the resolution on the Midland Trail, as was approved by Alleghany County, Town of Clifton Forge, City of Covington, Rockbridge County, Lexington, Buena Vista, Nelson County, Lynchburg, County of Appomattox and the Town of Appomattox. The resolution is now being considered by Amherst County. We would like to continue the Virginia Byway designation to include reaching out to Buckingham, Cumberland and Powhatan to determine interest in the project. The plan in to request designation by April 2013, so we will need to determine by February 2013 who is interested in pursuing the designation with the group.

It would be very much appreciated if you would introduce a similar resolution to the Amherst BOS and seek its approval. If you need additional information on this project (which is well described in the above resolution) then please don't hesitate to contact Teresa Hammond, Executive Director of the Alleghany Highlands Chamber of Commerce & Tourism (copied herein), or me and we'll follow up immediately.

Thanks so much for your help. We believe this initiative will be an added benefit for our respective jurisdictions and ask that you support it and, as noted, seek your Board's endorsement of the project through approval of the proposed resolution.

Best regards,

Kara Asboth

Kara Asboth



Alleghany Highlands
CHAMBER OF COMMERCE & TOURISM

110 Mall Road
Covington, Virginia 24426
540-962-2178 Office
540-962-2179 Fax

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888-430-5786 Toll Free
kasboth@ahchamber.com
www.visitalleghanyhighlands.com
www.ahchamber.com

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**Resolution in support of an extension of the Midland Trail,
as a National Scenic Byway, into Virginia**

WHEREAS, the West Virginia Byways Program strives to recognize, interpret, enhance, and preserve the intrinsic qualities of West Virginia byway corridors, with eleven State-designated Byways, ten State-designated Backways and four nationally-designated Byways, in place within the State of West Virginia.

WHEREAS, the State of West Virginia, West Virginia Department of Transportation and the West Virginia Division of Tourism recognizes that Byway designated funding has provided millions of dollars to enhance and promote significant historical, cultural, and visitor service sites along West Virginia roadways, attracting multitudes of visitors and making a significant economic impact through tourism.

WHEREAS, 119 miles of West Virginia roadway was designated as Midland Trail National Scenic Byway on June 15, 2000, resulting in a significant economic impact specifically to the communities along the Midland Trail.

WHEREAS, the Midland Trail Association of West Virginia – National Scenic Byway organization recognizes that the Midland Trail historical route (Route 60) extends into Virginia, and furthermore identifies a goal of having the route in Virginia designated as a National Scenic Byway within its Corridor Management Plan.

WHEREAS, there are more than 3,400 miles of roads designated as Virginia Byways, and to recognize and preserve Virginia's scenic, cultural, and historic resources, and help attract visitors and support economic development through tourism, the Virginia Department of Transportation (VDOT), the Virginia Tourism Corporation (VTC), the Virginia Department of Conservation and Recreation (DCR) and the Commonwealth Transportation Board (CTB), encourage local governments to nominate roads that meet the program criteria for Virginia Byway designation.

WHEREAS, there is an active effort to nominate the Virginia Midland Trail as a National Scenic Byway – extension of the West Virginia Midland Trail, by various Virginia localities and organizations, facilitated by and with guidance from the Virginia Tourism Corporation, Virginia Department of Transportation, and Virginia Department of Conservation and Recreation.

WHEREAS, the United States Secretary of Transportation recognizes certain roads (including multi-state) as All-American Roads or National Scenic Byways based on one or more archeological, cultural, historic, natural, scenic and recreational qualities.

WHEREAS, The National Scenic Byways Program is part of the U.S. Department of Transportation, Federal Highway Administration, and the program is a grass-roots collaborative effort established to help recognize, preserve and enhance selected roads throughout the United States.

WHEREAS, since 1992, the National Scenic Byways Program has provided funding for over 2,900 projects in 50 states and 1,500 state and nationally designated byway projects in 48 states.

WHEREAS, the Blue Ridge Parkway is designated as an All-American Road, providing visitors with the opportunity to learn the history and experience the culture of the entire multi-state region in which the Parkway meanders, while making a significant economic impact on the State of North Carolina and Commonwealth of Virginia, and serving as an example of a multi-state byway initiative by which the Midland Trail may follow.

THEREFORE BE IT RESOLVED that the County of Cumberland expresses its support for the Midland Trail (Route 60) of Virginia to be designated as a Virginia Byway, and formally recognized as the Midland Trail, through the County of Cumberland, and throughout the Commonwealth of Virginia.

BE IT FURTHER RESOLVED that the County of Cumberland expresses its support for Midland Trail (Route 60) to be designated as a National Scenic Byway and extension of the already designated Midland Trail– National Scenic Byway.

FINALLY BE IT RESOLVED that the County of Cumberland fully supports the effort to have the Midland Trail (Route 60) of Virginia designated as a Virginia Byway and National Scenic Byway, and extension of the already designated Midland Trail– National Scenic Byway in West Virginia, resulting in a multi-state National Scenic Byway.

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** GENERAL FUND REVENUES**

Monthly Financial Report To Council For January 2013

	Estimated 2012/2013 Budget to Date -----	Actual 2012/2013 Budget to Date -----	(Over) or Under Budget to Date -----
Revenue			
Balance Forward			
Expected	36,705,976.10	43,137,271.81	(6,431,295.71)
Total Revenue	36,705,976.10	43,137,271.81	(6,431,295.71)
Expenditures			
* Board of Supervisors *	49,777.00	32,787.18	16,989.82
* County Administrator *	220,716.00	129,788.38	90,927.62
* Independent Auditor *	33,500.00	32,400.00	1,100.00
* Commissioner of Revenue *	232,802.00	134,269.72	98,532.28
* Assessor *	54,000.00	954.40	53,045.60
* License Bureau *		119.34	(119.34)
* Treasurer *	268,053.00	155,262.69	112,790.31
* Accounting *	170,674.00	96,230.19	74,443.81
* Data Processing *	182,962.00	105,842.51	77,119.49
* Electoral Board *	25,165.00	14,146.68	11,018.32
* Registrar *	72,992.00	46,108.51	26,883.49
* Circuit Court *	14,310.00	1,453.07	12,856.93
* General District Court *	11,945.00	2,149.08	9,795.92
* Magistrate *	2,310.00	966.21	1,343.79
* Clerk of Circuit Court *	232,736.00	125,355.03	107,380.97
* Law Library *	1,000.00	1,579.22	(579.22)
* Commonwealth's Attorney *	114,555.00	64,021.32	50,533.68
* Sheriff *	1,459,292.40	876,049.45	583,242.95
* School Resource Officer *	63,900.00	37,964.32	25,935.68
* E911 *	46,380.00	13,226.73	33,153.27
Cumberland Vol.FIRE DEPT	39,500.00	39,500.00	
Cartersville Volun.	26,075.00	26,075.00	
Cumberland Vol. Rescue Squad	25,875.00	25,875.00	
Prince Edward Vol. Rescue Squad	8,000.00	8,000.00	
Randolph Fire Dept.	41,000.00	41,000.00	
Cartersville Vol. Rescue Squad	37,320.00	37,320.00	
* ODEMSA *	1,012.00	1,012.00	
* Forestry Service *	8,763.00	8,763.21	(.21)
* Emergency Services *	3,000.00	3,000.00	
* Probation Office *	1,440.00	742.61	697.39
* Correction & Detention *	15,000.00	31,034.25	(16,034.25)
* Building Inspections *	117,106.00	67,286.18	49,819.82
* Animal Control *	126,275.00	71,568.08	54,706.92
* Medical Examiner *		40.00	(40.00)
* Refuse Disposal *	642,780.00	334,130.55	308,649.45
* Recycling *		6,097.30	(6,097.30)
* General Properties *	651,503.00	386,568.98	264,934.02
* Supplement of Local Health Dept *	110,173.00	55,086.50	55,086.50
Piedmont Senior Resources	787.00	787.00	
* Chapter 10 Board - Crossroads *	34,000.00	34,000.00	
* CSA Management *	33,747.00	20,469.17	13,277.83
* Community Colleges *	2,873.00	2,873.00	

** GENERAL FUND REVENUES**

Monthly Financial Report To Council For January 2013

	Estimated 2012/2013 Budget to Date -----	Actual 2012/2013 Budget to Date -----	(Over) or Under Budget to Date -----
Expenditures			
Special Olympics	200.00	200.00	
* Recreation *	85,651.00	58,628.47	27,022.53
* Local Library *	115,450.00	115,450.00	
* Tri-County Life Learners (Liter)*	500.00	500.00	
* Planning Commission *	14,200.00	2,018.91	12,181.09
* Planning/Zoning Dept. *	120,761.00	62,644.49	58,116.51
* Community & Economic Developmnt *	143,509.00	82,759.57	60,749.43
* Board of Zoning Appeals *	1,850.00	308.00	1,542.00
Historic Society	250.00	250.00	
Clothes Closet	600.00	352.89	247.11
STEPS, Inc.	7,400.00	7,400.00	
Resource Conservation & Devel.	905.00	905.00	
Prince Edward Cannery	500.00	500.00	
CPAC / HOPE	2,500.00	2,500.00	
Piedmont Area Transit (PAT)	10,000.00	5,000.00	5,000.00
* Meals On Wheels *	15,600.00	15,352.89	247.11
* 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	5,500.00	(500.00)
Peter Francisco SWD	6,695.00	6,695.00	
* Extension Agents *	44,492.00	11,532.79	32,959.21
** LOCAL AID TO THE COMMONWEALTH **	70,717.00		70,717.00
* NONDEPARTMENTAL *		6,366.85	(6,366.85)
TRANSFERS	8,008,349.85	4,097,698.04	3,910,651.81
COMMONWEALTH'S ATTORNEY		1,262.27	(1,262.27)
SHERIFF	30,000.00	14,892.97	15,107.03
HEALTH INSURANCE	1,800,000.00	889,352.70	910,647.30
DENTAL INSURANCE	112,500.00	64,198.34	48,301.66
* Administration *	1,356,509.60	524,513.99	831,995.61
	14,222,208.25	5,942,836.72	8,279,371.53
	2,086.00		2,086.00
* COMPUTER UPGRADE *	45,000.00	21,282.98	23,717.02
* COMPREHENSIVE PLAN UPDATE *		16,800.00	(16,800.00)
* GIS MAPPING *		1,425.72	(1,425.72)
* UTILITIES - WATER *		951,423.43	(951,423.43)
* CARTERSVILLE RESCUE SQUAD *	10,800.00	10,800.00	
Randolph Community Center	11,820.00		11,820.00
* COMMUNICATIONS PROJECT *		36.00	(36.00)
* Vo-Tech Roof Replacement *		11,869.95	(11,869.95)
* Elementary School - Lit Loan *	241,667.00		241,667.00
* COPS97 Loan *	374,896.00	324,055.62	50,840.38
* High/Middle School - VPSA Loan *	932,501.00	749,590.96	182,910.04
* VACO/VML Direct Loan - HS/MS *	1,448,598.00	20,581,177.46	(19,132,579.46)
PUBLIC FACILITY NOTE 2009	390,862.00	281,817.26	109,044.74
* AMERESCO *	130,446.00	130,446.00	
* CHC Lease *	291,758.00	2,787,814.63	(2,496,056.63)
* LeSueur Property *	18,135.00	10,578.75	7,556.25
* SunTrust Loan-HS/MS *		1,109,792.96	(1,109,792.96)

** GENERAL FUND REVENUES**

Monthly Financial Report To Council For January 2013

	Estimated 2012/2013 Budget to Date -----	Actual 2012/2013 Budget to Date -----	(Over) or Under Budget to Date -----
Expenditures			
* Suntrust Loan - Courthouse *		27,850.00	(27,850.00)
	600,000.00	126,267.74	473,732.26
** TRANSFERS **	26,036.00	11,265.00	14,771.00
* SEWER FUND - Enterprise Fund *	273,807.00	160,279.09	113,527.91
* WATER FUND - ENTERPRISE FUND *	135,563.00	55,885.31	79,677.69
		479.09	(479.09)
COMMUNITY CENTER PURCHASE	114,035.00	56,544.00	57,491.00
MADISON INDUSTRIAL PARK		150,332.23	(150,332.23)
	263,820.00	56,820.00	207,000.00
	30,000.00	8,096.81	21,903.19
Total Expenditure	36,705,976.10	42,638,753.74	(5,932,777.64)
Total Revenues			
Less Total Expenditures		498,518.07	(498,518.07)

ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	BALANCE	UNCOLLECTED
FUND #100							
1101	** Real Estate Taxes **	5,720,000.00	5,720,000.00	66,518.43	2,874,151.68	2,845,848.32	49.75
1102	* Real/Personal Public Service *	540,000.00	540,000.00	.00	348,296.69	191,703.31	35.50
1103	* Personal Property Taxes *	1,831,500.00	1,831,500.00	44,601.63	1,483,010.53	489,489.47	19.02
1104	* Machinery & Tools *	90,000.00	90,000.00	1,875.00	79,433.61	10,566.39	11.74
1106	* Penalties & Interest *	233,000.00	233,000.00	21,912.94	159,073.56	73,926.44	31.72
1201	* Local Sales & Use Taxes *	775,000.00	775,000.00	.00	390,794.35	384,205.65	49.57
1202	* Consumer' Utility Taxes *	175,000.00	175,000.00	13,891.05	103,436.24	71,563.76	40.89
1203	* Business License Taxes *	108,000.00	108,000.00	6,942.95	31,763.68	76,236.32	70.58
1204	* Franchise License Taxes *	16,000.00	16,000.00	.00	.00	16,000.00	100.00
1205	* Motor Vehicle License Tax *	230,000.00	230,000.00	6,580.90	177,500.96	52,499.04	22.82
1207	* Taxes On Recordation & Mills *	45,000.00	45,000.00	4,209.42	24,691.70	20,308.30	45.12
1301	* Animal Licenses *	8,800.00	8,800.00	2,662.00	5,254.00	3,546.00	40.29
1303	* Permits & Other Licenses *	64,300.00	64,300.00	4,182.35	36,010.66	28,289.34	43.99
1401	* Court Fines & Forfeitures *	145,000.00	145,000.00	13,832.26	102,942.23	42,057.77	29.00
1501	* Revenue From Use Of Money *	30,000.00	30,000.00	.00	8,469.67	21,530.33	71.76
1502	* Revenue From Use Of Property *	39,400.00	39,400.00	995.00	6,925.64	32,474.36	82.42
1601	* Court Costs *	54,760.00	54,760.00	3,349.81	29,135.12	25,624.88	46.79
1602	* Commonwealth's Attorney Fees *	700.00	700.00	36.84	801.71	101.71	14.53
1603	* Charges For Law Enforcement *	40,000.00	40,000.00	3,090.00	28,915.00	11,085.00	27.71
1606	* Charges For Other Protection *	200.00	200.00	.00	233.00	200.00	100.00
1608	* Charges Sanitation & Removal *	500,500.00	500,500.00	99.00	1,743.00	500,267.00	99.95
1612	MENS LEAGUE-SOFTBALL	3,640.00	3,640.00	1,423.00	1,743.00	1,897.00	52.11
1613	* Charges For Parks & Recreation *	39,400.00	39,400.00	659.00	26,081.90	22,323.10	46.11
1616	* Charges For Planning / Com Dev *	6,400.00	6,400.00	.00	710.00	5,690.00	88.90
1899	* Miscellaneous *	1,149,900.00	1,168,056.25	504.34	1,156,334.77	11,721.48	1.00
2101	* Service Charges *	56,600.00	56,600.00	.00	56,435.45	164.55	.29
2201	**NON-CATEGORICAL AID**	928,235.00	928,235.00	1,251.23	717,706.70	210,528.30	22.68
2301	* Commonwealth Attorney *	73,394.00	73,394.00	.00	36,406.09	36,987.91	50.39
2302	* Sheriff *	545,655.00	545,655.00	.00	277,240.43	268,414.57	49.19
2303	* Commissioner Of Revenue *	77,437.00	77,437.00	.00	38,412.31	39,024.69	50.39
2304	* Treasurer *	91,930.00	91,930.00	.00	57,234.31	34,695.69	37.74
2305	* Medical Examiner *	180.00	180.00	.00	.00	180.00	100.00
2306	* Registrar/Electoral Boards *	35,495.00	35,495.00	.00	58,315.71	35,495.00	100.00
2307	* Clerk Of The Circuit Court *	142,455.00	142,455.00	.00	8,860.36	84,139.29	59.06
2308	* DMV License Agent *	15,800.00	15,800.00	.00	55,191.40	6,939.64	43.92
2404	**GRANT FUNDS**	.00	.00	2,846.81	55,191.40	100.00-	100.00-
3301	**GRANT FUNDS**	.00	.00	.00	1,750.00	1,750.00-	100.00-
4105	**TRANSFERS**	2,086.00	2,086.00	.00	.00	2,086.00	100.00
	-- FUND TOTAL--	13,814,967.00	13,842,928.25	201,463.96	8,383,262.46	5,459,665.79	39.44
FUND #150							
1501	INTEREST-STATE	.00	.00	.00	298.48	298.48-	100.00-
2402	ASSET FORFEITURE REVENUE (STATE)	30,000.00	30,000.00	.00	4,525.00	4,525.00-	100.00-
3301		30,000.00	30,000.00	.00	.00	30,000.00	100.00
	-- FUND TOTAL--	30,000.00	30,000.00	.00	4,823.48	25,176.52	83.92

ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	BALANCE UNCOLLECTED
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FUND # -170						
1902	HEALTH INSURANCE CONTRIBUTIONS	1,800,000.00	1,800,000.00	55,580.29	990,668.42	809,331.58 44.96
2000	DENTAL INSURANCE CONTRIBUTIONS	112,500.00	112,500.00	3,036.72	59,236.36	53,263.64 47.34
--FUND TOTAL--		1,912,500.00	1,912,500.00	58,617.01	1,049,904.78	862,595.22 45.10

FUND # -201						
1899	Miscellaneous Revenue *	.00	.00	571.00	1,102.26	1,102.26 100.00-
2401	Welfare *	144,365.00	144,365.00	.00	174,870.90	30,505.90 21.13-
3305	Social Services *	901,421.00	901,421.00	.00	260,487.48	640,933.52 71.10
4105	Fund Transfers *	310,531.00	310,723.60	.00	88,624.35	222,099.25 71.47
--FUND TOTAL--		1,356,317.00	1,356,509.60	571.00	525,084.99	831,424.61 61.29

FUND # -205						
1803	Expenditure Refunds *	219,492.00	219,492.00	146,682.04	285,450.04	65,958.04 30.05-
1899	Miscellaneous Revenue *	.00	.00	.00	4,581.35	4,581.35 100.00-
2402	State Education *	8,213,201.00	8,213,201.00	.00	3,603,720.77	4,609,480.23 56.12
2403	BRIDEN GRANTS	.00	.00	.00	2,795.41	2,795.41 100.00-
3102	Education *	1,848,516.00	1,848,516.00	.00	896,435.01	952,080.99 51.50
4105	Fund Transfers *	3,924,419.00	3,940,999.25	.00	1,296,536.18	2,644,463.07 67.10
--FUND TOTAL--		14,205,628.00	14,222,208.25	146,682.04	6,089,518.76	8,132,689.49 57.18

FUND # -209						
4106	**Balance Forward**	2,086.00	2,086.00	.00	.00	2,086.00 100.00
--FUND TOTAL--		2,086.00	2,086.00	.00	.00	2,086.00 100.00

FUND # -302						
1501	Interest On Bank Deposits *	.00	.00	.00	99.67	99.67 100.00-
2404	**STATE GRANT FUNDS**	.00	.00	.00	19,906.00	19,906.00 100.00-
3308	GRANTS-RURAL DEVELOPMENT	.00	.00	.00	38,978.56	38,978.56 100.00-
4104	Proceeds from Indebtedness *	.00	.00	.00	939,000.00	939,000.00 100.00-
4105	Fund Transfers *	56,820.00	67,620.00	.00	78,885.00	11,265.00- 16.65-
--FUND TOTAL--		56,820.00	67,620.00	.00	1,076,869.23	1,009,249.23 492.53-

FUND # -401						
1501	**INTEREST**	.00	.00	.00	19,563.90	19,563.90 100.00-
1899	MISC REVENUE	.00	.00	.00	.06	.06 100.00-
4104	Proceeds from VML/VACO Comm Paper	.00	.00	.00	22,884,000.00	22,884,000.00 100.00-
4105	** Transfers **	3,828,863.00	3,828,863.00	.00	2,689,105.05	1,139,757.95 29.76
--FUND TOTAL--		3,828,863.00	3,828,863.00	.00	25,592,669.01	21,763,806.01 568.41-

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ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	BALANCE UNCOLLECTED
FUND # -500						
2404	*REVENUE FROM STATE*	450,000.00	450,000.00	.00	123,929.67	326,070.33 72.46
4105	*TRANSFERS*	150,000.00	150,000.00	.00	12,632.46	137,367.54 91.57
	-- FUND TOTAL--	600,000.00	600,000.00	.00	136,562.13	463,437.87 77.23
FUND # -501						
1501	**INTEREST REVENUE**	1,000.00	1,000.00	.00	1,662.00	662.00- 66.20-
1619	**CHARGES & FEES**	393,400.00	393,400.00	24,121.63	189,540.70	203,859.30 51.81
1620	SEWER LATE PAYMENT PENALTY	5,000.00	5,000.00	392.10	2,693.18	2,306.82 46.13
1630	**ADMIN FEES/CHARGES**	18,960.00	18,960.00	1,212.50	8,219.50	10,740.50 56.64
4106	BALANCE FORWARD	17,046.00	17,046.00	.00	.00	17,046.00 100.00
	-- FUND TOTAL--	435,406.00	435,406.00	25,726.23	202,115.38	233,290.62 53.58
FUND # -515						
1501	INTEREST SEWER RESERVE - CD	.00	.00	.00	3,967.42	3,967.42- 100.00-
	-- FUND TOTAL--	.00	.00	.00	3,967.42	3,967.42- 100.00-
FUND # -540						
1501	INTEREST WATER RESERVE - CD	.00	.00	.00	578.83	578.83- 100.00-
	-- FUND TOTAL--	.00	.00	.00	578.83	578.83- 100.00-
FUND # -550						
1501	**INTEREST REVENUE**	.00	.00	.00	47.32	47.32- 100.00-
	-- FUND TOTAL--	.00	.00	.00	47.32	47.32- 100.00-
FUND # -570						
1501	INTEREST REVENUE	.00	.00	.00	1.21	1.21- 100.00-
1901	PROGRAM INCOME	.00	.00	50.00	350.00	350.00- 100.00-
	-- FUND TOTAL--	.00	.00	50.00	351.21	351.21- 100.00-
FUND # -580						
1501	INTEREST REVENUE	.00	.00	.00	46.66	46.66- 100.00-
1901	PROGRAM INCOME	.00	.00	150.00	450.00	450.00- 100.00-
	-- FUND TOTAL--	.00	.00	150.00	496.66	496.66- 100.00-

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ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	BALANCE UNCOLLECTED
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FUND # -715

1501	Interest - Green Front Loan	67,525.00	67,525.00	.00	33,401.70	34,123.30
1899	Rent of General Property	53,060.00	53,060.00	3,700.00	25,900.00	27,160.00
4106	**BALANCE FORWARD*	257,270.00	257,270.00	.00	.00	257,270.00
--FUND TOTAL--		377,855.00	377,855.00	3,700.00	59,301.70	318,553.30

FUND # -733

1899	* Miscellaneous Revenue *	30,000.00	30,000.00	694.70	9,996.45	20,003.55
3305	*FEDERAL FUNDS*	.00	.00	.00	1,722.00	1,722.00
--FUND TOTAL--		30,000.00	30,000.00	694.70	11,718.45	18,281.55

--FINAL TOTAL--

36,650,442.00	36,705,976.10	437,654.94	43,137,271.81	6,431,295.71	17.52
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FUND # -100

ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	ENCUMBRANCE AMOUNT	UNENCUMBERED BALANCE	REMAINING \$
11010	* Board of Supervisors *	49,777.00	49,777.00	4,523.43	32,787.18	.00	16,989.82	34.13
12100	* County Administrator *	220,716.00	220,716.00	18,835.11	129,788.38	.00	90,927.62	41.19
12240	* Independent Auditor *	33,500.00	33,500.00	32,400.00	32,400.00	.00	1,100.00	3.28
12310	* Commissioner of Revenue *	232,802.00	232,802.00	20,690.13	134,269.72	.00	98,532.28	42.32
12320	* Assessor *	54,000.00	54,000.00	.00	954.40	.00	53,045.60	98.23
12340	* License Bureau *	.00	.00	.00	119.34	.00	119.34	100.00-
12410	* Treasurer *	268,053.00	268,053.00	20,676.36	155,262.69	.00	112,790.31	42.07
12430	* Accounting *	170,674.00	170,674.00	13,131.59	96,230.19	.00	74,443.81	43.61
12510	* Data Processing *	182,962.00	182,962.00	12,268.48	105,842.51	.00	77,119.49	42.15
13100	* Electoral Board *	25,165.00	25,165.00	539.52	14,146.68	.00	11,018.32	43.78
13200	* Registrar *	72,992.00	72,992.00	6,489.95	46,108.51	.00	26,883.49	36.83
21100	* Circuit Court *	14,310.00	14,310.00	49.22	1,453.07	.00	12,856.93	89.84
21200	* General District Court *	11,945.00	11,945.00	268.18	2,149.08	.00	9,795.92	82.00
21300	* Magistrate *	2,310.00	2,310.00	98.42	966.21	.00	1,343.79	58.17
21600	* Clerk of Circuit Court *	232,736.00	232,736.00	18,467.76	125,355.03	.00	107,380.97	46.13
21800	* Law Library *	1,000.00	1,000.00	708.04	1,579.22	.00	579.22	57.92-
22100	* Commonwealth's Attorney *	114,555.00	114,555.00	9,174.58	64,021.32	.00	50,533.68	44.11
31200	* Sheriff *	1,458,129.00	1,459,292.40	117,576.51	876,049.45	.00	583,242.95	39.96
31250	* School Resource Officer *	63,900.00	63,900.00	5,086.62	37,964.32	.00	25,935.68	40.58
31400	* E911 *	46,380.00	46,380.00	1,029.38	13,226.73	.00	33,153.27	71.48
32221	* Cumberland Vol. FIRE DEPT*	39,500.00	39,500.00	19,750.00	39,500.00	.00	.00	.00
32222	* Careterville Volun.*	26,075.00	26,075.00	13,037.50	26,075.00	.00	.00	.00
33011	* Cumberland Vol. Rescue Squad*	25,875.00	25,875.00	12,937.50	25,875.00	.00	.00	.00
33012	* Prince Edward Vol. Rescue Squad*	8,000.00	8,000.00	4,000.00	8,000.00	.00	.00	.00
33013	* Randolph Fire Dept.*	41,000.00	41,000.00	20,500.00	41,000.00	.00	.00	.00
33014	* Cartersville Vol. Rescue Squad*	37,320.00	37,320.00	18,660.00	37,320.00	.00	.00	.00
33015	* ODBMSA *	1,012.00	1,012.00	.00	1,012.00	.00	.00	.00
33400	* Forestry Service *	8,763.00	8,763.00	.00	8,763.21	.00	.00	.00
33500	* Emergency Services *	3,000.00	3,000.00	3,000.00	3,000.00	.00	.00	.00
33300	* Probation Office *	1,440.00	1,440.00	122.23	742.61	.00	697.39	48.42
33400	* Correction & Detention *	15,000.00	15,000.00	14,435.72	31,034.25	.00	16,034.25	106.89-
34100	* Building Inspections *	117,106.00	117,106.00	9,572.30	67,286.18	.00	49,819.82	42.54
35100	* Animal Control *	126,105.00	126,275.00	9,844.43	71,568.08	.00	54,706.92	43.32
35300	* Medical Examiner *	.00	.00	20.00	40.00	.00	40.00	100.00-
42400	* Refuse Disposal *	642,780.00	642,780.00	63,664.12	334,130.55	.00	308,649.45	48.01
42700	* Recycling *	.00	.00	986.01	6,097.30	.00	6,097.30	100.00-
43200	* General Properties *	651,503.00	651,503.00	53,072.85	386,568.98	.00	264,934.02	40.66
51200	* Supplement of Local Health Dept *	110,173.00	110,173.00	27,543.25	55,086.50	.00	55,086.50	50.00
51405	* Piedmont Senior Resources*	787.00	787.00	.00	787.00	.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 *	33,747.00	33,747.00	2,974.08	20,469.17	.00	13,277.83	39.34
68000	* Community Colleges *	2,873.00	2,873.00	1,436.50	2,873.00	.00	.00	.00
71311	* Special Olympics*	200.00	200.00	.00	200.00	.00	.00	.00
71500	* Recreation *	76,596.00	76,596.00	4,499.41	58,628.47	.00	27,967.53	31.54
71100	* Local Library *	115,450.00	115,450.00	57,725.00	115,450.00	.00	.00	.00
73200	* Tri-County Life Learners (Liter)*	500.00	500.00	.00	500.00	.00	.00	.00
81100	* Planning Commission *	14,200.00	14,200.00	.00	2,018.91	.00	12,181.09	85.78

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ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	ENCUMBRANCE AMOUNT	UNENCUMBERED BALANCE	REMAINING
81110	* Planning/Zoning Dept. *	120,761.00	120,761.00	5,960.53	62,644.49	.00	58,116.51	48.12
81200	* Community & Economic Development *	143,509.00	143,509.00	13,413.40	82,759.57	.00	60,749.43	42.33
81400	* Board of Zoning Appeals *	1,850.00	1,850.00	.00	308.00	.00	1,542.00	83.35
81512	*Historic Society*	250.00	250.00	.00	250.00	.00	.00	.00
81513	*Clothes Closet*	600.00	600.00	46.68	352.89	.00	247.11	41.18
81514	*STEPS, Inc.*	7,400.00	7,400.00	3,700.00	7,400.00	.00	.00	.00
81517	*Resource Conservation & Devel.*	905.00	905.00	.00	905.00	.00	.00	.00
81518	*Prince Edward Cannery*	500.00	500.00	.00	500.00	.00	.00	.00
81519	*CPAC / HOPE*	2,500.00	2,500.00	1,250.00	2,500.00	.00	.00	.00
81520	*Piedmont Area Transit (PAT)*	.00	10,000.00	.00	5,000.00	.00	5,000.00	50.00
81522	* Meals On Wheels *	15,600.00	15,600.00	7,546.68	15,352.89	.00	247.11	1.58
81535	* Farmville Area Chamber of Commerce	1,500.00	1,500.00	.00	1,500.00	.00	.00	.00
81541	* Longwood Small Bus. Dev. Ctr. *	3,000.00	3,000.00	3,000.00	3,000.00	.00	.00	.00
81542	* Southside Violence Prevention *	5,000.00	5,000.00	3,000.00	5,500.00	.00	500.00-	10.00-
82401	*Peter Francisco SMD*	6,695.00	6,695.00	3,347.50	6,695.00	.00	.00	.00
83500	* Extension Agents *	44,492.00	44,492.00	237.21	11,532.79	.00	32,959.21	74.07
89000	** LOCAL AID TO THE COMMONWEALTH **	70,717.00	70,717.00	.00	.00	.00	70,717.00	100.00
90000	* NONDEPARTMENTAL *	20,000.00	20,000.00	70,717.00	.00	.00	6,366.85-	100.00-
93100	**TRANSFERS**	7,980,777.00	8,008,349.85	3,953.71	6,366.85	.00	3,910,651.81	48.83
	--FUND TOTAL--	13,814,967.00	13,842,928.25	680,749.89	7,558,965.76	.00	6,283,962.49	45.39
FUND #-150	COMMONWEALTH'S ATTORNEY	.00	.00	50.00	1,262.27	.00	1,262.27-	100.00-
22100	SHERIFF	30,000.00	30,000.00	.00	14,892.97	.00	15,107.03	50.35
	--FUND TOTAL--	30,000.00	30,000.00	50.00	16,155.24	.00	13,844.76	46.14
FUND #-170	HEALTH INSURANCE	1,800,000.00	1,800,000.00	.00	889,352.70	.00	910,647.30	50.59
63100	DENTAL INSURANCE	112,500.00	112,500.00	.00	64,198.34	.00	48,301.66	42.93
	--FUND TOTAL--	1,912,500.00	1,912,500.00	.00	953,551.04	.00	958,948.96	50.14
FUND #-201	Administration *	1,356,317.00	1,356,509.60	.00	524,513.99	.00	831,995.61	61.33
53100	--FUND TOTAL--	1,356,317.00	1,356,509.60	.00	524,513.99	.00	831,995.61	61.33
FUND #-205	HEALTH INSURANCE	14,205,628.00	14,222,208.25	.00	5,942,836.72	.00	8,279,371.53	58.21
61100	DENTAL INSURANCE	14,205,628.00	14,222,208.25	.00	5,942,836.72	.00	8,279,371.53	58.21
	--FUND TOTAL--	14,205,628.00	14,222,208.25	.00	5,942,836.72	.00	8,279,371.53	58.21

ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	ENCUMBRANCE AMOUNT	UNENCUMBERED BALANCE	REMAINING \$
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FUND #-209

91100	TRANSFERS TO GENERAL FUND	2,086.00	2,086.00	.00	.00	.00	2,086.00	100.00
--FUND TOTAL--		2,086.00	2,086.00	.00	.00	.00	2,086.00	100.00

FUND #-302

94114	* COMPUTER UPGRADE *	45,000.00	45,000.00	32.34	21,282.98	.00	23,717.02	52.70
94118	* COMPREHENSIVE PLAN UPDATE *	.00	.00	16,800.00	16,800.00	.00	16,800.00	100.00
94135	* GIS MAPPING *	.00	.00	171.68	1,425.72	.00	1,425.72	100.00
94135	* UTILITIES - WATER *	.00	.00	84,503.69	951,423.43	.00	951,423.43	100.00
94251	* CARTERSVILLE RESCUE SQUAD *	.00	10,800.00	.00	10,800.00	.00	.00	.00
94380	* Randolph Community Center*	11,820.00	11,820.00	.00	.00	.00	11,820.00	100.00
94500	* COMMUNICATIONS PROJECT *	.00	.00	36.00	36.00	.00	36.00	100.00
95115	* Vo-Tech Roof Replacement *	.00	.00	.00	11,869.95	.00	11,869.95	100.00
--FUND TOTAL--		56,820.00	67,620.00	101,200.35	1,013,638.08	.00	946,018.08	399.02

FUND #-401

67200	* Elementary School - lit Loan *	241,667.00	241,667.00	.00	.00	.00	241,667.00	100.00
67400	* COP97 Loan *	374,896.00	374,896.00	.00	324,055.62	.00	50,840.38	13.56
67500	* High/Middle School - VPSA Loan *	932,501.00	932,501.00	.00	749,590.96	.00	182,910.04	19.61
67600	* VACO/VML Direct Loan - HS/MS *	1,448,598.00	1,448,598.00	.00	20,581,177.46	.00	19,132,579.46	320.76
67700	PUBLIC FACILITY NOTE 2009	390,862.00	390,862.00	.00	281,817.26	.00	109,044.74	27.89
67800	* AMERESCO *	130,446.00	130,446.00	.00	130,446.00	.00	.00	.00
93300	* CHC Lease *	291,758.00	291,758.00	.00	2,787,814.63	.00	2,496,056.63	855.52
95500	* Lesueur Property *	18,135.00	18,135.00	3,022.50	10,578.75	.00	7,556.25	41.66
95600	* Suntrust Loan-HS/MS *	.00	.00	.00	1,109,792.96	.00	1,109,792.96	100.00
95700	* Suntrust Loan - Courthouse *	.00	.00	.00	27,850.00	.00	27,850.00	100.00
--FUND TOTAL--		3,828,863.00	3,828,863.00	3,022.50	26,003,123.64	.00	22,174,260.64	579.13

FUND #-500

53900		600,000.00	600,000.00	.00	126,287.74	.00	473,732.26	78.95
--FUND TOTAL--		600,000.00	600,000.00	.00	126,287.74	.00	473,732.26	78.95

FUND #-501

93100	** TRANSFERS **	26,036.00	26,036.00	.00	11,265.00	.00	14,771.00	56.73
94900	* SEWER FUND - Enterprise Fund *	273,807.00	273,807.00	13,849.69	160,279.09	.00	113,527.91	41.46
95900	* WATER FUND - ENTERPRISE FUND *	135,563.00	135,563.00	7,381.40	55,885.31	.00	79,677.69	58.77
--FUND TOTAL--		435,406.00	435,406.00	21,231.09	227,429.40	.00	207,976.60	47.76

ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	ENCUMBRANCE AMOUNT	UNENCUMBERED BALANCE	REMAINING
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FUND # -570								
53500	ADMIN EXPENSES	.00	.00	.00	479.09	.00	479.09	100.00-
--FUND TOTAL--		.00	.00	.00	479.09	.00	479.09	100.00-

FUND # -715								
81610	COMMUNITY CENTER PURCHASE	114,035.00	114,035.00	50.00	56,544.00	.00	57,491.00	50.41
81620	MADISON INDUSTRIAL PARK	.00	.00	.00	150,332.23	.00	150,332.23	100.00-
93100	Transfer to Gen Fund (Shell Bids)	263,820.00	263,820.00	.00	56,820.00	.00	207,000.00	78.46
--FUND TOTAL--		377,855.00	377,855.00	50.00	263,696.23	.00	114,158.77	30.21

FUND # -733								
53010		30,000.00	30,000.00	.00	8,096.81	.00	21,903.19	73.01
--FUND TOTAL--		30,000.00	30,000.00	.00	8,096.81	.00	21,903.19	73.01

--FINAL TOTAL--		36,650,442.00	36,705,976.10	806,303.83	42,638,753.74	.00	5,932,777.64	16.16-
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Request For Appropriation

Department: BUILDING INSPECTIONS

Code: 34100

Appropriate from:

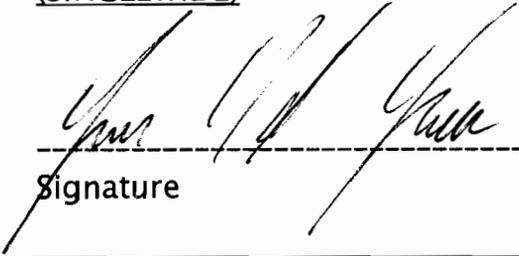
Code	Item	Amount
3-100-001303-0008	Building Permits Rev	747.20

Appropriate to:

Code	Item	Amount
5830	REFUND OF REVENUE	747.20

Reason for Request:

NOT BUILDING NEW HOME INSTALLING A USED MANUFACTURED HOME
(SINGLEWIDE)



Signature

1/11/13

Date

Approved:

Board of Supervisors

Date

January 11, 2012

I Robert Cordle request to receive a refund on permit 9412-E, P, M (\$747.20). I understand that I will not receive the \$50.00 processing fee and the 2% that already went to the state. I will not be building this home but instead I will be placing a singlewide on the property.

Thank you,





Building Permit

Cumberland County

P.O. Box 110 Cumberland, Va. 23040 / (804) 492-9114

Call miss utility at 1-800-552-7001 before you dig. Allow required time for marking. Respect the marks and excavate carefully.

Date: 1/2/2013

Permit No. 9412-E,P,M

Applicant: Same As Owner

Address:

Contractor License #

Expiration Date:

Permit To: **New Home** 1 Story

Proposed Use: Residential

Number of Dwelling Units: 1

At (Location) Off River Rd - TBD

Zoning District: A-2 Randolph

USBC 2009

Tax map # 105 - A - 87B Lot size 3.730 ac

Building is to be Ft. Wide By Ft. Long By Ft. In Height and shall conform in construction

To Type: V-B Use Group: R-5 Basement Walls or Foundation: Concrete

Remarks: Basement unfinished: 56' x 28', 1st Fl: 56' x 28'

MLA Information: Name: N/A

Address:

Phone:

1568 Square Feet

Estimated Cost: \$ 60,000.00

Permit Fee: \$813.14

Owner: Robert Cordle

Address: 4001 Plank Rd Dillwyn, VA 23936

434-414-6436

Building Inspector: T. Smith for

Leland Leeds

Your special attention is called to the following:

This permit is granted on the express condition that the said construction shall, in all respects, conform to the Ordinances of this jurisdiction including the Zoning Ordinance, regulating the construction and use of buildings, and may be revoked at any time upon violation of any provisions of said ordinances.

The Weatherproof placard given at the time permit is issued must be displayed on premises. The department must be notified and inspection made of prior construction work as requested. All new buildings and additions and alterations to existing buildings require a minimum of five inspections, namely, (1) Footing (2) Foundation (3) Rough-In (4) Insulation (5) Final. Request for final inspection should be made by mail or phone call to this department when the construction work is completed and heating apparatus has been installed at (804) 492-9114. Painting or decorating is not required before the final inspection is made. On jobs involving reinforced concrete work, inspection must be made after steel is in place and before concrete is poured.

This permit conveys no right to occupy any street, alley or sidewalk or any part thereof, either temporarily or permanently. Encroachments on public property, not specifically permitted under the building code, must be approved by the jurisdiction. Street or alley grades as well as depth and location of public sewers may be obtained from the department of public works. The issuance of this permit does not release the applicant from the conditions of any applicable subdivision restrictions. The Department reserves the right to reject any work which has been concealed or completed without first having been inspected and approved by the Department in accordance with the requirements of the various codes.

Any deviation from the approved plans must be authorized by the approval of revised plans subject to the same procedure established for the examination of the original plans. An additional permit fee is also charged predicated on the extent of the variation from the original plans. Permits are not valid if construction work is not started within six months from the date the permit is issued. Where applicable, separate permits are required for electrical, plumbing and mechanical installations.

****Final Inspection and certificate of occupancy must be obtained before occupying building.**



Building Permit

Cumberland County

P.O. Box 110 Cumberland, Va. 23040 / (804) 492-9114

Call miss utility at 1-800-552-7001 before you dig. Allow required time for marking. Respect the marks and excavate carefully

Date: 1/11/2013

Permit No.9424-E,P,M

Applicant: Same As Owner

Address:

Contractor License #

Expiration Date:

Permit To: Singlewide 1 Story

Proposed Use: Residential

Number of Dwelling Units: 1

At (Location) TBD - Off River Rd

Zoning District: A-2 Randolph

USBC 2009

Tax map # 105 - A - 87B Lot size 3.730 acres

Building is to be Ft. Wide By Ft. Long By Ft. In Height and shall conform in construction

To Type: V-B Use Group: R-5 Basement Walls or Foundation: CMU

Remarks: Singlewide: 14' x 66 Decks: front 6' x 12' back 4' x 4'

MLA Information: Name: N/A

Address:

Phone:

924 Square Feet

Estimated Cost: \$ 12,000.00

Permit Fee: \$361.90

Owner: Robert Cordle

Address: 4001 Plank Rd Dillwyn, VA 23936
434-414-6436

Building Inspector: T.Smith for
Leland Leeds

Your special attention is called to the following:

This permit is granted on the express condition that the said construction shall, in all respects, conform to the Ordinances of this jurisdiction including the Zoning Ordinance, regulating the construction and use of buildings, and may be revoked at any time upon violation of any provisions of said ordinances.

The Weatherproof placard given at the time permit is issued must be displayed on premises. The department must be notified and inspection made of prior construction work as requested. All new buildings and additions and alterations to existing buildings require a minimum of five inspections, namely, (1) Footing (2) Foundation (3) Rough-In (4) Insulation (5) Final. Request for final inspection should be made by mail or phone call to this department when the construction work is completed and heating apparatus has been installed at (804) 492-9114. Painting or decorating is not required before the final inspection is made. On jobs involving reinforced concrete work, inspection must be made after steel is in place and before concrete is poured.

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****Final Inspection and certificate of occupancy must be obtained before occupying building.**

Meghan Allen

From: Stephany Johnson
Sent: Friday, February 01, 2013 11:14 AM
To: Meghan Allen
Cc: Howard Paras; Vivian Giles
Subject: 2/12/13 BOS meeting
Attachments: 1954_PRJ_013013.pdf

Meghan,

The attached PRJ invoice requires appropriation by the Board. Please add this item to the BOS meeting agenda for 2/12/13. Let me know if you have any questions.

Stephany S. Johnson, CAP

Accounts Clerk
Cumberland County
1 Courthouse Circle
P.O. Box 110
Cumberland, Virginia 23040
(804) 492-3251 Office
(804) 492-3800 ext. 1139 Direct
(804) 492-9224 Fax
www.cumberlandcounty.virginia.gov

Piedmont Regional Jail
 801 Industrial Park Road
 P. O. Box 388
 Farmville, VA 23901

Invoice

Date	Invoice #
1/30/2013	1954

1954

013013

Bill To
Cumberland County Administrator P.O. Box 110 Cumberland, VA 23040

P.O. No.	Terms	Project
	Net 30	

Quantity	Description	Rate	Amount
	Cumberland Inmate Days (past due invoices) 6.74% of \$67,297.18 DATE REC'D <u>020113</u> DEPT APPROVAL _____ CO. ADMIN APPROVAL _____ CHECK # _____ DATE PAID _____ BUDGET CODE <u>33400 - 3810</u>	4,535.83	4,535.83
Total			\$4,535.83

Request For Appropriation

Department: CLERK'S OFFICE

Code: 21600

Appropriate from:

Code	Item	Amount
3-100-002404-0019		\$6603.00

Appropriate to:

Code	Item	Amount
3172	RECORDS BK & RESTORATION	\$6603.00

Reason for Request:

I received a grant from the Virginia Circuit Court Records Preservation Program for the restoration of two index books. The money for this project is totally reimbursed to the County by this program, and the funds were received electronically by the Treasurer on 7/20/12.

Carol Ownby
Signature

2-5-13
Date

Approved:

Board of Supervisors

Date

Invoice

KOFILE PRESERVATION

PO BOX 541028
DALLAS, TX 75354

Invoice No 209209 Page 1
Invoice date 1/30/2013

Bill To:
CUMBERLAND COUNTY
COUNTY CLERK'S OFFICE
PO BOX 8
ONE COURTHOUSE CIRCLE
Cumberland, VA 23040

Ship To:
CUMBERLAND COUNTY
COUNTY CLERK'S OFFICE
PO BOX 8
ONE COURTHOUSE CIRCLE
Cumberland, VA 23040

Customer #	Order number	Customer PO	Payment terms:	Sales Rep
VACUMC	100506		Net 30 Days	611 Caskie - 20 Percent
Quantity	Item No.	Description	Unit Price	Extended Price
1.00	20020	GENL INDEX TO DEEDS GRANTOR / L-Z	2,826.0000	2,826.00
1.00	20020	GENL INDEX TO DEEDS GRANTEE / L-Z	3,068.0000	3,068.00
1.00	20005	SCAN & FILM	709.0000	709.00

Approved
21600 - 3172
Carol Owsby

KOFILE INC
One Allen Martin Drive
Essex VT 05451
800.639.3027/802.878.3335

Subtotal: 6,603.00
Freight: 0.00
Sales tax: 0.00
Total Invoice Amount: 6,603.00

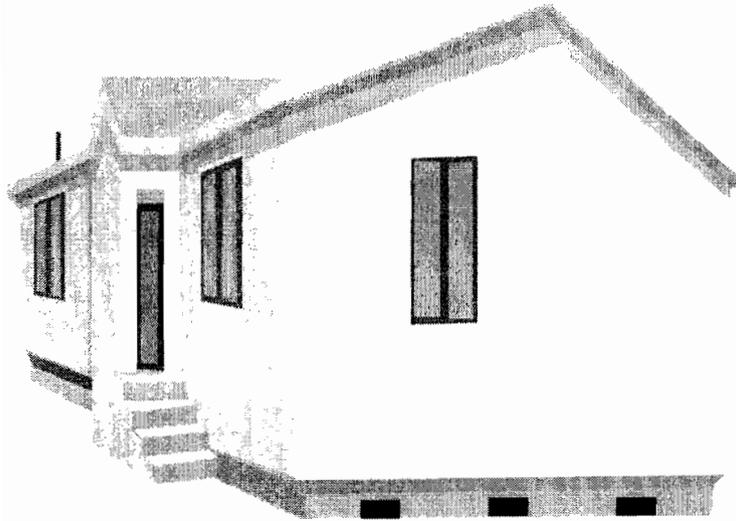
FY 2013 - 2014 BUDGET WORKSHOP SCHEDULE

WEDNESDAY February 13, 2013		THURSDAY February 14, 2013	
4:30		4:30	
4:40		4:40	
4:50		4:50	
5:00	DSS-Karen Blackwell	5:00	CSA-Alice Metts
5:15	Circuit Court/Court Clerk-Carol Owmby	5:15	Registrar/Electoral Board-Marlene Watson
5:30	Sheriff/SRO-Darrell Hodges	5:30	General Properties-Stuart Harris
5:45	P&Z/PC/BZA-Rachel Faulkenstein	5:45	E-911 & Data Processing-Aaron Hickman
6:00	Extension-Linda Eanes	6:00	Recreation-Keith White
6:15	PAT-Jennifer Beck	6:15	PEVRS-Bill Hogan
6:30	Animal Control-John Sullivan	6:30	Madeline's House-Emily Marshall
6:45	SVCC-Peter Hunt	6:45	CVFD-Paul Ingle
7:00		7:00	PFSWCD-Sherry Ragland
7:15	CRC-Mary Hickman	7:15	Crossroads-Will Rogers
7:30	Library-Jennifer Beech	7:30	
7:45	CVVRS-Bernie Becker	7:45	School Board
8:00	STEPS-Sharon Harrup	8:00	
8:15	Comm. Atty- Patricia Scales	8:15	
8:30	LSBDC-Sheri McGuire	8:30	HOPE-Kitty Smith
8:45		8:45	RVFD-Dan Pempie
9:00		9:00	CART VOL FIRE DEPT - William Hurt
9:15		9:15	

137

Cumberland County

**Building Inspections
Department**



January 2013

**Monthly
Report**

COUNTY of CUMBERLAND VIRGINIA

FOUNDED • 1749

Building Official's Office

Leland Leeds
Building Official

lleeds@cumberlandcounty.virginia.gov

Tina Smith
Permit Technician /
E-911 Coordinator

tsmith@cumberlandcounty.virginia.gov

P.O. Box 110
Cumberland, VA 23040
(804) 492-9114 Phone
(804) 492-9224 Fax



www.cumberlandcounty.virginia.gov

January	Current Month 2012	YTD 2012	Current Month 2012	YTD 2012
Singlewides	1	1	1	1
Doublewides	1	1	0	0
Modular	0	0	1	1
New Homes	2	2	2	2
Ag & Exempt	1	1	0	0
Garages & Carports	2	2	0	0
Additions & Remodels	3	3	5	5
Misc	9	9	12	12
Commercial	2	2	5	5
Totals	22	22	27	27
Total Fees Collected	\$4,217.53	\$4,217.53	\$3,639.63	\$3,639.63
E-911 Fees Collected	\$36.00	\$36.00	\$48.00	\$48.00
Zoning Fees Collected	\$0.00	\$0.00	\$0.00	\$0.00
S & E Fees Collected	\$0.00	\$0.00	\$0.00	\$0.00
Admin. Fees	\$75.00	\$75.00	\$0.00	\$0.00
Total Estimated Value	\$710,030.00	\$710,030.00	\$721,836.00	\$721,836.00
CO's Issued	4	4	2	2

Collection Rates - As of January 31, 2013

Real Estate:

	Current Collection %	Prior Year %	Change
Current Year - 2012	92.03%	91.80%	+ 0.23%
Year 2	95.77%	95.95%	- 0.18%

Personal Property:

	Current Collection %	Prior Year %	Change
Current Year - 2012	83.47%	83.60%	- 0.13%
Year 2	97.16%	96.85%	+ 0.31%

Treasurer's Office

Outstanding Collections Report

January 2013

Real Estate

	<u>As of 12/31/12</u>	<u>As of 1/31/13</u>	<u>Change</u>	<u>% Collected</u>	<u>Abatements/ Exonerations</u>
2000-2002	\$ 3,728.49	\$ 3,728.49			
2003	2,898.63	2,898.63			
2004	4,556.41	4,556.41			
2005	7,071.52	7,071.52			
2006	10,700.19	10,074.59	625.60	5.84%	
2007	18,507.78	16,080.05	2,427.73	13.12%	
2008	35,161.14	32,484.17	2,676.97	7.61%	
2009	61,303.89	58,708.57	2,595.32	4.23%	\$ 102.00
2010	148,778.36	144,883.69	3,894.67	2.62%	\$ 145.40
2011	256,891.29	245,007.26	11,884.03	4.62%	\$ 141.24
2012	505,552.44	463,799.71	41,752.73	8.26%	\$ 196.10
Total	\$ 1,055,150.14	\$ 989,293.09	\$ 65,857.05		

Personal Property

	<u>As of 12/31/12</u>	<u>As of 1/31/13</u>	<u>Change</u>	<u>% Collected</u>	<u>Abatements/ Exonerations</u>
2008	49,394.87	\$ 49,252.56	142.31	0.28%	\$ 40.11
2009	38,876.48	38,531.42	345.06	0.89%	\$ 18.85
2010	51,501.27	51,058.94	442.33	0.86%	\$ 88.67
2011	81,939.98	79,054.00	2,885.98	3.52%	\$ 102.56
2012	504,205.61	461,746.67	42,458.94	8.42%	\$ 532.92
Total	\$ 725,918.21	\$ 679,643.59	\$ 46,274.62		

JANUARY 2013

	# Transactions	Total \$	# Helped		# Transactions	Total \$	# Helped
1				17	19	\$702.50	3
2	67	\$3,232.86	9	18			
3	33	\$1,469.07	6	19			
4	45	\$2,366.77	8	20			
5				21			
6				22	42	\$1,627.94	16
7	38	\$1,364.13	6	23	23	\$550.75	4
8	28	\$956.70	12	24	13	\$396.00	5
9	22	\$1,010.84	4	25	17	\$791.37	3
10	16	\$2,051.20	3	26			
11	31	\$2,814.44	3	27			
12				28	36	\$1,077.50	10
13				29	55	\$2,595.75	8
14	15	\$389.50	5	30	24	\$948.25	12
15	23	\$1,083.95	5	31	51	\$1,550.21	12
16	20	\$374.50	8		618	\$27,354.23	142

MEMO

TO: Cumberland County Board of Supervisors, Cumberland County School Board

FROM: Corrie Hurt

DATE: January 25, 2013

RE: Recycling for Calendar Year 2012

The County & School Recycling Program has continued to work successfully throughout 2012. I am pleased to share the totals for Calendar Year 2012 with each of you.

The County has recycled the following:

Office Paper – 3,984 lbs.

Newspaper – 775 lbs.

Aluminum – 179.5 lbs.

Plastic – 362 lbs.

The Schools have recycled the following:

Office Paper – 3,239 lbs.

Newspaper – 442 lbs.

Aluminum – 101 lbs.

Plastic – 278 lbs.

In addition, the County has collected and recycled more than 30 toner cartridges in 2012. Upon completion of the annual DEQ recycling rate report, Cumberland County has maintained its rate from 2011 at 47%. We will continue to work hard to increase this rate in the upcoming years. The Code of Virginia (section 10.1-1411) now states that localities with a population of less than 100,000 people will only have to report to DEQ every four years rather than every year. I will continue to track the County and School recycling efforts throughout the 2013 calendar year.

Respectfully,



Corrie Hurt

Payroll & Benefits Administrator

MONTHLY RECYCLE TOTALS REPORT

January 2013

PICK UP DATE	COUNTY			SCHOOLS		
	ALUMINUM/ PLASTIC	Newspaper	PAPER	ALUMINUM/ PLASTIC	Newspaper	PAPER
1/2/2013	6 lbs. ALUM. 22 lbs. PLASTIC	24 Lbs.	236 Lbs.	8 lbs. ALUM. 34 lbs. PLASTIC	46 Lbs	334 Lbs.
1/8/2013	0 lbs. ALUM. 5 lbs. PLASTIC	6 Lbs.	29 Lbs.	0 lbs. ALUM. 3 lbs. PLASTIC	8 Lbs	207 Lbs.
1/29/2013	0 lbs. ALUM. 21 lbs. PLASTIC	6 Lbs	39 Lbs	8 lbs. ALUM. 18 lbs. PLASTIC	14 Lbs	176 Lbs
MONTHLY TOTALS	6 LBS. - ALUM. 48 LBS. PLASTIC	36 lbs.	304 LBS.	16 LBS. - ALUM. 55 LBS. PLASTIC	68 lbs.	717 LBS.

At a meeting of the Cumberland County Board of Supervisors held at 7:00 p.m. on the 8th day of January, 2013, at the Cumberland County Circuit Court Room:

Present: William F. Osl, Jr., District 1
Lloyd Banks, Jr., District 2, Vice-Chairman
Kevin Ingle, District 3
David Meinhard, District 4, Chairman
Parker Wheeler, District 5
Vivian Giles, County Administrator / Attorney
Greg Baka, Director of Community Development
Rachel Falkenstein, Planning & Zoning
Howard Paras, Finance Director
Meghan Allen, Deputy Clerk

Absent: None

1. Call to Order

The Chairman called the meeting to order.

2. Invocation and Pledge of Allegiance

The Invocation and Pledge of Allegiance was led by Supervisor Meinhard

3. Roll Call

The County Administrator called the Roll.

4. Approval of Agenda

On a motion by Supervisor Osl and carried the Board approved the Agenda as amended:

New Item 8. Organizational & Administrative Matters
c) County Administrator/Attorney Contract

New Item 16. Additional Information
e) Business License Inspector Yearly Report

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

5. Election of Chair

County Administrator, Vivian Giles opened the floor for nominations for Chairman.

Supervisor Banks nominated Supervisor Meinhard.

Supervisor Wheeler nominated Supervisor Ingle. Mr. Ingle declined the nomination.

On a motion by Supervisor Banks and carried the Board approved the nomination of Supervisor Meinhard as Chairman.

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

6. Election of Vice Chair

The Chairman opened the floor for Vice Chairman nominations.

Supervisor Meinhard nominated Supervisor Banks.

Supervisor Osl made a motion and carried to close the nominations.

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

On a motion by Supervisor Meinhard and carried the Board approved the nomination of Supervisor Banks as Vice Chairman.

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

Adjourn to Closed Session

VA Code Section 2.2-3711 (A-1) Personnel Matters re: Discussion of assignment, performance and salaries.

On a motion by Supervisor Meinhard and carried the Board entered into closed meeting under VA Code Section 2.2-3711 (A-1) Personnel Matters re: discussion of assignment, performance and salaries.

The Board returned to regular session on a motion by Supervisor Meinhard.

A motion was made by Mr. Meinhard 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.

No action was taken regarding the items discussed.

7. **Organizational Matters**

c) County Administrator / Attorney Contract

Supervisor Banks made a motion to extend the County Administrator/Attorney, Ms. Vivian Giles' contract for twenty-four (24) months.

Supervisor Wheeler made a motion to wait on the extension and the Board should discuss it more.

Supervisor Osl suggested that the Board review Ms. Giles' performance before they renew the contract.

Supervisor Banks commented that Ms. Giles had done a great job.

Supervisor Meinhard also commented that Ms. Giles had done a great job.

On a motion by Supervisor Banks and carried the Board approved to extend the Contract of the County Administrator/Attorney Ms. Vivian Giles for twenty-four (24) months.

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

d) Set date and time of regular meetings

On a motion by Supervisor Wheeler and carried the Board approved to keep the same date and time of the regular monthly meetings.

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

e) Review Code of Ethics and Standards of Conduct

Supervisor Ingle stated that the word “should” and “shall” should be changed to “will” in both documents and that the Code of Ethics and Standards of Conduct should be mandatory guidelines for the Board to follow. He also stated that “current and

future” should be added in regards to the Board members.

On a motion by Supervisor Ingle and carried the Board approved the Code of Ethics and Standards of Conduct with the following amendments:

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

Adopted January 8, 2013

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 currently or in the future 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

f) Review Committee Appointments

Supervisor Meinhard suggested that this item be saved for the next monthly meeting.

On a motion by Supervisor Banks and carried the Board approved to postpone the committee Appointments until the next monthly meeting.

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

g) Review Goals and Priorities

On a motion by Supervisor Ingle and carried the Board approved to keep the same Goals and Priorities as last year.

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

8. Public Comments

There was one (1) citizens signed up to speak. The citizen stated that there was no picture or biography of Supervisor Meinhard or Supervisor Ingle on the County website.

9. **State and Local Departments / Agencies**

a) VDOT

There was no representative present from VDOT.

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

Dr. Amy Griffin advised the Board that Middle School Student Demory Williamson would be giving the School's updates.

Miss. Williamson advised the Board that Cumberland won \$1,000 in the My Big Campus Amazing Things Contest, with 48,631 votes. The Elementary students raised \$828.75 for the Christmas Mother. The Middle and high school hosted two (2) Fine Arts Nights. High School Seniors, Mason Dukes and Troy Parrish won in the Amelia Wrestling Tournament. There have been a number of recent Project Based Learning activities. The Powhatan Community Church will be assisting the elementary students with the Backpack of Love Program.

Dr. Griffin stated that there were a few more items she wanted to bring up to the Board. She stated that they had 25 students and parents attend a college financial aid workshop, and Cumberland will have students participating in the Longwood honors band on Friday night. They also have been taking extra security measures since the Sandy Hook incident.

10. County Attorney / County Administrator Report

a) Consent Agenda

- 1) Approval of Minutes
- 2) Approval of Bills for December 2012 and January 2013.
Approved bills for January total \$317,884.06. Ratified bills for December warrants total \$287,590.27 with check numbers ranging from 65278 - 65493. Direct Deposits total \$158,968.01.
- 3) Monthly Budget Report

On a motion by Supervisor Osl and carried the Board approved the Consent Agenda.

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

b) Appropriation of \$100 Recreation Department

Supervisor Banks stated that he wanted to make sure that this was one source of funds to another, not new money.

The County Finance Director, Howard Paras stated that this money was brought in from the Fall Sports Season.

County Administrator, Vivian Giles stated that all four of the appropriations are money that have come in, for example through registrations fees and things of that nature.

On a motion by Supervisor Wheeler and carried the Board approved the appropriation of \$100 for the Recreation Department.

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

c) Appropriation of \$4,200 Recreation Department

On a motion by Supervisor Osl and carried the Board approved the appropriation of \$4,200 for the Recreation Department.

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

d) Appropriation of \$50 Recreation Department

On a motion by Supervisor Osl and carried the Board approved the appropriation of \$50 for the Recreation Department.

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

e) Appropriations of \$1,163.40 Insurance Recoveries

Supervisor Osl questioned what this was for.

County Administrator, Vivian Giles advised the Board that they were unsure but believed it was for and insurance claim on a Deputy vehicle.

On a motion by Supervisor Wheeler and carried the Board approved the appropriation of \$1,163.40

for Insurance Recoveries under the assumption that it was for an insurance claim on a Deputy vehicle.

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

County Administrator, Vivian Giles later stated that after reviewing some information the appropriation was for an insurance claim on a Deputy vehicle.

11. Planning Director's Report

a) Update on Planning Commission Activities

Ms. Rachel Falkenstein in the Planning Department advised the Board that the proposed shooting range conditional use permit was discussed at the December Planning Commission Meeting and due do some questions the received they have requested more information from the applicant. The Planning commission will be having a public hearing for CUP 12-03 National Communication Towers at the January meeting.

b) Amendment to CUP 11-06 NCT

Ms. Rachel Falkenstein with the Planning Department advised the Board that the National Communication Towers LLC is requesting an amendment to their conditional use permit. They are requesting that the time frame to begin construction be extended from one (1) year to thee (3) years.

On a motion by Supervisor Osl and carried the Board approved to set the amendment to CUP 11-06 for the National Communication Towers for Public Hearing at the next monthly meeting.

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

12. Community Development Director's Report

a) Update on projects

Community Development Director, Greg Baka went over the list of activity in the Community Development office for 2012 that was in the Board packet. He stated that he forgot to add to the list the opening of the Cumberland Animal hospital. He also noted that the waterline extension is almost ninety-nine percent (99%) complete. There are also some prospects of possible restaurants coming to Cumberland.

Supervisor Meinhard questioned the status of the Buggs Island Telephone.

Mr. Baka stated that there have been some issues with the company's subcontractor, so this has put a delay on the high-speed internet service. But he does foresee there being high-speed broadband wireless service in 2013.

Supervisor Banks questioned if their towers would work any differently than Verizon's.

Mr. Baka stated that they would not operate any differently there is just different technology to allow them to generate further.

13. Public Comments (Part Two)

There were no citizens signed up to speak.

14. Board Member Comments

Supervisor Ingle commented that he received a lot of feedback in support of funding Madeline's House. He stated that he felt he represented the wishes of his district by supporting Madeline's House and he was not there to blow tax payer dollars.

Supervisor Wheeler commented that since the Planning Director has left that would that job filled. And would it make sense for Mr. Baka, the Economic Director to do both positions and save the County \$65,000.

County Administrator, Ms. Vivian Giles stated that Ms. Rachel Falkenstein is filling in for now.

Supervisor Banks and Meinhard stated that the decision will be up to Ms. Giles.

Supervisor Osl commented that the Board needed to be proactive. There have been items brought up to them that have time issues. If there are items that have a time line they need to be worked on ahead of time so the Board will have time to discuss and make a decision.

Supervisor Meinhard commented that he had been led to believe that some of the Board members have been in violation of the Code of Ethics and Standards of Conduct. He stated that the urged any Board member that was in violation to make any corrections necessary prior to the next Board Meeting.

15. Additional Information

- a) Treasurer's Report
- b) DMV Report
- c) Recycling Report
- d) Building Inspections Report
- e) Business License Inspector Report

16. Adjourn - Scheduled meeting: February 12, 2012

David Meinhard, Chairman

Vivian Giles, County Administrator