



CUMBERLAND COUNTY BOARD OF SUPERVISORS

Regular Monthly Meeting Cumberland County Circuit Courtroom A Cumberland, VA

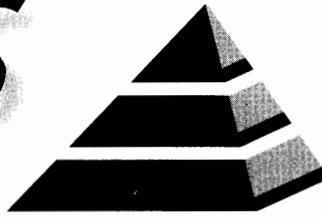
March 10, 2015

Regular Meeting – 7:00 p.m.

1. **Call to Order**
2. **Welcome and Pledge of Allegiance**
3. **Roll Call**
4. **Approval of Agenda** **Motion**
5. **Public Comments (Part one)**
6. **State and Local Departments/Agencies/Community Service Providers**
 - a. Dr. Amy Griffin, Superintendent of Cumberland County Public Schools **Information**
 - b. VDOT **Information**
 - c. Mr. Reinhardt Gray, High Bridge Trail State Park **Information**
 - d. Tim Foster and Bill Mawyer, Henrico County – Update on Reservoir Project **Information**
 - e. Mary Hickman, CRC – Presentation of annual report (handout) **Information**
 - f. Sharon Harrup – STEPS –update on Community Action Agency (pg. 1-3) **Information**
 - g. Dr. Susan Baker – Crossroads CSB – new interim Executive Director **Information**
7. **Public Hearings**
 - a. CUP 15-01 Mast (pg. 4-10) **Motion**
 - b. CUP 15-02 Braxton (pg. 11-13) **Motion**
 - c. CUP 14-05 Cobbs Creek Tower (pg. 15-30) **Motion**
 - d. CA 15-01 Rental Cabins as a CUP in the A-2 district (pg. 31-35) **Motion**
 - e. CA 15-02 Building Inspection Fee Revision (pg. 36-40) **Motion**
 - f. CA 15-03 Utilities Ordinance Amendment (pg. 41-43) **Motion**
8. **County Attorney/County Administrator Report**
 - a. Consent agenda **Motion**
 - i. Approval of bills
 - ii. Approval of Minutes (2/10/15, 2/18/15, and 2/19/15)
 - b. Review of County Administrator/County Attorney Contract (pg. 44-51) **Motion**
 - c. Schedule workshop with VDoT-SSYP **Motion**

- d. Building Permit refund request (pg. 52-53) **Motion**
- e. Set public hearing for 15-16 Budget, 15-16 Tax rates and 2015-16 – 2019-20 CIP (pg. 54) **Motion**
- 9. Finance Director’s Report**
 - a. Monthly Budget Report (pg. 55-64) **Information**
- 10. Planning Director’s Report**
 - a. Planning Project updates (pg. 65-66) **Information**
 - b. Midland Trail – additional information (pg. 67-69) **Motion**
- 11. Old Business**
- 12. New Business**
- 13. Public Comments (Part two)**
- 14. Board Members Comments**
- 15. Additional Information – (pg. 70-85)**
 - a. Treasurer’s Report
 - b. DMV Report
 - c. Recycling Report
 - d. Monthly Building Inspections Report
 - e. Approved Planning Commission meeting minutes
- 16. Adjourn – Regular Meeting – April 7, 2015**

STEPS Incorporated



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Administrative Offices • 225 Industrial Park Road • Farmville, Virginia 23901
(434) 315-5909 • Fax: (434) 315-0246

January 30, 2015

Ms. Vivian Giles, County Administrator
Cumberland County
Post Office Box 110
Cumberland, VA 23040

Dear Ms. ~~Giles~~: *Vivian,*

It was a pleasure meeting with you last week and sharing the direction STEPS is taking with our recent community action designation. There has been much publicity surrounding the prior agency that was designated as the community action organization and I am confident that STEPS will be able to put those painful memories in the past. STEPS is extremely proud and humbled by the support we received from our region during our quest to be named as the community action agency for the counties of Amelia, Buckingham, Cumberland, Lunenburg, Nottoway and Prince Edward. Our mission is clear:

"STEPS is committed to creating, coordinating and delivering quality comprehensive services in an effort to foster self-sufficiency and eliminate poverty."

As we discussed last week, STEPS is beginning the process of solidifying our strategic direction. There are three key components on which I am asking for your help. First, we agree with the Virginia Department of Social Services that a comprehensive needs assessment must be conducted in our region focusing on the needs of those living in poverty and how to provide a network to assist them in alleviating that situation in their lives. While STEPS staff will be facilitating this process, we believe it is essential that we include citizens from each of our six county region at this critically important juncture. To this end, please send to me contact information for those citizens from your county that you believe would be interested, engaged and willing to dedicate time working toward this goal. The recommended individuals could be county staff, members of your faith community, business owners, citizens currently living in poverty or interested citizens. We hope to have the needs assessment team in place by mid-March. Just to be clear, this request is being made with the goal of ensuring we have the appropriate community members at the table during the development and compilation of the community needs assessment. The information gathered will set the course for program and service development.

Our second request is the seating of the required "Tripartite Board of Directors." Each of our six member jurisdictions will be responsible for appointing one member to represent their respective county on the board. It is our hope that your board of supervisors will select an individual that will be engaged in our mission and will work to support that mission through active participation, advocacy and financial support. In hopes of ensuring you have the most comprehensive information available before making your selection, I have

attached a copy of the U.S. Department of Health and Human Services Information Memorandum, Transmittal No. 82 (February 8, 2005) related to the Tripartite Board. We are currently in the board recruitment stage, but hope to have the board seating no later than June 30, 2015.

Our final request is that of financial support. As long as we develop and operate our programs in accordance with State and Federal regulations, STEPS will be the recipient of an annual Community Services Block Grant through the Virginia Department of Social Services. The CSBG mandates a 25% local match. As we discussed last week, the request per county is being based on the "individual poverty rate" as documented by the US Census. I have also included the spreadsheet shared with you last week that cites each county, their documented poverty rate and the prorated match being requested. The requested match is required not only for the current FY15 year, but will be required for subsequent years as well. As you are aware, the community action designation and the related services it will provide is an expansion to the services STEPS currently provides to your county's citizens with disabilities in the job training and employment arena. We recognize the investment your county makes in the purchase of recycling processing services and for that we are appreciative. As you may remember during the FY15 budget process, in order to continue the public transportation service in Cumberland County, STEPS paid the required match to the Town of Blackstone, the current operator. We recognize the value of this much needed transportation service not only to our own employees from Cumberland County, but also to the other residents in Cumberland County who do not have access to reliable transportation. I am optimistic that you will recognize the requested match for the Community Services Block Grant as a true expansion in support of these desperately needed services for Cumberland County citizens living in poverty.

Please do not hesitate to contact me should you have questions or need additional information.

Most Sincerely,



Sharon L. Harrup, MS
President & CEO

CC: Teresa Stewart, STEPS Board Treasurer – Cumberland County Representative

Attachments:

U.S. Department of Health and Human Services, Community Services Block Grant Program Information Memorandum Transmittal No. 82 (February 8, 2005) SUBJECT: **Tripartite Boards**

"Poverty Rate, Individuals" - Per County Match Requirement

ORIGINAL LETTER TO BE MAILED

	Poverty Rate - Individuals	Ratio	\$79,500 local match required of a \$318,000 CSBG	Current Year Request
Amelia	10.10%	9.343200740055500%	\$7,427.84	\$7,428.00
Buckingham	24.70%	22.849213691026800%	\$18,165.11	\$18,165.00
Cumberland	14.40%	13.320999074930600%	\$10,590.12	\$10,590.00
Lunenburg	22.40%	20.721554116558700%	\$16,473.59	\$16,474.00
Nottoway	16.80%	15.541165587419100%	\$12,355.17	\$12,355.00
Prince Edward	19.70%	18.223866790009300%	\$14,487.92	\$14,488.00
	108.10%	100.00%	\$79,499.75	\$79,500.00



STAFF REPORT
CUP 15-01
Cabins at High Bridge
Conditional Use Permit
Cumberland County, Virginia
Board of Supervisors Public Hearing
March 10, 2015

General Information:

Processing schedule: The Planning Commission held a public hearing on this proposal on February 23rd, 2015. They recommended approval unanimously to the Board of Supervisors with the recommended conditions and the addition of two more conditions proposed by the Department of Conservation and Recreation, and agreed to by the applicant. The public hearing with the Board of Supervisors is March 10, 2015.

Application Information:

Applicant/Owner: Applicant and owner: Wilmer Mast
Requested Action: To grant a conditional use permit for a rental cabin campground.
Location: Tax Parcel 105-A-84
Address TBD River Road
Voting District: 5
Existing Zoning: A-2
Proposed Zoning: A-2 with CUP for rental cabin campground
Size: Parcel size 27.01 acres
Existing land uses: vacant
Comp. plan area: Rural area
Overlay districts: None
Proffers: No

Surrounding Area Information:

<u>Direction</u>	<u>Adjacent existing uses</u>	<u>Adjacent zoning</u>	<u>Adjacent Comp. Plan Area (2013)</u>
North	High Bridge Trail and vacant	A-2	Outside of the growth area

South	Residential and vacant	A-2	Outside of the growth area
East	Residential	A-2	Outside of the growth area
West	Residential and vacant	A-2	Outside of the growth area

Summary of Request and Background Information:

The owner and applicant, Mr. Wilmer Mast, would like to develop a rental cabin campground on this property for up to ten rental cabins and a future stable (which is a permitted use in the district). VDOT has evaluated the entrance and granted approval for the use.

Consistency with the 2013 Comprehensive Plan:

The proposed use falls outside of the designated growth area of the 2013 Comprehensive Plan.

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

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

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

The proposed use helps meet an important need of the county by providing economic development opportunities.

Consistency with the Zoning Ordinance:

Section 74-702 of the Zoning Ordinance states the intent conditional use permits is:

- 1) *That the establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare;*
- 2) *That the conditional use 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) *That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;*
- 4) *That 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) *That adequate utilities, access roads, drainage or necessary facilities have been or are being provided;*

- (6) *That 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) *That off-street parking and loading areas where required with particular attention to the items in subsection (a)(1) of this section 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) *That refuse and service areas, with particular reference to the items in subsections (a)(1) and (2) of this section are adequately provided for;*
- (9) *That appropriate screening and buffering with reference to type, dimensions and character of the use are adequately provided for;*
- (10) *That 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) *That required yards and other open spaces are adequately provided for;*
- (12) *That the proposed use is compatible with adjacent properties and other property in the district;*
- (13) *That an adequate supply of light and air to adjacent property is adequately provided for; and*
- (14) *That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the board of supervisors.*

The proposed use of the subject property is compatible with the above intent.

A definition for a rental cabin campground is also being recommended by the Planning Commission to the Board of Supervisors concurrently with this application. The proposed definition is as follows:

Rental Cabin Campground means a camping and overnight area for use as temporary habitation operated as a business or for a fee. Continuous occupancy by the same person(s) for more than six (6) months in any twelve (12) month period shall be prohibited, except that one permanent residence may be permitted for the park owner or manager.

Conclusion:

The requested action is consistent with the Comprehensive Plan and the Zoning Ordinance and is supportive of the county's plans to provide for and encourage economic development opportunities that are consistent with the agricultural nature of the county.

Recommendation:

The Planning Commission recommends approval of the CUP to allow a Rental Cabin Campground on this lot. The following conditions are recommended by the Commission, and agreed to by the applicant:

1. Septic, well and electrical connections: The applicant shall comply with all federal, state and local regulations pertaining to the use of private water, sewer and electricity.
2. Compliance with plan required: The applicant provided plan, dated 1-15-2015, and drawn by Woodrow Cofer, shall be the guiding plan for the location of the road, cabins and buffers. Substantial deviation from the plan shall require approval of the Zoning Administrator.
3. Cabin design: Cabins shall be of a similar design and appearance as pictures provided by the applicant and attached to this application.
4. Community safety: If county or state law enforcement is required to respond to restore order to those on the property more than two (2) times in a thirty (30) day period the conditional use permit shall be reviewed by the Board of Supervisors, and may be revoked at the Board's discretion.
5. Refuse disposal: A dumpster shall be provided for trash disposal and emptied when full but in no event shall the dumpster be emptied less than once a month.
6. Noise control: Noise shall be restricted between the hours of 11:00 p.m. and 5:30 a.m. daily. The noise and sounds levels controls shall be at 0 decibels at all property lines and at conversation levels on the property so as not to disturb other temporarily housed individuals or adjacent properties.
7. Buffer: A 50 foot buffer shall be maintained and left in its natural state directly adjacent to High Bridge State Park, with the exception of a trail connecting the property to the trail.
8. Trail Connection: At the time of trail connection to High Bridge State Park, the applicant shall work with the state Department of Conservation and Recreation (DCR) to have the connection with the park approved.

Suggested Motion:

Mr. Chairman, because this request meets the intent and spirit of the Zoning Ordinance and Comprehensive Plan, I move that the Board of Supervisors approve CUP 15-01, a conditional use permit to allow a rental cabin campground in an A-2 zone, with the conditions listed in the staff report.

Or,

Mr. Chairman, because this request does not meet the intent and spirit of the Zoning Ordinance and Comprehensive Plan, I move that the Board of Supervisors deny CUP 15-01.

Respectfully submitted by:
Sara Carter
Planning Director

NOTES:

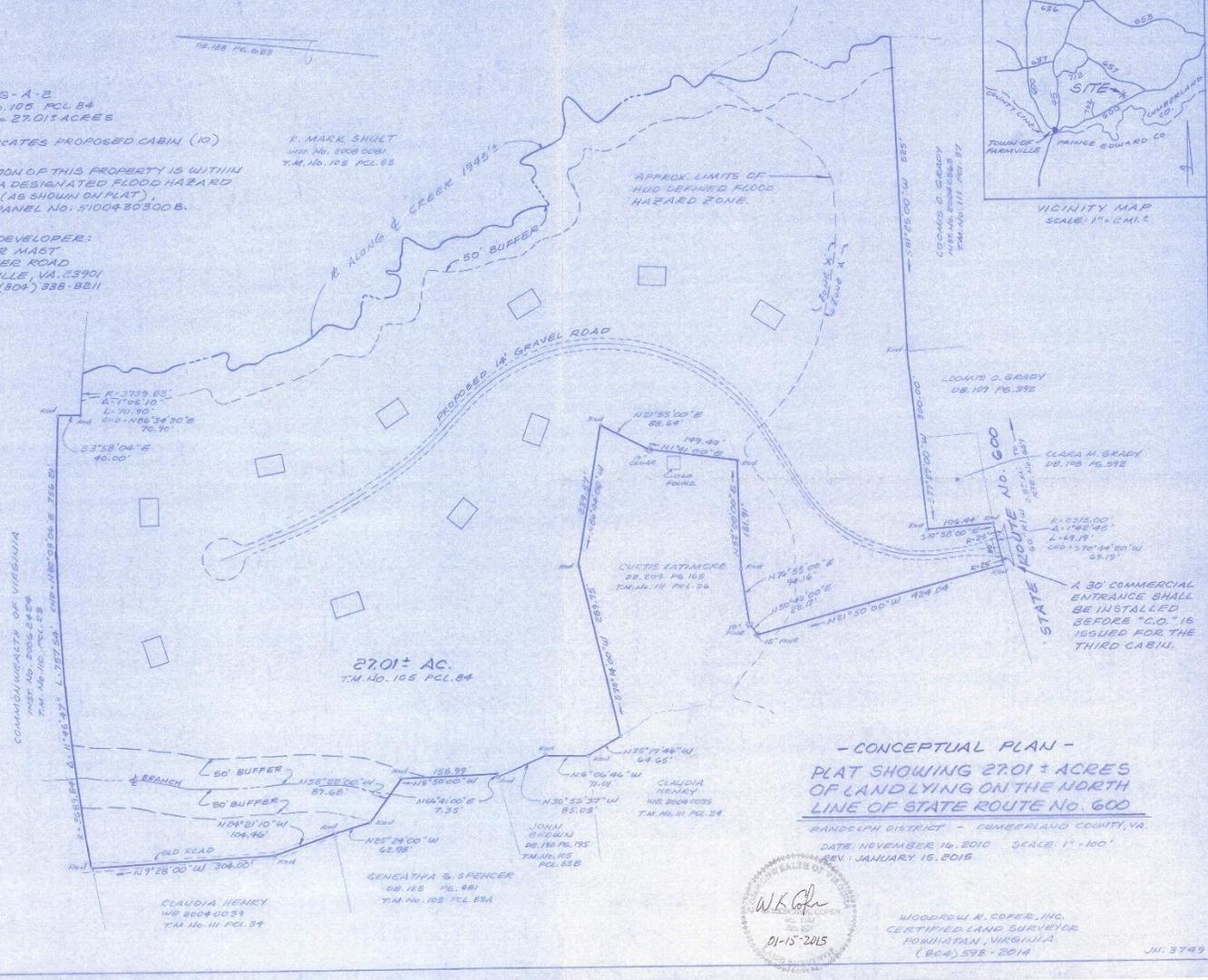
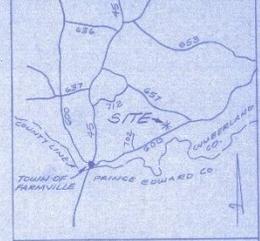
- ZONING - A-2
- T.M. NO. 105 PCL 84
- AREA = 27.01± ACRES

□ INDICATES PROPOSED CABIN (10)

- A PORTION OF THIS PROPERTY IS WITHIN A FEMA DESIGNATED FLOOD HAZARD AREA (AS SHOWN ON PLAT). SEE PANEL NO. 5100430300 B.

OWNER/DEVELOPER:
 WILMER MAST
 379 RIVER ROAD
 FARMVILLE, VA. 23901
 PHONE: (804) 338-8211

J. MARK SHULT
 MAP NO. 8008 0001
 T.M. NO. 105 PCL 88









STAFF REPORT
CUP 15-02
Braxton
 Conditional Use Permit
 Cumberland County, Virginia
 Board of Supervisors Meeting
 March 10, 2015

General Information:

Processing schedule: The Planning Commission recommends approval to the Board of Supervisors. The Board has a public hearing on this proposal on March 10, 2015.

Application Information:

Applicant: Rita Braxton
 Requested action: Conditional Use Permit to address lot issues.
 Location: Tax map parcel 41-A-32
 Voting District: 3
 Zoning: A-2
 Comprehensive Planning Area: Rural area
 Size: 0.95 acres
 Existing uses on the site: vacant, contains a private road to adjacent properties

Surrounding Area Information:

	<u>Adjacent existing uses</u>	<u>Adjacent zoning</u>	<u>Adjacent Comprehensive Plan Planning Area</u>
North	Residential	A-2	Rural area
South	Residential	A-2	Rural area
East	Vacant	A-2	Rural area
West	Residential	A-2	Rural area

Summary of Request and Background Information:

Ms. Braxton has purchased a lot that was listed in all property records as one acre. Because of the private road that bisects the lot, she obtained a survey to address location of her future home and setbacks. The survey revealed that the lot is 0.95 acre. Also, because of the location of the private road on the lot, she is unable to meet all of her setbacks from that road. County Ordinance allows the use of a lot for a residence of one acre or more, if the lot was created prior to February 14, 2012. At the time of purchase, Ms. Braxton believed the lot to be a legal, non-conforming lot.

This CUP will allow the lot to be used for a residence. At this time, the applicant is unable to build on the lot without relief from the dimensional requirements of the Zoning Ordinance.

Consistency with the Comprehensive Plan:

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

Consistency with the Zoning Ordinance:

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

Recommendation:

The Planning Commission finds that that the location and intended use of the property is consistent with the recommendations of the Zoning Ordinance and Comprehensive Plan. Therefore, the Commission recommends **approval** of CUP 15-02 with the following conditions:

1. The lot shall not be subdivided, nor shall boundary lines be adjusted to cause the lot to become smaller and more non-conforming in the future.
2. Setbacks for this parcel are:
 - Front: 5 feet from the edge of Landus Drive
 - Rear: 15 feet from the rear property line
 - Side yards: 25 feet (no change requested)
 - Accessory: 5 feet (no change requested)

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

Suggested Motion:

Mr. Chairman, because this request meets the intent and spirit of the Zoning Ordinance and Comprehensive Plan, I move that the Board of Supervisors approve CUP 15-02, a conditional use permit request with the recommended conditions to allow for the correction of lot deficiencies.

Or,

Mr. Chairman, because this request does not meet the intent and spirit of the Zoning Ordinance and Comprehensive Plan, I move that the Board of Supervisors deny CUP 15-02.

Submitted by:

Sara Carter
Planning Director



STAFF REPORT
CUP 14-05
Conditional Use Permit
Cumberland County, Virginia
Board of Supervisors Public Hearing
March 10, 2015

General Information:

Processing schedule: The Planning Commission recommended approval of CUP 14-05 at their February 23, 2015 meeting. The Board of Supervisors has a public hearing scheduled for the proposal on March 10, 2015 at 7 p.m. in the Circuit Courtroom of the Cumberland County Courthouse.

Application Information:

Applicant: Henrico County Department of Public Utilities
Arthur D. Petrini, Director

Owner(s): Henrico County

Agent: Mr. Ed Overmann, Capital Projects Manager
Mr. Paul Peterson, Arcadis

Requested action: Conditional Use Permit to allow a telecommunication tower.

Location: Tax Parcel 2-A-1; located on Columbia Road approximately one mile north of the intersection with Amphill Road.

Voting District 1

Zoning: A-2

Comprehensive Planning Area: Rural Area

Size: 0.6 acre site on a 288 acre parcel

Existing uses on the site: Vacant

Surrounding Area Information:

	<u>Adjacent existing uses</u>	<u>Adjacent zoning</u>	<u>Adjacent Comprehensive Plan Planning Area</u>
North	James River/Goochland County	n/a	Rural Area
South	Forest/agricultural/ light residential	A-2	Rural Area
East	Forest/agricultural/ light residential	A-2	Rural Area
West	Forest/agricultural/ light residential	A-2	Rural Area

Summary of Request and Background Information:

The applicant proposes to construct a 195 foot tall monopole communications tower. The total tower site will be approximately 0.6 acres, contained within a 288 acre tract. The tower location is in the interior of the site, with the closest point to Columbia Road being 860 feet. Structures on the proposed tower area would include the tower, unmanned support buildings and equipment pads, which would all be surrounded by an eight foot 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 tower site will be from a perimeter access road.

The applicant has performed a balloon test and included all required background information in the application, with selected pages following this report. The applicant addresses the general conditional use permit standards, the general guidelines and requirements and all the factors considered in granting a CUP. A site plan has been included in the application.

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.

Planning Commission Recommendation:

The Planning Commission recommends approval of this proposal on a 6-1 vote. There were concerns on the part of one Commissioner that the tower should be lit for safety. Adjacent residents requested that the tower not be lit, unless regulations require it. The Commission finds that the intended use of the property is consistent with the recommendations of the Zoning Ordinance and Comprehensive Plan. Therefore, the Commission recommends **approval** of CUP 14-05 with the following conditions:

1. This conditional use permit shall allow for construction work commenced on or before **(3) years from the effective date of the conditional use** permit, and any such expansion activities commenced thereafter shall require a new conditional use permit.
2. All operations on the Property shall comply with all applicable health and environmental laws, rules and regulations, and with all County, State and Federal Laws which govern construction and operation of the tower.
3. All representations of Henrico County's conditional use permit application 14-05 for a 195 foot Telecommunication Tower and associated equipment, including all attached documentation, filed on February 2, 2015, are included herein as conditions.
- ~~4. This permit shall not become effective until a removal bond in the amount of \$25,000 pursuant to Section 74-745 of the Zoning Ordinance has been approved by the County Attorney executed, and filed with the County Administrator.~~
5. 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.

Following the Commission meeting, staff recommends the deletion of condition number 4, given that the tower's owner will own the tower site, as well as a larger area around the

tower. This differs from most towers, where a tower owner leases a small area from a property owner for the purpose of the tower. In the typical case, the bond ensures that a property owner will not be left with an obsolete or unneeded tower.

Suggested Motion:

Mr. Chairman, because this request meets the intent and spirit of the and Zoning Ordinance and the Comprehensive Plan, I move the Board of Supervisors approve CUP 14-05, a conditional use permit to allow a telecommunications tower in an A-2 district, with the conditions listed by staff.

Or,

Mr. Chairman, because this request does not meet the intent and spirit of the Zoning Ordinance and Comprehensive Plan, I move that the Board of Supervisors deny CUP 14-05.

Respectfully submitted by:

Sara Carter
Planning Director

Attachment: Partial Application

Application for Conditional Use Permit (CUP)
Henrico County, Cobbs Creek Reservoir Tower

Section 74-702 (1-14)

Provide a Written statement demonstrating that:

1. That the establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare;
 - The proposed tower will support the equipment and infrastructure necessary for the operation of the Cobbs Creek Reservoir. Should it be needed, the facility may also provide the locations within the tower site compound and on the tower for the placement of equipment for Cumberland County Sheriff's Department and Emergency Services.
2. That the conditional use 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;
 - The proposed facility should not emit noise or other types of pollution into the environment which would be injurious to surrounding properties. Since it is unmanned and uninhabited, water and sewer services are not required. Road use impact is minimal and once the facility is constructed, will be used on an as-needed basis to monitor and replace equipment and will be accessed through on-site (private) road networks. A professional assessment has not been completed, but there will be no reason to believe that adjoining property values would be diminished due to communications facilities.
3. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
 - The proposed facility will be located within property owned by Henrico County. The tower facility will be along the perimeter access road (private) to the raw water pump station at the Cobbs Creek Reservoir. The proposed tower facility will support the infrastructure and equipment necessary for operations of the reservoir.
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;
 - The tower site compound will be located approximately 860 feet from the nearest point along Columbia Road, SR 690, approximately 3,830 feet from the James River, and 750 feet from the nearest property line to the south. The distance from roadways, terrain, and existing vegetation will provide substantial screening from adjacent properties and roadways. The buildings and equipment in the fenced compound will be of a neutral color and the monopole tower will be a non-glossy galvanized finish. The tower will not be lit unless required by the FAA. An assessment has not been completed, but there is no reason to believe that property values would be diminished due to communications facilities.

Application for Conditional Use Permit (CUP)
Henrico County, Cobbs Creek Reservoir Tower

5. That adequate utilities, access roads, drainage or necessary facilities have been or are being provided;
 - As part of the Cobbs Creek Reservoir project, new access roads, utilities, and other infrastructure are being installed to support operations at the reservoir and facilities. The proposed tower site will be located along the perimeter access road to the raw water pump station. Following construction, traffic to the tower facility will be minimal consisting of typical operations staff and vehicles to monitor and replace equipment components as needed.
6. That 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;
 - The ingress/egress to the tower site will be from the perimeter access road (private) to the raw water pump station for the Cobbs Creek Reservoir. The proposed entrance for the facility has been located along Columbia Road, at a location to provide adequate sight distances.
7. That off-street parking and loading areas where required with particular attention to the items in subsection (a)(1) of this section 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;
 - Adequate parking and turn-around space will be provided at the proposed tower facility to accommodate users. The tower site is unmanned and uninhabitable so parking requirements are minimal and will be within or along the gravel access road (private) to the site. There will be no noise, glare, or odor associated with the tower facility or imposed on adjoining properties.
8. That refuse and service areas, with particular reference to the items in subsections (a)(1) and (2) of this section are adequately provided for;
 - Upon completion of construction, there will be no refuse or trash generated. Trash and refuse generated during construction will be removed from the site and disposed of at an authorized facility.
9. That appropriate screening and buffering with reference to type, dimensions and character of the use are adequately provided for;
 - The tower compound, fence, and support structures will be buffered from view of existing roadways and the James River by existing vegetation, topography, and distances from adjacent properties and public roadways. The tower site compound will be located approximately 860 feet from the nearest point along Columbia Road, SR 690 and approximately 3,830 feet from the James River. The tower site is also set back from the perimeter access road (private) approximately 50 feet.

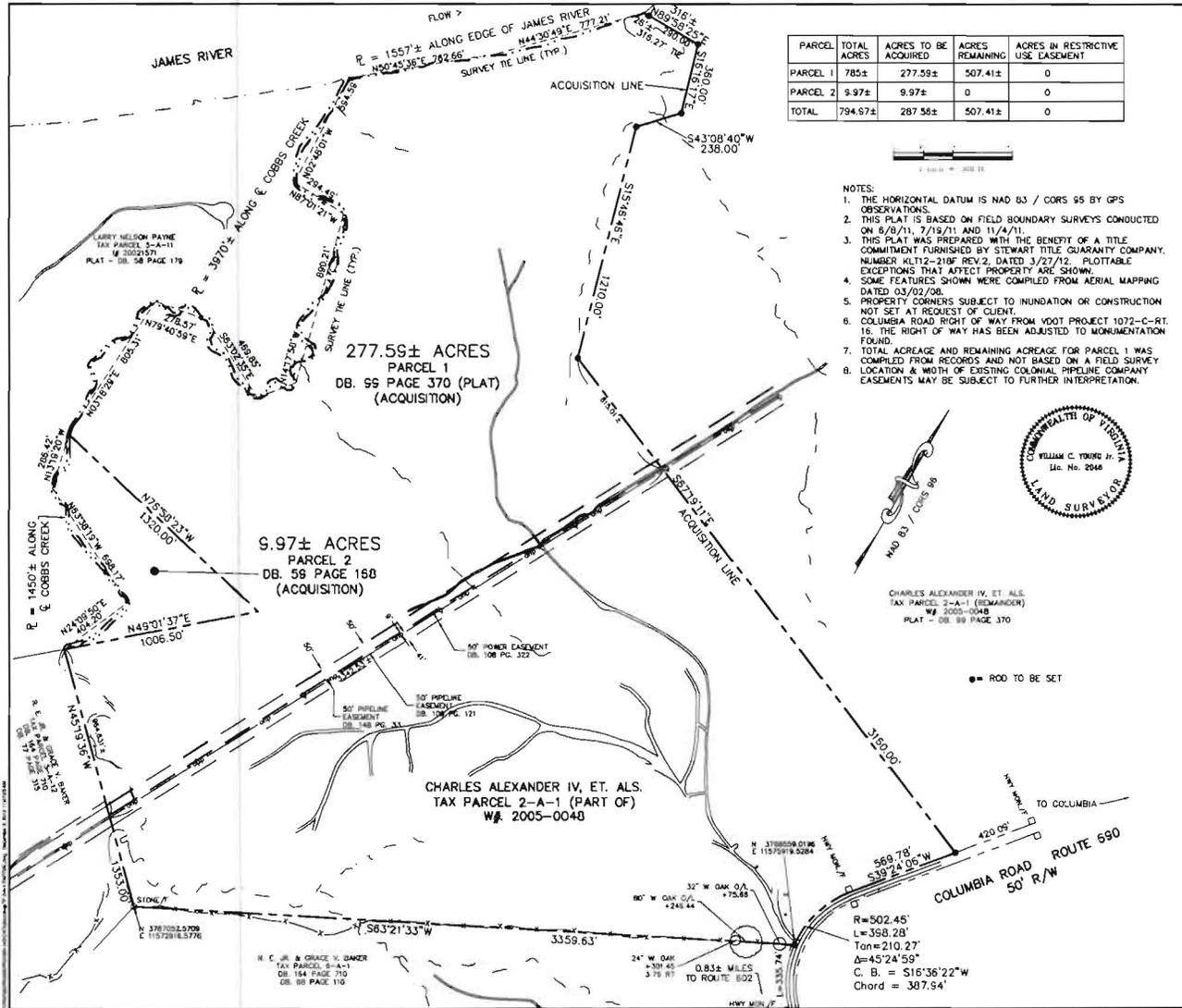
Application for Conditional Use Permit (CUP)
Henrico County, Cobbs Creek Reservoir Tower

10. That 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;
 - No lighting is proposed other than as required by the FAA. No signage is proposed except for emergency contact information which will be posted on a small sign to be mounted on the fence/gate to the tower compound site.
11. That required building setbacks and other open spaces are adequately provided for;
 - Henrico County has acquired a 288± acre parcel on which the tower will be constructed. All setback requirements will be met or exceeded and the tower will be designed to collapse within the lot lines of the parcel in case of a structural failure. The proposed tower location is 750 feet from the nearest property line.
12. That the proposed use is compatible with adjacent properties and other property in the district;
 - Section 74-143 of the Cumberland County Zoning Ordinance permits towers and communications facilities in A-2 districts by a Conditional Use Permit (CUP). The tower is proposed to be constructed to support the infrastructure and facilities necessary for operation of the Cobbs Creek Reservoir, further solidifying the compatibility with the use of the property and adjacent properties. It is also understood there is also a lack of cellular/mobile communications in the area and the tower will be designed to accommodate up to two (2) additional wireless/cellular communications companies as well as Cumberland County Sheriff's Department and Emergency Services.
13. That an adequate supply of light and air to adjacent property is adequately provided for; and
 - The site is located within a 288± acre parcel acquired by Henrico County and will be located approximately 860 feet from the nearest point along Columbia Road, SR 690, approximately 3,830 feet from the James River, and 750 feet from the property line to the south. Site improvements necessary for operations of the Cobbs Creek Reservoir including but not limited to the access roads (private), dam and pump station are also being constructed on this property.
14. That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the board of supervisors.
 - The tower Owner, Henrico County, will comply with all applicable regulations of the zoning district and any Conditions of Approval imposed by the Board of Supervisors of Cumberland County.

Application for Conditional Use Permit (CUP)
Henrico County, Cobbs Creek Reservoir Tower

Section 74-736

- a) The tower Owner, Henrico County, does not own or operate any communications towers within Cumberland County or within 5 miles of the subject property. Due to the unique requirements of the project in order to support the infrastructure and facilities necessary for operations of the Cobbs Creek Reservoir, the tower site must be located in the immediate vicinity of the reservoir operations, infrastructure and facilities. The site is located within a 288± acre parcel acquired by Henrico County and will be located approximately 860 feet from the nearest point along Columbia Road, SR 690 and approximately 3,830 feet from the James River and raw water pump station. An investigation of existing towers within Cumberland County has not been completed due to the unique requirements to support the infrastructure of the reservoir project. As discussed herein, co-location opportunities will be made available to other users at the site including Cumberland County.
- b) Design; lighting
- 1) The tower will maintain a galvanized finish and attachments will be neutral in color. The proposed dish antennas will be of a neutral, non-reflective color with no visible logos. The tower will not be lit unless required by the FAA.
 - 2) The buildings and equipment cabinets shall be neutral in color in order to blend the facilities to the natural setting and surrounding structures.
 - 3) All antennas and equipment at the facility shall be neutral in color.
 - 4) The tower will not be lit unless required by the FAA.
 - 5) No advertising or signage is proposed. Emergency contact will be posted on a small sign to be mounted on the fence/gate to the tower compound site.
 - 6) In order to permit co-location, the proposed tower height of 195 feet above grade will be designed to support Henrico County's equipment, Cumberland County Sherriff's Department and Emergency Services, and two (2) wireless communications users.
 - 7) The tower will be designed to collapse within the lot/property lines in case of a structural failure.
 - 8) The original tower height of 195 feet above grade will be designed to support Henrico County's equipment, Cumberland County Sherriff's Department and Emergency Services, and up to two (2) wireless communications providers.



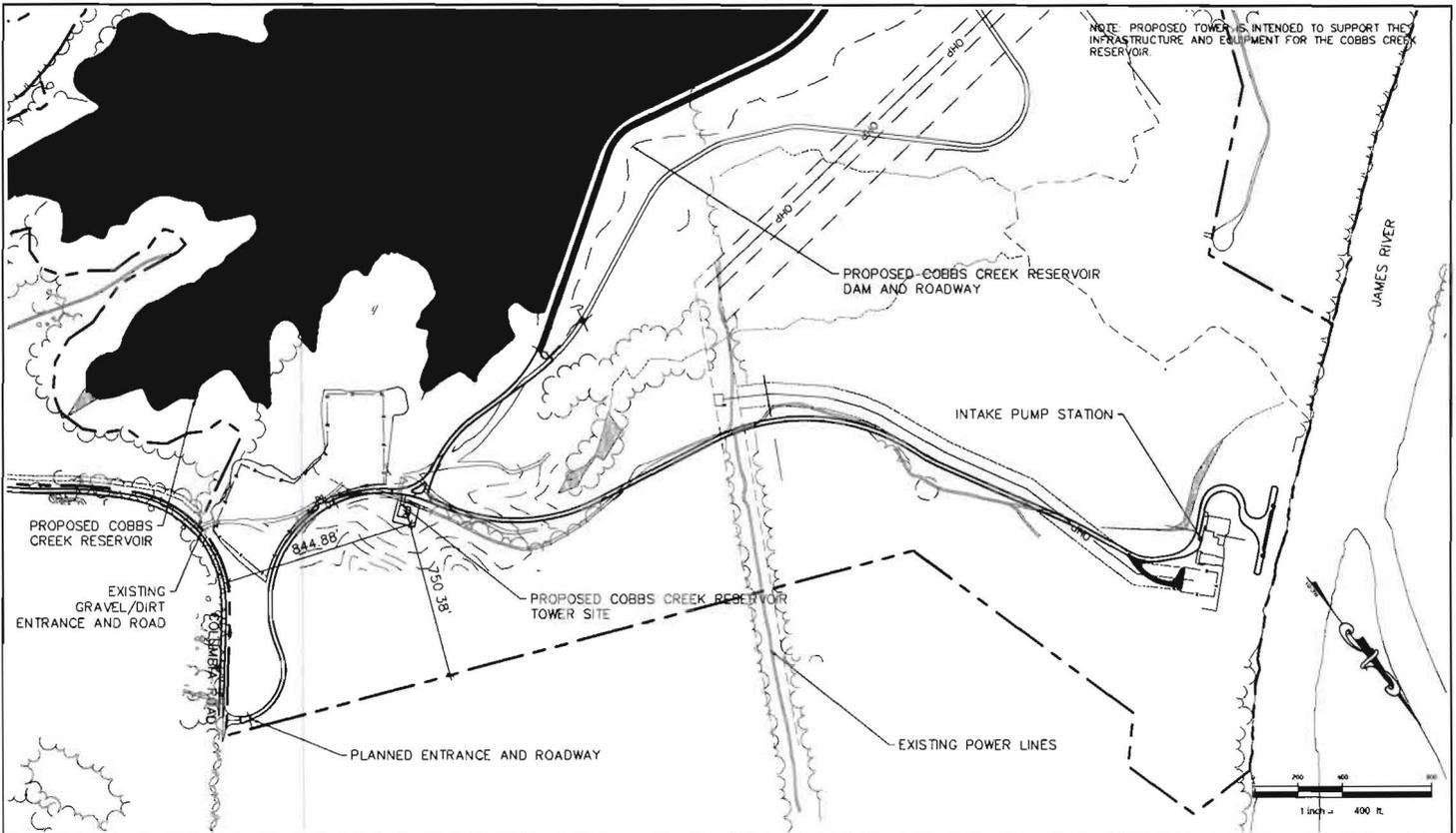
Draper Aden Associates
 Engineering • Surveying • Environmental Services
 Blacksburg, VA
 Charlottesville, VA
 Harrisonburg, VA
 Richmond, VA
 1000 W. Park Drive
 Blacksburg, VA 24060
 540-532-2222 Fax: 540-532-4773
 www.daa.com

PLAT SHOWING PROPOSED ACQUISITION OF A PORTION OF TP 2-A-1
COBBS CREEK RESERVOIR
 HAMILTON DISTRICT, CUMBERLAND COUNTY, VIRGINIA

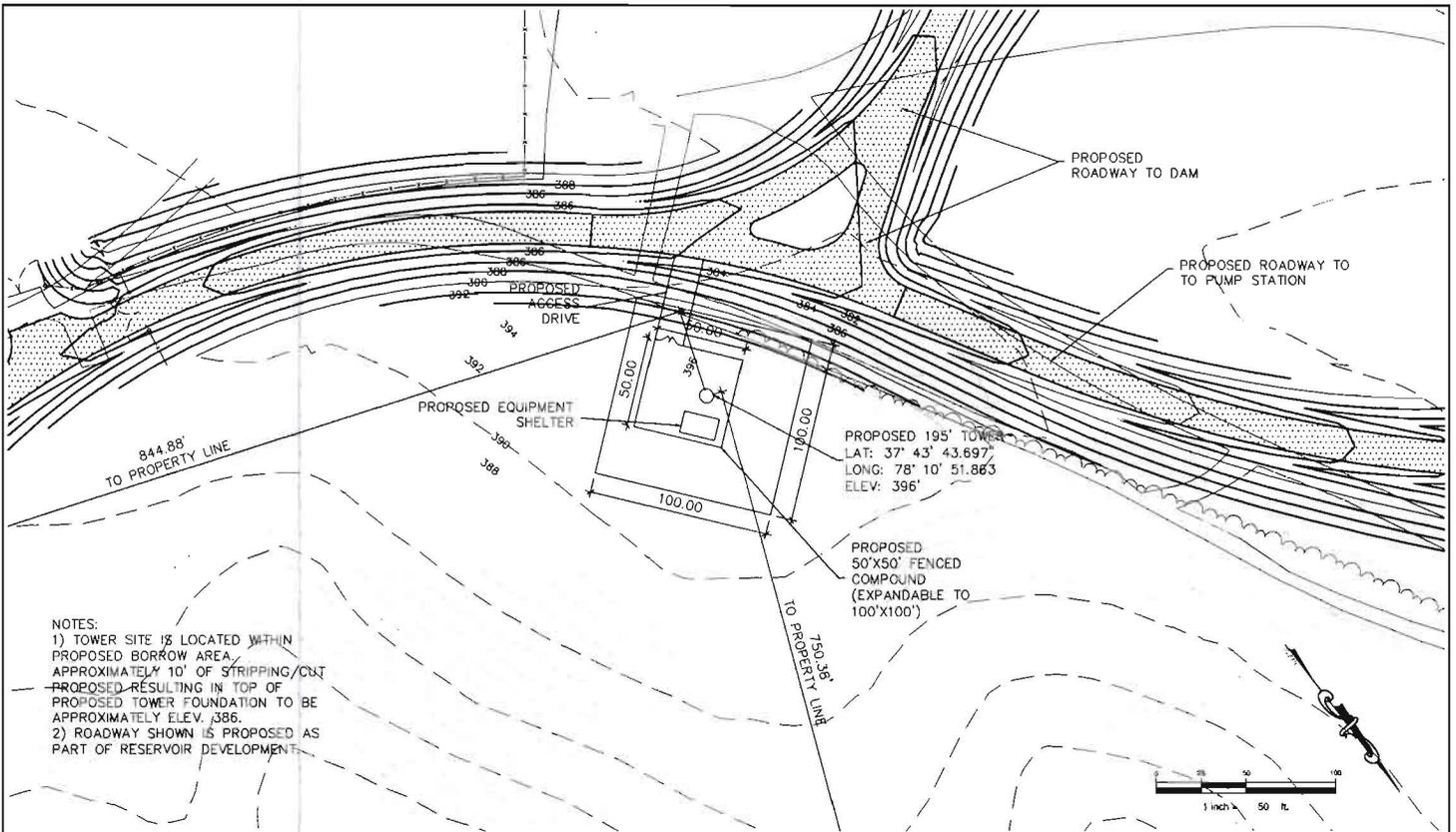
REVISIONS
 11/20/12 PIPELINE TEXT

DESIGNED BY:	WCV
CHECKED BY:	DFC
SCALE:	1" = 300'
DATE:	11/18/12
PROJECT NUMBER:	R02380-14S

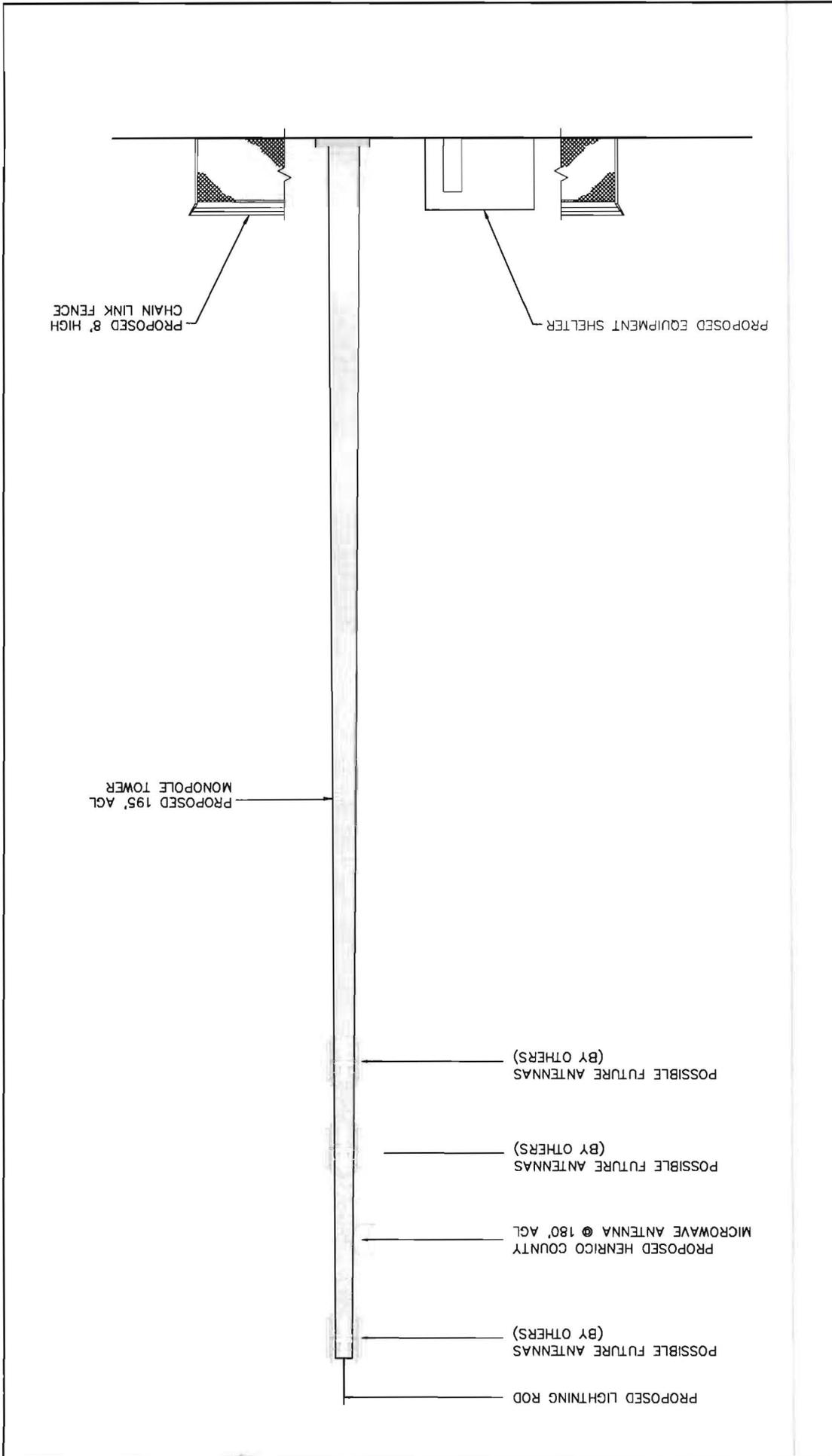
1 OF 1



 Draper Aden Associates Engineering • Surveying • Environmental Services 8090 Villa Park Drive Richmond, VA 23228 804-264-2226 Fax: 804-264-8773	DESIGNED: TKD DRAWN: TKD-EHH CHECKED: TKD DATE: 9-29-2014	COBBS CREEK TOWER - PRELIMINARY SITE LAYOUT CUMBERLAND COUNTY, VIRGINIA	SCALE: 1" = 400' PROJECT: R02380-22C	FIGURE 1



 Draper Aden Associates <i>Engineering • Surveying • Environmental Services</i> 8090 Villa Park Drive Richmond, VA 23228 804-264-2220 Fax: 804-264-8773 Chesapeake, VA Charlottesville, VA Hampton Roads, VA	DESIGNED: TKD DRAWN: TKD-EHH CHECKED: TKD DATE: 9-29-2014	COBBS CREEK TOWER - PRELIMINARY SITE LAYOUT CUMBERLAND COUNTY, VIRGINIA	SCALE: 1" = 50' PROJECT: R02380-22C	FIGURE 2



 Draper Aden Associates Engineering • Surveying • Environmental Services 8900 Villa Park Drive Richmond, VA 23228 804-264-2228 Fax: 804-264-8773	DESIGNED: TKD DRAWN: TKD-EHH CHECKED: TKD DATE: 9-29-2014	COBBS CREEK TOWER - TYPICAL TOWER ELEVATION CUMBERLAND COUNTY, VIRGINIA	SCALE: NO SCALE PROJECT: R02380-22C	FIGURE <h1 style="font-size: 2em;">3</h1>
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Balloon Test Map - Photo Locations

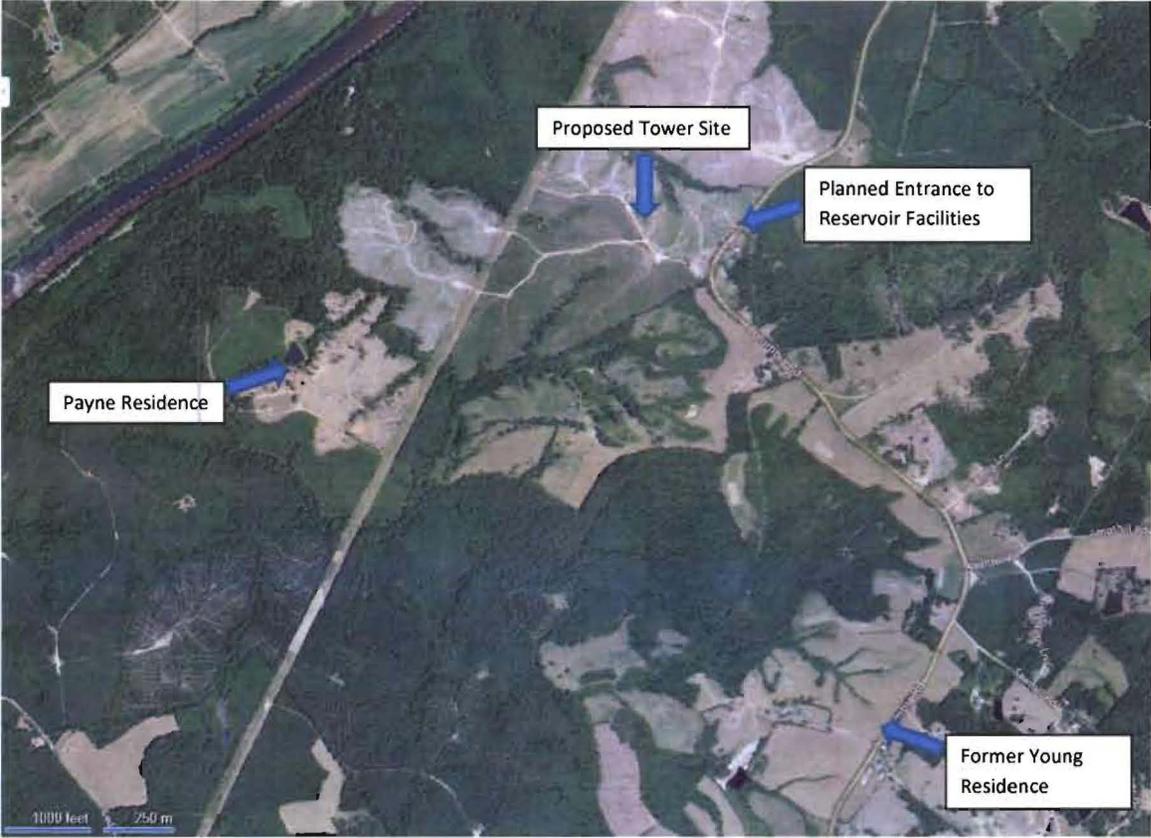
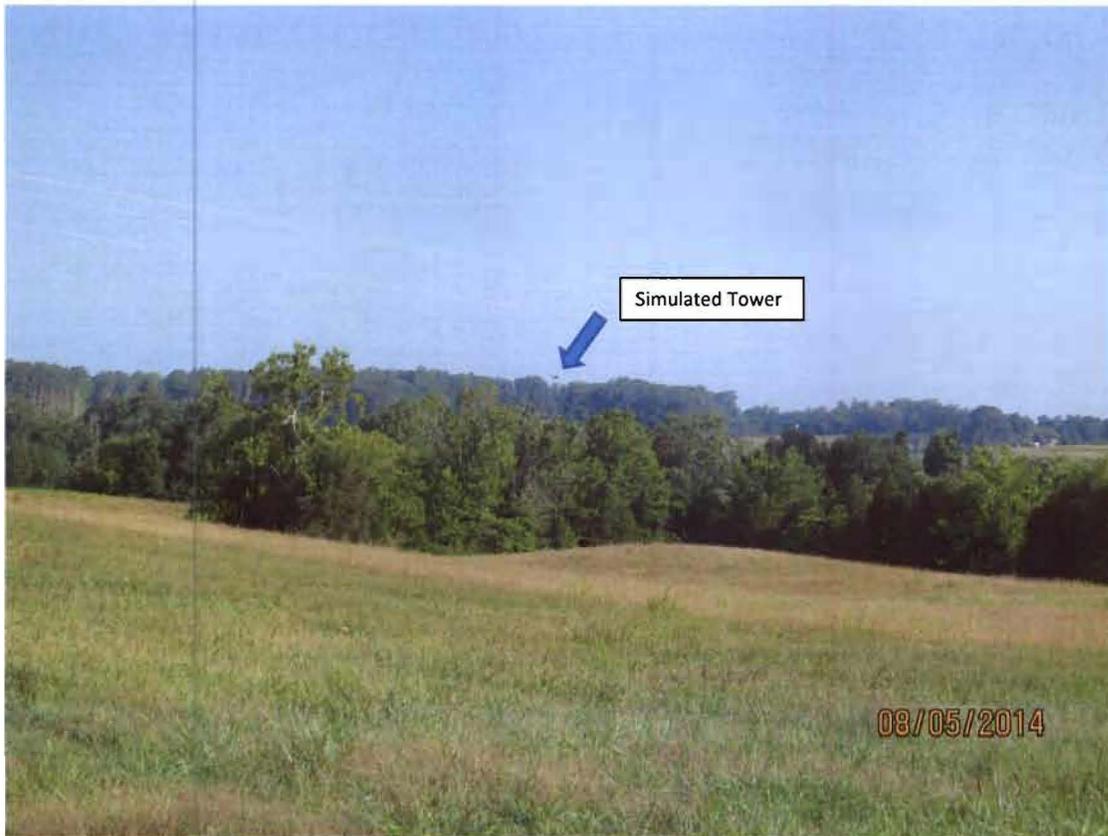


Photo Simulations
Former Young Residence



Payne Residence



Planned Entrance to Reservoir Facilities



Note: Trees will be removed and cleared in order to construct new entrance and roadway to reservoir facilities.



MEMO

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

From: Sara Carter, Planning Director

Date: March 3, 2015

Re: **Public Hearing for CA 15-01: Rental Cabins**

This code amendment is to allow the use that has been proposed in CUP 15-01, High Bridge Trail Cabins. It defines a rental cabin campground and enumerates the use as a conditional use in the A-2 district. The Commission also reviewed the definition for recreational vehicle park and recommends changes to the Board that add more flexibility for citizens, while protecting from permanent residency being established.

The Commission held a public hearing on both of these changes, along with CUP 15-01 on February 23, 2015. They recommend approval of the code amendment and the CUP unanimously.

Please find following updated language for both definitions as well as the Conditional Uses for A-2, with the new use added.

Sec. 74-2 Definitions.

Rental Cabin Campground means a camping and overnight area for use as temporary habitation operated as a business or for a fee. Continuous occupancy for more than six (6) months in any twelve (12) month period shall be prohibited, except that one permanent residence may be permitted for the park owner or manager.

Recreational vehicle park also known as an RV park or RV campground means a camping and overnight area for two (2) or more recreational vehicles, pick-up coaches, motor homes, camping trailers, other vehicular accommodations and tents, suitable for temporary habitation operated as a business or for a fee. A recreational vehicle park shall be served by water and sewer systems approved by the Cumberland County Health Department. A recreational vehicle park shall not be construed to mean a mobile home park or be used for permanent residence. Continuous occupancy for more than ~~fourteen (14) days in any thirty (30) day period or more than six (6) months in any twelve (12) month period~~ shall be prohibited, except that one permanent residence may be permitted for the park owner or manager. All recreational vehicles are required to maintain current licenses, inspections, and registrations. Additionally, the vehicles must have wheels, tires, tongue and no permanent underpinning. Recreational vehicles shall comply with the setback requirements of the zoning ordinance.

Sec. 74-133. Permitted uses with conditional use permit.

The following uses are permitted in the A-2 district with a conditional use permit:

- (1) Airstrips.
- (2) Animal research facility.
- (3) Antique shops.
- (4) Borrow, extraction, excavation and stockpiling of soil, gravel, or sand, consistent with the provisions of section 74-150.
- (5) Churches and cemeteries.
- (6) Convenience and general stores.
- (7) Fire and rescue facilities.
- (8) Golf courses, country clubs, golf driving ranges and mini-golf.
- (9) Group home.
- (10) Guesthouse.
- (11) Gun clubs with or without indoor or outdoor shooting ranges, skeet shooting ranges and ball clubs.
- (12) Kennels, commercial.
- (13) Landfill (CDD) (including inert waste).
- (14) Livestock markets.
- (15) Mini-storage units
- (16) Nursery schools and private kindergartens.
- (17) Nursing home, convalescent home and rest home.
- (18) Parks and playgrounds.
- (19) Porta-John business[es].
- (20) Public utilities.
- (21) Public utility generating plants, public utility booster or relay stations, transformer substations, meters and other facilities, including railroads and facilities, and water and sewerage facilities.
- (22) Racetracks (auto, motorcycle, and horse).
- (23) Radio stations, television stations and cable TV facilities, communication station and/or tower or related facilities; subject to provisions of [section 74-731](#) et seq.
- (24) Recreational vehicle park
- (25) Rental cabin campground
- ~~(256)~~ Special recreational events.
- ~~(267)~~ Transitional home.
- ~~(278)~~ Veterinary hospital.
- ~~(289)~~ Wood products (processing and assemblage of), as defined in [section 74-2](#).

BOARD OF SUPERVISORS
OF
COUNTY OF CUMBERLAND, VIRGINIA
RESOLUTION RECOMMENDING
PROPOSED AMENDMENT TO THE
CODE OF CUMBERLAND COUNTY
CODE AMENDMENT15-01:

“AN ORDINANCE AMENDING CHAPTER 74 OF THE
CUMBERLAND COUNTY CODE ALLOWING RENTAL CABIN
CAMPGROUND AS A CONDITIONAL USE IN THE A-2 DISTRICT
AND DEFINING RV AND RENTAL CABIN CAMPGROUNDS”

March 10, 2015

At a meeting of the Board of Supervisors of Cumberland County, Virginia, held at the Circuit Courtroom of the Cumberland County Courthouse, Cumberland, Virginia 23040 commencing at 7:00 p.m., March 10, 2015, the following action was taken following a duly held public hearing during which time County staff provided a review of the code amendment proposal and members of the public offered comment:

On a motion made by _____, and seconded by _____, it was moved that the Board of Supervisors of Cumberland County adopt, in accordance with the following Resolution, an ordinance amending Chapter 74 zoning relating to rental cabin campgrounds as a conditional use in the A-2 district and defining RV and rental cabin campgrounds;

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

Present:

Vote:

Lloyd Banks, Jr., Chairman

Kevin Ingle, Vice-Chairman

William F. Osl

David Meinhard

Parker Wheeler

Absent:

Dated: _____

Attested: _____

Vivian Giles, Clerk to the Board of Supervisors of Cumberland County

WHEREAS, at a meeting held on January 6, 2015, the Planning Commission discussed the proposed amendment to the Code of Cumberland County, “An ordinance amending Chapter 74 Zoning of the Cumberland County Code amending section 74-2, Definitions and 74-133 Permitted uses with conditional use permit,” for the A-2 district (as shown in the attached ordinance); and

WHEREAS, the Planning Commission duly advertised and held a public hearing on February 23, 2015; and

WHEREAS, after conducting a public hearing and considering the comments of County staff, landowners, residents, and the general public, and after discussion, staff presentation and due deliberation with respect to such information, including information and materials presented at this public hearing, the Planning Commission affirmed its findings and made its unanimous recommendation for approval to the Board of Supervisors with respect to the Code Amendment;

WHEREAS, the Board of Supervisors duly advertised and held a public hearing on March 10, 2015; and

WHEREAS, the Board of Supervisors carefully considered the testimony and evidence presented at the public hearing in support or opposition to the proposed Code Amendment and the recommendation from the Planning Commission; and

WHEREAS, in its review of the Code Amendment, the Board of Supervisors gave reasonable consideration to furthering the goals of the County’s Comprehensive Plan and Zoning Ordinance;

WHEREAS, after discussion, staff presentation and due deliberation with respect to such information, including information and materials presented at this public hearing, and the comments in support or opposition to the proposed Code Amendment, the Board of Supervisors desires to affirm its findings and to take action with respect to the Code Amendment;

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

- a. The foregoing recitals are hereby incorporated by this reference.
- b. Upon consideration of the foregoing, the Board of Supervisors considers it appropriate to amend the Code of Cumberland County in accordance with the specific text and provisions of the Code Amendment as attached hereto and incorporated herein by this reference.
- c. The Board of Supervisors further finds that the Code Amendment is in substantial accordance with the County’s Comprehensive Plan and Zoning Ordinance.

- d. Upon consideration of the foregoing, the proposed Code Amendment text, testimony, staff remarks, and public comment, the Cumberland County Board of Supervisors adopts, as set forth in the specific ordinance text as attached hereto, and requests county staff to do and perform such acts necessary and as consistent with this Resolution for recommendation of adoption of the ordinance.
- e. This Resolution is effective immediately.

DRAFT



MEMO

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

From: Mackenzie Tate, Building Inspections
Sara Carter, Planning Director

Date: March 3, 2015

Re: **Public Hearing for CA 15-02: Building Fee Schedule**

This code amendment clarifies the intent of the fee structure associated with towers on the Building Fee Schedule, effective July 1, 2010. In practice and in the International Building Code, a tower requires a commercial permit which has a minimum fee associated with it. The current layout of the fee schedule makes this difficult to understand. No increase in fees is associated with this code amendment. Attached is a resolution and revised fee schedule that makes the necessary changes.

Building Fee Schedule Effective July 1, 2010

Building Official
Leland H. Leeds

Building Coordinator
T. Mackenzie Tate

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

One and two family dwellings all R use groups Industrialized buildings manufactured or modular homes each floor including basement and garage	\$150.00 minimum, or 0.20 square feet
Electrical, Plumbing, Mechanical Permits	\$40.00 minimum, or 0.01 square feet
Porches and Decks	\$50.00 minimum, or 0.06 square feet
Remodels and Additions	\$50.00 minimum, or 0.15 square feet
Detached Accessory Structure (In excess of 256 square feet)	\$30.00 minimum, or 0.06 square feet
Pools: Above ground In ground	\$50.00 \$75.00
Fire, Rescue, County Owned	Exempt
Commercial Permits	\$100.00 minimum, or 0.12 up to 10,000 sq ft, 0.08 over 10,000 sq ft
Commercial: Electrical, Plumbing, Mechanical, Sprinkler and Other Permits	\$50.00 minimum, or 0.01 square feet, or \$4.00 per \$1000.00 of contract value (whichever is greater)
Towers	\$7.00 per \$1000.00 of contract value
Towers	\$100.00 minimum or \$7.00 per \$1000.00 of contract value (whichever is greater)
Code Investigate Fees: Charged to applicants discovered by the Building Official Department to be working without a required permit	\$25.00 or 25% of applicable permit fee, whichever is greater Commercial: \$50.00 or of 25% of applicable permit fee, whichever is greater
Demolition Fee (includes all structures regardless of use)	\$25.00

Administrative Fees: Extensions, take-over, transfers, reinstatements, modifications	\$25.00
Amendments or Add Mechanic Lien Agent	\$10.00
Address Fee	\$12.00
Re-Inspection Fee (If over two inspections for the same violation)	\$35.00 (Payable in advance)

Refunds are subject to review when an application for a permit is cancelled by written request to the Building Official prior to six months of issue, a processing fee of \$50.00 will be retained, state fees plus any additional cost incurred.

*****The commonwealth of Virginia imposes a 2.00% levy on all building permit fees*****

BOARD OF SUPERVISORS
OF
COUNTY OF CUMBERLAND, VIRGINIA
RESOLUTION RECOMMENDING
PROPOSED AMENDMENT TO THE
CODE OF CUMBERLAND COUNTY
CODE AMENDMENT 15-02:

“AN ORDINANCE AMENDING CHAPTER 14 OF THE
CUMBERLAND COUNTY CODE REGARDING BUILDING
INSPECTION FEES FOR TOWERS”

March 10, 2015

At a meeting of the Board of Supervisors of Cumberland County, Virginia, held at the Circuit Courtroom of the Cumberland County Courthouse, Cumberland, Virginia 23040 commencing at 7:00 p.m., March 10, 2015, the following action was taken following a duly held public hearing during which time County staff provided a review of the code amendment proposal and members of the public offered comment:

On a motion made by _____, and seconded by _____, it was moved that the Board of Supervisors of Cumberland County adopt, in accordance with the following Resolution, an ordinance amending Chapter 14 Buildings and Building Regulations, relating to the fee scheduled for towers;

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

Present:

Vote:

Lloyd Banks, Jr., Chairman

Kevin Ingle, Vice-Chairman

William F. Osl

David Meinhard

Parker Wheeler

Absent:

Dated: _____

Attested: _____

Vivian Giles, Clerk to the Board of
Supervisors of Cumberland County

WHEREAS, the Board of Supervisors duly advertised and held a public hearing on March 10, 2015; and

WHEREAS, the Board of Supervisors carefully considered the testimony and evidence presented at the public hearing in support or opposition to the proposed Code Amendment; and

WHEREAS, in its review of the Code Amendment, the Board of Supervisors gave reasonable consideration to furthering the goals of the County; and

WHEREAS, after discussion, staff presentation and due deliberation with respect to such information, including information and materials presented at this public hearing, and the comments in support or opposition to the proposed Code Amendment, the Board of Supervisors desires to affirm its findings and to take action with respect to the Code Amendment;

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

- a. The foregoing recitals are hereby incorporated by this reference.
- b. Upon consideration of the foregoing, the Board of Supervisors considers it appropriate to amend the Code of Cumberland County in accordance with the specific text and provisions of the Code Amendment as attached hereto and incorporated herein by this reference.
- c. The Board of Supervisors further finds that the Code Amendment is in substantial accordance with the County's Comprehensive Plan and Zoning Ordinance.
- d. Upon consideration of the foregoing, the proposed Code Amendment text, testimony, staff remarks, and public comment, the Cumberland County Board of Supervisors adopts, as set forth in the specific ordinance text as attached hereto, and requests county staff to do and perform such acts necessary and as consistent with this Resolution for recommendation of adoption of the ordinance.
- e. This Resolution is effective immediately.



MEMO

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

From: Sara Carter, Planning Director

Date: March 3, 2015

Re: **Public Hearing for CA 15-03: Standards Manual**

This code amendment defines the standards to be used for construction on the water/wastewater system. The county has a manual that lists the specifications and methods for utilities improvements within the county. The department would like these to be adopted by reference into the Utilities Ordinance to ensure compliance with county standards.

Staff proposes the following language to be added:

66-38 Water and Sanitary Sewer Standards.

Unless otherwise specified by the Director of Utilities, all construction on the public water and wastewater system shall follow the standards in the most recently approved "Cumberland County Department of Public Works Water and Sanitary Sewer Standards" manual.

BOARD OF SUPERVISORS
OF
COUNTY OF CUMBERLAND, VIRGINIA
RESOLUTION RECOMMENDING
PROPOSED AMENDMENT TO THE
CODE OF CUMBERLAND COUNTY
CODE AMENDMENT 15-03:

“AN ORDINANCE AMENDING CHAPTER 66 OF THE
CUMBERLAND COUNTY CODE DESIGNATING THE WATER
AND SANITARY SEWER STANDARDS MANUAL FOR
SPECIFICATIONS FOR UTILITIES IMPROVEMENTS”

March 10, 2015

At a meeting of the Board of Supervisors of Cumberland County, Virginia, held at the Circuit Courtroom of the Cumberland County Courthouse, Cumberland, Virginia 23040 commencing at 7:00 p.m., March 10, 2015, the following action was taken following a duly held public hearing during which time County staff provided a review of the code amendment proposal and members of the public offered comment:

On a motion made by _____, and seconded by _____, it was moved that the Board of Supervisors of Cumberland County adopt, in accordance with the following Resolution, an ordinance amending Chapter 66 Utilities relating to the use of the Water and Sanitary Sewer Standards manual to guide improvements to the Utilities system;

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

Present:

Vote:

Lloyd Banks, Jr., Chairman

Kevin Ingle, Vice-Chairman

William F. Osl

David Meinhard

Parker Wheeler

Absent:

Dated: _____

Attested: _____

Vivian Giles, Clerk to the Board of
Supervisors of Cumberland County

WHEREAS, the Board of Supervisors duly advertised and held a public hearing on March 10, 2015; and

WHEREAS, the Board of Supervisors carefully considered the testimony and evidence presented at the public hearing in support or opposition to the proposed Code Amendment; and

WHEREAS, in its review of the Code Amendment, the Board of Supervisors gave reasonable consideration to furthering the goals of the County; and

WHEREAS, after discussion, staff presentation and due deliberation with respect to such information, including information and materials presented at this public hearing, and the comments in support or opposition to the proposed Code Amendment, the Board of Supervisors desires to affirm its findings and to take action with respect to the Code Amendment;

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

- a. The foregoing recitals are hereby incorporated by this reference.
- b. Upon consideration of the foregoing, the Board of Supervisors considers it appropriate to amend the Code of Cumberland County in accordance with the specific text and provisions of the Code Amendment as attached hereto and incorporated herein by this reference.
- c. The Board of Supervisors further finds that the Code Amendment is in substantial accordance with the County’s Comprehensive Plan and Zoning Ordinance.
- d. Upon consideration of the foregoing, the proposed Code Amendment text, testimony, staff remarks, and public comment, the Cumberland County Board of Supervisors adopts, as set forth in the specific ordinance text as attached hereto, and requests county staff to do and perform such acts necessary and as consistent with this Resolution for recommendation of adoption of the ordinance.
- e. This Resolution is effective immediately.

EMPLOYMENT AGREEMENT

This **AGREEMENT** (the "Agreement"), made and entered into this 1st day of April, 2013 ("Effective Date") by and between the County of Cumberland, Virginia, a political subdivision of the Commonwealth of Virginia ("Employer"), party of the first part, and Vivian Seay Giles ("Employee"), party of the second part, both of whom understand and agree as parties to this Agreement.

WHEREAS, Employer desires to enter into this Agreement as an amended and restated Agreement with Vivian Seay Giles as County Administrator and County Attorney for the County of Cumberland, Virginia as provided by §§ 15.2-1540 and 15.2-1542 of the Code of Virginia (as amended); and

WHEREAS, it is the desire of the governing body of Employer, the Cumberland County Board of Supervisors, hereinafter called the "Board," to provide certain benefits, establish certain conditions of employment, and to set working conditions of said Employee; and

WHEREAS, it is the desire of the Board to (1) secure and retain the services of the Employee to provide inducement for her to remain in such employment, (2) to make possible full work productivity by assuring the Employee's morale and peace of mind with respect to future employment, (3) to act as a deterrent against malfeasance or dishonesty for personal gain on the part of the employee, and (4) to provide a just means for terminating Employee's services at such time as the Board determines; and

WHEREAS, Employee desires to accept employment as County Administrator and County Attorney of said County.

NOW, THEREFORE, in consideration of the mutual covenants and premises herein contained, the sufficiency of which is hereby acknowledged, the Employer and Employee as parties hereto agree as follows:

Section 1. Duties.

Effective April 1, 2013, Employer hereby agrees to employ Employee as County Administrator and as County Attorney of Cumberland County to perform the functions and duties specified in and consistent with § 15.2-1539, 15.2-1541, and 15.2-1542 of the Code of Virginia; the duties and responsibilities set forth and consistent with the County Administrator's job description

attached hereto, previously adopted by the Cumberland County Board of Supervisors and incorporated herein by this reference; and such other legally permissible and proper duties and functions consistent with the Office of the County Administrator and the Office of the County Attorney as the Board may from time to time assign.

Section 2. Term.

- A. This term of this Agreement shall begin on April 1, 2013 and shall terminate on March 31, 2015, and shall continue subject to the terms and conditions set forth in this Section 2 and in Section 4 below.
- B. Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of the Employer to terminate the services of the Employee at any time, subject to the terms set forth in Section 4 below. The employment relationship shall be at-will, and the Employee may be terminated for any reason or no reason with or without notice or cause, subject to the terms set forth in Section 4.
- C. Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of the Employee to resign at any time from her position with the Employer, subject only to the provisions set forth in this Agreement.

Section 3. Suspension.

Employer may suspend the Employee with full pay and benefits at any time during the term of employment if a majority of the Board and the Employee agree. Employer may suspend the Employee without pay or benefits at any time during the term of employment if a majority of the Board votes to suspend the Employee for just cause, provided, however, the Employee shall have been given written notice setting forth the reason or reasons at least ten (10) days prior to the effective date of any such suspension or hearing that the Board may wish to conduct with the Employee regarding possible suspension.

For purposes of this Section 3, the term "just cause" shall include, but may not be limited to, material breach of this Agreement; conviction of a crime of moral turpitude; willful non-compliance with a directive, policy, or regulation of the Board of Supervisors; or conviction of a felony.

Section 4. Termination and Severance Pay.

- A. Except as otherwise provided in Section 4, in the event Employee is terminated by the Board before expiration of the aforesaid term of this Agreement and during such term the Employee is willing and able to perform her duties under this Agreement, then in that event the Employer agrees to pay the Employee a lump sum equal to ninety (90) days of the then-current salary as severance pay. In accepting such severance pay, Employee agrees to waive and release Employer from any and all claims, disputes, or actions against Employer or Board, including, but not limited to, claims, disputes, or actions for wrongful discharge, termination, breach of contract, or discrimination.
- B. Upon notice to the Board of Supervisors of Employee's material breach of this Agreement, Employee voluntarily or involuntarily filing for bankruptcy or insolvency, Employee's disbarment or no longer being in active, good standing with the Virginia State Bar, the Employee's misappropriation of funds or conviction of a crime or offense that would, in the sole determination of the Board, impair the ability of the Employee to perform her functions hereunder, Employer may terminate Employee immediately and Employer shall have no obligation to pay the severance pay set forth in Section 4.A.
- C. In the event the Employee voluntarily resigns her position with the Employer before the expiration of the aforesaid term of this Agreement, then the Employee shall give to the Employer ninety (90) days written notice in advance, unless Employer otherwise agrees. No severance pay shall be due under such resignation.
- D. In the event that the Employer at any time during the term of this Agreement reduces the salary or employee benefits of the Employee in a greater percentage than it does for all other employees of the Employer, or the Employee resigns following a suggestion from the Board that she resign, then in that event Employee may, at her option, be deemed to be "terminated" at the date of such reduction or request for resignation and the provisions covering severance pay shall apply.
- E. Employee shall be entitled to payment for accumulated sick and annual leave balances regardless of the method of termination and separation and in addition to the severance pay set forth herein, provided such payment is consistent with, and in compliance with, the then-current provisions of the Employer's Personnel Manual.

Section 5. Disability.

Employer shall offer Employee short-term and long-term disability insurance as available to Employer's other employees, consistent with the then-current employee benefits package. If the Employee is permanently disabled or is otherwise unable to perform her duties under this Agreement because of sickness, accident, injury, mental incapacity or health for a period of beyond any accrued sick or annual leave and any leave as applicable under the Family Medical Leave Act, Employer shall have the option to terminate the Employee, subject to the severance pay provisions of Section 4.A. Employee shall be entitled to payment for accumulated sick and annual leave in addition to the severance pay set forth herein, provided such payment is consistent with, and in compliance with, the then-current provisions of the Employer's Personnel Manual.

Section 6. Salary.

Employer agrees to pay to Employee for her services rendered pursuant hereto an annual salary of One Hundred Forty-two Thousand Seven Hundred Sixty-three Dollars (\$142,763) during the term of this Agreement. Such amount shall be payable in payment increments consistent with the times other employees of the Employer are paid. The Board reserves the right to increase this salary amount from time to time as it may determine by a majority vote, which salary increase shall be communicated in writing to Employee and which writing shall constitute an amendment to this Agreement, all other provisions remaining unchanged.

Section 7. Performance Evaluation

- A. The Board may review and evaluate the performance of the Employee at least once a year in advance of the effective date of the annual operating budget. Said review and evaluation may be in accordance with specific criteria developed jointly by the Employer and Employee. Said criteria may be amended from time to time as the Board may determine after consultation with the Employee. Further, the Chairman may provide the Employee with a written summary statement of the findings of the Board and an adequate opportunity for the Employee to discuss her evaluation shall be provided.
- B. Annually, the Board may define such goals and objectives as they deem necessary for the proper operation of the County and in the attainment of the Board's policy objectives, and may further establish a relative priority among those goals and objectives. As a part of the evaluation of the Employee, the Board may consider the Employee's performance in working toward the attainment of those goals, objectives, and priorities.

Section 8. Hours of Work; Notice of Leave.

It is recognized that Employee must devote a great deal of time outside normal office hours to business of the Employer. However, Employee shall not be eligible for compensatory time, as may be available to other employees of Employer. In general, the Employee will make the Board aware when she will be taking eight (8) or more consecutive hours of time off. Notice to the Chairman or Vice Chairman shall be notice to the Board and can be verbal.

Section 9. Outside Activities.

Employee shall not engage in any non-Employer business without the prior written approval of the Board.

Section 10. Vacation and Sick Leave.

Employee shall accrue, and have credited to her account, vacation and sick leave at the same rate as other employees of the Employer, consistent with and in compliance with the then-current provisions of the Employer's Personnel Manual. Upon termination or resignation of the Employee, Employee shall be paid for all accumulated sick and annual leave regardless of the method of termination, subject to the provisions of Section 4 and consistent with, and in compliance with, the then-current provisions of the Employer's Personnel Manual.

Section 11. Disability, Health and Life Insurance.

Employer agrees to make available group life insurance, health insurance, dental insurance, and other employee benefits as are generally offered or paid for full-time salaried employees of the Employer, provided such insurance or benefits is consistent with, and in compliance with, the then-current provisions of such insurance or benefit programs.

Section 12. Retirement.

Employer agrees to provide Employee with the VRS Retirement benefits as is generally paid for full-time salaried employees of the Employer, provided such benefits are consistent with, and in compliance with, the then-current provisions of such benefit program. Further, the Employee shall be entitled to the benefits of Section 51.1-155.2 of the Code of Virginia, 1950, as amended, if applicable.

Section 13. Dues and Subscriptions.

The Employer agrees to budget and pay for professional dues and subscriptions of Employee necessary for her continued and full participation in national, state, and local associations and organizations and for the participation, advancement and good of the Employer, up to an annual amount not to exceed \$500.

Section 14. Professional Development.

- A. Employer hereby agrees to budget for travel expenses and subsistence of Employee for professional and official travel, meetings, and business, as mutually agreed upon between the Employee and the Employer. The Employer and Employee agree that the Virginia Association of Counties annual conference and Virginia Local Government Managers Association Conference are approved for participation by Employee.
- B. Employer hereby agrees to budget and reimburse Employee for her annual Virginia State Bar dues and for attendance, registration and associated travel costs as needed to maintain continuing legal education credits necessary to maintain Employee's status as an active member of the Virginia State Bar.
- C. In general, attendance and participation at national conferences will be only by Board approval.
- D. As a further condition of travel out of the County involving an absence of more than two (2) business days, the Employee shall be responsible for arranging, if possible, for another senior employee to be available during business hours and for the appropriate employee remaining on site to be given any authority necessary so that the business and affairs of the County may proceed smoothly and without interruption.

Section 15. General Expense.

Employer recognizes that certain expenses of a non-personal nature and generally job-related are incurred by the Employee and hereby agrees to pay said expenses, upon receipt of duly executed expense or petty cash vouchers, receipts, statements, or personal affidavits, consistent with, and in compliance with, the then-current provisions of the Employer's Personnel Manual.

Section 16. Liability Insurance.

Employer shall provide and pay for liability coverage of Employee, including attorney's fees and costs, against any tort, professional liability claim or demand or legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of Employee's duties. Employer will compromise or settle any claim or suit and pay the amount of any settlement or judgment rendered thereon, except where such claim, demand, or legal action is successful and insurance coverage is denied by the insurer.

Section 17. Bonding and Background Check.

Employee affirms her ability to be bonded and consents to a background check to confirm that Employee has not been convicted of a felony or other material matter that would violate the terms of this Agreement. Employer shall bear the full cost of a background check and for any fidelity or other bonds required of the Employee under any law or ordinance.

Section 18. Other Terms and Conditions of Employment.

- A. Except as otherwise provided in this Agreement, all provisions of County Ordinances and resolutions, Code of Virginia provisions, or rules and regulations of the Employer pertaining to working conditions and work rules as they now exist or hereafter may be amended also shall apply to Employee.
- B. The Board, in consultation with Employee, shall fix any such other terms and conditions of employment as it may determine from time to time are beneficial and desirable, provided that such terms and conditions are not inconsistent with, or in conflict with, any law or ordinance.

Section 19. Reduction of Salary or Benefits.

Employer shall not at any time during the term of this Agreement reduce the salary or benefits of Employee except to the degree of such a reduction generally for all employees working for the Employer.

Section 20. General Provisions.

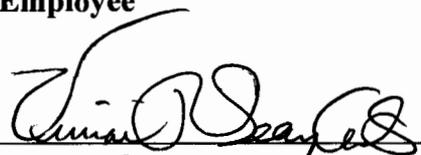
- A. The text herein shall constitute the entire Agreement between the parties.
- B. This Agreement is an amendment and restatement of the Employment Agreement entered into between the parties hereto dated March 15, 2012.
- C. This Agreement shall not be assigned by either party or offered as security or collateral to any third party.
- D. This Agreement shall become effective on the Effective Date.
- E. If any provision or any portion thereof contained in this Agreement is held unconstitutional, invalid, or unenforceable, the remainder of the Agreement or portion thereof shall be deemed severable, shall not be affected, and shall remain in full force and effect.

IN WITNESS WHEREOF, the County of Cumberland, Virginia has caused this document to be signed and executed on its behalf by the Chairman of its Board and the Employee has signed and executed this Agreement effective as of the Effective Date first written above.

County of Cumberland, Virginia

Employee

By 
Date: 3-20-2013


Date: 3-20-2013



MEMO

To: Board of Supervisors, Cumberland County
Vivian Seay Giles, County Administrator/Attorney
Tracie Wright, Finance Director

From: Mackenzie Tate, Building Inspections

Date: March 4, 2015

Re: **Building Permit Refund**

A building permit was issued on 11/17/14 under building permit number 9928-E for a remodel. I have received a written request for a refund due to this work will not be completed. (See attached letter) This permit has actually been replaced with a new permit issued on 3/4/15 for a new doublewide under building permit number 9997-E,P,M.

Please refund \$41.80 to Gordon Hurt 271 Vogel Rd Cumberland, VA 23040

Revenue code: 3-100-1303-0008
Refunds of Revenue code: 4-100-34100-5830

Gordon Hurt
271 Vogel Rd
Cumberland, VA 23040

March 4, 2015

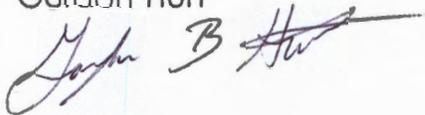
Re: Building Permit# 9928-E

Dear Sir / Madam:

I writing regarding the building permit 9928-E. I will not be completing this permit and I am asking for a refund for it. If you have any question please let me know.

Sincerely,

Gordon Hurt

A handwritten signature in black ink that reads "Gordon B Hurt". The signature is written in a cursive style with a large, stylized "B" and a long horizontal stroke at the end.



MEMO

To: Board of Supervisors, Cumberland County
From: Vivian Seay Giles, County Administrator/Attorney
Date: March 4, 2015
Re: **Budget, Capital Improvement Plan, and Tax Rate Public Hearing**

In January, at your regular meeting, the April 7, 2015 Board of Supervisors meeting was set as the date to have public hearings on the budget, CIP and the tax rate. The budget process is continuing, and staff is prepared for a public hearing on that date. This memo is to request that the Board formally set these hearings.

Staff recommends that the Board set a public hearing for April 7, 2015, for the FY 2015-2016 budget, Capital Improvement Plan and tax rate.

** GENERAL FUND REVENUES**

Monthly Financial Report To Council For March 2015

	Estimated 2014/2015 Budget to Date -----	Actual 2014/2015 Budget to Date -----	(Over) or Under Budget to Date -----
Revenue			
Balance Forward		4,603,978.88	
Fund Revenue	40,730,269.39	28,186,599.24	12,543,670.15
Total Revenue	40,730,269.39	32,790,578.12	7,939,691.27
Expenditures			
* Board of Supervisors *	44,266.93	29,723.79	14,543.14
* County Administrator *	229,418.51	154,246.85	75,171.66
* Legal Services *		4,386.00	(4,386.00)
* Independent Auditor *	33,500.00	32,400.00	1,100.00
* Commissioner of Revenue *	228,078.00	148,797.34	79,280.66
* License Bureau *			
* Treasurer *	272,504.07	181,653.27	90,850.80
* Accounting *	125,580.14	73,625.60	51,954.54
* Data Processing *	272,623.00	270,380.08	2,242.92
* Electoral Board *	25,352.93	11,560.38	13,792.55
* Registrar *	82,886.00	54,176.64	28,709.36
* Circuit Court *	14,310.00	850.05	13,459.95
* General District Court *	9,735.00	7,210.78	2,524.22
* Magistrate *	2,069.00	857.17	1,211.83
* Clerk of Circuit Court *	214,469.53	139,727.06	74,742.47
* Law Library *		570.41	(570.41)
* Commonwealth's Attorney *	209,511.46	135,568.34	73,943.12
* Sheriff *	1,446,882.58	1,014,488.91	432,393.67
* School Resource Officer *	62,802.00	41,359.02	21,442.98
* E911 *	61,150.00	195,671.55	(134,521.55)
Cumberland Vol.FIRE DEPT	48,556.67	39,500.00	9,056.67
Cartersville Volun.	35,131.67	26,075.00	9,056.67
Cumberland Vol. Rescue Squad	25,875.00	51,750.00	(25,875.00)
Prince Edward Vol. Rescue Squad	8,000.00	8,000.00	
Randolph Fire Dept.	50,056.66	41,000.00	9,056.66
Cartersville Vol. Rescue Squad	37,320.00	37,320.00	
* ODEMSA *		985.00	(985.00)
* Forestry Service *	8,705.00	8,705.34	(.34)
* Emergency Services *		3,000.00	(3,000.00)
* Probation Office *	1,644.00	612.25	1,031.75
* Correction & Detention *	285,522.00	204,408.57	81,113.43
* Building Inspections *	127,470.32	82,640.78	44,829.54
* Animal Control *	99,828.17	65,182.50	34,645.67
* Medical Examiner *	200.00	20.00	180.00
* Refuse Disposal *	618,255.00	397,392.83	220,862.17
* General Properties *	723,839.10	463,445.91	260,393.19
* Supplement of Local Health Dept *	94,543.00	47,219.90	47,323.10
* Chapter 10 Board - Crossroads *	34,000.00	34,000.00	
* CSA Management *	31,845.22	16,645.21	15,200.01
* Community Colleges *	2,691.00	4,765.00	(2,074.00)
* Recreation *	88,971.34	55,333.61	33,637.73
* Local Library *	115,450.00	115,450.00	

** GENERAL FUND REVENUES**

Monthly Financial Report To Council For March 2015

	Estimated 2014/2015 Budget to Date	Actual 2014/2015 Budget to Date	(Over) or Under Budget to Date
	-----	-----	-----
Expenditures			
* Planning Commission *	9,250.00	3,400.07	5,849.93
* Planning/Zoning Dept. *	123,787.00	79,889.66	43,897.34
* Community & Economic Developmnt *	12,052.00	12,052.00	
* Board of Zoning Appeals *	1,850.00		1,850.00
Clothes Closet	610.00	351.83	258.17
* Buckingham Cattlemans Assoc *	1,500.00	1,500.00	
* Farmville Area Chamber of Commerc	1,500.00	1,500.00	
* Longwood Small Bus. Dev. Ctr. *	3,000.00	3,000.00	
* Southside Violence Prevention *	5,000.00	5,000.00	
Peter Francisco SWD	7,100.00	7,100.00	
* Agricultural Development *			
* Extension Agents *	48,005.00	23,750.63	24,254.37
* NONDEPARTMENTAL *	8,600.00	10,101.11	(1,501.11)
TRANSFERS	8,838,396.00	5,725,798.22	3,112,597.78
COMMONWEALTH'S ATTORNEY		3,143.80	(3,143.80)
SHERIFF	50,000.00	8,731.38	41,268.62
HEALTH INSURANCE	1,807,700.00	1,297,215.40	510,484.60
DENTAL INSURANCE	259,700.00	71,256.92	188,443.08
PATIENT CENTERED OUTCOME FEE(PCOR)		400.00	(400.00)
* Administration *	1,251,786.00	784,979.30	466,806.70
	287,899.76	137,736.64	150,163.12
	15,179,464.00	7,573,650.75	7,605,813.25
	1,353,254.50	540,704.46	812,550.04
* Sheriff's Office *	100,000.00	98,938.23	1,061.77
Randolph Community Center	11,820.00		11,820.00
ELEMENTARY SCHOOL	597,006.00	574,788.88	22,217.12
* Elementary School - Lit Loan *	231,667.00	231,666.67	.33
* COPS97 Loan *	376,069.00	374,268.74	1,800.26
* High/Middle School - VPSA Loan *	953,401.00	953,200.88	200.12
PUBLIC FACILITY NOTE 2009	394,190.00	326,732.84	67,457.16
* AMERESCO *	137,978.00	137,978.00	
* SunTrust Loan-HS/MS *	249,364.00	1,223,980.00	(974,616.00)
* Suntrust Loan - Courthouse *	1,488,974.00	249,350.40	1,239,623.60
	450,000.00	269,137.65	180,862.35
* SEWER FUND - Enterprise Fund *	347,143.83	176,792.82	170,351.01
* WATER FUND - ENTERPRISE FUND *	90,495.00	89,840.03	654.97
COMMUNITY CENTER PURCHASE	258,664.00	209,919.50	48,744.50
MADISON INDUSTRIAL PARK		65,075.00	(65,075.00)
	20,000.00	16,873.03	3,126.97
Total Expenditure	40,730,269.39	25,490,509.98	15,239,759.41
Total Revenues			
Less Total Expenditures		7,300,068.14	(7,300,068.14)

ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	BALANCE UNCOLLECTED
FUND # -100						
1101	** Real Estate Taxes **	5,746,335.00	5,746,335.00	.00	2,782,461.53	2,963,873.47
1102	* Real/Personal Public Service *	585,000.00	585,000.00	.00	401,074.07	183,925.93
1103	* Personal Property Taxes *	1,797,200.00	1,797,200.00	.00	1,470,200.00	327,000.00
1104	* Machinery & Tools *	80,000.00	80,000.00	.00	96,300.13	16,300.13
1106	* Penalties & Interest *	264,000.00	264,000.00	.00	139,607.32	124,392.68
1201	* Local Sales & Use Taxes *	755,000.00	755,000.00	.00	473,506.00	281,494.00
1202	* Consumer' Utility Taxes *	174,000.00	174,000.00	.00	100,630.53	73,369.47
1203	* Business License Taxes *	107,000.00	107,000.00	.00	28,974.99	78,025.01
1204	* Franchise License Taxes *	8,500.00	8,500.00	.00	.00	8,500.00
1205	* Motor Vehicle License Tax *	233,000.00	233,000.00	.00	176,365.57	56,634.43
1207	* Taxes On Recordation & Wills *	45,000.00	45,000.00	.00	32,292.76	12,707.24
1301	* Animal Licenses *	8,800.00	8,800.00	.00	4,881.78	3,918.22
1303	* Permits & Other Licenses *	51,000.00	51,000.00	.00	31,398.22	19,601.78
1401	* Court Fines & Forfeitures *	150,000.00	150,000.00	.00	90,185.98	59,814.02
1501	* Revenue From Use Of Money *	31,000.00	31,000.00	.00	20,090.43	10,909.57
1502	* Revenue From Use Of Property *	14,000.00	14,000.00	.00	5,605.60	8,394.40
1601	* Court Costs *	47,560.00	47,560.00	.00	30,967.39	16,592.61
1602	* Commonwealth's Attorney Fees *	1,000.00	1,000.00	.00	428.50	571.50
1603	* Charges For Law Enforcement *	40,000.00	40,000.00	.00	23,103.86	16,896.14
1606	* Charges For Other Protection *	100.00	100.00	.00	.00	100.00
1608	* Charges Sanitation & Removal *	500,500.00	500,500.00	.00	421.00	500,079.00
1612	* REC DEPT - ADULT LEAGUE FEES *	3,500.00	3,500.00	.00	920.00	2,580.00
1613	* Charges For Parks & Recreation *	11,600.00	12,574.50	.00	13,757.67	1,183.17
1616	* Charges For Planning / Com Dev *	1,600.00	1,600.00	.00	1,715.00	115.00
1899	* Miscellaneous *	1,272,378.00	2,035,483.05	.00	1,157,355.72	878,127.33
2101	* Service Charges *	45,000.00	45,000.00	.00	13,967.76	31,032.24
2201	**NON-CATEGORICAL AID**	921,935.00	921,935.00	.00	734,400.29	187,534.71
2301	* Commonwealth Attorney *	156,000.00	156,000.00	.00	91,933.27	64,066.73
2302	* Sheriff *	561,533.00	561,533.00	.00	327,393.33	234,139.67
2303	* Commissioner Of Revenue *	76,000.00	76,000.00	.00	43,713.22	32,286.78
2304	* Treasurer *	93,000.00	93,000.00	.00	54,573.02	38,426.98
2306	* Registrar/Electoral Boards *	35,000.00	35,000.00	.00	.00	35,000.00
2307	* Clerk Of The Circuit Court *	144,000.00	144,000.00	.00	84,160.95	59,839.05
2308	* DMV License Agent *	18,000.00	18,000.00	.00	9,749.64	8,250.36
2404	**GRANT FUNDS**	30,000.00	63,550.75	.00	83,562.96	20,012.21
3301	**GRANT FUNDS**	27,000.00	27,522.00	.00	522.00	27,000.00
	--FUND TOTAL--	14,035,541.00	14,833,693.30	.00	8,526,049.49	6,307,643.81

ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	BALANCE UNCOLLECTED
FUND # -150						
1501	INTEREST-STATE	.00	.00	.00	38.18	38.18
2402	ASSET FORFEITURE REVENUE (STATE)	50,000.00	50,000.00	.00	3,447.70	46,552.30
	--FUND TOTAL--	50,000.00	50,000.00	.00	3,485.88	46,514.12

ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	BALANCE	UNCOLLECTED
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FUND # -170

1902	HEALTH INSURANCE CONTRIBUTIONS	1,957,000.00	1,957,000.00	.00	1,254,659.31	702,340.69	35.88
2000	DENTAL INSURANCE CONTRIBUTIONS	110,400.00	110,400.00	.00	70,066.42	40,333.58	36.53
	--FUND TOTAL--	2,067,400.00	2,067,400.00	.00	1,324,725.73	742,674.27	35.92

FUND # -201

1899	* Miscellaneous Revenue *	.00	.00	.00	7,436.16	7,436.16	100.00
2401	* Welfare *	153,318.00	153,318.00	.00	220,866.12	67,548.12	44.05
3305	* Social Services *	785,624.00	785,624.00	.00	383,591.82	402,032.18	51.17
4105	* Fund Transfers *	312,844.00	312,844.00	.00	79,520.22	233,323.78	74.58
	--FUND TOTAL--	1,251,786.00	1,251,786.00	.00	691,414.32	560,371.68	44.76

FUND # -203

2404	NCLB PROGRAM-STATE FUNDS	.00	.00	.00	80,797.40	80,797.40	100.00
3302	NCLB REVENUE-FEDERAL	.00	287,899.76	.00	28,001.38	259,898.38	90.27
	--FUND TOTAL--	.00	287,899.76	.00	108,798.78	179,100.98	62.20

FUND # -205

1803	* Expenditure Refunds *	.00	.00	.00	104,432.43	104,432.43	100.00
1899	* Miscellaneous Revenue *	297,417.00	547,417.00	.00	6,517.27	540,899.73	98.80
2402	* State Education *	8,902,441.00	9,240,479.00	.00	4,858,132.97	4,382,346.03	47.42
3302	* Education *	1,561,149.00	1,567,149.00	.00	764,910.86	802,238.14	51.19
4105	* Fund Transfers *	3,824,419.00	3,824,419.00	.00	1,297,429.46	2,526,989.54	66.07
	--FUND TOTAL--	14,585,426.00	15,179,464.00	.00	7,031,422.99	8,148,041.01	53.67

FUND # -207

1501	* INTEREST ON BANK DEPOSITS *	.00	.00	.00	44.47	44.47	100.00
1899	** MISC REVENUE **	.00	.00	.00	443,751.14	443,751.14	100.00
1901	** LOCAL CONTRIBUTIONS **	.00	811,550.50	.00	180,423.04	631,127.46	77.76
2404	** STATE FUNDS **	.00	541,704.00	.00	.00	541,704.00	100.00
	--FUND TOTAL--	.00	1,353,254.50	.00	624,218.65	729,035.85	53.87

FUND # -302

1501	* Interest On Bank Deposits *	.00	.00	.00	82.37	82.37	100.00
4105	* Fund Transfers *	111,820.00	708,826.00	.00	708,826.00	.00	.00
	--FUND TOTAL--	111,820.00	708,826.00	.00	708,908.37	82.37	.01

ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	BALANCE	UNCOLLECTED
FUND # -401							
1501	**INTEREST**	24,000.00	24,000.00	.00	24,279.13	279.13-	1.16-
4105	** Transfers **	3,807,643.00	3,807,643.00	.00	3,455,358.54	352,284.46	9.25
	--FUND TOTAL--	3,831,643.00	3,831,643.00	.00	3,479,637.67	352,005.33	9.18
FUND # -500							
2404	*REVENUE FROM STATE*	350,000.00	350,000.00	.00	232,679.95	117,320.05	33.52
4105	*TRANSFERS*	100,000.00	100,000.00	.00	100,000.00	.00	.00
	--FUND TOTAL--	450,000.00	450,000.00	.00	332,679.95	117,320.05	26.07
FUND # -501							
1501	**INTEREST REVENUE**	1,000.00	1,000.00	.00	33.78	966.22	96.62
1619	**CHARGES & FEES**	393,000.00	393,000.00	.00	195,415.24	197,584.76	50.27
1620	SEWER LATE PAYMENT PENALTY	5,000.00	5,000.00	.00	4,628.52	371.48	7.42
1630	**ADMIN FEES/CHARGES**	14,500.00	14,500.00	.00	9,004.50	5,495.50	37.90
1803	MISCELLANEOUS	.00	14,868.83	.00	14,868.83	.00	.00
1899	RESERVE ACCOUNT	.00	9,270.00	.00	.00	9,270.00	100.00-
2404	SURCAP GRANT-WATER LINE	.00	.00	.00	6,800.00	6,800.00-	100.00-
	--FUND TOTAL--	413,500.00	437,638.83	.00	230,750.87	206,887.96	47.27
FUND # -515							
1501	INTEREST SEMER RESERVE	.00	.00	.00	109.00	109.00-	100.00-
	--FUND TOTAL--	.00	.00	.00	109.00	109.00-	100.00-
FUND # -540							
1501	INTEREST WATER RESERVE	.00	.00	.00	15.91	15.91-	100.00-
	--FUND TOTAL--	.00	.00	.00	15.91	15.91-	100.00-
FUND # -545							
1200	DSR PAYMENTS (FR UTILITY FUND)	.00	.00	.00	3,540.00	3,540.00-	100.00-
1501	INTEREST	.00	.00	.00	.54	.54-	100.00-
	--FUND TOTAL--	.00	.00	.00	3,540.54	3,540.54-	100.00-
FUND # -550							
1501	**INTEREST REVENUE**	.00	.00	.00	17.28	17.28-	100.00-
	--FUND TOTAL--	.00	.00	.00	17.28	17.28-	100.00-

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ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	BALANCE UNCOLLECTED
FUND # -580						
1501	INTEREST REVENUE	.00	.00	.00	2.47	2.47- 100.00-
--FUND TOTAL--		.00	.00	.00	2.47	2.47- 100.00-

FUND # -715						
1501	Interest	.00	.00	.00	40.18	40.18- 100.00-
1899	Rent of General Property	49,000.00	174,000.00	.00	149,700.00	24,300.00 13.96
2404	**GRANT FUNDS**	.00	.00	.00	30,236.10	30,236.10- 100.00-
4105	Transfer from General Fund	84,664.00	84,664.00	.00	84,664.00	.00
--FUND TOTAL--		133,664.00	258,664.00	.00	264,640.28	5,976.28- 2.31-

FUND # -733						
1899	* Miscellaneous Revenue *	20,000.00	20,000.00	.00	12,263.12	7,736.88 38.68
--FUND TOTAL--		20,000.00	20,000.00	.00	12,263.12	7,736.88 38.68

--FINAL TOTAL--						
		36,950,780.00	40,730,269.39	.00	23,342,681.30	17,387,588.09 42.68

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ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	ENCUMBRANCE AMOUNT	UNENCUMBERED BALANCE	REMAINING
11010	* Board of Supervisors *	44,121.00	44,266.93	.00	26,711.45	.00	17,555.48	39.65
12100	* County Administrator *	220,835.00	229,418.51	.00	135,365.19	.00	94,053.32	40.99
12240	* Independent Auditor *	33,500.00	33,500.00	.00	.00	.00	33,500.00	100.00
12310	* Commissioner of Revenue *	227,256.00	228,078.00	.00	130,509.00	.00	97,568.24	42.77
12410	* Treasurer *	273,536.00	272,504.07	.00	157,114.89	.00	115,389.18	42.34
12430	* Accounting *	155,342.00	125,580.14	.00	64,963.01	.00	60,617.13	48.26
12510	* Data Processing *	154,050.00	272,623.00	.00	251,063.31	.00	21,559.69	7.90
13100	* Electoral Board *	25,143.00	25,352.93	.00	11,004.72	.00	14,348.21	56.59
13200	* Registrar *	82,886.00	82,886.00	.00	47,432.54	.00	35,453.46	42.77
21100	* Circuit Court *	14,310.00	14,310.00	.00	800.10	.00	13,509.90	94.40
21200	* General District Court *	9,735.00	9,735.00	.00	6,837.26	.00	2,897.74	29.76
21300	* Magistrate *	2,069.00	2,069.00	.00	757.27	.00	1,311.73	63.39
21600	* Clerk of Circuit Court *	215,971.00	214,469.53	.00	116,090.99	.00	98,378.54	45.87
21800	* Law Library *	.00	.00	.00	570.41	.00	570.41	100.00
22100	* Commonwealth's Attorney *	210,926.00	209,511.46	.00	118,939.96	.00	90,571.50	43.22
31200	* Sheriff *	1,446,392.00	1,446,882.58	.00	891,024.07	.00	555,858.51	38.41
31250	* School Resource Officer *	62,802.00	62,802.00	.00	36,189.72	.00	26,612.28	42.37
31400	* E911 *	21,150.00	61,150.00	.00	52,545.64	.00	8,604.36	14.07
32221	*Cumberland Vol.FIRE DEPT*	39,500.00	48,556.67	.00	39,500.00	.00	9,056.67	18.65
32222	*Cartersville Volun.*	26,075.00	35,131.67	.00	26,075.00	.00	9,056.67	25.77
32301	*Cumberland Vol. Rescue Squad*	8,875.00	25,875.00	.00	25,875.00	.00	.00	.00
32302	*Prince Edward Vol. Rescue Squad*	8,000.00	8,000.00	.00	8,000.00	.00	.00	.00
32303	*Randolph Fire Dept.*	41,000.00	50,056.66	.00	41,000.00	.00	9,056.66	18.09
32304	*Cartersville Vol. Rescue Squad*	37,320.00	37,320.00	.00	37,320.00	.00	.00	.00
32305	* ODEMSA *	.00	.00	.00	985.00	.00	985.00	100.00
32400	* Forestry Service *	8,705.00	8,705.00	.00	8,705.34	.00	.34	.00
32500	* Emergency Services *	.00	.00	.00	3,000.00	.00	3,000.00	100.00
33300	* Probation Office *	1,644.00	1,644.00	.00	483.91	.00	1,160.09	70.56
33400	* Correction & Detention *	285,000.00	285,522.00	.00	199,316.07	.00	86,205.93	30.19
34100	* Building Inspections *	122,266.00	127,470.32	.00	72,405.32	.00	55,065.00	43.19
35100	* Animal Control *	78,772.00	99,828.17	.00	57,281.39	.00	42,546.78	42.62
35300	* Medical Examiner *	200.00	200.00	.00	200.00	.00	200.00	100.00
42400	* Refuse Disposal *	608,898.00	618,255.00	.00	320,228.61	.00	298,026.39	48.20
43200	* General Properties *	725,459.00	723,839.10	.00	409,157.92	.00	314,681.18	43.47
51200	* Supplement of Local Health Dept *	94,543.00	94,543.00	.00	47,219.90	.00	47,323.10	50.05
52500	* Chapter 10 Board - Crossroads *	34,000.00	34,000.00	.00	34,000.00	.00	.00	.00
61230	* CSA Management *	35,635.00	31,845.22	.00	14,352.35	.00	17,492.87	54.93
68000	* Community Colleges *	2,691.00	2,691.00	.00	2,691.00	.00	.00	.00
71500	* Recreation *	82,340.00	88,971.34	.00	47,586.17	.00	41,385.17	46.51
73100	* Local Library *	115,450.00	115,450.00	.00	115,450.00	.00	.00	.00
81100	* Planning Commission *	9,250.00	9,250.00	.00	3,400.07	.00	5,849.93	63.24
81110	* Planning/Zoning Dept. *	123,787.00	123,787.00	.00	67,825.21	.00	55,961.79	45.20
81200	* Community & Economic Developmnt *	12,052.00	12,052.00	.00	12,052.00	.00	.00	.00
81400	* Board of Zoning Appeals *	1,850.00	1,850.00	.00	.00	.00	1,850.00	100.00
81513	*Clothes Closet*	610.00	610.00	.00	301.88	.00	308.12	50.51
81523	* Buckingham Cattlemans Assoc *	.00	1,500.00	.00	1,500.00	.00	.00	.00
81535	* Farville Area Chamber of Commerc	1,500.00	1,500.00	.00	1,500.00	.00	.00	.00

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ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	ENCUMBRANCE AMOUNT	UNENCUMBERED BALANCE	REMAINING
81541	* Longwood Small Bus. Dev. Ctr. *	3,000.00	3,000.00	.00	3,000.00	.00	.00	.00
81542	* Southside Violence Prevention *	5,000.00	5,000.00	.00	5,000.00	.00	.00	.00
82401	*Peter Francisco SMD*	7,100.00	7,100.00	.00	7,100.00	.00	.00	.00
83500	* Extension Agents *	48,005.00	48,005.00	.00	12,490.37	.00	35,514.63	73.98
90000	* NONDEPARTMENTAL *	8,600.00	8,600.00	.00	9,829.65	.00	1,229.65	14.29-
93100	**TRANSFERS**	8,241,390.00	8,838,396.00	.00	5,725,798.22	.00	3,112,597.78	35.21
	--FUND TOTAL--	14,035,541.00	14,833,693.30	.00	9,408,350.67	.00	5,425,342.63	36.57
FUND #-150								
22100	COMMONWEALTH'S ATTORNEY	.00	.00	.00	3,023.80	.00	3,023.80-	100.00-
31200	SHERIFF	50,000.00	50,000.00	.00	6,411.40	.00	43,588.60	87.17
	--FUND TOTAL--	50,000.00	50,000.00	.00	9,435.20	.00	40,564.80	81.12
FUND #-170								
62100	HEALTH INSURANCE	1,807,700.00	1,807,700.00	.00	1,113,639.80	.00	694,060.20	38.39
63100	DENTAL INSURANCE	259,700.00	259,700.00	.00	58,591.38	.00	201,108.62	77.43
64100	PATIENT CENTERED OUTCOME FEE (PCOR)	.00	.00	.00	400.00	.00	400.00-	100.00-
	--FUND TOTAL--	2,067,400.00	2,067,400.00	.00	1,172,631.18	.00	894,768.82	43.27
FUND #-201								
53100	* Administration *	1,251,786.00	1,251,786.00	.00	691,414.32	.00	560,371.68	44.76
	--FUND TOTAL--	1,251,786.00	1,251,786.00	.00	691,414.32	.00	560,371.68	44.76
FUND #-203								
61314		.00	287,899.76	.00	137,736.64	.00	150,163.12	52.15
	--FUND TOTAL--	.00	287,899.76	.00	137,736.64	.00	150,163.12	52.15
FUND #-205								
61100		14,585,426.00	15,179,464.00	.00	7,281,422.99	.00	7,898,041.01	52.03
	--FUND TOTAL--	14,585,426.00	15,179,464.00	.00	7,281,422.99	.00	7,898,041.01	52.03
FUND #-207								
61100	GOVERNOR'S SCHOOL EXPENDITURES	.00	1,353,254.50	.00	540,704.46	.00	812,550.04	60.04
	--FUND TOTAL--	.00	1,353,254.50	.00	540,704.46	.00	812,550.04	60.04

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ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	ENCUMBRANCE AMOUNT	UNENCUMBERED BALANCE	REMAINING
FUND # -302								
94327	* Sheriff's Office *	100,000.00	100,000.00	.00	98,938.23	.00	1,061.77	1.06
94380	* Randolph Community Center*	11,820.00	11,820.00	.00	.00	.00	11,820.00	100.00
95101	**ELEMENTARY SCHOOL**	.00	597,066.00	.00	574,788.88	.00	22,217.12	3.72
	--FUND TOTAL--	111,820.00	708,826.00	.00	673,727.11	.00	35,098.89	4.95
FUND # -401								
67200	* Elementary School - Lit Loan *	231,667.00	231,667.00	.00	231,666.67	.00	.33	.00
67400	* COFS97 Loan *	376,069.00	376,069.00	.00	374,268.74	.00	1,800.26	.47
67500	* High/Middle School - VFSA Loan *	953,401.00	953,401.00	.00	952,500.88	.00	900.12	.09
67700	PUBLIC FACILITY NOTE 2009	394,190.00	394,190.00	.00	310,095.87	.00	84,094.13	21.33
67800	* AMERESCO *	137,978.00	137,978.00	.00	137,978.00	.00	.00	.00
95600	* SunTrust Loan-HS/MS *	249,364.00	249,364.00	.00	1,223,980.00	.00	974,616.00	390.84-
95700	* SunTrust Loan - Courthouse *	1,488,974.00	1,488,974.00	.00	249,350.40	.00	1,239,623.60	83.25
	--FUND TOTAL--	3,831,643.00	3,831,643.00	.00	3,479,840.56	.00	351,802.44	9.18
FUND # -500								
53900		450,000.00	450,000.00	.00	256,710.15	.00	193,289.85	42.95
	--FUND TOTAL--	450,000.00	450,000.00	.00	256,710.15	.00	193,289.85	42.95
FUND # -501								
94900	* SEWER FUND - Enterprise Fund *	323,005.00	347,143.83	.00	167,874.53	.00	179,269.30	51.64
95900	* WATER FUND - ENTERPRISE FUND *	90,495.00	90,495.00	.00	80,229.41	.00	10,265.59	11.34
	--FUND TOTAL--	413,500.00	437,638.83	.00	248,103.94	.00	189,534.89	43.30
FUND # -715								
81610	COMMUNITY CENTER PURCHASE	133,664.00	258,664.00	.00	201,126.70	.00	57,537.30	22.24
	--FUND TOTAL--	133,664.00	258,664.00	.00	201,126.70	.00	57,537.30	22.24
FUND # -733								
53010		20,000.00	20,000.00	.00	16,719.03	.00	3,280.97	16.40
	--FUND TOTAL--	20,000.00	20,000.00	.00	16,719.03	.00	3,280.97	16.40
	--FINAL TOTAL--	36,950,780.00	40,730,269.39	.00	24,117,922.95	.00	16,612,346.44	40.78

**Planning Projects:
March 2015**

Zoning:		
<i>Pending Zoning Questions and Requests</i>		
<i>CUP's and Rezoning Requests</i>		
Mary Tyson	Columbia Road	Approved.
Henrico County, CUP for tower	Near Cobb's Creek	Planning Commission recommends approval. Board of Supervisors public hearing on March 10, 2015.
Cabins at High Bridge Trail	River Road, adjacent to High Bridge Trail	CUP submitted to construct 10 rental cabins on 27 acres. Planning Commission recommends approval. Board of Supervisors public hearing on March 10, 2015.
Rita Braxton	Bonbrook Creek Road	CUP for lot deficiencies. A recent survey refigured the total acreage as 0.95 acres, and the lot is divided by a private road. Planning Commission recommends approval. Board of Supervisors public hearing on March 10, 2015.
<i>Other Zoning Issues-</i> Six current cases.		
Subdivisions:		
<i>Approved Subdivisions</i>		
<i>Pending Subdivisions</i>		
James Grissom	Waterfront Lane	Subdivision of three lots.
Charles Clark	Plank Road	Boundary line adjustment between two parcels and creation of a third parcel.
Doc Carter	Something Lane, off of Stoney Point Road	Family division of three parcels.
Charlene Williams	Ca Ira Road	Subdivision of three lots.
<i>Other Land Divisions or Adjustments</i>		
Johnny Asal Lumber	Route 45 and Salem Church Road	Lot line adjustment on three parcels.
Other Regulatory Functions:		
<i>Site Plan Review</i>		
Henrico County	Near Cobb's Creek	Site Plan review for Tower site.
Gary Singh	NE intersection of Davenport and Cumberland Roads	Site Plan review for Community Center. First review completed. Comments returned to applicant and engineer.
<i>Erosion and Sediment Control Applications</i>		
Paquette	Brumskill Court Mobile Home Park	Agreement in Lieu of a Plan for removal and replacement of one unit.
Harris	2410 Cumberland Road	Agreement in Lieu of a Plan for a single family home.
<i>Code Amendment Questions</i>		
Sign Ordinance	Countywide	The Planning Commission has directed staff to begin work on this section of the Zoning Ordinance and bring forward a working draft to the February meeting.
Definitions	Countywide	An update should happen as part of mixed use district. Rachel completed first draft during her initial review of the Ordinance for the mixed use district.

Business uses	Countywide	All business uses should be inclusive as the Ordinance moves from a less intensive to a more intensive business zone. In other words, all uses in the B-3 should be included in B-2, and so on.
Overlay district standards	Anderson Highway between 45 and 45	Standards to require improved appearance in mixed use district around the Courthouse.
Mixed Use Zoning District	Cumberland Road and Anderson Highway	Combine uses in B-3 and R-2 for a mixed use district.
Subdivision Definition	Countywide	As part of the implementation of the state wide Stormwater Management Program, staff recommends reconsidering the definition of a subdivision within the Ordinance to exclude large lot divisions, family divisions, and divisions of under six lots. This would allow these lots to be developed without requiring a VSMP. Working with DEQ and other localities to determine if this will be necessary.
Waiver process	Countywide	Approved.
RV and Cabin Campground Definitions	Countywide	The Planning Commission is considering the addition of a use "Cabin Campground" in response to an upcoming zoning case. At the same time, they will review the timeframe requirements contained in the definition for RV campgrounds. Planning Commission recommends approval. Board of Supervisors public hearing on March 10, 2015.
Building Inspection Fee Revision	Countywide	Board of Supervisors public hearing on March 10, 2015 to revise the fee schedule for tower construction. No fees are being increased; this is only a clarification of policy.
Utilities Ordinance Revision	Countywide	Board of Supervisors public hearing on March 10, 2015 to amend the Utilities Ordinance to reference the Water and Sewer Standards Manual.



MEMO

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

From: Sara Carter, Planning Director

Date: March 2, 2015

Re: **Scenic Byways**

Following the last Board of Supervisors meeting, there were questions presented regarding regulation of scenic byways. Following is a list of questions and answers, as well as expanded information regarding the regulation of signage along federal aid primary highways and scenic byways.

1. *What are the general restrictions that apply to such a designation?*

Generally, there are no restrictions attached to a scenic byway designation. There are no additional private property restrictions along the road, nor does the designation affect traffic issues, such as through-truck restrictions or speed limits. However, for federal-aid primary routes, there is a restriction on outdoor advertising. The specifics of signage regulation are addressed in detail below.

2. *If the designation were to be found over-burdensome, could a locality reverse the designation?*

If a locality chooses to reverse a Virginia Byway designation, it may do so through a formal request. There is a de-designation process in place, though it has never been used.

3. *If a scenic byway were designated for portions of Route 60 that are currently two lane, would this have any impact on the possibility of improving Route 60 to a four lane facility in the future?*

No, scenic byway designation does not have any effect on the improvement of roads. The designation of Route 60 as a byway will not affect the ability to gain funds for improving Route 60 to four lanes, nor does the existence of four lanes on portions of the road prevent it from being considered a scenic byway.

Signage:

Signage regulation by VDOT is impacted by Federal regulations, local zoning codes, the type of road, and whether designation as a scenic byway has occurred. How signage is regulated on any road depends on all of these factors together.

In Cumberland County, there are two roads that are designated as Federal Aid Primaries (FAPs). These are all of Route 60, and Route 45 between 60 and Farmville. Because of the designation of these two roads as FAPs, they are regulated differently than all other roads.

For all other roads in Cumberland, scenic byway designation has no effect on any signage regulation, whether on premises or off. County codes would be the determining factor for what signs are allowed.

For the two roads in Cumberland County that are FAPs, the regulatory framework is more complex. Currently, federal regulation restricts the construction of billboards and limits off-premises signs along these roads. Billboards, for example, are only allowed if the county has zoned land comprehensively for commercial or industrial development. A rezoning for the purpose of a billboard would not be sufficient to allow one. This has not created a conflict in Cumberland, as the Zoning Ordinance currently prohibits the construction of new billboards.

For the two FAPs, under scenic byway designation, no new off-premises signs would be allowed, other than directional signs for churches and civic organizations (of up to 8 square feet) and for business (of up to 2 square feet, located at an intersection).

Following is the Virginia code section that regulates signage for the scenic byways.

§ 33.2-1216. (Effective October 1, 2014) Certain advertisements or structures prohibited.

No advertisement or advertising structure shall be erected, maintained, or operated:

13. After December 18, 1991, adjacent to any Interstate System, federal-aid primary, or National Highway System highway in the Commonwealth that has been designated as a Virginia byway or scenic highway, except directional and official signs and notices defined in this article and regulations adopted pursuant to this article, on-premises signs, and signs advertising the sale or lease of property upon which they are located.

On-premise advertising is not impacted by scenic byway designation on any type of road in Cumberland County.

Future Byway Designation:

There are several roads in the county that would be possible additions to the scenic byway program. The following roads are options for the Board to consider:

- Route 60 from the Buckingham county line to the Powhatan county line (if this is not included in the Midland Trail designation).
- Route 45 from Route 60 to Farmville.
- Route 600 (River Road and Stoney Point Road) from Route 45 to Route 654 (Sunnyside Road) to 13.
- Route 640 (Holman Mill Road) to Route 660 (Horsepen Road) to 639 (Putney Road) to 631 (Davenport Road) to 45.
- Route 638 (John Randolph Road) from Route 45 to Route 638 (Guinea Road) to Route 600 (Stoney Point Road).
- 13 from 60 to the Powhatan line.
- Route 45 from 60 to the James River.
- Route 690 (Columbia Road) to county line.
- Route 602 (Amphill Road) from 690 to 45.
- Route 622 (Trent's Mill Road) to the county line.
- Route 628 (Forest View Road) from Route 60 to 622.
- Other suggestions?

If the Board would like to proceed with scenic byway designation, they can direct staff as to which roads should be included, and staff will prepare a resolution requesting that the Department of Conservation and Recreation (DCR) staff perform the necessary study.

Collection Rates - As of February 28, 2015

Real Estate:

	Current Collection %	Prior Year %	Change
Tax Year - 2014	93.48%	92.89%	+ 0.59%
Year 2013	96.35%	96.44%	- 0.09%

Personal Property:

	Current Collection %	Prior Year %	Change
Tax Year - 2014	87.24%	87.39%	- 0.15%
Year 2013	97.50%	97.41%	+ 0.09%

Treasurer's Office

Outstanding Collections Report

February 2015

Real Estate

	<u>As of 1/31/15</u>	<u>As of 2/28/15</u>	<u>Change</u>	<u>% Collected</u>	<u>Abatements/ Exonerations</u>
2000-2005	\$ 9,321.45	\$ 9,257.03	\$ 64.42	0.69%	
2006	5,334.70	5,334.70			
2007	8,970.55	8,941.05	29.50	0.32%	
2008	11,925.46	11,792.88	132.58	1.11%	
2009	16,758.63	16,483.95	274.68	1.64%	
2010	40,421.78	39,498.60	923.18	2.28%	
2011	74,630.80	73,055.09	1,575.71	2.11%	
2012	126,654.56	123,274.29	3,380.27	2.67%	
2013	221,037.07	213,962.18	7,074.89	3.20%	
2014	393,135.23	362,166.56	30,968.67	7.88%	\$ 14.80
Total	\$ 908,190.23	\$ 863,766.33	\$ 44,423.90		

Personal Property

	<u>As of 1/31/15</u>	<u>As of 2/28/15</u>	<u>Change</u>	<u>% Collected</u>	<u>Abatements/ Exonerations</u>
2010	\$ 37,830.27	\$ 37,656.51	92.57	0.24%	\$ 11.39
2011	40,261.18	40,251.47	9.71	0.02%	
2012	43,435.46	43,026.64	408.82	0.94%	19.87
2013	72,502.68	70,404.71	2,097.97	2.89%	59.94
2014	404,783.48	356,593.11	48,190.37	11.90%	853.66
Total	\$ 598,813.07	\$ 547,932.44	\$ 50,799.44		

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUS BALANCE	DEBIT	CREDIT	ENDING BALANCE
* TREASURER'S ACCOUNTABILITY *					
ASSETS					
100-0000	CASH IN OFFICE	1,000.00			1,000.00
100-0105	C&F BANK - CHECKING	300,000.00	3,088,436.18	2,733,368.50	655,067.68
100-0115	C&F BANK - INVESTMENT ACCT	1,671,433.51	810.37	1,272,442.14	399,801.74
100-0121	C&F BANK - SAVINGS ACCT		1,000.00		1,000.00
100-0122	C&F BANK-IPR ACCOUNT	14,050.49	.35		14,050.84
100-0124	ESSEX BANK - CD	2,200,000.00			2,200,000.00
100-0125	C&F BANK-FAF (JUSTICE)	22,886.46			22,886.46
100-0126	C&F BANK-FAF (TREASURY)	2,707.20			2,707.20
100-0128	NEW HORIZON BANK-MONEY MKT	680,544.36	202.30		680,746.66
100-0129	C&F BANK-MONEY MARKET ACCT	141,889.98	34.99		141,924.97
100-0131	FIRST BANK	104,017.45	13.57		104,031.02
100-0137	LOCAL GOV INVESTMENT POOL	5,266.92	.52		5,267.44
100-0140	RIVER COMM BANK - CERT. OF DEPOSIT	360,075.95			360,075.95
100-0141	FIRST BANK/SEWER RESERVE	123,284.92	16.08		123,301.00
100-0142	FIRST BANK/WATER RESERVE	17,987.36	2.35		17,989.71
100-0143	C&F BANK/ASSET FORFEITURE (SAF)	69,941.57			69,941.57
100-0144	C&F BANK-IDA RD OES DSR	42,875.58			42,875.58
100-0145	C&F BANK-GOVERNOR'S SCHOOL FUND	164,519.98	4.19	81,009.98	83,514.19
100-0146	C&F BANK-WATERLINE EXT DSR ACCT	3,540.54			3,540.54
100-0155	RETURNED CHECKS	1,034.21			1,034.21
100-0160	E & S CONTROL BOND ESCROW	13,401.66			13,401.66
	ASSETS	5,940,458.14	3,090,520.90	4,086,820.62	4,944,158.42
	TOTAL ASSETS	5,940,458.14	3,090,520.90	4,086,820.62	4,944,158.42
REVENUE FUND BALANCES					
300-0000	GENERAL FUND BALANCE	4,605,510.30		378,481.29	3,599,369.50
300-0100	ECONOMIC DEVELOPMENT FUND	38,871.00			38,871.00
300-0120	ASSET FORFEITURE FUND BALANCE	83,393.67			83,393.67
300-0170	HEALTH INSURANCE FUND	824,521.70	180,844.29	170,606.32	814,283.73
300-0201	SOCIAL SERVICES FUND BALANCE		95,368.68	95,368.68	
300-0203	NCLB FUND	37,490.75	5,389.59		42,880.34
300-0204	SCHOOL CONTINGENCY FUND				
300-0205	SCHOOL FUND BALANCE	1,100,181.61		1,100,181.61	
300-0207	GOVERNOR'S SCHOOL FUND (GSSV)	164,519.98	81,009.98	4.19	83,514.19
300-0302	CAPITAL PROJECTS FUND BALANCE	35,819.89	228.40	19.65	35,611.14
300-0401	DEBT SERVICE FUND		495,827.48	495,827.48	
300-0500	COMPREHENSIVE SERVICES ACT	105,279.06		118,583.60	13,304.54
300-0501	UTILITY FUND (WATER/SEWER)	8,918.51		25,099.88	20,308.53
300-0515	SEWER RESERVE FUND (DSR)	123,284.92		16.08	123,301.00
300-0540	WATER RESERVE FUND	17,987.36		2.35	17,989.71
300-0545	WATERLINE EXT DSR FUND	3,540.54			3,540.54
300-0550	IDA OES RD DSR FUND	42,875.58			42,875.58
300-0580	IPR FUND BALANCE	14,050.49		.35	14,050.84
300-0715	IDA FUND BALANCE	90,975.96	9,890.60	3,700.00	84,785.36
300-0733	SPECIAL WELFARE FUND BALANCE	13,992.60	112.75	713.75	14,593.60
	REVENUE FUND BALANCES	5,907,655.67	3,389,965.37	2,388,605.23	4,906,295.53
	TOTAL PRIOR YR FUND BALANCE	5,907,655.67	3,389,965.37	2,388,605.23	4,906,295.53
	TOTAL REVENUE				

TOTAL EXPENDITURE
TOTAL CURRENT FUND BALANCE

* TREASURER'S ACCOUNTABILITY *

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUS BALANCE	DEBIT	CREDIT	ENDING BALANCE
400-0000	**OTHER FUND BALANCES**				
400-0105	OVERPAYMENTS	29.36-			
400-0110	PREPAID TAXES	18,026.95-	340.13	310.77-	23,116.73-
400-0140	COMMONWEALTH DEBIT ACCOUNT			5,089.78-	
400-0150	COMMONWEALTH CREDIT ACCOUNT	90.00-			90.00-
400-0160	EROSION & SED CONTROL BOND ESCROW	13,401.66-	26,407.96	26,407.96-	13,401.66-
400-0216	ATTORNEY FEES	1,254.50-			1,254.50-
	OTHER FUND BALANCES	32,802.47-	26,748.09	31,808.51-	37,862.89-
		32,802.47-	26,748.09	31,808.51-	37,862.89-
500-0000	**UNCOLLECTED TAXES**				
500-0010	PUBLIC SERVICE CORP. TAXES PP/RE	20.74			20.74
500-0079	UNCOLLECTED 2014 REAL ESTATE TAX	427,136.90		34,001.67-	393,135.23
500-0080	UNCOLLECTED 2013 REAL ESTATE TAXES	230,807.67		9,770.60-	221,037.07
500-0081	UNCOLLECTED 2012 REAL ESTATE TAXES	133,508.32		6,853.76-	126,654.56
500-0082	UNCOLLECTED 2011 REAL ESTATE TAXES	78,406.23		3,775.43-	74,630.80
500-0083	UNCOLLECTED 2010 REAL ESTATE TAXES	42,912.83		2,491.05-	40,421.78
500-0084	UNCOLLECTED 2009 REAL ESTATE TAXES	17,502.18		743.55-	16,758.63
500-0085	UNCOLLECTED 2008 REAL ESTATE TAXES	12,007.68		82.22-	11,925.46
500-0086	UNCOLLECTED 2007 REAL ESTATE TAXES	9,023.50		52.95-	8,970.55
500-0087	UNCOLLECTED 2006 REAL ESTATE TAXES	5,384.75		50.05-	5,334.70
500-0150	UNCOLLECTED 2005/2000 REAL ESTATE	9,384.38		62.93-	9,321.45
500-0153	2009 VEHICLE LICENSE TAX	5,846.88		5,846.88-	
500-0154	2010 VEHICLE LICENSE TAX	6,817.68		40.92-	6,776.76
500-0155	2011 VEHICLE LICENSE TAX	8,378.08		115.76-	8,262.32
500-0156	2012 VEHICLE LICENSE TAX	8,788.76	39.00	154.00-	8,673.76
500-0157	2013 VEHICLE LICENSE TAX	16,262.30		643.06-	15,619.24
500-0158	2014 VEHICLE LICENSE TAX	79,887.99	23.00	6,467.08-	73,443.91
500-0172	UNCOLL. 2009 PERSONAL PROPERTY TAX	30,173.00		30,173.00-	
500-0173	UNCOLL. 2010 PERSONAL PROPERTY TAX	37,872.28		123.21-	37,749.08
500-0174	UNCOLL. 2011 PERSONAL PROPERTY TAX	40,533.35		303.97-	40,261.18
500-0175	UNCOLL. 2012 PERSONAL PROPERTY TAX	44,278.30	34.09	876.93-	43,435.46
500-0176	UNCOLL. 2013 PERSONAL PROPERTY TAX	76,592.83		4,090.15-	72,502.68
500-0177	UNCOLL. 2014 PERSONAL PROPERTY TAX	445,277.74	398.39	40,892.65-	404,783.48
500-0200	RESERVE UNCOLLECTED COUNTY TAXES	1,766,804.37-	147,506.92	421.39-	1,619,718.84-
500-0400	UNCOLL MISC FEES	3,693.57			3,693.57
500-0401	RESERVE-MISC FEES	13,294.83			14,245.74
500-0800	UNCOLLECTED WATER CHARGES	13,294.83	6,751.61	5,800.70-	14,245.74
500-0810	RESERVE UNCOLLECTED WATER CHARGES	24,538.36		6,751.61-	18,769.36-
500-0900	UNCOLLECTED 2011 ROLLBACK TAX	24,538.36-			26,277.68-
500-0910	RESERVE UNCOLLECTED SEWER CHARGES	24,538.36-			26,277.68-
500-1009	UNCOLLECTED 2009 ROLLBACK TAX			20,508.68-	
500-1010	UNCOLLECTED 2010 ROLLBACK TAX				
500-1011	UNCOLLECTED 2011 ROLLBACK TAX				
500-1012	UNCOLLECTED 2012 ROLLBACK TAX				
500-1013	UNCOLLECTED 2013 ROLLBACK TAX				
500-1014	UNCOLLECTED 2014 ROLLBACK TAX				

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUS BALANCE	DEBIT	CREDIT	ENDING BALANCE
500-1099	RESERVE-UNCOLLECTED ROLLBACK TAXES		199,863.56	199,863.56	
	UNCOLLECTED TAXES				
510-2009	COMMONWEALTH REIMB-PPTRA	870,903.38	832.54		871,735.92
510-2010	COMMONWEALTH REIMB-2009	869,235.95	2,530.97	31.00	871,735.92
510-2011	COMMONWEALTH REIMB-2010	864,376.95			864,376.95
510-2012	COMMONWEALTH REIMB-2011	876,900.28		3,363.51	873,536.77
510-2013	COMMONWEALTH REIMB-2012	865,793.65		32.06	865,761.59
510-2014	COMMONWEALTH REIMB-2013	875,302.76	298.26	251.07	875,349.95
510-9999	ESTIMATED COMMONWEALTH RESERVE	5,222,512.97	314.13	298.26	5,222,497.10
	COMMONWEALTH REIMB-PPTRA		3,975.90	3,975.90	
			203,839.46	203,839.46	
600-0000	**STATE ACCOUNTS**				
600-0173	UNCOLL. STATE INCOME TAX-2014				
600-0174	UNCOLL. STATE INCOME TAX-2013				
600-0185	ESTIMATED STATE INCOME TAX-2015	20,317.00	45,821.00	25,504.00	45,821.00
600-0186	ESTIMATED STATE INCOME TAX-2014	20,317.00	25,504.00	45,821.00	45,821.00
600-0190	RESERVE UNCOLLECTED STATE TAXES		71,325.00	71,325.00	
	STATE ACCOUNTS				
			71,325.00	71,325.00	
700-0000	**DEBT FUNDS**				
700-0151	CERT OF PARTICIPATION -ELEM 97	1,015,000.00			1,015,000.00
700-0221	LITERARY LOAN - ELEMENTARY SCHOOL	2,166,666.61		166,666.67	1,999,999.94
700-0222	HIGH SCH/MIDDLE SCH-SUNTRUST LOAN	17,905,000.00			17,905,000.00
700-0226	SEWER LOAN - FARMERS HOME ADM	1,405,905.07			1,405,905.07
700-0227	WATERLINE EXT LOAN-USDA	937,097.23			937,097.23
700-0231	COURTHOUSE LOAN-SUNTRUST	1,818,000.00			1,818,000.00
700-0236	PUBLIC FACILITIES NOTE-2009	4,135,000.00			4,135,000.00
700-0237	VPSA	8,186,778.00			8,186,778.00
700-0239	IDA RD LOAN-OES PROPERTY	1,910,484.22			1,910,484.22
700-0240	AMERESCO LOAN	1,056,145.00			1,056,145.00
700-0250	RESERVE DEBT FUND	40,536,076.13	166,666.67	166,666.67	40,369,409.46
	DEBT FUNDS				
			166,666.67	166,666.67	

Transactions for DMV Select

February 2015

	# Transactions	Total \$	# Helped	# Transactions	Total \$	# Helped
1				17	Weather	
2	41	\$1,767.14	7	17	\$584.08	9
3	23	\$661.75	7	19	\$551.54	13
4	28	\$1,542.75	5	27	\$793.25	6
5	24	\$724.67	7			
6	19	\$686.50	6			
7				23	\$1,865.12	9
8				24	\$759.46	9
9	51	\$3,840.48	10	57	\$2,213.05	12
10	33	\$1,945.35	8	Closed	Weather	
11	28	\$1,071.90	6	116	\$6,010.79	6
12	26	\$867.16	5			
13	46	\$2,257.40	8			
14				30		
15				31		
16				626	\$28,142.39	133

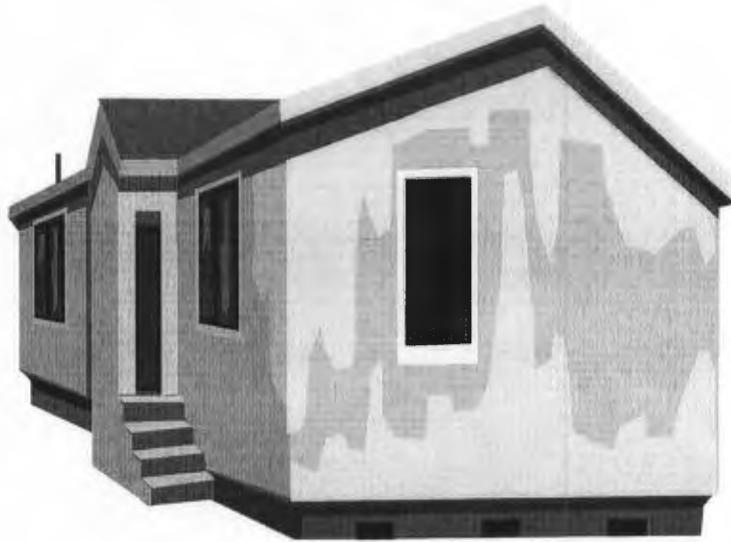
MONTHLY RECYCLE TOTALS REPORT

January 2015

PICK UP DATE	COUNTY			SCHOOL		
	PLASTIC/ALUMINUM	NEWSPAPER	PAPER	PLASTIC/ALUMINUM	NEWSPAPER	PAPER
2/3/2015	3 lbs. Plastic 1 lbs. Aluminum	20 lbs.	40 lbs.	5 lbs. Plastic 1 lbs. Aluminum	25 lbs.	60 lbs.
2/10/2015	1 lbs. Plastic 4 lbs. Aluminum	12 lbs.	37 lbs.	1 lbs. Plastic 5 lbs. Aluminum	25 lbs.	117 lbs.
2/19/2015	1 lbs. Plastic 5 lbs. Aluminum	12 lbs.	65 lbs.	1 lbs. Plastic 4 lbs. Aluminum	15 lbs.	120 lbs.
2/23/2015	1 lbs. Plastic 1 lbs. Aluminum	10 lbs.	35 lbs.	0 lbs. Plastic 0 lbs. Aluminum	0 lbs.	0 lbs.
MONTHLY TOTALS	6 lbs. Plastic 11 lbs. Aluminum	54 lbs.	177 lbs.	7 lbs. Plastic 10 lbs. Aluminum	65 lbs.	297 lbs.

CUMBERLAND COUNTY

**BUILDING INSPECTIONS
DEPARTMENT**



FEBRUARY 2015

**MONTHLY
REPORT**

COUNTY of CUMBERLAND VIRGINIA

FOUNDED • 1749

Building Official's Office

Leland Leeds
Building Official

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Mackenzie Tate
Building Coordinator /
Assistant Planning & Zoning
Administrator

mtate@cumberlandcounty.virginia.gov

P.O. Box 110
Cumberland, VA 23040
(804) 492-9114 Phone
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	Current Month 2014	YTD 2014	Current Month 2015	YTD 2015
February				
Singlewides	1	1	0	0
Doublewides	1	1	0	1
Modular	0	0	1	1
New Homes	1	4	0	2
Ag & Exempt	0	0	0	0
Garages & Carports	1	1	1	3
Additions & Remodels	2	2	4	7
Misc	11	30	14	23
Commercial	5	5	3	4
Totals	22	44	23	41
Total Fees Collected	\$2,852.33	\$5,715.20	\$2,798.17	\$5,472.90
E-911 Fees Collected	\$24.00	\$36.00	\$0.00	\$12.00
Zoning Fees Collected	\$0.00	\$40.00	\$0.00	\$10.00
S & E Fees Collected	\$0.00	\$100.00	\$50.00	\$50.00
Total Estimated Value	\$337,707.00	\$1,166,639.00	\$570,595.00	\$1,059,830.00
Admin. Fees	\$0.00	\$0.00	\$0.00	\$0.00
CO's Issued	2	3	1	3



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**MINUTES OF THE CUMBERLAND COUNTY
PLANNING COMMISSION
Regular Meeting
Cumberland County Community Center Rm. C-8
Tuesday, January 6, 2015
6:30 p.m.**

PRESENT: Bill Burger, District 3, Chairman
Randy Bryant, District 1, Vice-Chairman
Stephen Donahue, District 2
Hubert Allen, District 4
Roland Gilliam, District 5
Larry Atkins At-Large
David Meinhard, Board of Supervisors member

ALSO PRESENT: Sara Carter, Planning Director

ABSENT: Irene Wyatt, At-Large

CALL TO ORDER AND ROLL CALL

Chairman Burger called the Planning Commission's regular meeting of Tuesday, January 6, 2015 to order at 6:30 p.m. and a quorum was established.

APPROVAL OF AGENDA

MOTION:

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

APPROVAL OF MINUTES (11/17/2014)

MOTION:

Commissioner Allen made a motion to approve the minutes from the 11/17/2014 meeting as written. Commissioner Gilliam seconded. The motion carried unanimously with a vote of 6-0.

PUBLIC HEARING: CUP 14-07 COBBS CREEK CAMPGROUND

Staff reviewed the application from Mary Tyson for a CUP for a permanent RV campground on her property at 1250 Columbia Road. The conditions do have some changes from the previous version approved for the temporary use. Conditions were reviewed. Staff recommends a condition to address VDOT concerns and a condition to address buffering. Staff received three phone calls regarding this application. Only one had any concerns, and those would be satisfied with the buffer condition.

Commissioner Allen questioned whether the general store mentioned in the application was included in the CUP. Staff responded that the store was not included for the CUP at this time, but would be considered later. Commissioner Allen suggested that it should be added to prevent the applicant from needing to come back for something that was known now. Vice-Chairman Bryant

visited the site, and agreed the store could be added now. The Commission generally agreed that the store should be added to the proposal now. The Commission further agreed that the buffer condition should include development of the store.

The public hearing was opened. No individuals spoke at the public hearing. The public hearing was closed.

MOTION:

Commission Allen made a motion to recommend approval of CUP 14-07 to the Board of Supervisors with the addition of the store to the application and the buffer condition and the inclusion of a condition addressing VDOT permitting. Vice-Chairman Bryant seconded. The motion passed unanimously 6-0.

PUBLIC HEARING: CA 14-08 DEVELOPMENT STANDARDS WAIVERS

Staff reviewed updated language presented by the County Attorney. The purpose of the language is to create a provision to allow applicants to seek a waiver from particular conditions of the Zoning Ordinance.

The public hearing was opened. No individuals spoke at the public hearing. The public hearing was closed.

MOTION:

Commissioner Allen made a motion to recommend approval of CA 14-08 to the Board of Supervisors. Commissioner Donahue seconded. The motion carried unanimously with a vote 6-0.

DISCUSSION: CUP 14-06 BLUE

Staff reviewed the Conditional Use Permit process application for the Blues, who are seeking to build a two bedroom home on a 0.34 acre parcel. They have a contract on two contiguous lots in Trice's Lake, at the intersection of Pine and Short Streets. Septic work is completed on the lots. No neighbors had any concerns; one called, and was excited to have new development.

MOTION:

Commissioner Donahue made a motion to recommend approval of CUP 14-06 to the Board of Supervisors. Commissioner Allen seconded. The motion passed unanimously 6-0.

ANNUAL MEETING

Staff reviewed the annual meeting items: bylaws, officers and schedule. Staff recommended that the Commission delete item 4.3 in the bylaws, which contains a conflict with itself. The Commission discussed the schedule, and suggested changing the first workshop from March to January for the purpose of discussing the Capital Improvement Plan. January 26th at 6:00 was agreed upon as the workshop date.

MOTIONS:

Commissioner Allen made a motion that the Commission adopt the bylaws with the deletion of 4.3 and adopt the schedule with the suggested change. Vice-Chairman Bryant seconded. Commissioner Donahue asked about the provision in the bylaws regarding training. The Commission discussed available training opportunities. The motion passed unanimously 6-0.

Commissioner Allen moved that Dr. Burger continue as Chairman of the Planning Commission. Commissioner Gilliam seconded. The motion passed 5-0 with one abstention.

Chairman Burger nominated Commissioner Bryant for Vice-Chairman. Commissioner Gilliam seconded. The motion passed 5-0 with one abstention.

DISCUSSION: RENTAL CABIN ORDINANCE

Staff reviewed the upcoming High Bridge rental cabin proposal and discussed the Ordinance Amendment that would be necessary to accommodate the rental cabins as a use. Staff is recommending the addition of the use as a conditional use in the A-2 district. A draft definition, based upon the RV park definition was reviewed. The Commission expressed concern regarding the timeframe included in the definition. The Commission discussed this concern and agreed that they would like to address the concern in a different way, particularly for the RV park. Commissioner Bryant suggested that the RV park could be addressed through ensuring that the wheels, tongue, tires, current inspection and no permanent underpinning may be the best way to address the RVs. A draft ordinance will be brought to the Commission at their February meeting.

DISCUSSION: CAPITAL IMPROVEMENT PLAN

The Commission will discuss the CIP at their scheduled workshop meeting on January 26.

GENERAL CITIZEN COMMENT

Mrs. Barbara Hinton of Cartersville spoke to the Commission regarding her concern about a neighbor using a shed for a residence, or location to camp. Staff reviewed regulations regarding permitting for sheds.

OLD BUSINESS

None.

NEW BUSINESS

Staff updated the Commission regarding items that will be coming to the Commission in the coming months. The Commission directed staff to bring a draft sign ordinance to the Commission at the February meeting.

Ms. Giles updated the Commission regarding the previous Board of Supervisors meeting.

GENERAL COMMISSIONER COMMENTS

None.

ADJOURNMENT

MOTION:

At 7:34 p.m., Commissioner Allen moved to adjourn to the next Planning Commission workshop meeting of Monday, January 26, 2014, at 6:00 p.m. or as soon after as may be heard. Vice-Chairman Bryant seconded. The motion carried unanimously with a vote of 6-0.

Attested:

Bill Burger, Planning Commission Chairman Date

Sara Carter, Planning Director Date

**MINUTES OF THE CUMBERLAND COUNTY
PLANNING COMMISSION
Workshop Meeting
Cumberland County Community Center Rm. C-8
Monday, January 26, 2015
6:00 p.m.**

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

ALSO PRESENT: Sara Carter, Planning Director
Vivian Giles, County Attorney/Administrator

ABSENT: Roland Gilliam, District 5
David Meinhard, Board of Supervisors member

CALL TO ORDER AND ROLL CALL

Chairman Burger called the Planning Commission's workshop meeting of Monday, January 26, 2015 to order at 6:00 p.m. and a quorum was established.

APPROVAL OF AGENDA

MOTION:

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

DISCUSSION: CAPITAL IMPROVEMENT PLAN

Staff reviewed the purposes and ranking system used on the Capital Improvement Plan. Commissioner Allen asked Ms. Giles for an update on how the budget is looking this year. She updated the Commission.

- Animal Control Incinerator and the Cat Addition: The Commission was concerned about the cost of the incinerator. Are there less expensive/used ones? On the cat addition, are there ways to reduce the cost? Incinerator to be ranked as a "4," and shown for funding in FY2017. Cat addition to be ranked as a "1," and shown for funding in FY2015.
- Animal Control Truck: The Commission recommended that a used truck be purchased. The truck is ranked as "2," with an expenditure of no more than \$15,000 unless alternative funding is secured, and shown for funding in FY2015.
- Department of Social Services Parking Lot: The Commission ranked the lot as a "4," and it is shown for funding in FY2018.

- Jail Environmental Hazard Abatement: The Commission recommends selling this building, either just the structure (preferred) or the entire site. The ranking is shown as a “5.”
- IT Improvements: The Commission ranked the switches, routers and other infrastructure as a “1,” and shown for funding over multiple years. The Commission ranked the county wireless connectivity as a “3,” and shown for funding in three years.
- Deputy cars: The county staff recommends funding for cars on alternate years, rather than every year. The Commission had a general discussion regarding law enforcement funding and the form of public safety provision. Do the current deputy cars record hours as well as miles? Commissioner Wyatt suggested having an alternating schedule for purchasing vehicles. The Commission recommended two cycles of alternating \$33,000 and \$66,000 yearly for replacement and ranked it as a “3.”
- Maintenance trucks: The Commission ranked the need as a “2,” and suggested that \$15,000 per truck would be an adequate amount of funding.
- New heat/ac for the gym at the Community Center: The Commission discussed how the space is currently used, how much rent is charged, and how much money will be saved with the efficiency. Commissioner Wyatt made a motion that the proposal be moved to the 15-16 year and ranked as a “2.” Commissioner Allen seconded. The motion passed unanimously.
- Transfer station upgrades: The Commission discussed the two proposals, one for improved sheds and one for upgraded gates. The Commission discussed how the compactors could be secured to protect the county from liability. The Commission agreed to rate the sheds as a “2,” and fund them next year; the gates were rated as a “3,” and slated for funding in two years.
- Fire and Rescue Requests: For the Randolph Fire Department, the Commission agreed to rate the payment as a “1.” Vice-Chairman Bryant reviewed the Cartersville Fire Department request, and the need for a new house. The Commission agreed to rank the firehouse and the tanker truck as a “1,” and spread out the funding over years, starting this year. The Commission agreed to leave the ambulance as a “2,” and leave the funding as recommended. The final payment is designated as a “2.”
- Water Tower: The Commission recommended tower repainting as a “2,” and starting funding in 16-17.
- Manhole Rehabilitation: The Commission recommended the priority as a “2,” and recommended that the dollar amount be left blank, as staff is continuing to explore which option is the best. Ms. Giles confirmed that this would be the best course.
- Back-up sewer pumps: The Commission agreed that the pumps should be ranked as a “1,” and purchased over time.
- New tractor and bush hog: The Commission recommended that the bush hogging should be done with a contracted service. Commissioner Allen suggested that the cost of the tractor is enough to cover ten years of a contracted service. The Commission recommended that the ranking be a “5.” Further, the Commission recommends purchase of a used tractor.
- New Water Tank: The Commission ranked this as “1,” and recommends funding for next year.
- The Planning Commission discussed the school’s request for a roof replacement. The Board of Supervisors has already addressed this with the School Board.

MOTION:

Commissioner Allen made a motion for a public hearing on the Capital Improvement Plan for February 23rd, 2015. Commissioner Wyatt seconded. The motion passed unanimously.

At a meeting of the Cumberland County Board of Supervisors held at 6:00 p.m. on the 10th day of February, 2015, at the Cumberland County Circuit Court Room:

Present: William F. Osl, Jr., District 1
Lloyd Banks, Jr., District 2, Chairman
Kevin Ingle, District 3, Vice-Chairman
Parker Wheeler, District 5
Vivian Giles, County Administrator / Attorney
Tracie Wright, Finance Director
Sara Carter, Planning Director

Absent: David Meinhard, District 4

1. Call to Order

The Chairman called the meeting to order.

2. Roll Call

County Administrator, Vivian Giles, called the roll.

3. Approval of Agenda

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

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

4. Adopt Policy for meeting participation

On a motion by Supervisor Osl and carried, the Board approved a Resolution adopting a policy governing meeting participation as follows:

A RESOLUTION TO ADOPT A POLICY GOVERNING PARTICIPATION IN MEETINGS BY MEMBERS OF THE BOARD OF SUPERVISORS THROUGH ELECTRONIC COMMUNICATION

February 10, 2015

WHEREAS, pursuant to Va. Code § 2.2-3708.1, a member of a public body may participate in meetings through electronic communication means from a remote location that is not open to the public when the public body has adopted a written policy allowing for such participation in accordance with Va. Code § 2.2-3708.1; and

WHEREAS, pursuant to Va. Code § 2.2-3708, public bodies may hold meetings through electronic communication means where no quorum is assembled at a single location in certain emergency situations; and

WHEREAS, the members of the Cumberland County Board of Supervisors wish to adopt a policy to allow for those emergency or unexpected situations which may arise and prevent members from attending meetings in person.

NOW, THEREFORE, BE IT RESOLVED that the Cumberland County Board of Supervisors on this the 10th day of February, 2015, does hereby adopt the attached policy, effective immediately, to allow members of the Cumberland County Board of Supervisors to participate in meetings through electronic communication in strict accordance with the provisions and requirements of Va. Code §§ 2.2-3708 and 2.2-3708.1.

ADOPTED the 10th day of February 2015.

CUMBERLAND COUNTY

POLICY FOR PARTICIPATION IN A PUBLIC MEETINGS THROUGH ELECTRONIC COMMUNICATION

Quorum Physically Assembled

- A.** A member of the Cumberland County Board of Supervisors (Board member) may participate in a public meeting, both in open session and in closed session, through electronic communication from a remote location, not open to the public, on the following terms and conditions:
- 1.** Emergency or Personal Matter –
 - a.** The Board member requesting to participate in the meeting through electronic communication must:
 - 1.** Notify the Board Chairman, on or before the day of the meeting, that he or she will be unable to attend the meeting due to an emergency or personal matter; and
 - 2.** Specify to the Board Chairman the nature of the emergency or personal matter.
 - b.** The Board of Supervisors must:
 - 1.** Record in its minutes the specific nature of the member's emergency or personal matter; and
 - 2.** Record in its minutes the remote location from which the Board member participated.
 - c.** Participation in a public meeting through electronic communication by a Board member due to an emergency or

personal matter will be limited each calendar year to two meetings or 25 percent of the total meetings held during the calendar year, whichever is fewer.

2. Temporary or Permanent Disability or Other Medical Condition

a. A Board member must notify the Board Chairman of that he or she will be unable to attend the meeting due to a temporary or permanent disability or other medical condition that prevents the Board member's physical attendance at the meeting.

b. The Board must:

- 1.** Record in its minutes the fact that the Board member is absent due to a disability or a medical condition; and
- 2.** Record in its minutes the remote location from which the member participated.

B. Electronic participation by a Board member as provided in Section A above shall be allowed only when all of the following conditions are met:

- 1.** A quorum of the Board is physically assembled at the meeting location;
- 2.** The Board has made arrangements for the voice of the remote member to be heard by all persons at the meeting location; and
- 3.** Following confirmation from the Board Chairman (or the Board Vice-chairman if the Board Chairman is making the request) that he or she has received notification as required in Section A above, a majority of the Board who are present and voting approve the motion to allow the requesting Board member to participate in the meeting through electronic communication from a remote location not open to the public. If the participation of the Board member by electronic communication is not approved because such participation would violate this Policy, such denial shall be recorded in the minutes with specificity. In deciding whether to

approve a Board member's request to participate in a public meeting through electronic communication from a remote location, Board members shall not consider the identity of the member making the request or the matters that will be considered or voted on at the meeting.

- C. When the Board member who wishes to participate in a public meeting through electronic communication is the Board Chairman, then all notifications required under this policy to be provided to the Board Chairman shall be provided by the Board Chairman making the request to the Board Vice-chairman.

Quorum Not Physically Assembled

- A. The Cumberland County Board of Supervisors (the Board) may meet, in open session and in closed session, by electronic communication means without a quorum physically assembled at one location when the Governor of the Commonwealth of Virginia has declared a state of emergency in accordance with § 44-146.17 of the Code of Virginia (1950, as amended) on the following terms and conditions:
1. The catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location; and
 2. The purpose of the meeting is to address the emergency.
- B. If a meeting is held pursuant to paragraph A. above, the Board shall:
1. Give public notice using the best available method given the nature of the emergency contemporaneously with the notice provided the members of the Board;
 2. Make arrangements for public access to the meeting;
 3. Make available to the public at all locations at which public access will be provided, at the time of the meeting, agenda packets and all materials, unless exempt, that will be distributed to members of the

5. **Approve Request for Board member to participate in meeting by electronic communication**

On a motion by Supervisor Osl and carried, the Board approved Mr. Meinhard to participate in the meeting via electronic communication:

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

Ms. Giles then established for the record, and confirmed with the Chairman and the audience present at the meeting all of the following:

- 1) Pursuant to VA Code § 2.2-3708.1, Mr. Meinhard would be participating in the meeting through electronic (telephonic) communication, having notified the Chairman that he was unable to attend the meeting due to a temporary disability or medical condition that prevented his physical attendance;
- 2) That Mr. Meinhard was participating in the meeting from 294 Agee Lane in Cumberland County, Virginia;
- 3) That a quorum of the Board was physically assembled at the meeting at the Cumberland County Courthouse;
- 4) The voice of Mr. Meinhard could be heard via speaker phone by all persons at the meeting location, the Cumberland County Courthouse; and
- 5) Mr. Meinhard attended the meeting through electronic communication due to a disability or a medical condition.

6. **Adjourn into Closed Session**

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

Pursuant to Virginia Code § 2.2-3711.A.7: Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel.

Subject: Discussion regarding the Host Community Agreement between the Board of Supervisors of Cumberland County, Virginia and Cumberland County Development Company, LLC

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

Subject: Discussion of assignment of duties and job performance and review.

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

Supervisor Meinhard joined the meeting in closed session via electronic communication.

7. Reconvene in Open Session

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

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

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

Mr. Wheeler - aye

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

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

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

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

No action was taken regarding the items discussed.

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

8. Welcome and Pledge of Allegiance

The Pledge of Allegiance was led by Chairman Banks.

9. **Public Comments**

Sheena Mackenzie with Central Virginia Health Services informed the Board that CVHS will be celebrating their 45th anniversary this year. CVHS is a community based non-profit organization that provides high quality medical care to anyone of any age. The Central Virginia Health Center in Arvonnia was founded by a Ms. Beulah Wiley, a Cumberland resident, and an employee of the Central Piedmont Action Council in Cumberland. In the 1960's Ms. Wiley realized both through her work, and what she saw in the area, was that Cumberland needed more accessible health care. Health care that did not require traveling long distances to reach a doctor. She also recognized that some of these families struggled with their health care costs, and couldn't afford care, even if they had the means to travel up to 90 minutes to get to health care.

Central Virginia Community Health Center originally served the Counties of Cumberland, Buckingham, and Fluvanna. Today, they serve 18 localities through 15 sites across Central Virginia. Since its creation, the Central Virginia Health Center has grown, and added other services to its original medical care such as pharmacy, dental, behavioral health, x-ray, mammography, and an educational fitness center. About 1200 residents of Cumberland County are patients at the Health Center, and they have the capacity to see many more.

The Services at the Health Center are not free. Those who fall below 200% of the Federal Poverty level may apply for sliding scale fees. Most Insurance plans are accepted as well. Ms. Mackenzie asked that the Board forward this information their constituents.

Ms. Rose McClinton and Pat Hilliard spoke to the Board members requesting a new Fire House for the Cartersville Fire

Department. The Department has the donation of land, but is in need of funds to erect the building.

Barbara Hinton questioned the validity of a few budget requests and stated that the citizens have the right to know when the taxes are going up and there is no additional money coming in.

Lou Seigel questioned the need for a new Fire House in Cartersville. He also stated that Colonial Pipeline had their own Fire equipment such as trucks and tankers.

10. **Public Hearings**

a) CUP Tyson 14-07

Planning Director, Sara Carter, informed the Board that Mary Tyson applied for a conditional use permit for 33.36 acres of land to operate a Recreational vehicle park and general store on her property. She was awarded a Special Temporary Use Permit with up to 12 campsites in 2010. The Planning Commission recommends approval of the CUP to allow the Recreational Vehicle Park and general store. The following conditions have been recommended by the Planning Commission. Since the Planning Commission public hearing, staff has received additional information from the Health Department and updated the transportation condition following the Planning Commission and VDoT guidance. Modified conditions are shown underlined.

1. Number and type of recreational vehicles permitted: There shall be no more than fifty (50) recreational vehicles on the property. The addition of any new sites, over the current 12 which have already been developed, or the construction of the general store, will require screening and buffering to any adjacent residential properties. Screening may be provided through a privacy fence or through the

use of evergreen trees, as determined by the Zoning Administrator.

2. Septic, well and electrical connections: The applicant shall comply with all federal, state and local regulations pertaining to the use of private water, sewer and electricity. The applicant shall provide a written letter from the Cumberland County Health Department indicating the maximum number of permanent camping sites for temporary recreational vehicles permitted on the property. A commercial water and sanitary sewer plan, certified by a professional engineer, is required for the entire site prior to the construction of any additional sites or usage of the existing sites. These plans must be approved by the Cumberland County Health Department prior to usage of the campsites. A building permit shall be required from Cumberland County, which (among other things) will approve the proposed electrical connections to the recreational vehicles.
3. Scaled plan required: The applicant shall provide a scaled plan noting the locations and spacing of the recreational vehicles on the property and distances from all property lines and the centerline of Route 690. In no event, shall any recreational vehicles be closer than 75 feet from the centerline of Rt. 690, 25 feet from side property lines and 35 feet from rear property lines. The scaled plan shall also clearly show the location of all on-site utilities (water, sewer and electrical). Recreational vehicles shall be separated by a minimum of 10 feet from each other. Adequate provisions shall be made to prevent mud from being tracked onto Rt. 690 from the site. Such provisions shall at a minimum include gravel at the site entrance and if necessary at vehicle parking locations.

4. Community safety: If county or state law enforcement is required to respond to restore order to those on the property more than two (2) times in a thirty (30) day period the conditional use permit shall be reviewed by the Board of Supervisors, and may be revoked at the Board's discretion.
5. Refuse disposal: A dumpster shall be provided for trash disposal and emptied when full but in no event shall the dumpster be emptied less than once a month.
6. Noise control: Noise shall be restricted between the hours of 11:00 p.m. and 5:30 a.m. daily. The noise and sounds levels controls shall be at 0 decibels at all property lines and at conversation levels on the property so as not to disturb other temporarily housed individuals or adjacent properties.
7. The current driveway has been approved by VDOT (Virginia Department of Transportation) for up to 30 RV units. Any additional RV units over the 30 approved by VDOT, or the addition of the general store, will require a VDOT Traffic Impact Statement be submitted by the applicant to determine if the existing commercial entrance is adequate for the additional site generated vehicle trips.

The Chairman opened the public hearing. One citizen asked about buffering, water and sewer requirements and if the acreage was adequate for the plans for the property. Ms. Carter stated that the buffering and water and sewer requirements were addressed in the conditions, and the lot size must meet all requirements. With no other citizens signed up to speak, the Chairman then closed the public hearing.

On a motion by Supervisor Osl and carried unanimously, the Board approved CUP 14-07 with the conditions provided by the Planning Commission and staff:

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

b) CA 14-08 Development Standards waiver

Planning Director, Sara Carter informed the Board that the purpose of this code amendment is to provide a means to waive particular standards based in particular property concerns. Currently, the Ordinance has no provision for this, and there is limited recourse available to property owners.

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

On a motion by Supervisor Wheeler and carried unanimously, the Board approved CA 14-08 as follows:

Sec. 74-14 Waivers.

- (a) Except for requirements which must be modified through rezoning, conditional use, or the granting of a variance, the Planning Commission may, upon the submission of an application by the landowner, grant modifications, with or without conditions, to requirements specified in this chapter. The Planning Commission shall fix a reasonable time for the hearing of an application under this section and decide the same within 60 days after its first hearing on the matter, unless the applicant requests or consents to action beyond such time or unless the applicant withdraws the request.

- (b) No modification to a development standard or requirement shall be authorized by the planning commission unless it considers and determines substantial compliance with all of the following factors:
- (1) By reason of the exceptional narrowness, shallowness, size or shape of the specific piece of property or nearby properties or by reason of exceptional topographic conditions or other exceptional situation or condition relating to such properties, the strict application of the terms of this chapter would effectively prohibit or unreasonably restrict the use of the property.
 - (2) The granting of the modification will alleviate a clearly demonstrable hardship as distinguished from a special privilege or convenience, and the hardship is not shared generally by other properties in the same zoning district and the same vicinity.
 - (3) The modification will not be injurious to the use and enjoyment of adjacent property owners; will not diminish or impair property values within the neighborhood; will not change the character of the district; and will not be detrimental to or endanger the public health, safety or general welfare.
 - (4) The condition or situation of the property concerned or the intended use of the property is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to this chapter.
 - (5) The granting of such modification will allow the project to comply with the comprehensive plan.
 - (6) The granting of the modification will not constitute the granting of a variance, special exception, conditional use or a rezoning.

- (7) Ordinary financial considerations are not the principal reason for the requested modification.
- (8) The requested modification does not amend a property-specific condition imposed by the board of supervisors or the board of zoning appeals, unless such condition specifically grants such modification authority to the planning commission.
- (9) The applicant did not create the condition or situation generating the need for the modification and the applicant has exhausted all other practicable solutions to the problem, including, but not limited to, the acquisition of additional property, the elimination or redesign of structures, or the reduction of development density.
- (10) The modification shall constitute the minimum necessary modification to the appropriate development standard or requirement to resolve the hardship. The planning commission shall not grant a permanent modification to a standard or requirement if a temporary modification will suffice.

(c) If the applicant disagrees with the planning commission's final decision, he may file a written appeal with the circuit court within 60 days of that decision. In addition, adjacent property owners may appeal the planning commission's final decision by filing a written appeal with the circuit court within 60 days of that decision. Notwithstanding the foregoing, adjacent property owner appeals shall be limited to conditions which directly affect those property owners and include one or more of the following: access, utility locations, buffers, conditions of zoning, architectural treatment or land use transitions. The court shall fix a reasonable time for hearing the appeal. During the appeal, the director of planning shall not approve any applicable site plan, building permit or plat for any

construction that would or could be affected by the appeal.

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

11. State and Local Department/Agencies

a) Dr. Amy Griffin Superintendent of Cumberland County Schools

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

- Some High School students submitted a proposal to the Central Office for landscaping at both schools
- Team WIN is in the process of making over the 2nd and 4th grade pods at the elementary school
- The Little Duke Leaders collected enough money to purchase multiple buddy benches at the elementary school
- The Forensics' team placed third in the District
- The Varsity Girls' Basketball Team will participate in the Semi Finals against Bluestone
- February 19, 2015 will be scholarship night for juniors, seniors and their parents
- Central Virginia Quick Start Tennis is applying for grants for tennis courts at the elementary school

b) VDOT

Scot Shippee, Assistant Residency Administrator for VDOT, provided the Board with a status report:

- Brush cutting and pothole patching,
- Gravel road prep for winter weather
- Answering customer service calls

Mr. Shippee informed the Board that a joint workshop is necessary for the secondary six year plan. The workshop can be scheduled in March so the public hearing can be scheduled for May or June.

The Rt. 620 bridge, Stoney Point Mill Road, will be closed from February 23, 2015 to August 20, 2015 for replacement of the bridge. Detour information will be provided when it becomes available.

c) Extension Office – Mentoring Program

Linda Eanes and Yvonne Earvin informed the Board that the Extension Office will be providing a mentoring program to children in the county and provided handouts with information on the program.

d) Greg Marston – Resolution in support of Industrial Hemp

On a motion by Supervisor Wheeler and carried unanimously, the Board adopted a Resolution supporting industrial hemp farming:

CUMBERLAND COUNTY BOARD OF SUPERVISORS

RESOLUTION SUPPORTING INDUSTRIAL

HEMP FARMING

February 10, 2015

WHEREAS, Industrial Hemp refers to the non-drug oilseed and fiber varieties of Cannabis which are cultivated exclusively for fiber, stalk and seed. Industrial Hemp is genetically distinct from the drug varieties of Cannabis, also known as marijuana. Industrial Hemp has less than three tenths of one percent of the psychoactive ingredient, tetrahydrocannabinol (THC). The flowering tops of industrial hemp cannot produce any drug effect when smoked or ingested; and

WHEREAS, the reluctance of the United States Drug Enforcement Administration (DEA) to permit Industrial Hemp farming is denying agricultural producers in this country the ability to benefit from a high-value, low-input crop, which can provide significant economic benefits to producers and manufacturers; and

WHEREAS, the DEA has the authority under the Controlled Substance Act to allow the Commonwealth of Virginia to regulate Industrial Hemp farming under State law and without requiring individual Federal applications and licenses.

NOW, THEREFORE, BE IT RESOLVED, that the CUMBERLAND COUNTY BOARD OF SUPERVISORS urge the Virginia General Assembly and the McAuliffe Administration to recognize Industrial Hemp as a valuable agricultural commodity and to take steps to remove barriers in order to encourage the commercial production of this crop; and

BE IT FURTHER RESOLVED that we urge the Virginia General Assembly to pass legislation to regulate Industrial

Hemp farming under the Code of Virginia without requiring Federal applications, licenses, or fees.

ADOPTED this 10th day of February 2015.

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

12. County Attorney/County Administrator Report

- a) Consent Agenda
 - 1) Approval of Bills for January 2015 and February 2015. Approved bills for February 10, 2015 total \$352,573.84. Ratified bills for January 14, 2015 to February 9, 2015 warrants total \$519,138.52 with check numbers ranging from 69790 to 70036. Direct Deposits total \$156,198.08.
 - 2) Approval of Minutes (January 13, 2014)

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

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

- b) STEPS request

It was the consensus of the Board to table any action until the next regular meeting of the Board to be held on March 10, 2015.

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

c) IDA Appointment – Lou Seigel

On a motion by Supervisor Banks and carried unanimously, the Board appointed Lou Seigel to the Industrial Development Authority:

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

d) Resolution in support of tower acquisition

County Administrator, Vivian Giles, informed the Board that Mid-Atlantic Broadband has offered to donate to the County a 199 foot telecommunications tower. Ms. Giles also stated that each year the County receives grant funds that can be used to erect the tower. It was suggested that this tower could be used to enhance telecommunications in the southern end of the county.

On a motion by Supervisor Wheeler and carried, the Board adopted a Resolution accepting donation of a 199 foot tower from Mid-Atlantic Broadband by the following vote:

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

**Resolution in Support of
Accepting Donation of Tower from
Mid-Atlantic Broadband**

WHEREAS, Mid-Atlantic Broadband has available several 199 foot self-supporting Rev G communication towers that it is willing to donate to localities to enhance public safety and/or E911 capabilities; and

WHEREAS, upon learning of this opportunity, Cumberland County staff expressed to Mid-Atlantic Broadband its interest in acquiring one of the towers; and

WHEREAS, communication issues have been reported by first responders in certain areas of Cumberland County, and it is believed that a taller tower could help to resolve some, if not most, of those issues; and

WHEREAS, after consideration, Mid-Atlantic Broadband has selected Cumberland County to receive one of the towers.

NOW, THEREFORE, BE IT RESOLVED that the Cumberland County Board of Supervisors desires to, and does hereby accept a 199 foot self-supporting Rev G tower from Mid-Atlantic Broadband to be used to enhance public safety and/or E911 capabilities.

BE IT FURTHER RESOLVED that the Cumberland County Board of Supervisors expresses its gratitude to Mid-Atlantic Broadband for this generous donation to Cumberland County.

Adopted the 10th day of February, 2015.

13. Finance Director's Report

a) Monthly budget Report

There was no discussion regarding the monthly budget report.

b) CCPS Supplemental Appropriation Request for \$115,241

On a motion by Supervisor Wheeler and carried unanimously, the Board approved an appropriation to the School in the amount of \$115,241:

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

14. Planning Director's Report

a) Planning Project update

There was no discussion on the current Planning projects.

b) Midland Trail update

Planning Director, Sara Carter, informed the Board that Buckingham County has recently expressed concern about off-site signage related to the byway designation, and has decided to request that the section of Rt. 60 that passes through Buckingham not be included within the byway

designation. It is uncertain what impact Buckingham's request will have on Cumberland's interest in obtain the byway designation. Now it may be eliminated from consideration as well.

The County can 1) take no action and await the decision of the Commonwealth Transportation Board (CTB), 2) Make a request to VDoT and DCR regarding the designation, or 3) Choose its own set of byways and request study of these for inclusion by the CTB.

On a motion by Supervisor Wheeler and carried by the following vote, the Board directed staff to further explore scenic byway designation for additional roads in Cumberland County:

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

c) Set public hearing for CUP 15-01 Mast

On a motion by Supervisor Osl and carried unanimously, the Board set CUP 15-01 Mast for public hearing on March 10, 2015:

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

d) Set public hearing for CUP 15-02 Braxton

On a motion by Supervisor Osl and carried unanimously, the Board set CUP 15-02 Braxton for public hearing on March 10, 2015:

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

e) Set public hearing for CUP 14-05 Cobbs Creek Tower

On a motion by Supervisor Osl and carried unanimously, the Board set CUP 14-05 Cobbs Creek Tower for public hearing on March 10, 2015:

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

f) Set public hearing for CA 15-01 – Rental cabins as a CUP in the A-2 District

On a motion by Supervisor Osl and carried unanimously, the Board set CA 15-01 Rental Cabins for public hearing on March 10, 2015:

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

g) Set public hearing for CA 15-02 – Building Inspection Fee Revision

On a motion by Supervisor Osl and carried unanimously, the Board set CA 15-02 Building Inspection Fee Revision for public hearing on March 10, 2015:

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

- h) Set public hearing for CA 15-03 – Utilities Ordinance Amendment

On a motion by Supervisor Osl and carried unanimously, the Board set CA 15-03 Utilities Ordinance Amendment for public hearing on March 10, 2015:

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

15. Old Business

- a) Cumberland Volunteer Rescue Squad funding request

On a motion by Supervisor Ingle and carried unanimously, the Board directed staff to release the FYE16 budget allocation in the amount of \$25,875 in the current fiscal year, depleting the budget request for FYE16 to have a paid crew for Cumberland Rescue during the daytime hours:

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

16. New Business

N/A

17. Public Comments (Part 2)

One citizen voiced additional concerns with having a paid squad at Cumberland Volunteer Rescue Squad.

18. Board Member Comments

Supervisor Osl stated that at this meeting, there was no additional spending approved. He also discussed the possibility of tax relief for totally disabled first responders.

Supervisor Banks stated that an increase in the tax rate is an increase in taxes and he further stated that Board actions taken this evening will cause future expenditures.

19. Additional Information

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

20. Adjourn -

On a motion by Supervisor Banks and carried, unanimously, the Board adjourned the meeting until the budget workshops scheduled for February 18th, 2015 at 5:00 p.m. in the Administration Conference Room, in the basement of the Administration Building.

Vote:

Mr. Osl – aye
Mr. Ingle – aye
Mr. Wheeler – aye

Mr. Banks – aye
Mr. Meinhard – aye

Lloyd Banks, Jr., Chairman

Vivian Giles, County Administrator/County Attorney

At a meeting of the Cumberland County Board of Supervisors held at 5:00 p.m. on the 18th day of February, 2015 at the Cumberland County Board of Supervisors Conference Room, 1 Courthouse Circle, Cumberland, Virginia:

Present: Kevin Ingle, District 3, Vice-Chairman
David Meinhard, District 4
Parker Wheeler, District 5
Vivian Seay Giles, County Administrator/County Attorney
Tracie Wright, Finance Director

Absent: William F. Osl, Jr., District 1
Lloyd Banks, Jr., District 2, Chairman

The Vice-Chairman called the Board of Supervisors meeting to order. The County Administrator called the roll.

The purpose of the meeting was to conduct a budget work session relating to the FY 2015-2016 budget to offer individuals, including County staff and representatives from agencies requesting funding from the County, the opportunity to present information to the Board and to provide an opportunity for Board members to ask questions regarding those funding requests.

The following individuals met with the Board:

- a. Patricia Scales, Cumberland County Commonwealth's Attorney;
- b. Kate Spry, Cumberland County Circuit Court Clerk;
- c. Bill Hogan, Nancy Haga, and Carol Broadwater of the Prince Edward County Volunteer Rescue Squad; and
- d. Ben Pfeiffer and R. K. Elswick, Jr., Cumberland Volunteer Rescue Squad.

On a motion by Supervisor Ingle and carried, the Board adjourned until February 19, 2015 at 5:00 p.m. in the Cumberland County Board of Supervisors Conference Room.

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

Lloyd Banks, Jr., Chairman

Vivian Giles, County Administrator/County Attorney

DRAFT

At a meeting of the Cumberland County Board of Supervisors held at 5:00 p.m. on the 19th day of February, 2015 at the Cumberland County Board of Supervisors Conference Room, 1 Courthouse Circle, Cumberland, Virginia:

Present: William F. Osl, Jr., District 1
Lloyd Banks, Jr., District 2, Chairman
Kevin Ingle, District 3, Vice-Chairman
David Meinhard, District 4
Parker Wheeler, District 5
Vivian Seay Giles, County Administrator/County Attorney
Tracie Wright, Finance Director

The Chairman called the Board of Supervisors meeting to order. The County Administrator called the roll.

The purpose of the meeting was to conduct a budget work session relating to the FY 2015-2016 budget to offer individuals, including County staff and representatives from agencies requesting funding from the County, the opportunity to present information to the Board and to provide an opportunity for Board members to ask questions regarding those funding requests. Further, a joint public hearing was held with the Cumberland County School Board at 7:00 p.m. to review the FY2015-2016 school budget.

The following individuals met with the Board:

- a. Marlene Watson, Cumberland County Registrar;
- b. Sherry Ragland and Kelly Snoddy, Peter Francisco Soil and Water Conservation District;
- c. Darrell Hodges, Cumberland County Sheriff;
- d. Jennifer Beach, Director, Cumberland County Library;

On a motion by Supervisor Banks and carried, the Board approved the payment in full, exclusively from funds received from Republic Services, of the outstanding obligation incurred to finance the Ameresco, Inc. contract:

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

The Board continued with presentations from community organizations:

- e. Tom Perry and William Hurt, Cartersville Volunteer Fire Department;
- f. Bernie Becker and Tom Buchanan, Cartersville Volunteer Rescue Squad;
- g. Eli Green and Dan Pempel, Randolph Volunteer Fire Department;
- h. Paul Ingle and Mark Chambliss, Cumberland Volunteer Fire Department;

The chairman recessed the meeting until 7:00 p.m. in the Cumberland County Circuit Courtroom A for a joint work session with the Cumberland County School Board.

The Board heard a presentation by Cumberland County Public School Superintendent Dr. Amy Griffin regarding the school system's recommended budget for 2015-2016.

On a motion by Supervisor Wheeler and carried, the Board adjourned until March 10, 2015 at 7:00 p.m. in the Cumberland County Circuit Courtroom A.

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

Mr. Banks – aye
Mr. Meinhard – aye

Lloyd Banks, Jr., Chairman

Vivian Giles, County Administrator/County Attorney

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