



March 16, 2025

**MEMO TO:** CSPDC Executive Committee

**FROM:** Ann W. Cundy, Executive Director

**SUBJECT:** March 23, 2026, Executive Committee Meeting

The Executive Committee of the Central Shenandoah Planning District Commission will hold a meeting on **Monday, March 23rd at 4:30 p.m., by Microsoft Teams.** RSVP to Kimberly Miller at 540-885-5174 ext. 101, or email [kimberly@cspdc.org](mailto:kimberly@cspdc.org).

## Agenda

1. Call to Order
2. Consideration of March 4<sup>th</sup> 2026, Minutes\*
3. Public Comment
4. Consideration of CSPDC Freedom of Information Act Policy (EC AF #26-01)
5. Other Business
6. Adjournment

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*\*Action Required*



**Minutes**  
**Central Shenandoah Planning District Commission**  
**Executive Committee Meeting**  
**Virtual by Teams**  
**March 4, 2026, 4:30 p.m.**

**Attendance**

	<b>City of Lexington</b>		<b>Rockbridge County</b>		<b>Staff</b>
✓	Frank Friedman	✓	Chris Slaydon	✓	Ann Cundy
	<b>City of Staunton</b>		<b>Rockingham County</b>	✓	Kimberly Miller
✓	Sharon Angle		Rachel Salatin	✓	Donnie Kern
	<b>City of Waynesboro</b>				
✓	Terry Short				

**Call to Order**

The Executive Committee meeting of March 4, 2026, was called to order at 4:30 p.m. by Chairperson Frank Friedman.

**Consideration of Minutes**

Chair Friedman presented the minutes from August and November. It was noted that two sets of minutes were included in the packet for consideration, as August 18, 2025, minutes had been deferred from the November meeting due to lack of quorum. There being no objections to approving either set of minutes as presented, August 18, 2025, and November 12, 2025, Executive Committee meeting minutes were approved.

**Public Comment**

Chair Friedman opened the floor for public comments. There were no public comments.

**Review of Draft 2026–2030 CSPDC Strategic Plan (EC Memo #26-01)**

Ms. Cundy provided an overview of the draft 2026–2030 Strategic Plan, titled "Forging a Digital Region," developed with BBTx Consultants. She noted that the plan grew out of the agency's recent SERDI assessment and stakeholder input, and that the last strategic plan was completed in 2019. The Executive Committee is reviewing the draft ahead of the full Commission meeting on April 20, 2026, when BBTx principal Grant Tate will present the final plan in person.

Ms. Cundy asked the committee to focus on three areas: whether the five strategic goals and their priority order accurately reflect the needs and priorities of the region and member jurisdictions; whether any significant issues or opportunities are missing; and whether the mission statement and core values reflects their expectations for the organization.

*Discussion of Strategic Goals*

The committee expressed general support for the five strategic goals as presented. Members noted that the goals reflect the breadth of work the PDC performs and provide a sound framework for the next planning period. Mr. Short noted that housing is appropriately called out as a priority, consistent with the challenges facing the region. Mr. Slaydon agreed, noting that Goal 2 in particular reflects issues

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being actively discussed in the Rockbridge area, including recent workforce housing efforts led by the local EDA. Chair Friedman noted that the goals align well with what member communities are looking for from the PDC and affirmed the value of the PDC's role as a convener and information hub.

Ms. Cundy explained that Goal 4 includes implementation of a two-tier Objectives and Key Results (OKR) system. In response to a question, she clarified that OKR is a project and program management framework used to track objectives and key results, and that BBTx will provide standalone training to staff on its use.

#### *Regional Description – Suggested Additions*

Ms. Angle offered observations about the regional description on page three of the draft, noting that the role of agriculture, including its important connection to food processing, is a defining feature of the region that deserves explicit recognition. She also noted that tourism is a significant asset not only in the Lexington-Rockbridge area as currently described, but throughout the broader region, including Staunton, Waynesboro, and Augusta County. Ms. Cundy welcomed the feedback and confirmed that these additions would be incorporated into the document.

#### *Mission Statement*

The committee reviewed the proposed mission statement in section 4.2 of the draft. Members expressed support for the statement, noting that it is well-written and appropriately captures the organization's collaborative role.

#### *Next Steps*

The committee agreed to provide any additional written comments or edits to staff by end of day Friday, March 13, 2026. BBTx will incorporate Executive Committee feedback into the final draft prior to the April 20, 2026, Commission meeting, at which Grant Tate will present the final plan.

#### **Update on Joining the Virginia Retirement System (EC Memo #26-02)**

Ms. Cundy introduced the VRS joining update and noted that the actuarial study prepared by Gabriel, Roeder, Smith & Company (GRS), dated January 7, 2026, was attached for review.

#### *Cost Overview*

Mr. Kern summarized the cost comparison between the agency's current Empower retirement plan and the proposed transition to VRS, referencing the tables on pages three and four of the Memo.

*Employee Impact:* Under the current plan, employees contribute a mandatory total of 9.1% of their pay. Under VRS with Social Security, the mandatory total would increase to 12.65%, reflecting 6.2% for Social Security (FICA), 1.45% for Medicare, and 5% toward VRS (4% defined benefit and 1% defined contribution). Employees may also make voluntary contributions of up to an additional 4% to the VRS defined contribution component, with a corresponding employer match.

*Employer Impact:* The agency currently contributes a mandatory total of 15.3% of covered payroll (13.85% to Empower plus 1.45% for Medicare). Under VRS and Social Security, the mandatory employer total would decrease to 11.34%, reflecting 7.65% for FICA and Medicare and 3.69% toward VRS (2.69% defined benefit and 1% defined contribution). If all employees participate in the maximum voluntary defined contribution option, the employer total would be 13.84%, representing a decrease of 2.46% compared to the current plan.

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Mr. Kern noted that the agency would be required to make an initial upfront contribution of just over \$28,000 for the defined benefits portion upon joining VRS, based on current covered payroll.

A question was raised regarding how employees with prior VRS service would be treated. Ms. Cundy clarified that the actuarial study identified three employees with prior VRS vesting service who would re-enter under Plan 2. The remaining employees would enter under the Hybrid plan. No employees would be entering under Plan 1.

#### Disability Coverage

Ms. Cundy noted two open questions related to disability coverage that require Executive Committee input:

- *Plan 2 employees:* Plan 2 members are not eligible for the Virginia Local Disability Plan (VLDP). The agency will need to determine whether to maintain supplemental disability coverage for these three employees on an ongoing basis.
- *Hybrid employees:* Hybrid plan members are not eligible for VLDP until they have completed one year of VRS participation. The agency will need to determine whether to provide supplemental coverage for employees during this one-year waiting period.

Ms. Miller summarized the agency's current disability coverage through Lincoln Financial which includes short- and long-term disability benefits beginning after a 30-day waiting period, replacing 60% of base salary, as well as life and accidental death and dismemberment insurance. Staff will research the cost of supplemental options and return to the committee with specific proposals.

Committee members expressed support for protecting employees through the transition period and agreed that the agency should make every reasonable effort to avoid a gap in coverage.

Members also suggested surveying staff to determine how many employees might already have disability coverage through other means. The committee noted that the net savings to the agency of approximately 3% in retirement contributions provides some financial room to address these benefit gaps.

It was also noted that health insurance premiums are increasing by 10% this year for the agency. The committee discussed ways to help offset the combined financial impact on staff of joining Social Security and VRS. Ms. Cundy indicated staff would develop options for the committee's consideration.

#### Transition Sequence

Ms. Cundy outlined the required transition sequence, targeting a VRS effective date of July 1, 2026:

1. April – Commission approves resolutions to dissolve the current Empower plan, join Social Security, and join VRS. The number and structure of resolutions required will be confirmed with general counsel.
2. April–May – VRS conducts individual employee counseling sessions following Commission action.
3. May – Empower plan is dissolved. All participants move funds to individual accounts.
4. June – Social Security coverage becomes effective. VRS requires documentation confirming the Empower plan has been dissolved and the organization has joined Social Security before VRS enrollment can begin.
5. July 1, 2026 – VRS coverage becomes effective, aligned with the start of the fiscal year.

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Ms. Cundy noted that staff are in weekly communication with VRS and are working to confirm the detailed timeline. She indicated that staff would seek clarification from general counsel regarding the sequencing and timing requirements for ending the current plan and entering Social Security and VRS.

#### Direction from Executive Committee

The Executive Committee expressed support for moving forward with the VRS transition and directed staff to bring the necessary resolutions to the full Commission at the April 20, 2026, meeting. The committee affirmed its support for taking care of employees through the transition and asked staff to return with specific cost options related to disability coverage and other transition benefits prior to the April meeting.

#### Action Items:

- Staff research and present options for disability coverage for Plan 2 employees and for all employees during the one-year VLDP waiting period, including estimated costs.
- Staff to explore options for mitigating employee financial impact, including a potential one-time contribution to 457(b) equivalent accounts and increased agency contribution toward family health insurance premiums.
- Staff to seek confirmation of the required sequencing and timing for dissolving the current plan, entering Social Security, and joining VRS.

### **Other Business**

#### FOIA Policy

Ms. Cundy reported that the agency has been receiving an increased volume of FOIA requests and that, while the agency has been handling them appropriately, it does not currently have a written FOIA policy. Staff have drafted a policy adapted from a template provided by the Virginia FOIA Council and used by a peer PDC. Ms. Cundy noted that the agency's general counsel has indicated that the policy should be approved by the full Commission rather than adopted administratively, given that it pertains to state law. She indicated she will confirm this recommendation with general counsel before proceeding.

The committee agreed that the policy should be established as soon as practicable. Given the time-sensitive nature of a pending FOIA exemption request related to an internet service provider under a broadband grant, Ms. Cundy indicated that a brief additional Executive Committee meeting may be needed in the coming weeks to act on the policy prior to the April 20th Commission meeting.

#### Executive Committee Vacancies

Ms. Cundy noted that the Executive Committee currently has two vacancies following the departure of Pam Carter (Augusta County) and Tyson Cooper (Buena Vista), neither of whom returned to the Commission. A special election will be held at the April full Commission meeting to fill both vacancies. Additionally, a new Vice Chair will need to be elected at the next Executive Committee meeting, as that role was held by Mr. Cooper.

Ms. Cundy also noted a broader concern about quorum for the April Commission meeting, given a combination of unfilled Commission seats and appointed commissioners who have not been attending. She indicated that the issue has become more pronounced recently and may require outreach to the relevant local governing bodies to encourage appointments and attendance. The

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committee agreed that such outreach would carry more weight coming from elected officials on the Executive Committee than from staff and offered to make direct contact with the relevant jurisdictions before April. Chair Friedman and Ms. Cundy agreed to coordinate on this outreach.

**Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 5:40 p.m.

Respectfully submitted,



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Kimberly Miller, Commission Clerk



March 16, 2026

**MEMO TO:** CSPDC Executive Committee

**FROM:** Ann w. Cundy, Executive Director

**SUBJECT:** Executive Committee Action Form #26-01  
Draft FOIA Rights & Responsibilities Policy

**Recommendation:**

Recommend that the Executive Committee approve the Freedom of Information Act (FOIA) Rights & Responsibilities Policy.

**Executive Summary:**

The attached document is the draft FOIA Rights & Responsibilities Policy for the Central Shenandoah Planning District Commission. The policy describes the rights of requesters, CSPDC's responsibilities under the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), applicable exemptions, and the contact information for CSPDC's designated FOIA Officer. The Executive Committee is asked to approve this policy on behalf of the full Commission.

**Background:**

Virginia FOIA requires that public bodies respond to records requests within five working days and that the basis for any withholding be grounded in a specific statutory exemption. While CSPDC has responded to FOIA requests in accordance with the law, we have not documented a policy for determining exemptions from FOIA. The draft policy clarifies how we follow the law, and what types of information are deemed exempt.

The policy designates the Executive Director as the FOIA Officer for the CSPDC. It identifies the categories of records held by the agency, establishes cost recovery practices consistent with the statute, and articulates CSPDC's standing policy on commonly invoked exemptions, including personnel records, attorney-client privilege, and proprietary procurement and grant information.

**Attachment:** Draft FOIA Rights & Responsibilities Policy



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## **Freedom of Information Act (FOIA) Rights & Responsibilities**

### *The Rights of Requesters and the Responsibilities of the Central Shenandoah Planning District Commission (CSPDC) under the Virginia Freedom of Information Act*

The Virginia Freedom of Information Act (FOIA), located at § 2.2-3700 et seq. of the Code of Virginia, guarantees citizens of the Commonwealth and representatives of the media access to certain public records held by public bodies, public officials, and public employees. A public record is any writing or recording — regardless of whether it is a paper record, an electronic file, an audio or video recording, or any other format — that is prepared or owned by, or in the possession of a public body or its officers, employees, or agents in the transaction of public business. All public records are presumed to be open, and may only be withheld if a specific, statutory exemption applies. The policy of FOIA states that the purpose of FOIA is to promote increased awareness by all persons of governmental activities. In furthering this policy, FOIA requires that the law be interpreted liberally, in favor of access, and that any exemption allowing public records to be withheld must be interpreted narrowly.

### **Your FOIA Rights**

You have the right to request to inspect or receive copies of non-exempt public records, or both. You have the right to request that any charges for the requested records be estimated in advance. If you believe that your FOIA rights have been violated, you may file a petition in district or circuit court to compel compliance with FOIA. Alternatively, you may contact the FOIA Council for a nonbinding advisory opinion.

### **Making a Request for Records from the Central Shenandoah Planning District Commission (CSPDC)**

You may request records by U.S. Mail, e-mail, in person, or over the phone. FOIA does not require that your request be in writing, nor do you need to specifically state that you are requesting records under FOIA. From a practical perspective, it may be helpful to both you and the person receiving your request to put your request in writing. This allows you to create a record of your request and gives the CSPDC a clear statement of what records you are seeking, so that there is no misunderstanding over a verbal request. However, we cannot refuse to respond to your FOIA request if you elect to not put it in writing.

Your request must identify the records you are seeking with "reasonable specificity." This is a common-sense standard. It does not refer to or limit the volume or number of records

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you are requesting; instead, it requires that you be specific enough so that we can identify and locate the records you are seeking.

Your request must ask for existing records or documents. FOIA gives you a right to inspect or copy records; it does not apply to a situation where you are asking general questions about the work of the CSPDC, nor does it require the CSPDC to create a record that does not exist.

You may choose to receive electronic records in any format used by the CSPDC in the regular course of business. For example, if you are requesting records maintained in an Excel spreadsheet, you may elect to receive those records electronically via e-mail or on a computer disk, or to receive a printed copy.

If we have questions about your request, please cooperate with staff's efforts to clarify the type of records you are seeking, or to attempt to reach a reasonable agreement about a response to a large request. Making a FOIA request is not an adversarial process, but we may need to discuss your request with you to ensure that we understand what records you are seeking.

To request records from the CSPDC, you may direct your request to Ann Cundy, FOIA Officer:

Central Shenandoah Planning District Commission  
112 MacTanly Place Staunton, Virginia 24401  
Telephone: (540) 885-5174  
Email: [ann@cspdc.org](mailto:ann@cspdc.org)

In addition, the Freedom of Information Advisory Council is available to answer any questions you may have about FOIA. The Council may be contacted by e-mail at [foiacouncil@dls.virginia.gov](mailto:foiacouncil@dls.virginia.gov), or by phone at (804) 225-3056 or (toll free) 1-866-448-4100.

### **The CSPDC's Responsibilities in Responding to Your Request**

The CSPDC must respond to your request within five working days of receiving it. "Day One" is considered the day after your request is received. The five-day period does not include weekends or holidays.

The reason behind your request for public records is irrelevant, and you do not have to state why you want the records before we respond. FOIA does, however, allow the CSPDC to require you to provide your name and legal address.

FOIA requires that the CSPDC make one of the following responses within the five-day period:

- We provide you with the records you have requested in their entirety.
- We withhold all the records you have requested because all records are subject to a specific statutory exemption. If all records are being withheld, we must send you a

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written response identifying the volume and subject matter of the records being withheld and stating the specific section of the Code of Virginia that allows us to withhold them.

- We provide some of the records you have requested but withhold others. We cannot withhold an entire record if only a portion of it is subject to an exemption; in that instance, we may redact the portion that may be withheld and must provide you with the remainder, along with a written response citing the specific statutory basis for the redaction.
- We inform you in writing that the requested records cannot be found or do not exist. If we know that another public body has the requested records, we must include contact information for that public body in our response.

If it is practically impossible for the CSPDC to fully respond within five working days, we must state this in writing, explaining the conditions that make the response impossible. This allows us seven additional working days to respond, for a total of 12 working days. If you request a very large number of records and we determine we cannot respond within 12 working days without disrupting other organizational responsibilities, we may petition the court for additional time. FOIA requires that we first make a reasonable effort to reach an agreement with you concerning the production of records before seeking additional time from a court.

### **Costs**

The CSPDC may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying, or searching for the requested records. The CSPDC will not impose any extraneous, intermediary, or surplus fees or expenses to recoup the general costs associated with creating or maintaining records or transacting the general business of the public body. Any duplicating fee charged shall not exceed the actual cost of duplication. All charges shall be estimated in advance at the request of the citizen, as set forth in subsection F of § 2.2-3704 of the Code of Virginia.

FOIA allows us to charge for the actual costs of responding to requests, including staff time spent searching for the requested records, copying costs, or any other costs directly related to supplying the requested records. It cannot include general overhead costs.

Prior to conducting a search for records, the CSPDC will notify the requester in writing that the CSPDC may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying, or searching for requested records and inquire of the requester whether he would like to request a cost estimate in advance of the supplying of the requested records. You may request that we estimate costs in advance, which will allow you to know about any costs upfront or modify your request to reduce them.

If we estimate that it will cost more than \$200 to respond to your request, we may require you to pay a deposit — not to exceed the amount of the estimate — before proceeding. The

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five-day response period does not include the time between when we request a deposit and when you respond.

If you owe the CSPDC money from a previous FOIA request that has remained unpaid for more than 30 days, we will require payment of the past-due balance before responding to a new request.

### **Types of Records**

The following is a general description of the types of records held by the CSPDC:

- Personnel records concerning employees and officials of the CSPDC
- Records of contracts and agreements to which the CSPDC is a party
- Transportation planning and program documents, including Long-Range Transportation Plans, Transportation Improvement Programs, and Unified Planning Work Programs
- Transit planning and operations records and CSPDC's role as the designated recipient
- Housing and community development records, including CDBG grant files and housing studies
- Environmental and natural resource planning documents
- Economic development studies and regional data analyses
- Grant applications, awards, and administrative records
- Financial records, including budgets, audits, and expenditure reports
- Board of Commissioners and Executive Committee meeting records, including agendas, minutes, and supporting materials

If you are unsure whether the CSPDC has the records you seek, please contact Ann Cundy at the address above.

### **Commonly Used Exemptions**

The Code of Virginia allows any public body to withhold certain records from public disclosure. The CSPDC commonly withholds records subject to the following exemptions:

- Personnel. Personnel records (§ 2.2-3705.1(1))
- Attorney-Client Privilege. Records subject to attorney-client privilege (§ 2.2-3705.1(2)) or attorney work product (§ 2.2-3705.1(3))
- Working Papers. Working papers and correspondence of the chief executive officer of the CSPDC, which is its Executive Director (§ 2.2-3705.7(2))
- Proprietary Software. Vendor proprietary information software (§ 2.2-3705.1(6))
- Proprietary Procurement Data. Confidential information designated as trade secrets or proprietary information in accordance with Virginia Code § 2.2-4342(F) in connection with any procurement transaction, provided that the bidder, offeror, or contractor must (i) invoke the protections of Virginia Code § 2.2-4342(F) prior to or concurrent with the submission of data or other materials, (ii) identify the data and other materials to be protected, and (iii) state the reasons why protection is necessary.

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Proprietary DHCD Grant Information. Information related to a grant application that is determined by the Department of Housing and Community Development to be exempt pursuant to Virginia Code § 2.2-3705.6(32) because release of the information would (i) reveal (a) trade secrets, (b) financial information of a grant applicant that is not a public body, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise or (c) research-related information produced or collected by the applicant in the conduct of or as a result of study or research on medical, rehabilitative, scientific, technical, technological, or scholarly issues, when such information has not been publicly released, published, copyrighted, or patented, and (ii) be harmful to the competitive position of the applicant or grant recipient.

### **Policy Regarding the Use of Exemptions**

It is the general policy of the CSPDC to invoke the personnel records exemption in all instances where it applies, to protect the privacy of employees and officials of the CSPDC.

It is the general policy of the CSPDC to invoke the attorney-client privilege and attorney work product exemptions in all instances where they apply, to protect the confidentiality of legal advice and litigation strategy.

It is the general policy of the CSPDC to invoke Proprietary Software, Proprietary Procurement Data, and Proprietary DHCD Grant Information exemptions where they apply, to protect confidential business information submitted to the CSPDC by contractors and consultants.

It is the general policy of the CSPDC to invoke other applicable exemptions as determined necessary or in the best interest of the CSPDC by the Executive Director.

### **Contact**

Ann Cundy, FOIA Officer  
Central Shenandoah Planning District Commission  
112 MacTanly Place Staunton, Virginia 24401  
Telephone: (540) 885-5174  
Email: [ann@cspdc.org](mailto:ann@cspdc.org)

Policy Date (Draft): March 23, 2026