

RICHMOND REGIONAL PLANNING DISTRICT COMMISSION
Minutes of Meeting
July 8, 2010

Members/Alternates Present

Richard Ayers (M)County of Powhatan
Willie L. Bennett (M) County of Henrico
Malvern R. “Rudy” Butler (M).....County of Goochland
Deborah B. Coats (A)County of Hanover
Douglas G. Conner (M)City of Richmond
Robert R. Cosby (M).....County of Powhatan
James B. Donati (M), Chairman County of Henrico
Marleen K. Durfee (M).....County of Chesterfield
Evan Fabricant (M).....County of Hanover
Daniel A. Gecker (M)County of Chesterfield
Richard W. Glover (M)..... County of Henrico
John E. Gordon, Jr. (M), SecretaryCounty of Hanover
Kathy C. Graziano (M)City of Richmond
John C. Grier (M).....City of Richmond
Russell J. Gulley (M)County of Chesterfield
James M. Holland (M)County of Chesterfield
David A. Kaechele (M)..... County of Henrico
Lynn McAteer (M).....City of Richmond
John F. Miniplier (A) County of Charles City
Patricia S. O’Bannon (M) County of Henrico
Edward W. Pollard (M)..... County of New Kent
Charles R. Samuels (M).....City of Richmond
Robert R. Setliff (M).....County of Hanover
Randall R. Silber (A) County of Henrico
Millard D. Stith (A).....County of Chesterfield
Frank J. Thornton (M)..... County of Henrico
Stran L. Trout (M), Vice Chairman County of New Kent
Ernest B. Vanarsdall (M) County of Henrico
Joseph B. Walton (M)County of Powhatan

Members Absent

Timothy W. Cotman, Sr. (M)..... County of Charles City
James D. Crews (M)County of Goochland
Dorothy Jaeckle (M)County of Chesterfield
E. Martin Jewell (M).....City of Richmond
C. Harold Padgett (M).....County of Hanover
Faye O. Prichard (M), Treasurer.....Town of Ashland
George K. Roarty (M).....County of Chesterfield
Arthur S. Warren (M)County of Chesterfield

Others Present

John R. Amos..... RRPDC Legal Counsel
Vicktoria Badger.....City of Richmond
George Homewood..... County of New Kent
Amy Inman DRPT

Staff Present

Robert A. Crum, Jr..... Executive Director
Jo A. Evans Assistant Executive Director
Julie H. Fry..... Executive Secretary
Sulabh Aryal Intern
Anne Darby Associate Planner
Chuck Gates Communications Coordinator
Jin Lee Senior Planner
Travis Lindsey Senior Planner
Daniel N. Lysy Director, Transportation
Greta Ryan Intern
Randy Selleck Senior Planner
Jackie S. Stewart Director, Planning/IS
Peter M. Sweetland Finance and Contracts Administrator
Kathy Wright Senior Planner
Lee Yolton Principal Planner

Call to Order

Outgoing Chairman Graziano called the regularly scheduled July 8, 2010 RRPDC meeting to order at approximately 1:10 p.m. in the RRPDC board room. She then led the Commission members in the pledge of allegiance to the flag.

I. ADMINISTRATION

A. Certification by Commission Executive Director of Meeting Quorum

Mr. Crum certified that a quorum of members was present.

B. Installation of FY 11 Officers

Outgoing Chairman Graziano asked the FY 11 Officers-Elect to stand and to take the oath of office. It was noted that Ms. Prichard was absent from today’s meeting and will be sworn in as Treasurer at a later time. Outgoing Chairman Graziano administered the oath of office to the following:

James Donati, Chairman (Henrico County)
Stran Trout, Vice Chairman (New Kent County)

John Gordon, Secretary (Hanover County)

The new officers for FY 11 were congratulated with a round of applause.

C. Requests for Additions or Changes in Order of Business

Chairman Donati asked if there were any additions or changes to be made to the agenda. As there were no changes requested, the agenda was accepted as presented.

D. Open Public Comment Period

Chairman Donati asked if there was anyone from the public in attendance who wished to make a comment to members of the Commission. He reminded speakers that their time is limited to three minutes.

There were no requests from the public to address the Commission, and the Chairman closed the public comment period.

E. Chairman's Report

Chairman Donati thanked members for the confidence placed in him to serve as Chairman this year. He said he's been serving on the Commission for 19 years, and it's been a privilege to serve and be a part of the successes that have been made over the years. Chairman Donati also thanked Mr. Crum for his leadership in helping to make strides in true regional efforts.

Chairman Donati presented a resolution of appreciation to Ms. Graziano for her service to the Commission as Chairman over the past fiscal year. He thanked her for her hard work and dedication to the Commission. Chairman Donati also presented a gavel plaque to Ms. Graziano as a small token of the Commission's gratitude.

Ms. Graziano said she really enjoyed her tenure as Chairman and serving as a member of the Commission. She said she also appreciates the strides that have been made by Mr. Crum and members of the Commission on regional issues. Ms. Graziano thanked members for their support.

Chairman Donati announced that members of the Executive Committee had approved resolutions of appreciation for the following outgoing Commission members:

Karin Carmack, Powhatan County

Courtney Hyers, Goochland County

William Martin, Town of Ashland

Staff will forward the resolutions to them along with a letter of thanks for their service.

F. Executive Director's Report

Mr. Crum brought the members' attention to the monthly staff activity report, which is included in the agenda book under Tab 1 and details work being done by staff on behalf of the localities. He said staff would be happy to address any questions on what is included in the report.

He said work is continuing on the public review meetings for the Capital Region Collaborative's draft priorities. Mr. Crum will provide an update on this effort later during today's meeting.

Mr. Crum said he would like to point out another item in the staff activity report. During this year's InterCity Visit, those attending toured a magnet school in the Raleigh/Durham area that was going to be closed due to poor performance. The principal was given a limited period of time to reinvent the school. The principal drew on one of Steven Covey's programs, "Seven Characteristics of Successful Individuals." The school curriculum was redesigned to fit around this program. Over the course of the past ten years, the school has become a national model for this program.

Leaders from the Richmond Region who visited the school invited Franklin Covey to make a presentation on the school program to school administrators in the Region. The meeting was held last month, and all school districts were represented. A follow up meeting will be held later this month.

Mr. Crum introduced Kathy Wright, who has been hired as the second Senior Emergency Management Planner under the UASI program. Mr. Crum noted that Ms. Wright has been employed over the past year by RRPDC as an intern.

II. CONSENT AGENDA

Chairman Donati indicated items on today's Consent Agenda include:

- A. Approval of Minutes – June 10, 2010 Meeting**
- B. Approval of the May 2010 Financial Report**
- C. Approval of Resolution Authorizing Executive Director to Apply for Fiscal Year 2009 UASI Grant Funds**

Chairman Donati asked if anyone wished to have any of these items pulled from the Consent Agenda for additional discussion. As there were no requests for additional discussion, on motion made by Mr. Butler and seconded by Ms. Graziano, the Consent Agenda items were approved unanimously as presented.

III. OLD BUSINESS

A. Jurisdictional Committees Reports

Chairman Donati asked Mr. Gordon to present a report from these committees.

Mr. Gordon reported that the committees did not meet in June as previously scheduled as there was only one item for the agenda, which was not time sensitive. The committees will meet jointly on July 22, and a report will be given during the September Board meeting.

IV. NEW BUSINESS

A. Appointment of FY 11 Standing Committees

Chairman Donati announced his appointments to the following standing committees for FY 11 as authorized in the Bylaws:

Executive Committee
Personnel and Operating Policies Committee
Charter and Bylaws Committee
Audit Committee

All appointees have agreed to serve in these capacities. A copy of the listing is included in the agenda book for members' information.

B. 2011 Regional Legislative Agenda

Mr. Crum said this past year was the first year that the RRPDC adopted a formal legislative agenda. This was developed over the course of several months and concluded with the RRPDC's first legislative reception during which the agenda was presented to local legislators. During the last General Assembly session, Mr. Gates provided staff support to members of the Capital Region Caucus. Staff would like to build on this success as the next legislative session approaches.

Mr. Crum said Mr. Gates will review last year's agenda and ask for input on issues that can be developed for next year's legislative agenda. Input received today will be taken to the Large and Small Jurisdictions Committees for their input and brought back to Commission members in September or October in draft form.

Mr. Gates distributed a copy of last year's legislative agenda in addition to a summary of the legislation acted on during the General Assembly which impacted the Region.

Mr. Gates said he used summaries provided by the Virginia Municipal League (VML) and the Virginia Association of Counties (VACo) as well as information from other organizations to compile the legislative summary. He said he would like to use this summary to begin discussions on what members would like to include on the legislative agenda for the upcoming year. This information can also be incorporated into legislative discussions held at the local level.

On the summary handout, the green boxes relate to specific actions taken by the Commission. Mr. Gates thanked members for their assistance and support in contacting state legislators to encourage them to preserve funding for the state's PDCs. He said the original recommendation was to cut all PDC funding. As a result of the contacts made to state legislators on the important role PDCs play in local planning, some state funding was retained. Funding for RRPDC was cut by 31 percent; however, a cut in funding was anticipated.

Mr. Gates reviewed specific legislative actions:

- HB 599 Public Safety Funding and Sheriff's Funding through the Compensation Board
- Budget actions that waived the matching funds requirement for the Rail Enhancement Fund so long as the improvements were for the Richmond/Hampton Roads Passenger Rail Project between Richmond and Norfolk in the 2010-2012 biennium
- HB 618 Local Ordinances; permits locality to obtain determination by circuit court as to constitutionality of local ordinances
- HB 1206 Regional Industrial Facilities Act; member locality of authority may withdraw
- Athey-Vogel Subcommittee: HB 1071 (Athey) Urban Development Areas
- HB 1241 MPO membership; allows MPOs to vote to have state legislators as members of the MPO, selected by the Senate Committee on Rules
- HB 1159 Move Over Law; RAMPO has taken a proactive stance on this law and has assisted in promotion of this law; law reduces the penalty for breaking this law so citations will not create a criminal record, which should increase enforcement
- HB 450 and HB 1014 (with thanks to Mr. Walton and Powhatan County for this effort) regarding how local elections fill vacancies
- HB 385 Governor may suspend any mandate on local governments not to exceed two years
- HB 1220 Stormwater management regulations (with thanks to Sen. Watkins) which was drafted based on the RRPDC legislative agenda item on this issue

Mr. Gates asked if there were any questions. Ms. Graziano asked about SJ 63 – DRPT study of funding of high speed and intercity passenger rail operations. She asked what will be included in this study. Mr. Gates said this was requested by Virginians for High Speed Rail and is in response to the announcement that the federal government will cease to subsidize Amtrak operations. In three years,

states will be required to pay for any deficits in regional Amtrak train service. It is hoped that the study will identify funding sources to cover any operational deficits.

Mr. Glover asked if the legislative agenda had included anything on equal taxing authority for counties. Mr. Gates said a bill had been introduced on this issue, but it did not pass. He said this could be included on the upcoming legislative agenda and reworded. Mr. Glover said he felt some of the General Assembly members thought they were being asked to impose new taxes instead of giving the localities the authority to impose the taxes. He said more emphasis should be given to phrasing that indicates localities will have the authority to impose new taxes. Mr. Glover said he felt localities should have the ability to add revenue to compensate for state funding that is eliminated.

Mr. Gates said he would urge members to include this in next year's agenda and to encourage a similar item be included on the local legislative agendas. He said a more unified regional voice will provide a stronger regional position. Mr. Gates said he felt the Chamber of Commerce should also be involved in this effort. He said the authority would allow localities to fund mandates that are being levied by the state; this is not asking the state to impose a new tax. Mr. Gates said cities and towns have the authority to imposed new taxes while counties do not have this authority.

Mr. Crum added that ideas for state and federal legislation should also be identified and forwarded to Mr. Gates in addition to local and regional issues, as the RRPDC has expressed interest in commenting on federal legislative issues.

Mr. Gates said he will only recommend items for the RRPDC legislative agenda if they are regional. He will support items that are brought forward by localities, such as the one identified by Powhatan County on local elections. He said he will be glad to research any issue brought to him and concentrate his lobbying efforts according to direction received from Board members.

Ms. Durfee thanked Mr. Gates for bringing this discussion forward at this time. She said it will be important for the localities to stress to the state that the state should also bear its funding responsibilities to the localities. She said this process will allow localities to have a greater dialogue with the legislators.

Mr. Gates said he would also recommend specific issues be included in the legislative agenda as well as broad statements. He noted that the local taxing authority could be considered a part of the Dillon Rule. He also suggested that aspects of the Dillon Rule be isolated and brought forward to legislators. Mr. Gates noted that as relationships are established with legislators, more bills can be proposed successfully that will address regional issues.

Ms. O'Bannon asked if there was an actual Dillon Rule to rescind. Mr. Gates said the Dillon Rule is a supreme court decision and not a piece of legislation. The code could be amended to address concerns with the Dillon Rule; however, this would be a complicated process. He said he felt that a regional approach on specific parts of the Rule would be more effective.

Mr. Setliff said no progress was made on the land use issues that had been included in the legislative agenda. He noted specific legislation regarding assisted living/group homes and how the locality no longer has control over where these facilities are placed. He said he would recommend more specific land use items be identified that will prevent localities from losing their abilities to control land use. Mr. Gates said he would speak with Mr. Homewood (New Kent County Director of Planning) about this issue, as he is better versed in this area, and receive input from him on how to approach the issue. Mr. Setliff noted that land use decisions are being taken away from localities and put into the hands of the General Assembly.

Mr. Glover said that group homes are part of the Fair Housing Act. Mr. Setliff said the legislation he was referring to was specifically for assisted living facilities; however, it was so broadly written that group homes might fall into the same category. Mr. Setliff said the locality would like to be able to dictate size and location of such facilities.

Mr. Gates said he would do some research on this and report back to members on his findings.

Ms. Durfee said she felt that there should be some coordination with other PDCs on issues that had statewide impact. She also said the General Assembly supports home builders and special interests more than the local governments with regard to land use. She suggested a report on how the General Assembly has acted on land use issues in the past would be helpful.

Mr. Gates asked members to notify him with any ideas on issues that he can research prior to the September meeting. Members may contact him via email or telephone.

Chairman Donati thanked Mr. Gates for his presentation.

C. Update on Capital Region Collaborative Public Participation Process

Chairman Donati asked Mr. Crum to make this presentation.

Mr. Crum indicated he will update members on the public participation process of the Capital Region Collaborative (CRC) to obtain feedback on the Collaborative's draft strawman priorities. These priorities were developed initially through a

series of meetings with about ten focus groups and the Capital Region Collaborative Organizing Team.

The CRC is interested in taking the priorities to as many people in the community as possible, especially those groups and organizations that are traditionally not included in such efforts. Three questions are being asked during these presentations:

1. What do you support?
2. What causes you concern?
3. Is there anything that should be added to the list?

Mr. Crum said he felt it was important for members to know what organizations and groups in each jurisdiction are being contacted. Meetings held to date:

- Leadership Metro Richmond Alumni
- Richmond Regional Planning District Commission
- Management Roundtable
- Vision Check at Central Virginia Foodbank
- New Kent County Board of Supervisors
- Richmond City Council
- Town of Ashland
- Charles City County Board of Supervisors
- Former Chairs of the Greater Richmond Chamber of Commerce

Mr. Crum said, so far, all feedback has been very positive. Many of the localities are indicating which of the priorities are most important to them. He said there has not been a lot of negative reaction. This is still in the very early stages of gathering public input.

Future meetings in the localities have been scheduled:

- Henrico County – July 27
- Hanover County – July 28
- Powhatan County – August 5
- Chesterfield County – August 25
- Goochland County – September 7

Mr. Crum said a lot of interest has been shown by many other public and private organizations:

- Hunton Williams – July 21
- InVision Richmond – August 12
- InVision Henrico – September 1
- Leadership Metro Richmond Orientation – September 10-11 (retreat)

- InVision Chesterfield – September 21
- InVision Hanover – September 23
- Better Housing Coalition – September 22
- Chamber Foundation Board of Directors – October 20
- Daily Planet – meetings to be scheduled in late July and late August during regularly scheduled free dinner and lunch programs
- Richmond Hispanic Office
- Partnership for Smarter Growth – two sessions to be scheduled
- League of Women Voters
- Richmond Times-Dispatch Forum
- Richmond Hill – outreach to regional clergy and congregations
- Inter Faith Council

Mr. Crum said the CRC wants to contact as many different groups and segments of the community as possible. The CRC Organizing Team will create a matrix of all groups geographically and by social and economic segments. This will give the CRC a better idea of who else needs to be included.

Mr. Crum asked members for feedback on any groups they might be aware of that should be included. He said more input is needed from rural areas of the community.

An editorial will be written by the co-chairs of the CRC, John Gordon and Katherine Busser, which will be published in the Times-Dispatch. This will introduce the CRC to the community. Mr. Gates is assisting in the development of a CRC website to include an interactive survey for input on the priorities. A database of everyone who attends one of the sessions is being developed to receive a follow up survey. Mr. Crum said he will provide updates to the Commission members every two months.

Chairman Donati asked who makes the presentations. Mr. Crum said he and Mr. Kim Scheeler, President and CEO of the Greater Richmond Chamber, are making the presentations.

Chairman Donati asked Mr. Crum if he could offer any additional information on the think tank being proposed by Dr. Eugene Trani. Mr. Crum said he was introduced to Dr. Trani by Ms. Graziano. They discussed the RRPDC and the vision for the Collaborative. Dr. Trani compared his proposed think tank to the Brookings Institute which brings together many resources to research urban planning and development or regional planning ideas. Dr. Trani asked if the think tank could be of assistance to the Collaborative. He said regional issues would be identified by either the CRC or the RRPDC. Dr. Trani felt that by having Mr. Crum on the board of his think tank, Mr. Crum would be a liaison between planning efforts and the think tank. Mr. Crum said he felt this would be a great opportunity for our Region to understand how other metro areas handle similar issues. The first meeting will be held in the fall. Mr. Crum said he would like to

have a regular spot on the agenda once these meetings begin to keep members up to date on what is being discussed. Chairman Donati said he felt having Mr. Crum as the representative for the local elected officials would be a great opportunity.

Mr. Stith said he had received an email from Dr. Trani that outlined other metro areas across the country that are setting up similar think tanks.

Mr. Walton said he endorsed Mr. Crum's involvement with this organization and asked if members of the Commission should take action to do the same. Chairman Donati asked if members of the Commission had any concerns or if they supported Mr. Crum's involvement with the new think tank. It was the consensus of members that Mr. Crum's involvement be endorsed. No formal action was taken.

Chairman Donati thanked Mr. Crum for his presentation.

D. Cancellation of August Meeting

Chairman Donati reported that the Executive Committee took action to recommend that the August meetings be cancelled. On motion made by Ms. Graziano and seconded by Mr. Bennett, the August Commission meeting was cancelled. The next regularly scheduled meeting will be held on September 9, 2010.

V. OTHER BUSINESS

A. Committee Reports

There were no other committee reports.

B. Announcements

Chairman Donati recognized Mr. Gulley. Mr. Gulley said he wanted to extend his thanks to local law enforcement personnel in Hanover and Henrico Counties for the outstanding work they did along I-95 during the fatal accident several days ago. He noted that he was in traffic returning from Washington and thought law enforcement rerouted traffic effectively and efficiently. Mr. Gulley said this was an example of a good use of resources and cooperation.

Chairman Donati thanked Mr. Gulley for his comments.

C. For Your Information

There were no items included in this section.

V. **ADJOURNMENT**

There being no further business to come before the Commission, Chairman Donati adjourned the meeting at approximately 2:10 p.m.

Robert A. Crum, Jr.
Executive Director

James B. Donati, Jr.
Chairman