

RICHMOND AREA
METROPOLITAN PLANNING ORGANIZATION
MINUTES OF MEETING

November 18, 2004

MEMBERS PRESENT

REPRESENTING

Russell E. Holland, Chairman	County of Powhatan
Malvern R. Butler, Vice Chairman	County of Goochland
Jack E. Apostolides (Non-voting).....	VDRPT
Rollo Axton.....	GRTC Transit System
Viktoria Badger (Alternate).....	City of Richmond
Edward Barber.....	County of Chesterfield
Robert Berry.....	RMA
Robert Bredehoft (Non-voting).....	CTAC
William R. Britton (Alternate).....	Charles City County
Rebecca Draper.....	County of Hanover
Gary A. DuVal (Alternate).....	City of Richmond
E. Todd Eure.....	County of Henrico
Paul E. Fisher.....	RRPDC
Thomas A. Hawthorne.....	VDOT
George Homewood (Alternate).....	County of New Kent
R. M. "Dickie" King.....	County of Chesterfield
Joseph T. Lacy.....	County of Goochland
Sherman W. Litton.....	County of Chesterfield
William Pantele.....	City of Richmond
Robert R. Setliff.....	County of Hanover
Randall R. Silber.....	County of Henrico
Barbara K. Smith (Alternate).....	County of Chesterfield
Brandon Stidham (Alternate).....	Powhatan County
Frank Thornton.....	County of Henrico
Von Tisdale (Non-voting).....	RideFinders
Robert C. Thompson (Alternate).....	County of Henrico
Stran L. Trout.....	County of New Kent
Joseph E. Vidunas.....	County of Hanover
David T. Williams (Non-voting).....	Citizen Appointee
Mohammad A. Zaid.....	City of Richmond

MEMBERS ABSENT

REPRESENTING

Richard W. Ayers.....	County of Powhatan
Cliff Burnette (Non-voting).....	VDA
John Gordon.....	County of Hanover
Michael Holmes.....	County of Charles City
Robert B. Jones.....	City of Richmond

MEMBERS ABSENT (Cont.)

REPRESENTING

Pat Kampf (Non-voting) FTA
Angela LaCombe Town of Ashland
Diane Linderman City of Richmond
Jon Mathiasen CRAC
John McCracken County of Chesterfield
Patricia O’Bannon County of Henrico
Ivan Rucker (Non-voting) FHWA
D. M. “Marty” Sparks County of New Kent

OTHERS PRESENT

REPRESENTING

John Amos RRPDC Legal Counsel (Amos & Amos PLLC)
Jameson Auten RideFinders
Dan Lysy, **Secretary** (Alternate) RRPDC
Nancy Finch Virginians for High Speed Rail (VHSR)
Robert Hodder (Alternate) GRTC Transit System
Paul T. Miller, Jr. Greater Richmond Chamber of Commerce
Ron Mustain VDOT
Marjorie L. Payne EDAC
Mark Riblett (Alternate) VDOT
John Rutledge CRAC
Kristin Tew VDOT
John Vandergriff VDOT
Nick Britton RRPDC
Mike Clements RRPDC
Geleene Goffena RRPDC
Larry Hagin RRPDC
Jin Lee RRPDC
Sharon Robeson RRPDC
Patricia Villa RRPDC

CALL TO ORDER

MPO Chairman Russell Holland called the November 18, 2004 meeting of the Richmond Area Metropolitan Planning Organization (MPO) to order at approximately 2:55 P.M. in the large conference room of the Richmond Regional Planning District Commission (RRPDC). Mr. Holland apologized for the delayed start time; however, the RRPDC board meeting had run later than expected.

I. SPECIAL PRESENTATION

A. Virginia Clean Smokestack Act –

The Honorable John S. Reid, Virginia House of Delegates, District 72, shared his insight into the Virginia Clean Smokestack Act (HB 1474),

legislation he will sponsor and is being carried over to the FY 05 General Assembly session. Delegate Reid said the bill was originally submitted late in the last session when time was too short to adequately engage all those who would be impacted by the legislation. He believes Governor Warner's office also has an interest in supporting this legislation. Delegate Reid said he has not historically supported environmental legislation, but that through his wife's diagnosis with a progressive form of emphysema he became very familiar and concerned with air quality issues.

Delegate Reid said the bill he introduced in the last session of the General Assembly was based on a bill that passed in North Carolina the year before. He said the State of North Carolina has filed suit against Virginia under a federal statute that gives adjoining states the right to sue one another if they can prove that the air quality from the adjoined state is less than the air quality of their state. Delegate Reid said his office has been working with individual companies that would be impacted by this legislation including the coal association, Dominion Power, AEP (Appalachian Electric Power), and other organizations providing electricity in Virginia and they have had some agreement, though they have not reached full agreement. He said there is some anticipated cost involved to consumers and that he believes it is important to include cost recovery so that companies are not bearing the entire burden. He noted that the state of Maryland, like North Carolina, is preparing legislation this year and suggested that Virginia would not want to be the state sitting between two states that have passed this legislation being sued by both of them. Delegate Reid said Donna Reynolds would address the technical implications of this bill and that he, as someone impacted by air quality, will work with all involved to develop this legislation to try to bring Virginia air quality standards up to those of our neighboring states.

Delegate Reid thanked the MPO for giving him an opportunity to share information about this bill. Because the MPO meeting was running late, Delegate Reid said he would be unable to stay for discussion, but said he would be happy to chat with anybody about the legislation between now and when the legislative session starts or even after that time. Chairman Holland thanked Delegate Reid for attending and sharing with us his views and perspective.

Donna Reynolds, Director of Community Relations for the American Lung Association of Virginia and Citizens Transportation Advisory Committee (CTAC) member, noted that CTAC has endorsed a resolution for this legislation and is asking the MPO to consider adopting a resolution in support of a Virginia Clean Smokestack Act. Ms. Reynolds said she would talk about this issue and the reasons the American Lung Association is interested in this issue and is working with Delegate Reid.

Ms. Reynolds provided a PowerPoint presentation with the following slides:

- American Lung Association Cover (photos of people of all ages)
- Health Impacts of Air Pollution; Improving Air Quality in Virginia
- Health Effects of Air Pollution
- Ozone Pollution
- Ozone Pollution, Health effects
- Air Quality in Virginia
- Ozone Pollution
- Particle Pollution (two slides)
- Particle Pollution, Health effects
- Particle Pollution
- Local Plans to Clean the Air in Virginia
- What's the problem?
- The Grandfathering Problem
- Old Power Plants in Virginia, Health Impacts
- Old Power Plants in Virginia, Environmental Impacts
- Old Power Plants in Virginia, Agriculture Impacts
- Clean Smokestacks
- Virginia Clean Smokestacks
- Other provisions
- Local Support
- Closing page with information about lung disease and the American Lung Association

Ms. Reynolds concluded her presentation and offered to answer questions. She passed out copies of a resolution from the American Lung Association endorsing passage of a Clean Smokestack Act, a background document on the bill, and a copy of the statement by the American Lung Association regarding ozone pollution. Ms. Reynolds said there are about 30 organizations that have adopted a resolution similar to the one the MPO is considering today supporting such statewide legislation. Dickie King asked a question about the cost of reducing mercury emissions and what kind of impact that has on the air quality. Ms. Reynolds responded that she has not seen numbers for mercury but that there are co-benefits. She said when you control sulfur dioxide and nitrogen oxide, you also receive the benefit of reduced mercury pollution. She said mercury control is one thing being discussed with the state and there will be a study with results being reported back to the General Assembly. She said rather than rigidly dictating specific controls, it might be better to allow some flexibility in method of addressing the problem. CTAC Chairman Robert Bredehoff thanked Ms. Reynolds and, in his absence, Delegate Reid for their comments and noted that CTAC received Ms. Reynolds presentation at its October 26 meeting and approved a resolution included under tab one of the agenda package for MPO consideration.

Chairman Holland noted that in considering this matter, the consensus of the Executive Committee was to go back to their respective communities and discuss this resolution. However, Mr. Holland said that others have expressed a desire to act on this resolution today and so he opened the matter to the floor for discussion. Bill Britton stated that all of Charles City County has now been brought into the nonattainment area, though they are not responsible for the air pollution that prevents them from eating the fish in the James River on their border due to mercury poisoning. He said that the Charles City County Board of Supervisors has specifically said that anything that can be done to clarify the issue or to change it would be in their best interest. Donna Reynolds responded that there would be controls on the Chesterfield plant at Dutch Gap under this legislation that would provide some benefits to the entire Richmond community. Stran Trout noted that if the corrections are aimed at the source of the pollution then New Kent County would be in favor of it, but that if the corrections are aimed at the recipient of the pollution, then the legislation would not be supported by New Kent. Mr. King said Chesterfield has a power plant that is in his district at Dutch Gap and he would like to defer action until he has an opportunity to look at it and review the impact of such action with staff. On motion of Dickie King, seconded by Bill Pantele, the MPO unanimously voted to table action on this resolution until the next MPO meeting, and that the resolution distributed at the meeting by Ms. Reynolds be distributed to area local governments for their review.

II. ADMINISTRATION

A. Minutes of the September 9, 2004 MPO Agenda –

On motion by Ed Barber, seconded by Sherman Litton, the September 9, 2004 MPO minutes were unanimously approved as presented.

B. Open Public Comment Period –

Vickey Badger reported that Governor Warner attended yesterday's Commonwealth Transportation Board (CTB) meeting and spoke favorably of the changes at the Virginia Department of Transportation (VDOT) in having more accountability for project funding. She said the CTB also had a presentation on VTrans 2025, the multi-modal transportation plan for the Commonwealth, and copies of the plan should now be available. Ms. Badger said the CTB also had an update on the status of reauthorization of transportation funding and a summary of rail projects that are underway in the Commonwealth. Ms. Badger said the CTB meeting was a good meeting and passed around handouts from the

meeting. She also said the Governor will be releasing his plan in the next couple of weeks. Chairman Holland thanked Ms. Badger for her report.

C. MPO Chairman's Report –

Chairman Holland noted that Vice Chairman Rudy Butler had to leave the MPO meeting early but announced that congratulations are in order for Mr. Butler who was recently elected to serve as President-Elect of the Virginia Association of Counties (VACo).

D. RRPDC Transportation Director's Report –

Mr. Lysy reported that the Virginia Department of Rail and Public Transportation (VDRPT) will hold a citizen information meeting on the *Richmond/Hampton Roads Passenger Rail Study* this evening at Main Street Station noting that more specific information was contained in the agenda package. Vickey Badger stated that the meeting would begin at 4:00 P.M. Chairman Holland inquired if information was available yet on the various routes and their impact on the Richmond region. Mr. Lysy noted several different ongoing studies that could impact the Richmond region and said that how they would all collectively impact this region is a good question. Ms. Badger suggested having a presentation and Mr. Lysy said Alan Tobias with the Virginia Department of Rail and Public Transportation (VDRPT) could probably provide such a presentation. Jack Apostolides offered to have VDRPT provide a presentation and Chairman Holland inquired if the representatives from Charles City and New Kent County would like to have a presentation. Mr. Britton said he had spoken with MPO member and Charles City County Board of Supervisors member Michael Holmes who indicated a definite preference for a route that would run through Charles City County. He said they would not expect the train to stop in Charles City County, but that a stop in Providence Forge would be a definite benefit to both communities and it is their preference that the MPO work towards that route selection.

E. Consent Action Items –

1. FY 04 UWP Task 2.3, Chesterfield County Public Involvement Media –

On motion of Bill Britton, seconded by Ed Barber, the Richmond Area Metropolitan Planning Organization unanimously approved the following resolution:

RESOLVED, that the Richmond Area Metropolitan Planning Organization (MPO) accepts the final report for FY 04 Unified Work Program task 2.3, Chesterfield County Public Involvement Media, as work completed.

2. FY 04 UWP Task 2.8, Chesterfield County GIS Thoroughfare Plan Theme Eastern Area –

On motion of Bill Britton, seconded by Ed Barber, the Richmond Area Metropolitan Planning Organization unanimously approved the following resolution:

RESOLVED, that the Richmond Area Metropolitan Planning Organization (MPO) accepts the final report for FY 04 Unified Work Program task 2.8, Chesterfield County GIS Thoroughfare Plan Theme Eastern Area, as work completed.

3. Staff Travel Request, TRB Annual Conference –

On motion of Bill Britton, seconded by Ed Barber, the Richmond Area Metropolitan Planning Organization unanimously approved the following resolution:

RESOLVED, that the Richmond Area Metropolitan Planning Organization (MPO) authorizes up to two Richmond Regional Planning District Commission (RRPDC) staff to attend the Annual Transportation Research Board Conference in Washington, D.C., January 9 to 12, 2005

III. OLD BUSINESS

No old business was reported.

IV. NEW BUSINESS

A. MPO Elderly and Disabled Advisory Committee (EDAC) Meeting Report –

Chairman Holland recognized Elderly and Disabled Advisory Committee Vice Chairman Marjorie L. Payne and Dan Lysy welcomed her noting that EDAC Chairman Linda Broady-Myers was not able to be present due to a GRTC Consumer Advisory Committee meeting. Ms. Payne read the cover page for Tab 5 and then commented that VDOT has held meetings inviting and encouraging people who ride CARE to attend, but holding the meetings at a time when CARE is not running to provide transportation home from the meetings. Dan Lysy thanked Ms. Payne for her report. He said there are requests for action on three items in the agenda package under tab five. Beginning on page seven, the first action EDAC took was on access to public meetings and hearings requesting that a letter be sent to the Commonwealth Transportation Board (CTB) chairman relaying the

concerns of EDAC in its resolution of September 15, 2004 and that the MPO request future VDOT meetings and hearings be held at the VDOT Richmond District to obtain citizen input for regional statewide VDOT plans and programs be held at a suitable time and location that is accessible by public transportation services.

Chairman Holland expressed reservations about the resolution saying that there is nothing in the agenda package that shows there wasn't some means or location for the disabled to attend meetings. He said perhaps the meeting accommodations for the disabled were not properly announced and if that's the case, all the MPO should need to do is have staff make a polite phone call requesting that future ads provide information on how the disabled can be served. VDOT Richmond District Administrator Tom Hawthorne indicated he has already requested consideration for scheduling of the next VDOT public hearing at the Richmond District Central Office, which does have access to public transportation. Review of VDOT's recent ad, included in the agenda package on page 11, illustrated that clearer language might be used in future ads to indicate that two locations were available, one of them accessible to public transportation. Further discussion clarified the distinction between accessible facilities and facilities accessible to public transportation and also clarified the need for meetings to be scheduled so that the end of the meeting is within CARE's hours of operation so that the disabled will have transportation home. Mr. Lysy asked Mr. Hawthorne if VDOT could consider extending the time of the meetings and get back to the MPO with information on that possibility and he responded that he would. No action was taken on this matter.

Mr. Lysy said information on EDAC's request for nonvoting status on the MPO is included on page 13 of tab five in the agenda package. He said EDAC is a standing committee of the MPO, similar to the Citizens Transportation Advisory Committee (CTAC) whose chairman is a nonvoting member of the MPO. Mr. Lysy said EDAC would like to have the same status on the MPO Board as a nonvoting member. Vickey Badger asked if this would change the MPO Bylaws and Mr. Lysy responded affirmatively and explained there would need to be two readings of the MPO bylaws before bylaws changes would become official. He said the action today would direct that staff proceed with amending the bylaws. On motion of Rebecca Draper, seconded by Bill Britton, the MPO unanimously approved the following resolution:

RESOLVED, that the Richmond Area Metropolitan Planning Organization supports granting non-voting membership on the MPO board to the MPO Elderly and Disabled Advisory Committee and directs that staff proceed with preparing appropriate amendments to the bylaws for review and first reading action at the next MPO meeting.

Mr. Lysy explained that EDAC's consideration of membership expansion arose as a result of discussion at the federal certification review meeting of environmental justice requirements and the need to address low income groups in the MPO process. In addition, Mr. Lysy said EDAC feels it needs to expand its membership to include organizations to provide more focused representation from groups that represent the mentally retarded, low income, the deaf and hard of hearing, and the rural elderly. Mr. Lysy said EDAC has contacted the organizations listed on page 14 of tab five and they have indicated an interest in becoming member organizations of EDAC. Mr. Lysy explained that EDAC is requesting MPO action to change the MPO bylaws to expand EDAC membership and that MPO action today would authorize staff to proceed with amending the bylaws. On motion of Bill Britton, seconded by Rebecca Draper, the MPO unanimously approved the following resolution:

RESOLVED, that the Richmond Area Metropolitan Planning Organization supports the following changes to the MPO bylaws and directs staff to proceed with preparing appropriate amendments to the bylaws for review and first reading action at the next MPO meeting:

1. To revise Article V, Section 3 of the MPO bylaws to add "low income" persons as one of the groups and organizations that advises the MPO on issues, plans, studies, and other matters concerning the MPO's "3-C" urban transportation planning process in conducting special efforts to plan public transportation facilities that can be effectively utilized by the elderly, disabled, and low income.
2. To revise Article V, Section 3 of the MPO bylaws to provide for the expansion of the Elderly and Disabled Advisory Committee's (EDAC's) membership to allow the appointment of up to 18 member organizations.

And,

BE IT FURTHER RESOLVED, that upon final action to amend the MPO bylaws, provide for the appointment of up to 18 member organizations by adding the following as EDAC member organizations:

- Powhatan/Goochland Community Action Agency
- Quinn Rivers Community Action Agency
- Richmond Community Action Agency
- Association for Retarded Citizens
- Circle Adult Day Services
- Greater Richmond Self Help for the Deaf and Hard-of-Hearing

B. MPO Citizens Transportation Advisory Committee (CTAC) Meeting Report –

Chairman Holland deferred consideration of CTAC's report on recommended MPO bylaws modification to the next MPO meeting.

C. Draft RSTP and CMAQ Projects Selection Process–

Larry Hagin, RRPDC Principal Planner and TIP Program Manager, provided a PowerPoint presentation on the draft RSTP and CMAQ Projects Selection Process report, enclosed with the MPO agenda package, reviewing information from the following slides:

- Richmond MPO RSTP and CMAQ Funds, Overview of New Project Selection Process (cover slide with photo)
- Presentation Outline
- Regional Surface Transportation Program (RSTP) Funds
- Congestion Mitigation Air Quality Improvement Program (CMAQ) Funds
- Why Develop a New RSTP and CMAQ Allocation Policy?
- Key Elements of New Policy
- Continued Funding of Existing Projects
- RSTP Project Selection
- RSTP Project Selection Overview (flow chart)
- CMAQ Project Selection Overview (flow chart)
- After Project Selection
- Implementation Schedule
- Thank you for your time! (closing slide referencing full report)

Discussion following Larry Hagin's presentation started with Bill Britton and Barbara Smith making several remarks followed by Rebecca Draper commenting on the need for safety projects and the large unfunded balance for current RSTP funded projects. Ms. Draper distributed a handout that was a revised version of the resolution presented to the MPO in the agenda package. Ed Barber spoke next and distributed a revised resolution as well. Mr. Barber asked that staff rewrite the resolution to incorporate various concerns (including comments expressed in Hanover's revised resolution) and that it be reported back to the MPO in 30 days (staff interprets 30 days to mean the next MPO meeting, which is December 9, 2004.) During the course of discussion, it was established that Mr. Barber would lead a panel consisting of himself, Ms. Draper, and Bill Britton, and that the panel would meet as soon as possible to review both Hanover's and Chesterfield's proposed revised resolution (as distributed at the MPO meeting; copies attached). The panel would come to a consensus agreement on a revised draft resolution and staff would distribute it to the MPO as soon as possible and for review and action at

the December 9 MPO meeting. Based on this discussion and changes (amendments submitted to the original motion and made without objection), a final motion (moved by Ed Barber, seconded by Stran Trout) was voted upon and unanimously approved by the MPO as follows:

RESOLVED, that a revised draft resolution incorporating various concerns as expressed in written revised resolutions distributed by Ed Barber and Rebecca Draper at the November 18, 2004 MPO meeting, be prepared and submitted for review and action at the December 9, 2004 MPO meeting; and

BE IT FURTHER RESOLVED, that a panel led by Ed Barber, with Rebecca Draper and Bill Britton meet as soon as possible to review the revised resolutions distributed at the MPO meeting, come to a consensus agreement, and that staff distribute this consensus agreement draft resolution to the MPO as soon as possible.

D. MPO Mission Statement –

Dan Lysy introduced a proposed MPO Mission Statement discussed and recommended at the September 23 joint RRPDC/MPO Special Work Session and contained under tab eight of the agenda package. He said the Mission Statement was reviewed and unanimously recommended at the October 14 Executive Committee meeting. There were no questions on this item and on motion of Frank Thornton, seconded by Barbara Smith, the MPO unanimously approved the following resolution:

RESOLVED, that the Richmond Area Metropolitan Planning Organization approves the following mission statement:

To serve as the federal and state designated regional transportation planning organization that serves as the forum for cooperative transportation decision-making to assure excellence in mobility and safety within and through the Richmond region.

E. Collaboration with the Greater Richmond Chamber of Commerce and Others to Implement the 2026 Long-Range Plan –

Mr. Lysy stated that this is a status report on another item from the RRPDC/MPO Special Work Session concerning collaboration with the Chamber of Commerce and others on implementing the 2026 Long-Range Transportation Plan. Mr. Lysy said that staff would like for Chamber of Commerce President Jim Dunn to come and address the MPO to discuss work currently under way by the Chamber's Regional Transportation Advisory Board (RTAB) addressing the region's critical transportation

needs. Mr. Lysy offered to answer questions on this item contained under tab nine of the agenda package, and none were asked.

IV. OTHER BUSINESS

No other business was brought forward for consideration.

V. ADJOURNMENT

Chairman Holland adjourned the meeting at approximately 4:10 P.M.

Attachments