

**Richmond Regional Planning District Commission
Minutes of Meeting
May 10, 2001**

Members/Alternates Present

Patricia S. O'Bannon (M), Vice-Chairman.....County of Henrico
Rebecca M. Ringley (M), Treasurer County of New Kent
Angela L. LaCombe (M), SecretaryTown of Ashland
Edward B. Barber (M) County of Chesterfield
Malvern R. Butler (M) County of Goochland
Mark S. Daniel (M)..... County of New Kent
Richard W. Glover (M).....County of Henrico
John E. Gordon (M)County of Hanover
Russell J. Gulley (M) County of Chesterfield
Roy J. Harrison, Jr. (M)County of Powhatan
Renny B. Humphrey (M) County of Chesterfield
William Russell Jones, III (M).....City of Richmond
David A. Kaechele (M).....County of Henrico
Joseph T. Lacy, Jr. (M) County of Goochland
John L. McHale (M) County of Chesterfield
Kelly E. Miller (M) County of Chesterfield
George K. Roarty (M)..... County of Chesterfield
Allen J. Taylor (M)County of Henrico
James T. Taylor (A) County of Goochland
Arthur S. Warren (M) County of Chesterfield
W. R. Britton, Jr. (A)County of Charles City

Members Absent

Joseph E. Brooks (M), Chairman.....City of Richmond
Richard W. Ayers (M)County of Powhatan
Gregory R. Baka (M) County of Henrico
John G. Dankos (M).....County of Hanover
James B. Donati (M) County of Henrico
Thomas F. Giles (M).....County of Hanover
Gwen C. Hedgepeth (M).....City of Richmond
Timothy M. Kaine (M)City of Richmond
Delores L. McQuinn (M)City of Richmond
Floyd H. Miles, Sr. (M)County of Charles City
Joseph D. O'Connor (M)County of Hanover

Others Present

John R. Amos..... Amos & Amos, PLLC (RRPDC Legal Counsel)
Jo Ann Hunter County of Henrico
Greg Velzy County of Chesterfield
Anne Dale WorkForce One
Bambi Davidson..... Greater Richmond Chamber of Commerce
Dee Audet Greater Richmond Chamber of Commerce
Bruce Vermuelen Training & Development
Sharon Taylor..... Richmond Goodwill
Charles Layman Richmond Goodwill

Staff Present

Jo A. Evans Assistant Executive Director
Katherine E. Barrett Executive Secretary
Daniel N. Lysy Director of Transportation
Larry J. McCarty Director of Planning
Peter M. Sweetland Finance and Contracts Administrator
Jackie S. Stewart Principal Planner
Chester A. Parsons Senior Planner

CALL TO ORDER

Vice-Chairman Patricia O’Bannon called the regular monthly meeting of the Richmond Regional Planning District Commission to order at 1:00 p.m. on May 10, 2001.

I. ADMINISTRATION

A. Certification by Commission Assistant Executive Director of Meeting Quorum Including Required Majority of Elected Officials

Ms. Evans certified that a majority of the Richmond Regional Planning District Commission members were present to constitute a quorum of 16 members (11 elected and five non-elected).

B. Approval of Minutes of April 12, 2001 Meeting

There being no corrections or additions, on motion of Mr. Britton, seconded by Mr. Harrison, the Richmond Regional Planning District Commission unanimously approved the minutes of the April 12, 2001 meeting.

C. Open Public Comment Period

There were no requests to address the Richmond Regional Planning District Commission at this time and Vice-Chairman O'Bannon closed the public comment period.

D. Approval of March 2001 Financial Report

Ms. Ringley presented the financial report for March 2001. There being no corrections, on motion of Mr. Harrison, seconded by Mr. Britton, the Richmond Regional Planning District Commission unanimously accepted the financial report for audit.

E. Vice-Chairman's Report

Ms. O'Bannon stated that Chairman Brooks is attending the National League of Cities conference in Monterey, California.

Ms. O'Bannon noted that last month she reported that she attended a Housing Conference dealing with Section 8 home ownership rather than rental property. She noted that there is a large article in this month's County News.

Ms. O'Bannon also reported on a new Law, Chapter 259, concerning the Chesapeake Bay 2000 Agreement. The new law states that by November 1 of each year, the Secretary of Natural Resources, in consultation with appropriate state and federal agencies, shall report to the House Committee on Chesapeake and Its Tributaries on specific progress made in implementing the provisions of the Chesapeake Bay 2000 Agreement. This report shall include but not be limited to a description of the programs, activities, and initiatives developed and implemented by state and local government agencies. This does include all localities in the watershed and not just those affected by the 1987 Agreement. Ms. O'Bannon said that it was her understanding that the Secretary of Natural Resources will be sending out letters in the next week or two about getting progress reports from each of the jurisdictions.

F. Assistant Executive Director's Report for April 2001

Ms. Evans presented the written status report for April 2001, a copy having been included in the agenda.

II. OLD BUSINESS

A. Regional Competitiveness Program – Committee Recommendation on FY 02 Funding Allocations

Mr. Jack Ward, Chairman of the Regional Competitiveness Committee, reported that the full Committee met on May 3, 2001, and recommended applications for funding for Workforce One and The Retail Institute. Mr. Ward introduced Ms. Ann Dale, new Executive Director of WorkForce One, and Ms. Sharon Taylor of The Retail Institute, who were present to answer questions. WorkForce One is requesting \$1,050,000 and The Retail Institute is requesting \$150,000. The FY 02 Competitiveness Funds estimated amount available for program allocation and funding requests are as follows:

Estimated FY 02 Allocation to Richmond Region		\$ 1,016,538.91
Less 2% for Program Administration		<u>\$ (20,330.78)</u>
Available for FY 02 Program Allocation		\$ 996,208.13
Plus Prior Year Funds		\$ 105,482.10
From SYETP	\$ 11,182.10	
From MAPS	<u>\$ 94,300.00</u>	
	\$105,482.10	
Total Estimated Available for Program Allocation		<u>\$ 1,101,690.23</u>
Funding Requests		
WorkForce One		\$ 1,050,000.00
The Retail Institute		<u>\$ 150,000.00</u>
		<u>\$ 1,200,000.00</u>
Excess of Requests over Estimated Available Funds		\$ (98,309.77)

In response to Mr. Kaechele’s question regarding the shortfall, Ms. O’Bannon stated that the shortfall of \$98,309.77, or the actual amount if any, would be prorated percentage wise to the two organizations.

Following general discussion, on motion of Mr. McHale, seconded by Mr. Harrison, the Richmond Regional Planning District Commission unanimously approved the two applications for funding, if State funds are available, and if there is a shortfall of funds, the amount would be prorated percentage wise to the two organizations.

Ms. O'Bannon reported that the Executive Committee at its April meeting deferred action to reimburse Workforce One for the last quarter due to questions regarding their website development.

Ms. Evans stated that the Commission has received a reimbursement request from Workforce One for expenses incurred January – March 2001 in the amount of \$205,228. After the April Executive Committee meeting, Mr. Ward met with Mr. Jim Dunn from the Greater Richmond Chamber of Commerce and Chairman Joe Brooks also met with Mr. Dunn. The Chamber provided a timeline to show that the web site should be up by June. The Executive Committee discussed the matter earlier today, received a report from Workforce One, and recommended the request for reimbursement.

On motion of Mr. Harrison, seconded by Mr. Kaechele, the Richmond Regional Planning District Commission unanimously approved Workforce One request for reimbursement in the amount of \$205,228.

III. NEW BUSINESS

A. Request for Agency Support of Identification Signage on James River Bridges

Mr. Chet Parsons, Senior Planner, introduced Mr. Ralph White of the James River Park System and Mr. Greg Velzy of Chesterfield County, who gave a report and requested support of the identification signage on the James River bridges.

Mr. White stated that he is Co-chair of the Issues Committee of the James River Advisory Council. The James River Advisory Council is a conglomeration of organizations and individuals concerned about the James River, and has representatives concerned from as far as Nelson County down to Charles City County. They do focus especially on the Greater Richmond Metropolitan area of the river. The many things that they have done include:

- ?? Annual cleanup of the river on the second Saturday in June.
- ?? Parade of Lights on the second Saturday in December.
- ?? Series of events sponsored by the James River Advisory Council.

Mr. White distributed a brochure that lists all of the programs that takes place up and down the river. Mr. White further reported that they are concerned with the preservation, protection and promotion of the James River, and that is to increase appropriate use and the economic benefits therefrom. They did identify a problem, and that is if you are going to encourage people to come and explore the resources, assuming they don't know about the resources, they found that people get lost. Therefore, Mr. White requested Commission support to get VDOT to label the bridges with the names of the roads that go over the top so that you can find yourself on a map. Ideally, the signs would have the name of the adjacent county. Mr. White stated that they have practiced on a small scale, the Boulevard Bridge downtown, and it has proven to be very successful. The signs cost approximately \$100.00 each.

Ms. O'Bannon asked how this fit into the Chesapeake Bay 2000 Agreement. Mr. White felt it would fit in very well.

Mr. Britton stated that there is still some open time for inclusions in the Virginia Outdoors Plan and recommended that the resolution be modified to include installing signage for identification of river usage in the Virginia Outdoors Plan.

Following general discussion, on motion of Mr. Glover, seconded by Mr. Allen Taylor, the Richmond Regional Planning District Commission unanimously adopted the following resolution with modifications:

WHEREAS, the James River Advisory Council is seeking support for a program to develop boater identification signage for bridges that span the James River; and

WHEREAS, Focus Forward identifies the James River as a key resource of the region and for which vision and goal statements were developed; and

WHEREAS, these goal statements include raising the level of interest in the James River, recognizing that the river benefits a large segment of the population; and

WHEREAS, the placement of identification signs on those bridges that span the James River will improve the ease of navigation for boaters; and

WHEREAS, the James River Advisory Council is seeking funding from the Virginia Department of Transportation to install identification signage on those bridges that span the James River; and

WHEREAS, the Richmond Regional Planning District Commission encourages and supports inclusion of installing signage for identification of river usage in the Virginia Outdoors Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Richmond Regional Planning District Commission, this 10th day of May 2001, supports the efforts of the James River Advisory Council to seek funding from the Virginia Department of Transportation to install identification signage on those bridges that span the James River.

AND, BE IT FURTHER RESOLVED, that the Richmond Regional Planning District Commission directs the staff to prepare a letter of support for signature by the Chairman and that this letter be forwarded to the James River Advisory Council and the Virginia Department of Transportation.

B. Amendments to the RRPDC Rural Transportation Work Program

Ms. Jackie Stewart, Principal Planner, presented a resolution requesting approval to transfer \$2,000 of funds from the technical assistance category to the administration category in the current FY 2001 Rural Transportation Planning Work Program. The transfer is needed to cover the Richmond Regional Planning District Commission's (RRPDC) costs to participate in numerous coordination and program review meetings conducted by the Virginia Department of Transportation (VDOT) during the current fiscal year. These meetings were a direct result of a new VDOT initiative that was not anticipated by the RRPDC when the work program was originally prepared over one year ago.

On motion of Mr. Harrison, seconded by Mr. McHale, the Richmond Regional Planning District Commission unanimously adopted the following resolution:

WHEREAS, Federal Highway Planning and Research (HPR) funds are being made available by the Virginia Department of Transportation for transportation planning in rural localities; and,

WHEREAS, the purpose of the HPR funds shall be to provide transportation planning assistance in the counties of Charles City, Goochland, New Kent and Powhatan; and,

WHEREAS, the HPR funded planning activities will be administered in accordance with the provisions of 23 CFR Part 420, Highway Planning and Research Program Administration; and,

WHEREAS, the Richmond Regional Planning District Commission formally accepts the responsibility to administer the HPR funds for rural transportation planning; and,

WHEREAS, the Richmond Regional Planning District Commission directs its staff to administer the HPR funds, and to provide transportation planning assistance to the four named counties in accordance with the Scope of Work; and,

WHEREAS, the Virginia Department of Transportation has requested Richmond Regional Planning District Commission staff participate in numerous meetings to discuss possible revisions to Virginia Department of Transportation's rural transportation planning program; and,

WHEREAS, Richmond Regional Planning District Commission staff has participated in numerous coordination and program review meetings conducted by Virginia Department of Transportation during the current fiscal year; and,

WHEREAS, this new Virginia Department of Transportation initiative and associated costs were not anticipated by the Richmond Regional Planning District Commission staff when the work program was originally drafted a year ago; and,

WHEREAS, the Richmond Regional Planning District Commission has reviewed the proposed budget amendment and agrees with staff that a transfer of \$2000 will cover the costs of participating and will not adversely affect any remaining projects.

NOW, THEREFORE BE IT RESOLVED, that the Richmond Regional Planning District Commission approves the amendment and authorizes the Assistant Executive Director to submit the revised budget to the Virginia Department of Transportation for approval.

C. Approval of Final FY 01 RRPDC Budget

Ms. Jo Evans, Assistant Executive Director, presented the final FY 01 budget for approval. Revisions reflect expenditures for the Richmond Area Metropolitan Planning Organization (MPO) activities that have been reconfirmed by the MPO adoption of the amended Unified Work Program (UWP) for FY 01 at its April meeting, and revised personnel expenditures resulting from current staffing levels.

Mr. Glover stated that again he gets confused when he sees the MPO in any of the items the Richmond Regional Planning District Commission (RRPDC) votes on or referenced to MPO. He said we are not voting on the MPO budget in this case, are we? Ms. Evans responded that the RRPDC is voting on the impact to the RRPDC budget of the MPO action passed last month. Mr. Glover then asked what are those impacts. Ms. Evans stated that there is going to be \$129,000 less available to the RRPDC staff in the current year because of MPO action. That \$129,000 will be available in next year's RRPDC budget. Mr. Glover asked if that was planning money. Ms. Evans said yes. Mr. Glover said then that is MPO money. Ms. Evans said yes, but it affects the RRPDC budget. Mr. Glover said they are authorized by the MPO. Ms. Evans said the agency has to act on its own budget. For example, Ms. Evans said if there were pass-through monies to Chesterfield County, Chesterfield County has to show those funds in their budget. Mr. Glover said he was speaking of MPO items only. Ms. Evans again responded that if Chesterfield County receives PL funds through the MPO, then those funds have to show up in Chesterfield County's budget. It is the same thing here—the staff of the RRPDC does work for the MPO and receives funds to do that work. So, those funds are in fact a part of this agency's budget, and this Board has to act on this agency's budget.

Mr. Glover said he was not sure he agreed with her, but he's not sure he disagrees either. Mr. Glover then stated that he would like to have a legal interpretation from RRPDC Counsel since the RRPDC is voting on funds that involve both the RRPDC and the MPO. Ms. Evans responded that the MPO has already acted to approve their budget. We are asking today for RRPDC action on this agency's budget reflecting the MPO's action. Mr. Glover said he was under the impression that we, as the RRPDC, only act as an agent for contractual purposes for the MPO. That is why he asked for the legal interpretation since the General Assembly cannot make decisions for the MPO, then he didn't know how the RRPDC could either since the RRPDC came out of an Act of the General Assembly, but they

did not give us the authority to override federal funding, and federal funding is planning money. Mr. Glover said he is asking questions to make sure the RRPDC is not co-mingling these funds within the budget process.

Mr. Lysy further explained that the budget the RRPDC is approving today reflects the action already taken by the MPO. Mr. Glover asked if it is necessary? Mr. Lysy said yes it is necessary, because the RRPDC is charged with administering PL and Section 5303 funds for both the staff and for pass-through to various local governments. We act as their agent but it reflects what the MPO has approved. The MPO looked at the staff budget and pass-through funds, and the MPO approved all of that. We are just reflecting what the MPO has already approved.

Mr. Miller asked what would happen if the RRPDC did not approve it. Mr. Lysy said this is a RRPDC matter. The RRPDC would not have a work program next year. The MPO has a work program set up. We are just reflecting in the RRPDC work program what the MPO has already approved. Ms. Evans further stated that if the RRPDC did not act on the work program to approve it, then the MPO would have to find other staff to do their work and take those funds and pay somebody else to do the work in their work program.

Mr. Glover said the RRPDC does not hire for the MPO, the MPO pays for its own planners. Is that correct? Ms. Evans said no, that all the staff in this agency is hired by the RRPDC. They receive federal funds through the MPO to do that work, but they are RRPDC staff.

Mr. Glover said he accepts Mr. Lysy and everything else, but he would like to ask the attorney to give him a written ruling as to what authority the RRPDC has on budgeted items of the MPO. Mr. Glover said the RRPDC could go ahead and approve the budget now, because you can always come back in 30 days and reverse it if necessary.

On motion of Mr. Harrison, seconded by Mr. Glover, the Richmond Regional Planning District Commission unanimously adopted the final FY 2001 budget and work program.

Mr. Glover further stated that the only reason he questions this each time is because he knows there have been movements to incorporate in some regional body those areas of infrastructure—this being one of the most

important—transportation. He stated he wants to make sure that the RRPDC doesn't begin this process by voting on this item without knowing the consequences. Years ago he didn't remember the RRPDC voting on the full MPO budget or any portion of it. He does know there is planning money and knows how it works. He is only asking that we get a ruling so that we don't find ourselves, as a regional body, controlling transportation in the region. That's not what the RRPDC's function is.

At Ms. Ringley's request, Mr. Glover restated his request of the attorney. Mr. Glover requested that the attorney rule if the RRPDC has the authority to vote on any of the financial budget items of the MPO other than handling contractual agreements, and not day-to-day operational budget items. Therefore, Mr. Glover asked the attorney to determine what the position of the RRPDC is as it pertains to any of the funding that comes through for the MPO.

Mr. Britton stated his understanding that this is an approved MPO action that has already taken place, but what has to be done by the RRPDC is approve the actual expenditures because the RRPDC is the agent for the federal government in the disbursement of the funds. Today, the RRPDC is only approving the disbursement of funds. The amount and how it is done has already been approved by the MPO. In this case, the RRPDC is not directing the MPO on how to spend it, they are approving how they want to spend it. The RRPDC is required to do that because it is the financial agent for them, and the disbursements come to the RRPDC. Mr. Glover said he didn't think the RRPDC was approving how the MPO wants to spend it, but approving the fact that they have an agreement or contract.

D. Amendment to the 2001 Virginia Coastal Resources Management Program Grant Application

Mr. Chet Parsons, Senior Planner, stated that the RRPDC staff has been asked to assist the James River Advisory Council in developing an interpretive map of the James River and associated historical sites and landmarks. The project would entail data collection, research, and creation of maps using GIS. Three separate publications are envisioned—the Upper James, the Falls of the James, and the Lower James. The first unit is intended to be the Lower James.

Mr. Parsons noted that in the Virginia Coastal Program grant application that the RRPDC approved March 8, 2001, a major product of the grant is the development of maps for local member governments. This proposed project would normally fall under this category. Also, the Virginia Department of Environmental Quality, which administers the grant, has requested that this project be highlighted as a specific deliverable of our grant instead of being one of the map products for the coming year. This separation would emphasize the importance of this project and the diversity of the RRPDC's products.

Mr. Parsons requested RRPDC approval to amend the Virginia Coastal Resources Management Program grant application for 2001 to add the James River Interpretive Map as a final project.

On motion of Mr. McHale, seconded by Ms. Ringley, the Richmond Regional Planning District Commission unanimously approved the amendments to the Virginia Coastal Resources Management Program grant application for 2001 as requested.

E. Approval of Final FY 02 RRPDC Budget and Work Program

Ms. Jo Evans, Assistant Executive Director, presented the final FY 02 Budget and Work Program.

Ms. LaCombe asked staff to further check the population estimates for the Town of Ashland. There was also a request to check the population estimates for Charles City County.

On motion of Mr. Harrison, seconded by Mr. Gordon, the Richmond Regional Planning District Commission unanimously approved the final revised FY 02 Budget and Work Program.

F. Appointment of Nominating Committee for FY 02 Officers

Ms. O'Bannon appointed the following members to serve on the Nominating Committee to select FY 02 RRPDC officers:

Roy J. Harrison, Jr., Chairman
Floyd H. Miles, Jr.
Malvern R. Butler

The Nominating Committee will recommend a slate of officers at the June 14, 2001 meeting.

IV. OTHER BUSINESS

A. Announcements

Ms. O'Bannon presented a plaque to Mr. Larry J. McCarty, Director of Planning, in appreciation of his 13 years of service to the Richmond Regional Planning District Commission. Mr. McCarty's last day of employment is May 31, 2001.

B. Committee Reports

1. Richmond Regional Partnership Annual Report

Ms. Evans requested approval of the Annual Report to be transmitted to the Virginia Department of Housing and Community Development.

On motion of Mr. McHale, seconded by Mr. Harrison, the Richmond Regional Planning District Commission unanimously approved the Richmond Regional Partnership Annual Report for transmittal to the Virginia Department of Housing and Community Development.

2. Selection of Firm to Audit Commission's Financial Records

Ms. Ringley reported that requests for proposals were sent to eight auditing firms, and only one firm responded. The committee recommends for Commission approval the firm of Dunham & Aukamp to audit the Commission's financial records.

On motion of Mr. Britton, seconded by Mr. Harrison, the Richmond Regional Planning District Commission unanimously approved the hiring the firm of Dunham & Aukamp to audit the Commission's financial records, and to include in the new contract a one-year extension clause.

3. Executive Director Search

Ms. Ringley reported that the Interview Team met on April 30, 2001 and interviewed four candidates for the Executive Director's

position. Ms. Ringley stated that the Commission would be requested to go into Closed Session at the June meeting to discuss the candidate selected. Following Closed Session, the Commission will be requested to approve the candidate.

V. ADJOURNMENT

There being no further business, the Vice-Chairman adjourned the meeting at 2:10 p.m.

Patricia S. O'Bannon
Vice-Chairman

Jo A. Evans
Assistant Executive Director