

**RICHMOND REGIONAL PLANNING DISTRICT COMMISSION**  
**Minutes of Meeting**  
**December 14, 2006**

**Members/Alternates Present**

Malvern R. Butler (M) ..... County of Goochland  
Amy M. Cheeley (M)..... County of Hanover  
Robert R. Cosby (M)..... County of Powhatan  
Richard W. Glover (M)..... County of Henrico  
John E. Gordon, Jr. (M) ..... County of Hanover  
Kathy C. Graziano (M) ..... City of Richmond  
John C. Grier (M)..... City of Richmond  
Jerilynn T. “Jeri” Grigsby (M)..... County of Henrico  
Harvey L. Hinson (A) ..... County of Henrico  
Russell E. Holland (M), Chairman ..... County of Powhatan  
Michael L. Holmes (M), Treasurer ..... County of Charles City  
Renny B. Humphrey (M) ..... County of Chesterfield  
R. M. “Dickie” King, Jr. (M), Vice Chairman..... County of Chesterfield  
David A. Kaechele (M)..... County of Henrico  
Kelly E. Miller (M) ..... County of Chesterfield  
Elizabeth W. Moorhouse (M) ..... County of Hanover  
William J. Pantele (M), Secretary ..... City of Richmond  
Faye O. Prichard (M) ..... Town of Ashland  
George K. Roarty (M)..... County of Chesterfield  
Ellen F. Robertson (M) ..... City of Richmond  
Robert R. Setliff (M)..... County of Hanover  
Donald D. Sowder (M) ..... County of Chesterfield  
Brenda L. “Sam” Snyder (M) ..... County of New Kent  
Millard D. “Pete” Stith, Jr. (A) ..... County of Chesterfield  
Stran L. Trout (M)..... County of New Kent  
David T. Williams (M) ..... County of Powhatan

**Members Absent**

Chris W. Archer (M)..... County of Henrico  
James B. Donati (M)..... County of Henrico  
Frank M. Hartz (M)..... County of Goochland  
William Russell Jones, III (M)..... City of Richmond  
Sherman W. Litton (M)..... County of Chesterfield  
Eugene A. Mason (M)..... City of Richmond  
Patricia S. O’Bannon (M) ..... County of Henrico  
Frank J. Thornton (M)..... County of Henrico  
Arthur S. Warren (M) ..... County of Chesterfield

**Others Present**

John Amos ..... RRPDC Legal Counsel  
Mark Douglas.....Thalhimer/Cushman & Wakefield  
Harry E. Gregori, Jr. ....Environmental Solutions  
Bernard Harris.....CVWMA  
George Homewood..... County of New Kent  
Kim Hynes .....CVWMA  
Liz Kashurba..... Chesterfield Economic Development  
Adele MacLean.....Partnership for Smarter Growth  
Willis Murphy.....Environmental Solutions  
Brenda Robinson.....Environmental Solutions  
Mac Wilson.....Thalhimer/Cushman & Wakefield

**Staff Present**

Paul E. Fisher ..... Executive Director  
Jo A. Evans ..... Assistant Executive Director  
Julie H. Fry..... Executive Secretary  
Daniel N. Lysy ..... Director of Transportation  
Jackie S. Stewart ..... Director of Planning/IS  
Peter M. Sweetland ..... Finance and Contracts Administrator  
Patricia A. Villa ..... Communications Coordinator

**Call to Order**

Chairman Holland called the regularly scheduled December 14, 2006 RRPDC meeting to order at approximately 1:05 p.m. in the RRPDC conference room. Chairman Holland then led the Commission in the pledge of allegiance to the flag.

**I. ADMINISTRATION**

**A. Certification by Commission Executive Director of Meeting Quorum**

Mr. Fisher certified that a quorum of 26 members/alternates was present.

**B. Requests for Additions or Changes in Order of Business**

Chairman Holland asked if there were any changes or additions to the order of business. There were no changes.

**C. Open Public Comment Period**

Chairman Holland asked if there was anyone from the public in attendance who wished to make a comment on the proposed CVWMA plan amendment as this would be the appropriate time to do so. He asked that comments be limited to

three minutes. As there were no requests from the public to address the Commission on this or any other item, Chairman Holland closed the public comment period.

#### **D. Approval of Minutes – November 9, 2006 Meeting**

Mr. Pantele, Secretary, presented minutes of the RRPDC meeting held on November 9, 2006. On motion made by Mr. Pantele and seconded by Mr. Holmes, the minutes were unanimously approved as presented.

#### **F. Approval of October 2006 Financial Reports**

Mr. Holmes presented the financial reports for October 2006. On motion made by Mr. Holmes and seconded by Mr. Gordon, the October 2006 financial reports were unanimously approved as presented and accepted for audit.

#### **G. Chairman's Report**

Chairman Holland noted that his written report had been included in the agenda booklet under Tab 3. He called the attention of the Commission to a letter announcing Mr. Fisher's retirement effective June 1, 2007, which was included in the agenda packet. Chairman Holland indicated Mr. Fisher will be missed once his retirement becomes effective. Mr. Pantele will be chairing a search committee to find a replacement for Mr. Fisher. Chairman Holland also announced there will be no January Commission meeting.

#### **H. Executive Director's Report for November 2006**

Mr. Fisher presented the written staff status report, a copy having been included in the agenda, and urged the Commission members to read the report which details activities staff has undertaken in each of the localities over the past month. He said it had been a pleasure to serve the Commission, and he will continue his work on behalf of the Commission over the next few months.

## **II. OLD BUSINESS**

#### **A. New Office Space Lease Proposal**

Chairman Holland asked Mr. Pantele to give an overview of the proposed lease to Commission members.

Mr. Pantele called the Commission's attention to the proposed lease included in the agenda under Tab 5. Also included is an approval letter written by Mr. Amos after his review of the lease provisions. As RRPDC is a public body dependent upon public funds to operate, also included in the lease is a clause stating that should public funds fall below an amount needed to sustain lease payments,

RRPDC has the right to renegotiate or cancel the lease provisions. In all other clauses, this is a standard commercial lease. He asked Mr. Amos, RRPDC legal counsel, to address other issues. Mr. Pantele stated that the Executive Committee had approved forwarding the proposed lease to the Commission for its review and action.

Mr. Amos stated he had reviewed the lease against the proposal presented to the Commission previously. He noted that the rent amounts as presented in the proposal has been estimated at \$22,000 per month but based on actual square footage, the amount was \$22,048. Language as it relates to sub-letting has been included and will be allowed at the discretion of the landlord. The lease is a full service lease, with janitorial services included. Insurance requirements are standard. The security deposit will be held in an interest bearing account and will be returned at the satisfactory conclusion of the lease term. Commission due to Mr. Douglas will be paid by the landlord. There is also a build-out clause providing for \$240,000 for improvements to the space. A provision was added addressing the need for renegotiation of the lease should public funding fall below an amount needed to meet lease payments.

Mr. Pantele asked if there were any questions. There was a question on when the Commission would move. Mr. Pantele stated the lease would begin on June 1, 2007. Mr. Amos added that there are several deadlines that must be met prior to that – one being drawings for floor space allocations due to the designer by December 22 with final drawings for floor space due January 5. The landlord will make improvements based on these drawings prior to occupancy. RRPDC is allowed to begin moving in equipment ten days prior to June 1.

Mr. Pantele stated this move date will coincide with the termination of the current lease. Mr. Miller asked if the landlord would be held responsible for keeping the building in good repair. Mr. Miller stated he was concerned about a mutual indemnification clause. Mr. Pantele stated that if the landlord failed to meet its responsibilities as stated in the lease, RRPDC would have recourse. Mr. Amos agreed with Mr. Pantele's assessment of this concern.

Mr. Pantele recommended a motion be made to accept the lease as presented. Ms. Graziano moved that the lease for new office space be approved as presented. The motion was seconded by Mr. Trout. The motion was carried unanimously.

### **III. NEW BUSINESS**

#### **A. Approval of Revised FY 07 Budget and Work Program**

Chairman Holland asked Mr. Fisher to review the information regarding the revised FY 07 budget.

At this time, Mr. Butler noted that the Chairman should consider asking for further discussion on an item prior to calling for a vote on a motion. Chairman Holland replied that he thought he had called for further discussion and would make a point to do that going forward. Mr. Butler also indicated that the vote on the proposed lease was not unanimous. Chairman Holland asked if whoever had opposed the lease would like the negative vote recorded, it would be noted. Mr. Butler stated he abstained from the vote.

Chairman Holland asked Mr. Fisher to continue with the budget presentation. Mr. Fisher stated Ms. Evans would give an overview of the revised FY 07 budget and, as required in the bylaws, she would also review the preliminary FY 08 budget.

Ms. Evans offered an update on the FY 07 Work Program. She brought to the attention of the Commission some items from the Work Program that are done in conjunction with local jurisdictions and that are in addition to work done as required by federal law. Those projects include:

- Local comprehensive plans
- Local zoning/subdivision ordinances
- Henrico County technical assistance
- Low impact development web site
- James River interpretive maps
- Impervious surfaces phase III
- Hampton Roads PDC evacuation coordination
- E-911 map book for a local jurisdiction
- Regional Mass Transit Study

Ms. Stewart offered more detailed information on the impervious surfaces project and the emergency evacuation plans. Ms. Stewart also stated that she has been participating in meetings called by the governor regarding the emergency evacuation plans.

Regarding FY 07 revenues, there will be a net change of negative \$6,700 from what was presented to the Commission in May. This includes a reduction in the amount of \$126,600 needed from the unrestricted fund. On the expense side, factors impacting expenses include a reduction in personnel costs of \$59,200 due to two positions not being filled until late in the first quarter. Other factors are related to moving costs which will be a one-time expense.

Overall, the operating budget presented in May was \$2,309,600; the revised amount will be \$2,302,900, a change of negative \$6,700. The unrestricted fund balance in May 2006 was \$1,597,349 and in December 2006, the amount stands at \$1,823,949. It is anticipated that \$7,300 will be used for the current fiscal year to balance the budget.

Mr. Butler asked if moving expenses had been included in the FY 07 budget. Ms. Evans indicated these were included in the FY 07 budget. Three moving companies provided estimates on moving costs for budgeting purposes and information was obtained from other companies and the state's technology department on cost estimates to move computer and telephone equipment. All of this has been taken into consideration for the FY 07 revisions. No contracts have been finalized with any company for moving-related purposes.

Chairman Holland asked if there was any further discussion on the revised FY 07 budget. As there was no further discussion, on motion made by Mr. Pantele and seconded by Mr. Holmes, the Commission unanimously approved the revised FY 07 budget and work program as presented.

## **B. Approval of Preliminary FY 08 Budget and Work Program**

Mr. Fisher stated the Executive Committee had also been briefed on the preliminary FY 08 budget. Ms. Evans gave an overview of the proposed budget.

Ms. Evans indicated changes will be made to both the work program and budget as the year progresses. At this time, a short list of tasks included in the work program are:

- Industrial standards assessment
- Regional growth assessment
- Chesterfield County technical assistance
- Utility director task force
- Urban transportation LRTP (SAFETEA-LU)

For FY 08 revenues, the largest assumption is that no growth in basic grants will be realized. Within the next few months, these grants will be determined and amounts can be finalized. Once the General Assembly is in session, budget amounts for various projects will also be determined, and the RRPDC budget for FY 08 will be revised accordingly. At this time a conservative approach had been taken in developing the budget as presented.

Dues rate is being held constant at 60¢ per capita. Weldon-Cooper figures will be available within the next two months and localities will be advised of dues amounts at that time.

On the expense side, this budget shows a net increase of \$58,300 and includes the addition of one staff member in urban transportation. Mr. Glover asked if this person will be paid through MPO funds. Ms. Evans stated this is true to the extent that there are MPO funds available. General planning funds have been used in support of MPO programs for the past several years as the amount of dues allocated to the MPO does not meet the amount required.

Rent will increase while computer operations, supplies, and other miscellaneous expenses will decrease.

The FY 08 budget summary shows with the FY 07 revised amount of \$2,302,900 and the preliminary FY 08 amount of \$2,361,200, there will be a net increase of \$58,300. There will be a total budget decrease from elimination of one time pass through funds for the Regional Mass Transit Study. The unrestricted fund balance use is anticipated to be in the amount of \$66,600.

There was a question regarding how sub-lease revenues will be addressed. Ms. Evans stated it had been assumed that the space would be sub-let during the entire budget year. If the space is not sub-let, the unrestricted fund balance would be impacted in the amount of \$35,000.

There was a question regarding the utility directors task force which was addressed by Ms. Stewart.

Chairman Holland asked if there were any further questions regarding the preliminary FY 08 budget and work program. There being none, on motion made by Mr. Kaechele and seconded by Ms. Graziano, the preliminary FY 08 budget and work program were approved unanimously as presented.

### **C. Central Virginia Solid Waste Management Plan Amendment**

Chairman Holland asked Mr. Fisher to present information on this item. Mr. Fisher stated this amendment involves the proposed Environmental Solutions Incorporated Composting Facility located in Chesterfield County. The amendment must be approved by RRPDC and the Crater Planning District Commission, in addition to the CVWMA board of directors, before it can be submitted to the Department of Environmental Quality for approval.

Mr. Fisher introduced Kim Hynes, executive director of CVWMA, who offered additional information on the plan amendment including information on public hearings that are being held. Ms. Hynes introduced Bernard Harris, also with CVWMA, who addressed environmental issues regarding the amendment.

Mr. Glover asked how funding for the facility would be handled. Mr. Harris indicated this was a private company and no public funds would be used. CVWMA is the plan holder which is the only reason the amendment was being brought to the Commission.

Mr. Hinson asked if sludge from other localities would be accepted. Brenda Robinson, from Environmental Solutions, indicated sludge from Philip Morris and Brown Williamson would be accepted at the facility.

Mr. Pantele made a motion to approve the resolution to amend the plan as presented. The motion was seconded by Ms. Snyder. The motion carried unanimously.

#### **IV. OTHER BUSINESS**

##### **A. Announcements**

There were no announcements.

##### **B. Committee Reports**

###### **1. Personnel and Operating Policies Committee**

Mr. Pantele reported that the Personnel and Operating Policies Committee is comprised of the same members as the Executive Committee. This committee is being activated to begin a search for a new executive director following Mr. Fisher's announcement that he will be retiring effective June 1, 2007.

Consensus of the members of the committee is that there should be discussion among the jurisdictions regarding the future mission of the Commission, to determine common ground in continuing forward. As there will not be a Commission meeting in January, the Personnel and Operating Policies Committee will meet to discuss how to begin the search process and whether a third party should be contracted to help with the search. Information on such organizations will be gathered prior to the January meeting and will be discussed at that time. One such group being considered is the Southeast Regional Directors Institute. Staff will assist in contacting these types of organizations, especially those which have helped with similar searches in Virginia.

All jurisdictions will be represented during this process. The process will be done in a time frame that will allow pertinent and thorough discussion regarding the Commission's future direction while taking into consideration the need to hire a replacement for Mr. Fisher as soon as possible.

##### **C. For Your Information**

Information was included on the following:

1. Traffic impact analysis proposed regulations
2. Update on Emergency Broadcast Communications Sub-Committee
3. Letter from The Valentine Richmond History Center thanking Mr. Fisher for his participation on the Selection Committee for the 2006 Richmond History Makers award

4. Letter from Jim Dunn, CEO Greater Richmond Chamber of Commerce, thanking Mr. Fisher for his participation in the LMR Class Day
5. Letter from T. Wade King commending the work of staff in conjunction with the GIS Workshop held on October 27, 2006
6. Letter from Mr. Fisher to Mr. King thanking him for his comments regarding the GIS Workshop
7. Letter from Mr. Fisher to Chairman Holland announcing Mr. Fisher's retirement effective June 1, 2007
8. News release from Chairman Holland announcing Mr. Fisher's retirement

V. **ADJOURNMENT**

There being no further business to come before the Commission, on motion duly made and seconded, Chairman Holland adjourned the meeting at approximately 1:40 p.m.

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Paul E. Fisher  
Executive Director

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Russell E. Holland  
Chairman