

RICHMOND REGIONAL PLANNING DISTRICT COMMISSION
Minutes of Meeting
October 9, 2008

Members/Alternates Present

Malvern R. "Rudy" Butler (M).....County of Goochland
Karin Carmack (M).....County of Powhatan
Deborah B. Coates (A).....County of Hanover
Robert R. Cosby (M).....County of Powhatan
Timothy W. Cotman, Sr., Chairman (M)..... County of Charles City
Marleen K. Durfee (M).....County of Chesterfield
Richard W. Glover (M)..... County of Henrico
John E. Gordon, Jr. (M).....County of Hanover
Kathy C. Graziano (M), Vice Chairman.....City of Richmond
Jerilynn T. "Jeri" Grigsby (M)..... County of Henrico
John C. Grier (M).....City of Richmond
Evan Fabricant (M).....County of Hanover
James M. Holland (M).....County of Chesterfield
Courtney G. Hyers (M).....County of Goochland
Dorothy Jaeckle (M).....County of Chesterfield
Patricia S. O'Bannon (M)..... County of Henrico
C. Harold Padgett (M).....County of Hanover
Faye O. Prichard (M).....Town of Ashland
Ellen F. Robertson (M).....City of Richmond
Robert R. Setliff (M).....County of Hanover
Randall R. Silber (A)..... County of Henrico
Millard D. "Pete" Stith, Jr.(A).....County of Chesterfield
Frank J. Thornton (M)..... County of Henrico
Stran L. Trout (M), Secretary..... County of New Kent
Joseph B. Walton (M).....County of Powhatan

Members Absent

James B. Donati (M), Treasurer..... County of Henrico
Daniel A. Gecker (M).....County of Chesterfield
Russell J. Gulley (M).....County of Chesterfield
E. Ray Jernigan (M)..... County of Henrico
David A. Kaechele (M)..... County of Henrico
Beverley C. Lacy (M).....City of Richmond
Delores L. McQuinn (M).....City of Richmond
William J. Pantele (M).....City of Richmond
George K. Roarty (M).....County of Chesterfield
Brenda L. "Sam" Snyder (M)..... County of New Kent
Arthur S. Warren (M).....County of Chesterfield

Others Present

John R. Amos..... RRPDC Legal Counsel
Michael Aukamp..... Dunham, Aukamp & Rhodes
John T. Benton..... Citizen, Chesterfield County
Rob Bradham GRCC
Carolyn Cios County of Powhatan
Charles Hartgrove Town of Ashland
George Homewood County of New Kent
Will Jones..... Richmond *Times-Dispatch*
Mike Schnurman..... County of Henrico

Staff Present

Robert A. Crum, Jr..... Executive Director
Jo A. Evans Assistant Executive Director
Julie H. Fry..... Executive Secretary
Daniel N. Lysy Director of Transportation
Barbara Nelson..... Principle Planner
Jackie S. Stewart Director Planning/IS
Peter M. Sweetland Finance and Contracts Administrator

Call to Order

Chairman Cotman called the regularly scheduled October 9, 2008 RRPDC meeting to order at approximately 1:15 p.m. in the RRPDC board room. He 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. Requests for Additions or Changes in Order of Business

Chairman Cotman asked if there were any changes or additions to the agenda. Mr. Gordon asked if Item III.A. – Review and Accept Audit Report – could be moved to fall under the Chairman’s Report as Item I.D.1. There being no objections, the agenda change was accepted.

C. Open Public Comment Period

Chairman Cotman asked if there was anyone from the public in attendance who wished to make a comment. He reminded speakers that their time is limited to three minutes. Chairman Cotman also noted that the audio system is still not

functioning at full capacity so everyone is asked to speak clearly and loudly or to find a microphone. There being no requests from the public to address the Commission, the Chairman closed the public comment period.

Mr. Butler noted that the poor sound system at the old location was one of the considerations in moving to the new office. He asked when the new system would be functioning. Ms. Fry noted that repairs were due to be made to the cables next Tuesday and Wednesday.

D. Chairman's Report

Chairman Cotman remarked that in consideration of the time, he would refer members to the Commission agenda, which contained items he would report on if he gave a formal report.

D.1. Review and Accept Report from Audit Committee [New Business Item IIIA]

Chairman Cotman asked Mr. Gordon to give this report. Mr. Gordon will report on behalf of the Audit Committee at Mr. Donati's request as Mr. Donati was unable to attend today's meeting.

Mr. Gordon noted the audit report is under Tab 6 in the agenda book. Mr. Michael Aukamp, who conducted the audit, is in attendance and will give a brief report.

Mr. Aukamp thanked Ms. Evans and Mr. Sweetland for keeping the financial records in excellent condition over the past year. The Commission has received an unqualified opinion on this year's audit. This means there were no problems found and all systems are operating in accordance with the Government Auditing Standards. There were no negative compliance findings. On the operations side, the Commission was down about \$2,000.00. Reserve levels are in good condition at \$1.7 million in assets. This is a strong financial position for the agency.

Mr. Gordon said the Audit Committee had accepted Mr. Aukamp's report during its meeting earlier today and the Executive Committee had also accepted the report. Mr. Gordon said he would make a motion that the Commission accept the report as presented. Ms. Graziano seconded the motion. There being no further discussion the motion carried.

E. Approval of Minutes – September 11, 2008 Meeting

Chairman Cotman asked Mr. Trout to present this item.

Mr. Trout noted the minutes were included in the agenda book and moved that the minutes be approved as presented. The motion was seconded by Ms. Graziano.

There being no further discussion, the motion carried and the minutes were accepted as printed.

F. Approval of July and August 2008 Financial Reports

Chairman Cotman asked Mr. Sweetland to present the financial reports for July and August 2008, on behalf of Mr. Donati, who was not able to attend today's meeting. Mr. Sweetland called the members' attention to the report under Tab 2. He noted that on the July report, with 8% of the fiscal year completed, total operating and pass-through expenses averaged 7.2%. In August, with 17% of the fiscal year completed, total operating and pass-through expenses averaged 17.2%. He asked if there were any questions.

Mr. Glover asked how the undesignated fund balance was reduced from \$657,214 in July to \$535,441 in August. Mr. Sweetland said these funds are used to meet the financial obligations of the agency. Mr. Glover asked how the designated fund balance was used. Mr. Sweetland said this fund was established at the direction of the Commission in 2004 to hedge against any deficit in funding to meet financial obligations.

Ms. Evans added this was the amount determined to be needed should the agency go out of business. This was set up in 2004 when Mr. Butler asked for staff to begin looking at long-term forecasts. Mr. Glover said he thought the terms were reversed and didn't understand why an undesignated fund would be drawn down. Mr. Sweetland said this was for general expenses. Mr. Glover said he would like to see how these funds are being used. Mr. Sweetland said he would provide that information to Mr. Glover.

Ms. O'Bannon asked if the undesignated fund amount would be used over the next month to cover expenses. Mr. Sweetland said that was correct and that deposits would be made to that when funds were received from VDOT and VDRPT. She asked what the draw down would be for September. Mr. Sweetland replied that as soon as the September bank statement was received, he could give her a break down. Ms. Evans said a quarter's worth of grant monies would also be received which would raise the amount. Ms. Prichard said this would mean the balance fluctuates. Ms. O'Bannon said if the agency would need to close it would use money from the designated fund to pay off rent, etc. The undesignated fund would be used for other expenses. Mr. Sweetland said that was correct.

Mr. Butler asked why the auditor had quoted one amount but it does not match what is on the balance sheet. Mr. Glover noted that approximately \$200,000 had been used to pay expenses over a month, so he understood why the amounts were different. Mr. Butler asked if money being used was above what had been budgeted so money was having to be drawn from the fund balance.

Mr. Holland said he thought there was a question on actual versus budget amounts. He said the terms can be confusing but he sees the terms as appropriate.

Mr. Butler said if money is being used from the designated fund, there should be some notation as to what it's being used for. Mr. Sweetland said the \$1.7 million is the total of funds on lines 11 and 12 as of June 30. The amounts went down as the month progressed, but they will go back up when funds are received from VDOT and VDRPT.

Mr. Butler asked if VDOT money was put in the Commission account. Mr. Sweetland said the funds are reimbursed to the PDC for expenses it incurs working on the MPO's program. PDC funds that are spent on the MPO program are accounted for and reimbursed from the granting organizations – VDOT and VDRPT.

There being no further discussion, on motion made by Ms. Graziano and seconded by Mr. Gordon, the July and August 2008 financial reports were accepted as presented for audit.

G. Executive Director's Report

Mr. Crum reported he had begun the process of identifying the strengths and weaknesses of the organization. He has met with all 17 staff members to begin this evaluation. He has also begun to reach out to other organizations. He has attended many of the recent board meetings in the localities to understand some of the issues being faced there. He has also contacted the CAOs and some planning directors to meet with them and to get their perspective on the agency's strengths and weaknesses. Mr. Crum said he hopes to identify some common themes to help begin a strategy to move the agency forward.

Mr. Crum noted there are several vacancies in the agency at this time. He's interested in finding out how the vacancies fit into the bigger picture so he can prioritize the vacancies and fill them. Included in the current budget are funds for an organizational evaluation to determine if the necessary skill sets are being brought forward to fulfill the tasks the agency is being asked to do. He said there may be other positions to add or revise depending on the evaluation.

Mr. Crum said he is also beginning to be involved in the Capital Region Collaborative. He has contacted the new Richmond Chamber CEO and President, Mr. Kim Scheeler, who had planned to attend today's Commission meeting but had a conflict. He will attend the November meeting to be introduced to Commission members. Mr. Scheeler and Mr. Crum are beginning to work on a strategic course on how to move forward with the Collaborative. He will give a report to Commission members for feedback on what direction to take and what the role of RRPDC will be in this effort.

The Staff Status Report is included in the agenda book under Tab 3. If there are any questions, staff will be glad to answer them.

Ms. O'Bannon noted Mr. Crum's signature is on the financial reports, and he had heard the questions related during today's financial reports. She asked if these issues will be addressed. Mr. Crum said he would meet with Ms. Evans and Mr. Sweetland to discuss how these issues can be addressed. He said he appreciates the comments as they help him to understand the concerns. Mr. Crum noted that the responses given by Mr. Sweetland are consistent with other MPOs that Mr. Crum has worked with. The questions raised are good ones, and Mr. Crum will provide answers for them.

Ms. O'Bannon noted a line for pass-through expenses had been added at the board's request. She said this should be made more clear.

Mr. Butler asked Mr. Crum to be sure to contact local chambers of commerce as some counties do not belong to the Richmond Chamber. He suggested that other business organizations and associations in the counties would be worth contacting as well. Mr. Crum said this has been discussed on the staff level, and he did hear the presentation in Goochland County by their chamber given during the Goochland Board of Supervisors' meeting. Mr. Crum said it would be important to receive input from these organizations as well.

Mr. Glover asked if the State contributed any funding to RRPDC. Mr. Crum said RRPDC does receive an annual allocation from the State. This year the amount was approximately \$160,000.00. The State provides an allocation to all PDCs based on size. Mr. Glover asked if the State's budget reductions had caused Mr. Crum to consider a hiring freeze in the agency. Mr. Crum said he has not reached that point yet, and he understands the need to be conservative in the current financial times. The auditor did say the agency's financial position is strong, and Mr. Crum will continue to monitor all expenses. He has been in touch with other area PDCs and the state PDC association to keep an eye on the status of State funding. Mr. Crum said he will report to members of the Commission prior to filling any vacant positions. Mr. Glover asked if Mr. Crum would go forward with filling vacancies. Mr. Crum said he will give a recommendation to the Commission during next month's meeting on how he would like to proceed with this. Mr. Glover asked if Mr. Crum would be open to recommendations from members of the Commission. Mr. Crum said he would be interested in receiving that information.

Mr. Crum said that concluded his report.

II. OLD BUSINESS

A. Jurisdictional Committee Reports

Chairman Cotman asked Ms. Prichard and Mr. Gordon if they would like to give a report from the Jurisdictions Committees.

Mr. Gordon reported that the Large Jurisdictions Committee has not met since the last Commission meeting. There are several activities ongoing from the committee's discussion which will be brought up later on the Commission's agenda. Mr. Gordon said in light of this, the Large Jurisdictions Committee will not meet in October. He noted the committee will meet again next month. He and Ms. Prichard, chair of the Small Jurisdictions Committee, have agreed that the two committees will meet jointly on a quarterly basis.

Ms. Prichard said the Small Jurisdictions Committee will meet on October 16. She noted that she and Mr. Gordon are in contact regularly about the need for the committees to meet.

B. Proposal to Create Regional Transportation Authority

Chairman Cotman asked Mr. Crum to give this report.

Mr. Crum said he would give some introductory information and then step back to allow discussion. He said during last month's Commission meeting there was discussion on proposed legislation to create a regional transportation authority. It was agreed that members would take this proposal back to their jurisdictions for discussion and possible action. Today it is being proposed that reports be heard from each locality on the discussions that took place during local meetings, including any concerns or questions that were raised.

Chairman Cotman said he would report that in Charles City County, the board approved the proposal in concept. The county may opt in later once they see how things progress.

Ms. Graziano reported that the Richmond City Council met this past Monday evening, and Mr. Crum made the presentation to Council members. She said there was a general consensus of Council members that the concept was a good one, but mass transit needed to be better addressed in the document. It was also discussed that perhaps the authority could be established this year and funding sources could be identified next year.

Mr. Trout reported that New Kent County voted against the proposal. The key concern was the financing mechanism and how it would affect State funding. The other issue is what everyone has already agreed on – that transportation funding is a State responsibility and the authority would help fill the gaps if the State could

not provide the funding. The suggestion of establishing the authority without funding at this time is one that may cause New Kent County to reconsider the proposal.

Ms. O'Bannon said Henrico County discussed the issue during a work session held on September 23. Three concerns were raised:

1. the State's potential involvement with reallocating or utilizing revenues over time for other State purposes
2. impact of any future funding for Henrico's road maintenance costs since Henrico maintains its own roads
3. excessive tax on local taxpayers with no or little impact on non-residents or persons outside the region

The Henrico Board will discuss this with its State legislators during a meeting to be held on November 5 in consideration with the rest of the county's 2009 legislative program. No vote was taken on the proposal, and no decision will be made until after the meeting on November 5.

[NOTE: the recording mechanism stopped at this point; minutes going forward are from staff notes.]

Mr. Butler reported the Goochland Board of Supervisors discussed the proposal and determined their concern is that the county already receives very little funding from the State for the county's secondary road projects. The county is concerned that this limited funding will be cut off if the county receives funding from the authority. Transportation is a statewide problem, and funding is already being cut by the legislature. Mr. Butler said it is Goochland's concern that the State will use whatever funds are collected for other projects. At this time, Goochland will probably vote not to support the proposed authority.

Mr. Setliff noted that Hanover County is receiving less funding from the State than it has in previous years. If the region is to have a transportation authority, a way must be determined on how to designate where the funding will go. Mr. Setliff said he and Hanover County's administrator met with each elected official and the county's legislators to discuss the issue. They received good feedback and in reviewing this feedback, members of the Hanover County Board of Supervisors agreed it is not a good time to create new taxes. Mr. Setliff said the county would support creation of the authority this year with identification of funding sources being postponed until next year. Members of the Board of Supervisors will continue to discuss the issue with their local legislators.

Ms. Prichard reported that during a public meeting held by the Ashland Town Council, there was evidence of some confusion on the concept of the authority. She noted discussions will continue on the issue; however, because Ashland

residents will be paying Hanover taxes if Hanover joins the authority, Ashland will follow suit and follow Hanover County's lead.

Mr. Cosby reported that the Powhatan Board of Supervisors will consider the proposal during their meeting on October 13.

It was reported that Chesterfield County has not yet discussed the proposed transportation authority and expects to do this prior to the Commission's November meeting.

Mr. Amos, RRPDC legal counsel, pointed out that he is concerned with language in the proposal, on the last page in the fourth paragraph, that sets requirements for RRPDC to provide staff, along with VDOT, to support the authority. He said that even without unanimous approval by the Commission member jurisdictions to join the authority, RRPDC staff will still be obligated to support the authority. Mr. Amos continued by saying that if the authority is established using the two-step process now being discussed, RRPDC will still serve as staff for the authority and provide offices space without a source of funding for the authority. RRPDC would not be reimbursed until funding was received. Any contract between the authority and RRPDC would require a method for reimbursement be included in the contract.

Chairman Cotman pointed out that the last sentence in the proposed legislation provides an out if RRPDC is unwilling to provide staff or office space.

Mr. Amos noted the word "shall" may present a problem if the Commission is unwilling to provide either staff or space.

Mr. Butler noted that RRPDC staff will be working for the authority and may take time away from projects that other member jurisdictions (who opt not to join the authority) may request from RRPDC.

Ms. Graziano reminded members of the Commission that the document in front of them is in draft form. With talk of approaching the creation of an authority by using a two-step process, the document will need to be reworked before it can be moved forward.

Ms. Durfee noted this would be a good opportunity to have a summary created on what each jurisdiction sees as concerns regarding the creation of an authority.

Mr. Crum said staff could put an outline together to distribute to members if that was their desire, in addition to a list of common questions he had heard during his attendance at local meetings where the authority had been discussed.

Ms. Durfee said this would be helpful in communicating a clear message to local legislators on what the Commission is requesting.

Ms. O'Bannon asked if the City of Richmond would consider supporting the creation of an authority if the two-step process was approved.

Ms. Graziano indicated this seems to be the preferred method being discussed by the other localities. She noted that if the authority is created without funding sources, it would not be able to function until funding was received.

Ms. Roberson asked what Henrico County was discussing with regard to creation of an authority.

Ms. Graziano said not all localities had discussed or voted on the issue.

[NOTE: recording of the meeting resumed at this point.]

Ms. Robertson thanked Mr. Crum for his presentation to City Council on Monday evening. She noted members of Council had questions regarding funding for mass transit. She said before moving forward, she thinks there needs to be a better understanding of the scope of work for the authority and how things will progress if there is no budget. Ms. Robertson asked if a board would be appointed and what their role would be if the authority was not funded. She noted this is a great opportunity for regional support of transportation issues. She supports the concept of a regional authority but thinks there should be public hearings prior to moving forward. She said once the decision to go forward is made, then citizens will need to know what taxes will be created. There has not been enough discussion on this issue. If the Commission wants to move this forward and present it to legislators during the upcoming General Assembly session, there is a limited time in which to finalize everything. Ms. Robertson noted that without a timeline and a good idea of what will be expected of the authority, she believes the Commission is working backwards.

Ms. O'Bannon said in her discussions with other people, she's not sure this is something that will be brought up during this year's General Assembly session. She said she agrees with what Mr. Butler said in his comment that some legislators are for the idea and some are against it. She said this is why Henrico County wants to talk with its legislative delegation before voting on the proposal. She further noted there is a list of recommended funding sources for the authority in the proposed legislation. She said funding statewide is being reduced this year across the board.

Ms. Jaeckle noted that Chesterfield County is also going to meet with its legislative delegation before making any decision. She said she thinks it would be a good idea to have the legislators attend a Commission meeting to discuss this issue. She said there are still too many unanswered questions. In order for the Commission not to appear to be close-minded, she thinks legislators should be brought in to the conversation.

Chairman Cotman said the Commission is asking for enabling legislation since legislation would be to create an authority without funding sources.

Mr. Crum reported that legislators have been invited to attend the November Commission meeting not only to hear this issue but to discuss a regional legislative agenda.

Chairman Cotman reminded members that some legislators had been involved in the creation of the proposed legislation by virtue of being members of the Work Group.

Mr. Gordon said there were several legislators involved in the process that led to the document being discussed today. He said a commitment was made by members of the Commission a year ago that given the opportunity, members would participate in creating legislation that the Commission would feel comfortable with. He said that if members of the Commission go to legislators at this time to say there are still more questions, he wonders how the legislators will react. He said the Commission will not make any decision on whether to have an authority. He said what the Commission is doing is giving the General Assembly some direction on what the Commission will be comfortable with if the General Assembly decided to approve an authority.

Mr. Gordon said members can sit and complain as the General Assembly takes action, which is what happened last year, or members of the Commission can participate by creating a package to communicate to the General Assembly to let them know what the Commission would be comfortable with. Mr. Gordon said the Commission needs to let the General Assembly know that if they create an authority, then what is before members of the Commission now is what the authority should look like. He said this is what members of the Commission were doing now, not attempting to raise taxes or anything like that. The Commission is only attempting to communicate what the Commission can be comfortable with if the General Assembly moves forward with creating an authority.

Mr. Setliff said members of the Commission had established a Transportation Funding Strategies Work Group to look at the issues and come back with a recommendation. The Work Group met several times and was comprised of legislators, business leaders, and elected officials from the region. The Work Group reported to members of the Commission in October that the Work Group had agreed the document now being discussed would be taken back to the localities for further discussion and input. Some localities have determined that they cannot support this document. None of the four large jurisdictions have determined how they will vote to support or not support the document. Everyone is at a different stage in the discussions. Mr. Setliff said that if Hanover County votes to support the document it will be in self defense against what happened last year when the General Assembly created a bill with no local input. He said there

are still things that must be changed as noted by the attorney. Mr. Setliff said he thinks more discussion is needed in the localities.

Mr. Butler said he would like to reply to Mr. Gordon's statement that nothing has been done on transportation issues. Mr. Butler said each year when he goes to General Assembly to appear before committees on behalf of VACo, he has always fought for transportation funding. He said all of the localities' legislative aides are also talking about transportation when they go to the General Assembly. He said members of the General Assembly have not been convinced that something must be done.

Mr. Gordon responded that he did not say that nothing has been done for transportation issues.

Mr. Fabricant said he thought the idea of asking for more money from citizens was not the right thing to do. However, the transportation issue will continue to grow. He said the rural areas will continue to be developed, and no one can wait for the State to act. He said localities should take responsibility for their own growth along with the State. Mr. Fabricant said a template should be developed and that localities can't rely on the State to solve all of the problems.

Mr. Jaeckle said she agreed with what was said. She noted that with growth comes an increased tax base and she wondered why the State couldn't return some of this money to the localities. She said she likes the idea of an authority, but she would like to see a requirement that the State should match in some way the monies raised by the authority.

Mr. Glover said the gasoline tax is the only tax being collected specifically for transportation needs. He said he thinks the MPO does a good job in working with the State to distribute transportation funding. He said he believes the City of Richmond is the only locality to have received any enhancement funds for environmental issues. Mr. Glover said his concern is that there is no way to know what kinds of funding sources will be created by the General Assembly. He said the State cannot be counted on to make sure specific funding is provided. He said he does not have a problem with the authority even if new taxes are proposed. Mr. Glover said he would like to see a provision in the legislation that a locality could opt out of the authority if the State cuts funding. He said this is a donor region along with northern Virginia and the Tidewater area. Mr. Glover said he is concerned that the State will cut funding based on what money is distributed by the authority.

Chairman Cotman said he understands the concerns raised by Mr. Glover.

Mr. Glover said it is not the responsibility of the localities to tax their residents to pay for transportation needs; it is the responsibility of the State. He said having an authority would take pressure off the State to provide transportation funding.

Chairman Cotman said members of the Commission had been charged to find funding strategies. He said as this is a new task for the Commission, it has raised a lot of questions.

Ms. Durfee said it would be helpful if Mr. Crum could provide a list of pros and cons for the localities to use as talking points when they meet with their legislators.

Chairman Cotman said members should also remember there are time constraints. He said staff will need to have feedback from each locality prior to the November 13 Commission meeting.

Ms. Prichard said last year it was noted that as individual localities, there is not much power. The power lies in working together as a region. She said this is the first opportunity the Commission has had to work together as a region. Instead of coming together in the spirit of compromise and trying to understand how each member can bring something to the table to help move this forward, everyone is too concerned with their own needs. This has bogged down the process. Ms. Prichard said it is important to remind each other that they can accomplish more by working together. The Work Group was established to bring suggestions to the Commission. Each jurisdiction has a member on the Work Group. If the members are not happy with what has been brought forward then it is the members' responsibility to bring those concerns to their representatives on the Work Group. Ms. Prichard said it is important that the State legislators not see the Commission as the Commission sees them – in not being able to work together to get something accomplished.

Mr. Butler said the smaller jurisdictions would not be a part of the authority from the beginning.

Ms. Prichard said she believes everyone should come together in this effort.

Mr. Setliff reminded Mr. Butler that Goochland had been part of the Work Group that developed the proposed legislation.

Mr. Butler said he was not part of the Work Group until he pointed out that Goochland was not represented from the inception of the Work Group.

Mr. Setliff said the omission was an error and that in the end, all nine jurisdictions were represented on the Work Group.

Mr. Walton said the Small Jurisdictions Committee had agreed to leave two of the smaller jurisdictions out of the initial recommendation of members to be appointed to the Work Group. He said this was done in agreement with all members of the Small Jurisdictions Committee. Mr. Butler said there were two jurisdictions left out of the Work Group – Goochland and New Kent. Mr. Walton

said as soon as the issue was raised by Mr. Butler, the correction had been made and Goochland and New Kent were included.

Mr. Crum said to recap, it seems that all the jurisdictions need more time to discuss this at the local level. He said feedback would be requested from the localities prior to the November 13 Commission meeting. He said he has heard more interest in the two-step approach for creation of an authority: setting up the authority first followed by establishing a funding stream. Staff will prepare a list of frequently asked questions and responses for localities to use in their discussions. Staff will also develop a list of pros and cons prior to next month's meeting. Staff will follow up with all county administrators asking for feedback prior to November 13.

C. Update on RRPDC Legislative Agenda

Chairman Cotman asked Ms. Evans to give this report.

Ms. Evans asked that a handout be distributed on a draft legislative agenda. She noted on the second page of the handout was a timeline for the legislative session. Today it will be requested that the members of the Commission give feedback on this draft package. She said during the November 13 Commission meeting it is hoped that members will have had enough time to review what is being proposed today so that action can be taken to adopt the 2009 legislative agenda.

Ms. Evans said the first item is impact fees and cash proffers. She said SB 768 was continued to this year. The Athey-Vogel Joint Sub-Committee was established to examine and monitor transition to channeling development into Urban Development Areas. This is a two-year study with a final report to the General Assembly in 2009. RRPDC staff has been assigned to a work group as a result of a request made by Chairman Cotman to the legislators that RRPDC have input. Other groups are working on additional legislation to present on this issue during the 2009 session.

A statement of principles on growth was developed as part of work done by the jurisdictional committees (handout). If the Commission chooses to endorse this statement, it will be forwarded to members of the General Assembly. Ms. O'Bannon asked how this statement had been developed. Ms. Prichard said it was developed mostly by George Homewood in the Small Jurisdictions Committee and then it was discussed by the Large Jurisdictions Committee. Ms. O'Bannon noted that VACo and VML had a similar document and the Commission may want to join with those groups.

Mr. Gordon said he thought RRPDC should speak for itself without reference to other groups to present a consensus of principles on standards of growth.

Ms. Evans asked if members would like to make a decision on this at the November meeting.

Mr. Glover said he would like an opportunity to take it back to his locality to make sure it was not in conflict with anything the county was proposing.

Chairman Cotman asked if the consensus of the members was to place this on the November agenda. Members responded affirmatively.

Ms. Evans continued with her review. She noted the next item, Homestead Exemption, may or may not be an issue in the 2009 General Assembly. This began in the 2007 General Assembly session as a proposed constitutional amendment to exempt or defer real property taxes. It did not pass on the second reading during the 2008 session and was continued to 2009. Several other related measures were continued as well. It is unclear if this will be an issue in 2009 given the current economic situation. Staff would recommend that the Commission draft a policy statement on this topic.

Ms. Graziano said the only way localities have to raise revenue is through property taxes. She said the current law needs to be left as is because the localities need to determine how to raise their own revenues.

Mr. Trout said he agreed with what Ms. Graziano suggested as this may decrease taxes paid by homeowners and farmers while increasing what is paid by commercial business owners.

Ms. Evans said she was hearing that there should be a policy statement that says localities should be allowed to determine their own revenue sources.

Ms. Evans said the next item would be general environmental regulations. She said there are no specifics for this year. She said this would be a policy statement only from the Commission members. Ms. O'Bannon said VDOT is required to do an environmental study for any project over \$30,000.00. She said there should be a threshold on costs for studies that could potentially double the cost of the project.

The next item is broadband infrastructure initiatives. Funding for these initiatives has been cut from the budget for fiscal years 2009 and 2010. There is the perception that the Richmond region is an urban region and has no need for rural broadband initiatives. Two measures did pass last year that would require state agencies to lease or convey a license or other interest in a state-owned communications tower to qualified wireless broadband service providers and to deploy broadband internet service to areas of the Commonwealth that are not receiving adequate internet service. Staff suggests a policy statement to recommend recommitment to these initiatives.

Ms. O'Bannon said this is a priority of VACo. She noted if assistance for broadband is given it will decrease the need for transportation funding to allow telecommuting and better phone service, as well as being a work force issue.

Ms. Evans said the next item is the regional transportation authority which has already been discussed at length.

Chairman Cotman recognized Mr. Hartgrove, Ashland Town Manager, who noted that Ms. Prichard had to leave the meeting, but she asked him to convey the Town's request that public safety funding (599 funds) be included in the package. These funds have been frozen for the past two years. Mr. Glover noted these funds are used to pay for police forces, and he supported Mr. Hartgrove's comments.

Ms. Evans said in addition to Ashland, the City of Richmond and the Counties of Henrico and Chesterfield are impacted by this issue.

Ms. Graziano said it is crucial that these funds be made available.

Mr. Gordon suggested that other issues be identified at this time. Chairman Cotman asked if anyone had any other items to bring forward to include in the legislative package.

Ms. O'Bannon said she would suggest support for interoperability of emergency communications. She said the State should be willing to offer matching funding support if funds are received from the federal level.

III. NEW BUSINESS

B. Appoint RRPDC Voting Member Representative to MPO

Chairman Cotman asked Mr. Lysy to present this item.

Mr. Lysy said the MPO is requesting action by the Commission to appoint a voting member from the RRPDC to fill the vacancy of this position which was created when Mr. Fisher retired. He said this position is typically held by the Commission's executive director.

Mr. Butler moved that Mr. Crum, RRPDC Executive Director, be appointed to fill this vacancy. The motion was seconded by Ms. O'Bannon. There being no further discussion, the motion carried.

IV. OTHER BUSINESS

A. Committee Reports

There were no other committee reports.

B. Announcements

1. Ms. Graziano announced that the Richmond Board of Realtors is hosting Charleston (SC) mayor, Joe Riley, and Mr. John Knott, for presentations on November 18 and another event to be held in the spring. This event is a result of the Richmond Chamber's InterCity Visit to Charleston this past spring. The Board of Realtors is requesting that RRPDC be the lead host for these events. RRPDC would be loaning its name to be used for these events; funding is being provided from other sources. RRPDC will be allowed to participate in setting the agenda. Ms. Robertson moved that RRPDC agree to be the lead host for these events as outlined by Ms. Graziano. Mr. Gordon seconded the motion. There being no further discussion, the motion carried. Ms. O'Bannon abstained from the vote, indicating that she would need more information on this topic.
2. Ms. Carmack announced that Powhatan County will host a Transportation Forum on October 22. Featured speakers will include the Virginia Secretary of Transportation, Pierce Holmer, as well as Tripp Pollard, Tim McCormick, and Jim Bacon. Information on this forum was included with the October agenda packet.

C. For Your Information

Items included in this section were:

1. Article from the *Richmond Times-Dispatch* dated September 13, 2008 reporting on discussions held by the Commission during its September meeting on the creation of a transportation authority.

V. ADJOURNMENT

There being no further business to come before the Commission, on motion duly made and seconded, Chairman Cotman adjourned the meeting at approximately 2:50 p.m.

Robert A. Crum, Jr.
Executive Director

Timothy W. Cotman, Sr.
Chairman