

**RICHMOND REGIONAL PLANNING DISTRICT COMMISSION**  
**Minutes of Meeting**  
**June 10, 2010**

**Members/Alternates Present**

Willie L. Bennett (M) ..... County of Henrico  
Malvern R. “Rudy” Butler (M).....County of Goochland  
Deborah B. Coats (A) .....County of Hanover  
Douglas G. Conner (M) .....City of Richmond  
Robert R. Cosby (M).....County of Powhatan  
James B. Donati (M), Vice Chairman..... County of Henrico  
Marleen K. Durfee (M).....County of Chesterfield  
Evan Fabricant (M) .....County of Hanover  
Daniel A. Gecker (M) .....County of Chesterfield  
Richard W. Glover (M)..... County of Henrico  
John E. Gordon, Jr. (M) .....County of Hanover  
Kathy C. Graziano (M), Chairman .....City of Richmond  
John C. Grier (M).....City of Richmond  
Russell J. Gulley (M) .....County of Chesterfield  
David A. Kaechele (M)..... County of Henrico  
Patricia S. O’Bannon (M) ..... County of Henrico  
C. Harold Padgett (M).....County of Hanover  
Edward W. Pollard (M)..... County of New Kent  
Faye O. Prichard (M), Secretary .....Town of Ashland  
George K. Roarty (M).....County of Chesterfield  
Charles R. Samuels (M).....City of Richmond  
Robert R. Setliff (M).....County of Hanover  
Randall R. Silber (A) ..... County of Henrico  
Stran L. Trout (M), Treasurer ..... County of New Kent  
Ernest B. Vanarsdall (M) ..... County of Henrico  
Joseph B. Walton (M) .....County of Powhatan  
Arthur S. Warren (M) .....County of Chesterfield

**Members Absent**

Richard Ayers (M) .....County of Powhatan  
Timothy W. Cotman, Sr. (M)..... County of Charles City  
James D. Crews (M) .....County of Goochland  
James M. Holland (M) .....County of Chesterfield  
Dorothy Jaeckle (M) .....County of Chesterfield  
E. Martin Jewell (M).....City of Richmond  
Lynn McAteer (M).....City of Richmond  
Frank J. Thornton (M)..... County of Henrico

**Others Present**

John R. Amos..... RRPDC Legal Counsel  
Nora Amos .....Town of Ashland  
Jon Baliles.....City of Richmond  
John T. Benton .....Citizen, Chesterfield County  
John A. Cox ..... Virginia House of Delegates

**Staff Present**

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

**Call to Order**

Chairman Graziano called the regularly scheduled June 10, 2010 RRPDC meeting to order at approximately 1:05 p.m. in the RRPDC board room. She then led the Commission members in the pledge of allegiance to the flag.

**I. ADMINISTRATION**

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

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

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

Chairman Graziano asked if there were any additions or changes to be made to the agenda. Mr. Crum said staff requests that an item be added to the agenda. This item was discussed today during the Executive Committee meeting. Executive Committee members took action to recommend this item be added to the Commission agenda for discussion and action. After the RRPDC agenda books

were mailed, notification was received from the Virginia Retirement System (VRS) that action would need to be taken by the Board today relating to the RRPDC pension plan. This item would be added to the agenda under New Business as the second item, following the presentation by Mr. Bryan. As there were no other changes noted, the agenda was accepted as presented/revised.

### **C. Open Public Comment Period**

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

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

### **D. Chairman's Report**

Chairman Graziano reported that a former Board member, John Waldrop, passed away recently. He was a member of the Henrico County Board of Supervisors for sixteen years and a member of the RRPDC Board from 1993-95. Chairman Graziano asked members to observe a moment of silence in memory of Mr. Waldrop.

Chairman Graziano also announced that today is Mr. Gecker's birthday. Members congratulated Mr. Gecker with a round of applause.

### **G. Executive Director's Report**

Mr. Crum brought the members' attention to the monthly staff activity report, which is included in the agenda book under Tab 1 and details work being done by staff on behalf of the localities.

Mr. Crum introduced Delegate John Cox, member of the Virginia House of Delegates representing Hanover County. Mr. Crum also introduced Travis Lindsey, who has been hired as a Senior Emergency Management Planner, under the UASI program. Mr. Lindsey completed undergraduate and graduate work at James Madison University and has served on the New Kent County Fire and Rescue team. Mr. Crum indicated Mr. Lindsey will be visiting various localities as the emergency management program proceeds.

## **II. CONSENT AGENDA**

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

- A. Approval of Minutes – May 13, 2010 Meeting**
- B. Approval of the April 2010 Financial Report**

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

### **III. OLD BUSINESS**

#### **A. Jurisdictional Committees Reports**

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

Mr. Gordon reported that the committees did not meet in May. The committees will meet jointly on June 17, and a report will be given during the July Board meeting.

### **IV. NEW BUSINESS**

#### **A. Presentation on the Richmond Region Cultural Action Plan**

Chairman Graziano asked Mr. Crum to introduce today's speaker.

Mr. Crum introduced Mr. John Bryan, president of CultureWorks, who will make a presentation today on the Richmond Region Cultural Action Plan. Mr. Crum said he and Mr. Bryan have spoken previously on this issue. He said he hopes this presentation will offer information on the many cultural amenities available in the Richmond Region. This is for the Board's information only and does not require any action.

Mr. Bryan thanked members of the Board for the opportunity to speak with them today. He said his presentation will make three points:

1. Arts and culture should be seen as vitality tools for all aspects of a community or region.
2. Arts and culture are alive and vigorous in the Richmond Region.
3. CultureWorks is uniquely positioned to provide service and coordination in leadership responsibilities.

Mr. Bryan also provided a handout of the Richmond Region Cultural Action Plan Executive Summary. Other discussion points included:

- arts and culture serve as vitality tools for economic development, education, social and human services, community livability, and spiritual needs

- while other metropolitan areas are losing cultural arts venues during the current economic downturn, the Richmond Region has enhanced and expanded its venues
- all Richmond Region localities have venues and art forms that are unique to the United States
- CultureWorks is the result of the Richmond Region Cultural Action Plan and receives less than five percent in public funds
- CultureWorks has been charged with four tasks to provide for the community: advocacy, convener and catalyst for the community, services for cultural venues, and to provide information to the public or other organizations on arts and culture in the Region

Mr. Bryan thanked members for their time and asked if there were any questions.

Ms. Jaeckle asked if the Chester Arts Foundation worked with CultureWorks. Mr. Bryan said they did not and asked Ms. Jaeckle to provide contact information to him.

Mr. Glover asked how the Arts Consortium participated with CultureWorks. Mr. Bryan said CultureWorks staffs the Consortium/Arts Council. The CultureWorks board oversees the Consortium, which has been rolled into CultureWorks.. Mr. Bryan noted that CultureWorks was set up to be independent and not need to depend on public funding.

Mr. Trout asked if CultureWorks could assist New Kent County in developing its own arts venues. Mr. Bryan said CultureWorks would be glad to assist in any way and asked Mr. Trout to contact the CultureWorks staff.

Mr. Crum asked if there was one key take-away from the Action Plan that would provide an opportunity for the Region. Mr. Bryan said one proposed action will be announced later this year. He noted that there is an opportunity for regional cooperation in providing transportation to various venues for cultural events. Mr. Bryan said it is being proposed that a Cultural Shareholder service be provided region-wide. The first meeting of this group will be held in November.

Chairman Graziano thanked Mr. Bryan for his presentation.

## **B. Virginia Retirement System (VRS) Resolution (new item)**

Chairman Graziano reminded members this item was added earlier at staff's request. She asked Mr. Crum to provide information on this item.

Mr. Crum said Ms. Evans would make this presentation and noted that information had been placed at each member's chair. As background, Mr. Crum said that during the last General Assembly session, action was taken to address the five percent employee contribution to the VRS made by employers on behalf

of their employees. Currently RRPDC pays this five percent employee contribution to VRS. The General Assembly took action to provide options to the localities and political subdivisions on how to handle this contribution going forward.

Ms. Evans said during the 2010 session, the General Assembly passed, and the governor signed into law, changes to the VRS. Some are mandatory and will affect all employees who are hired on or before July 1, 2010. VRS employers are required to take action on how the employee contribution will be made. The current practice is that employers pay into VRS the five percent contribution on behalf of their employees. Of the nine RRPDC jurisdictions, one is not a VRS employer. Of the remaining eight, one does not currently pay the five percent and will continue not to pay the five percent. Of the remaining seven, six have indicated they will probably continue to pay the five percent and one is still in discussions.

VRS is requiring that employers pass a resolution if they will continue to pay the five percent contribution on behalf of their employees. This resolution must be passed prior to June 30. Currently RRPDC does pay this five percent contribution on behalf of its employees. This was part of the original resolution when RRPDC joined VRS in 2001.

As this is the current policy of RRPDC, funds for the five percent contribution were included in the FY 11 budget which was approved by the Commission Board during last month's meeting. If the Board passes the resolution as presented today, there will be no budget impact to continue this practice. Each local government and each VRS employer at the local level will also have to pass its own resolution if they wish to continue to pay the five percent contribution on behalf of their employees.

If the VRS memo had been received prior to the mailing of the agenda books, this would have been included in that mailing. As VRS is requiring a resolution be passed prior to June 30, and this is the only Board meeting that will be held prior to that date, it necessitated bringing the resolution to the Board in this manner.

Mr. Glover made a motion that the resolution be approved as presented. Mr. Vanarsdall seconded the motion. Chairman Graziano asked if there was any discussion.

Mr. Setliff asked for clarification on which employees will be affected. He said it was his understanding this would only affect future employees. Ms. Evans said that was correct, beginning on July 1. She stated that during the Executive Committee meeting earlier, it was also pointed out that if an employer decided not to continue to pick up these contributions at a later date, the employer could opt out by passing another resolution. The resolution before the Commission today

would stay in effect until such time as a resolution was passed that changed the way the five percent contribution is made.

Ms. Durfee noted that at a later time it could also be discussed whether the agency or locality would consider paying an amount up to five percent. Ms. Evans said the contribution could be in one percent increments. The resolution before the Commission today is for the full five percent as this is what is currently paid by RRPDC for its employees.

Ms. Durfee said she believed other localities would also have to review this again at a later time. She noted that salary increases have not been given to employees over the last couple of years. She said there is a lot to discuss in making the decision on whether or not to pay the contribution.

Mr. Pollard asked if employees contribute any amount toward the five percent. Ms. Evans said the five percent is wholly paid by the employer. Employees do not contribute to the VRS fund. This is not taken out of the employees' salary. Mr. Pollard said he thought all jurisdictions should consider having employees contribute at some level to their retirement.

Ms. Jaeckle said she thought if the resolution was signed, the employer would be locked in to the contribution rate for the entire year. Ms. Evans said the resolution would be effective for the entire fiscal year or longer if no further action is taken after June 30, 2011. Ms. Jaeckle said she thought it was difficult for some members to vote on this resolution when their county has not yet voted on it. She said she felt that if the member voted in favor of the RRPDC resolution, then the member would be obligated to vote the same way in the locality.

Mr. Setliff said Hanover County received the VRS memo at the same time as RRPDC. The county knew the change was being proposed but did not know the specifics until the memo was received. He said Hanover County did not have time to give the matter due diligence. He said even though the county passed its own resolution last night to pay the employee contribution, he feels it will be brought back for discussion at a later time. He said he could not support the resolution being presented today. Mr. Setliff said he felt the General Assembly was trying to give the localities a tool to use to deal with the economic problems being faced by everyone. He said this is an opportunity for employees to bear part of the cost for their own retirement. He said this would free up funding for the county to provide other services to the citizens of the county. He said this will not impact current employees, only future employees.

Mr. Crum said he would encourage members to allow the RRPDC to pay the five percent employee contribution. He said it's difficult to look at just one aspect of the benefits package such as the pension plan. Mr. Crum said he felt the entire benefits package needed to be considered. For RRPDC, the health care portion of

the benefits package is expensive to the point that some employees with families cannot take advantage of the health care coverage. The RRPDC health plan costs just over \$880 per month for family coverage. If the five percent VRS contribution is added for new employees hired after July 1, then Mr. Crum said he would become concerned about the agency's ability to be competitive in the market place to recruit future employees. There have been applicants who have declined job offers due to the cost of health care for family coverage. He said staff recommends that the current practice, that is addressed in the budget, for RRPDC to continue paying the five percent employee contribution be approved.

Mr. Butler asked if RRPDC has health care through the Local Choice. Mr. Crum said the coverage is provided by Anthem through the Local Choice plan. Ms. Evans said rates are set based on the medical experience of the pool of small group employers participating in the Local Choice plan. Mr. Butler asked if there have been a lot of claims. Ms. Evans said the co-payment rate for employees had gone down after the first year and then went up by five percent. Mr. Butler said there must be a lot of claims because the RRPDC employees' claims would be considered when setting rates.

Mr. Crum said other health care options will be researched. At this time, though, he said with regard to the benefits package, it was important to look at the entire package and not just the pension portion.

Mr. Donati said as a political subdivision of the state, he felt the agency should look into joining the state health care plan. Mr. Crum said staff would look into that option.

Ms. Jaeckle asked if the five percent amount could be used to subsidize health care if the members voted today not to allow the current practice. Mr. Crum said he would be concerned about doing this for new employees when there are current employees who are bearing the entire costs for coverage. Ms. Jaeckle said RRPDC is paying the five percent VRS contribution for current employees. She said she felt that the way benefits packages are structured will need to change at some point, and this would be a starting place. She said that if this resolution affected current employees, she could understand the reservations being expressed. Ms. Jaeckle said she did not know where to begin changing how benefits are structured unless it is to begin with new employees.

Ms. Durfee asked how many jurisdictions have already voted on this resolution. Ms. Evans said staff was told that six jurisdictions were leaning toward passing or had passed similar resolutions. Mr. Walton said Powhatan County has not yet voted on a resolution.

Chairman Graziano said she agreed that VRS is requiring that action be taken quickly and not enough time was allowed to consider all implications. She suggested that the resolution be passed as presented for this year and options be

reviewed over the next year so, if needed, adjustments can be made for the next fiscal year.

Chairman Graziano restated that the motion on the floor is to allow RRPDC to continue to pick up the five percent employee contribution to VRS for new employees hired on or after July 1, 2010, as is the practice for current employees. There was no additional discussion, and the motion passed. There were 4 opposed to the motion, and 1 abstention.

Ms. Durfee suggested that RRPDC research other health care options and whether to continue to pick up the entire five percent contribution to VRS on behalf of new employees. She said the VRS contributions will fluctuate from year to year and going forward, this will need to be taken into consideration.

Ms. Durfee said she would make a motion that RRPDC staff report back to the Board on options for health care in addition to a report on salaries that Mr. Crum had undertaken and whether the RRPDC should continue to pick up all or a portion of the five percent VRS contribution in the future. Mr. Pollard seconded the motion.

Mr. Glover asked for a point of order regarding the vote just taken. He said he thought if the nay votes were counted, then the aye votes should also be counted. Mr. Amos, RRPDC legal counsel, concurred.

Chairman Graziano said she would address that following discussion and a vote on the motion currently on the floor. Mr. Setliff asked for a restatement of the motion. Chairman Graziano asked Ms. Durfee to restate her motion. Ms. Durfee said she would like the Executive Director to bring information to the Board on health care coverage options, the results of the salary study, and information on whether the RRPDC should continue to pick up all or a portion of the five percent VRS employee contribution for new employees.

Chairman Graziano asked why salaries were being included. Mr. Crum said a salary study is underway to compare current RRPDC salaries with other organizations. Ms. Durfee said she felt that information would be relevant to determining the future direction of the agency with regard to VRS contributions and health care costs.

Mr. Walton asked if this was a motion or a request. He said he would not want to set precedent on making motions for this type of information. He said he would support such a request but not a motion.

Ms. Durfee said she would be agreeable to withdraw her motion and make this in the form of a request. Mr. Pollard said, as second to the motion, he would agree.

Mr. Grier asked if RRPDC employees were eligible for other types of retirement plans such as a 457 plan. Mr. Crum said yes. Mr. Grier asked if past participation rates could also be provided, as appropriate, on employee willingness to contribute to their own retirement.

Chairman Graziano said she would now continue with Mr. Glover's point of order request. She noted there were 4 negative votes on the VRS resolution and one abstention. She asked those who voted in favor of the motion to raise their hands. The vote was 18 in favor.

**C. Report of the Nominating Committee (renumbered after addition of new item)**

Chairman Graziano reported that during last month's meeting, she appointed the following persons, including herself, to serve on a Nominating Committee to develop a slate of officers to serve in FY 11: Mr. Butler, Mr. Cosby, Mr. Cotman, and Mr. Gecker. The jurisdictions eligible to serve as officers were selected based on the established rotation of jurisdictions. The committee met after last month's Commission meeting and would like to offer the following slate for FY 11 officers:

Jim Donati, Chairman (Henrico County)  
Stran Trout, Vice Chairman (New Kent County)  
Faye Prichard, Treasurer (Town of Ashland)  
John Gordon, Secretary (Hanover County)

Chairman Graziano asked if there were any nominations from the floor. There were no additional nominations and no discussion. On motion duly made and seconded, the slate of officers for FY 11 was approved unanimously as presented.

**V. OTHER BUSINESS**

**A. Committee Reports**

There were no other committee reports.

**B. Announcements**

Ms. O'Bannon announced that this evening her husband, Delegate John O'Bannon, will be named Father of the Year by the National Father's Day Council during a fund raiser for the National Diabetes Association.

Mr. Gordon said he would like to thank Delegate Cox for attending today's meeting. Delegate Cox represents Hanover County, and Mr. Gordon said he appreciated Delegate Cox's contributions on behalf of the county over the last year. Delegate Cox said it was a pleasure to be able to attend.

**C. For Your Information**

There were no items included in this section.

**V. ADJOURNMENT**

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

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Robert A. Crum, Jr.  
Executive Director

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Kathy C. Graziano  
Chairman