

RICHMOND REGIONAL PLANNING DISTRICT COMMISSION
Minutes of Meeting
June 14, 2012

Members/Alternates Present

L. Ray Ashworth (M)City of Richmond
Richard Ayers (M).....County of Powhatan
Steve A. Elswick (M)County of Chesterfield
Even Fabricant (M)County of Hanover
Daniel A. Gecker (M).....County of Chesterfield
Richard W. Glover (M)County of Henrico
James M. Holland (M).....County of Chesterfield
Dorothy Jaeckle (M).....County of Chesterfield
E. Martin Jewell (M)City of Richmond
David A. Kaechele (M)County of Henrico
Angela Kelly-Wiecek, Treasurer (M).....County of Hanover
Lynn McAteer (M)City of Richmond
William Melton (A).....County of Powhatan
Floyd H. Miles (M) County of Charles City
John H. Mitchell (M).....County of Henrico
C. Harold Padgett (M)County of Hanover
Ken Peterson, Secretary (M)County of Goochland
W. Canova Peterson (M)County of Hanover
Edward W. Pollard (M) County of New Kent
Faye O. Prichard, Vice Chairman (M)Town of Ashland
Charles R. Samuels (M)City of Richmond
Randy Silber (A)County of Henrico
David Williams (M)County of Powhatan

Members Absent

Thomas M. Branin (M)County of Henrico
James H. Burrell, Chairman (M) County of New Kent
Douglas G. Conner (M).....City of Richmond
Kathy C. Graziano (M).....City of Richmond
Russell J. Gulley (M).....County of Chesterfield
Tyrone E. Nelson (M)County of Henrico
Patricia S. O'Bannon (M).....County of Henrico
Millard D. Stith (M)County of Chesterfield
Frank J. Thornton (M)County of Henrico
Carson Tucker (M)County of Powhatan
Arthur S. Warren (M)County of Chesterfield

Others Present

Manuel Alvarez County of Goochland
John Amos RRPDC Legal Council
Mike Flagg County of Hanover
Bill Greenleaf Richmond Region Energy Alliance
Susan Hill Richmond Region Energy Alliance
Joan Salvati Department of Conservation and Recreation
Ed Via County of Hanover

Staff Present

Robert A. Crum Executive Director
Jo A. Evans Assistant Executive Director
Julie H. Fry Executive Secretary
Sulabh Aryal Associate Planner
Anne Darby Associate Planner
Jacob Epstein Intern
Billy Gammel Associate Planner
Chuck Gates Communications Coordinator
Barbara Jacocks Principal Planner
Jin Lee Senior Planner
Daniel N. Lysy Director of Urban Transportation
Jackie S. Stewart Director of Planning
Sarah Stewart Senior Planner
Peter M. Sweetland Finance and Contracts Administrator

[Note: The recording equipment malfunctioned and minutes are written based on staff notes.]

Call to Order

Vice Chairman Prichard called the regularly scheduled June 14, 2012 RRPDC meeting to order at approximately 1:15 p.m. in the RRPDC board room. Vice Chairman Prichard reported that Chairman Burrell could not be in attendance today. She said she will need to leave the meeting prior to 2:00 p.m. for a previous commitment and that Ms. Kelly-Wiecek will chair the remainder of the meeting. Vice Chairman Prichard then led 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 to the Order of Business

Vice Chairman Prichard asked if there were any additions or changes to be made to the agenda. There were no requests to change the agenda, and the agenda was accepted as presented.

C. Open Public Comment Period

Vice Chairman Prichard 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. As there were no requests from the public to address the Commission, the Vice Chairman closed the public comment period.

D. Chairman's Report

Vice Chairman Prichard said that she would not have a report on behalf of the Chairman.

E. 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 advanced by staff on behalf of the localities. He said staff will be happy to address any questions on what is included in the report.

Mr. Crum noted there are several maps being displayed around the room that pertain to the MPO's Long Range Transportation Plan. An update on this plan will be presented during today's MPO meeting. Mr. Crum encouraged members to stay to hear the presentation if their schedules allowed.

Mr. Crum reported that on June 7, a meeting was held with about 45-50 elected officials representing the Golden Crescent – that part of the state which extends from northern Virginia through Richmond to Hampton Roads. Those attending the meeting were the chairs of the local governing bodies and the mayors of towns and cities located in the Golden Crescent.

The purpose of the meeting was to discuss common transportation issues within this area of the state. As it has been reported by the Commonwealth's Secretary of Transportation, the state will run out of funding for transportation projects and maintenance in the year 2017. Leadership within the Golden Crescent discussed the need for a coalition of localities to develop a unified approach to encourage state leadership to generate funding for transportation growth. A letter will be circulated to each of the jurisdictions in the Golden Crescent for consideration that calls for the General Assembly and state officials to concentrate on finding sustainable revenue sources to provide funding for transportation projects and maintenance.

Mr. Crum said he expects another meeting of the group will be held in the fall to continue discussions on how to present a united front during the next General Assembly session.

Mr. Crum noted that the Richmond Region was very well represented at the meeting.

During the July RRPDC Board meeting, Mr. Crum said staff will present a report on an existing land use inventory. He said this is the first time this type of inventory has been completed and it will show how land is being utilized within the Region.

II. CONSENT AGENDA

Vice Chairman Prichard said the Executive Committee recommended approval of the items listed on the Consent Agenda:

- A. Approval of Minutes – May 10, 2012
- B. Approval of April Financial Report
- C. Resolution of the Richmond Regional Planning District Commission With Regard to Member Contributions by Salary Reduction for Counties, Cities, Towns, and Other Political Subdivisions In Accordance with Chapter 822 of the 2012 Acts of Assembly (SB497)
- D. Resolution of the Richmond Regional Planning District Commission With Regard to Employer Contribution Rates for Counties, Cities, Towns, School Divisions, and Other Political Subdivisions In Accordance With the 2012 Appropriation Act Item 468(H)

Vice Chairman Prichard asked if anyone wished to have any of these items pulled from the Consent Agenda for additional discussion.

Mr. K. Peterson, Secretary, noted that there is an error in the RRPDC May minutes. He said on the first page of the minutes, the date at the top of the page needs to be changed to show the correct date of the meeting – May 10, 2012. He said the motion to approve the Consent Agenda should note that the minutes be approved as corrected.

As there were no requests for further discussion on the items, on motion made by Mr. K. Peterson and seconded by Mr. Ayers, the Consent Agenda was approved unanimously as presented with the May minutes corrected as noted above.

III. OLD BUSINESS

There was no old business to bring before the Commission members.

IV. NEW BUSINESS

A. Report of the Nominating Committee

Vice Chairman Prichard reported that during today's RRPDC Executive Committee meeting, the Nominating Committee presented a slate of officers to serve on the RRPDC Board during FY 13, based on the established rotation of jurisdictions to hold these offices. Those nominated to serve are:

Chairman	Faye Prichard, Town of Ashland
Vice Chairman	Angela Kelly-Wiecek, Hanover County
Treasurer	Ken Peterson, Goochland County
Secretary	David Williams, Powhatan County

Members of the RRPDC Executive Committee recommended that this slate of officers be forwarded to the full RRPDC Board for consideration and action.

Vice Chairman Prichard asked if there were any nominations from the floor. There being none, she asked if there was a motion to elect officers for FY 13 as presented by the Nominating Committee.

Mr. C. Peterson made a motion that the slate of officers as presented by the Nominating Committee be elected to serve in the noted positions during FY 13. Mr. Elswick seconded the motion. There was no additional discussion and the motion carried unanimously.

Vice Chairman Prichard said new officers will be sworn into office during the July meeting.

B. Richmond Region Energy Alliance

Vice Chairman Prichard asked Mr. Crum to introduce the first guest speaker.

Mr. Crum reported that the RRPDC Board authorized staff participation on the board of the Richmond Region Energy Alliance (RREA) during its September 9, 2010 meeting. Mr. Bill Greenleaf, RREA Executive Director, will provide an update on RREA's activities and initiatives. This presentation will not require any action from the Board.

Mr. Greenleaf thanked members for the opportunity to speak with them today. He said RREA is a regional non-profit agency working to create a market for home energy efficiency improvements within the Richmond Region.

Mr. Greenleaf said the RREA has two goals:

1. help homeowners to easily lower energy bills, improve home comfort, and to solve home health and safety issues
2. support economic development by helping contractors sustain and create jobs

Home energy upgrades should be done to improve a home's energy performance. Other benefits include improved home comfort, lower energy bills, and reduced environmental impact. Mr. Greenleaf noted that during the years 2000 through 2012, electricity rates increased by 38 percent, or three percent per year.

Mr. Greenleaf said that 140,480 single family units were built in the Region before 1980. Over the past ten years, home heating oil costs have tripled. This increase impacts lower income and fixed income homeowners. During a survey taken in 2012, 98 percent of residents said they valued energy savings; 73 percent were willing to make home energy changes and spend additional money to make those changes; and 13 percent were willing to spend more than \$500.00 on energy saving improvements.

There is not wide-spread interest in energy retrofits because homeowners don't know who to call or where to get information on energy savings improvements. There have been no sudden energy rate increases that would shock homeowners into taking action. In Virginia, there is no regulatory requirement for utilities to reduce energy consumption.

Mr. Greenleaf said RREA's mission is to break down barriers and build a market for energy saving home improvements by:

- educating and engaging communities and homeowners
- connecting homeowners to qualified home energy contractors and financial incentives/loans
- helping contractors grow the home energy performance segment of their business

RREA would like to be a one-stop shop for home energy upgrades. The organization is part of a national effort to retrofit homes. The US Department of Energy is funding initiatives in 40 communities across the country. This funding will be available until September 2013.

RREA offers several tools to the community to realize energy savings:

- free home energy evaluations
- network of pre-qualified home energy improvement contractors
- third-party quality assurance
- national home performance with Energy Star program
- offering rebates and financing

There is a tool on the RREA website that homeowners can use to determine their energy profile.

Mr. Greenleaf said that RREA uses pre-qualified contractors who are licensed and insured; who have Building Performance Institute certified staff; and who are committed to home energy performance. These contractors are Building Services Inc., Bryant Energy Services, Creative Conservation, James River Air Conditioning, and Woodfin.

The quality assurance program offered by RREA has established work quality standards for home energy performance work. An on-site quality assurance inspection is performed by a third party – Earthcraft Virginia.

Rebates and financing are available through RREA. If a homeowner achieves a 20 percent energy savings, a \$500.00 rebate will be given if the homeowner used an RREA contractor to make the energy saving improvements.

Financing is available in amounts up to \$25,000. These are unsecured loans with interest rates of 2.99 percent for three years; 6.99 percent for five years; and 9.99 percent for ten years.

Mr. Greenleaf reviewed the home energy assessment process and indicated that the most common energy issues are air leaks, duct sealing, and insulation. Following an assessment, the homeowner is given an energy performance score and recommendations for improvements that would be needed to improve that score.

Mr. Greenleaf indicated that RREA would like to work toward lowering energy bills for all residents. He said the cost to build a new power plant is about \$1 billion or more. If all residents would adopt home energy efficiency practices, there would be less need for more power plants to be built because energy use would be lowered.

Mr. Evans asked if there was a cost for contractors to become pre-qualified for RREA's program. Mr. Greenleaf said there was no cost, but the contractor would need to have the right training and equipment to become qualified.

Ms. Kelly-Wiecek asked how long improvements would last before the work would need to be done again. Mr. Greenleaf said there is no real data available, but he would guess that most improvements would be good for 10 – 20 years. It would depend on the type of improvements that were made.

Mr. Holland asked if there was a reason why energy costs had tripled and if there was something that could be done to prevent this type of rate increase. Mr. Greenleaf said only the cost of home heating oil had tripled and this is tied to the cost of gas. He said natural gas prices have come down. Utility regulation would need to be put in place, but this type of regulation is difficult to get through the General Assembly.

Mr. C. Peterson said he thought there was one state in the country that required utilities to be energy efficient. Mr. Greenleaf said Vermont is one of twenty states that have mandatory reductions for energy use.

Mr. Crum thanked Mr. Greenleaf for his presentation and asked what the jurisdictions and RRPDC could do to get out information regarding the work of RREA. Mr. Greenleaf said this needs to be a grassroots effort through community associations and word of mouth from those who have gone through the RREA program.

Vice Chairman Prichard had to leave the meeting at this time and Ms. Kelly-Wiecek assumed the duties of Chairman. She thanked Mr. Greenleaf for his presentation.

[Note: The recording equipment began working at this time; minutes from this point on are based on the meeting recording and staff notes.]

C. Storm Water Regulations

Ms. Kelly-Wiecek asked Mr. Crum to introduce the speaker for this presentation.

Mr. Crum said this item is being presented for the Board's information and no action is required. He noted that Ms. Ginny Snead was unable to attend today's meeting as previously announced, and Ms. Joan Salvati (Manager, DCR Local Program, Policy and Guidance Development) will give today's presentation on updates relating to the revised stormwater regulations.

Ms. Salvati thanked members for the opportunity to review the revised stormwater regulations with them. She said she would provide an overview of the revised regulations at the local and state levels. She said that the Department of Conservation and Recreation (DCR) will also be conducting regional meetings with local staffs, elected officials, and administrators.

In 2005, DCR adopted stormwater regulations based on a federal construction site permit that was issued to DCR as a locally mandated program by the Environmental Protection Agency (EPA). This required DCR to develop regulations that were consistent with the federal regulations. One of the key provisions of the federal regulations was that all construction sites in the Commonwealth of Virginia over certain land disturbance thresholds had to have a separate construction site permit issued by DCR. The 2005 regulations were revised in 2011 so that the provisions could be incorporated into existing local erosion and sediment control programs.

The revised regulations were adopted by the Soil and Water Conservation Board in May, 2011, and became effective in September 2011. At that time, they were published on the DCR website. The implementation date is set for July 1, 2014. The state must develop a Construction General Permit before implementation can take place. Local programs must be implemented at the same time.

DCR would like for the localities to begin work on their own programs so that they are ready to implement the new regulations on July 1, 2014.

Ms. Salvati said there are 142 localities that must adopt the programs, and she provided a map to show the location of each area of the state that is affected. Each locality will have its own needs to incorporate into the program. Those localities included in the Chesapeake Bay Preservation Act area already have stormwater regulations. Localities designated as MS4 (Municipal Separate Storm Sewer System) are also already working on stormwater management.

DCR is trying to communicate that assistance is available through DCR. A Local Government Advisory Team was established in March 2012. This Team has been meeting with local staffs to review the program and requirements. There is a program requirement checklist available for localities to use as they develop programs to meet the revised regulations. A model ordinance is also being developed. DCR is developing a training plan and offering administrative tools such as site plan review checklists.

DCR is currently working on guidance and policy development that will include a local program submittal/approval process, a runoff reduction method user's guide, and technical guidance. Construction general permit regulatory action was initiated in May 2012. DCR is also providing as much information as possible via its website.

Ms. Salvati noted that the program elements in each locality must include:

- permit application/fee collection
- plan review
- permit issuance
- inspections
- compliance/enforcement
- DCR oversight – program compliance review

Ms. Salvati said that each locality already has staff in place who are best suited to take on these responsibilities.

DCR has a Best Management Practices (BMP) clearinghouse. This will be expanded to include additional nonproprietary BMPs. DCR has also adopted the Virginia Technology Assessment Protocol (VTAP). This is a specific protocol for testing new BMPs which will include stakeholder input and be endorsed by DCR.

Ms. Salvati provided information on local permit fees which have been revised based on the amount of land disturbance. The localities can raise fees to meet local needs. Fees can also be reduced. Contractors will pay the fees to the localities, with 28 percent going from the locality to DCR for program support.

Local government benefits of local adoption of the program include:

- “one-stop shop” for the development community: eliminates local versus state confusion; greater compliance/better protection of local natural resources
- local control: speed of plan review and approval; economic development advantage; address local issues

Mr. Pollard asked if there will be any penalties if the localities do not meet the July 1, 2014 deadline. Ms. Salvati said penalties have not been set yet. DCR is meeting with the attorney general’s office to develop these. Options could be for DCR to take over the program or initiate punitive actions.

Mr. Ayers said local program implementation and issuance of the new stormwater general permit will go into effect on July 1, 2014. If the local program must be in compliance with the general permit, the program will need to be written based on a draft of the permit. Ms. Salvati said elements of the general permit should be known by September of this year. The Soil and Water Board must adopt the regulations by June 2013.

Mr. Glover asked if there was an estimated cost increase that will be incurred by the localities to develop its program. Ms. Salvati said each locality is different and the cost to implement the program will be based on local needs. DCR is surveying the localities and one question will be to ask about staff and resource requirements that will be needed in the locality.

Mr. Glover asked who initiated the new regulations. He asked if they were regulated or mandated. Ms. Salvati said DCR initiated the regulations based on the EPA permit requirements. DCR has tried to make the new program more user friendly and will do the minimum required by EPA. This is a result of the Clean Water Act which was passed in the 1970s and the Chesapeake Bay Act which was adopted in 1988.

Mr. Glover asked about BMP oversight. Ms. Salvati said there is a technical group as well as stakeholders who will assess the different kinds of BMPs that are identified. Old BMPs will not be a factor in the administration of the revised regulations.

Mr. C. Peterson asked if the maintenance fees would be ongoing. Ms. Salvati said the fees are ongoing for as long as the construction project is underway and the construction site is active. She said she was not sure of the frequency of the fee.

Mr. Gecker asked if the reduction requirement would be the same in the urban areas as it is for suburban areas. Ms. Salvati said the areas are considered to be the same by EPA.

Mr. Elswick asked if the 28 percent of the fee sent to DCR would be only on the initial application fee or if that is also required of the maintenance fee. Ms. Salvati said this is only on the initial fee.

Ms. Kelly-Wiecek thanked Ms. Salvati for her presentation.

Ms. Kelly-Wiecek recognized Mr. Mike Flagg (Hanover County Department of Public Works) seated in the audience and asked him if he had any comments from a locality's perspective.

Mr. Flagg said there will be a large learning curve for local staff. He said the change in technical criteria is very different from what has been used in the past, especially in the administration of the program. He said there is a lot for local staffs to review and develop.

V. OTHER BUSINESS

There was no other business to be brought before the members.

VI. ADJOURNMENT

On motion duly made and seconded, Ms. Kelly-Wiecek adjourned the meeting at approximately 2:20 p.m.

Robert A. Crum, Jr.
Executive Director

Faye O. Prichard
Vice Chairman

Angela Kelly-Wiecek
Treasurer and Acting Chairman