

AGENDA NOTE - HRPDC QUARTERLY COMMISSION MEETING

ITEM #1: MINUTES OF JUNE 16, 2010

Minutes of the June 16, 2010 meeting are attached.

Attachment

RECOMMENDED ACTION:

Approval

Hampton Roads Planning District Commission
Executive Committee Meeting
Minutes of June 16, 2010

The Executive Committee Meeting of the Hampton Roads Planning District Commission was called to order at 9:40 a.m. at the Regional Boardroom, 723 Woodlake Drive, Chesapeake, Virginia, with the following in attendance:

EXECUTIVE COMMITTEE:

Bruce C. Goodson, Chairman (JC)	Paul D. Fraim (NO)
Stan D, Clark, Vice Chairman (IW)*	Douglas L. Smith (PO)*
James O. McReynolds, Treasurer (YK)*	Michael W. Johnson (SH)
Alan P. Krasnoff (CH)	Tyrone Franklin (SY)
Gregory Woodard (GL)*	Louis R. Jones (VB)
Molly Joseph Ward (HA)*	Jackson C. Tuttle II (WM)*
Joe S. Frank (NN)	

EXECUTIVE COMMITTEE (ABSENT)

June Fleming (FR)	Selena Cuffee-Glenn (SU)
Brenda Garton (GL)	William D. Sessoms (VB)
J. Randall Wheeler (PQ)	Jeanne Zeidler (WM)

OTHER COMMISSIONERS:

Amar Dwarkanath (CH)	Kenneth L. Chandler (PO)
William E. Harrell (CH)	James K. Spore (VB)*
Ella P. Ward (CH)	Barbara Henley (VB)
W. Douglas Caskey (IW)	Thomas Shepperd (YK)*
Sanford B. Wanner (JC)*	
Sharon Scott (NN)*	

*Late arrival or early departure.

OTHERS RECORDED ATTENDING:

John Gergely, Henry Ryto, Terri Boothe, Ellis James (Citizens); Earl Sorey (CH); Keith Cannady, (HA); Bryan Pennington, Jeff Raliski, Stanley Stein (NO); Mark Schnauffer (VB); Ron Thompson – Tidewater Emergency Management System; Bill Bell - FTAC Co-Chair; Jim Flaherty - Whitney, Bradley & Brown, Inc.; Philip Shucet - HRT; John Cosgrove – House of Delegates; David White - VMA; L. Frank Mach, U.S. DOT Maritime Administration; Peter Huber – Willcox & Savage; Germaine Fleet – Biggs & Fleet; Staff: Dwight Farmer, John Carlock, Rick Case, James Clary, Nancy Collins, Jennifer Coleman, Kathlene Grauberger, Greg Grootendorst, Richard Flannery, Julia Hillegass, Jim Hummer, Rob Jacobs, Brett Kerns, Mike Kimbrel, Robert Lawrence, Benjamin McFarlane, Brian Miller, Joe Paulus, Kelli Peterson, Camelia Ravanbakht, Joe Turner, Jenny Tribo, Chris Vaigneur and Tara Walker.

Chairman Goodson called the Hampton Roads Planning District Commission Executive Committee meeting to order.

PUBLIC COMMENT

One person requested to address the Hampton Roads Planning District Commission.

Ellis W. James

Thank you Mr. Chairman, members of the Commission, my name is Ellis W. James. I am a lifelong resident of Norfolk, Virginia. The tragedy in the Gulf is still with us and getting worse and I would like to urge all of you to connect the dots and make sure that you fully understand the implications of what is happening to our fellow citizens in the Gulf, how it relates to Hampton Roads and the Mid-Atlantic region. This morning there is information out of the Gulf that indicates approximately ten thousand gallons per day of hydrocarbons are spilling out of the well. Now, I know that the numbers become mind numbing and they have changed and rotated almost on a daily basis sometimes. But that estimate comes from a very reliable Professor at FSU, Ian McDonald and he has been fairly accurate as we have proceeded through this situation. Why is it important for us here? There is every indication that the problems at the federal level with MMS are not restricted to the federal level. I am quite concerned about the possibility that some of our folks at the State level have become comfortable with the culture that has existed at the federal level for quite some time. If this is the case that might explain why there is still the significant push to do offshore drilling off the Mid-Atlantic and specifically off of Virginia and North Carolina. I would hope that we would urge those in this room normally when we haven't hit a day like today traffic wise, there would be representatives here who could address those issues. I hope for those of you who are here that you will analyze the situation and then speak to these individuals who are our representatives in the General Assembly, and urge them to take note of this situation and see if they can address some of these cultural and core issues that seem to prevalent in MMS. Thank you, Mr. Chairman.

Chairman Goodson stated he would be moving the Resolutions of Appreciation to the end of the meeting and also move item number six, the Virginia Retirement Resolution, after item number seven discussion of the operating budget.

CONSENT AGENDA

The Consent Agenda contained the following Items:

Minutes of May 19, 2010

Treasurer's Report

Regional Reviews

A. PNRS Items Review

25 Year CZM Implementation Application

Chesapeake Bay Program Point Source and Toxics Information Management /Data Analysis Support

VADEQ FY 10 Chesapeake Bay Monitoring

VADEQ Tracking Wetlands in Virginia

B. Environmental Impact Assessment/Statement Reviews

Demolition of Mason Creek Bridge, Structure LP-69, at Naval Station Norfolk – DOD/Navy

Improvements to Back Bay National Wildlife Refuge Entrance – Federal Highway Administration

2010 Hampton Roads Data Book

EECBG Funding

Commissioner McReynolds Moved to approve the Consent Agenda; seconded by Commissioner Fraim. The Motion Carried.

FY 2011 HRPDC Operating Budget

Chairman Goodson asked Mr. Farmer to give a quick overview of the budget. Mr. Farmer indicated he was very grateful for the Commissioners approving their budgets that included the HRPDC and HRTPO. Mr. Farmers stated Nancy Collins would present the summary of the 2011 budgets for the HRPDC and the HRTPO.

Ms. Collins indicated the 2011 budget for the HRPDC and HRTPO would be a combined report and thanked our localities and Commissioners for their continued commitment to the HRPDC and HRTPO Organizations for their funding. Ms. Collins indicated the HRPDC and HRTPO continued funding at the 82 cents per capita despite the decline the PDC had been experiencing from the State and DHCD. The DHCD grant has continued to fall to the current low of \$132,000 for fiscal year 2011, which is a 64% drop in ten years.

Ms Collins stated that while local member contributions have increased or have been sustained over the same time period, the HRPDC is presenting a balanced budget for fiscal year 2011. In order to accomplish this, HRPDC had to reduce personnel costs by almost \$300,000, which means three full-time positions and one part-time position remained unfunded and one position was reclassified down from an administrator to a manager level, and one position was reclassified from full-time to part-time and reclassified down one level. Ms. Collins indicated HRPDC general operations were also reduced by over \$160,000.

Ms. Collins indicated in addition to the regular operating budget, HRPDC has a list of new reserve accounts it is establishing for required and anticipated future expenditures. In addition, the leave liability reserve has been part of the financial records since inception and covers the active employees' guaranteed leave pay out at separation. Both of these will be shown as liabilities on the balance sheets as these funds are required to be paid out at future dates. This action will place these amounts outside the available unrestricted fund balance to assure availability in future years. The unallocated funds balance will exceed \$1.8 million. These funds are available for unanticipated activities that may be reimbursable expenditures until funds can be requested and received.

(Commissioner Tuttle arrives)

Chairman Goodson indicated that next year the Commission will produce a separate budget for the HRPDC and HRTPO.

Mayor Frank stated it is important to separate the budgets because there are two separate organizations and each group should vote on its budget.

Mayor Frank also questioned the line item for the public participation plan - \$355,700. He compared it to Northern Virginia's budget of \$371,000. Mayor Frank was concerned about the figures. Mayor Frank acknowledged the work on the public outreach was important to be successful. However, he also stated when you do not have pay increases and are laying people off, you are not going to be as robust as you are in ability to deliver services. He asked that staff take a look at that as the organization moves forward.

Mr. Farmer stated that he failed to indicate the budget does reflect this. This is also the third year the entire staff has had a pay freeze on COLA and merits. He also explained the organization would come back to the TPO during the year and start to unveil the things that it is going to do.

Mayor Frank stated that if the HRPDC was able to effectuate some savings and has not given staff any salary increases in three years, perhaps there may be enough to give each employee a small bonus to express a sense of appreciation.

Mr. Farmer indicated he would come back to the PDC Board with this recommendation later this year.

Commissioner Frank Moved to approve the budget, second by Commissioner Caskey. The Motion Carried.

Virginia Retirement System Resolution

Chairman Goodson stated the Commission has typically used the rules the localities and local governments use to pay the employee part of the Virginia Retirement. After its 2010 session, the General Assembly now allows localities to make a choice and have two classes of employees. The first class is if you were employed before July 1, 2010, the HRPDC would continue to pay the employee's share. Class two employees, those hired on or after July 1, 2010, would be required to pay the employee portion. Mr. Goodson stated the General Assembly allowed localities to make a choice and many will soon be voting on that choice. Some of the localities have chosen to continue that payment, although Virginia Beach has not chosen to do that, Mr. Goodson indicated James City had not made a decision.

Mr. Farmer stated Mr. Spore wanted to know what the PDC's unfunded VRS reliability was. Mr. Farmer indicated Ms. Collins reported \$140,000 is fully funded in the FY 2011 budget and there are no unfunded liabilities in VRS with or without this action per the audit report and recommendations.

Commissioner Fraim stated that at this point with the budget cuts and tight money and difficulty with revenue sources, it is time for employees to contribute to their retirement.

Commissioner Frank Moved to adopt the resolution; seconded by Commissioner Tuttle.

Chairman Goodson requested a roll call vote. Yes: Mr. Caskey, Mr. Johnson, Mr. Franklin, Mr. McReynolds, Mayor Krasnoff, Mayor Frank, and Mr. Tuttle, No: Mr. Goodson, Mayor Fraim, Mr. Jones, and Mr. Chandler.

The Motion Carried.

FY 2011 HRPDC Unified Planning Work Program

(Commissioners Clark, Wanner, Smith, Shepperd and Woodard arrive.)

Chairman Goodson introduced Mr. John Carlock to present the FY 2011 HRPDC Unified Planning Work Program (UPWP). Mr. Carlock stated the work program is a contractual requirement the HRPDC has with the state for limited state appropriation of funds and commitment on the part of the HRPDC for services and work that are to be performed on behalf of the Commission and its localities. The UPWP provides background on what the Commission is, the committee structures and the legislative charge to the Commission.

Mr. Carlock stated the UPWP includes the introductory material, task descriptions, descriptions of work, costs, funding sources and products. Mr. Carlock indicated climate change and sea level rise are grants from the state Coastal Zone Management program which runs about halfway through the year and the other starts in January which enables the Commission to continue the process of developing strategies for adaptation and mitigation as it goes through the course of the year. Mr. Carlock stated there are a couple of tasks in the emergency management section looking at recovery, planning and dealing with critical infrastructure.

Commissioner Franklin Moved to approve the HRPDC Work Program; seconded by Commissioner Clark. The Motion Carried.

(Mayor Ward arrives.)

TMDL Implementation Plans for the Upper Nansemond River and Mills and Powhatan Creeks

Chairman Goodson stated that Ms. Tribo would present the TMDL Implementation Plans for the Upper Nansemond River and Mill and Powhatan Creeks.

Ms. Tribo stated Total Maximum Daily Load is the maximum amount of pollutant that a water body can receive and still meet its designated use. It is a planning tool to help Department of Environmental Quality (DEQ) and localities develop pollution reduction goals to improve water quality in impaired water bodies. DEQ is identifying impaired

waters through their monitoring program and evaluation program, developing the load studies to determine the amount of pollutant reductions necessary, and then partnering with local governments to develop the implementation plans which will identify the measures necessary to achieve those pollutant reduction goals. DEQ will evaluate potential sources of the pollutant and will collect water quality data and develop water quality models to calculate the pollutant loads and the reductions

Ms. Tribo stated the HRPDC has partnered with local governments and DEQ to develop implementation plans for the upper Nansemond and Shingle Creek in Suffolk and Mill Creek and Powhatan Creek in James City County. Both were impaired for bacteria, shell fishing and swimming. HRPDC worked with DEQ to identify local government stakeholders as well as interested citizens or citizen groups. The stakeholder group met to review the data from the TMDL study. Their focus will be on reducing human sources and pollutant bacteria through existing programs and identifying ways to expand those programs and identifying best management practices that will reduce the pollutant and then formulating a system to evaluate the progress and effectiveness of the actions.

Ms. Tribo indicated that implementation is a phased process. The first phase was to identify programs that are already happening or planned and can happen in the next five years. Phase two and phase three are five to fifteen years programs that will be implemented or evaluated. Isle of Wight and Suffolk are conducting septic tank pump-out programs, storm sewer marking and extensive sanitary sewer improvements through their consent order, as well as pet waste education programs and participating in regional bacteria source tracking.

(Commissioners Scott, and Spore arrives)

Regional Fats Oil and Grease Program

Chairman Goodson introduced Ms. Julia Hillegass to present the Regional Fats Oils and Grease Program.

Ms. Hillegass gave an update on the progress of the regional Fats, Oils and Grease abatement program. The fats, oils and grease technical committee developed much of the technical documents associated with the program including a model ordinance, grease control device guidelines, and enforcement response. This information was vetted through the Capacity Team that meets weekly to deal with issues of the DEQ consent order and their actions are then approved by the HRPDC Directors of Utilities Committees.

Ms Hillegass stated the HRPDC has continued to solicit input from various affected stakeholders, primarily focusing on food service establishments that include restaurants, assisted living facilities, schools and daycare centers. HRPDC will continue to work with local governments to get information from and to the affected entities.

Ms. Hillegass indicated the purpose of the ordinance was to help stakeholders that were affected by the requirements to control, fats, oils and grease in the sanitary sewer system. The HRPDC wants to ensure that those entities that have establishments across jurisdictional boundaries have a program similar in all localities they might deal with. All

localities that have approved ordinances are requiring registration of their grease control devices. One locality has set a deadline for registration with a financial incentive to register by the deadline. Proper maintenance is required of all the grease control devices. Regional training courses and certification have been developed and are required for grease haulers that service those devices and remove what is called the yellow grease or fryer grease which can be recycled.

Ms. Hillegass indicated the ordinance covers inspections, record keeping, hauler requirements, and ordinances to charge fees should you need to sustain the program. It also lays out violations and penalties. In terms of enforcement, the main thing that the Commission tries to convey to the affected parties is the very first step on the part of localities is education. Many food service establishments do not know what they have to do, where their inside grease traps or grease interceptors are, if they have an outside grease interceptor. They are not able to train their staff consistently to comply with the requirements of keeping their yellow grease containers safe and secure. It is conveyed in the trainings the first step is getting a handle on what they have and what sort of maintenance will be required.

Ms. Hillegass stated there is a Memorandum of Agreement the Commission passed in November of 2008 that complies with the special order of consent and it clearly delineated areas of responsibility that currently exist. If a locality does not have an ordinance but has a problem area in their sanitary sewer system and can connect it to a particular food service establishment or other facility, it can call Hampton Roads Sanitation District for their enforcement assistance.

Ms. Hillegass stated the HRPDC is continuing with a variety of public information and education opportunities through advertising such as social media, a variety of publications, public affairs programs, and seasonal press releases. A newspaper will go to all area fourth graders that will include information from all of HRPDC regional environmental programs and it includes FOG as well. The PDC is pursuing funding to expand the program, and the priority will be to have an automated on-line certification program for food service establishments and grease haulers so they can take in this information at their leisure and take a test and become certified on line on their time.

Mr. Franklin wanted to know when training goes into effect as far as the consent order.

Ms. Hillegass indicated that each locality has to achieve compliance in a variety of ways. Implementation of local ordinances could be reported in the locality's annual report.

Project Status Reports

No questions or comments were noted

Correspondence of Interest

No questions or comments were noted

For Your Information

No questions or comments were noted

Resolution of Appreciation

Chairman Goodson recognized four members who are concluding their service on the Commission and in local government: Rosa Lawrence of Franklin, Mayor Jeanne Zeidler of Williamsburg, Mayor Joe S. Frank of Newport News and Councilman Douglas L. Smith of Portsmouth. Two members were present and Chairman Goodson presented Mayor Joe S. Frank and Commissioner Douglas L. Smith Resolutions of Appreciation. The Commission and staff recognized both with applause.

Adjournment

With no further business to come before the Hampton Roads Planning District Commission, The meeting adjourned at 10:30 am

Dwight L. Farmer
Executive Director/Secretary

Bruce C. Goodson
Chairman