

POLICY COMMITTEE MEETING

December 10, 2009

4:00 p.m.

County Complex, Building A

A. Roll Call

Present

Mr. Chris Henderson, Chair
Mr. Jack Fraley
Mr. Rich Krapf
Ms. Deborah Kratter
Mr. Reese Peck

Others Present

Mr. Allen Murphy, Director of Planning/ Asst. Dev. Mgr.
Mr. John McDonald, Director of FMS
Ms. Tammy Rosario, Principal Planner
Ms. Leanne Reidenbach, Senior Planner
Mr. Brian Elmore, Dev. Mgt. Asst.

Mr. Chris Henderson called the meeting to order at 4:00 p.m.

B. Minutes – November 19, 2009

Mr. Henderson moved for approval of the minutes.

In a unanimous voice vote, the minutes were approved (4-0: Absent: Peck).

C. New Business - Planning Commission Minutes

Mr. Henderson stated that he would alter the meeting's agenda to allow a late-arriving Mr. Reese Peck opportunity to hear all Capital Improvements Program (CIP) proposals.

Mr. Henderson noted that most organizations only record action minutes and that it is appropriate to identify general citizen comment topics, rather than specifics.

Mr. Jack Fraley stated that Planning Commission minutes are in their current expanded format to allow the Board of Supervisors to get the most complete information on the discussions had by the Commission.

Ms. Deborah Kratter stated that the previous set of Planning Commission minutes did not capture the sense of many citizens' comments. She pointed out that citizens could have the opportunity to turn in written statements as minute attachments and this would ensure that their full point was considered. She also did not want anyone to misinterpret that Commissioners were acting or voting on the citizen comments.

Mr. Rich Krapf stated that the minutes were generally understood to be a summary of conversation. He stated that many citizens would not want to turn in written comments.

Ms. Kratter noted that taking citizen letters would reduce staff workload as they would not have to transcribe the public comment portion of the minutes. She stated that citizens do not have the opportunity to review their comments like Commissioners.

Mr. Fraley said he would like to discuss any possible revision with the Board to make sure the formats were consistent.

Mr. Henderson stated that he would work with Ms. Kratter on developing an alternate method of minute taking and would provide samples for the next Policy Committee meeting.

D. Old Business –

a. Capital Improvements Program (CIP) Proposals

Ms. Leanne Reidenbach stated that she had received CIP applications from various departments and that a list, summaries, and applications were previously forwarded so that the Committee could rank the four project categories based on the newly adopted review criteria. The intention was to present the rankings at this meeting. She also noted that WJCC Schools will not have an adopted CIP until February and do not have to turn in applications to the County. Similarly, JCSA and VDOT items would not be available until February.

Mr. John McDonald stated that due to revenues, few if any new CIP projects would be funded over the next few years. He said that any new projects would probably be limited to maintenance or those providing cost-savings.

Mr. Reese Peck noted that even if there are no CIP funds, the rankings set the base for future projects.

Mr. Krapf stated that many of the department CIP applications contained too little information about the project. He thought that lack of information made it difficult to differentiate some projects.

Ms. Reidenbach stated that since the budget will not be presented to the Board until April, the Committee has two extra months to refine its rankings and can invite Department representatives to present additional information about certain projects that were unclear in the application.

Mr. McDonald confirmed that out of last year's recommended CIP, the Board approved the police headquarters, the Jamestown auxiliary gym, and the Warhill community gym. Gym construction is delayed until the economic climate improves. The County's ability to service debt decreases along with decreasing revenues. He also noted that the Board has set aside working capital funds in case of emergency. The Board also retains funds for opportunity acquisitions, such as Jamestown Beach Campground or greenspace parcels. The Board can move funds out of the CIP budget as well. The Board also has the ability to issue up to \$14 million in debt if necessary. There are some CIP funds already set aside for water quality improvements from previous years that have not yet been spent.

Mr. Fraley noted that water quality projects are his top CIP priority.

Mr. McDonald stated that some water quality projects are relatively inexpensive and easy to access. He said that other water quality projects are on more difficult to access private property. Difficulties in getting owner permission have lowered the priority for several water quality projects.

Ms. Reidenbach stated that Committee members should submit their CIP scores for each project and an average of all the scores would create the final rankings. She asked the Committee which departments it would like to speak with directly about proposals. Planning staff's own ranking system has been integrated into the Committee's evaluation criteria.

Mr. Peck suggested that the Committee should be presented with annual updates on already-ranked projects to determine if priorities need to be adjusted.

Mr. Fraley suggested that Committee members should review previously ranked projects on their own to see if old scores still apply.

Ms. Reidenbach stated that since the new ranking criterion has been established scores should remain consistent over time unless new policies are adopted.

The Policy Committee discussed projects that they were interested in hearing more about. Ms. Reidenbach stated that she would ask WJCC Schools to make presentations on their top five highest dollar projects, top five highest priority projects, three school geothermal refits, classroom technology, and the New Horizons program.

Mr. Fraley felt that most Parks proposals get heavy weightings from the quality of life ranking category. He stated that other proposals are offset by increased revenues and fees.

Mr. Krapf noted that the Committee, after this year's scores, may wish to adjust its rankings.

Mr. Henderson stated that Chickahominy Riverfront Park improvements deserve a greater priority due to the park's acquisition after as a result of the bond referendum. He thought that projects at Chickahominy affect more of the community and generate additional revenue.

Mr. Henderson verified that the Committee would like to speak with Alan Robertson from Schools, John Carnifax from Parks and Recreation, and a member of the Parks and Recreation Advisory Committee regarding CIP proposals. He stated that members should score all CIP proposals before the next Committee meeting.

Mr. McDonald noted that departments were reducing even seemingly small expenses in a difficult financial year. He stated that next year there would be fewer or perhaps no CIP projects.

Mr. Fraley stated that regardless of CIP funding, the Committee needs to practice and validate its new project ranking system.

b. Planning Commission Bylaws

In Article VI, Section 1, Mr. Fraley stated he did not believe the Commission needed to have a majority vote on whether certain abstentions are valid.

Mr. Henderson felt that any membership on a voluntary board would not rise to the level of a conflict of interest.

Mr. Krapf stated that if Commissioners feel compromised on a vote, they should have the ability to abstain. The Committee agreed to strike the majority vote and amend the language to allow a Commissioner to abstain unless the abstention is objected to by a majority of the Commission.

In Article VIII, Section 3, Subsection c, Mr. Peck asked that the County Attorney include language in the bylaws that would allow the Leadership Committee to go into closed session to discuss personnel matters. He stated that if an accusation is made against a Commissioner, a process should exist to bring the issue before the Leadership Committee.

Mr. Henderson said that when the Commission goes into closed session, it must reference the State Code that allows that action and state the purpose of the meeting.

Ms. Reidenbach noted that additional language closed sessions for disciplinary matters may be able to be added to the bylaws language, but staff would have to consult with the County Attorney to ensure its legality. She said the bylaws, as amended, were scheduled for review by the full Planning Commission at its January meeting.

Mr. Henderson moved for approval of the bylaws with amendments.

In a unanimous voice vote, the amended bylaws were approved (5-0).

c. Communications With Applicants

Mr. Henderson stated he proposed a regularly scheduled work session for applicants to meet with Commissioners.

Mr. Allen Murphy observed that some Commissioners would prefer the flexibility of no scheduled meeting times. He stated he is fine with Commissioners meeting one-on-one with applicants, as long as staff receives a summary of the meeting and any recommendations. Staff is unsure of the demand for a regular Commission work session, but encourages the Commissioners to meet with applicants at their other regular meetings, such as what was done at the December 1 Development Review Committee (DRC) meeting. Applicants may prefer less formal meetings.

Ms. Kratter stated there were situations where revealing meeting details could benefit an applicant's competitors. She thought the Commissioner should have a 'duty officer' for scheduled blocks of time for applicant meetings.

Mr. Fraley stated that Commissioners should either take a second member to applicant meetings or write a report. He noted that major proposals require work sessions already.

Ms. Reidenbach said it would be helpful for staff to know when developers hold meetings with Commissioners prior to submitting a Planning application.

Mr. Peck suggested that meeting methods need to be written as policy so that other Commissioners and citizens have a transparent view of the Commission.

Mr. Krapf suggested that when there is an associated application, then meetings should become part of the public record.

Ms. Kratter stated that Commissioners should disclose when meeting with an applicant or party in interest to an application.

Mr. Henderson noted that 'parties in interest' could include any group attempting to lobby Commissioners, regarding a wide variety of topics. He stated there are groups seeking to influence special use permit conditions or proffers.

Ms. Kratter stated a party in interest is legally defined as someone with a financial interest in the application. She felt that special interest groups should not be prohibited from meeting with all parties. Applicant meetings should be limited to only when an application is present.

Mr. Peck stated he would like to encourage, but not require, Commissioners to invite a staff member to their applicant meetings.

Mr. Henderson stated that meetings would be exclusive to applicants, although pre-applicants could bring questions to DRC meetings, and that conservations would only be reported when there is an application.

Mr. Murphy noted that applicants may only want to meet with certain Commissioners based on each member's policy emphasis.

Mr. Krapf asked staff to draft a policy on applicant meetings.


Mr. Henderson stated that the Powhatan Secondary Homeowners' Association, by arguing their property values would drop from a new cell tower, could become a party in interest to the case based on the legal definition.

Mr. Murphy noted that the Commission can have meeting policies or self-police themselves. He stated that staff would draft a policy based on the discussion that tries to better define parties in interest and when the policy should be followed.

E. Adjournment

Mr. Fraley moved for adjournment, with a second from Ms. Kratter.

The meeting was adjourned at 6:42 p.m.


Chris Henderson, Chair of the Policy Committee