

**DRAFT MINUTES**  
**Regular Meeting**  
**Commission on Local Government**  
**10:00 a.m., July 11, 2011**  
**The Virginia Housing Center**  
**Henrico Room 3**  
**4224 Cox Road**  
**Glen Allen, Virginia**

**Members Present**

Wanda C. Wingo, Chairman  
Cole Hendrix, Vice-Chairman  
Harold H. Bannister, Jr.  
Kathleen K. Seefeldt  
John G. Kines, Jr.

**Members Absent**

**Staff Present**

Susan Williams, Local Government Policy Manager  
Zachary Robbins, Senior Policy Analyst  
Edward Lanza, Senior Public Finance Analyst (effective July 18, 2011)

**Call to Order**

Commission Chairman Wanda C. Wingo called the meeting to order at 10:04 a.m. on July 11, 2011 in Henrico Room 3 at the Virginia Housing Center in Glen Allen, Virginia.

**I. Administration**

**A. Approval of Minutes of May 9, 2011 Meeting**

Mrs. Seefeldt made a motion that the minutes of the Commission's regular meeting of May 9, 2011 be approved. Such motion was seconded by Mr. Hendrix, and the Commission unanimously approved the minutes without amendment.

**B. Public Comment Period**

The Chairman opened the floor to receive comments from the public. No person appeared to testify before the Commission during the public comment period.

**C. Presentation of Financial Statement for Fiscal Year 2011**

Referencing an internally produced financial statement that encompassed expenditures through the end of June 2011, Ms. Williams stated that the financial report covered all of Fiscal Year 2011. She reported that \$32,050 in budgeted funds remained unexpended at the end of the fiscal year. She explained that about two-thirds of that amount was attributable to vacancy savings and the other third to the non-personnel category. She stated that the unexpended funds were utilized by the Department of Housing and Community Development for other purposes.

**D. Local Government Policy Manager's Report**

**1. Senior Public Finance Analyst Introduction**

Ms. Williams introduced Mr. Ed Lanza, who will begin work as the Commission's senior public finance analyst on July 18. Ms. Williams described Mr. Lanza's many years of financial planning and forecasting experience in state government as well as his educational background in business and finance. Ms. Williams, Mr. Robbins and the members welcomed Mr. Lanza to the Commission staff.

**2. Change in Mileage Reimbursement Rate**

Ms. Williams reported that, effective July 1, 2011 until December 31, 2011, the Internal Revenue Service (IRS) will increase the standard mileage rate from \$0.51 per mile to \$0.555 per mile, and the personal mileage rate applicable to members' travel will be increased accordingly.

**3. Potential Issues**

Ms. Williams announced that, immediately prior to the meeting, counsel for the Town of Culpeper filed a submission requesting the Commission to review and issue findings on a proposed Voluntary Settlement Agreement between the Town of Culpeper and the County of Culpeper. Ms. Williams then provided a brief update concerning potential interlocal issues involving the City of Bedford – Bedford County and the Town of Clarksville – Mecklenburg County. Next, Ms. Williams provided an update on recent cases that have come before the Commission. She indicated that the Town of Grottoes – Augusta County Voluntary Settlement Agreement was approved by a special court on May 3. Ms. Williams further stated that the Town of Hillsville - Carroll County Voluntary Settlement Agreement was approved by a special court on June 13 and will become effective on July 1. She also indicated that public hearings on the Town of New Market - Shenandoah County Voluntary Settlement Agreement are scheduled for July 18 and August 23. Finally, Ms. Williams directed members' attention to numerous newspaper articles concerning these and other local government issues that were included in their agenda packages.

**4. FY 2012 Mandates Assessment Schedule**

Ms. Williams reported that, on May 31, Governor McDonnell approved the FY 2012 Schedule for the Assessment of State and Federal Mandates on Local Government. She indicated that the schedule was subsequently published in the *Virginia Register* on June 20; in VML's *Update* on June 10; and in VACo's *County Connections* on June 15. She directed members' attention to copies of these items that were included in their agenda packages.

**5. Planning District Commissions**

Ms. Williams indicated that a request will be sent out this week to all PDC executive directors for their annual reports. She explained that they will have until September 1 to submit their reports and that, once submitted, they will receive their FY 2012 contracts and payments will commence upon contract execution. Ms Williams also indicated that Commission staff will soon be conducting a review of the boundaries of planning districts, which DHCD is required to do by Va. Code § 36-139.7, following every decennial census.

**6. Other Staff Activities**

Ms. Williams reported that DHCD has adopted a mandatory curriculum of on-line training for all employees and that she and Mr. Robbins have completed numerous courses.

**II. Town of Culpeper – County of Culpeper Proposed Voluntary Settlement Agreement**

**A. Preliminary Staff Comment**

Ms. Williams reiterated that, this morning, the Commission received a submission requesting the Commission to review and issue findings on a proposed Voluntary Settlement Agreement between the Town of Culpeper and Culpeper County regarding annexation and utility issues. Ms. Williams acknowledged the presence of Mr. Carter Glass, counsel for the Town of Culpeper, and Mrs. Wingo welcomed him to the meeting.

Ms. Williams indicated that the Agreement was negotiated pursuant to Va. Code § 15.2-3400. She stated that, as required by the Commission's regulations, the submission includes: notice by the Town of Culpeper of a voluntary settlement agreement; a copy of

## Minutes

### Regular Meeting

10:00 a.m., July 11, 2011

#### Page 5

the proposed agreement as well as data and exhibits supporting the agreement; resolutions adopted by the Culpeper Town Council and the Culpeper County Board of Supervisors requesting the Commission to review the agreement; and indication that copies of the notice, the proposed agreement and an index of data and exhibits were mailed to each of the local governments contiguous to or sharing functions, revenue or tax sources with the Town of Culpeper and the County of Culpeper. Ms. Williams indicated that she will prepare and send a letter to the parties acknowledging receipt of the submission and confirming the review schedule this afternoon.

Ms. Williams reminded members that the Commission is required to “hold hearings, make investigations, analyze local needs and make findings of facts and recommendations” regarding the issue to the affected local governments and that the applicable standard of review is whether the proposed settlement agreement is in the best interest of the Commonwealth.

Ms. Williams then proposed the following review schedule, which she distributed to the members, other staff and Mr. Glass:

**Request for additional information:** Friday, August 5, 2011 by the close of business

**Parties’ response to request for additional information / supplemental submissions by parties:** Friday, September 2, 2011 by the close of business (delivered to staff and mailed to members)

**Monday, September 12, 2011 (Culpeper, Virginia):**

10:30 AM	Tour of affected area
12:30 PM	Lunch
2:00 PM	Oral presentations
5:00 PM	Dinner
7:00 PM	Public hearing

**Tuesday, September 13, 2011 (Culpeper, Virginia):**

## **Minutes**

### **Regular Meeting**

**10:00 a.m., July 11, 2011**

**Page 6**

10:00 AM	Special Commission Meeting
10:30 AM	Regular Commission Meeting
12:00 PM	Lunch

**Closing of Record:** Tuesday, September 27, 2011 at the close of business

**Commission's draft report:** Monday, November 14, 2011

#### **B. Commission Deliberation and Action**

Ms. Wingo asked Mr. Glass if the proposed schedule is acceptable to the Town and County, and he indicated that he was authorized to speak on behalf of both localities for the purpose of scheduling the Commission's hearings and that the schedule is acceptable to both parties. Mrs. Wingo made a motion that the Commission approve the proposed review schedule. Such motion was seconded by Mr. Bannister, and the Commission unanimously approved the schedule without amendment.

#### **C. Comments by Representatives of the Parties**

Mr. Glass explained that, following several years of negotiation, the Town Council and County Board of Supervisors have entered into a voluntary settlement agreement that will resolve longstanding disputes between the parties. He further indicated that the proposed agreement establishes a simplified town boundary adjustment procedure that is linked to the town's delivery of water and sewer services within areas designated by the county. He stated that the town will be able to incorporate only those areas surrounding the town that are urban in character. Mr. Glass then highlighted key provisions in the proposed agreement and described how they will benefit both parties.

**Minutes**

**Regular Meeting**

**10:00 a.m., July 11, 2011**

**Page 7**

**III. 2011 Survey and Report on Urban Development Area (UDA) Designations in Comprehensive Plans**

Ms. Williams reminded members that the Commission is required to report annually to the Governor and General Assembly on the overall compliance by certain high-growth localities with the requirement that they designate urban development areas in their comprehensive plans. She proposed to send out the draft survey instrument that was included in members' agenda packages to all counties, cities and towns in Virginia. Ms. Williams stated that the same statute that requires the Commission to prepare the annual report also requires that, before preparing the initial report, the Commission "develop an appropriate format in concert with the relevant planning district commission."

Ms. Williams suggested that the format for the report follow the survey instrument. She recommended that responses to the questions on the first, second and fourth pages of the survey be presented in aggregate form by county, city and town in the body of the report and that the information requested on the third page of the survey be included in the report for each UDA designated in Virginia. She indicated that more detailed information regarding their responses would be provided in the appendices.

Ms. Williams stated that, upon the Commission's approval of the survey, she will send the instrument out to the Planning District Commission executive directors, describing the proposed format of the report and requesting their feedback. Ms. Williams further indicated that she will have an opportunity to speak to the executive directors at their meeting during the VAPDC Summer Conference on July 28. Finally, Ms. Williams

indicated her intention that the survey be distributed – preferably in electronic format – to all localities in early August.

**IV. Annual Report on Municipal Boundary Changes**

Mr. Robbins presented the 2010 report on Municipal Boundary Change Actions. He noted that only two boundary actions were identified as occurring during 2010: the Town of Jonesville – Lee County, which affected only one resident and the City of Hopewell – Prince George County, which was a “land swap” and affected no residents. Mr. Robbins further indicated that both were friendly boundary line adjustments.

Mr. Robbins then explained that some boundary line adjustments from previous years, which were not properly reported to the Secretary of the Commonwealth at the time, have been verified through the U.S. Census Bureau’s Boundary and Annexation Survey. Mr. Robbins stated that these newly-identified boundary adjustments will be added to an aggregated list, which will be posted on the Commission’s website.

On a motion which was made by Mrs. Seefeldt and seconded by Mr. Kines, the Commission unanimously approved the report.

**V. Adjournment**

There being no further business to come before the Commission, the meeting was adjourned at 11:07 a.m. The Commission’s next regular meeting is scheduled for Tuesday, September 13, 2011 at 10:30 a.m. in the Culpeper area (at a location to be determined).

---

Wanda C. Wingo  
Chairman



**Minutes**  
**Regular Meeting**  
**10:00 a.m., July 11, 2011**  
**Page 9**

---

Susan B. Williams  
Local Government Policy Manager