

NORTHERN VIRGINIA REGIONAL COMMISSION

Minutes of the Commission Meeting Held Thursday, September 23, 2010

COMMISSIONERS

(The names of those members present are highlighted.)

Hon. Sharon Bulova	County of Fairfax
Hon. John C. Cook	County of Fairfax
Hon. Joan Cross	City of Fairfax
Hon. Steve DeBenedittis	Town of Herndon
Hon. Barbara A. Favola	County of Arlington
Hon. John Foust	County of Fairfax
Hon. Robin Gardner	City of Falls Church
Hon. Penelope A. Gross	County of Fairfax
Hon. Pat Herrity	County of Fairfax
Hon. Catherine Hudgins	County of Fairfax
Hon. Robert W. Lazaro, Jr.	Town of Purcellville
Hon. Michael C. May	County of Prince William
Hon. Suhas Naddoni	City of Manassas Park
Hon. Martin E. Nohe, NVRC Vice Chairman	County of Prince William
Hon. Harry J. Parrish II, <i>NVRC Chairman</i>	City of Manassas
Hon. Redella S. Pepper, NVRC Treasurer	City of Alexandria
Hon. Frank J. Principi	County of Prince William
Hon. Kenneth "Ken" Reid	Town of Leesburg
Hon. M. Jane Seeman	Town of Vienna
Hon. Paul C. Smedberg	City of Alexandria
Hon. Linda Smyth	County of Fairfax
Hon. J. Walter Tejada	County of Arlington
Hon. Nancy West	Town of Dumfries
Hon. Scott K. York	County of Loudoun

STAFF PRESENT

G. Mark Gibb	<i>Executive Director</i>
Linda M. Tenney	<i>Deputy Director</i>
Linda Summerall	<i>Executive Secretary</i>
Normand Goulet	<i>Sr. Environmental Planner</i>
David Schwengel	<i>Director, Regional Emergency Preparedness Planning</i>
Michelle Simmons	<i>Director, Human Services</i>
Debbie Spiliotopoulos	<i>Sr. Environmental Planner</i>
Peggy Tadej	<i>No. Va. Regional BRAC Coordinator</i>
Aimee Vosper	<i>Director, Environmental & Planning Services</i>

OTHERS PRESENT

Bruce Bennett	<i>Hunter Mill Defense League</i>
Katie Boyle	<i>Fairfax Co. Legislative Services</i>
Tracy Gordon	<i>Aide to Commissioner Nohe</i>
Eldon James	<i>Legislative Consultant</i>
Sue Rowland	<i>NVRC Legislative Liaison; SR Consulting, Inc.</i>
Kiel Stone	<i>staff, Fairfax County Board</i>

CALL TO ORDER Vice Chairman Nohe called the meeting to order at 7:35 p.m., explaining that Chairman Parrish was attending to a serious fire in Manassas. He welcomed Nancy West, the new representative for the Town of Dumfries.

PLEDGE OF ALLEGIANCE The Pledge of Allegiance was recited by all present.

ROLL CALL The roll was called and all members present or absent were noted for the record.

GOVERNOR'S
COMMISSION ON
GOVERNMENT
REFORM AND
RESTRUCTURING

Vice Chairman Nohe welcomed the speakers, both Northern Virginia members of the Governor's Commission: Senator Mary Margaret Whipple and John H. Rust, Jr., a former member of the House of Delegates.

Sen. Whipple described the Governor's Commission as an "evolving process," consisting of four committees that have outside members who are not part of the commission. The commission holds its last full meeting October 4, and the members expect to issue a report the second or third week of November.

1) Customer Service/ Transparency/ Performance/ Accountability Committee

This committee's goal is to make it easy for citizens to interact with state government, perhaps creating a one-stop business portal, government service center (requiring a good deal of computer interoperability).

2) Consolidation of Shared Services Committee

Mr. Rust explained this committee is looking at duplication of services within state government; can shared services be accessible to local governments as well? As an example, Mr. Rust stated that each agency performs its own human resources functions. Another example is the consolidation of tax collection; currently, 19 agencies have some method of tax collection. Fleet management is another area of potential consolidation. [Commissioners Favola and Hudgins arrived.]

3) Intergovernmental Relations Committee

What are the roles of state and local governments in Virginia? How many mandates? What role does/ should regionalism play?

4) Simplifications and Operations Committee

This is the committee looking at privatizing ABC operations. It is also reviewing a 4 day/ 10 hour work week in terms of closing buildings for three days to conserve energy and other cost savings initiatives. Sen. Whipple sits on this committee.

The commission established a matrix to help decide if state boards and commissions can be combined or eliminated [Commissioner Foust arrived] and found that some boards/commissions were established at the request of private industry, which pays annual dues for their support. What is also needed is one central list of state-owned property [Commissioner Principi arrived]. The state has hired a contractor that has consolidated leases.

The Simplifications and Operations Committee will vote the last week of September on ABC privatization, with the full commission voting on October 4. Currently, the state operates 332 ABC stores; the proposal calls for 1,000 privately operated facilities, including large chain grocery stores and large chain retailers. Mr. Rust pointed out that most non-controlled states have 8,000 outlets. The proposal assumes increased sales from people currently buying out of state. Currently, restaurants pay the retail price and pick up the liquor themselves at the ABC store; they can continue that under the proposal or they could buy directly from wholesalers, pay a 2.5 percent tax and have the liquor delivered. [According to an Oct. 1 article in *The Washington Post*, the Governor has now dropped the restaurant tax and wholesaler tax, which would result in a loss of annual revenue of \$20.5 million.]

Sen. Whipple said the ABC stores have a 98 percent compliance rate in terms of selling to under-age buyers, while stores selling only beer and wine have a 90 percent compliance rate. Under the proposal, the number of ABC compliance agents will be increased.

questions & answers Commissioner Bulova said she does not have a problem with privatizing ABC stores as long as the state does not lose revenue, but she expressed puzzlement over the increase of outlets if privatization does occur — has a market study of demand been done? Mr. Rust stated his belief that the revenue will continue but that the risk is on people buying franchises. Sen. Whipple added some legislators are concerned about the continuing revenue stream.

Commissioner Tejada asked about dedicated funding under privatization to address alcohol abuse and was told it comes from the General Fund. Sen. Whipple added there is a study that shows there is no evidence of greater alcohol abuse in non-controlled states.

Commissioner Reid asked if an annual license was considered and was told no, as the state wants the money upfront for transportation. He also asked about the findings of just-released transportation audit. Sen. Whipple replied that because the report was just released she was not prepared to talk about it.

The speakers confirmed for Commissioner Seeman that under the proposal, the state could revoke the license of retailers having numerous violations.

Commissioner Favola asked what would happen if the transfer goes through and then the General Assembly does not approve the tax increases? Both Mr. Rust and Sen. Whipple said they don't think this would pass unless it is revenue-neutral. Commissioner Favola referenced the recent articles in *The Washington Post* stating that the seven states that changed from controlled to non-controlled all lost revenue.

Sen. Whipple confirmed for Commissioner Foust that additional licenses could be sold in the future but they would have to be approved by the ABC.

Replying to Commissioner Gross's inquiry, Sen. Whipple said the police were not represented on the committee or commission but the Fraternal Order of Police endorsed the proposal yesterday. Sen. Whipple added a number of Arlington police have expressed concern to her over the proposed increased outlets and the fact that ABC enforcement is already stretched thin.

Replying to Commissioner Gross's inquiry on fleet management, Mr. Rust said both the number and types of vehicles is being studied, adding that it is more administrative and preventive maintenance than anything else that has realized savings.

Commissioner Lazaro asked about BPOL reform and was told there has not been much discussion on it.

Commissioner Tejada asked where regionalism is headed and if the committee or commission would like NVRC's assistance. Mr. Rust does not think regionalism will work without tiered taxing, but there will be efficiencies and coordination of services and different types of activities. The question will be how much local governments will want to participate in it — it will be voluntary.

Commissioner Reid inquired about the newly discovered VDOT surplus, expressing concern over the possibility of local projects' funding being re-allocated for other projects. Sen. Whipple said the accounts have built up, due to the General Assembly having mandated 80 percent funding availability before contract issuance for construction. Sen. Whipple added that the report was just released and she has not yet read it.

Commissioner Bulova commented that the numerous transportation bodies really serve different purposes, making it difficult to consolidate them. Sen. Whipple said this falls under her work group and she knows mergers have been looked at previously.

Commissioner Nohe commented that the largest category of campaign donors to members of the General Assembly is the beer and wine wholesalers. He added that he is a big supporter of privatization, but if the privatization of ABC stores goes through, it will result in a very large new category of campaign donors: What impact will this have on future taxation? Mr. Rust replied that the group to which Commissioner Nohe is referring is probably the biggest opponent of ABC privatization.

APPROVAL OF
MINUTES

Commissioner Pepper moved approval of the minutes of the Commission's July 22 meeting. The motion was seconded and unanimously carried.

CONSENT AGENDA Commissioner Pepper moved adoption of the Consent Agenda, consisting of the items outlined below. The motion was seconded and unanimously carried.

- A. Financial Reports for June 2010
- B. Resolution No. P11-04: Authorization to Accept and Subcontract Housing Opportunities for Persons With AIDS (HOPWA) Year 19 Funds
- C. Resolution No. P11-05: Authorization to Sign a Letter of Agreement for Technical Assistance With the Green Infrastructure Center, Inc.
- D. Resolution No. P11-06: Authorization to Sign Extension of Agreement for Media Buying Services
- E. Resolution No. P11-07: Authorization to Contract Firm to Develop Estimates for Selected Projects Within the Potomac Heritage National Scenic Trail in Northern Virginia
- F. Resolution No. P11-08: Authorization to Accept Additional Funding for the Northern Virginia Emergency Response System
- G. Resolution No. P11-09: Authorization to Apply for Funding from USDOT's Maritime Administration's America's Marine Highway Grant
- H. Resolution No. P11-10: Authorization to Apply for a Surface Infrastructure Planning Grant from USDOT

EXECUTIVE
DIRECTOR'S
REPORT

Mr. Gibb distributed a copy of his report:

- Regional Collaboration Reinforced by Study — results from a recently released Virginia Tech graduate thesis on "The Key Role of Regional Coastal Adaptation Planning In The United States" reinforces that regional planners have strength in coordination and collaboration to help build consensus and support for action. NVRC was one of three Virginia planning district commissions studied, and the thesis recognizes NVRC for its meticulous efforts in preparing data that will hold up to public scrutiny as well as the "outstanding job in bringing together a knowledgeable and passionate group of technical experts..."
- Chesapeake Bay TMDL — Virginia's draft Phase I Watershed Implementation Plan (WIP) submitted to EPA on September 5. It continues inequities in compliance requirements among watersheds and has extremely far-reaching requirements for urban stormwater and septic system retrofits. EPA is holding an October 5 public meeting and has requested NVRC's assistance in arranging an "off-record" pre-meeting earlier in the day, which NVRC will host. The final Phase I WIP is due to EPA by November 29 and the final Bay TMDL is due December 31.
- Northern Virginia Regional Energy Summit — October 29 at the German Embassy.

- Ferry Summit — held this afternoon with record attendance, including representation from all of the military bases in the area. There is much interest in pursuing a market analysis of a commuter ferry. The Navy's Marshall Hall facility (Charles County, Maryland) is dedicating 14 acres to build a floating dock. Commissioner Principi thanked NVRC staff for coordinating this meeting.
- Bernd Steinacher Fellowship — Mr. Gibb attended the METRX conference in Germany earlier in the month to present the first Bernd Steinacher Fellowship, named for the former director of the Verband Region Stuttgart, NVRC's sister region. Dr. Steinacher was instrumental in establishing the partnership between VRS and NVRC. A VRS representative will be present at NVRC's regional energy summit.

Resolution No. P11-11: Authorization to Establish a Line of Credit

The resolution was distributed. Commissioner Pepper moved adoption and the motion was seconded. Commission Gross inquired into the process for reporting draw downs to the Commission. Mr. Gibb replied this information would be in both the financial reports and the Executive Director's report. The motion was unanimously adopted.

Mr. Gibb reported he had an administrative item to bring forward that normally would be handled by the Operations Committee: an amendment to the Commission's personnel policy. The Executive Director will have the authority to:

- offer prospective employees under recruitment an initial rate of annual leave accrual commensurate with the candidate's years of relevant experience; and
- apply this retroactively to cover two experienced employees who began employment during calendar year 2010.

Commissioner Pepper moved that the Commission's personnel policy be amended as outlined in the distributed memorandum. The motion was seconded and unanimously carried.

CHAIRMAN'S
REPORT

Vice Chairman Nohe reported eight responses to the survey sent last week, with the majority of respondents favoring keeping the Commission's meeting date and time.

OTHER BUSINESS

- Commissioner Reid urged the members to keep an eye on the newly found VDOT funds.
- Commissioner Reid reported there is a Northern Virginia page on Facebook and suggested that NVRC look into taking "ownership." The Commissioners agreed a strategy on social media is needed.

ADJOURNMENT

There being no further business, Vice Chairman Nohe adjourned the meeting at 9:20 p.m.

Respectfully submitted:

G. Mark Gibb
Executive Director

Approved by:

Harry J. Parrish II
Chairman