

## **Hampton Roads Planning District Commission Summary Minutes of March 15, 2018**

The March 15, 2018 Meeting of the Hampton Roads Planning District Commission was called to order by the Chair at 12:30 p.m. in the Regional Boardroom, 723 Woodlake Drive, Chesapeake, Virginia, with the following in attendance:

### **Commissioners in Attendance**

Dr. Ella P. Ward, Chair (CH)  
Michael Hipple, Vice Chair (JC)\*  
Randy Martin, Treasurer (FR)  
James Baker (CH)  
Roland Davis (CH)  
Robert Geis (CH)  
Phillip Bazzani (GL)  
Brent Fedors (GL)  
Donnie Tuck (HA)  
James Gray (HA)  
Randy Keaton (IW)  
McKinley Price (NN)  
Cynthia Rohlf (NN)  
Andria McClellan (NO)

David Hux (PQ)  
Randy Wheeler (PQ)  
John Rowe (PO)  
Michael Johnson (SH)\*  
Barry Porter (SH)\*  
Peter Stephenson (SM)  
Dave Hansen (VB)  
Louis R. Jones (VB)  
Robert Dyer (VB)  
Barbara Henley (VB)  
Marvin Collins (WM)  
Neil Morgan (YK)  
Thomas Shepperd, Jr. (YK)

### **Commissioners Absent:**

Debbie Ritter (CH)  
Barry Cheatham (FR)  
Mary Bunting (HA)  
William McCarty (IW)  
William Porter (JC)  
Sharon Scott (NN)  
Kenneth Alexander (NO)  
Mamie Johnson (NO)  
Thomas Smigiel (NO)  
Doug Smith (NO)

Lydia Pettis-Patton (PO)  
T. Carter Williams (SM)  
Patrick Roberts (SU)  
Linda Johnson (SU)  
Tyrone Franklin (SY)  
John Seward (SY)  
William Sessoms (VB)  
Ben Davenport (VB)  
John Uhrin (VB)  
Paul Freiling (WM)

### **Executive Director:**

Robert A. Crum, Jr.

### **Other Participants:**

Frank Rabil (FR)  
Vincent Jones (PO)  
Randolph Cook (SH)

Wynter Benda (NO)  
Brian DeProfio (HA)  
Paul Holt (JC)

\*Late arrival or early departure.

### **Others Recorded Attending:**

Brian DeProfio (HA); Brian Stilley (NN); Wynter Benda (NO); Sophia Deleon, Michelle Effatt, Angelita Flores, Jaidyn Johnson, Azariyah Yancy (Portsmouth Public Schools); Mark Geduldig-Yatrofsky (Portsmouth City Watch); Diane Kaufman (Senator Kaine's Office); Drew Lumpkin (Senator Warner's Office); Ellis W. James (Sierra Club); Jo Ann Wilson-Harfst (VA Dept. of Social Services); Gabrielle Toni (Western Branch Middle School); Citizens: Donna Sayegh; Staff: Keith Cannady, Kelli Arledge, Shernita Bethea, Shirley Core, Katie Cullipher, Andrea Gayer, Greg Grootendorst, Whitney Katchmark, Sara Kidd, Sharon Lawrence, Mike Long, Ben McFarlane, John Sadler, Matt Smith, Tiffany Smith, Jill Sunderland, Joe Turner, Chris Vaigneur, Beth Vandell.

### **Moment of Silence**

Chair Ward asked for a moment of silence for the loss of the two Navy aviators from the Oceana Air Base who were in the accident off the coast of Florida.

### **Approval/Modification of Agenda**

Chair Ward requested modifications or additions to the agenda. Commissioner Andria McClellan Moved to modify the agenda to add item 11 that considers appointing a subcommittee of the HRPDC that will focus on the issue of sea level rise; seconded by Commissioner John Rowe. The Motion Carried.

### **Submitted Public Comments**

Mr. Robert Crum, HRPDC/HRTPO Executive Director, indicated there were no Submitted Public Comments and asked to proceed to the Public Comment period.

### **Public Comment**

Ms. Donna Sayegh provided background information on the Community Development Block Grant Program, and expressed her displeasure with the program.

Mr. Ellis James expressed his pleasure about the HRPDC efforts to oppose offshore drilling. He recapped a meeting that he attended in regards to that issue and informed the HRPDC that North Carolina's government also opposes offshore drilling.

### **Executive Director's Report**

Mr. Crum recapped Matt Smith's presentation from the February 15 HRPDC meeting on the Regional Economic Development Sites Inventory, and informed the Commissioners that Phase I of the report is available on the website. He asked for feedback on the report by early April in order to continue the discussion on the project and its importance to the region. Mr. Crum also reported that the Chief Administrator Officers (CAOs) discussed the potential opportunity for joint site development and revenue sharing at their committee meeting. That conversation will also continue in May.

## **Best Practices Spotlight: City of Franklin and City of Southampton County Cooperative Efforts**

Commissioners Michael Johnson and Randy Martin provided a brief overview of the history of both the city and county's relationship. Franklin and Southampton County have shared the circuit court and three constitutional officers since 1961 when the City of Franklin became an independent city. In 1984, the City of Franklin initiated an annexation proceeding on a corridor located in the area, and reached a settlement in 1986 that included:

- A revenue sharing and economic growth sharing component
- One-half of net tax revenues derived from a one-mile commercial corridor in the City are shared in perpetuity with the County
- Provided a 25-year waiver of future annexation rights
- Established joint economic development efforts moving forward

In 1996 another settlement was reached that included:

- A second revenue and economic growth sharing component
- 30% of gross tax revenues derived from businesses or industries located in a 17 square mile portion of the county, that connect to city water or sewer, are shared in perpetuity with the City
- Perpetual waiver of future annexation rights as long as Franklin remains a City

Mr. Johnson stated that the county's real estate equates to about four to five percent of the revenues derived from that one corridor.

Commissioner Randy Martin summarized the other services that both the county and city share. He stated that the agreement expanded in 2012 when a MOU was established to explore and implement shared services opportunities between the city and county. Economic development, community development, and human resources are all services that Franklin and Southampton County share. In 2015, a shared utility study was initiated that led to an asset valuation and rate study in 2017. After being presented to the governing bodies on February 28, 2018, consolidation of county/city water systems was recommended. He noted that the next initiative is to relocate the courthouse. Commissioner Martin concluded the presentation by stating that although the two localities are distinctly different, they complement each other economically. The relationship has provided many opportunities to collaborate. While all opportunities will not be beneficial, they will continue to seek and implement those that are.

Commissioner Phillip Bazzani asked which collaborative effort was most successful. Commissioner Martin stated that community and economic development has been the most successful, but parks and recreation also has potential for long-term benefits for the community.

## **Approval of Consent Items**

The following items were on the Consent Agenda for approval:

- a. Meeting Minutes – February 15, 2018 Commission Meeting
- b. Transcribed Public Comments February 15, 2018 Commission Meeting
- c. Treasurer’s Report of January 2018
- d. Prioritize Regional Non-Entitlement Community Development Block Grant (CDBG) Project Types and Activities
- e. Consultant Services Contract – Regional Construction Standards Program Support
- f. Consultant Services Contract – Special Legal Consultant on Stormwater Matters
- g. Consultant Services Contracts – Regional and Environmental Planning and Analysis

Chair Ward called for a motion to approve the Consent Agenda. Commissioner Robert Geis Moved to approve the Consent Agenda; seconded by Commissioner McClellan. The Motion Carried.

## **Environmental Action Awards**

Ms. Katie Cullipher, HRPDC Principal Environmental Education Planner, briefed the Commission on the askHRgreen program, a comprehensive environmental public outreach program in Hampton Roads focused on water awareness, recycling and beautification, stormwater pollution prevention, fats, oils and grease. The program helps localities meet their MS4 permit requirements for public education, groundwater withdrawal permits, and state consent orders for reducing sanitary sewer overflows. In addition to being a regional pathway to regulatory compliance, askHRgreen is also a resource for citizens, and a one stop shop for information, ideas, answers to questions, and inspiration for a cleaner, greener Hampton Roads.

Ms. Cullipher informed the Commission that one of the aspects of askHRgreen is the environmental education mini-grant program. Through that program, teachers or leaders working with youth in grades K-12 can apply for funding for up to \$500.00 to produce a project in variety of categories such as:

- Waste Reduction
- Water Conservation
- Recycling
- Source Water Protection
- Litter Prevention and Cleanups
- Reuse or Upcycling Projects
- Watershed Education
- Native Plant and/or Pollinator-Friendly Gardens
- Waste or Water Audits
- Waterwise Landscaping

Last year the askHRgreen program funded 13 projects and engaged 5,100 students in eight different localities throughout the region. Two of those projects were selected as outstanding and would receive an Environmental Action Award along with a check in the amount of \$100.00 for the school to continue the project or start a new environmental initiative.

The first award was presented to Ms. Michelle Effatt, Guidance Counselor of Cradock Middle School in Portsmouth. Ms. Effatt led the Community Care project in which she helped her 8th grade science students identify areas of Cradock that were in need of care and organized a community clean-up. Armed with gloves, garbage bags, paint and mulch, they partnered with the local civic league to make Cradock a more beautiful place to live, and foster a greater appreciation for their community. Not only did the project encourage people to become stakeholders in their environment, it continued to give the students a sense of community pride after the cleanup concluded. Ms. Cullipher congratulated Ms. Effatt and the 8th grade students that participated in the Community Care Project for their work.

The second award was presented to Ms. Gabrielle Toni, Art Teacher of Western Branch Middle School in Chesapeake. Ms. Gabriel led the Art in the Park project which is a fusion of art and technology. Her art students, along with a small group of technology students, worked together to restore old park benches. They added new wood, paint, and hardware, and created unique designs to bring each one to life. The refurbished benches were placed at the entrance of Western Branch Middle School and serve as a beautiful reminder that with a little vision and elbow grease, the impact on the environment can be reduced. Ms. Cullipher congratulated Ms. Toni for her contribution to the askHRgreen program.

## **Groundwater Management and Regional Water Supply Impacts**

Ms. Whitney Katchmark, HRPDC Principal Water Resources Engineer, provided an overview on groundwater permit cuts that impact the regional water supply and the unresolved policy issues identified by the advisory committee. In 2014, the Department of Environmental Quality (DEQ) determined that the Virginia Coastal Plain Aquifer was over allocated, which had a big impact on Hampton Roads. The factors DEQ used to determine the over allocation were: declining water levels, land subsidence and loss of storage, and the reversal of groundwater flow that leads to salt water intrusion. Ms. Katchmark displayed a map depicting the areas where the water levels were too low, and noted that those lower levels violate the management criteria. If the levels fall below the top of the aquifer, it could cause permanent damage.

Ms. Katchmark noted that the proposed solution in 2014 was to reduce the withdrawal permits of the 14 largest users. Hampton Roads is host to 13 of those permits. Of the 14 largest users, 8 are local government permits, and the remainder are industrial and manufacturing facilities. She provided a summary of the permits and how they changed. DEQ intended to reduce the total withdrawals to around 15 million gallons a day. However, the reduction did not solve the problem. The permitted withdrawals still resulted in violations of regulatory criteria created to protect the aquifer. DEQ approached the problem by getting everyone to voluntarily sign new permits, and they were successful in doing so. During that time, Hampton Roads Sanitation District (HRSD) proposed its

Sustainable Water Initiative for Tomorrow (SWIFT) project. If HRSD is successful DEQ challenges would be met.

Ms. Katchmark concluded by providing a brief overview of SWIFT stating that it is the only replenishment project that has the ability and funding to inject water into the aquifer without HRSD selling or using the water itself. Legally, once the water is injected into the ground, it is DEQ's to allocate. The Senate and House passed HB-1036 that requires DEQ to convene a workgroup and develop a framework for trading and banking. That way, if SWIFT does not happen, there is a way to incentivize people to replenish the aquifer and the region can stay on a more positive path.

Commissioner Shepperd asked if Ms. Katchmark was speaking in theory. Ms. Katchmark stated that when the Paper Mill reduced its withdrawals, the water levels rebounded, but not enough to solve the problem. That is the reason DEQ is making efforts to cut permits. She stated that big permit holders are not withdrawing the maximum amount that they are allowed, so there is no need to measure the worst-case scenario. The system is actually stabilized, and the measures that are being taken today are to prevent it from getting worse.

Commissioner Bazzani asked if the data that was presented has been shared with jurisdictions south of Hampton Roads such as North Carolina or anywhere along the East Coast.

Ms. Katchmark stated there has not been any coordination between Hampton Roads and those jurisdictions. The general trend of declining water use is a national one.

Commissioner John Rowe asked what the probability was of SWIFT becoming a reality. Ms. Katchmark stated that there is a very good chance of that happening, but it may not occur at full scale because each location has a different geochemistry.

Commissioner McClellan asked who will be assigned to the workgroup, and if that workgroup will include any representatives from the HRPDC. Ms. Katchmark informed the Commission that Commissioner Baker is on the work group and that she would probably be included along with one or two other people from Hampton Roads.

### **Regional Strategic Plan for Public Access to Waterways in Hampton Roads**

Mr. Greg Grootendorst, HRPDC Chief Economist, reported that two years ago, the Water Resource department applied for a grant that would be used to create a map that displayed public access to waterways in Hampton Roads. He introduced Ms. Sara Kidd, HRPDC Senior Regional Planner, HRPDC, who would present a summary of the regional strategic plan for public access to waterways. Ms. Kidd stated that the project was funded by the Virginia Coastal Zone Management Program at DEQ. Outside of the Chesapeake Bay Watershed project, this is the first time that a project of this stature has been focused on Hampton Roads. The plan serves as a resource for localities planning for new public access projects in the region as well as provide regional context to those types of plans and will help guide the prioritization of such projects in the region. She provided a list of goals for the plan which includes: assessing the demand for public access, conducting a public access sites

inventory, identifying potential opportunities for expanding public access, and public outreach to promote an existing network of sites with an interactive map.

Ms. Kidd provided charts and graphs to analyze the public demand for accessing waterways. She reported that 21% of boats registered in Virginia are registered in Hampton Roads, and approximately 13% of fishing licenses in Virginia are purchased by Hampton Roads residents. As of 2016, the total annual fishing licenses sold in Hampton Roads was 71,619. These registrations can be used to determine the locations of boat owners, and the information helps communities understand how people are using public access to waterways in their neighborhoods.

Ms. Kidd briefly talked about the public access sites inventory. She reported that they were able to locate 192 public access sites in the region. She provided charts that divided the types of public access in the region into categories, and pointed out that some sites have more than one type or function.

The types of existing public access sites listed were: boardwalks, observation decks, beaches with swimming, bank fishing, kayak/canoe launches, boat ramps, and nature trails.

In order to identify potential opportunities for expanding public access, information was first collected on travel time to public access. That information revealed that 98% of residents are within 30 minutes of a public access site, and it was determined that paddlers like to have about a three to five mile gap to travel. With that knowledge, it was determined that there may be potential future opportunities in the James, Nansemond, Nottoway, Blackwater, and Elizabeth Rivers.

Through the analysis, it was also determined that there are gaps that present opportunities to address issues concerning the underserved areas that have a higher demand for public access, the overall lack of access, and to create potential trails. Those gaps also present the opportunity to narrow down the sites to a locality level, and determine what needs to be done to implement new sites. She presented a list of potential next steps:

- Additional analysis to refine gaps locally
- Conduct special studies for specific watersheds or waterbodies
- Develop a tool for planners to evaluate and rank potential projects
- Inventory of shoreline public land ownership
- Investigate creating a public access authority
- Maintain/update inventory data

She concluded by demonstrating how the tool works, and informed the Commission that brochures and cards would be distributed to public libraries, community centers, and public access sites.

*Commissioners Barry Porter and Michael Johnson depart*

Commissioner Brent Fedors stated that one thing that differentiates boat landings in Gloucester is the depth of water and the ability to launch. Currently, there is no way to

distinguish them when they are listed. He noted that information would be helpful in terms of understanding capabilities. Ms. Kidd stated that additional information will be collected in the future such as depth, parking, fees, etc. Commissioner Price suggested providing the information to the tourism agencies.

Mr. Crum stated that any help that the Commissioners could provide such as promoting the tool on their websites and social media and through tourism groups would be helpful. He encouraged localities to review the strategic plan on the HRPDC website and analyze their public access sites. It will provide valuable information that will help with planning in their local areas.

### **Sea Level Rise**

Commissioner McClellan informed the Commission that during the General Assembly session, Senator Lewis presented a bill to create a regional authority that addresses sea level rise. That bill did not pass, but there were some important comments and questions about what role the HRPDC could play in this area. Commissioner McClellan proposed creating a subcommittee of elected officials to work in conjunction with the CAOs who are currently addressing the issue of sea level rise and identifying specific projects.

Chair Ward stated that if there are any elected officials from any of the localities interested in serving on the committee, please submit their information to the Executive Director. Mr. Crum informed the Commission that the CAOs have formed a subcommittee that has met for two consecutive months. The city managers of Hampton, Newport News, Virginia Beach, Norfolk, and Portsmouth are all on that subcommittee. They have committed to a five month period to come up with ideas on how to move the issue forward. He stated that creating this subcommittee would provide a vehicle for elected officials to review some of those ideas that would work its way to the Commission. If that is something the Commission wishes to move forward on, he suggested considering those appointments at the Commission meeting scheduled for May 17th. He asked those that are interested to submit their names to him, and he would report those names to Chair Ward and Vice Chair Hipple for them to consider. He noted that it would be important to have representation from both the Peninsula and Southside.

### **HRPDC Three Month Tentative Schedule**

Mr. Crum noted the three month tentative schedule.

### **Advisory Committee Summaries**

Mr. Crum highlighted the Advisory Committee Summaries section of the agenda.

### **For Your Information**

Mr. Crum noted correspondence from the Office of the Governor responding to the HRPDC's comments on HB 1258 and SB 405, and the 2018 Virginia General Assembly Summary. He noted in the Executive Director's report was correspondence sent by Chair

Ward in opposition to off-shore drilling, and correspondence expressing opposition to two wireless bills that would have removed local land use authority from localities.

### **Old/New Business**

Mr. Grootendorst informed the Commission that the Bureau of Labor Statistics (BLS) has reported that 15,000 civilian jobs have been lost since February with no explanation as to why the jobs evaporated. Every March, BLS revises their data, and the revision showed that in December the employment numbers in Hampton Roads were up approximately 15,000. He noted that it is the largest revision of any metropolitan area, and the largest upward revision of any municipal area. He directed them to a handout that explains the revision.

### **Adjournment**

With no further business to come before the Hampton Road Planning District Commission, the meeting adjourned at 2:00 p.m.

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Ella P. Ward  
Chair

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Robert A. Crum, Jr.  
Executive Director

**Transcribed Public Comments of the  
March 15, 2018 HRPDC Commission Meeting**

**Ms. Donna Sayegh:** *Good Afternoon. My name is Donna Sayegh, and I live in Portsmouth. On the agenda today is a number of consent items for attachment 7. The consent item for 7d is to prioritize regional non-entitlement Community Development Block Grant (CDBG) project type activities. The Virginia CDBG program provides funding to eligible units of local government to address community development needs. These needs include housing, infrastructure, and economic development. The Virginia CDBG program has been administered by the Virginia Department of Housing and Community Development since 1982. The Department of Housing and Urban Development (HUD) bureaucrats make the funds available to the State of Virginia's Department of Housing and Community Development. Then the DHCD issues the funds to the local governments. Now the Virginia District Commissions such as the Hampton Roads Planning District Commission will rank regional priorities for the DHCD and provide a list of anticipated CDBG project proposals from non-entitlement localities. Notice that the non-entitlement localities included the City of Williamsburg, and the counties of James City and York. Now the federal government wants control of these localities like Commonwealth. What a rip off. How come entitlement localities don't have to have a priority list for the Hampton Roads region? You know why Portsmouth is an entitlement city? Because the Health Department and the Churches aren't working together to stop the sex trafficking of the city. It is okay for sexual activity without protection which is causing children to be born out of wedlock. What is happening? The City is providing for these illegitimate children by way of the Federal government, to Virginia, and to the localities. This is why we the people are no longer able to self-govern. The government is protecting men and women to continue to have unprotected sex and bring forth unwanted children. The regional government is dictating how to spend the money for those who have been irresponsible and ungodly. Yes, continue to vote for corruption. It makes everyone happy to feel entitled and forget about one's duty to our creator. Thanks to all those who listened.*

**Mr. Ellis James:** *Thank you Dr. Ward. My name is Ellis W. James. I reside at 2021 Kenlake Place in the City of Norfolk. I want to follow up on my very happy moment that I had here at your last meeting in urging all the communities to oppose offshore drilling through item Number 8 that was on the agenda. We had Monday night a very interesting storm. Luckily we didn't get igloored in, but we had a storm the night of the meeting at five o' clock at DEQ. Approximately 30 people came to that meeting. All of them businessmen, young students, proud Sierra Club members. All of them opposed the offshore drilling, and they give in their public comments detail, they knew what they were talking about. I smiled. When I identified myself as an old dinosaur, one of the people asked me if they were going to dig up my bones and use it for drilling for oil. I wanted you to know about that meeting because that meeting was also representative of our region, and many of those people who came from different parts of Hampton Roads had taken the time, and I mean to tell you Monday night, if you weren't out and about, you may not know, it was snowing and blowing a little bit. So we were happy to be able to get all of those folks to the meeting to make their observations. If you didn't know, in the meantime, North Carolina's governor has, through the Secretary of the Environment in North Carolina, made it perfectly clear that North Carolina is opposed to the offshore drilling, and that is an additional very important development in this issue as we*

*move forward. And I'd like to thank Ms. McClellan for being concerned about the issues of the environment in all of its aspects. She's done a good job in Norfolk, and I know she'll do a very good job here. Thank you Madam Chair.*

**FISCAL YEAR 2018**  
**3/31/18**  
**STATEMENT OF REVENUES AND EXPENDITURES**  
**75% OF FISCAL YEAR COMPLETE**

<b>REVENUES</b>	<b>Annual Budget</b>	<b>Previous YTD</b>	<b>Current Month</b>	<b>YTD</b>	<b>% Received /Expended</b>
STATE PDC REVENUE	\$ 151,943	\$ 113,957	\$ -	\$ 113,957	75%
DEQ	65,600	60,682	-	60,682	93%
HOUSING DHCD/ PORTSMOUTH/ CHESAPEAKE	342,292	239,676	-	239,676	70%
WATER QUALITY ASSESSMENT	749,902	439,674	-	439,674	59%
VDEM	394,460	122,993	-	122,993	31%
Local Jurisdiction Membership Dues	1,380,621	993,573	40,836	1,034,409	75%
Local Jurisdiction Programs	2,533,227	1,310,685	70,572	1,381,257	55%
HRMFFA	43,732	17,500	-	17,500	40%
JLUS	753,000	164,125	-	164,125	22%
GO Virginia	-	11,318	18,601	29,919	0%
SALES, INTEREST & MISC	140,333	89,393	5,458	94,851	68%
VDOT-PL SEC 112	2,378,624	1,015,789	-	1,015,789	43%
HRTAC	106,500	39,590	-	39,590	37%
HRTAC - SEIS Feasibility Study	3,000,000	57,913	-	57,913	2%
VDRPT 5303	693,944	211,859	-	211,859	31%
SP&R	58,000	25,581	-	25,581	44%
SPECIAL CONTRACTS/ DEFERRED	196,824	14,033	-	14,033	7%
<b>Total Revenue</b>	<b><u>12,989,002</u></b>	<b><u>4,928,342</u></b>	<b><u>135,467</u></b>	<b><u>5,063,809</u></b>	<b>39%</b>
<b>EXPENDITURES</b>					
PERSONNEL	\$ 4,792,100	\$ 2,393,160	\$ 297,508	\$ 2,690,668	56%
STANDARD CONTRACTS	175,525	17,788	1,941	19,728	11%
SPECIAL CONTRACTS/PASS THROUGH	7,486,737	1,174,481	294,186	1,468,667	20%
OFFICE SERVICES	534,640	154,709	14,581	169,290	32%
INDIRECT COSTS	-	1,145,964	142,462	1,288,426	0%
<b>Total Expenses</b>	<b><u>12,989,002</u></b>	<b><u>4,886,102</u></b>	<b><u>750,678</u></b>	<b><u>5,636,780</u></b>	<b>43%</b>
<b>TOTALS</b>	<b><u>\$ -</u></b>	<b><u>\$ 42,240</u></b>	<b><u>\$ (615,211)</u></b>	<b><u>\$ (572,971)</u></b>	