

**MINUTES OF THE MEETING OF THE
GEORGE WASHINGTON REGIONAL COMMISSION**

May 19, 2014

The Robert C. Gibbons Conference Room
406 Princess Anne Street, Fredericksburg Virginia

MEMBERS PRESENT AND VOTING: **City of Fredericksburg:** Matthew Kelly (Secretary), Frederic N. Howe, III; **Caroline County:** Jeff Black, Jeff Sili; **King George County:** Jim Howard, Dale Sisson; **Spotsylvania County:** Paul Trampe, Chris Yakabouski; **Stafford County:** Cord Sterling (Chair) (In at 6:20 p.m.)

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Eldon James, Legislative Liaison; & Rupert Farley, Citizen (in at 6:07 p.m.)

STAFF: Tim Ware, Executive Director; Lloyd Robinson, FAMPO Director; Andy Waple, FAMPO; Marti Donley, FAMPO; Danny Reese, FAMPO; JoAnna Roberson, GWRC.

CALL TO ORDER:

Mr. Yakabouski called the meeting to order at 6:05 p.m. with a quorum present, which was followed by the Pledge of Allegiance.

APPROVAL OF GWRC MEETING AGENDA

Upon motion by Mr. Kelly and seconded by Mr. Black with all in consensus, the agenda for the May 19th meeting was approved as submitted.

APPROVAL OF GWRC MEETING MINUTES (April 21, 2014) - (Action Item)

Upon motion by Mr. Kelly and seconded by Mr. Howe, with all in consensus, the minutes from the April 21st meeting were approved as submitted.

PUBLIC INVOLVEMENT - None

FINANCIAL REPORT

Mr. Ware relayed that the Financial Report is included in tonight's agenda packet. Mr. Ware stated that the Commission is on track financially with its year-to-date financial expectations and obligations.

EXECUTIVE DIRECTOR'S REPORT

Mr. Ware advised that the Commission members would be receiving an invitation from Mr. Rick Hurley with the University of Mary Washington in regard to a regional meeting that is being held at the college. The purpose of this meeting will be for discussion of potential regional broad band opportunities.

Mr. Ware advised that the Storm Water Opt In/Opt Out time period has expired. Caroline County and Port Royal have opted out and will now have the State oversee the management and maintenance of its Storm Water program.

Mr. Ware advised that the local EMS planning committee membership that was discussed by Mr. Coffey at the April meeting has been updated. Mr. Ware stated that Mr. Coffey took the recommendations submitted from GWRC and the committee will now consist of fourteen local representatives; three state officials; and two federal representatives.

Mr. Ware advised that he has been appointed as the director of the United Way campaign and that he will be attending the VAMPO meeting on June 3rd.

OLD BUSINESS:

a.) Natural Gas Extraction Brief – Mr. Tim Ware

Mr. Ware advised that he was asked at the last meeting to provide the Commission with feedback on what is occurring on a state-wide basis regarding the Natural Gas Extraction (Fracking) issue. Mr. Ware stated that to date, the conclusion is that minimal efforts have been made in regard to any information gathering. Mr. Ware stated that this also concurs with status of State preparations as the Department of Mines, Minerals & Energy (DMME) is also still in an informational and public input gathering process.

Mr. Ware stated that all planning district's five member jurisdictions have confirmed that no land use regulations are in place regarding oil and natural gas extractions. As the Taylorsville Basin runs through both the counties of Caroline and King George, it is possible that extraction activities could occur but at this time unlikely.

Mr. Ware stated that King George County is in the process of developing and reviewing the regulatory options. Mr. Ware advised that jurisdictions that do not address oil and gas extractions within their local zoning ordinances could claim that the use is therefore not permitted. However, this course of action could open up a jurisdiction to court action and interpretations over extraction rights.

Mr. Ware relayed that as the State and individual localities are still in the process of gathering information and no determined plan of action is yet in place, both the counties of Caroline and King George still need to determine whether they plan to opt into the State mandate regulations or whether they plan to regulate this independently through their own respective zoning ordinances.

Mr. Howard relayed that a meeting is scheduled for June 12th at King George High School to further discuss the options. Mr. Howard stated that representatives from DEQ and DMME will be in attendance at this meeting. Mr. Howard extended an invitation to Caroline County representatives to also attend and participate in the June 12th meeting.

b.) Other Old Business (if any)– Mr. Tim Ware - None

NEW BUSINESS:

a.) Legislative Update – Mr. Eldon James

Mr. James advised that he would highlight some of the key bills passed by the 2014 General Assembly. These are as follows:

HB1173 – Stormwater Management Programs – This Bill will require DEQ to establish a Virginia Stormwater Management Program for any locality that neither opts to establish its own program nor operates a municipal separate storm sewer system.

SB312 – Annexation Moratorium Statute – This Bill extends the temporary restrictions on granting city charters, the filing of annexation notices, and for instituting annexation proceedings.

HB193 – FOIA – This Bill requires a public body to have an adopted and written policy that allows for governing participation of its members by electronic communication access.

HB494 – Locality Personnel Policy on Uses of Public Property – This Bill requires each locality to establish a set personnel policy covering the use of public property by its employees and addresses usage of telephones, computers, etc. that are actually property of the said locality.

HB46 – Real Property Tax Exemption For Spouses Of Armed Forces Employees Who Were Killed In Action – This Bill exempts a surviving spouse of a soldier killed in the line of duty from paying any future real estate taxes

HB199 – Local Government Expenditures or Reductions – This Bill requires the Division of Legislative Services to identify and forward to the Commission on Local Government joint resolutions that calls for a study of local government expenditures and revenues. This Bill also authorizes the Department of Planning and Budget and the Department of Taxation to forward to the Commission any bill that is introduced that requires additional local government expenditures and/or reductions in the local government revenues.

HB209 – Subdivision Plats – This Bill provides that localities may mandate submission of preliminary subdivision plats involving fifty or more lots.

HB268 – Agricultural Operations – This Bill protects certain activities on agricultural parcels from local regulations in the conduct of agritourism activities, the sale of agricultural products, and the preparation or sale of foods that otherwise comply with state law.

HB1084 – Permits and Approvals, Certain; Damages for Unconstitutional Grant or Denial by Locality – This Bill provides that an applicant aggrieved by a grant or denial by a locality of any approved or permitted grant denial that was based on unconstitutional conditions then the applicant could be entitled to compensatory damages. This Bill also provides that an applicant shall be entitled to an order that remands the matter to the locality without unconstitutional conditions.

SB430 – Farm Brewery Licenses – This Bill creates a new limited brewery license for breweries that manufacture no more than 15,000 barrels of beer in a calendar year that are located on farms within the Commonwealth that use agricultural products grown on the farm in the manufacture of their beer.

HB2 – Commonwealth Transportation Board, Statewide Prioritization Process for Project Selection – This Bill provides for the development of a prioritization process for projects that are to be funded by CTB. This prioritization will include factors such as: congestion, mitigation, economic development, accessibility, safety and environmental qualities.

HB1237 – Hunting on Sundays on Private Property – This Bill now allows hunting on Sundays on private property with homeowner's consent as long as it does not occur within 200 yards of a house or a place of worship.

HJ103 – Virginia's Line of Duty Act – This Bill directs the Joint Legislative Audit and Review Commission to study Virginia's Line of Duty Act, the current and projected future expenses for benefits awarded and the possibility of coordinating these benefits with additional benefits paid under other State and Federal programs.

In regard to the budget, Mr. James advised that negotiations are being updated by press releases. Mr. James stated that the April report indicated there were additional revenues available. However, as we are now half-way into May, even with the extra pay day in April, the State has a \$3 million dollar shortfall. Mr. James stated that there is a \$25 million dollar difference between the two budgets and if revenue shortfalls prevail, then this will result in a shortfall of \$100's of million dollars.

Mr. James stated that we possibly could see some activity occurring within the next week; however, he does not see a compromise materializing so someone is going to have to give in. Mr. James relayed that even the Speakers of the House and the Governor are not talking; however, representatives have been told that a deal will occur. Mr. James relayed that whatever budget is finalized on, the representatives will not see anything revealed until June 30th.

Mr. Ware asked if there was any discussion regarding contingencies if no budget is in place on July 1st. Mr. James stated the general obligation debt will be paid; however, does not include any additional bonds based on legal case history. Mr. James stated that the Governor, Attorney General and all judges will be paid and the Governor has broad power to declare a State of Emergency. Mr. James stated that in order for the Governor to do this he will need to have funding balances available and that more discussion will be forthcoming. Mr. James stated that relative to PDC budgets, that budget restorations have received a \$70,000 cut state-wide and this results in an approximate \$2,000 shortfall to each PDC.

b.) GWRC 2015 Preliminary Budget – Mr. Tim Ware

Mr. Ware advised that the preliminary budget request for GWRC for FY2015 is included in tonight's agenda packet. This will be brought back to the Commission at the upcoming June meeting for adoption.

c.) Other New Business (if any) – Mr. Tim Ware - None

Adjourn The GWRC meeting was adjourned at 6:40 p.m. The next GWRC meeting date is June 16th at 6:00 p.m.

Respectfully submitted,
Timothy Ware
Executive Director
(Draft minutes prepared by JoAnna Roberson)