

**RICHMOND COUNTY PLANNING COMMISSION  
MEETING MINUTES**

October 7, 2013

The Richmond County Planning Commission held its regularly scheduled meeting on October 7, 2013 in the Public Meeting Room, County Administrative Building, Warsaw, VA.

The following members were present:

Glenn Bowen  
Jesse Clark  
Rick Cox  
Martha Hall  
Clifton Jenkins  
John Lewis  
Joyce Pemberton

The following members were absent:

Darnell Clayton  
Joseph Gaines  
Cassandra Jackson

Also present:

R. Morgan Quicke, County Administrator  
T. Richard English, Code Compliance Officer  
Mercedes Pierce, Planning Commission Secretary

**CALL TO ORDER, INVOCATION, AND PLEDGE OF ALLEGIANCE**

Chairman Rick Cox called the meeting to order at 7:01 p.m. Jesse Clark gave the invocation and Chairman Cox led everyone in the Pledge of Allegiance.

**APPROVAL OF MINUTES FROM JULY 8, 2013 MEETING**

Chairman Cox asked if anyone would like to make changes to the minutes from the July 8, 2013 meeting. No one requested to make any changes.

Jesse Clark made a motion to approve the minutes as submitted. Joyce Pemberton seconded the motion and they were approved unanimously.

## **CAPITAL IMPROVEMENT PLAN (CIP) COMMITTEE**

Chairman Cox explained that Richmond County adopted its first ever Capital Improvement Plan last year and the plan is now up for annual review.

R. Morgan Quicke provided the Planning Commission with updated information on the CIP. He explained that he reached out to each department asking if they would like to make any changes to last year's plan; he only heard back from the local school system. Richmond County Public Schools are interested in including several major capital projects to the plan; some projects are necessary, such as roof replacements, while others are more desirable, such as a track around the football field. Mr. Quicke feels there may be enough money left over from the bond issuances from the current school construction project in the years to come that may be used to cover these costs, depending on how well the construction process goes.

Mr. Quicke pointed out that the signage project from last year's CIP is currently underway and will be the first completed project from the CIP using the funds allocated by the CIP. He also noted that the UPS Battery Replacement project (also on last year's CIP) has been completed, but was funded out of Chris Jett's regular budget.

Mr. Quicke shared tasks he feels the CIP Committee should be responsible for in this year's review of the CIP and felt they can possibly be completed in just a few meetings. He went on to name those individuals who comprised last year's CIP Committee. Mr. Quicke confirmed that he would be attending these CIP Committee meetings.

Joyce Pemberton pointed out the police cars item on last year's CIP. Mr. Quicke responded saying that police cars received extensive discussion during last year's CIP Committee meetings and it was decided that they would remain on both the operating budget, where \$55,000 is allotted to their purchase each year, and the CIP. Mrs. Pemberton also brought up the gateway signs for the County and Mr. Quicke confirmed the gateway signs are still on the CIP.

Glenn Bowen questioned why the UPS Battery Replacement project was included in the CIP instead of the operating budget when it must be replaced every five years. Mr. Quicke explained that it is easier to track this type of recurring project on the CIP since it is a little difficult to budget its costs into the operating budget every five years. Mr. Quicke proposed that he could budget these replacement batteries into the operating budget each year and then put the accumulated funds into an account allocated to this specific project until the replacement time came (similar to the process used for reassessment costs), but he does not feel this is necessary since the expense isn't that high.

Chairman Cox stated that he felt putting the committee together again was a good idea. He asked Martha Hall if she would be willing to serve on the committee and she said she would. He then asked Glenn Bowen if he would serve on the committee and he said yes also. Chairman Cox informed everyone that he would also serve.

Joyce Pemberton asked why the Planning Commission needed to form a committee if the CIP is good until 2017. Chairman Cox informed Mrs. Pemberton that the committee is needed to review the plan annually to make any changes, if necessary, since priorities may change.

Mr. Quicke informed the Planning Commission that it may be easier for the Planning Commission to review the plan one Monday night during an upcoming meeting rather than establishing a committee. Chairman Cox suggested continuing with the idea of creating the committee.

Glenn Bowen wondered what happened if the departments did not send in a response to Mr. Quicke's letter asking for updates on projects for the CIP. Mr. Quicke informed Mr. Bowen that those departments that did not send in a response did not need to make any changes to the original items they have listed on the CIP.

Chairman Cox, Martha Hall, and Glenn Bowen, established CIP Committee, scheduled to meet on Thursday, October 24, 2013, at 4pm in the upstairs Conference Room in the Administrator's Office. Mr. Quicke told the CIP Committee members that he would be sure to get all information out to them as soon as possible.

### **NOMINATING COMMITTEE**

Chairman Cox asked Joyce Pemberton if she would serve on this year's Nominating Committee to appoint next year's officers. Mrs. Pemberton confirmed she would serve and then stated that Clifton Jenkins and Cassandra Jackson also served on the Nominating Committee with her last year. Chairman Cox asked Clifton Jenkins if he would be willing to serve again this year and he said he would. Cassandra Jackson was absent from the meeting, so Joyce Pemberton said she would contact and ask Ms. Jackson.

Mr. Quicke informed the Planning Commission that the Board of Supervisors has two appointments this year. Martha Hall is up for reappointment for District 4 and Darnell Clayton is up for reappointment for District 1. Both District 4 and District 1 have Board seat elections coming up in November. By rule, District 4 cannot be reappointed until after January 1, 2014. According to the Board of Supervisors By-Laws, no Board member can appoint anyone to a Board that would start once their term ends. Since Board Member, Courtney Sisson's, term will be expiring on December 31, 2013, her replacement will be responsible for appointing the

District 4 Planning Commission member. Mr. Quicke explained that Board Member, Richard Thomas, could go ahead and reappoint Darnell Clayton this month, but any actions after that depends on the results of the upcoming election. If Supervisor Richard Thomas wins, he can reappoint Darnell Clayton anytime after, but if Mr. Gordon Tolson wins, the reappointment cannot take place until after January 1<sup>st</sup>.

### **STORMWATER MANAGEMENT DISCUSSION**

T. Richard English pointed out the documents all Planning Commission members received in their meeting packets. Included in the packet were the “Summary of Attorney Review Comments” and the “Proposed Final Stormwater Management Ordinance.”

Chairman Cox pointed out that the County Attorney did not think the amendment to 4-2 (4-2(5)a) was necessary in the ordinance. Mr. English felt Section 8 covered the information that the amendment was addressing.

Chairman Cox suggested replacing “downstream” with “existing and proposed” in the Attorney’s recommended language for Section 8-2. Chairman Cox, Mr. Quicke, and Mr. English discussed the Attorney’s use of the word “downstream.” Mr. English suggested incorporating “and located” following “Stormwater management facilities shall be designed...” in the Attorney’s recommended language for Section 8-2. Mr. English will contact the County Attorney to ask why the word “downstream” was used.

Jesse Clark suggested adding the term “pollution” and its definition for its use in the ordinance to Section 2.

Chairman Cox asked Mr. English to explain the meaning of Section 5-2 of the ordinance. Mr. English stated that the registration statement in that section refers to the form that the applicant will need to send directly to the State department. Any project that disturbs less than one acre of land can be described as a “Chesapeake Bay Preservation Act Land-Disturbing Activity” and does not require State permit coverage, but still needs to meet the criteria set forth in the Stormwater Management Ordinance. Mr. English felt that Section 5-2 should have ended by referencing Section 7, instead of Section 6. Chairman Cox asked Mr. English to check into this.

Chairman Cox asked everyone to turn to the third paragraph on page 4 of the approved minutes from the July 8<sup>th</sup> meeting, which states “... Mr. English informed the Planning Commission that he will add language to the draft Ordinance that spells out that the locality will perform inspections on single family dwellings. Mr. Quicke suggested Mr. English include a provision that under certain circumstances some single family dwellings may require a licensed professional to perform the inspection.” Chairman Cox then asked Mr. English where he

included this information into the ordinance. Chairman Cox pointed out Section 14-5 and Mr. English confirmed that this section addressed the matters stated in the referenced paragraph in the minutes. Mr. English stated that he feels the “Policy and Procedures” document he is currently working on would be the best place to inform citizens that the County will offer the services of performing inspections on any practice for a single-family dwelling once every five years.

Chairman Cox stated he felt it was very important that Mr. English be able to go out and perform the inspections instead of the homeowners having to hire a professional; it would eliminate the homeowner of an additional fee. Chairman Cox suggested clarifying that the County would be providing inspection services for those single-family dwellings in Section 14-5. Mr. English read a section of his “Policy and Procedures” document that clarified this matter. Chairman Cox was satisfied with it being covered in the “Policy and Procedures” document.

Martha Hall pointed out a few typographical/grammatical errors in the ordinance that needed to be changed. They are as follows:

- Page 8, Section 8-2: In the statement, “Stormwater management facilities shall be designed in a manner that protects downstream structures and infrastructure, including but not limited to buildings, roads, parking lots and onsite sewage disposal systems, from adverse impacts that may be cause by stormwater discharge,” change “cause” to “caused.”
- Page 11, Section 12-1, #4: In the statement, “Exception request are not based upon conditions or circumstances that are self-imposed or self-created,” change “request” to “requests.”
- Page 13, Section 14-6, #2: In the statement, “If the Administrator determines that any such violation is grossly affecting or presents an imminent and substantial danger of causing harmful erosion of lands or sediment deposition in waters within the watersheds of the Commonwealth or otherwise substantially impacting water quality, it may cause...,” change “it” to “the Administrator.”
- Page 16, Section 18-4, #1: In the statement, “Permittees who request minor modifications to permits as defined in Section 2-13 of this ordinance, however any such...,” change the comma after ordinance to a semicolon and add a coma after however.

Chairman Cox asked everyone to turn to lines 152-153 on page 4 of the ordinance, which states, “The paving of an existing road with a compacted of impervious surface and reestablishment...” Martha Hall pointed out that this sentence does not make sense. Mr. English felt the word “of” in-between “compacted” and “impervious” should have said “or” and plans to update the ordinance.

Mr. English informed everyone that he inserted a timeline at the top of the first page of the ordinance to show everyone how long the document has been worked on and who it has been reviewed by. Chairman Cox asked if the ordinance would be placed on the website. Mr. Quicke stated that this ordinance would be placed on our new website after its completion.

Jesse Clark questioned whether the penalties and fines presented in Section 17 of the ordinance are consistent with those of other Richmond County ordinances. Mr. English explained that he believes the fines follow in line with enforcement fees that are already in place for Erosion and Sediment and that they also follow federal language.

John Lewis questioned where the fees associated with Stormwater Management go after they are collected by the County. Mr. Quicke informed Mr. Lewis that the income would go into the general fund, but would be tracked as a revenue and used to pay for costs associated with Stormwater Management. Mr. Lewis stated that he wanted to make sure the fees collected are tracked, in case decisions need to be made on increasing or decreasing them.

Chairman Cox stated that he doesn't believe the County will take in enough to cover the costs of the program based on the fee schedule and other materials he's seen. Martha Hall suggested using the idea that Mr. Bowen presented in a previous meeting of keeping track of the fees collected and the costs incurred to implement the program and evaluate them to see if any changes need to be made.

Mr. English informed everyone that the "Policy and Procedures" document he is working on has to be submitted to the State for review. He plans to have Stuart McKenzie at the PDC review this document. This document is developed by staff to help citizens understand what to expect when complying with Stormwater regulations, instead of having to read over the entire ordinance.

Chairman Cox asked Mr. English to put together a checklist for applicants, as not to overwhelm them with information.

Mr. English summarized what the "Policy and Procedures" document will encompass and it is as follows: submission of applications and plans, payment of fees, review of applications and plans, acceptance and release of performance guarantees, permit issuance, during construction inspections, long-term maintenance and inspections, Stormwater facilities, and enforcement of the ordinance.

Mr. English informed everyone that about a month ago, the State gave out an updated version of the "Stormwater Management Handbook;" it includes various checklists. The final preliminary package is due to the DEQ for review on December 15<sup>th</sup>. Mr. English plans to provide a presentation to the Board of Supervisors in the near future to bring them up to speed on this program. Stuart McKenzie is currently working on constructing a PowerPoint to be included in the presentation. Sam Johnson, Stormwater Advisory Committee, may be assisting Mr. English with the presentation as well.

Chairman Cox, Mr. Quicke, and Mr. English discussed the possible dates of upcoming events related to this program. Mr. English will give his presentation to the Board of Supervisors at their November or December monthly meeting and the public hearings will occur after the first of the year. Everything is on track for the adoption of the ordinance to occur prior to July.

Chairman Cox asked Mr. English if he could revise the ordinance one last time and then present it to the Planning Commission again. Mr. English will do so. Mr. Quicke suggested having the Planning Commission hear the program and make a recommendation around January-March. Mr. English reminded everyone that the Soil and Water Conservation District will be conducting the public outreach workshops in each locality and feels the public hearing should be held after the workshops are presented. Mr. Bowen asked Mr. English if he will use the same presentation for the public hearing that he will be presenting to the Board of Supervisors. Mr. English replied saying the presentation during the public hearing will be a little more informing.

**OTHER BUSINESS**

There was no “Other Business” to be discussed.

**PUBLIC COMMENT**

There were no public comments (no one from the public in attendance).

There being no further business, Martha Hall made a motion to adjourn the meeting and John Lewis seconded the motion. The meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Mercedes Pierce  
Planning Commission Secretary