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COMMONWEALTH of VIRGINIA

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DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Commission on Local Government

November 3, 2023

11:00 A.M.

All - Virtual Public Meeting

Members Present

Ceasor T. Johnson, D.Min, Chair
Edwin S. Rosado, Vice Chair
Diane M. Linderman, PE
Robert W. Lauterberg
Call to Order

Members Absent

None

The Commission on Local Government (CLG) Chair, Ceasor Johnson, called the meeting to order at 11:00 a.m.

Ms. Grace Wheaton, Senior Policy Analyst at the Virginia Department of Housing and Community Development (DHCD) initiated a roll call vote. Ms. Wheaton informed Chair Johnson that a quorum of Commissioners was present virtually.

Administration

The draft agenda was adopted unanimously on a motion by Commissioner Rosado and a second by Commissioner Lauterberg.

The minutes from the September 8th, 2023 regular meeting were adopted unanimously following a motion by Commissioner Linderman and a second by Commissioner Lauterberg.

Chair Johnson opened the floor for the public comment period.

There were no public comments, and the Chair closed the public comment period.

Staff Report and Updates

Ms. Wheaton gave an update on articles of interest to the Commission that were distributed in the meeting packet. The articles noted the emerging land use issues related to solar farms in southside Virginia, provided information on the state's recently passed amended



biennium budget, updated the Commission on recent and upcoming cases, and noted Amazon’s selection of Virginia Beach for additional investment in the state.

Cases before the Commission

Loudoun County and the Town of Leesburg

Ms. Wheaton informed the Commission that they had received the Town of Leesburg’s reply to the County’s filings by the Friday, October 13th deadline set in the Commission’s approved review schedule. She then informed them of the upcoming steps for the Commission, and staff’s intent to provide additional information before the scheduled oral arguments and public hearing in March.

Cases before the Commission

Draft Report on the Economic Growth Sharing Agreement between Henry County and the City of Martinsville

Staff presented the Draft Report on the Economic Growth Sharing Agreements between Henry County and the City of Martinsville to the Commission and discussed what the next steps are after the report is adopted.

The Commission’s findings of fact indicate that the Growth Sharing Agreements would be beneficial for the short- and long - term economic interest of the localities, stakeholders, and the citizens in the area covered by the Agreements. The report details these findings and provides a summary of the Agreements provisions.

Commissioner Lauterberg moved the adoption of the Draft Report as presented, seconded by Commissioner Linderman. The motion passed unanimously.

Regulatory Items

Periodic Review

Ms. Wheaton summarized the Commission’s prior actions related to its Periodic Review and Regulatory Reduction efforts, and the actions the Commission would take during its meeting to advance these items following the timeline the Commission discussed in its September Regular Meeting.

Ms. Wheaton presented the findings of the Commission’s Periodic Review of 1VAC50-20, which indicated that the Commission should retain its current regulations based on those findings.

Commissioner Rosado made a motion for the approval of the Findings of the Commission’s Periodic Review of Chapter 20 (TH-07) which contains the recommendation to retain its regulations based on those findings. The motion was seconded by Commissioner Linderman. The findings were approved unanimously by the Commission.



Ms. Wheaton then presented the Periodic Review of 1VAC50-10.

Commissioner Linderman made a motion to approve the initiation of the Commission’s Periodic Review of Chapter 10 by publishing a notice of period review of 1VAC-50-10 in the Virginia Register. The motion was seconded by Commissioner Rosado. The motion was approved unanimously by the Commission.

Regulatory Items

Ms. Wheaton presented the Notice of Intended Regulatory Action (NOIRA) for 1VAC50-20. Ms. Wheaton explained that this action was required in order for the Commission to proceed with its regulatory reduction efforts in accordance with Governor Youngkin’s EO-19 and would notify the public of the Commission’s effort to initiate regulatory reduction of the Chapter.

Regulatory Reduction

A motion was made by Commissioner Lauterberg and seconded by Commissioner Linderman for the approval of the NOIRA of 1VAC50-20. The motion passed unanimously.

Regulatory Items

Ms. Wheaton presented staff’s proposed changes to 1VAC50-20 sections 540 through 670. Following discussion, the Commission provided no additional suggestions for changes to any of staff’s proposed changes to Chapter 20 (1VAC50-20).

Regulatory Discussion

2023 Cash Proffer Survey and Report

Mr. Chase Sawyer, Senior Policy Analyst at DHCD, presented the results of the 2023 Cash Proffer Survey and accompanying report to the Commission.

The Commissioners discussed the expenditure patterns and purpose of cash proffers in the Commonwealth.

Commissioner Linderman moved to adopt the report with a second by Commissioner Lauterberg. The motion passed unanimously.

Reports on Commission Workgroups

Staff and Commissioner Linderman informed the Commission that there were no updates from the Commission’s participation in the Virginia Code Commission Workgroup.



Regular Meeting Schedule

Staff presented the proposed schedule of regular meetings for 2024. All meetings are scheduled to begin at 11:00 a.m., either virtually or in person at the Virginia Housing Center.

- January 5th
- March 1st (virtual)
- May 3rd
- July 12th
- September 6th
- November 1st (virtual)

Commissioner Rosado moved to adopt the proposed meeting schedule with a second by Commissioner Linderman. The motion passed unanimously.

Other Business

Ms. Wheaton presented the commemorating resolutions for Commissioner Davis and former Policy and Legislative Director Kristen Dahlman. She noted the intent to invite the recipients and Commissioner Mahan to the January 2024 regular meeting to present the resolutions to them.

Commissioner Linderman moved to adopt the resolutions with a second by Commissioner Rosado. The motion passed unanimously.

Staff noted the Commission will elect its chair and vice chair at the January meeting.

Adjournment

Commissioner Rosado moved to adjourn with a second by Commissioner Linderman. The motion passed unanimously.

