

DRAFT MINUTES
Commission on Local Government
Public Hearing
Town of Culpeper – Culpeper County
Voluntary Settlement Agreement
7:00 p.m., September 12, 2011
Culpeper County Board of Supervisors Meeting Room
County Administration Building
302 North Main Street
Culpeper, Virginia

Members Present

Cole Hendrix, Vice-Chairman
Harold H. Bannister, Jr.
John G. Kines, Jr.
Kathleen K. Seefeldt

Members Absent

Wanda C. Wingo, Chairman

Staff Present

Susan Williams, Local Government Policy Manager
Zachary Robbins, Senior Policy Analyst
Edward Lanza, Senior Public Finance Analyst

I. Call to Order

A. Welcome

Commission Chairman Wanda C. Wingo was unable to attend the public hearing; therefore, Vice-Chairman Cole Hendrix called the meeting to order at 7:05 p.m. on September 12, 2011 in the Culpeper County Board of Supervisors Meeting Room in Culpeper, Virginia. Mr. Hendrix explained that the Commission is present to review a proposed voluntary settlement agreement between the Town of Culpeper and Culpeper County. He further explained that the proposed agreement provides for the immediate incorporation of certain territory into the Town of Culpeper and the potential incorporation of additional areas into the Town in the future; for

the waiver by the Town of certain annexation and city status rights; for the provision of water and sewer capacity to adjacent areas within Culpeper County and for other utility arrangements; for the reduction of certain tax rates; and for other matters.

B. Advertisement

Mr. Hendrix indicated that the public hearing was advertised by notice published in the *Culpeper Star Exponent* on Tuesday, August 23, 2011 and again on August 30. In addition, he stated that notice of the public hearing was mailed to the local governments contiguous to, or sharing functions, revenue, or tax sources with, the Town and County.

C. Introduction of Commission Members and Staff

Next, Mr. Hendrix introduced the members of the Commission and provided biographical information on each member. He also introduced the Commission staff.

II. Commission's Review

Mr. Hendrix explained that the Commission on Local Government is directed by law to review proposed annexations, petitions for partial county immunity, other local boundary change and transition issues, as well as negotiated agreements settling such matters prior to their presentation to the courts for ultimate disposition. He further stated that, upon receipt of notice of such proposed action or agreement, the Commission is directed to "hold hearings, make investigations, analyze local needs and make findings of facts and recommendations" regarding the issue to the affected local governments. With respect to a proposed agreement that is negotiated under the authority of Section 15.2-3400 of the *Code of Virginia* – such as the one proposed here – Mr. Hendrix said that the Commission is required to report, in writing, its

findings and recommendations as to whether the proposed settlement is in the best interest of the Commonwealth.

Mr. Hendrix indicated that the public hearing is intended to afford the public an opportunity to comment on the proposed agreement. He also announced that the Commission has agreed to keep its record open for the receipt of additional citizen comment through September 27, 2011 and will close its record as of that date and that the Commission will endeavor to render its report to the affected local governments prior to the end of November 2011.

III. Receipt of Testimony

Of the approximately 30 persons who attended the public hearing, the following four citizens addressed the Commission during the public hearing.

Mr. Jim Charapich with the Culpeper County Chamber of Commerce stated that his organization worked diligently with the town and county on the agreement and that he is pleased to offer support for the agreement.

Mr. John McCarthy, the Rappahannock County administrator, offered his support for the agreement and commended the town and county for working together during a time of reduced revenues and increased financial obligations.

Mr. David Durr with the Culpeper Farmers Cooperative complimented town and county officials for the work they put into the agreement, and he offered his support for it.

Mr. Tom Underwood – the Culpeper County Board of Supervisors member who represents the Salem District – expressed his concerns that (1) the agreement does not have a definite end and (2) it will allow the town to influence zoning in the county. He also

acknowledged the careful consideration and debate that went into negotiating the agreement and stated that the agreement is vastly superior to the alternative of no agreement.

IV. Closing Remarks

Mr. Hendrix expressed the Commission's appreciation to the speakers for the comments they provided.

V. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 7:19 p.m.

Cole Hendrix
Vice-Chairman

Susan B. Williams
Local Government Policy Manager