

**BOARD OF HOUSING AND COMMUNITY DEVELOPMENT
MEETING
March 17, 2005
Richmond, Virginia**

Members Present

Ms. Betty Ann Davis
Ms. Susan Dewey
Mr. Thomas Fleury
Mr. Eric Mays
Mr. Dennis Mitchell
Mr. Brian Mullins
Ms. Nancy O'Brien
Ms. Ellen Robertson
Mr. Carlos Sol
Mr. Doug Thomas

Members Absent

Ms. Ann Hunnicutt
Mr. Jack Loeb
Mr. Ken Thompson
Mr. Ed Whitmore

Call to Order

Ms. Betty Ann Davis, Chairman of the Board of Housing and Community Development, called the meeting of the Board of Housing and Community Development to order.

Roll Call

The roll was called by Mr. Stephen Calhoun of the Department's Policy Office. Mr. Calhoun reported that a quorum was present.

Public Comment

There was no one requesting to address the Board at this meeting, so the public comment session was closed.

Approval of Minutes

A motion was made to approve the minutes of the January 18, 2005 meeting of the Board. The motion was seconded and unanimously passed.

Report of the Housing Committee

Ms. Nancy O'Brien, Chairman of the Housing Committee, reported on the morning meeting of the Committee. Ms. O'Brien reviewed the proposed 2005 Consolidated Plan Action Plan presented by Department staff. A motion was made to adopt the proposed 2005 Action Plan, pending no substantive public comment being received at the April 8, 2005 public hearing. If public comment is received, the Board will consider such comment and reconsider the final Action Plan. The motion was seconded and passed unanimously.

Ms. O'Brien reported that the Committee reviewed a proposed amendment to the 2004 Action Plan to transfer certain unspent funds to a newly created Rural Housing Rehabilitation Demonstration Program (a total of \$3,241,000). A motion was made to approve the proposed amendment to the 2004 Action Plan. The motion was seconded and unanimously passed.

Ms. O'Brien reported that the Committee discussed its concern with proposed federal budget amendments that could significantly reduce funding for housing and community development programs. After discussion, the Board agreed to request Department staff to draft a letter, for the signature of the Chairman, expressing the Board's concern with proposed reductions in federal funding for affordable housing and community development. Because this issue was not an Action Item on the Board's agenda, a motion was made to consider this issue for action. The motion was seconded and unanimously passed. A motion was made to approve the Board sending a letter to Virginia's Congressional delegation expressing concern with proposed federal budget reductions for housing and community development. The motion was seconded and passed, with Mr. Fleury and Mr. Mullins abstaining.

Report of the Codes
and Standard Committee

Mr. Tom Fleury, Chairman of the Code and Standards Committee, reported on the March 11, 2005 full day meeting of the Committee. Mr. Fleury reported that the Committee reviewed comments and proposed amendments received to date on the Board's proposed building and fire regulations. Mr. Fleury complemented staff on the presentation and organization of the two workbooks prepared. Mr. Emory Rodgers, Deputy Director of the Building and Fire Regulation Division, provided an overview of the material covered.

Enterprise Zone Regulations

The Board previously adopted proposed amendments to the Enterprise Zone Program Regulations during 2004 that have not yet become effective. Because legislation enacted by the 2005 General Assembly will significantly change the Enterprise Zone Program, the Department recommended withdrawing the proposed amendments to the current Enterprise Zone Regulations. Emergency regulations for

the new Enterprise Zone Program will be taken up by the Board at its next meeting (in May 2005). Current regulations will remain in effect until the Emergency Regulations adopted by the Board become effective. A motion was made to withdraw the proposed amendments to the current Enterprise Zone Program Regulations. The motion was seconded and unanimously passed.

Board Advisory
Committees

Mr. Shelton, Director of the Department of Housing and Community Development, provided background information on standing advisory committees to the Board. Mr. Calhoun reviewed a proposed Board Policy on making appointments to these committees and on the terms of members of these committees. Mr. Calhoun stated that because the authorizing statute for each committee is different, the proposed Board policy for each committee (the Amusement Device Technical Advisory Committee and the Building Code Academy Advisory Committee) is also different. There was discussion among Board members of the issue of staggered terms for members of these committees.

A motion was made to adopt the proposed Board Policy on Standing Advisory Committees of the Board. The motion was seconded and unanimously passed. A copy of the adopted Board policy is attached to and made a part of these minutes as the Appendix.

VHDA Report

Ms. Susan Dewey, Executive Director of the Virginia Housing Development Authority (VHDA), reported that the VHDA Board of Commissioners voted for additional resources to fund housing for hard to serve populations. Ms. Dewey spoke about the projected use of these funds.

Virginia Fire Services
Board Report

Mr. Dennis Mitchell reported on the Virginia Fire Services Board (VFSB) actions to continue to update policies. Mr. Mitchell reported that the next meeting of the Board would be in Bristol, Virginia during April.

Report of the Director

Mr. Shelton reported on state budget issues based on action taken by the 2005 General Assembly. Mr. Bill Ernst of the Department's Policy Office provided an overview of legislation that passed during the General Assembly session. Mr. Basil Gooden, Principal Deputy Director,

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reported on the date and place of the 2005 Housing Conference to be held in Roanoke, Virginia on September 14-16, 2005.

Unfinished Business

None.

New Business

None

Board Matters

None

Future Meetings

The next meeting of the Board will be on Monday, May 16, 2005 in Richmond.

Adjournment

Upon a motion duly made and seconded, the meeting was adjourned.

APPENDIX

Board of Housing and Community Development Standing Advisory Committees Board Policy for Committees

The Board of Housing and Community Development (the "Board") currently has two permanent advisory committees established by statute to advise the Board. These are the Building Code Academy Advisory Committee and the Amusement Device Technical Advisory Committee. This document provides the Board policy governing the appointments and terms of service for these Boards. These advisory committees have different statutory requirements and therefore have different requirements.

I. Amusement Device Technical Advisory Committee (ADTAC) is established by section 36-98.3 of the Code of Virginia, which provides that "To assist the Board in the administration of this section, the Board shall appoint an Amusement Device Technical Advisory Committee, which shall be composed of five members who, by virtue of their education, training or employment, have demonstrated adequate knowledge of amusement devices or the amusement industry. The Board shall determine the terms of the Amusement Device Technical Advisory Committee members. The Amusement Device Technical Advisory Committee shall recommend standards for the construction, maintenance, operation and inspection of amusement devices, including the qualifications of amusement device operators and the certification of inspectors, and otherwise perform advisory functions as the Board may require." The purpose of the ADTAC is to advise the Board of Housing and Community Development on matters related to amusement devices and the Virginia Amusement Device Regulation (13 VAC 5-31).

ADTAC Terms of Service:

a. Representatives will be appointed as members of the ADTAC for four-year terms. There is no limit to the number of terms that a member may serve. The Board may replace any member appointed for the balance of the appointee's term.

b. Four year terms for the ADTAC were made in 2002 and will expire during 2006. The Board will make new four-year appointments/reappointments during 2006. ADTAC members may continue to serve after the expiration of their term until new appointments/reappointments are made.

Appointment of ADTAC:

a. The Department of Housing and Community Development will advertise any openings available to serve on the ADTAC. The Department also will contact organizations that may have an interest in having a member participate on the advisory committee. Applications will be sent to and coordinated by the Department. Staff will present the names and background information of all applicants to the Board for

consideration. The Board will consider appointments after a review of information presented.

b. The Board may ask Department staff for additional names for consideration.

c. The Board will fill vacancies occurring for the balance of any vacating committee member's term using the same procedure by which the original appointment was made (see above).

II. Building Code Academy Advisory Committee (BCAAC) is established by section 36-137(7) of the Code of Virginia which provides that "The Board shall appoint a Building Code Academy Advisory Committee (the Committee) comprised of representatives of code enforcement personnel and construction industry professions affected by the provisions of the building and fire prevention regulations promulgated by the Board. Members of the Committee shall receive no compensation but shall be entitled to be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties in accordance with § [2.2-2813](#). The Committee shall advise the Board and the Director on policies, procedures, operations, and other matters pertinent to enhancing the delivery of training services provided by the Building Code Academy." The purpose of the BCAAC is to advise the Board of Housing and Community Development (the "Board") and the Director of the Department of Housing and Community Development on matters related to the Building Code Academy.

Composition of BCAAC:

The BCAAC shall be comprised of representatives of local government organizations, code enforcement personnel and construction industry professions affected by the provisions of the building and fire prevention regulations. The committee shall consist of one (1) representative, appointed by the Board, from each of the following organizations:

- American Institute of Architects, Virginia Society
- Amusement Device Technical Advisory Committee
- Associated Builders and Contractors, Virginia Chapter
- Associated General Contractors of Virginia
- Building Owners and Managers Association, Virginia
- Consulting Engineers Council of Virginia
- Fairfax County Code Academy
- Virginia Association of Counties
- Virginia Municipal League
- International Association of Electrical Inspectors, Virginia Chapter
- Home Builders Association of Virginia
- Plumbing and Mechanical Professionals of Virginia
- Prince William County Code Academy
- Virginia Building and Code Officials Association
- Virginia Cross Connection Control Association

- Virginia Fire Prevention Association
- Virginia Plumbing and Mechanical Inspectors Association

A member may be appointed from each of these organizations to serve on the BCAAC. The Board may amend this list of organizations at any time.

BCAAC Representative's Terms of Service:

- a. Committee members will be appointed for four-year terms. There is no limit to the number of terms that a member may serve.
- b. Initial two-year terms of the BCAAC were made in 2002 and expired at the end of 2004. The Board will make its initial four-year term appointments during 2005. BCAAC members may continue to serve after the expiration of their term until new appointments/reappointments are made.

Appointment of BCAAC:

Members of the BCAAC serve at the pleasure of the Board. The Board may reject an organization's requested appointments to the BCAAC and request additional names to be submitted for consideration. The Board also may ask an organization to submit nominations to replace a current BCAAC member for any reason, including but not limited to lack of attendance at Committee meetings. Appointments to the BCAAC will be made as follows:

- a. Each organization, other than local code academies, that may have a BCAAC representative (see list above) shall present to the Board, by letter, the names of persons they nominate to serve on the BCAAC and a resume or brief background statement for each individual. Organizations are encouraged to submit more than one name and may prioritize their preference for appointment. The Board will consider appointments after a review of information presented. If the Board does not appoint a named individual to serve on the BCAAC, the Board will ask the organization to present a letter of request and background information for additional individuals.
- b. The name of the person to serve on the BCAAC from Fairfax County Code Academy and the Prince William County Code Academy shall be submitted to the Board by letter signed by the County Administrator.
- c. The Board will fill vacancies occurring for the balance of any vacating representative's term from the organization that was represented by that individual, using the same procedure by which the original appointment was made (see above).