

BOARD OF HOUSING AND COMMUNITY DEVELOPMENT
MEETING
November 15, 2004
Norfolk, Virginia

Members Present

Ms. Betty Ann Davis
Ms. Susan Dewey
Ms. Ann Hunnicutt
Mr. Jack Loeb
Mr. Eric Mays
Mr. Dennis Mitchell
Ms. Nancy O'Brien
Ms. Ellen Robertson
Mr. Doug Thomas
Mr. Ken Thompson
Mr. Ed Whitmore

Members Absent

Mr. Thomas Fleury
Mr. Brian Mullins
Mr. Carlos Sol

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

Mr. Mike Locher, a partner of Goodman and Company in Norfolk, commented on the Enterprise Zone Program. Mr. Locher offered his assistance as new legislation and regulations for the program will be developed during 2005.

Approval of Minutes

A motion was made to approve the minutes of the September 27, 2004 meeting of the Board. The motion was seconded and unanimously passed.

Committee Reports

Mr. Curtis McIver of the Division of Building and Fire Regulation provided the report of the Codes and Standards Committee. The Committee met on October 27, 2004 for preliminary consideration of code change proposals from standing committees and special ad hoc committees of the Board. Mr. McIver stated that these committees will continue to develop their proposals and the Codes and

Standards Committee will consider these proposals during the upcoming public comment periods.

VHDA Report

Mr. Art Bowen, Managing Director of Finance for VHDA, presented financial data on the Virginia Housing Fund and the Commonwealth Priority Housing Fund. Mr. Bowen reviewed schedules of assets, revenues, expenses and fund balances. A copy of the audited financial report was provided to each Board member for Low Income Housing Tax Credits.

Ms. Susan Dewey, Executive Director of the Virginia Housing Development Authority, commented briefly on the VHDA Board of Commissioners approval of changes to the Qualified Allocation Plan.

Housing Partnership Fund Report

Mr. Bill Shelton, Director of the Department of Housing and Community Development, reviewed the legislative requirements for receiving and filing a financial report on the Virginia Housing Partnership Fund. A motion was made for the Board to accept the report of VHDA on the Virginia Housing Partnership Fund and to forward a copy of this report to the Governor, the Secretary of Commerce and Trade and the General Assembly in accordance with Section 36-150 of the Code of Virginia. The motion was seconded and passed. Ms. Susan Dewey abstained from voting because of her position at the Virginia Housing Development Authority, the organization responsible for preparing the report.

Certification Inquiry Process

The Board has discussed the issue of how to handle complaints made against local building officials for several months. Research has been conducted and legal advice has been received from the Office of the Attorney General and others to determine the legal authority of the Board to conduct hearings on such cases.

A proposal was presented to the Board outlining a process for the Board that would be in strict compliance with current statute. Mr. Shelton and Mr. Calhoun reviewed the current legislative authority provided to the Board on this topic. Mr. Calhoun also reviewed current regulatory provisions. The proposal provided that the Board would comply strictly with current legislative authority and conduct investigations only on (i) requests for inquiry

regarding a certificate holder or code official not meeting the required training or testing requirements for certification as set forth in §36-137 of the Code of Virginia and (ii) complaints received regarding a certificate holder or code official failing to comply with an order of the State Building Code Technical Review Board, as set forth in the Virginia Certification Standards. The motion was seconded and unanimously adopted.

Report of the Virginia Board Report

Mr. Dennis Mitchell provided the Virginia Fire Services Board (FSB) report. Mr. Mitchell reported on the October meeting of the FSB and the Board actions on the strategic plan and on several grants. Mr. Mitchell also reported on workshops. The next meeting of the FSB will be in December in Prince William County.

Enterprise Zone Program

Mr. Shelton provided an update to the Board on the appeal of a Department decision regarding an Enterprise Zone tax credit to Roanoke TS, LP. Mr. Shelton reported that a Motion for Declaratory Judgment has been filed with the circuit court. Because the issue is now in litigation, the Board is not considering further action on this case.

Report of the Director

Mr. Basil Gooden, Principal Deputy Director of the Department, welcomed Board members to the 2004 Governor's Housing Conference. Mr. Gooden provided an overview of events and activities of the conference.

Mr. Shelton reported on the ARC Conference held October 13-15, 2004 and reviewed recent CDBG awards announced by the Governor. Mr. Shelton also provided an overview of reports prepared and filed with the General Assembly on Homelessness and on the Enterprise Zone Program.

Unfinished Business

None.

New Business

Mr. Shelton reviewed the requirement that Board members receive training on the Conflict of Interest Act (COIA). Mr. Calhoun reviewed the legislation passed during the 2004 General Assembly session requiring all COIA filers (all Board members) to complete training by year end.

Mr. Shelton received an e-mail during the meeting stating that the Office of the Attorney General will make available DVD versions of the training for home study. Mr. Calhoun

asked for a count of members of the Board interested in the DVD course so an order for the DVDs can be made. Mr. Calhoun reported that a class for the COIA training will be held in Richmond at the Department of Housing and Community Development on December 14, 2004 beginning at 10:00 a.m.

Board matters

Ms. Nancy O'Brien spoke briefly of Mr. Shelton's recent visit to Nelson County.

Future Meetings

The next meeting of the Board will be Tuesday, January 18, 2005 in Richmond.

Adjournment

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