



# COMMONWEALTH of VIRGINIA

Hal E. Greer  
Director

*Joint Legislative Audit and Review Commission*  
201 North 9<sup>th</sup> Street, General Assembly Building, Suite 1100  
Richmond, VA 23219

(804) 786-1258

## JLARC Meeting – Minutes

October 15, 2013

### Attending

#### JLARC Members:

Delegate John M. O'Bannon, Chairman; Senator John C. Watkins, Vice-Chairman; Delegate David B. Albo, Senator Charles J. Colgan, Delegate M. Kirkland Cox, Senator Janet Howell, Delegate Johnny Joannou, Delegate Chris Jones, Delegate James P. Massie III, Senator Thomas K. Norment, Delegate Robert Orrock, Delegate Lacey E. Putney, Delegate Lionell Spruill, Sr., Senator Walter Stosch, Ms. Martha Mavredes, Ex Officio.

#### JLARC Staff:

Hal Greer, Director; Nathalie Molliet-Ribet, Senior Associate Director; Justin Brown, Associate Director; Lauren Axselle, Erik Beecroft, Jamie Bitz, Drew Dickinson, Chris Duncombe, Kathy DuVall, Bridget Farmer, Katie Francis, Nicole Gaffen, Mark Gribbin, Nia Harrison, Borna Kazerooni, Liana Kleeman, Paula Lambert, Joe McMahon, Ellen Miller, Greg Rest, David Reynolds, Kimberly Sarte, Anna Seymour, Beth Singer, Walt Smiley, Tracey Smith, Christine Wolfe, Sandra Wright.

#### Others:

Rodney Oliver (Virginia Port Authority); Robert Nestor, Joe Ruddy (Virginia International Terminals); Jeff Wassmer and Frank Laughon (Virginia Port Authority Board); Dr. Marissa Levine and Colonel Robert Mauskapf (Virginia Department of Health); Dean Lynch and Larry Land (Virginia Association of Counties); Mary Ann Curtin (Chesterfield County); Carrie Hileman (Virginia Economic Development Partnership); Anne Oman, Paul VanLenten (House Appropriations Committee); Jason Powell (Senate Finance Committee); Robert McCabe and Jullian Walker (Virginian-Pilot); Mark Smith (George Mason University); Perry Cogburn (Virginia Department of Transportation); Patricia Snead (Department of Social Services); Joe Damico (Department of General Services); Jim Regimbal (Fiscal Analytics); and Whit Clement (Hunton and Williams, LLP).

The Commission meeting was called to order at 10:04 a.m. by Delegate O'Bannon, Chairman, who recognized Hal Greer, JLARC's Director. Mr. Greer provided the Commission with an overview of the agenda and invited the Commission members to a luncheon will be held on Monday, December 9<sup>th</sup> at the Bull and Bear Club in Richmond in honor of Delegate Putney's retirement.

Subsequently, Senator Watkins made the following motion to convene a closed meeting of the Commission to discuss Mr. Greer's new salary:

"I move that the Joint Legislative Audit & Review Commission convene a closed meeting under the Virginia Freedom of Information Act to discuss and consider the salary of the newly appointed JLARC Director pursuant to the personnel exemption at Virginia Code § 2.2-3711(A)(1)."

The motion was seconded by Senator Colgan and Delegate O'Bannon requested that Paula Lambert call the roll of the members (Attachment A). At 10:08 a.m., the Commission members left Senate Room A and held the executive session in Senate Room B. The closed meeting adjourned at 10:12 a.m. and the members returned to Senate Room A to reconvene the open Commission meeting. At that time, Senator Watkins made the following motion to reconvene the open meeting of the Commission:

"I move the following resolution:

WHEREAS, JLARC convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, § 2.2-3712 of the Code of Virginia requires a certification by this Committee that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the Commission certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements under this chapter were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered by the Commission."

The motion was seconded by Senator Colgan and Delegate O'Bannon requested that Paula Lambert call the roll of the members (Attachment B). There being ten "Aye" votes, Delegate O'Bannon stated that the motion is approved.

Mr. Greer then introduced Tracey Smith who presented a briefing of the *Review of the Virginia Port Authority's Competitiveness, Funding, and Governance* report. During her presentation, Ms. Smith responded to several questions from the Commission. At the conclusion of Ms. Smith's presentation, Delegate O'Bannon requested a motion to receive the report and authorize printing. Delegate Joannou noted that he disagrees with the recommendation on slide 70. A motion was made by Senator Norment and seconded by Senator Colgan. The motion was approved unanimously by the Commission.

Mr. Greer then introduced Jamie Bitz who presented a briefing of the *Review of Disaster Preparedness Planning in Virginia* report. Mr. Bitz mentioned that an additional agency response was included in the Commission members' meeting packets. During his presentation, Mr. Bitz responded to several questions from the Commission. At the conclusion of Mr. Bitz's presentation, Delegate O'Bannon requested a motion to receive the report and authorize

printing. Delegate Joannou noted that he disagrees with the recommendation on slide 70. A motion was made by Senator Stosch and seconded by Senator Colgan. The motion was approved unanimously by the Commission.

Senator Stosch then recommended addressing the Internal Service Funds (ISF) subcommittee report. Senator Watkins, ISF Subcommittee Chair, provided a brief overview of the ISF subcommittee report to the Commission. Following Senator Watkins remarks, Delegate O'Bannon requested a motion to receive the ISF subcommittee report and approve the new DGS rates. A motion was made by Delegate Joannou and seconded by Senator Colgan. The motion was approved unanimously by the Commission.

Mr. Greer then introduced Nathalie Molliet-Ribet who presented a briefing of the *Technical Report: Impact of Changing the Basis of the BPOL Tax From Gross Receipts to Income* report. During her presentation, Ms. Molliet-Ribet responded to several questions from the Commission. Following the presentation, Delegate O'Bannon requested a motion to receive the report and authorize printing. A motion was made by Senator Watkins and seconded by Senator Stosch. The motion was approved unanimously by the Commission.

Lastly, Mr. Greer announced that the next Commission meeting is scheduled for Tuesday, November 12.

There being no further business, the Commission rose at 12:30 p.m.

Approved by: Hal E. Greer  
Hal E. Greer, Director

Date: 10/23/13

Prepared by: Paula C. Lambert  
Paula C. Lambert  
Manager, Fiscal and Administrative Services &  
Senior Legislative Analyst

## Attachment A

### Vote Record of JLARC Members

**Date:** October 15, 2013  
**Motion Requested by:** Delegate O'Bannon  
**Motion:**

"I move that the Joint Legislative Audit & Review Commission convene a closed meeting under the Virginia Freedom of Information Act to discuss and consider the salary of the newly appointed JLARC Director pursuant to the personnel exemption at Virginia Code § 2.2-3711(A)(1)."

**Moved by:** Senator Watkins  
**Seconded by:** Senator Colgan  
**Roll call requested by:** Delegate O'Bannon

Call members names alphabetically; calling the Chairman last.			
Member	AYE	NAY	ABSTAIN
Delegate David B. Albo	<i>Not present</i>		
Senator Charles J. Colgan	✓		
Delegate M. Kirkland Cox	<i>Not present for vote</i>		
Senator Janet D. Howell	✓		
Delegate Johnny S. Joannou	✓		
Delegate S. Chris Jones	<i>Not present</i>		
Delegate James P. Massie	<i>Not present</i>		
Senator Thomas K. Norment, Jr.	<i>Not present for vote</i>		
Delegate Robert D. Orrock, Sr.	✓		
Delegate Lacey E. Putney	✓		
Delegate Lionell Spruill	✓		
Senator Walter A. Stosch	✓		
Senator John C. Watkins	✓		
Mr. Chairman, Delegate John N. O'Bannon	✓		
<b>Total</b>	<b>9</b>	<b>0</b>	<b>0</b>
Ayes <u>  9  </u> , Nays <u>  0  </u>			
Delegate O'Bannon announced that the motion was approved.			

Vote Recorded by: Paula C. Lambert – Manager, Fiscal and Administrative Services

Signature: \_\_\_\_\_



## Attachment B

### Vote Record of JLARC Members

**Date:** October 15, 2013  
**Motion Requested by:** Delegate O'Bannon  
**Motion:**

"I move the following resolution:  
 WHEREAS, JLARC convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and  
 WHEREAS, § 2.2-3712 of the Code of Virginia requires a certification by this Committee that such closed meeting was conducted in conformity with Virginia law;  
 NOW, THEREFORE, BE IT RESOLVED, that the Commission certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements under this chapter were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered by the Commission."

**Moved by:** Senator Watkins  
**Seconded by:** Senator Colgan  
**Roll call requested by:** Delegate O'Bannon

Call members names alphabetically; calling the Chairman last.			
Member	AYE	NAY	ABSTAIN
Delegate David B. Albo	<i>Not present</i>		
Senator Charles J. Colgan	✓		
Delegate M. Kirkland Cox	✓		
Senator Janet D. Howell	✓		
Delegate Johnny S. Joannou	✓		
Delegate S. Chris Jones	<i>Not present</i>		
Delegate James P. Massie	<i>Not present</i>		
Senator Thomas K. Norment, Jr.	✓		
Delegate Robert D. Orrock, Sr.	✓		
Delegate Lacey E. Putney	✓		
Delegate Lionell Spruill		✓	
Senator Walter A. Stosch	✓		
Senator John C. Watkins	✓		
Mr. Chairman, Delegate John N. O'Bannon	✓		
<b>Total</b>	<b>10</b>	<b>1</b>	<b>0</b>
Ayes <u>  10  </u> , Nays <u>  1  </u>			
Delegate O'Bannon announced that the motion was approved.			

Vote Recorded by: Paula C. Lambert – Manager, Fiscal and Administrative Services

Signature: \_\_\_\_\_