

A SPECIAL WORKSESSION OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, WAS HELD ON THE THIRTY FIRST DAY OF AUGUST, TWO-THOUSAND AND NINE, AT 4:00 P.M. IN THE COUNTY GOVERNMENT CENTER WORKSESSION ROOM, 101-F MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

1. ROLL CALL

Planning Commissioners

Present:

Jack Fraley  
George Billups  
Reese Peck  
Chris Henderson  
Rich Krapf  
Joe Poole, III

Absent:

Deborah Kratter

Staff Present:

Allen Murphy, Director of Planning/Assistant  
Development Manager  
Tammy Rosario, Principal Planner  
Leanne Reidenbach, Senior Planner  
Kate Sipes, Senior Planner  
Ellen Cook, Senior Planner II  
Jason Purse, Senior Planner  
David German, Senior Planner  
Sarah Propst, Planner  
Jose Ribeiro, Senior Planner  
Steven Hicks, Manager of Development Management

Mr. Rich Krapf opened the meeting at 4:05 p.m. with Ms. Kratter absent. He stated that for the public work sessions there will be no public comment period, however there will be an opportunity for public comment when the Comprehensive Plan is taken before the full Commission in a public hearing. Mr. Krapf acknowledged that today will be Mr. David German's last day with the County. He stated his appreciation for his professionalism and the thoroughness of his staff work.

2. EXECUTIVE SUMMARY UPDATE

Ms. Kate Sipes gave an update on the executive summary. She stated staff met with Mr. Jack Fraley and Ms. Deborah Kratter to discuss the executive summary. They discussed an outline that staff prepared and some revisions to the outline. It is anticipated that it will be submitted to the subcommittee by the end of the week. She stated there is another meeting scheduled to discuss this on September 8, 2009.

3. COMMENT RESPONSES

Mr. Krapf stated he would like to go through the items for today on an exception basis. The Commission agreed. He thanked Ms. Tammy Rosario and her staff for all the hard work that had been done in addressing initial comments made by Commissioners. He asked if follow-up comments would be submitted at the next work session.

Ms. Rosario stated that the topics that will not be addressed today but that are on the agenda (Demographics, Land Use, Community Character, Transportation and Implementation Schedule) will be on the agenda for next meeting.

Mr. Krapf asked if there were other individuals other than staff present to discuss any items on the agenda.

Ms. Rosario stated that there was representation from the Office of Economic Development.

A. Economic Development

Mr. Krapf asked if the Commission had any comments on the Economic Development responses presented.

Mr. Joseph Poole stated that he was appreciative of the thorough responses to his questions and comments. He stated that he was comfortable with staff's response to question 4 on page 17 regarding revenue sharing. He suggested having a placeholder for this topic when the regional update is undertaken. Mr. Poole stated he is a strong proponent of revenue sharing and would like to encourage this when involved in the regional update. He stated he is comfortable with staff's responses to questions 5, 6, and 7 on page 18.

Mr. Chris Henderson questioned the formula for deriving the percentage of revenue from nonresidential sources on page 16. He asked if there was some way to agree upon a formula for comparison purposes across jurisdictions. He was interested in what the viewpoint was of the current productivity of the County's nonresidential assets as a percentage of total revenue. As a follow up inquiry, he asked Mr. Taylor what he has seen, given the current economic environment, in terms of short term and long term trends with regards to economic development.

Mr. Keith Taylor stated that within the last few months, prospect inquires have increased. He stated he feels marginally encouraged with the increased activity regarding economic development. He stated that there is a consensus that a uniform method of measuring revenue from nonresidential sources would be beneficial. However, it becomes problematic because different jurisdictions categorize property differently. Mr. Taylor gave the example that some jurisdictions classify apartments as commercial properties, while others classify them as residential.

Mr. Henderson asked Mr. Taylor if he had any suggestions for a sustainable and a balanced economy where the homeowners of the County would not feel overly burdened, and that would continue to support the operation of the County at current levels.

Mr. Taylor believes that the economic base needs to be diversified and the County should work toward this as an economic strategy.

Mr. Henderson asked if land sales with competing jurisdictions are tracked in the economic development office. He specifically referred to industrial land, feeling that this type of land sale in the County seemed to be behind the market. This is based on information that he has received.

Mr. Taylor answered that his office has tracked some land sale information that has been occurring in other jurisdictions.

Mr. Henderson asked what Mr. Taylor's thoughts were as to the reason for the undervaluation of industrial property in the County.

Mr. Taylor felt that the issue was less a case of undervaluation, and more likely a case of supply and demand.

Mr. Jack Fraley stated that he understands the difficulty in measuring revenue from nonresidential sources in other jurisdictions. He believes that the County should track it for internal purposes in order to diversify the County's economic base. He felt it was important to see how the County was doing with respect to diversifying.

Mr. Taylor stated it was important to look at all the revenues, not just commercial real estate revenues. He thought it would be important to see the history along with the current numbers, and then project forward as to what the County leaders would like to see.

Mr. Fraley thought it would be important to make sure the County is making progress toward the goals, strategies, and actions presented in the Comprehensive Plan. He believes that this would improve accountability. He would like to see specific definitions for the revenue source categories, and track the County's progress in diversifying its non-residential tax revenue base, as is suggested in the Comprehensive Plan.

Mr. Krapf asked if an action item was being proposed.

Mr. Henderson stated that he felt there should be a definition of what constitutes nonresidential revenue in the County which then makes such revenue measureable and quantifiable. He would like to see definition and performance standards set.

Mr. Krapf then stated that adopting a definition would need to include other individuals in the County, such as Mr. John McDonald from Financial Management Services.

Mr. Henderson felt that this action item could be developed pretty quickly with the assistance of other County departments.

Mr. Peck asked if this included establishing a baseline, benchmarks and performance standards.

Mr. Henderson stated he was not sure how far back the research should go and how useful it would actually be. He thought it was important to see where the County is today and set some targets for the future. He believes that there should be an agreement as to what is sustainable for the County.

Mr. Poole stated that he can appreciate the idea of goals but he continues to view the Comprehensive Plan as more of a guide and less of a super prescriptive type of document. He

stated that when legislative cases come before the Planning Commission, there are usually no issues relating to economic development. Mr. Poole stated that he is comfortable with the comments already provided by Mr. Taylor and Mr. McDonald without adding any more detail.

Mr. Peck said that while the Comprehensive Plan is a broad plan, it is a plan to set broad policy objectives. He thought definitions of standards would be beneficial. He stated that if it was the determination of the Planning Commission that tax revenues derived from nonresidential development is encouraged to offset the amount that would otherwise come from residential development, then that needs to be in the Comprehensive Plan. He is comfortable with the approach of having broad goals.

Mr. George Billups felt that having some kind of measure might be beneficial. He felt that this was a process in which the Commission would need to decide whether staff should investigate further.

Mr. Krapf stated that he felt the document is general in nature. He thought it was sufficient enough to state the County should encourage diversity when it comes to economic development, and that the details should be left to staff. He stated that there appears to be a consensus that the Commission wants to investigate further, however.

Mr. Fraley did not want to set targets or get involved with setting tax policy. He felt it was important to know what the trends were if it were a goal to diversify the tax base and report as to how this is being done as a Comprehensive Plan measure. He stated that reporting against the Comp Plan would require that benchmarks be established to measure against. Mr. Fraley would not want to make it too detailed.

Mr. Poole believes that this is more of a philosophical issue. He sees the update of the Comprehensive Plan as more qualitative, with the substance of the work coming later with the update of the Zoning Ordinance.

Mr. Fraley stated that he felt that stating where the County is currently, and then reporting where the trends are heading, would be enough.

Mr. Krapf suggested that staff develop a definition for nonresidential revenue sources and then determine what that figure currently is.

In a voice vote of 4-2, the Commission agreed to request staff to gather this information.

Mr. Fraley stated that he did not expect staff to work on this effort without consulting other County departments that may be able to assist. He also encouraged staff to consult with the Commission if need be.

Mr. Billups asked if there was information concerning the amount of work that was outsourced by military installations in the area.

Mr. Taylor answered that he did not have any information currently, but that there is a

new organization that is attempting to identify government facilities and quantify what their impacts are on local economies.

Mr. Krapf stated that Ms. Kratter had a suggestion on page 19, item D, to add a shaded area consistent with the citizens' concerns about growth and maintenance of the quality of life. The staff response to Ms. Kratter's suggestion was that, according to the Office of Economic Development, the Enterprise Zone is an area already targeted for potential development. The proposed new language could be interpreted as putting limits on the capacity of the Enterprise Zone. Mr. Krapf stated staff proposes no change to this item barring further direction from the Planning Commission.

Mr. Taylor stated the change seemed like a contradiction in terms. The Enterprise Zone is specifically targeted to attract development, so to then describe it as an area that has growth concerns would be a contradiction of this originally established intent.

Mr. Steven Yavorsky explained that the Enterprise Zone is intended to be an economic development and community development tool. This designation is to attract job opportunities into an area where residential development is nearby, and transportation would not be an issue.

Mr. Taylor stated there is a control mechanism in place through application of the Zoning Ordinance that sets parameters as to what is and is not allowed. Mr. Taylor stated that these areas currently encompass approximately five square miles in the James River Industrial area, and in the Grove area.

Mr. Peck stated that these areas are targeted for revitalization. There may be some room for broadening the perspective.

Mr. Henderson asked if there was something that would accommodate adding acreage to the Enterprise Zone. He stated that maximum acreage allowed was approximately six square miles.

Ms. Tammy Rosario stated this was addressed in action number 1.1.2.2, which states that the County should maximize the area that should be included in the Enterprise Zone.

Mr. Krapf stated he was comfortable with staff's comments on this item. The Commission agreed that no further action was needed.

Mr. Henderson asked how the new designation of Economic Opportunity (EO) would affect economic development in the County.

Mr. Taylor stated that there may be more opportunities to consolidate activity in one area which is better served by transportation and infrastructure.

Mr. Poole asked about the master planning aspect of the EO designation being a deterrent.

Mr. Taylor stated that it depended on the specificity of the master plan requirement. He thought the benefit would be to maximize a specific area.

Mr. Henderson asked if marketing strategies of the Office of Economic Development would be affected by the Planning Commission's decisions as to which properties will be designated EO.

Mr. Taylor answered that the thought behind the new designation was to maximize areas where certain assets would be desirable, such as areas with easy access to main highways or rail service. It may provide development and redevelopment opportunities.

Mr. Jose Ribeiro stated that Mr. Fraley's suggestion on the community spotlight has been added.

Ms. Rosario asked if the majority of the Planning Commission wanted to have the place holder concerning the revenue sharing during the regional update as mentioned by Mr. Poole.

Mr. Poole answered that he would like to see this discussion when the regional update is done, as described in item number 4 on page 17.

Mr. Peck stated that he is a strong supporter of this idea as well.

The Commission agreed.

#### B. General Comprehensive Plan (Organization and Structure)

Mr. Fraley stated that on page 1, item number 2, he believes that more needs to be done with the population estimates. He does not believe that just having the numbers listed is consistent with the vision of building a sustainable community. Mr. Fraley stated he would like to see figures for what is considered sustainable for James City County. Then it would be beneficial to build the ordinances and polices around this. He stated that the Chairman of the Board of Supervisors has scheduled a visit to Albemarle County to review their policies concerning growth management and other areas. He has invited the Commissioners to attend as well. Mr. Fraley stated that Albemarle County commissioned a study to help identify optimal sustainable population numbers. Albemarle County posed this question: "How can this community grow and sustain the quality of life current citizens expect and deserve, protect our environment, and protect our community." Mr. Fraley commented that the City of Charlottesville is conducting a similar study, and recommended that an action item be adopted to initiate such a study for James City County. He is not comfortable with not responding at all to the population numbers that have been generated. He stated that another approach might be to take these numbers and calculate the impacts that they would potentially represent.

Mr. Krapf asked for staff's comments on the request of commissioning a study.

Ms. Rosario stated that item no. 2 was not intended to address the issue of a population target. She stated that staff has been collecting data and formulating a response to having targets

for the next meeting. She stated that the sustainable population target study was initiated by a citizen's group in Albemarle County. Albemarle and other localities did provide some seed money for what has evolved into a series of studies. She stated the first report of the series has been released. Ms. Rosario stated that the localities involved did not authorize any money for the second series of studies (which are not related to the biological carrying capacity). She stated that it was her understanding that neither locality had committed as to how it would interpret and use the results of the studies.

Mr. Krapf suggested that the Commission waits until staff responds with more information, and then determine whether an action item is needed or not. The Commission agreed.

Mr. Poole stated that caution should be used when specifying numbers and figures. He reiterated that the Comprehensive Plan should be broad in nature.

Mr. Henderson agreed with Mr. Fraley's comments and could support specific population targets. This could determine impacts on the community and could assist in decisions about infrastructure.

Mr. Billups questioned the composition of the population. He thought that this was especially important in relation to schools and school-aged population. It could also inform the need for facilities to care for the aged.

Mr. Krapf thought it was important to look how the numbers are broken down as far as the demands on the infrastructure are going to be.

Mr. Fraley agreed with staff's response to item numbers 3 and 4. He thought it was really important to establish standards for sustainable development for the County. He stated that he will prepare a paper making a recommendation that there be a checklist with several factors for each area. He felt that these standards are important for building a sustainable community when reviewing projects through the legislative process. This checklist would support the vision statement and assist in assessing projects against the standards established in the Comprehensive Plan. He asked for staff's comments since staff is not in favor of having a development checklist.

Ms. Ellen Cook saw some similarity between the checklist proposed and the development standards that are currently in place.

Ms. Rosario stated that it is already the practice that legislative cases are reviewed in detail against the Comprehensive Plan.

Ms. Cook stated that if the Commission felt it was important to have a checklist, a potential place to establish it is under action number 1.7 in the Land Use section.

Ms. Rosario stated that development standards are in the Comprehensive Plan, and, where they are able to be legislated, they are also in the Zoning Ordinance. The Zoning

Ordinance will be the largest implementation item after the Comprehensive Plan is adopted. She stated that in those cases where these standards are not able to be legislated, they are typically adopted into policies by the Board of Supervisors.

Mr. Henderson stated that the Policy Committee may be able to look at this issue at some future date. He believes it would be beneficial to codify some of the issues that Mr. Fraley has raised in his paper. He would like to encourage anything that might assist the Commissioners in reviewing legislative cases and assisting in making more informed decisions.

Mr. Krapf stated that he felt the Policy Committee might be able to determine if the proposed checklist could have merit as another tool to review legislative cases. He felt that the checklist concept is such a detailed item that it is contrary to the spirit of the Plan, which is supposed to be general in nature. He stated that a number of the sustainable criteria are already accounted for in the action items proposed.

Mr. Fraley was comfortable with the Policy Committee reviewing his checklist idea. He asked staff to review the items on the proposed checklist prior to forwarding it to the Policy Committee. He withdrew his recommendation for an action item prescribing a checklist.

Mr. Fraley spoke about his suggestion of having a broad sustainability plan for the County. He stated that staff's response was that other localities were researched, and their programs focused primarily on energy conservation, which is already addressed in the Comprehensive Plan. Staff listed some of the programs that are already in place for reference. Mr. Fraley stated that his vision is not just in the area of resource conservation, but also includes greening, pollution prevention, transportation and awareness education. He suggested that these suggestions be brought to the Green Building Roundtable.

Mr. Krapf stated he would be willing to bring this information to the Roundtable. He stated that a number of the sustainable initiatives mentioned in the paper are also mentioned in many sections of the Comprehensive Plan. He asked whether it may be beneficial to place a logo or a symbol next to those actions items that involve sustainability to call them quickly to the attention of a person reading the Comprehensive Plan, and to reinforce the sustainability concept. He requested feedback from staff as well as fellow Commissioners.

Mr. Henderson thought a logo or symbol marking sustainable actions was an excellent suggestion. He thought the Policy Committee should review the larger issues related to sustainability.

Mr. Steven Hicks stated that he thought the Roundtable could address some of these issues. He believes the Policy Committee could play a major role in this also.

Mr. Krapf asked for any other comments.

Mr. Fraley mentioned jurisdictions that have adopted a Comp Plan monitoring process. They require an annual report that reports progress against the Plan. He felt accountability was important so that citizens know that things are being done. Mr. Fraley also stated that these

jurisdictions have a Comprehensive Plan amendment process as well. He believes that the Comprehensive Plan must be a changing document so that it does not become stagnant. He believes the Plan should be current and relevant and that there should be a mechanism that allowed changes to be made. Mr. Fraley believes this would give the Plan value. The Plan should be responsive to changing conditions and maintain its relevance. He proposes the Commission propose to the Board of Supervisors a process by which a report is generated that measures what has been done, along with a procedure for making amendments between the normal five-year update cycles.

Mr. Poole asked if other jurisdictions allow for land use designation changes with their amendment procedures.

Mr. Fraley stated some jurisdictions allow for changes and some do not. From his research, there are not many that come forward for a change, and most are suggested by staff. He is open to suggestions from the Commissioners as to how restrictive the conditions should be. Mr. Fraley stated he would like to see the Comp Plan kept current, and not wait every five years to update. He is very dedicated to a monitoring program.

Mr. Krapf asked for staff's comments.

Mr. Jason Purse stated that the Comp Plan update is a very intense effort. A large part of the process centers on community input, and with periodic updates, caution would need to be heeded so as not to lose this part of the process. He also mentioned the studies that are sometimes done in between updates, such as the Toano Design Guidelines. Mr. Purse stated that even though this was not part of the Comprehensive Plan update, these guidelines were applied to legislative cases, and even some items that were suggested as being implemented were accomplished.

Ms. Rosario stated that the Division does not have staff dedicated solely to comprehensive plan update activities. Rather, staff is normally involved with current planning and comprehensive plan implementation items. She stated that staff's focus to this point has been the update, and then it will cycle to the implementation process. She stated that there were not sufficient staff resources to continually monitor and update the Comprehensive Plan. Ms. Rosario stated that constant monitoring would take away from other work items such as those involved with the implementation of the adopted Comprehensive Plan.

Mr. Peck felt that, in his mind, one of the fundamental ideas of this new revision was to have a process established for amending the Plan. He felt that the State's requirement of updating the Plan every five years was a minimum. He felt that if ongoing updates were to be made part of the process, it would reduce staff time expenditures in the long run. Mr. Peck strongly supports a monitoring system. He felt that this would better respond to the public's needs. He also thought that there should be a limited scope on items that could be updated.

Mr. Hicks stated that the revision effort is a very involved process in which citizens are heavily involved. He sees monitoring as a positive, but in some instances, time is needed to see if efforts are moving in the right direction. He feels that caution should be used when doing

updates and engaging the community. Mr. Hicks wants to make sure that there is some value retained in the five-year update process, as so many individuals and groups are involved. His biggest area of concern is how the public would be engaged through an interim update process.

Mr. Krapf supports a reporting process to measure the progress that is being made. He expressed his concerns with the idea of an annual amendment process. There may be issues with how involved the citizenry could be in having input in an amendment process. This could end up derailing the hard work that has taken place. He would like to be very restrictive in how an amendment request would be initiated. Mr. Krapf felt that there were other interim methods, such as the creation of the Toano Design Guidelines, which act to keep County policy current between Comprehensive Plan revisions. He would feel more comfortable with the Board of Supervisors initiating requests for changes, if any were needed.

Mr. Henderson would support a process wherein changes could be made so that the document would remain current. He feels that accountability will be lost without a monitoring system. He would like to see a section added into the Planning Director's Report summarizing what is being done with respect to implementing the action items of the Comp Plan.

Mr. Allen Murphy stated that there needs to be a balance between accountability and predictability. He stated that while the State code suggests that the Comprehensive Plan be updated every five years, many jurisdictions have a longer time period in between updates as they are only required to review the plan and make revisions if warranted. He stated that the land use plan needs some predictability, and allowing interim amendments may take away that predictability. Mr. Murphy stated that he did not believe there were a serious set of issues that warrant a significant amendment process. He stated that there was enough work to be done with regard to the goals, strategies, and actions. This work can be prioritized against a process that would involve a great amount of staff time, which hopefully will not be necessary.

Mr. Billups would prefer to look at what would really warrant an amendment to be requested. He would think an amendment would involve only those situations that are very serious. He views that monitoring and amending should be done concurrently. He believes that amendments should also involve staff recommendations.

Mr. Fraley felt that if the plan is to stay current, policies need to be included in the Plan. He felt those objections to amendments can be overcome. He suggested establishing criteria for which amendments would be accepted. He thought this would keep the document current and up-to-date with changing conditions, and responsive to citizens' needs and requests. Mr. Fraley felt all the policies should be included in the Comprehensive Plan, and then all of the legislative review standards would be in the same location. He does not believe this process would create work, but rather save work.

Mr. Poole sees the Plan as a big picture document. He felt that it is important to note that the larger broader strategic statement is lost in an annual amendment process. He felt compelled to mention that there have been many successes with the current Comprehensive Plan. Mr. Poole notes that there have been cases before the Planning Commission and the Board of Supervisors that have been not in compliance with the Comprehensive Plan and that have

allowed growth to occur unabated. He does not believe having an amendment process will solve this problem, but that it may actually accelerate it. This problem occurs due to the decisions that the Commission and Board of Supervisors make, not due to flaws with the Comprehensive Plan.

Mr. Fraley questioned the policies in regards to the population projections.

Mr. Murphy stated that there are many goals, strategies and actions that will address a series of assumptions and thresholds that the Commission and the Board of Supervisors will have to address. These assumptions and decisions will potentially change the population projections.

Mr. Krapf stated that the 200,000 approximate population figure projected for 2089 assumes that a certain course of action is followed. Policies and procedures adopted in the interim will change these projections.

Ms. Rosario stated that there are no final figures since policy decisions made over time will change the projected population numbers. For instance, the Steering Committee has recommended some serious changes to the Rural Lands policy that could impact the projections.

Mr. Peck felt that an amendment process would involve the citizenry, and that it is very fundamental to our governmental system. He felt that because citizens can initiate changes, they would be part of the process. He does not believe there would be a large number of amendments if strict guidelines were put in place.

Mr. Krapf thought the big issue is how broad or narrow the process could be.

Mr. Fraley volunteered to define how narrow the requirements should be.

Mr. Krapf stated he would like to see what the requirements might be. He felt that if there was a process it should be very narrow. For example, he felt that Land Use Designation changes should only be initiated by the Board of Supervisors.

Mr. Fraley stated he would work with staff and come up with a draft amendment policy that would list examples of when changes would be permitted. There are many jurisdictions that have such a policy in place. He did not want to adopt a process without a unanimous approval of the Commission.

Mr. Hicks stated that, currently, the Board of Supervisors can initiate a change in the Comprehensive Plan.

Mr. Fraley stated he would propose a different process. He will work with staff and report back to the Commission.

Mr. Murphy stated that the Board of Supervisors has the ability to determine what is an emergency that might initiate an amendment to the Comprehensive Plan. There have been instances where an interim change has been done to the Comprehensive Plan. This has always been a substantive amendment, and taken a great deal of time.

Mr. Krapf reminded the Commission that a review of the ordinances is scheduled to be done after the Comprehensive Plan is updated so as to assist in accomplishing some of the goals, strategies and actions.

Mr. Poole stated that he was appreciative of Mr. Fraley's comment that he would not pursue this amendment process if it was not a unanimous consensus among the Commission members. He personally did not want to approve a process just because another locality had one in place.

Mr. Fraley asked if the Planning Commission was agreeable to his comments on page 8 of adding some information to comment number 1.

The Commission agreed.

Ms. Rosario asked if there were any sections that did not need to be deferred to the next meeting that were on the agenda for this meeting.

Mr. Fraley had no other comments on any other sections.

Mr. Poole stated he was in agreement with staff's response to his comments on pages 11 - 12.

Mr. Peck stated that on page 13, item number 10, he felt this issue is not a youth or senior issue, but felt it was more of an issue that affected at-risk persons in both groups.

Mr. Billups stated the conditions should be reviewed as to what makes them at-risk. There should be definitions that might help clarify the issue.

Mr. Krapf stated that staff's response was that it would directly apply to all youth and senior populations.

Mr. Peck does not believe that the youth population is underserved.

Mr. Henderson thought it was beneficial to identify the at-risk population segments within the general population groups and then develop some solutions.

Mr. Purse stated that more of the issues have been addressed in the youth and senior population as opposed to the population themselves.

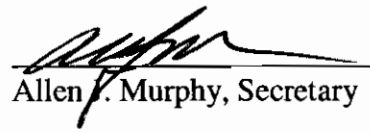
Mr. Krapf would like to start the next meeting with Ms. Kratter's comments.

#### 4. ADJOURNMENT

Mr. Henderson moved to adjourn until the September 9, 2009 regular Planning Commission at 7 p.m., with a second from Mr. Fraley.

The meeting was adjourned at 6:17 p.m.

  
Rich Krapf, Chairman

  
Allen J. Murphy, Secretary