

Update

December 17, 2004



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Richmond Marriott Hotel

The newsletter of the
Virginia Municipal League

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Warner proposes one-time transportation spending plan

Gov. Mark R. Warner released a much-anticipated package of transportation legislation Dec. 9 intended to pay down transportation debt and encourage local governments to manage, design, build, operate and maintain their roads.

Warner did not propose increasing existing taxes or fees, nor did he propose any new sources of transportation revenue. Instead, he would pay for his proposals by transferring existing state general funds to the transportation program and dedicating projected and otherwise existing transportation revenues or non-general funds. The one-time funding of \$824 million includes \$374 million in state general funds and \$450 million in dedicated transportation revenues or non-general funds.

The package also is intended to buttress the six-year improvement program; promote public-private transportation partnerships; create rail partnerships; invest in transit; and address maintenance backlogs on bridges

and highways. The governor will submit the package to the 2005 General Assembly.

By his own admission, the governor's package does not offer a long-term funding solution. In the short term — the current biennium — it serves to stabilize the anemic state of transportation funding in Virginia.

Warner proposed using \$256 million to "clean the slate" of existing deficit financed projects. The Warner administration inherited more than \$870 million in transportation debt when it took office in 2002.

The governor also proposed "strengthening local partnerships" by dedicating \$80 million to encourage local control of local roads. The program is modeled after the successful transfer of certain responsibilities from VDOT to the cities of Richmond, Virginia Beach and Hampton.

The other initiatives include providing:

- \$147 million in additional funding for

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Edwards leaves VML for foundation

Michael L. Edwards, deputy director of the Virginia Municipal League for the past two years, resigned effective Dec. 13 to become the first executive director of the Foundation for Virginia.

The foundation was organized about a year ago to promote reasonable changes in the state's budget by increasing revenues. Its mission is to raise public awareness about the continuing need to ensure a better future for Virginia by investing wisely in core services such as education, transportation, public safety, health care and the environment. The 501(c) 4 foundation has broad bipartisan support from Republican and Democratic leaders in the General Assembly, local

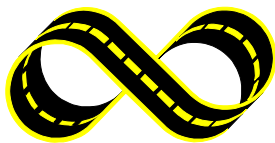
government officials and college presidents, as well as education, business and community leaders across the state.

Edwards joined the league staff in 2000 after serving Arlington County for eight years in the office of the county manager as legislative liaison. While with Arlington, Edwards also served for a short time as acting assistant county manager and as acting director of public affairs.

He began his career in public service in 1989 in the Virginia governor's office of transportation. Edwards holds a bachelor's degree in political science and a master's of public administration, both from James Madison University. ♦

FROM THE CAPITOL

Transportation plan continued ...



projects and programs in the current six-year program;

- \$140 million to establish a public-private partnership revolving loan fund to encourage private firms to invest their resources, thus leveraging public funding in interest free grants of up to \$30 million;

- \$23 million for passenger and freight rail improvements;

- \$80 million to invest in Metro rail cars (\$40 million), Virginia Railway Express rail cars (\$20 million), Virginia Beach bus rapid transit (\$10 million) and for a statewide bus purchase (\$10 million); and

- \$97.4 million to assist with maintaining bridges and highways.

In acknowledging that his proposal does not address covering the cost of Virginia's long-term transportation needs — estimated to be \$200 billion over the next 20 years — Warner stressed that it does build on his initiatives to reform VDOT, including creating more efficiencies within the agency.

Other transportation funding proposals will surface between now and the conclusion of the 2005 legislative session. VML will monitor and report on key initiatives. The General Assembly will convene on Jan. 12. ❖

Survey shows teacher salaries increased 4.8 percent



The annual survey of teacher salaries by the Virginia Department of Education shows that the average budgeted teacher salary in fiscal year 2005 is \$46,034, a 4.8 percent increase from the previous fiscal year. The average budgeted principal salary in FY05 is \$81,053, which also represents a 4.8 percent increase from FY04.

The report, which is required by state law, was released by the department last week. It includes locality-specific information, including average salaries paid by jurisdiction and an explanation of the actions taken by individual jurisdictions with regards to salary increases. It is posted at <http://141.104.22.210/VDOE/Finance/Budget/reports.html>.

The 2004-06 state budget did not include funding for teacher salary increases. The adopted budget restored funding in the introduced budget involving the deduction of federal revenues. The introduced budget deducted federal revenues from Standards of Quality costs prior to these costs being divided between the state and localities. The budget as adopted restored 71 percent of these federal revenues, and linked this restoration of funding to local support for teacher salary increases. The budget states,

“It is the desire of the General Assembly than on average local school divisions continue to improve the average salary for classroom teachers by at least 3 percent per year, the actual average annual rate increase in recent years.”

Another section of the budget promotes local tax relief by stating that additional sales tax revenues are provided to school divisions and local governments

in order to” “relieve the financial pressure education programs place on local real estate taxes and shall be taken into account by the governing body in setting real estate tax rates.”

Teacher salary increases may well be an issue in the upcoming session, and are sure to be in 2006, when the 2006-08 budget will be up for adoption. Localities are going to be criticized no matter the level of salary increases given. Associations representing school boards and teachers have criticized those localities that cut local support for education after the state upped its share. These groups may lobby for a maintenance of local effort provision that would prohibit localities from appropriating less for education than was appropriated the previous year. The premise is that at least some of this money would go to teacher salary increases.

On the other hand, some members of the legislature, particularly in the House Appropriations Committee, complained during the 2004 session that local salary decisions were driving up the cost of rebenchmarking the SOQ. The committee tried to mitigate the influence of local salary decisions on these costs by proposing that the state fund only a portion of the retirement contribution rate for teachers. Ultimately that proposal was not passed, but the issue may be raised again.

As a reminder, rebenchmarking the SOQ costs occurs every two years, and basically updates the factors involved in determining the cost of meeting the SOQ. One of those costs is the prevailing salary paid teachers and other school employees.

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FROM THE CAPITOL

State-funded teacher salaries lag behind reality

The teacher salary figure included in the state budget for computation of the costs of meeting the Standards of Quality – and for distributing state aid to education – continues to fall further behind the linear weighted average salary, according to a report presented at the Dec. 13 meeting of the Joint Legislative Audit and Review Commission in Richmond.

The gap between the linear weighted salary and the state budgeted salary was one of the “Tier 1” problem areas identified by JLARC in its 2003 study of education funding.

For fiscal year 2004, the linear weighted average salary was \$39,187, but the budget salary figure, including the salary supplement included in the 2004 budget, was \$36,582. In fiscal year 1999, the state-funded salary was only \$263 less than the linear weighted salary.

In 2003 JLARC recommended that the state do a better job of keeping SOQ costs current by including instructional salary increases based on recent prevailing practices. The methodology followed by the state, however, reflects the salary increase granted state employees.

JLARC’s recommendations were grouped according to Tier 1, Tier 2 and Tier 3 issues.

The state has made a great deal of progress in implementing many of the recommendations made by JLARC, but has not addressed at least three “Tier 1” issues, including recognizing realistic teacher salary increases, recognizing inflation factors, and recognizing increases for health insurance premiums. Tier 1 recommendations addressed shortfalls in the calculation of what was then the SOQ.

Tier 2 recommendations in the JLARC education report addressed prevailing practices in school divisions that were not recognized in the SOQ; the SOQ revisions adopted by the General Assembly, if fully funded in the next biennium, will address many of these Tier 2 issues.

Tier 3 recommendations relate to teacher salary goals and the role of the state in capital expenditures. The state has not implemented any of these recommendations.

The linear weighted salary figure is itself a conservative measure of salaries

paid in the state. The mean average salary taken by combining all the teachers salaries and dividing by the number of teachers would be much higher than the linear weighted average, much less the salary used by the state for budgeting purposes.

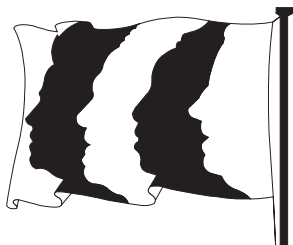
The linear weight average gives more weight to the salaries paid in school divisions with salaries closer to the mean, and less weight to the salaries that are at either well above or well below the mean.

The larger, more urban school divisions pay well above the mean, but because of the weighting technique, those salaries are not recognized as much as salaries paid in other school divisions.

These larger divisions employ more teachers, too. As a result, Virginia CARES, a consortium of school divisions, estimates that at least 75 percent of teachers are paid more than the linear weighted salary.

A copy of the report and the briefing paper is available on JLARC’s web site at <http://jlarc.state.va.us/Meetings/December04/SOQ04.pdf>. ♦

VRS trust fund continues to rebound



The trust fund for the Virginia Retirement System was higher this month than it was before the downturn in the economy beginning in 2001, according to a report delivered Dec. 13 to the Joint Legislative Audit and Review Commission at its monthly meeting in Richmond.

The fund balance in December was \$42 billion, as compared to approximately \$40 billion at the beginning of the downturn; 2004 was the first year since 2000 that the rate of return exceeded the actuarial assumed rate. The rate of return for 2004 was 17.7 percent on a market value basis.

The funded ratio for the state employees and teachers systems, however, declined slightly from the 2003 valuation. The teachers’ system was approximately 87 percent funded in 2003, and it is approximately 83 percent funded as of 2004. The decline is due largely to asset losses on the actuarial value of assets — in other words, the effect of the stock market losses.

The actuary for VRS uses a five-year smoothing technique to recognize gains

and losses, so the system only recognizes 20 percent of the losses or gains a year. The system now is recognizing all the gains from 2000, 80 percent of the losses from 2001, 60 percent of the losses in 2002, 40 percent of the losses (on an actuarial basis) in 2003, and 20 percent of the gains in 2004.

In addition to asset losses resulting from the the economy, the state and teacher systems all had significant liability losses, due in part to the purchase of service by employees.

The state continues to fund the state employee and teacher systems at levels below those recommended by the actuary. For the 2004-06 biennium, the actuary had recommended a teacher retirement contribution rate of 10.27 percent, excluding the health care credit. The contribution rate established by the 2004-06 budget, however, is much below that – 6.03 percent in FY05 and 6.62 percent in FY06.

A complete copy of the report is available on JLARC’s website at <http://jlarc.state.va.us/Meetings/December04/VRS23.pdf>. ♦

FROM THE CAPITOL

Adequate public facilities work group recommends special tax districts for education

Members of the adequate public facilities work group of the Housing Commission expressed frustration at the inability of the panel to recommend any legislation that would deal with problems associated with growth in Virginia.

The group met Dec. 6 to wrap its work for the year. While the group was unable to agree on adequate public facilities enabling legislation, it had created a draft APF bill that would have applied only to schools. In the end, however, the work group chose not to recommend the draft.

Prompted in large part by the frustration that several of the work group's legislative members expressed, the idea of expanding the special tax district authority in Title 15.2 to allow such districts for school construction generated significant

interest. Jeff Sharp, the legislative services staff member assigned to the work group, was charged with drafting a bill to authorize tax districts.

The work group envisions districts to be created by the developers of one or more large residential projects to fund a major portion of the schools that would be needed to serve the students the housing would generate. The homebuyers would then fund the repayment of some part of the capital costs of the schools. The proposal faces many challenges and the work group left major questions unanswered, such as how to deal with the imbalance in the schools' quality in the well-heeled areas of a locality compared to those in less wealthy areas. A bill is less than likely for the 2005 session. ❖

Growth commission takes action on carry over legislation on growth issues

The Commission on Growth and Economic Development met on Dec. 6 and quickly rejected 13 carry over bills dealing with adequate public facilities authority and impact fee authority.

The commission did spend some time discussing HB 752 (May), which would allow impact fees for public school improvements. That bill has a provision that if a developer has paid cash proffers, he would be able to reduce the impact fee associated with his project by any amounts committed for the cash proffers. The commission reacted very negatively to this concept on the grounds that once a deal is struck between a developer and a locality to go forward with a project, the locality should not be able to come back later, after adopting impact fees and require the developer to pay more.

This reaction was understandable in a general sense. Once the costs of going forward with a project are known, based on negotiations with the locality, it is

difficult to justify making the same developer pay more because of a change in the rules. As local governments move forward to pursue the authority to impose impact fees, they will ultimately need to decide whether to keep cash proffers or to impose impact fees. Only when local governments

have a consensus among themselves on whether they would accept impact fees in lieu of cash proffers, can they expect to convince the General Assembly.

The commission also discussed the special tax district proposal that was broached earlier in the day in the adequate public facilities work group. The reaction was largely positive among the members of the

commission.

Del. David Albo asked the commission to direct staff attorney Jeff Sharp to draft an analysis of adequate public facilities, impact fees and cash proffers, focusing on a pro / con set of statements so that members of the General Assembly could understand the issues better. ❖



FROM THE CAPITOL**House and Senate set budget hearings**

Gov. Mark R. Warner was scheduled to present amendments to the 2004-2006 budget on Friday (Dec. 17) in Richmond. The House Appropriations and Senate Finance Committees will hold regional public hearings on the governor's proposed amendments as follows:

Tuesday, Jan. 4

Noon - Germanna Community College, Fredericksburg Area Campus, Spotsylvania; Wytheville Community College, Grayson Commons, Wytheville.

Thursday, Jan. 6

Noon - Tidewater Community College, Downtown Campus, Roper Performing Arts Center, Norfolk; Lord Fairfax Community College Special Events Center, Middletown; Northern Virginia Community College, Schlesinger Center, 3001 N. Beauregard St., Alexandria.

Monday, Jan. 17

1 p.m. - General Assembly Building, House Room D, Richmond. ❖

McGaughey named to lead Office of Comprehensive Services

One of the architects of the Comprehensive Services Act for At-Risk Children is returning to run the office that administers this program. Kim McGaughey, director of child health insurance initiatives with the Virginia Health Care Foundation, will become the director of the state Office of Comprehensive Services (OCS) on Jan. 1.

The announcement about McGaughey was made at the Nov. 30 meeting of the CSA State Executive Council in Richmond. Alan Saunders, current OCS director, will become the program's chief administrative officer.

McGaughey worked for the Virginia Department of Planning and Budget in the early 1990s and was one of two principal analysts for a study of children's residential services that led to the development of CSA.

She served as a key staff person for this effort, and then on the early implementation of the program. McGaughey moved to North Carolina and ran a human services-related consulting business before returning to Virginia. ❖

AT THE LEAGUE**Euille, Hester named to NLC leadership positions**

Alexandria Mayor William Euille and Norfolk Vice Mayor Daun Hester have been named to 2005 leadership positions with the National League of Cities by NLC President Anthony Williams, mayor of Washington.

Euille will serve as vice chair of NLC's Community and Economic Development Policy and Advocacy Committee. Euille, who was elected as mayor in 2003, has served on city council since 1994. He has been active with NLC for several years, most recently as a member of the Finance, Administration, and Intergovernmental Relations Steering Committee. He serves also as a member of VML's Legislative Committee.

Hester will serve as vice chair of NLC's Council on Youth, Education, and Families. She has previously served on this committee for NLC.

She has extensive experience in public education, including serving as a special education teacher, director of an alternative school, and assistant principal during her 22 years with Norfolk Public Schools. She currently works as a consultant. She serves on her city council's youth, education, and neighborhood services committee and was instrumental in establishing the first "Norfolk Youth Council." ❖

REGULATIONS

Proposed Regulations

Solid Waste Management Regulations. The Virginia Waste Management Board has proposed regulations to (i) provide an additional exemption from the permit requirements for land clearing debris stored in piles as long as the debris is stored in a manner described in the regulation; (ii) allow owners and operators of waste piles to apply for a permit-by-rule rather than a full permit; and (iii) modify the waste pile management requirements themselves to (a) allow for the storage in piles of organic material that is not readily putrescible as long as it is stored in lined or covered waste storage areas, (b) require that the operation plan for a waste management facility cover the issue of dust suppression and include descriptions of the management and disposition of waste materials and of waste management procedures that ensure that oldest waste materials are sent off site for reuse or disposal before newer materials, and (c) require the owner or operator of a waste pile to put up a closure sign within 15 days of the last receipt of waste and keep the sign in place until all closure activities have been completed. A public hearing will be held. Contact Michael Dieter, Department of Environmental Quality, at 804/698-4146 or e-mail him at mjdieter@deq.virginia.gov for additional information.

Fraud Reduction/ Elimination Effort. The State Board of Social Services has proposed amendments that require expenditures incurred by dedicated fraud prevention units at local

departments of social services are reimbursed according to a new methodology. The methodology is to be developed by a work group convened by the Commissioner of Department of Social Services (DSS), consisting of representatives from local departments and senior managers from DSS. The proposed amendments also establish performance expectations for local departments of social services. No public hearing will be held. For additional information, contact Michelle Lauter, Department of Social Services, at 804/726-7679 or e-mail her at michelle.lauter@dss.virginia.gov.

Final Regulations

Licensing Standards for Independent Foster Homes. The State Board of Social Services has proposed amendments to allow parents and legal guardians to retain the custody of the children placed in an independent foster home, increase the length of time a child may remain in an independent foster home for 90 days to 180 days, and allow placements longer than 180 days in certain cases. Additionally, numerous health and safety standards are updated. The local juvenile and domestic relations court must approve the temporary entrustment agreement if the child is to remain in the placement for more than 90 days. For more information, contact Cynthia Carneal, Department of Social Services, at 804/726-7140 or e-mail her at cynthia.carneal@dss.virginia.gov.

Subdivision Street Requirements. The Commonwealth Transportation Board has proposed regulations to set

forth the requirements applicable to all subdivision streets in the Commonwealth that are designated to become part of the secondary system of state highways, including procedures for approval and criteria used to consider the acceptance of new streets for maintenance as part of the secondary system. (Note: this regulation does not apply to the counties of Arlington and Henrico, but may apply in the independent cities or towns of more than 3,500 population pursuant to §33.1-41.1 of the Code of Virginia.) The changes (i) clarify text to improve comprehensibility and usefulness; (ii) update obsolete titles and work unit names; (iii) move geometric standards from the regulatory requirements to a new section of the Road Design Manual; (iv) update the list of documents incorporated by reference; (v) address the impact of technical issues on regulation; (definition of roles, design processes, right-of-way, sidewalks, flexibility of standards, traffic calming, utilities, etc.) (vi) update amounts for surety and maintenance fees; and (vii) provide a mechanism under which VDOT can recover administrative costs associated with new street development. Due to the extensive nature of the changes, VDOT abandoned its initial approach to amend the existing regulation in favor of repealing the existing regulation and replacing it with a totally new regulation under the same title. Contact Ken Smith, Department of Transportation, at 804/786-2576 or e-mail him at ken.smith@vdot.virginia.gov for additional information. ❖

POSITIONS

Longer version of job ads posted at www.vml.org

Because of the number of requests it receives to publish job advertisements, VML reduces the length of the position descriptions in Update. A full version of all of the job listings published here for the past two months appears on VML's Web site at www.vml.org. Visit the VML site and click on "Marketplace" to read the complete descriptions.

Accounts Payable Specialist, James City County

SALARY: \$24,940 (+) benefits. Maintain and issue financial records and reports; review and reconcile invoices; issue checks; maintain filing system under strict weekly deadlines. Reqs. Considerable exper. in accounting, bookkeeping or statistics, Windows environment. College-level courses in bookkeeping, accounting or business mngmnt. preferred. More info. at www.JccEgov.com, or call 757/253-6736. # 111-01 Deadline: Dec. 30. EOE.

Director of Economic Development, Roanoke

SALARY: \$73,510-\$110,264 negotiable DOQ (+) benefits. (Pop. 95,000) Lead city's economic development program and manage Office of Economic Development (7 employees). Responsibilities: attract, retain and expand retail, commercial and industrial development and redevelopment. Prefer master's degree and 10 yrs. related exper. Submit cover letter, resume and present salary by mail, fax or e-mail to: Robert E. Slavin, Slavin Management

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POSITIONS

Consultant, 3040 Holcomb Bridge Road, Suite B-1, Norcross, GA 30071-1357. Phone: 770/449-4656; Fax: 770/416-0848; e-mail: slavin@bellsouth.net. Open until filled. EOE.

Director of Housing and Neighborhood Services, Roanoke

SALARY: \$65,119-\$97,679 negotiable DOQ (+) benefits. (Pop. 95,000) Manage city's Department of Housing and Neighborhood Services (23 employees). Direct neighborhood service functions, including housing and environmental code enforcement, federal housing programs and citizen participation programs. Training and experience equiv. to bachelor's from 4-year college w/major in planning, public admin., pol. sci. or related field. Master's preferred (+) 5 yrs. exper. Submit cover letter, resume and present salary by mail, fax or e-mail to: Robert E. Slavin, Slavin Management Consultant, 3040 Holcomb Bridge Road, Suite B-1, Norcross, GA 30071-1357. Phone: 770/449-4656; Fax: 770/416-0848; e-mail: slavin@bellsouth.net. Open until filled. EOE.

Public Utilities Director, Isle of Wight County

SALARY: \$68,320-\$85,400. Manage construction, operation and maintenance of rapidly growing water and sewer systems. Operating bdtg. \$2.6 million. Water system (1,777 customers) consists of 13 separate groundwater systems and one surface water system with treatment provided by a regional authority. Sewer system (1,641 customers) consists of 3 separate systems served by 25 pumping stations. HRSD and City of Franklin provide sewage treatment. P.E. license req. within 6 mos. Call 757/365-6304 for application and submit w/ resume to: Human Resources Department, Isle of Wight County, P.O. Box 80, Isle of Wight, VA 23397. Visit www.co.isle-of-wight.va.us. EOE.

Senior Civil Engineer / VDOT Projects Manager, Hampton

SALARY: From \$47,374 (+) benefits. Negotiable. Plans and coordinates VDOT funded roadway improvement projects. Bachelor's in civil engineering or related field with 5 yrs. exper. in civil engineering; 2 or more in local or state govt. setting. Must be licensed in Va. Submit city application and DMV consent authorization to: Human Resources Department, 22 Lincoln St., 4th

floor, City Hall, Hampton, VA 23669 or e-mail hrdept@hampton.gov. Visit www.hampton.gov/hr. For more info. or to request an accommodation call, 757/727-6345, or FAX 757/727-6449. Open until filled. EOE.

Other positions

NOTICE: The following positions also are listed on VML's Web site at www.vml.org.

Senior Public Information Officer, Fairfax County

SALARY: \$49,217-\$65,623 hiring range + benefits. Deadline: Dec. 28.

Town Manager, Lovettsville

SALARY: \$50,000-\$60,000 + benefits. Deadline: Jan. 15.

Director of Community Development, West Point

SALARY: \$34,000 (+) DOQ/DOE. Deadline: Dec. 31.

Director of Finance, Danville

SALARY: \$85,000-\$100,000 DOQ + benefits. Deadline: Jan 12.

Operations Engineer, Herndon

SALARY: \$41,814-\$66,905 DOQ (+) benefits. Open until filled.

Assistant City Manager, Fairfax City

SALARY: \$74,308-\$115,276 DOQ (+) benefits. Open until filled.

Finance Director, Fauquier County

SALARY: \$57,928-\$86,892 (+) benefits. Deadline: Dec. 30.

Director of Administration/ Finance, Tidewater Regional Group Home Commission

SALARY: \$45,916-\$50,500 (+) benefits. Open until filled.

Maintenance Supervisor/Water Operator, Timberville

SALARY: DOQ/DOE. Open until filled.

Human Resource Director, Radford

SALARY: \$43,000 (+) benefits DOQ. Deadline: Dec. 31.

Management Analyst II (Public Works-Transportation), Norfolk

SALARY: \$40,767-\$50,912. Open until filled.

County Attorney, Prince William

SALARY: \$140,000s-\$150,000s. Deadline: Dec. 27.

City Attorney, Petersburg

SALARY: \$60,972-\$100,397. Deadline: Dec. 30.

Deputy Town Manager, Nags Head, N.C.

SALARY: \$61,391-\$86,743. Deadline: Jan. 7.

Director of Parks and Recreation, Bath County

SALARY: DOQ/DOE. Deadline: Jan. 25.

Director of Public Safety, Amherst County

SALARY: \$47,382 or higher DOQ/DOE (+) benefits. Deadline: Dec. 30.

Treasurer, Chase City

SALARY: DOQ (+) benefits. Deadline: Dec. 31.

County Administrator, Surry

SALARY: Negotiable DOQ (+) benefits. (Pop. 6,829) Deadline: Jan. 6.

Director of Finance, Front Royal

SALARY: DOQ (+) benefits. Deadline: Feb. 18.

DEADLINE: The deadline for placing a job advertisement in the next issue of Update is Friday, Dec. 24. Submit ads via e-mail to David Parsons at dparsons@vml.org. You may also submit via FAX at: 804/343-3758. VML publishes job advertisements at no cost to its local government members. Non-members are charged a flat rate of \$25 per ad per issue, which includes posting on VML's Web site and publication in Virginia Town & City (deadlines permitting). VML edits position descriptions in printed publications because of space limitations.

Update

The newsletter of the
Virginia Municipal League

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