

# VIRGINIA

TOWN & CITY

The magazine of the Virginia Municipal League

VOLUME 48 NO. 2 MARCH 2013

**In review:  
General Assembly  
ends burdensome  
reversion program**

# about face

**Also inside:  
VML Achievement  
Awards information**



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The magazine of the Virginia Municipal League



# about face

## About the cover

*The 2013 General Assembly saw fit to eliminate the onerous “local aid to the Commonwealth” program that had sapped \$270 million from city and county budgets over the past five fiscal years. Abolishment of the reversion scheme was the No. 1 legislative goal of VML this year. Illustration by Manuel Timbreza.*

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### Tax-exempt municipal bonds defended

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### 2013 VML Achievement Awards call for entries

The 2013 VML Achievement Awards will recognize the accomplishments of member local governments in meeting the challenges of operating vibrant cities, towns and counties. Innovative problem solving, excellence in management, increasing citizen participation and achieving higher service levels are daily occurrences in Virginia local governments worthy of recognition.



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**Suffolk names Scott new fire chief**



- Scott -

Suffolk has hired a 26-year firefighting veteran as its chief of fire and rescue. **Cedric Scott**, who worked most recently as assistant fire chief of logistics for Savannah (Ga.) Fire

& Emergency Services, will take charge in Suffolk April 2.

Scott began his firefighting career in Georgia with the Macon-Bibb County Fire Department in 1987, and moved up through the ranks to serve as the department's fire training chief, a position he held until he was selected as chief of the Waycross Fire Department in 2005. He also served as fire chief for the City of College Park and Rockdale County in Georgia.

**Danville selects assistant manager**



- Larking -

Danville hired a former assistant county manager from North Carolina as its new deputy city manager. **Ken Larking**, who worked in Moore County, N.C.,

assumed his new position on March 18.

In addition to his job in Moore County, Larking guided Yadkinville, N.C., as town manager for seven years and served four years as budget and performance manager in Hickory, N.C. He assumed the position held by **David Parrish**, who resigned in December to become assistant city manager of Greensboro, N.C.

**Roanoke Co. hires assistant administrator**

**Richard Caywood** began work as an assistant county administrator in Roanoke County on March 18.

Caywood, 44, worked most recently as senior project manager for Fielder's Choice Enterprises Inc.



- Caywood -

(FCE), a civil construction company based in Charlottesville. Prior to joining FCE, he worked for the Virginia Department of Transportation for more than 20 years, including eight years as Salem District Administrator.

Caywood replaced **Diane Hyatt**, who retired in August after 30 years of service with Roanoke County.

**Harrisonburg hires Brown as city attorney**



- Brown -

Harrisonburg has hired a senior assistant county attorney in Albemarle as its next city attorney. **Chris Brown** will assume the position April 8.

Brown, who has served in the Albemarle senior assistant post since 2011, replaces **Earl Thumma**, who is retiring after serving the city for more than 20 years.

**Newport News fills corrections post**



- Moore -

**Judson D. Moore Jr.** was named director of the Department of Adult Corrections in Newport News effective March 1. The department

runs the Newport News City Prison Farm, a 260-bed, minimum security adult correctional facility.

Moore served previously as jail administrator for the City Farm and as acting director of the department for the past year. He has 27 years of local government experience, including 13 years with the Department of Adult Corrections and 14 years with York County.



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**Leesburg fills 2 leadership posts**



- Parsons -

The Town of Leesburg recently hired new staff members for two key positions.

**Doug Parsons** joined the town as business development manager. He will be primarily responsible for the town's business retention efforts, but will also assist with recruiting new businesses and developing new programs. Parsons worked most recently as the executive director of



- Shiflett -

the Lewis County Economic Development Authority in Weston, West Va., from 2001 to 2012.

**Tracey Shiflett**, AICP, was hired as assistant zoning administra-

tor. He will oversee enforcement of the town's zoning ordinance. Shiflett served most recently as planning and zoning manager in Purcellville. He also has served as town manager for Clifton Forge, director of community development for Fluvanna County, director of community & economic development for Buena Vista and town planner in Rocky Mount.

**Vienna names Morris new chief of police**



- Morris -

A 24-year veteran of the Fairfax County Police Department has been selected as chief of police in Vienna. **James Morris** took over the position on March 25.

Most recently, he served as acting chief of police while holding the position of deputy chief of investigations and operations. He succeeded Col. **Robert Carlisle**, who retired on Jan. 1.

**Albemarle taps Walker as assistant executive**

Albemarle County named **Douglas Walker** as its new assistant county executive for community services effective April 1. Walker will supervise the county's Social Services, Housing, Police, Fire-Rescue, Community Development and Parks and Recreation departments.

Walker served most recently as county administrator in Shenandoah County. Previously, he served as city manager for Waynesboro and in senior leadership positions in Spotsylvania and Southampton counties. He replaced **Bryan Elliott**, who retired in December.

**Winchester names assistant manager**

**Douglas Hewett** was hired as assistant city manager in Winchester effective Feb. 18. He served most recently as city manager for Hollywood, Fla.



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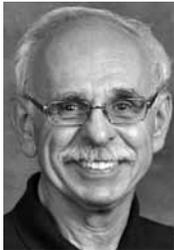
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Prior to leading Hollywood, Hewett worked as assistant city manager of Fayetteville, N.C., from 2007 until 2012 and as director of management services in Fayetteville beginning in 2004. He also has worked as assistant to the city manager and public information officer for Wilmington, N.C.

**Grzejka to retire in Manassas**



Manassas Commissioner of the Revenue **John P. Grzejka** will retire at the end of June after 14 years in the position.

Grzejka has served Manassas for 35 years in various capacities. He was elected city treasurer in 1976 and served through 1981. He then joined the City Manager's Office as the administrative assistant for finance. He left the city in 1986 to work in the private sector and was elected to City Council in 1988. He served three terms.

Grzejka was appointed by the Circuit Court to replace the previous commissioner of the revenue, who died in 1999. He was elected and then re-elected since that appointment.

**Carlee named Charlotte manager**

Former Arlington County manager **Ron Carlee** has been named city

manager of Charlotte, N.C.

Carlee served most recently as the chief operating officer for the International City/County Management Association (ICMA) where he provided day-to-day oversight of ICMA's operations. Prior to joining ICMA in 2009, Carlee served for nine years as manager of Arlington. He worked for the county 30 years.

**Suffolk's Hughes earns recognition**



**Kevin Hughes**, director of the Suffolk Economic Development Department, was selected recently as a national winner in the economic

development profession's "40 Under 40" awards recognizing young talent in the economic development profession.

A five-member selection committee chose the winners from a pool of more than 150 candidates based on their exceptional contributions to the economic development industry. The award's program was managed by Development Counselors International, a New York-based firm that specializes in economic development marketing.

Hughes has been with the Suffolk Economic Development Department since 2005. He was named director in 2010.

**Code official retiring in Richmond**

**Roy W. Eidem**, chief of code enforcement for the City of Richmond the past six years, will retire effective June 1.

Eidem spent the first 31 years of his career with the Fairfax County Health Department where he held several regulatory code enforcement positions. He left the health department for a four-year stint with an environmental consulting firm before going to work for the city.

**Walter Duncan dies; served Front Royal**

**Walter Marvin Duncan Sr.**, a former town manager and council member in Front Royal, died Feb. 24. He was 92.

A World War II veteran and Virginia Tech graduate, Mr. Duncan served as town manager from 1963 until his retirement in 1985. He was elected to Town Council in 1986 and served several additional terms until his retirement in 2000.

*Have news about personnel in your city, town or county government? Send information to David Parsons via e-mail at [dparsons@vml.org](mailto:dparsons@vml.org).*

NEWS & NOTES

**USS Arlington set for commissioning**

The Navy will commission a ship named in honor of Arlington County on April 6 in Norfolk.

The commissioning ceremony will mark the Navy's acceptance of the ship into the Atlantic Fleet as ready for service.

The ship will carry Arlington's name to hundreds of ports around the world. Its primary duties will be to provide disaster relief and assist in

rescue and evacuation efforts.

The USS Arlington, one of three commemorative 9/11 ships, is the only one that will have an onboard tribute room. The room will contain artifacts and memorabilia commemorating 9/11, and will feature steel beams taken from the Pentagon after 9/11.

A commissioning committee coordinated volunteer and fundraising efforts to support the commissioning and fund the tribute room. Visit [www.ussarlingtonstore.com](http://www.ussarlingtonstore.com) for more



- USS Arlington -

information.

The USS Arlington will be the eighth of a new class of amphibious landing ships. Its name honors the memories of the people killed or

injured in the terrorist attack on the Pentagon Sept. 11, 2001, and recognizes the heroism of Arlington's first responders.

**Rockingham sports new tech park website**

Check out Rockingham County Economic Development's new website for its research and technology park – Innovation Village @ Rockingham (IV@R). The website address is www.ivatr.com.

IV@R's online presence has expanded from a one-page "teaser" to a multi-page experience. Site selection consultants and prospective tenants now have access to a wealth of information on critical topics such as transportation, utilities, permitting, taxes, incentives, demographics, education and workforce training, and labor statistics. Various data reports and publications may be downloaded directly.

Website visitors also can see images of the tract as it exists today, as well as the long-range plan. A master plan and other supporting maps are provided. The website even offers an interactive "flyover," which takes visitors on a virtual tour of the three development phases that are planned.

**Va. Beach Fire honored for response to jet crash**

The Virginia Beach Fire Department was honored recently for its response following the crash of a Navy fighter jet into an apartment complex in the city last spring.

The Governor's Award for Outstanding Fire Department Response was presented to the department during the Virginia Fire Chiefs Association Expo and Symposium held in Virginia Beach.

The award recognized the department's response to the crash and how it coordinated with city departments, state and federal agencies, and a number of Navy commands. Virginia Beach won the same award last year for rescuing a 12-year-old girl impaled on a boat propeller in the Chesapeake Bay.

In addition, the **Roanoke County Fire & Rescue Department**

was presented Virginia's Public Fire & Life Safety Education award. **Spotsylvania Fire, Rescue and Emergency Management** was presented the Excellence in Virginia's Fire Service Training award.

The Governor's Fire Service Awards began in 2002. Nominees are selected by the Virginia Fire Services Board Executive Committee and forwarded to the governor for approval, according to a news release.

**Danville honors foreign firms**

The city of Danville, Danville-Pittsylvania Chamber of Commerce, Danville Regional Foundation and Averett University honored 10 foreign companies recently that collectively serve as the area's largest employer – providing nearly 3,000 jobs.

The companies, based in nine countries, were honored during a ceremony held at the Riverview campus of Averett

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University. Company representatives raised their respective flags on the flag poles located across from the campus building at 512 Bridge St.

“We have a proud textile and tobacco heritage,” said Mayor Sherman Saunders, who declared Feb. 12 as International Business Appreciation Day. “Welcoming and encouraging foreign investment in Danville has strengthened our economy after the decline of these industries.”

The companies honored were Axxor of The Netherlands, CBN Secure Technologies of Canada, EBI of Poland, Essel Propack of India, GOK International of China, Intertape Polymer of Canada, JTI Leaf Services of Japan, Nestle of Switzerland, Swedwood of Sweden, and Telvista of Mexico.

“These companies chose Danville over many other communities,” said Jeremy Stratton, director of the Danville Office of Economic Development. “We are pleased to give them recognition and wish them continued success.”

Each organization has provided employment opportunities, cultural diversity and economic growth in Danville, Stratton said.

For more information, visit [www.discoverdanville.com](http://www.discoverdanville.com).

### Danville opening ‘little’ free libraries

Danville city leaders, the Danville Regional Foundation and Danville Public Library have kicked off the first three “Little Free Libraries” in the city, a project made possible by a Danville Regional Foundation grant.

“The library is incredibly excited about the opportunity to share this Little Free Library project with the City of Danville,” said Library Director Shelly Hypes Janosko at a ribbon cutting ceremony for the first of the library outposts. “It’s a great feeling to know that we can promote the importance of literacy, share our love of reading and carry out such a sense of community with this single project.”

The Little Free Library program began in Wisconsin in 2009 in order to “promote literacy and the love of reading.” Each Little Free Library acts as a free book exchange and offers patrons the option of taking a book from the unit and leaving one in its stead, borrowing a book for a short time and returning it or simply taking a book.

While there are Little Free Libraries all over the world, Danville will have 10 of the first units in Southwest Virginia. Each will be installed with a collection of books from Danville Public Library. Many of the books will be geared toward children; however, there will be books for all ages.

For more information on the Little Free Library Program, visit [www.LittleFreeLibrary.org](http://www.LittleFreeLibrary.org) or contact Janosko at 434-799-5195 or e-mail [janossh@ci.danville.va.us](mailto:janossh@ci.danville.va.us).

### Alexandria launches customer service push

The City of Alexandria has launched Call.Click.Connect., a new customer service initiative that combines people, processes and technology to deliver information, services and solutions to the public through a centralized,

streamlined process.

At the heart of the initiative is an online system for entering, tracking and resolving service requests, designed to help the city respond more efficiently to requests from residents and the public.

Users can call (703) 746-HELP (4357), or click the web portal on [alexandriava.gov](http://alexandriava.gov) to easily access information and connect with the city government.

Call.Click.Connect. places city government “at your fingertips” through multiple features, including:

- One number – (703) 746-HELP, for all customer requests and inquiries.
- Options that allow customers to create and track the status of their own requests, from start to finish, either online or by telephone.
- A Contact Center staffed with experienced professionals to respond to customer inquiries.
- The ability for the city to use information documented through the system to track service request trends, determine emerging policy concerns, improve service delivery and make better policy decisions.

“Call.Click.Connect. exemplifies our pledge to ensure our accountability and transparency, and deliver exceptional services that enrich the quality of life for everyone in Alexandria,” said City Manager Rashad M. Young.

For more information, visit the Call.Click.Connect. page on [www.alexandriava.gov](http://www.alexandriava.gov).

### ELSEWHERE ...

Herndon Festival and the **Town of Herndon** Parks and Recreation Department were recognized in the latest issue of *Recreation Management* magazine in an article that highlights successful community events. The article provides insights “gathered from cities and towns putting on stellar special events all over the country.” The Herndon Festival, produced by Herndon Parks and Recreation staff, was touted for being the largest free festival in northern Virginia that offers “something for everyone.”

### Virginia Institute of Government moving

THE RICHMOND OFFICE of the Virginia Institute of Government / UVA is moving.

The new address as of April 1 is 11 S. 12<sup>th</sup> St., Suite 225, Richmond, VA 23219-4035. The phone number is (804) 371-0202 and the fax is (804) 371-0234.

This change also applies to the Weldon Cooper Center for Public Service (UVA Richmond office) and the Local Government Attorneys of Virginia, Inc. (LGA).

To ensure delivery, please include “University of Virginia” or “UVA” in the address on all correspondence. 

# NLC offers publications exploring regional governance

**P**ROBLEMS and opportunities often do not respect municipal boundaries. So, local leaders find themselves crossing those boundaries in order to make their city a better place. NLC provides ideas and information to assist city leaders in working with one or several or many other jurisdictions in the area to achieve a goal.

Here is a description of some of the publications available from NLC on the topic:

**Download the reports at:**  
<http://bit.ly/WyQhjm>.

## **Getting things done together: A workbook for achieving regional goals**

This workbook offers a new and better way to think and plan for action to get things done regionally. It was created for people who are ready and willing to work toward accomplishing an important goal for their communities and neighboring areas: from the local government official or civic leader who wants to increase affordable housing in the area, to the residents who seek to protect a river from pollution, to the business group that believes the local economy needs a smarter plan for attracting high-tech employers.

## **Regional problem-solving: A fresh look at what it takes**

Are you thinking that solving a particular problem will require coordinated action by several jurisdictions or even the whole region? This essay may help you assess the prospects for effective action: does your area have the governance capacity to come up with a way to address the issue you want to work at?

## **Recent research on regional resilience**

The Network on Building Resilient Regions (BRR) examines the power

of metropolitan regions to respond to local and national challenges. BRR brings together a group of experts – including some NLC staff – to investigate why metro regions matter

now, what constitutes resilience in the face of challenges, and what factors help

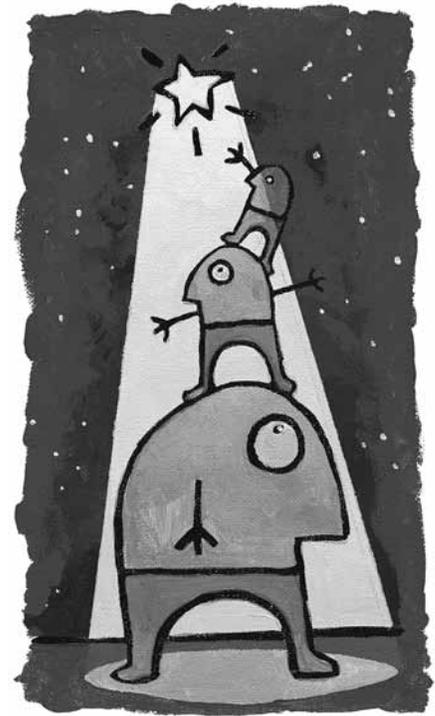
to build and sustain strong metro regions. The network is supported by grants from the MacArthur Foundation. The website organizes the Network's research and writing by topic areas: economic insecurity, economic resilience, infrastructure, governance and immigration.

## **City examples of regional cooperation**

These promising practices are initiatives that take a multi-jurisdictional approach to advocating for citizens' interests, delivering services and maintaining an open dialog in a way that benefits the region as a whole.

## **Resilience in the face of foreclosures: Six case studies on neighborhood stabilization**

NLC, in partnership with the MacArthur Foundation's Building Resilient Regions Network (BRR), commissioned a scan of six cities – Camden, Dayton, Milwaukee, Oakland, Phoenix and Tampa – to determine the actions these communities took to address the ongoing housing foreclosure crisis and specifically to explore methods for becoming a more resilient community. Interviews were conducted with elected officials, nonprofit housing organizations, civic leaders, bankers, developers, housing activists and advocates and other observers of housing and policy work. This publication contains a synthesis of the important findings that emerged from the interviews and a detailed description of each of the six cities' response to the foreclosure crisis.



## **Strategies for globally competitive cities: Local roles in foreign direct investment and international trade**

The guide provides practical strategies, resources and promising practices to help local leaders and practitioners enhance the global competitiveness of their communities. In particular, the guide focuses on foreign direct investment (FDI) and international trade – two areas in which local leaders can have a true impact in their roles as catalysts, conveners and connectors.

## **Metropolitan councils**

A metropolitan council, also known as a regional council or council of government, is a general term that encompasses a wide range of entities, including some that are not “metropolitan” and some that are not “councils.” They are associations made up of members from a region or metropolitan area's local governments that provide a forum for the elected officials to address regional issues. 

# James City wins national parks award



**Presenting and accepting the award were (l-r) Rhonda Parker, gold medal awards head judge and director of the Durham Department of Parks and Recreation in North Carolina; Carla Brittle, James City County centers administrator; John Carnifax, James City County Parks and Recreation director; and Joe Crookham, president of Musco Lighting LLC, who served as gold medal awards conference sponsor.**



**Celebrating the award in James City County were (l-r) L-R: Doug Powell, assistant county administrator; Robert Middaugh, county administrator; John McGlennon, Board of Supervisors member; Mary Jones, Board of Supervisors member; Seth Benton, parks administrator; Scott Van Voorhees, Parks and Recreation Commission member; Arlana Fauntleroy, recreation services administrator; John Carnifax (holding award), Parks and Recreation director; Jim Icenhour, Board of Supervisors member; Craig Metcalfe, Parks and Recreation Commission member; Linda Wallace-Cody, Parks and Recreation Commission member; Jay Lipscomb, Parks and Recreation Commission member; Nancy Ellis, administration administrator; Carla Brittle, centers administrator; Veda McMullen, communications specialist; Wilford Kale, Board of Supervisors member; and Mike Hand, Parks and Recreation Commission member.**

**J**AMES CITY COUNTY is the recipient of the 2012 Gold Medal Award that recognizes the county as the best managed park and recreation system in the nation in its population category.

The award was presented by the National Recreation and Park Association and the American Academy for Park and Recreation Administration during their annual conference this fall.

The Gold Medal Award honors communities throughout the United States that demonstrate excellence in long-range planning, resource management, volunteerism, environmental stewardship, program development, professional development and agency recognition. Each agency is judged on its ability to address the needs of those it serves through the collective energies of citizens, staff and elected officials.

A panel of five park and recreation professionals reviewed and judged all application materials. James City County won in the Class III category for populations of 50,001-100,000.

Since the Gold Medal Award Program began in 1966, James City County's win is the first one for a Virginia local government in this class. The county is only the seventh Virginia department to ever win the award.

During a James City County Board of Supervisors meeting this winter, the supervisors, the county Parks and Recreation Advisory Commission, county administration and Parks and Recreation staff accepted the award on behalf of the community. 

# about

## 2013 General Assembly reverses course;

**A**FTER FIVE YEARS of slashing spending, the General Assembly reversed course in 2013 as the effects of the worst recession since the Great Depression continued to wane. Since 2008, local governments had been forced to absorb hundreds of millions of dollars in cuts. Even worse, the state cuts were not accompanied by any meaningful reduction in service requirements or mandates. And they came in the midst of a historic collapse in housing values, the lifeblood of local government revenues.

Fast forward to 2013. This year, the proposed budget was not riddled with reductions in state funding for the services that local governments are required to offer. Instead, it began correcting some of the most deleterious reductions that had been enacted in recent years. In short, the state finally began directing to local governments some of the increased revenues generated by the improved state economy.

Here's a summary of some of the most important issues affecting local governments that were addressed in the 2013 General Assembly session.

### **Local aid to the Commonwealth**

For the past five years cities and counties have chafed over the requirement to return money to state coffers annually. Under the "local aid to the Commonwealth" program, cities and counties returned \$270 million to Richmond between FY09 and FY13. Another \$45 million was scheduled to be returned in FY14. That won't happen now. The governor proposed ending the onerous program in the budget amendments that he submitted in December. Thankfully, the General Assembly agreed.

### **Transportation**

The General Assembly adopted legislation that will eventually pump an additional \$880 million a year into Virginia's cash-starved transportation system. HB 2313 (W. Howell) will produce the first substantial infusion of money into the stalled transportation system since the tax on gas at the pump was raised back in 1986.

Highlights of the legislation include:

- Generates \$880 million annually statewide in fifth year when fully

implemented. Of this amount, \$200 million will come from the state sales tax, which funds education, public safety, health care, etc.

- Replaces current 17.5 cents per gallon tax on gas at the pump with a 3.5 percent motor fuel tax, a 6 percent diesel fuel tax, an increase in the automobile sales tax (titling tax) from 3 percent to 4.3 percent, and an increase in the state sales tax from 5 percent to 5.3 percent.

- Increases share of existing sales tax dedicated to transportation from 0.50 percent to 0.675 percent (phased in over 5 years).

- Increases the fee for alternative fueled vehicles to \$100 (includes electric and hybrid, but excludes natural gas-powered vehicles).

- Generates more than \$110 million annually for rail and transit (increasing to \$140 million by 2018).

- Provides significant new revenues for Northern Virginia (\$300 million-\$350 million annually) and Hampton Roads (\$200 million annually).

HB 2313 provides Northern Virginia and Hampton Roads with additional funding to address their specific transportation needs; boosts spending for passenger rail and local



# face

## local governments see light at end of long tunnel ... at last

transit services; and provides more funding for road maintenance.

As is the case for any compromise, some of the bill's provisions will cost localities. The measure dictates that half of any local sales tax money recovered on internet sales under the federal Marketplace Equity Act must be spent on local transportation projects. It is unusual for the state to prescribe how much local revenue must be spent on a particular item.

Also, allocating more General Fund money (\$200 million) for transportation will likely affect the amount of state dollars available for public education, healthcare, public safety and other services.

There is maintenance of effort language inserted in the bill for Northern Virginia and Hampton Roads that is written clumsily. It is not clear whether bond money for specific capital projects, or the debt service to pay for the bonds, is included in the maintenance of effort.

Even with the new resources for transportation, it is unclear if maintenance needs will continue to exceed the revenues dedicated to the Highway Maintenance and Operating Fund. It is also unclear if any of the new fund-

ing for construction will be distributed through the construction allocation formula for local road needs. There has been no funding available for secondary and urban roads since 2010.

### Education

Public education also consumed an enormous amount of time during the legislative session. For the first time since 2007, the state included money to pay a portion of the cost of a 2 percent salary increase for instructional and support personnel in public schools. This funding is significant not only because it may help some localities be able to afford raises, but also because the salary increase will be factored into rebenchmarking. As a reminder, the rebenchmarking process updates the calculation of what the state recognizes as the cost of educating K-12 students. Salaries make up a large portion of educating students. The state will rely on salary data from FY12 in rebenchmarking for the 2014-16 biennium. The past practice has been that those salaries would be adjusted to reflect the 2 percent salary increase included in this year's Appropriation Act.

The legislature also enacted legislation – SB 1324 (McDougle) – and budget language that creates a statewide institution that will take over the management of low-performing schools. The schools taken over by the statewide Opportunity Educational Institution almost certainly will be managed as charter schools by a for-profit or not-for-profit company.

There are several troubling aspects about the Opportunity Educational Institution. First, the legislation is modeled after legislation adopted in Louisiana, and the record there has been spotty for many of the schools. Indeed, after eight years, almost three-quarters of the schools operated by the statewide division in Louisiana received a grade of “D” or “F” under the statewide grading scheme in place.

The legislation takes a radical approach to funding. The bills would require the transfer of local per-pupil funding from the school division to the statewide division for the pupils in the school that was taken over. The per-pupil funding would include required local funding as well as discretionary local funding.

This would mean that for the first time, the state would be directing

the use of revenues that exceed what localities are required to appropriate under state funding formulas. The state would be transferring discretionary local funding to a statewide board that is not responsible to local taxpayers or students.

There is no guarantee that the discretionary local dollars will follow the student; instead, it is possible that discretionary funding from some localities would be spent on students in another part of the state.

The legislation also raises constitutional issues and may be challenged in court.

While this legislation was enacted, the General Assembly turned back attempts to amend the state constitution to give the State Board of Education more say in the decision to grant charters.

The legislature also directed the Joint Legislative Audit and Review Commission to undertake two important studies on education. The first will look at options for restructuring low-performing schools while the second will examine education funding. Both studies are to be completed in 2014.

## Water quality

Overall, the state made impressive efforts at helping provide financial assistance toward improving water quality. At the same time, the General Assembly, in a somewhat schizophrenic approach, adopted legislation that could result in increased stormwater costs down the road for local governments.

The budget bill approved by the General Assembly authorizes bond issues through the Virginia Public Building Authority to provide financial aid for a variety of water quality projects, including:

- \$35 million to assist localities in meeting federally-mandated stormwater improvements;
- \$75 million to the cities of Lynchburg and Richmond for combined sewer overflow (CSO) improvements;
- \$101 million to reimburse local government for the state share of sewage treatment plant upgrades;
- \$5 million for improvements to the City of Hopewell wastewater

treatment plant; and

- \$5 million in state assistance to increase the water supply for the Apomattox River Water Authority

This financial assistance is greatly welcomed by local governments, which have spent hundreds of millions of dollars over the years trying to meet state and federal mandates. Local officials are concerned, however, about adoption of legislation that ultimately may increase long-term stormwater maintenance costs. The legislation was a priority of the homebuilding industry, which has been battered by the slowdown in the construction of new homes.

The legislation that was adopted requires local governments to accept state-approved stormwater controls even if a locality determines that the state approach is inadequate. For example, local governments sometimes determine that state-approved stormwater controls that technically meet water quality standards are either unsafe or difficult and expensive to maintain.

Stormwater remedies that are too expensive for homeowners or homeowners associations to maintain can fail, leaving local governments to fix the inevitable problems that ensue. Under HB 2190 (Cosgrove), local governments will lose the authority to require measures that take into account long-term costs and maintenance issues. Many localities also restrict the use of certain stormwater control measures because of concerns about safety. For example, ponds that may meet the technical criteria for controlling stormwater runoff can pose safety risks, especially to children. These ponds, if not properly maintained, can also become grounds for breeding mosquitoes.

Under the legislation, the state Department of Conservation and Recreation will determine whether local governments have exceeded their authority.

## Salary increases for state-supported local employees

The budget for next fiscal year adds \$8.2 million for an additional 1 percent salary increase for state-

supported local employees effective August 2013. The 2012 Appropriation Act had included money for a 2 percent salary increase for state employees and state-supported local employees. These include constitutional officers and their employees, general registrars and members of local electoral boards, community services boards, Centers for Independent Living, juvenile detention facilities, local court service units, social services, pretrial service and Comprehensive Community Corrections Act employees and local health departments that operate under a memorandum of understanding with the state.

## Non-partisan local elections

A decidedly unwelcome trend that emerged last year and then appeared to gather steam this year was support for partisan elections at the local level. Currently, state law bans party labels on the ballots for local officers, be they members of a council or board of supervisors or a constitutional officer. In addition, the charters for several municipalities require that candidates get on the ballot through a petition process as opposed to a party nomination process. Finally, the charters in at least two localities – Lexington and Leesburg – explicitly ban partisan elections for council.

In the 2012 session, legislation was introduced, but did not pass, that would have removed the current ban on party labels for local elections. A number of local officials vigorously opposed the legislation.

This year the General Assembly followed the tactic of refusing to allow municipalities to include non-partisan provisions in their local charters. Efforts by Front Royal and Salem to specify non-partisan elections were both shot down in the House of Delegates.

## Uranium mining

Most of the attention on whether Virginia would lift the moratorium uranium mining took place before the session or in media reports. The sole bill introduced on the topic was withdrawn by the patron. 

# Tax-exempt status of municipal bonds defended

**T**HE NATIONAL LEAGUE of Cities, the National Association of Counties and the U.S. Conference of Mayors called on Congress and President Obama in late February to reject any proposals to hamstring the financing of local infrastructure projects by changing the tax-exempt status of municipal bonds.

Municipal bonds provide a low-cost and efficient way for cities and counties to finance much of America's critical infrastructure, including schools, hospitals, airports, water and sewer systems, and roads and bridges.

During a roundtable at the National Press Club held for reporters by mayors, county and local leaders of all three non-partisan organizations released a report to highlight the broad use of municipal bonds in more



than 30 locales around the country. Municipal bonds are the country's most important source of financing for vital infrastructure and are used to finance everything from multibillion transportation projects to school expansions in communities large and small.

"Municipal bonds are essential financing tools used by mayors and local officials in their communities," said Scott Smith, the mayor of Mesa, Ariz., and vice president of the mayors' conference. "Municipal bonds allow communities to build the streets, bridges, water lines, and police and fire stations that not only serve the needs of citizens, but also create jobs and drive the economy. Without them, our communities will suffer."

The joint report also shows in the

last decade, state and local governments financed over \$1.65 trillion of infrastructure investment using tax-exempt bonds – nearly all in just six categories:

- \$514 billion in primary and secondary schools;
- \$288 billion in hospitals;
- \$258 billion in water and sewer facilities;
- \$178 billion in roads, highways and streets;
- \$147 billion in public power projects and;
- \$106 billion in mass transit.

If the proposed 28-percent cap had been in effect during that time, the borrowing costs to states and localities of these bonds would have increased by \$173 billion and would have prevented many infrastructure projects from moving forward. In 2012 alone, more than 6,600 tax-exempt municipal bonds financed more than \$179 billion worth of infrastructure projects – the bulk of which were primary and secondary education, water and sewer facilities and hospitals.

Of the cap proposal, NACo President Chris Rodgers, Commissioner, Douglas County, Nebraska said, "Counties build, maintain and pay for much of America's infrastructure including schools, roads, water and sewer systems, airports, bridges and hospitals. Counties own and maintain 44 percent of the nation's roadways, 228,026 bridges and almost one third of the nation's transit systems and airports. Counties own 964 hospitals and 677 nursing homes. Tax-exempt municipal bonds are the single most important tool that counties use for financing our critical infrastructure."

In effect, the 28 percent cap on tax-exempt interest would be borne almost exclusively by state and local governments in the form of higher interest rates on their borrowing. Market analysts have estimated that this proposed tax on municipal bond interest would raise state and local

borrowing costs by up to 70 basis points (0.70 percentage point) or more. Because the tax would apply not only to new state and local borrowing, but also to all outstanding bonds, investors would be taxed on investment which they reasonably expected would be tax-exempt as long as they are outstanding – an unprecedented form of retroactive taxation.

"Talk of eliminating the tax exemption on municipal bonds is more about politics – on both sides – than economics," says NLC representative Ronald Green, the city controller in Houston. "No one can argue about how cities, counties and states have utilized municipal bonds to great effect to finance their capital projects such as roads and highways, water projects, schools, libraries, fire stations and, while doing this, saving on interest costs with tax exempt 'muni' bonds. The yield from taxable bonds – if that were the only option for municipalities – would pale in comparison to the increased taxes residents would have to pay to fund infrastructure projects. Or, the alternative, simply to postpone needed projects."

Finally, local leaders explained that municipal bonds represent a partnership among the federal government, state and local governments, and private investors in contributing to public infrastructure, which creates jobs and improves economic efficiency. Tax-exempt bonds maintain decision-making and project selection at the state and local level, where citizens and elected officials can best determine where needs are greatest and where investments will generate the maximum return.

The report concludes that curtailing or eliminating the tax-exemption would raise costs for financially strapped state and local governments, and would result in less investment in infrastructure, particularly at a time when jobs are scarce and the physical state of public works and infrastructure is deteriorating. 



## Virginia Municipal League Achievement Awards

The 2013 VML Achievement Awards will recognize the accomplishments of member local governments in meeting the challenge of operating vibrant cities, towns and counties. Innovative problem solving, excellence in management, increasing citizen participation and achieving higher service levels are all daily occurrences in Virginia local governments. The best of these projects and programs deserve public recognition. Mayors, board chairs, selected clerks and chief executive officers of all VML member local governments were mailed copies of the rules for this year's competition the week of March 18. If you have questions, contact David Parsons at (804) 523-8527 or [dparsons@vml.org](mailto:dparsons@vml.org).



## Rules for entering ...

The competition is open to all Virginia Municipal League local government members.

Entries must describe programs or projects brought to conclusion or showing significant results between Jan. 1, 2012 and May 1, 2013.

Each entry must include a cover page bearing the title of the entry, the category of entry, the name of the locality submitting the entry, and the signature of the local government's chief administrative or elected official.

All entries must be typed double-spaced, and the body of the entry, which does not include the cover page, appendices or any supplemental materials, must be at least two pages and not more than eight pages.

All entries must be bound or submitted in a notebook or presentation folder.

Submit one complete bound copy of your entry, including the cover page, all appendices and supplemental materials, videotapes, etc.

Entries may be accompanied by photographs, artwork, CDs or DVDs.

A local government may submit up to four entries: three in its population category and one in the Communications category.

An entry that is entered in a population category may not be entered in the Communications category.

Entries must be postmarked by **May 24, 2013**.

## The 4 possibilities

Each VML local government has the opportunity to submit up to four entries in this year's competition: three in its population category, plus one entry for the Communications Award. The winner of the President's Award will be selected from the winners of the five population categories.

## Writing & presentation

Although the presentation of your entry will not be the most important consideration of the judges, it will be taken into account. Therefore your entries should have a neat appearance and should be well-written. Photographs or artwork are encouraged.

In writing your entry, be succinct and clear. State the

program's goals and objectives; explain how the project or program was accomplished; and provide as much relevant information about quantifiable results as possible.

Write your entry so that it progresses in a logical manner and tells a story. Your introduction should include background information, such as the need for the project, how it originated, and the goals and objectives. Clearly explain how the project or program was carried out or how a program operates. Also include how the project or program is financed and staffed. Your conclusion should state the results of the project or program.



## Deadline & address

All entries must be postmarked by **May 24, 2013**, and mailed to: VML Achievement Awards, P.O. Box 12164, Richmond, VA 23241 or shipped (UPS, FedEx, etc.) to: VML Achievement Awards, 13 E. Franklin St., Richmond, VA 23219

## Helpful reminders

The staff person who assembles an entry should read both the brochure announcing the 2013 Achievement Awards and the rules for entering at the beginning of this page.

The entry must be signed on the cover page by the chief administrative officer or the chief elected official.

The cover page must show the category of entry, (e.g. Achievement Award - Population 35,001-90,000; or Communications Award.)

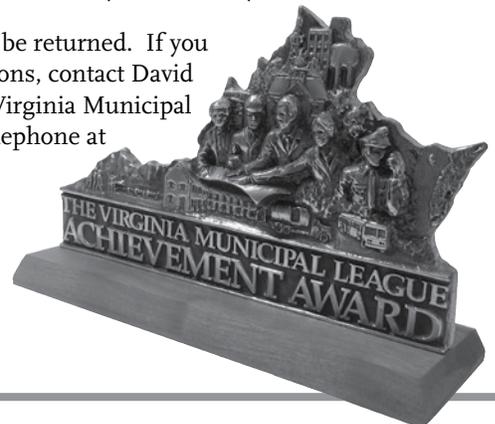
Only one copy of each entry needs to be submitted.

## Final checklist

Does each entry have a cover page showing:

- The title of the entry? The category of the entry? The name of the locality? The signature of the chief administrative officer or elected official?
- Are your entries neatly and securely bound?

Entries will not be returned. If you have any questions, contact David Parsons at the Virginia Municipal League or by telephone at 804/523-8527.



## HOME expanding 42-year fair housing commitment

IN JUNE 2011, a sign reading “House for Rent – Whites Only” was posted in Central Virginia. Although the presence of this sign in the 21st century is uncommon, less overt racial housing discrimination is still widespread across the state and in need of fair housing assistance.

In 2013, the nonprofit fair housing organization Housing Opportunities Made Equal of Virginia, Inc. (HOME), is looking to further its commitment to the now 45-year-old Fair Housing Act through new programs and services. A HUD-approved housing counseling agency and founding member of the National Fair Housing Alliance, HOME seeks to transform communities throughout the commonwealth by uncovering and correcting gaping disparities in housing.

Since 1971, HOME has investigated deep within Virginia’s racially and economically segregated communities in efforts to increase the availability of life’s basic needs, including housing and other housing-dependent opportunities. Where a person lives makes all the difference. It affects the quality of education their children receive as well as access to a range of services. More than 40 years later, HOME still works to ensure equal housing access for all Virginians through new programs, publications and community engagement.

Although specializing in fair housing enforcement and systemic investigations, HOME also provides outreach and education regarding a variety of housing choice topics. Over the years, HOME has developed expertise in fair housing testing, research and analysis, audits and community assessments. With a specialized skill set, HOME has conducted the Analysis of Impediments to Fair Housing Choice studies necessary for six different Virginia localities to comply with CDBG regulations.

In June of 2012, HOME ex-



panded its housing research capacity by launching HOME Consulting Services (HCS). The program’s goal is to research, assess and uncover the extent to which housing discrimination exists in communities across Virginia and the U.S. By reviewing these findings, HCS analysts make sound, data-driven recommendations designed to improve the housing market. HCS recently released the publication *Where You Live Makes All the Difference: An Opportunity Map of the Richmond Region*, a core offering to guide fair housing policy and urban planning. The document additionally served as the foundation for another Richmond housing organization’s 2013 strategic plan.

In the coming year, HOME will endeavor to share these findings with the community. Beginning in April, HOME will present Mapping RVA, a four-month artistic exhibition inspired by the implications of HCS’s Opportunity Map. HOME’s Center for Housing Policy will advance its initiative to educate legislators on housing issues and strengthen partnerships with other fair housing organizations.

HOME serves more than 2,000

families per year facing a variety of fair housing issues. These situations range from tenants being denied their right to a reasonable accommodation to educating and equipping families for successful homeownership and helping homeowners avoid foreclosure. The broad spectrum of housing challenges facing Virginians is the inspiration behind the expansion of HOME’s research and advocacy practices. It is through these measures that the organization takes action to ensure everyone has equal access to the wealth of opportunities a quality home provides.

For additional information, contact HOME at 804-354-0641 or visit [www.phonehome.org](http://www.phonehome.org) 

**Contact:**

Lorae Ponder  
Vice President  
Housing Opportunities Made Equal  
of Virginia Inc.  
626 E. Broad St., Suite 400  
Richmond, VA 23219  
(804) 354-0641 Ext. 142  
[lponder@phonehome.org](mailto:lponder@phonehome.org)

**Longer version of job ads posted at [www.vml.org](http://www.vml.org)**

A complete up-to-date listing of job ads submitted to VML for publication is posted at [www.vml.org](http://www.vml.org). Visit the VML website and click on "Marketplace" to read the complete descriptions of these and other openings.

**Library System Director, Prince William County**

**SALARY:** \$83,714-\$160,242 DOQ/DOE (+) benefits. Lead and manage the county library system with ultimate responsibility for library planning and services. Reqs. an ALA-accredited MLS degree, 5-7 yrs. librarian and managerial exper. in evaluating, planning and administering diverse community library services; and 3-5 yrs. professional supervisory exper. Job brochure at <http://bit.ly/ZQV-IR7>. Full job description at: <http://bit.ly/XzVquD>. Apply online at [www.pwcgov.org](http://www.pwcgov.org). Position # 891523. First screening March 29. Open until filled. EOE.

**Accountant, Bedford**

**SALARY:** \$35,279-\$49848 DOQ/DOE (+) benefits. Seeking skilled professional, preferably with municipal experience. Will be responsible for handling technical and administrative work involving the preparation and maintenance of financial and payroll records for all city depts. Reqs. educ. and exper. equiv. to a bachelor's degree with a major in accounting. Full job description at <http://bit.ly/X838X3>. Download required employment application at <http://bit.ly/16sROLS>. Apply to: City of Bedford, Finance Department, 215 E. Main St., Bedford, VA 24523. Resumes alone not accepted. Open until filled. EOE.

**Water/Wastewater Treatment Plant Lead Operator (Utilities), Winchester**

**SALARY:** \$39,291-\$62,857 DOQ/DOE (+) benefits. Duties include: supervising the continuous operation and maintenance of the facility and subordinate personnel; maintaining PC-based database; making operational checks on equipment. Collect samples, make process changes, make requests for chemical supplies, make determination of chemical adjustment necessary for efficient and economical treatment. Will also assist with equipment maintenance, read meters, dials and gauges, and keep log of readings; reports equipment repair needs to superiors; assists in training new employees. Reqs. valid Class II Operators Certificate or ability to obtain in 18 mos. Also reqs. valid CDL or ability to obtain within 180 days. To learn more or apply, visit [www.winchesterva.gov](http://www.winchesterva.gov). Open until filled. EOE.

**Deputy Sheriff I, Winchester**

**SALARY:** \$35,630-\$57,012 DOQ/DOE (+) benefits. Duties include transportation of prisoners and mental commitments, serving as a court bailiff, and searching inmates. Will also execute and make returns of civil and criminal process, orders, levies and evictions, and perform routine law enforcement duties as req'd. Reqs. certification or ability to obtain within 1 yr. certification in the operation of certain equipment as req'd by DCJS; any comb. of educ. and exper. equiv. to a H.S. diploma or GED. Learn more and apply at [www.winchesterva.gov](http://www.winchesterva.gov). Open until filled. EOE.

**Chief Financial Officer, Williamsburg-James City County Public Schools**

**SALARY:** DOQ/DOE (+) benefits, including VRS. Incumbent leaving for superintendent position in another system. Provides leadership for budget, finance, and business affairs and ensures funding of programs that support the Strategic Plan for a school division with 11,000 students, 1,800 employees and a \$130 million budget. A current resume must be attached to the application. For a complete job description and application details visit <http://bit.ly/WKvE67>. Deadline: April 12. EOE.

**Director of Operations, Rivanna Water and Sewer Authority**

**SALARY:** Negotiable DOQ/DOE (+) benefits. Provides leadership and strategic direction to all operating department managers. Operating depts. include water, wastewater, engineering, maintenance and laboratory. Reqs. bachelor's degree in civil, environmental or sanitary engineering or a related field and/or a degree in business or public administration, with min. 10 yrs. exper. of progressing responsibility in the operation of a water and wastewater utility, including considerable exper. in supervising technical and operating staff. Prefer Va. registered P.E. or a Va. licensed certified water/wastewater operator, or be capable of becoming so licensed or certified within 12 mos. Send confidential resume with cover letter and present salary to: Robert E. Slavin, President, Slavin Management Consultants, 3040 Holcomb Bridge Road, Suite A-1, Norcross, GA 30071; Phone: 770-449-4656; Fax: 770-416-0848; [slavin@bellsouth.net](mailto:slavin@bellsouth.net). Deadline: April 22. EOE.

**Environmental Management System Program Administrator (Public Works), Blacksburg**

**SALARY:** \$27,540-\$34,425 start range DOQ/DOE (+) benefits. Administer environmental management system (EMS) program; manage participation in the Virginia

DEQ Environmental Excellence Program (VEEP); manage environmental projects such as LEED EB; O&M programs for designated town facilities. Reqs. any comb. of educ. and exper. equiv. to bachelor's degree and 3 yrs. exper. in an area directly related to the responsibility of the position; valid Va. driver's license and an excellent driving record. Town application available at the Human Resources Office, 300 S. Main St., Blacksburg, VA 24060 or may be downloaded at [www.blacksburg.gov](http://www.blacksburg.gov). Deadline: April 5. EOE.

**Sustainability Manager (Public Works), Blacksburg**

**SALARY:** \$41,844-\$52,305 start range DOQ/DOE (+) benefits. Supervise daily operations of the Sustainability Division of the Public Works Department; lead town sustainability committees; participate on town sustainability boards. Reqs. any comb. of educ. and exper. equiv. to bachelor's degree and 3 yrs. exper. with sustainability programs and/or climate action planning; and 3 yrs. supervisory exper.; valid Va. driver's license and an excellent driving record. Town application available at the Human Resources Office, 300 S. Main St., Blacksburg, VA 24060 or may be downloaded at [www.blacksburg.gov](http://www.blacksburg.gov). Deadline: April 5. EOE.

**Economic Development and Planning Manager, Strasburg**

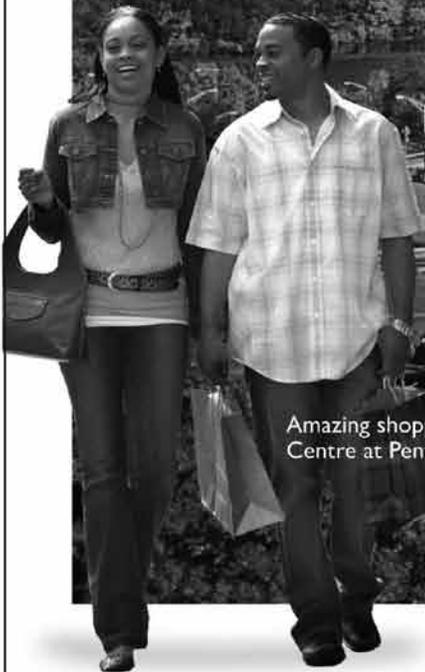
**SALARY:** \$47,624-\$54,650 hiring range DOQ/DOE (+) benefits. (pop. 6,500) New position. Highly-motivated manager will pursue economic development opportunities for town in Shenandoah County that has not pursued economic development at this level before. Reqs. relevant bachelor's degree and min. 5 yrs. exper. in economic development, planning or a related field. Also reqs effective communicator with relevant exper. in economic development for small ambitious, open-minded town. Send cover letter, resume, employment application and supplemental questionnaire via e-mail (PDF format) to [solicitations@strasburgva.com](mailto:solicitations@strasburgva.com). Anticipated start date is around June 1. Visit [www.strasburgeconomicdevelopment.com](http://www.strasburgeconomicdevelopment.com) for more information about the position. Deadline: April 4. EOE.

**SUBMITTALS:** *Submit ads as text files via e-mail to David Parsons at [dparsons@vml.org](mailto:dparsons@vml.org). VML posts job ads on its website at no cost to its local government members. Non-members are charged a flat rate of \$25 per ad, which includes a listing in the VML eNews newsletter and publication in Virginia Town & City (deadlines permitting). VML edits position descriptions in printed publications because of space limitations.*

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# Trying to run city hall from Richmond is a bad idea

**T**WO VIRGINIA LOCAL governments were delivered a cruel lesson on the vagaries of the Dillon Rule during the 2013 General Assembly session. Front Royal and Salem both saw charter amendments, neither of which was out of the ordinary, defeated in the House of Delegates.

Front Royal Town Council asked their delegates to introduce a charter bill that moved town elections to November, specified that elections be non-partisan and made several administrative changes. Salem City Council sought a charter amendment that specified that candidates be nominated only by petition and that political affiliation not be shown on the ballot for local candidates.

The Front Royal request, however, was sidetracked from the beginning. What was introduced did not resemble the request. The bill addressed only the administrative issues – but none of the election issues.

As background, charter bills that originate in the House are heard by the Counties, Cities and Towns Committee, which typically reports the bill to the full house, sometimes with amendments. In this instance, in an unusual move, the committee sent the Front Royal bill to a second committee instead of to the full House.

A House Privileges and Elections subcommittee then amended the bill to move the elections to November in odd-numbered years. The subcommittee also specified that candidates could be nominated either by petition or by political party. While the amended bill did move the elections to November, it ignored the town's plea for non-partisan elections in even-numbered years. The full committee agreed to the amendments and reported the bill to the floor where

it was killed after the Front Royal council protested.

The Salem charter bill sailed through the Senate but stalled in a House Counties, Cities and Towns subcommittee after delegates raised concerns about amending the charter to prohibit party labels on ballots for local offices.

Most charter changes are submitted following a process in the state code that requires that an advertised public hearing be held on the amendments. The council approval of the proposed amendments has to take place in an open meeting. The council then asks an area legislator to carry the charter bill. State law foresees the possibility that a legislator may not agree to submit the legislation or that the General Assembly may not approve the charter amendments. State law outlines how future charter changes could be requested under such circumstances.

The process followed by councils ensures that citizens most affected by the charter change can weigh in on the proposal. And the process is conducted in an open public forum. When submitting the bill request to legislators, the locality even has to submit a publisher's affidavit that shows the public hearing was advertised and a certified copy of the minutes showing the action taken.

Instead of promoting legislation that strays so far from the council request, legislators can simply refuse to introduce the bill. That would be preferable to legislators promoting personal agendas or the agenda of a political party.

House subcommittee meetings are much less accessible for citizens most affected by charter bills. Not only are the meetings held in Richmond, they often take place as early as 6:30

a.m. In addition, there is no notice in a newspaper of general circulation about when the bills will be heard. Final agendas often are not available in time for citizens to make plans to travel to Richmond to testify.

Legislators should think long and hard about substituting their wishes for those of a council that developed a request after soliciting citizen input. If they are so interested in the workings of a city or town government, they ought to run for a council seat instead of the state legislature.

Finally, with regards to non-partisan local elections: Why in the world would legislators want to impose toxic partisan politics on City Hall? There's enough of that in Washington and Richmond to go around. As one state senator said last year in speaking against legislation to require party labels in local elections, no voter had ever asked him to be more partisan. Local response to that legislation said it the best: "In our local elections we are not party connected, we are neighbors serving neighbors." "Party labels have no place in local elections." "It is one of the blessings of local government that they seek the best solution to problems rather than looking toward party platforms and ideologies for answers."

Partisanship at the local level may be good for political parties. It may help ensure that local government officials march in lockstep with state politicians. It does not mean that local governments are better managed and that citizens are better served. 



#### About the author

Mary Jo Fields is director of research at VML.

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