

# VIRGINIA

TOWN & CITY

The magazine of the Virginia  
Municipal League

VOL. 53 NO. 4  
MAY 2018



# It's **not** a wrap

## Legislature adjourns without a budget

**Inside:**  
Innovation Awards  
call for entries





## Introducing CompCare On-Call!

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## About the cover

The 2018 session was supposed to be over and done before now, but it was not to be. The state budget for the 2018-2020 biennium still has to be adopted, leaving local governments in the dark about state aid for shared state-local services such as education, constitutional officers, social services and more. The story starts on page 12.

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## Features



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If all goes well, this historic town will complete a voluntary boundary adjustment later this year.

By Mary Bess Smith and David Tickner

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### 24 Rural communities rally across Southwest Virginia

Communities in southwest Virginia are learning how people in their localities can work together to create a better environment for entrepreneurs.

By Andrew Barnes

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### 2018 VML Innovation Awards

Entries for this year's Innovation Awards are due by August 13. Check out the changes for this year, and start writing up your entries!.

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### 27 Community pulls together for flood clean up

The town of Pennington Gap pulled together a volunteer effort to clean up from a flood last February that left debris on the town's newly-opened greenway and in the

Powell River.

By Keith Harless

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# VML 2019 legislative and policy process gets underway

FINALLY, THE WEATHER is beginning to make us smile and I no longer remember the daily cold walks to the General Assembly building! However, VML must now turn to the 2019 General Assembly session. VML has a legislative committee and 6 policy committees which are truly the guides for VML's lobbying efforts each year. The legislative committee will meet for the first time on May 31<sup>st</sup> to have an update from the last session and begin discussing what the major issues will be for 2019 – our speculation is that the major issue will be tax reform. This committee will also meet on September 6<sup>th</sup> and September 30<sup>th</sup>. Typically, they will recommend the legislative priorities to the VML membership after their September 30<sup>th</sup> meeting.

VML has six policy committees as well which create policy statements that guide our lobbying efforts in a more global fashion. The committees are: Community & Economic Development, Environmental Quality, Finance, General Laws, Human Development & Education and Transportation. These committees will all meet on July 19<sup>th</sup> in the Richmond area. Having these meetings on the same day allows our members to have time to talk with each other and share rides!

Here is an example of our policy statement as it existed prior to 2015.


*“VML urges full state financial support of the ‘599’ program in accordance with the provisions set out in state law. This program is important to local police departments throughout the Commonwealth.”*

In 2015, the Legislative Committee and staff agreed that because the HB599 funding had been so inconsistent the position should be elevated to a legislative priority. This year, it was still a legislative priority as written below:

*“State Assistance to Local Police Departments (HB599). Almost 70 percent of Virginians live in communities served by police departments. The state created a program of financial assistance to local police departments (HB599) when it imposed an annexation moratorium on cities more than 30 years ago. It has increasingly de-emphasized this funding obligation as a priority but has never compromised on the annexation moratorium. VML calls for the state to honor its commitment to local governments and public safety by funding the program as stipulated in the Code of Virginia.”*

There are also times when our jurisdictions ask that VML consider specific issues that have a statewide significance. An example of this would be full funding of state parks; one jurisdiction identified the issue and because there is a statewide impact the legislative committee recommended this to be a legislative priority in 2018.

If you have an interest in participating in these processes or just observing, please do not hesitate to contact me - we can always use inquiring minds!

As I mentioned earlier, VML does think that tax reform will be the major issue during this summer and we fully expect that short-term rentals and wireless may be back. I hope to see you at these summer meetings: We need your input! 



**Reid appointed Richmond clerk of council**



- Reid -

maintaining the original draft of all its ordinances.

**Candice Reid** has been appointed clerk of council for the City of Richmond, effective March 27. She will be responsible for keeping the journal of the council's proceedings and filing and maintaining the original draft of all its ordinances.

Reid began her work with the city as deputy clerk in 2014. She has served as the interim clerk to council since October 2017. Prior to working for the city council, Reid was the director of the Office of Restoration of Rights for the Commonwealth of Virginia from 2012 to 2014. She served as assistant director from 2009 to 2012.

Reid holds a degree in political science from Virginia Commonwealth University.

**Sawyer picked as West Point police chief**



- Sawyer -

part-time as an auxiliary police officer for the police department in West Point.

**Tim Sawyer**, who currently is the building official in West Point, will become police chief in August, according to an article in the *Tidewater Review*.

Sawyer has worked part-time as an auxiliary police officer for the police department in West Point.

Sawyer served three years in the police department in Newport News. He will replace Police Chief Robert "Bobby" Mawyer, who is retiring.

**Breen named city archaeologist**



- Breen -

Breen joined the city in 2016 as a staff archaeologist in the Office of Historic Alexandria and became acting city archaeologist in 2017.


City Manager Mark B. Jinks has announced the appointment of **Eleanor E. Breen** as city archaeologist for the City of Alexandria, effective April 23.

Breen has a bachelor's degree in anthropology from the College of William and Mary; a master's degree in anthropology from the University of Massachusetts, Boston; and a doctoral degree in anthropology from the University of Tennessee, Knoxville.

According to the city press release, in 1977 Alexandria added an archaeologist position and became the first city in the United States to establish an archaeological commission. In 1989, City Council adopted one of the nation's first ordinances requiring the protection of archaeological artifacts during residential and commercial excavation. The city archaeologist directs the nationally accredited Alexandria Archaeology Museum, leads the city staff as well as volunteers, and works with private archaeologists and developers to protect artifacts pursuant to the Alexandria Archaeological Code.

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## Movers and Shakers

### People

Do you know someone who's on the move? Send your announcements about new hires in local government, promotions, retirements, awards and honors to Manuel Timbreza at [mtimbreza@vml.org](mailto:mtimbreza@vml.org).

### Suffolk fire chief announces retirement



**Cedric Scott**, the fire chief in Suffolk, has announced his retirement effective June 1. He has served as the fire chief in Suffolk since 2013.

Scott was fire chief in three Georgia fire departments prior to moving to Suffolk.

He has an undergraduate degree and master's degree in business administration from Mercer University and Wesleyan College, respectively. In addition, Scott has an associate degree in paramedic technology from Gordon College and an associate degree in fire service administration from Macon State College.

Scott plans to move back to Georgia to serve as fire chief in Albany.

### In memoriam

**Jeffrey "Jeff" Davidson**, who served on the town council in Herndon, died April 7 from injuries sustained in an automobile accident. Mr. Davidson worked 30 years in the Defense Technical Information Center, an office in the Department of Defense. He was also a Federal Aviation Administration-certified pilot who built and flew his own airplane. He was elected to town council in 2016.

### Calendar

## Save the dates!

Learn about these opportunities and more at [www.vml.org/events-list](http://www.vml.org/events-list).

**June 6** - FOIA-COIA seminar - Richmond

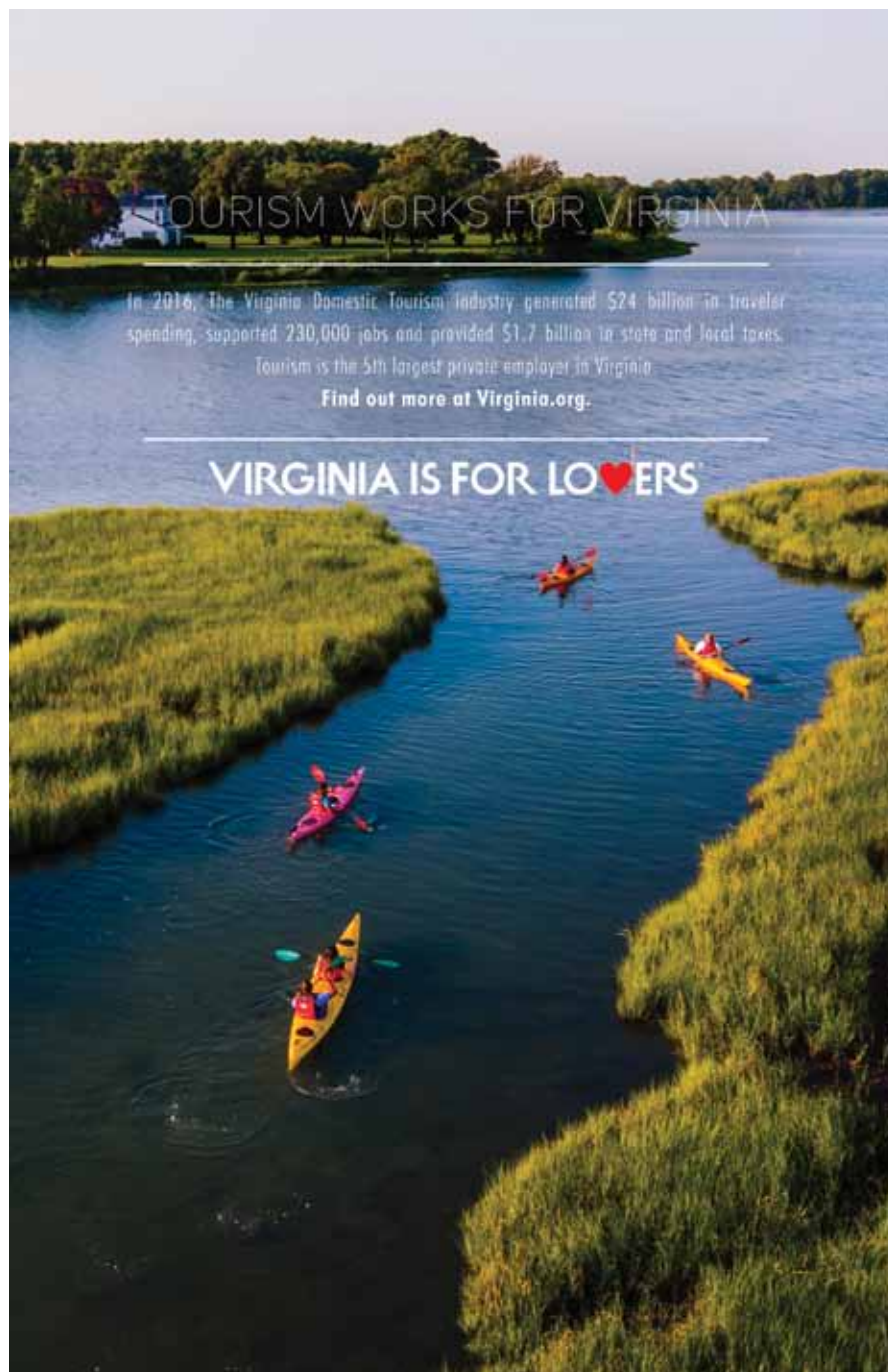
**June 20-21** - 2018 VLGMA Summer Conference

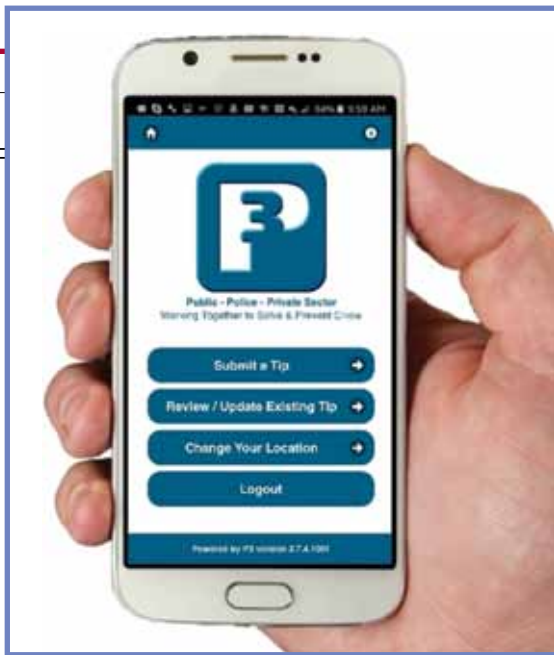
**July 19** - VML Policy Committees

**July 19-20** - VML Institute for Local Officials

**Sept. 15** - VBCOA 89th Annual School and Conference

**Sept. 29 - Oct. 2**  
Mayors Institute and VML Annual Conference





## There's an app for that

THE CITY OF PORTSMOUTH Police Department is using an app named P3 Tips that allow resident to report anonymously information on crimes. The police began using the app last summer and the amounts of tips received has doubled, according to a report on WAVY Channel 10.

In the television report, Portsmouth police spokesperson Misty Holley said that people can submit information, including videos and pictures, at any time, and that using the app looks less suspicious than text messaging or using the telephone.

The news story is posted at <https://bit.ly/2IwgDOo>.

## Richmond chosen as host for 2020 Menuhin competition

RICHMOND WILL HOST the Menuhin Competition, the leading international competition for young violinists on May 14-24, 2020. Nicknamed "The Olympics of the Violin" the competition attracts hundreds of entries from over 40 countries, choosing only 44 of the world's very best young violinists to participate.

The competition is held every two years in a different world city with the purpose of discovering, encouraging and nurturing exceptionally talented young musicians under the age of 22 from all corners of the globe to develop into the next generation of great artists.

A local delegation led by Richmond Mayor Levar Stoney attended the closing event in Geneva, Switzerland, where the announcement of Richmond's successful bid was made.

The bid to host was made by a coalition that included the Richmond Symphony, Commonwealth Public Broadcasting (WCVE), Virginia Commonwealth University and the Uni-



versity of Richmond with an endorsement from the city.

Other cities bidding to host the 2020 event were London, England and Melbourne, Australia.

## Harrisonburg holds open house on stormwater projects



THE PUBLIC WORKS DEPARTMENT in the City of Harrisonburg held an open house meeting on April 26 on two city stormwater projects planned for Thomas Harrison Middle School grounds. Citizens were invited to attend the open house to learn more about the stormwater projects and how the city uses stormwater utility fee funds to improve local water quality and meet federal and state requirements. The event was an open house format with no formal presentation.

## Farmville recognizes National Poetry Month

FARMVILLE TOWN COUNCIL recognized the month of April as National Poetry Month in the Town and celebrated “Poem in Your Pocket Day” on April 26th. In honor of that day, typed poems were distributed to local businesses to be handed out to patrons. In addition, volunteers walked around the different areas of town handing out poems to pedestrians. National Poetry Month is known to be one of the largest literary celebrations in the world.



## Waynesboro hosts Petpawloosa

THE WAYNESBORO PARKS and Recreation Department held its 3rd annual Petpawloosa at a city park earlier this month. The event included performances by the Marvelous Mutts Stunt Show, a canine sport entertainment group that features canine athletes, all adopted from shelters and rescues. Among the day’s other events were Bernese Mountain Dog working dog demonstrations, a mini-rally course by a dog obedience training club, pet contests, pet caricatures, pet adoptions and a variety of vendors of products and food.



## Smart Cville to host second civic innovation day

SMART CVILLE, a non-profit organization in Charlottesville, will hold its second Civic Innovation Day on June 2 at CitySpace on the downtown mall. Smart Cville is a citizen-based organization that promotes the use of technology to make cities better places to live.

The event on June 2 will examine a variety of topics. First, regional transit challenges and solutions will be explored to answer the question of how residents can understand local transit options and how to best access transit service. Second, Albemarle County is working on a Small Area Plan to revitalize the Rio Road/Route 29 area as a connected, mixed-use community. The area’s history is buried under big boxes and asphalt – how can technology be used to bring that history back to life, create avenues for citizen engagement, and inform future design and community identity? Third, the Charlottesville Fire Department regularly assesses fire risks to life and property and numerous data sets are available. How can all the data that is available be made regularly available to local experts in the fire service?

Sponsors for Civil Innovation Day include area businesses and the City of Charlottesville. Additional information is available at [www.smartcville.com/charlottesville-civic-innovation-day-2018/#challenges](http://www.smartcville.com/charlottesville-civic-innovation-day-2018/#challenges).





## Council designates Make Danville Shine month

TO EMPOWER LOCAL COMMUNITIES to come together and have a meaningful effect on their neighborhoods, the City of Danville designated May as Make Danville Shine month and, further, offered neighborhood associations a Make Danville Shine packet that included tools to help residents clean up, paint up, and fix up their neighborhood. The first five neighborhood groups that registered to participate received a \$25 gift card to a local home improvement store. Additional information is posted at <https://makedanvilleshine.com>.

## Lynchburg city employees volunteer with tornado clean-up

LYNCHBURG CITY employees on April 21 volunteered to assist residents affected by the recent tornado. Employees volunteered to help residents bring storm debris and brush to the curb for later pickup. Residents needing assistance could ask for help by calling the City's Citizens First Customer Service Center or through an on-line process.

In addition to city employees, the city held a "Love Where You Live!" community cleanup event on the same day. Residents were encouraged to come to the city's public works complex for an assigned location, safety vests, litter grabbers, gloves and orange bags. Residents also could drop off old tires at this location.



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## Communities honored for economic development efforts

THE VIRGINIA ECONOMIC DEVELOPERS Association (VEDA) announced the selection of Prince George County; the City of Danville; and Suffolk, Franklin/Southampton County and Isle of Wight County as winners in three different population categories of the 2018 Community Economic Development Awards (CEDA), presented in April during the association's spring conference in Henrico County.

Prince George County was recognized in localities with a population of 15,001 to 40,000 for its efforts to provide residential/commercial broadband service to rural areas while addressing the fundamentals of community development. The county partnered with Prince George Electric Cooperative (PGE) to enter into a pilot project to provide broadband service to a defined area. The county and PGE have requested a grant to extend the service throughout the County in phases.

The City of Danville received an award for localities from 40,001 to 100,000 for its program aimed at supplying highly trained and qualified precision machinists to companies. According to a city press release, the precision machining program is unique in the nation. Students can complete the studies required to achieve Level 3 NIMS certification within two years of finishing high school and

incur total college expenses of approximately \$6,000. Since the program started three years ago, Danville has recruited four companies, employing more than 100 certified machinists.

The award for localities with populations greater than 100,000 was presented to the Suffolk, Franklin/Southampton County, and Isle of Wight County program. These localities partnered with Paul D. Camp Community College (PDCCC) to support the establishment of a 5,000 square foot PDCCC Regional Warehouse and Distribution Training Facility. PDCCC was able to lease an unused warehouse and create several training and certification programs to meet the manufacturing, warehouse, and distribution needs in the region. Additionally, area economic developers use the training facility as a site-visit location for consultants and companies who come to the area looking to start a new business, relocate, or expand operations.

Henrico County received an honorable mention for its program to reinvent business and expansion. The Business First, Legacy, and State of the County programs show the county's reinvigorated commitment to serving and building relationships with its existing businesses, according to the judges.

## Suffolk employees help clean up downtown

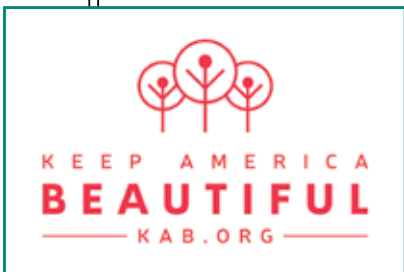
EMPLOYEES FROM THE CITY of Suffolk participated in the National Walk at Lunch Day in April by picking up trash in the downtown area. Armed with buckets and trash pickers, employees volunteered to walk a one-mile loop and pick up trash along the way.

The walk was part of Suffolk's employee wellness program and was cosponsored by the city's public works department. The walk

was part of the "Great American Cleanup" campaign, which encourages volunteering to help make communities cleaner and better places in

which to live, work and play.

More information can be found at <https://bit.ly/2FQqMVn>.



## Winchester mayor starts fitness challenge

WINCHESTER MAYOR John David Smith, Jr. has recently taken his own journey to get healthy and is now encouraging local residents to do the same through his new Fitness Challenge. Local residents can register with the challenge and start setting goals, logging time and activities and earning badges for reaching milestones. Check out the five programs to be offered this May-November 1 at <https://www.winchesterva.gov/mayor-fitness-challenge>. Residents can walk with the mayor, set up their own neighborhood walking group, participate in fitness activities at city parks, promote family activities and encourage healthy eating and weight loss.





## Fairfax mayor takes Mayors Monarch Pledge

FAIRFAX MAYOR David L. Meyer has joined community leaders nationwide in taking the National Wildlife Federation (NWF) Mayors Monarch Pledge. Monarch butterflies are found nationwide, but NWF estimates their numbers have dropped in recent years by as much as 90 percent or more. Monarch butterflies face numerous threats, particularly loss of habitat due to agricultural practices, development, and cropland conversion. Meyer has pledged that

the city will enact at least three specific items to help save the Monarch butterfly and other pollinators.

The city already has three butterfly gardens and encourages city residents and business owners to plant and cultivate milkweed plants, which are the exclusive diet of Monarch butterfly larvae. The city also allows domestic beekeeping and has established beehive permits and guidelines.

Additional information is available at <https://bit.ly/2KfwF0H>.

## Alexandria to assess community health

THE ALEXANDRIA HEALTH Department kicked-off the beginning of a community health assessment process this past April. The event was held to introduce participants to the year-long process of assessing community health and to learn about the main health concerns of the city's residents.

Over the next year, Alexandria will develop a comprehensive Community Health Assessment. The process represents a grassroots effort to identify and address key health issues affecting Alexandria residents. The assessment will gather information ranging from quality of life to prevalence of risk factors, causes of health inequity, and

the effectiveness of public health systems across Alexandria.

The assessment framework, used by communities and local health departments around the country, aims to ensure that the process is community-driven, with representation from all voices in Alexandria. This assessment process lays the foundation for improved health throughout the community.

Additional information is available at <https://www.alexandriava.gov/Health>.



## Petersburg, Hopewell and Sussex County team up to help seniors

THE POLICE IN Petersburg and the sheriff's offices in Petersburg, Hopewell and Sussex County recently joined forces with the Crater Area Agency on Agency and the

Petersburg TRIAD to collect items to give to seniors in need in the area. The event, called Stuff a Cruiser, collected non-perishable items such as toothbrushes, light bulbs, toilet paper, foil and plastic wrap, non-perishable snacks, tea bags, soap, paper towels, body lotions and trash bags at a local Wal-Mart.



## Prince George holds litter forum

THE PRINCE GEORGE COUNTY Police Department and the Prince George County General Services hosted roundtable discussions on litter prevention and litter clean-up in early April at a local library. The purpose was to facilitate sustainable action from community stakeholders to keep the county beautiful. The overall goal was to educate, prevent, and clean-up litter. Prince George Clean Community Day was held April 21.



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# VBCOA named ICC chapter of the year

**M**ORE THAN 160 building and code officials met in Charlottesville for their mid-year conference on April 30 and heard some wonderful news – the Virginia Building and Code Officials Association received the Chapter of the Year award from the International Code Council (ICC)! The award recognizes extraordinary performance by a chapter in promoting the goals and mission of ICC and is the highest honor an ICC chapter can receive.

The VBCOA Board of Directors met April 29 and a welcoming reception in honor of Bill Shelton was held that evening in advance of the conference. Mr. Shelton, who recently retired as director of the Virginia Department of Housing and Community Development (DHCD), was presented with a resolution and a VBCOA hammer in honor of his work in advocating for housing and investments in local economies throughout Virginia.


**Gregg Fields presents resolution to retired DHCD Director Bill Shelton.**

The conference on April 30 included a general session on leadership and mentoring and break-out workshops on using drones for inspections, fireplace inspections and trusses.

In addition to the educational sessions, the conference included a general membership meeting. VBCOA presented its Region of the Year award to the Northern Virginia regional chapter (Region V), in recognition of the work of the chapter in advancing VBCOA's goals. The Central Virginia chapter (Region VI) received the merit chapter of the year award.

At the membership meeting, the association also voted

to institute the Emory R. Rodgers Code Legacy Scholarship program, under which scholarships for attendance at the ICC code development hearings will be given annually to VBCOA members actively involved in the ICC code development process. Mr. Rodgers, who passed away in March, was a former president of VBCOA and a former deputy director of the DHCD. Throughout his career he emphasized the importance of Virginia building and code officials' involvement in the development of national building codes. A resolution of appreciation also was presented to Mr. Rodgers' wife, Cindy.

Alexandria Director of Code Administration Gregg Fields is the 2017-2018 president of VBCOA. Grayson County Building Official James Moss is the second vice president and was responsible for developing the educational program. VBCOA is an affiliate member of VML; Sandra Harrington, VML government liaison associate, serves as executive director. VBCOA's website is [www.vbcoa.org](http://www.vbcoa.org). 



**(L-R) Matt Westheimer, James Moss, Cindy Rodgers, Gregg Fields, Pete Mensinger.**



**Participants engage in a discussion at the VBCOA business meeting on April 30 in Charlottesville.**

# 2018 GENERA

**Not quite a wrap**  
**Action still to come**



# AL ASSEMBLY

**A** TOTAL OF 3,722 BILLS AND RESOLUTIONS were introduced in the 2018 General Assembly session. While 850 bills were approved, 206 continued to the 2019 session, and 1,683 failed, a more crucial bill – the budget bill for the 2018-20 biennium – remained unresolved at adjournment and continues unresolved as this publication went to print.

As usual, local governments had their hands full responding to legislative proposals to limit local land use authority and the ability to implement measures to better ensure building safety and public health, as well as a measure to impose new mandates regarding financial records postings.

Three broad issues of national focus also will be the focus of the state in the coming year: federal tax reform and its impact on Virginia tax law and policy, Line of Duty benefits, and school safety. None of these issues formally came through a committee but were championed by members in the leadership of the House or Senate.

For example, Speaker of the House Kirk Cox has established a select subcommittee of House members to study school safety issues, including emergency preparedness and school security infrastructure but specifically not issues related to guns or broader behavioral health policy. In the meantime, Delegate David Toscano, the minority leader in the House, announced the formation of a working group that will examine gun violence and school safety.

Numerous other issues will be studied in the interim as well. SJ75 by Senate Majority Leader Tommy Norment establishes a two-year study of the ethics laws in Virginia. The Conflict of Interest and Ethics Advisory Council has many members who have expressed the need to “redo” the laws rather than trying to fix the current law. While arguably the study language only relates to General Assembly members and state employees, it most likely will “bootstrap” in local governments and their employees.

Speaker of the House Cox and Senator Norment have convened a joint House and Senate committee to study election issues. The study will include the acceptance of absentee ballots, the assignment of voters in split precincts as well as recount law and procedures.

Delegate Chris Head has set up a work group considering usefulness of newspaper advertisements and how the internet has affected public notices. This group includes newspaper officials as well as VML and VACo.

The FOIA Council will study various issues including the definition of “custodian,” defining “public records” and the proposed requirement for public comment at every public body meeting.

Following the introduction of several bills amending the current proffer code section, the Senate Local Government Committee decided to have a “proffer party” before the next session. VML, the homebuilders and other stakeholders will meet over the summer to discuss issues with the current proffer law.

The Virginia Pretrial Services Stakeholders Group is continuing its study of pretrial services and has already scheduled meetings for July and September.

The Virginia Housing Commission will look at accessory dwellings, the Manufactured Home Lot Rental Act, nuisances, affordable dwelling units and eviction – and more.

Senator Bill Stanley, chairman of the Senate Local Government Committee, has set up a school facility modernization subcommittee that will have as one goal the introduction of legislation on school infrastructure for consideration during the 2019 session.

But that’s all for next year! For now, what follows is a summary of legislation that VML staff followed most closely this session. A longer report will be published on VML’s website, and a separate summary of the 2018-20 budget will follow once the General Assembly comes to an agreement.

## Land use & zoning

HB1258 and SB405 eliminate most local control over the installation and operation of new wireless structures. VML fought these bills all session, but the fix was clearly in. Governor Northam offered amendments, which were accepted, that addressed a primary problem with the bills. The amendments ensure that for-profit wireless carriers are compared to similar users and not to utilities (which are covered by franchise agreements). In addition, an amendment sets up a stakeholders group to develop a plan for expanding access to wireless services in unserved and underserved areas.

HB1427 (Kilgore) and SB823 (McDougle) are companion bills – in part – to HB1258 and SB405. As originally enacted, the bills capped the fees for use of state and local rights-of-way. Governor Northam’s amendments removed city- and town-owned public-rights-of-way from the measures, leaving the cap on fees just for the use of state rights-of-way. These amendments were approved at the April 18 veto session.

HB1595 (Wilt) and SB972 (Obenshain) prevent localities from passing local ordinances to regulate landscaping materials. It is limited to real property owners who have an occupancy permit as of January 1, 2018. The General Assembly rejected amendments by the Governor that would have narrowed the scope of the bill, and the possibility of a veto remains.

SB429 (Stanley), SB179 (Stanley), HB508 (Hodges) and HB509 (Hodges) encroach on local governments’ authority to regulate solar facilities by allowing for rooftop solar by right. Unless there is a local ordinance for ground-mounted solar, the review is very minor.

SB211 (Stuart) authorizes localities to show in their comprehensive plan recommendations for groundwater and surface water availability, quality and sustainability. Further, the bill requires the local planning commission to survey and study these issues in the preparation of the comprehensive plan.

HB164 (Yancey) and SB529 (Mason) remove the current requirement for an affidavit stating that the applicant for a building permit is not subject to licensure or certification as a contract or subcontractor. Only a written statement would have to be filed.

HB609 (Carr) and SB391 (Barker) create a statewide standard for the installation and maintenance of smoke and carbon monoxide alarms in rental property. If a locality has an ordinance then it must conform it with these state standards by July 1, 2019.

HB683 (Pogge) and SB921 (Ebbin) delete language in the current statute (§ 36-105.3) that designates single family residential engineering and construction drawings submitted for the purpose of complying with the Uniform Statewide Building Code and the Statewide Fire Prevention Code as confidential. The drawings would still not be subject to the Freedom of Information Act, so the bill is expected to have minimal effect.

HB709 (Bell, JJ) increases the maximum fine from \$1,500 to \$2,000 for failure to remove or abate a zoning violation after 1) conviction, 2) failure to remedy the violation within the timeline specified by the court; and 3) failure to meet the first succeeding 10-day period.

HB796 (Hope) requires that consideration be given for the need for reasonable modifications to requirements necessary to accommodate persons with disabilities when preparing a

zoning ordinance. Variances shall be granted to alleviate a hardship requested by a person with a disability.

SB993 (Reeves) prohibits a planning commission from delaying the official submission of any proposed plat, site plan, or plan of development by requiring pre-submission reviews.

HB640 (Boysko) requires a local comprehensive plan to include strategies to provide broadband infrastructure. The bill requires planning commissions to include broadband infrastructure among the issues they examine.

Bills in the area of land use and zoning area that did not survive the session would have amended the code section dealing with proffers, increased the maximum fine for zoning violations, expanded the opportunity for affordable dwelling unit ordinances and required localities to waive stormwater fees for airports.

## Transportation

HB1539 (Hugo) and SB856 (Saslaw) 1) develop a prioritization process for the use of Commonwealth Mass Transit Funds; 2) establish a process to allocate Commonwealth Mass Transit Funds for WMATA and other transit systems for operating and capital purposes; 3) require transit agencies in urban areas to develop and submit strategic plans; 4) transfer \$20.0 million annually from the Northern Virginia Transportation District Fund to the newly created WMATA Capital Fund; 5) reform WMATA’s budget process and provide oversight by the Northern Virginia Transportation Commission; and 6) set up a Commuter Rail Operating and Capital Fund to assist the Virginia Railway Express. Although the General Assembly rejected some of the amendments submitted by Gov. Northam to these bills, the Governor is not expected to veto these bills.

The bills also include several policy declarations tying the money for WMATA to Metro’s performance and to the actions of Maryland and the District of Columbia to provide funds for the rescue.

The legislation also sets up a Transit Service Delivery Advisory Committee to advise the state on the prioritization process for deciding allocations from the Commonwealth Mass Transit Fund. The bills authorize VML and three other associations to appoint members to the Committee.

HB765 (Jones, C) expands the responsibilities of the Office of Intermodal Planning and Investment of the Secretary of Transportation; clarifies the residency requirements for the urban and rural at-large members of the Commonwealth Transportation Board; and stipulates that the Six-Year Improvement Program will only commit funding from the State of Good Repair Program, the High Priority Projects Program or the Construction District Grants Programs if the commitment is enough to complete the project or program.

SB896 (Wagner) sets a “price floor” using the February 20, 2013, statewide average sales price for gasoline for calculating the two regional gas taxes authorized by the 2013 General Assembly session. This means if the current market price falls below the “price floor,” then the price floor will be used instead of the current market price.

HB1276 (Garrett) and SB504 (Carrico) require VDOT to



form a stakeholder workgroup to study various issues relating to the use of heavier trucks on Virginia's streets and highways. The Senate bill originally would have enabled the state to participate in a federal pilot program studying the effects of heavy trucks on infrastructure and safety. VML will participate in the workgroup.

## FOIA

HB905 (Robinson) specifies what can and cannot be considered a trade secret.

HB906 (Robinson) amends the definition of electronic communication to include the use of technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities to transmit or receive information.

HB907 (Robinson) consolidates existing provisions regarding public meetings conducted by electronic communication means.

HB908 (Robinson) revises annual reporting requirements for public bodies that meet by electronic communication.

HB909 (Robinson) clarifies that the discretionary exemptions contained in the Freedom of Information Act pertaining to law-enforcement and criminal records may be used by any public body. Current law permits only public bodies engaged in criminal law-enforcement activities to use these exemptions.

HB1277 (Garrett) facilitates the sharing of data among state agencies and between the state and political subdivisions.

HB780 (Habeeb) and SB564 (Obenshain) address custodial issues and require the clerk of court to make non-confidential records available. Further, by July 1, 2019, the Executive Secretary of the Supreme Court is to make available an online case information system of non-confidential information for criminal cases.

The FOIA Advisory Council will study numerous bills that did not survive the legislative process, including bills to increase penalties, require public comment periods, require the FOIA council to issue formal advisory opinions, set up a FOIA ombudsman, change the definition of public records, limit charges that could be collected for production of records, and define “custodian.”

## Conflicts of Interest

HB990 (Gilbert) and SB298 (Norment) clarify that the Virginia Conflict of Interest and Ethics Advisory Council can only provide extensions for filing disclosure forms, not for filings by candidates for office that are not filed with the Council.

HB992 (Gilbert) clarifies that a person is only required to file one form per year despite the number of positions they hold in a year.

SJ75 (Norment) sets up a two-year, eight-member subcommittee (six legislators and two non-legislators) to study the Conflict of Interests Act, especially the disclosure requirements for General Assembly members and reporting requirements for lobbyists.

## Local authority

HB594 (Carr) and SB451 (Dance) grant localities expanded tools to address properties being used for commercial sex trafficking or prostitution.

HB220 (Morefield) and SB371 (Chafin) allow localities to establish and regulate various water-related activities on property adjacent to public waterways. The bill also expands to park authorities the exemption for liability for conduct of these activities.

HB1241 (Hugo) prohibits localities from banning noncommercial fundraising carwashes if the cleaners are biodegradable, phosphate-free and water based.

SB149 (Edwards) would allow localities to adopt ordinances to designate no smoking areas in outdoor venues and requires that any penalties collected as the result of violations of the ordinance would be spent on public health. The bill has to be reenacted in the 2019 session to go into effect.

The Governor vetoed a bill that would have prohibited localities from adopting any ordinance, procedure, or policy that restricts the enforcement of federal immigration laws to less than the full extent permitted by federal law, and another that prohibited localities from entering into contracts that required a living wage.

Bills affecting local authority that were not enacted would have changed the local grievance procedure, required larger localities and school boards to post checkbook registries on line in a particular format, expanded the sale of fireworks, prohibited the state and localities from asking job applicants about arrests or convictions until a conditional offer of employment had been made, allowed localities to prohibit the use of plastic shopping bags, and allowed localities to remove monuments.

## Taxation and finance

HB489 (Hurst) permits a local treasurer or director of finance to enter into an agreement with DMV to have the DMV Commissioner refuse to issue or renew vehicle registrations for persons with local delinquent taxes or fees. Current statutes target vehicles rather than the drivers who are delinquent in paying their taxes and fees. HB489 flips the focus from cars to drivers.

HB222 (Morefield) and SB883 (Stanley) allow certain eligible companies operating in qualified localities to apportion Virginia taxable income using modified apportionment factors to drive down their tax liabilities. The bills would also allow employees of such companies a special individual income tax subtraction.

HB1179 (Pillion) and SB448 (Chafin) allow localities to establish school revitalization zones in which incentives can be used to encourage private sector redevelopment of abandoned schools.

HB763 (Jones, C) creates a Revenue Reserve Fund that can

be accessed by either the General Assembly (while in session) or by the Governor (when the General Assembly is out of session) to meet a revenue shortfall in the budget of two percent or less of general fund resources collected.

Numerous finance/revenue-related bills did not survive the process. Governor Northam vetoed a bill that would have required specified localities to assess golf courses as open-space, even if the locality had not adopted open space assessments. Other bills affecting finance or revenues that were not enacted would have applied the communications sales and use tax, absolved the taxpayer from having to show that the assessment of real property is a result of manifest error or disregard of controlling evidence and exempted new small businesses from paying various taxes, including local license taxes.

## Procurement

HB134 (Bell, JJ) and SB125 (Black) raise the threshold for value engineering for state highway projects from \$5 million to \$15 million. The bills also exempt projects that are design-build or done through the PPTA from the value engineering requirements.

HB97 (Bell, JJ) increases the maximum permissible aggregate or sum of single or term contracts for professional services without having competitive negotiation to \$80,000. The current maximum is \$60,000.

SB688 (Ruff) and HB574 (Hodges) adds stream restoration and stormwater management to a list of projects in which cooperative procurement is allowed.

A procurement bill affecting the negotiation of professional services that died during the session would have allowed a public body to negotiate simultaneously with the top two ranked offerors if nonbinding estimates of total project costs are not requested or discussed at the discussion stage, and if the process is set forth in the Request for Proposal.

## More bills of interest

SB726 (Dunnivant) broadens the number of conditions for which medical practitioners may issue written certification for use of cannabidiol oil or THC-A oil. In short, it lets the medical practitioner decide what conditions would benefit from the use of such oils.

SB105 (Suetterlein) raises the threshold for commission of a petit larceny from the current \$200 to \$500.

SB983 (Obenshain) requires counties and cities to adjust local election district lines to the congressional and state legislative district lines established by the General Assembly to eliminate split precincts. The bill also sets up a process for the locality to request a waiver from the requirement from the state Department of Elections, if the locality cannot eliminate the split precinct.

HB1598 (Jones, C) and SB106 (Suetterlein) set out criteria for the redistricting that will take place after the 2020 Census. The criteria include population, meeting requirements for racial and ethnic fairness, respecting existing political boundaries (county, city, town, precinct) as much as is possible and contiguity. Consideration “may” be given to communities of interest as well. The General Assembly did not adopt amendments sent down by Gov. Northam that would have prohibited redistricting that favored or disfavored a political party or incumbents. The Governor, therefore, could veto the measures, although that is unlikely.

HB1475 and SB344 direct the Virginia Department of Environmental Quality to allow municipal wastewater systems more time to comply with proposed Federal clean water regulations and ammonia mitigation improvements. It is not clear, however, if the current administration will continue with the process in the first place. If EPA does move for compliance, then the legislation will allow the Commonwealth to oversee compliance and allow localities more time to comply.

Other bills in this “miscellaneous” category that didn’t make it through the process would have required political party identification on local ballots, except where the provisions of a local charter provide to the contrary, reduced penalties for first-time possession of marijuana to a fine and made first-time offenses eligible for expungement, established a grocery incentive fund, required CSBs to provide mental health services in jails and broadened Line of Duty Act benefits.

# Fincastle boundary adjustment nears completion

**B**ARRING ANY LAST-MINUTE problems, the town of Fincastle will increase its size from the current 151 acres (.24 square miles) to 1,318 acres (2.06 square miles) following a voluntary boundary adjustment reached with Botetourt County this past January. The population of the town will rise from approximately 360 to approximately 570, and about 200 completely new residential and commercial property owners will become part of the town.

The Fincastle Town Council unanimously endorsed the boundary adjustment at its January 11, 2018 meeting, and the Botetourt County Board of Supervisors unanimously endorsed it at its January 23, 2018 meeting. The town staff is now overseeing the surveying, mapping and platting that must be done before the submission of information to the circuit court for approval of the agreement.

Just about 12 years earlier, the town initiated a similar process, but the Botetourt County Board of Supervisors rejected the agreement on a 3-2 vote.

## Background

Fincastle, the county seat of Botetourt County, is a town of 353 people (as of the 2010 census). The town came into being

in 1772, and the boundary of the town today is the same as in that year. In 1969, the entire town was listed in the National Register of Historic Places. The streets of the town, according to an article in the *Roanoke Times*, are lined with more than 50 buildings built from the late 1700s to the early- to mid-1800s.

Historic preservation and retaining the character of the community are important issues in Fincastle.

One of the major functions the town offers is water and sewer services, including provision of those services beyond the town's boundary. The proposed boundary adjustment would extend the town's corporate limits to include much of the area that already receives water and sewer services from the town. Indeed, town officials have cited these reasons for the boundary extension:

1. To encompass the existing service area of the town's water and sewer system
2. To better facilitate sustainable and compatible growth around the U.S. Route 220 corridor in and around Fincastle
3. To ensure that decisions regarding growth and development have direct input from those most affected by it.

The comprehensive plans of both Fincastle and Botetourt



The Town of Fincastle skyline, including front entrance to the Botetourt County Circuit Courthouse.

County place a priority for development around the provisions of these services. Town documents assert that the boundary adjustment will allow for greater coordination and planning of development of the area. With the expanded boundaries, the town will be able to enforce its wellhead protection plans for the two town wells, which are both located outside the town limits, and will be able to minimize the effect of development on its wastewater treatment plant and water distribution tank. Neither of those two are currently within town boundaries. At the same time, care was taken to fit the proposed boundary line adjustment to places that already identified with the town.

### The voluntary boundary adjustment process

According to the Commission on Local Government, the voluntary boundary adjustment process is also known as “simple boundary line adjustments.” This process allows localities to adjust their boundaries with one another, among themselves and without any negotiated terms, which would require review under the voluntary settlement agreement process. Simple boundary line adjustments do not require review by the Commission on Local Government unless the location of the boundary is not agreed upon by the localities.

Under Code of Virginia, § 15.2-3106, each locality had to advertise the intention of adopting an agreement and notify the property owners affected about the proposed boundary adjustment. After the agreement is approved by the governing bodies, the stage at which the process in Fincastle is now in, each jurisdiction has to petition the circuit court for approval. The case is decided by a single judge, who is limited to deciding whether the order establishing the new boundary line complied with the advertising requirements and that the petition

to the court is in proper order. There is a provision where the owners of one-third of the affected parcels can object to the boundary change and can be allowed to intervene and show cause why the boundary should not be changed.

### A grass roots effort laid the groundwork

What made the difference in having the Board of Supervisors back in 2005 go from a 3-2 vote against approving an agreement to the board in 2018 unanimously approving the agreement?

This was not a process that took six months, or a year. The town has been laying the groundwork for at least seven years. Every change to the town code, zoning ordinance, subdivision regulations, and comprehensive plan has been carefully considered not only from the view of the effects of the regulations in town but also in areas that are near the corporate limits. Quite often, new town regulations mirrored those of Botetourt County to make the transitions and movement between the two governments and rules seamless.

Additionally, the town council, planning commission and interested citizens developed a grass roots approach to reaching out to the community. The grass roots effort included a community meeting for people who would be affected by the boundary line adjustment and for current town residents. At that meeting, town officials staffed several stations set up around the room, where citizens could talk one-on-one with various experts about different issues and concerns, such as zoning, taxes, water and sewer, land use, and so forth. Council felt that this informal sort of meeting could allay concerns that might have developed and give concerned citizens the opportunity to interact with staff and elected officials in an informal and friendly way. The community meeting, which was well-

## Boundary adjustments: How to accomplish your goals

- Develop a clear and compelling case for your boundary adjustment, based on the unique needs of your community. Keep it short – less than 5 compelling reasons that clearly show your need.
- Ground the proposed boundary in a rational and not over-reaching map. For example, Fincastle looked at its already-defined water and sewer service area.
  - We were also providing sewer to many customers outside of our current town limits. This was very important to validate our map.
  - Try to take in areas that already identify with the town – and try to exclude large farm tracts, etc. that aren't like properties that are already in town.
  - If your proposed map is too large, it will never get it approved!
- Read and study the county's comprehensive plan and learn how town needs are different from the county's, and therefore, are best met by town government.
- Establish a professional town staff and hire the best town manager you can find and town attorney you can.
- Have your financial statements audited by an established firm of certified public accountants.
- Be sure that your zoning ordinances are up-to-date and include provisions for different types of zoning found in the County even if the town does not currently have those kinds of provisions.
- Develop a long-range infrastructure plan – include plans for expanding your services, and/or replacement of existing assets. Get professional help in putting this together. Make sure that your rate structure is designed to pay for both your normal operations, in addition to long-range goals. This is very, very important.
- Don't promise something that can't be delivered – services cost money, and people don't like taxes.
- Town residents were surveyed to get their input into what they wanted for Fincastle and a town mission statement and objectives were developed. This also helps you sell your story.



## Fincastle

attended, lasted several hours and generated considerable discussion. While most of the questions and concerns were addressed at the meeting, staff took the time to follow-up on any issues that were left unresolved. This gave the potential new citizens of the town the opportunity to be heard, generate ideas and feel more comfortable with the proposal.

In preparation for the meeting, the town developed several documents including one that detailed what would – and wouldn't – change if the town's boundary was changed. That document, which also was posted on the town's website, addressed directly issues that would or could be raised and helped allay fears and misconceptions about a boundary line adjustment.

For example, the town does not assess real estate, machinery and tools, or merchant's capital taxes, so neither the tax rate or method of payment would change. The town and county charge the same vehicle license fee and food and beverage tax, so the taxpayer would not see any difference in the amount of taxes collected. Building code enforcement and enforcement of erosion and sediment control requirements would continue to be performed by the county. Voters would continue to vote for county officials – such as a member of the board of supervisors and school board as well as for the constitutional officers. People brought into the town because of the boundary change, however, also would be able to vote for members of the town council and would be able to run for office.

The document explained that town water and sewer rates currently are the same for people inside and outside the town boundaries, so those rates would not change. The fees for new connections, however, are lower for town residents than for people outside the town boundaries, so residents in the area that would be affected by the boundary change would have a lower connection fee. Further, the town currently charges a lower business, professional and occupational tax and a lower transient occupancy tax than does the county, so those taxpayers would see a decrease in tax liability.

### The county was an invaluable partner

Botetourt County itself was a huge partner in the success of this initiative. Town officials met with staff and elected officials several times to discuss a reasonable boundary, potential impacts, and ways to proceed. Simplicity was also the key. A mutually agreeable boundary adjustment, where both governments are in agreement, was the chosen option. The town also prepared the simplest possible agreement. The document itself refers to a boundary adjustment...period. Many such agreements stipulate agreements for taxing, revenue sharing or services. The boundary adjustment agreement includes none of this, which simplified greatly the negotiation process.

The grassroots effort was so successful that at the public hearing held by the town, only two citizens spoke. At the Botetourt County Board of Supervisors hearing, more than 20 citizens




All of Fincastle is listed in the National Register of Historic Places.

were present in support, and not a single negative comment was received.

The minutes of the January 23 meeting of the Botetourt Board are very telling; Fincastle Mayor Mary Bess Smith gave a detailed presentation on the proposed boundary adjustment and the potential effects on residents that would be brought under the town's jurisdiction were the boundary lines to be changed. The county public hearing on the proposal was held after the presentation, and the only person to speak was one man who said he was there to talk about another item on the agenda, but that he was in favor of the boundary adjustment at that time.

### What the future holds

Once the final surveying, mapping and platting is completed, the agreement will be submitted to the circuit court, and barring any last-minute snags, the agreement should go into effect later this year. The town and its residents will be able to have greater control over development in the area, and a larger number of people will be able to participate in town governance. Fincastle will have its first boundary adjustment in almost 250 years and it will almost double its population. And, this all happened because of good planning, preparation in getting the story out of the effect of the boundary adjustment, the simplicity of the process allowing for the adjustment to be made and working with the county as partners in mapping out a better future for both governments. 

**About the authors:** *Mary Bess Smith is the mayor and David Tickner is the town manager of Fincastle. Documents relating to the boundary adjustment can be found at <https://bit.ly/2uCbD5S>, <https://bit.ly/2uKQz08>, and <https://bit.ly/2IjmvKT>.*



# 2018

VIRGINIA MUNICIPAL LEAGUE

# INNOVATION AWARDS

Recognizing Excellence  
in Virginia Local Government

# CALL FOR ENTRIES

## 2018 VML Innovation Awards

THE 2018 VML INNOVATION AWARDS celebrate your hometown successes and all that you do to make your city, town or county a great place to live.

The Innovation Awards recognize outstanding achievements in local governments across Virginia. This program – and its successor Achievement Awards – is 40 years old and is recognized as Virginia’s highest honor in local government creativity.

Don’t miss this opportunity to spotlight programs that have made a big difference to your residents – to celebrate innovative solutions that address emerging needs. The awards are presented at a banquet at VML’s Annual Conference in early October.

### Criteria

Projects and programs are judged on how well they demonstrate the following:

**Innovative problem solving**

**Improved quality of life**

**Excellence in management**

**Making the most of local resources**

**Increased citizen participation**

**Long-term value to the community**

**Adaptability to other communities**

Award-winning projects typically demonstrate innovative ways of delivering services, address a community need, or significantly improve an existing service.

### Categories

Award categories are based on broad topics with local governments of all sizes competing within these categories. The panel of judges have years of experience in local governments of varying sizes and will judge the scope and effect of the project in relationship to the community’s size, thereby putting all localities on a level playing field.

Many projects relate to more than one category. When deciding what category best fits your project, consider what the primary goal of the project is and what aspect of it demonstrates the greatest innovation.

Localities may submit one entry in each category. The categories are:

#### Lifelong Learning

Each year one award will recognize the initiative promoted by the current VML President. This year the initiative is lifelong learning. Included in this category are programs aimed at people of any age, from birth to the end of life, that promote continued learning, expansion of boundaries and emphasis on the transforming effects of education.

#### Community & Economic Development

This includes business development and retention; international competitiveness; infrastructure development and investment; planning, land use and zoning; blight; enterprise zones; housing; transportation; workforce development; and historic preservation.

#### Environmental Quality

This includes natural resources and the authority of local governments to manage the environment, including water resources and quality, solid and hazardous waste management, air quality and the Chesapeake Bay.

#### Quality of Life

This includes state-local and inter-local relations, information management and personnel, telecommunications, utilities, law enforcement, jails and courts issues, social services, health, behavioral health and juvenile justice, recreation, rehabilitation and aging.

#### Communications

This includes promotional campaigns, branding campaigns, crisis plans, events, customer service programs; media can include online, video, print, social and other formats.



# President's Award for Innovation

One winning project from the category winners will be selected for the top prize – the President's Award – and will receive this top honor in addition to the award in their category. The President's Award can come from any of the categories listed on the left.

## Deadline

**All entries must be received via e-mail by 5 p.m., Monday, Aug. 13, 2018.**

## Rules for entering

- All entries must be submitted electronically via email. Localities must download the entry form at [www.vml.org/education/innovation-awards](http://www.vml.org/education/innovation-awards) and fill in all of the requested information directly on the form. The completed form must then be e-mailed to [mtimbreza@vml.org](mailto:mtimbreza@vml.org).
- The competition is open to all VML local government members.
- Entries must cover new projects or programs completed between Jan. 1, 2017 and May 1, 2018, or – for existing projects – entries must cover major enhancements that occurred between Jan. 1, 2017 and May 1, 2018.
- Each entry form must be fully completed and must be signed by the local government's chief administrative or elected official.
- A local government can only submit one entry in each of the five categories. The President's Award for Innovation is not a separate category.
- Supporting materials totaling no more than 10 pages, including photos, brochures, charts, or other information, can be included in a separate document. This document must also be e-mailed. If you wish to submit one video as part of your supporting materials, send a link to the location of the video to [mtimbreza@vml.org](mailto:mtimbreza@vml.org). Maximum length of video is five minutes.

## Questions?

For more information about completing your entry or other details, contact VML's Manuel Timbreza at [mtimbreza@vml.org](mailto:mtimbreza@vml.org) or call 804-649-8471.

## The judging

Entries are screened by VML staff and judged by a panel of judges chosen for their expertise in local and state government. The judges generally represent a variety of backgrounds, including small and large localities and state agencies.

## The winners

Awards will be presented at the VML annual conference in Hampton, September 30 - October 2. All winning entries will also be featured in articles in the VML *Virginia Town & City*.

Don't miss this premiere opportunity to spotlight innovative programs that make your town, city or county a great place for people to call home!



Download the  
entry form at  
[www.vml.org](http://www.vml.org)

# Rural communities rally across Southwest Virginia

AS A PART OF AN ONGOING effort to diversify and invigorate the economy of Southwest Virginia, an organization devoted to community and small business development has focused successfully in recent years on a program designed to encourage investment in and promotion of the unique cultural and outdoor treasures found in communities throughout the 19-county region.

A signature program of Opportunity Southwest Virginia, called Rally, now helps even the smallest communities begin this process.

“We undertook the Rally SWVA mini-grant program as a pilot, and the communities really responded,” said Shannon Blevins, associate vice chancellor for economic development and engagement at the University of Virginia’s College at Wise. “We provide a structure, but they have to rise to the challenge.” Since 2012, Blevins has provided coordinating leadership for Opportunity SWVA, a collaborative roundtable of small business support and community development organizations.

Rally SWVA (Real Action Leadership Learning) is an action learning mini-grant program that not only offers funding for a visible project, but encourages local leaders to work together toward a common goal of improving their community. The \$3,000 mini-grant program enables communities to work together on selecting a project that advances the community vision and creates a better environment for entrepreneurs. Since the summer of 2015, the program has completed four phases in 14 increasingly vibrant SWVA communities.

Communities are chosen for participation by a cross-agency team of economic and community development professionals, who make executive decisions based on communities’ strategic opportunities and readiness. Active funders of the collaborative partnership include the Virginia Department

of Housing and Community Development (DHCD), Virginia Tourism Corporation (VTC), Appalachian Regional Commission (ARC) and UVa-Wise.

Community teams comprised of town officials, students and young people, business owners and entrepreneurs complete a Rally project over a six-month period, but the impact of assembling the group extends beyond a single project. Through the Rally process, these groups are given special trainings and community engagement activities that empower them to continue the locality’s ongoing revitalization efforts well after project completion.



Haysi residents, including Mayor Larry Yates (third from left) participate in the Rally SWVA process.



Dungannon is one of 14 communities that has participated in the Rally SWVA process.



Once a community is chosen as a Rally location, a meeting is scheduled to inform the community about the impending grant program, including established project criteria and leadership capacity training opportunities in which they will participate in the coming months. For instance, a Rally project has to improve the local climate for business, and each community undertakes a conversation of how they can better support local businesses. All meetings are open to the public and encourage full community participation.

Since November of 2017, a small staff of “community builders” working with UVa-Wise and Opportunity SWVA, has taken charge of this phase of the process. These grant funded positions are another way that the region is developing new leaders. Through the guidance of UVa-Wise, community builders facilitate the Rally process, becoming part of the communities in which the programs are implemented. They work alongside residents, local officials and business owners, bridging gaps to empower communities by connecting them to a regional network of leaders.

Once the community has been informed about the Rally process, they are ready to schedule regular meetings. Initial Rally meetings take place every two weeks and begin with activities that gather excitement about the given locality. Community members are encouraged to begin talking about the things they love about their community, listing its attributes and assets. It may seem like a simple step, but this activity creates a sense of unity and anticipation for the upcoming project and the ways that it can enhance the community’s existing assets.

Facilitated discussions then help the community group establish a criteria list that adds to the built-in Rally project

criteria. This Rally criteria stipulates that the project to be chosen must be tied to the community vision or master plan, be

attainable in the short-term Rally timeframe and support local entrepreneurs, enhancing the community as a place for growing business. Each community team then begins the process of discussing a list of

criteria of their own to be used in conjunction with the existing Rally criteria. Once the full list is established, it can be revisited as a standard for the next phase of Rally; listing project ideas.

Three-thousand dollars may seem like modest funding in light of the need in many SWVA communities, but the project’s value far exceeds the dollar amount. As project brainstorming begins, teams develop best practices and a shared language which can be used to tackle future projects. There may be many viable project ideas to be considered, but typically only one can be chosen. Remaining project ideas are another benefit of the process and provide a list of future opportunities established through collaboration and teamwork. Rally projects have been completed in 14 communities: Chilhowie, Cleveland, Coeburn, Damascus, Dungannon, Haysi, Honaker, Lebanon, Narrows, Pocahontas, St. Paul, Tazewell, Dante and Gate City.

Project ideas vary but are only limited by the project and community group criteria list set in place in the early meetings. Often, wayfinding and signage is a desirable outcome for SWVA communities looking to draw tourism to downtown locations. This element plays well with the concept of connecting Rally projects to the community vision or master plan as more tourists and downtown traffic inevitably benefit business.

In August 2016, the town of Tazewell installed 21 wayfinding signs to direct visitors from the highway to downtown Tazewell and the other nearby attractions. Their community group,

Tazewell Today, succeeded in obtaining an additional sum from both the town and county governments to implement the project. There are many other project types involving the arts, attracting citizens and visitors to the downtown and involving residents with community improvements and the community’s vision of the future.

The City of Norton’s Rally project is currently underway, as is the town of Dungannon’s. Both locations have chosen an outdoor stage in order to engage the community and visitors at future events. Norton’s project will involve a portable stage for concerts and will be



Chilhowie Mayor Gary Heninger leads a ribbon cutting ceremony. Chilhowie is one of the communities that has participated in the Rally SWVA process.

## Rural communities rally

used for downtown events. Dungannon's permanent stage sits next to the town's historic depot building and will host many future events, including legendary bluegrass band Blue Highway. The project will enable the town to host events that will draw tourists and generate excitement. Community work days are currently underway as the town prepares for the annual Fourth of July celebration. This year's event marks the town's 100th anniversary, and the festivities are expected to attract large numbers.

Gate City's Rally project will also serve as a way to promote the arts. The town's ongoing theatre revitalization project could potentially take years and require large amounts of funding, but the Rally project is turning the shell of the theatre's structure into a usable space to promote this larger revitalization plan. Currently, the historic theatre building has three walls and no roof. Rally funds enabled the town's community group (also a 501C3) to prepare the theatre for events and movie nights. Their first event will be on June 16, and will include live music, food trucks and a movie showing in the new outdoor theatre space.

The unincorporated community of Dante (pronounced Daint) completed their Rally project in late April. It features a welcome sign to the community, as well as four entrance signs at what are affectionately called Dante's "exits". The community is proud of its coalmining heritage. "The impact of Rally is far greater than the signs you see in the community of Dante or the projects in other communities," said Carla Glass, chair of Dante Community Association, "Momentum is important in communities and the tangible results of Rally are ideal for keeping the momentum going. In Dante we refer to that momentum as hope." At the height of the mining industry's success, Dante boasted a population of 7,000.

A small but informative museum contains, among other things, books and photographs of the rich history, an impressive small-scale model of the town and a collection of fine sculptures made of railroad steel. The largest of these stands at the museum's entrance and reads "Dante Lives On." Their Rally project and others like it, moves the idea of place-making forward, and serves as a visual representation of the region's renewed vitality, hope for the future and sense of place.

Once a project is chosen, meetings move from bi-weekly to monthly. It's at this point that much of the facilitation responsibilities become shared, allowing for leaders within the group to begin showing their abilities. Each chosen project is assigned a leader from within the group. This is typically someone other than the mayor or existing community group chairman. The new project leader serves as a point of contact for other members of the group and gives a project update report on any new developments at each meeting. It's another way that leaders are cultivated, encouraging them to come to the forefront to practice and develop their leadership skills.

Facilitated trainings are a key component to the Rally toolkit, and a list of Leadership Capacity Programs are given to Rally communities. Members vote on the trainings in which they would like to participate the most, and the top three to five are chosen. Of a long list, popular choices include: Building Entrepreneurial Communities, Community Engagement and Moving from Talk to Action. As the project nears completion, the communities are taken on a Rally Tour. These trips were suggested by the communities themselves, and are designed to

## Haysi's Sixty-Second Story


AS PART OF A COMPREHENSIVE approach to revitalization, communities can pull together to capitalize on nearby assets and make the community a better place for business. A video series of minute-long clips shares the enthusiasm and accomplishments of Haysi in Dickenson County.

A new trail will connect the high adventure of Breaks Interstate Park with the Town of Haysi's growing business community. Folks in scenic Dickenson County, Virginia are pulling together to encourage and support new businesses and attract visitors as a Breaks gateway community. The regional team includes local businesses like Pizza Factory and Back Porch Treasures, the nonprofit Haysi Partners, Spearhead Trails, Friends of Southwest Virginia and a whole lot more. There's an endurance race, youth engaged in a Rally SWVA project, streetscape improvements and the sense that something big is about to happen in Haysi.

View videos and find the links to the governments and businesses at <http://www.opportunityswva.org/haysi-videos/>



share successes and methods and establish regional partnerships.

Finally, the Y in Rally stands for YAY. It represents the sense of excitement gained as a community realizes their personal growth, teamwork and an enhanced community vision. Vendors and food trucks, musicians and community cleanup days are all a part of a Rally community's final event. The program concludes with a project reveal and a celebration that brings the community together to take notice of the good work, and to share in telling the success story to the broader region, not as observers, but as participants, casting friends and neighbors in a story still being written. 

**About the author:** Andrew Barnes is the community engagement coordinator for the UVa-Wise Office of Economic Development and Engagement and Opportunity SWVA. He works with the community builders to build leadership capacity through the Rally SWVA mini grant program. Find out more about Opportunity SWVA and the Rally SWVA process at <http://www.opportunityswva.org/> and at <https://www.facebook.com/OpportunitySWVA/>.

# Community pulls together for flood clean up

By Keith Harless



**B**OY SCOUT TROOP 333, Girl Scout Troop 404 and Cub Scout Pack 394 headed up a “Scouts in the River-Powell River Cleanup” on April 21 in Pennington Gap. More than 150 volunteers - including the Scouts - volunteered to help restore the greenbelt. The volunteers completed jobs ranging from registering people and handing out tee-shirts to

getting in boats to haul trash out of the river. By the end of the day, 13.1 tons - 26,200 pounds - of trash and debris was collected, including over two tons of metal and numerous tires.

Volunteers furnished food and drinks as well as supplied clippers, saws, utility vehicles, wheelbarrows, canoes and flat bottom boats to the effort. Thanks to a meeting with the Virginia Council for Litter Prevention and Recycling, the town received safety vests, paper picker pins and U-tongs that were used during the clean-up. Local businesses helped pay for tee-shirts for the volunteers.

The clean-up was such a success that the Scouts wanted to immediately sign up for a river clean up in 2019!

In November 2017 the town opened its greenway, a 1.2-mile-long asphalt trail that follows the north fork of the Powell River from Route 58 downtown to the town’s Lee-man Field. The greenway project took a decade to complete. Along the way, the town



**Volunteers in Pennington Gap gather before the start of the clean-up.**

## Flood clean up

encountered various roadblocks, including the discovery of a Native American archaeological site that dated back to 8000 BC to 1000 AD. That discovery ended up resulting in an eight-month delay while archaeologists from the Tennessee Valley Authority sifted through the site, finding at least a half a dozen fire pits in one location. The local community took advantage of the disruption to the schedule, bringing school children to the site to learn about the Cherokee culture and how archeological digs are conducted.

In mid-February 2018 the rain came, and the greenway became engulfed in flood debris and was then closed to traffic. The town faced a big and expensive clean up project. But with a lot of elbow grease from town employees and volunteers from the community, the clean up was done, and people can again hike or bike from the center of town along the river to Leeman Field. [VTC](#)

**About the author.** *Keith Harless has been the Town Manager of Pennington Gap for the past three years. Mr. Harless was raised in Pennington Gap and attended Liberty University. He then went on to operate his own commercial contracting business in plumbing, electric, and construction. Mr. Harless previously served on The Pennington Gap Town Council for over 18 years before becoming the town manager. "With his experience in state and federal contracts and procedures and not to mention knowledge of the area, people, and the ongoing projects the Town was involved in that needed to be complete, Mr. Harless was a shoo-in for the position and has done an excellent job of pulling resources and people together to move the town forward." Said Mayor Larry Holbrook.*



Pennington Gap Vice Mayor Gary McElyea and Council Member Jill Carson volunteered at the clean-up.

## Local government litter prevention and recycling grant programs

THE VIRGINIA DEPARTMENT of Environmental Quality provides funds for litter prevention and recycling grants to localities under a non-competitive and a competitive grant program.

Under the non-competitive grant program, a locality receives a grant based on population and road miles.

The annual grants have been awarded since 1980 for local litter prevention and recycling program implementation, continuation, and expansion. In FY2018, \$1.8 million was disbursed among 190 applicants (representing 309 local government programs). The deadline to apply for the grant is June 30, 2018.

DEQ is currently taking applications for the competitive grant component to the Litter Control and Recycling Grants Program for localities. The amount of funds avail-

able for this grant program is approximately 5 percent of the net resources allocated for the Litter Control and Recycling Fund. For FY2018, \$93,987 was disbursed among 13 localities that were awarded competitive litter grants.

All localities currently receiving the DEQ litter prevention and recycling non-competitive grant are eligible to apply for the competitive grant. The competitive grant funds can be used for implementing statewide and regional litter prevention and recycling educational programs and pilot projects.

To be eligible to receive the competitive grant, potential recipients must submit the grant application form on or before July 15, 2018.

More information on both programs is available at <https://bit.ly/2KE8eul>.





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