

# VIRGINIA CITY

# An ounce of prevention

Putting a stop to zoning and land use liability lawsuits

## Also inside:

VHDA works to make housing affordable for all Virginians

Portsmouth historic districts celebrate centennial anniversaries



## VMLIP introduces telemedicine for injured workers

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### About the cover

*On those occasions that a municipality loses a zoning and land use lawsuit, the reason is almost always a failure to comply with the statutory provisions of Virginia Code Chapter 15.2. These lawsuits are expensive, but the good news, as delivered by former vice mayor for the City of Richmond in this month's cover article, is that a relatively small amount of preparedness can forestall the need for a cure.*

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# The work of 2018 fades; the work of 2019 takes shape

## Work groups for 2018 come to a close

As the year ends, so do all the post-session work groups in which VML has participated.

What a relief!

The Housing Commission alone had three work groups: Common Interest Communities; Affordable Housing, Real Estate Law and Mortgages, and Neighborhood Transitions and Residential Land Use, and there was also an evictions sub workgroup. These groups discussed everything from inoperable vehicles to the court paperwork filed during an eviction.

The Freedom of Information Advisory Council hosted three subcommittees: Records, Meetings and Remedies. These groups discussed items such as speaking at public meetings, civil liability in FOIA violations as well as the ins and outs of social media accounts.

The Joint Subcommittee Studying Mental Health Services in the 21st Century has been looking at the types of services that should be required and how to pay for those services (including local match) as well as the future structure of CSBs. To this end, it had two work groups: Service System Structure and Financing and Criminal Justice Diversion. Subjects these subcommittees addressed included improved access to health services, the quality of those services and better outcomes for individuals in need of health services.

There were also work groups on school modernization and opioids.

Remember: the above are just a few of the groups that will offer legislation for the 2019 session. Obviously, it's going to be a busy January/February in Richmond! Of course, VML's eNews will continue to keep you updated on the work of all the groups and the resulting legislation that could affect local governments.

If you haven't already, please sign-up for *eNews* by using the link at [www.vml.org/publications/enews](http://www.vml.org/publications/enews).

## The 2019 VML Legislative Program and the "March for More"

As outlined in the VML 2019 Legislative Program, state assistance to local police departments and funding the real cost of education are our first two priorities. In keeping with the latter priority, VML has been working with the City of Richmond to make the funding of the real cost of education a legislative priority.

Richmond Mayor Levar Stoney has been clear that among his top



priority is improving his city's schools, and his determination continues to bear fruit.

Recently, the City of Richmond passed a resolution calling for adequate funding of education and urges other localities to do the same. Coming up, on December 8th, the City of Richmond will host the "March for More" – which is about uniting community voices "to fight for more money to make better schools for stronger students."


To find out more about the #MoreBetterStronger initiative please visit [www.morebetterstronger.com](http://www.morebetterstronger.com).



## Follow up on misassigned voters

I am writing this article on the eve of the November primaries and want to take the time to thank everyone who votes. In the July/August magazine, I wrote about misassigned voters in Virginia, so it's a great time to provide an update to that issue. To summarize, the Commonwealth is aware of several thousand voters who were assigned to the wrong congressional district in past elections. Virginia's lists of voters and street blocks are housed in statewide elections department databases, but the Department of Elections (ELECT), the conduit for the district lines and voting precincts, has no authority or oversight to ensure voters are properly placed. The process for maintaining and updating the database is tedious and, as in the case of the misassigned voters, can inadvertently place a voter in an adjacent district.

Senator Mark Peake has been working with registrars to clarify the law so it's clear in which district a voter should be placed if a question arises. His proposed changes would affect Virginia Code Section §24.2-302.2 and would allow adjacent localities to adopt ordinances that agree on a local government boundary. These ordinances would have to be filed with the Commission on Local Government as well. If the localities cannot agree on the boundary, then the determination would default to the census reports.

The General Assembly will most likely take up Senator Peake's proposals in the 2019 General Assembly Session. This is something we will be tracking closely during the session. And, as always, we will depend on you to make your voices heard during the legislative session! 

VML connects you with a variety of networking and professional development events. Learn about these opportunities at [vml.org/events](http://vml.org/events).



**2019 Finance Forum**  
 Cosponsored by VML and VACo  
**Tuesday, January 8**



**2019 VML LEGISLATIVE DAY**  
**Thursday, January 24**

- Jan. 8**      **2019 Finance Forum**  
 Greater Richmond Convention Center, 403 N. 3rd Street, Richmond, VA
- Jan. 24**      **2019 Legislative Day**  
 Omni Hotel Richmond, 100 S. 12th Street, Richmond, VA
- March 31 – April 1**      **Virginia Building and Code Officials Association (VBCOA) Mid-Year Meeting**  
 Hotel Roanoke and Conference Center, 110 Shenandoah Ave NW, Roanoke, VA
- May 22 – 24**      **Municipal Electric Power Association of Virginia (MEPAV) – Annual Meeting**  
 Hilton Garden Inn, 3315 Atlantic Avenue, Virginia Beach, VA
- Sept. 21 – 24**      **Virginia Building and Code Officials Association (VBCOA) – Annual Conference and School**  
 Hilton Oceanfront, 3001 Atlantic Ave, Virginia Beach, VA 23451
- Oct. 5 - 6**      **Virginia Mayors Institute**  
 Hotel Roanoke and Conference Center, 110 Shenandoah Ave. NW, Roanoke, VA
- Oct. 6 - 8**      **Virginia Municipal League Annual Conference**  
 Hotel Roanoke and Conference Center, 110 Shenandoah Ave. NW, Roanoke, VA

**Davis hired as Middleburg administrator**



The Middleburg Council announced Oct. 31 the hiring of **Danny Davis** as town administrator. Davis most recently has worked as the president of Tribute Assisted Living in Ashburn. He is a former assistant town manager in Purcellville and a former chief of staff to Loudoun County Administrator Tim Hemstreet.

Davis has a master's degree in public administration from George Mason University.

**Anderson named Alexandria city attorney**



The Alexandria City Council named **Joanna C. Anderson** as the city attorney effective in October. Anderson had been serving as acting city attorney since September.

Anderson worked with the city attorney's office in 2001 as a law

clerk and has held positions as assistant city attorney and chief deputy city attorney from 2016 to 2018. Anderson holds a bachelor's degree in history from the University of New Hampshire and a law degree from the George Mason University School of Law.

**Loudoun County administrator recognized for visionary leadership**



- Hemstreet -

Loudoun County Administrator **Tim Hemstreet** has received the 2018 Visionary Leadership Award from the Metropolitan Washington Council of Governments' (COG) Institute for Regional Excellence. The news release notes

that the annual award recognizes top government officials for their career achievements and outstanding contributions to the region and their own jurisdiction.

Hemstreet has been county administrator in Loudoun County since 2009. Significant decisions made by the county board during his tenure include the decision to extend Metrorail's Silver Line into Loud-

oun County, an expansion in transportation infrastructure projects, reform of the fire and rescue service system, and initiatives to enhance the county's position as a preferred destination for top employers. Hemstreet also currently serves as chair of COG's Homeland Security Executive Committee, which is responsible for regional emergency planning and setting priorities for spending the region's share of federal homeland security funding.

**Arlington County fire chief appointed**



- Povlitz -

Arlington County Manager Mark Schwartz has appointed **David Povlitz** as Arlington County Fire Chief, effective November 5. Povlitz came to Arlington County from the City of Alexandria, where he served

as an assistant chief, focusing on administration and process management. He has more than 24 years of experience in fire, rescue and emergency medical services and more than 20 years of involvement with special operations including hazardous materials,



collapsed building and rope rescue, and technical, marine, and dive rescue incidents.

Povlitz has a Master of Science in Management and a Bachelor of Science in Fire Science, both from the University of Maryland.

**Former County of Roanoke Attorney Paul M. Mahoney awarded for distinguished service**



- Mahoney -

The Local Government Attorneys of Virginia, Inc. (LGA), awarded its highest honor, the Edward J. Finnegan Award for Distinguished Service, to **Paul M. Mahoney**, former County Attorney for the County of Roanoke, at its recently concluded annual fall conference in Leesburg, Virginia.

The Finnegan Award recognizes Paul Mahoney for his significant and sustained contributions to Virginia local government law and LGA. Mr. Mahoney served as the County's chief counsel for 21 years, retiring at the end of 2015. Prior to that he was the County Attorney for Montgomery County. Currently, Mr. Mahoney is of counsel with Gynn, Waddell, Carroll & Lockaby, P.C., in Salem.

**Albemarle County announces director of facilities & environmental services**



- Stewart -

Albemarle County announced in October the appointment of **Lance Stewart** as the new director of the Department of Facilities & Environmental Services.

Stewart has more than 20 years of experience in public works in the region, managing projects in construction, environmental programs, building and grounds maintenance, and transit for the City of Charlottesville and the University of Virginia. Most recently, Stewart has served as the senior facility planning and project manager for Albemarle County. During his tenure with Albemarle County, Stewart has implemented analytics for utility consumption for buildings and parks, as well as fleet fuel consumption and has launched a solar panel pilot at the Crozet Library.

**Loudoun zoning administrator named administrator of the year**



- Stultz -

tion's highest honor.

Stultz has served as the zoning adminis-

trator in Loudoun County since July 2015. He began his service with the county in 1995 as a planner. Stultz holds several professional certifications including Certified Zoning Official, Certified Zoning Administrator and Certified Planner.

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**Winchester paralegal honored at annual conference**

The Local Government Paralegals Association (LGPA) of Virginia named **Judy Combs**, paralegal for the Winchester City Attorney's Office, as the 2018 Paralegal of

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the Year during its annual conference.

The Paralegal of the Year Award recognizes “an individual LGPA member whose on-the-job achievements have contributed to the promotion and expansion of the paralegal profession, including contributions to his or her employer and colleagues and the paralegal profession in general.”

The LGPA is comprised of thirty-six member localities, governmental agencies, and private law firms providing services to local governments. The annual conference was held October 3-5 at the George Washington Hotel in Winchester.

### Whittington retires as county administrator

**Dave Whittington**, the county administrator in Greensville County for 37 years, announced in October his retirement, effective January 31, 2019. Whittington, a driving force behind the Southern Virginia Education Center, also is retiring as director of the Greenville County Water and Sewer Authority. He began his work with the county after his appointment as planning director in 1981. He was appointed county administrator in 1984.



- Whittington -

### Harris reappointed to pension board

Governor Ralph S. Northam has reappointed **Richard W. Harris**, the fire chief in Kenbridge, to the Volunteer Firefighters and Rescue Squad Workers Service Award Pension Fund. Harris is a former mayor of the town. The fund was established by state law to provide a mechanism by which the state could facilitate optional retirement savings for volunteer firefighters and rescue squad workers.



- Harris -

## News & notes

# Vienna trash truck showcases student art



ARTWORK WITH AN ENVIRONMENTAL message by two elementary school students encourages recycling on one of Vienna’s trash/recycling trucks. According to a town media release, the children are among 180 students from two local elementary school who participated in a project to use public advertisements to increase recycling.

The trash/recycling truck is wrapped with vinyl decals showing environmentally conscious worms on one side and a rainforest on the other. The truck made its debut at the town’s recent Halloween Parade.

The decorated truck will be used daily on the town’s sanitation routes.





## Arlington named most livable city

ARLINGTON, VIRGINIA is the most livable city in the country, according to SmartAsset, a financial technology company that focuses on personal finance advice on the web. According to the announcement at the company's webpage at <https://bit.ly/2J4nccz>, "This city has it all. It is reasonably walkable, crime is not a feature in many residents' lives and opportunities to earn money are abundant."

Arlington was the only jurisdiction on the East Coast that cracked the list of top ten most livable areas. SmartAsset looked at seven factors in determining the ranking: Walkability, violent crime rate, property crime rate, population density, disposable income, housing cost-burdened rate and unemployment rate.



## Camp L.I.T. encourages girls to become first responders

THE HARRISONBURG FIRE Department and Rockingham County Fire & Rescue undertook a new venture this past summer to encourage girls to consider careers as firefighters by holding a five-day camp centered on the work of a first responder.

Camp L.I.T. — which stands for Leadership, Integrity and Trailblazer — included hands-on activities that showed the girls that they could achieve a rewarding career as a firefighter. Aimed at girls ages 13-15, the free-of-charge camp took place from July 23 to July 27. Activities included physical training, fire simulations, search and rescue, vehicle extraction, CPR and first aid, fire prevention and a ropes course.

Camp L.I.T. has already shown results with three participants going on to enroll in the Massanutten Technical Center's Fire/Rescue Program. The center is a joint career and technical education institution serving the students in the City of Harrisonburg and Rockingham County public schools.

A YouTube video on camp activities is posted at <https://bit.ly/2SeB5ca>.



## Wall on Main opens in Pennington Gap

INSPIRED BY LESSONS learned at tourism classes and downtown studies, Pennington Gap Town Manager Keith Harless came up with the idea of a mural on an otherwise-vacant wall to showcase the downtown area.

Michelle Honeycutt, an art teacher at the local middle school, took on the job of creating the mural, which she based on the zentangle, a method of drawing that relies on repeating patterns. Honeycutt explained that she uses this method in her art classes and thought that her students would recognize it on the wall. The affirmation "Be somebody who makes everybody feel like a somebody" is incorporated into the mural.

The mural was dedicated during this season's final Music on Main event held on October 6. The Music on Main program — which encouraged people to bring a lawn chair, enjoy live music and take in activities such as vendors, inflatable rides and corn hole



tournaments — will happen again the first Friday of every month in the spring and summer of 2019.



## Lifesaving smartphone app launched in Chesapeake



A NEW APP, PulsePoint, launched by the Chesapeake Fire Department and Chesapeake Regional Medical Center will help increase the likelihood of a person surviving a sudden cardiac arrest – one of the leading causes of preventable deaths. The app alerts CPR-trained bystanders to a cardiac emergency in the immediate vicinity, the exact location of the emergency and the closest automated external defibrillator (AED). Professional responders also will receive the emergency alert.

Additional information is available at the city’s website at <https://bit.ly/2DenYDM>.

## Loudoun County combats animal (and human) abuse

ACCORDING TO AN OCT.10 article in *LoudounNow*, animal control officers in Loudoun County take the same crisis intervention training as personnel in the county’s sheriff’s department and have learned how to look for signs of domestic abuse when investigating possible animal abuse situations. In the article, Deputy Chief of Field Services Angela Chan notes that domestic abuse and animal abuse are often linked.

The county’s animal services department is part of its domestic abuse response team. County employees note that abuse victims may stay in the abusive situation out of a fear that the abuse will be turned on their animals should the victims leave. But in Loudoun, the abused women’s shelter has an agreement with animal services that the pets of people seeking shelter will be kept until the victims leave the shelter.



## Richmond hosts places of worship forum

THE CITY OF RICHMOND held a Places of Worship Safety and Awareness Forum at a local church on November 10.

According to the city news release, places of worship face unique challenges in crime prevention, security, and safety. While churches want to be open and welcoming to the outside community, they must be able to protect the people and property inside. The free, four-hour session addressed the topics of violence in places of worship, potential threats in places of worship and active shooters.

## Winchester tourism joins Google program

THE WINCHESTER-FREDERICK County Convention and Visitors Bureau recently became a Google Destination Marketing Organization (DMO). Though there are hundreds of DMOs worldwide, Winchester is only the fifth in Virginia to join.

According to the city news release, the Google DMO Partnership Program allows DMOs to help improve the completeness, quality and accuracy of their destination content across Google Maps, Destination on Google, Google Trips app, and



more. As part of the program, Google provides free access to 13 tools and solutions for DMOs including a Trusted Verifier mobile app, which allows the certified DMO to verify a Google business listing on the spot.

Google business listings and the services through the Google DMO Partnership Program are all offered free of charge.



## Cities host forums encouraging small business development

THE CITY OF VIRGINIA BEACH held a Small, Women and Minority-Owned Business Forum, on October 23. The forum was organized by Virginia Beach Economic Development and the city's Department of Purchasing with the purpose of introducing strategic business partners in the arts and entertainment industries.

The free, half-day forum also included sessions on small business and entrepreneurship in the entertainment industry, an explanation of the Entrepreneur Academy offered at Kempsville High School, and an overview of certifications and information on business opportunities. Sponsors included TowneBank and *Inside Business*.

The City of Roanoke held its annual Mayor's Business

Summit on October 23. Attendees learned about the pros and cons of owning a business, including guidance for financing options, grants, business resources, business license acquisition, and proper permitting. The summit also included a panel discussion of successful minority business owners in Roanoke.

According to the city news release, the summit built on the success of similar events held in 2017 and early 2018, with the continued goal of introducing new and prospective business owners to best practices for streamlining the opening and operation of a business in Roanoke. The Business Summit was sponsored by Freedom First Credit Union and supported by the Roanoke Small Business Development Center and the City of Roanoke's Department of Economic Development.



## Regional community health initiative gets underway

JAMES CITY COUNTY, York County, Poquoson and Williamsburg have joined forces with the Williamsburg Health Foundation

and the Greater Williamsburg Chamber & Tourism Alliance to identify community-based strategies to improve community health by focusing on the needs of seniors in the region. The partnership is supported by the Robert Wood Johnson Foundation, according to the City of Williamsburg's monthly newsletter.

The executives of the organizations meet monthly to

examine systems that allow older adults to stay healthy longer. A working group is also exploring senior access to nutritious food by using existing services and developing a food access map for the region. So far, the assessment has found that of the region's approximately 15,000 older adults, about 3,700 live in poverty. Barriers to healthy food that have been identified so far include high costs, lack of transportation, lack of nutrition education, and inability or unwillingness to prepare healthy food. The media release notes that more information will be forthcoming from the Healthy Community Initiative in coming months.

## Hampton Roads named grand prize winner in infrastructure challenge

VENTURE SMARTER HAS NAMED Hampton Roads as the grand prize winner in the Smart and Connected Development track of the 2018 Smart Infrastructure Challenge. The cities of Chesapeake, Norfolk, Portsmouth, Virginia Beach and Suffolk (supported by the Hampton Roads Planning District Commission, state agencies, universities and business partners) competed as a region against teams from around the country for grant funding, project financing and support for their innovative, smart infrastructure plans. The submission included eight projects centered on the Regional Connectivity Ring which will connect the five cities to transoceanic cables, accelerate the growth of digitally empowered communities and serve as the foundation for smart region development.

Norfolk Council Member Andria McClellan and Virginia Beach Council Member Ben Davenport presented the region's application at Venture Smarter's Smart Regions Conference held Oct. 25 in Columbus, Ohio.

The winners for the three other tracks were Safer and Smarter Arizona Roadways Initiative; Greater Cincinnati Regional Smart Transportation; and the Lake Erie, PA-based Team Smart Lake.

Funding for the winners could reach up to \$10 million apiece.

For more information on the Hampton Roads project, link to <https://bit.ly/2Jt7OXI>.





# VHDA works to make housing affordable for all Virginians

**I**T'S NO SMALL feat for any Virginia locality to build up its inventory of affordable housing. But when the pieces come together – whether it's new construction or a renovation, and regardless of the investment model – the Virginia Housing Development Authority (VHDA) is often at the table.

Several examples follow of localities working together with VHDA to improve housing through careful planning and zoning changes.

## Closing the housing affordability gap in Northern Virginia

In the shadow of the nation's capital, Loudoun County has a growing, diverse and affluent population. For years, it's been America's richest county, achieving a median annual household income of \$134,000 in 2016. Yet too many people who work there – including many number of law enforcement officers, fire and rescue squad members, teachers, nurses and other professionals – can't afford to live there because of high housing costs.

Against that backdrop, Phyllis Randall, chair at-large of Loudoun's Board of Supervisors, brought forward an item to the board to take a holistic look at the county's housing challenges. VHDA was one of the organizations invited to participate.

Dale Wittie, VHDA's Director of Rental Housing, covered a range of topics at the Board of Supervisors meeting. He explained how VHDA finances housing properties, both newly constructed and renovated, through loans that require owners to rent a portion of their units to households of limited means. He also described how the authority administers the federal Housing Credit program (formerly the Low-Income Housing Tax Credit program), which encourages the private development of affordable rental properties.

As a summary, he emphasized that VHDA's financing options of for developers and localities not one approach, but many. "What works well in one situation may be ineffective in another," he said. "Our funding sources and lending terms allow developers to do what

they do best – that is, to structure economically viable deals that create self-supporting commercial real estate."

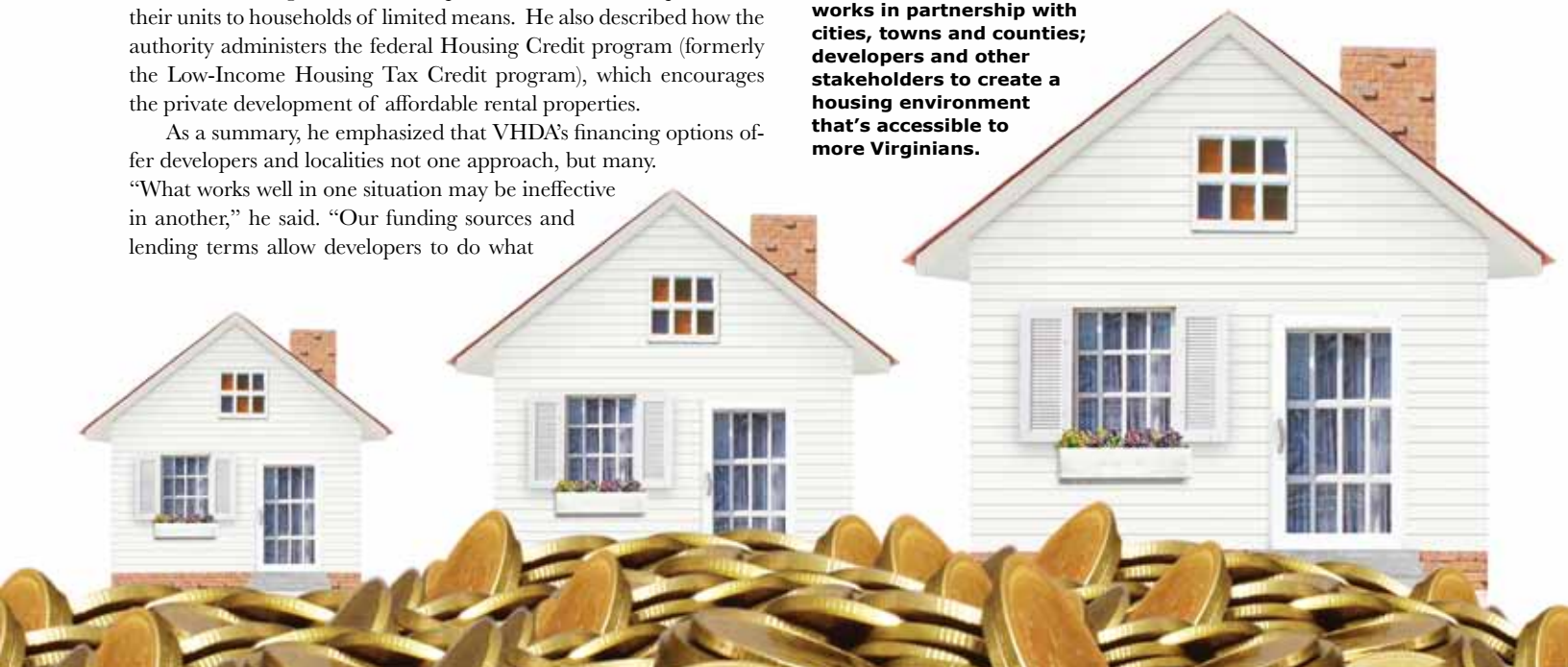
According to Randall, VHDA's presentation was helpful on several fronts. "We knew they had a wealth of information, and they didn't disappoint," she said. "Of particular value were the comments on zoning. They reinforced what we already knew – that zoning needs to be a malleable entity, and not a brick wall."

Since then, Loudoun has convened a housing summit which included private, nonprofit and public sector entities to discuss actionable steps to increase its stock of affordable housing. It has explored ways to increase the assets in its Affordable Dwelling Unit Program, which helps low- and moderate-income households rent or buy housing. It also has designated parts of eastern Loudoun as revitalization areas. This designation assists developers and localities in their efforts to create and sustain housing for low- and moderate-income residents.

In addition, the county has inventoried its public lands and is studying whether some may be suitable as development sites. The county also is looking at new guidelines for housing loans, and has begun to streamline its zoning process.

Chair Randall believes Loudoun is building a better housing environment, but that the job is far from over. And it remains one of her highest priorities. "Loudoun is a remarkable place, and we want everyone who works here to be able to live here."

**With grant funding, loan financing and other key resources, VHDA works in partnership with cities, towns and counties; developers and other stakeholders to create a housing environment that's accessible to more Virginians.**



## Building more housing options in Southwest Virginia

As game plans go, “Build it, and they will come” was a home run for Kevin Costner in his 1989 movie which was set in the cornfields of Iowa. But here in the hills of Southwest Virginia, officials are learning to play by a different rulebook: “They’re coming, and it’s time to build.”

Since 2015, employment levels in Botetourt County have spiked 17 percent, a welcome trend that could continue. While this has put the county in an enviable position, it’s also caused complications. One of them stands out perhaps above the others: Botetourt’s diverse and growing population needs more housing.

Knowing that, in late 2016 the county commissioned a study to evaluate housing demand by type and price range. The results of that study were eventually presented at a day-long housing summit sponsored by VHDA and local partners such as the Roanoke Regional Home Builders Association.

A VHDA Community Impact Grant helped fund that study as well as other activities the county is undertaking to improve its housing environment.

“VHDA’s grant money has been an important catalyst,” said Gary Larrowe, Botetourt’s County Administrator. “It provided the means for us to tap the expertise of external consultants, and it will also help fund a toolkit designed to help us drive smart housing growth. Our conversations regarding housing have yielded amazing results.”

Botetourt’s goal for new housing is ambitious: to build 1,000 new units, equally split between apartments and townhomes. So far, progress has exceeded expectations – 500 homes in four new developments have been approved, which will create enough space for at least a thousand residents, if not more.

A large luxury apartment complex called The Reserve at Daleville is one of those developments. With 188 units spread over 17 acres, The Reserve required a change in zoning from agricultural and shopping centers to high-density residential (R-4), with a special exception permit for up to 15 multifamily units per acre. That change was approved by the county in November 2017. Botetourt supervisors passed a resolution in September that will allow VHDA to finance this development through its Mixed-use/Mixed-income loan program. Households with a broad range of incomes will be eligible to rent homes there.

Daleville Town Center, whose 99 units will be flanked by townhomes and additional single-family units now under construction, is another pending addition to the county.

Meanwhile, Botetourt’s housing task force continues its work. On its agenda are meetings with county stakeholders as well as with the planning commission and board of supervisors. Its policy toolkit, which will describe regulatory barriers to housing development and outline strategies to overcome impediments to housing production and affordability, is slated for completion by the end of 2018.

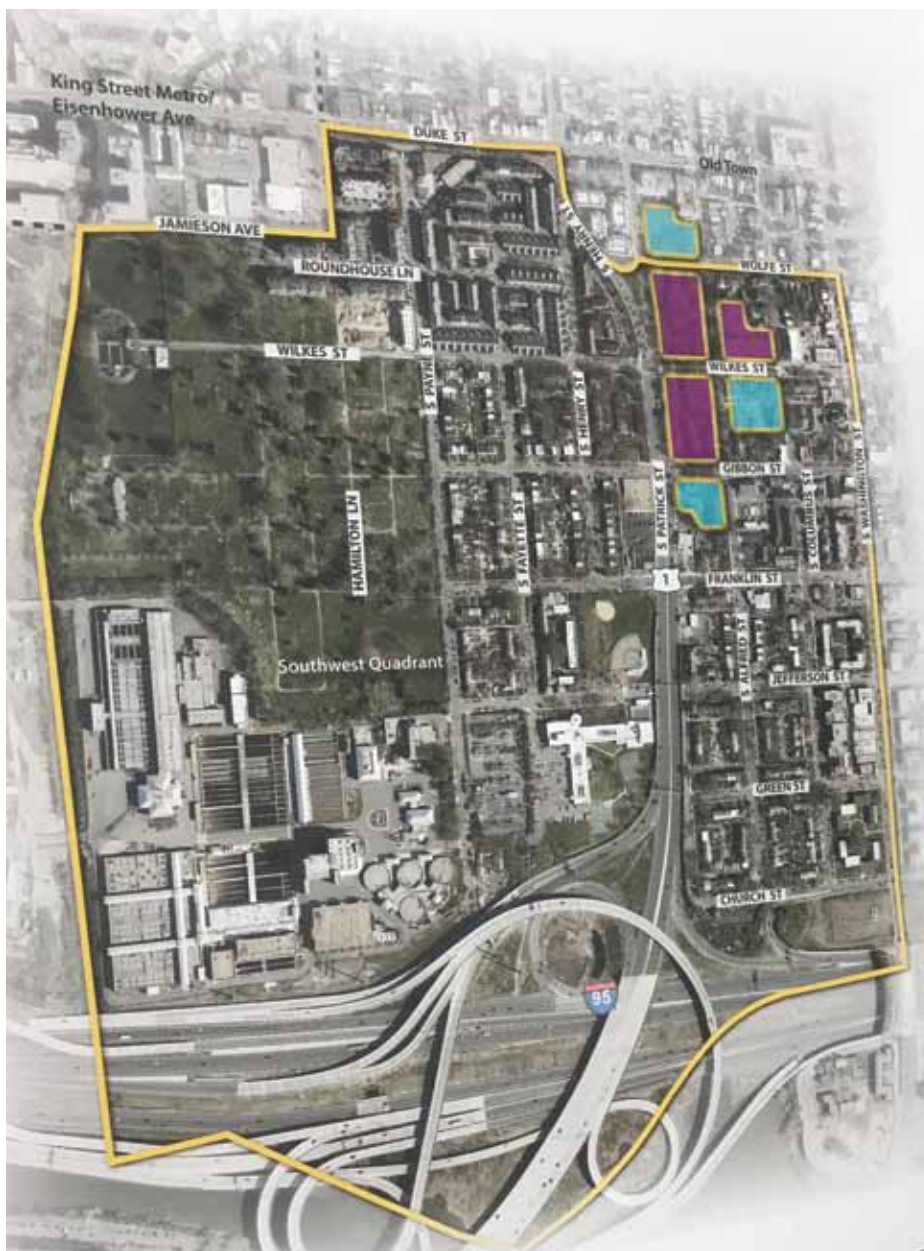
Botetourt County’s response to its housing shortage has yielded strong early results, thanks in part to VHDA grant funding and loan financing. Here in Southwest Virginia, the building has just begun.

## VHDA grant helps planning efforts to preserve affordable housing along Alexandria’s Route 1 corridor

Alexandria is putting the final touches on a plan it hopes will safeguard its dwindling inventory of affordable housing.

Since 2000, 88 percent of Alexandria’s market-affordable units have been lost. These units, which have unregulated rents, often house low- to moderate-income families. With two rental properties on its Route 1 corridor – 215 units in all – in danger of joining that list in the next two years, the city wants to change its redevelopment and zoning guidelines to protect those properties and others. A Community Impact Grant from VHDA has helped fund that work in its early stages.

At the heart of the process was a series of community engagement activities designed to solicit feedback and gain consensus from a broad cross section of stakeholders. The most meaningful activity,



**Changes to Alexandria’s redevelopment and zoning guidelines may help preserve affordable housing along the Route 1 corridor.**

CITY OF ALEXANDRIA



## Using data to answer key housing questions in the New River Valley

When it came to regional housing issues, the New River Valley Regional Commission had no shortage of questions: Do we have enough housing types and price points for people of all income levels? How do university student rental properties affect the availability of affordable rental housing overall? Do existing housing units match up well with buyer preferences? How can deteriorating housing stock be better preserved or rehabilitated?

Thanks to a grant from VHDA, the commission will soon have answers to these questions and others, and gain a better understanding of how to meet the region's current and future housing challenges.

The New River Valley in Southwest Virginia encompasses Montgomery, Floyd, Giles and Pulaski counties as well as the City of Radford. Its planning commission will use VHDA's Community Impact Grant funds to develop and implement a multi-pronged study. Among its components will be focus groups, an online survey and public meetings, all designed to gain feedback from real estate agents, builders, developers, residents and other stakeholders. The study also will tap publicly available data from real estate and housing sources. While designed from a regional approach, the project also is expected to yield data that will be helpful to individual localities in developing strategies, policies and action plans.

VHDA has been awarding Community Impact Grants since 2015. Money for the grants comes from VHDA's REACH Virginia program. Each year, VHDA contributes a substantial portion of net revenues to fund this program, which is used to address housing needs throughout the state.

"We're encouraged that we've definitely seen an uptick in the number of applications for Community Impact Grants," said Director of Strategic Housing Chris Thompson, in VHDA's Community Outreach division. "Our evaluation and approval process ensures that REACH Virginia dollars are put to the best possible use – by organizations that share our goal of making affordable housing accessible to all Virginians."

Learn more about VHDA's grant programs at [vhda.com/Grants](http://vhda.com/Grants).

**About the author:** *Mark Foust is a freelance writer with 25 years of experience as a senior marketing executive.*

**VHDA's Community Impact Grants** help local governments involved in community revitalization efforts, and they encourage the development of mixed-use/mixed-income properties, which often spur economic growth. These grants often fund community outreach, market research, design and engineering studies, or other due diligence activities, but they are not limited to those uses.

Money for these grants comes from VHDA's REACH Virginia program. Each year, VHDA contributes a substantial portion of their net revenues to fund this program, which is used to address housing needs throughout the state.

If you think a Community Impact Grant could benefit your locality, please contact Chris Thompson, Director of Strategic Housing at [Chris.Thompson@vhda.com](mailto:Chris.Thompson@vhda.com) or 804-343-5692.



**The community was invited to participate in public planning meetings. Photo courtesy of City of Alexandria, VA.**

by far, was a collaborative planning and policy session called a charrette. This weeklong meeting was attended by several hundred people including neighbors, the residents and owners of the two Route 1 properties, city staff members, and community service organization representatives, some of whom brought special expertise to the group.

"Without VHDA's grant money, there's no way we could have pulled off such a comprehensive strategy and planning effort," said Helen McIlvaine, Alexandria's director of housing. "In addition to the charrette, VHDA's funds helped pay for market and housing development studies, postcard mailings, door-to-door outreach and similar activities. It also covered language interpretation and translation services that helped us engage the diverse group of residents who are likely to be impacted."

Federal subsidy contracts have helped the two Route 1 rental properties remain financially viable over the years. But those subsidies will expire in 2019 and 2020, increasing the likelihood that the property owners will choose to redevelop them. If that happens, the families who reside there – nearly all of whom make less than the area's median income – could be priced out of their homes.

Alexandria's charrette focused on both short- and long-term issues related to the properties, including a plan to relocate the tenants temporarily if redevelopment occurs. Traffic patterns, school capacity and housing density were also key topics. It's estimated that three or more new market-rate rental units will need to be built in order to conserve one of the existing affordable units.

McIlvaine believes their work can jumpstart tangible improvements to the city's housing environment. "We want our planning and strategy work to create an envelope that can guide redevelopment along the Route 1 corridor, and potentially be a template for elsewhere in the city," she said. "That will include, hopefully, zoning changes that help maintain our existing inventory of affordable housing, at close to their current level of affordability."

Recommendations from the charrette were integral provisions in Alexandria's long-term planning document, titled the Rt. 1 South Housing Affordability Strategy. It was unanimously approved by the planning commission on September 4, and by the city council on September 15, 2018.

The safe bet is that redevelopment economics, as well as other financial pressures, will continue to put affordable housing inventories in jeopardy. But in Alexandria, the belief is strong that proactive planning will drive policy and zoning changes that can balance those realities.

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# Prevalence of Litigation

## Putting a stop to zoning and land use liability lawsuits

By John A. Conrad

The statutory provisions of Virginia Code Chapter 15.2 apply to most zoning and land use matters that come before town and city councils and boards of supervisors, as well as their agencies and officials. These provisions are tedious and complex. However, the realities of zoning and land use lawsuits are not. Like most lawsuits, one reality of these lawsuits is that they are instigated by the desire of property owners or developers to reverse the action taken by the local government and obtain a monetary award of compensation. Yet, another reality is that most of these lawsuits never meet the legal criteria required for the courts to make monetary awards to plaintiffs. Moreover, like all lawsuits, a third reality is that these lawsuits are very expensive. Finally, the fourth reality is that the only reason a developer or landowner plaintiff wins these lawsuits is due to the failure of the city, town or county, as well as their agencies and officials, to comply with the statutory provisions of Virginia Code Chapter 15.2 and other legal requirements. All members of town and city councils, boards of supervisors, as well as their agencies and officials, would do well to remember these four realities.

## Remember Ben Franklin's Advice

Ben Franklin's maxim is the best advice for any city, town and county, as well as their agencies and officials, when it comes to most zoning and land use matters: "An ounce of prevention is worth a pound of cure." When considering any zoning or land use matter, these governmental entities and their officials should make it their normal practice to "lawyer up" and request their staff and local government attorney to carefully explain the statutory and legal requirements applicable to every zoning, building code, subdivision ordinance, or land use matter, as well as every utility, service authority, and demolition issue that comes before their council or board in order to ensure compliance.

## A ten-year history of zoning and land use lawsuits

During the last ten years, the participating local government members and VML Insurance Programs have defended over fifty lawsuits arising out of zoning and related land use matters. Approximately one-third of those zoning lawsuits involved the issuance of or refusal to issue special use permits. A special use permit is also known as a "conditional use permit" because the property owner has no absolute right, under the local zoning code, to the proposed land use and must apply to obtain local government zoning approval of the proposed use. Local government entities frequently grant the proposed zoning use contingent upon certain conditions. The lawsuits mentioned above that involved special use permits included

the complete spectrum of property uses: Single family housing, multifamily housing, housing for the elderly or lower income individuals, commercial properties, mixed-use properties; and properties involving the redevelopment of central business districts, marinas, industrial areas, former courthouse properties, and an abortion clinic.

Approximately another third of these land use and zoning lawsuits involved the appeal of decisions by city or town councils, boards of supervisors, building code officials, zoning appeal boards, historic and architecture review boards, and other local government agencies in approving or denying subdivision plans, site plans, and other approvals or denials. The property uses involved in these appeals also varied widely and included decisions arising out of plans for roads and traffic lights; setback requirements for buildings, accessory buildings, fences, utilities, wells, other improvements, and landscape buffer easements; demolition of blighted and other properties; easement disputes, and requests for variances from building code and zoning requirements.

The remaining third of these lawsuits involved more unusual tort and constitutional complaints seeking zoning and monetary relief arising out of zoning and land use matters, as well as constitutional rights to use public water, sewer, and other utilities and services; to pay reasonable fees for these utilities and services; to prevent takings of property and property rights as a result of zoning, building, safety, architectural, or historic laws or regulations; to prevent demolition of blighted properties; to prevent developments, improvements, and public and private uses of properties (including boat ramps, comprehensive redevelopment of central business districts, and mixed use residential, commercial, and industrial uses); to construct improvements on private property that conflict with




public easements, and to use and develop private property for the sale of obscene literature, devices, or tattoos. The scope of this article does not address lawsuits involving the constitutional lawsuits arising out of zoning classifications that exclude panhandling, certain assemblies, or defamatory, racist or other hostile speech.

## The results in zoning and land use lawsuits over this ten-year history

With respect to the special use lawsuits stated above, in approximately half of these lawsuits, based upon the advice of legal counsel, the participating local government members successfully requested the courts to enter orders re-instating the matters on the docket of the local government; thereafter reconsidering and reversing their prior actions, and taking new actions on the matters in question in order to comply with the statutory requirements that were previously violated. These reconsidered matters essentially resolved approximately one-half of these special use lawsuits. Moreover, the majority of the other remaining special use lawsuits were also dismissed by the courts for failure to adequately state a claim. With respect to the site and subdivision plat lawsuits stated above, in approximately ten percent of these lawsuits similar remedial measures were taken by the local governments which disposed of the lawsuits. The remaining ninety percent of these lawsuits were dismissed for failure to state a valid claim. Finally, with respect to the zoning/tort and constitutional lawsuits, virtually all of these lawsuits were dismissed for failure to state a valid claim or settled without monetary payment.

## The final reality of zoning and land use lawsuits

The purpose of this article is not to discuss the statutory or other legal requirements relating to specific land use and zoning actions under Title 15.2 of the Virginia Code, but simply to provide the big picture of the history and nature of the complaints and the actions taken by participating local government members and VML Insurance Programs working cooperatively in order to defend and resolve land use and zoning lawsuits over the last ten years. Hopefully, all local governments, their agencies, and elected and appointed officials will remember Ben Franklin's advice and seek the support, aid, and guidance of their staff and local government attorneys in order to be well-prepared for the challenging and complex issues presented by all land use and zoning matters prior to making any decisions or taking any actions or votes on these matters. The successful history of participating local government members and VML Insurance Programs working together to defend and resolve land use and zoning lawsuits over the last ten years proves a final reality of zoning and land use law: Zoning and land use law is as difficult to understand for most attorneys as it is for real people! 

**About the author:** *John A. Conrad is an attorney and a former vice mayor of the City of Richmond.*

# Portsmouth historic districts celebrate centennial anniversaries

## Country's early government-planned communities reach a milestone

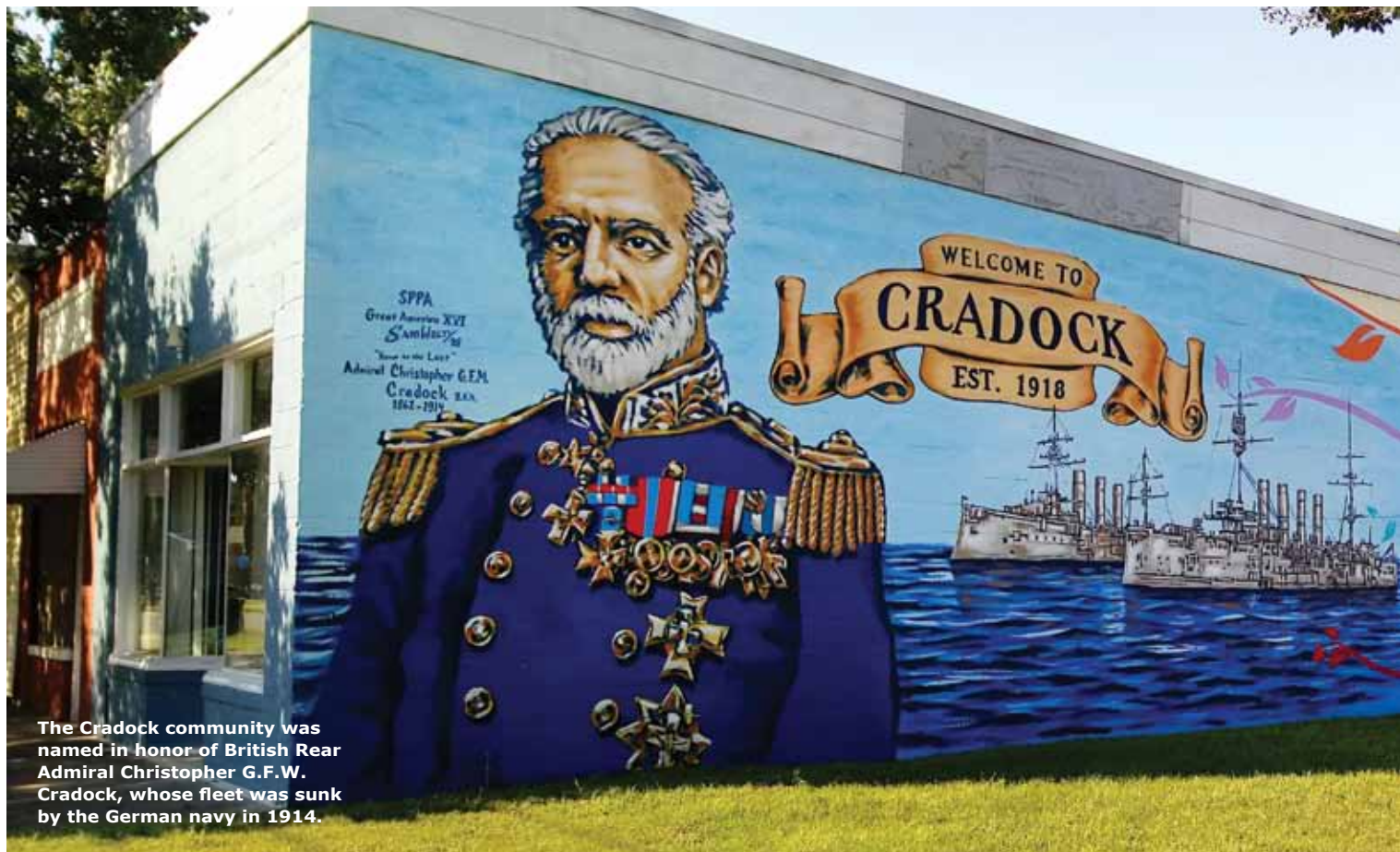
**P**ORTSMOUTH IS RENOWNED for its diverse historic districts. Popular tourist attractions, each of them tell the story of the seafaring, shipbuilding city situated on the Elizabeth River. The city's oldest historic district, Olde Towne, was the first district established and represents Portsmouth's earliest surviving history. The city has six historic districts (Olde Towne, Park View, Port Norfolk, Downtown, Cradock and Truxtun) – all listed on the National Registry of Historic Places. Each community has distinguishing features such as distinctive architecture, cobblestone walking paths, ghost stories and gorgeous water views; however, the Cradock and Truxtun neighborhoods are the only 20th century districts currently listed in Portsmouth and date back to circa 1918.

The historic Cradock community celebrated its centennial anniversary this year in 2018. Cradock and Truxtun were among the first government-developed housing subdivisions designed for shipyard workers during World War I. The design concept, for both of these

planned residential developments, is known today as new urbanism. The communities were designed to be self-contained; a place where residents would live, easily commute to work, play and shop without having to venture too far from their own backyards.

A hundred years of wear and tear . . . a hundred years of housing a transient and ever-changing population, and a hundred years of human history can take a serious toll on a community. And, such is the case with both Cradock and Truxtun. So, here is a tale of two neighborhoods, originally created to be separate but equal, in close proximity to each other and how both have weathered a century.

“At its core, the Cradock neighborhood has everything a modern neighborhood is designed to include,” said David Somers, who serves as vice president of the Cradock Civic League. He also chairs the history committee and serves as the league's treasurer. He says the old neighborhood has been in decline since the 1970s. “Walkable streets, parks, a nature park nearby, designated bike lanes, an active civic



The Cradock community was named in honor of British Rear Admiral Christopher G.F.W. Cradock, whose fleet was sunk by the German navy in 1914.



Afton Square, the heart of the Cradock community, was the site of some of the anniversary celebrations.



league, schools and churches make for a quality neighborhood. But an increase in vacant properties, decline in homeownership, the loss of the high school, the flight of the key businesses, absentee landlords, aging structures, an aging demographic, etc. all have had a negative impact on the Cradock community.”

Despite the issues Somers cites, he sees a renewed effort to revitalize the neighborhood. “Engagement between the civic league and City of Portsmouth officials has increased. Over the past year, I have

seen some of the older homes brought up to code or demolished and rebuilt/remodeled and sold. The Portsmouth Redevelopment and Housing Authority (PRHA) has invested resources into the removal of blighted multi-family housing units, and our civic league began neighborhood improvements starting in the center of the community,” Somers added. Meetings between the civic league and a city-appointed liaison have had some positive results including improvements to the historic Afton Square – the heart of Cradock.

The Cradock Civic League was instrumental in planning and executing the community’s centennial celebration. “The Civic League took steps, as early as 2016, to improve the appearance of the neighborhood ahead of the 100-year mark.” Somers said the league partnered with Wheelabrator of Portsmouth and the City of Portsmouth to rehabilitate the gazebo in Afton Square, and beautify the surrounding landscape. Other improvements included work on a WWI memorial in partnership with Veterans of Foreign Wars (VFW) Post 993. “A rededication ceremony for the memorial was staged and kicked off the centennial celebration. We created commemorative pieces that were presented to the commanding officer of the Norfolk Naval Shipyard, shipyard volunteers and Portsmouth Mayor John L. Rowe, Jr.” Other centennial observances and activities were held including:

- A short Cradock Historic District video
- Spring festival
- July Patriotic Salute and bike parade
- Come Home to Cradock (Cradock High School alumni event)

“Christmas in Cradock will be held in December (2018). Our current plan is to stage another event in the spring of 2019 to wrap up the year-long observance.” Somers noted that the events were well-attended, showcased the community’s connection to the shipyard and gained attention to the district’s history, its evolution and future.

When asked to describe his beloved Cradock, the civic league vice president said, “Cradock is a neighborhood in transition. It’s rich in history at the local, regional and national level. With the proper attention and investment, it will once again be the ideal place for families with all the amenities first envisioned by the district’s designers. Cradock’s final story has yet to be written.”

The Truxtun Historic District will observe its centennial in 2019. The 43-acre community of Truxtun, named for early naval hero Thomas Truxtun, was constructed between 1918 and 1920, and like Cradock was designed to be a self-contained pedestrian community.





## Portsmouth

A predecessor of the new urbanism. Truxtun was the first wartime government housing project in the United States built exclusively for African-American shipyard workers and their families. Truxtun was built to accommodate the surge in the workforce as a result of WWI. The houses rented for \$17.50 per month payable to the federal government. In addition to the houses, the plans for Truxtun originally included a school, church, community house, garage and 35 stores. Only the school, Truxtun Elementary School, was actually built in 1920.

Wanda Watford Gardner, a former Portsmouth native, reflected on the years she spent living in Truxtun and the adjoining neighborhood Arcadia Heights. “I liked the sense of community family. Knowing and caring about your neighbors makes Truxtun special,” said Gardner. Chester Benton, president of Historical Truxtun Civic League, remembers fondly the old days of a bustling, participating village where teachers, doctors, lawyers and other professionals lived right next door. It was a place where children could play while they were watched closely by friends, family and neighbors. Benton reminisces about a time when a kid could walk a couple of blocks to get a haircut at the local barber shop or get takeout food from several different mom and pop outlets.

“I was born in Truxtun on Hobson Street,” said Benton, who serves as the general manager for radio stations WPCE/WGPL/WBXB . . . The New Christian Broadcasting Company. “In the 50s and 60s, Truxtun had it all. It was that village from the old African proverb. Families were very close and looked out for each other,” he



The Cradock Civic League and VFW Post 993 restored a World War I memorial in the community as part of the centennial celebration.

concluded. “I attended Truxtun Elementary School and remember many teachers and administrators including John Carey and Hattie Russell,” Benton reminisced.

Attorney Ann Gourdine, another life-long resident of Truxtun, said she spent her entire life in Truxtun – except for 13 years she spent seeing the world. She concurs with Benton’s assessment of the kind of community the old neighborhood was. “The land stays the same, it is the inhabitants that change. The character of Truxtun, in my childhood, was a nurturing place. Families in my immediate neighborhood kept an eye out for each other. I could safely play outside for long periods of time,” said Gourdine.

Benton says Truxtun began to decline in the 1970s when many families migrated to Cavalier Manor and other regions of the city and when so many of the businesses closed or moved. “Lucy Overton and Amanda Connor, members of the Old Truxtun Community League



The design concept for the Cradock and Truxtun communities reflect what is now referred to as “new urbanism.”





Both the Cradock and Truxtun communities were designed to be self-contained and encourage walkability.

and the Wilson Ward Civic League worked with city officials to maintain Truxtun’s identity and its viability as a great place to live,” Benton expressed. “The evolution of Truxtun has had its positive and negative periods,” Gourdine interjected. “Regardless of the economic, racial and other factors Truxtun was plagued with, things are slowly turning from the negative to the positive.”

Despite the dramatic changes over the decades, Gourdine believes Truxtun remains a very special neighborhood. “I love its close proximity to my job. I have jogged, biked or taken the bus downtown. The neighbors are welcoming, don’t mind the occasional loud party or clothes hanging on a clothesline,” she answered. “Truxtun is special, not only because it’s the oldest planned neighborhood for African-Americans in the U.S., but also because of the solid foundation (familial, educational, social) the community provided.” Gourdine also

noted that children from the old neighborhood were well-equipped to maximize their potential. She stated there are many generations of well-educated and accomplished professionals that came out of Truxtun Elementary School, which fostered an environment of excellence, steadfastness and thirst for knowledge.

The Historic Truxtun Civic League is planning a host of events in celebration of its centennial anniversary including:

- Truxtun Notes . . . series of 90-second radio vignettes
- Awards Dinner (February 2019)
- Historic Truxtun Memorabilia Exhibit (April – May)
- Truxtun Anniversary Weekend (May)

Notwithstanding the progression and/or regression that occurred in both Truxtun and Cradock, and no matter the reasons behind the phenomena, the federal government’s original concepts for these two historic communities remain unchanged. Two neighborhoods, different from one another, each unique. Wholly contained communities designed to enable residents to interact, commute to and from work easily, take leisurely strolls around the community for both pleasure and exercise, and shop for grocery or get a haircut right in the neighborhood. Sounds like the formula for the best kind of neighborhoods.

Despite their longevity, community dreams unrealized and explosive transitioning over the years, Cradock and Truxtun are still very much alive, thriving and inching toward major comebacks. Stay tuned.

Sources. Information was drawn from interviews with individuals and from the historic sections of two city of Portsmouth publications: Cradock Historic District Design Guidelines (<https://bit.ly/2IZij1h>) and Truxtun Historic District Guidelines (<https://bit.ly/2J0njGe>).



**About the author:** *Sharon Riddick Hoggard is the marketing manager in the city of Portsmouth’s Department of Marketing, Communications and Tourism.*



The Historic Truxtun Civic League is planning a host of events in celebration of its centennial anniversary.

# VBCOA receives ICC Chapter of the Year award

## ICC annual meeting held in Richmond for the first time

THE INTERNATIONAL CODE Council (ICC) held their annual conference in Richmond, Virginia October 21 – 24. Mayor Levar Stoney welcomed the more than 1,500 code professionals from the United States and Saudi Arabia, Qatar, Australia, Barbados, Canada, Cayman Islands, Georgia, Japan, New Zealand, Nigeria, Oman, and the United Arab Emirates to the Richmond Convention Center. In expressing appreciation for those in the building codes profession, Stoney referenced the recent tornados that had affected the Richmond area, as well as Hurricanes Florence and Michael.

Every year, the ICC presents awards to honor organizations for their accomplishments and service to the building safety industry. This year, the Virginia Building and Code Officials Association (VBCOA) earned the ICC Chapter of the Year award.

The ICC is supported by over 380 chapters throughout the world and consists of groups of code officials and industry-related professionals.

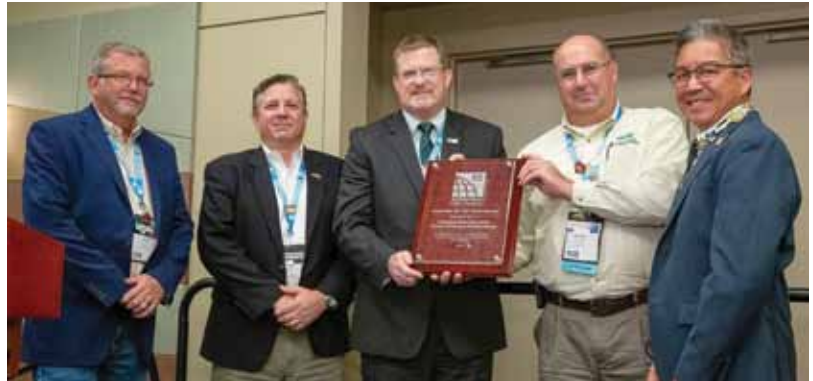
In presenting the award, ICC President Jay Elbettar stated that the VBCOA application stood apart due to VBCOA's focus on training, mentoring, community engagement, and leadership in the building safety industry. ICC Awards and Resolutions Committee member Stuart Tom noted that the VBCOA is a clear advocate for the next generation of building safety professionals, stating that Virginia has more schools in the High School Technical Training Program (HSTTP) than any other state. He credited this achievement to the VBCOA board which has worked hard to establish long term relationships with Virginia's schools and community colleges.

In fact, ICC officials were so impressed with the VBCOA report of activities that they asked VBCOA to present at the ICC Chapter Presidents' meeting and share VBCOA's "secret sauce" for success.

VBCOA President Pete Mensinger, Immediate Past President Gregg Fields, and Past President David Beahm accepted the award on behalf of the VBCOA. In accepting the award, the trio of presidents stressed the importance of investing in the group's membership, reaching out and involving new members in the organization, and working with other organizations in the codes industry.

President Mensinger credited VBCOA's success in part to the organization's ability to maintain a leadership presence in each region of the state by having each represented on the VBCOA Board of Directors. Mensinger also stressed the importance of VBCOA's culture of enthusiasm and volunteerism that works to engage all members. He offered this advice: "Get people involved, teach, train, and develop your people, every day."

Students from the Charles J. Colgan Sr. High School in Prince William County joined their teachers Tim Mason and Michelle Kight




**VBCOA officers with the ICC Chapter of the Year award. From left to right: James Moss, First Vice President (Grayson County), Pete Mensinger, President (City of Alexandria), Gregg Fields, Immediate Past President (City of Alexandria), David Beahm, Past President (Warren County).**



**City of Richmond Mayor Levar Stoney greets outgoing ICC President Jay Elbettar (Building Director – Newport Beach, California).**

as they were honored for their work using the ICC High School Technology Training Program (HSTTP) curriculum in Virginia. The students had the opportunity to attend the annual business meeting and networked with the more than 1,500 plus code professionals attending the event. President Mensinger thanked Jim Ellwood, ICC Career Development Coordinator and VBCOA HSTTP Co-Chairs Paula Johnson and Kyle Kratzer for their tireless efforts implementing the HSTTP in Virginia Schools during the presentation to the chapter presidents.

For more information visit the following web sites: ICC HSTTP – [www.iccsafe.org/hsttp](http://www.iccsafe.org/hsttp); VBCOA – [www.vbcoa.org](http://www.vbcoa.org); ICC – [www.iccsafe.org](http://www.iccsafe.org). 



# Highlights from the VBCOA annual conference

**O**UTGOING VIRGINIA BUILDING Code and Officials Association (VBCOA) President Gregg Fields (City of Alexandria Building Official) handed over the reins to newly elected President Pete Mensinger (City of Alexandria Special Projects Manager), during the 89th VBCOA Annual Conference and School, held in Williamsburg, VA.

President Fields' tenure saw many accomplishments for the organization: increased new membership, increased use of website and social media platforms, the creation of a retiree membership category, leading the nation for schools participating in the High School Technical Training Program (HTTSP), and receiving the International Code Council (ICC) Chapter of the Year award. Additionally, under President Fields' leadership, over \$40,000 in scholarships were awarded to VBCOA members, allowing for participation in national code development hearings and educational opportunities.

The annual conference and school included a general session on strategies and solutions for school classroom security, and approximately 20 concurrent training sessions for code professionals.

The annual banquet featured several highlights:

Jack Tuttle, former president of the Virginia Local Government Management Association (VLGMA) and retired city manager for the City of Williamsburg, addressed the membership during the annual banquet. Tuttle chose an engaging method to deliver his message: he explained to the approximately 250 attendees that the "CBO" credential means more than just Certified building official. According to Tuttle:

- C = Commit to do the "work of leadership."
- B = Believe in your own higher purpose.
- O = Operate by a disciplined management system.

Rick Witt, Chesterfield County Building Official, was presented with the 2018 Presidents Award for over 30 years of dedication to advancing the goals of public safety, health and welfare. Witt currently serves on the Virginia Technical Review Board (TRB), the VBCOA Ad Hoc Fire Board Committee Chair, and as VPMIA representative for VBCOA.

Kyle Kratzer, Fairfax County code specialist II and co-chair of the High School Technical Training Program (HSTTP), also received an award. Additionally, Jim Collins, recently retired chief building inspector for Prince William County and his wife Jamie, were recognized for their many years of service to the code profession and the VBCOA.

Incoming President Pete Mensinger has worked for the City of Alexandria for many years, including the Alexandria City Fire Department Code Enforcement Bureau and the Department of Code Administration. He thanked the past presidents for their leadership



**Incoming VBCOA president Pete Mensinger being sworn in with board member Cindy Davis.**

and committed to continue their focus on mentoring and leadership development. Mensinger also unveiled the Military Veterans and Families Appreciation Challenge Coin Drive. VBCOA region chairs will be responsible for selling these challenge coins throughout the year, with proceeds dedicated to benefit the Veterans of Foreign Wars and the Chris Souza Foundation.


During his speech, Mensinger emphasized the importance of volunteering. He challenged the leadership to empower young people to get involved, help them step into roles which will help them grow, and to begin thinking about selecting someone to mentor, as many longtime members will be retiring. He stressed the responsibility for those in current leadership roles is to continually teach, train, and develop the next generation at the grassroots level. He continued by



**Membership Chair Michelle Coward gets the attendees fired up to recruit new members.**

stating this is best accomplished by building relationships with new members, encouraging new ideas and creativity, fostering friendly and fun competition among the regions, funding training and educational development opportunities, and encouraging volunteerism.

Additional conference highlights included Membership Chair Michelle Coward (City of Richmond Code Enforcement Program Manager and member of the Virginia Army National Guard), announcing a new membership drive called "Members Making Members." Coward's passionate speech during the Annual Business Meeting challenged all participants to recruit new members in the coming year.

For more information about the VBCOA please visit the association website at [www.vbcoa.org](http://www.vbcoa.org) or contact Sandy Harrington at [sharrington@vml.org](mailto:sharrington@vml.org) 

**About the author:** *Sandra Harrington is VBCOA's executive director and is VML's government relations associate.*



**Jack Tuttle puts a new spin on "CBO"**

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Primarily membership throughout Virginia				No. Copies of Single Issue Published Nearest to Filing Date	
a. Total Number of Copies (Net press run)				4,800	
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(1) Mailed Outside-County Paid Subscriptions Stated on PS Form 3541 (include paid distribution above nominal rate, advertiser's proof copies, and exchange copies)				4,659	
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g. Copies not Distributed (See instructions to Publishers #4 (page #3))				68	
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i. Percent Paid (15c divided by 15f times 100)				99.6%	
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PG Form 3526, July 2014 (Page 2 of 4)					

# FOCUS ON OUR MEMBERS

Local officials are a fascinating bunch of people who have careers all over the board and a range of backgrounds and interests. Over the next several months VML will include a brief focus on various members so that we can all gain an appreciation of what a diverse group occupies the seats in council and board chambers. Do you know someone who could be featured? Email Rob Bullington at [rbullington@vml.org](mailto:rbullington@vml.org).

## Monaé Nickerson, Vice Mayor, Town of Dumfries

By Rob Bullington

MONAÉ SATCHELL NICKERSON was born and raised in New York City. Though she faced adversity in her childhood, Monaé was determined not to be a product of her circumstances. She found comfort and motivation in her maternal grandmother, Myrtle Taylor, who gave her the confidence to realize that if she didn't want to be defined by her circumstances, she would need to be educated and become a positive example to those around her. To this end, she began a lifelong dedication to education and community service.



After leaving New York, Monaé met and married her husband, Lawrence Nickerson in Newport News, VA. Soon afterward the couple moved to North Carolina where she became active in organiza-

tions such as Guardian ad Litem, Communities in Schools and Sexual Assault Victims Advocacy. Along the way, Nickerson earned both her bachelor's degree in business administration and master's degree in human resource management from Strayer University. After moving to Prince William County and Dumfries in 2010, Nickerson became an advocate for children on numerous boards and councils across Prince William County as well as active on the Board of Elections and a member and chair of the Dumfries Architectural Review Board.

On May 1st, 2018 Monaé Satchell Nickerson was elected to Dumfries Town Council in her first electoral race and was subsequently appointed, by her peers, as Dumfries' Vice Mayor. Being Dumfries' first black female Vice Mayor is important to Nickerson because she believes it shows progression towards female equality and inspires girls to think outside the box and trust in their own abilities.

Today, she continues to make her life the example of service and achievement she first set for herself back in New York. As Vice Mayor, Nickerson is working to create and provide community programs for social and economic empowerment through skills and knowledge. Nickerson encourages her constituents to get involved in improving their communities and not just to complain, but to contribute. In addition to serving as Vice Mayor, Nickerson continues to serve on both the Architectural Review Board and the board of directors for the Keep It Moving organization. She also works full-time as a human capital Consultant advising clients on human capital strategies that align with their organizational needs.

And, as if all that were not enough, she and Lawrence are the proud parents of four children, two bonus babies (stepdaughter's) and two children they share – one daughter, Taylor and one son, Tanner.

## John Chapman, Council Member, Alexandria

By Mary Jo Fields

JOHN TAYLOR CHAPMAN was first elected to city council in Alexandria in 2012 and was just re-elected on Nov. 6. In 2016 he undertook a new venture: he founded the Manumission Tour Company, which focuses on the history of Africans and African Americans in Alexandria through guided cultural heritage tours. According to Merriam-Webster Dictionary, manumission is the formal emancipation from slavery.



The idea for the company came to him when council was studying the redevelopment of a public housing project in the city. He didn't like that most people did not know that the history of the houses: that they were built for black defense workers who located in Alexandria during World War II.

From that germ of an idea came the development of a company that highlights black history in the city. Chapman identified the lack of regularly-scheduled tours focusing on black history in the community. He then took matters into his own hands, conducting research at the city library on the lives of slaves who became free and turning to crowdfunding to supplement his own support for the initiative.

A native of Alexandria, Chapman grew up in the city's public housing communities. He received a bachelor's degree in social studies education from Saint Olaf College, a liberal arts college in Northfield, Minnesota. He has worked for the Fairfax County school system since 2006. Family history has it that his ancestors were slaves in North Carolina, and his maternal grandfather was one of the first black taxi drivers in Alexandria, according to a Nov. 27, 2016 article in the *Washington Post*.

The same article notes this description of the tour: Chapman "tells the stories of freedman Moses Hepburn, who in 1850 built four brick rowhouses on North Pitt Street that are still standing and occupied; Sophia Browning Bell, a slave to the mother of a Maryland governor who managed to raise and sell vegetables at the Alexandria farmers market, thus saving enough money to buy her husband's freedom; and the Quaker proprietors of the city's Stabler-Leadbeater Apothecary, whose 11 pharmacies were rumored to be stops on the Underground Railroad."

Chapman also has a long list of volunteer work, including work on the city school's budget advisory commission, the Alexandria volunteer committee and the Alexandria branch of the NAACP.

**About the authors:** Rob Bullington is the editor of *Virginia Town & City*. Mary Jo Fields is an adjunct VML staff member and a contributing editor to *Virginia Town & City*.





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