

THE MAGAZINE OF THE
VIRGINIA MUNICIPAL LEAGUE



The Knowledge to Govern



Inside:

Three steps forward
for environmental
justice in Virginia

Spotlights on
Galax, Smithfield
and Warsaw





Local Government Consulting

If this year has shown us anything, it's that there are significant challenges and uncertainties ahead – constrained budgets, increasing mandates, reduced immunities, and continuing social change.

Our members can navigate these and other challenges by utilizing our services, tools and resources.

VRSA is proud to offer the consulting services and resources of Peter Stephenson, a former town manager with more than 30 years of local government experience, as our Local Government Specialist.

Peter focuses on building relationships with members, local and regional government organizations and associations.

Services include:

- Identifying emerging risks and challenges in local government finance, budgeting, and compliance
- Leadership consulting:
 - Council/manager governance
 - Community relationship management
 - Ethics
 - Strategic planning
 - Effective service delivery

VRSA is here to ease what worries our members – so that you can focus on what matters most – serving your community. Through our comprehensive coverages, services, tools and resources, VRSA provides more than insurance.

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ABOUT THE COVER

How does the Dillon Rule work? What does Sovereign Immunity mean to localities? What audiences do council members need to think about during meetings? How does one start a media campaign? You've got questions, we've got answers inside this issue of *VTC*.

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Spotlights on our members:

During the 2020 VML Annual Conference attendees could earn points by completing a virtual exhibit hall scavenger hunt. Those with the most points were invited to tell us about their favorite business or destination in their locality. Here's what we learned about:

- Galax's old Vaughn Furniture Plant**
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- Smithfield's Windsor Castle Park**
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- Warsaw's revitalized downtown**
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A season for inspiration

HOPE THAT EVERYONE had a nice Thanksgiving even if it was much different than last year! Most important, I hope that all of you and your families are healthy and finding inspiration where you can. I have been making a point of looking for inspiration in my day-to-day activities. For example, in early November I found inspiration when I visited some of our towns on the Eastern Shore. It was so refreshing to see how towns are working to utilize their CARES Act monies for the benefit of their citizens and I was reminded how important it is to plan for when community events return – even if they are a long time away! It's inspiring to see plans being made for the better times that are coming.

Here in the present, however, VML is very aware of the fiscal impact that this pandemic is having on our localities which will be felt even more as the CARES Act money goes away. Your league continues to advocate at the state and federal levels for more money to help with delinquent utility bills and to replace lost revenues.

There are several important things you can do to help make sure our state legislators don't forget about local government needs.

First, as we roll into December and January, it is very important that you provide your General Assembly members information on your locality's utility delinquencies, need for revenue replacement and any other relevant data. It's essential that they are aware of this information as they review the budget.


Second, as you adopt your legislative program, please send VML a copy to ensure we are aware of your locality's legislative priorities. Please use VML's 2021 Legislative Program as a reference as you work on yours. Among the priorities in VML's 2021 Legislative Program are funding the real cost of education, expanding the Communication Sales and Use Tax, state assistance to local police departments and addressing the short- and long-term needs for COVID related expenses.

To review VML's legislative program visit www.vml.org/advocacy/general-assembly/legislative-program.

Finally, in this virtual environment it is going to take a group effort to ensure that the General Assembly members and staff take the time to ask local governments how legislation will affect them. We must have a consistent response to their requests and needs. To this end, VML has created a guide on how to work with your legislators year-round. You can download a copy at www.vml.org/advocacy or send an email to our Director of Communications, Rob Bullington, rbullington@vml.org to request one.

The bottom line is that the most effective time to engage your legislators is when they are *not* in Richmond. Talk with your legislators before the session begins to determine the best way to communicate with them during the session. Ask them what items and issues they believe are important and explain how those things affect your locality. Even a short conversation before the session can have a big impact later. So, thank you!

In closing, I want to let you know that VML will host a virtual Newly Elected Officials event on January 6. Anyone is welcome to attend. Keep an eye on *eNews* and our website for more details.

As we go through the holiday season, I want to thank all our localities for their creative thinking on how to celebrate. I see so many examples of local officials and staff thinking outside the box to set up safe events that citizens can enjoy. You inspire me! Be well. 





VML connects you with a variety of networking and professional development events. Learn about these opportunities at vml.org/events.

- Dec. 15, 2020** **Virginia Building and Code Officials Association (VBCOA) Annual Business Meeting**
Virtual Zoom
- Jan. 6, 2021** **Newly Elected Officials Conference**
Virtual Zoom
- Jan. 13, 2021** **2021 General Assembly convenes**
- Feb. 18, 2021** **Municipal Electric Power Association of Virginia (MEPAV), Board Meeting**
Holiday Inn Monticello, 1200 5th Street SW, Charlottesville, VA 22902
- Oct. 2 - 3, 2021** **Virginia Mayors Institute**
Lansdowne Resort, 44050 Woodridge Pkwy, Leesburg, VA 20176
- Oct. 3 - 5, 2021** **Virginia Municipal League Annual Conference**
Lansdowne Resort, 44050 Woodridge Pkwy, Leesburg, VA 20176

PEOPLE

Peck retires as Bowling Green town manager

Reese Peck, the town manager of Bowling Green since 2017, recently announced his intention to retire on December 1 of this year. Peck has served in local government for more than 28 years. Before his arrival in the Town of Bowling Green, Peck served as South Dakota Department of Environmental and Natural Resources Agency manager; Commonwealth of Virginia Enterprise Zone Program manager; Commonwealth of Virginia Stormwater Management Program manager; James City County planning commissioner; and Essex County administrator.

Peck earned a bachelor's in political science from the State University of New York at Albany and a master's degree in public administration from the University of South Dakota.



- Peck -

Coates elected to VACo/VML Pooled OPEB Trust board of trustees

Meghan Coates, director of finance for Henrico County, has been elected to the Board of Trustees of the VACo/VML



- Coates -

Pooled OPEB Trust by participants in the FY2021 Annual Meeting. At the same meeting, participants of the Pooled OPEB Trust re-elected Jeffrey Weiler, executive director of Fairfax County Retirement

Systems, and H. Roger Zurn, Jr., treasurer of Loudon County. Trustees serve three-year terms with the newly elected trustees serving until the FY2024 annual meeting.

Coates succeeds Ned Smither, former director of finance for Henrico County, whose tenure saw the steady growth of Pooled OPEB Trust's assets.

Comprised of local government officials from participants in the VACo/VML Pooled OPEB Trust, the nine-member Board of Trustees is the governing body of the Pooled OPEB Trust. The Pooled OPEB Trust is Virginia's only OPEB pooled trust and the largest OPEB pooled trust in the United States.

Watson resigns as Bluefield town manager; will become county administrator of Carroll County

On October 9, Bluefield Town Manager **Mike Watson** submitted his resignation to Mayor Don Harris and town council members.

"It has been a pleasure working for the Town of Bluefield for the past sixteen years," Watson said in his letter of resignation. "In my time here, I have grown professionally and made many life-long friends that I will always cherish. However, it has come to a point in my life and career where I have decided to accept another position."

Watson said his last day of employment for the town will be Dec. 8.

Harris said the search will be on to find a



- Watson -

new town manager.

According to an article in *The Carroll News*, Watson was introduced as Carroll County's new administrator during the Carroll County Board of Supervisors Oct. 13 meeting.

Watson holds a bachelor's from Bluefield State College and an MBA from King College

Neudigate begins work as Virginia Beach police chief

On October 14, **Paul Neudigate**, formerly the assistant chief of the Cincinnati Police Department where he had 30 years of experience, began overseeing the 1,051 employees of the Virginia Beach Police Department.

Patrick Duhaney, Virginia Beach's new city manager and the former city manager in Cincinnati, picked Neudigate.

According to an article in *The Virginia Pilot*, it was "the first time in 39 years, the city has hired an external candidate to lead the Virginia Beach Police Department."

In a statement, Neudigate said that he is "deeply humbled and honored to be selected as next police chief for the City of Virginia Beach. The police department is well-regarded nationally and I know that comes from strong leadership, principled officers and experienced support staff who make it their mission to serve the community effectively and professionally."

Former Police Chief Jim Cervera left the role in April after he was forced by law to retire when he reached the age of 65.

Neudigate earned a bachelor's degree in

PEOPLE

justice administration from the University of Louisville and a master's degree in criminal justice from the University of Cincinnati. He has also attended several executive leadership schools.

Sutton tapped to be Chief Deputy State Coordinator of VDEM

In early October, **Erin Sutton**, the Virginia Beach director of emergency management, was appointed by Governor Northam as the new chief deputy state coordinator of the Virginia Department of Emergency Management (VDEM).



- Sutton -

Sutton succeeds Curtis Brown, who was appointed state coordinator of emergency management for VDEM in June of this year.

Sutton, who had been the director of emergency management in Virginia Beach for four years, described being deeply affected by the mass shooting on May 31, 2019 in an interview with WAVY News about her appointment: "I've been here for 16 years, I knew a lot of the folks that were shot and a lot that were injured. There were definitely a lot of lessons learned and definitely 5-31 is ingrained in my mind forever. The experience that I learned here, I hope that I can share across the Commonwealth."

Prior to her role as Emergency Management Director, Sutton also held positions with the Virginia Beach Department of Public Health, developing the Virginia Beach Medical Reserve Corps and leading the citywide pandemic planning effort as Emergency Planner. She received her bachelor's degree in biology from Radford University and her master's degree in microbiology and immunology from Wright State University in Dayton, OH. She is a certified emergency manager, certified floodplain manager, and is a certified Project Management Professional.

New roles for Hughes and Byrd with the City of Suffolk

On November 12, **Kevin Hughes**, who has served as the City of Suffolk's director of economic development since February 2010, was appointed as the City of Suffolk's acting deputy city manager. Since he first began working for the city 15 years ago as a senior business development manager, he has been involved with more than 500 projects totaling more than \$1 billion in capital invest-



- Hughes -

ment and more than 700 new jobs.

In addition to his new duties as deputy city manager, Hughes will continue to supervise the Division of Tourism and the Suffolk Executive Airport and will continue his duties as the deputy secretary treasurer for the Suffolk Economic Development Authority. Hughes earned a bachelor's degree from James Madison University and completed the Economic Development In-

stitute at the University of Oklahoma.

To fill the vacancy left by Hughes, **Gregory Byrd**, who had served as the city's assistant director of economic development, became acting director of economic development on November 12. Prior to his current role, Byrd worked for the the city's economic development office for 13 years. Prior to that, he was the deputy executive director for nonprofit Empowerment 2010



- Byrd -

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Inc., which managed workforce business and community development programs in Norfolk and Portsmouth.

Byrd earned his bachelor's degree from the U.S. Naval Academy and his master's degree in systems management from the University of Southern California. He is also a graduate of the Economic Development Institute at the University of Oklahoma.

Kines reappointed to Virginia Board of Social Services

In October, Governor Ralph Northam reappointed **John G. Kines, Jr.** of Prince George County to a second four-year term on the Virginia Board of Social Services. Previously, Kines served 11 years as a member of the Virginia Commission on Local Government.

Additionally, Kines was employed as Prince George County Administrator for 25 years. Kines was among the first county administrators to assume that role for his local Prince George County Department of Social Services after Virginia law was amended in 1982 to allow county administrators to serve as the "local board of social services."

Olem elected mayor of Town of Herndon

Sheila A. Olem has been elected Mayor of the Town of Herndon for the 2021-2022



- Olem -

term. Olem has served on the Herndon Town Council since 2010, most recently as vice-mayor. She succeeds Lisa C. Merkel, who had served as the town's mayor since 2012 and did not seek reelection in 2020. Merkel

was also a valued member of VML's Executive Board during a portion of her tenure as Herndon's mayor.

Movers and shakers

Do you know someone who's on the move? Send your announcements about new hires in local government, promotions, retirements, awards and honors to Rob Bullington at rbullington@vml.org.

Staunton council dedicates Rita S. Wilson council chambers



On November 12, the Staunton city council formally dedicated its chamber in honor of **Rita S. Wilson**, the city's first African American councilwoman, who served on council from 1991 to 2008, including serving as vice mayor. Wilson also was an active member of the Virginia Municipal League, serving as chair of its Human Development and Education Policy Committee and as a member of the Legislative Committee.

A short video about Wilson can be viewed on the city's YouTube channel.

In 2016, following Ms. Wilson's death, the Community Foundation of the Central Blue Ridge created the Rita S. Wilson Memorial Scholarship to support residents of Staunton and Augusta County seeking to continue their education. In addition to supporting high school seniors as they transition to college, the scholarship is available to adults in the workforce who, like Ms. Wilson, choose to pursue higher levels of education and new skills. More information is posted at www.cfcbr.org/rita-s-wilson.

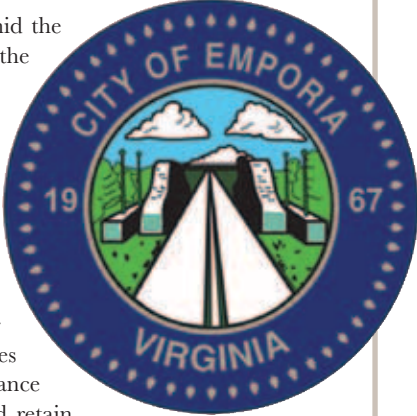
NEWS & NOTES

City of Emporia assigned new credit rating for the first time in 25 years

S&P GLOBAL RATINGS HAS ASSIGNED the City of Emporia a AA-credit rating, which is in the very strong category, based on its assessment of the strength of the city's finances, management, economy and overall debt burden. Moody's Investors Service has assigned a Aa1-enhanced rating which is based on the Virginia Localities Intercept Program and on the Commonwealth of Virginia's rating.

With the AA-credit rating, S&P cited several factors including the City's very strong general fund reserves and liquidity, strong budgetary performance and finances supported by a comprehensive set of formalized financial policies adopted by the city in 2014, and a very weak economy. In addition, S&P believes that the city's conservative management team, very strong reserve position, diverse revenue mix, and self-supporting utility system should help the city to effectively manage any near-term budgetary challenges amid the current uncertainty related to the COVID-19 pandemic.

In a press release, Mayor Mary Person, stated that "this rating indicates that the city is moving in the right direction with its financial policies, even during the challenging pandemic times." Similarly, City Manager William E. Johnson, III, believes "the bond ratings will enhance the city's ability to attract and retain businesses to the city."



Fredericksburg embarks on telling the full story

RECENTLY, FREDERICKSBURG CITY MANAGER Tim Baroody announced that Angela Freeman, in her new role as the city's diversity, equity and economic advancement officer, will help coordinate work on an array of projects focused on local African American history. These include:

- Installing historical markers on two significant sites. The first is a former commercial wharf at the end of Canal Street run by a late 18th century African American entrepreneur and American Revolution participant, John DeBaptiste. The other is the site of the former Greyhound Bus Depot at Princess Anne and Wolfe streets, which was a stop on the historic Freedom Riders journey in 1961.
- Making improvements to the corner at Charles and William streets where the Slave Auction Block was previously located and paying for a new exhibit at the Fredericksburg Area Museum, where the Auction Block will be displayed in a manner representative of its history and impact.
- Revamping and updating materials at the Fredericksburg Visitor Center to capture the city's history and share the complete and authentic story.



The Fredericksburg City Council has allocated funding for these projects. The University of Mary Washington will provide additional assistance to tell the story of the local Civil Rights Movement.

Virginia entities recognized for excellence in procurement



THE ACHIEVEMENT OF EXCELLENCE in Procurement Award is earned by public and nonprofit agencies that demonstrate a commitment to procurement excellence. This annual program recognizes procurement organizations that embrace innovation, professionalism, productivity, leadership, and e-procurement.

Entities in Virginia recognized with the 2020 award from the National Procurement Institute are: The City of Norfolk, Loudoun County, Fairfax County Public Schools, Prince William County, Prince William County Public Schools, Virginia Beach City Public Schools, Washington Metropolitan Area Transit, and the College of William & Mary. Congratulations to all the winners!

Round Hill, Loudoun County start work on a new trail and enhanced Main Street

THANKS TO LOCAL TAX MONEY and a Federal Highway Administration grant that originally was awarded in 2000, the Town of Round Hill will soon have a roughly 1½ mile trail connecting it to Franklin Park. The resulting trail, to be completed in the spring of 2022, will improve pedestrian safety along part of Main Street.

County and town leaders are also pursuing a Main Street enhancement project that will include the installation of sidewalks, curbs, curb ramps, retaining walls and a new storm drainage system. That project is being funded through a separate Federal Highway Administration grant that was awarded in 2008, along with county and town tax revenue.



Salem to host NCAA Championships



SPORTS FANS IN THE CITY OF SALEM have something to celebrate after the NCAA awarded the city fifteen National Championship events in the coming years.

Among the events is the 50th Annual Amos Alonzo Stagg Bowl which will return to Salem in December 2023. The city will also host Division III championships in men's and women's soccer, women's basketball, women's softball, women's lacrosse, women's volleyball and for the first time - men's volleyball.

Newly awarded NCAA championships for Salem

2023 – Stagg Bowl	2022, 2023, 2025 – Women's Soccer
2024 – Women's Volleyball	2025, 2026 – Women's Basketball
2025 – Men's Volleyball	2024, 2026 – Women's Softball
2022, 2023, 2025 – Men's Soccer	2023, 2024 – Women's Lacrosse

Salem's existing partnership with Old Dominion Athletic Conference will continue for these newly announced championships and with several others that are already scheduled.

Virginia Beach and Danville earn recognition for use of technology

THE ANNUAL 2020 DIGITAL CITIES SURVEY conducted by the Center for Digital Government (CDG) evaluates how cities across the country are using technology to advance municipal operations and citizen services. The 2020 Digital Cities Survey focused on cybersecurity, advanced analytics, digital inclusion, COVID-19 response and more.

Virginia Beach earned the top spot in its population category (250,000 – 499,999 population) for innovative initiatives, such as the "StormSense" project and its Traffic Data-Sharing Partnership with Waze. The City of Norfolk, the City of Alexandria and

the City of Hampton earned the 4th, 5th, and 9th spots, respectively, in the same category.

The City of Danville earned the top spot in its population category (up to 75,000) for its comprehensive governance structure, which includes policy, enterprise IT budgeting, and centralized oversight of IT costs, purchases, and Service Level Agreements. The City of Williamsburg earned the 4th spot in the same population category.



Roanoke Arts Commission accepting submissions for outdoor sculpture exhibition



THE ROANOKE ARTS COMMISSION is encouraging regional artists aged 18 or older to apply to submit a freestanding sculpture responding to the theme "A New Life: Reimagining Roanoke." Artwork may incorporate interactive as well as functional elements but must be comprised of at least 50 percent repurposed material.

Artists may apply individually or as part of a team with submissions being accepted through Jan. 18, 2021. The outdoor sculptures will be part of a two-year, temporary exhibition running May 17, 2021 through April 14, 2023.

Both proposed work and finished pieces will be considered. There is no entry fee. Artists chosen to participate will receive a stipend of up to \$4,000 per selected artwork.

Additional information is available at www.roanokeva.gov/808/Current-Calls-to-Artists.

Scavenger hunt promotes Front Royal and its businesses

AS PART OF THE TOWN of Front Royal’s #backtobusiness #backtonature initiative, the Front Royal-Warren County Chamber of Commerce and the Front Royal Independent Business Alliance partnered with the town to hold a weekly scavenger hunt throughout August.

Each week, scavenger hunt participants had to answer about a dozen questions related to different things to do in and around the town. Clues were provided through a website and on Facebook. Various prizes were offered including a weekly local gift card package valued at \$500.

The scavenger hunt questions were all related activities in Front Royal. For example, some of the questions from week three were:

1. *How many tables are outside at Blue Wing Frog?*
2. *What color is the Southern States Building?*
3. *What color is the awning of Nicole’s Jewelry Design?*

Winners were chosen at random from those who provided correct answers by emailing them to Discover Front Royal.



Localities earn Governor’s Environmental Excellence Award

THE WINNERS OF THE 2020 GOVERNOR’S Environmental Excellence Awards were announced August 21 by webinar. The awards recognized the significant contributions of environmental and conservation leaders in four categories: sustainability, environmental project, land conservation, and implementation of the Virginia Outdoors Plan. Local government winners included:

Gold Medal Winners

- City of Hopewell – Hopewell Riverwalk
- Harrisonburg-Rockingham Regional Sewer Authority – Enhanced Biosolids Reuse and Reduction Project
- Fairfax County Public Schools – Get2Green
- Neabsco Regional Park – Neabsco Creek Boardwalk

Silver Medal Winner

- Roanoke County Department of Parks, Recreation & Tourism – Hinchee Park

Bronze Medal Winner

- Prince William County Risk & Wellness Services Division – AST Management for Pollution Prevention



Hampton Roads localities undertake COVID-19 public information campaign

THE 17 LOCALITIES THAT COMPRISE the Hampton Roads region, coordinated by the Hampton Roads Planning District Commission (HRPDC), have come together to produce and launch a public information campaign, “It’s in Our Hands,” to promote behaviors to stop the spread of COVID-19 in Hampton Roads.

The print media and social media campaign includes a short video and several social-media ready graphics. The video mentions the behaviors necessary to help prevent the spread of coronavirus and then highlights popular activities/events from each of the 17 HRPDC localities with either a photo or a short video clip for each activity.

Search “Hampton Roads It’s in Our Hands” on YouTube to watch the video.





Alexandria uses CARES Act funds to provide no cost child care options

TO MEET THE RAPIDLY CHANGING NEEDS and preferences of families affected by the COVID-19 pandemic, the City of Alexandria is offering a Micro Pod Child Care program as well as other traditional child care arrangements at no cost to eligible working parents while slots are available.

Child care providers and families form small groups or pods who agree to follow strict safety protocols, such as mask-wearing and social distancing, when they are in public or interacting with others outside the pod. Pod members then participate in child care and virtual learning and socialize together in-person in settings where the rules can be relaxed, without increased risk of contracting or spreading the virus.

The program is being funded by CARES Act funding approved by the Alexandria City Council in September and facilitated by

the Emergency Child Care Collaborative (ECCC) in partnership with local licensed or regulated providers.

The funding is also supporting a variety of other child care settings, including traditional child care centers, preschools and family day home programs, for families who have exhausted all other non-group settings and have no other options.

The initiative is providing these options to 150 children ages 0-13 on a first-come, first-served basis through December 2020. Priority will be given to families with low income or families who are no longer eligible for child care subsidy because of lost employment.

Additional information is posted at www.alexandriava.gov/ChildCare.

Richmond joins nationwide effort to foster economic security

THE CITY OF RICHMOND HAS LAUNCHED the Richmond Resilience Initiative (RRI), a guaranteed income pilot program in which 18 working families who no longer qualify for benefits assistance but still do not make a living wage will receive \$500 a month for 24 months.

The program is part of a larger national movement to foster economic security in a data-driven, research-tested capacity, and is modeled after successful pilots in other cities. Richmond Mayor Levar Stoney recently joined Mayors for Guaranteed Income, a coalition of mayors committed to piloting universal income programs to promote economic empowerment.



RICHMOND RESILIENCE INITIATIVE
18 working families
\$500 a month
24 months
For a more resilient Richmond

Funding for the program is made possible by Robins Foundation and federal CARES Act funds.

The pilot cohort is comprised of clientele of the Office of Community Wealth Building (OCWB), the workforce development and economic mobility agency created at the recommendation of the 2011 Richmond Anti-poverty Commission. Participants were randomly selected from a group of OCWB clients that have children, are employed, and continue working to advance their careers but have lost all public benefits despite not yet earning a living wage.

Newport News launches NlightN holiday tour



RESIDENTS, BUSINESSES, CHURCHES/PLACES of worship and other organizations in the City of Newport News are invited to become part of a holiday lights tour, which will take drivers from one end of the city to the other to enjoy displays. Decorations can be tacky, majestic, elaborate, colorful and more!

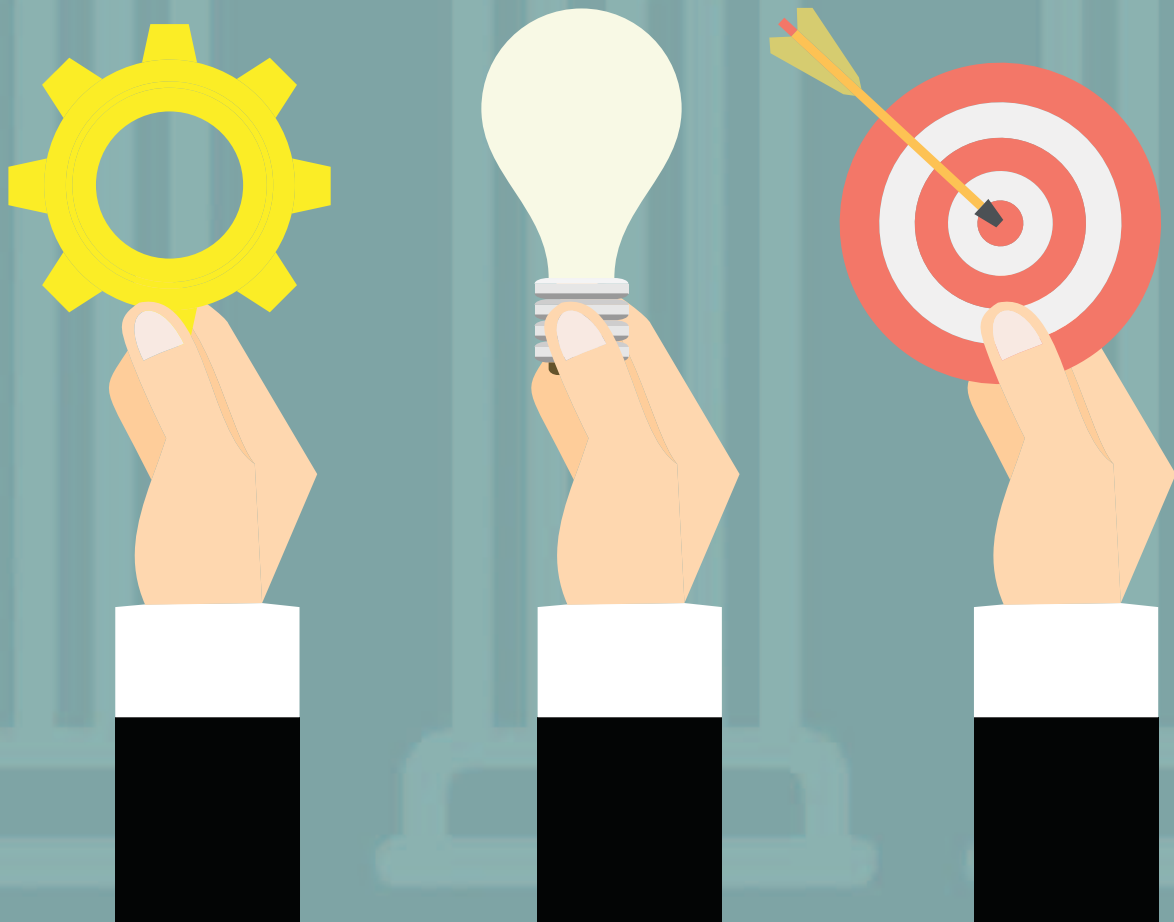
There is no cost to participate and all are invited to be part of the tour.

The city also created a map to make it easy for people to find every participating location and participants can pick up a sign announcing they are part of the tour.

For more information, visit www.nnva.gov/NlightN or call 757-926-1400.



The Knowledge to Govern



THIS PAST SUMMER, while so much of the world seemed to be falling *apart*, VML staff were able to put something *together*: the *2020 Handbook for Mayors and Council Members*.^{*} This was an updated and abbreviated version of the 2004 handbook which many elected officials and staff around Virginia value as a go-to resource. The 2004 edition, however, had become out of date, so the 2020 abbreviated edition was completed to fill the gap.

With work currently underway to complete the full-length revised *Handbook* (available in early 2021), we wanted to take this opportunity to share some excerpts from the 2020 edition along with a couple helpful, related resources.

**Current mayors and council members from VML member localities can receive an electronic copy of the abbreviated 2020 edition by sending a request to rbullington@vml.org. The 2021 full-length version will be distributed when it is completed.*

Included in this issue of *Virginia Town & City*:

Local Government Authority: The Dillon Rule & Sovereign Immunity

By Michelle Gowdy (excerpted from the *2020 VML Handbook for Virginia Mayors and Council Members*)

Working Together: Mayors, Councils, Managers, Appointed Officials and Staff

By Kimball Payne (excerpted from the *2020 VML Handbook for Virginia Mayors and Council Members*)

Getting along: Sound advice for council members that stands the test of time

By Annie Mickens (presented at the 2004 VML Newly Elected Officials Conference)

The Governing Body at Work: The Five Audiences of Council Meetings

By Jack Tuttle (excerpted from the *2020 VML Handbook for Virginia Mayors and Council Members*)

Local Media Relations for 2020

By Derrick Wood (condensed from a presentation delivered at the 2020 VML Mayors Institute)

Handbook for Virginia Mayors and Council Members

June 2020 | 6th Edition, Revised



About the authors:

Michelle Gowdy is the Executive Director of the Virginia Municipal League. An attorney, she has served as the general counsel of VML, as the county attorney in James City and New Kent counties and on the staff of the Virginia Department of Forensic Science.

L. Kimball Payne III, ("Kim") is an executive manager with the Berkley Group. He served as the Lynchburg City Manager from February 2001 until his retirement at the end of June 2016. Prior to that he served as the County Administrator of Spotsylvania County, Virginia, from February 1987 to February 2001, and as Assistant County Administrator in Spotsylvania from February 1984 to February 1987.

Annie M. Menkins served on the Petersburg city council from 1986 to 2010 and served as mayor from 2004 to 2010. She was a member of VML's executive board, chair of the human development and education policy committee and a member of the legislative committee.

Jackson C. Tuttle, II was the City Manager in Williamsburg from 1991 until his retirement in 2015. Prior to that, he was the City Manager in Gulf Breeze, FL.

Derrick R. Wood is a successful author, veteran, entrepreneur, family man and is currently serving as Mayor of Dumfries. He is also the founder and pitmaster of Dyvine Barbecue In Motion, a mobile barbecue catering company and competition team. Wood is currently a member of VML's executive board.

Local Government Authority: The Dillon Rule & Sovereign Immunity

What you need to know about the Dillon Rule

Virginia is a Dillon Rule state. This means that Virginia's localities get their authority to act from the Virginia State Constitution and various Virginia Code Sections.

Under the Dillon Rule:

The State legislature has complete control over municipal government except as limited by the state or federal constitution. Local governments' powers only extend to three categories:

- Those powers granted in express words;
- Those powers necessarily implied or necessarily incident to the powers expressly granted; and
- Those powers absolutely essential to the declared objects and purposes of the corporation – not simply convenient, but indispensable.

So, local officials in Virginia must be mindful when considering your scope of authority. This means that a locality cannot enact an ordinance without express authority in state code or in their charter.

Determining local authority

Best resource: The Virginia Code is the “go to” resource for what authority localities have. The following sections are used the most:

- Title 15.2 is directly related to local governments.
- Title 2.2 deals with the Freedom of Information Act and the State and Local Government Conflict of Interests Act.
- Title 22.1 relates to Education.
- Title 58.1 on Taxation.

Best person: Your attorney is your “go-to” person on questions involving the Dillon Rule.

What you need to know about sovereign immunity

Sovereign immunity is a legal doctrine that offers government and its employees protection against some lawsuits when exercising their authority. Sovereign immunity offers some protection from tort liability, which is when someone unfairly causes another to suffer loss or harm.

Sovereign immunity protects the public purse, protects against vexatious lawsuits, encourages citizens to assume important governmental positions by alleviating employees' fear of being sued, and promotes the orderly administration of government.

Statutory immunity applies to three areas:

1. Recreational Facilities (VA §15.2-1809)
2. Water Control Facilities (VA §15.2-970)
3. Landowners Allowing Recreational Use of Law (VA §29.1-509)

John Forrest Dillon was a judge for the 8th Federal Judicial Circuit (Iowa) in the late 1800s who had a strong distrust of local government.

Sovereign immunity also differs depending on what type of governmental entity is being considered:

State. The Commonwealth of Virginia has absolute immunity and is simply immune from most tort suits. However, the state can waive this immunity if it so desires.

Counties. Counties are “political subdivisions” of the Commonwealth and therefore most county attorneys argue that these jurisdictions are entitled to the same level of immunity as the Commonwealth. As such, counties have a higher degree of immunity than cities and towns. It is worth noting that the courts have said that county boards act in two capacities: legislative and administrative. In the administrative capacity, there is only qualified immunity.

Towns and Cities: Governmental functions vs. Proprietary functions. Cities and towns have two functions, one governmental and the other proprietary (this distinction is not applicable to counties). While cities and towns have some degree of sovereign immunity for actions related to governmental activities, they do not have immunity for actions related to proprietary functions.

Unfortunately, there is no bright line that demarcates which functions of a city or town are governmental and which are proprietary; determining which is which requires looking at the characteristics of the function. Further, always keep in mind that gross negligence – the conscious and voluntary disregard of reasonable care – negates sovereign immunity options.

Please be aware that this is an ever-changing body of law, so your attorney is in the best position to give you sound advice on distinguishing between a governmental function and a proprietary one.

Exceptions to Sovereign Immunity

The exceptions to sovereign immunity are straightforward. The first is contractual claims. If you enter into a contract and breach it, it logically follows that you are liable. Similarly, if the act is intentional or grossly negligent (conscious and voluntary disregard of reasonable care) then there is no legal protection. A public nuisance is also an exception to sovereign immunity, but a little more challenging to discern than breach of contract or gross negligence.

Immunity for Officers and Employees

Numerous doctrines and statutes discuss immunity for officers and employees. It is recommended that once you receive notice of a lawsuit, discuss the matter with your attorney to determine whether you, as an individual, need separate representation. Also, VA §15.2-1405 “Immunity of members of local governmental entities; exception” should be consulted in the event of a lawsuit.

Typically, persons who are in the highest levels of government – governors, mayors, judges, legislative bodies, etc. – have been accorded absolute immunity. There is at least one such case in which even a planning commissioner was accorded legislative immunity.

County, city, and town employees, as well as school board employees, may be immune in some functions of their work. Ask your lawyer to review the cases that are relevant to the specific facts in your case.

Working Together: Mayors, Councils, Managers, Appointed Officials and Staff

Elected Officials

The duties and responsibilities of elected (and appointed) local government officials depends on the form of government in the locality. Virginia's municipalities operate under either the "council-manager" form of government or the "mayor-council" form. Except for Richmond, all the Commonwealth's cities and many of its larger towns are under the council-manager form of government.

Role of the Mayor

Regardless of the form of government, state general law (VA § 15.2-1423) assigns to the mayor the duty of serving as presiding officer at council meetings and designates the mayor as the head of the local government for all official functions and ceremonial purposes. According to general law, the mayor has a vote but no veto (charters may say otherwise).

Under the mayor-council form of government, if there is no manager, VA § 15.2-1423 states that it shall be the duty of the mayor to see that administrative functions, otherwise the responsibility of an appointed chief administrative officer, are carried out.

Under the council-manager form of government, the mayor has no administrative responsibility for the day-to-day operations of the locality and, other than the duties assigned by the State Code, he or she has no more power or authority than the other council members.

As the ceremonial head of government, however, the mayor has the opportunity to be a strong community leader. Individual personalities and leadership styles will determine how this role is played.

Most mayors of Virginia cities, whether elected by council or directly elected, vote as a regular member of council, and do not have tie-breaking or veto power. A few mayors, however, do not vote as a regular member of council but do have the power to break ties and, in some cases, to veto council actions.

A majority of Virginia towns directly elect their mayor. In most towns, the mayor does not vote as a regular member of council but has either tie-breaking or veto power, or both.

Mayor/Manager Relationship

Ideally the mayor and the manager have a close working relationship. They must work together to:

- Keep council informed, so that it is neither the appearance nor the reality that the council is being left out of the loop on the decision-making process.
- Communicate with council; includes both written and verbal communications to the group as a whole and individually.
- Respond to council desires.
- Honor the majority's direction and respect the minority viewpoint, keeping in mind that the majority and minority are likely to change depending on the issue.

Role of Council

The council is the legislative and policy-making body in municipal government. General law states that "all powers granted to localities shall be vested in their respective governing bodies" (VA § 15.2-1401). While council members possess governmental authority only as a body, council members individually have a powerful opportunity to serve their constituents.

Some major duties of the council are:

- Setting overall policy for the local government.
- Addressing the locality's long-term future through considerations such as land use, capital improvement plans, and strategic planning.
- Appointing the clerk for the governing body.
- Appointing, in many localities, the chief administrative officer and the municipal attorney (depending on the local charter, some councils also appoint other officials such as an internal auditor, the assessor, or the police chief).
- Approving the budget and setting tax rates.
- Approving the issuance of local debt.
- Adopting local ordinances.
- Adopting a comprehensive plan (which dictates the future land use of the locality).
- Redistricting every ten years, in those localities where council is elected by ward.
- Electing the mayor, in those localities where the mayor is not directly elected; or, in localities where the mayor is directly elected, electing a president or vice-mayor from among the council members.

Under the council-manager form of government the council is required to hire a professional city or town manager responsible for the daily administration of municipal functions.

Appointed Staff

Every locality is required by state law to appoint a clerk for the governing body (VA § 15.2-1538). General law (VA § 15.2-1537) also requires each locality to appoint an officer responsible for its financial affairs (unless the charter provides otherwise, or the commissioner of the revenue and treasurer perform these duties). Every locality is authorized to appoint a chief administrative officer and an attorney.

The municipal council operating under the council-manager form of government generally appoints three positions: (1) the manager, (2) the attorney/legal counsel, and (3) the city or town clerk (who may be the manager). In some cases, the governing body may also appoint the property assessor, an internal auditor, certain department heads, or other positions as authorized in the locality's charter. The council should review this subject with legal counsel for an enumeration of its particular responsibilities.

By Annie Mickens

The City or Town Manager

Code of Virginia (VA § 15.2-1540) authorizes a governing body to appoint a chief administrative officer. In most cities and towns, the council appoints a manager.

In the most general terms, the city or town manager is responsible for directing and supervising the day-to-day activities of the municipality. Specific responsibilities and authority are established by state code, the local charter, and tradition.

State law (VA § 15.2-1541) stipulates eight required duties for a chief administrative officer, the city or town manager. Unless otherwise provided by law, charter, or ordinance/resolution of the council, the manager shall:

1. See that all ordinances, resolutions, directives and orders of the governing body and all laws of the Commonwealth required to be enforced through the governing body or officers subject to the control of the governing body are faithfully executed.
2. Make reports to the governing body from time to time as required or deemed advisable upon the affairs of the locality under his or her control and supervision.
3. Receive reports from, and give directions to, all heads of offices, departments, and boards of the locality under his or her control and supervision.
4. Submit to the governing body a proposed annual budget, in accordance with general law, with his or her recommendations.
5. Execute the budget as finally adopted by the governing body.
6. Keep the governing body fully advised on the locality's financial condition and its future financial needs.
7. Appoint all officers and employees of the locality, except as he or she may authorize the head of an office, department, and board responsible to him or her to appoint subordinates in such office, department and board.
8. Perform such other duties as may be prescribed by the governing body.

Attorney/Legal Counsel

State law (VA § 15.2-1542) authorizes the council to employ a lawyer or contract with a law firm to provide ongoing legal assistance to the locality; medium to large municipalities generally employ their own attorney. The attorney's client is the locality and its council, not the individual council members, the manager, or citizens. The attorney works directly for the governing body, but he or she also works with the top administrative leadership on many day-to-day matters.

The attorney's routine responsibilities include:

- Advising the governing body and all boards, departments, agencies, officials and employees of the locality; this could include the School Board and Department of Social Services.
- Drafting or preparing ordinances.
- Defending or bringing actions in which the local government may be a party.
- Ensuring proper legal processes and procedures are followed.
- Providing advice on a multitude of issues from zoning to personnel administration to land acquisition, just to name a few areas of concern.

Attendance at all council meetings is normally expected. When the locality faces more complex legal challenges, the governing body may elect to employ additional outside counsel for expertise in a particular area. A locality's insurance company will choose the attorney in cases

1. Communicate clear expectations to the manager, and through the manager, to employees, so that they take responsibility and ownership of their work.
2. Set boundaries, legally, professionally, and personally. Everyone does not have to be your friend, but people must respect each other.
3. Encourage quality communication and remember to listen as much as you talk.
4. Establish an atmosphere of accountability and an environment where people understand that failure is an opportunity to make things better.
5. Encourage participation and cooperation. Each person needs to believe that they have power and influence in their area of responsibility. People must share their missions, goals, and struggles.
6. Be creative and open.
7. Keep your perspective. People have lives outside of city hall.
8. Maintain a sense of humor – especially about limitations that everyone has.
9. Create and maintain opportunities for personal and professional development. Participate in meetings and conferences to bring back new knowledge to help your community grow.
10. Value the manager and staff.
11. Do not blindside the staff and do not blindside the manager. Be big, bad and bold enough to talk candidly to the manager-but not in a public forum. Never be one type of person in private and another in public to the manager.
12. Be sensible and sensitive: use your common sense. Be supportive, be sharp and be silent when need be.
13. Do not take on the role of handling staff issues, as that is the manager's job. Beware of being a "sidewalk supervisor".
14. Be smart, know who you are and what you can do.
15. Be straightforward.
16. Learn that there is a right time to do things, and a wrong time to do things. It is the wrong time to bring up issues right before elections.
17. Learn to think about decisions; do not try to make a decision in the midst of a controversial and heated public discussion.

involving insurance claims. When outside counsel is used, the municipal attorney should manage the contract, stay involved and informed.

City or Town Clerk for Council

The Code of Virginia (§ 15.2-1538) requires the governing body of every locality in the Commonwealth to appoint a qualified person to record the official actions of the governing body. Under most circumstances, the clerk is responsible for:

- Recording and maintaining the official minutes of the council.
- Recording the votes of council members.
- Maintaining the locality's code of ordinances.
- Recording and preserving resolutions approved by the council.
- Handling the proper legal advertising of notices.
- Ensuring that the governing body members are in compliance with various filings, oaths of office, and other official requirements.

Depending on the locality, the clerk may be assigned additional responsibilities such as records retention and management and a role in agenda preparation and distribution.

The Governing Body at Work: The Five Audiences of Council Meetings

Council has lots of power and authority; but it is corporate power, and individual members each have just one vote. The council exercises its corporate power through the public meeting: its most visible and essential act of governing. What happens in those meetings defines the success of elected officials, corporately and individually.

Audience One: Citizens in the Meeting Room

Citizens in the room are the most visible audience at a council meeting. These individuals deserve special attention because they care enough about the workings of their local government to be there in person, often because they are directly affected by council's actions. However, council members must keep in mind that they represent both the people in the room and those not in the room.

Audience Two: Citizens NOT in the Room

Many people care about what happens at council meetings, but do not attend. They may read a newspaper or online report; they may watch on cable TV or online video streaming; or they may just rely on social media or word of mouth. Council members should assume the public is aware of what they said and did even if no members of the

public are at a meeting in person.

Councils need to care equally about the opinions and reactions of both the audience in the room and the audience that is not present. In fact, when a standing-room-only audience is demanding that council vote a certain way, the council needs to do what it deems best for the entire community – not just the people in the room.

Audience Three: The Media

Media attention varies with size and location of jurisdiction, but most council meetings still have reporters. For better or worse, much of what people know about council meetings is filtered through print and online press.

Reporters often want council members to comment on agenda items before or immediately after a meeting. Reporters often prefer elected officials' unscripted commentary so they can play off opposing points of view. So, before giving an off-the-cuff quotation to a member of the press, council members should direct reporters to prepared staff background reports and other useful written material. Prepare to speak to the press by making a few notes on key points ahead of time. A reputation for openness, honesty, accuracy, and insight will serve council members well in dealing with the media.

Local Media Relations for 2020

By Derrick Wood

MEDIA RELATIONS INVOLVES working with media for the purpose of informing the public of an organization's mission, policies, and practices in a positive, consistent and credible manner. Typically, this means coordinating directly with the people responsible for producing the news and features in the mass media.

Learning how to develop and manage relationships with reporters and editors is critical for getting information to

your community that you want them to know.

Current media outlets:

- Online Blogs and Newspapers
- Printed Newspapers
- Local television
- Social Media

Develop a communication plan

A communication plan is your road map for getting your message delivered to your audience. It's an essential tool for ensuring your locality sends a clear, specific message with measurable results.

Key steps to setting up a communication plan:

1. Pick a platform and set-up your accounts.
2. Identify why you want to use the platform (think before you speak and stick to the plan).
3. Build your audience and make it know to them.
4. Develop and build relationships.

Things to remember:

- Be prepared for negative headlines and things to be taken out of context.
- Don't respond with your emotions. (Don't take it personal)
- Drive your narrative by promoting it often.



Audience Four: Municipal Employees

Municipal employees, and volunteer board and commission members, may be the most attentive attendees of any given council meeting. They are most likely to have a deeper understanding of the content of a meeting, and they have a stake in decisions that may directly affect their work.

Staff should be treated with respect and not blindsided. It can be tempting for members to score points or deflect criticism at the expense of staff, but it's not a fair fight when staff cannot answer back. They will rarely challenge or criticize a council member publicly, but neither will they forget. The best advice for council members having difficulty with the behavior of staff during a meeting is to take the matter up with that employee's boss, usually the manager, privately.

Audience Five: Other Council Members

Members of council may not think of their fellow council members as another audience, but they may be their most consistently important constituency. No one pretends that the Congress or a state legislature is a team. The scale is far too large, and political reality far too partisan, for that. But a local governing body, even in a large jurisdiction, can and should function as a team. That means that every word spoken, every vote taken, has an impact on the function,



and often the dysfunction, of the team. It is essential that trust exists among the members of the council.

Council members have every reason to expect that their colleagues will show a greater commitment to the best interests of council and community than their own personal or political interests. They expect communication before and during the meeting so that they are not surprised or confused by their colleagues' actions. They expect sincere efforts to achieve consensus, and when that is not possible, they expect respect for differences to be settled by majority rule.

The last point needs elaboration. For the majority on a split vote, sensitivity to dissenters will go a long way when the shoe is on the other foot (as it inevitably will be). Conversely, when in the minority, the temptation to not let the matter rest, to look for ways to circumvent majority rule, must be resisted. Remember that council power is corporate power, not individual power. Members need each other to accomplish their purposes. A win today, if mishandled, will result in a loss tomorrow.

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The newsletter of the Virginia Municipal League

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Good Governance: It all starts with listening

ONE OF MY FAVORITE LINES from the *Wizard of Oz* comes toward the end of the movie, when Glinda the Good Witch gives Dorothy a valuable life lesson stating, “You always had the power my dear, you just had to learn it for yourself.” Now, that’s positive empowerment!

As local government elected or appointed officials, in a year which has been as surreal as any movie one could imagine, what words of encouragement have you shared with others in your organization? What are some of the essential skills that are needed to effectively govern in today’s environment?

Good governance is what all of us desire and what we should demand. Yet in this time of political discord, growing lack of civility and polarizing views within our communities, it is often a challenge to achieve. Despite the odds, we should never lose sight of this goal. Local leaders must employ teamwork, collaboration, critical thinking, and professionalism.

At the 2020 Virginia Municipal League Annual Conference, our Virginia Risk Sharing Association (VRSA) Director of Education and Training Thomas Bullock gave a presentation on “Promoting Civility in Local Government.” Therein he suggested a few ways to deal with incivility: use empathy; switch extremes into facts; move to problem solving; pause before responding; act as a role model in your actions and words, and promote civility on your council and in your community.


Bullock also wisely shared that you may not be able to control your first thought, but you can control your second thought and your first action.

How can you do this? Listen.

The importance of listening cannot be overstated. Listen to understand what someone else is saying, to understand their views and interests, and to consider new information and become better informed. In a recent ICMA Blog Post entitled “For the PUBLIC Good,” retired Gaston County (NC) Manager Earl Mathers wrote that, “Elements of servant leadership such as listening, encourage-

ment, humility, trust building, learning and continual personal growth have proven to be successful and are embraced by the top management writers of our era.”

As a retired Virginia local government manager, I concur with my colleague and I would add that showing respect (especially when you don’t agree with someone), demonstrating ethical behaviors and spending time on the right things – such as quality services and facilities – are important skills as well. It begins with the power of positive attitude – after all we’ve had it in us all along. Now is the time to put these skills to work for your communities.

Our value-added consulting services are a perfect example of why VRSA is more than insurance. I take pride in assisting our member local governments with a wide variety of needs. Please contact me if I can help your management team and/or elected officials in promoting good governance here in the Commonwealth. 

About the author: Peter Stephenson is VRSA’s local government specialist.

The International City/County Management Association (ICMA) Coaching Program states that governance is about building relationships through:

- Effective leadership
- Meaningful communication
- Understanding roles and fulfilling expectations
- Proactive vision and planning



Three steps forward for environmental justice in Virginia

THREE LEGISLATIVE ACTIONS taken by the 2020 General Assembly will shape the environmental justice landscape in Virginia for years to come. These include passing the Virginia Environmental Justice Act, adding environmental justice considerations to the Department of Environmental Quality's mission, and establishing the Virginia Council on Environmental Justice.

Let's take a closer look at each.

STEP 1: Meet the Virginia Environmental Justice Act

Thanks to the Environmental Justice Act, it is now the policy of the Commonwealth that the aims of environmental justice focus on populations whose health, quality of life, and communities may be at greater risk if certain infrastructure or other developments are sited near them.

When it comes to planning and considering major infrastructure or other developments, the law requires affected citizens from low-income, fenceline, and population of color communities to be assured of "meaningful involvement" in public hearings and other official decision-making processes, such as for local zoning and local and state regulatory permitting. (See sidebar on next page for key definitions).

STEP 2: Environmental justice is now part of DEQ's mission

The Department of Environmental Quality (DEQ) is the state's lead environmental regulatory agency, with jurisdiction over air, wa-

ter, and waste matters. Its mission is to protect Virginia's environment so that, in turn, Virginians' health and well-being are protected. DEQ carries out its mission through policy and guidance, regulatory permitting, and enforcement of environmental laws.

During the 2020 General Assembly Session, Del. Alfonso Lopez of Arlington County introduced legislation to make environmental justice part of DEQ's mission. As passed, the legislation requires DEQ to "further environmental justice" through its public participation and permitting processes. To the extent that the DEQ's permitting processes intersect with local governments' processes – especially on public participation requirements – localities that are planning infrastructure projects and other developments may find it necessary to increase their regulatory engagement with DEQ and to factor environmental justice considerations into their projects.

STEP 3: Enter the Virginia Council on Environmental Justice

Legislation creating the Virginia Council on Environmental Justice was introduced by Sen. Mamie Locke of Hampton. As established by the 2020 General Assembly, the Virginia Council on Environmental Justice is a 27-member panel comprised of 21 citizens, and six cabinet secretaries. The council's role is advisory, not regulatory.

The council will advise the governor and make recommendations focusing on equality and equity, integration of environmental justice considerations across state policies and regulations, and strengthening partnerships with local governments and other stakeholders to carry out environmental justice aims in transportation, energy, climate change and resilience, and other areas.

Key definitions specific to the Virginia Environmental Justice Act

THE VIRGINIA ENVIRONMENTAL Justice Act was introduced by Del. Mark Keam of Fairfax County and Sen. Ghazala Hashmi of Henrico County. As passed, the legislation provides numerous definitions of terms to ensure greater participation of disadvantaged citizens.

Note – all the definitions in the Act can be found in **Virginia Code §2.2-234**.



- **Environmental justice**...the fair treatment and meaningful involvement of every person, regardless of race, color, national origin, income, faith, or disability, regarding the development, implementation, or enforcement of any environmental law, regulation, or policy.
- **Low income**...having an annual household income equal to or less than the greater of (i) an amount equal to 80 percent of the median income of the area in which the household is located, as reported by the Department of Housing and Urban Development, and (ii) 200 percent of the Federal Poverty Level.
- **Low-income community**...any census block group in which 30 percent or more of the population is composed of people with low income.
- **Environmental justice community**...any low-income community or community of color.

- **Fenceline community**...an area that contains all or part of a low-income community or community of color and that presents an increased health risk to its residents due to its proximity to a major source of pollution.
- **Population of color**...a population of individuals who identify as belonging to one or more of the following groups: Black, African American, Asian, Pacific Islander, Native American, other non-white race, mixed race, Hispanic, Latino, or linguistically isolated.
- **Meaningful involvement**...means the requirements that (i) affected and vulnerable community residents have access and opportunities to participate in the full cycle of the decision-making process about a proposed activity that will affect their environment or health and (ii) decision makers will seek out and consider such participation, allowing the views and perspectives of community residents to shape and influence the decision.

A head start on 2021: Department of Environmental Quality releases environmental justice study

Even as the 2020 General Assembly was taking up the environmental justice legislation outlined above, the Virginia Department of Environmental Quality was in the midst of a year-long study conducted by outside consultants assessing the agency's ability to incorporate environmental justice goals into its planning, operations, and programs.

DEQ commissioned the study, conducted principally by Skeo Solutions, to assess the agency's statutory authority, governance, staff capacity, regulatory guidance and tools, public communications, community engagement, and more.

The results of the study, which were released in a 43-page report in October, includes nearly 50 recommendations.


Of interest to localities, the study recommends:

- **The Department of Environmental Quality** invest in local government coordination and education to promote and implement environmental justice policies. Specifically, the study calls for DEQ to coordinate with local governments on environmental justice policies in localities' comprehensive planning, land use, and infrastructure siting processes; develop easy-to-understand environmental justice materials; and offer "pre-screening" services before infrastructure siting decisions in order to meet environmental justice goals.
- **The General Assembly** pass legislation "requiring Virginia municipalities to consider environmental justice in their

comprehensive plans and zoning ordinances" and perhaps to require localities to identify disadvantaged communities in comprehensive plans. This language is similar to an existing California law.

- **Local and state governments** enhance community outreach efforts, especially to low-income or vulnerable communities who may be inordinately impacted by proposed infrastructure or other developments, to better ensure their participation in public hearings and regulatory permitting processes.
- **The state** develop guidance, handbooks, and technical tools to assist local governments in incorporating environmental justice considerations into land-use planning, zoning decisions, infrastructure siting, and permitting.

In many cases, the study acknowledges that its recommendations may require additional funding, whether for DEQ as it ramps up to implement its new environmental justice responsibilities or for localities who may be subject to mandates.

It is anticipated that legislation and budget proposals will be introduced in the 2021 General Assembly session to enact and fund a number of the study's recommendations. 

About the author: *L. Preston Bryant, Jr., is a senior vice president at McGuireWoods Consulting, where he works in the firm's infrastructure and economic development group. He formerly served on Lynchburg City Council, in the Virginia House of Delegates, and as Virginia Secretary of Natural Resources. Mr. Bryant is a VML consultant on environmental and energy matters.*

CITY OF GALAX

By Travis Haynes

Galax's old Vaughn Furniture Plant

THERE ARE SO MANY LANDMARKS around Galax, it's hard to pick one as my favorite. But currently I am very excited about both the past and future of one landmark in particular: the old Vaughn Furniture Plant.

The plant looms over U.S. 58 as you enter Downtown Galax and is one of the most noticeable landmarks in the city. The building is in a unique location, adjacent to Chestnut Creek and across the road from the Galax entrance to the New River Trail. At 408,000 square feet, you really can't miss it! It is a favorite because it represents both Galax's history as a furniture-making hub and its future as destination community for tourists and newly arriving residents.

The Vaughn Furniture Plant was constructed starting in 1923 with additions continuing until 1995. The building has been mostly vacant since 2008 when operations shut down at the site. The Vaughn Plant represents both a unique challenge and sizeable opportunity for the city, local business leaders, and community residents. Potential reuses that could be all be housed in the building simultaneously include a boutique hotel, loft apartments, "live/work" apartment units, retail business incubator space, and an indoor recreational facility.

The owners of the building and the Galax City Council have undertaken the task of determining the potential adaptive reuses,

markets, financing, and feasibility of turning the complex into a cornerstone mixed-use facility for the city. A feasibility study is currently underway funded by a grant from the Opportunity Appalachia program of Appalachia Community Capital. Summit Design and Engineering Services is the lead firm for the study and is joined by Main Street America and LOCUS Impact Investing.



The study will be completed in 2021 with the final step being the recruitment of potential developers who have experience bringing buildings like the Vaughn Furniture Plant back to life.

About the author: *Travis Haynes is a council member for the City of Galax and a 2020 VML Annual Conference scavenger hunt winner!*



TOWN OF SMITHFIELD

By Michael Stallings

Smithfield's Windsor Castle Park

MY FAVORITE LOCAL LANDMARK is Windsor Castle Park. The park is a great example of the things that can happen when we work together with our residents.

Located in the heart of downtown Smithfield, Windsor Castle Park is a 208-acre riverside park. Dedicated in May of 2010 in a ceremony with congratulatory remarks by Governor Robert McDonnell, the park features a woodland trail system, picnic and open area space, dog park, kayak/canoe launch, fishing pier, mountain bike path, scenic overlooks, and the historic manor house – Windsor Castle.

Windsor Castle Farm was originally part of a 1450-acre parcel patented in 1637 by Arthur Smith, an ancestor of the town's founder, Arthur Smith IV. The purchase of land for the creation of this park was made possible through the generous contribution of Mr. Joseph W. Luter, III, founder and former CEO of Smithfield Foods. Mr. Luter traveled quite a bit as part of his work and saw many examples

of cities and towns that had failed to set aside green spaces and were consumed by urban sprawl. Furthermore, after living in New York City for several years he came to appreciate Central Park's role in making that city work for its residents.

Windsor Castle Park's value to Smithfield has been even more appreciated since the onset of the COVID pandemic, as the park has seen a significant increase in usage as people from far and wide have sought out its wide range of outdoor activities. During "normal" times, the park plays host to numerous festivals and events.



About the author: *Michael Stallings is the town manager of Smithfield and a 2020 VML Annual Conference scavenger hunt co-runner up!*



TOWN OF WARSAW

By Julia Blackley-Rice

Warsaw's revitalized downtown

AS A NATIVE TO THE TOWN of Warsaw (and now an appointed officer!) I have the privilege of working for my hometown. My favorite haunts in town have changed over the course of the years as businesses come and go. However, Warsaw has recently been undergoing a multi-million dollar revitalization project and I have witnessed the benefits. So, my current favorite location is Downtown Warsaw!

Our downtown is home to a beautiful town park and a dog park along with the newly opened and very popular Old Rapp Taphouse restaurant which celebrates the Northern Neck lifestyle by “sourcing locally produced ingredients whenever possible, focusing on leaving a small footprint on this beautiful land and by lending a hand in the community.”

Another downtowns standout for me is Northern Neck Popcorn Bag, a gourmet popcorn shop where “they love the Northern Neck region, its welcoming people and all that the region has to offer.” They have something to satisfy any savory craving or sweet tooth.

Downtown is also home to Richmond County Museum, housed in the historic Old Jail (1872) on the Courthouse Green. Exhibits at the Museum include the story of the Rappahannock Indians of Richmond County, Moore Fauntleroy, founder of Old Rappahannock County, Declaration of Independence Signer Francis Lightfoot Lee, February Black History Month, and First Sunday in December Holiday Tree of Love Illumination.



The best news is that all of this (and more) are all within a short walk of each other.

Overall, the downtown revitalization project, which earned a 2019 Innovation Award for Economic Development from VML, was such a facelift for Warsaw, it's hard to name just one favorite thing about it!



About the author: *Julia Blackley-Rice is the clerk for the Town of Warsaw and a 2020 VML Annual Conference scavenger hunt co-runner up!*



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