



Ralph S. Northam
Governor

R. Brian Ball
Secretary of
Commerce and Trade

COMMONWEALTH of VIRGINIA

Erik C. Johnston
Director

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

TO: Members of the Commission on Local Government
FROM: J. David Conmy, Local Government Policy Administrator
DATE: November 2, 2020
SUBJECT: Draft Agenda, Materials, and Other Items of Interest

Please find enclosed the following:

1. Draft agenda for your regular meeting to be held on Thursday, November 12, 2020, at 11:00 AM (**please note this meeting will be held electronically via Google Meet**);
2. Commission on Local Government Electronic Meeting Information and Rules;
3. Draft minutes for your last regular meeting held on September 17, 2020;
4. Draft minutes for your last special meeting held on October 14, 2020;
5. Draft Report on Proffered Cash Payments and Expenditures by Virginia's Counties, Cities, and Towns, 2019-2020;
6. Proposed 2021 Commission on Local Government meeting schedule;

Other Items of Interest:

1. Upcoming events of interest; and
2. Various newspaper articles of interest.

In addition, recent issues of VACo *County Connections* and VML *eNews* can be accessed on the web at:

- <http://www.vaco.org/newsroom/county-connections/>
- <https://www.vml.org/publications/enews/>

If you have any questions or require additional information, please feel free to contact me at (804) 371-8010 (office), (434) 825-0353 (cellular), or david.conmy@dhcd.virginia.gov.

I look forward to seeing –digitally - on November 12th!

Enclosures

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DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

DRAFT AGENDA Regular Meeting Commission on Local Government 11:00 a.m., November 12, 2020

***This meeting is to be held electronically (via Google Meet), pursuant to [§ 4-0.01 OPERATING POLICIES of Chapter 1289 of the 2020 Acts of Assembly](#).**

Electronic Meeting Details:

- The link for entering the electronic meeting and access to meeting materials can be found by navigating through the following two pages:
 - [Virginia Regulatory Town Hall website](#)
 - [Commonwealth Calendar](#)
- All meeting participants are asked to mute their devices upon entering the meeting space and only unmute themselves when called upon by the Chair.
- Please contact Cody Anderson (cody.anderson@dhcd.virginia.gov) to pre-register your attendance, if you plan to speak during the Public Comment Period of the agenda, or if you need additional services to accommodate your attendance/participation.

Call to Order

I. Administration

- | | |
|---|-------------|
| A. Approval of the Draft Agenda | (Ms. Mahan) |
| B. Approval of Minutes of the Regular Meeting on September 17, 2020 | (Ms. Mahan) |
| C. Approval on Minutes of the Special Meeting on October 14, 2020 | (Ms. Mahan) |
| D. Public Comment Period | (Ms. Mahan) |
| E. Policy Administrator's Report | (Mr. Conmy) |

II. 2020 Cash Proffer Survey and Report (Draft)

- | | |
|---------------------------------------|----------------|
| A. Staff Presentation | (Mr. Anderson) |
| B. Commission Deliberation and Action | |

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III. Schedule of Regular Meetings: Proposed 2021 Schedule

A. Staff Presentation

(Mr. Conmy)

B. Commission Deliberation and Action

IV. Upcoming Events of Interest

A. Staff Presentation

(Mr. Conmy)

V. Other

VI. Adjournment

DRAFT

Commission on Local Government
Electronic Meeting Information and Rules

The November 12, 2020, Commission on Local Government (CLG) meeting will occur via electronic means in accordance with the provisions detailed in the Appropriations Act ([see § 4-0.01 OPERATING POLICIES of Chapter 1289 of the 2020 Acts of Assembly](#)). The meeting is being conducted electronically to conduct business that is, “statutorily required or necessary to continue operations,” of the CLG during the COVID-19 pandemic.

Below are certain points of information and rules for the meeting.

- The meeting will be recorded.
- Votes will be taken by Roll Call.
- In order to avoid noise feedback and other potential disruptions, Commission members, members of the public, and staff are asked to please mute their computers (Mute button on your screen or Alt+D on your keyboard) or phones (*6 on your dial pad) when not speaking.
- It is requested that Commission members, members of the public, and staff state their name each time prior to speaking.
- The minutes of the meeting will state, “The nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held.”



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DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

MINUTES

Regular Meeting

Commission on Local Government

11:00 a.m., September 17, 2020

Due to the COVID-19 pandemic and public health emergency and the need to provide social distancing and prohibit large gatherings, the meeting was held electronically in accordance with the State of Emergency Declared by the Governor and the 2020 amendments to the 2019 Appropriations Act. The meeting was held via Google Meet.

Members Present

R. Michael Amyx
Stephanie Davis, Ph.D, Vice Chair
Diane M. Linderman, PE
Rosemary M. Mahan, Chair
Kimble Reynolds, Jr.

Members Absent

Staff Present

J. David Conmy, Local Government Policy Administrator
Kristen Dahlman, Senior Policy Analyst
Ali Akbor, Senior Public Finance Analyst
Cody Anderson, Legislative Affairs and Boards Coordinator

Call to Order

The Commission on Local Government (CLG) Chair, Ms. Rosemary Mahan, called the meeting to order at 11:00 a.m.

Mr. Conmy noted that due to the Governor's Declared State of Emergency due to COVID-19, it is impracticable and unsafe for the Commission on Local Government to assemble in a single location, so the Commission meeting is being held electronically, by video conference and telephone options, pursuant to 2020 Amendments to the 2020 Appropriation Act. The purpose of the meeting is to discuss or transact the business statutorily required or necessary to continue operations of the Commission on Local Government and the discharge of its lawful purposes, duties, and responsibilities. The public is welcome to use the link and phone number options made available by staff to attend the meeting electronically. The Commission on Local Government will make available a recording or transcript of the meeting on its website in accordance with the timeframes established in Sections 2.2-3707 and 2.2-3701.1 of the Code of Virginia.

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Minutes

Regular Meeting

11:00 a.m., September 17, 2020

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I. Administration

a. Approval of the Draft Agenda

A motion was made by Mr. Reynolds and seconded by Mr. Amyx to approve the draft agenda. The motion passed. (Yeas: Amyx, Davis, Linderman, Mahan, Reynolds; Nays: None; No-Vote: None)

b. Approval of Minutes of the Regular Meeting on July 9, 2020

A motion was made by Ms. Linderman and seconded by Ms. Davis to approve the Regular Meeting Minutes from July 9, 2020. The motion passed. (Yeas: Amyx, Davis, Linderman, Mahan, Reynolds; Nays: None; No-Vote: None)

c. Public Comment Period

Ms. Mahan opened the floor to receive comments from the public. No one from the public appeared before the Commission. The public comment period was then closed.

d. Policy Administrator's report

Mr. David Conmy provided the Commission with an update on the various programs and efforts implemented by the Department of Housing and Community Development to combat the COVID-19 pandemic. Mr. Conmy also noted that the Virginia Governor's Housing Conference has been transitioned from an in-person conference to a digital only event as a safety precaution given the current public health crisis.

Mr. Conmy noted that Commission staff will be presenting the findings of the Local Vulnerability Analysis with the Government Fiscal Sustainability Workgroup on the 29th, as well as the Local Fiscal Workgroup on October 14th.

Mr. Conmy then provided a brief roundup of news stories of interest to the Commission.

II. 2020 Catalog of State and Federal Mandates on Local Governments

Mr. Anderson provided an overview of the Catalog of State and Federal Mandates on Local Governments, including the process by which it is reviewed, as well as mandates that may be of interest to the Commission. Ms. Dahlman noted that an updated version was shared with the Commissioners than the one previously included in the packet.

A motion was made by Mr. Reynolds and seconded by Ms. Linderman to approve the Catalog of State and Federal Mandates on Local Governments. The motion passed. (Yeas: Amyx, Davis, Linderman, Mahan, Reynolds; Nays: None; No-Vote: None)

Minutes

Regular Meeting

11:00 a.m., September 17, 2020

Page 3

III. **Commission on Local Government: Case Review COVID-19 practices**

Mr. Conmy discussed the potential challenges associated with reviewing a potential Commission case with the current COVID-19 crisis in mind. Mr. Conmy noted that after conversations with staff and council, it is recommended that any case during the public health crisis be reviewed in a purely virtual format.

IV. **2020 General Assembly Special Session I**

Ms. Dahlman and Mr. Akbor gave an update on the General Assembly Special Session, including bills assigned to Commission staff for review and bills assigned for Fiscal Impact Statements. It was noted that the Special Session is still in process and the budget is currently being vetted.

V. **Other**

There was no other business

VI. **Schedule of Regular Meetings**

Mr. Conmy noted that the next Commission on Local Government meeting is scheduled for Thursday, November 12th at 11:00 a.m. Staff anticipates that his meeting will be virtual. It was noted that there may be a need to schedule another meeting for later in the year because the Commission is statutorily required to meet 6 times throughout the year and due to the pandemic, the March meeting did not occur.

VII. **Upcoming Events of Interest**

Mr. Conmy relayed to the Commission that upcoming events of interest to the Commission include VML's 115th annual conference, VACO's 86th annual conference, and the Virginia's Governor's Housing Conference, all of which will take place virtually this year.

Adjournment

A motion was made by Ms. Linderman and seconded by Mr. Amyx for adjournment. The motion passed and the Commission adjourned at 12:02 p.m.

Rosemary M. Mahan,
Chair

J. David Conmy,
Local Government Policy Administrator



Ralph S. Northam
Governor

R. Brian Ball
Secretary of
Commerce and Trade

COMMONWEALTH of VIRGINIA

Erik C. Johnston
Director

DEPARTMENT OF
HOUSING AND COMMUNITY DEVELOPMENT

Commission on Local Government

October 14, 2020

2:00 P.M.

Digital Meeting Only

Due to the COVID-19 pandemic and public health emergency and the need to provide social distancing and prohibit large gatherings, the meeting was held electronically in accordance with the State of Emergency Declared by the Governor and the 2020 amendments to the 2020 Appropriations Act. The meeting was held via Google Meet.

Members Present

R. Michael Amyx
Stephanie Davis, PhD, Vice Chair
Diane M. Linderman, PE
Rosemary M. Mahan, Chair

Members Absent

Kimble Reynolds, Jr.

Call to Order

The Commission on Local Government (CLG) Chair, Ms. Rosemary Mahan, called the meeting to order at 11:00 a.m.

Mr. David Conmy, Local Government Policy Administrator for the Department of Housing and Community Development (DHCD) noted that due to the Governor's Declared State of Emergency due to COVID-19, it is impracticable and unsafe for the Commission on Local Government to assemble in a single location, so the Commission meeting is being held electronically, by video conference and telephone options, pursuant to 2020 Amendments to the 2020 Appropriation Act. The purpose of the meeting is to discuss or transact the business statutorily required or necessary to continue operations of the Commission on Local Government and the discharge of its lawful purposes, duties, and responsibilities. The public is welcome to use the link and phone number options made available by staff to attend the meeting electronically. The Commission on Local Government will make available a recording or transcript of the meeting on its website in accordance with the timeframes established in Sections 2.2-3707 and 2.2-3701.1 of the Code of Virginia.

Administration

A motion was made by Mr. Amyx and seconded by Ms. Linderman to approve the draft agenda. The motion passed (Yeas: Amyx, Davis, Linderman, Mahan; Nays: None).

Ms. Mahan opened the floor to receive comments from the public. No one from the public appeared before the Commission. The public comment period was then closed.

Notice of the City of Martinsville's Intention to Petition for an Order Granting it Town Status within Henry County

Mr. Conmy provided the Commission with an overview of the notice submitted by Martinsville that indicates the City's intention of petitioning for an order to grant its reversion from city to town status. Mr. Conmy detailed the responsibilities and process by which the Commission shall review the case. Mr. Conmy noted that pursuant to section 15.2-2906 of the Code of Virginia, as well as Canons 1, 2, 3, and 9 of the Commission on Local Government's Canons on Conduct, Commissioner Kimble Reynolds is disqualified from reviewing the matter due to property ownership interests in both localities in addition to avoidance of any appearance of impropriety.

Mr. Conmy provided the Commission with two different review schedule options, with the first option being a six month schedule and the second option being an eight month schedule. It was noted that staff recommends the Commission adopt the second option for an eight month schedule which would be less administratively burdensome for staff during the 2021 General Assembly session.

Ms. Mahan recognized Mr. Stephen Piepgrass of The Law Firm of Troutman Pepper. Mr. Piepgrass spoke as representation for the City of Martinsville and provided an overview of the City's intention of reversion to town status. Mr. Piepgrass expressed general concurrence with the review schedules that were presented.

Ms. Mahan recognized Mr. George Lyle, the County Attorney for Henry County. Mr. Lyle spoke as representation for Henry County and provided an overview of the perspective of the County, as well as the County's intention of working amicably with the City to

achieve a smooth transition of the City to town status within Henry County. Mr. Lyle requested additional time for the County to respond to the City's initial Notice; otherwise, he was in agreement with the review schedule options.

After discussion, a motion was made by Ms. Linderman and seconded by Ms. Davis to approve the eight-month review schedule with an amendment allowing a two-week extension for the County to submit response to the initial petition. The motion passed (Yea: Amyx, Davis, Mahan, Linderman; Nay: None).

Other

There was no other business.

Adjournment

A motion was made by Mr. Amyx and seconded by Ms. Linderman for adjournment. The motion passed and the Commission adjourned at 2:41 p.m.

DRAFT

**Report on Proffered
Cash Payments and Expenditures
By Virginia's Counties, Cities and Towns
2019-2020**



**Commission on Local Government
Commonwealth of Virginia**

November 2020

***Members of the
Commission on Local Government (CLG)***

Chair

Rosemary Mahan

Vice-Chair

Stephanie Davis, Ph.D

R. Michael Amyx
Diane M. Linderman, PE
Kimble Reynolds, Jr.

Director, Department of Housing and Community Development

Erik Johnston

Local Government Policy Administrator

J. David Conmy

CLG Staff for this Report

Cody Anderson, Legislative Affairs and Boards Coordinator

This report is available on the Commission's website at
<https://www.dhcd.virginia.gov/clg>

Main Street Centre
600 E. Main Street, Suite 300
Richmond, Virginia 23219

**REPORT OF THE COMMISSION ON LOCAL GOVERNMENT
DISCLOSURE OF PROFFERED CASH PAYMENTS AND EXPENDITURES
2019 – 2020**

INTRODUCTION

Section 15.2-2296 of the Code of Virginia authorizes governing bodies to accept proffers through conditional zoning. Localities under §15.2-2296 through §15.2-2300 have been authorized to accept proffers, and the number of localities authorized to collect proffers as a form of conditional zoning has expanded over the years. A proffer is a voluntary offer from a property owner as implied by §15.2-2296 Code of Virginia and can be an act, donation of money, a product, or services¹ that limit or qualify how the property subject to the conditions will be used or developed. These conditions are in addition to the general, uniform regulations otherwise applicable to land within the same zoning district. Upon approval by the local governing body, the conditions become part of the rezoning and pass with the ownership of the property.² Cash proffers are a form of conditional zoning that are generally used to offset the impacts of a particular development by providing funding for new roads, schools, or other public facilities and services. Cash proffers can be used for onsite or offsite improvements to offset impacts from a new commercial or residential development.³

In 2016, the General Assembly passed new legislation addressing residential developments and cash proffers; stipulating that onsite or offsite proffers must be specifically attributable to a proposed new residential development and must directly address an impact to an offsite facility. A voluntary cash proffer is considered unreasonable unless the residential development created a need for one or more public facility improvements and the new development would receive a direct benefit from those improvements. Localities are only allowed to accept cash proffers for roads, schools, public safety or parks and recreation that would need improvements or a brand new facility as a direct impact of a new residential development. This limits how cash proffers can be used for residential developments in the future, however; localities can still expend cash proffers for commercial developments for 11 different types of uses as listed under §15.2-2303.2 Code of Virginia if the proffers were collected prior to 2016.⁴

Section 15.2-2297 of the Code of Virginia stipulates that a zoning ordinance may include and provide for the voluntary proffering in writing, by the owner, of reasonable conditions, prior to a public hearing before the governing body, in addition to regulations provided for in the zoning district or zone by the ordinance, as part of a rezoning or amendment to a zoning map. Furthermore, (1) the rezoning itself must give rise for the need for the conditions; (2) the conditions shall have a reasonable relation to the rezoning; (3) the conditions shall not include a cash contribution to the locality; (4) the conditions shall not include mandatory dedication of real or personal property for open space, parks, schools, fire departments or other public facilities not otherwise provided for in 15.2-2241; (5) the conditions shall not include a requirement that the applicant create a property owners association under Chapter 26 (55-508) of Title 55 which includes an express further condition

¹ Kamptner, Greg, *The Albemarle County Land Use Law Handbook*.(June 2017) Chapter 11, Page 11-1

² Virginia Citizens Planning Association and the Virginia Department of Housing and Community Development, *The Language of Planning*, Community Planning Series, V (June, 1986), p. 10.

³ John H. Foote, "Planning and Zoning," *Handbook of Virginia Local Government Law*, ed. by Susan Warriner Custer, 2001 Edition, pp. 1-11 – 1-14.

⁴ Appendix A

that members of a property owners association pay an assessment for the maintenance of public facilities not otherwise provided for in 15.2-2241; however such facilities shall not include sidewalks, special street signs or markers, or special street lighting in public rights-of-way not maintained by the Department of Transportation; (6) the conditions shall not include payment for or construction of off-site improvements except those provided for in 15.2-2241; (7) no condition shall be proffered that is not related to the physical development or physical operation of property; and (8) all such conditions shall be in conformity with the comprehensive plan as defined in 15.2-2223.

Section 15.2-2303.2 of the Code of Virginia directs the Commission on Local Government to annually collect data concerning local government revenues and expenditures resulting from the acceptance of voluntarily proffered cash payments. These cash proffers, comprise either (1) the aggregate dollar amount of proffered cash payments collected by the locality; (2) the estimated aggregate dollar amount of proffered cash payments that have been pledged to the locality and which pledges are no conditioned on any event other than time; and (3) the total dollar amount of proffered cash payments expended by the locality in each of the following categories: schools, roads and other transportation improvements, fire and rescue/public safety, libraries, parks, recreation, and open space, water and sewer service extension, community centers, stormwater management, special needs housing, affordable housing, and miscellaneous.

Although the Code of Virginia has authorized every jurisdiction to use some form of conditional zoning since 1987, only localities meeting specific criteria may accept cash proffers. On the basis of these criteria and census data from 1990 through 2010, a total of 298 Virginia localities (89 counties, 36 cities, and 173 towns) were eligible to accept cash proffers during FY2019.⁵ The table below shows the statutory authority for and categories of localities eligible to accept cash proffers.

⁵ U.S. Department of Commerce, Bureau of the Census, 1990 Census of Population, Number of Inhabitants, Table 4; U.S. Department of Commerce, Bureau of the Census, 2000 Census of Population and Housing, Summary File 1 (SF 1) 100-Percent Data; U.S. Department of Commerce, Bureau of the Census, 2010 Census Redistricting Data (Public Law 94-171) Summary File. Sec. 1-235, Code of Va. states that unless otherwise specified, unadjusted population statistics are to be used in determining the decennial growth rate. See Appendix B for the list of Virginia localities with statutory authority to accept cash proffers.

Statutory Authority	Types of Localities Eligible to Accept Cash Proffers
§15.2-2298	<p>With the exception of localities eligible under the terms of § 15.2-2303:</p> <ul style="list-style-type: none"> • Any locality with a decennial census growth rate $\geq 5\%$; • Any city adjoining another city or county which had a decennial census growth rate $\geq 5\%$; • Any towns located within a county which had a decennial census growth rate $\geq 5\%$; • Any county contiguous with at least three counties which had a decennial census growth rate $\geq 5\%$; and • Any towns located within a county which was contiguous with at least three counties which had a decennial census growth rate $\geq 5\%$.
§15.2-2303	<ul style="list-style-type: none"> • Any county with an urban county executive form of government (i.e., Fairfax County); • Any town within a county with an urban county executive form of government; • Any city adjacent to or completely surrounded by a county with an urban county executive form of government; • Any county contiguous to a county with an urban county executive form of government; • Any city adjacent to or completely surrounded by a county contiguous to a county with an urban county executive form of government; • Any town within a county contiguous to a county with an urban county executive form of government; and • Any county east of the Chesapeake Bay.
§15.2-2303.1	<ul style="list-style-type: none"> • New Kent County.

SURVEY ON THE USE OF PROFFERED CASH PAYMENTS

In July of 2020, Commission staff sent by electronic mail a survey⁶ to the chief administrative officers of the 162 localities that were required to report their acceptance of cash proffers during FY 2019-20. Each locality was requested to complete the survey by September 30, 2020. In October, additional follow up was made to the jurisdictions that had not responded to the initial request. All localities responded to the survey; and, as a result, there is a 100% response rate for FY2020.

The survey revealed that 33 (20%) of the 162 eligible localities (26 counties, 4 cities, and 3 towns) reported cash proffer collections during FY2020. In FY2019 36 localities reported collecting and expending cash proffers, a drop by three localities over the past year. During the current period, the aggregate amount of cash proffers collected and expended by those jurisdictions was \$83,376,382.41 and \$49,574,414.50, respectively. Cash proffer collections increased by 4.9% from FY2019, and expenditures decreased by 35.5%.

The survey results revealed that the majority of cash proffers expended for FY2020 were for roads and other transportation improvements (31%), schools (31%) and Parks, Recreation, and Open Space (25%). These top three categories for expenditures are compliant with section §15.2-2303.4 of the Code of Virginia, which allows cash proffers to be proffered and expended towards schools, public safety, parks and recreation, or roads and other transportation improvements. A chart depicting the allocation of expenditures to various improvement categories is provided on the next page. The chart still depicts the 11 categories authorized for cash proffers as seen in §15.2-2303.2 Code of Virginia due to code provisions that allow localities to hold cash proffers for up to twelve years before they need to be expended.⁷ Localities must start the process however (engineering, site construction, etc.) if they are to hold onto the proffered cash payments for up to 12 years. In addition, localities can still collect cash proffers for any of the categories listed in §15.2-2303.2 Code of Virginia for commercial developments.⁸

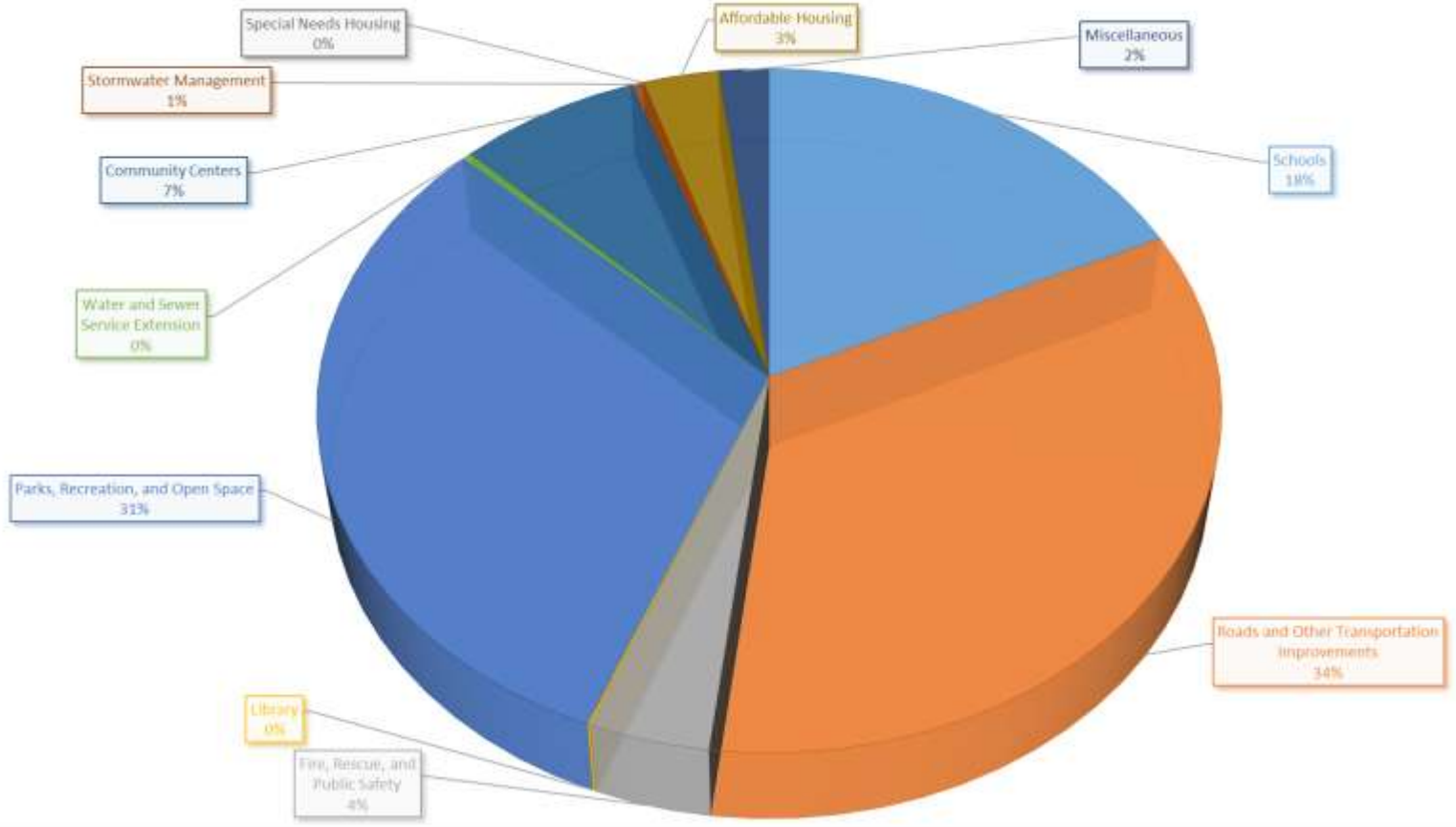
All responses from the FY2020 survey for individual local governments are reported in Appendix D. Appendix E include a chart of the revenues and expenditures for all localities for each fiscal year from FY 2000 through present.

⁶ Appendix C contains a copy of the electronic survey instrument. In 2003, the General Assembly enacted HB 2600, which changed the scope of the Commission's survey on the acceptance of cash proffers. The legislature exempted localities with a resident population of less than 3,500 from the reporting requirement. Because of that provision, only 37 of the 173 eligible towns must report on their acceptance of cash proffers

⁷ § 15.2-2303.2 section A of the Code of Virginia

⁸ Appendix A

EXPENDITURES BY CATEGORY



APPENDIX A

Section 15.2-2303.2, Code of Virginia

§ 15.2-2303.2. Proffered cash payments and expenditures.

A. The governing body of any locality accepting cash payments voluntarily proffered on or after July 1, 2005, pursuant to § 15.2-2298, 15.2-2303, or 15.2-2303.1 shall, within 12 years of receiving full payment of all cash proffered pursuant to an approved rezoning application, begin, or cause to begin (i) construction, (ii) site work, (iii) engineering, (iv) right-of-way acquisition, (v) surveying, or (vi) utility relocation on the improvements for which the cash payments were proffered. A locality that does not comply with the above requirement, or does not begin alternative improvements as provided for in subsection C, shall forward the amount of the proffered cash payments to the Commonwealth Transportation Board no later than December 31 following the fiscal year in which such forfeiture occurred for direct allocation to the secondary system construction program or the urban system construction program for the locality in which the proffered cash payments were collected. The funds to which any locality may be entitled under the provisions of Title 33.2 for construction, improvement, or maintenance of primary, secondary, or urban roads shall not be diminished by reason of any funds remitted pursuant to this subsection by such locality, regardless of whether such contributions are matched by state or federal funds.

B. The governing body of any locality eligible to accept any proffered cash payments pursuant to § 15.2-2298, 15.2-2303, or 15.2-2303.1 shall, for each fiscal year beginning with the fiscal year 2007, (i) include in its capital improvement program created pursuant to § 15.2-2239, or as an appendix thereto, the amount of all proffered cash payments received during the most recent fiscal year for which a report has been filed pursuant to subsection E, and (ii) include in its annual capital budget the amount of proffered cash payments projected to be used for expenditures or appropriated for capital improvements in the ensuing year.

C. Regardless of the date of rezoning approval, unless prohibited by the proffer agreement accepted by the governing body of a locality pursuant to § 15.2-2298, 15.2-2303, or 15.2-2303.1, a locality may utilize any cash payments proffered for any road improvement or any transportation improvement that is incorporated into the capital improvements program as its matching contribution under § 33.2-357. For purposes of this section, "road improvement" includes construction of new roads or improvement or expansion of existing roads as required by applicable construction standards of the Virginia Department of Transportation to meet increased demand attributable to new development. For purposes of this section, "transportation improvement" means any real or personal property acquired, constructed, improved, or used for constructing, improving, or operating any (i) public mass transit system or (ii) highway, or portion or interchange thereof, including parking facilities located within a district created pursuant to this title. Such improvements shall include, without limitation, public mass transit systems, public highways, and all buildings, structures, approaches, and facilities thereof and appurtenances thereto, rights-of-way, bridges, tunnels, stations, terminals, and all related equipment and fixtures.

Regardless of the date of rezoning approval, unless prohibited by the proffer agreement accepted by the governing body of a locality pursuant to § 15.2-2298, 15.2-2303, or 15.2-2303.1, a locality may utilize any cash payments proffered for capital improvements for alternative improvements of the same category within the locality in the vicinity of the improvements for which the cash payments were originally made. Prior to utilization of such cash payments for the alternative improvements, the governing body of the locality shall give at least 30 days' written notice of the proposed alternative improvements to the entity who paid such cash payment mailed to the last known address of such

entity, or if proffer payment records no longer exist, then to the original zoning applicant, and conduct a public hearing on such proposal advertised as provided in subsection F of § 15.2-1427. The governing body of the locality prior to the use of such cash payments for alternative improvements shall, following such public hearing, find: (a) the improvements for which the cash payments were proffered cannot occur in a timely manner or the functional purpose for which the cash payment was made no longer exists; (b) the alternative improvements are within the vicinity of the proposed improvements for which the cash payments were proffered; and (c) the alternative improvements are in the public interest. Notwithstanding the provisions of the Virginia Public Procurement Act, the governing body may negotiate and award a contract without competition to an entity that is constructing road improvements pursuant to a proffered zoning condition or special exception condition in order to expand the scope of the road improvements by utilizing cash proffers of others or other available locally generated funds. The local governing body shall adopt a resolution stating the basis for awarding the construction contract to extend the scope of the road improvements. All road improvements to be included in the state primary or secondary system of highways must conform to the adopted standards of the Virginia Department of Transportation.

D. Notwithstanding any provision of this section or any other provision of law, general or special, no cash payment proffered pursuant to § 15.2-2298, 15.2-2303, or 15.2-2303.1 shall be used for any capital improvement to an existing facility, such as a renovation or technology upgrade, that does not expand the capacity of such facility or for any operating expense of any existing facility such as ordinary maintenance or repair.

E. The governing body of any locality with a population in excess of 3,500 persons accepting a cash payment voluntarily proffered pursuant to § 15.2-2298, 15.2-2303, or 15.2-2303.1 shall within three months of the close of each fiscal year, beginning in fiscal year 2002 and for each fiscal year thereafter, report to the Commission on Local Government the following information for the preceding fiscal year:

1. The aggregate dollar amount of proffered cash payments collected by the locality;
2. The estimated aggregate dollar amount of proffered cash payments that have been pledged to the locality and which pledges are not conditioned on any event other than time; and
3. The total dollar amount of proffered cash payments expended by the locality, and the aggregate dollar amount expended in each of the following categories:

Schools	\$_____
Road and other Transportation Improvements	\$_____
Fire and Rescue/Public Safety	\$_____
Libraries	\$_____
Parks, Recreation, and Open Space	\$_____
Water and Sewer Service Extension	\$_____
Community Centers	\$_____
Stormwater Management	\$_____
Special Needs Housing	\$_____
Affordable Housing	\$_____
Miscellaneous	\$_____
Total dollar amount expended	\$_____

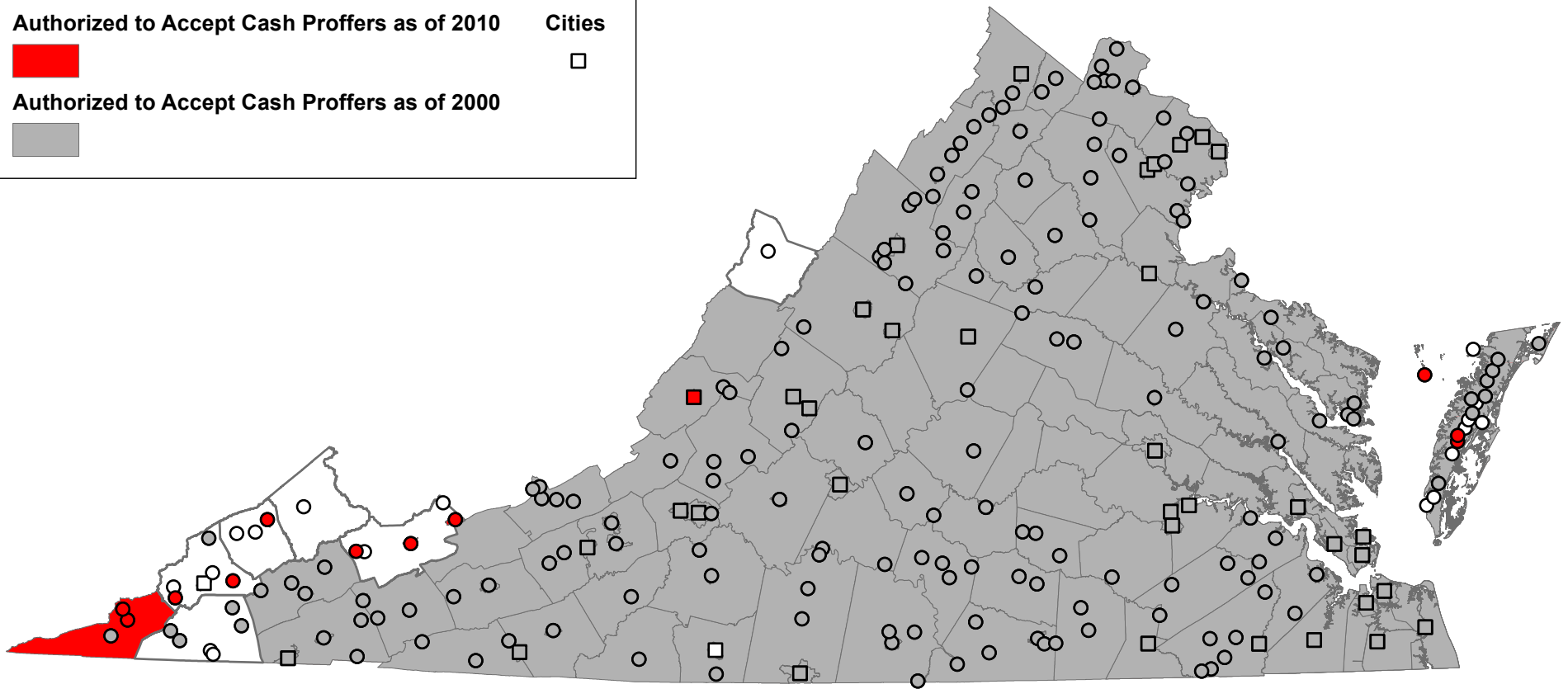
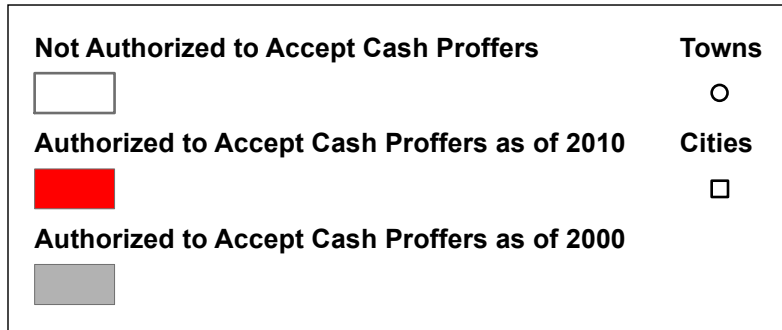
F. The governing body of any locality with a population in excess of 3,500 persons eligible to accept any proffered cash payments pursuant to § 15.2-2298, 15.2-2303, or 15.2-2303.1 but that did not accept any proffered cash payments during the preceding fiscal year shall within three months of the close of each fiscal year, beginning in 2001 and for each fiscal year thereafter, so notify the Commission on Local Government.

G. The Commission on Local Government shall by November 30, 2001, and by November 30 of each fiscal year thereafter, prepare and make available to the public and the chairmen of the Senate Local Government Committee and the House Counties, Cities and Towns Committee an annual report containing the information made available to it pursuant to subsections E and F.

APPENDIX B

**Localities Eligible by Statute to Accept
Proffered Cash Payments**

Localities Authorized to Accept Cash Proffers in Virginia



Source: Virginia Department of Housing & Community Development, Commission on Local Government

Principal Reason Eligible to

<u>Name</u>	<u>Accept Cash Proffers</u>	
<u>CITIES</u>	<u>2000</u>	<u>2010</u>
Alexandria	IIC	IIC
Bristol	IB	IB
Buena Vista	IB	IB
Charlottesville	IA	IB
Chesapeake	IA	IA
Colonial Heights	IA	IB
Covington		IB
Danville	IB	
Emporia	IA	IB
Fairfax	IIC	IIC
Falls Church	IIC	IIC
Franklin	IA	IB
Fredericksburg	IB	IA
Galax	IB	
Hampton	IA	IB
Harrisonburg	IA	IA
Hopewell	IB	IB
Lexington	IB	IB
Lynchburg	IB	IA
Manassas	IIE	IIE
Manassas Park	IIE	IIE
<i>Martinsville</i>		
Newport News	IA	IB
Norfolk	IB	IB
<i>Norton</i>		
Petersburg	IB	IB
Poquoson	IA	IA
Portsmouth	IB	IB
Radford	IB	IB

Principal Reason Eligible to

<u>Name</u>	<u>Accept Cash Proffers</u>	
<u>CITIES (Cont'd)</u>	<u>2000</u>	<u>2010</u>
Richmond	IB	IB
Roanoke	IB	IB
Salem	IB	IB
Staunton	IB	IB
Suffolk	IA	IA
Virginia Beach	IA	IB
Waynesboro	IA	IA
Williamsburg	IB	IA
Winchester	IA	IA
<u>COUNTIES</u>		
Accomack	IIG	IIG
Albemarle	IA	IA
Alleghany	ID	IA
Amelia	IA	IA
Amherst	IA	ID
Appomattox	IA	IA
Arlington	IID	IID
Augusta	IA	IA
Bath	IA	ID
Bedford	IA	IA
Bland	IA	
Botetourt	IA	IA
Brunswick	IA	
<i>Buchanan</i>		
Buckingham	IA	IA
Campbell	IA	IA
Caroline	IA	IA
Carroll	IA	

Principal Reason Eligible to

<u>Name</u>	<u>Accept Cash Proffers</u>	
<u>COUNTIES (Cont'd)</u>	<u>2000</u>	<u>2010</u>
Charles City	IA	ID
Charlotte	IA	ID
Chesterfield	IA	IA
Clarke	ID	IA
Craig	IA	ID
Culpeper	IA	IA
Cumberland	IA	IA
<i>Dickenson</i>		
Dinwiddie	IA	IA
Essex	IA	IA
Fairfax	IIA	IIA
Fauquier	IA	IA
Floyd	IA	IA
Fluvanna	IA	IA
Franklin	IA	IA
Frederick	IA	IA
Giles	ID	
Gloucester	IA	IA
Goochland	IA	IA
Grayson	IA	
Greene	IA	IA
Greensville	IA	IA
Halifax	IA	
Hanover	IA	IA
Henrico	IA	IA
Henry	ID	
<i>Highland</i>		
Isle of Wight	IA	IA
James City	IA	IA

See "Notes" at end for explanation of "Principal Reason Eligible to Accept Cash Proffers."
Italicized localities have never qualified to collect cash proffers.

Principal Reason Eligible to

<u>Name</u>	<u>Accept Cash Proffers</u>	
<u>COUNTIES (Cont'd)</u>	<u>2000</u>	<u>2010</u>
King and Queen	IA	ID
King George	IA	IA
King William	IA	IA
Lancaster	IA	ID
Lee		IA
Loudoun	IID	IID
Louisa	IA	IA
Lunenburg	IA	
Madison	ID	IA
Mathews	IA	
Mecklenburg	IA	
Middlesex	IA	IA
Montgomery	IA	IA
Nelson	IA	ID
New Kent	III	III
Northampton	IIG	IIG
Northumberland	IA	
Nottoway	ID	ID
Orange	IA	IA
Page	IA	ID
Patrick	IA	
Pittsylvania	IA	ID
Powhatan	IA	IA
Prince Edward	IA	IA
Prince George	IA	IA
Prince William	IID	IID
Pulaski	ID	ID
Rappahannock	IA	IA
Richmond	IA	IA
Roanoke	IA	IA
Rockbridge	IA	IA

Principal Reason Eligible to

<u>Name</u>	<u>Accept Cash Proffers</u>	
<u>COUNTIES (Cont'd)</u>	<u>2000</u>	<u>2010</u>
Rockingham	IA	IA
Russell	IA	
<i>Scott</i>		
Shenandoah	IA	IA
Smyth	ID	
Southampton	ID	IA
Spotsylvania	IA	IA
Stafford	IA	IA
Surry	IA	ID
Sussex	IA	ID
<i>Tazewell</i>		
Warren	IA	IA
Washington	IA	IA
Westmoreland	IA	ID
<i>Wise</i>		
Wythe	IA	IA
York	IA	IA
<u>TOWNS</u>		
Abingdon		IA IA
Accomac	*	IA
Alberta	*	IC
Altavista	*	IC IC
Amherst	*	IA ID
<i>Appalachia</i>	*	
Appomattox	*	IC IC
Ashland		IA IA
Bedford		IC IC
Belle Haven	*	IA
Berryville		ID IA
Big Stone Gap		IA

Principal Reason Eligible to

<u>Name</u>	<u>Accept Cash Proffers</u>	
<u>TOWNS (Cont'd)</u>	<u>2000</u>	<u>2010</u>
Blacksburg	IA	IA
Blackstone	IA	ID
Bloxom	*	IA
Bluefield		IA
Boones Mill	*	IA IC
Bowling Green	*	IA IA
Boyce	*	ID IA
Boydton	*	IC
Boykins	*	ID IC
Branchville	*	IA IC
Bridgewater		IA IA
Broadway		IA IA
Brodnax	*	IC
Brookneal	*	IC IC
Buchanan	*	IC IC
Burkeville	*	ID ID
<i>Cape Charles</i>	*	
Capron	*	IA IC
<i>Cedar Bluff</i>	*	
Charlotte Court Hi	*	IC IA
Chase City	*	IC
Chatham	*	IC ID
<i>Cheriton</i>	*	
Chilhowie	*	ID
Chincoteague	*	IA
Christiansburg		IA IA
Claremont	*	IC IA
Clarksville	*	IA
Cleveland	*	IC IA
Clifton	*	IIB IIB
Clifton Forge		ID IC

See "Notes" at end for explanation of "Principal Reason Eligible to Accept Cash Proffers."
Italicized localities have never qualified to collect cash proffers.

Principal Reason Eligible to

Name	Accept Cash Proffers	
	2000	2010
TOWNS (Cont'd)		
<i>Clinchco</i>	*	
Clinchport	* IA	
<i>Clintwood</i>	*	
Coeburn	*	IA
Colonial Beach		IC IA
Columbia	* IC	IA
Courtland	* IA	IC
Craigsville	* IA	IC
Crewe	* ID	ID
Culpeper		IA IA
Damascus	* IA	IC
Dayton	* IA	IA
Dendron	* IC	ID
Dillwyn	* IC	IC
Drakes Branch	* IC	IA
Dublin	* IA	IA
Duffield	* IA	IA
Dumfries		IIF IIF
Dungannon	* IA	
Eastville	* IA	IA
Edinburg	* IC	IA
Elkton	* IA	IA
Exmore	*	IA
Farmville		IA IA
Fincastle	* IA	IC
Floyd	* IA	IC
Fries	* IC	
Front Royal		IA IA
<i>Gate City</i>	*	
Glade Spring	* IC	IA
Glasgow	* IC	IA

Principal Reason Eligible to

Name	Accept Cash Proffers	
	2000	2010
TOWNS (Cont'd)		
Glen Lyn	* ID	
Gordonsville	* IA	IC
Goshen	* IA	IC
Gretna	* IC	ID
Grottoes	* IA	IA
<i>Grundy</i>	*	
Halifax	* IA	
Hallwood	* IA	
Hamilton	* IIF	IIF
Haymarket	* IIF	IIF
Haysi	*	IA
Herndon		IIB IIB
Hillsboro	* IIF	IIF
Hillsville	* IA	
Honaker	* IC	IA
Hurt	* IC	ID
Independence	* IC	
Iron Gate	* ID	IC
Irvington	* IA	ID
Ivor	* ID	IA
Jarratt	* IA	IA
Jonesville	* IA	IC
<i>Keller</i>	*	
Kenbridge	* IC	
Keysville	* IA	ID
Kilmarnock	* IA	IA
La Crosse	* IA	
Lawrenceville	* IC	IA
Lebanon	* IC	
Leesburg		IIF IIF
Louisa	* IA	IA

Principal Reason Eligible to

Name	Accept Cash Proffers	
	2000	2010
TOWNS (Cont'd)		
Lovettsville	* IIF	IIF
Luray		IA ID
Madison	* ID	IA
Marion		ID
McKenney	* IA	IA
Melfa	* IA	
Middleburg	* IIF	IIF
Middletown	* IC	IA
Mineral	* IC	IA
<i>Monterey</i>	*	
Montross	* IC	IA
Mount Crawford	* IA	IA
Mount Jackson	* IA	IA
Narrows	* ID	
<i>Nassawadox</i>	*	
New Castle	* IA	ID
New Market	* IA	IA
Newsoms	* ID	IA
Nickelsville	* IA	
Occoquan	* IIF	IIF
Onancock	* IA	
<i>Onley</i>	*	
Orange		IA IA
<i>Painter</i>	*	
Pamplin City	* IC	IA
Parksley	* IA	
Pearisburg	* IA	
Pembroke	* IA	
Pennington Gap	*	IC
Phenix	* IC	IA
<i>Pocahontas</i>	*	

See "Notes" at end for explanation of "Principal Reason Eligible to Accept Cash Proffers."
Italicized localities have never qualified to collect cash proffers.

Principal Reason Eligible to

<u>Name</u>	<u>Accept Cash Proffers</u>	
<u>TOWNS (Cont'd)</u>	<u>2000</u>	<u>2010</u>
Port Royal *	IC	IC
Pound *	IA	
Pulaski	ID	ID
Purcellville	IIF	IIF
Quantico *	IIF	IIF
Remington *	IA	IC
Rich Creek *	ID	IA
Richlands		IA
Ridgeway *	ID	
Rocky Mount	IC	IA
Round Hill *	IIF	IIF
Rural Retreat *	IA	IA
Saltville *	IC	IC
<i>Saxis</i> *		
Scottsburg *	IC	
Scottsville *	IA	IC
Shenandoah *	IC	IA
Smithfield	IA	IA
South Boston	IA	

Principal Reason Eligible to

<u>Name</u>	<u>Accept Cash Proffers</u>	
<u>TOWNS (Cont'd)</u>	<u>2000</u>	<u>2010</u>
South Hill	IC	IA
St. Charles *		IC
St. Paul *	IC	
Stanardsville *	IA	IC
Stanley *	IA	IA
Stephens City *	IC	IA
Stony Creek *	IC	ID
Strasburg	IA	IA
Stuart *	IC	IA
Surry *	IA	ID
Tangier *		IA
Tappahannock *	IA	IA
Tazewell		IA
The Plains *	IA	IC
Timberville *	IA	IA
Toms Brook *	IA	IC
Troutdale *	IA	
Troutville *	IC	IC
Urbanna *	IC	IC

Principal Reason Eligible to

<u>Name</u>	<u>Accept Cash Proffers</u>	
<u>TOWNS (Cont'd)</u>	<u>2000</u>	<u>2010</u>
Victoria *	IC	
Vienna	IIB	IIB
Vinton	IC	IC
Virgilina *	IC	
<i>Wachapreague</i> *		
Wakefield *	IC	ID
Warrenton	IA	IA
Warsaw *	IA	IA
Washington *	IC	IC
Waverly *	IC	ID
<i>Weber City</i> *		
West Point *	IC	IA
White Stone *	IC	ID
Windsor *	IC	IA
<i>Wise</i> *		
Woodstock	IA	IA
Wytheville	IC	IA

See "Notes" at end for explanation of "Principal Reason Eligible to Accept Cash Proffers."
Italicized localities have never qualified to collect cash proffers.

NOTES:

* = Localities not required to report cash proffer activity. 2003 revisions to § 15.2-2303.2 limited the requirement for the reporting on the acceptance of proffered cash payments to only those localities with a population in excess of 3,500 persons or more. Thus, only 35 of the 177 eligible towns are required to report proffered cash payments.

I. Eligibility for acceptance of cash proffers under § 15.2-2298 (High-growth localities):

- A. any locality which had a decennial Census growth rate of 5% or more;
- B. any city adjoining another city or county which had a decennial Census growth rate of 5% or more;
- C. any towns located within a county which had a decennial Census growth rate of 5% or more; and
- D. any county contiguous with at least three counties which had a decennial Census growth rate of 5% or more, and any town located in that county.

II. Eligibility for acceptance of cash proffers under § 15.2-2303:

- A. any county with urban county executive form of government (i.e., Fairfax County);
- B. Any town within Fairfax County;
- C. any city adjacent to or completely surrounded by Fairfax County;
- D. any county contiguous to Fairfax County;
- E. any city adjacent to or completely surrounded by a county contiguous to Fairfax County;
- F. any town within a county contiguous to Fairfax County; and
- G. any county east of the Chesapeake Bay

III. Eligibility for acceptance of cash proffers under § 15.2-2303.1:

- A. New Kent County

Localities in italics have never been authorized to accept cash proffers.

APPENDIX C

**Survey Instrument for
Local Government Revenues and Expenditures
Derived from Proffered Cash Payments
2019– 2020**

FY2019-2020 Cash Proffer Survey

Virginia Commission on Local Government: Fiscal Year 2019-2020 Cash Proffer Survey

1. Please provide your contact information: *

Locality Name

Contact Name

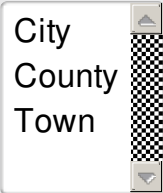
Position/Title

Phone Number:

Email Address

2. Is your locality a City, County or Town? *

City
County
Town



3. Did your locality accept cash proffers at any time during the 2019-2020 Fiscal Year?

If you answered "No" for the 2019-2020 Fiscal Year, additional information is not needed. *

A cash proffer is (i) any money voluntary proffered in a writing signed by the owner of property subject to rezoning, submitted as part of a rezoning application and accepted by a locality pursuant to the authority granted by Va.

Code Ann. § [15.2-2303](#), or § [15.2-2298](#), or (ii) any payment of money made pursuant to a development agreement entered into under authority granted by Va. Code Ann. § [15.2-2303.1](#). This does NOT include cash contributions imposed through conditional/provisional/special use permits as authorized by § [15.2-2286](#) (A)(3).

 Yes
 No

4. Enter the total amount of cash proffer revenue collected by the locality during the 2019-2020 fiscal year:

This is the total dollar amount of revenue collected from cash proffers in the specified fiscal year regardless of the fiscal year in which the cash proffer was accepted. Unaudited figures are acceptable.

5. Enter the estimated amount of cash proffers pledged during the 2019-2020 fiscal year by which payment is conditioned only on time:

These are cash proffers conditioned only on time (i.e. linked to a specific date or specified time following rezoning approval but NOT an unknown date such as at the time of certificate of occupancy) approved by the locality as part of a rezoning case. Unaudited figures for the specified fiscal year are acceptable.

6. Enter the total amount of cash proffer revenue expended by the locality during the 2019-2020 fiscal year:

This is the total dollar amount of public projects expended with cash proffer revenue in the specified fiscal year.

Unaudited figures are acceptable.

7. Indicate the purpose(s) and amount(s) (in whole numbers) for which the expenditures in the previous question were made: *

The Total amount at the bottom should equal the amount reported in question #6.

Schools

Roads and Other Transportation Improvements

Fire and Rescue/Public Safety

Libraries

Parks, Recreation, and Open Space

Water and Sewer Service Extension

Community Centers

Stormwater Management

Special Needs Housing

Affordable Housing

Miscellaneous

Total : 0

8. Please share any additional comments regarding any unique circumstances surrounding the information you provided in this survey.

APPENDIX D

**Summary of Survey Responses from Localities
Accepting Proffered Cash Payments
Fiscal Year 2019 – 2020**

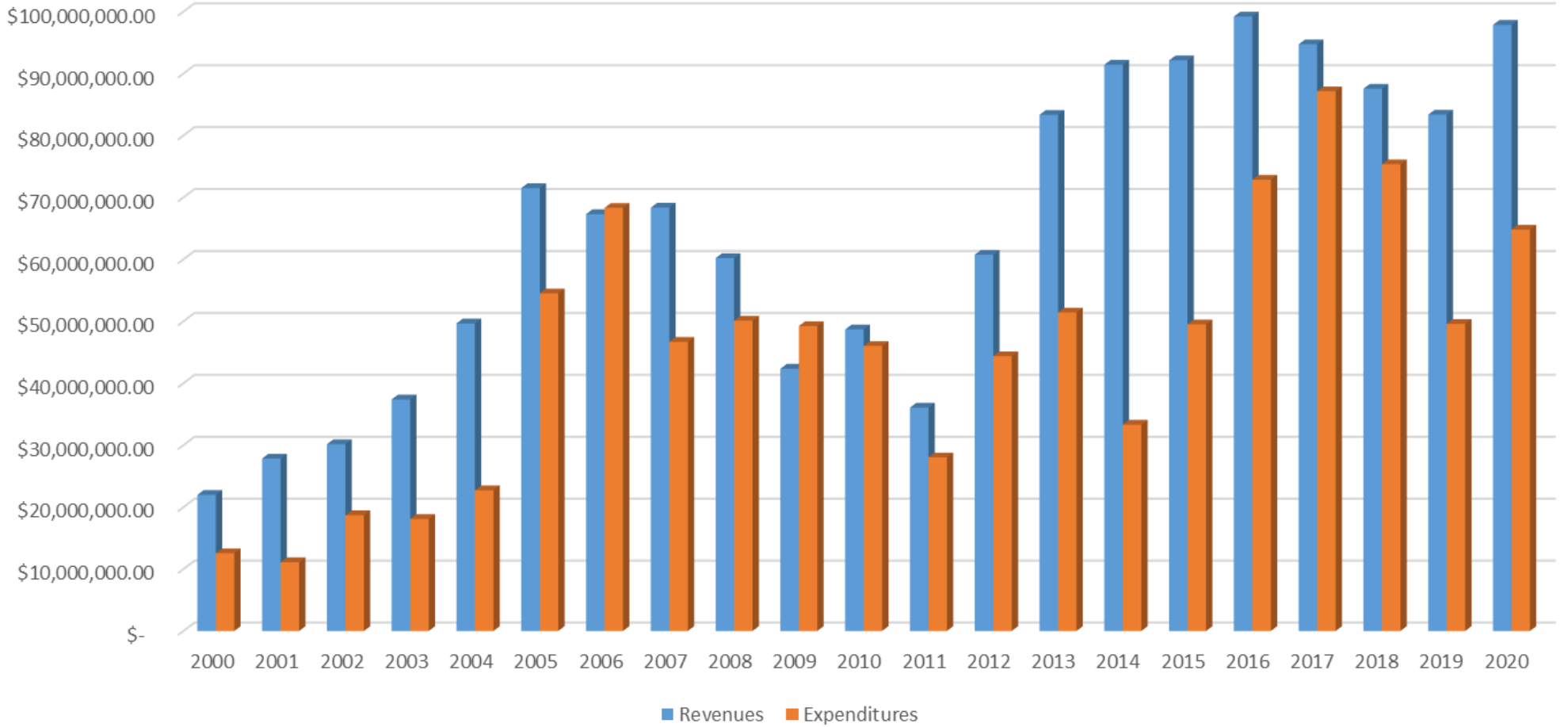
Appendix D
Summary of Survey Responses from Localities Accepting Proffered Cash Payments
Fiscal Year 2019-2020

Locality	Total Cash Proffer Revenue Collected	Total Pledged But Payment Conditioned Only on Time	Total Cash Proffer Revenue Expended	Purpose and Amount For Which Cash Proffer Expenditures Were Made											
				Schools	Other Transportation Improvement	Fire, Rescue, and Public Safety	Library	Parks, Recreation, and Open Space	Water and Sewer Service Extension	Community Centers	Stormwater Management	Special Needs Housing	Affordable Housing	Miscellaneous	
Albemarle	\$ 2,251,573.62	\$ -	\$ 1,170,326.72	\$ 94,385.15	\$ 3,095.57	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,072,846.00	\$ -
Amelia	\$ 613,682	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Caroline	\$ 25,934.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Chesterfield	\$ 3,633,496.63	\$ -	\$ 2,031,253.68	\$ -	\$ 1,654,886.21	\$ 228,690.36	\$ -	\$ 147,677.11	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Culpeper	\$ 2,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Dinwiddie	\$ 5,859.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Fairfax	\$ 30,768,387.97	\$ 3,000.00	\$ 6,822,080.17	\$ 18,124,435.00	\$ 2,765,310.37	\$ 68,788.80	\$ -	\$ 1,530,611.00	\$ -	\$ -	\$ -	\$ 15,358.00	\$ -	\$ 493,577.00	\$ -
Fauquier	\$ 429,094.95	\$ -	\$ 429,094.95	\$ 137,602.31	\$ 57,548.90	\$ 163,260.42	\$ 29,066.99	\$ 10,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 316,163.33
Gloucester	\$ 55,000.00	\$ -	\$ 149,100.00	\$ -	\$ -	\$ 149,100.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Goochland	\$ 1697,577.00	\$ 2,387,588.00	\$ 650,000.00	\$ 500,000.00	\$ -	\$ 150,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Greene	\$ 4,000.00	\$ -	\$ 762.00	\$ 762.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Hanover	\$ 2,041,525.00	\$ -	\$ 346,549.10	\$ -	\$ 346,549.10	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Isle of Wight	\$ 323,904.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
James City	\$ 894,334.00	\$ -	\$ 892,594.00	\$ 412,249.00	\$ 7,333.00	\$ 11,155.00	\$ 3,230.00	\$ 22,846.00	\$ 220,804.00	\$ 7,475.00	\$ 149,920.00	\$ -	\$ -	\$ 57,582.00	\$ -
Loudoun	\$ 19,083,809.08	\$ 2,150,000.00	\$ 24,521,902.95	\$ -	\$ 5,690,735.25	\$ 236,613.37	\$ -	\$ 13,992,253.01	\$ -	\$ 4,602,301.32	\$ -	\$ -	\$ -	\$ -	\$ -
Louisa	\$ 20,800.00	\$ -	\$ 20,800.00	\$ -	\$ -	\$ 20,800.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Powhatan	\$ 248,149.91	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Prince William	\$ 19,500,927.27	\$ -	\$ 17,912,971.62	\$ 6,000,000.00	\$ 6,715,120.54	\$ 543,565.00	\$ -	\$ 4,342,744.48	\$ -	\$ -	\$ 11,541.60	\$ -	\$ -	\$ 300,000.00	\$ -
Rockingham	\$ 14,000.00	\$ -	\$ 105,500.00	\$ 10,500.00	\$ -	\$ 95,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Shenandoah	\$ -	\$ 150,000.00	\$ 150,000.00	\$ -	\$ 100,000.00	\$ 50,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Spotsylvania	\$ 938,409.43	\$ -	\$ 2,213,340.85	\$ -	\$ 887,518.00	\$ -	\$ -	\$ 33,316.00	\$ 40,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,252,506.85
Stafford	\$ 3,180,065.47	\$ -	\$ 4,946,685.57	\$ 1,078,923.57	\$ 3,571,300.00	\$ 296,462.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
York	\$ 301,266.28	\$ -	\$ 57,703.78	\$ -	\$ 57,703.78	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Counties	\$ 85,581,250	\$ 2,755,588	\$ 62,420,665	\$ 10,046,857	\$ 21,857,101	\$ 2,013,435	\$ 32,297	\$ 20,079,448	\$ 260,804	\$ 4,609,776	\$ 312,820	\$ -	\$ 1,924,005	\$ 1,284,123	\$ -
Chesapeake	\$ 1,985,367.49	\$ -	\$ 511,265.76	\$ 38,062.86	\$ 40,737.99	\$ 431,045.91	\$ 141.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Fredericksburg	\$ 202,020.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Manassas	\$ 935,032.00	\$ -	\$ 878,077.00	\$ 866,800.00	\$ -	\$ -	\$ -	\$ 11,277.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Manassas Park	\$ 109,500.00	\$ -	\$ 109,500.00	\$ -	\$ -	\$ 36,500.00	\$ 36,500.00	\$ 36,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Suffolk	\$ 706,648.47	\$ 706,648.47	\$ 706,648.47	\$ 706,648.47	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Cities	\$ 3,938,568	\$ 706,648	\$ 2,205,491	\$ 1,611,511	\$ 40,738	\$ 467,546	\$ 37,919.00	\$ 47,777	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Leesburg	\$ 8,308,947.54	\$ -	\$ 165,768.00	\$ -	\$ 95,353.00	\$ 70,090.00	\$ -	\$ 325.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Strasburg	\$ 39,200.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Warrenton	\$ 5,000.00	\$ -	\$ 10,511.55	\$ -	\$ -	\$ -	\$ -	\$ 10,511.55	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Towns	\$ 8,353,148	\$ -	\$ 176,280	\$ -	\$ 95,353	\$ 70,090	\$ -	\$ 10,837	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
GRAND TOTAL	\$ 97,872,966	\$ 3,462,236	\$ 64,802,436	\$ 11,658,368	\$ 21,993,192	\$ 2,551,071	\$ 70,216	\$ 20,138,061	\$ 260,804	\$ 4,609,776	\$ 312,820	\$ -	\$ 1,924,005	\$ 1,284,123	\$ -

APPENDIX E

**Summary of Statewide Cash Proffer Revenues and Expenditures FY 1999 – 2000
through FY 2019 – 2020**

Cash Proffer Revenues and Expenditures FY2000-FY2020





Ralph S. Northam
Governor

R. Brian Ball
Secretary of
Commerce and Trade

COMMONWEALTH of VIRGINIA

Erik C. Johnston
Director

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Commission on Local Government

Proposed 2021 Meeting Schedule

Based on 2020 Commission meeting cycle: 2nd Thursdays in odd-numbered months

- **Thursday, January 14, 2021**
 - Martin Luther King, Jr., Day: Monday, January 18, 2021
 - 2nd day of 2021 General Assembly Session (tentative)
 - Consider Thursday, January 7, 2021, as an alternative
- **Thursday, March 25, 2021**
 - Date doesn't follow regular cycle, but is harmonious with adopted review schedule for Martinsville reversion case
- **Thursday, May 13, 2021**
 - Mothers Day: Sunday, May 9, 2021
- **Thursday, July 8, 2021**
 - Independence Day: Monday, July 5, 2021 (observed)
- **Thursday, September 9, 2021**
 - Labor Day: Monday, September 6, 2021
- **Thursday, November 11, 2021**
 - Election Day: Tuesday, November 2, 2021
 - Veterans Day: Thursday, November 11, 2021

Meetings will be held electronically during the Governor's declared state of emergency.

In-person meetings (held at Virginia Housing Center in Glen Allen) will commence at the end of the declared state of emergency.

Virginia public schools are seeing an early drop in enrollment. It could put millions in state funding at risk.

By **Kate Masters** - September 18, 2020



Goochland public schools opened last month under a fully virtual plan, with only a few students with limited internet access at home reporting to school buildings. (NBC12 via Goochland County Public Schools)

Since the start of the school year in August, Radford City Schools have lost around 75 students compared to enrollment counts last May, according to district Superintendent Robert Graham. Across the state in Middlesex County, public schools are down roughly 47 students, said Superintendent Pete Gretz.

Attendance at King William County Public Schools has dropped about 150 students, according to Superintendent David White. Those districts are far from alone. An early survey by the Virginia Association of School Superintendents – which captured responses from 113 of the state’s 133 divisions – found that public schools are facing an enrollment loss of 35,000 students so far this year.

Collectively, that drop represents a prospective loss of \$146 million in basic aid funding from the state, which is based on student attendance counts – known as “[average daily membership](#)” – in September and March, said VASS Executive Director Ben Kiser. If the cuts go through, schools say they’ll be forced to make tough decisions on everything from operations to staff.

“If we don’t see significant improvement, then that’s a significant loss of potential revenue,” he added. “And if the General Assembly makes budget decisions based on current data, we worry they’ll have long-lasting impacts not only this budget year, but possibly the next biennium.”

As schools across Virginia grapple with the ongoing COVID-19 pandemic, the early loss of students is just another challenge in an increasingly dire financial landscape. Kiser said school administrators were already concerned over a projected decline in sales tax revenue — one percent of which flows back to local districts — that could result in a total reduction of \$95 million for schools across the state.

Earlier this year, legislators also passed [budget language](#) setting stricter requirements on how local divisions use state lottery funds — a significant part of their operating budgets. The new mandate requires that at least 40 percent of that funding is used for “nonrecurring” school costs such as construction, renovations, or new technology by the second year of the state’s biennial spending plan.

“This was a change from previous years and we feel that schools need maximum flexibility in how Lottery funds are used during this crisis,” VASS legislative liaison Tom Smith wrote in an email Wednesday. And while more than \$214 million in federal CARES Act funding has been directed to Virginia’s public schools — not including the money that went directly to localities — many administrators said most of those funds have been used for new expenses related to the pandemic.

“Our first installment, we used that to reimburse for meal distribution in the spring and summer,” White said. “A lot of it went to temperature monitoring devices, personal protective equipment, Wifi access spots, devices for teachers — things like that.”

“These are basically one-time funds,” he added. “They’re not going to supplant anything. They’re not going to be here next year.”

That’s left administrators increasingly worried about costs. Kiser said the superintendents’ association is currently advocating for state lawmakers to head off the potential loss of funding, either during the ongoing special session or when the General Assembly reconvenes in January. Keith Perrigan, president of the state’s Coalition of Small and Rural Schools, said one option is using last year’s enrollment counts to calculate state aid if schools continue to see a decline in students this March.

Currently, though, there’s no clear path forward. Earlier this month, a Senate committee [killed a bill](#) from Sen. Frank Ruff, R-Mecklenburg, that would have allowed just that during any state of emergency that disrupted in-person learning. A fiscal impact statement from the state’s Department of Planning and Budget said the legislation could “artificially inflat[e]” average daily membership for “school divisions with historically declining enrollment or reduced enrollment for reasons unrelated to the declared state of emergency.”

But Kiser said the concern for most districts is that students will re-enroll in public school after the pandemic. Some divisions, like Middlesex, are operating remotely, which makes counting attendance even more of a challenge. Gretz said his district is currently measuring enrollment by tracking how many students are logging onto its online learning platform – an imperfect method for a rural county.

“Thirty-nine percent of our students did not have access to broadband before all this started,” he added. “So, there could be some students who we haven’t totally resolved that for.”

Graham, in Radford, said his staff have been following up with families who haven’t been attending classes with the school division, which is currently rotating in groups of students for face-to-face instruction several days a week. About 15 students moved out of the district before the start of the school year, but another 30 or 40 are currently homeschooling, he added.

Both he and White said part of the enrollment loss was linked to families who didn’t feel comfortable sending their children back to campus. But Graham also said multiple students have transferred to private schools in the area, many of which chose to fully reopen their campuses.

“Some families want their children to be 100 percent in-person, and private schools – at least the one in our area – have made that promise,” White added. “They’re saying that kids can come to school in-person all five days a week.”

But when public schools resume their normal schedules, administrators are expecting many of those students to re-enroll – exacerbating existing budget struggles if funding levels are reduced based on attendance counts during the pandemic. White said he’s already emailed school administrators and warned them to stop all discretionary spending, even on items such as paper, which isn’t as much of a necessity this year.

“We’re gonna hold off on some of those supplies because we have to be very prudent in our expenditures moving forward,” he said. “We want to get a better idea, come budget season, of where we stand so we can maintain our faculty and staff.”

Losing employees has become a very real concern for many districts if state funding decreases. Earlier this week, Graham sent an email to Virginia Superintendent James Lane and his local representatives, Del. Chris Hurst, D-Montgomery, and Sen. Ben Chafin, R-Russell, urging them to keep considering possible solutions. Kiser said that with 80 to 85 percent of school expenses tied up in staffing, budget cuts often have a direct impact on employees.

“We do not want to make reductions,” Graham added. “Our teachers are working their butts off right now, and we cannot send the message that even with all that work, we might have to furlough them.”

Kate Masters

Kate grew up in Northern Virginia before moving to the Midwest, earning her degree in journalism from the University of Missouri. She spent a year covering gun violence and public health for The Trace in Boston before joining The Frederick News-Post in Frederick County, Md. While at the News-Post, she won awards in feature writing and breaking news from the Maryland-Delaware-DC Press Association, including a best in show for her coverage of the local opioid epidemic. Most recently, she covered state and county politics for the Bethesda Beat in Montgomery County, Md.

Contact: kmasters@viriniamercury.com



Inside pandemic-era schools: Quiet hallways, ma

 **0** comments

https://roanoke.com/news/local/inside-pandemic-era-schools-quiet-hallways-masks-and-more-reliance-on-technology/article_af89c19c-079f-5589-9333-878515b90d14.html

FEATURED

Inside pandemic-era schools: Quiet hallways, masks and more reliance on technology

Claire Mitzel
Sep 28, 2020

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On Friday afternoon, William Byrd High School history teacher Cristy Spencer spent the first few minutes of class talking honestly with the seven students seated in front of her.

“This is hard,” she told them.

Spencer was referring to learning during the COVID-19 pandemic, which has brought a host of challenges that students, teachers and parents are still trying to navigate a month into the school year. Routines have been altered, classrooms look different and, most drastically, the majority of students in Virginia are not in the classroom every day.

“Even though we are in week five, we’re still adjusting and trying to make sure everyone is OK,” Spencer said.

She explained to her small class that it was important to stay organized and have good time management since they are only in the classroom two days per week.

Pointing to a stack of colorful notebooks on a cart, Spencer encouraged everyone to take one to keep track of their assignments.

Inside pandemic-era schools: Quiet hallways, ma

0 comments

“Y’all are learning in a pandemic,” she said.

Across every school division in Virginia, learning looks different this year.

Approximately 52% of the state’s 132 divisions are fully remote, according to data from the Virginia Department of Education. Another 8% are offering at least four days of in-person instruction to all students. The rest offer some combination of in-person and remote instruction.

In Roanoke County, pre-K through second grade students have the option to be in the classroom five days a week, but upper grades attend two days per week. Approximately 25% of the division’s 13,300 students chose to take their classes fully online.

At a recent school board meeting, **teachers and parents voiced frustration** with the hybrid model. Teachers said they’re working nonstop in order to provide support to students, and parents said their children are not doing as well as past years. Division leaders have said they will continue to make adjustments as needed.

Inside pandemic-era schools: Quiet hallways, ma **0** comments

The Roanoke Times recently spent two days in four Roanoke County schools at the elementary and secondary levels to explore what it's like to be in a classroom during the pandemic. With a fraction of students in the building at one time, hallways are quiet. Desks are spaced 6 feet apart, students and teachers wear masks most of the time, and there is more reliance on the division's online platform, Blackboard.

Since classes started Aug. 24, the division has reported approximately 20 positive cases of COVID-19. Two classrooms, one at **Oak Grove Elementary** and another at **Bonsack Elementary**, have temporarily closed as a precaution.

Superintendent Ken Nicely said cases are to be expected. He said the division's mitigation measures have been working, pointing to no exposure from the positive cases. Exposure is defined as being closer than 6 feet for at least 15 minutes, with or without a mask, according to the Virginia Department of Health.

“We still feel confident we're doing the right thing,” Nicely said.

Mastering Blackboard

Inside pandemic-era schools: Quiet hallways, ma

 0 comments

William Byrd High School science teacher Chris Rupe said his students have “done such a wonderful job adjusting” to all the changes. Although two days a week of in-person instruction isn’t the same, Rupe said, students are glad to be back for the first time since Gov. Ralph Northam closed schools in March.

“You’re so thankful for the time that you get being in the building,” he said.

But learning the ins and outs of Blackboard has been a “monster to really get your head around,” Rupe said. He adds new classwork to the top of the page, explaining that he’s tailored it to his students’ generation — it’s like a social media feed, with the most recent updates at the top. Many of his students are starting to get the hang of it, and he’s helping others become comfortable with the changes.

As stress levels start to come down, Rupe said, he plans to add more discussion and collaboration opportunities to the online platform.

Like Spencer, Rupe wants to support his students however he can.

Inside pandemic-era schools: Quiet hallways, ma **0** comments

Down the hall in Melissa Carr's AP Chemistry class, three students complete a lab together. The small class size allows them to receive Carr's nearly undivided attention as she also talks a student through the lab online.

The rest of the classroom is empty. Desks stand 6 feet apart, although they're not in use at the moment. Principal Tammy Newcomb said she checked desk measurements over the summer, measuring from the middle of each seat. Red Xs mark the floor where the desks should remain.

Curriculum pacing remains the same between online and in-person in case students need to transition between the two.

That means computers are used more often than usual since teachers upload activities for students on Blackboard.

Geometry students completed their work online as teacher Hannah Blais
around the room answering questions. Likewise, AP English students in
Sabin's class had their laptops open.

Inside pandemic-era schools: Quiet hallways, masks and more reliance on technology | Local News | roanoke.com 0 comments

The students said they enjoyed being able to go into class to have questions answered. Being face-to-face was especially useful for certain classes, like math, they said.

Newcomb said the school averages between 400 and 420 students per day since students are divided into two groups, attending either Monday and Thursday or Tuesday and Friday. That's more than half of its usual population, which makes for quiet hallways even when students are transitioning between classes.

Across the parking lot in William Byrd Middle School, Principal Todd Kageals has turned hallways and stairwells into quasi-roads. Tape marks one-way lanes measured 6 feet apart so students don't get too close to one another.

Over the summer, Kageals said, they set up sample classrooms to measure capacity. Teachers arranged their own rooms, and the assistant principal checked measurements, he said.

Kageals said the students have followed all the new protocols.

"They've done exactly what we've asked them to do," he said.

Mixing online, in-person

Inside pandemic-era schools: Quiet hallways, ma

 0 comments

Green Valley Elementary School Principal Kim Bradshaw waved to the 10 second graders.

“I miss you!” she said to the faces on the screen.

This was one of Roanoke County’s fully virtual classes. While teacher Laura Zebosky was seated at her desk at school, her students sat at home.

The students couldn’t tell, but Zebosky was really sitting in Green Valley’s music room, which was repurposed into a classroom for the school’s three online teachers.

Seated at her desk, Zebosky faced her laptop and a large ActivBoard, an interactive whiteboard. A decorative letter Z and the phrase “Welcome to second grade” lined the wall behind her.

Zebosky has a total of 26 students, down from an initial 54. Nicely said the division recently shifted more teachers online to decrease the student-teacher ratio and fall in line with the state's standards by the end of the month. Teachers can be assigned students from their own school or elsewhere in the district.

Zebosky projected a weather worksheet onto her screen, asking the students why snow would be unlikely for the following day.

"It's not cold enough!" a student replied, adding that it doesn't usually snow until "the 21st of December."

Downstairs in the third grade wing, Jennifer Britton was also online. But she was talking to the students she sees twice a week.

It was Wednesday, the one day when no third through fifth grade students were in the building. Britton helped her students on a video call as they played a math game.

When students aren't in the classroom, they have pre-recorded lessons to watch and activities to complete. There are also times when they have live — synchronous — instruction with their teacher and can ask questions.

Then there are the students who receive face-to-face instruction every week. **Inside pandemic-era schools: Quiet hallways, ma**  0 comments

In Christy Underwood's Green Valley Elementary kindergarten class, the students sat at either end of tables, with a Plexiglas barrier between table partners.

The school district's health plan states that students and staff must wear masks when not consistently 6 feet apart. That means students are allowed to take off their masks while seated, although about half of the class chose to keep theirs on.

Elsewhere in Green Valley and at other schools, students sat at individual desks that were spaced 6 feet apart. Some individual desks also included Plexiglas; Mount Pleasant Elementary Principal Dana Stevens said the school's supply of Plexiglas was available to any teacher who wanted it.

Some elementary schools have "overflow" classrooms if students cannot fit in assigned classrooms due to physical distancing. Each school has different ways of handling overflow; at Mount Pleasant, a third kindergarten class has been created, and Stevens said teachers rotate through.

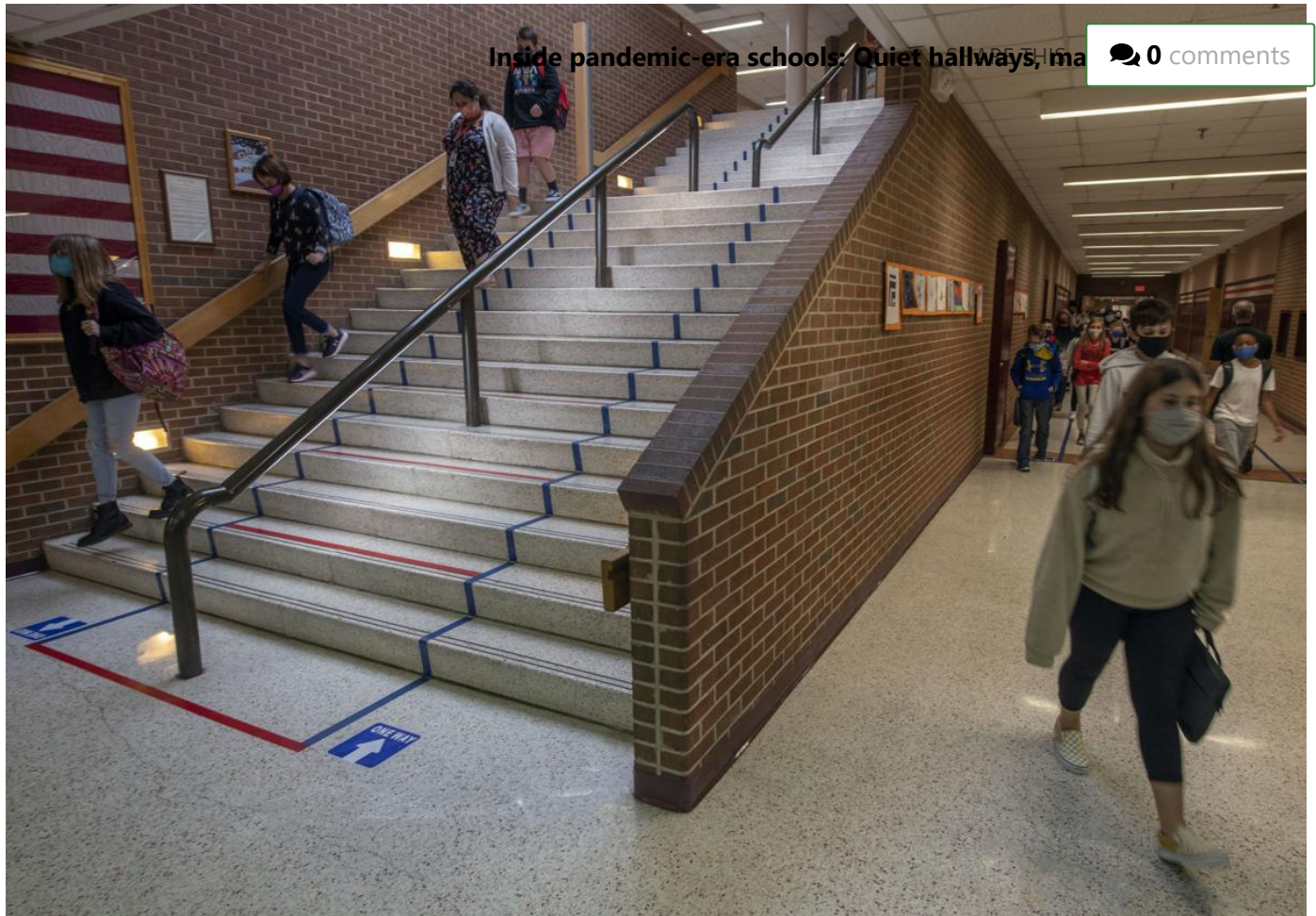
Inside pandemic-era schools: Quiet hallways, ma **0** comments

Upstairs in Crystal Kincer's second grade class, students read in small groups. All wore masks, and Stevens said group activities were limited to stay under the 15 minute exposure limit.

Down the hall in fourth grade, Heather Evans stood over a small box of sand as she recorded an archaeology dig.

Nicely said he was thankful for parents' support and appreciates the lengths teachers have gone to educate students, whether online, in-person or both.

"All we can do is do our best," he said.



William Byrd Middle School students leave for the day on Friday

DON PETERSEN | Special to The Roanoke Times



Left to right, William Byrd High School student, Hailey Ramsey, chemistry teacher, Melissa Carr and students Kasey McKee and Natalee Mullins. Though the students and teacher are within 6 feet of each other, the interaction lasts less than 15 minutes, per the state's guidelines.

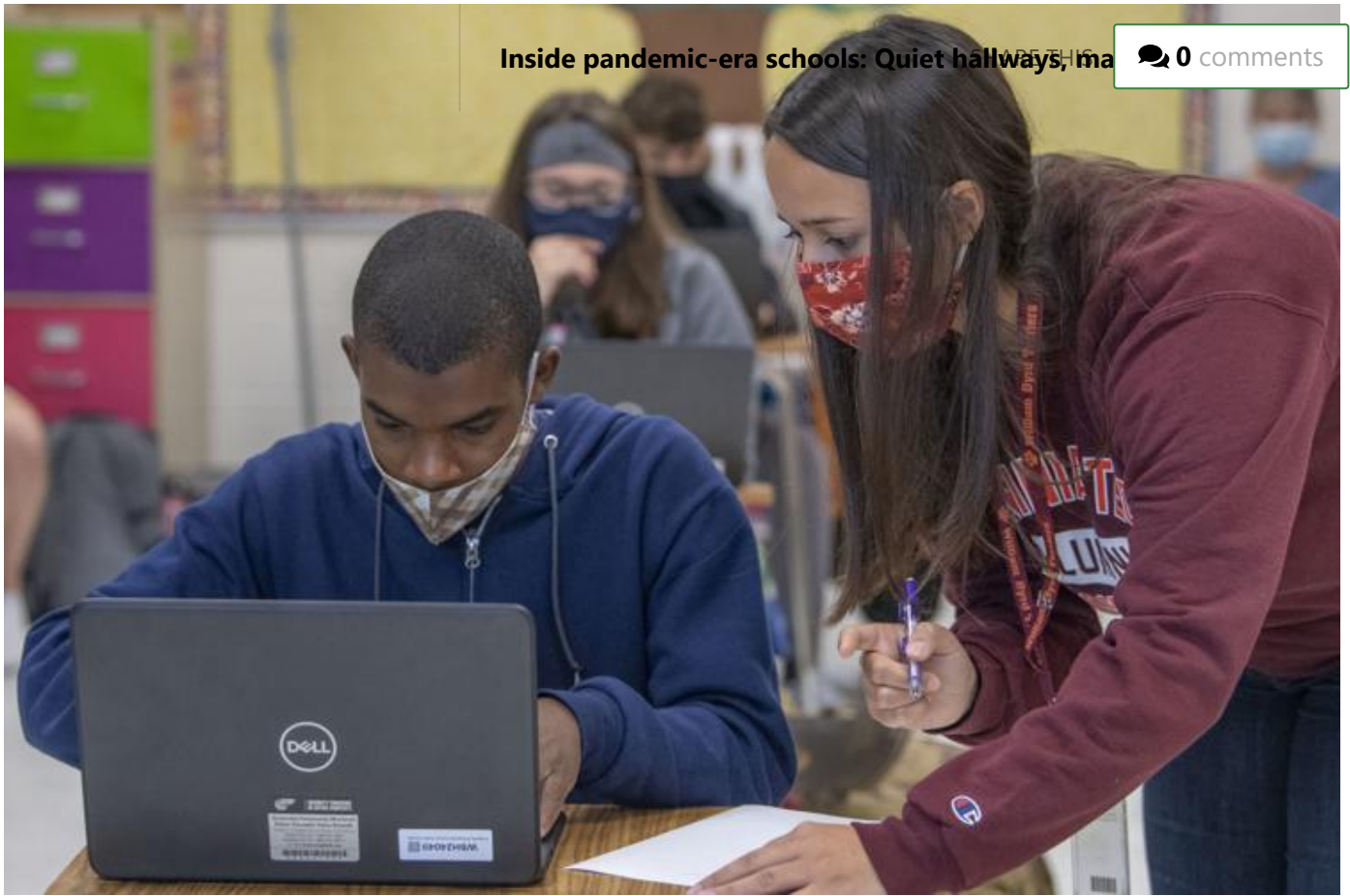
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William Byrd High School has signs posted for social distancing. Alison Thornton, health and PE/Driver's Ed teacher is seen walking through the hallway.

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William Byrd Middle School Algebra teacher Hannah Blais helps freshman Elijah Campbell with his Algebra I assignment on Friday afternoon.

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Inside pandemic-era schools: Quiet hallways, ma

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Lines and arrows direct social distancing in the hallways of William Byrd Middle School on Friday.

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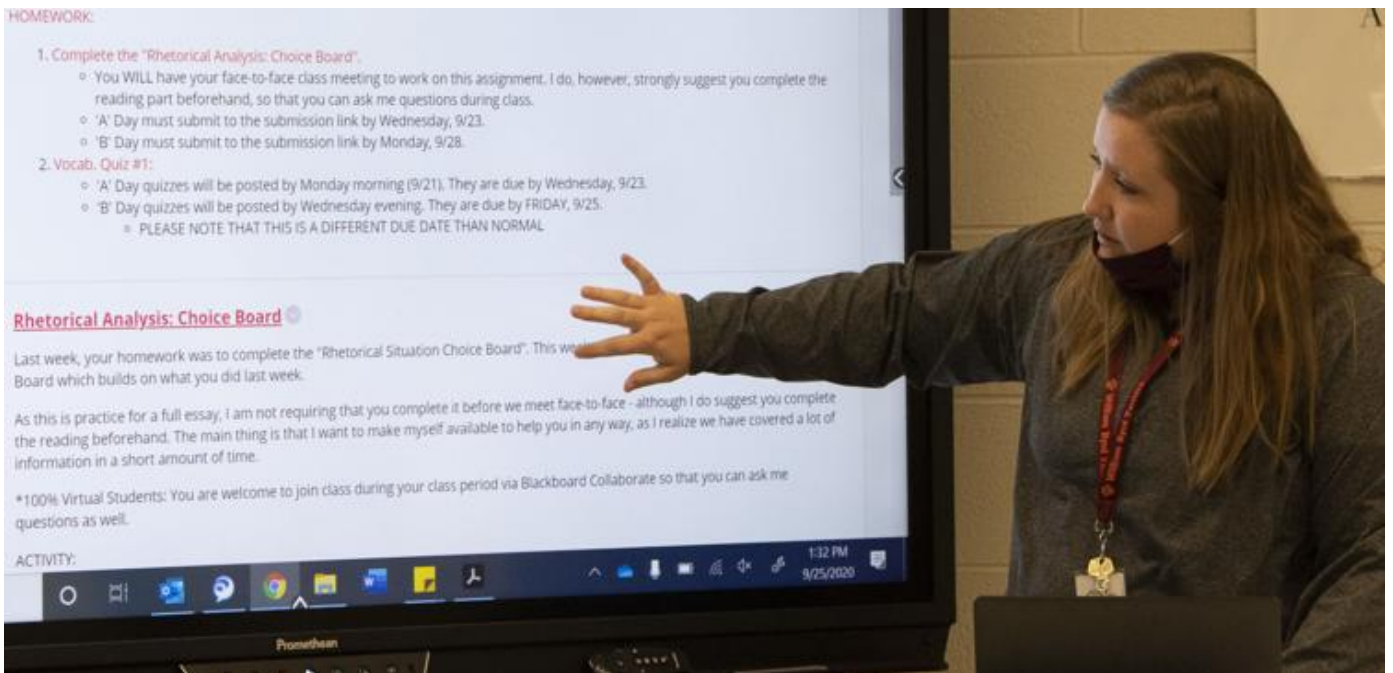
William Byrd High School chemistry teacher Melissa Carr, helps a student at home during lab on Friday.

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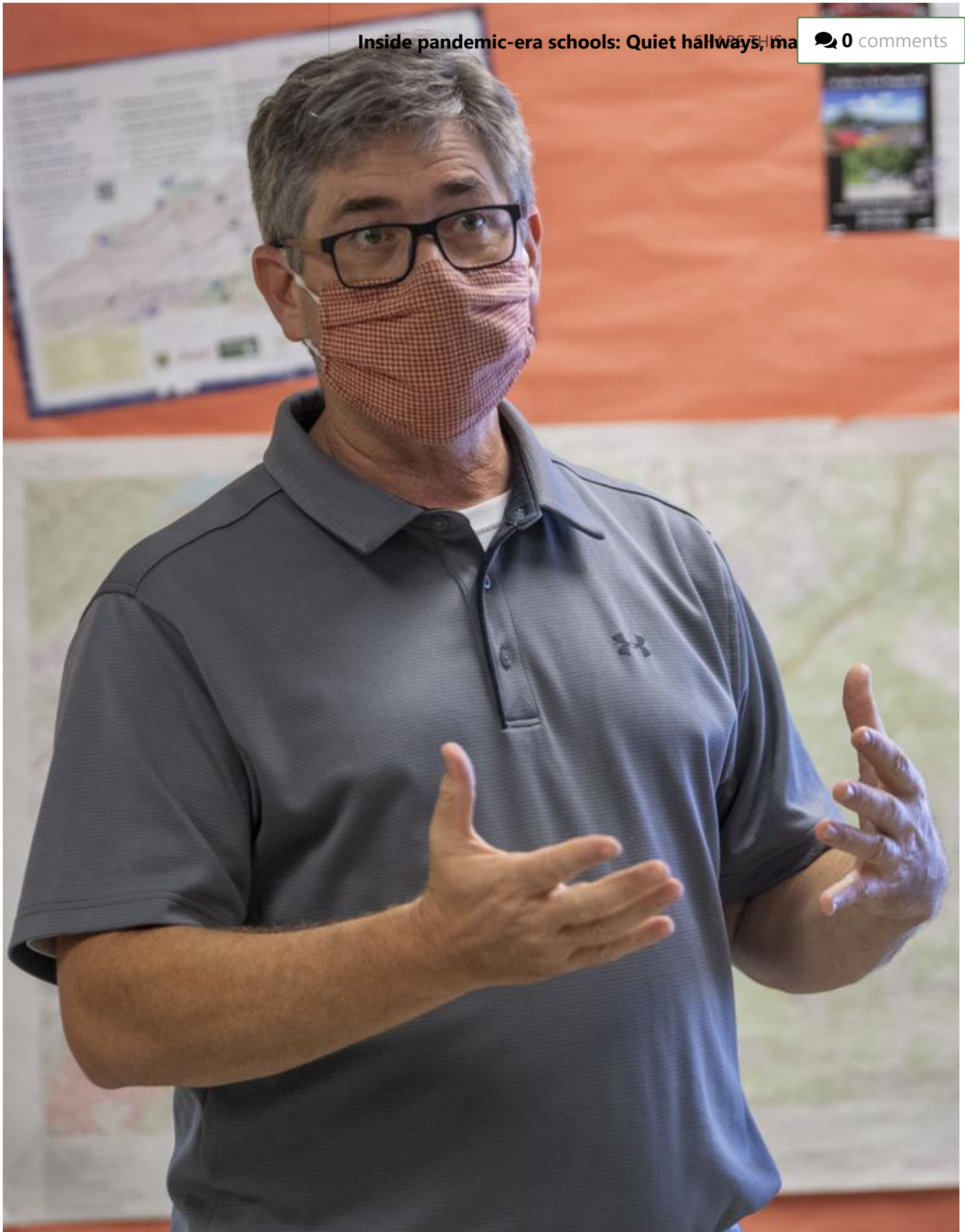
William Byrd High School senior chemistry students, left to right, Kasey McKee, Hailey Ramsey, and Natalie Mullins in chemistry lab on Friday.

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William Byrd High School English teacher Amanda Sabin goes over lesson with students.

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William Byrd High School science teacher Chris Rupe, on Friday

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USCCA



Leesburg Council Sets Legislative Agenda, Without City Status Push

2020-09-28 Kara Clark Rodriguez 0 Comments

There is a notable omission on the Leesburg Town Council's recently adopted legislative agenda.

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Upcoming Events

SEP 29 Tue

6:00 pm Ask the Expert Lecture— Endometri... @ Virtual (https://live-timely-1rcrtefryp.time.ly/event/ask-the-expert-lecture-endometriosis-signs-symptoms-and-treatment/?instance_id=22467)

SEP 30 Wed

9:30 am Virtual Coffee with a Career Cou... @ Loudoun Workforce Resource Center (https://live-timely-1rcrtefryp.time.ly/event/virtual-coffee-with-a-career-counselor/?instance_id=22497)

6:30 pm Philomont Fire and Rescue Statio... @ Woodgrove High School (https://live-timely-1rcrtefryp.time.ly/event/philomont-fire-and-rescue-station-replacement-public-meeting/?instance_id=22574)





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five years, it did not include the council's request to lift the moratorium on towns seeking city status.

Council members during this week's meetings acknowledged that there has been no desire from state legislators to lift the moratorium, and the town's own representatives have said they would not carry such an item forward for consideration. The last one to do so, then-delegate Randy Minchew, could not find support for a 2017 bill that would have exempted towns with populations over 40,000 from the moratorium. Loudoun County supervisors, except for Leesburg District Supervisor Kristen Umstatted, also have spoken out against the potential for Leesburg to become a city.

Some council members questioned whether the item should remain as a town legislative priority. Deputy Town Manager Keith Markel, however, urged that the item remain off, as the town continues negotiations with Loudoun County on a boundary line adjustment in the Joint Land Management Area that would bring the Compass Creek development—including a Microsoft data center complex—into town.

Adding the staff report, reviving the issue would "bring unnecessary attention to a sore subject," and leaving it off "shows a commitment to furthering that discussion you're having with them," Markel said.

Councilman Tom Dunn spoke in favor of keeping the item on the legislative agenda during the council's Sept. 21 work session.

"Just because something is hard to get done doesn't mean we shouldn't leave it," he said. "I know we've gotten pushback. The county worked vigorously when we were trying to achieve city status to prevent that from happening."

Dunn said that leaving the item off the town's legislative agenda was just another way of Leesburg giving into the county during the boundary line negotiations.

"It really is just rolling over for whatever the county wants. That's really been the basis of our negotiations," he said. "We ask for something, the county says no, we say OK."

Dunn and Councilwoman Suzanne Fox both supported keeping the city status item on the agenda, but did not receive enough support.

The two also pushed for several other items to be included on the legislative agenda: considering term limits for council members, which would require a state constitution change; adding a statement opposing qualified immunity; and a Town Charter change to change the town's elections to be partisan, rather than nonpartisan. Dunn made several comments noting that the council races are already partisan, with local political parties commonly endorsing candidates and working for campaigns. Among the requests, only Councilman Ron Campbell supported Dunn and Fox on the request to consider term limits.

The adopted legislative agenda includes requesting an amendment to the state code to allow advisory boards and commissions to meet remotely; requesting VDOT funding for roadway paving; and requesting a state code amendment to mandate that counties that contain incorporated towns provide services to town residents on equal parity with county residents without requiring a written agreement. The adopted agenda also includes the town's support for Virginia Municipal Wastewater Association's position opposing the recently recommended revision of nutrient allocation of dischargers; and requesting legislation that would allow the town to prohibit the parking of commercial vehicles weighing 8,000 pounds or more on residential streets.

The vote to adopt the legislative agenda and positions statement for the 2021 General Assembly session passed with a 4-0-2 vote. Dunn and Fox were recorded as abstentions, as Mayor Kelly Burk did not call for a nay vote after recording the support for the measure.

The legislative agenda and legislative policy positions statement can be found at leesburgva.gov/government/mayor-council/annual-legislative-agenda.

SHARE ON

Thu

1rcrtefryp.time.ly/event/railroad-earth/?instance_id=22565)

OCT

2

Fri

all-day 76th Waterford Fair @ Historic Village of Waterford (https://live-timely-1rcrtefryp.time.ly/event/76th-waterford-fair/?instance_id=19160)

6:30 pm Railroad Earth @ B Chord Brewing Company (https://live-timely-1rcrtefryp.time.ly/event/railroad-earth/?instance_id=22566)

OCT

3

Sat

all-day 76th Waterford Fair @ Historic Village of Waterford (https://live-timely-1rcrtefryp.time.ly/event/76th-waterford-fair/?instance_id=19161)

10:00 am Buzzing with Bees @ Loudoun Heritage Farm Museum (https://live-timely-1rcrtefryp.time.ly/event/buzzing-with-bees/?instance_id=22543)

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Opinion

Finz: Sight (Not Site) Pollution—When Enough is Enough

📅 2020-09-25 👤 LoudounNow 💬 4

First, let me say that this is not intended to be a treatise on land use planning. Rather it is an opinion; it is my opinion as to what



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In "Leesburg"

a lack of insight on the part of Loudoun County officials when it comes to the relationship between good land use planning and unsightly building and development.

Letter: Bob Ohneiser, Lucketts
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Letter: Zanelle Nichols, Ashburn
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Martinsville City Council debates to become a - Martinsville Bulletin (VA) - September 27, 2020

September 27, 2020 | Martinsville Bulletin (VA) | Bill Wyatt bill.wyatt@martinsvillebulletin.com

The pandemic has changed how many things are done these days, and with election day looming, an upcoming debate among candidates for Martinsville City Council has been modified to safely inform the voters.

Star News in Martinsville traditionally holds televised debates involving local races at its studios at 909 Commonwealth Blvd. in Martinsville and frequently with a live audience.

This Thursday, all five candidates for City Council will be in separate locations of their choosing, connected remotely and participating in Martinsville and Henry County's first virtual debate.

As many meetings, conferences and events have taken to the cloud by use of popular platforms such as Zoom, Google Meet and Skype, many people have already become familiar with a webcam and computer monitor as acceptable solutions for being together while staying apart.

The first of two Martinsville City Council virtual debates will occur live at 6:30-8 p.m. Thursday and will be followed with another on Oct. 22. Both events are cosponsored by the Martinsville Bulletin and Star News and may be viewed on Facebook at the Martinsville Bulletin or Star News pages and on Comcast cable Channel 18 in the Martinsville and Henry County viewing area.

The debate will be moderated by Martinsville Bulletin reporter Bill Wyatt.

"This really is historic," said Charles Roark, the owner of Star News. "Because of the media working together, the audience gets served with relevant information."

Four of the five candidates participated in a forum last week sponsored by the Mount Sinai Church in Martinsville, where Martinsville Bulletin Reporter Holly Kozelsky asked 11 questions to challenger Tammy Pearson and incumbents Jim Woods, Chad Martin and Kathy Lawson.

A fifth candidate, Nelson Edwards, did not attend because of a prior commitment to a family event out of town.

"We've talked to everyone, and all of the candidates have agreed to participate," Roark said. "They know it's serious."

The style of the virtual debate will be different from the traditional format in which each candidate gives an opening remark, and everyone is then asked the same question and given a limited time to respond.

"We're going to do the introductions at the end," Roark said.

Those questions will not be shared with the candidates before the debate and unlike a forum, a candidate may challenge another candidate's position on an issue. Candidates may not be asked all of the same questions and although a time limit will be observed, everyone will be encouraged to answer the question and refrain from pontificating.

The format suggests yes-or-no questions to be answered with a "yes" or a "no."

Topics from last week's forum included **reversion**, finances, the Black Lives Matter movement, conflict of interest within the administration, the failed Henricopolis School of Medicine and the new solar panel project at the former Lynwood Country Club.

"Everyone is listening to leaders when they talk about **reversion**," Roark said. "They want to understand how they intend to handle the issue."

Taking advantage of the latest technology pushes the boundaries for local television with limited resources, but Roark thinks it is a risk worth taking.

"We are going to be working feverishly this weekend to ensure this virtual unit is going to work," Roark said. "We want to make sure everyone can see and hear the debate at the Martinsville Bulletin and Star News on Facebook and on television.

"We have never had a debate quite like this."

Bill Wyatt is a reporter for the Martinsville Bulletin. He can be reached at 276-638-8801, Ext. 236. Follow him @billdwyatt

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LOCAL GOVERNMENT & POLITICS GOVERNMENT & POLITICS

Portsmouth will let city workers collectively bargain — a first in Hampton Roads

By ANA LEY
THE VIRGINIAN-PILOT | SEP 28, 2020



FEEDBACK



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PORTSMOUTH — Portsmouth council members have voted unanimously to let city employees bargain collectively for their pay and work conditions through unions, making it the first local government in Hampton Roads to do so under [a new state law](#) passed by the Democrat-controlled legislature.

The proposal was raised by Mayor John Rowe at the end of a regular meeting on Sept. 22. It was on the agenda under “items submitted by council members,” but no one explained which member’s idea it was.

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The group passed [the resolution](#) without discussion over the objection of meeting regular Mark Geduldig-Yatrofsky, who urged everyone to examine the suggestion more closely before deciding.

“I would like for the city to take a long look at the experience of other communities,” he told the group during the virtual meeting held over Facebook Live. “I suspect that we lack the fiscal strength to be able to negotiate in good faith with employees regarding their salary and benefits.”

The new law partially undoes a 1993 Virginia statute barring collective bargaining in the public sector, according to a Nov. 18 Washington Post article. Virginia and the Carolinas were the only three states in the country with such a blanket ban.

The debate over the law during the General Assembly session earlier this year focused mostly on teachers' unions being able to bargain with cities. But the law would also give that opportunity to police unions, which have come under fire in the four months since a Minneapolis police officer, Derek Chauvin, killed 46-year-old George Floyd by kneeling on his neck for at least seven minutes.

FEEDBACK

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That means police unions around Virginia could seek to use the new law to become more powerful than ever — even as people around the country cry out for the kinds of reforms police unions often oppose.

[Previous coverage: During push for police reform, a new Virginia law could give officer unions greater power »](#)

SECTIONS

The Virginian-Pilot

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LOG IN

Since then, the president of a union that represents more than 450 Virginia Beach police officers has said he plans to launch a campaign to persuade city leaders to let rank-and-file officers collectively bargain with the city. And the president of the local union representing more than 100 Norfolk officers said he wants his members to at least consider the idea.

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Del. Elizabeth Guzman, D-Prince William, introduced the law and told The Virginian-Pilot she doesn't see a direct link between officers being able to collectively bargain and police brutality. She pointed to this year's special session focused on police accountability laws, which she said will supersede anything unions might be able to win at the bargaining table.

But some policing experts say research shows a relationship between the kinds of protections officers win in bargaining — which can force cities or counties to keep information about police conduct from the public — and the amount of police violence and misconduct that happens in those cities. In Baltimore County, Maryland, police have [cited an agreement with a union in refusing to release](#) the full names of officers who shoot civilians.

Virginia's new state law goes into effect next May.

Ana Ley, 757-446-2478, ana.ley@pilotonline.com

Topics: [portsmouth city council](#), [collective bargaining](#), [police reform](#), [police union](#), [george floyd](#)

FEEDBACK



Ana Ley



Ana Ley covers the city of Portsmouth for The Virginian-Pilot. Before moving to the East Coast, she was a newspaper reporter in Las Vegas, San Antonio and her hometown of McAllen, Texas.

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The Cahokia Heights plan doesn't fit any of the usual categories. Basically, all three towns have horrendous infrastructure issues, including a flooding problem in Centreville that t new sewers. What the three

"Right now," Cahokia Mayo allied with him, is that a big; would be likely, I'm not exac to make much difference. Bu



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addition to street repair, is

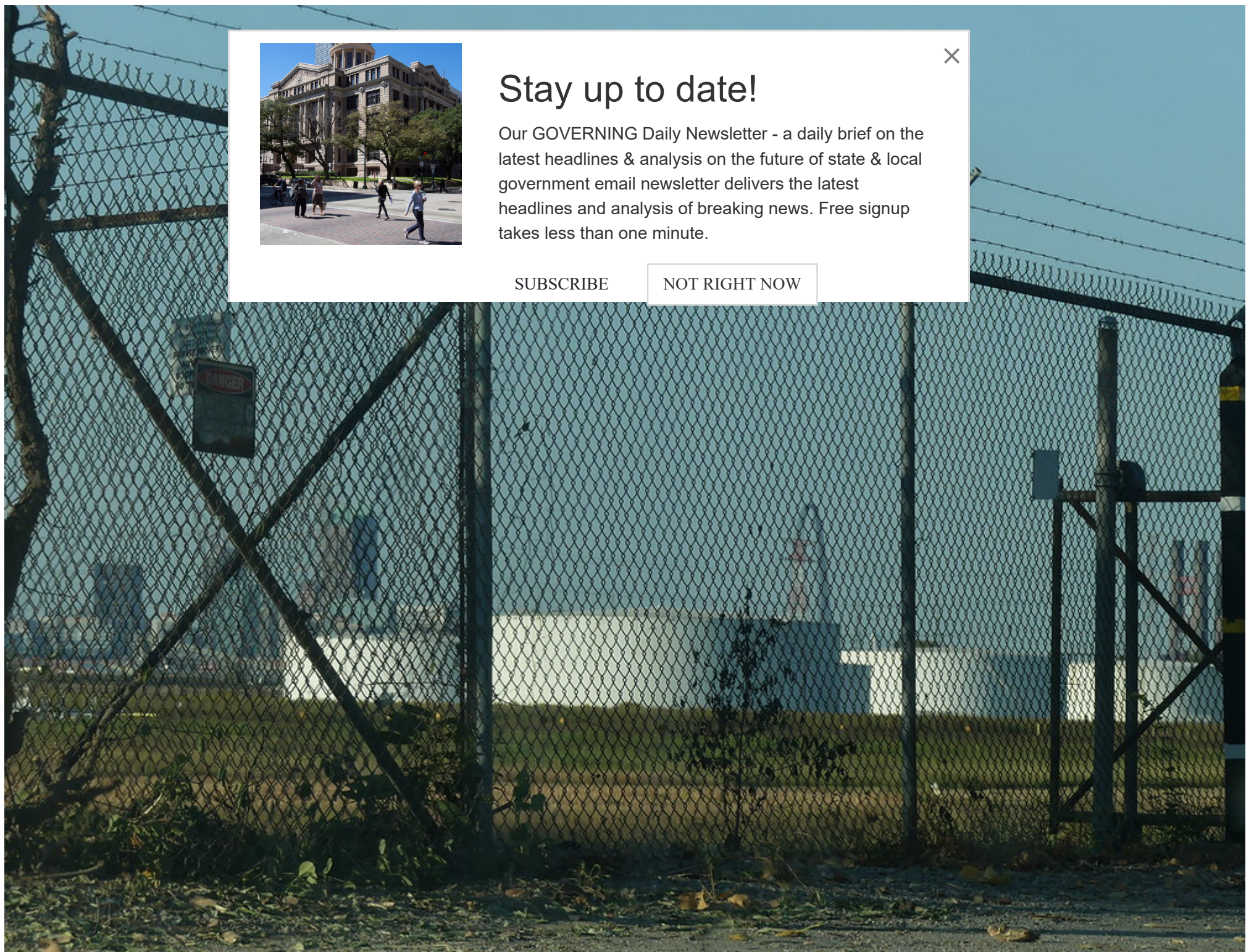
pe of the pro-merger forces ral government. Why this t doesn't seem big enough

I'm not suggesting that Cahokia, Alorton and Centreville are typical American communities. But they reflect the serious fiscal strains most towns of any size are enduring right now. Their merger effort points toward a debate on local consolidation and retrenchment that we ought to be having at this virus-plagued, cash-poor moment.

IT'S APPROPRIATE, in a way, that this debate is taking place in Illinois, because Illinois is the national capital of superfluous government. No one is even sure how many different governments it has. The 2010 census placed the number at about 7,000; the state controller has counted 8,466.

Many of these are special-purpose entities, but they are governments all the same. Illinois has a profusion of park districts, sanitation districts, forest-preserve districts, even districts for mosquito abatement. They are a primary reason property taxes have often ranked second-highest among the 50 states.

But the biggest offender in Illinois is township government. The state has more than 1,400 townships laid over its cities, towns and counties. Some of these townships run school systems, and others have some statutory responsibility for welfare payments or road and bridge maintenance. But mostly they are appendages that serve mainly to provide jobs and compensation for local politicians who, unsurprisingly, want to keep them. Most of the townships have tax assessors, but in many cases they don't assess anything. The county does that.



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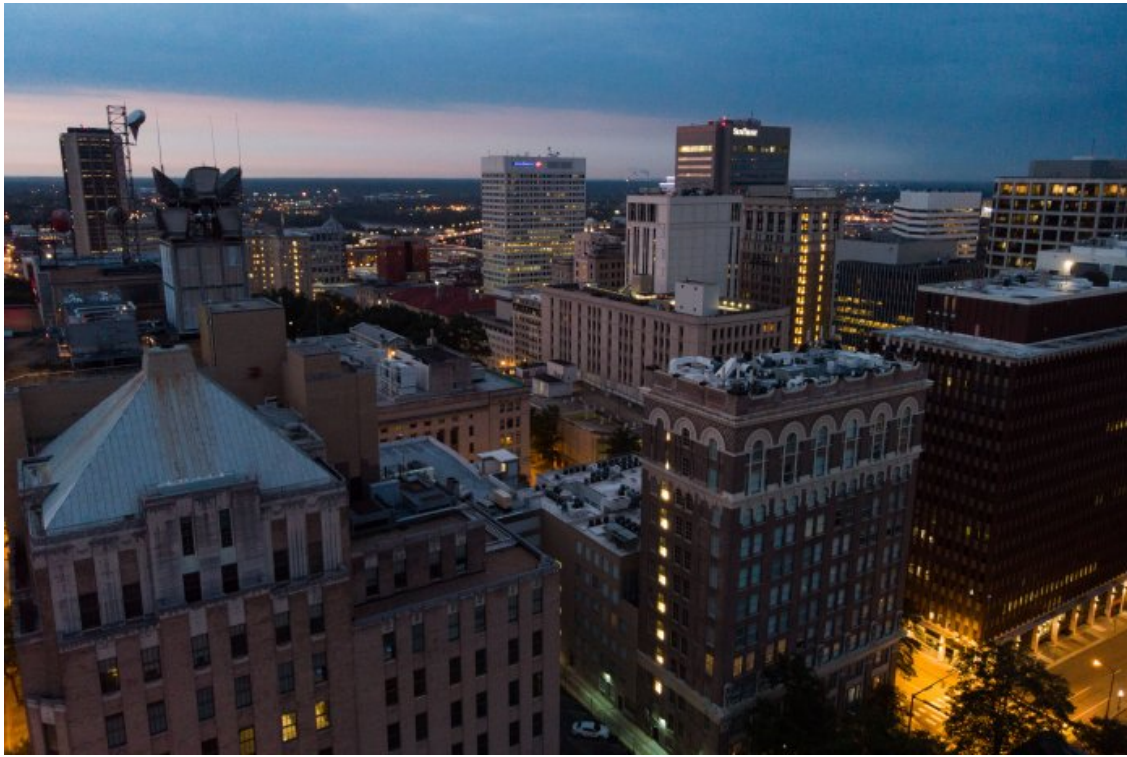
The now-defunct Center Ethanol Plant near Alorton, Ill. (Alan Greenblatt/Governing)

Still, proponents of this merger have placed a referendum to approve it on November's ballot. If the measure passes, Cahokia Heights could be a reality as early as next year.

Figuring out just what the merger will accomplish is a bit of a challenge. There have been a fair number of local government merger proposals in the past few decades, most of them presented to voters with a clear premise. In many cases, the idea is to save money by combining services. Those have had a fairly low rate of approval, even when the arguments are plausible. More effective is the pitch that a larger polity will stimulate a new feeling of pride and a sense of local importance. That's how Louisville, Ky., sold its successful merger with surrounding Jefferson County back in 2000.

Lack of local authority hampering Virginia cities' clean energy efforts, report finds

By Sarah Vogelsong - October 8, 2020



Downtown Richmond at dusk. (Ned Oliver/Virginia Mercury)

A legal principle embraced by Virginia that strictly curtails local powers is hampering cities from making progress on clean energy goals, [a report from the American Council for an Energy-Efficient Economy](#) found.

As a Dillon rule state — instead of a “home rule” one — Virginia bars cities and counties from exercising any powers not explicitly granted them by the state. That means that localities that want to experiment with new programs like stricter building energy codes or energy efficiency requirements can’t do so without permission from the legislature, a process that can extend timelines by more than a year or cut off projects altogether.

When it comes to pursuing clean energy or improving energy efficiency, that legal framework has left Virginia cities at a greater disadvantage than any others in the nation, according to ACEEE, which analyzed 100 of the largest U.S. cities’ progress for its now-annual City Clean Energy Scorecard.

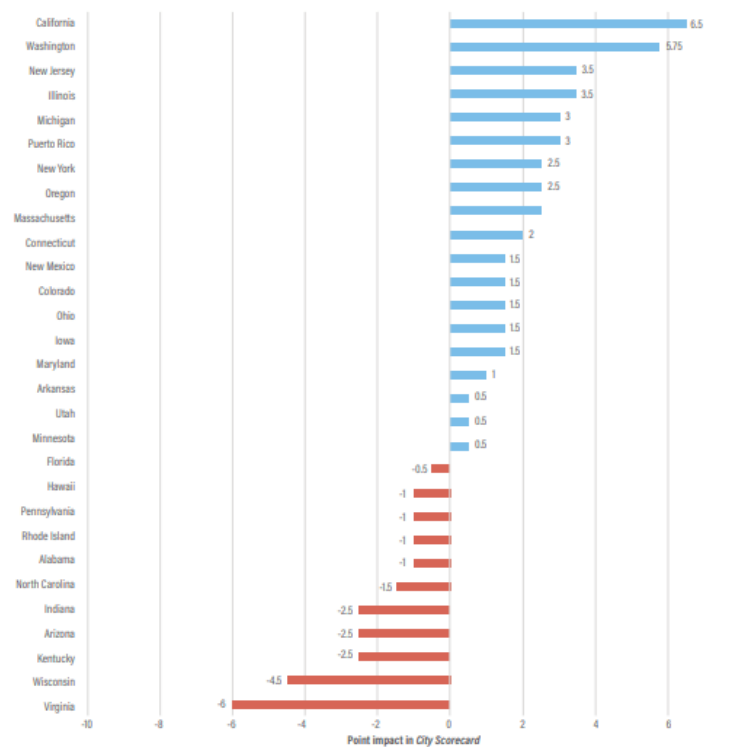
Scores were based on factors such as cities’ adoption of energy-efficient and renewable energy technologies, the establishment or enforcement of performance codes and standards and the existence of long-term commitments to reduce greenhouse gas emissions, save energy and use renewable energy.

The two Virginia cities included in the analysis, Richmond and Virginia Beach, scored 43rd and 72nd, respectively, largely due to statewide restrictions.

While state policies disadvantaged cities in states like Arizona and Wisconsin as well as Virginia, due to “either a lack of enabling state legislation or an override (that) prevents them from pursuing requirements for building owners to reduce energy use,” Virginia’s laws “proved to have the most adverse effect on city scores,” the report found.

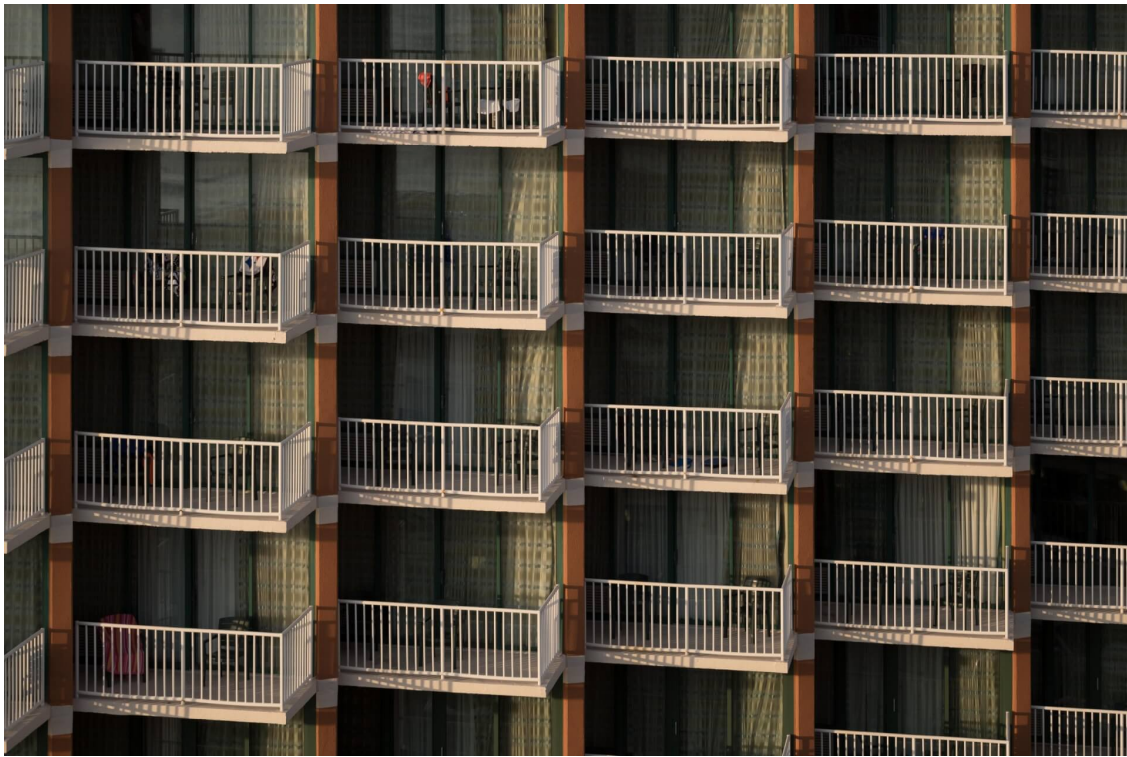
Two particular issues — a relatively weak statewide building code and energy efficiency requirements for existing buildings — drove Richmond and Virginia Beach down in the rankings, lead author David Ribeira told the Mercury.

Figure 6. State policy effect on city scores



(American Council for an Energy-Efficient Economy, 2020 City Clean Energy Scorecard)

Virginia, like all states except Mississippi, has a uniform statewide building code that is modeled on the International Building Code with specific modifications. But unlike many other states, in Virginia “the localities cannot require more than what’s in the uniform statewide building code,” said Chelsea Harnish, executive director of the Virginia Energy Efficiency Council.



A hotel in Virginia Beach's oceanfront resort district. (Ned Oliver/Virginia Mercury)

“Cities in Virginia have to live with what the state gives them,” said Ribeira.

Harnish said that a number of cities and counties in the commonwealth have expressed an interest in adopting more stringent building codes that could reduce energy leakages, which not only increase residents' and businesses' power bills but contribute to load growth that necessitates the building of new power generation.

Alexandria, for example, in [its Environmental Action Plan 2040](#) lists as a legislative priority the need to “advocate for local building code authority to create, implement and enforce a local green building code.”

“Issues regarding legal authority are shown as legislative priorities and not action items because the ability to take action is outside the authority of the City,” the plan notes in a section explaining the Dillon Rule.

The second factor that drove down Richmond's and Virginia Beach's scores was state restrictions on energy-saving requirements for existing buildings.

“Virginia is one of three states that do not allow cities to adopt these kinds of requirements for energy efficiency in existing buildings,” said Ribeira.

Harnish pointed in particular to Virginia's refusal to allow localities to adopt mandatory benchmarking programs, in which the energy usage of commercial and publicly owned buildings is measured and reported to assess energy performance. Currently localities can only establish voluntary programs, several of which have been created in Charlottesville, Arlington and Roanoke.

Strengthening the state's building codes and allowing localities to establish mandatory benchmarking programs for large commercial and industrial users were among the six recommendations provided in the December 2017 Virginia Energy Efficiency Roadmap developed by the Virginia Department of Mines, Minerals and Energy.

Del. Richard "Rip" Sullivan, D-Fairfax, has previously put forward legislation to allow localities to require such programs, but those efforts have failed.

Sarah Vogelsong

Sarah covers environment and energy for the Mercury. Originally from McLean, she has spent over a decade in journalism and academic publishing. Most recently she covered environmental issues in Central Virginia for Chesapeake Bay Journal, and she has also written for the Progress-Index, the Caroline Progress, and multiple regional publications.

In 2017, she was honored as one of Gatehouse's Feature Writers of the Year, and she has been the recipient of numerous awards from the Virginia Press Association. She is a graduate of the College of William & Mary. Contact her at svogelsong@viriniamercury.com

https://www.winchesterstar.com/winchester_star/frederick-water-disconnecting-30-70-delinquent-accounts-per-day/article_d8c45497-6f15-5e58-8f0a-9c809181d167.html

HOT

Frederick Water disconnecting 30-70 delinquent accounts per day

By JOSH JANNEY The Winchester Star
Oct 22, 2020

WINCHESTER — Since resuming disconnections for delinquent water and sewer accounts on Oct. 14, Frederick Water has been disconnecting service to 30-70 customers a day, Frederick Water Executive Director Eric Lawrence told the agency's board of directors on Tuesday night.

The coronavirus pandemic resulted in Frederick Water suspending penalties and disconnections in March. In August, the board voted to resume them in October.

Frederick Water has more than 17,000 customers, according to its website.

When disconnections began last week, there were 900 delinquent accounts with unpaid balances totaling more than \$200,000. By Tuesday, service had been disconnected from 278 accounts — about a third.

Only 50 of those accounts remained disconnected as of Tuesday night, Lawrence said, as most customers who were in arrears quickly entered into payment plans and paid their bills. In addition to paying their past due bills, delinquent customers must pay a \$50 reconnection fee to have their water turned on.

The 50 accounts that remain disconnected still owe about \$17,000 combined.

Lawrence said Frederick Water is proceeding with disconnecting the remaining 600-plus accounts. These customers owe about \$105,000 combined.

The average delinquent residential customer owes over \$220, but some have unpaid account balances over \$600, Lawrence previously said. The average residential customer uses \$75 worth of water and sewer services each month.

Customers who need to enter into a payment plan to bring their account into good standing should contact Frederick Water at customerservice@frederickwater.com or 540-868-1061.

Also at the meeting, the board unanimously executed a change order for the construction of the new state-of-the-art Henry F. Sliwinski Water Treatment Plant. The change reflects a redesign of the plant and a reduction of construction costs.

The new plant is a component of the Opequon Water Supply Plan (OWSP), which aims to meet Frederick Water's projected water needs by drawing water from Opequon Creek. By 2035, Frederick Water's customers may require up to 12 million gallons of drinking water per day — about twice the current average usage of 6 million gallons per day.

The Henry F. Sliwinski Water Treatment Plant, which will replace the existing James T. Anderson Water Treatment Plant, will be located at the end of Hot Run Drive, immediately north of the new Stonewall Park ball fields, in Stephenson.

The Anderson plant treats about 1.8 million gallons of water per day. The new plant will provide up to 8 million gallons per day of treated water.

Orders Construction was awarded a construction contract in June. The company later suggested a redesign of the plant that utilizes a membrane water treatment method, which Lawrence said is not only more cost-effective but also more effective for virus and bacteria removal.

The change order, reflecting the new design, lowers the total value of the Orders Construction contract by about \$9 million, for a final contract total of \$32,049,225.

The new plant is expected to be operational by April 2022.

— Contact Josh Janney at jjanney@winchesterstar.com

JJanney

Home health workers to get hazard pay (/articles/13267/view)



(/)

PUBLIC HEARING ON PROPOSED BOUNDARY LINE ADJUSTMENT AGREEMENT BETWEEN THE COUNTY OF WISE AND THE TOWN OF POUND

October 22, 2020

NOTICE OF A
PUBLIC HEARING
ON PROPOSED BOUNDARY LINE ADJUSTMENT
AGREEMENT BETWEEN
THE COUNTY OF WISE
AND THE TOWN OF POUND

Notice is hereby given, pursuant to Section 15.2-3107 of the Code of Virginia (1950), as amended, that the Wise County Board of Supervisors, will hold a public hearing on a proposed Boundary Line Adjustment Agreement between the County of Wise and the Town of Pound (“Agreement”), and following the public hearing, the Board will consider a resolution to approve the Agreement.

The Agreement is authorized by Section 15.2-3106 et seq of the Code of Virginia (1950), as amended, and provides that the boundary line between the County and the Town will be voluntarily relocated by bringing within the Town areas containing approximately 38.5 acres of

land specifically the immediate areas around the former Pound High School and the current J.W. Adams School, which are presently located within the County. A plat attached to the Agreement contains a drawing of the new boundary line proposed for the

County and the Town.

The public hearing, which may be continued or adjourned, will be held at 6:00 p.m. Thursday, November 12, 2020, during the regularly scheduled meeting of the Board of Supervisors, which will take place in the School Board Education Center located at 628 Lake Street in Wise, VA.

County of Wise, Virginia

Michael W. Hatfield

County Administrator

10-23-20 10-30

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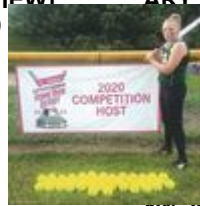
Local young softballer wins national title

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TOWN OF BLACKSBURG - NOTICE OF PUBLIC HEARINGS

Details for TOWN OF BLACKSBURG - NOTICE OF PUBLIC HEARINGS

Updated 9 hrs ago

TOWN OF BLACKSBURG - NOTICE OF PUBLIC HEARINGS BLACKSBURG TOWN COUNCIL will hold public hearings on Tuesday, November 10, 2020 at 6:30 p.m. in the Roger E. Hedgepeth Chambers of the Blacksburg Municipal Building, 300 South Main Street, Blacksburg, regarding the following items: 1. PROPOSED BOUNDARY ADJUSTMENT AGREEMENT BETWEEN THE TOWN OF BLACKSBURG AND MONTGOMERY COUNTY REGARDING JONES LIVING TRUST PROPERTY ADJACENT TO YELLOW SULPHUR ROAD. Citizen comments will be received on the Town Council's intent to approve a Boundary Adjustment Agreement with Montgomery County, Virginia to incorporate within the Town of Blacksburg approximately 10.041 acres located on the existing southeastern boundary of the Town of Blacksburg and the unincorporated area of the County referred to as the Jones Living Trust c/o G. Douglas & Helene B. Jones Trustees Property adjacent to Yellow Sulphur Road in the Mt. Tabor Magisterial District shown more particularly on the plat entitled "EXHIBIT PLAT SHOWING THE BOUNDARY LINE ADJUSTMENT BETWEEN THE TOWN OF BLACKSBURG AND MONTGOMERY COUNTY, VIRGINIA, TAX MAP PARCELS #067-A 184-186, #067-A 233, AND #067-A 183, SITUATE ON YELLOW SULFUR ROAD (VA. RTE. 643)" dated 09/04/2020. 2. Ordinance #1944 - An Ordinance Vacating A 20' Sanitary Sewer Easement On Town Property Located At Blacksburg Industrial Park. This will vacate an unused sanitary sewer easement on Town property planned for renovation of the Blacksburg Transit facility at 2800 Commerce Street. All persons affected by or interested in the proposed boundary adjustment and ordinances may appear and present their views. In compliance with Public Health Emergency social distancing protocols, seating in the Council Chambers will be limited. Citizens are encouraged, but not required, to submit comments to the Town Council by e-mail and stream the hearings live online at www.blacksburg.gov or watch the meeting live on Comcast Cable TV, WTOB Channel 2. After the public hearing, Town Council will consider action on the item. Copies of the items scheduled for public hearing are on file and can be obtained in the Office of the Town Clerk, 300 South Main Street, Blacksburg, weekdays between the hours of 8 am and 5 pm. Individuals with disabilities who require special assistance to attend and participate in this meeting should contact Donna Boone-Caldwell, Town Clerk at (540) 443-1025 or 443-1000 (voice or TDD). (1146374)
