



Connections

The Newsletter of the Virginia Association of Counties

April 15, 2007

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FCC Order Excludes Virginia Model Ordinance Available to Counties

The Federal Communications Commission (FCC) has ruled that Virginia is exempt from its recently issued order regulating cable television franchising.

Several of the order's provisions conflict with a new Virginia law that took effect last July. FCC officials reasoned that they wanted to give deference to any states that had recently adopted cable television franchising laws. Several stakeholders, including the National Association of Counties, plan to challenge the order in federal court.

The 2006 General Assembly rewrote the rules for granting a franchise to cable TV companies and to new market entrants, such as telephone companies. After a period of negotiations, the franchise applicant may choose to require the locality to permit it to operate under an ordinance cable franchise (OCF). Most of the terms of an OCF are set out in the legislation, including build-out, customer service standards, the number of public access, and educational and governmental channels the operator must carry. The OCF rules also apply when the incumbent cable operator is ready for a franchise renewal.

To help local governments prepare for the new requirements, VACo and VML have drafted a cable franchise model ordinance. The model was developed by a group of local government attorneys who handle cable television regulation around the Commonwealth. It was then reviewed by Tim Lay, an attorney who specializes in telecommunications law with the Washington, D.C., firm Spiegel & McDiarmid.

Local government attorney's considering the model should tailor the ordinance to meet the specific needs of the locality. Any substantive changes should be carefully reviewed before adopting them. The ordinance may be enacted at any time. However, if it is adopted prior to the locality's receipt of a franchise request by a new entrant or a request by the incumbent for a renewal, it will need to be supplemented when an application is received. The advantage of adopting the ordinance in advance is to let applicants know what to expect when they come to the locality.

To obtain a copy of the model ordinance, contact VACo staff member Phyllis Errico at perrico@vaco.org or (804) 343-2509. ☞

HB 3202 Places New Planning Requirement on Many Counties

On April 4, the General Assembly concurred with the governor's changes to the transportation funding/land use legislation. Within the bill is a new planning requirement applicable to 57 counties as well as some cities and towns.

By July 1, 2011, counties that have adopted a zoning ordinance and meet either of the following criteria are required to incorporate Urban Development Areas (UDA) in their comprehensive plans:

- a population growth rate of 15 percent or more in 1990-2000, or
- a population of at least 20,000 during the year 2000 and a population growth rate of 5 percent or more in 1990-2000.

This new provision is optional for all other counties. According to VACo staff calculations, the following counties must comply with this new requirement by July 1, 2011:

15 percent or more growth rate

Accomack, Albemarle, Amelia, Augusta, Bedford, Botetourt, Brunswick, Buckingham, Caroline, Chesterfield, Craig, Culpeper, Cumberland, Dinwiddie, Fairfax, Fluvanna,

Franklin, Frederick, Gloucester, Goochland, Greene, Greenville, Halifax, Hanover, Henrico, Isle of Wight, James City, King George, King William, Loudoun, Louisa, Lunenburg, New Kent, Northumberland, Orange, Powhatan, Prince George, Prince William, Richmond, Rockingham, Spotsylvania, Stafford, Sussex, Warren and York

Population of 20,000 and a five percent growth rate

Amherst, Arlington, Campbell, Fauquier, Mecklenburg, Montgomery, Page, Pittsylvania, Roanoke, Rockbridge, Shenandoah and Washington

According to the new law, unadjusted population figures from the 1990 and 2000 Census must be used to determine which counties meet this new requirement. When adding UDAs to your comprehensive plan, keep in mind that:

- UDAs must be area appropriate for higher density development due to proximity to transportation facilities, availability of public or community water and

sewer, or proximity to a city, town or other developed area.

- UDAs must allow residential densities of four units per gross acre and a floor area ratio of 0.4 per gross acre for commercial development.
- UDAs must be of sufficient size to accommodate at least 10 years and no more than 20 years worth of residential and commercial development.
- UDAs must be re-examined every five years and, if necessary, revised.

Many counties currently have similar provisions in their comprehensive plans but are known by a different name (growth areas, villages, etc.). If so, the new law allows a county to certify that its comprehensive plan already satisfies the requirements of a UDA.

What has been highlighted here is a summary of some of the major requirements of the new law. It is recommended that you review the text of the legislation [HB3202]; the new provisions are located in Section 15.2-2223.1.

Staff Contact: Ted McCormack



VACo Achievement Awards Deadline June 1

Showcase your county's model programs through the 2007 VACo Achievement Awards. Applications are available at www.vaco.org or by calling (804) 761-8255. Last year, VACo received 41 entries from 20 counties. Fifteen programs received an award. Any county department can apply! Recipients will receive recognition at VACo's annual conference, the Web site and through a statewide news release. Awards criteria include innovation, collaboration and model practices. ☼

VACo Staff Gears Up for 2008 GA Session

Gov. Timothy Kaine must act on several bills affecting local governments as a result of last week's annual reconvened session on April 4. While the governor puts the final touches on the 2007 General Assembly session, VACo has begun planning for the 2008 session.

The General Assembly rejected the governor's proposed amendment to SB 1063 (Rerras) reducing from 30-to 14-days the minimum notice that a locality must give for a public hearing where the locality proposes to increase its total real estate tax levies more than 101 percent. The current notice requirement is seven days. The governor has signed into law the original change to 30 days.

The General Assembly also rejected the governor's proposed amendments to HB 2707 (Hugo) and SB 840 (Davis) allowing localities to purchase direct recording electronic machines (DRE) through July 1, 2008. The bill as presented to the governor allows such purchases through July 1 of this year. The bill also allows DREs acquired prior to July 1 to be used in elections for the remainder of their useful life. The governor has signed into law the change allowing purchases only through July 1 of this year.

A summary of the legislative actions resulting from the annual veto session was published in the April 5 edition of *Capitol Contact*. The summary includes

the final transportation funding and land use reform initiatives (HB 3202) and a link to VACo's detailed review of the resulting land use changes.

The legislative team released its Short Legislative Summary in the March 8 edition of *Capitol Contact*. This summary catalogues numerous new laws affecting local governments. The VACo staff is now compiling the 2007 Legislative Summary, a comprehensive guide to legislation affecting counties. This publication will be mailed to localities and posted on the VACo Web site in the coming weeks. All past editions of *Capitol Contact* are available on the Web, click on "publications" from the VACo homepage at www.vaco.org.

VACo staff members have been traveling to regional meetings throughout the state to meet with counties in all 13 VACo regions. In preparation for developing the 2008 Legislative Program, the legislative issues highlighted and shared during the regional meetings will be provided to the VACo Board of Directors as well as the VACo Resolutions Committee and the eight steering committees. The Resolutions Committee formally kicks off the 2008 committee process on May 24 at its meeting in Albemarle County.

Committee members include the members of the VACo Executive Committee and the steering committee chairs and vice chairs.

Staff Contact: Mike Edwards ☘

2007 VACo Calendar

Region 5 Meeting

April 19, 7 p.m., Fluvanna County Courthouse

Region 7 Meeting

April 20, 2 p.m., Germanna Community College Culpeper Campus with a simulcast to the Fredericksburg Campus

Regions 6 and 9 Meeting

April 30, 5 p.m., James Madison University

Region 2 Meeting

May 9, 9 a.m. to 1:15 p.m., Legacy Hall in New Town, Williamsburg

VACo Board Retreat and Meeting, April 27-28,

Williamsburg Marriott

VACo Resolutions Committee Meeting, May 24, Albemarle County

NACo Annual Conference

July 12-17, Greater Richmond Convention Center

VACo Summer Meeting

August 10, location TBA, steering committee meetings

VACo Resolutions Committee Meeting, Sept. 6, Richmond

VACo Annual Conference

Nov. 11-13, The Homestead, steering and Resolutions committees to meet; general membership adopts the 2008 Legislative Program ☘

Serve on a Natural Resources Board or Commission

The Secretary of the Commonwealth and the Secretary of Natural Resources are making recommendations to Gov. Kaine for vacancies on the Natural Resources boards and commissions listed below. County officials interested in being considered for an appointment should contact VACo staff member Larry Land at lland@vaco.org or (804) 343-2504. Additional information about the boards and commissions is available at <http://www.commonwealth.virginia.gov/>.

Vacancies (effective June 30)

Number of Vacancies

Board of Conservation and Recreation	3	
Board of Game and Inland Fisheries	3	
Board of Historic Resources	2	
Board of Trustees of the Chippokes Plantation Farm Foundation	1	
Board of Trustees of the Virginia Museum of Natural History	5	
Cave Board	3	
Chesapeake Bay Local Assistance Board	3	
Council on Indians	8	
Foundation for Natural Resources, Board of Trustees	5	
Litter Control and Recycling Fund Advisory Board	2	
State Water Control Board	2	
Virginia Coastal Land Management Advisory Council	6	
Virginia Land Conservation Foundation Board of Trustees	3	
Virginia Marine Resources Commission	2	
Virginia Scenic Rivers Advisory Board	3	
Virginia Soil and Water Conservation Board	1	⌘

"Second Signature" Committee Schedules Meeting

The Second Signature Subcommittee of the Board of Towing and Recovery Operators will be meeting on April 24 at 1 p.m. at the DMV Headquarters in Richmond (2300 West Broad Street, room 702). The subcommittee was prompted by legislation filed by Del. Thomas Rust (HB 2260) that would have prohibited local governments from requiring a second signature when vehicles are towed. Prince William County has had such a requirement since 1992 in order to cut down on the number of predatory tows. The legislation was requested by the Apartment and Office Building Association and is supported by the towing and recovery operators. The legislation was opposed by VACo. ⌘

Sign Up for the NACo Prescription Drug Card Program

NACo, in partnership with Caremark Rx, Inc. of Nashville, Tenn., have created the NACo Prescription Discount Card Program to help consumers residing in NACo member counties save money on their prescription drug purchases at participating pharmacies. Specifically, the free cards provide at-the-register savings for consumers who have no prescription drug insurance or need certain medications that are not covered by their insurance. NACo provides the cards as a benefit to its member counties. The average savings is about 21 percent. There are currently 37 participating counties in Virginia. For more information about NACo and the program, visit www.naco.org or contact Andrew Goldschmidt, NACo's membership/marketing director. ⌘



Mark Your Calendar...

National County Government Week

April 22-28

Visit www.naco.org to see ideas and suggestions for holding activities during the week.

The Virginia Industrial Development Authorities Institute

April 24-25, Hotel Roanoke

Registration and program information is available at www.cpe.vt.edu/vida/. You can also register by contacting Jane Todd or Liz Wade-Fillman at (540) 231-9087 or email elwadel@vt.edu. Room reservations should be made directly with the Hotel Roanoke, please mention the VA IDA Institute.

2007 Finance & Business Operations Symposium (FBOS)

April 24-25, Baltimore Convention Center

Register at www.asaecenter.org/FBOS

Experience high-level learning around human resources, operations, and financial management and discover new tools that can help you do your job more efficiently. View the full schedule and register today at www.asaecenter.org/FBOS.

Baldrige Criteria for Performance Excellence Workshop

April 26 & 27, Roanoke Higher Education Center

Experienced facilitators will lead detailed discussions of the seven criteria categories as well as break out groups to help

attendees learn to identify critical success factors for their organizations and the importance of aligning work and resources to achieve desired results.

For more info, visit www.spqa-va.org/workshops.html or email secretary@spqa-va.org. Registration fee: \$249, group discount available

VACo Supervisor Certification Course

April 29-30, Charlottesville

Closing session on June 29.

Inventing Your County's Future: The Role of Community Planning
<http://www.vaco.org/MEETINGS/>

2007 Environmental Summit for Local Governments

May 3, Phoenix Park Hotel, Washington, D.C.

Join us for the only national conference dedicated to local environmental professionals. Participate in roundtable discussions with an active community of peers, hear innovative ideas about current environmental practices and programs, and network with professionals from around the country.

Virginia Food Security Summit

May 11, UVA Alumni Hall, Charlottesville

8:45 a.m. - 4:30 p.m.

Speakers will address why and how Virginia can become more food secure. Hear practical ideas, proven lessons from other states, policies and incentives to consider, and more. You will have a chance to discuss possible "next

steps" to achieve greater food security. A summary report will be produced for broad distribution. <http://www.virginia.edu/ien/foodsummit>.

America's Anniversary Weekend

May 11-13, Historic

Jamestowne, Jamestown Settlement and Anniversary Park

Tickets are available by calling (866) 400-1607 or at www.americas400thanniversary.com.

2007 Environmental Summit for Local Governments

May 3, Phoenix Park Hotel, Washington, D.C.

Join us for the only national conference dedicated to local environmental professionals. Participate in roundtable discussions with an active community of peers, hear innovative ideas about current environmental practices and programs, and network with professionals from around the country.
www.nalgep.org

2007 CPEAV Planning and Zoning Law Seminar

May 7, Charlottesville Omni Hotel

Registration deadline: April 27

Registration fee: \$110

Agenda and registration information is available on VACo's Mark Your Calendar page on the Web (www.vaco.org).

Questions? Contact Mike Chandler at mchan@vt.edu or (804) 794-6236 ☎

NACo to Hold Health Care Leadership Institute

The National Association of Counties is now accepting applications for the second regional Health Care Leadership Institute June 19-20 in New Orleans, LA, in conjunction with the Police Jury Association of Louisiana. The Institute, supported by the W.K. Kellogg Foundation, is a two-day training workshop for elected county officials and their community partners. The goal of the Institute is to educate participants on issues related to access to care; to strengthen leadership skills; and to cultivate partnerships between county officials and local organizations working to improve access to care. Specific skills we hope to teach include:

- Identify concrete action strategies at the local level
- Realize measurable outcomes
- Employ creative financing strategies
- Understand systematic solutions to reducing disparities
- Identify strategies for reducing healthcare costs
- Identify strategies for increasing enrollment in public programs
- Evaluate model programs to expand access and assess potential for replication
- Building community coalitions

NACo will offer partial travel scholarships on a competitive basis for travel to the meeting, with priority given to those from the Southeast region. The application and more information are available on NACo's Web site, www.naco.org/techassistance in the Health section. The deadline for applications is April 30. Please contact Christina Rowland at crowland@naco.org or (202) 942-4267 for more information. ☞

Congratulations!

John S. Hadfield, executive director of the **Southeastern Public Service Authority** (SPSA), has been selected to participate in the FBI's 2007 Citizens' Academy. The Academy acquaints community leaders with the Bureau's work. Domestic terrorism, counter-intelligence, the Patriot Act and the FBI's deadly force policy will be among the issues covered by FBI personnel.

Employees of **Hayes, Seay, Mattern & Mattern** (HSMM) opened their wallets and volunteered their time to charitable and community organizations during March as part of the commemoration activities marking the firm's 60th anniversary.

A **Dewberry** joint venture has been awarded a \$750 million FEMA Housing Inspection Services Contract. ☞

Employment Opportunities

Employment ads have been edited due to space considerations. To view the full versions, visit www.vaco.org.

County Administrator/ Scott County

Salary is DOQ/DOE, plus benefits. Submit letter of interest, detailed resume, list of references and salary history in a sealed envelope marked "Confidential" to: Chairman, Scott County Board of Supervisors, 112 Water Street, Suite 1, Gate City, VA 24251. Application deadline is April 30.

County Administrator/ Stafford County

Salary negotiable. Submit letter of application, detailed resume with salary history and work related references to: John A. Anzivino, Senior Vice President, Springsted Incorporated, 1564 East Parham Road, Richmond, VA 23227; Fax 804-726-9752 or e-mail Richmond@springsted.com by April 25, 2007. For a complete community/ position profile visit www.springsted.com.

Community Development Program Manager/ DHCD

(Program Administration Manager II)
Position #00060
Hiring Range: \$50,000 - \$63,000
For details visit www.dhcd.virginia.gov. Complete a state

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Employment

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application through the online employment system at <http://jobs.virginia.gov/> by April 20 at 5 p.m. For additional information contact the Human Resources Office; (804) 371-7000.

County Engineer/Washington County

Salary range \$60,000 - \$63,500 with benefits. A complete position description along with an application may be obtained through the Department of Accounting, County of Washington, 205 Academy Drive, Abingdon, Virginia 24210 or at www.washcova.com. Applications will be accepted until the position is filled.

Deputy General Manager/Fauquier County Water and Sanitation Authority

Salary range: \$87,998 to \$128,196
Resumes should be mailed to the following address:
Fauquier County Sanitation Authority
Attn: Thomas P. Dineen,
Assistant to the General Manager and Personnel Administrator, 7172 Kennedy Road, Vint Hill Farms, Warrenton, VA 20187-3907

Economic Independence Division Chief/Arlington County

Salary Negotiable to mid-\$120Ks
Applications are being reviewed

on a continuous basis. Submit required application at www.arlingtonva.us/pers as soon as possible in order to ensure consideration. Have questions? Call (703) 228-3500 or email pers@arlingtonva.us.

Land Use Planner/Accomack County

Salary range: \$33,661 to \$48,808. For an application packet, contact the Accomack County Administration Office, P.O. Box 388, Accomac, Virginia 23301, (757) 787-5700. This position is open until filled.

Legislative Liaison #0016/Henrico County

Deadline Date: April 29
Salary Range: \$58,679 - \$103,000
Develop and implement the County' legislative program, follow pending legislation, meet with state/federal officials, analyze data regarding its affect on the County. Serve as a resource for the Board, County Manager, and County agencies. For additional information and to apply for this position visit www.henricojobs.com.

Planner/Bath County

The position is open until filled. Please call for an application and submit resume and a short example of your written professional work, along with three work references, to the county administrator at P.O. Box 309, Warm Springs, VA 24484. Questions may be directed to the County Administrator at (540) 839-7221 or toll free for local residents outside the local calling area (888) 823-1710.

Planner II/ Franklin County
Salary range: \$36,239 to \$56,171 (+) great benefits package.

Applications and a complete job description may be obtained in the Office of the County Administrator, 40 East Court Street, Rocky Mount, Virginia 24151 or at: <http://www.franklincountyva.org>. Position is open until filled, application review begins 04/27/07

Senior Planner/Isle of Wight County

Performs long-range planning and special projects with an emphasis on providing planning level research and land-use policy development to support the Comprehensive Land Use Plan. Salary \$41,286 - \$51,607 DOQ. Interested candidates should submit an application and resume to: HR, P.O. Box 80, Isle of Wight, VA. Visit our website at www.iwus.net or call 757-365-6304. Open until filled.

Transportation Traffic Engineer/Roanoke County

Salary Range: \$40,618 - \$60,126
Three (3) or more years experience in transportation/traffic engineering. Experience with preparing and/or reviewing traffic impact studies. For more information and to apply, visit www.RoanokeCountyVA.gov/jobs. Roanoke county application required, Department of Human Resources, 5204 Bernard Drive, SW, P. O. Box 29800, Roanoke, VA. 24018-0798. (540) 772-2018 Deadline: April 27 ☼

1001 E. Broad St., Suite LL 20
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Executive Committee

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VACo exists to support county officials and to effectively represent, promote and protect the interests of counties to better serve the people of Virginia.

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County Connections is a semimonthly publication.

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