



Connections

The Newsletter of the Virginia Association of Counties

March 15, 2007

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March 26	

M & T Tax Compromise Bill Effective Immediately

Gov. Timothy Kaine has signed into law HB 2181 (Saxman) and SB 1151 (Wagner) enacting the machinery and tools tax compromise. The governor established a work group, which included VACo and VML, last year after vetoing tax legislation that altered a 50-year-old administrative definition of idle machinery and tools. The new law includes an emergency enactment clause that makes it retroactively effective on Jan. 1, 2007, and allows for tax exemptions in tax year 2008.

The compromise legislation:

- Requires localities to consider any bona fide, independent appraisal submitted by the taxpayer when valuing machinery and tools. This provision was agreed to in 2006.
- Codifies the 50-year-old administrative rulings holding that idle machinery and tools are not subject to local taxation.
- Codifies the definition of idle machinery and tools established in the 50-year-old administrative rulings providing that machinery and tools are idled if they have been discontinued for at least one year prior to any tax day and there is no reasonable prospect that such machinery and tools

will be returned to use during the tax year.

- Provides an additional definition of "idle machinery and tools" as machinery and tools that are specifically identified in writing by the taxpayer on or before April 1 as equipment that the taxpayer intends to withdraw from service not later than the next tax day - generally Jan. 1 - and there is no reasonable prospect that such machinery and tools will be returned to use during the tax year. (The nine months notice is intended to give localities sufficient time to adjust their budgets to compensate for revenue loss.)

- Requires taxpayers to notify the locality in writing on or before the next return due date without extension in the event that any machinery and tools defined as idle under this definition are returned to use. Such machinery and tools would be subject to tax in the same manner as if it had been in use on the tax day of the year in which the return to use occurs. Interest would apply, but if the taxpayer provides timely written notice of return to use, no penalty would be levied.

Contact: Mike Edwards ☘

Communications Tax FAQ

The Virginia Communications Taxes became effective Jan. 1. The Department of Taxation (TAX) has issued guidelines, issued new forms and registered providers in the past few months. The following are Frequently Asked Questions for the Virginia Communications Taxes. For additional information, visit www.tax.virginia.gov/ct or email tracy.sanders@tax.virginia.gov.

My locality received checks for the Local Consumer Utility Tax, local E-911 tax or other local communications taxes after January 2007 - what do I do?

Checks for billing periods after Jan. 1 for these taxes should be returned to the provider with a letter explaining that they should register and file a return for the VA Communications Sales & Use taxes. The name of this provider should also be communicated to TAX so that the provider can be correctly registered. Additional information can be obtained by visiting www.tax.virginia.gov/ct or by calling (804) 786-4054.

What is the role of my locality after January 1, 2007?

Once the provisions of House Bill 568 take effect, localities will continue to audit and collect bills for local communications taxes for periods prior to Jan. 1. In addition, localities may continue to audit cable

providers to enforce cable franchise agreements and collect BPOL taxes up to 0.5 percent on public service companies.

What distribution percentage is my locality normally entitled to?

The distribution percentage is generally derived from a report generated by the Auditor of Public Accounts (APA) at http://www.apa.state.va.us/data/download/reports/audit_local/TaxStructure06.pdf.

How is the distribution of communications taxes revenues computed?

After payment of direct costs of administering the taxes, payments for the Virginia Relay Center and distributions for franchise fees due to localities, the remaining revenues received from the communications sales tax, the E-911 tax, and the public rights-of-way use fee will be distributed to counties, cities and towns.

When will localities receive the first distribution of the new communications taxes?

Localities will receive the distribution no later than March 25.

When will my locality receive its distribution of communications taxes revenues?

The revenues will be distributed to counties, cities and towns by the 25th day of the month following the month in which the return is due. (For example, the January 2007 return is due on

Feb. 20, and these revenues will be distributed by March 25.

What action can a local office take if a service provider is not collecting and remitting the proper amount of communications taxes?

The local office should report the noncompliance to the Department of Taxation. The Department can audit the provider's records, assess for any deficiencies in taxes collected, and provide training to ensure better compliance in the future.

How will localities receive distribution reports? Will a local office be able to view statewide distribution information?

Each locality will receive a report of the statewide communications taxes revenues each month, including a breakdown of the communications sales tax, E-911 tax, and public right-of-way fees. The report will also break down the distributions from the Fund for TAX's administration fee, Virginia Relay Center and total franchise fees paid to localities with cable franchise agreements in effect on Jan. 1, 2007.

Each city, county and town will then see the distribution of the remainder of the revenues for their own locality based on the percentage computed by the Auditor of Public Accounts (APA). The report will not include information for other

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Budget Estimates Available



Local budget estimates are now available on the VACo Web site at www.vaco.org. The estimates include 2008 distributions for the wine tax, ABC profits, state sales and use tax, local option sales and use tax, and recordation and grantors tax.

The Compensation Board's estimates can be accessed through its Web site at <http://www.scb.virginia.gov/fy03budestm.cfm>. Select your locality or regional jail, and then select which office estimate you wish to review. Each selection will provide you with a budget estimate to be fixed for the upcoming fiscal year (FY2008) and information regarding the development of the estimated fund amounts provided. Clerks' information includes an estimate of the Technology Trust Fund (TTF) collections for FY 2007 and total TTF cash anticipated for budgeting in August.

The Compensation Board is conducting a budget hearing to allow you the opportunity to address specific concerns unique to your office with Compensation Board members and staff. The board will meet on April 12 at 1 p.m. in the Old Hanover Courthouse, 7497 County Complex Road (Route 301), Hanover, Va., 23069. The meeting will follow a public hearing format, beginning with an overview of the Compensation Board budget for FY 2008, followed by comments and questions. Please contact Cindy Waddell by 5 p.m. on March 30 if you plan to attend, cindy.waddell@scb.virginia.gov or (804) 225-3308. ☞

FAQ

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localities.

The report will be sent to the same individual in each locality who receives the sales & use tax reports.

How will each locality receive the distribution?

The funds will be distributed in the same manner as the retail sales and use tax.

Can a locality conduct an audit to verify that the cable franchise fee reported by a provider is correct?

Yes. Local revenue officials have the authority to conduct audits to verify that a provider has reported its cable franchise fee correctly.

My locality currently bills more than 0.5 percent to customers for the Business

Professional and Occupational License (BPOL) tax. Will we continue to collect this amount under the new communications taxes structure?

No. House Bill 568 repealed the portion of the BPOL tax on the gross receipts of telephone and telegraph companies exceeding 0.5 percent. Localities can collect up to the 0.5 percent. For details, see the Guidelines and Rules for the Virginia Communications Taxes at http://www.tax.virginia.gov/web_pdfs/CT_Guidelines.pdf

Will the locality still receive the telephone rights of way fee?

The provider will distribute the telephone rights of way fee in the same manner prior to House Bill 568. If the locality received the fee, then it will continue to receive the fee. If VDOT received this fee, then VDOT will continue to receive this fee.

Can localities still collect a BPOL tax? Who will distribute this tax?

Localities can still collect a BPOL tax up to 0.5 percent. The provider will distribute the collected tax to the locality.

How does the locality receive the franchise fees?

The franchise fees will be distributed by TAX. If the amount of franchise fee exceeds the distribution that would normally be received, localities will be made whole on the franchise fee. If the Communications Tax distribution exceeds the franchise fee, only the distribution amount based on the APA formula will be remitted to that locality. ☞

Second Round of BRAC Grants Available

Gov. Timothy Kaine announced March 12 the second round of grant funding to support communities impacted by the 2005 Base Realignment and Closure process (BRAC).

Through a competitive application process, \$5 million will be made available to eligible local or regional groups through the program. In January, \$12.5 million in grant awards for nine community projects were announced in the first round of grant funding. Second round awards are scheduled to be announced in early June.

The Virginia Military Strategic Response Fund (VMSRF) is administered by the Virginia National Defense Industrial Authority (VNDIA), a 16-member authority created by the General Assembly. Drawing on the board's depth of military, business and academic

experience, the authority is working hand-in-hand with military and community leaders to seek solutions and opportunities to support military personnel and operations statewide.

Applications for the current grant cycle must be submitted to VNDIA by April 30. An informational meeting will be held on March 27 at the Virginia Economic Development Partnership, 901 E. Byrd St., Richmond.

As in the initial round, grants will be awarded to support local efforts directly related to the implementation of 2005 BRAC recommendations. Eligible activities may include planning and implementation of programs in transportation, public infrastructure, environmental issues, education, encroachment, workforce transition and historic preservation. Grant decisions will be based on the merits of the

request, degree of local support, regional impact, and overall feasibility of the project.

Applications will be considered upon receipt of completed documentation and evidence that the applicant can make the required financial match. Eligible applicants include political subdivisions such as cities, towns, authorities, and planning district commissions, as well as non-profit organizations.

For complete application information regarding the BRAC grant program and scheduled briefing sessions, please contact:
David G. Dickson, Executive Director
Virginia National Defense Industrial Authority
P.O. Box 798
Richmond, VA 23218
Email: ddickson@yesvirginia.org ☼

Celebrate National County Government Week

The time is now to start planning for National County Government Week (NCGW), April 22-28. NACo-member counties have been mailed a booklet offering ideas and suggestions for planning local activities. The information in the booklet is available on the NACo Web site.

Sponsored by NACo, NCGW was first celebrated in 1991 to raise public awareness and understanding about the roles and responsibilities of the nation's counties. The theme for this year's celebration is "Protecting the Environment."

America's counties take seriously their responsibility to protect and enhance the health, welfare and safety of their citizens in sensible and cost-effective ways. Environmental protection plays a critical role in this great responsibility. NCGW offers an ideal opportunity for counties to showcase their innovative and successful environmental initiatives.

For more information, contact Tom Goodman at (202) 942-4222 or tgoodman@naco.org. ☼



Local Real Estate Notice Change in Effect

A new state law, Chapter 509 of the 2006 Acts of Assembly, requires localities to add the amount of the prior assessment onto the notice of current real estate reassessments. Additionally, the new law requires localities to include the total amount of the new tax levy and the percentage change in the new tax levy from the prior assessment if the tax rate that will apply to the new assessed value has been established.

The notice should include the time and place of the next meeting of the local governing body where public testimony will be accepted on any real estate tax rate changes if the tax rate that will apply to the new assessed value has not been established.

Finally, if the meeting is more than 60 days from the date of the reassessment notice, the notice will include information about when the date of the meeting will be set and where it will be publicized. Boards, chief administrative officers, assessors and tax officials must take notice of this change. ☞

VACo Requests Veto on Billboard Bill

VACo has made a formal request to Gov. Kaine that he veto HB 2128 (Hugo), which allows for the relocation of billboards when a road is widened due to construction. The bill passed by a slim 49-47 vote in the House and 26-12-2 in the Senate. This legislation could force localities to accept the placement of billboards in areas where they would violate local zoning and other applicable ordinances. A Senate companion measure to this bill, SB 1102, failed in the House by a vote of 40-58 with one abstention. ☞

Water Supply Planning Funds Available

The Department of Environmental Quality has announced that it will be accepting applications for funding under the Water Supply Planning Program. Applications for these funds are due by May 18 and can be found on DEQ's Web site. Under this program, \$300,000 is currently available .

A water supply plan is required for all localities in Virginia. Localities may submit water supply plans individually or as part of a region. All water supply plans must be submitted by 2011. Grant requests may be for no more than \$50,000. Proposals encompassing more than one jurisdiction will receive funding priority. To demonstrate local commitment to water supply planning, all projects require at least some amount of local match.

Any local government or group of local governments is eligible to apply for the WSP funds. Proposals must develop information on one or more of the following elements:

- Existing water sources
- Existing water use
- Existing resources
- Projected water demand
- Water demand management
- Drought response and contingency plans
- Assessment of future water supply needs
- Potential alternatives to meet future water supply needs



Awards will be announced on June 20.

More information is available on DEQ's Web site at <http://www.deq.virginia.gov/watersupplyplanning/> or call Scott Kudlas at DEQ, (804) 698-4456. ☞

Workgroup to Develop *IntraState* Mutual Aid System

A team of fire and EMS chief officers, sponsored by the Virginia Fire Chiefs Association (VFCA) working with several state agency representatives, are developing a more comprehensive mutual aid plan for fire and EMS that will enable participating localities to more effectively provide mutual aid to communities in need.

The purpose of this undertaking is to establish a systematic approach to preparing for, providing, managing and reclaiming resources among local fire and emergency services organizations in the Commonwealth during emergent or non-emergency situations. The *IntraState* Mutual Aid System (IMAS) process is intended to be consistent with the Virginia Statewide Mutual Aid (SMA) program but with the depth and scope needed to ensure a comprehensive resource-based process designed to facilitate timely and effective resource deployment. In no way will this process eliminate local mutual aid arrangements or agreements.

The process will be based on the template that has been formulated by the International Association of Fire Chiefs (IAFC) Strategic Plan for Developing a National Mutual Aid System for the Fire Service. That strategic plan envisions a phased or stepped nationwide system that builds upon the development of individual states' capabilities to provide fire and EMS mutual aid among localities within the boundaries

of the state. Following the development of states' intrastate mutual aid programs, the IAFC envisions expanding this process nationally in conjunction with the national Emergency Management Assistance Compact. This initiative is not intended to supplant or replace local mutual aid agreements, the Virginia SMA or national EMAC efforts. Rather, based on the lessons learned in the aftermath of Hurricanes Katrina, Rita and other natural disasters in 2005, the IAFC recognized the need to further refine a national effort for improving and enhancing the process and procedures for implementing mutual aid among fire, EMS and other emergency services.



Virginia IMAS Workgroup

Goal

To develop an effective, on-going fire and EMS intrastate mutual aid plan for Virginia.

Objectives

- The plan will operate within the existing Statewide Mutual Aid Plan and State Emergency Operations Center that are currently managed by VDEM
- The plan will be simple and flexible to initiate and manage in order to meet the needs of a state system of career, combination and volunteer fire and EMS departments
- The plan will identify specific oversight and participant duties and responsibilities within a defined management structure
- The plan will not mandate or require jurisdictions to respond

or participate

- The plan will involve coordinating resources for response for ESF 4 (Firefighting), ESF 8 (Public Health and Medical Services), ESF 9 (Urban Search and Rescue), and ESF 10 (Hazardous Materials Response)
- The plan and its components will be NIMS compliant
- Develop a communications plan to market to all stakeholders



Activities

This working group is funded, in part, by a grant from the IAFC and assisted by IAFC members from states that have successfully implemented IMAS programs. Members of the working group will meet regularly to evaluate Virginia's SMA as compared to other state's IMAS initiatives and plans. Strategies and actions to upgrade Virginia's IMAS effort in conjunction with SMA will be proposed, assessed and eventually recommended to VFCA. The group has set a target date of October 2007 to exercise the proposed IMAS fire and EMS annex.

Working Group Membership

- Eight VFCA representatives
- One representative from each of the following participating state agencies:
 - Department of Emergency Management
 - Department of Fire Programs
 - Department of Forestry
 - Office of EMS ☘



Mark Your Calendar...

Recycling: It's More than Trash

March 22, 9 a.m.-2 p.m.
 Riverstone Technology Park,
 Route 58, Halifax County
 The Halifax County
 Improvement Council and the
 Virginia Cooperative Extension
 will host this knowledge-packed
 discussion. Participants will
 have the opportunity to learn
 about recycling business models
 implemented in both Bedford
 and Spotsylvania counties as
 well as to hear Nathaniel
 Townley from Fauquier County
 discuss the economic impact of
 recycling. The event is free but
 registration is required by
 March 16. Call Pam Patterson
 at (434) 766-6761 or email
 ppatter@vt.edu.

The Virginia Business Incubation Association Annual Conference

March 26 -27, Doubletree Hotel
 in Charlottesville
 "Incubation as an Economic
 Development Tool"
 The conference is designed for
 local and regional economic
 developers, Chamber of
 Commerce officials, business
 assistance providers, Industrial
 Development Authority mem-
 bers, Planning District
 Commission staff, county and
 city administrators and plan-
 ning officials, and business incu-
 bator staff and board members.
www.vbia.org

Virginia Transportation Construction Alliance Spring Conference and Trade show

April 11-13, Hotel Roanoke
 Join more than 600 private and
 public sector transportation pro-
 fessionals for two days of dialog
 and discussion on the effective
 and efficient delivery of
 Virginia's transportation pro-
 grams. In addition, more than
 70 exhibitors will be a part of the
 Trade Show, presenting informa-
 tion on the materials and services
 you need for excellence.
 Registration information and the
 conference agenda are available
 online at www.vtca.org.

Virginia Government Communicators Spring Conference

April 17, Fairfax County
 Government Center
 For more information visit
<http://www.vgconline.net/>
 or call Barbara Gordon at (703)
 642-4635.

The Virginia Industrial Development Authorities Institute

April 24-25, Hotel Roanoke
 Registration and program infor-
 mation is available at www.cpe.vt.edu/vida/. You can also regis-
 ter 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.

VACo Board of Directors Meeting

April 28, Williamsburg

VACo Supervisor Certification Course

April 29-30, Williamsburg
 Closing session on June 29.
*Inventing Your County's Future:
 The Role of Community Planning*

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 discus-
 sions with an active community
 of peers, hear innovative ideas
 about current environmental
 practices and programs, and net-
 work 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 dis-
 tribution. www.nalgep.org

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. ☞

Congratulations!

Hayes Seay Mattern & Mattern (HSMM) engineers Russell Anderson and Brad Townsend have received their professional engineering licenses for Virginia. Anderson joined HSMM in 2003 and has five years of electrical engineering experience. Townsend, a structural engineer, also joined HSMM in 2003 and specializes in new construction and renovation design for large, complex buildings.

Margaret K. Luca, secretary of the **Fairfax County** Electoral Board, was elected president of the Virginia Electoral Board Association at its March 4 annual meeting in Hot Springs, Va. Luca will serve a two-year term as president, which began upon her election.

Gov. Timothy Kaine announced March 5 that 1,000 jobs at Bristol Compressors in **Washington County** will be saved through the purchase of Bristol Compressors by KPS Capital Partners, a New York-based investment firm. The KPS transaction will provide access to substantial capital to be invested in the further development of Bristol Compressors International, the company's new name under KPS ownership. The Virginia Tobacco Indemnification and Revitalization Commission and Washington County committed a combined \$1 million to assist KPS with the transaction. ☘

Employment Opportunities

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

Budget & Management Analyst/Chesterfield County

Req. #07-155. A Chesterfield County application is required and must be submitted online by 5 p.m. April 5. Visit careers.chesterfield.gov to view instructions and to complete and submit an application. (804) 748-1551

Building Inspector I \Franklin County

Applications and a complete job description may be obtained by calling (540) 483-3030, or visiting <http://www.franklincountyva.org>. Position is open until filled with application review beginning on March 19.

Chief Internal Auditor/Stafford County

Salary Range \$91,102 - \$141,208
Deadline: March 23. Qualified applicants should apply online at www.co.stafford.va.us.

City Manager/Portsmouth

Submit letter of application, detailed resume with salary and references to: John T. Maxwell or Roger M. Scott, Senior Vice President, Springsted Incorporated, 4698 Honeygrove Road, Suite 4, Virginia Beach, VA 23455 by March 23. Fax (757) 422-6617 or email: jmaxwell@springsted.com. For a full profile describing the City of

Portsmouth and the position please visit www.springsted.com.

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 Engineer/Washington County

Salary range \$60,000 - \$63,500
A complete position description along with an application for employment may be obtained through the accounting department or through the county Web site www.washcova.com. Applications will be accepted through 5 p.m. on March 26.

Director of Parks and Recreation /Isle of Wight County

Requires a bachelor's degree in parks and recreation administration or related field and 5-8 years of related experience. Salary \$60,075-\$75,093 DOQ. Interested candidates should submit an application and resume by March 30 to: HR, P.O. Box 80, Isle of Wight, VA. Visit our website at www.iwus.net or call (757) 365-6304.

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Employment

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Director of Planning and Development/Fluvanna County

Submit your resume and a state application (www.co.fluvanna.va.us) with a cover letter stating your salary expectations by March 23 to: Fluvanna County Human Resources, PO Box 540, Palmyra, VA 22963.

Human Resources Coordinator/Northampton County

Salary Range: \$38,979 - \$58,468. Submit resume and detailed cover letter outlining qualifications and three professional references to Glenda Miller, Director of Finance, P.O. Box 66, Eastville, VA 23347. Fax: (757) 678-0483. E-mail: gmliller@co.northampton.va.us Position open until filled.

IT Programmer Analyst/Campbell county

Starting salary is \$31,881 - \$35,523
Contact Campbell County for a county application by calling (434) 332-9818 or visiting www.co.campbell.va.us. Completed applications will be accepted until position is filled.

IT Integration Specialist/Campbell County

Starting salary is \$38,754 - \$43,180
Contact Campbell County for a county application by calling (434) 332-9818 or visiting www.co.campbell.va.us. Completed applications will be accepted until position is filled.

Landfill Supervisor/Accomack County

Salary Range: \$29,710 - \$43,079
For questions call (757) 787-1468. A completed county application must be received at the Public Works Office no later than 5 p.m. on Friday, March 30.

Part-Time Fiscal Officer/Central Shenandoah PDC

Salary based on qualifications. Submit resume and three professional references to Ray Griffin, Executive Director, Central Shenandoah PDC, 112 MacTanly Place, Staunton, VA 24401 or via e-mail to rita@cspdc.org. Position open until filled.

Planning Director/Middlesex County

Salary commensurate with experience. Include requirements with resume and county application. Applications and information may be obtained by calling (804) 758-4330, or from the county's Web site www.co.middlesex.va.us. Applications due by Monday, April 16 at 4 p.m.

Principal Planner/Goochland County

Salary range: \$49,690 - \$74,722
A Goochland County Employment Application is required for consideration of this position and is available at (804) 556-5831 and online at www.co.goochland.va.us. All applications are to be submitted to the Goochland County HR Office, 1800 Sandy Hook Rd., P. O. Box 10, Goochland, VA 23063 by Tuesday, March 20 at 2 p.m. For more information,

please call Donald L. Charles, Director of Community Development at (804) 556-5861. Email: countyadmin@co.goochland.va.us.

Transit Director/City of Winchester

Must have considerable experience in administration of transit operations. Salary is commensurate with experience. Apply: Administration Department, Rouss City Hall, 15 N. Cameron Street; Winchester, VA 22601. (540) 667-1815, ext. 1449. TDD (540) 722-0782. www.winchesterva.gov.

Utilities/General Services Director/Powhatan County

Grade - M3, Salary Range: \$60,500 - \$94,531
Under limited supervision, performs complex professional and administrative work coordinating and supervising the operations of the Utilities/General Services Department. Applications and a full job description may be obtained at the Powhatan County Administration Office or at www.powhatanva.gov. Open until filled. ☞

1001 E. Broad St., Suite LL 20
Richmond, VA 23219



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.

1001 E. Broad St.
Suite LL 20
Richmond, VA 23219
(804) 788-6652
Fax: (804) 788-0083
www.vaco.org

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Editor: Wendy Jenkins
(804) 343-2502