

COUNTY CONNECTIONS

The Newsletter of the
Virginia Association of Counties

July 1, 2009



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A 'clean slate' for new impact fee legislation?

By Ted McCormack
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At the June 18 meeting of the Joint Subcommittee to Study Development and Land Use Tools in Virginia's Localities, Delegate Clay Athey of Warren County, chairman of that body, seemed to accept a recommendation by one of the subcommittee's work groups to discard his proposed impact fee bill (LD 1484D) and to "start from scratch" to draft impact fee legislation for Virginia's localities.

In terms of the impact fee proposal, VACO staff emphasized that counties would not trade a phase-out of voluntary cash proffers in return for new impact fee legislation with unknown features, but supported the idea of making available to local governments both voluntary cash proffers and a fair and equitable impact fee for all public services. Delegate Athey suggested, however, that he may

IMPACT FEE
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Supreme Court ruling could impact local budgets – K12 and CSA

By Dean Lynch
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In a decision that could help disabled students obtain needed services and cost school districts millions of dollars, the U.S. Supreme Court ruled on June 22 that parents of special education students may seek government reimbursement for private school tuition, even if they have never received special-education services in public school.

The case before the court involved a high school student from Oregon whose parents removed him from public school in his junior year and enrolled him in a \$5,200-a-month residential school.

Oregon school officials had noticed the student's difficulties and evaluated him for learning disabilities, he was found ineligible for special-education services. Only after he enrolled in the private school did doctors say he had attention deficit hyperactivity disorder and other disabilities.

While most of the nation's six million special-education students attend public school, thousands of families with disabled children are convinced that public schools lack the "skill sets" to provide appropriate services and avoid the public schools altogether.

Instead, they enroll their children in expensive private schools for students

with emotional or learning disabilities, and then seek reimbursement.

Nationally, about 90,000 special-education students are in private schools, most of them referred by their public schools.

In FY 2008, the New York City schools, which filed a friend-of-court brief supporting the Oregon school district, paid \$89 million in private-school tuition for disabled students whose parents had placed them there, up from \$53 million two years earlier. In FY 2008, the city received 4,368 requests for reimbursement from parents who enrolled their children in private school; of those, more than half had not received

services in public school.

The issue before the court was whether a 1997 amendment to the Individuals with Disabilities Education Act (or IDEA) prohibited private-school tuition reimbursement for students who never received special-education services in public school.

The amendment says tuition may be available for students with disabilities "who previously received special-education" services in public school, if the school did not make a free and appropriate public education (or FAPE) available in a timely manner.

Similar legislation has been sought in Virginia. Most recently, the 2009 Senate of Virginia, failed to take action on SB 956 (Stosch) which established a



SUPREME COURT
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Think of
US first
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U.S. Communities: The Strategic Procurement Source for Public Agencies

Technology Products/Equipment and Technology Services/Solutions Contract

The new U.S. Communities Technology Products/Equipment and Technology Services/Solutions contract will be available to all registered participants effective May 1, 2009. U.S. Communities would like to thank Fairfax County for its leadership in acting as the lead public agency for the solicitation of the contract.

We are pleased to announce that the contract was awarded to the three technology providers listed below. Participants may choose to utilize any one or all of the suppliers' contracts issued as a result of this multi-vendor award.

- Tech Depot: Technology Products/Equipment
- GTSI: Technology Services/Solutions
- Insight Public Sector: Technology Products/Equipment and Technology Services/Solutions

About Each Supplier Partner:

Tech Depot

Tech Depot, Office Depot's information technology division, provides public sector agencies and corporate customers with dedicated hardware, software and service solutions. Seasoned technology account managers provide customers with personalized service and support to help determine which hardware, software and solutions packages will best fit their needs and allow them to accomplish their business objectives. With access to over 275,000 technology products that include desktop and notebook computers, storage and networking devices, digital imaging solutions, servers, printers, and software, Tech Depot has the ability to meet the wide ranging demands of its varied customer base.

GTSI

For the past 6 years, GTSI has responded to the business challenges of state and local government agencies with solutions that require a wide breadth of technology products and professional services. Utilizing an extensive staff of certified engineers and project managers, GTSI has designed and delivered a full range of IT infrastructure solutions through the U.S. Communities contract including server virtualization, unified communications, document management, physical security, and asset management. With a wealth of past performance, GTSI will continue to meet public agency needs—whether that consists of simple product configuration or consultation and assessment for more complex IT projects. GTSI has enhanced its offering to public agencies via this new contract with support services for products, Green product and solutions reporting, and financial services that help state and local governments procure the technology they need despite budgetary constraints.

Insight Public Sector

Insight Public Sector is the division of Insight Enterprises, Inc., a global technology solutions provider, offering the technologies, expertise and services to help public sector organizations lower costs and gain efficiencies across the I.T. environment. Insight provides U.S. Communities participants a complete selection of over 250,000 hardware products and over 18,000 software titles at the best available prices along with Insight's complete portfolio of technology services such as integration, onsite implementation and help desk support as well as solution capabilities for networking, server/storage consolidation, mobility, lifecycle management and more.

For more information, please visit www.uscommunities.org/contracts or contact us at info@uscommunities.org

www.uscommunities.org

VACo Notes

Conference update: Why we hold it at the Homestead



Last August VACo's Board of Directors directed its staff to initiate negotiations on a multi-year contract with the Homestead as the venue for the Association to hold its annual conference starting in 2011.

The current contract with the Homestead expires in 2010. The Board took this action after reviewing an analysis completed last summer by VACo's staff that compared average daily expenses attendees would pay if the Annual Conference were to be held at other locations across Virginia.

The analysis represents an attempt to make "apples to apples" comparisons among the competing venues between expenses for lodging, meals and parking. The Board's conclusion: in terms of the average daily expenses attendees would typically pay to attend VACo's Annual Conference, the Homestead is very competitive with venues in such areas of the state as northern Virginia, Williamsburg, Norfolk, Virginia Beach and Richmond. (Roanoke's Convention and Visitor's Bureau did not respond to VACo's Request for Proposals sent out last year.)

Click here to view a table comparing expenses for lodging, meals and parking at the Homestead with other conference venues.

We look forward to another great Annual Conference.

Caroline County wins National Civic League prestigious All America Cities title!

Caroline County, one of 32 communities from across the country, was invited to Tampa, Fla., to compete as a National Finalist in the National Civic League's All America Cities competition.

Communities ranging in population from just under 4,000 to over a million all compete against each other by an on stage presentation that identifies specific challenges in their communities and the solutions developed for those challenges. A 10-member judge's panel questions each community on the specifics of their presentation and on their written application.

Judges this year gave Caroline the award after it finished runner-up in the competition last year.

Months of preparation, fund raising, and rehearsals has paid off for the team led by Frank Hammon and Vice-chairman Linda Thomas.

Thomas developed the Dr. Seuss-like poem describing the county's Library system, the Dawn Community Sewer and Septic program, and the Caroline County Dental Program. The 12-member team pantomimed the presentation.



Frank Hammond, Chairman of the All America City Award Committee and Team Members receive Resolutions from the Board of Supervisors for their hard work and dedication to the project.



Funding for the project was provided by private donors and individuals. No public money was appropriated.

This prestigious national award identifies Caroline County as a community working to blend public, private, and civic resources to

collectively increase the quality of life for residents.

This national designation will be utilized by Caroline County in business recruitment and visitor attraction.

A taped copy of this winning presentation will be available on the County's site soon.

Coal combustion byproducts regulations

By Larry Land
lland@vaco.org

The Virginia Waste Management Board has issued a Notice of Intended Regulatory Action (NOIRA) to consider amendments to the Coal Combustion Byproduct Regulations (9VAC20-85).

The purpose of the proposed action is to provide for the use, reuse and reclamation of coal combustion byproducts (CCB).

These regulations establish standards for siting, design, construction, operation and closure of projects use CCB. The CCB regulations will be updated to incorporate statutory changes made by the 2009 General

Assembly. These statutory changes address the placement of CCB areas located within a 100 year floodplain. The amendment will also consider including additional restrictions on the use and placement of CCB.



Public comments may be submitted until 5 p.m. on July 10.

The agency contact on this regulatory action is Melissa S. Porterfield, Department of Environmental Quality, 629 E. Main St., P.O. Box 1105, Richmond, VA 23218. Phone: 804-698-4238. FAX: 804-698-4346. E-mail: msporterfield@deq.virginia.deq.

MORE AND MORE FOLKS ARE MAKING THE SWITCH!

We have received great response to our request that members start reading the newsletter electronically.



The switch reduces paperwork and helps the environment. It also allows you to enjoy the interactive component of the newsletter.

Start receiving your issue of **County Connections** by e-mail.

Call 804-343-2507 today, or e-mail ccameron@vaco.org, and your next issue will be delivered electronically.

CTB approves new Six Year plan

By Larry Land
lland@vaco.org

Here is a chart summarizing the budget for the total FY 2010 – 2015 Six Year Transportation Improvement Plan:

The \$7.5 billion Six Year Transportation Improvement Plan (SYIP) approved by the Commonwealth Transportation Board on June 18 for FY 2010 to 2015 is \$4 billion lower than the SYIP approved for FY 2008-2013. According to VDOT, the dramatically shrunken size of the newly approved SYIP places “in question” the “sustainability” of the Six Year Improvement Program.

A presentation on the newly approved SYIP was made on June 18 by Secretary of Transportation Pierce Homer to the Senate Finance Committee. A copy of that presentation is here.

The highway construction program has decreased from \$8.6 billion to \$5.5 billion, a reduction of 36 percent. Most significant for counties, the secondary road construction program in the SYIP is reduced to \$500 million. This is down from \$1.3 billion in the SYIP approved for FY 2008-2013.

Overall, state formula distributions for unpaved roads, primary, secondary and urban systems are virtually eliminated. Allocations for unpaved roads have been also eliminated, and funds for primary road construction have been cut by half.

Funding for construction on the interstate system has been cut by 38 percent.

If revenue forecasts in the fiscal year starting July 1 are adjusted in a downward direction, the news could become even worse.

Actions not requiring CTB approval will involve a reduction in VDOT’s 8,600 work force to 7,500 by June 30, 2010. Other cost-saving decisions announced by the

- Commissioner David S. Ekern are to:
- Consolidate the number of residencies from 44 to 29.
 - Reduce the number of equipment shops from 73 to 37.
 - Consolidate from 6 to 5 the number of transportation operation centers.

Total Six Year Improvement Program, FY 2010-2015

	FY 2008-2013	FY 20090-2014	Revised FY 2009-2014	Adopted FY 2010 - 2015
Highway Construction	\$8.6 billion	\$7.9 billion	\$6.0 billion	\$5.5 billion
Rail & Public Transportation	\$2.9 billion	\$2.7 billion	\$2.9 billion	\$2.0 billion
Total	\$11.5 billion	\$10.6 billion	\$8.9 billion	\$7.5 billion

For the highway construction program, additional details are provided in the chart below.

Highway Program, FY 2010-2015

	FY 2008-2013	FY 20090-2014	Revised FY 2009-2014	Adopted FY 2010 - 2015
Interstate	\$2.1 billion	\$2.1 billion	\$1.4 billion	\$1.3 billion
Primary	\$2.0 billion	\$1.6 billion	\$1.3 billion	\$1.0 billion
Secondary	\$1.3 billion	\$1.0 billion	\$0.6 billion	\$0.5 billion
Urban	\$1.1 billion	\$0.8 billion	\$0.5 billion	\$0.4 billion
Federal Maintenance	\$0.9 billion	\$1.0 billion	\$1.2 billion	\$1.2 billion
MPO	\$0.6 billion	\$0.6 billion	\$0.5 billion	\$0.6 billion
Safety, Enh, Rail, other	\$0.6 billion	\$0.8 billion	\$0.5 billion	\$0.5 billion
Total	\$8.6 billion	\$7.9 billion	\$6.0 billion	\$5.5 billion

- Reduce the number of materials laboratories from eight to five.
- Maintain 189 area headquarters.

With respect to various maintenance functions, CTB approved recommendations made last May by Commissioner Ekern and senior VDOT staff to:

- Reduce from 42 to 23 the number of rest areas and welcome centers (the original proposal was to reduce the number of rest areas to 17.)
- Reduce the scope of contracts for interstate maintenance services.
- Reduce spending for mowing by \$20 million.
- Scale back safety service patrol services to 2001 levels.
- Scale back ferry services by \$1.28 million (eliminate the Hatton Ferry while reducing hours for Merry Point, and Sunnybank ferries. Twenty-four hour service is retained for the Jamestown Scotland Ferry.)

Among CTB members, the decision

to close 19 rest stops encountered controversy. James Davis, who represents the Staunton district, proposed language to a resolution that would have allowed for additional funds to be used for maintaining additional rest areas. These funds would have been transferred from funds allotted to surface paving and bridge repair.

By a margin of one vote, CTB rejected Davis’s proposed amendment. CTB did agree that the Commonwealth should engage in a lobbying campaign encouraging Congress to approve the commercialization of rest areas on interstate highways in the new federal transportation reauthorization legislation to be considered over the next year.

At CTB’s June 18 meeting it was also announced that VDOT successfully obligated 50 percent of its federal stimulus funds for transportation by the June 29 deadline.

All presentations from CTB’s June 18 meeting are available here.



Where Washington was Born

In honor of Independence Day, we explore the George Washington Birthplace National Monument that is proudly located in Westmoreland County. The home was originally settled by John Washington, George's great-grandfather. Washington was born here on Feb. 22, 1732 and lived in Westmoreland County until age three but returned later as a teenager.

At the entrance to the grounds, which is maintained and operated by the National Park Service, is a Memorial Shaft obelisk (right) of Vermont marble. The obelisk is a one-tenth scale replica of the Washington Monument in Washington, D.C.

The George Washington Birthplace National Monument is located where Pope's Creek joins the Potomac River and is representative of 18th-century Virginia tobacco farms. A Memorial House with 18th century furnishings is open to visitors. The park's farm buildings, groves of trees, livestock, gardens, and crops of tobacco and wheat, represent the boyhood environment Washington knew.



Mark Your Calendars

**2009 NACo
Annual Conference
& Exposition**



**July 24-28
Nashville, TN**

Don't miss this critical conference focusing on the new Administration and the 111th Congress in Washington, DC.

We fully understand travel budgets are extremely tight; however, you can't afford to miss hearing from new Administration officials, cabinet secretaries, and members of Congress and having the opportunity to network with your peers.

The information and contacts you will make over these several days will be of real value and benefit to you and your county.

In these very difficult times NACo members must work together to learn, provide and share solutions with one another and our partners in the federal government.

You and your colleagues are "The Voice of America's Counties" and key players in NACo's Restore the Partnership Campaign.

**VACo Steering
Committees,
Board Meeting,
and Open House &
Building Dedication**



**Aug. 14
1207 E. Main St. Richmond**

Meeting agendas, directions and parking information will be communicated closer to Aug. 14.

Preliminary Meeting Schedule:

I. 10:15 a.m. to 11:45 a.m. Steering Committee meetings Part I

- Administration of Government
- Education
- Environment and Agriculture
- Finance

II. 11:45 a.m. Box Lunches for Steering Committees

III. 12:15 p.m. to 1:45 p.m. Steering Committee meetings Part 2

- Community, Development and Planning
- Health and Human Resources
- Telecommunications and Public Utilities
- Transportation

IV. 2 p.m. VACo Board meeting

V. 5 p.m. Open House & Building Dedication (1207. E. Main Street, Richmond, 23219)

**2009 Virginia Rural
Summit**



**Sept. 14-15
Lynchburg**

More information coming soon.

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**Community
Investment Workshop
Series:
Innovative Financing
to Build Virginia
Communities**



**July 9
Brandt Student Center
Shenandoah University
Winchester**

Congratulations

Cumberland County receives NACo Achievement Award

Aaron Hickman was recently notified that Cumberland County has been awarded a 2009 NACo (National Association of Counties) Achievement Award for the program entitled, "Collaborative Convergence and Maintenance of Disparate Databases."

This is the second year that Cumberland County has received an achievement award, the first being last year's award from the Virginia Association of Counties.

The first application was also submitted by Aaron Hickman, Cumberland's director of Information Technology.

The project application, which resulted in the NACo 2009 achievement award, is available on the County's Web site. (click on "News and Topics")

Hickman effectively described Cumberland's initiative to merge existing databases and digitize previously archived paper data.

He noted that a small locality with a small staff has many of the same responsibilities as that of a much larger locality. Hickman added that Cumberland must find innovative ways to accomplish the same results.



Due to the combined efforts of Hickman, Lee Leeds, Tina Smith and Lauren Ingle on the project and many other projects, Cumberland is now recognized as a leader among surrounding counties in the use of information technology, which has resulted in the county being honored at the state and national levels.

It is quite an accomplishment for Cumberland to be nationally recognized for quality, efficient and responsive management and administration.

Please visit Cumberland's Web site and read about this award winning project.

Loudoun homeless shelter earns Green Building Award



From more than 2,500 nominated projects, the new Loudoun County Homeless Shelter has been selected as a Green Building of America Award-winning project and will be featured in the magazine Real Estate and Construction Review - Green Success Stories Edition.

The county awarded the design contract for the facility to Architecture, Inc., of Reston, a leader in the principles of green design and sustainable strategies. The company holds Leadership in Energy and Environmental Design (LEED) certification and is a member of the United States Green Building Council.

"The shelter project builds on the existing Transitional Housing Program located on the county property off Sycolin Road near the Youth Shelter and the Juvenile Detention Center," said Hope Stonerook, assistant director of the Loudoun County Department of Family Services. "In addition to the Transitional Housing Program, the facility will include the current 24 beds located at the Woods Road facilities, the Emergency Cold Weather Shelter, and the daytime Drop-In Center. As a result, we do not anticipate needing to operate a cold weather shelter next winter because the facility will also contain beds for single men. Co-locating all of these services at the same location provides for greater efficiencies and more concentrated efforts to address homelessness."

The new homeless shelter is under construction, with a projected opening date of September 2009.

Henrico wins national awards

Henrico County has received 23 Achievement awards from the National Association of Counties (NACo), more than any Virginia locality and third-most nationally, trailing only Los Angeles and San Diego counties. The awards will be presented at the 2009 NACo annual conference, set for July 24-28 in Nashville, Tenn.

The NACo Achievement Award Program recognizes groundbreaking county government programs annually in a broad range of service areas, including education, administration, parks and recreation, health and human services.



NACo honored Henrico programs developed and implemented by 11 county agencies. The awards continue the county's tradition of providing cutting-edge programs to residents. Henrico programs have received 131 NACo Achievement awards since 2000. For more information, log on to www.co.henrico.va.us and look for the NACo link.

Access Management rules for local county roads moves toward final phase

By Ted McCormack
tmccormack@vaco.org



New access management regulations and standards for minor arterials, collectors and local streets are on track to take effect on Oct. 1, 2009. These new rules complement the regulations for principal arterials that became effective on July 1.

Under legislation passed by the 2008 General Assembly, the new regulations for local roads were subject to an additional review period under the Administrative Process Act and have been approved by the VDOT Commissioner.

The next phase requires review by the attorney general, the Department of Planning and Budget, Secretary of Transportation, and finally the governor. It is expected that the regulations will be published in The Virginia Register at the end of August.

Copies of both the new regulations and standards for local roads can be found here.

During the course of the extended

review period a number of changes were made to the documents.

Key Changes to the Regulations

- All of the spacing standard exceptions and exemptions have been consolidated into one section.
- Information to submit for each type of exception is specified and the procedures for requesting an exception are spelled out. A deadline for a decision is included.
- Provisions on existing entrances are easier to find.
- Additional emphasis on pedestrians/bicyclists and roundabouts.
- A new section on entrances for parcels that can't meet the spacing standards due to parcel dimensions or physical constraints.

Key Changes in the Design Standards

- Urban collector entrance/intersection

spacing standards are reduced. (Requested by Fairfax, Chesterfield, Prince William Counties)

- New spacing standards for roundabouts.
- New sections on accommodating pedestrians and bicyclists. An expanded section on roundabouts.
- A new low-volume commercial entrance design: reduce construction costs for low intensity uses.
- Improved explanations of the various standards.
- Web site links to additional information on a topic are imbedded in the text.

The new rules will not be retroactive and entrance locations shown on rezoning proffered plans of development, site plans, and subdivision plats that are approved by the locality prior to the Oct. 1, 2009, effective date will be exempt from the spacing standards.

New funding guidelines for Safe Routes to School program

The Safe Routes to School Program with the Virginia Department of Transportation has released new guidelines for funding.

Local governments interested in making walking and/or biking to school a safe transportation option for students in kindergarten through eighth grade are welcome to apply.

Cities, counties and towns seeking to build more walkable and bikeable communities are encouraged to create a School Travel Plan for one or many schools and then to implement

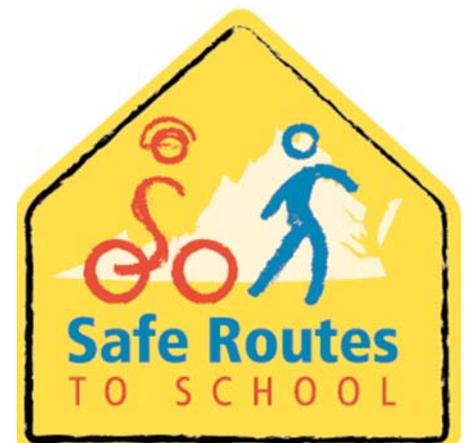
planned education, engineering and other strategies.

Funding for sidewalk connections, crosswalk improvements, and other bicycle and pedestrian facilities is available through a competitive two-step application process.

The maximum funding award is \$500,000 (per locality) and no local match is required.

Completed School Travel Plans are due no later than November 27 and applications are due December 28.

For more information including upcoming SRTS



workshops, contact VDOT SRTS Coordinator, Sarah Weisiger at (804) 371-4868 or visit www.virginiadot.org/saferoutes.

Meadows appointed county administrator for Montgomery

The Montgomery County Board of Supervisors named F. Craig Meadows, 48, as the new County Administrator effective Aug. 1.

“Craig Meadows has extensive financial experience and a record of teamwork and community involvement,” said Board Chair Annette Perkins. “He received excellent recommendations and has a variety of experience with daily management of local government operations and issues such as regional 911 collaboration, municipal infrastructure and economic development. We felt he would fit in well with the excellent staff we have now and provide leadership.”

“I see tremendous opportunity for the County as it moves into the future with the dynamics between the County, towns and Virginia Tech. I believe Montgomery will be the premier county in Southwest Virginia in coming years. I am also impressed by the leadership of the Board of Supervisors and am grateful for their support of me and my family,” Meadows said.

Meadows will succeed Clay Goodman, who left in March to become Roanoke County’s administrator.



BOS chair Annette Perkins announces the hiring of F. Craig Meadows (far right) as county administrator.



Assistant County Administrator L. Carol Edmonds is currently serving as interim administrator.

The Board received more than 50 applications in its nationwide search. Meadows’ annual salary will be \$140,000.

Meadows is no stranger to the New River and Roanoke Valleys. He served as City Manager of Bedford from 1998 to 2005.

While there he initiated capital improvements, including a 100-acre industrial park.

During his tenure, the city also collaborated with Bedford County to build a welcome center.

He is currently Interim Town

Manager of Red Springs, N.C.

Meadows began his career in private industry where he spent nearly six years after graduating magna cum laude with a bachelor’s in accounting from Gardner-Webb University, North Carolina.

He is a certified public accountant and credentialed manager in ICMA (International City/County Management Association).

Meadows and his wife, Rhonda, have five teenage children, two of whom are in college.

Montgomery County has approximately 450 full and part-time employees. Its FY2010 budget of \$158.9 million goes into effect July 1.

Roltsch named acting Prince William County executive

Assistant County Executive Susan Roltsch has been named acting county executive by the Prince William Board of County Supervisors. She will serve as the county government’s chief administrative officer until the Board of County Supervisors makes a permanent appointment.



Roltsch has 22 years of County government experience, and served as an assistant county executive for the past seven years. In that position her primary focus was community

development-related functions, including public works, transportation, planning, development services and housing.

Prior to becoming Assistant County Executive, Ms. Roltsch served as development manager with the Department of Economic Development, and a planner in the county’s Planning Department.

“Susan Roltsch has served Prince William County exceptionally well since 1986. Her many years of public management experience are an asset to the community,” Board Chairman Corey Stewart said. “The Board of County Supervisors looks forward to working with Susan in her new assignment.”



Roltsch received her Bachelor of Arts degree in economics from the University of Virginia and a Master of public administration from George Mason University.

In her new position, Roltsch will take on the duties of the County Executive during the search process for a permanent replacement for Craig Gerhart, who is retiring from the county to take a position with Amtrak.

Commission on Energy and Environment holds first meeting

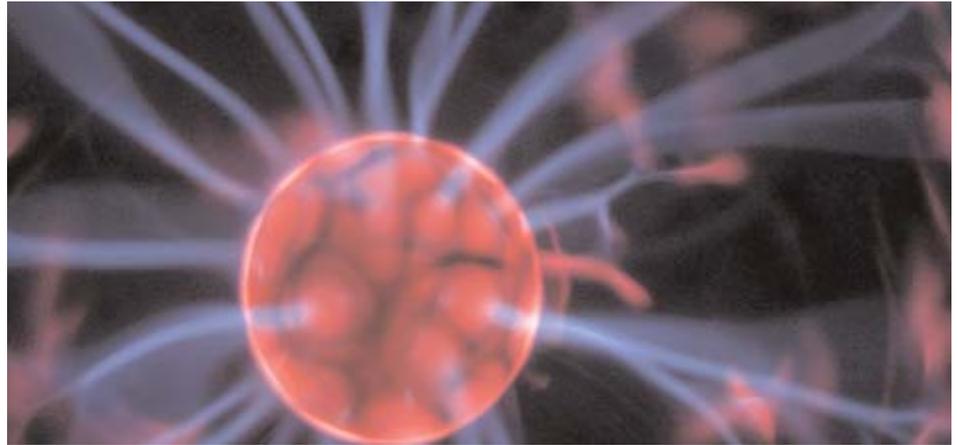
By Larry Land
lland@vaco.org

The Virginia Commission on Energy and Environment was established under SB 464 (Whipple) by the 2008 General Assembly. Chaired by Senator Mary Margaret Whipple, it consists of thirteen voting members. Eight of them are legislators and five are citizen members. Two ex-officio members are David Paylor, Director of the Department of Environmental Quality and Steve Walz, Director of the Department of Mines, Minerals and Energy.

The Commission's first meeting of the year was held on June 24 in Richmond. It received presentations on energy related aspects of the American Recovery and Reinvestment Act.

There was also an update on Virginia's Uniform Statewide Building Code, and changes that will be considered over the next year to improve energy efficiency. The meeting also included lengthy discussion about legislation considered during the General Assembly's 2009 session.

One of the bills generating many



comments and questions by legislators was SB 1212 (Deeds), which provides localities with the authority to adopt programs where loans may be provided for the initial acquisition and installation of "clean energy improvements."

Commission members were also very interested in SB 1452 (Peterson), a bill that was held over for study. A chief provision of SB 1452 is the imposition of a \$1 per month surcharge on rates for retail customers of investor-owned electric utilities and distribution electric cooperatives. Revenues generated from the charge

would be deposited in the Energy Efficiency Fund to be administered by a program administrator selected by the State Corporation Commission who would be charged with developing energy efficiency plans.

Over the next several months the Commission will be divided into at least two subgroups. One, chaired by Sen. J. Chapman Peterson, will concentrate on energy efficiency and "decoupling." The second subgroup, chaired by Delegate Charles Poindexter, will concentrate on the area of renewable energy sources.



Virginia's Poverty Reduction Taskforce requests your participation in Act on Poverty!, July 18 from 10 a.m. – noon. The general public and elected officials are encouraged to attend and recommend specific strategies for reducing poverty in their localities.

Act on Poverty! will be one of the largest-ever, community conversations devoted to ameliorating poverty in the Commonwealth, and it would be powerful to have VACo's members listen to recommendations from constituents and join the chorus of ideas. The conversations will be held at participating community college campuses and sites statewide. The event is free, open to the public, and registration is not required.

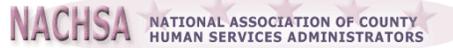
Federal legislation update

Health System Reform

Congressional activity on health system reform is heating up at the same pace as Washington's summer weather. Two Senate committees are getting closer to marking up legislation, but details are still unknown on major provisions, such as the structure of a possible employer mandate and the mechanics of a public plan option.

Some details are known via a 615 page draft from the Senate Health, Education, Labor and Pensions Committee, but Medicaid provisions — to be drafted by the Senate Finance Committee — are not available. Senate Democrats have tried to make their bill a bipartisan one, but statements by leading Republicans demonstrate that such an effort may prove elusive.

The House is on a slightly slower timeframe, with three committees work-



ing to craft one bill. That measure is likely to garner no Republican support.

The political and policy dynamics over the next few weeks will likely indicate whether health system reform is achievable this year. Both Senate and House Democratic leadership have promised floor action on their respective bills by the August recess, with a final bill sent to President Obama in October.

Home Visiting Legislation Introduced

Earlier this month, the House Ways and Means Subcommittee on Income Security and Family Support conducted a hearing on early childhood home visitation programs and how the federal government could support such efforts. Subcommittee Chairman Jim

McDermott (D-WA) has introduced legislation to fund evidence-based programs including the Nurse Family Partnership model and other programs using a variety of professionals in reaching vulnerable families who are soon to become parents or have young children.

Called the Early Support for Families Act (H.R. 2667), the bill amends Part IV-B and would provide mandatory funding to states to create and expand early childhood home visitation programs. Funding would start at \$100 million in 2010, and increase to \$700 million by 2014.

President Obama's proposed federal fiscal year (FFY) 2010 budget signaled that this is a top domestic priority for his administration. To date, there is no Senate companion bill. No other hearings have been scheduled.

IMPACT FEE

Continued from page 1

support a policy that gives localities the option to choose between impact fees or voluntary cash proffers, but not both.

During their presentation to the subcommittee, the Homebuilders Association of Virginia did not totally reject the idea of impact fees as in past meetings, but insisted that any such fees must be capped. Further, Chairman Athey agreed to an offer by the Virginia Chapter of the American Planning Association to make available to the subcommittee national experts with extensive experience with impact fee legislation.

The two subcommittee work groups charged with reviewing proposed revisions to the current urban development areas (UDA) legislation (LD 1483D) reported that consensus could not be reached on a number of issues, including:

- The role of the state's Commission on Local Government in the oversight of UDAs as well as its membership composition;
- Gross vs. net density calculation for UDAs;

- How by-right development fits into the determination of UDA size;
- Implications that the state is mandating how and where local revenues should be spent; and
- How to further refine UDA density requirements with respect to locality population size.

Chairman Athey acknowledged that the draft UDA revisions were a "starting point" for discussion. He emphasized, however, that certain principles should be addressed in any changes to the statute, such as the need to address the "one size fits all" aspect of the mandate, state certification of local UDA designation, and increased residential and commercial densities for UDAs.

With respect to the calculation of UDA density, VACo staff noted that according to the 2000 census, no locality or officially designated place in the Commonwealth currently met any of the new gross residential density standards for a UDA. It was also pointed out that there are valid reasons why the mandate to designate UDAs may not be appropriate for every county subject to the requirement. Further, VACo staff emphasized that any

revisions to the UDA law at this late date must be accompanied by a concurrent extension of the July 1, 2011 statutory deadline for designation of such areas by affected counties.

During the meeting, subcommittee member Secretary of Transportation Pierce Homer advised that in the near future VDOT will be securing the services of consultants to provide technical assistance to localities in designating UDAs. He also recommended to the subcommittee that there must be some consideration in the overall process of how an individual locality's UDA fits into a regional context.

At the end of the meeting, Chairman Athey emphasized that the subcommittee was seeking any ideas on how to modify the current UDA statute and to craft new impact fee legislation. He encouraged all interested parties to submit their proposals to subcommittee staff for future consideration and discussion. VACo staff, working with its members, plans to take full advantage of the subcommittee's offer.

While the next meeting of the full subcommittee is scheduled for August 19, their work groups may meet one or more times in the interim.

SUPREME COURT

Continued from page 1

tuition assistance grant program for students with autism. The legislation provides grants of no more than \$20,000 a year per student to a Virginia non-sectarian private school of choice for students identified as autistic and for whom individual education plans have been written.

The Oregon school district argued that the amendment precluded reimbursement for students who never received special-education services in public school. But the high court, in a 6-to-3 ruling, rejected that argument.

“We conclude that IDEA authorizes reimbursement for the cost of private special education services when a school district fails to provide a FAPE and the private school placement is appropriate, regardless of whether the child previously received special education or related services through the public school,” Justice John Paul Stevens wrote in the majority opinion. Justice Stevens said the Oregon school district’s interpretation would produce a result “bordering on the irrational.”

“It would be strange for the act to provide a remedy, as all agree it does, where a school district offers a child inadequate special-education services

but to leave parents without relief in the more egregious situation in which the school district unreasonably denies a child access to such services altogether,” he wrote.

He was joined by Chief Justice John G. Roberts Jr. and Justices Anthony M. Kennedy, Ruth Bader Ginsburg, Stephen G. Breyer and Samuel A. Alito Jr.

In his dissent, Justice David H. Souter, joined by Justices Antonin Scalia and Clarence Thomas, said that the disabilities law was designed to promote cooperation between school districts and families in developing an individualized education plan for each disabled student. The dissent also discussed the high costs of private-school placements.

“Special education can be immensely expensive, amounting to tens of billions of dollars annually and as much as 20 percent of public schools’ general operating budgets,” Justice Souter wrote. “Given the burden of private school placement, it makes good sense to require parents to try to devise a satisfactory alternative within the public schools.”

The fiscal impact of the proposed Virginia legislation, SB 956 (Stosch), could not be determined because it is unknown how many children will be

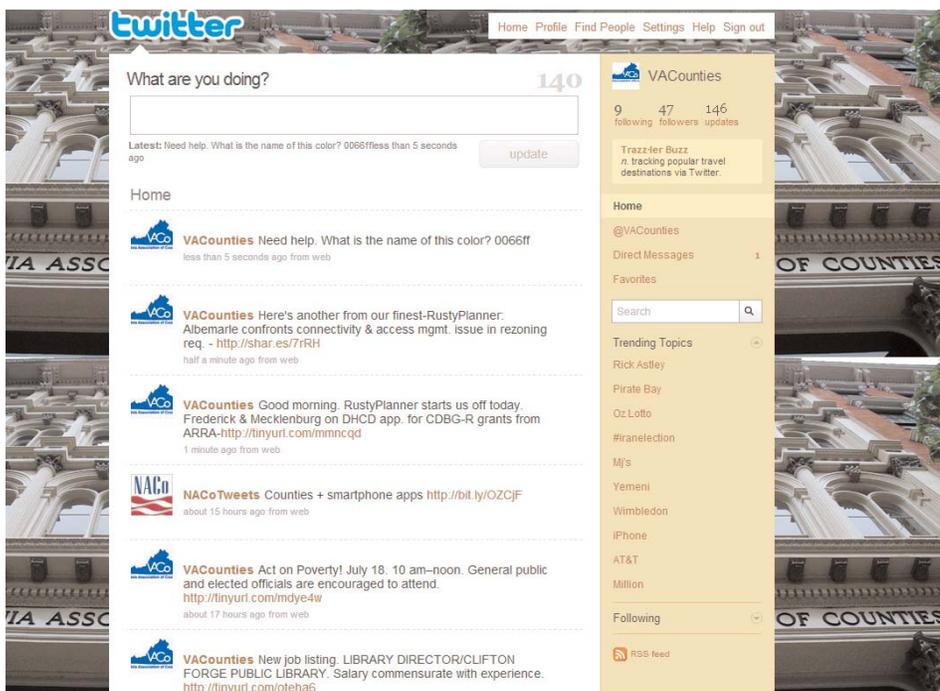
eligible for the grant. The Department of Planning and Budget cited the special education child count at approximately 7,576 students with autism being served statewide.

According to the data submitted by school divisions in the 2007 - 2008 Annual School Report, the Department of Education (DOE) estimates the average annual cost to educate an autistic child in Virginia is approximately \$32,000. This amount represents all fund sources: state, local and federal. If the child is moved to a private setting, it is unclear what would happen to the local or federal funding sources that are currently received for a child in a local school division.

Therefore, it is assumed the grant amount required to support a child in a private setting would be new costs, since the bill does not provide for the child to be included in the Average Daily Membership (ADM) of a school division for public school funding.

The impact of this Supreme Court decision has potential fiscal implications to K12 funding and Comprehensive Services Act (CSA) funding. Legislation to implement this Supreme Court decision will most surely be drafted for the 2010 Virginia General Assembly.

Contributing: New York Times



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Library Director/Town of Clifton Forge

The Town of Clifton Forge seeks an energetic, creative, and skilled leader to serve as the Library Director for the Clifton Forge Public Library located in the beautiful Alleghany Highlands of Virginia. The Library has a circulation of 27,000 serving a population of 4,200. The staff is composed of one full-time and two part-time employees, an active Friends organization and a \$161,000 budget. The primary duties of the position include facilities management, fostering a creative and patron-focused staff, and the ability to inspire community support. The candidate must have a bachelor's degree, five or more years of library experience, including at least three years of increasingly greater library responsibilities in a professional capacity.

Salary commensurate with experience. Benefits are excellent. All communications are treated confidentially. Qualified applicants should send cover letter, resume, town application, www.cliftonforge.org and three letters of professional recommendations to the Town Manager, Town of Clifton Forge, P. O. Box 631, Clifton Forge, VA 24422, 540-863-2500, no later than July 24.

Emergency Management Coordinator/Washington County

The County of Washington seeks applications for the position of Emergency Management Coordinator. Under the direction of the County Administrator, responsible for County's E-911 system and overall organization, planning, direction, coordination and improvement of functions/activities of County fire, rescue and other emergency organizations within a volunteer-based responder system. Salary range \$45,000 – \$55,000 with benefits.

A complete Position Description along with Application for Employment may be obtained through the County Department of Accounting, County of Washington, 205 Academy Drive, Abingdon, VA 24210 or through the County Web site www.washcova.com. Applications will be accepted through 5 p.m. July 27.

Director of Economic Development/Appomattox County

The County of Appomattox seeks highly qualified applicants for the position of Director of Economic Development. This position will perform professional and administrative work in the field of Economic Development, including business recruitment and business retention activities. This position requires a Bachelor's Degree, with Master's Degree preferred, supplemented by a minimum three (3) years previous experience and/or training that includes project management and supervisor experience or an equivalent combination of education, training, and experience. Salary range for this position is \$45,000-\$75,000. Appomattox County offers a comprehensive benefits package including VRS retirement. Position is open until filled; however, review and consideration of applications will begin on July 27. Appomattox County is an EOE. Applications are available from the County Administrator's Office, 153-A Morton Lane, Appomattox, VA 24522. Telephone (434) 352-2637.

Director of Court Services/Fairfax County Juvenile and Domestic Relations District Court

Job # 09-0638
\$92,094 to \$153,490
Fairfax County Government, one of the nation's largest and most comprehensive local governments located in the Northern Virginia Area, seeks a creative leader and seasoned management executive of outstanding ability to lead the county's Juvenile and Domestic Relations District Court Services (JDRDC) organization.
Special Requirements: All employment

offers are contingent upon the satisfactory completion of a credit check and a criminal background investigation, which includes fingerprinting. A valid driver's license is required.

Note: Please click on the link for a detailed description of the position: www.fairfaxcounty.gov/hr/pdf/jdrdcdirector.pdf.

TO APPLY: Apply online at www.fairfaxcounty.gov/jobs by July 17. EEO/Reasonable Accommodation. TTY 703-222-7314.

County Attorney/Prince William County

Prince William County, population 390,771, located 30 minutes southwest of Washington, DC in Northern Virginia invites qualified individuals to apply for the position of County Attorney. The County Attorney serves as principal legal advisor to the Board of County Supervisors and others and is responsible for matters before Local/State/Federal/Appellate Courts. Supervises staff of 25, and an office budget of \$3.1 million.

Salary is negotiable in the upper \$100,000s based on qualifications and relevant experience. Benefits include paid pension, annual and sick leave, medical, dental and other insurances, and benefits. County residency is required within a reasonable time following appointment to the position. Apply online or send resumes by the deadline of July 13, to Human Resources Director, Prince William County, VA, 4380 Ridgewood Center Drive, Woodbridge, VA 22192. Resumes should include references and salary history.

Grants Writer-Coordinator/Pulaski County

Job duties include researching federal, state, and other grant opportunities, processing and coordinating grant applications, monitoring grant accounts, maintaining documentation, reporting

EMPLOYMENT

Continued from page 13

to various granting agencies, conducting program evaluations, and working with all county departments to maximize grant revenue for various programs and services. This will be a contract position with the salary being paid through a percentage of the grant funds received by the County as facilitated by this position. Number of hours is dependent upon workload.

Interested applicants may apply directly to Robert Hiss, Assistant County Administrator, 143 3rd St, NW, Pulaski, VA 24301 or through the Virginia Employment Commission Office, 206 3rd Ave., Radford, VA, 24141, Mon. through Fri., 8:30 a.m. to 4:30 p.m. Please submit a cover letter, resume, completed county application that is available on the county Web site: www.pulaskicounty.org, and a 1-2 page description of successful grant awards/projects.

Deadline: Application review to begin July 20, position open until filled.

County Attorney/Goochland County
Goochland County, population 20,440, located in the Richmond Metropolitan area invites resumes of application for the position of County Attorney. The salary for the position is negotiable within a range of \$90,000 to \$130,000 annually, based on qualifications and experience. Benefits include but are not limited to participation in the Virginia Retirement System, vacation and sick leave, group life insurance, medical and dental insurance, professional dues and conference expenses. Moving, relocation and additional compensable expenses may be negotiated with the County. County residency is required within a reasonable time of appointment to the position. A complete description of the position and the County's profile is available at: www.springsted.com. The application deadline is July 13. To be considered, please submit a resume, with references and salary history to: John A. Anzivino
Springsted Incorporated
1564 East Parham Road

Richmond, VA 23228
(804) 726-9750
Fax: (804) 726-9752
E-Mail: richmond@springsted.com

Human Resources Director/City of Martinsville

The City of Martinsville seeks a qualified candidate for the position of Human Resources Director. The employee will provide direct management and oversight of recruitment and selection activities as well as classification, compensation, benefits, wellness, and workers' compensation programs. Work also involves the creation, delivery, and evaluation of City-sponsored professional and organizational development efforts, facilitating discussions with employees and supervisors to prevent and help resolve problems which arise out of or affect work, advising management on sensitive or significant workforce and employment-related matters, and ensuring compliance with Federal, State, and local regulations regarding public employment.

Salary DOQ. Submit cover letter and required City application to: City Manager's Office, PO Box 1112, Martinsville, VA. Full description and application available at www.martinsville-va.gov. Open until filled.

Social Services Director I/Middlesex County

Position Number 00001-09
Salary: \$41,564.00 - \$75,000.00
Full-time Position: 40 hrs/wk
Application Deadline: Open until Filled
Duties and Responsibilities: Directs the operations of a local social services department serving a rural population of 10,000+. Interprets regulations and procedures. Special Instructions to Applicants: A completed Commonwealth of Virginia Application must be received at the address below: Middlesex Department of Social Services
PO Box 216
Urbanna, VA 23175-0216
Candidates may also submit a resume; however, a resume will not substitute for an application. For more info,

contact Lori Stallings or Jo Ann Wilson-Harfst at Middlesex DSS at 804-758-2348 or see jobs.agencies.virginia.gov. E-mailed applications are not being accepted at this time. EEO
Please include the classification title, position number, and location of the position you are applying on all forms that you submit.

**Client Services Representative/
GovDeals**

Virginia, Maryland and West Virginia GovDeals, headquartered in Montgomery, AL, is the leading online auction marketplace for the sale of surplus and confiscated items for government entities including city, county and state agencies as well as school boards and public utilities. The company has an eight-year record of strong growth with over 2000 clients in 43 states. GovDeals is owned and operated by Liquidity Services Inc., a leading B2B marketplace company. Compensation

- Base salary plus monthly sales commission
 - Excellent progressive health care plan, with enrollment on first day
 - Company vehicle and technical equipment
 - 401-K plan with 50% company matching benefit after 90 days
- Qualified candidates may submit their resume to resumes@govdeals.com.

Communications Coordinator/The Richmond Regional Planning District Commission

RRPDC seeks a highly qualified Communications Coordinator to join the RRPDC team. The starting salary is in the mid \$50s. The RRPDC offers a comprehensive benefits package, VRS retirement and state of the art office facilities. Position is open until filled; EOE. Submit an application available from the website www.richmondregional.org with a cover letter and resume in confidence to Richmond Regional Planning District Commission, Executive Secretary, 9211 Forest Hill Avenue, Suite 200, Richmond, VA 23235. E-mail: jfry@richmondregional.org



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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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