



**TOWN OF BOWLING GREEN
TOWN COUNCIL SPECIAL MEETING**

A G E N D A

**Wednesday, July 30, 2025
10:00 AM**

PLEDGE OF ALLEGIANCE:

CALL TO ORDER AND ESTABLISHMENT OF QUORUM:

NEW BUSINESS:

- [1.](#) Town Council Composition, Town Council & Town Attorney

CLOSED SESSION:

2. 2.2-3711 A. 3. Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

RECONVENE IN OPEN SESSION:

ACTION FOLLOWING CLOSED MEETING:

ADJOURNMENT:

Memorandum

To: Mayor Tina Gambill, Vice Mayor Valarie Coyle, Town Manager India Adams-Jacobs
Re: Town Charter amendment process; constitution of council; mayoral selection/voting authority

From: Jeff Gore, Town Attorney

Date: July 2, 2025

This memorandum follows up on our discussion last month about the process to amend the Town charter, possible changes to the number of council members, and the manner in which the mayor is elected and mayoral voting authority. The first part of this memo is about process, and the second part is about specific substantive changes to the charter.

I. Process for Amending Town Charter

Option 1: Election. ([Va. Code § 15.2-201](#))

Council Vote. Under this approach, Council first would need to vote to put the question of a charter amendment before the voters.

Citizen Vote (Election). Council would then need to file a petition for a writ of election asking the court to order an election on a particular date. If the election is ordered by the court, the town would then need to advertise the proposed charter amendments in accordance with [Va. Code § 15.2-1427](#). The process, and form of the question, can be found in [Va. Code § 24.2-684](#). Under this option, the Town must adhere to the time frames for special elections set forth in [Va. Code § 24.2-681 et seq.](#), which means, the election has to be ordered at least 81 days before the date for which the election is called and it cannot be held within 55 days before a general or primary election.

General Assembly Approval. After approval by Town voters, Council would then request the General Assembly consider and adopt charter amendment legislation, transmit two certified copies of the results of such election, the publisher's affidavit of the advertisement, and the charter amendments to the existing charter, to one or more members of the General Assembly representing the Town for introduction as a bill in the succeeding session of the General Assembly. If the General Assembly passes the Town's charter bill, it would be transmitted to the Governor for approval or veto, as is done with other legislation. Note also that if a charter bill is not introduced at the succeeding General Assembly session, the approval of voters is void and the Town would have to start the process over.

Option 2: Public Hearing. ([Va. Code § 15.2-202](#))

Council Vote. Under this, simpler option, Council first would need to vote to schedule a properly noticed public hearing on the proposed charter amendments.

Public Hearing. Instead of voter approval through an election, a locality can hold a public hearing. This requires the Town to publish notice in accordance with Va. Code § 15.2-1427

(linked above). Council would hear from the citizens proposed charter amendments and could continue the public hearing to another date if it wishes.

General Assembly Approval. After the public hearing has been conducted, Council would need to request the General Assembly consider and adopt legislation approving the proposed charter changes (in the form of a charter bill). The process for sending charter amendments to the General Assembly after a public hearing is similar to the process described above after a special election (certified copies, publisher’s affidavit showing public hearing was held, language of proposed amendments). If the General Assembly passes the Town’s charter bill, it would be transmitted to the Governor for approval or veto, as is done with other legislation.

Charter Bill Practical Considerations.

[2026 General Assembly Pre-file schedule](#): Prefiling of bills begins November 17, 2025; Legislators’ Requests for Prefile bills must be submitted to the Division of Legislative Services by no later than 5:00 pm on December 1, 2025.

If Council wants to pursue Town Charter amendments, then there are certain deadlines of which to be aware. After completing either the voter referendum (successfully) or public hearing process, Council would need to request a member of the legislature to be the patron of the charter bill. Legislators have a limited number of bills they can introduce each session, so it is typically better when requesting them to carry legislation if you meet the “prefile bill” deadline. Prefile bills are bills that the legislator gets drafted by the Division of Legislative Services before the legislative session and they (as well as all charter bills typically) must be introduced the first day of session. Legislators are less limited in the number of prefile bills they can introduce, so it is an easier request to make to a legislator if the charter bill is done as a prefile bill. Town representatives (Town Manager, Mayor, etc.) should stay in regular communication with the patron during the legislative session and be willing to appear before the legislative committee to testify in support of the charter bill as it moves through the legislative process.

Also, if Council is not unanimously in support of the charter amendments – or if there is a lot of citizen opposition, then the General Assembly will apply much more scrutiny to the bill and be less inclined to approve it. Amending a locality’s charter requires both local action and state General Assembly action. Finally, VML published a very [good overview of the charter amendment process in 2023](#), which you may want to read.

II. Discussion of Potential Charter Changes

A. Brief History of the Bowling Green Charter

The Town of Bowling Green was first incorporated 1837 (c. 303 of the Acts of Assembly); That initial charter was repealed in 1870, (c. 337 of the Acts) and replaced that year with a new charter (c. 337), which was later amended in 1902 (c. 537) then repealed and replaced in 1903 (c. 142 144). The 1903 charter was repealed in 1948 (c. 177) and replaced with the “current” town

charter the same year (c. 177). The current Town charter has been significantly amended over the years, including: 1956 (c. 410, amending Art. III); 1973 (c. 445, amending Art. III); 1990 (c. 232, amending Art. IV and IX); and most recently in 2008 (linked here - c. [344](#)). The 2008 Charter changes were fairly comprehensive, amending Art. I, § 1; Art. II, § 1; Art. III, § 1, §§ 2 and 3 [added]; Art. IV, § 1; Art. V, § 1; Art. VI, § 1; Art. VII, § 1; Art. VIII, § 1; Art. IX, § 1; Art. X, § 1; and Art. XI, § 1).

The General Assembly summary of the 2008 charter amendments states:

Charter; Town of Bowling Green. Amends the charter by: (i) providing for staggered four-year terms of office for the mayor and town council members; (ii) removing the salary cap for mayor and members of council; (iii) providing that the town council may employ a town clerk and a town treasurer rather than mandating that the town council appoint a town clerk and a town treasurer; (iv) clarifying the duties of the town clerk, town manager, and the town treasurer; (v) providing for a town attorney; (vi) providing that the town council may establish and maintain a police force and that the chief of police and the policemen and employees of such police force shall be under the control and supervision of the town manager; (vii) deleting outdated provisions; and (viii) making numerous technical changes. This bill contains an emergency clause.*

**An emergency clause, if approved by the General Assembly, accelerates the effective date from the standard July 1 effective date to the date the charter bill is approved by both chambers of the legislature and signed by the governor, which could occur prior the end of the regular winter legislative session in some cases. This may have been done in 2008 so that the changes to council and mayor (staggered) terms could be in effect with plenty of time for candidates and election officials to prepare for any resulting changes to council elections that year.*

The [2008 Charter bill](#) was carried by Senator Ryan McDougal. It passed the General Assembly unanimously, and due to the emergency clause, it became effective on March 4, 2008.

B. Potential amendments to the current Town Charter

i) Changes to Mayor and Council

VML published a very useful guide on municipal charters (linked above and attached to this email) in 2023, which included research conducted by the Virginia Tech Center for Public Administration on town and city mayoral roles across the Commonwealth. Their charter research revealed three main categories of mayors in Virginia:

1. Mayors with no right to vote unless there is a tie.
2. Mayors with no right to vote unless there is a tie, coupled with a veto power.
3. Mayors with the right to vote on all matters, but no veto power.

As you know, the Bowling Green Mayor, based on Town Charter and Code falls in the first category above, with the right to vote only to break tie Council votes, and no veto authority. This is the most common mayoral role identified across the state based on the study's responses:

- 62 mayors do not have a right to vote unless there is a tie.
- 30 mayors do not have a right to vote unless there is a tie AND they hold veto power.
- 60 mayors have a right to vote but no veto power.

“It is useful to break down the aggregate numbers by mayors **who are appointed versus those who are elected**. For appointed mayors, 13 have a right to vote but hold no veto power and 3 appointed mayors have no right to vote unless there is a tie. For elected mayors, 59 have no right to vote unless there is a tie, 30 have no right to vote unless there is a tie and they hold veto power, and 47 have a right to vote but no veto power.”

**Please note that not all charters detail in full the powers of mayors. Some town codes provide additional guidance and authority for mayor and council members, and not all municipalities respond to the survey, so this data may not be 100% comprehensive. However, this provides, I hope, a useful overview of the role of mayors across the state.*

In our previous conversation, you proposed the following different alternatives (in no particular order of preference) to amending the powers and role of the Town Mayor, coupled with changes to the composition of Council:

Alternative A: Provide for a Mayor who votes along with Council on all matters, while reducing the number of Council Members from 8 to 5, with the Mayor being one of the 5 elected Council members who would be appointed annually by Council as Mayor, similar to how most county boards of supervisors appoint their chair.

Alternative B: Continue with the popularly elected Mayor but provide the Mayor with authority to vote on all matters before Council, while reducing the number of Council Members (not including the Mayor) from 7 to 6. The full body would be reduced from 8 to 7.

Alternative C: Continue with the popularly elected Mayor but provide the Mayor with authority to vote on all matters before Council, while reducing the number of Council members (not including the Mayor) from 7 to 4. The full body would be reduced from 8 to 5.

Alternative D: Continue with the popularly elected Mayor, with no change in mayoral voting authority, but reduce the number of Council Members from 7 to 5.

Any of these options are permissible under state law and could be accomplished by amending the Town Charter through the process outlined above. The current [Town Charter](#) establishes the roles (and number of) Council members and Mayor in Article III, Section 1. These charter provisions would need to be amended. Corresponding Town Code amendments would also be required if a charter bill were to pass and become law. Reducing the number of council members appears to be a consistent theme, while the Town could change to an appointed mayor or continue with an elected mayor, while maintaining or changing the mayor’s current voting authority in either instance. As a practical matter, with two council member terms ending in December 2026, a charter bill in the 2026 General Assembly Session reducing Council from 7 to

5 members (not including the Mayor) might be the least disruptive change to the election cycle, if Council favors reducing the size of the body. Regardless, however, a change in the staggering of terms or a phasing in of the reduction in council seats may be necessary or advisable depending on the timing of a charter bill becoming law and the resulting change in the number council seats. Finally, any change the local election process, including changes to the composition of council and the manner in which the mayor is elected or appointed, may require compliance with state election laws pertaining to voting rights and could require a submission to the Office of the Virginia Attorney General to ensure no discrimination or dilution of minority group voting rights. I do not think these changes necessarily require the Town to go through that process but will confirm with further research should Council move forward with charter amendments.

ii) Technical Amendments

As evidenced by the history of Bowling Green charter amendments, charters tend to get stale or in some cases become obsolete over time. The 2008 charter update included amendments that removed outdated provisions and made numerous technical changes. As the Town's organization and guidance document, these changes are advisable from time to time to ensure the charter does not diverge too much from either new state laws or current Town priorities and needs. For example, the charter establishes May elections for the mayor and council members, while state law overriding all local charters was changed a few years ago to require local elections to take place in November. Given that most of the current charter provisions are not that old, I don't think there will be a lot of necessary technical cleanups, but it should be a process Council and staff go through to identify any provisions that should be updated.

C. Conclusions

I hope this memorandum provides a useful overview of the process and substance of changing the Bowling Green Town Charter. Please let me know if you have any questions. Should Council discuss this and decide to move forward charter amendments, I am happy to assist with that process. If the goal is have a charter bill introduced in the 2026 General Assembly, then there's not much time to get to that point, so time would be of the essence in getting the process underway. The 2027 General Assembly session may be more realistic but that would largely depend on the nature and scope of Council's proposed changes to the charter.

VTC

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NO. 5

JUNE 2023

THE MAGAZINE OF THE VIRGINIA MUNICIPAL LEAGUE

Chart a course for charters!





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ABOUT THE COVER

Charters are like the compass that shows the way to the map that lets local governments know how to find the directions to the key that opens the chest with the scroll that...sorry, we got off track there. Rest assured though that with a charter a locality will always find its way!

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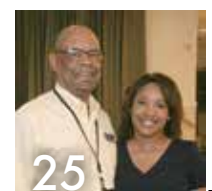
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REMINDER!

Submissions deadline is Monday Aug. 21, 2023
Enter on-line at www.vml.org



The primaries are past, the learning curve looms!

THANKS TO ALL THE ATTENDEES – both in person and online – at our Skills Development Conference on June 14. We do these twice a year. The next one, planned for early January, will focus on the needs of newly elected officials but will have something for everyone. VML appreciates the chance to work with you and to continue to improve on these events. Much sooner on the calendar, however, is our Annual Conference in Norfolk from October 8-10. Planning has begun, but if you have thoughts about what you would like to see or hear – please let me know!

Also, thanks to all who voted during this primary season! You might think I'd get jaded about such things, but I admit that I still feel great receiving an "I Voted" sticker. We can't ever forget what a vital civic duty it is to vote. I was in my precinct on June 20 when a first-time voter came in. Everyone clapped for her; it was great to see!



With the primaries behind us, we now shift to meeting all the candidates. VML has many resources on how to talk with your candidates about the challenges faced by local governments and the essential services they provide. Talking with the candidates about your local needs is vital, especially this year when there will be so many new people on the learning curve.

As I'm sure you all recall, the 2021 General Assembly passed a bill mandating that all May local elections be moved to November if they occurred after January 1, 2022. This legislation was disappointing for many reasons, but I want to focus on the charter piece for today.

Virginia Code now has the following language in section **§15.2-1400** "Notwithstanding the provisions of §§ 24.2-222 and 24.2-222.1, any city or town charter, or any other provision of law, general or special..."

This issue of the magazine focuses on charters; what they mean; how to change them and what legal affect they have. Presumably the language I've quoted above was used to avert an onslaught of charter changes to move the election date; but it also creates a conflict that, if you didn't know to look in both sections, could lead you astray.

So, while reading this issue and learning about charters, please keep in mind that you should *always* cross-reference the state code to ensure that there is not a conflict in the language.

Part of the impetus for this issue of *VTC* about charters was a project conducted by VML and Virginia Tech to look at all the town charters in Virginia to find commonalities and differences. The takeaways from that research are included here. For our members in cities and those few counties that have charters, don't worry. We haven't forgotten you! VML is currently working on a larger project to examine *every* local charter in Virginia. When it's ready, we will share our findings in a clear, enlightening and (hopefully) educational guide. Thanks to our two University of Virginia interns Farah Lankarani and Olivia Robinson for their heavy lift on this project.

July brings us meetings of VML's Policy Committees:

Thursday, July 13

9:30 AM - 12:00 PM

Human Development and Education Policy Committee

Friday, July 14

9:00 AM - 11:30 AM

Community Economic Development Policy Committee

Wednesday, July 26

9:30 AM - 12:00 PM

1:00 PM - 03:30 PM

Finance Policy Committee Infrastructure Policy Committee

Thursday, July 27

9:30 AM - 12:00 PM

General Laws Policy Committee

I truly hope you or someone from your locality has signed up for these committees as they shape VML's legislative priorities for the year.

If you have any specific issues, please bring them to my attention before those dates so that the committee can review them.

I hope everyone had a happy Fourth of July!





- Aug. 9** **Preparing for 2024 – General Assembly & Risk Mitigation** - Chilhowie, VA
- Aug. 21** **Innovation Award Entry Deadline** - www.vml.org/innovation-awards
- Oct. 7-8** **2023 Virginia Mayors Institute** - Precedes the Annual Conference, Norfolk, VA
- Oct. 8-10** **VML Annual Conference** - Norfolk, VA

PEOPLE

Davis-Younger joins VML board

Effective July 4, 2023, City of Manassas Mayor **Michelle Davis-Younger** is the Urban Section Chair on the VML Executive Board. She replaces Katie Cristol who stepped down after leaving local government service.



Davis-Younger was elected to the Manassas city council in January 2019 and was elected mayor in January 2021. She is a lifelong resident of Manassas where she owns and operates a Human Resources Consulting firm that has assisted many city residents with career coaching and resume writing as well as businesses with HR compliance, recruiting, and training. She is a member of the First Baptist Church of Manassas. Davis-Younger earned an MBA and a Bachelors in Business Administration from Strayer University.

Cristol concludes service on Arlington County and VML boards

Arlington County Board member **Katie Cristol** announced in May that she will be stepping down from her role on the board. This was effective July 4, 2023. As such, Cristol has also stepped down from VML's Board of Directors for which she most recently served as Urban Section Chair.



Cristol concluded her years of public service a bit earlier than expected to begin her new role as the founding CEO of the Tysons Community Alliance, a new non-profit public-private partnership promoting equitable economic growth and community development in the Tysons area.

"Though arriving a little sooner than anticipated, this transition is every bit the same

opportunity to share my deep gratitude to the Arlington community: For the privilege to represent you and for the partnership in achieving new policies, directions, and plans for our shared future," Cristol said in announcing her decision. "In my nearly seven and a half years in office, I have developed an immense appreciation for the dedication of Arlington's appointed and elected officials and its civic, neighborhood, philanthropic, and private sector leaders. Though I will miss our collaborative partnerships, I feel great optimism about the County's future under their stewardship."

Cristol was elected to the Arlington County Board in November 2015 and served as the board's chair in 2018 and 2022. During that time, she led in advancing human services and sustainable regional public transit networks through partnerships such as Arlington's Project PEACE, the Northern Virginia Transportation Authority, the Virginia Railway Express Operations Board, and the Virginia Municipal League.

"My colleagues join me in thanking Katie Cristol for her tireless service and expert leadership as a Member of the County Board," Chair Christian Dorsey said. "She has been a trusted colleague and a distinguished leader on regional bodies representing Arlington. Her contributions to our collective efforts to increase opportunities for all Arlingtonians to thrive, while dismantling and reforming systems that cause them harm, have been profound and will have a lasting impact on our community. We will miss her over the last half of this year, yet we wish her well in her upcoming leadership opportunity and are grateful for her service on behalf of us all."

Cristol added that, as she transitions from the County Board, "I am looking forward to continuing to serve our dynamic Northern Virginia region in my new role and to maintaining the title most important to me: Arlington resident."

Cristol observed that, as she transitions from the County Board, "I am looking forward to continuing to serve our dynamic

Northern Virginia region in my new role and to maintaining the title most important to me: Arlington resident."

Of her service to VML, Executive Director Michelle Gowdy notes, "Katie has been a valuable member of the Board of Directors and a great advocate for local government. She will be greatly missed by VML staff and her Board colleagues."

Cristol is a recognized leader in the region. In addition to serving on the Arlington County Board for eight years, she served on numerous boards including the Northern Virginia Transportation Authority and the Northern Virginia Transportation Commission where she also served as chair. In addition to her leadership role with VML, Cristol has served on the Virginia Railway Express Operations Board and the Metropolitan Washington Council of Governments Human Services Policy Committee. She is a strong advocate for affordable housing, racial equity, and women's issues. She holds a Master's in Public Policy from Princeton University and a Bachelor's from the University of Virginia.

Pursuant to Virginia Code section 15.2-705, the Arlington County Board must fill a board member vacancy by appointment within 30 days of the departure of the former member. The board will hold a public hearing to appoint a new member who will serve the remainder of Cristol's term, which ends on December 31, 2023.

Case retires after 40 years of public service



Clark Case, who has served as the Town of Leesburg's Director of Finance and Administrative Services since September 2014, has announced his retirement following 40 years of local government service.

In Leesburg, Clark has served as the town's chief financial officer, in addition to overseeing the Department of Finance and

PEOPLE

Administrative Services, which includes the Finance, Human Resources, and Information Technology departments.

A major achievement during Clark's tenure was Leesburg being recognized with a AAA-credit rating from all three major rating agencies, a distinction the town has maintained since 2015.

"It was my privilege and fortune to have hired Clark in 2014 as our chief financial officer. Clark is a major reason that the town was able to finally achieve a AAA-credit rating," stated Town Manager Kaj Dentler. "He has provided invaluable financial guidance and leadership while working for the town, and he will be missed. While we wish him well in his retirement, we are keenly aware that his successor will have big shoes to fill."

While in Leesburg, Clark was the driver behind business process improvements that included the transition of billing and collection of town taxes to Loudoun County, resulting in more efficient operations and delivering more streamlined customer service. Clark also oversaw implementation of updated cybersecurity measures and led the setup of the town's independent Other Post Employment Benefits (OPEB) Trust and investment program.

Prior to joining town staff, he was the deputy finance officer/treasurer for the City of Winston-Salem, NC, from 2004 to 2014. During this period, he was responsible for operations, administration, accounting, and management of a \$557 million portfolio of cash, fixed income and equity investments and managed a debt portfolio of over \$500 million in a wide range of bonds and other types of debt. He served 31 years in Winston-Salem in a variety of financial roles including managing financial systems, payroll, employee benefits administration, procurement, accounts payable, and revenue collections. Prior to Winston-Salem, Clark's other career stops included financial management and budgeting positions for the Mutual Broadcasting System radio network, Pizza Hut, Inc.'s world headquarters, and Arthur Andersen & Company (now Accenture) as a systems consultant. He has Bachelors of Science and MBA degrees from the University of Kansas.

Clark's retirement is effective September 30, 2023.

McLellan appointed Loudoun's deputy administrator

In May, **Erin McLellan** was promoted to deputy county administrator. McLellan previously served as one of four assistant county administrators.

McLellan will fill the role that will soon be vacated by Deputy County Administrator Charles Yudd, who will be retiring from service this summer after a 26-year career with the county. McLellan's appointment now provides a transition period during




- McLellan -

which Yudd's duties will be transferred.

"Erin has demonstrated great leadership throughout her 18-year career with Loudoun County, which has prepared her for this new role," said Hemstreet.

"Her broad range of experience in public management and knowledge of this organization and our community will serve her and Loudoun well as the county moves forward in the coming years."



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Among McLellan's duties are overseeing the operation of the Office of the County Administrator, serving in the absence of the county administrator, and serving as a liaison to the county's public safety agencies and constitutional officers. McLellan will also oversee the county's federal and state legislative programs as well as its public/private partnerships.

McLellan began her career with Loudoun County government in 2005 as a management fellow and later as a human resources policy and research analyst. McLellan

has been steadily promoted, becoming budget officer in 2013 and later head of the department. She later served as director of the Department of Finance and Budget and the county's chief financial officer. McLellan was appointed as an assistant county administrator in 2020 and most recently supervised the Office of Emergency Management and Departments of Fire and Rescue, Transportation and Capital Infrastructure, General Services, and Information Technology.

McLellan is a graduate of the University

of Alabama and holds a Bachelor's degree in History and a Master's degree in Public Administration.

The Office of the County Administrator is Loudoun County government's highest level management office under the direction of the board of supervisors. The office supports the board and serves as its official liaison to the constitutional officers, the judiciary, and state and regional entities. Under the direction of the county administrator, who is appointed by the board, the office's senior management team directs and supervises the day-to-day operations of all Loudoun County departments and agencies within its purview.

Chapman, Olem and Bailey elected as NVRC officers

The Northern Virginia Regional Commission at its June meeting elected the following local government officials as officers:



- Chapman -

Chairman – City of Alexandria Councilmember **John T. Chapman**. A fourth-generation Alexandrian, Chapman was first elected to City Council in November 2012.



- Bailey -

Vice-Chair – Prince William County Potomac District Supervisor **Andrea O. Bailey**. A native of St. Louis, MO, Bailey has lived in Prince William County since 1979. She was elected to her current position in 2019.



- Olem -

Treasurer – Town of Herndon Mayor **Sheila A. Olem**. A resident of Herndon since 1990, Olem is serving her second term as mayor. She has served on the Herndon Town Council since 2010 and was the town's vice mayor for the 2019-20 term.

The officers will hold office from July 1, 2023 through June 30, 2024.

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

Celebrating Our 20 Year Milestone

Thanks to all of our 308 (and counting) Virginia local government participants!

- ▶ More than 300 loan closings*
- ▶ \$4 billion in invested assets
- ▶ Over 200 accounting engagements and actuarial studies

VIRGINIA

* Includes loans and Municipal Advisory engagements | valocalfinance.org

Emporia welcomes Beck as community and economic development director

Shanetta Beck, an experienced leader in promoting local businesses, inclusive community outreach and organizing community-based projects has been appointed as the new community and economic development director for the City of Emporia, effective July 17, 2023.

With years of experience in the field, Beck has a proven track record of success in developing and implementing strategies that drive economic growth and promote sustainable development. Over the years, she has worked with a diverse range of stakeholders including local businesses, government agencies, and non-profit organizations to create innovative solutions that foster thriving communities.

Beck has been recognized for her ability to develop and manage programs that attract new industries, support small businesses, and enhance the overall quality of life for residents. Her deep understanding of the complexities involved in community and economic development, combined with her expertise in identifying opportunities, establishing partnerships, and fostering collaborative relationships, have been instrumental in driving innovation and growth in the community.

Before joining the City of Emporia, Beck served as an agency management analyst specialist at the Virginia Department of

Corrections where she was responsible for developing and disseminating intelligence on the illegal and covert activities of gangs, criminal enterprises, and other security threat matters. Her experience in collecting and evaluating data, preparing reports, and developing visual presentations has been critical in addressing, anticipating, preventing, or monitoring criminal and/or disruptive behavior.

In her new role, Beck will be responsible for leading the development and implementation of strategies that drive economic growth and sustainable development in the city. She will work collaboratively with local businesses, government agencies, and community stakeholders to establish and maintain effective partnerships that foster innovation, promote entrepreneurship, and encourage economic growth.

Alexandria's Collins retires



- Collins -

nearly every aspect of daily life in our city. The impact of her dedication to Alexandria

After 19 years of service, City of Alexandria's Deputy City Manager **Debra Collins** retired on July 1. In a press release, Mayor Justin Wilson said, "I am grateful for Debra's years of service, which have shaped

and her work to keep Alexandria safe and help families thrive in our community will continue to be felt for many years to come. I wish her all the best in retirement."

Collins began her career with the city in 2003 as the director of the Department of Community and Human Services (DCHS). She has also served as city liaison for the Health Department, Commonwealth's Attorney, Court Service Unit, Alexandria Library, and the Sheriff's Office.

Her accomplishments include working with ACT for Alexandria to create the Center for Alexandria's Children and moving all services offered by the DCHS to a central location.

"Debra has led and supported so many important programs and initiatives that directly affect Alexandrians," said City Manager James Parajon. "She has held a variety of critical roles in her nearly two decades of service in Alexandria, leading our social services, public safety departments, and recreation programs, among other key functions. I am grateful for her leadership and her work to make the city better for multiple generations of Alexandrians."

Kendel Taylor and Jean Kelleher will serve as interim deputy city managers. They will continue in their roles while a nationwide search for a new deputy manager takes place.



The VML Voice is the official podcast of the Virginia Municipal League. Each episode explores a different locality or issue but the focus is always on Virginia and the local governments that make the Commonwealth work for everyone.

Contact Rob Bullington, rbullington@vml.org to suggest topics, ask questions, or inquire about sponsorship opportunities.

Listen to our newest episode at www.vml.org.





Hampton among the winners of the 2023 National Civic League All-America City awards

SINCE 1949, THE NATIONAL CIVIC LEAGUE has recognized and celebrated the best in American civic innovation with the prestigious All-America City Award. The 2023 awards event in Denver, Colorado recognized communities that involved youth in

identifying and addressing community challenges.

On June 11, the National Civic League announced the winners of the 2023 All-America City Award (AAC). These 10 communities showed the strength of their civic capital – the formal and informal relationships, networks and capacities they use to make decisions and solve problems – and provided examples of work to improve the health and well-being of young people and, by extension, all residents. Focus was placed on communities that are authentically involving and welcoming youth in their efforts.

Finalist communities assembled teams of residents, nonprofits, businesses, government leaders, and young people and presented the story of their work to a jury of nationally recognized civic leaders from June 9-11. After an afternoon of deliberation, the jury selected the 10 winners, which were announced during the closing ceremony.

Community presentations included skits, music, spoken word, dancing, and heartfelt stories to bring projects and communities to life. Efforts highlighted by the communities ranged from increasing youth voice in decision-making processes to meaningfully engaging

residents, including youth, to address issues such as mental health, public safety, homelessness, and college and career readiness.

The winners were:

- | | |
|--------------------|----------------------|
| • Charlotte, NC | • Gonzales, CA |
| • Dallas, TX | • Hampton, VA |
| • Davie County, NC | • Mesa, AZ |
| • Decatur, GA | • Mount Pleasant, SC |
| • Fayetteville, NC | • San Antonio, TX |

Jury comments

“The City of Hampton doesn’t have a “city” plan; it has a community plan developed by thousands of residents, business owners, property owners, educational institutions, and a variety of non-profits and associations. Civic engagement in Hampton doesn’t stop with the community plan, residents and specifically youth, have a real voice in policy and directly participate in the design and implementation of community programs. Hampton is working together to transform educational programs to promote student success in modern society. Additional collaborative programs to improve community-police relations and provide youth with broad opportunities are ensuring Hampton’s future is bright.”

Learn more at www.nationalcivicleague.org/2023-finalists.

Norton holds 36th annual Best Friend Festival

THE BEST FRIEND FESTIVAL, an annual summertime festival offering a variety of family-fun activities and events in the city of Norton, returned for its 36th year June 5-11, 2023. The festival featured seven days of events centered on downtown Norton and the city’s Expo Center, with concerts, children’s games and activities, crafts, karaoke, senior citizens’ events.

This year’s highlights included a gospel concert by Marsha Steele, Kings Messengers, and Lost Creek Ministries Praise and Worship which opened the festival on Monday. Kids aged 12 and younger participated in the BFF Kids Bike Rodeo safety course on Tuesday while a Farmer’s Market at the Expo Center featured locally grown produce, market basket giveaway, kid’s bucks, and cooking demos. Talent shows for both kids and adults were also part of the offerings. Wednesday was Senior Citizen’s Day with free lunches for seniors, bingo, plant giveaways and live entertainment. Thursday’s offerings included a Hometown Heroes Family Fun Event for residents and visitors to show their appreciation to public safety professionals and see first responders’ and city trucks on display. Friday night was Family Fun Night with performances by Fritz & Co., The Edge, and Cash Crop. Saturday gave participants the opportunity to be part of a group hike and to watch a vintage baseball game at Norton Little League Field.

And that’s just a sample of everything the Best Friend Festival had to offer! If you didn’t make it this year, be sure to catch some of the action in 2024.



"Swatting" bills earn gubernatorial accolades for Lynchburg and Arlington officials and staff

IN RECENT YEARS, individuals and public institutions across the Commonwealth have been victims of the increasing trend of "swatting" – making a false crime report to elicit a strong response from law enforcement. Thanks to the efforts of some local government officials and staff from the City of Lynchburg and the County of Arlington, the 2023 General Assembly passed House Bill 1572 and Senate Bill 1291 which create new, tougher penalties for those making false reports to law enforcement agencies including up to a year in jail and a steep fine for the cost of the resources needed to respond.



In May, Governor Youngkin chose E.C. Glass High School in Lynchburg as the site for the ceremonial signing of the legislation into law. The school has seen several swatting incidents including one last year in which someone claimed a machine gun was in the school, leading to an hours-long lockdown. During the lockdown Delegate Wendell Walker, who represents Virginia's 23rd District and had sponsored House Bill 1572 at the behest of Lynchburg's law enforcement community, was making the case for the legislation before a subcommittee when he received word of the situation at E.C. Glass. "It's with a heavy heart that I come to you today," he told the subcommittee members, "and that's the reason this bill is so important."



In June, Lt. Matt Martin of the Arlington County Police department was ceremoniously presented with a signed copy of state legislation. Governor Youngkin signed the framed version at the public ceremony in May with a special pen. Lt. Martin helped Arlington's legislative liaison, Ilana Creinin, pass the bill during the 2023 General Assembly.

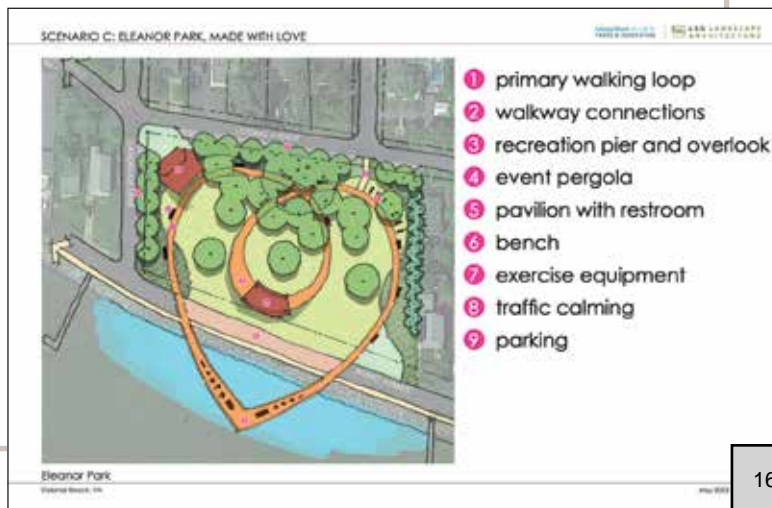
Colonial Beach makes plans to improve parks

IN FY 2022, THE TOWN OF COLONIAL BEACH received \$387,416 from the Virginia Land Conservation Foundation for the preservation of Eleanor Park. This funding has already enabled significant enhancements to the municipal park system. First, the funding was used to resurface all three playgrounds with Engineered Wood Fiber, creating a safer recreation experience for children while ensuring all playgrounds were improved. Second, the funding enabled the town to retain the services of BerryDunn, a national consulting firm with expertise in municipal park planning, to develop the town's first Parks & Recreation Master Plan, which was a priority of the town council.

The Master Plan will work to improve the municipal park system to; ensure equitable access to public recreational resources, increase connectivity and cohesiveness between parks, enhance accessibility, maximize public recreational offerings despite a small municipal footprint, design parks on available municipal properties, contribute to town-wide placemaking efforts, and install amenities for residents and visitors of all age groups.

The Colonial Beach Parks and Recreation Department, Town Manager's Office and BerryDunn consultants have worked collaboratively to identify how people use the parks and how to support recreational activities. In doing so they've held focus groups and several town meetings regarding park

development. Also, they invited park users to participate in surveys. The surveys were primarily focused on town residents but applied to visitors as well. BerryDunn collected over 600 survey responses during this planning effort and is incorporating this feedback into the final Master Plan. BerryDunn has also developed a design for what will one day be the first municipal park on the north side of town, "Pirate's Cove Park," which will provide public recreational resources to that area inspired by the town's rich maritime history. Additionally, there are plans for a "Love Park" concept at Eleanor Park.



Dumfries celebrates completion of bus shelter beautification project

ON JUNE 29, THE TOWN OF DUMFRIES held a ribbon cutting ceremony to mark the completion of a beautification project featuring work by different artists at each bus shelter under the theme of environmental stewardship. The artists were selected through an open call for proposals by Keep Prince William Beautiful earlier this year, where they were encouraged to visit their



selected shelter locations to see the neighborhood, surrounding community, and its cultural influences to inspire them to create their works. Each selected artist received a \$500 grant to create the artwork and will receive half of the proceeds gained at auction for the sale of their artwork after a year. Each shelter contains a name card identifying the artist and a QR code that can be scanned to access the artist's website and artwork.

"Our town is thrilled to announce a remarkable transformation of a few of our bus shelters into captivating public art spaces, made possible through an incredible partnership that fills our community with pride", said Mayor Derrick Wood in a press release. "This exciting project celebrates the unique talents of local artists and showcases their creativity, while fostering a sense of unity and belonging among residents. Let's embrace this extraordinary collaboration and take pride in the vibrant and culturally rich tapestry of art that will adorn our bus shelters, making our community a beacon of creativity and inspiration."

The project aims to use public art combined with a litter removal program to transform designated bus shelters into public art spaces, to beautify neighborhoods, bring awareness to the importance of protecting our natural environment, and ultimately, improve the ridership experience among residents.

Alexandria makes top twenty in Fortune Magazine's "2023 Best Places to Live for Families"

ON JUNE 14, FORTUNE MAGAZINE ranked the City of Alexandria as number 18 in its Top 50 list of the "2023 Best Places to Live for Families." The list showcases a city in each U.S. state where multigenerational families are most likely to find access to critical resources, community support, and financial well-being. Alexandria was chosen as the top city in the state of Virginia.

"The City of Alexandria continues to receive recognition as a place where diverse families can find a sense of belonging and establish roots. It is a tremendous honor to be acknowledged by Fortune Magazine as a preeminent location for families to reside within the Commonwealth of Virginia and nationwide," expressed Mayor Justin Wilson of Alexandria in a press release. "Our resi-

dents, visitors, and vibrant business community play a vital role in making Alexandria a community where everyone can thrive."

To select the best places to live in each state, Fortune Magazine evaluated nearly 1,900 cities, towns, suburbs, exurbs, villages, and townships and reviewed more than 200,000 unique data points. These data points applied to five broad categories, including education, aging resources, general wellness, financial health, and livability.

"In Alexandria, our priority is the well-being and happiness of all our residents. We endeavor to cultivate an environment that not only embraces families, but also all those who live, work, and visit our community," said City Manager James Parajon. "I particularly want to acknowledge the exemplary efforts of our city staff, non-profit organizations and volunteers, all of whom work tirelessly to shape this exceptional community into an extraordinary place to call home."

Fortune Magazine's ranking focused on multigenerational families, many of whom are raising their own children while caring for aging parents. They considered factors like quality of local schools, graduation rates, college affordability, nursing homes, assisted living communities, home health care agencies, social isolation risks for older residents, and access to healthcare providers.



Alexandria's historic King Street.

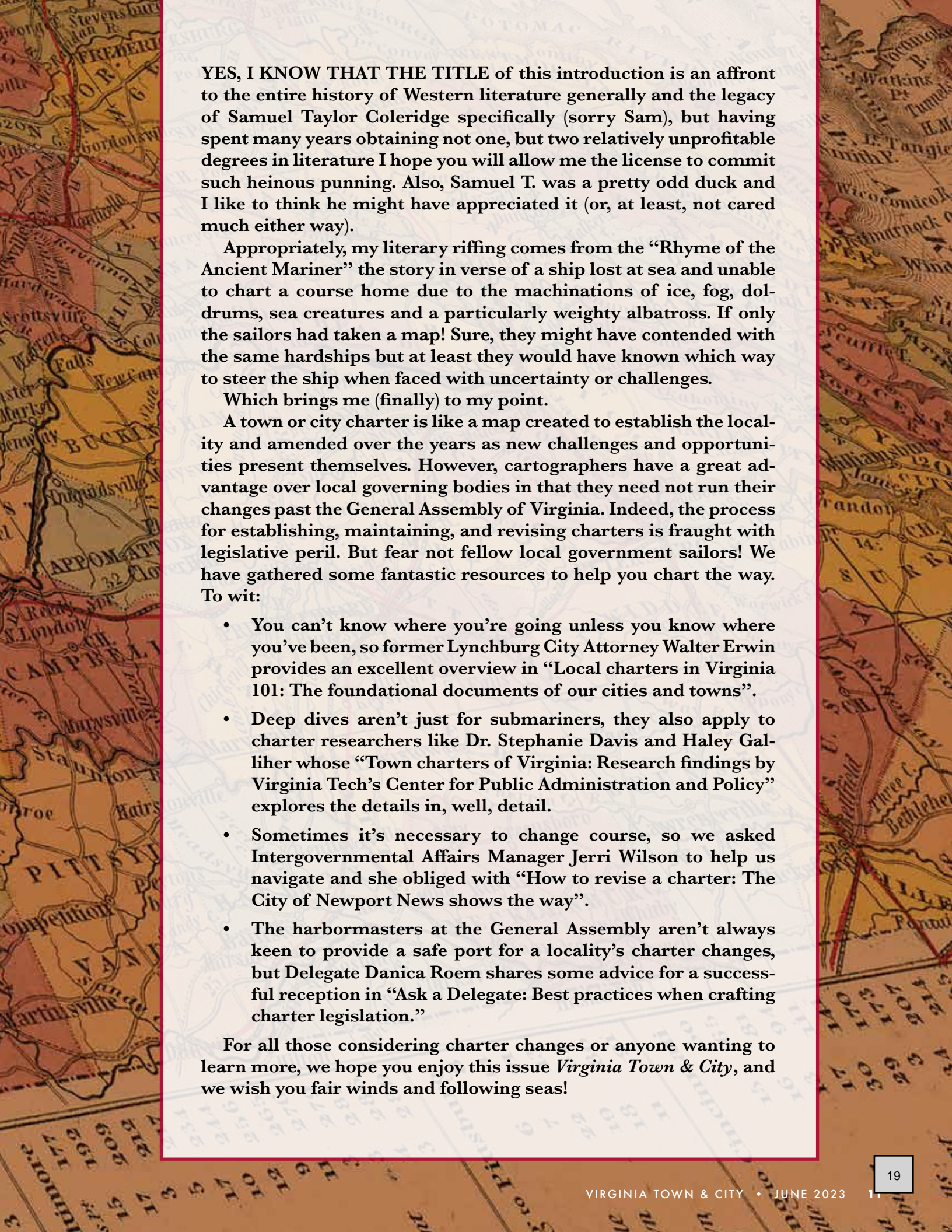
KRISTIAN SUMMER FOR VISIT ALEXANDRIA

Charters, charters everywhere.

They mean more than you think.

Introduction by Rob Bullington





YES, I KNOW THAT THE TITLE of this introduction is an affront to the entire history of Western literature generally and the legacy of Samuel Taylor Coleridge specifically (sorry Sam), but having spent many years obtaining not one, but two relatively unprofitable degrees in literature I hope you will allow me the license to commit such heinous punning. Also, Samuel T. was a pretty odd duck and I like to think he might have appreciated it (or, at least, not cared much either way).

Appropriately, my literary riffing comes from the “Rhyme of the Ancient Mariner” the story in verse of a ship lost at sea and unable to chart a course home due to the machinations of ice, fog, doldrums, sea creatures and a particularly weighty albatross. If only the sailors had taken a map! Sure, they might have contended with the same hardships but at least they would have known which way to steer the ship when faced with uncertainty or challenges.

Which brings me (finally) to my point.

A town or city charter is like a map created to establish the locality and amended over the years as new challenges and opportunities present themselves. However, cartographers have a great advantage over local governing bodies in that they need not run their changes past the General Assembly of Virginia. Indeed, the process for establishing, maintaining, and revising charters is fraught with legislative peril. But fear not fellow local government sailors! We have gathered some fantastic resources to help you chart the way. To wit:

- You can’t know where you’re going unless you know where you’ve been, so former Lynchburg City Attorney Walter Erwin provides an excellent overview in “Local charters in Virginia 101: The foundational documents of our cities and towns”.
- Deep dives aren’t just for submariners, they also apply to charter researchers like Dr. Stephanie Davis and Haley Galliher whose “Town charters of Virginia: Research findings by Virginia Tech’s Center for Public Administration and Policy” explores the details in, well, detail.
- Sometimes it’s necessary to change course, so we asked Intergovernmental Affairs Manager Jerri Wilson to help us navigate and she obliged with “How to revise a charter: The City of Newport News shows the way”.
- The harbormasters at the General Assembly aren’t always keen to provide a safe port for a locality’s charter changes, but Delegate Danica Roem shares some advice for a successful reception in “Ask a Delegate: Best practices when crafting charter legislation.”

For all those considering charter changes or anyone wanting to learn more, we hope you enjoy this issue *Virginia Town & City*, and we wish you fair winds and following seas!

Local charters in Virginia 101: The foundational documents of our cities and towns

What is a charter?

Virginia has three types of local governments: counties, cities, and towns. Under the Virginia Constitution, cities and towns are classified as “municipal corporations” whereas counties are not municipal corporations. When a community decides to incorporate as a city or town it becomes a municipality and receives a charter from the General Assembly. The charter names the city or town, declares it to be a municipal corporation, allows the city or town to have its own elected officials, and gives the city or town regulatory authority over the activities within its boundaries. The charter sets forth the organization, powers, functions, and essential procedures that form the foundation of the local system of government. In effect, the charter serves as the constitution for a city or town.

A brief history of charters in Virginia

The practice of granting charters to municipalities has been part of Virginia’s history from colonial days to the present. On April 10, 1606 King James I granted the Virginia Company a royal charter to establish the first permanent English Colony in North America at Jamestown, setting the precedent for the issuance of future charters in Virginia. The first charter for a city was issued to Williamsburg in 1722 by King George I. Over the years, Virginians developed institutions to govern themselves, using English patterns as a model that could be altered to local circumstances. Norfolk obtained a charter from the General Assembly in 1736, and Richmond was granted a charter to form a local government in 1742. Indeed, legislation affecting charters has been part of nearly every General Assembly session.

VIRGINIA CHARTERS. NUMBER I.

King JAMES I.'s LETTERS PATENT to Sir Thomas Gates, Sir George Somers, and others, for two severall Colonies and Plantations, to be made in VIRGINIA, and other Parts and Territories of AMERICA. Dated April 10, 1606.

I. JAMES, by the grace of God, King of England, Scotland, France, and Ireland, Defender of the Faith, &c. Whereas our loving and well disposed subjects, Sir Thomas Gates, and Sir George Somers, Knights, Richard Hackluit, Clerk, Prebendary of Westminster, and Edward-Maria Wingfield, Thomas Hanham, and Raleigh Gilbert, Esqrs. William Parker and George Popham, Gentlemen, and divers others of our loving subjects, have been humble suitors unto us, that We would vouchsafe unto them

and may in time bring the infidels and savages, living in those parts, to human civility, and to a settled and quiet government; Do, by these our letters patents, graciously accept of, and agree to, their humble and well intended desires.

IV. And do therefore, for Us, our heirs and successors, Grant and agree, that the said Sir Thomas Gates, Sir George Somers, Richard Hackluit, and Edward-Maria Wingfield, adventurers of and for our city of London, and all such others, as are, or

THE CHARTER OF 1606

Local authority and charters

Cities and towns get their authority from two sources: their charters, in which the General Assembly grants powers to a specific city or town, and the general laws adopted by the General Assembly which confer powers to all cities and towns. In the case of counties, grants of authority are made in the form of general laws. Since counties are not municipalities, counties generally do not have charters. However, there are some exceptions to the general rule. To gain greater flexibility and broaden their authority, Chesterfield County, James City County, and Roanoke County obtained charters from the General Assembly. In 1969 the General Assembly considered the Report of the Virginia Commission on Revision which proposed the granting of charters to counties, but the General Assembly did not act on the report.

One charter does not fit all

The Virginia Constitution gives the General Assembly the authority to enact special laws for the organization and government of one municipality which differ from those enacted for another municipality. Therefore, municipal charters differ in language, content, and length. When Virginia's older cities and towns were granted their charters, there were few general laws granting powers to cities and towns. In the absence of general laws, city and town charters attempted to cover every detail of the city or town's operations by defining the organization, powers, functions, and essential procedures of the local government.

Over the years, the General Assembly adopted an increasing number of general laws granting powers to municipalities. In 1958 the General Assembly through the passage of the Uniform Charter Powers Act authorized municipal powers to be incorporated in a charter by reference rather than by spelling them out in the charter. Since the adoption of the Uniform Charter Powers Act, several cities and towns have taken the approach of relying on state laws for most of their general powers eschewing long lists of powers in their charters. Such charters provide that the city or town will have the powers and duties provided by the general laws of the state and then include the special powers and duties that are specific to their localities and not granted by general law. For example, the charter for the City of Virginia Beach contains the following provision:

The powers set forth in sections 15.2-1100 through 15.2-1131 of the Code of Virginia as in force on January 1, 1977, and as hereafter amended, are hereby conferred on and vested in the City of Virginia Beach. In addition thereto the City of Virginia Beach shall have and may exercise all other powers which are now or may hereafter be conferred upon or delegated to cities of the first class under the Constitution or laws of the Commonwealth, as fully and completely as though such powers were specifically enumerated in this Charter and no enumerations of particular powers in this Charter shall be held to be exclusive but shall be held to be in addition to this general grant of powers.

Incorporating municipal powers in a charter by reference makes sense. There may be provisions in an older municipal charter that are inconsistent with or duplicate the state's general laws. Differences between the provisions in a charter and the Commonwealth's general laws can be confusing. In addition, a municipal charter can also become complicated because of piecemeal revisions to the charter over the years. Accordingly, a municipal charter may benefit from a com-

prehensive review to identify obsolete provisions and provisions that duplicate general state laws. The length and detail of an older charter may also discourage citizen interest in and understanding of the charter. Identifying and removing outdated provisions from a charter can make the charter easier to understand and help a city or town decide if it needs to amend existing charter provisions or add new ones.

Charters come before general laws, unless...

Since municipal charters are "special legislation" adopted by the General Assembly, as a rule if there is a conflict between the provisions of a municipal charter and general law the charter prevails over general law unless there is clear language in the general law expressly overruling the provisions of municipal charters. For example, some municipal charters place limits on the salaries of their elected officials. However, Section 15.2-1414.6 of Virginia Code which establishes permitted salaries for the members of city councils contains an override provision which states that "the annual salary of each member of the council of any city shall be set by its members by ordinance notwithstanding any contrary provision of law, general or special." As such, the language in Section 15.2-1414.6 allows a city to set salaries for its councilmembers that are higher than the salary limits provided by the city charter.

Amending charters in four steps

Once a city or town has been granted a charter by the General Assembly, the city or town cannot amend their own charter. Instead, amendments to the charter or the issuance of a new charter must be approved by the General Assembly. The procedure for amending or obtaining a new charter is spelled out in the Virginia Code. The **first step** is for the governing body to decide what amendments to the charter are needed. The **second step** is for the governing body to get citizen input regarding the proposed amendments. There are two ways to obtain citizen input:

1. The governing body may decide to hold an election at which the citizens vote on the proposed amendments, OR
2. The governing body can hold a public hearing and receive public comments during the public hearing.

Once the governing body has received public input, the **third step** is for the governing body to vote to request that the General Assembly pass legislation allowing the charter amendments and to prepare the necessary documents (e.g., certified copies of the results of the election, a publisher's affidavit showing the public hearing was held, the language of the proposed amendments, etc.) to send to the General Assembly. The **fourth and final step** is for the proposed amendments to be adopted by the General Assembly and signed by the Governor.

About the Author: Walter Erwin joined the Lynchburg City Attorney's Office in 1980 and served as the city attorney for thirty years, retiring in 2021. In 2007 he received the Local Government Attorneys Association's Edward J. Finnegan Award as someone who has made significant contributions to the practice of local government law. In 2020 the Local Government Attorneys Association renamed its Special Projects Award as the Walter C. Erwin, Special Projects Award.



Town charters of Virginia:

Research findings by Virginia Tech's Center for Public Administration and Policy

VIRGINIA TECH'S CENTER for Public Administration and Policy recently completed a research project that examined the charters of all the towns in Virginia* to understand their basic governance structure, service delivery models and other key characteristics. The research sought to answer the following questions:

- How many and which towns have elected versus appointed mayors?
- What are the categories of powers for mayors?
- What are the categories of appointed positions of a town as identified in the charter?
- Any other items of interest?

*Of the 191 charters, 4 town charters did not include the data necessary for a complete analysis: Bloxom, Newsoms, St. Charles and Tangier. When their information was not available, it is noted in the appropriate sections.

Research approach

The town charters were obtained from the Virginia Legislative Information System and analyzed for content. Because charters are classified as qualitative data, the data parsed included words, themes, and concepts which were then incorporated into a spreadsheet where the information was coded and analyzed.

Challenges for small communities

Towns in Virginia have their own governance structure yet are reliant upon the county in which they are situated for primary government services such as education and social services. As such, collaboration between counties and towns is important to the overall health and resilience of both entities. Of the 191 towns in the State of Virginia, 186 have a population of 20,000 or less; here are some examples of challenges they may face.

Challenge #1 – On average, town populations represent only 4.85% of a county's population resulting in a smaller voice relative to county voters in the community.

Challenge #2 – Residents of towns in Virginia pay both town and county taxes which puts additional pressure on town officials to maintain low tax rates while meeting citizen expectations for necessary services.

Challenge #3 – The “chicken before the egg” conundrum of how to encourage economic development to increase the tax base while needing an increased tax base to have the funds to invest in amenities and infrastructure that will attract businesses and visitors that make economic development possible.

Challenge #4 – Many towns are generally funded through charges for services such as water, trash pickup and sewer services. Towns spent \$170,037,826 in FY22 in enterprise general operating expenses. The property tax revenue is on average about 24% of total

local revenues as compared to 65% for cities and counties. As such, towns rely heavily on meals taxes that average about 21% of their total local revenues (see Table 1).

It's worth noting that the COVID-19 pandemic revealed the inherent risks of the towns' high reliance on meals taxes. Towns will undoubtedly seek out revenue diversification as allowed by law.

Table 1: Top Ten Revenue Sources for Towns and Percentage of Total Local Revenues*

	Revenue Source	Percentage of Total Local Revenues
1	Real Property	24%
2	Restaurant Food Taxes	21%
3	Charges for Services	11%
4	Business License Taxes	10%
5	Local Sales and Use Taxes	8%
6	Personal Property - General	4%
7	Hotel and Motel Room Taxes	4%
8	Bank Stock Taxes	4%
9	Miscellaneous	3%
10	Consumer Utility Taxes	3%

Towns and their counties

Town residents elect both their council members and the members of the county government body and county constitutional officers. Town residents pay both town and county taxes and receive services from both the town and the county.

Of the 95 functioning governmental counties in Virginia, 72 of them (75.8%) have towns within their jurisdictional boundaries. Three towns are shared with two counties; Pamplin City is in both Appomattox and Prince Edward counties, Brodnax is in both Brunswick and Mecklenburg counties, and Jarratt is in both Greenville and Sussex counties. There are an average of three towns per county with towns and Accomack County has the greatest number of towns (14) of any county.

The average population for towns in Virginia is 2,761 persons. The three largest towns are Herndon (Fairfax County), population of 24,339; Blacksburg (Montgomery County), population of 44,949; and Leesburg (Loudoun County), population of 48,908. The three smallest towns are Clinchport (Scott County), population of 63; Duffield (Scott County), population of 71; and Rural Retreat (Wythe County), population of 72. Table 2 aggregates the number of towns in each county.

Table 2: Counties and Number of Towns

County	Number of Towns	County	Number of Towns	County	Number of Towns
Accomack	14	Franklin	2	Page	3
Albemarle	1	Frederick	2	Patrick	1
Alleghany	2	Giles	5	Pittsylvania	3
Amherst	1	Grayson	3	Prince Edward	1
Appomattox	2	Greene	1	Prince William	4
Augusta	1	Greensville	1	Pulaski	2
Bedford	1	Halifax	4	Rappahannock	1
Botetourt	4	Hanover	1	Richmond	1
Brunswick	3	Henry	1	Roanoke	1
Buchanan	1	Highland	1	Rockbridge	2
Buckingham	1	Isle of Wight	2	Rockingham	7
Campbell	2	King William	1	Russell	3
Caroline	2	Lancaster	3	Scott	6
Carroll	1	Lee	3	Shenandoah	6
Charlotte	4	Loudoun	7	Smyth	3
Clarke	2	Louisa	2	Southampton	6
Craig	1	Lunenburg	2	Surry	3
Dickenson	3	Madison	1	Sussex	3
Dinwiddie	1	Mecklenburg	5	Tazewell	5
Essex	1	Middlesex	1	Warren	1
Fairfax	3	Montgomery	2	Washington	3
Fauquier	3	Northampton	5	Westmoreland	2
Floyd	1	Nottoway	3	Wise	6
Fluvanna	1	Orange	2	Wythe	2

Governing body

All elections for town councils and elected mayors are at-large except in the Town of Courtland (Southampton County) which elects council members by three wards. Four town charters do not specify governing body elections (Bloxom, Newsoms, St. Charles, and Tangiers). Of the remaining towns 170 have elected mayors (91%) and 17 have appointed mayors (9%).

There are 1,255 elected officials governing 187 towns in Virginia. The smallest council (not including mayors) is comprised of three council members in the Town of Monterey (Highland County). On average, councils are governed by six members (not including mayors). The largest councils have 8 councilmembers; these are in Warsaw (Richmond County), Culpeper (Culpeper County), Pocahontas (Tazewell County), South Hill (Mecklenburg County), and Strasburg (Shenandoah County).

Powers of mayor

The charters reveal three categories of mayoral powers in Virginia:

1. No right to vote unless there is a tie.
2. No right to vote unless there is a tie AND veto power.
3. Right to vote but no veto power.

Based on the information* provided in all the Virginia town charters:

- 62 mayors do not have a right to vote unless there is a tie.

- 30 mayors do not have a right to vote unless there is a tie AND they hold veto power.

- 60 mayors have a right to vote but no veto power.

**As previously noted, not all charters detailed the powers of mayors.*

It is useful to break down the aggregate numbers by mayors who are appointed versus those who are elected (see Table 3). For appointed mayors, 13 have a right to vote but hold no veto power and 3 appointed mayors have no right to vote unless there is a tie. For elected mayors, 59 have no right to vote unless there is a tie, 30 have no right to vote unless there is a tie and they hold veto power, and 47 have a right to vote but no veto power.

Table 3: Powers of Mayors

	No right to Vote unless a tie	No right to Vote unless a tie AND veto power	Right to Vote/no VETO power
All Mayors	62	30	60
Appointed Mayor	3	0	13
Elected Mayor	59	30	47

Vice-Mayors

There are 128 towns that appoint a vice-mayor from council and 62 towns whose charter does not specify the appointment of a vice-mayor. Only the Town of Berryville (Clarke County) elects a vice-mayor at large.

Appointed officials

Many town charters include administrative positions that are appointed by the council. Six categories of these officials were identified in the charters. Table 4 details the number of charters with appointed positions and the percentage of towns having a position in their charter.

Other appointed positions included fire chief, commissioner of the revenue, town assessor, and registrar but were only a single occurrence in the charter review.

Charter structures

Of the 191 town charters reviewed for this study, 112 have adopted some portion of the State Code. References to State Code 15.2-1100 through 15.2-1133 were identified in some charters. However, many charters still refer to State Code section 15.1 and are not consistent with the current code.

Some charters clarify duties and the authority to perform certain programs or functions.

Table 5 provides the category of function, number of towns with the language included in their charter and a general synopsis of the language in the charter.

About the researchers: In September 2022, the Virginia Municipal League partnered with Virginia Tech's Center for Public Administration and Policy for the purpose of research support. The vision was to establish a partnership for Virginia Tech to provide research expertise on specific topics as determined by the Virginia Municipal League. The lead researcher is Dr. Stephanie Davis, Collegiate Assistant Professor and Program Director for the Graduate Certificate in Local Government Management with support from at least one master of public administration student. The student support for the initial deliverable of this project was Haley Galliher, a resident of the City of Bristol and current MPA student.



Table 4: Appointed Positions in Charters

	Town Manager	Town Attorney	Town Clerk	Town Treasurer	Chief of Police	Town Sergeant
Number	110	101	142	124	75	60
Percentage of Towns having position in Charter	57.6%	52.9%	74.4%	64.9%	39.3%	31.4%

Table 5: Function authority included in the charters

Function included in charter	Number of towns with language in charter	General synopsis of example language included in charter
Execution of Bonds	115	Can create and execute bonds
Eminent Domain	97	Has authority
Boards and Commissions	96	Can create and provide for boards and commissioners
Condemn Property	69	Has authority
Financial	80	Fiscal year determination
Police	55	Exercise all police powers under general law of Virginia
Planning	31	Creation of planning commission, comprehensive plan
Elections	79	Authority under general law
Utilities	67	Grant franchises, water and sewage, garbage
Streets	83	Maintain or build streets
Building Inspections	92	Enforce building codes
Nuisance	65	Abatement of nuisance
Fire	40	Can establish and control a fire department
Public Schools	21	Establish or contribute to
Library	12	Can support or contribute
Roads	47	May build, maintain roads
Public Health	46	Oversee and protect dangers to public health

VTC Editor's note: During the course of the research, Dr. Davis and Ms. Galliher came across many remarkable passages in Virginia's town charters. As an example, we present the Town of Bloxom's founding charter which goes to great lengths (literally) to define the new town's borders. Enjoy!

Virginia Charters

Bloxom, Town of

County of Accomack



History of incorporation

Incorporated by order of the Circuit Court of Accomack County
April 20, 1953 (Common Law Order Book 1950-54, p. 343).


VIRGINIA: IN THE CIRCUIT COURT FOR THE COUNTY OF ACCOMACK.

In the matter of petition for Incorporation of the Town of Bloxom

To The Honorable Jeff F. Walter, Judge of the said Court:
Your petitioners respectfully state:

- (1) That they are inhabitants of the Town of Bloxom, residing within the proposed incorporated limits of said Town, and that more than twenty (20) of your petitioners are qualified voters.
- (2) That the Town of Bloxom is an unincorporated town, situate in the County of Accomack, Virginia.
- (3) That it will be to the best interest of the inhabitants of said Town, that the same be incorporated, and the general good of the community will be promoted thereby.
- (4) That the number of inhabitants of said Town exceeds Three Hundred and does not exceed five thousand.
- (5) That the metes and bounds of the proposed corporate limits of the said Town are as follows: to-wit:

Beginning on the southeastern aide of what is known as Pannell's a Railroad crossing on the public road leading from Gargatha to Guilford and running North 35 degrees 30 minutes E parallel with the eastern side of the Pennsylvania railroad right of way for a distance of 664.3 feet to the center of a certain branch; thence running S 5 degrees 37 minutes W in the center of the said branch for a distance of 149.3 feet to a certain survey point; thence continuing in center of said branch S 50 degrees 15 minutes E for a distance of 246.6 feet to a certain survey point; thence continuing along center of said branch S 73 degrees 54 minutes E for a distance of 317.9 feet to a certain survey point; and continuing along center of said branch S 49 degrees 3 minutes E for a distance of 286.2 feet; thence turning on the survey point in the center of said branch running N 32 degrees 54 minutes E for a distance of 143 feet to a certain concrete marker; thence running along the center of a certain ditch N 30 degrees 40 minutes E for a distance of 817.5 feet to a certain concrete marker and continuing N 28 degrees 38 minutes E for a distance of 336.5 feet to a certain large pine and continuing N 32 degrees 10 minutes E for a distance of 98.7 feet from said line to a certain iron pipe; thence turning S 59 degrees 54 minutes E and running for a distance of 131.4 feet to a certain concrete marker, (said marker designating the approximate southeast corner of the line between the land of Nona T. Silverthorne end John R. Brown; thence turning and running through the land of John R. Brown and wife N 88 degrees 21 minutes E for a distance of 674.5 feet to a certain steel corner post; thence running N 55 degrees 17 minutes E for a distance of 918.5 feet over the cleared land of John R. Brown and wife to a certain survey point, not marked, thence turning and running S 59 degrees 00 minutes E for a distance of 531.1 feet to another survey point, not marked, in the field of the said John R. Brown and wife's land; thence turning and running in a northeasterly direction for a distance of 200 feet to a certain concrete marker on the south side of the public road leading from Bloxom to Nelsonia; thence crossing said public road and beginning at a certain iron stob on the north side of the aforesaid public road and running N 31 degrees 00 minutes E for a distance of 688.8 feet to a certain concrete marker; thence turning and running along the center of a certain branch N 31 degrees 37 minutes W for a



distance of 309.7 feet to a certain concrete marker located six feet N of the center of the said branch; thence turning and running N 33 degrees 45 minutes E for a distance of 498.2 feet to a certain survey point, not marked, in the field of Alma Hinman; thence turning and running N 48 degrees 34 minutes W for a distance of 275 feet to a certain concrete marker on the eastern side of the public road leading from Bloxom to Mears; thence crossing said road and beginning at a certain concrete marker on the western side of the said road and running N 48 degrees 34 minutes W for a distance of 255 feet to a certain concrete marker buried one foot below the surface of the land; thence turning and running S 39 degrees 53 minutes W for a distance of 717.5 feet to the center of a certain branch or ditch; thence turning and running along the center of said branch or ditch N 28 degrees 22 minutes W for a distance of 440.4 feet to a certain survey point and thence continuing N 5 degrees 27 minutes W for a distance of 348.9 feet to the intersection of another ditch running in a northeasterly direction; thence turning and running along the center of the ditch S 33 degrees 00 minutes W for a distance of 544.2 feet to a certain concrete marker; thence turning and running N 46 degrees 7 minutes W across the land of R. L. Somers and over the Pennsylvania Railroad right of way and across the public road on the western side of the said Pennsylvania Railroad right of way for a distance of 793.7 feet to a certain concrete marker; thence turning and running S 35 degrees 30 minutes W, parallel with said road for a distance of 191.5 feet to the center of a certain ditch located on the north side of the Bayside public road; thence turning and running along said ditch N 42 degrees 30 minutes W for a distance of 214.7 feet to a certain survey point and continuing along center of said ditch N 43 degrees 29 minutes W for a distance of 200 feet to a certain concrete marker located three feet from the center of the aforesaid ditch; thence turning and running S 36 degrees 48 minutes W for a distance of 1574.7 feet along the eastern line of the Bunting & Littleton land to a certain concrete marker located in a certain ditch north of the Gladding property; thence turning and running N 55 degrees 23 minutes W for a distance of 61.1 feet to a certain concrete marker located in said ditch, thence leaving said ditch and running N 75 degrees 23 minutes W for a distance of 137.1 feet to a certain concrete marker located in the northeast corner of the Bloxom Methodist Church property; thence running N 57 degrees 54 minutes W for a distance of 427.7 feet to a certain concrete marker; thence turning and running along the line between the land of Minnie Bloxom and Alvin Martin, through the land of Lee W. Young and across the Guilford public road, S 33 degrees 34 minutes W for a distance of 1040.3 feet to a certain concrete marker located in the south side of the aforesaid Guilford road and continuing for a distance of 120.5 feet to the center of a certain ditch; thence turning and running along the center of the said ditch S 64 degrees 27 minutes E for a distance of 464.6 feet to a survey point on the south side of the public road leading from Gargatha to Guilford; thence turning and continuing along the said ditch located on the south side of the aforesaid road, S 6 degrees 48 minutes W for a distance of 240.1 feet to a survey point and thence continuing along said ditch and road and crossing the public road leading from Bloxom to Hopeton and the aforesaid Pannell's Railroad crossing located on the eastern side of the Pennsylvania Railroad right of way, S 20 degrees 15 minutes E for a distance of 627.6 feet to the point of beginning.

(6) That the entire area embraced in said proposed corporate limits is 193.36 acres.

(7) That there is herewith filed a survey of the proposed incorporated limits, showing, the metes and bounds as above described, said survey having been duly made by J. B. Gibb, County Surveyor on March 14th, 1953 which said survey is marked "Exhibit A," and prayed to be taken as a part of this said petition.

Wherefore, your petitioners pray that an order may be entered by the Court incorporating the unincorporated Town of Bloxom as an incorporated Town, under the name of "The Town of Bloxom" with the metes and bounds set forth in this petition and the survey herewith attached and that the said plat of survey be recorded in the Clerk's Office of this County. And they will ever pray, etc.

Filed April 20, 1953.

1953, April 20 - Order incorporating Town of Bloxom

How to revise a charter: The City of Newport News shows the way

THE 2023 NEWPORT NEWS Legislative Priorities package included two requests for changes to our charter. The requests were:

1. Require Board of Review Consideration of Real Estate Assessment Challenges as a Prerequisite to Filing for Relief in Circuit Court.
2. Reduce Waterworks Advertising Requirement for the Sale of Real Property from Four (4) Consecutive Weeks to Two (2) Consecutive Weeks.

Both requests were approved via a public hearing that took place on October 25, 2022 at the regular meeting of the city council. There were no speakers at the public hearing and the council voted unanimously to adopt the ordinances.

By way of background, these are the enhanced descriptions of the requests (respectively):

1. The city council asks that the Newport News City Charter be amended to require persons who are aggrieved by any assessment made by the real estate assessor to apply for relief with the Board of Review as a prerequisite to filing for relief in circuit court. This change allows the Assessor's Office to understand why a property owner believes that an assessment is too high before litigation and to determine if there is sufficient cause to adjust the assessment. This change has the potential to save both the city and the taxpayer time and money.
2. As currently written, the Charter of the City of Newport News requires the city to publish notice of its intention to sell any real property interest related to its waterworks division for four successive weeks prior to adopting an ordinance authorizing the conveyance. In all other cases in the charter, notices are required to be published once per week for two consecutive weeks. Amending the charter to align the waterworks requirements with all others will streamline the city's legislative process and cut the cost of public advertisement by half while maintaining the same public advertising standard as other city business.

From the city's perspective, both requests were intended to streamline the conduct of city business, reduce costs, and, in the case of the waterworks request, to bring some uniformity to our standard operating procedures. I dare say, these requests seemed cut-and-dry.

For the most part, the process followed that of a typical legislative request... securing a patron, providing them information, and supporting the patron through the committee. As expected, these bills moved through the House Counties, Cities, and Towns Committee and the Senate Local Government Committee, before making their way to the floor. Both requests produced some discussion in committee.

In the case of the Board of Review request, language was key. Most localities use the term "Board of Equalization" so before the bills could progress, we had to clarify with committee members who

were unfamiliar with the term "Board of Review." Another small hiccup came along well after the bill had passed out of committee and moved on to the floor (it had already passed the Senate). One of the city's larger taxpayers requested a language amendment to clarify that the change was prospective – only applying to future tax years, not the current year. Although legislation is typically prospective (unless otherwise stated), in the interest of good faith, we worked with the bill's patrons to make the language amendment. I think that this was a good reminder to always try to contemplate potential stakeholder concerns even when a change seems straightforward. The lesson: unintended consequences should be factored into a legislative request whenever possible.

The waterworks request went more smoothly, and again, language was very important. Although four advertisements seemed excessive to most people, without reading the full text, "reducing advertising requirements" could easily have set-off alarm bells for some. However, the language of the request focused on streamlining, cost savings, and bringing consistency to internal processes...all good!

The path to a positive outcome

There are a few things that made the process better from start to finish:

1. Well-crafted language prepared by the city attorney's office.
2. Council's unanimous support of the requests.
3. Support from Legislative Services to prepare spot-on draft legislation.
4. Precise talking points for the legislators to use.
5. Great patrons who were familiar with local government generally, knowledgeable about the city specifically, and who were willing to champion the requests.
6. Colleagues from other organizations who, as stakeholders, were willing to work with the city about any concerns they had.

About the author: *Jerri Wilson is the Intergovernmental Affairs Manager for the City of Newport News.*



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Ask a State Delegate: Best practices when crafting charter legislation

DELEGATE DANICA ROEM represents the House of Delegates' 13th District. She has served on the Counties, Cities and Towns Committee (CCT) for six years during which time she served on Subcommittee #1 (aka "the Charters Subcommittee") for four years with two of those years as Chair of the Subcommittee. She is currently running for a seat in the Senate of Virginia and, if elected, hopes to serve on the Senate Local Government Committee.

We asked Delegate Roem to help us understand a few of the things local governments should consider when submitting charter changes to the General Assembly. She was good enough to give us ten!

1. Engage Before. Engage After. Invite your Delegates and Senators to brief your local governing body before the General Assembly session begins. Ask them to talk about the bills they will be filing and have them present their legislative agenda. Then after the session is over, have them come back and talk about what worked and what didn't. Remember, towns are typically in one district, so your delegates have every reason to want to build one-on-one relationships during these meetings. Those relationships can really help when your municipality needs to update its charter.

2. Unanimity. It's very important that the local governing body have as close to a unanimous vote as possible in support of any charter changes. Divisions among the members of a local council may undermine success. As such, it behooves the governing body leader to get as much alignment from the council as possible. One discontented member may not necessarily prevent success, but if they can be brought into the fold it's much better all around.

3. Take a cue from the newsroom. A robust editorial process when putting together your proposed charter changes and supporting documentation is crucial. Have anyone and everyone who might have a stake in the changes review the language. This includes all governing body members and appropriate staff such as the manager, treasurer, attorney, etc.

4. Timing. If possible, introduce charter changes during even year sessions. Why? Because odd years have "short" sessions and legislators are limited in terms of the number of bills they can introduce and the available time to address them in committees. Charter bills, though essential to local governments, don't create much fanfare for legislators so they can get shortchanged during odd year sessions.

5. Clarity. When submitting your proposed charter changes, be clear in your intent and make sure your words are aligned across all documents. During my time as Chair of the Charters Subcommittee, I made it a rule that any requests to change charters had to be accompanied by supporting documentation from the local governing body or appropriate local government staff that would make it clear why the change was being requested and demonstrate local support for the change. Although this may seem like an extra hurdle, I believe it helped get more charter legislation passed because it established clear goals and support for the changes before the legislation even reached the Subcommittee.

6. Communicate. After your charter legislation has been submitted, get the link to the bill from the Legislative Information System

so you can reference it. Ideally, you will then get 5-8 people to each send an email to the CCT Committee members with "Support [BILL NUMBER]" in the subject line. In the body of the email, they should explain why your municipality needs this charter update and how it will benefit residents. This is also a great opportunity to let the committee members know about local support for the changes and how the local governing body arrived at the final language.

7. Keep off the "kill list." Remember that it's often the case that things that happen in a subcommittee have a pre-determined outcome. This was not the practice when I was Chair of the Charter Subcommittee, but it is common. To help keep your bill off the "kill list" reach out to the Subcommittee members before the vote and make sure your legislators are talking to the Subcommittee members. I can count on one-hand the number of times legislators spoke to me about charter bills from their municipalities prior to the vote. More need to do it because it can make all the difference!

8. Familiarity. You can't always count on ideological consistency from the Committee members so it's important to know their personalities. Recently, I've seen a charter bill die because a member of the Subcommittee calculated that the legislation was not in his party's best political interest even though the goal of the bill was to put the municipality in compliance with existing state law. Fortunately, there are some things that can be done to help insulate charter bills from politics. For example, you can ask for a scoring on the proposed change from an appropriate professional organization (e.g., The Virginia Association of Police Chiefs if the changes involve law enforcement). This will give committee members pause before voting down a charter bill. But you need to get ahead of those situations. Be ready to work the bill hard and make sure you understand the committee members' motivations.

9. Look for legislators with local government experience. When seeking support from the Committee members, look for legislators who have a background in local government. Oftentimes, the CCT Committee can act as a warehouse for freshmen members while they learn the ropes, but anyone who has spent time working with local governments will have an appreciation for the work being done by the Committee and will understand how it affects people's lives. In my case, I came to appreciate the work of local government as a journalist covering the Town of Haymarket for nine years.

10. Presence. Have one or more local government representatives (e.g., mayor, vice-mayor) on standby when your charter bill comes before the Subcommittee and then again when it comes before the full Committee. If something comes up that could affect its success in either venue, it can make a world of difference to have a local government official there in person to answer questions and make their case. Of course, it's not always possible for someone to drive many hours on short notice, so during my time as Chair we were able to pass the bill by for the week to give the municipality time to arrange for one of their officials to be present. Online testimony in Subcommittee and full Committee is also an option and municipal representatives should take advantage of it when it's not practical for them to be in Richmond on short notice.

Destination Norfolk: Outside is the place to be!

Note: *this is the second in a series of articles about the amazing City of Norfolk where VML members will gather October 8-10 for the 2023 Annual Conference.*

DON'T LET NORFOLK'S DOWNTOWN cityscape fool you! Norfolk is full of outdoor recreation opportunities with something for everyone.

Beachgoers. Salt air, warm sand, and the soothing sounds of crashing waves entice residents and visitors alike to enjoy Norfolk's 7.3 miles of free, accessible, and beautiful shoreline along the Chesapeake Bay.

Anglers. The Chesapeake Bay is home to a variety of saltwater fish including trout, flounder, croaker, and striped making Norfolk an ideal fishing trip destination. The Ocean View Fishing Pier stretches 1690 feet into the bay and offers beautiful views along with a restaurant and tackle shop. The East Ocean View Community Center Pier hosts anglers, boaters, community center patrons and more. It's not only a great fishing spot, but also serves as a base for water safety, boating and canoeing programs.

Boaters. If you'd prefer to take your own boat out for a day trip, you can use any of the city's public ramps or marinas. There are also several chartered boats that can be reserved for just a few hours or a full day of sightseeing and/or fishing.

Outdoor Enthusiasts. Norfolk boasts a wealth of parks and green spaces including the Norfolk Botanical Garden. This verdant oasis spans 158 acres, features stunning displays of flora, tranquil lakes, and themed gardens. The city's seven community parks offer

everything from basketball and disc golf to kayak launches and skateboarding. Additionally, Town Point Park hosts numerous festivals and outdoor events throughout the year, offering a lively atmosphere and entertainment for all.

Cyclists. Bicycling just keeps getting better in Norfolk! With nearly 60 miles of dedicated bike lanes and shared lane markings,

two wheels and pedal power is a great way to get around town. Enjoy a serene picnic or embark on a leisurely bike ride along the Elizabeth River Trail*, which winds through scenic landscapes, urban neighborhoods, and historical sites. For some off-road fun, check out the mountain bike trails at Northside Park. It's a roughly three-mile trail of easy-to-moderate difficulty.

**An Elizabeth River Trail bike tour is being planned as a mobile workshop option for the VML Annual Conference!*

Sports Fans. Play ball! Sports enthusiasts will find plenty to indulge in within Norfolk including Harbor Park, home to

the Norfolk Tides, the minor league baseball team for the Baltimore Orioles. Golfers can tee off at Ocean View Golf Course. Originally built in 1929, the course offers hybrid Bermuda greens and plush, oak-lined fairways with their 18-hole course. Most of all, the course presents an opportunity for all players to enjoy a fair test of golf, regardless of golfing ability.

The City of Norfolk looks forward to welcoming our fellow VML members in October! We hope that you'll take time to enjoy everything we have to offer both inside and out during your stay.



Waterside Marriott, Norfolk | Oct. 8-10





2023

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Please note that each level of membership includes both year-round benefits as well as benefits specific to VML's Annual Conference held in the fall.



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