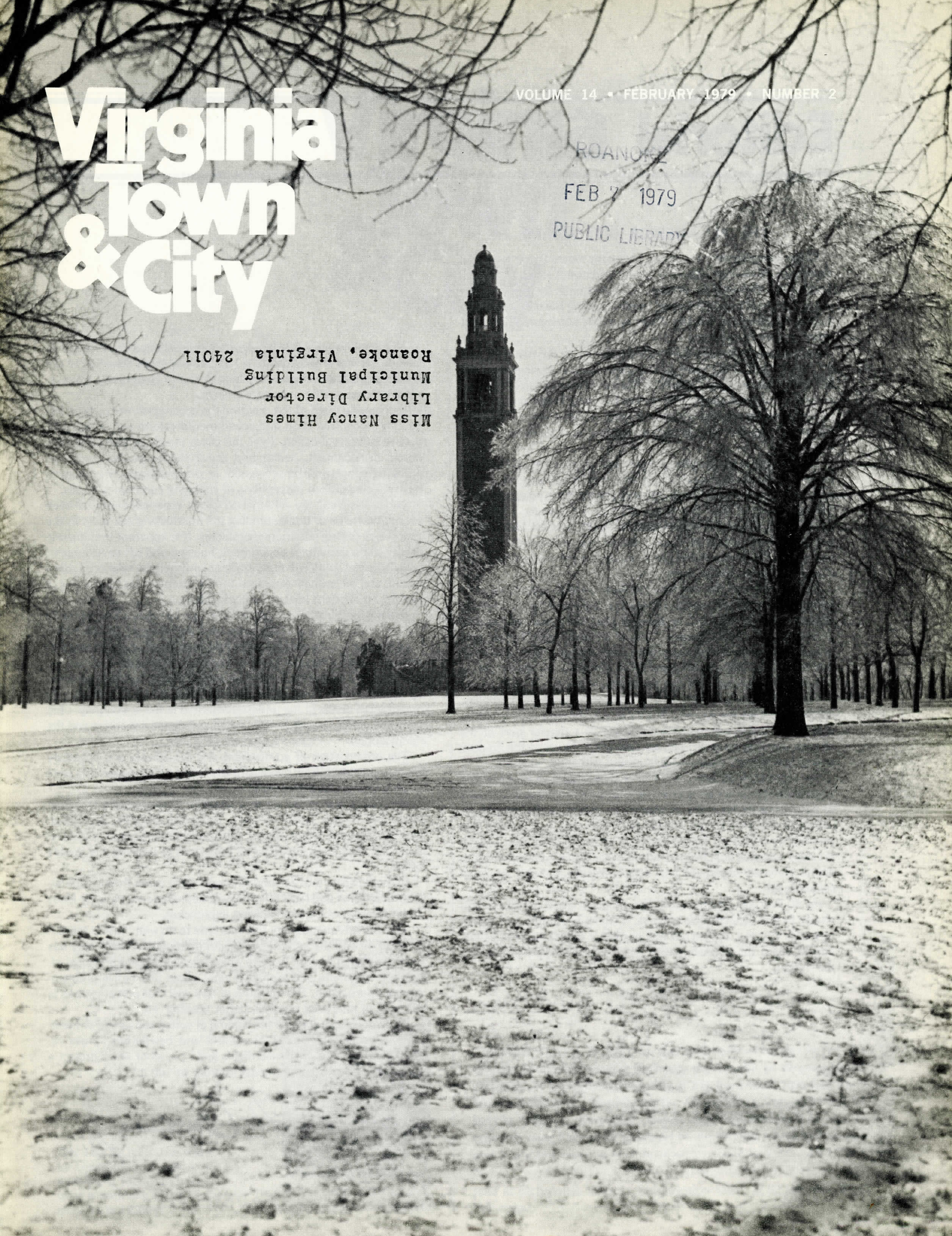


Virginia Town & City

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Editorial

THE ALL-AMERICA CITY AWARD

Citizen involvement is "trying" in many ways. Some view it as striving to achieve an objective; others perceive it as an annoyance or difficulty. Defining the process is troublesome. Its meaning usually is colored if not determined by who is doing the defining—public interest advocate, elected official or public bureaucrat, social scientist or service volunteer.

People get involved in community activities as the result of built-up feelings about an issue or a project. Citizen involvement also has a lot to do with perceptions of the threats or benefits a particular project or issue bears. The motive for being involved may never be clear-cut—a general call to civic duty, enlightened self-interest, moral outrage, the need to help a neighbor or any combination of these.

Nevertheless, the healthy functioning of a democratic society relies on the effective execution of the office which respects individual views and through which its participants have some sense of control over their fate. Out of this process is developed a sense of community, a mutual support system. Public decisions reached by authentic involvement of those affected are enriched by that involvement. On the one hand participation is a means to an end, but it also can be an end in itself.

Today, much of the initiative for work done in urban neighborhoods and rural communities is based on the needs felt by ordinary citizens and not solely on the basis of what the career professional knows is the "right answer." Local officials, established civic groups and newly emerging activists are learning that they must talk together to find common values so that they can work together to build communities that can be satisfying to all.

The paradox, however, is the tension this process implies. Achieving citizen involvement has its attendant risks for a group as well as for individual members. Conflict is a regular part of the change process, however, not an aberration. Much of the creative energy which fuels the process is absent without it.

For more than 85 years, the National Municipal League has had a commitment to fostering effective citizenship—preparing citizens to participate in the political process as voters, public officials or members of a civic group. The League's research, publications and services have had an impact on each of these roles. The League provides a unique link, helping citizen organizations and city hall, to define common objectives and achieve results through informed collaboration.

Its 30-year-old All-America Cities program gives particular emphasis to this collaborative process. It works to identify and recognize civic success, to find out why particular efforts succeed or fail, and to share those lessons with citizens and officials throughout the nation.

As the All-America Cities program has broadened its emphasis to include service and research, it has become more sensitive to the issues which spark citizen involvement and to community improvement processes with ongoing elements.

In the early years of the program the accomplishments most frequently recognized dealt with governmental reform and citizen support of public education. Over the years the focus shifted to economic development, health and social service projects, with an enduring concern for improvement in race relations. The program has reflected citizen perceptions of changing community needs.

Generally, what the All-America Cities experience affirms each year is the value of understanding the interlocking elements in the process of solving community problems. It is apparent that historic preservation or cultural enrichment, housing and job development, governmental and civic organizations and human relations/social action are all critical elements in the formula for sustaining a healthy equilibrium in community building.

Developing "a sense of place," through symbols which speak to the importance of that place in the past and present, provides feelings of roots and continuity. Attention to physical or environmental concerns is another way in which caring is expressed; business revitalization in old centers, and new industrial and commercial activity are evidence of economic caring; social caring is reflected by meeting the needs of the underrepresented in the community—the poor, the elderly, young people, racial and ethnic minorities and the handicapped.

The organization of government and the private and voluntary sectors provide a framework and resources which foster this wide angle definition of community.

What is typical of the current finalists, Charlottesville and Roanoke, and former recent winners, Hampton, Danville, Richmond, and Portsmouth? These places, though different, worked at local issues that they have identified as important to improve the quality of life.

In most cases, too, accomplishments have come through the efforts of citizens and local officials negotiating and exchanging ideas about alternative problem solving approaches.

Yes, the All-America City title has little to do with "pretty faces." It has to do with the fact that, in those communities, machinery has been developed and set in place which enables citizens and local officials to negotiate and exchange ideas about alternative problem-solving approaches. The measure of how well that process works is the level of improved services, better housing, etc.

Its symbols also include the volume of coffee consumed at meetings, worn pencils, stacks of reports and newsletters, press releases and delayed or missed meals and . . . , all of which project a commitment to care and persist in order to "do it."



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Statements and opinions presented in this magazine do not necessarily reflect the editorial policy and opinions of VIRGINIA TOWN & CITY or the Virginia Municipal League.



ON THE COVER: The winter scene of the Carillon in Byrd Park, Richmond, Virginia is courtesy of the Virginia State Library.

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WHERE HELPING COMES NATURALLY

By C. Robert Stripling

(Editor's Note: The Virginia Municipal League would like to recognize all cities in Virginia who have been distinguished as All-America Cities [see the Editorial, page 2]. In this issue, we highlight Charlottesville and Roanoke who have been named finalists. Even though they will not know whether they are winners until this spring, both cities wished to tell other member localities of their successful programs in hopes that others might implement the same solution to a similar problem. Herewith are their narratives.)

Charlottesville has always been known as a city rich in history. As the home of Thomas Jefferson and the University of Virginia, it has probably had more than its share of publicity for a city its size. But history is not the only story to be told of this Central Virginia community, and in the summer of 1978, its citizens seized on an opportunity to tell another important part of life in Charlottesville by entering the National Municipal League's All-America Cities Award program.

The All-America Cities program focuses on citizen volunteer effort, not government sponsored projects. Once the emphasis was clear, we felt that it was an even greater opportunity to tell the real story of Charlottesville. Afterall, most of the successful programs in our community were initiated by volunteer citizen groups. Government had helped, of course, but the initial efforts and the driving force behind many programs came from outside the government structure.

HIGHLIGHTED PROGRAMS

Out of a seemingly endless list of examples, three citizen efforts were highlighted in the All-America Cities entry:

- Charlottesville Housing Improvement Program;
- Central Virginia Child Development Association; and
- Downtown Revitalization.

CHARLOTTESVILLE HOUSING IMPROVEMENT PROGRAM, INC., (CHIP), is a local non-profit corporation established to rehabilitate substandard housing in the community. Families with critical safety and sanitary deficiencies in their homes generally are un-

able to accomplish housing rehabilitation by conventional private methods and thus are eligible for CHIP assistance.

CHIP grew out of an effort to repair housing damage caused by a major hurricane. Madison House, a university oriented coordinator for volunteer efforts in a number of social service areas, assisted in providing CHIP'S volunteer base. CHIP was initially financed with a \$5,000 grant from the national Jaycees' Project Mainstream. Additional funds were raised from local foundations and the Virginia Office on Aging but its major resource continues to be volunteer workers.

"CHIP is a solution which centers around people, fixing up lives as well as homes."

CHIP is viewed in the tradition of a "barn raising"—a cooperative effort where neighbors come to each other's aid in manpower, leadership and materials to accomplish an otherwise impossible job. Volunteer crews work regularly under the direction of experienced construction managers. The labor is free to the owner, who must pay only for the material and subcontracting costs.

Since CHIP requires the active participation in the projects of those receiving assistance and most of the labor is volunteer in nature, the program demands intensive citizen involvement. By involving community leaders as volunteers in early projects, CHIP established a pool of future boosters.

CHIP also stands as an alternative to the large low-income housing projects with the impersonal bulldozing of not only bricks and mortar, but families, friends and dreams. CHIP is a solution which centers around people, fixing up lives as well as homes. In the past four years, CHIP has helped some 315 people fix up their homes with over 80,000 hours of volunteer labor.

THE CENTRAL VIRGINIA CHILD DEVELOPMENT ASSOCIATION (CVCDA) was organized in 1972 by a group of concerned parents and professionals who were dissatisfied with the community child care system. With more seeking full-time employment, quality child care in the Charlottesville area was in short supply. As new facilities sprang up, coordination and training became more important needs. CVCDA's early efforts included teaching child care providers the skills necessary for them to deliver effective child care, improving communication between parents and children receiving care, and increasing the awareness of both social service agencies and agencies providing special child care needs for handicapped and abused youngsters and others.

Working with the City's social Development Commission and Department of Community Development, CVCDA participated in a study of local child care services in 1974. The commission's report confirmed a need to coordinate and encourage cooperation among existing day care centers in the use of limited resources and staff and equipment, to develop extensive training programs for day care providers, to take advantage of available volunteer services and to design an effective in-home day care program which could recognize children's develop-

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ment needs.

CVCDA is now a non-profit corporation which has assumed responsibility for placement functions, training of providers, public education, technical assistance and service coordination through a contract with the City Department of Social Services. A citizens' Board of Directors oversees this unusual linking of the public and private sectors.

"The citizens of Charlottesville have continued this aggressive involvement in the revitalization of the central city."

The third program emphasized was *DOWNTOWN REVITALIZATION*. Facing substantial growth in both residential and commercial development in suburbs north of the city, a Central City Commission was organized in 1973 to study a method to halt the trend in a declining downtown. The Commission was comprised of representatives from the business community, elected officials, neighborhood groups and other citizens. Out of this commission the concept of a pedestrian mall and multi-storied parking facility was developed and ultimately the facilities were constructed. This initial public effort, funded by local tax revenues and special assessments on adjacent property owners, has led to private investment exceeding two million dollars in the last two years in the downtown area.

The citizens of Charlottesville have continued this aggressive involvement in the revitalization of the central city. Over the last five years a number of separate but related efforts has given birth to a downtown artist center, a hotel conversion to condominiums and the purchase of an old post office building for use as a library. During the last year, an extension to the downtown mall has been approved, a vacated school in the central business district has been sold to the county government for use as the County Office Building and the renovation of an old armory for use as a recreation center has been finished; in addition, a significant number of older homes in the downtown area has changed ownership and been renovated for single family use, work has begun on the rehabilitation of an adjacent blighted neighborhood and an economic development advisory group has begun study of a proposed hotel/convention center on a central city site.

WORKING TOGETHER

After the City received word of our selection as one of twenty finalists, things really began to happen. Groups cutting across all social, economic and political persuasions pitched in to prepare a presentation which would really tell the City's story. The Chamber of Commerce, League of Women Voters, University League, Neighborhood Associations and individual citizens devoted their resources to this effort.

All the local media worked together day and night to package an exhibit which would tell the Charlottesville story through photographs, slides and sound. The newspaper editor mustered his forces to meet tight deadlines with quality work and local architects designed an exhibit structure which matched the visual aids to perfection.

The work on the presentation and exhibit held true to the groups chosen theme, "where helping comes naturally." Enough money was raised privately to send a seventeen member delegation of citizens to Louisville in November. With many of them meeting for the first time, a sense of community developed which will carry over for years to come.

The effort has paid off in many ways. Part of the All-America Cities material has been used in the City's economic development program and the exhibit now stands in the lobby of City Hall, telling the story to the community. The announcement of the cities chosen for the All-America Cities Award will not come until this spring, but the projects highlighted in the competition and the excitement generated by the efforts itself have already proven that Charlottesville is a place "where helping comes naturally."

QUALITY OF LIVING IN THE VALLEY

by H. B. Ewert and J. W. Eure

Roanoke, which had won the National Municipal League's All-America City designation once in 1952, and had twice tried without success to repeat, decided they could win this time. The initiative lay with Roanoke's two-term mayor, the Reverend Noel C. Taylor, who challenged the Roanoke Valley Chamber of Commerce, which had engineered the earlier efforts. From there, it was a matter of tapping the right sources of information and assembling it within the rigid framework prescribed by the National Municipal League.

Jack M. Goodykoontz, manager of the Business Service Department of the Chamber, drew together a broadly-based advisory committee, chaired by a retired newspaperman. The assignment attracted the conscientious attention of a dozen knowledgeable leaders from business, the private social agencies, the arts and cultural pursuits, neighborhood preservation groups and the downtown revitalization movement. A series of brain-storming sessions produced a two-page list of projects and activities, all started, ad-

ABOUT THE AUTHORS

H. Bern Ewert is the City Manager and J. W. Eure, retired Day Managing Editor, *Roanoke Times & World-News*.



Photo: Robert Downey

vanced or brought to successful completion within the 18 months prior to the application's deadline. That list formed the skeleton on which the community's case for All-America status was to rest. The task now was to organize the material within the framework required, and to "flesh out" the skeleton.

"The achievements did not acknowledge boundary lines . . . it was a Roanoke Valley submission."

It was apparent at once that the Roanoke community's claim to consideration rested on a broader base than the central city alone. The decision was to make it the story of citizen activity for the entire Roanoke Valley, encompassing the two Cities of Roanoke and Salem, the Town of Vinton and the County of Roanoke whose boundaries take in all these localities. Most of the achievements noted, like the problems they solved and the needs they met, took no account of municipal boundaries. The leadership and the citizen-energy which moved the projects came from all the political subdivisions and it became a Roanoke Valley submission.

Individual members of the All-America Cities Committee assumed the responsibility of gathering and verifying the detailed information in their areas of special knowledge. They found answers to questions such as: How were the needs identified? What organizations or individuals initiated the effort and carried the load? How was the activity financed? How many people took part? Was there opposition and how was it dealt with? What techniques were used to get input from the ordinary citizens affected and to involve them in the solutions?

As the process advanced, it became clear that there would be no single, dramatic problem overcome or no overwhelming crisis met on which to peg the submission. Instead, there was a multiplicity of needs met and projects carried through. The advisory committee set about organizing these into a framework and determined that the Roanoke Valley had advanced measurably in three fields.

SAVE DOWNTOWN

The decade-long effort to "save downtown" was reaching a new peak of interest and support. It produced new businesses to fill vacant stores, new enthusiasm to exploit the nearly unique outdoor city

market and its neighborhood, and positive steps to create a pleasant living and shopping environment downtown. To cap it off a new plan was being designed on commercial television, a first in American urban design. Simultaneously, residents of several downtown neighborhoods organized and they were able to preserve and better their communities.

MEETING CITIZEN NEEDS

A new consciousness of the community's obligations to its less able citizens had given birth to a whole series of new and expanded programs for the elderly, the handicapped, minorities, abused children and others in need. Also, a dozen citizen groups were actively identifying and filling in the gaps in the community's cultural history, sciences and new technology was bright lighted, too.

These three—save downtown, citizen needs and the arts, formed the framework around which the Roanoke Valley's case for All-America status was built. All were aimed at improving the "Quality of Living in the Valley." That phrase became the cornerstone of the structure. After filing the application for the award with the League, the waiting was difficult but the challenge was worth it—Roanoke Valley was a finalist.

Roanoke Valley's strategy had already been decided for the presentation in Louisville, Kentucky. Mayor Taylor, who is an effective speaker, was a natural to make the address and Bern Ewert, Roanoke's manager, would answer the panel's questions following the mayor's presentation.

An advertising agency, known both for creativity and civic-awareness, was enlisted to turn the entry information into a precisely-timed script, matched with slides, for the mayor's use. Anne Hammersley, a freelance writer familiar with Mayor Taylor's speaking style, wrote the script, while photographers roamed the Valley for shots of people and scenes to give the community's accomplishment visual impact.

A simple display, made up of photos of Roanoke Valley faces, was prepared by the ad agency. Three women were chosen to be hostesses at the Roanoke Valley display. Quantities of Roanoke Valley apple cider and Virginia ham biscuits were procured to give others attending the All-America Cities event a taste of Virginia hospitality. This idea, interesting enough, was suggested by Jim Lord, City Manager, Danville and also a manager of an All-America City, when he was asked for suggestions by Roanoke's Bern Ewert.

Roanoke Valley had been built into an All-American community over the years by the character and civic efforts of hundreds of concerned and compassionate citizens. A handful of these citizens had spent the late summer putting the story of their achievements into a words-and-pictures presentation. They left Louisville full of confidence that the Roanoke Valley would be given All-America recognition. It will be early spring of 1979 before the National Municipal League completes the verification process and names the All-America Cities for 1978.

People

Armel Resigns

Winchester Mayor Stewart Bell announced the resignation of Commissioner of Revenue *JULIAN ARMEL, SR.* Armel cited poor health as the reason for his resignation, which was effective January 1. His term would have run until January 1, 1981, giving him three more years to serve. However, an appointee, appointed by the majority decision of the circuit court judges, will serve until the next general election in November.

Town Council Changes

Boones Mill Town Council appointed *MRS. ROSEMARY H. BUCHANAN* and *STEVEN PALMER* to fill vacancies left on the governing body. Mrs. Buchanan, wife of a former mayor, Lewis R. Buchanan, is a savings and loan counselor at First Federal Savings and Loan. Steven Palmer attended Virginia Tech and is now employed at Continental Homes. *H. A. RUFF* was unanimously voted as Boones Mill's Vice Mayor.

Strasburg Councilman *CAULTER STICKLEY* resigned from Council due to poor health. A replacement for Stickley has not been named. *JAMES H. PAINTER* was unanimously elected by Council as the Town's new mayor.

ElectriCities Names

RALPH W. SHAW, general manager of the Omaha Public Power district and one of the nation's top ten public power executives, has been employed as director of ElectriCities' management services staff. He will oversee the creation of the staff which will provide administrative, accounting and general services for the three North Carolina municipal power agencies. ElectriCities special committee has also employed a finance director, *JAMES T. BOBO*, program leader for finance administration for the Washington Public Power Supply System. A number of localities having municipal electric power systems in Virginia also belong to ElectriCities.

New Ashland Manager

GEORGE W. NESTER was appointed to the position of town manager of Ashland. Nester previously served as administrative assistant to Vinton's town manager, Ronald Miller. He at-

tended Bluefield Junior College and is a graduate of VPI & SU, where he is also a candidate for a graduate degree in urban affairs.

James Dies

Herndon building inspector *GRAHAM JAMES, JR.*, died December 18, 1978. Prior to his employment with the Town in 1973, James was a private contractor. Some of the homes he had contracted for were in *House Beautiful* magazine and he received an Award of Merit from the American Institute of Architects in 1972. James is also a former mayor of the Town of Herndon. The Virginia Municipal League and the Virginia Building Officials Association extend sincere sympathy to the family of Graham James, Jr.

Webbon Retires, Smith Named

RICHARD J. WEBBON retired as Virginia Beach's City Clerk on December 31. Webbon had served 23 years with the City. He studied at Newark College of Engineering and Stevens Institute of Technology. Prior to his service with Virginia Beach, he was employed by Miles City, Montana.

Virginia Beach City Council appointed *RUTH HODGES SMITH* as City Clerk, replacing Richard Webbon. Ms. Smith is a graduate of Potomac State College of West Virginia, with a degree in administration. Prior to her new position, she was corporate treasurer, Nepratex Industries and assistant secretary treasurer, McArthur Memorial Foundation. Ms. Smith's post was effective January 1.

Rees Appointed

J. CONWAY REES has been named director of the new Office of Local Government Management Relations. The new office is within the Department of Personnel and Training, Commonwealth of Virginia. An experienced personnel manager, Rees has worked with local governments extensively, especially regarding grievance administration. *DAVID ARMSTRONG*, manager of Local Government Programs, and his staff will be transferred from Management Development and Training Service (MDTS) to the new Office of Local Government Management Relations.

Mazziotti Resigns

VICTOR MAZZIOTTI, Charlottesville's finance director, resigned December 15 to accept a position with American Management Systems in Washington, D.C. Mazziotti is a graduate of Shippensburg State College and Roosevelt University. He has served as village manager, Richton Park, Illinois and assistant to the village manager in Park Forest, Illinois.

Lockwood Appointed

RICHARD C. LOCKWOOD has been named State Transportation Planning Engineer for the Virginia Department of Highways and Transportation. Assistant head of the Transportation Planning Division since it was formed four years ago, Lockwood succeeds Oscar K. Mabry, who was recently named director of planning for the department. Lockwood holds a bachelor's and master's degree in civil engineering from Georgia Tech.

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VIRGINIA MUNICIPAL LEAGUE ACHIEVEMENT AWARDS PROGRAM

The Award

Recognizing that localities in the Commonwealth strive towards improving municipal service, the Virginia Municipal League, through the Achievement Awards, wishes to honor these endeavors. The entry for a given award should be innovative and structured to meet specific needs and desires of your locality.

Eligibility

Any member locality, town, city or urban county, is eligible to enter the VML Achievement Awards Program.

Categories

Twelve awards are available—six for towns and six for cities and counties (one award for each group, in each of the six areas that parallel the VML policy committees). The categories are the following:

- Community Development (housing and urban renewal)
- Effective Government (finances, management, training programs)
- Environmental Quality (water quality, local planning and land use, energy use, solid waste management)
- Human Resources (child care programs, health care, alcohol and mental health programs, recreational services, education)
- Public Safety (court system, fire and rescue services, emergency preparedness, law enforcement)
- Transportation (streets and roads improvement, public transportation systems, bicycle ways, transportation of the handicapped)

Criteria for Judging Entries

- Maximum six double-spaced typed pages to explain the entry
- Maximum 3 pages of appendices, charts, etc.
- Use of black and white photographs
- Use of camera ready graphs, charts and architects' renditions, etc.
- All entries must have 3 copies of all visual materials
- All entries must be signed by the chief elected official (mayor, board chairman)

Judging

The entries will be judged by a special committee whose members are selected for their expertise in the area of the awards.

Presentation of Awards

Awards will be announced in September and appropriate recognition will be given to each recipient during the VML Conference Opening Session. In addition, the awards will be highlighted in the Conference issue of VIRGINIA TOWN & CITY magazine.

How to Enter

Each entry must be preceded by an application form, due by March 30, 1979. Localities may enter all six categories but may only have one entry in a given category. All entries must be received by the Virginia Municipal League, P.O. Box 753, Richmond, Virginia 23206, no later than April 27, 1979. It is our hope that you will support this program and take this opportunity to be recognized for outstanding municipal service.

Legal Guidelines

STATUTORY PRESUMPTION OF GOOD HEALTH

by Howard W. Dobbins, General Counsel

A case which is deemed to be of interest to local officials is the recent decision of the Virginia Supreme Court in *Berry v. County of Henrico* (decided August 31, 1978). In this case which was earlier referred to in this column, Berry, a fireman in the City of Richmond, was hired by Henrico County in December, 1970. As a part of the County's employment procedure, Berry was examined by the County physician who found him "fit for duty as a firefighter." In 1972, the General Assembly rewrote Virginia Code §27-40.1 establishing that any firefighter who suffered impairment of health by reason of respiratory diseases, hypertension or heart disease would be presumed to have suffered that condition in the line of duty unless the contrary be shown by competent evidence. Subsequent thereto, Berry was reexamined as provided by the amended statute and displayed no evidence of hypertension or heart disease. In October, 1973, Berry suffered a myocardial infarction caused by lack of oxygen to the heart muscle brought about by arteriosclerosis or hardening of the arteries of the heart. The evidence disclosed that this condition was a chronic process of long duration and indeterminate onset. While the disease is of unknown etiology, the evidence indicated that certain factors are known to be associated with the disease, including "familial history of premature arteriosclerosis, sex (male), abnormal serum lipids (cholesterol and/or triglycerides), hypertension, cigarette smoking, obesity and diabetes mellitus. However, less than half of the patients with coronary heart disease have these major identified and accepted risk factors, so that the absence of such

risk factors does not mean that the disease will not occur, because other factors as yet unidentified may produce the disease."

The report of Berry's examination in 1973 indicated that some of the factors associated with the disease were present in Berry's history, but some were not. Moreover, apparently Berry did not receive an "exercise stress test" and the evidence of the physician in the case was that stress testing was necessary before one could be certain that coronary arteriosclerosis was not present at the time of employment.

On the basis of this evidence, the Virginia Industrial Commission denied Berry the benefit of a statutory presumption on the ground that there was "competent medical evidence in the record failing to prove that Berry was free of the condition prior to making his claim." In reversing the Industrial Commission, the Virginia Supreme Court in an opinion written by Justice Harman stated, "we think it clear that the General Assembly intended the presumption to apply in those cases wherein an ex-

amination conducted under the direction and control of the employer fails to make a positive finding of the diseases which subsequently brings about the disability or death of the firefighter." Further, the Supreme Court held that the real burden of proof is on the employer, citing the earlier policeman's case of *Page v. City of Richmond*, 218 Va., 241 S.E. 2d 775 (1978) to the effect "the employer must adduce competent medical evidence of a non working-related cause of the disabling disease" in order to rebut the statutory presumption.

When the General Assembly was considering these presumptions, representatives of the Virginia Municipal League argued that, although the presumption is expressed in the statute as a rebuttable one, the presumption amounts to a conclusive one because of the almost impossible burden of proving that this type of disease resulted from a non-work-related cause.

Howard W. Dobbins



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LEESBURG'S COUNCIL OPERATES AIRPORT

By John Niccolls
and Jeffrey H. Minor

Leesburg's first airport, a cow pasture owned by Arthur Godfrey, is now a growing condominium townhouse development. In the early 1950s, Mr. Godfrey dedicated this site to the town to operate as an airfield. Soon, however, Leesburg officials and community leaders recognized this land was too valuable a site for an airport. An airport study committee, later to form the nucleus of the Leesburg Airport Commission, analyzed the

problem and recommended construction of a new airport. In the early 1960s, the Federal Aviation Administration authorized a \$231,000 grant, matched by municipal funds received from proceeds of the sale of the original site, for construction of the new airport. While many communities were issuing bonds for airport construction, Leesburg received its new facility on a veritable silver platter. The new Godfrey Field, named after the famed radio and television personality, is now located about two miles southeast of town among the rolling hills of Loudoun County.

Leesburg found development was far simpler than operations as financial and management problems continued to surface over the next fifteen years. With the airport's location outside of town and few town residents owning aircraft, enthusiasm and financial resources were difficult to muster.

FBO Disputes Climax

Like most general aviation air-

ports, ramp services, airplane sales, aircraft repair and aviation fuel sales were performed by fixed base operators (FBOs). FBOs lease airport space and usually pay a flat monthly rent or a percentage of gross sales to the airport owner. In 1974 Leesburg's FBOs paid a combined total of only \$6,200 in rent to the Town, not enough to cover expenses which exceeded \$25,000. Even with low rental payments, the principal operator experienced increasing difficulty in meeting its contractual obligations to provide quality aeronautical services at the airport. Air traffic decreased as services and safety continued to erode. The year 1976 saw suits and counter suits filed over various disputes between the Town and the main FBO. Finally, Leesburg resolved the litigation by making a settlement of \$70,000, which essentially bought back the lease from the main operator. The Town for a brief, but what will be long-remembered period, provided direct aeronautical services to the remaining airport users. Council-

ABOUT THE AUTHORS

John Niccolls is Leesburg's Town Manager and Jeffrey H. Minor serves as Assistant Town Manager. Copies of the relevant documents described in this article are available to *Virginia Town & City* readers upon request.

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members quickly learned about tie-down space requirements, fuel-pricing policies and navigational-air maintenance problems.

The remaining FBO (a small corporation offering only T-hangers, open-air tie-downs and a key operated fuel facility) pays only \$800 per year in rent under a lease set to expire in 1984. To further exacerbate mounting financial problems, the Town in 1977 began a \$650,000 FAA Airport Development Air Project for strengthening the two runways, taxiway and construction of an 85-aircraft paved parking apron. Leesburg's five percent share of this project exceeded \$34,000. Leesburg learned that self-sustaining airport operations require successful commercial operators contributing to the substantial cost of maintenance, safety and improvements.

With these goals in mind, Leesburg started to rebuild operations. First, the Airport Commission was reorganized under Council legislation to strengthen Commission authority over airport operations and to resolve years of uncertainty about the responsibilities of this advisory group. Second, an aviation consultant was hired to help prepare a request for FBO proposals. Third, using authority provided in State Code Section 5.1-44, the Town adopted a fixed base operator fee ordinance. This requires FBOs to pay fees to the Town annually based on gross receipts or other measures of business volume conducted at the airport. These are earmarked for airport expenses.

FBO fees compensate the Town for the operators' privileges of conducting commercial aeronautic activity at the airport as distinct from the value of leasehold interest. Also, the approval process for new fixed base operators was clarified and strengthened to require lease approval from the Town Council and formal licensing by the Airport Commission.

The fact these new fees were to be separate, additional payments was made very clear when several months later a new request for proposals for a main FBO was circulated. Following a long and arduous selection process, Century Aviation, Inc., (already holders of

leased operations at Dulles and Frederick, Maryland airports) was named Leesburg's new FBO. Happily, Century's proposal gave the Town a \$70,000 non-refundable advance payment which returned the previous outlay required to evict the former unsuccessful FBO.

FBO Ordinance Faces Legal Challenge

A series of frustrating attempts to require the original FBO (not the new FBO, Century Aviation) to comply with the new ordinance culminated in a declaratory judgment suit challenging the Town's authority to levy the new fees. The operator argued the new ordinance was an unconstitutional impairment of its contractual rights under the lease. The FBO further contended that the Town was authorized under State law to operate the airport either by contract or municipal regulation and that the Town, through its lease, had elected to proceed by contract, thus preempting additional municipal regulation. Leesburg Council answered that rental payments are compensation only for the value of the leasehold without granting special privileges for the conduct of commercial operations on the common-use areas of the airport. Further, the Town contended the lease itself made the operator subject to "all regulations imposed by lessor" and required it to "obtain all necessary permits". Fortunately, the Loudoun Circuit Court upheld the Leesburg's position that the FBO fees applied to existing fixed base operators. The court said "compliance with town regulations" must be construed to include both current and prospective regulations, especially in light of the fact that enabling authority for municipalities to charge such fees was in effect at the time the lease was executed. The court is, however, at variance with a 1966 State attorney general's opinion in rejecting another town argument that the lease was subject to the State's franchise statute.

The fee ordinance means an additional \$24,000 in revenue from the original operator over the remaining life of the lease. Further improvements at the airport have been planned and a new ADAP

grant application for holding aprons, a visual-approach slope indicator system and runway-end indicator lights has been filed.

Summary

Leesburg believes the fixed based operator fees are a reasonable and an effective method to raise airport revenues at a time when lease arrangements made in earlier pre-inflation times have become insufficient to meet the financial obligations of a modern airport. FBOs should pay a fair share of the cost of airport operations, such as insurance, air-navigational-aid repairs and maintenance, electricity and what is now a ten percent share of FAA sponsored development projects.

All potential revenue sources must be explored and utilized for small general aviation airports to continue to provide safe and convenient facilities for non-scheduled aircraft and provide relief for major airports from increasing general aviation traffic.

Ideas

COLUMBIA, SOUTH CAROLINA (113,000) has adopted an incentive or task system for meter readers. Readers are allowed to leave work each day once routes are completed. (Contact: City Manager, City Hall, Columbia, South Carolina 292901.)

WINSTON-SALEM, NORTH CAROLINA (132,000), uses vacuum-cleaner-like extension hoses for collecting leaves and small debris. The cost is approximately \$1,000 per hose. (Contact: City Manager, P.O. Box 2511, Winston-Salem, North Carolina 27102.)

NEW CARROLLTON, MARYLAND (14,870), collects glass, aluminum, other metals and leaves, but encourages citizens to bring these materials to a central location. Volunteers flatten cans and crush the glass with machines donated by a local bottler. The leaves are transported to the City's compost pile. Compost is used for municipal projects and is free for citizens' use. (Contact: City Administrator, City Hall, New Carrollton, Maryland 20784.)

Places

VIRGINIA BEACH—The Department of Economic Development won four literature and promotion awards at the Southern Industrial Development Council's annual conference in San Antonio, Texas. The competition included 230 entries with more than 400 pieces of literature. The Development department won an excellence award for its industrial advertising campaign and its recent special report to the City's citizens. A. James DeBellis, director of the Department, accepted the award in San Antonio.

VIENNA/FAIRFAX COUNTY—The Fairfax County Board of Supervisors has approved the request of the Vienna Volunteer Fire Department for personnel to staff the Mobile Intensive Care Unit (MICU) at the Vienna Fire Station. The MICU, an ambulance that permits very quick response time, was purchased entirely with contributions from Vienna area citizens, businesses and Town funds. The Town of Vienna thanked the Board of Supervisors for

supporting the Town's efforts to man the MICU.

VINTON—The Vinton Baptist Church held a special service for Town employees as an expression of their appreciation for the good service that Town employees had given to the Vinton community. Town Manager Ron Miller commented that it was a "first" that had happened for the Town and he complimented Vinton Baptist Church for this special recognition.

NORTON/DANVILLE—The City of Norton, suffering from a drought, received equipment from the City of Danville which allowed Norton to pump water from a larger area to help relieve the water shortage. Danville had acquired over 10,000 feet of steel pipe through the Civil Defense for emergency use and was able to make arrangements to transport the pipe to Norton, after the City received a request for assistance from the Norton city manager. Danville officials said it

was good to know that the City can be called upon for assistance when it is needed.

GRETNA—Town Council approved a new Town Charter that requires staggered council elections and permits the manager form of government. The Town presently employs a town superintendent. Another provision of the updated Charter calls for an industrial park.

CLAREMONT—Citizens and members of the Town Council welcomed Drs. Mike Schroering and June Tunstall, who requested permission for the use of the Town Hall because the present facility does not have enough floor space. The Town Hall will be used at least once a week to serve as a satellite clinic for the recently established Surry Family Health Improvement, Inc. Council approved the use of the Town building to meet the needs of the new medical program.

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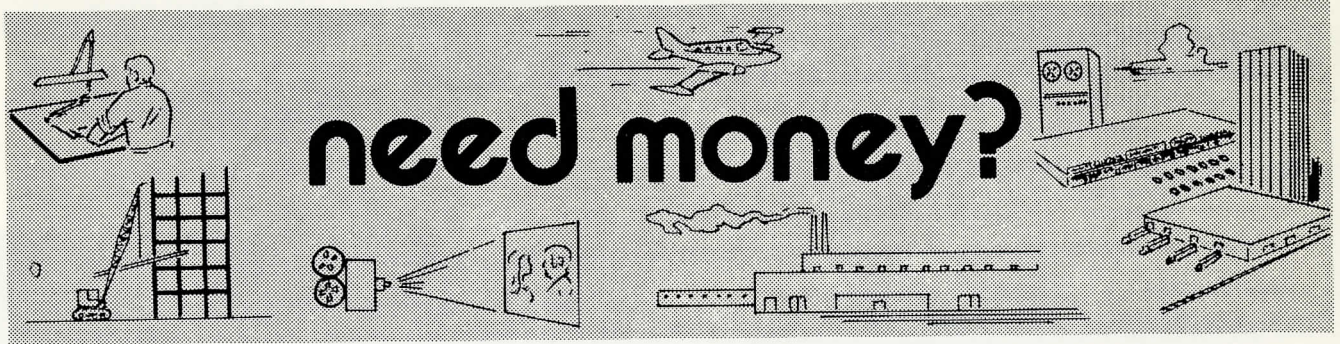
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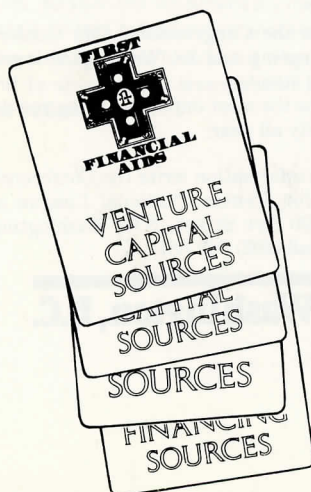
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