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Secretary of
Commerce and Trade

COMMONWEALTH of VIRGINIA

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Director

DEPARTMENT OF
HOUSING AND COMMUNITY DEVELOPMENT

Commission on Local Government

March 25, 2021

11:00 A.M.

Digital Meeting Only

Due to the COVID-19 pandemic and public health emergency and the need to provide social distancing and prohibit large gatherings, the meeting was held electronically in accordance with the State of Emergency Declared by the Governor and the 2020 amendments to the 2020 Appropriations Act. The meeting was held via Google Meet.

Members Present

R. Michael Amyx
Stephanie Davis, PhD, Chair
Diane M. Linderman, PE, Vice Chair

Members Absent

Rosemary M. Mahan

Call to Order

The Commission on Local Government (CLG) Chair, Dr. Stephanie Davis, called the meeting to order at 11:00 a.m.

Mr. David Conmy, Local Government Policy Administrator for the Department of Housing and Community Development (DHCD), noted that due to the Governor's Declared State of Emergency due to COVID-19, it is impracticable and unsafe for the CLG to assemble in a single location, so the Commission meeting is being held electronically, by video conference and telephone options, pursuant to 2020 Amendments to the 2020 Appropriation Act. The purpose of the meeting is to discuss or transact the business statutorily required or necessary to continue operations of the CLG and the discharge of its lawful purposes, duties, and responsibilities. The public is welcome to use the link and phone number options made available by staff to attend the meeting electronically. The CLG will make available a recording or transcript of the meeting on its website in accordance with the timeframes established in Sections 2.2-3707 and 2.2-3701.1 of the Code of Virginia.

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Administration

A motion was made by Ms. Linderman and seconded by Mr. Amyx to approve the draft agenda with an amendment to present a commending resolution for Mr. Ali Akbor after item VI. The motion passed (Yea: Amyx, Davis, Linderman).

A motion was made by Mr. Amyx and seconded by Ms. Linderman to approve the minutes of the Regular Meeting on January 5, 2021. The motion passed (Yea: Amyx, Davis, Linderman).

Dr. Davis opened the floor to receive comments from the public.

Mr. Joe Lerch, representing the Virginia Association of Counties (VACO), appeared before the Commission. Mr. Lerch expressed VACO's support for the Mandatory Property Tax Exemptions Study. Mr. Lerch also expressed sympathy and condolences to the Commission and staff on behalf of VACO in regards to the tragic passing of Commission staff member Ali Akbor.

No other member of the public appeared before the Commission. The public comment period was closed.

Mr. Conmy lead a moment of silence in honor of the passing of Commission staff member Ali Akbor, who passed on March 17th, 2021.

Ms. Kristen Dahlman, Policy and Legislative Director at DHCD, provided an update on staffing progress and noted that the two vacant staff member positions would likely be filled by May Commission meeting.

Mr. Conmy briefly presented various news articles of interest to the Commission.

Notice of the City of
Martinsville's Intention to
Petition for an Order
Granting it Town Status
within Henry County

Mr. Conmy provided a brief summary of the status of the case in which Martinsville has petitioned for an order granting it town status within Henry County. He alluded to a joint letter from counsel for the City and County that requests an 84 day extension

to the Commission's reporting deadline and associated review schedule milestones.

Dr. Davis recognized Mr. Jeremy Carroll, representative of Henry County in the Martinsville reversion case. Mr. Carroll expressed that the parties are moving forward in good faith to resolve any barriers between Martinsville reverting from city to town status.

Dr. Davis recognized Mr. Stephen Piepgrass, representative of the City of Martinsville in the Martinsville reversion case. Mr. Piepgrass expressed gratitude to the Commission for granting the joint request of the City and County to extend the reversion case deadlines by 84 days. Mr. Piepgrass noted that the City remains hopeful and optimistic about the upcoming mediation between the City and the County in April.

Mr. Conmy presented a table summarizing some considerations to the Commission's existing review schedule and possible revisions that would take into account the 84 day extension jointly requested by the parties and granted by the Commission.

It was mentioned by both parties to the case that there may need to be an extension of the July 1st date at which the Commission's record would close.

There was discussion between the Commission and staff considering the effects that the loss of Mr. Akbor may have on staff's ability to review the case within the extended time period. Mr. Conmy indicated that he was cautiously optimistic that staff would still be able to proceed within the established review schedule, including within the 84-day extension.

After discussion, a motion was made by Ms. Linderman and seconded by Mr. Amyx to extend the dates of the oral presentations, public hearing, and special closed session CLG meeting for the Martinsville reversion case to the week of June 14th as identified in the "+84 day date" column in the table presented by Mr. Conmy and to direct staff to continue work on

identifying amicable dates for all parties for additional meetings as required. The motion passed (Yea: Amyx, Davis, Linderman).

Assessment of State and Federal Mandates on Local Government

Mr. Cody Anderson, Legislative Affairs and Boards Coordinator at DHCD, presented background on the assessment of state and federal mandates on local government by state agencies. Mr. Anderson noted that a minor change to the schedule had occurred between the sending of the packet and the Commission meeting, itself, which included the addition of SHHR.DBHDS015 governing Data Collection on Children and Adolescents, that had been scheduled for assessment in the time since the packet was made available to the public.

A motion was made by Mr. Amyx and seconded by Ms. Linderman to approve of the mandates assessment schedule as presented by staff. The motion passed (Yea: Amyx, Davis, Linderman).

Fiscal Stress Report for 2018/2019

Mr. Conmy gave the Commission a brief update on the status of the 2018/2019 Fiscal Stress Report. Mr. Conmy noted that at this time, only the City of Hopewell remains delinquent in transmitting data to the Auditor of Public Accounts, which provides one of the primary data sources for the Fiscal Stress Report. Mr. Conmy mentioned that pursuant to an internal CLG policy, the Fiscal Stress Report would be presented to the Commission during its July meeting using the most recently available data for localities with delinquent data.

2021 General Assembly Session Update

Mr. Conmy provided the Commission with an overview of the Fiscal Impact Statement (FIS) formation process, including a summary breakdown of the various FIS that were formulated in response to proposed legislation during the 2021 General Assembly Session.

Mr. Anderson and Mr. Conmy provided a brief summary of various House and Senate bills of interest from the conclusion of the 2021 Regular and Special Sessions. Many of these bills had

been signed by the Governor or were pending the Governor's approval.

Mr. Conmy gave a short presentation on the status of the Governor's budget, which was pending final approval by the Governor's office. He also provided a brief overview of matters of local interest from the American Rescue Plan that was signed by President Biden.

Mr. Conmy noted that the conference report budget currently includes a provision requesting the Commission to conduct a study reviewing the fiscal effects of mandatory property tax exemptions on the capacity of local governments to deliver essential services to the public. He suggested that the study could proceed with a stakeholder advisory group approach and would benefit from the participation of one Commissioner to help facilitate the meetings and report back to the full Commission on the study progress. Dr.. Davis volunteered to serve as the point person on the Commission for the purposes of the study, should the Governor's budget as proposed be approved.

Commanding Resolutions
for Kimble Reynolds and
Ali Akbor

Mr. Anderson presented the Commission with proposed resolution commanding Mr. Kimble Reynolds for his service as a Commissioner, which expired on December 31st of 2021.

A motion was made by Ms. Linderman and seconded by Mr. Amyx to approve of the resolution as presented by staff. The motion passed (Yea: Amyx, Davis, Linderman).

Mr. Conmy read aloud a resolution commanding former staff member Ali Akbor for his service prior to his tragic passing on March 17th of 2021.

A motion was made by Ms. Linderman and seconded by Mr. Amyx to approve of the resolution as presented by staff. The motion passed (Yea: Amyx, Davis, Linderman).

(A copy of those resolutions is included at the end of these minutes.)

Schedule of Regular Meetings

Mr. Anderson noted the next meeting of the Commission will be Monday, May 13th followed by a meeting potentially taking place on July 22nd pending staff review.

Upcoming Events of Interest

Mr. Lerch noted that the Virginia Association of Counties was tentatively planning for their annual conference to take place in person in November in Norfolk.

Ms. Michele Gowdy, representing the Virginia Municipal League, noted that they were planning a webinar in April to review the 2021 General Assembly Session, as well as a tentatively planned in person Annual Conference in Loudoun County in October.

Other

There was no other business.

Adjournment

A motion was made by Ms. Linderman and seconded by Mr. Amyx for adjournment. The motion passed and the Commission adjourned at 12:35 p.m.

DRAFT

**COMMISSION ON LOCAL GOVERNMENT
COMMONWEALTH OF VIRGINIA**

At a regular meeting of the Commission on Local Government held virtually on Thursday, March 25, 2021, at the hour of 11:00 a.m., the following resolution was unanimously adopted:

WHEREAS, Kimble Reynolds, Jr., was appointed by Governor Terence R. McAuliffe and confirmed by the 2016 Virginia General Assembly to serve on the Commission on Local Government for a term of five years; and

WHEREAS, He served the Commission with distinction from May 10, 2016, until December 31, 2020; and

WHEREAS, He was unanimously elected Vice-Chair of the Commission, on January 10, 2017, serving in that capacity during 2017; and

WHEREAS, He was unanimously elected Chair of the Commission on January 9, 2018, serving in that capacity during 2018; and

WHEREAS, as Chair, he oversaw the Commission's adoption of its Report on Annexation Alternatives; and

WHEREAS, He was instrumental in providing his expertise to the Commission's review of the Caruso Odin, LLC - Town of Culpeper - County of Culpeper Citizen-Initiated Annexation Action and the City of Covington - County of Alleghany Voluntary Economic Growth-Sharing Agreement; and

WHEREAS, His commitment to the best interests of the Commonwealth and its localities coupled with his knowledge and experience in local government affairs made him an asset to this Commission; and

WHEREAS, His effective advocacy of his perspective, along with his respectful consideration of the views of others rendered him an invaluable participant in the Commission's deliberations; and

WHEREAS, His intelligence, integrity, and dedication earned him the sincere respect and admiration of the members of this Commission, its staff, and all others associated with its activities; and

WHEREAS, His good humor, his wit, and his graciousness added immeasurably to the pleasure and satisfaction derived from service on this Commission; and

WHEREAS, The termination of his service with the Commission deprives the Commonwealth of a distinguished and faithful public servant and this body of a valued member and good friend;

NOW, THEREFORE, BE IT RESOLVED, That the Commission on Local Government does hereby express its gratitude to **Kimble Reynolds, Jr.**, for his many contributions to this body and acknowledges with regret the loss of his company and good counsel.

BE IT FURTHER RESOLVED, That a copy of this resolution be spread upon the Minutes of this meeting and that a framed copy thereof be presented to **Kimble Reynolds, Jr.**, as a permanent testament of our affection, esteem, and high regard.

Stephanie Davis, PhD, Chair

Diane M. Linderman, PE, Vice-Chair

R. Michael Amyx

Rosemary M. Mahan

**COMMISSION ON LOCAL GOVERNMENT
COMMONWEALTH OF VIRGINIA**

At a regular meeting of the Commission on Local Government held virtually on Thursday, March 25, 2021, at the hour of 11:00 a.m., the following resolution was unanimously adopted:

WHEREAS, Ali Akbor served the Commission on Local Government with distinction for over five years from January 4, 2016, until his tragic passing on March, 17, 2021; and

WHEREAS, During his time with the Commission, he worked with eight Commissioners, and assisted the Commission with its reports on the Covington-Alleghany Economic Growth Sharing Agreement, the Caruso Odin, LLC - Town of Culpeper - County of Culpeper Citizen-Initiated Annexation Action; the ongoing review of the City of Martinsville Petition for an Order Granting it Town Status within Henry County, and numerous other reports and studies; and

WHEREAS, His research into the fiscal conditions of local governments was essential in the development of the Commission's annual Report on Comparative Revenue Capacity, Revenue Effort, and Fiscal Stress of Virginia's Cities and Counties; the development of a Fiscal Distress Monitoring System in coordination with the Virginia Auditor of Public Accounts; the Commission's Report on Annexation Alternatives; and most recently the development of the Local Vulnerability Analysis in response to the COVID-19 Pandemic for which his work has received national and international recognition; and

WHEREAS, He was instrumental in facilitating and managing a group of local volunteers for purposes of advising state policymakers on the fiscal impact of legislative proposals on local governments during six Regular Sessions and one Special Session of the Virginia General Assembly and

WHEREAS, He received numerous awards while working at the Virginia Department of Housing and Community Development including Employee of the Month and Special Project Awards for the Website Redesign Team and the Report on Annexation Alternatives; and

WHEREAS, His dedication, industry, character, integrity, faith, and honor served as a model for those engaged in public service; and

WHEREAS, His knowledge, professionalism, and commitment have earned him the respect and admiration of all the members of this Commission, State and local officials throughout Virginia, and others who have had the good fortune of his association; and

NOW, THEREFORE, BE IT RESOLVED, That the Commission on Local Government does hereby posthumously express its gratitude to **Ali Akbor** and his family for his many contributions to this body and for his enhancement of the professional and personal lives of all who have been associated with him; and

BE IT FURTHER RESOLVED, That a copy of this resolution be spread upon the Minutes of this meeting and that the resolution be presented to his wife **Farzana Rahman**, daughter **Zannatul Shahla**, son **Shabib Akbor**, and son **Nehan Akbor** as a permanent testament of our affection, esteem, and high regard.

Stephanie D. Davis, Ph.D., Chair

Diane M. Linderman, PE, Vice-Chair

R. Michael Amyx

Rosemary M. Mahan