

REPORT  
ON THE  
COUNTY OF PRINCE GEORGE—CITY OF  
PETERSBURG  
AND  
COUNTY OF PRINCE GEORGE—CITY OF HOPEWELL  
PARTIAL IMMUNITY ACTIONS



COMMISSION ON LOCAL GOVERNMENT  
COMMONWEALTH OF VIRGINIA

REPORT  
ON THE  
COUNTY OF PRINCE GEORGE - CITY OF PETERSBURG  
AND  
COUNTY OF PRINCE GEORGE - CITY OF HOPEWELL  
PARTIAL IMMUNITY ACTIONS

Commission on Local Government

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COUNTY OF PRINCE GEORGE - CITY OF PETERSBURG  
AND  
COUNTY OF PRINCE GEORGE - CITY OF HOPEWELL  
PARTIAL IMMUNITY ACTIONS

PROCEEDINGS OF THE COMMISSION

On August 5, 1986 Prince George County filed notice with the Commission on Local Government, pursuant to the provisions of Section 15.1-945.7(A) of the Code of Virginia, of its intention to petition for the immunization of 13.5 square miles of territory within its jurisdiction from annexations initiated by the City of Petersburg and from the incorporation of new cities therein. Consistent with the Commission's Rules of Procedure, the County's notice was accompanied by data and materials supporting the immunity action.<sup>1</sup> Further, in accordance with statutory requirement, the County concurrently gave notice of its immunity action to the City of Petersburg and to 19 other political subdivisions with which it was contiguous or with which it shared functions, revenues, or tax sources.<sup>2</sup> The County's notice to the Commission also requested that the City of Hopewell, which adjoined a part of the County, be made a party to the action as required by Section 15.1-977.22:1 of the Code of Virginia.<sup>3</sup>

On September 23, 1986 the Commission met with representatives of Prince George County and the City of Petersburg to adopt a schedule

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<sup>1</sup>County of Prince George, Notice and Petition for Partial Immunity, 2 vols. The two volumes consisted of a compilation of descriptive material and tabular data (hereinafter cited as County Notice re Petersburg) and a set of maps (hereinafter cited as County Maps re Petersburg).

<sup>2</sup>Sec. 15.1-945.7(A), Code of Va.

<sup>3</sup>The immunity action filed by Prince George County affected a portion of the territory sought for annexation by the City of Petersburg pursuant to a petition referred to a special three-judge court in July 1986. Included within the area petitioned for annexation by the City of Petersburg, and within the area proposed for immunity by Prince George County, is a 4.4 square mile parcel previously recommended for annexation by this Commission. [Commission on Local Government, Report on the City of Petersburg - County of Prince George and City of Hopewell - County of Prince George Annexation]

for its review of the immunity action.<sup>4</sup> At that meeting the Commission established a schedule which called for oral presentations and a public hearing in November 1986 and for the issuance of the Commission's report in February 1987.

On October 27, 1986 Prince George County filed notice of its intention to seek the immunization of an additional 9.1 square miles of territory within its jurisdiction from annexation by the City of Hopewell and from the incorporation of new cities therein. Consistent with the Commission's Rules of Procedure, this notice was also accompanied by data and materials supporting the immunity action.<sup>5</sup> In accordance with statutory requirement, the County concurrently gave notice of this immunity action to the City of Hopewell and to 19 other local governments with which it was contiguous or with which it shared functions, revenues, or tax sources. Due to the interrelationship of this immunity action with that which had been previously initiated by the County against the City of Petersburg, the Commission decided to conduct a consolidated review of the two issues. Accordingly, by letter dated October 30, 1986, the Commission advised the three jurisdictions of its decision to hold consolidated hearings on the two immunity actions in late November 1986 and to submit a consolidated

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Actions (hereinafter cited as Annexation Report), June 1986.] The annexation court, which was subsequently appointed to hear the Prince George County immunity action, granted a request from Prince George County on September 24, 1986 to delay its review of Petersburg's annexation case until after its consideration of the partial immunity issue.

<sup>4</sup>The City of Hopewell was not represented at the meeting, but counsel for that municipality had indicated Hopewell's desire to participate in the immunity proceedings against the City of Petersburg by letter to the Commission dated September 22, 1986.

<sup>5</sup>County of Prince George, Notice and Petition for Partial Immunity from the City of Hopewell, 2 vols. The two volumes of submissions consisted of a compilation of descriptive material and tabular data (hereinafter cited as County Notice re Hopewell) and a set of maps (hereinafter cited as County Maps re Hopewell).

report on the two issues by February 5, 1987.<sup>6</sup>

Adhering to its adopted schedule, the Commission toured relevant areas and facilities in the three jurisdictions on November 23 and received oral testimony from the parties on November 24-25, 1986.<sup>7</sup> In addition to its receipt and consideration of materials and testimony from Prince George County, the City of Petersburg, and the City of Hopewell, the Commission also solicited comment on the immunity actions from other potentially affected local governments and from the public. Each locality receiving notice of the immunity actions from Prince George County was invited by the Commission to submit testimony for its consideration. Further, the Commission held a public hearing, which was advertised in accordance with the requirements of Section 15.1-945.7(B) of the Code of Virginia, at the Prince George County High School on the evening of November 25, 1986. The Commission's public hearing was attended by approximately 800 persons and produced testimony from 37 individuals. In order to permit receipt of additional citizen comment, the Commission agreed to keep open its record for written submissions from the public for a 30-day period following the public hearing.

#### SCOPE OF REVIEW

The law establishing the Commission on Local Government states that the General Assembly's fundamental purpose in creating such a body was to provide a mechanism to "help ensure that all of [the Commonwealth's] counties, cities, and towns are maintained as viable communities in which their citizens can live."<sup>8</sup> Guided by this

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<sup>6</sup>The Commission's report date was subsequently extended to April 24, 1987.

<sup>7</sup>Dr. Susman was unable to attend the Commission's proceedings on November 25, 1986.

<sup>8</sup>Sec. 15.1-945.1, Code of Va.

expression of fundamental legislative intent, the Commission is charged with reviewing a variety of local boundary change and governmental transition issues before they are presented to the courts for ultimate disposition. In undertaking such reviews the Commission is required to "investigate, analyze, and make findings of fact, as directed by law, as to the probable effect [of the proposed action] on the people" residing in the affected area.<sup>9</sup> While the Code of Virginia directs that the Commission's findings and recommendations in each case be based upon the criteria and standards prescribed by law for the disposition of the issue under consideration, the Commission is also cognizant of the fact that its analyses and recommendations are to be guided generally by the legislatively decreed concern for the preservation of the viability of all the Commonwealth's localities.<sup>10</sup>

The three jurisdictions involved in these proceedings previously appeared before this Commission as a result of annexation actions initiated by the two municipalities. In conjunction with those annexation actions the three localities compiled and presented to this Commission extensive materials and data relative to their physical characteristics, urban services, and efforts to comply with applicable State policies. Relevant portions of those previous submissions will be utilized in this review.<sup>11</sup>

In the analysis which follows the Commission has endeavored to utilize its collective experience in local governmental affairs and administration and to leave questions of law for resolution elsewhere. We trust that this report will be of assistance to the citizens and elected leadership of the three jurisdictions and to the Commonwealth generally with respect to the protection and preservation of the viability of its local governments.

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<sup>9</sup>Sec. 15.1-945.3, Code of Va.

<sup>10</sup>Sec. 15.1-945.7(B), Code of Va.

<sup>11</sup>The three jurisdictions were requested to revise, where

GENERAL CHARACTERISTICS OF THE LOCALITIES  
AND THE AREAS PROPOSED FOR IMMUNITY

PRINCE GEORGE COUNTY

Prince George County was created in 1702 from territory formerly a part of Charles City County.<sup>12</sup> Located south of the confluence of the Appomattox and James Rivers, and bounded in part by those water concourses, Prince George County has played a prominent role in the history of our Commonwealth. In terms of geographic size, Prince George County is one of the State's smaller counties, having a land area of only 281.3 square miles.<sup>13</sup>

As a result of Petersburg's 1972 annexation Prince George County experienced a significant population loss during the preceding decade, with the number of its residents decreasing from 29,092 to 25,733, or by 11.6%, between 1970 and 1980.<sup>14</sup> This aggregate population loss, however, obscures an apparent growth in certain segments of the County's populace. Given the fact that 4,629 County residents were annexed by the City of Petersburg in 1972, and since the County experienced an additional loss of 4,254 people as a result of the decrease in the number of persons residing in group quarters (principally at Fort Lee), the County would have experienced a more

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necessary or desired, any of the materials and data previously submitted to the Commission in conjunction with the annexation cases. All data utilized in this report reflect the most recent information supplied by the parties.

<sup>12</sup>J. Devereux Weeks, Dates of Origin of Virginia Counties and Municipalities (Charlottesville: Institute of Government, University of Virginia, 1967).

<sup>13</sup>The County's land area is given in Virginia Department of Highways and Transportation (now Department of Transportation), "Area in Square Miles of Virginia's Counties and Incorporated Towns," Dec. 1980. Only 21 of the Commonwealth's 95 counties have a land area less than that of Prince George County.

<sup>14</sup>U. S. Department of Commerce, Bureau of the Census, 1980 Census of Population, Number of Inhabitants, Virginia, Table 2. See

dramatic decline during the previous decade had it not benefited from demographic growth in other areas.<sup>15</sup> This demographic growth is reflected in official population estimates for 1985, which placed the County's populace at 26,800 persons, an increase of 4.2% since the preceding decennial census.<sup>16</sup> Based on its 1985 estimated population and a land area of 281.3 square miles, the County has an overall population density of 95 persons per square mile.

With respect to the nature of its population, the evidence indicates that the County's populace is significantly younger (reflecting the impact of military personnel at Fort Lee) than that of the State as a whole. Data reveal that, as of 1980, the median age of County residents was 24.5 years, a statistic considerably less than that for the State overall (29.8 years).<sup>17</sup> Moreover, the percentage of the

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Appendix A for a statistical profile of Prince George County, the City of Petersburg, the City of Hopewell, and the areas proposed for immunity.

<sup>15</sup>Julia H. Martin and Michael A. Spar, Intercensal Estimates and Decennial Counts for Virginia Localities, 1790-1980 (Charlottesville: Tayloe Murphy Institute, University of Virginia, Feb. 1983); U. S. Department of Commerce, Bureau of the Census 1970 Census of Population, Characteristics of Population, Virginia, Table 120; and U. S. Department of Commerce, Bureau of the Census, 1980 Census of Population, General Social and Economic Characteristics, Virginia, Table 173.

<sup>16</sup>Julia H. Martin and David W. Sheatsley, Estimates of the Population of Virginia Counties and Cities: 1984 and 1985 (Charlottesville: Tayloe Murphy Institute, University of Virginia, 1986). The County has estimated that, as of 1984, 9,405 persons resided in barracks or family housing at Fort Lee. [See County of Prince George, "Table 6 (Revised)," hereinafter cited as "County Table 6 (Revised)," submitted as an attachment to Robert P. Goumas, Consultant, County of Prince George, letter to staff of Commission on Local Government, Feb. 13, 1987.] This revised table, which replaced that found at County Notice re Petersburg, p. 21, presented modified data with respect to the size and population density of the area proposed for immunity from annexation by the City of Petersburg.

<sup>17</sup>1980 Census of Population, General Social and Economic Characteristics, Virginia, Tables 62, 171. As of 1980, persons between the ages of 18-21 comprised 13.1% of the County's total popula-

County's population age 65 and over in 1980 was only 3.7%, a measure less than half that for the State generally (9.5%).<sup>18</sup>

In terms of income, State Department of Taxation data disclose that, as of 1984, per capita adjusted gross income (AGI) in Prince George County was \$6,062, or only 65.6% of the comparable statistic for the Commonwealth generally (\$9,235).<sup>19</sup> The validity of this statistic as a measure of the relative income of County residents is limited, however, by the fact that many military personnel at Fort Lee do not pay taxes to the State of Virginia, and, thus, the earnings of such personnel are not reflected in the County's AGI. Supporting this point are recent median family income data indicating that Prince George County residents receive income paralleling that of State residents generally. The median family income of Prince George County residents in 1986 was calculated to be \$28,763, or 92% of the comparable statistic for the State overall (\$31,148).<sup>20</sup> Further, the general economic status of the County's resident population is suggested by the fact that its populace is not heavily dependent on

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tion, while that age group represented only 8.0% of the State's overall population. (U. S. Department of Commerce, Bureau of the Census, 1980 Census of Population, General Population Characteristics, Virginia, Tables 18, 45.)

<sup>18</sup>1980 Census of Population, General Social and Economic Characteristics, Virginia, Tables 62, 171.

<sup>19</sup>John L. Knapp and Robert W. Cox, Distribution of Virginia Adjusted Income by Income Class and Locality, 1984 (Charlottesville: Tayloe Murphy Institute, University of Virginia, 1986). The per capita measure was calculated using 1985 population estimates. It should be noted that the AGI statistics are derived from State income tax returns, and, thus, the term does not include certain forms of nontaxable personal income. See the definition of AGI given in Appendix D, n. 2.

<sup>20</sup>John L. Knapp and Robert W. Cox, Projected 1986 Median Family and Median Household Income in Virginia's Counties, Cities, MSAs, and Planning Districts (Charlottesville: Tayloe Murphy Institute, University of Virginia, 1986). The income concept used in this report encompasses all forms of money income except capital gains, but it excludes nonmonetary income such as net imputed rent

social service programs.<sup>21</sup>

In regard to its general fiscal condition, our analysis indicates that, utilizing the latest data available and a methodology previously developed by the State's Joint Legislative Audit and Review Commission (JLARC), Prince George County has a degree of fiscal stress exceeded by only 30 of the State's 136 counties and cities.<sup>22</sup> However, analyses of the County's local fiscal burden utilizing a series of other measures reveal that the County bears a fiscal burden substantially less than that borne by the Cities of Petersburg and Hopewell as well as that borne by residents of all the Commonwealth's cities and counties considered collectively.<sup>23</sup>

In terms of physical development, 1985 land use data for Prince George County revealed that only 12.9% of the County's total land area was then committed to residential, commercial, industrial, or public or semi-public uses, with approximately one-half of that property

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from owner-occupied houses and the value of food stamps.

<sup>21</sup>The data indicate that, for the quarter ending September 1986, only 3.1% of Prince George County's population was participating in the food stamp program. During that same period there were only 140 cases of aid to dependent children in Prince George County. (Virginia Department of Social Services, Public Welfare Statistics, Sep. 1986, Tables V, XIV.)

<sup>22</sup>See Appendix C for an updated version of the fiscal stress measures for Virginia counties and cities utilizing the methodology previously compiled by JLARC and published in Local Fiscal Stress and State Aid, House Document No. 4, 1986, Appendix A. In the referenced report JLARC developed four different methods for measuring local fiscal stress. The methodology preferred by JLARC and that used by the Commission in our updating of the calculations is Method 1.

<sup>23</sup>See Appendix D for a comparative analysis of the fiscal ability and fiscal effort of Prince George County, the City of Petersburg, and the City of Hopewell. In Appendix D the Commission has analyzed the magnitude of jurisdictional effort, or burden, with a series of measures indicating total local-source revenues per capita, per \$1,000 of the true value of real estate and public service corporation property, per \$1,000 of adjusted gross income, and per \$1,000 of the modified wealth index (as defined in the appendix). It should be noted that under the 'Method 1' approach developed by JLARC, every

being utilized for federal purposes.<sup>24</sup> The largely rural nature of Prince George County is also suggested by U. S. Bureau of the Census data for 1982 which disclosed that the County then had 191 active farms collectively cultivating 47,083 acres of land.<sup>25</sup> Further, according to 1985 data, Prince George County still contained 118,282 acres of forest land.<sup>26</sup>

While Prince George County remains largely rural, the evidence indicates that the County has experienced development and a diversification of its economy in recent years. In this regard, the data reveal that between March 1977 and March 1986 the number of positions of nonagricultural wage and salary employment in Prince George County increased from 6,955 to 8,907.<sup>27</sup> Thus, during that period the number of such employment positions in Prince George County grew by 28.1%.

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jurisdiction is assigned a value ranging from 1 (very low) to 8 (very high) on each of seven stress factors with respect to the distance, in standard deviations, between that locality's raw score and the Statewide average. For a particular jurisdiction the several relative stress values, with differential weights specified by JLARC, are added to produce a composite index score denoting the overall fiscal strain experienced by the county or city in question. This summary measure takes cognizance of the locality's level of revenue capacity, change in revenue capacity, level of tax effort, change in tax effort, poverty rate, median family income, and change in median family income. The aggregate score computed for a given jurisdiction, then, embraces an array of elements reflecting, but not limited to, the activity undertaken by the local government in raising revenues from its indigenous resource base.

<sup>24</sup>County of Prince George, Comprehensive Plan, 1986 (hereinafter cited as County Comprehensive Plan, 1986), p. 143.

<sup>25</sup>U. S. Department of Commerce, Bureau of the Census, 1982 Census of Agriculture, Virginia, Table 1.

<sup>26</sup>U. S. Department of Agriculture, Forest Service, Forest Statistics for the Coastal Plain of Virginia, 1985, Table 2.

<sup>27</sup>Virginia Employment Commission, Population and Labor Force Data, 1977; and Virginia Employment Commission, Covered Employment and Wages in Virginia for Quarter Ending March 31, 1986.

In sum, the data disclose that Prince George County is experiencing a modest degree of population growth, that its populace is younger than that of the State generally, that its residents are less dependent upon public assistance programs than those of its neighboring municipalities, and that the County remains largely rural and undeveloped.

AREA PROPOSED FOR IMMUNITY FROM THE CITY OF PETERSBURG

The area proposed for immunity from annexations initiated by the City of Petersburg embraces 13.5 square miles of territory containing, according to the County's estimate, a 1984 population of 10,691 persons and a 1984 schoolage population of 2,010.<sup>28</sup> Thus, this proposed immunity area encompasses 4.8% of Prince George County's total land area and contains, assuming the correctness of the County's estimates 39.9% of its 1984 population and 40.3% of its 1984 schoolage population.

Included within this area proposed for immunity are approximately 7.1 square miles of territory owned by the federal government containing, as of 1984, 9,405 persons.<sup>29</sup> These data indicate that over one-half of the area is federally-owned, with that property containing approximately 88% of the total population within the proposed immunity area.<sup>30</sup> Based on the above-cited statistics, the federal properties

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<sup>28</sup>County Notice re Petersburg, pp. 16-21; and "County Table 6 (Revised)." "Schoolage population" is defined by the Code of Virginia to include all persons age 5-19 inclusive, plus handicapped persons ages 2-4 and 20-21. (Sec. 22.1-281, Code of Va.) See Appendix B for map of the area proposed for immunity.

<sup>29</sup>Federal properties constitute approximately 53.3% of the area proposed for immunity from the City of Petersburg. Federal properties in the area include a portion of the Fort Lee military installation (6.4 square miles) and territory belonging to the National Park Service (0.7 square mile). (Gregory E. White, Deputy Director, Directorate of Engineering and Housing, Fort Lee, communication with staff of Commission on Local Government, Feb. 13, 1987; and "County Table 6 (Revised)."

<sup>30</sup>The National Park Service property within the area proposed

in the area proposed for immunity from Petersburg have an overall population density of 1,306 persons per square mile, or over six times that of the nonfederal properties within that area (204 persons/square mile).<sup>31</sup> Clearly, the most salient feature of the area proposed for immunity from Petersburg is the inclusion therein of Fort Lee with its concentration of residential population.<sup>32</sup>

In terms of the nature of development of the nonfederal properties in the area proposed for immunity from Petersburg, the County has estimated that 20.9% of such property is devoted to residential development, 0.6% is utilized for commercial activity, 4.4% is engaged in industrial activity, with 67.0% (2,700 acres) remaining vacant.<sup>33</sup> The nonfederal properties in the area do contain several residential concentrations and a limited number of County-owned facilities (e. g., a middle school and utility lines and appurtenances).<sup>34</sup>

It is significant to note that this proposed immunity area will be subjected to new economic forces as a result of various road improvements which are currently being planned. Among those improvements are the completion of Interstate Highway 295, which will parallel portions

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for immunity has no resident population. (William Fluharty, Chief Ranger, Petersburg National Battlefield Park, communication with staff of Commission on Local Government, Mar. 17, 1987.)

<sup>31</sup>The density of population for the nonfederal properties in the area proposed for immunity from annexation by the City of Petersburg is based on the County's 1984 estimate of 1,286 residents residing on such property. (County Notice re Petersburg, pp. 16-21.)

<sup>32</sup>The Commission has been advised that during federal FY1984-85 (Oct. 1 - Sep. 30) Fort Lee housed 6,169 permanent residents and dependents and an average of 3,100 students. (Colonel James A. Burger, Staff Judge Advocate, Fort Lee, letter to staff of Commission on Local Government, Mar. 10, 1986.)

<sup>33</sup>Goumas, letter to staff of Commission on Local Government, Feb. 9, 1987.

<sup>34</sup>County Maps re Petersburg, Exhs. 2, 5, 6.

of the easternmost boundary of the proposed immunity area, and the Temple Avenue extension, which will extend from State Route 36 just west of Hopewell's present corporate limits to Interstate Highway 95 in the City of Colonial Heights. These major thoroughfares will doubtless affect the rate and nature of development in the proposed immunity area and its general environs in future years.

#### AREA PROPOSED FOR IMMUNITY FROM THE CITY OF HOPEWELL

The area proposed for immunity from annexations initiated by the City of Hopewell encompasses 9.1 square miles of territory containing, according to the County's estimate, a 1984 population of 2,590 persons and a 1984 schoolage population of 607.<sup>35</sup> Thus, this proposed immunity area embraces 3.2% of Prince George County's total land area and contains, based on the County's estimates, 10.0% of its 1984 population and 12.2% of its 1984 schoolage population.

In terms of current development, the area proposed for immunity from Hopewell includes 2.3 square miles of uninhabited property constituting part of the Fort Lee military reservation.<sup>36</sup> With respect to the nature of development on the nonfederally-owned territory within the proposed immunity area, a survey undertaken by the County in 1985 revealed that 20.5% of such land was then devoted to residential development, 2.7% was committed to commercial enterprise, 25.6% was engaged in industrial activity, 0.1% was utilized for public or semi-public purposes, 5.2% was consumed by streets and railroad rights-of-way, with 45.9% (2,080 acres) remaining vacant.<sup>37</sup> The data indicate that, based on the County's 1984 estimate of population,

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<sup>35</sup>County Notice re Hopewell, pp. 24-25. See Appendix B for a map of the area proposed for immunity.

<sup>36</sup>Ibid; p. 25.

<sup>37</sup>Goumas, letter to staff of Commission on Local Government, Feb. 9, 1987.

the nonfederally-owned property in the area proposed from immunity from Hopewell has a population density of 380 persons per square mile.<sup>38</sup> The nonfederal property in the area proposed for immunity contains approximately 10 residential subdivisions and a significant concentration of commercial activity (the Lee Plaza Shopping Center and adjacent commercial development along State Route 36). While the area contains no public schools or other County administrative facilities, it does contain a fire station currently under construction by Prince George County and County-owned water and sewer lines and appurtenances.

As in the case of the area proposed for immunity from annexation initiated by the City of Petersburg, this proposed immunity area will also be affected by the major road improvements being planned and constructed in the vicinity. Those new thoroughfares can be expected to have a significant impact on future development in the area and on the economies of the neighboring jurisdictions.

#### CITY OF PETERSBURG

The City of Petersburg is located south of the Appomattox River approximately 20 miles from the Commonwealth's capital city. A community was first established on the present-day site of Petersburg as early as 1646. The community was incorporated as a town in 1748, with that municipality becoming one of Virginia's cities in 1850.<sup>39</sup> The City of Petersburg has grown over the years through a series of annexations to its present size of 23.09 square miles.<sup>40</sup> The City's

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<sup>38</sup>County Notice re Hopewell, p. 25.

<sup>39</sup>A brief history of Petersburg is found in City of Petersburg, City of Petersburg Annexation Notice and Supporting Data (hereinafter cited as Petersburg Annexation Notice), 3 vols., Apr. 1985, Vol. I, p. 5-1.

<sup>40</sup>Ibid.

last annexation occurred in 1972, when 14.12 square miles of territory, containing 8,021 persons, were added to its jurisdiction.<sup>41</sup>

In terms of population, U. S. Bureau of the Census data indicate that between 1970 and 1980 the City's populace increased from 36,103 to 41,055 persons, or by 13.8%.<sup>42</sup> The population growth during the preceding decade, however, was largely the consequence of the City's 1972 annexation. It is significant to note, moreover, that 1985 population estimates placed the City's populace at 39,700 persons, a decline of 3.3% since the preceding decennial census.<sup>43</sup> Based on its 1985 estimated population and its current land area, the City has a population density of 1,719 persons per square mile.

With respect to the nature of its population, the evidence indicates that Petersburg's populace is older and less affluent than that of the State as a whole. Data reveal that, as of 1980, the median age of Petersburg's residents was 30.2 years, or slightly greater than that of the State overall (29.8 years).<sup>44</sup> Further, the percentage of the City's 1980 population age 65 and over was 11.6%, a statistic exceeding the comparable figure for the State generally (9.5%).<sup>45</sup> In terms of income, State Department of Taxation data disclose that, as of 1984, the adjusted gross income (AGI) per capita in Petersburg was \$6,815, or only 73.8% of the comparable statistic for the Commonwealth as a whole (\$9,235).<sup>46</sup> Alternatively, the median

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<sup>41</sup>Ibid., pp. 5-14--15.

<sup>42</sup>1980 Census of Populations, Number of Inhabitants, Virginia, Table 2.

<sup>43</sup>Estimates of the Population of Virginia Counties and Cities: 1984 and 1985.

<sup>44</sup>1980 Census of Population, General Social and Economic Characteristics, Virginia, Tables 62, 171.

<sup>45</sup>Ibid.

<sup>46</sup>Distribution of Virginia Adjusted Gross Income by Income Class and Locality, 1984. The per capita measure was calculated using

family income in Petersburg in 1986 was calculated to be \$24,124, or 77% of the comparable figure for the State overall (\$31,148).<sup>47</sup>

Several other demographic measures should be noted with respect to Petersburg's population. First, U. S. Bureau of the Census data reveal that, as of 1979, 20.1% of the City's total population had income below the official poverty level, a statistic nearly twice that for the State overall (11.8%).<sup>48</sup> Second, statistics published by the Virginia Department of Social Services for the quarter ending September 1986, the latest available, indicate that 17.9% of Petersburg's total population was then participating in the food stamp program, a population component almost three times that in the State generally (6.0%).<sup>49</sup> Third, the same statistical publication revealed that, as of the third quarter of 1986, the City of Petersburg had 1,462 cases of aid-to-dependent children, an incidence of such dependency more than 10 times that in Prince George County (140 cases).<sup>50</sup> Recent economic conditions in the City of Petersburg do suggest some improvement in the City's social service problems. Between December 1985 and December 1986 the unemployment rate in the

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1985 population estimates.

<sup>47</sup>Projected 1986 Median Family and Median Household Income in Virginia's Counties, Cities, MSAs, and Planning Districts.

<sup>48</sup>1980 Census of Population, General Social and Economic Characteristics, Virginia, Tables 62, 171.

<sup>49</sup>Public Welfare Statistics, 1986, Table XIV. The percentage of Petersburg's population participating in the food stamp program was exceeded by that in only five other political subdivisions in Virginia at the time.

<sup>50</sup>Ibid., Table V. In FY1985-86 the City of Petersburg expended \$916,797 in local funds for various social services, while local expenditures for social services in Prince George County the same year totaled \$132,264. (Larry Anderson, Virginia Department of Social Services, Bureau of Fiscal Management, communication with staff of Commission on Local Government, Feb. 24, 1987.)

City of Petersburg decreased from 10.3% to 7.3%.<sup>51</sup>

In terms of Petersburg's general fiscal health, utilizing the latest available data and the methodology employed by the Joint Legislative Audit and Review Commission in previous analyses, our calculations indicate that the City is one of the Commonwealth's most fiscally stressed localities, with only two of the Commonwealth's counties and cities (the Cities of Hopewell and Norfolk) having a degree of fiscal stress equaling or exceeding that of the City of Petersburg.<sup>52</sup> Moreover, whether measured on a per capita basis or in relation to true real property values, adjusted gross income (AGI) of residents, or a composite index of local fiscal resources (comprised of true real property values, AGI, and taxable retail sales), fiscal effort by the City of Petersburg in FY1984-85 was generally double that of Prince George County.<sup>53</sup>

With respect to the nature of its physical development, 1980 land use data for the City of Petersburg, the latest tabulation available, revealed that 20.6% of the City's total area was then devoted to residential development, 2.7% was engaged in commercial enterprise, 4.0% was utilized for industrial activity, 15.3% was consumed by streets, railroads, and bodies of water, 17.6% was committed to public or semi-public usage, with 39.8% (5,949 acres) remaining vacant.<sup>54</sup> Of the total vacant land in the City, however, 914 acres were located in the floodplain or on slopes in excess of 15%.<sup>55</sup> Thus, based on the 1980 land use statistics, the City of Petersburg retained 5,035 acres of

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<sup>51</sup>Labor Force Estimates for the United States, Virginia and Virginia's MSA's, LMA's, Cities and Counties, Feb. 1986.

<sup>52</sup>See Appendix C.

<sup>53</sup>See Appendix D, p. 10.

<sup>54</sup>Petersburg Annexation Notice.

<sup>55</sup>These land use data were provided by G. H. Gromel, Jr., Special Counsel, City of Petersburg, letter to staff of Commission on Local Government, Feb. 18, 1986.

vacant property, or 33.7% of its total area, free from major environmental constraints affecting its development potential.

In sum, the data reveal that the City of Petersburg has experienced a loss of population in recent years, that its populace is significantly older and poorer than that of the State generally, and that it bears one of the highest degrees of fiscal stress confronted by any of Virginia's counties and cities. While, as other sections of this report will indicate, the City of Petersburg continues to play a prominent role in the corporate life of its general area, it is a municipality which concurrently confronts major social, economic, and fiscal problems.

#### CITY OF HOPEWELL

As in the case of its neighboring municipality, Hopewell can trace its origin to early colonial times, with settlement in the area dating from 1635.<sup>56</sup> Hopewell became one of the Commonwealth's independent cities in 1916 having been established directly from unincorporated territory. The City has grown since its founding to its present size of 11.3 square miles as a consequence of three annexations.<sup>57</sup> Hopewell's last annexation, which occurred in 1969, brought 3.01 square miles of territory and 2,158 persons within the City's boundaries.<sup>58</sup>

Demographic data reveal that, despite the 1969 annexation, the City experienced no population growth during the decade which followed. U. S. Bureau of the Census statistics indicate that between 1970 and

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<sup>56</sup>City of Hopewell, City of Hopewell Annexation Exhibits: Statistical Data and Descriptions (hereinafter cited as Hopewell Annexation Exhibits: Data), July 1985, p. 15.

<sup>57</sup>Ibid., p. 17. All three annexations were uncontested by the County.

<sup>58</sup>Ibid.

1980 the City's population actually decreased from 23,471 to 23,397 persons, or by 0.3%.<sup>59</sup> Official estimates for 1985 place Hopewell's population at 24,000 persons, an increase of 2.6% since the preceding decennial census.<sup>60</sup> Based on the 1985 population estimate and its land area of 11.3 square miles, the City has a population density of 2,124 persons per square mile.

With respect to the nature of its population, the evidence indicates that Hopewell's populace is similar in age but poorer than that of the State generally. Data reveal that, as of 1980, the median age of City residents was 29.9 years, a figure virtually identical to that of the State overall (29.8 years).<sup>61</sup> Further, the percentage of the City's 1980 population age 65 and over was 10.9%, a statistic slightly in excess of that for the State generally (9.5%).<sup>62</sup> In regard to income, State Department of Taxation data reveal that, as of 1984, per capita AGI in the City was \$7,664, or only 83.0% of the comparable figure for the Commonwealth generally (\$9,235).<sup>63</sup> Further, the median family income in Hopewell in 1986 was reported to be \$27,245, or only 68% of that for the State overall (\$31,148).<sup>64</sup>

In terms of other characteristics of its population, the data

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<sup>59</sup>1980 Census of Population, Number of Inhabitants, Virginia, Table 2.

<sup>60</sup>Estimates of the Population of Virginia Counties and Cities: 1984 and 1985.

<sup>61</sup>1980 Census of Population, General Social and Economic Characteristics, Virginia, Tables 62, 171.

<sup>62</sup>Ibid.

<sup>63</sup>Distribution of Virginia Adjusted Gross Income by Income Class and Locality, 1984. The City's per capita AGI was calculated using the 1985 population estimate.

<sup>64</sup>Projected 1986 Median Family and Median Household Income in Virginia's Counties, Cities, MSAs, and Planning Districts.

reveal that the City of Hopewell contains a concentration of people in need of social services. U. S. Bureau of the Census disclose that, as of 1979 (the latest year for which the information is available), 12.5% of Hopewell's population had income below the official poverty level, a figure slightly above that for the State overall (11.8%).<sup>65</sup> More recent statistics indicate that Hopewell continues to have a concentration of high cost population. Data published by the Virginia Department of Social Services reveal that, for the quarter ending September 1986, 9.0% of Hopewell's population was participating in the food stamp program, a percentage significantly in excess of that in Prince George County (3.0%) and surpassing that in the State overall (6.0%).<sup>66</sup> For that same period, there were 442 cases of aid-to-dependent children in Hopewell, a caseload nearly three times that in Prince George County (140).<sup>67</sup>

Recent economic conditions in the City suggest no diminution in the City's social service burdens. Between December 1985 and December 1986 unemployment in the City increased from 6.0% to 7.2%, with the latter statistic suggesting no improvement in the economic plight of the City's populace.<sup>68</sup> Our calculations indicate that, based on the latest available data and the previously cited JLARC methodology, the City is the most fiscally stressed of all the Commonwealth's cities and counties.<sup>69</sup> Further, fiscal effort by the City of Hopewell, whether measured on a per capita basis or in relation to true property

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<sup>65</sup>1980 Census of Population, General Social and Economic Characteristics, Virginia, Tables 62, 171.

<sup>66</sup>Public Welfare Statistics, 1986, Table XIV.

<sup>67</sup>Ibid., Table V.

<sup>68</sup>Labor Force Estimates for the United States, Virginia and Virginia's MSA's, LMA's, Cities and Counties.

<sup>69</sup>See Appendix C.

real property values, adjusted gross income (AGI) or a composite index of local fiscal resources (comprised of true real property values, AGI, and taxable retail sales), in FY1984-85 was generally twice that of Prince George County.<sup>70</sup>

In regard to its physical development, 1984 land use data reveal that 32.3% of Hopewell's total area was then devoted to residential development, 3.1% was engaged in commercial enterprise, 13.7% was utilized for industrial activity, 8.6% was committed to public or semi-public usage, 18.9% was consumed by streets, railroads, or bodies of water, with 23.4% (1,692 acres) remaining vacant.<sup>71</sup> Of this vacant land, however, the City has reported that approximately 850 acres included in the total are located in the floodplain, on slopes in excess of 15%, or on sites owned by adjacent industries and held for their exclusive use.<sup>72</sup> Moreover, the City has contended that 127 acres of the vacant property are located on small and isolated parcels with limited development potential.<sup>73</sup> Exclusive of such property, Hopewell retains 715 acres, or 9.9% of its total area, free of major environmental constraints and suitable for general development.

In sum, the data indicate that Hopewell has experienced only modest population growth since 1970, that its population is poorer than that of the State generally, that it is the most fiscally stressed of Virginia's 136 cities and counties, and that it retains only a limited amount of land generally available for future develop-

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<sup>70</sup>See Appendix D, p. 25.

<sup>71</sup>Hopewell Annexation Exhibits: Data, p. 30.

<sup>72</sup>The local managers of the four major industries in Hopewell have indicated that the vacant land adjacent to their respective plant sites has been reserved for future expansion of their operations. (Charles S. Perry, Special Counsel, City of Hopewell, letter to staff of Commission on Local Government, Jan. 2, 1986.)

<sup>73</sup>Hopewell Annexation Exhibits: Data, p. 31.

ment. While Hopewell continues to play a major role in the economic and social life in the life of its general area, the evidence indicates that it is a municipality with significant social and economic concerns.

#### STANDARDS AND FACTORS FOR IMMUNITY

The standards and factors which are to be considered by this Commission, and ultimately by the court, in county actions for partial immunity are set forth in Section 15.1-977.22:1 of the Code of Virginia. That statute provides that a grant of immunity must rest upon a determination that appropriate urban-type services are being provided in the areas for which the county seeks immunity comparable to the type and level of such services furnished in the affected city. In the analysis of appropriate urban-type services this Commission and the court are directed to use as a guide the list of services set forth for consideration in annexation cases by Section 15.1-1041(b1)(i) of the Code of Virginia. With respect to such services, the immunity statute states that a county shall be given credit for services provided its residents through "cooperative agreement" with a city, but not for services "provided by a city."

In addition to the analysis of comparability of appropriate urban-type services, the Commission and the court are required to consider (1) whether the county seeking partial immunity has made efforts to comply with applicable State policies with respect to environmental protection, public planning, education, public transportation, housing, and other service policies promulgated by the General Assembly; (2) whether the community of interest which exists between those areas of the county for which immunity is sought and the remainder of the county is greater than that between such areas and the adjoining city; and (3) whether the county or the affected city has arbitrarily refused to cooperate in the joint provision of public services. If the court concludes that the county has within the areas for which it seeks immunity appropriate urban-type services comparable

to the type and level provided by the adjoining city and that the other conditions are met, it is directed to enter an order establishing such immunity. The court is denied, however, the authority to grant partial immunity to any county where such would have the effect of "substantially foreclosing" the opportunity of a city of less than 100,000 persons to extend its boundaries by annexation. This statutory limitation on grants of immunity reflects, in our judgment, the intent of the General Assembly that cities of less than 100,000 in population be afforded a substantial opportunity for growth by annexation. The following sections of this report offer the Commission's analyses and findings with respect to the application of these statutorily prescribed standards and factors to Prince George County's actions for partial immunity against the Cities of Petersburg and Hopewell.

#### COMPARABILITY OF APPROPRIATE URBAN-TYPE SERVICES

An analysis of the comparability of appropriate urban-type services, as required in partial immunity actions, necessitates at the outset consideration of several basic issues. The resolution of these issues has a fundamental impact upon the findings of fact which will be rendered in any case on the urban-type services standard. First, the partial immunity statute directs consideration of what are termed "appropriate urban-type services." The reviewing entity must determine whether the phrase is intended to denote (1) a predetermined set of services which are generally required to serve urban areas, or (2) a varying set of services whose composition and nature change with the needs of the people and the physical characteristics of the area in question. In this regard, the Commission notes that the General Assembly has prescribed a list of services to be used as a guide in partial immunity actions, indicating, in our judgment, an expectation that grants of immunity should be founded upon the general presence or availability of such services. With respect to this point, we note that the special court which reviewed the partial immunity action initiated by Pittsylvania County stated:

We think the term "appropriate" is meant to describe not only the suitability of the services provided the areas proposed for immunity but also the suitability of those areas for urban-type services. To deny the need for those services is to deny the urban character of the areas involved and, consequently, the qualification of those areas for the application of [the partial immunity statute].<sup>74</sup>

On pragmatic grounds, the Commission considers it consistent with the best interests of an area and of the Commonwealth to require that grants of permanent immunity from city annexation rest upon the current availability of a county administrative structure and matrix of services suitable for addressing the broad range of needs of urban communities.

This Commission has reviewed the contention made by Prince George County that both this body and the special court which reviewed the Pittsylvania County partial immunity action erred in that case in their interpretation of the phrase "appropriate urban-type services." In this regard, Prince George County has asserted:

"Appropriate" urban-type services can only mean those services that are "fitting" or "proper" or "suitable for the particular person or condition, occasion or place." That is what "appropriate" means. If the General Assembly had intended that a county provide substantially equivalent services beyond what is suitable for the area, the General Assembly would have said so. The General Assembly did not."<sup>75</sup>

We are obliged to note that, in advancing this perspective, Prince George County is proposing a standard which establishes no meaningful

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<sup>74</sup>Board of Supervisors of County of Pittsylvania v. City of Danville, Circuit Court of Pittsylvania County (1985), slip opinion, p. 6. In addressing this issue the special court cited the Supreme Court of Virginia's opinion in a prior annexation case in which that tribunal observed that the absence of a need for urban services constituted a denial of "the area's urban status." [Rockingham v. Harrisonburg, 224 Va. 67, 76 (1982).]

<sup>75</sup>County of Prince George, Proposed Findings and Recommendations: Immunity Petitions (hereinafter cited as County Proposed Findings), Feb. 1987, pp. 3-4.

criterion for a grant of partial immunity. If immunity were to be granted merely upon the availability of "appropriate" or "adequate" services, a major portion of rural Virginia would qualify for such.<sup>76</sup> We do not believe that such a meaningless standard was intended by the General Assembly, nor do we consider it to be in the general interest of the State.

Second, the partial immunity statute requires that for immunity to be granted an area a determination must be made that appropriate urban-type services are provided in such area "comparable" to the type and level of services provided in the affected city. A reviewing agency is confronted with a question as to whether the term "comparable" means equal, approximately equal, or permits some greater degree of disparity in services. While this term is obviously susceptible to a variety of interpretations, it does, in our judgment, have a distinct meaning within the context of the State's partial immunity statute. Our analysis is based on the judgment that, in the context of the partial immunity statute, in order for services in an area of a county to be found "comparable" to those in an adjoining city they must approximate those within the municipality. A grant of immunity, which is bestowed in perpetuity, should require assurance that the county areas in question presently have available a range of appropriate services of a type and level sufficient to address the broad needs of an urban community.

This view of the meaning of the term "comparable" in the context of the partial immunity statute was endorsed by the special court reviewing the Pittsylvania County case. That court stated that the term required "proof of similarity or substantial equivalence of ser-

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<sup>76</sup>The adoption of a flexible standard in partial immunity actions in which the level of services required for a grant of immunity fluctuates with the type and nature of the area in question leads to a logical absurdity. For example, a rural farmhouse which is served by a well, a septic tank system, and a narrow public road is probably "adequately" and "appropriately" served. The "adequacy" of service does not, in our judgment, provide a suitable test for a permanent grant of immunity from city-initiated annexation.

vices" to sustain an action for immunity.<sup>77</sup> While, in our view, the "adequacy" of services in an area of a county may be sufficient to justify denying an annexation effort, permanent immunity from incorporation into a city should require more -- namely, that the area in question is provided with services comparable in scope and quality with those existing within the affected municipality.<sup>78</sup>

Finally, in considering partial immunity actions the reviewing agency confronts the question as to whether a grant of partial immunity must be founded exclusively upon services provided directly by the county government or whether such may be based, at least in part, upon services provided by other public or private entities. In our previous analysis of partial immunity actions we proceeded on the assumption that a grant of immunity could be founded, in part, upon services provided by entities other than the county government itself. We previously stated, however, that where counties base immunity actions on services provided by others, it was incumbent upon the reviewing agency to note the inherent deficiencies or liabilities which accompanied reliance on nonlocal or nonpublic entities for such services. The special court which reviewed the Pittsylvania County partial immunity action addressed this general question by stating:

We . . . hold that to sustain a claim for immunity the services should be provided substantially by the county or pursuant to an intergovernmental cooperative agreement. The county should not be able to claim credit for urban-type services private persons and

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<sup>77</sup>Board of Supervisors of the County of Pittsylvania v. City of Danville, slip opinion, p. 6.

<sup>78</sup>It is significant to note that annexation courts enter orders by which they can control the extension of services to annexed areas and the construction of facilities to meet the needs of such areas. Special courts have no similar authority in decreeing the future provision of service and facilities in areas declared immune. If such immune areas are situated in counties which are predominantly without the need of urban services, it may be politically difficult for the county governing body to provide the intense level of services required by its urban areas.

not governments provide.<sup>79</sup>

With these premises in mind, the Commission offers the following comparative comment regarding urban-type services in the areas proposed for immunity by Prince George County.

#### Water Supply and Distribution

Proposed Immunity Areas. Prince George County does not own or operate a water treatment facility but obtains potable water for its distribution system from the Appomattox Regional Water Authority (ARWA), the Virginia American Water Company (VAWC), and nine County-owned wells.<sup>80</sup> The County's distribution system, and its water services generally, are operated by the County's Utilities Department, which functions under the direction of the County Administrator.

Within the area proposed for immunity from the City of Petersburg, the County owns and maintains only 2.7 miles of water mains, serving only seven connections (all in the Puddledock area east of Petersburg and north of the Fort Lee military reservation.)<sup>81</sup> Other portions of the nonfederal territory in the area proposed for immunity from Petersburg are served by wells and other privately-owned systems.<sup>82</sup>

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<sup>79</sup>Board of Supervisors of the County of Pittsylvania v. City of Danville, slip opinion, p. 7.

<sup>80</sup>County Notice re Petersburg, p. 93. Although the County was a founding member of the ARWA, it did not begin purchasing water from that entity until November 1985. (Ibid; pp. 94-95.)

<sup>81</sup>Ibid., p. 94; and C. Richard Cranwell, Special Counsel, County of Prince George, letter to staff of Commission on Local Government, Oct. 27, 1986. The water mains in the area proposed for immunity from Petersburg constitute approximately 11.8% of the County's total of such facilities. The County's expenditure of an estimated \$685,000 for the construction of a new Temple Avenue water line constitutes its only outlay of County funds for water facilities in the area proposed for immunity from the City of Petersburg. (Cranwell, letter to staff of Commission on Local Government, Oct. 27, 1986.)

<sup>82</sup>The VAWC serves directly no customers within the area proposed for immunity from Petersburg. There is one County-owned well

With respect to the nonfederal property within the area proposed for immunity from Hopewell, the County owns and maintains 12.1 miles of water mains which serve 153 connections.<sup>83</sup> All of these connections are in the Puddledock area or in the New Birchett Estates, Manchester Mills, and Newstead Farms subdivisions. Other nonfederal portions of the area proposed for immunity from Hopewell are served directly by the VAWC (452 connections) or by other privately-owned systems.<sup>84</sup>

In terms of water service available to Fort Lee, that military facility currently purchases potable water from the City of Petersburg and from the VAWC, but it has signed a contract which will enable it to obtain water from Prince George County through a County-owned line paralleling Temple Avenue.<sup>85</sup> Fort Lee provides its inhabitants and facilities with water through 110 miles of water mains serving 1,248

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located within this proposed immunity area. (County Maps re Petersburg, Exh. 6.) According to Prince George County's planning instruments, the County does not plan to extend its water service within the area proposed for immunity from Petersburg until the period 1989-91. (County of Prince George, Capital Improvements Plan, FY 1987-88 through FY1991-92.)

<sup>83</sup>County Notice re Hopewell, p. 102; County Maps re Hopewell, Exh. 6; John G. Kines, Jr., County Administrator, County of Prince George communication with staff of Commission on Local Government, Feb. 23, 1987; and Goumas, letter to staff of Commission on Local Government, Dec. 23, 1986. The water mains in the area proposed for immunity from Hopewell constitute approximately 52.0% of the total of such facilities owned by the County. The County currently has under construction an additional 0.23 miles of water lines in that area. (Goumas, letter to staff of Commission on Local Government, Dec. 23, 1986.)

<sup>84</sup>Cranwell, letter to staff of Commission on Local Government, Oct. 27, 1986; and Goumas, letter to staff of Commission on Local Government, Dec. 23, 1986. The VAWC provides direct service to the Jefferson Park, Stratford Woods, and Birchett Estates subdivisions.

<sup>85</sup>County of Prince George, Trial Exhibits (hereinafter cited as County Trial Exhibits), filed with the Commission during the course of its proceedings in November 1986, Exh. B; and Kines, communication with staff of Commission on Local Government, Feb. 23, 1987. The

connections.<sup>86</sup> While Fort Lee is largely dependent on other entities for its water needs, it maintains a distribution system independent of those operated by other entities in the area.<sup>87</sup>

City of Petersburg. The City of Petersburg, as in the case of the County, acquires its treated water from the ARWA.<sup>88</sup> Since the City is granted an allocation of 16.1 million gallons per day (MGD) from the ARWA and since its distribution system has consumed recently an average of 5.38 MGD, the City retains an unutilized reserve of approximately 10.7 MGD to meet its future water needs.<sup>89</sup>

With respect to its distribution system, the City owns and maintains 156 miles of water lines serving approximately 14,000 connections and more than 98% of the City's population.<sup>90</sup> While Petersburg does not serve directly any connections within the area proposed for immunity, it does, as noted previously, sell water to the

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County's current contract with Fort Lee calls for Prince George County to provide a maximum of 2,000 gallons per day. (Barbara Barlow-Jackson, Chief, Contracting Division, Fort Lee, letter to Kines, July 22, 1985.) The Fort Lee military reservation has two wells with an aggregate capacity of 0.19 MGD to assist in meeting its nonpotable water needs.

<sup>86</sup>County Trial Exhibits, Exh. B. The military reservation has the capacity of storing 1.3 MG utilizing an elevated tank and a reservoir. (Ibid.)

<sup>87</sup>Fort Lee also distributes some of its treated water to the Petersburg National Battlefield Park. (Frank J. Deckert, Superintendent, Petersburg National Battlefield Park, communication with staff of Commission on Local Government, Mar. 17, 1987.)

<sup>88</sup>Petersburg Annexation Notice, Vol. I, pp. 6--19-21. The ARWA treatment plant has a capacity of 46 MGD.

<sup>89</sup>Gromel, letter to staff of Commission on Local Government, Feb. 4, 1986. The City's water purchases include that which is subsequently sold to Virginia State University and the Fort Lee military installation.

<sup>90</sup>Petersburg Annexation Notice, Vol. I, p. 6-20; and Michael R. Packer, City Attorney, City of Petersburg, communication with staff of Commission on Local Government, Mar. 18, 1987.

federal government for use on the Fort Lee military reservation.<sup>91</sup> The Petersburg system includes five storage facilities, which have an aggregate capacity of 10.3 million gallons (MG).<sup>92</sup>

City of Hopewell. The City of Hopewell does not own or operate any water purification or distribution facilities. Instead, the City's water needs are met by the VAWC, which operates under a license granted by the municipality. The evidence indicates that the VAWC has served Hopewell and adjacent areas efficiently and effectively in recent years.<sup>93</sup> The VAWC serves approximately 8,200 connections in Hopewell which are estimated to meet the water needs of virtually all the City's population.<sup>94</sup>

Comparability of Service. The Cities of Petersburg and Hopewell are served by an extensive and efficient water distribution system. Similarly, the developed portions of the Fort Lee military installation are served by a pervasive network of water lines and connections. The nonfederal properties within the area proposed for immunity from Petersburg are largely dependent on wells and other small private systems. The nonfederal properties within the area proposed for immunity from Hopewell contain areas served directly by the VAWC (Jefferson Park, Stratford Woods, and Birchett Estates subdivisions)

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<sup>91</sup>Petersburg Annexation Notice, Vol. I, p. 6-20. During the period 1980-84 Petersburg's sales to Fort Lee averaged 0.9 MGD. (Gromel, letter to staff of Commission on Local Government, Feb. 4, 1986.)

<sup>92</sup>Petersburg Annexation Notice, Vol. I, p. 6-22.

<sup>93</sup>The VAWC plant, which has a rated capacity of 33.0 MGD, experienced an average daily demand of 21.3 MGD in 1984. Thus, the facility has a reserve capacity of 11.7 MGD to meet the future needs of the VAWC's service area. (Hopewell Annexation Exhibits: Data, p. 56; and Virginia American Water Company, Comprehensive Planning Study, June 1985, p. 2-9.)

<sup>94</sup>Milton C. Martin, Director of Development, communication with staff of Commission on Local Government, Feb. 24, 1987.

or by the County (New Birchett Estates, Manchester Mills, and Newstead Farms subdivisions), with all other areas being dependent upon individual or small private systems supplied by wells.

Most of the population concentrations and commercial development adjacent to Hopewell, including the Jefferson Park - Stratford Woods - State Route 36 area (hereinafter identified as the Jefferson Park Area), is served by central water.<sup>95</sup> We find the water service available to the developed portions of the Fort Lee military reservation and the Jefferson Park Area to be comparable to that provided within the adjoining municipalities. We cannot conclude, however, that the water service available generally to the other federal and nonfederal territory within the areas proposed for immunity is generally comparable to that within the Cities of Petersburg and Hopewell.

#### Sewerage

Proposed Immunity Areas. Although the County does not own or operate any central sewage treatment facilities, it does maintain a County-owned collection system comprised of 23.6 miles of sewer lines serving approximately 1,248 connections.<sup>96</sup> Within the area proposed for immunity from the City of Petersburg, there are approximately 6.5 miles of County-owned sewage collection lines serving 219 connections.<sup>97</sup> In addition, the County has approximately 3.5 miles

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<sup>95</sup>We define the Jefferson Park Area to include that territory situated between Hopewell's corporate limits and a line running generally behind the Jefferson Park and Stratford Woods subdivisions and the Lee Plaza Shopping Center and the adjacent development extending southwest to the boundary of Fort Lee. The Jefferson Park Area merits particular attention in this report due to the higher level and concentration of urban-type services in that area.

<sup>96</sup>Cranwell, letter to staff of Commission on Local Government, Oct. 27, 1986.

<sup>97</sup>Cranwell, letter to staff of Commission on Local Government, Oct. 27, 1986.

of sewer lines currently under construction which will serve the Lee Acres and Commonwealth Estates subdivisions in that area.<sup>98</sup> The remaining portion of the nonfederal territory in the area proposed for immunity from the City of Petersburg is served by individual septic tanks.<sup>99</sup>

With respect to the nonfederal property within the area proposed for immunity from Hopewell, Prince George County owns and maintains 8.5 miles of sewer lines serving 269 connections concentrated within the Jefferson Park and Stratford Woods subdivisions.<sup>100</sup> The County also has under construction another 3.5 miles of sewer line in that area which will provide service to the Birchett Estates, New Birchett Estates, Manchester Mills, and Newstead Farms subdivisions.<sup>101</sup> Other nonfederal portions of the area proposed for immunity from

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<sup>98</sup>Ibid. These lines under construction in the area proposed for immunity from Petersburg constitute 25.3% of the total of such facilities currently being installed by the County. The cost for the construction of the sewer lines, including those currently being installed, in the area proposed for immunity from Petersburg is \$3.1 million, with the entire amount being provided by the County. (Ibid.) The sewer lines currently being installed in the proposed immunity area will serve the Commonwealth Estates and Lee Acres subdivisions and that portion of the Puddledock Industrial Park which is in the proposed immunity area. The former project, which is expected to be completed in April 1987, is estimated to serve approximately 153 connections.

<sup>99</sup>There is one private treatment facility which serves a small portion of the area proposed for immunity from Petersburg. (County Maps re Petersburg, Exh. 5.)

<sup>100</sup>Goumas, letter to staff of Commission on Local Government, Dec. 23, 1986. The total cost of the sewer lines, including those under construction, in the area proposed for immunity from Hopewell is \$2.1 million, of which amount the County has provided \$1.2 million through its own resources.

<sup>101</sup>Ibid; and County Trial Exhibits, Exh. A. The Manchester Run sewer interceptor, which is currently under construction, will provide service to approximately 216 connections in the three residential subdivisions located adjacent to State Route 156 in the area proposed for immunity from Hopewell. (Cranwell, letter to staff of Commission on Local Government, Dec. 19, 1986.)

Hopewell are served by individual septic tanks.<sup>102</sup>

In terms of the treatment of sewage collected by the County-owned lines, Prince George County has arranged with the Cities of Petersburg and Hopewell to treat such effluent. The County's agreement with the City of Petersburg reserves for the County's use 1.5 MGD of treatment capacity at the Petersburg plant.<sup>103</sup> Since the total average daily flow to Petersburg's treatment plant from the County is 0.335 MGD, the County retains a reserve capacity of approximately 1.17 MGD for future use at the Petersburg facility.<sup>104</sup> While the County's agreement with the City of Petersburg for sewage treatment is currently due to expire in 1999, its terms permit extension for succeeding five-year periods.<sup>105</sup>

The County's agreement with Hopewell reserves for the County's use 0.75 MGD in treatment capacity at the City's plant. Since the County currently estimates its flow to the Hopewell treatment plant at 0.25 MGD, it retains a treatment capacity of 0.50 MGD at that facility for future use.<sup>106</sup> Although the County's contract with Hopewell is due

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<sup>102</sup>There are three private treatment facilities located within the area proposed for immunity from Hopewell. Two of the private facilities serve mobile home parks in the Puddledock area. (County Maps re Hopewell, Exh. 5.)

<sup>103</sup>County Notice re Petersburg, p. 90. Effluent from the County is received from areas south and east of Petersburg and mostly from property outside of the area proposed for immunity from that City.

<sup>104</sup>Richard M. Brown, City Manager, City of Petersburg, letter to staff of Commission on Local Government, Apr. 14, 1986. Of the total effluent received from Prince George County at the Petersburg sewerage plant, 0.197 MGD comes from the area proposed for immunity from Petersburg. (Cranwell, letter to staff of Commission on Local Government, Oct. 27, 1986.)

<sup>105</sup>County of Prince George, Defense to City-Initiated Annexation (hereinafter cited as County Defense to Petersburg Annexation) 3 vols., Sep-Oct. 1985, Vol. I, pp. 70-72.

<sup>106</sup>County Notice re Hopewell, p. 95. The City's treatment plant receives effluent from County lines serving properties south of

to expire in 1990, it will be automatically extended unless one of the jurisdictions gives a three-year notice of a desire to terminate.<sup>107</sup>

With respect to sewage collection and treatment services available at Fort Lee, that facility currently maintains 78 miles of sewer lines serving approximately 1,250 connections.<sup>108</sup> Effluent collected from Fort Lee is treated at the Hopewell Regional Wastewater Treatment Facility (HRWTF).<sup>109</sup> Thus, although Fort Lee maintains its own collection system independent of those operated by other localities in the area, it is on the HRWTF for sewage treatment purposes.<sup>110</sup>

City of Petersburg. The City of Petersburg owns and operates a sewage treatment plant which treats all effluent collected from within Petersburg and the City of Colonial Heights, as well as that from within portions of Prince George, Dinwiddie, and Chesterfield Counties.<sup>111</sup> Since the Petersburg plant has a design capacity of 15 MGD, and since it receives (based on a 1985 calculation) an average daily flow of 11 MGD, the plant retains a reserve capacity of 4.0 MGD

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Hopewell in the area proposed for immunity from that City.

<sup>107</sup>Ibid.

<sup>108</sup>County Trial Exhibits, Ex. B.

<sup>109</sup>Ibid. The U. S. Army's contract with the City of Hopewell, which was signed in 1971, requires Fort Lee to limit its flow to the City's sewage treatment plant to 2.5 MGD. Fort Lee not only participated in the cost of constructing the HRWTF, but it also shares in the operating expenses of that facility.

<sup>110</sup>Sewage collected at the Petersburg National Battlefield Park, including that portion in Prince George County, is treated by the City of Petersburg. (Deckert, communication with staff of Commission on Local Government, Mar. 17, 1987.)

<sup>111</sup>Petersburg Annexation Notice, Vol. I, p. 6-15. The City's sewage treatment plant was constructed in 1955 and expanded in 1976. The cost for the expansion of the Petersburg treatment facility was \$2.2 million, with the City contributing \$625,000 from its own resources.

to meet future needs.<sup>112</sup>

As noted by this Commission in our previous report on the annexation issues, the Petersburg sewage treatment facility has experienced repeated problems in the recent past in meeting the discharge limits imposed by the State Water Control Board (SWCB).<sup>113</sup> The City's difficulty with its sewage treatment facility has been due, in part, to a problem of infiltration of groundwater and inflow of storm water which Petersburg has been endeavoring to address.<sup>114</sup> In addition, the City has recently negotiated a consent order with the SWCB's Office of Enforcement by which the City will undertake a number of steps to bring its plant into compliance with its assigned discharge limits.<sup>115</sup>

In terms of its collection system, Petersburg owns and maintains approximately 155 miles of lines in the City serving 12,000

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<sup>112</sup>Ibid. The current average daily flow to the City's plant is 73% of its treatment capacity. When the average monthly flow reaches 90% of treatment capacity, the City will be required to begin planning for an expansion of its treatment facility. (See "Policy for Sewage Treatment Plant Loading" in Virginia State Water Control Board, Statutes, Regulations, Policies and Other Documents Adopted by or Applicable to State Water Control Board, July 1982, p. P-1-1.)

<sup>113</sup>Richard N. Burton, Executive Director, State Water Control Board, letter to Brown, Feb. 7, 1986.

<sup>114</sup>It is relevant to note that the City of Petersburg expended \$459,000 during FY1980-81 - FY1984-85 to address the infiltration and inflow problem. Since some of the problem may be attributable to deficiencies in collection lines in other jurisdictions, resolution of the problem may require the assistance of other localities. (Matthew J. Calvert, Special Counsel, City of Petersburg, letters to staff of Commission on Local Government, July 1, 1985 and Feb. 4, 1986.)

<sup>115</sup>Art Buehler, III, Piedmont Regional Office, Virginia State Water Control Board, communication with staff of Commission on Local Government, Feb. 20, 1987. During the period July-December 1986 the Petersburg treatment plant was operated in accordance with its State discharge permit.

connections.<sup>116</sup> City officials have indicated that approximately 97% of the residences and businesses in Petersburg are connected to its sewage collection system.<sup>117</sup> The City does not own or operate any collection lines within the area proposed for immunity by Prince George County and, therefore, does not serve directly any connections in that area.<sup>118</sup>

City of Hopewell. The City of Hopewell owns and operates two facilities which jointly constitute its sewage treatment system. Hopewell's primary treatment plant, which receives effluent from City collection lines, the Federal Correctional Institution, the Fort Lee military reservation, and portions of Prince George County, has a design capacity of 6.5 MGD.<sup>119</sup> Since this facility has an average daily flow, based on the 1980-84 experience, of 4.98 MGD, it retains a reserve capacity of approximately 1.5 MGD.<sup>120</sup> The second component of the City's sewage treatment system is the Hopewell Regional Wastewater Treatment Facility (HRWTF), which receives for secondary treatment the effluent processed by Hopewell's primary treatment facility and wastewater received directly from five major industries

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<sup>116</sup>Petersburg Annexation Notice, Vol. I, p. 6-16; and Calvert, letter to staff of Commission on Local Government, July 1, 1985.

<sup>117</sup>Testimony of Brown, Proceedings: Annexation Hearing, City of Petersburg and City of Hopewell v. County of Prince George (hereinafter cited as Annexation Proceedings), Oct. 28, 1985, p. 312. The City has advised that there are 384 septic tanks which continue to operate within its corporate boundaries. (Calvert, letter to staff of Commission on Local Government, July 1, 1985.)

<sup>118</sup>Petersburg Annexation Notice, Vol. I, p. 6-16.

<sup>119</sup>Hopewell Annexation Exhibits: Data, p. 48. The City's primary treatment plant was built in the 1950s and expanded in 1977 to its present capacity.

<sup>120</sup>Perry, letter to staff of Commission on Local Government, Jan. 2, 1986.

located within the City.<sup>121</sup> Since the HRWTF has a design capacity of 50 MGD and an average daily flow, based on the 1980-84 experience, of 32.46 MGD, it retains an unused reserve of 17.54 MGD.<sup>122</sup>

In terms of its collection system, the City of Hopewell has 116 miles of sewer lines within its municipal boundaries serving 9,285 connections.<sup>123</sup> The City does not extend any sewerage service directly to residents in the area proposed for immunity by Prince George County.

Comparability of Service. As previously noted, the Cities of Petersburg and Hopewell, as well as the developed portions of the Fort Lee military installation, are served by an extensive sewage collection and treatment system. At the present time, the nonfederal properties within the area proposed for immunity from Petersburg are largely dependent upon individual septic tanks. The installation of sewage collection lines in the Lee Acres and the Commonwealth Estates subdivisions, which are expected to be completed in the immediate future, will result in the extension of service to the two largest

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<sup>121</sup>Hopewell Annexation Notice: Data, p. 49.

<sup>122</sup>Perry, letter to staff of Commission on Local Government, Jan. 2, 1986. The operations of the HRWTF, which was constructed in 1977, are governed by a commission whose members include representatives of the City of Hopewell and industrial firms in that City. The commission contracts with the City of Hopewell for the management and operation of the HRWTF. The cost for the construction of that facility totaled approximately \$40 million. The construction funds came from the State, the U. S. Army Corps of Engineers, other federal grants, and local industries. The City of Hopewell's contribution to the regional project was the dedication of its primary treatment facility to the regional system. Operating costs for the HRWTF are shared between the City of Hopewell, Fort Lee, and local industries. Prince George County, which is not a party to the agreement governing the construction and operation of the HRWTF, has been allocated treatment capacity in the City's sewage treatment system as a result of a separate agreement. (Hopewell Annexation Notice: Data, p. 52.)

<sup>123</sup>Hopewell Annexation Notice: Data, p. 53.

population concentrations within the proposed immunity area.

With the exception of the Jefferson Park Area, the nonfederal property within the area proposed for immunity from the City of Hopewell is also largely dependent upon individual septic tanks. The completion of the Manchester Run interceptor line and attendant collection systems in the Birchett Estates, New Birchett Estates, Manchester Mill, and Newstead Farms subdivisions during 1987 will, however, significantly increase the number of residencies in those portions of the proposed immunity area which are connected to central sewerage systems. Despite the presence of a significant number of individual septic systems in both of the areas proposed for immunity by Prince George County, this Commission is unaware of any current health problems in either of those areas due to sewage concerns.

While we find that the sewage collection and treatment services available to the developed portions of the Fort Lee military reservation and to the Jefferson Park Area comparable to those provided within the adjoining municipalities, we cannot conclude that the sewerage service available to the other territory within the areas proposed for immunity is generally comparable to those within the Cities of Petersburg and Hopewell.

#### Solid Waste Collection and Disposal

Proposed Immunity Areas. Prince George County does not provide any solid waste collection services to its residents or business firms within the proposed immunity areas nor elsewhere within its jurisdiction. There are, however, four private collections firms which do offer weekly residential collections services in the County.<sup>124</sup> It is significant to note that Prince George County does impose by ordinance some regulations governing the operations of these private contractors, including requirements that collection vehicles be enclosed, carry fire extinguishers and be maintained in a sanitary

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<sup>124</sup>County Notice re Petersburg, p. 104. Charges for private collection service in the County average approximately \$8.00 per

condition.<sup>125</sup> Unlike many other Virginia counties, Prince George County does not utilize a "green box" system whereby receptacles are dispersed throughout the jurisdiction for solid waste collection purposes.<sup>126</sup>

In terms of solid waste disposal, Prince George County owns and operates a landfill located approximately one mile south of the City of Petersburg. This facility, which has been estimated by County officials to have a ten-year remaining life, is available for use by private citizens of the County without charge.<sup>127</sup> The County's landfill was determined by the Virginia Department of Health to be in noncompliance with State regulations during the period October 1984 - December 1985, primarily because of a shortage of equipment at that facility.<sup>128</sup> County officials have recently advised the Commission that a State inspection held in October 1986 concluded that the

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month.

<sup>125</sup>Prince George County Code, Ch. 16. The County's ordinance does not, however, require private contractors to carry insurance, to post a performance bond, to require their personnel to carry identification tags, to adhere to specified hours for collection, nor to report violations of the County's solid waste management regulations. Such provisions would strengthen the County's ordinance.

<sup>126</sup>County Notice re Petersburg, pp. 104-05. Some localities refuse to utilize "green boxes" systems because of the blight which they can create. Where these systems are established they require careful and regular monitoring. We note that in 1985 Prince George County received an "Award of Excellence" in the Governor's Clean Community Awards Program. (*Ibid.*, p. 105.) These awards are bestowed by the Virginia Division of Litter Control to localities on the basis of the quality of their litter control program. In 1985 there were 18 such awards made to Virginia localities. (Jan C. Robertson, Deputy Commissioner, Virginia Division of Litter Control, communication with staff of Commission on Local Government, May 12, 1986.)

<sup>127</sup>County Notice re Petersburg, p. 105; and Crater Planning District Commission, Overview of Prince George County's Solid Waste Management System, June 1983.

<sup>128</sup>Harold J. Weiner, Regional Consultant, Virginia Department of Waste Management, communication with staff of Commission on Local

County's landfill was fully in compliance with State requirements.<sup>129</sup>

With respect to solid waste collection and disposal services at Fort Lee, refuse at that military facility is collected by private contractors who utilize the County's landfill for refuse disposal purposes.<sup>130</sup> Inert materials, such as construction debris, are disposed, however, at a landfill which is located on that military reservation.<sup>131</sup>

City of Petersburg. The City of Petersburg provides its residents with twice weekly curbside solid waste collection service financed by general fund revenues.<sup>132</sup> In addition, the City offers curbside refuse collection service to commercial firms, with such service extending to four collections per week for businesses in the central business district and in the Walnut Hill shopping area.<sup>133</sup> This

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Government, Apr. 14, 1986. According to State officials, each of the three State inspections of the County's landfill between October 1984 and December 1985 determined that facility to be in noncompliance with State regulations. Further, the State inspection held in January 1986 concluded that the County's landfill was marginally in compliance with State requirements.

<sup>129</sup>Cranwell, letter to staff of Commission on Local Government, Oct. 27, 1986; and Weiner, communication with staff of Commission on Local Government, Apr. 18, 1987. In order to improve the operation of its landfill, Prince George County has expended \$250,000 for the purchase of new equipment for the facility and has added one additional staff person to its landfill operation. [Testimony of Kines, Proceedings: Partial Immunity for (sic) Proposed Annexation of Prince George County (hereinafter cited as Partial Immunity Proceedings), Nov. 24-25, 1986, p. 104.]

<sup>130</sup>County Trial Exhibits, Exh. B.

<sup>131</sup>Ibid. Solid waste at the Petersburg National Battlefield Park is collected by contractors serving that facility. (Fluharty, communication with staff of Commission on Local Government, Mar. 17, 1987.)

<sup>132</sup>Petersburg Annexation Notice, Vol. I, p. 6-31. The City also provides regular collections of brush, limbs, leaves, and, upon request, large and bulky items.

<sup>133</sup>Ibid.; and testimony of Brown, Petersburg Annexation

service to commercial firms is also financed by general fund revenues.

In terms of solid waste disposal, Petersburg operates a landfill in the eastern section of the City near its corporate boundary. This facility, which is available to residents for use without charge, has a remaining life of ten years.<sup>134</sup> State inspections of the Petersburg landfill have indicated that the facility is being operated in compliance with all applicable regulations.<sup>135</sup>

City of Hopewell. The City of Hopewell utilizes the services of a private contractor for the collection of refuse from its residents and commercial establishments. Residential collections are made once weekly, with residents billed \$4.21 per month for this service by the City.<sup>136</sup> Commercial collections are available from one to six times a week, with the charge varying with the frequency of service required.<sup>137</sup> It is significant to this Commission that the City of Hopewell exercises, through the contract with private collector, considerable public oversight over the solid waste collection function. The City's contract with the private firm requires a performance bond, insurance on the firm's personnel and vehicles, the use of uniforms and

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Proceedings, Oct. 28, 1985, pp. 326-27. Businesses requiring more frequent collection and industrial firms with special needs contract for such with private haulers. (Calvert, letter to staff of Commission on Local Government, July 1, 1985.)

<sup>134</sup>Calvert, letter to staff of Commission on Local Government, July 1, 1985.

<sup>135</sup>Robert H. Davis, Jr., Regional Consultant, Virginia Department of Waste Management, communication with staff of Commission on Local Government, Mar. 19, 1987.

<sup>136</sup>Hopewell Annexation Exhibits: Data, p. 61; and Martin, communication with staff of Commission on Local Government, Feb. 20, 1987. As part of the service provided to its residents through this monthly charge, Hopewell makes available to residents a mobile container for use in the collection and storage of residential refuse.

<sup>137</sup>Hopewell Annexation Exhibits: Data, p. 61. The City's contract with the private collector does not provide for the collection of refuse from industrial firms.

badges by the firm's employees, daily washing and disinfection of vehicles, and the resolution of citizen complaints within 24 hours.<sup>138</sup> These contractual provisions give the City a degree of control over the solid waste collection function not present in Prince George County.

In regard to solid waste disposal, Hopewell owns and operates a landfill in the southeastern section of the City. This facility, which is available for use by the residents without charge, has a remaining life of ten years.<sup>139</sup> State officials have advised that the Hopewell landfill has continually been operated in compliance with all State regulations.<sup>140</sup>

Comparability of Service. This Commission is unable to conclude that the solid waste collection and disposal services available generally in the nonfederal portion of the areas proposed for immunity are comparable to the type and level of services provided within the Cities of Petersburg and Hopewell. Petersburg's direct provision of solid waste collection through general fund revenues promotes and facilitates proper disposal of refuse by City residents. With respect to the City of Hopewell, that municipality has established broad and effective public oversight of the solid waste collection and disposal function through its contractual arrangements with a private vendor. In contrast, the County utilizes private contractors with limited public oversight. We do find, however, the solid waste collection and disposal services available to the developed portions of the Fort Lee military reservation comparable to those provided within the adjoining municipalities.

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<sup>138</sup>See City of Hopewell, "Refuse Contract," Apr. 12, 1982.

<sup>139</sup>Hopewell Annexation Exhibits: Data, p. 61.

<sup>140</sup>Davis, communication with staff of Commission on Local Government, Mar. 19, 1987.

### Crime Prevention and Detection

Proposed Immunity Areas. Law enforcement services within the areas proposed for immunity and throughout Prince George County generally are provided through the County's Sheriff's Department.<sup>141</sup> That Department has a personnel complement of 38 positions, including 27 full-time sworn law enforcement personnel.<sup>142</sup> That staffing level is sufficient to provide the County with one sworn officer for each 617 residents residing on nonfederally-owned property in the County.<sup>143</sup>

For purposes of patrol activity, the County is divided into two districts, with U. S. Route 460 serving as the line of demarcation be-

<sup>141</sup>The County has a Police Department staffed by nine officers. In recent years the Sheriff has served concurrently as the County's Chief of Police and has commanded an integrated law enforcement effort. (County Notice re Petersburg, pp. 16-17.)

<sup>142</sup>Goumas, letter to staff of Commission on Local Government, Oct. 18, 1985; and Virginia Department of Criminal Justice Services, Law Enforcement Services in Petersburg, Hopewell, and Prince George County: A Report to the Commission on Local Government (hereinafter cited as Law Enforcement Services Report), Mar. 1986, p. 1. Included in the total of sworn personnel are the nine County police officers.

<sup>143</sup>This calculation is based on a 1985 population estimate of 16,700 persons residing on the nonfederally-owned property in the County. Although the County contends that the personnel of the Virginia State Police assigned to Prince George County should be considered as being available to assist regularly and routinely with the County's law enforcement responsibility, calculations concerning staffing levels do not include those officers. The Commission notes that State Police have traffic enforcement and accident investigation as their principal responsibilities and do not normally respond to minor criminal calls and other matters requiring action by local law enforcement agencies. In 1985 the State Police handled only 10 (2.6%) of the 386 major crimes reported in the County. (Virginia Department of State Police, Crime in Virginia, 1985, Table III.) Further, a recent study of the activities of the State Police revealed that only approximately 2% of a State Trooper's time is involved with criminal action and follow-up investigations. (Virginia Department of Planning and Budget, A Review of The Mission and Staffing of the Department of State Police, Dec. 1984.) Although the State Police do relieve the Sheriff's Department of primary responsibility for patrolling the interstate and primary roads in the County, the local law enforcement

tween them.<sup>144</sup> The predominant portion of the areas proposed for immunity from Petersburg and Hopewell are included in the patrol district north of U. S. Route 460. Patrol service in the County is provided on a 24-hour basis by three shifts, with each shift staffed by a sergeant and three deputies.<sup>145</sup> Two officers are generally assigned to each patrol district.<sup>146</sup> Thus, the northern patrol district, which includes most of the areas proposed for immunity, generally has a geographic intensity of patrol service on nonfederally-owned property equivalent to one officer for each 64.3 square miles of territory. One other measure of the intensity of the County's law enforcement services is provided by the ratio of sworn officers to recorded "calls for service" to the County's Sheriff's Department. Based on an average 6,097 "calls for service" between calendar years 1981-1985, the Sheriff's Department received approximately 226 calls for each sworn officer serving the Department.<sup>147</sup>

In terms of crime prevention, the County Sheriff's Department has assigned one officer to such activity but has confined his work in

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agencies in Prince George County have no control over the location of the State Police and cannot assign them routine "calls for service," which constitute the bulk of local law enforcement activity.

<sup>144</sup>County Comprehensive Plan, 1986, Map 13, p. 95.

<sup>145</sup>County Notice re Petersburg, p. 132. Although the County's patrol pattern is random and adjusted in accordance with need, the County's current comprehensive plan recommends that patrol areas should be modified to provide more intensive services to populated areas. (County Comprehensive Plan, 1986, p. 122.)

<sup>146</sup>Testimony of Perry A. Lewis, Sheriff and Chief of Police, County of Prince George, Partial Immunity Proceedings, p. 229.

<sup>147</sup>Law Enforcement Services Report, p. 22. This calculation, and others presented later in this report regarding the Cities of Petersburg and Hopewell, excludes from the number of sworn officers police cadets, auxiliary police, dispatchers, and animal control personnel. The term "calls for service" in the law enforcement context includes everything from reports of major crimes to noncriminal requests for assistance (e. g., missing child).

that endeavor to nonduty hours.<sup>148</sup> The County does utilize, however, eight other deputies on a part-time basis for crime prevention presentation to citizen groups.<sup>149</sup> As part of its crime prevention efforts the County Sheriff's Department has established approximately eight neighborhood watches, with four in operation within the area proposed for immunity from Hopewell and with one functioning in the area proposed for immunity from Petersburg.<sup>150</sup>

With respect to the training and education of the County's law enforcement personnel, new deputies joining the Prince George County Sheriff's Department are required to attend a 13-week basic training program at the Crater Criminal Justice Academy (CCJA) and, following graduation from that academy, are assigned to work with a patrol sergeant for an indefinite period prior to assignment for independent service.<sup>151</sup> The County does not, however, have any formal or structured program for the orientation of its personnel during this latter training experience.<sup>152</sup> In terms of in-service training, during 1985 the officers in the Prince George County Sheriff's Department received an average of 46 hours of training per person, with par-

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<sup>148</sup>Ibid., p. 9.

<sup>149</sup>Goumas, letter to staff of Commission on Local Government, Oct. 18, 1985.

<sup>150</sup>Law Enforcement Services Report, p. 9; and County Comprehensive Plan, 1986, pp. 94-95. Personnel of the Prince George County Sheriff's Department also conducted security surveys on the premises of 12 businesses in 1985 in conjunction with its crime prevention activities.

<sup>151</sup>County Notice re Petersburg, p. 119. Although the Sheriff's Department does not send its recruits immediately to the CCJA, it does not permit those individuals to perform any law enforcement work until they have graduated from the academy's basic training program. (Law Enforcement Services Report, p. 4.)

<sup>152</sup>Law Enforcement Services Report, p. 4.

ticipation in such training over the years having resulted in eight Department personnel being designated State-certified instructors.<sup>153</sup> In addition, to such specialized law enforcement training, the County Sheriff's Department encourages its personnel to pursue courses in higher education. The Department does not, however, provide any tuition reimbursement to assist in such endeavors.<sup>154</sup>

With respect to the scope and quality of law enforcement services in Prince George County generally, several additional points should be cited. First, the Commission notes that by February 1988 the Sheriff's Department anticipates having in operation an enhanced 911 system which should improve the response time and effectiveness of its services.<sup>155</sup> Second, the County has a standard operating procedures manual which is considered to be an important implement in the effective management of law enforcement services.<sup>156</sup> Third, despite the existence of a procedures manual, the County Sheriff's Department currently operates without adequate written directives addressing a number of high liability issues as prescribed by the Commission on Accreditation for Law Enforcement Agencies.<sup>157</sup> Such written direc-

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<sup>153</sup>Ibid., p. 12. This statistic includes courses taken to meet the State-mandated in-service training (i. e., that taken subsequent to the basic training) requirements, but it excludes from consideration all basic training and college level courses. The term "State-certified instructor" denotes those individuals who have completed 40 hours of compulsory instructor training in addition to having two years of professional service in a criminal justice agency. (Virginia Criminal Justice Services Board, "Rules Relating to Certification of Criminal Justice Instructors," June 16, 1986.)

<sup>154</sup>Law Enforcement Services Report, p. 12.

<sup>155</sup>John Schuiteman and Robert Hicks, Evaluation Specialists, Department of Criminal Justice Services, memorandum to staff of Commission on Local Government, Feb. 20, 1987.

<sup>156</sup>Schuiteman, communication with staff of Commission on Local Government, May 20, 1986.

<sup>157</sup>Law Enforcement Services Report, pp. 13-20. Among the policies not addressed in writing by the Prince George County Sheriff's

tives are considered important components in the professional management of law enforcement agencies. Finally, the data reveal that the County expended a total of \$859,566 during FY1984-85 for law enforcement and traffic control services, an investment of \$51.77 per capita for those activities.<sup>158</sup>

Law enforcement services on the Fort Lee reservation are provided by that facility's Military Police Department. That Department, which has a personnel complement of 38 employees, provides patrol services to the military reservation on the basis of three shifts, with each shift staffed by 12 military police officers.<sup>159</sup> In addition, the Military Police Department provides crime prevention services to the military personnel stationed at Fort Lee and their dependents.<sup>160</sup>

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Department is that relating to taking juveniles into custody. (Standard 44.2.6) The term "high liability" issue denotes law enforcement activities which have the potential to generate a high incidence of citizen complaint, law suits, and court intervention. The existence of written policies on such issues is considered by law enforcement professionals to be appropriate and prudent. The Commission for Accreditation for Law Enforcement Agencies was formed in 1979 by the International Association of Chiefs of Police, the National Organization of Black Law Enforcement Executives, the National Sheriff's Association, and the Police Executive Research Forum. The Commission was established to increase (1) the capability of law enforcement agencies, (2) the effectiveness and efficiency of those agencies, (3) the cooperation and coordination among entities in the criminal justice system, and (4) public confidence in the goals and practices of law enforcement agencies.

<sup>158</sup>Virginia Auditor of Public Accounts, Comparative Report on Local Government Revenues and Expenditures, Year Ended June 30, 1985, Exh. C-3. The population figure used to calculate the per capita expenditure reflect residents on nonfederally-owned property (16,700).

<sup>159</sup>County Trial Exhibits, Exh. B. The personnel assigned to the Fort Lee Military Police Department are required to attend eight weeks of military police school and an additional eight hours of provost marshal office training. The personnel assigned to the Fort Lee Military Police Department have an average of two years of law enforcement experience.

<sup>160</sup>Ibid. The crime prevention and educational services provided by the Fort Lee Military Police Department include Operation

While the County Sheriff's Department serves civil process and, infrequently, criminal process on the military base, law enforcement services at Fort Lee are essentially provided by the military authorities at that facility.<sup>161</sup>

City of Petersburg. Law enforcement services in the City of Petersburg are provided principally through the City's Police Department. That department has a total personnel complement of 135, of which 88 are full-time sworn officers.<sup>162</sup> Based on the 1985 estimated population of Petersburg, the City has a law enforcement staffing level of one full-time sworn officer for each 451 City residents.

For purposes of patrol, the City is divided into five zones, with patrol services provided on a 24-hour per day basis through three shifts.<sup>163</sup> The City's staffing arrangements are such that each shift is served at all times by at least seven patrol officers and a

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Identification, Project Ident-a-Kid, Bicycle Safety Rodeo, and other similar programs. Approximately 25 businesses and offices at the Fort Lee military installation have fire or burglar alarms connected to that facility's Military Police Department.

<sup>161</sup>The Prince George County Sheriff's Department served 704 civil and criminal documents at Fort Lee during 1985. (Cranwell, letter to staff of Commission on Local Government, Jan. 6, 1987.) Law enforcement services at that portion of the Petersburg National Battlefield Park are provided exclusively by federal officials serving that facility. (Fluharty, communication with staff of Commission on Local Government, Mar. 17, 1987.)

<sup>162</sup>Petersburg Annexation Notice, Vol. I, p. 6-33. The City's law enforcement efforts are assisted by the work of 20 auxiliary police who serve a minimum of eight hours per month. The City's auxiliary police are required to take 100 hours of basic training and an additional 40 hours of retraining each year. (Ibid., p. 6-32.) The City's Police Department is currently in the process of filling four new positions, two in the drug enforcement/vice unit and two in traffic control division. (Schuiteman and Hicks, memorandum with staff of Commission on Local Government, Feb. 20, 1987.)

<sup>163</sup>Calvert, letter to staff of Commission on Local Government, July 1, 1985. Two alternating patrol squads are assigned to each shift.

sergeant.<sup>164</sup> Such a staffing level provides the City of Petersburg with a general geographic intensity of patrol service equivalent to one officer for each 2.9 square miles of municipal territory.<sup>165</sup> Another perspective regarding the overall intensity of the City's law enforcement services may be gained from examining the ratio between the number of sworn officers serving Petersburg and the number of "calls for service" handled by the City's Police Department. Based on a total of 50,607 "calls for service" during calendar year 1985, Petersburg's Police Department received 575 calls for each sworn officer serving the department.<sup>166</sup>

In terms of crime prevention activities, the Petersburg Police Department has assigned two police officers on a full-time basis to the development and management of such activities.<sup>167</sup> As part of its crime prevention efforts, the Police Department has assisted with the establishment of 63 Neighborhood Crime Watch Programs, and during 1985, conducted 167 residential and business security surveys to improve the protection of those properties.<sup>168</sup> In addition, the department has approximately 15 officers who are specially trained to present crime prevention programs to citizen groups.<sup>169</sup>

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<sup>164</sup>Ibid. The 4:00 p. m. - 2:00 a. m. shift is staffed by nine patrol officers and a sergeant.

<sup>165</sup>The City's patrol activities are directed by a concept known as "patrolling by objectives," which is considered by law enforcement specialists to constitute an effective means for the utilization of patrol resources.

<sup>166</sup>Law Enforcement Services Report, p. 22. The number of sworn officers used in the calculation excludes police cadets, dispatchers, auxiliary police, and animal control officers.

<sup>167</sup>Ibid., p. 8.

<sup>168</sup>Ibid., p. 9; and Calvert, letter to staff of Commission on Local Government, July 1, 1985.

<sup>169</sup>Petersburg Annexation Notice, Vol. I, p. 6-36.

With respect to training and education, all new personnel selected for service with the Police Department are required to attend the 13-week basic training program at the CCJA. Following graduation from that academy, new personnel are required to undergo two weeks of classroom training and are then assigned to a formal ten-week training program under the supervision of a field training officer.<sup>170</sup> In addition to the basic training given each recruit, officers serving the City's Police Department receive a notable amount of formal training in excess of that mandated by State law. During 1985 officers serving the department received an average of 85 hours of State-certified training.<sup>171</sup> As a result of its emphasis on training, the City's Police Department has in its ranks 25 State-certified instructors.<sup>172</sup> Further, the City's Police Department encourages its personnel to enroll in courses in higher education and provides tuition reimbursement as an inducement for such efforts.<sup>173</sup>

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<sup>170</sup>Law Enforcement Services Report, p. 11. The Petersburg Police Department places its new personnel on a one-year probation after completion of the field training program. This extended probationary period should increase the likelihood that those officers accepted for permanent service by the Department are suited for law enforcement work. The formal ten-week training program for police personnel is supervised by veteran officers in the City's Police Department who are specifically trained for that assignment and who are provided additional pay in recognition of their skills and value. (Ibid., p. 3.)

<sup>171</sup>Ibid., p. 12. State regulations require each law enforcement officer in the Commonwealth to complete 40 hours of "in-service" training during each two year period (Virginia Department of Criminal Justice Services, "Rules Relating to Compulsory In-Service Training Standards for Law Enforcement Officers," July 11, 1984.) The average State-certified training taken by Petersburg officers in 1985 was nearly double that taken by officers serving the Prince George County Sheriff's Department.

<sup>172</sup>Law Enforcement Services Report, p. 12.

<sup>173</sup>Ibid.

Several other considerations should be noted regarding the activities of the Petersburg Police Department. First, the City has had in operation an enhanced 911 emergency response system since December 1986.<sup>174</sup> Second, the City's Police Department appears to be involved aggressively in developing new approaches to the provision of law enforcement services. As an example, the department now operates a "tele-serve system" which permits citizens to report certain types of offenses by telephone, avoiding, in certain instances, the necessity of sending officers to the scene for the initiation of complaints.<sup>175</sup> Third, the Petersburg Police Department has established an operating procedures manual for the standardization of its operations.<sup>176</sup> Fourth, the department has made a notable effort to develop written policies addressing high liability issues as proposed by the Commission on Accreditation on Law Enforcement Agencies.<sup>177</sup> Finally, statistics indicate that the City expended a total of approximately \$3.4 million during FY1984-85 for law enforcement and traffic control activities, constituting a per capita investment of \$86.61 for such services.<sup>178</sup>

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<sup>174</sup>Schuiteman and Hicks, memorandum to staff of Commission on Local Government, Feb. 20, 1987.

<sup>175</sup>Law Enforcement Services Report, p. 6. This "tele-serve" system has been recognized as a effective technique for saving patrol time in such cities as St. Louis, Missouri; Denver, Colorado; and Dallas, Texas. (See William G. Gay, and Steven Schack, "Routine Patrol"; and U. S. Department of Justice, Law Enforcement Administration, Improving Patrol Activity, July 1977, pp. 71-72.)

<sup>176</sup>Petersburg Annexation Notice, Vol. I, p. 6-35.

<sup>177</sup>See Law Enforcement Services Report, Table A. Of the 30 principal areas of concern examined in this report, the City of Petersburg had developed appropriate written policies addressing 28 of them.

<sup>178</sup>Comparative Report on Local Government Revenues and Expenditures, Year Ended June 30, 1985, Exh. C-3.

City of Hopewell. Law enforcement services in the City of Hopewell are provided principally by the City's Police Department, which has a personnel complement of 45 full-time and 2 part-time positions. Included in the personnel complement are 42 full-time sworn officers.<sup>179</sup> Based on that number of sworn officers and the City's 1985 population, Hopewell is served by one sworn officer for each 571 City residents.

The Hopewell Police Department's personnel complement includes 28 officers who are assigned patrol responsibility.<sup>180</sup> This patrol staff provides 24-hour a day coverage through the operation of three duty shifts, with each shift consisting of seven officers.<sup>181</sup> Based on this staffing level, Hopewell is provided generally with a geographic intensity of patrol service equivalent to one officer for each 1.6 square miles of City territory. As noted previously, an alternative means of measuring the general intensity of law enforcement services in a locality is to consider the ratio between the number of sworn officers serving the community and the number of "calls for service" which those officers are required to address. Based on an estimated 15,756 "calls for service" in 1985, Hopewell's Police Department received an average of 375 calls for each sworn officer serving that agency.<sup>182</sup>

In terms of crime prevention, the City's Police Department has assigned one officer full-time and another part-time to the promotion

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<sup>179</sup>Hopewell Annexation Exhibits: Data, p. 71.

<sup>180</sup>Ibid., p. 74.

<sup>181</sup>Ibid., pp. 72, 74. The City's patrol staff is divided into four platoons, each consisting of seven officers (one lieutenant, one sergeant, and five patrol officers). One platoon is assigned regularly to service on one of three duty shifts.

<sup>182</sup>Law Enforcement Services Report, p. 5. The "calls for service" handled by the City's police department during 1985 were projected on the basis of a five-month total of 6,565. The number of sworn officers used in this calculation excludes all police cadets, auxiliary police, dispatchers, and animal control officers.

of such programs.<sup>183</sup> The City's crime prevention activities include the establishment of 14 neighborhood crime watch programs and, during 1985, the conduct of nine home and business security surveys and 39 crime prevention presentations to various citizen groups.<sup>184</sup>

With respect to training and professional education, the Hopewell Police Department sends its new recruits immediately upon joining the agency to the CCJA for the 13-week basic training program. Following graduation from that academy, Hopewell assigns its new police officers to a formal six-week training program under the supervision of a field training officer.<sup>185</sup> In addition to the training received by new recruits, the officers in the Hopewell Police Department received during 1985 an average of 68 hours of State-certified training.<sup>186</sup> The extent of State-certified training undertaken by personnel of that Department has resulted in nine of its officers being recognized as State-certified instructors.<sup>187</sup> Moreover, the department encourages its officers to continue their education at institutions of higher learning and provides tuition reimbursement for those completing successfully courses related to their law enforcement activities.<sup>188</sup>

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<sup>183</sup>Hopewell Annexation Exhibits: Data, p. 73.

<sup>184</sup>Ibid.; and Law Enforcement Services Report, pp. 9-10.

<sup>185</sup>Hopewell Annexation Exhibits: Data, p. 71. Senior officers assigned to provide field training supervision are carefully chosen for that responsibility and are paid a salary supplement for this additional service. (Law Enforcement Services Report, p. 3.) New personnel joining the City's Police Department are placed on a one-year probation following their graduation from the CCJA.

<sup>186</sup>Law Enforcement Services Report, p. 11. This statistic includes all training taken to meet the State mandate of 40 hours of training each two year period. This statistic is exclusive of all basic training and courses taken at the college level.

<sup>187</sup>Ibid., p. 12.

<sup>188</sup>Ibid. The department provides a tuition reimbursement only in instances where an officer completes a course with a grade of "C" or better.

Several additional factors regarding Hopewell's law enforcement activities should be noted. First, the City will have in operation by April 1987 an enhanced 911 emergency service system.<sup>189</sup> Second, the City's Police Department has developed operating and policy manuals to guide the activities of its personnel.<sup>190</sup> Third, those manuals fail to include directives addressing a number of high liability issues as recommended by the Commission on Accreditation for Law Enforcement Agencies.<sup>191</sup> Finally, the data reveal that during 1984-85 the City expended approximately \$1.6 million for law enforcement and traffic control functions, a fiscal commitment to such services equivalent to \$66.47 per capita.<sup>192</sup>

Comparability of Service. The Cities of Petersburg and Hopewell are served by professionally managed, well-trained, and effective law enforcement agencies. The City of Petersburg, in particular, is served by a Police Department which merits a commendatory note for its professional management and innovative initiatives in the provision of law enforcement services. On the basis of the geographic intensity of patrol coverage, advanced and specialized training, crime prevention efforts, and resources committed to the provision of services, this Commission cannot conclude that the law enforcement services available

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<sup>189</sup>Schuiteman and Hicks, memorandum to staff of Commission on Local Government, Feb. 20, 1987.

<sup>190</sup>Hopewell Annexation Exhibits: Data, p. 72.

<sup>191</sup>Law Enforcement Services Report, Table A. As an example of such policy omissions, the Hopewell Police Department does not currently operate under written directives establishing steps to be followed in conducting preliminary and follow-up investigations. Such directives are prescribed by Standards 42.2.2 and 42.2.3, respectively, established by the Commission on Accreditation for Law Enforcement Agencies.

<sup>192</sup>Comparative Report on Local Government Revenues and Expenditures, Year Ended June 30, 1985, Exh. C-3.

generally to the nonfederal territory within the areas proposed for immunity are comparable to those within the Cities of Petersburg and Hopewell. We do conclude, however, that the law enforcement services provided by the federal government at the Fort Lee military reservation are comparable to those provided within the adjacent Cities.

#### Fire Prevention and Protection

Proposed Immunity Areas. Nonfederal properties within the areas proposed for immunity from Petersburg and Hopewell are within the first run service area of the Prince George County Volunteer Fire Company (PGVFC), which is located at the Prince George County Courthouse.<sup>193</sup> This unit is served by approximately 33 volunteers, who have available for their fire suppression work 2 pumpers, a tank truck, a brush truck, and 2 other vehicles.<sup>194</sup> Due to the distances involved, the response time recorded by the PGVFC to calls within its first run service area during the period 1984-85 averaged between 7 and 9 minutes.<sup>195</sup>

While Prince George County exercises no formal control over the PGVFC or the three other volunteer fire companies within its boundaries, the County does own all of the facilities and equipment operated by the volunteer units.<sup>196</sup> Further, the County

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<sup>193</sup>County of Prince George, Supplemental Exhibits (hereinafter cited as County Supplemental Exhibits), Exh. 7. This submission consists of a compilation of maps filed with the Commission on Nov. 20, 1986.

<sup>194</sup>County Notice re Petersburg, pp. 147-48; and Tyler M. Moore, Special Counsel, County of Prince George, letter to staff of Commission on Local Government, Feb. 23, 1987. PGVFC also has five cadet volunteer firefighters.

<sup>195</sup>County Supplemental Exhibits, Exh. 7. A previous study found that between 1976 and 1978 the average response time to fire calls by the PGVFC was approximately ten minutes. (Virginia State Fire Services Commission, Prince George County Study, July 15, 1979.)

<sup>196</sup>Testimony of Kines, Partial Immunity Proceedings, p. 95. The County exercises only fiscal and not operational control over the

appropriates funds to meet the operating expenses of each volunteer fire company and provides insurance to protect the volunteers in their fire suppression work.<sup>197</sup> During FY1985-86 the County expended a total of \$91,909, or \$5.50 per capita, based on its population on non-federal property, for the provision of fire services to its residents.<sup>198</sup>

In terms of training, Prince George County does not have available a training facility nor a full-time training officer for the development of its volunteers.<sup>199</sup> The records of the State Department of Fire Programs indicate that only 11 of the 33 members of the PGVFC completed any State-certified training between January 1985 and October 1986, with those 11 members completing an average of 43 hours of such training.<sup>200</sup> The average amount of State-certified training recorded by the volunteers serving the PGVFC during their entire

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volunteer fire companies.

<sup>197</sup>County Notice re Petersburg, pp. 134-35, 139. Prince George County also provides medical examinations for the volunteers.

<sup>198</sup>County of Prince George, Financial Report, Year Ended June 30, 1986, Schedule 2. This figure does not include expenditures for building maintenance, heating, electricity, or capital items.

<sup>199</sup>Joe F. Thomas, Jr., Deputy Director, Virginia Department of Fire Programs, communication with staff of Commission on Local Government, Apr. 3, 1986.

<sup>200</sup>Virginia Department of Fire Programs, "Training Report - Prince George County Volunteer Fire Department," Oct. 28, 1986. This State agency report is a computerized list of the State-certified training completed by members of various local fire departments between January 1985 and October 1986. The County has contended that the training records of the Department of Fire Programs do not contain information concerning training received by PGVFC personnel for the first six months of 1985. To support its contention the County has provided the Commission with annotated records compiled from Department of Fire Programs files regarding the State-certified training received by 27 of the 33 personnel of the PGVFC during their respective careers. (Moore, letters to staff of Commission on Local Government, Feb. 19 and Feb. 25, 1987.) Comparison of the County-submitted data with the Department of Fire Program's computerized

careers is 62 hours.<sup>201</sup> Although the County contends that all volunteers serving its various volunteer fire departments must receive State certification as Firefighter I, the records of the PGVFC indicate that only one individual serving that organization has achieved such certification.<sup>202</sup>

With respect specifically to the nonfederal portions of the area proposed for immunity from Petersburg, we note that the area contains only seven fire hydrants.<sup>203</sup> The general absence of such hydrants and the distance from the fire units serving the area have resulted in the entirety of the nonfederal property in that area being assigned a fire protection classification of "9" by the Insurance Service Office of Virginia (ISO).<sup>204</sup>

The nonfederal portion of the area proposed for immunity from the City of Hopewell is served by 63 fire hydrants, most of which (41) are

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training report reveals only minor discrepancies in the total number of State-certified training hours received by 27 members of the PGVFC. Officials of the Department of Fire Programs indicate, however, that their computerized training records are inclusive of all State-certified training received during the period January 1985-October 1986. (Carl N. Cimino, Executive Director, Virginia Department of Fire Programs, communication with staff of Commission on Local Government, Feb. 23, 1987.)

<sup>201</sup>This statistic represents State-certified training received by 27 of the 33 volunteers of the PGVFC and does not include training received by cadet members. (Moore, letters to staff of Commission on Local Government, Feb. 19 and Feb. 25, 1987.)

<sup>202</sup>County Notice re Petersburg, p. 136; and Goumas, letter to staff of Commission on Local Government, Oct. 18, 1985. County officials have stated that the attainment of Firefighter I status is not an official County policy, but a goal of the County's Fire Chiefs Association. (Testimony of Kines, Partial Immunity Proceedings, p. 161.)

<sup>203</sup>Cranwell, letter to staff of Commission on Local Government, Oct. 27, 1986.

<sup>204</sup>Goumas, letter to staff of Commission on Local Government, Oct. 18, 1985. The ISO classification is based on a scale of "1" to "10" and is used in the comparison of municipal fire protection

owned by the VAWC.<sup>205</sup> Based upon the availability of those hydrants and the proximity of the PGVFD and the Hopewell Fire Department, three residential communities within the area proposed for immunity from Hopewell have been assigned an ISO classification of "7."<sup>206</sup> All other sections of the nonfederal territory in the area proposed for immunity from Hopewell are currently assigned an ISO rating of "9."<sup>207</sup>

It should be noted that Prince George County is currently constructing a fire station, which is expected to be operational in the spring of 1987, in the Jefferson Park subdivision immediately west of Hopewell's present corporate limits.<sup>208</sup> This station, which will be operated as a satellite facility by the PGVFC, may affect the ISO rating assigned to residential properties in the proposed immunity

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systems. The classification is a measure of a system's ability to defend against a major fire which may be expected in any given community. Where a rating of "10" is assigned, there is no or minimal protection against such a fire. Where a rating of "1" is assigned, the fire protection system serving the jurisdiction is one of extreme capability. The principal features used by ISO in grading a community's fire system are water supply, the fire suppression personnel and equipment, fire communications, and fire safety control. [John L. Bryan and Raymond C. Picard, Managing Fire Services (Washington, D. C.: International City Management Association, 1979), p. 102.] Residential properties located more than five road-miles from a fire station are automatically assigned a protection class of "10" by the ISO.

<sup>205</sup>Ibid., Dec. 23, 1986.

<sup>206</sup>Goumas, letter to staff of Commission on Local Government, Oct. 18, 1985. The Lee Plaza area and the Jefferson Park and Jefferson Circle subdivisions qualify for an ISO rating of "7" by virtue of their proximity to Hopewell fire stations, which respond to fire calls from those areas through agreement with the County. The Birchett Estates subdivision has also been accorded an ISO rating of "7" as a result of its proximity to the PGVFC. (Ibid.)

<sup>207</sup>Ibid.

<sup>208</sup>Testimony of Kines, Partial Immunity Proceedings, , pp. 98-99. This facility is being constructed at a cost of more than \$500,000. The need for a satellite fire facilities to serve urbanized

areas and should reduce response time to fire calls from adjacent communities.

Several other factors regarding the County's fire prevention and protection services should be cited. First, the County has not adopted a fire prevention code for the protection of properties within its boundaries.<sup>209</sup> Second, the County's fire suppression and prevention activities lack the centralized management necessary for the full coordination of the different volunteer units. Third, the County does not have a standard operating procedures manual which should be beneficial in standardizing the work of the various volunteer units. Finally, the County does not participate in the Virginia Fire Incident Reporting System (VFIRS), which can provide data resulting in improved fire services.<sup>210</sup>

With respect to fire prevention and protection services at Fort Lee, we note that the military installation is served by its own Fire Department, which has a personnel complement consisting of 23 full-

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portions of the County was identified in 1977. (Ibid., p. 155.) The Commission notes that the County's current comprehensive plan recommends that the new Jefferson Park fire station be staffed by full-time paid firefighters by mid-1987. (County Comprehensive Plan, 1986, p. 122.)

<sup>209</sup>Testimony of Kines, Partial Immunity Proceedings, pp. 99-101. The Commission has been advised that the County Board of Supervisors has been studying the adoption of a fire prevention code for the past two years but has now delayed the adoption of such an instrument until the completion of a model fire prevention code being jointly developed by the State Board of Housing and Community Development and the Fire Services Board. The State promulgated Code will not preclude localities from adopting more restrictive or more extensive local fire prevention codes. (See Sec. 27-97, Code of Va.) Virginia localities have had for many years, and continue to have, authority to adopt local fire prevention codes under Sec. 27-5.1 of the Code of Virginia.

<sup>210</sup>County officials have indicated that Prince George County will begin participation in the VFIRS in the near future. (Ibid., p. 157.) Participation in a fire information reporting system provides local fire departments with information regarding their fire experiences and other occurrences which enables departments to ". . . accu-

time paid positions.<sup>211</sup> Those personnel, who are civilian employees of the United States Army, participate in State-certified training programs as well as other in-station training. The Fort Lee Fire Department is a full-service fire suppression unit capable of providing first-call service throughout the military installation. Moreover, the Fort Lee Fire Department is actively engaged in fire prevention programs and inspection activities as part of its service to the military facility.<sup>212</sup>

City of Petersburg. Fire prevention and protection services in the City of Petersburg are provided by the City's Fire Department, which has a personnel complement consisting of 113 full-time paid positions.<sup>213</sup> That staff has available for its fire suppression work 11 principal pieces of apparatus, including 7 pumpers and 2 aerial ladders.<sup>214</sup> The activities of the City's Fire Department are conducted through four stations, with the largest concentration of personnel and equipment being located at Station No. 2 on Market Street near Petersburg's central business district.<sup>215</sup> As a result

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rately focus on current problems, predict future problems in their communities, and measure whether their programs are working." (U. S. Department of Commerce, U. S. Fire Administration, NFIRS, National Fire Incident Reporting System Handbook, July 1978, p. 1.)

<sup>211</sup>Gregory E. White, Deputy Director, Directorate of Engineering and Housing, Fort Lee, communication with staff of Commission on Local Government, Feb. 26, 1987.

<sup>212</sup>County Trial Exhibits, Exh. B. Fire suppression service at the Petersburg National Battlefield Park is provided by the staff of that facility and, if required, by assistance from the City of Petersburg or Fort Lee. (Fluharty, communication with staff of Commission on Local Government, Mar. 17, 1987.)

<sup>213</sup>Petersburg Annexation Notice, Vol. I, p. 6-40.

<sup>214</sup>Ibid., pp. 6-43--44.

<sup>215</sup>Ibid.; pp. 6-41--42; and ibid., Vol. III, Exh. P-13.

of its staffing levels, the dispersion of its facilities, and the capabilities of its equipment, the City's Fire Department reported an average response time to fire calls in 1983 of 4.5 minutes.<sup>216</sup> Due to the City's overall fire suppression capabilities, residential properties in Petersburg have been given an ISO rating of "4," reflecting a significant level of fire protection.<sup>217</sup>

Training activities for the personnel of the Petersburg Fire Department are coordinated by a full-time training officer and are conducted at the City's fire training facility.<sup>218</sup> State training records indicate that 60 Petersburg's Fire Department personnel received an average of 30.9 hours of State-certified training between January 1985 and October 1986.<sup>219</sup> Further, as of October 1986, the average State-certified training received by personnel serving the Petersburg Fire Department during their careers was 381 hours.<sup>220</sup>

In terms of fire services in the City of Petersburg several additional considerations should be noted. First, Petersburg has adopted a fire prevention code for the protection of its residents and property.<sup>221</sup> Second, the City maintains an active fire safety

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<sup>216</sup>Calvert, letter to staff of Commission on Local Government, July 1, 1985.

<sup>217</sup>Petersburg Annexation Notice, Vol. I, p. 6-47.

<sup>218</sup>Ibid., pp. 6-45, 6-47. The City's training officer is a State-certified Fire Instructor IV. This classification is the highest bestowed by the State in this category of professional training.

<sup>219</sup>Virginia Department of Fire Programs, "Training Report - Petersburg Fire Department," Oct. 28, 1986.

<sup>220</sup>Calvert, letter to staff of Commission on Local Government, July 1, 1985. Three of the personnel serving the City's fire department have Associate Degrees in fire technology, and others are currently enrolled in courses leading to such a degree.

<sup>221</sup>Petersburg Annexation Notice, Vol. I, p. 6-45. The City's fire prevention code is enforced by a Fire Marshal and two full-time inspectors.

instructional program for presentation to City school groups and other entities. Third, the Petersburg Fire Department has developed a standard operating procedures manual which contributes to the effective administration of its operations. Fourth, the City has participated in the Virginia Fire Incident Reporting System since 1982.<sup>222</sup>

Finally, during FY1985-86 the City expended a total of \$3,128,424 for fire prevention and protection services, or \$78.80 per capita.<sup>223</sup>

City of Hopewell. Fire prevention and protection services in the City of Hopewell are provided by the City's Fire Department, which has a personnel complement of 37 full-time paid positions. Hopewell's Fire Department conducts its operations through two separate stations which collectively house five pumpers, an aerial ladder, and auxiliary equipment for fire suppression activities.<sup>224</sup> Both stations recorded average response times for the period of 1984-85 of less than four minutes per call.<sup>225</sup> Hopewell's fire suppression capabilities are such that residential properties in the City have been given an ISO fire protection classification of "4."<sup>226</sup>

With respect to training, the City owns and maintains a fire training facility and utilizes a full-time training officer.<sup>227</sup>

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<sup>222</sup>Cimino, letter to staff of Commission on Local Government, Feb. 23, 1987.

<sup>223</sup>City of Petersburg, Comprehensive Annual Financial Report, Fiscal Year Ended June 30, 1986, Schedule A-2. This statistic excludes expenditures for capital items.

<sup>224</sup>Hopewell Annexation Exhibits: Data, pp. 78, 80. The various major industries in the City of Hopewell maintain fire brigades which give those industries a first echelon fire suppression capability.

<sup>225</sup>Ibid., p. 83. The City's two fire stations experienced during the two year period average response times of 3.27 minutes and 3.55 minutes respectively.

<sup>226</sup>Testimony of Clinton H. Strong, City Manager, City of Hopewell, Annexation Proceedings, Nov. 14, 1985, p. 315.

<sup>227</sup>Hopewell Annexation Exhibits: Data, p. 81. Hopewell's training officer has been certified by the State as a Fire Instructor

State records indicate that the 37 personnel serving the Hopewell Fire Department completed an average of 146 hours of State-certified training during the period January 1985 - October 1986.<sup>228</sup> The degree of training undertaken by personnel serving the Hopewell Fire Department during their careers has resulted in many personnel receiving State certification in numerous categories.<sup>229</sup>

In regard to other considerations, the Commission notes that Hopewell has adopted a fire prevention code for the protection of its residents and property.<sup>230</sup> Further, the Hopewell Fire Department has developed a standard operating procedures manual to promote the standardized administration of its activities. Furthermore, the City has participated since 1984 in the Virginia Fire Incident Reporting System administered by the State's Department of Fire Programs.<sup>231</sup> Finally, during FY1985-86 the City expended a total of \$1,018,359, or \$42.43 per capita, for the provision of fire services to its residents.<sup>232</sup>

Comparability of Service. This Commission cannot conclude the type and level of fire protection and prevention services available generally in the nonfederal portion of the areas proposed for immunity are comparable to those available within the Cities of Petersburg and Hopewell. Based upon management considerations, the nature and size of staffing, the training of personnel, available fire suppression

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### III.

<sup>228</sup>Virginia Department of Fire Programs, "Training Report - Hopewell Fire Department," Oct. 28, 1986; and Hopewell Annexation Exhibits: Data, p. 81.

<sup>229</sup>Hopewell Annexation Exhibits: Data, p. 81.

<sup>230</sup>Ibid., p. 82.

<sup>231</sup>Ibid.; and Cimino, letter to staff of Commission on Local Government, Feb. 23, 1987.

<sup>232</sup>City of Hopewell, Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 1986, A-2. This statistic excludes

equipment, ISO ratings, response times, adopted fire protection codes, and active fire prevention programs, we find the type and level of fire services within the Cities of Petersburg and Hopewell superior to those available in the nonfederal portions of the area proposed for immunity. With respect to the Fort Lee military reservation, we find the fire services available to that facility generally comparable to those in adjacent municipalities.

### Public Recreation

Proposed Immunity Areas. Prince George County's public recreational facilities and programs are administered by the County's Department of Parks and Recreation.<sup>233</sup> The department owns eight park sites throughout the County, containing a total of 37.1 acres, and utilizes a number of school properties in its provision of recreational services to County residents.<sup>234</sup> Additional recreational opportunities are available to County residents through facilities owned by neighborhood associations and other private

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expenditures for capital items.

<sup>233</sup>County Notice re Petersburg, pp. 172-73; and Goumas, letter to staff of Commission on Local Government, Oct. 18, 1985.

<sup>234</sup>Seven of Prince George County's eight park sites were deeded to the County by developers. As a result of the County's subdivision review process various developers have dedicated sites for recreational use. The County's subdivision ordinance states that upon recommendation of the planning commission, the County's subdivision agent may require subdividers of residential properties to dedicate to the County up to 10% of the area of the subdivision for parks or playgrounds. (Prince George County Code, Sec. 17-37.) According to the recommendations of the Virginia Commission of Outdoor Recreation the suggested area standard for local recreation and park sites in Virginia is ten acres per 1,000 population. [Virginia Commission of Outdoor Recreation (now Division of Parks and Recreation), Outdoor Recreation Planning Standards for Virginia, 1980.] Measured by this standard, Prince George County requires an additional 126 acres of parkland to meet the needs of its residents residing on nonfederally-owned property.

entities.<sup>235</sup>

With respect to those recreational facilities immediately available to the residents of the area proposed for immunity from the City of Petersburg, the Commission notes that there are five County-owned park sites (totaling 32.6 acres) in or adjacent to that area. Of those sites, however, only two (totaling 20 acres) are developed and available for active recreational purposes.<sup>236</sup> In addition, the County has advised that there are seven school sites (totaling 15 acres) in or adjacent to the area proposed for immunity from Petersburg which it utilizes to meet the recreational needs of its residents.<sup>237</sup> It is significant to note, however, that the only County-owned facility for active recreational purposes located within the area proposed for immunity from Petersburg is the Walton Middle School.<sup>238</sup>

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<sup>235</sup>County Notice re Petersburg, pp. 172-73.

<sup>236</sup>Goumas, letters to staff of Commission on Local Government, Oct. 18, 1985 and Jan. 13, 1986. These totals include sites located within five road-miles of the areas proposed for immunity. One of the developed sites within five road-miles of each of the areas proposed for immunity is a 14-acre park, Scott Memorial Park, located at the Prince George County Courthouse. That facility, which received an award from the National Association of Counties, contains a softball field, a playground, a volleyball court, and a picnic shelter. (County Notice re Petersburg, p. 166.) Prince George County expended approximately \$121,000 in local funds for the construction and development of the Scott Memorial Park, with \$68,000 of assistance being provided by the State. (Jerry L. Cassidy, Grants Administrator, Virginia Division of Parks and Recreation, letter to staff of Commission on Local Government, May 19, 1986.) There are no County-owned recreational facilities located within the Puddledock area. (Cranwell, letter to staff of Commission on Local Government, Oct. 27, 1986; and Goumas, letter to staff of Commission on Local Government, Dec. 23, 1986.)

<sup>237</sup>Goumas, letters to staff of Commission on Local Government, Oct. 18, 1985 and Jan. 13, 1986. Recreational fields at the Prince George County High School are included in the acreage within five road-miles of each of the areas proposed for immunity.

<sup>238</sup>County Maps re Petersburg, Exh. 2.

In terms of recreational facilities available to serve residents of the area proposed for immunity from Hopewell, the evidence indicates that there are four County-owned park sites (totaling 24.5 acres) in or adjacent to that area.<sup>239</sup> Only three of those sites (totaling 21.6 acres) have been developed for recreational purposes.<sup>240</sup> In addition to the park sites, the County also utilizes the premises of five schools (totaling 12 acres) in or adjacent to the area proposed for immunity from Hopewell for the provision of recreational services to its residents.<sup>241</sup> Of the various recreational facilities, however, there is only one, a six-acre park site, developed for active recreational purposes located within the area proposed for immunity from the City of Hopewell.<sup>242</sup>

In terms of programs, the County's Department of Parks and Recreation employs four full-time personnel and a number of seasonal workers in the provision of its recreational services.<sup>243</sup> With the assistance of that staff, the Department of Parks and Recreation promotes the operation of organized athletic leagues and sponsors other recreational activities (e. g., aerobics, crafts, photography).<sup>244</sup> With respect to overall financial support for its public recreational services, Prince George County expended a total of \$105,547 during FY1984-85 for its parks and recreation programs. Thus, exclusive of the population residing on federally-owned property, the County

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<sup>239</sup>Goumas, letters to staff of Commission on Local Government, Oct. 18, 1985 and Jan. 13, 1986. The totals include the sites and acreage within five road-miles of the area proposed for immunity.

<sup>240</sup>Ibid.

<sup>241</sup>Ibid.

<sup>242</sup>Ibid.

<sup>243</sup>County Notice re Petersburg, p. 165.

<sup>244</sup>Ibid., pp. 170-71; and Goumas, letter to staff of Commission on Local Government, Jan. 13, 1986. The County's recreational efforts include the use of a mobile playground unit which visits different

expended \$3.94 per capita for recreational purposes during that fiscal year.<sup>245</sup>

In terms of recreational facilities and services provided to the residential population at Fort Lee, that military reservation contains a golf course, swimming pools, bowling facilities, recreation centers, tennis courts, and several picnic and playground areas. In addition, Fort Lee sponsors various recreational programs for its residential population.<sup>246</sup>

City of Petersburg. Public recreation services in Petersburg are provided through the operation of two separate departments, the Department of Parks and the Department of Recreation.<sup>247</sup> The City's Department of Parks owns and maintains 583 acres of parkland consisting of 18 separate facilities within Petersburg's corporate boundaries.<sup>248</sup> Included in the recreational facilities located on

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school sites in the County one day each week.

<sup>245</sup>Comparative Report on Local Government Revenues and Expenditures, Year Ended June 30, 1985, Exh. C-7. This per capita expenditure is based on a 1985 population estimate of 16,700 persons residing on nonfederally-owned property in Prince George County. With respect to the County's future recreational efforts, its current comprehensive plan recommends (1) that additional facilities, similar to Scott Park, be established in other areas of the County; (2) that the County establish a maintenance program for its recreational facilities; and (3) that Prince George County adopt a three-year recreational plan. (County Comprehensive Plan 1986, p. 123.) The Commission notes that the County's current capital improvements plan includes proposals for the acquisition and development of a new community park by FY1987-88 and the establishment of a development program of playgrounds in the County's urbanized areas during the period FY1987-88 through FY1991-2. (Capital Improvement Plan, FY1987-88 through FY1991-92.)

<sup>246</sup>County Trial Exhibits, Exh. B. The Fort Lee recreational facilities are available to guests and dependents of military personnel and to military retirees living in the area.

<sup>247</sup>Petersburg Annexation Notice, Vol. I, p. 6-48.

<sup>248</sup>Calvert, letter to staff of Commission on Local Government, July 1, 1985. The aggregate amount of City-owned parkland (583 acres)

that parkland is an extensive array of baseball diamonds, athletic fields, and tennis and basketball courts as well as two swimming pools and two recreational centers.<sup>249</sup> In addition to the above-cited facilities, the City of Petersburg utilizes 79 acres of property at eight school sites for public recreational purposes.<sup>250</sup>

In its provision of recreational services, the City's Department of Recreation employs 6 full-time, 19 part-time, and 77 seasonal employees for its various programs.<sup>251</sup> The City's recreational activities include the sponsorship of a number of athletic leagues for youths and adults, a variety of instructional programs, senior citizens activities, and other special events.<sup>252</sup>

A measure of the extent of the City's recreational services may be gained from an examination of Petersburg's expenditures for such activities. The evidence indicates that during FY1985-86 the City expended a total of \$1,011,159 for its parks and recreational programs, with this level of expenditures representing an investment by

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exceeds the recommended State standard of ten acres per 1,000 residents by 175 acres. (See Outdoor Recreation Planning Standards for Virginia.)

<sup>249</sup>Testimony of Brown, Annexation Proceedings, Oct. 28, 1985, p. 340.

<sup>250</sup>Calvert, letter to staff of Commission on Local Government, July 1, 1985; and testimony of Brown, Annexation Proceedings, Oct. 28, 1985, p. 348. Located at the school sites used by the City for recreational purposes is an assortment of baseball/softball diamonds, tennis and basketball courts, large athletic fields, and three gymnasiums. Further, the recreational needs of City residents are served, in part, by a park owned by the Petersburg Redevelopment Housing Authority and privately owned recreational facilities.

<sup>251</sup>Petersburg Annexation Notice, Vol. I, p. 6-48; and testimony of Brown, Annexation Proceedings, Oct. 28, 1985, p. 337.

<sup>252</sup>Calvert, letter to staff of Commission on Local Government, July 1, 1985.

Petersburg of \$25.47 per capita for public recreational services during that fiscal year.<sup>253</sup>

City of Hopewell. Recreational services in the City of Hopewell are managed and directed by the City's Recreation and Parks Department, which is responsible for the operation of eight parks and a community center encompassing collectively 46.3 acres.<sup>254</sup> Located at those various facilities is an extensive number of basketball and tennis courts, picnic shelters, playground equipment, and, at the community center, an indoor swimming pool.<sup>255</sup> In addition to the above-cited facilities, the City utilizes 101.1 acres of property at 11 sites owned by the school board for public recreational services.<sup>256</sup>

For the conduct of its various recreational activities, the City's Recreation and Parks Department employs 14 full-time personnel and 28 part-time and seasonal workers.<sup>257</sup> With the assistance of that staff, the City supports a number of organized athletic leagues for

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<sup>253</sup>Comparative Report on Local Government Revenues and Expenditures, Year Ended June 30, 1985, Exh. C-7. This per capita expenditure was based on the City's 1985 population estimate.

<sup>254</sup>Hopewell Annexation Exhibits: Data, pp. 91, 97-99. The community center, which was opened in 1981, was constructed at a cost of \$2.9 million.

<sup>255</sup>Ibid., p. 92.

<sup>256</sup>Ibid., pp. 92, 97-99. In addition to the above-cited facilities, the City utilizes 101.1 acres at 11 sites owned by the school board for public recreational purposes. Located on these properties is an array of baseball/softball diamonds and large athletic fields. Moreover City residents also have available for their recreational pursuits 3.3 acres of parkland owned by the Hopewell Redevelopment Housing Authority. Based upon the acreage of park and recreation sites owned by Hopewell (46.3 acres), the City fails to meet the State's recommended standard of ten acres of park land per 1,000 population by almost 200 acres. (See Outdoor Recreation Planning Standards for Virginia.)

<sup>257</sup>Hopewell Annexation Exhibits: Data, pp. 91-95.

youths and adults, a variety of recreational programs, senior citizen activities, and numerous special events.<sup>258</sup> During FY1985-86 the City of Hopewell expended \$772,124 on its parks and recreational activities, with that level of expenditure reflecting an investment by the City of \$32.17 per capita that fiscal year for recreational services.<sup>259</sup>

Comparability of Service. The residents of the Cities of Petersburg and Hopewell are served by an extensive number and variety of recreational facilities and services. The public recreational activities of the two jurisdictions are supported by substantial financial commitments by the two municipalities. The nonfederal properties within the areas proposed for immunity from Petersburg and Hopewell are served by a limited number of recreational sites and programs, with most of the sites being undeveloped and located outside those areas. While the Commission acknowledges the efforts made by Prince George County to provide recreational facilities and programs to its residents, we cannot conclude that those recreational services are generally comparable to those within the Cities of Petersburg and Hopewell. With respect to the scope and quality of recreational facilities and programs provided by the federal government at Fort Lee, however, we find those services comparable to those provided within the adjoining municipalities.

#### Library Facilities and Services

Proposed Immunity Areas. In 1974 the City of Hopewell, Prince George County, and Dinwiddie County established the Appomattox Regional Library (ARL) for the provision of library services to their residents.<sup>260</sup> Statistics published by the Virginia State Library

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<sup>258</sup>Ibid., pp. 91-93.

<sup>259</sup>Comparative Report on Local Government Revenues and Expenditures, Year Ended June 30, 1985, Exh. C-7. This per capita expenditure was based on Hopewell's 1985 population estimate.

<sup>260</sup>County Notice re Petersburg, p. 174. The City of Hopewell

for FY1984-85 indicate that the ARL had, as of that period, a total book collection of 78,389 volumes, an annual book circulation of 180,975 volumes, and 19,471 registered borrowers. The ARL was staffed during FY1984-85 by 10 full-time personnel (including 2 certified librarians) and 15 part-time employees.<sup>261</sup>

The ARL, which maintains its central library facility in the City of Hopewell, operates two branch stations in Prince George County, neither of which is located within the areas proposed for immunity from Petersburg and Hopewell.<sup>262</sup> The ARL does extend, however, library services to Prince George County residents through bookmobiles which make two biweekly stops in each of the areas proposed for immunity.<sup>263</sup> Data submitted by Prince George County indicate that County residents not only utilize the ARL facilities and services in Prince George County, but that they constitute a significant percentage of the patrons utilizing the ARL's principal facility in the City of Hopewell.<sup>264</sup> During FY1984-85 the ARL received a total of

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and Prince George County have cooperated in the provision of library services to their residents since 1931.

<sup>261</sup>Virginia State Library, Statistics of Virginia Public Libraries and Institutional Libraries 1984-1985 (hereinafter cited as Statistics of Virginia Public Libraries 1984-1985), 1986. This State publication indicates that, with respect to bookholdings, the ARL provides 1.10 volumes per resident, a figure substantially less than the minimum standard prescribed by the Virginia State Library. The Virginia State Library recommends that systems serving a population equal to that served by the ARL have bookholdings equivalent to 2-3 books per capita. (Virginia State Library, "Recommended Minimum Standards for Virginia Public Libraries.")

<sup>262</sup>The ARL maintains small facilities at Disputanta and Carson. Each of those facilities contains approximately 7,000 books. (County Comprehensive Plan 1986, p. 109.)

<sup>263</sup>Ibid., Map 15, p. 110. The two bookmobile stops within the area proposed for immunity from Petersburg are located southeast of Fort Lee. The two stops in the area proposed for immunity from Hopewell are located in the Birchett Estates subdivision.

<sup>264</sup>County Notice re Petersburg, p. 178. The County has advised

\$488,945 for the provision of library services, with approximately \$76,500 (15.7% of the total) being provided by Prince George County.<sup>265</sup> Based on the number of County residents residing on non-federal property, this expenditure represented an investment of approximately \$4.58 per capita by the County for library services during FY1984-85.<sup>266</sup>

With respect to library services available at Fort Lee, the Army maintains a library facility on the military reservation for use by military personnel, their dependents, and civilian employees. That library is reported to have a book collection of 40,000 volumes and an annual book circulation of approximately 78,000 volumes.<sup>267</sup>

City of Petersburg. The City of Petersburg's library system, which was established in 1924, consists of a central library and two branch facilities.<sup>268</sup> Virginia State Library statistics indicate that during FY1984-85 the Petersburg library system contained a total book collection of 110,747 volumes, experienced a total book circulation of 106,862 volumes, and had 6,550 registered borrowers.<sup>269</sup> The City's library system is staffed by 22 full-time personnel

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that between October 1984 and April 1985 approximately 26% of the circulation from the central facility in Hopewell was due to borrowings by County residents. (Ibid.)

<sup>265</sup>Statistics of Virginia Public Libraries 1984-1985. The ARL received approximately \$157,900 from the State in support of its library services during FY1984-85.

<sup>266</sup>The per capita expenditure is based on a 1985 estimate of 16,700 persons residing on nonfederally-owned property in Prince George County.

<sup>267</sup>County Trial Exhibits, Exh. B.

<sup>268</sup>Petersburg Annexation Notice, Vol. I, p. 6-50; and ibid., Vol. II, Exh. P-6.

<sup>269</sup>Statistics of Virginia Public Libraries 1984-1985. The Petersburg Library has book holdings equivalent to 2.71 volumes per resident. The standard prescribed by the Virginia State Library for systems serving a population of 50,000 is 3 volumes per resident.

(including 4 certified librarians) and one part-time employee.<sup>270</sup> The Petersburg library system received during FY1984-85 a total of \$581,362 for the provision of library services, with \$455,788 (78.4% of the total) being provided from local sources.<sup>271</sup> Based on the City's estimated population for 1985, the local expenditure represented an investment of \$14.64 per capita by the City for library services.

City of Hopewell. As noted previously, library services in the City of Hopewell are provided through the Appomattox Regional Library (ARL), which is jointly supported by Hopewell and the Counties of Prince George and Dinwiddie. The ARL's central facility is located near Hopewell's central business district, with City residents also being served by bookmobiles which make two biweekly stops within the municipality.<sup>272</sup> During FY1984-85 the City of Hopewell provided approximately 44.9% (\$146,327) of the local funds generated to support the ARL.<sup>273</sup> The funds provided by the City of Hopewell during that fiscal year represented a municipal investment of \$6.10 per capita for library services.

Comparability of Service. On the basis of the nature and location of facilities, staffing, book holdings, and resources invested in the provision of services, we cannot find the type and level of library services available to residents of the nonfederal property in the area

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("Recommended Minimum Standards for Virginia Public Libraries.")

<sup>270</sup>Statistics of Virginia Public Libraries 1984-1985.

<sup>271</sup>Ibid. During FY1984-85 Petersburg received approximately \$121,500 from the State for the operation of its library.

<sup>272</sup>Hopewell Annexation Exhibits: Data, p. 105. Of the total books owned by the ARL during FY1984-85, approximately 82.2% (148,676) were located at the central facility in the City of Hopewell. (Statistics of Virginia Public Libraries 1984-1985.)

<sup>273</sup>Statistics of Virginia Public Libraries 1984-85. Data for the period October 1984-October 1985 indicate that 53% of the ARL's total circulation was due to borrowing by City residents. (County

proposed for immunity from Petersburg comparable to those provided within that municipality. We find the library services available to residents of the nonfederal portion of the area proposed for immunity from Hopewell comparable to those within that municipality. With respect to the library services available to the residential population at Fort Lee, we find those services comparable to those provided within either of the adjacent cities.

### Streetlighting

Proposed Immunity Areas. Prince George County's subdivision ordinance requires the installation of streetlights in new subdivisions of five lots or more. The operating and maintenance costs of such streetlights are assumed by the County when the subdivision roads are accepted into the State's road system.<sup>274</sup> In addition, the County considers requests from citizens for the installation and operation of additional streetlights in other portions of its jurisdiction. If such lights are considered appropriate, the County arranges for their installation and operation and bills the residents for such costs. The County will, however, bear at public expense the cost for such streetlights if they are deemed necessary to protect "the health, safety and welfare of the affected residents."<sup>275</sup> As a result of the application of these policies, there were 306 streetlights operating in Prince George County in 1986, with 24 lights being located within the area proposed for immunity from Petersburg and with 122 lights existing within the area proposed for immunity from

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Notice re Petersburg, p. 178.)

<sup>274</sup>See "Proposed Streetlighting Requirements," adopted at the Jan. 28, 1975 meeting of the Prince George County Board of Supervisors. It is relevant to note that developers are also required by the County to pay for the installation of streetlights when additions are made to existing subdivisions.

<sup>275</sup>Ibid., Sec. 4. During FY1984-85 the County expended \$14,096 for streetlighting services within its jurisdiction. (County of Prince George, Prince George County Budget, FY1986-87.) Data from the

Hopewell.<sup>276</sup> With respect to the Fort Lee military installation, the U. S. Army has installed and maintains 3,012 streetlights at that facility.<sup>277</sup>

City of Petersburg. The City of Petersburg's subdivision ordinance requires the installation of streetlights along all major streets; in districts zoned for multi-family, hotel, commercial, and industrial usage; and in other locations where they are deemed necessary in the "interest of safety and security for persons, property or traffic."<sup>278</sup> Petersburg also receives and considers on a quarterly basis requests from residents for the installation of streetlights in other portions of the City. If a determination is made that such streetlights serve a public need, the City will, if funds are available, install such at public expense.<sup>279</sup> In 1985 City officials reported that there were 2,789 streetlights within Petersburg.<sup>280</sup>

City of Hopewell. The City of Hopewell adheres to a general policy which calls for the installation and operation, at public expense, of streetlights at all road intersections and at mid-block

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County's budget has been utilized rather than that from the audit report due to the greater detail available.

<sup>276</sup>Cranwell, letter to staff of Commission on Local Government, Oct. 27, 1986; Goumas, letter to staff of Commission on Local Government, Dec. 23, 1986.

<sup>277</sup>County Trial Exhibits, Exh. B.

<sup>278</sup>City of Petersburg, Subdivision Ordinance (hereinafter cited as Petersburg Subdivision Ordinance), Art. 7, Sec. 4.

<sup>279</sup>Calvert, letter to staff of Commission on Local Government, July 1, 1985. The City expended \$375,159 for electricity for the operation of its streetlights in FY1984-85. (City of Petersburg, Proposed Annual Budget, Fiscal Year 1986-87.)

<sup>280</sup>Petersburg Annexation Notice, Vol. I, p. 6-54.

locations in instances where blocks exceed 600 feet in length. In addition, the City of Hopewell will consider requests from residents for the installation of other streetlights. In instances where streetlights are deemed necessary due to the incidence of vandalism, public nuisance, or traffic patterns, they are installed with the operating cost being borne by the City.<sup>281</sup> City officials have reported that there were 1,563 streetlights in the City as of January 1985.<sup>282</sup>

Comparability of Service. As noted in the preceding sections, the Cities of Petersburg and Hopewell are served by an extensive network of publicly funded streetlights. While the nonfederal property within the areas proposed for immunity from Petersburg and Hopewell contain only a modest number of streetlights operated at public expense, Prince George County has established administrative policies for the provision of such facilities. While the County's policies can be implemented to provide additional publicly funded streetlights as the proposed immunity areas develop, we cannot conclude that those areas are now generally provided streetlighting services comparable to the Cities of Petersburg and Hopewell. We do note, however, the concentration of streetlights in the Jefferson Park Area. Further, we conclude that streetlighting services at Fort Lee are comparable to those provided within the adjacent municipalities.

#### Curbs, Gutters, Sidewalks and Storm Drains

Proposed Immunity Areas. Since 1981 the County's subdivision ordinance has required the installation of curbs and gutters in all subdivisions with lots of less than one acre in size. The County's subdivision ordinance also requires the installation of storm drains

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<sup>281</sup>Hopewell Annexation Exhibits: Data, p. 112.

<sup>282</sup>Ibid. The City of Hopewell expended a total of \$190,881 for the operation of its streetlights and traffic signals during FY1984-85. (City of Hopewell, Proposed Annual Budget for the Fiscal Year Ending June 30, 1987.)

in all new developments.<sup>283</sup> No County regulations, however, require the installation of sidewalks.<sup>284</sup> The Board of Supervisors does, however, accept requests from residents for the construction of any of these facilities (curbs, gutters, sidewalks, and storm drains) in existing developments; and, if such requests are approved, County funds may be appropriated or a portion of the State's road allocations to the County may be utilized for their construction.<sup>285</sup> The Commission has no evidence, however, that in recent years the County has funded the construction of any such facilities within its jurisdiction. With respect to the Fort Lee military reservation, a visual survey of that facility reveals that the military installation has an extensive network of curbs, gutters, sidewalks, and storm drains.

City of Petersburg. The City of Petersburg's subdivision ordinance requires the installation of curbs, gutters, and storm drainage in all new developments.<sup>286</sup> Further, the City's subdivision ordinance also requires the installation of sidewalks in certain areas.<sup>287</sup> Furthermore, requests from citizens for the construction of any of these facilities in older portions of Petersburg are received and considered by the City. If a request is approved, and funds are available, the requested project will be constructed at

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<sup>283</sup>County Notice re Petersburg, p. 179. See also Prince George County Code, Sec. 17-56 (e). One major development in the area proposed for immunity from Hopewell has been constructed under this policy, resulting in the installation of curbs and gutters. The Commission has no knowledge of any development located in the non-federal portion of the area proposed for immunity from Petersburg which has been constructed under the County's policy requiring the installation of curbs and gutters.

<sup>284</sup>County Notice re Petersburg, pp. 179-80.

<sup>285</sup>Goumas, letter to staff of Commission on Local Government, Oct. 18, 1985.

<sup>286</sup>Petersburg Subdivision Ordinance, Art. 7, Secs. 2,7.

<sup>287</sup>Ibid., Art. 7, Sec. 6. Sidewalks are required to be installed on both sides of thoroughfares in districts zoned for multi-

public expense. The City has indicated that since 1981 such citizen requests have resulted in the installation of approximately 45,000 linear feet of curbs and gutters, 27,000 linear feet of sidewalks, and 18,000 linear feet of storm drains.<sup>288</sup>

City of Hopewell. The City of Hopewell's subdivision ordinance requires the installation of curbs, gutters, and storm drainage in all new developments.<sup>289</sup> The City's subdivision ordinance also requires the installation of sidewalks on streets which are subject to significant pedestrian traffic.<sup>290</sup> Hopewell also has a policy by which the City will review requests from residents for the installation of curbs and gutters along the streets in existing developments. Requests for such construction must be accompanied by petitions signed by 75% of the affected property owners and by their agreement to pay a portion of the cost of the construction of such facilities.<sup>291</sup> The record indicates that between 1980 and 1984 the City installed approximately 15,000 linear feet of curbs and gutter under this policy.<sup>292</sup> The City does not have a comparable policy for the consideration of requests from residents for the construction of sidewalks or storm drainage in older areas of Hopewell.<sup>293</sup>

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family or commercial use.

<sup>288</sup>Calvert, letter to staff of Commission on Local Government, July 1, 1985.

<sup>289</sup>Hopewell Annexation Exhibits: Data, p. 108.

<sup>290</sup>Ibid. The City requires the installation of sidewalks along streets adjacent to schools, shopping centers, and multi-family developments.

<sup>291</sup>Testimony of Strong, Annexation Proceedings, Nov. 13, 1985, p. 216. Residents are required to pay \$2.50 per linear foot for the construction of these facilities.

<sup>292</sup>Hopewell Annexation Exhibits: Data, p. 110.

<sup>293</sup>The City of Hopewell does, however, have a storm drainage master plan developed in 1979 which has identified ten major drainage concerns within the City's corporate limits. Several of those con-

Comparability of Service. The evidence indicates that the Cities of Petersburg and Hopewell are served extensively by curbs, gutters, sidewalks, and storm drains. Moreover, those municipalities have stringent requirements for the construction of such facilities in new development, and they have invested substantial public funds in the installation of such facilities in other municipal areas in recent years. While the County's present subdivision ordinance requires the installation of curbs and gutters (in subdivisions having lots of one acre or less) and storm drains, such facilities are far less extensive in the areas proposed for immunity than in the adjacent Cities. Further, the Commission has been presented with no evidence indicating the County's investment of funds to construct such facilities within its jurisdiction. In sum, the Commission is unable to conclude that the nonfederal portions of the areas proposed for immunity are served generally by curbs, gutters, sidewalks, and storm drains in a manner comparable to the Cities of Petersburg and Hopewell. With respect to Fort Lee, however, we find that the military reservation is served by such facilities in a manner comparable to the adjacent municipalities.

#### Street Maintenance

Proposed Immunity Areas. The construction and maintenance of public roads in the areas proposed for immunity by Prince George County are the responsibility of the Virginia Department of Transportation (VDOT). Thus, the public thoroughfares within the two areas proposed for immunity are maintained by a State agency in accordance with State-prescribed policies. It is relevant to note, however, that in recent years the County has expended a modest amount of its own funds for road-related improvements.<sup>294</sup>

The evidence indicates that, exclusive of the roadway in the

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cerns have already been addressed by the City. (Hopewell Annexation Exhibits: Data, p. 108.)

<sup>294</sup>The data indicate that between FY1980-81 and FY1984-85 the County expended \$21,485 for road-related purposes. These funds may

Interstate highway system, there are, in the aggregate, approximately 19 linear miles of public thoroughfares in the area proposed for immunity from Petersburg and 20 linear miles of public thoroughfares in the area proposed for immunity from Hopewell.<sup>295</sup> Surveys of the condition of that roadway conducted by VDOT in 1984 disclosed that approximately 3.25 linear miles of secondary roads in the area proposed for immunity from Petersburg are considered to be "nontolerable," and that approximately 2.45 linear miles of secondary roadway in the area proposed for immunity from Hopewell are similarly classified as "nontolerable."<sup>296</sup> This "nontolerable" roadway in the areas proposed for immunity from Petersburg and Hopewell constitutes 17.1% and 12.3% of the total secondary roads in those areas, respectively.<sup>297</sup> With respect to the roads located on federal properties in the areas proposed for immunity, construction and maintenance rest with agencies of the federal government. The Commission is unaware of any deficiencies in that roadway.

City of Petersburg. The construction, maintenance, and administration of all public thoroughfares within the City of Petersburg,

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have been expended solely for signage. (See Comparative Report on Local Government Revenues and Expenditures, for Years Ended June 30, 1981 through June 30, 1985.)

<sup>295</sup>The road mileage in each of the areas proposed for immunity was calculated from the "General Highway Map, Prince George County" issued by the Virginia Department of Transportation (formerly Virginia Department of Highways and Transportation), Jan. 1, 1985.

<sup>296</sup>Virginia Department of Transportation (now Virginia Department of Transportation), "Road Inventory, Mileage Record, System Nontolerable - Prince George County," Dec. 31, 1984. The State defines "nontolerable" roads as those which do not have the capability of providing a reasonable level of service based on physical attributes such as pavement width or strength; alignment, or gradient. [Virginia Department of Highways and Transportation (now Virginia Department of Transportation), Guide for Secondary Road Improvements, p. 14.]

<sup>297</sup>It is relevant to note that the County's six-year secondary road plan calls for improvements to a 0.95 linear mile segment (on State Route 630) of the nontolerable roadway in the area proposed for

except for the Interstate roadway, are principally the responsibility of the City's Division of Street Maintenance. Thus, that City agency, which has a staff of 49 employees and an array of municipally-owned equipment, is responsible for the 178.3 linear miles of public roadway located in Petersburg.<sup>298</sup> The work of the Division of Street Maintenance is assisted by the efforts of other City offices involved in traffic engineering and related concerns.<sup>299</sup>

While the City of Petersburg receives substantial assistance from the State for the maintenance of its streets and roads, the City has shown a willingness to expend a significant amount of its own resources to address its thoroughfare needs. The data indicate that between FY1979-80 and FY1983-84 Petersburg expended a total of approximately \$1.9 million in local funds for the maintenance of the City's public roadway.<sup>300</sup>

City of Hopewell. The construction and maintenance of all public thoroughfares in the City of Hopewell are the primary responsibility of the City's Department of Maintenance and Operations, which is served by 20 employees and an appropriate array of equipment.<sup>301</sup>

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immunity from Petersburg and to a 2.71 linear mile segment (on State Route 646) of such roadway in the area proposed for immunity from Hopewell. (See "Prince George County, Secondary System, Construction Program, 1986-87 thru 1991-92," Mar. 25, 1986.)

<sup>298</sup>Petersburg Annexation Notice, Vol. I, pp. 6-52, 13-4; and Calvert, letter to staff of Commission on Local Government, July 1, 1985.

<sup>299</sup>Petersburg Annexation Notice, Vol. I, p. 6-52.

<sup>300</sup>Calvert, letter to staff of Commission on Local Government, July 1, 1985. Some of the local funds reported as expenditures for street maintenance were actually utilized for snow removal purposes. Approximately 3.27 linear miles of public roadway in the City do not qualify for State assistance principally due to insufficient right-of-way width.

<sup>301</sup>Hopewell Annexation Exhibits: Data, p. 115.

While Hopewell, like its neighboring municipality, receives assistance from the Commonwealth for the maintenance of its public thoroughfares, the City has manifested a willingness to supplement this State assistance with local funds in order to address its street and road maintenance requirements. The evidence indicates that between FY1979-80 and FY1983-84 the City provided approximately \$4.1 million in local funds to maintain its public thoroughfares.<sup>302</sup>

Comparability of Service. Based upon the amount of roadway in the proposed immunity areas considered substandard for their usage, the capability of the Cities of Petersburg and Hopewell to administer and maintain locally their roadway, and the demonstrated willingness of the two Cities to expend substantial local funds for the maintenance of their public thoroughfares, the Commission cannot conclude that the maintenance of public thoroughfares generally in the nonfederal portion of the areas proposed for immunity is comparable to that in the Cities of Petersburg and Hopewell. With respect to thoroughfare on the federally-owned properties within those areas, however, we find no basis for concluding that the maintenance of such roadway lacks comparability to that within the adjacent municipalities.

#### Snow Removal

Proposed Immunity Areas. As in the case of other road-related functions, snow removal services in the nonfederal portions of the areas proposed for immunity are the responsibility of the VDOT. The VDOT directs its snow removal services for those proposed immunity areas from the two offices which it maintains within the County. Those two offices have available an extensive array of State-owned equipment and also use leased vehicles, if necessary, to provide snow

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<sup>302</sup>Martin, letter to staff of Commission on Local Government, May 1, 1986. The City was unable to provide audited data for each year of the period in question. These local funds were exclusive of those provided for construction and reconstruction projects. All public roads in the City qualify for receipt of State assistance.

removal services to the areas of their responsibility.<sup>303</sup> The VDOT has stated that within the areas proposed for immunity it gives highest priority in its snow removal efforts to U. S. Route 460 and State Route 36, with its second highest priority for clearance being given to State Routes 106 and 156.<sup>304</sup> Snow removal on other public roadway within the areas proposed for immunity is given a lower priority. With respect to Fort Lee, snow removal services at the military installation are the responsibility of the U. S. Army.<sup>305</sup>

City of Petersburg. Snow removal services in the City of Petersburg are the responsibility of the City's Public Works Department, which has available nine vehicles for that activity.<sup>306</sup> As in the case of the VDOT, the City establishes priorities for the provision of snow removal services with main thoroughfares, bus routes, and similar critical roadways given the highest priority for snow removal.<sup>307</sup>

City of Hopewell. Snow removal services in the City of Hopewell are performed by the City's Maintenance and Operations Department, which has available six pieces of apparatus for that activity.<sup>308</sup>

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<sup>303</sup>H. J. Dyson, Assistant Resident Engineer, Petersburg Residency, Virginia Department of Transportation, letter to staff of Commission on Local Government, July 25, 1985.

<sup>304</sup>Ibid. The State requires that roads receiving "Priority 1" snow removal service be kept free of snow and ice at all times. Roads given "Priority 2" receive secondary consideration but are cleared of snow and ice within 24 hours after the cessation of inclement weather. (Virginia Department of Transportation, Policy Manual, Maintenance Division, Sec. 11.)

<sup>305</sup>Snow removal at the Petersburg National Battlefield Park is the responsibility of the staff serving that facility. (Deckert, communication with staff of Commission on Local Government, Mar. 17, 1987.)

<sup>306</sup>Petersburg Annexation Notice, Vol. I, p. 6-55.

<sup>307</sup>Ibid.

<sup>308</sup>Hopewell Annexation Exhibits: Data, p. 114.

The City gives priority in its snow removal services to arterial streets and to thoroughfares leading to industrial plants, hospitals, fire stations, and similar emergency service facilities.<sup>309</sup>

Comparability of Service. While the Commission recognizes the advantages to the Cities of their ability to plan, administer, and perform directly their snow removal services, we are unable to conclude that such services in the Cities are significantly better than those in the areas proposed for immunity. Moreover, the clearance of snow from less developed areas lacking parking lanes and other impediments is easier and quicker to provide. Accordingly, the Commission finds the snow removal services in the two areas proposed for immunity generally comparable to such services in the Cities of Petersburg and Hopewell. Similarly, based upon the evidence available to us, we find the snow removal services on the federal properties within the proposed immunity areas comparable to those within the adjacent municipalities.

#### Public Planning, Zoning and Subdivision Regulation

Proposed Immunity Areas. Prince George County established its first planning commission in 1962 and adopted its current comprehensive plan in 1986.<sup>310</sup> The County's current comprehensive plan is founded upon recent data and contains general goals and implementation

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<sup>309</sup>Ibid.

<sup>310</sup>Cranwell, letter to staff of Commission on Local Government, Oct. 27, 1986. Although Section 15.1-454 of the Code of Virginia requires comprehensive plans to be reviewed at least once every five years by the local planning commission, there is no public record that the County ever reviewed its previous comprehensive plan which was adopted in 1978. The County has submitted, however, a statement from its previous planning director that the planning commission reviewed the 1978 comprehensive plan on at least three occasions prior to the adoption of the revised plan in 1986. [See Gary B. Burton, County Administrator, County of New Kent (formerly Planning Director, County of Prince George), letter to William G. Kuthy, Director of Planning, County of Prince George, Dec. 16, 1986.] The County's current comprehensive plan does indicate that most of the trends and policies contained in the previous plan are still valid. (County Comprehensive

measures for various geographic sectors of the County.<sup>311</sup> Further, the County has adopted a five-year capital improvements plan to guide future County expenditures.<sup>312</sup> Prince George County maintains a staff of two professional planners to assist in the administration of its planning efforts.<sup>313</sup>

The County's current zoning ordinance, which was adopted in 1978, establishes nine distinct districts - five residential, one business, two industrial, and one agricultural.<sup>314</sup> That ordinance, which is typical of those found in rural jurisdictions, is, in our judgment, in need of revision to reflect the urbanizing nature of portions of the County. Specifically, the presence of only one type of business district in the ordinance creates difficulty in properly regulating development in the diverse commercial areas currently found throughout the County.<sup>315</sup> Further, the sign control provisions in the ordinance are very limited, and their application could lead to unneces-

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Plan 1986; pp. 128-29.)

<sup>311</sup>Although the County's comprehensive plan appears to be in general compliance with the requirements of Secs. 15-1-446.1 and 15.1-447 of the Code of Virginia, it does not address the role of the zoning and subdivision ordinances in pursuit of its general goals.

<sup>312</sup>The County's current comprehensive plan includes detailed sections which address water and wastewater, transportation, and other public service issues.

<sup>313</sup>County Notice re Petersburg, p. 112.

<sup>314</sup>Prince George County Code, Ch. 21. County officials have contended that the number and type of zoning districts contained in its current zoning ordinance are appropriate to the needs of Prince George County and do not reflect any deficiencies in that planning instrument. (Testimony of Kuthy, Partial Immunity Proceedings, pp. 180-88.) In our judgment, increasing the number of zoning districts facilitates the development of regulations carefully tailored to specific activities and their attributes.

<sup>315</sup>See Prince George County Code, Ch. 21, Art. VI. Some of the business uses permitted by special exception in the agricultural district would be more appropriately included in a separate limited or neighborhood-type business district.

sary visual degradation of the County.<sup>316</sup> Moreover, while one of the major goals of the County's current comprehensive plan is to protect scenic, historic, and critical environmental areas, the County's zoning ordinance does not contain any provisions to protect those resources.<sup>317</sup> Finally, the agricultural district in the ordinance, established ostensibly to protect existing and future farming operations and watersheds, allows 44 special exceptions for various forms of development, some of which are clearly incompatible with agricultural operations.<sup>318</sup> Moreover, since residential development is permitted in agricultural districts on lots as small as one acre, such districts are subject to extensive residential development.<sup>319</sup>

The County's current subdivision ordinance, which was adopted in

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<sup>316</sup>See Prince George County Code, Ch. 21, Art. XVI. The County's planning director has acknowledged that the sign regulations in the zoning ordinance are in need of revision. (Testimony of Kuthy, Partial Immunity Proceedings, p. 192.)

<sup>317</sup>While the identification in the comprehensive plan and accompanying maps of the important historic, scenic, and critical environmental areas of the County may afford some protection to those resources, the County relies on its agricultural zoning district as the primary zoning district to protect such areas. (Testimony of Kuthy, Partial Immunity Proceedings, p. 208.) That district, however, permits a significant number of special exceptions for development which may not be compatible with the County's goal of protecting those areas.

<sup>318</sup>Prince George County Code, Sec. 21-14.1. The agricultural district permits the construction of mobile home parks, professional offices, quarries, recreational vehicle parks, landfills, nursing homes, schools, government buildings, and service stations.

<sup>319</sup>The County's floodplain zoning provisions are currently being reviewed by the planning commission. (Testimony of Kuthy, Partial Immunity Proceedings, p. 201.) In addition, the Commission notes that since its previous report Prince George County has adopted provisions which permit the reduction of the minimum lot sizes for single family detached houses in two of its residential districts and which require site plans for all structures which contain more than four residential units or which are for other than agricultural purposes. (See Prince George County Code, Secs. 21-75.1, 21-112.) These recently adopted provisions should serve to strengthen the County's

1978, controls the division of land into two or more parcels.<sup>320</sup> Exempt from the coverage of this subdivision ordinance; however, is the division of parcels into lots of five acres or more where such is undertaken for agricultural or forestal purposes, as well as certain divisions of property for the creation of lots for family members.<sup>321</sup> Various provisions in the County's subdivision ordinance are desirable elements in the regulation of growth in urbanizing areas and merit note in this report. Included in such provisions are those which (1) preclude the construction of private streets, (2) require the installation of curbs and gutters in residential districts, and (3) require developers to dedicate land to the County for the construction of parks and playgrounds.<sup>322</sup> While, in general, the County's subdivision ordinance is, typical of those found in rural jurisdictions, the instrument does have elements which are beneficial in regulating development and which are not always found in county ordinances. The County's planning and land development control regulations are not applicable to the federal properties within its jurisdiction. Such federal properties are subject only to regulation imposed pursuant to federal law or administrative decree.

City of Petersburg. The City of Petersburg established its first planning commission in 1937 and adopted its current comprehensive plan in 1983.<sup>323</sup> The City's current comprehensive plan is founded on

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zoning ordinance.

<sup>320</sup>Prince George County Code, Sec. 17.1.

<sup>321</sup>Ibid.

<sup>322</sup>The dedication of land for parks and playgrounds is a desirable provision for obtaining property for open space. It would be appropriate, however, for the County's subdivision ordinance to refer to the comprehensive plan for the determination of the dedication requirements.

<sup>323</sup>Calvert, letter to staff of Commission on Local Government, July 1, 1985; and Petersburg Annexation Notice, Vol. I, p. 6-6.

recent data and detailed background analysis, it contains specific goals for various major public activities (e. g., housing, historic preservation, etc.), and it includes a detailed implementation section with specific recommendations for the utilization of subordinate planning measures (e. g., zoning and subdivision ordinances).<sup>324</sup> Further, the City of Petersburg has enacted supplemental planning documents dealing with open space, economic development, transportation, and housing to augment its basic planning instrument.<sup>325</sup> Furthermore, Petersburg has an internal planning staff of 13 persons which is responsible for the administration and implementation of the City's various planning measures.<sup>326</sup>

With respect to zoning, Petersburg's current ordinance was adopted in 1971 and is currently undergoing revision.<sup>327</sup> The City's zoning ordinance establishes 19 discrete districts - 9 residential, 3 business, 2 industrial, and 5 mixed use.<sup>328</sup> Included in the "mixed use" category is an agricultural district designed to protect the activities generally considered rural in nature. In our judgment, this district constitutes an effective instrument for the protection of

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<sup>324</sup>City of Petersburg, The Comprehensive Community Development Plan, 1983. The City's comprehensive plan addresses, in our judgment, all statutorily prescribed elements.

<sup>325</sup>Gromel, letter to staff of Commission on Local Government, June 5, 1985.

<sup>326</sup>Petersburg Annexation Notice, Vol. I, pp. 6-7--8.

<sup>327</sup>Calvert, letter to staff of Commission on Local Government, July 1, 1985. Although the City's zoning ordinance is currently undergoing revision, Petersburg has adopted conditional or proffer zoning requirements and made changes in its historic district provisions both of which extend the flexibility of the City's primary land development control ordinance. (Packer, communication with staff of Commission on Local Government, Feb. 20, 1987.)

<sup>328</sup>Petersburg City Code, Appendix A - Zoning Ordinance. Under the Petersburg zoning ordinance the districts are pyramidal in application (i. e., each zoning district will allow any development of lesser intensity). Such provisions can permit the co-location of

agricultural properties in the urban environment.<sup>329</sup> Moreover, it is relevant to note that the City has established an historic district and an architectural review board for the protection of Petersburg's historic sites.<sup>330</sup>

In terms of subdivision regulation, Petersburg's current ordinance was adopted in 1974 and is presently being reviewed for possible revision.<sup>331</sup> The City's ordinance applies to all division of property establishing three or more lots, except those in which the resulting lots are two acres or more in size and which do not involve the establishment of a new street or easement.<sup>332</sup> Petersburg's subdivision ordinance contains a number of provisions which should promote orderly development within the municipality. Such provisions include those which (1) require the construction of curbs and gutters, streetlights (along major thoroughfares), and sidewalks (in districts which are likely to generate significant pedestrian traffic), (2) direct the construction of underground utility lines, (3) mandate connection to public utilities where such are accessible, and (4) require developers to reserve for a period of time certain sites on their plats which have been identified in the City's comprehensive plan for possible use for schools, parks, open space, or other public

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incompatible land uses and, thus, can reduce the effectiveness of an ordinance.

<sup>329</sup>Ibid., Art. 4-A, Sec. 9. This district does not allow the construction of residential subdivisions.

<sup>330</sup>Ibid., Art. 35.

<sup>331</sup>Calvert, letter to staff of Commission on Local Government, July 1, 1985.

<sup>332</sup>Petersburg Subdivision Ordinance, Art. 3. The City's subdivision ordinance also permits other exclusions from the application of its requirements.

purpose.<sup>333</sup>

City of Hopewell. The City of Hopewell established its first planning commission in 1929 and adopted its current comprehensive plan in 1985.<sup>334</sup> The City's comprehensive plan is based on detailed and current background data and contains specific recommendations regarding the implementation of various objectives. While Hopewell's comprehensive plan does not identify long-range goals for the City, it does specify a series of policy issues which the City needs to address for purposes of guiding future municipal activity.<sup>335</sup> As supplements to its basic planning instrument, the City has adopted a capital improvements program and a historic preservation plan.<sup>336</sup> Hopewell maintains an internal planning staff of two professionals for the management of its various planning and development control activities.

With respect to zoning, Hopewell's current ordinance was last revised in 1979. That instrument establishes 14 different districts, including 5 residential, 3 business, 2 industrial, and 2 mixed use zones.<sup>337</sup> The City's zoning ordinance also established an historic district and an architectural review board for the purposes of pro-

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<sup>333</sup>Ibid., Art. 6, Sec. 5; and Art. 7, Secs. 2, 4, 6, 8, 9, and 10.

<sup>334</sup>Hopewell Annexation Exhibits: Data, p. 63.

<sup>335</sup>Among the policy issues identified for the City's attention in the comprehensive plan are those regarding the impact of Interstate Highway 295, the control of strip development, and improvements to the City's public facilities. The City's comprehensive plan does meet, in our view, all statutory requirements.

<sup>336</sup>Martin, letter to staff of Commission on Local Government, Aug. 21, 1985.

<sup>337</sup>Hopewell Annexation Exhibits: Data, p. 63. Hopewell's ordinance establishes nonpyramidal zones (i. e., zoning districts which do not automatically allow development of lesser intensity).

protecting the City's historical properties.<sup>338</sup> The large number of districts established by the City's zoning ordinance reflects the diversity of land uses in Hopewell and constitutes an appropriate means of avoiding the juxtaposition of conflicting development. In this regard, it is significant to note that Hopewell's zoning ordinance contains an extensive "definitions" section, which should facilitate the ordinance's interpretation and enforcement.<sup>339</sup>

In terms of subdivision regulation, Hopewell's current ordinance, which was adopted in 1983, applies to all divisions of property which result in the creation of two or more lots.<sup>340</sup> The ordinance contains numerous elements which enhance its ability to regulate effectively the development of property in urbanizing areas. Specifically, we note that the Hopewell ordinance (1) precludes the construction of private streets, (2) requires the construction of curbs, gutters, and, where pedestrian traffic necessitates such, sidewalks, (3) mandates the installation of underground utilities, and (4) requires developers to reserve sites in their plats which have been identified in the City's comprehensive plan for possible use for schools or other public purposes.<sup>341</sup>

Comparability of Service. The planning and development control instruments of Prince George County contain elements which reflect, not surprisingly, the rural and suburban nature of the territory to which it applies. In terms of their suitability for use in urbanizing areas, there are significant deficiencies. Such deficiencies exist

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<sup>338</sup>The other district established by the City's zoning ordinance is a "floodplain" zone.

<sup>339</sup>See City of Hopewell, Zoning Ordinance, Art. 1.

<sup>340</sup>See City of Hopewell, Subdivision Ordinance, Art. 2, Sec. 2-53. The ordinance permits the City Council to exempt the subdivision of parcels by family members.

<sup>341</sup>Ibid., Art. 7. The reservation requirements require developers to reserve sites for a period of 18 months in order to permit the City to determine whether acquisition for public use is appropriate.

with respect to the implementation provisions of the comprehensive plan, signage control, and the protection of agricultural, historic, scenic, and environmental resources. In contrast, the Cities of Petersburg and Hopewell have adopted extensive and effective planning and regulatory devices which are, in our judgment, substantially better for managing urbanizing environments. Thus, this Commission cannot conclude that the efforts of Prince George County with respect to public planning, zoning, and subdivision regulation are comparable to those in the two adjacent Cities.

In terms of planning activities at Fort Lee, developments at that military installation are guided by a Master Plan, or Land Use Plan, and other instruments developed by the Department of the Army. Those various planning instruments are reviewed biennially and revised as necessary.<sup>342</sup> We have no basis upon which to evaluate the planning instruments utilized at Fort Lee. Moreover, since the future development of the military reservation is totally under Army control, and since that facility is not subject to the breadth and nature of development pressures confronting nonfederal properties, there is no suitable basis for comparing the Army's planning instruments with those of the local governments in the area.

#### General Comparability of Appropriate Urban-type Services

In the previous sections of this report this Commission has endeavored to determine whether there exist in the separate areas of Prince George County proposed for immunity urban-type services comparable to the type and level of such services provided within the Cities of Petersburg and Hopewell. In accordance with statutory direction, this Commission has considered specifically those urban-type services specified in Section 15.1-1041 of the Code of Virginia.<sup>343</sup> While the Commission acknowledges that the type and

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<sup>342</sup>County Trial Exhibits, Exh. B.

<sup>343</sup>Sec. 15.1-977.22:1, Code of Virginia, directs the court, and thus the Commission, to use as a guide in the analysis of partial immu-

level of certain services in the nonfederal portion of the areas proposed for immunity are comparable to those provided in the Cities of Petersburg and Hopewell, we are unable to find that such comparability exists generally across the spectrum of urban-type services. With respect to public water distribution, sewage collection, crime prevention and detection, fire prevention and protection, public planning, recreation, solid waste collection, streetlighting, street maintenance, curbs, gutters, sidewalks, and storm drainage, the services provided residents generally in nonfederal portions of the areas proposed for immunity lack comparability to the type and level of such services furnished within the Cities of Petersburg and Hopewell.<sup>344</sup>

Focusing specifically, however, on the Jefferson Park Area, we note the availability of certain facilities and the proximity of others which considerably enhance the type and level of the urban services available to that community. The presence of water and sewer lines; the availability of fire hydrants, the proximity of the Hopewell Fire Department, and the construction of the new fire station; a concentration of streetlights; the proximity of the Appomattox Regional Library's central facility in the City of Hopewell; and the presence in Stratford Woods of a six-acre open space site for passive recreational purposes; provide the Jefferson Park Area with a type and level of services higher than that found in other nonfederal portions of the County. While this Commission recognizes that with respect to public planning, crime prevention and detection, fire suppression and prevention, the oversight of solid waste collection, and public recreation, the services available to residents of the Jefferson Park Area still have deficiencies, we find that, considered collectively, the urban-type services in the Jefferson Park Area have reached a

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nity issues the list of services set forth by statute for consideration in annexation issues.

<sup>344</sup>It is significant to note that less than 20% of Prince George County's operating expenditures during FY1984-85 was devoted to non-educational public services. The Cities of Petersburg and Hopewell com-

Level of comparability with those provided within the City of Hopewell.<sup>345</sup>

In the preceding sections of this report addressing various urban services, we have offered comment on the nature of such services at the Fort Lee military reservation. In accordance with statutory direction, we have endeavored to offer evaluative comment on those services with respect to their comparability with the type and level of similar services provided within the Cities of Petersburg and Hopewell. In sum, this Commission concluded that, within the context of the partial immunity statute, the services at the military installation are generally comparable, and in some instances exceed, in scope and quality those provided in the adjacent municipalities. It is important to note here, however, that the Fort Lee military reservation constitutes an entity markedly different from private property under the general governance of local civil authorities. The entire premises at Fort Lee are under the ownership of one entity (i. e., the federal government), ingress and egress is subject to control by military authorities, its service needs are determined by its peculiar military role, the funding for its services is determined by Congressional action, and it is not subject to the diverse private development pressures confronted by local governments. No local civil authority has any responsibility for or control or influence over the provision of urban-type services at the military reservation, except where such is sanctioned by federal law or regulation. The atypical nature and mission of Fort Lee render difficult, if not inappropriate, comparative comment on its services in relation to those provided by

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mitted 43.7% and 51.2% of their operating expenditures, respectively, during that fiscal year to non-educational public services. (See Appendix E.)

<sup>345</sup>See the delineation of the Jefferson Park Area as set forth in n. 95, p. 30, supra.

adjacent local civil governments. For such reasons, we question the appropriateness of attempts to apply the State's partial immunity statute to military reservations such as Fort Lee. In our judgment, a grant of permanent immunity should not be founded on the total provision of urban-type services by the federal government.

#### COMPLIANCE WITH APPLICABLE STATE POLICIES

Another of the factors prescribed for consideration in partial immunity issues is the extent to which the affected jurisdictions have made efforts to comply with applicable State policies. There are, it appears to this Commission, several applicable State policies which merit consideration in this report. The following sections of this report review those applicable State policies.

#### Public Planning

The Code of Virginia requires the State's political subdivisions to establish a planning commission and to adopt a comprehensive plan and subdivision regulations to guide their future development.<sup>346</sup> Consistent with these statutory requirements, Prince George County, the City of Petersburg, and the City of Hopewell have established planning commissions and have adopted those development control instruments. In addition, each of the jurisdictions has adopted a zoning ordinance which enhances its ability to regulate its future development. In view of the fact that previous sections of this report have dealt extensively with each locality's public planning efforts, extended comment here is not required. While the development control measures established by the Cities are more stringent and appropriate for the regulation of urban growth, we find that each of the three jurisdictions has made reasonable efforts to comply with the State's concern for public planning.

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<sup>346</sup>Secs. 15.1-427.1, 15.1-466.1, and 15.1-465.1, Code of Va.

### Housing

The State's legislature has recognized that there is a fundamental human need for adequate housing. The General Assembly has asserted that proper housing for the State's residents is a matter of "grave concern to the Commonwealth."<sup>347</sup> The three jurisdictions involved in these proceedings have each taken actions consistent with this State concern. While Prince George County has not established a public housing authority to address the housing needs of its residents, the County did establish in 1978 a program by which it administers rental assistance to qualifying residents. The County currently has a full-time staff of two employees who are involved in the administration of rental assistance to approximately 100 families within its jurisdiction.<sup>348</sup> In addition, the County has within its boundaries 295 units of assisted housing built by private developers through the direct assistance of the U. S. Department of Housing and Urban Development (HUD).<sup>349</sup>

The City of Petersburg established a redevelopment and housing authority in 1967 to assist its residents in obtaining suitable housing. That authority, which now has a staff of 15 full-time employees, directly administers 350 units of public housing at three sites in the City. The authority also administers 30 units of assisted housing under the Section 8 Moderate Rehabilitation Program sponsored by HUD.<sup>350</sup> Considering collectively all units owned or

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<sup>347</sup>Sec. 36-2, Code of Va. See also Sec. 36-120, Code of Va.

<sup>348</sup>County Notice re Petersburg, pp. 192-93. This housing assistance program is colloquially identified as the Section 8 Existing Program. Financial assistance is provided to qualifying persons for housing in existing rental units.

<sup>349</sup>Ibid., Oct. 18, 1985. There is also an unknown number of dwelling units in the County which were constructed with assistance the Farmers Home Administration.

<sup>350</sup>Petersburg Annexation Notice, Vol. I, p. 6-58.

administered by public or private entities, there were reported to be 1,189 units of assisted housing located within the City of Petersburg in 1985.<sup>351</sup>

The City of Hopewell established a redevelopment and housing authority as early as 1940 to address the housing concerns of its residents. That agency, which now has a staff of 21 full-time employees, owns and operates 500 units of public housing at seven sites in the City and, in addition, administers 124 units of assisted housing under various HUD Section 8 rental assistance programs.<sup>352</sup> In sum, there was reported to be a total of 960 units of assisted housing in Hopewell in 1985 operated by either public or private entities.<sup>353</sup> Based on 1983 data, 12.3% of all the City's occupied housing was publicly owned or publicly assisted units.<sup>354</sup>

While the Cities of Petersburg and Hopewell maintain more extensive programs serving a greater number of families, the evidence indicates that each of the three jurisdictions involved in these proceedings has made reasonable efforts to comply with the State's concern for proper housing for its residents.

#### Public Transportation

The General Assembly of Virginia has expressed a concern for the

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<sup>351</sup>Calvert, letter to staff of Commission on Local Government, July 1, 1985.

<sup>352</sup>Hopewell Annexation Exhibits: Data, p. 134.

<sup>353</sup>Ibid., pp. 136-37.

<sup>354</sup>Ibid., p. 135. Hopewell is the only city in Virginia to have a HUD-approved New Horizons Fair Housing Program designed to promote equal housing for its residents. (Ibid., p. 134.) This program, which was adopted by the City in 1982, is funded by a portion of Hopewell's Community Development Block Grant allocation. (Martin, letter to staff of Commission on Local Government, May 9, 1986.)

provision of public transportation to residents of the State.<sup>355</sup> The City of Petersburg is the only jurisdiction involved in these immunity proceedings which is directly involved in the provision of public transportation services to its residents. The City, which began its operation of a transit system in 1977, currently operates 14 buses on eight routes which serve the City and adjoining areas in Chesterfield and Dinwiddie Counties.<sup>356</sup> In addition to its fixed-route system, the City also operates a special transportation program for the elderly and handicapped which is supported by public assistance funds.<sup>357</sup>

While the City of Petersburg receives State and federal assistance for the operation of its fixed-route system, the City has been required to supplement that assistance with local funds. During FY1984-85 the City's fixed-route system resulted in operating expenditures of \$664,870, of which \$359,630 was raised through operating revenues.<sup>358</sup> The operating deficit was met by federal grant (\$150,452), State assistance (\$115,006), and local funds (\$35,445).<sup>359</sup> Since the City's transportation system has served

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<sup>355</sup>Sec. 33.1-12(9), Code of Va. See also Sec. 33.1-391, Code of Va.

<sup>356</sup>City of Petersburg, "Annexation Tour Book for Commission on Local Government, Oct. 1985." This document, which provided a narrative and a pictorial compilation of the sites and public operations viewed by the Commission on its tour of Petersburg - Hopewell - Prince George County on October 26, 1985, was utilized again in conjunction with the Commission's tour of the proposed immunity areas on Nov. 23, 1986.

<sup>357</sup>Ibid. This transportation system for the elderly and handicapped is a demand-responsive program.

<sup>358</sup>Virginia Department of Highways and Transportation (now Virginia Department of Transportation) 1985 Annual Report on Transportation in the Commonwealth of Virginia, pp. 93-98. The fare for use of this system in 1985 was \$.50 per trip.

<sup>359</sup>Ibid.

approximately 3,400 passengers per day, Petersburg's financial support for this activity represents a significant effort to comply with the State's concern for public transportation.<sup>360</sup>

### Education

By both constitutional provision and general law, the State of Virginia has declared that public education is a fundamental concern of this Commonwealth.<sup>361</sup> Various legal provisions require the establishment of a set of minimum standards for public education which must be met by each local school division in the Commonwealth. The evidence indicates that each of the school divisions serving the three jurisdictions involved in these proceedings is in substantial compliance with the State-prescribed minimum standards.<sup>362</sup>

There are, however, concerns which have been raised in these proceedings regarding the educational programs of the three jurisdictions. These concerns merit brief comment in this report. Accordingly, the following paragraphs review selected attributes of the educational programs of the three jurisdictions.

Prince George County currently operates ten school facilities which served during school year 1984-85 an ADM of 4,995 students.<sup>363</sup> All Prince George County schools are currently accredited by the State

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<sup>360</sup>Testimony of Brown, Annexation Proceedings, Oct. 28, 1985, p. 368.

<sup>361</sup>Art. VII, Sec. 1, Constitution of Virginia; and Chs. 555, 575, Acts of the Assembly, 1986.

<sup>362</sup>Kenneth W. Beachum, Associate Director of Administrative Review, Virginia Department of Education, communication with staff of Commission on Local Government, Mar. 31, 1987. See also Report on Public Education in Virginia 1984-85 and the most recent "Program Reports" issued at the conclusion of the inspection of the school divisions by the Virginia Department of Education's Administrative Review Service.

<sup>363</sup>Virginia Department of Education, Facing-Up 20, Statistical Data on Virginia's Public Schools, 1984-85 School Year (hereinafter cited as Facing-Up 20), June 1986.

Department of Education, and its one high school is also accredited by the Southern Association of Colleges and Schools.<sup>364</sup>

The City of Petersburg operates ten school facilities which served in 1984-85 an average daily membership (ADM) of 6,536 students.<sup>365</sup>

All Petersburg schools are currently accredited by the State Department of Education, and its middle and high schools are also accredited by the Southern Association of Colleges and Schools.<sup>366</sup>

The City of Hopewell currently operates eight school facilities which served during school year 1984-85 an ADM of 4,118 students.<sup>367</sup> All of the City's schools have been accredited by the State Department of Education and the Southern Association of Colleges and Schools.<sup>368</sup>

During the course of our review of the boundary change issues involving Prince George County and the Cities of Petersburg and Hopewell, evaluative comments were proffered concerning the educational programs of the three jurisdictions. While this Commission well understands that no statistical indices are adequate to measure fully the quality of an educational program, there are data available which provide some understanding of a locality's educational efforts. A few of the major statistical measures with respect to the systems serving Prince George County, the City of Petersburg, and the City of Hopewell during school year 1984-85 are listed below:<sup>369</sup>

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<sup>364</sup>Testimony of Dr. James G. Rooks, Superintendent of Schools, County of Prince George, Annexation Proceedings, Oct. 30, 1985, p. 983.

<sup>365</sup>Facing-Up 20.

<sup>366</sup>Packer, communication with staff of Commission on Local Government, Feb. 20, 1987.

<sup>367</sup>Facing-Up 20. The City also operates one occupational work center as part of its general educational program.

<sup>368</sup>Hopewell Annexation Exhibits: Data, p. 125.

<sup>369</sup>Facing-Up 20, Tables 2, 3, 7, and 11.

	<u>Prince George County</u>	<u>City of Petersburg</u>	<u>City of Hopewell</u>	<u>State</u>
Pupil-Teacher Ratio				
Elementary	17.2	17.3	18.0	16.9
Secondary	13.0	12.4	12.9	13.7
Total	15.4	15.0	15.6	15.5
Total Instructional Personnel per 1000 Students in ADM	65.9	66.9	64.7	65.9
Graduates				
% Continuing Educ.	56.0	54.3	25.4	63.8
% Attending 4-year Colleges	28.9	31.6	15.5	40.5
% Not Continuing Education but Having Marketable Skills	97.7	98.1	66.5	88.7
Dropouts				
Number	52	284	102	N/A
% of ADM	2.8	10.1	6.2	4.4
Expenditures per pupil for Operations				
Total	\$2,804	\$3,139	\$3,103	\$3,110
Local	538	1,264	1,337	1,500

While the above-cited statistics address only a limited number of quantitative aspects of the three school divisions, they do indicate that the Cities have invested significantly in their educational programs and have maintained staffing levels at least comparable to those in Prince George County.

Added perspective regarding the educational programs and student bodies in the three school divisions may be obtained from a review of standardized test scores designed to measure the ability and achievement of students attending those systems. The following table reflects the results of tests administered to students in the three school divisions in grades 4, 8, and 11 during academic year

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<u>Division</u>	<u>EAS Ability</u>	Grade 4 SRA Achievement Series		
		<u>Reading</u>	<u>Language Arts</u>	<u>Math</u>
Prince George	63	56	65	69
Petersburg	36	33	50	41
Hopewell	47	44	52	54
State	58	58	62	60

	<u>EAS Ability</u>	Grade 8 SRA Achievement Series		
		<u>Reading</u>	<u>Language Arts</u>	<u>Math</u>
Prince George	62	57	56	70
Petersburg	45	33	45	54
Hopewell	55	44	52	64
State	61	54	57	67

	<u>EAS Ability</u>	Grade 11 SRA Achievement Series		
		<u>Reading</u>	<u>Language Arts</u>	<u>Math</u>
Prince George	67	63	65	63
Petersburg	38	31	48	53
Hopewell	55	51	54	63
State	63	59	59	66

These tables reveal a student body in the Prince George County school division with notably higher ability scores and with achievement scores generally exceeding those recorded by pupils in the school divisions serving the adjoining municipalities.

### Agricultural Land Preservation

The General Assembly of Virginia has declared that it is the policy of the Commonwealth to endeavor to preserve the State's agricultural properties.<sup>371</sup> In our judgment, this policy is foresightful. In this regard, it is significant to note that both Prince George County and the City of Petersburg have adopted programs of use value assessment which reduce the fiscal pressures on agricultural and other qualifying properties.<sup>372</sup> As a result of these programs, the County and the City of Petersburg reduced the taxable value of qualifying properties by \$53.5 million and \$5.9 million, respectively, during tax year 1984.<sup>373</sup> Further, and consistent with the State's concern for the protection of agricultural properties, both Prince George County and the City of Petersburg have established agricultural districts in their zoning ordinances for the protection of agricultural operations.<sup>374</sup> We consider these various measures by the County and Petersburg as actions consistent with the State's concern for the protection of its agricultural properties.

### COMMUNITY OF INTEREST

Among the factors to be considered in the disposition of partial immunity actions is whether the community of interest which exists between an area for which immunity is sought and the remaining portions of the county is greater than that which links the proposed

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<sup>371</sup>Sec. 15.1-507, Code of Va.

<sup>372</sup>The City of Petersburg and Prince George County established use value assessment programs in 1974 and 1976, respectively. Each of the programs encompasses all four categories of property which are eligible for use value assessment under State law (agricultural, forestal, horticultural, and open space).

<sup>373</sup>Virginia Department of Taxation, Annual Report for Fiscal Year Ending June 30, 1985, Table 5.4.

<sup>374</sup>We are obliged to note, however, that the County's zoning ordinance permits a significant amount of development in agricultural districts which reduces the effectiveness of that ordinance in pro-

immunity area to the adjacent city. Analyses of the relative strengths of such communities of interest properly involve numerous factors, but, in our judgment, the most relevant considerations are those regarding employment, commercial and professional relationships, and public facilities and services which reflect interdependency. While not all the factors which bear on the issue of community of interest are susceptible to quantification and precise measurement, there are statistical indices which can be used in the analysis of this issue. The following paragraphs review data relevant to the community of interest issue with respect to the immunity actions initiated by Prince George County.

Area Proposed for Immunity from Annexation by City of Petersburg

Area Proposed for Immunity - City of Petersburg. There are numerous factors which suggest a significant community of interest between the City of Petersburg and the area proposed for immunity from annexations initiated by that municipality. Such factors include employment; retail and wholesale trade relationships; financial, professional, and other services; and development patterns.

With respect to employment, the data indicate that the City of Petersburg has been the site of employment for many nonresidents in recent years. Statistics regarding commuting patterns reveal that, as of 1980, 2,032 Prince George County residents age 16 and over were employed by firms in the City of Petersburg.<sup>375</sup> A dramatic constriction in the number of manufacturing positions in the City in recent years, however, has probably reduced the number of County residents employed within that municipality.<sup>376</sup> With respect specifi-

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tecting agricultural activity.

<sup>375</sup>Michael A. Spar, Transportation and Commuting in Virginia, 1980 (Charlottesville: Tayloe Murphy Institute, University of Virginia, 1984). As of 1980 there were 1,991 City residents employed by various establishments in Prince George County.

<sup>376</sup>Brown & Williamson Tobacco Corporation, which employed

cally to residents of the area proposed for immunity, a survey recently undertaken by Prince George County reported that only 4.01% of the respondents listed Petersburg as the site of employment for the "head of household," while 87.3% of such respondents stated that the "head of household" was employed by entities in the County.<sup>377</sup> Only 3.90% of the respondents, however, to the survey reported their "head of household" as employed by entities in the County located off the military reservation, a percentage less than those working in the City of Petersburg.<sup>378</sup> Focusing solely on residents of the area proposed for immunity from Petersburg and living off the military reservation, 19.3% of the respondents reported their "head of household" as being employed in the City of Petersburg, with 18.8% reporting such individuals being employed by County entities located off the Fort Lee premises.<sup>379</sup>

In sum, the employment data reviewed above suggest the insular nature of Fort Lee and the primacy of that facility as the site of

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approximately 1,300 persons in the early part of 1985, ceased operations in the City effective January 1, 1986. (See Virginia Employment Commission, Special Area by Industry Listing for Quarter 1-85.)

<sup>377</sup>County of Prince George, "Community of Interest," Table 3 (Revised). Prince George County submitted to the Commission a revised set of tables entitled "Community of Interest" (hereinafter cited as "County Community of Interest Survey") on Nov. 24, 1986. The original tables are found in County Notice re Petersburg, pp. 40-45. The data presented in the revised tables have been modified to conform to the boundaries of the area proposed for immunity. Moreover, in contrast to the original tables, the revised tabulations permit the reviewer to distinguish to a greater degree the relationships purely internal to the area proposed for immunity from Petersburg and those between that area and other portions of the County. In general, the revised tables underscore the insular nature of Fort Lee and suggest a much reduced relationship between the proposed immunity area and outlying portions of Prince George County.

<sup>378</sup>Ibid.

<sup>379</sup>Ibid., Table 2A (Revised). Approximately 23.9% of the respondents to the survey living off the military reservation reported their "head of household" as being employed at Fort Lee. (Ibid.)

employment for residents of the area proposed for immunity. Given the concentration of employment opportunity in Petersburg and the relative paucity of such in the outlying portions of the County, however, we would conclude that in terms of external employment, the area proposed for immunity has a greater relationship with Petersburg than the remaining portions of Prince George County.

In terms of retail trade, recent data disclose that the City of Petersburg remains the preeminent locality in the area in terms of the breadth and magnitude of such activity. Virginia Employment Commission statistics for the quarter ending March 31, 1986 disclose that during that period of time Petersburg had within its boundaries 289 retail establishments employing 4,150 employees, while during the same span of months the County had 40 retail establishments served by 760 employees.<sup>380</sup> Further, Department of Taxation data reveal that the value of taxable retail sales in the City of Petersburg in 1986 was \$314.2 million, while the total of such sales in the entirety of the County during the same year was \$34.7 million.<sup>381</sup> The comparative significance of Petersburg's retail trade is also evidenced by the fact that taxable retail sales in that municipality in 1986 represented 69.5% of the total of such sales in the three jurisdictional area (City of Petersburg - City of Hopewell - Prince George County).<sup>382</sup> Given the fact that the preponderance of the area's retail trade facilities and activity is located within the City of Petersburg, it is reasonable to conclude that a significant amount of the retail trade needs of County residents residing in close proximity to that City, particularly those not eligible to use the retail facil-

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<sup>380</sup>Covered Employment and Wages in Virginia for Quarter Ending Mar. 31, 1986. The number of employees cited represents the average for the quarter.

<sup>381</sup>Virginia Department of Taxation, Taxable Sales Annual Report, 1986.

<sup>382</sup>Ibid. Since the County's only concentration of retail facilities is in or adjacent to Lee Plaza, County residents residing in

ities at the Fort Lee military reservation, are met by establishments within the corporate boundaries of Petersburg. Indeed, the County's recent survey of households in the area proposed for immunity from annexation by Petersburg indicated that in terms of apparel, automobiles, theater attendance, and dining, the respondent households in the proposed immunity area generally utilized facilities in the City to a greater extent than those in Prince George County.<sup>383</sup> Furthermore, when Fort Lee facilities and residents are excluded from the survey results, twice as many of the households in the proposed immunity area reported purchasing their food within the City of Petersburg than in Prince George County.<sup>384</sup>

In terms of wholesale trade, the data reveal that Petersburg continues to play a prominent role in this aspect of the region's economy. Virginia Employment Commission statistics for the quarter ending March 31, 1986 disclose that during that period of time there were 46 wholesale establishments employing 680 persons in the City of Petersburg, while there were only four such establishments in the County generally during that period employing a total of 60 persons.<sup>385</sup> While data are not available to indicate the extent to which wholesale establishments in the City of Petersburg serve businesses within the area proposed for immunity, the City is clearly the wholesale trade center of the general area.<sup>386</sup>

The City of Petersburg also serves as a center for the provision of services to residents of the general area. Within the City's cor-

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close proximity to the City of Petersburg probably rely principally upon the retail outlets in that municipality.

<sup>383</sup>"County Community of Interest Survey," Table 3, (Revised).

<sup>384</sup>Ibid., Table 2A (Revised).

<sup>385</sup>Covered Employment and Wages in Virginia for Quarter Ending Mar. 31, 1986.

<sup>386</sup>U. S. Bureau of the Census data disclose that in 1982 the value of wholesale sales originating in the City of Petersburg totaled

porate boundaries is the Southside Regional Medical Center (formerly the Petersburg General Hospital), a 468-bed nonprofit facility, staffed, as of 1985, by 147 physicians and dentists.<sup>387</sup> While many residents of the area proposed for immunity, and of Prince George County generally, are eligible to use the Kenner Army Hospital at Fort Lee, statistics indicate that 988 of the patients treated at the Petersburg General Hospital in 1984 were residents of the County.<sup>388</sup> In terms of financial services, 1983 data disclose that within the City of Petersburg were eight banks with 33 offices and four savings and loan institutions maintaining a total of 12 separate facilities. The same data indicate that, as of the same year, there were only two banks in the entirety of Prince George County maintaining two offices and one savings and loan institution operating a single facility.<sup>389</sup> Despite this concentration of the area's financial institutions within Petersburg, the County's recent survey of households in the area proposed for immunity from annexation by the City of Petersburg disclosed that only 12.2% of the respondent households stated that their "banking" activities were conducted within that municipality.<sup>390</sup>

In terms of all categories of service, Virginia Employment Commission statistics for the quarter ending March 31, 1986 reveal that the City of Petersburg then contained a total of 354 service establishments employing 2,922 persons, while during the same period

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a \$116.6 million, more than 10 times that in the entirety of Prince George County (\$10.4 million). (U. S. Department of Commerce, Bureau of the Census, 1982 Census of Wholesale Trade, Virginia, Table 8.)

<sup>387</sup>"Annexation Tour Book for Commission on Local Government."

<sup>388</sup>Petersburg General Hospital, Demographics.

<sup>389</sup>Charlotte H. Scott and John A. Alexander, 1983 Deposits Statistics for Banks and Thrift Institutions in Virginia Communities (Charlottesville: Tayloe Murphy Institute, University of Virginia, Aug. 1984).

<sup>390</sup>"County Community of Interest Survey," Table 3 (Revised). The same survey indicated that 29.8% of the households in the proposed

the County as a whole contained only 50 service establishments employing 906 persons.<sup>391</sup> It is reasonable to infer that the service establishments in Petersburg serve the needs of a significant number of County residents, particularly those who are ineligible to use the facilities at Fort Lee.<sup>392</sup>

Finally, there are two additional points with respect to the community of interest between the City of Petersburg and the area proposed for immunity which merit note in this report. First, certain development in the area proposed for immunity constitutes an extension of growth originating in the City. In our judgment, the Commonwealth Acres subdivision adjacent to State Route 603 east of the City represents growth which is an extension of the municipality. Second, the City of Petersburg provides Fort Lee by contract up to 3.0 MGD of treated water for use by the military reservation.<sup>393</sup> These facts constitute elements of a community of interest.

In sum, the City of Petersburg has played, and continues to play,

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immunity area outside the Fort Lee military reservation utilized facilities in the City of Petersburg for their banking services. [Ibid., Table 2A (Revised).]

<sup>391</sup>Covered Employment and Wages in Virginia for Quarter Ending Mar. 31, 1986. The service industries reflected in these statistics include those engaged in repair, health, legal, education, amusement, and hotel activity. These "service" facilities are not included in the total of "retail" facilities reported by the Virginia Employment Commission.

<sup>392</sup>The concentration of motels and hotels in the City of Petersburg probably results in the heavy use of those facilities by military and civilian personnel assigned to Fort Lee on a temporary basis. The incidence of the use of such transient facilities is suggested by the fact that in 1985 the Army paid in excess of \$13.0 million as per diem for military and civilian personnel assigned to temporary duty at Fort Lee (Burger, letter to staff of Commission on Local Government, Feb 13, 1986.)

<sup>393</sup>County Trial Exhibits, Exh. B.

a significant role in the corporate life of its area. While recent economic events may have constricted that role, the significance of the City in the development and continued support of its region is evident.

Area Proposed for Immunity - Prince George County. While there are a number of factors which establish a community of interest between the area proposed for immunity from annexation by Petersburg and other portions of Prince George County, including utility lines (primarily sewer), school attendance zones, and other service relationships (e. g., fire suppression services, recreational facilities), the presence of the Fort Lee military reservation in that area is the paramount factor bearing on the issue.<sup>394</sup> That facility has a major and pervasive effect on the economic and corporate life of the County and on that of the general area. During federal Fiscal Year 1985 there were reported to be approximately 7,800 military personnel assigned to Fort Lee, with 3,900 of that total being there for extended tours and with the remaining 3,900 being military students temporarily stationed at the facility for training.<sup>395</sup> Since approximately 48% of the military personnel on extended tour and 20% of the military students are estimated to reside off post, Fort Lee has a demographic impact on an area which extends beyond the boundaries of the military

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<sup>394</sup>County-owned utility lines extend through the area proposed for immunity into outlying portions of the County along U. S. Routes 301 and 460 and State Route 106. Eight County school attendance zones draw students from both within and without the proposed immunity area. (County Maps re Petersburg, Exhs. 5, 6; and County Supplemental Exhibits, Exh. 5.)

<sup>395</sup>These data have been calculated from a series of statistical tables (hereinafter identified as "Fort Lee Statistical Tables") dealing with the population and housing at Fort Lee for federal FY1978-79--FY1984-85 submitted to the Commission in October 1985 by Colonel James A. Burger, Office of the Staff Judge Advocate, Fort Lee. The average tour of duty at Fort Lee for "permanent" staff members is 3.5-4.0 years. (Major Rexford T. Bragaw, III, Office of Staff Judge Advocate, Fort Lee, communication with staff of Commission on Local Government, Feb. 2, 1987.) Students attending educational programs on the military reservation are there for periods of 1-6 months.

reservation.<sup>396</sup> Moreover, the data indicate that there are approximately 5,000 civilian employees working at Fort Lee, with approximately 3,900 employed by the Army and with the remaining 1,100 employed by contractors working on the military installation.<sup>397</sup> Thus, Fort Lee generates residents for the general area and is a source of employment for the entire region.

In terms of employment patterns in the area proposed for immunity from Petersburg, the County's recent survey of residents in that area revealed that 83.4% of the respondents reported their "head of household" as being employed at Fort Lee.<sup>398</sup> Considering only those residents in the area proposed for immunity residing off the military installation, the same survey disclosed that 23.9% of the respondents reported their "head of household" as working at Fort Lee.<sup>399</sup> Of the latter group of respondents, however, a lesser percentage (18.8%) reported their "head of household" as being employed in other portions of the County than the percentage reporting their principal family members as working in Petersburg (19.3%).<sup>400</sup>

It is significant to note that located at Fort Lee are a post exchange, a commissary, medical and recreational facilities, and other service outlets which serve both active and retired military personnel living on and adjacent to the military reservation. The variety of facilities at Fort Lee which are available to serve the needs of mili-

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(Calvert, letter to staff of Commission on Local Government, Dec. 22, 1986.)

<sup>396</sup>"Fort Lee Statistical Tables"; and Bragaw, communication with staff of Commission on Local Government, Feb. 2, 1987.

<sup>397</sup>"Fort Lee Statistical Tables."

<sup>398</sup>"County Community of Interest Survey," Table 3 (Revised).

<sup>399</sup>Ibid., Table 2A (Revised).

<sup>400</sup>Ibid.

tary personnel on the reservation and in adjacent residential areas diminishes, in our judgment, the interdependence which normally exists between such a developed area and its adjacent municipality.<sup>401</sup>

With respect to urban service considerations, the needs of the military reservation are almost exclusively provided internally. Indeed, the only major public service need of Fort Lee which is met externally is public education which is provided by the Prince George County school system. In brief, while there are clearly economic and social ties between the area proposed for immunity and the City of Petersburg, the prominence of the Fort Lee military reservation in that area gives a notable degree of self-sufficiency and emphasizes its relationship to Prince George County.

In our previous report on the Petersburg annexation action this Commission concluded that the community of interest which existed between the Fort Lee military reservation and Prince George County exceeded that which existed between that installation and the City of Petersburg. That finding by the Commission has been challenged by that municipality, and the City has proffered additional evidence bearing on the relationship between the Fort Lee military installation and Prince George County. Further, the Commission has been provided by Prince George County with more refined data from the survey taken of households within the area proposed for immunity from the City of Petersburg. This additional information and refined data require our recognition and comment.

The City of Petersburg has asserted that the relatively brief tour of duty of military personnel assigned to Fort Lee serves to minimize the attachments of military personnel at that facility to Prince George County. The City has noted that "permanent" personnel serve a tour of duty at Fort Lee for only a two-three year period, with the result that the County's school system, which constitutes the only

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<sup>401</sup>During calendar year 1985 gross sales at the Fort Lee post exchange, the commissary, and the package beverage store totaled \$47.3 million, a level of retail activity substantially exceeding the total

major public service relationship between Prince George County and the military facility, "does not foster significant ties between Fort Lee residents and the remainder of the County."<sup>402</sup> Moreover, the City contends that due to the "social, entertainment, health, financial and professional services offered on the post and common ties to the military service, residents of Fort Lee obviously have a much stronger community of interest with the installation itself than with the remainder of the County."<sup>403</sup>

The City of Petersburg has also asserted that the lack of participation by residents of Fort Lee in the County's electoral process is indicative of the absence of any strong community of interest between the military installation and other portions of Prince George County. In support of this assertion the City has submitted data indicating that, as of December 1986, only 170 of 3,599 voters registered to vote in the County's two election districts encompassing portions of Fort Lee resided on the military reservation.<sup>404</sup>

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taxable retail sales in the entirety of Prince George County during the same year (\$37.0 million). In addition to the \$47.3 million of nontaxable sales at Fort Lee during 1985, several small businesses (e. g., flower shop, ice cream parlor) operating on the military reservation generated a total of \$2.5 million in taxable retail sales during the same year. (Burger, letter to staff of Commission on Local Government, May 16, 1986.)

<sup>402</sup>City of Petersburg, Concluding Argument with Proposed Findings and Recommendations on Behalf of City of Petersburg (hereinafter cited as Petersburg's Proposed Findings), Feb. 1987, p. 13. U. S. Army officials have estimated that the average tour of duty of "permanent" military personnel at Fort Lee is 3.5-4.0 years. They also estimate, however, that the average occupancy of family quarters at Fort Lee is somewhat less (2.0-2.5 years) suggesting, perhaps, a more frequent relocation of families in the Fort Lee environs. (Bragaw, communication with staff of Commission on Local Government, Feb. 2, 1987.)

<sup>403</sup>Petersburg Proposed Findings, p. 12.

<sup>404</sup>Calvert, letter to staff of Commission on Local Government, Dec. 22, 1986.

Moreover, the City has advised that only five residents of Fort Lee voted in the August 1985 bond referendum, with a similar number participating in the November 1986 election for County Sheriff and for the U. S. House of Representatives.<sup>405</sup> We are obliged to acknowledge that those voting statistics reflect miniscule involvement and interest by Fort Lee residents in the County's electoral processes.

This Commission recognizes the insular nature of the Fort Lee military reservation and the degree of self-sufficiency which it possesses. We also agree that the prominent consideration in community of interest issues is the relationship between a proposed immunity area and outlying portions of the affected county and not relationships which are essentially internal to the area. In this regard, we are obliged to acknowledge the refined survey data provided by Prince George County which clarifies the results of the canvass previously conducted by the County of households within the proposed immunity area.<sup>406</sup> An examination of the refined data discloses that respondents to the survey reported greater reliance on facilities in the City of Petersburg for nine of the ten activities surveyed than they did on facilities in Prince George County located outside the proposed immunity area.<sup>407</sup> Further, even with respect to employment, the respondent households indicated that when the "head of household" went outside of the proposed immunity area for employment,

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<sup>405</sup>Ibid. In terms of the August 1985 bond referendum, Fort Lee residents failed to contribute any of the total votes cast in the Rives District (560) and only 0.3% of the total ballots cast in the Bland District (1,497). (Ibid.)

<sup>406</sup>The revised data permit the reviewer to distinguish between the economic and social relationships which are solely internal to the area proposed for immunity from annexation by Petersburg and those between that area and other portions of Prince George County. (See n. 377, p. 104, supra.)

<sup>407</sup>"County Community of Interest Survey," Table 3 (Revised). Only in the category of "golf, tennis, and recreation" did respondents from the area proposed for immunity report using facilities in Prince

those individuals more frequently found such employment in the City of Petersburg than they did elsewhere in Prince George County.<sup>408</sup> The above-cited information and statistics not only underscore the insular nature of the Fort Lee military reservation, but they also call into question our previously expressed view that the community of interest between the area proposed for immunity and the outlying portions of Prince George County exceeded that which existed between that area and the City of Petersburg.

Comparative Strength of Community of Interest. In our judgment the community of interest between the nonfederal portion of the area proposed for immunity and the City of Petersburg exceeds that which exists between such territory and the outlying portion of Prince George County. With respect to the Fort Lee military reservation, we find that installation to be largely a self-sufficient entity with reduced dependence on the adjoining municipality for its sustenance. The insular nature of the Fort Lee military reservation also reduces its dependence on the outlying portions of Prince George County. The community of interest which does exist between the military reservation and the County is not sustained by any broad array of social and economic forces, but rests upon a narrower foundation. After our review of the data presented above, we are unable to conclude that the community of interest between Fort Lee and the remaining portion of Prince George County is greater than that which exists between Fort Lee and the City of Petersburg.<sup>409</sup>

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George County outside of the proposed immunity area greater than they did those within the City of Petersburg.

<sup>408</sup>Ibid. However, 83.4% of the respondents from within the area proposed for immunity reported the "head of household" as being employed at Fort Lee.

<sup>409</sup>Similarly, the Commission wishes to reiterate here that it is unable to find a community of interest between Fort Lee and the City of Petersburg sufficient to justify the City's annexation of that facility.

Area Proposed for Immunity from Annexation by City of Hopewell

Area Proposed for Immunity - City of Hopewell. The City of Hopewell, as in the case of Petersburg, plays a major role in the corporate life of its general area. As a result of economic, urban service, and other factors, there is a significant community of interest between Hopewell and the area proposed for immunity from annexations initiated by that City.

In terms of economic factors, the data indicate that, as of 1980, 1,541 residents of Prince George County commuted to the City of Hopewell for their employment.<sup>410</sup> It is reasonable to infer that a significant number of those in-commuters came from residential concentrations in close proximity to Hopewell's corporate limits. Further, the previously cited survey undertaken by Prince George County disclosed that 19.05% of the respondents in the area proposed for immunity from Hopewell reported their "head of household" as being employed within the City of Hopewell.<sup>411</sup>

Retail facilities in the City of Hopewell establish a second economic factor linking Hopewell to the area proposed for immunity. Virginia employment statistics reveal that, as of the quarter ending March 31, 1986, there were 108 retail establishments in the City employing 1,463 persons, a level of retail activity substantially in excess of that found in the entirety of Prince George County (40 establishments employing 760 persons).<sup>412</sup> State Department of

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<sup>410</sup>Transportation and Commuting in Virginia, 1980. As of 1980 the City of Hopewell provided employment to a total of 6,578 nonresidents.

<sup>411</sup>County Notice re Hopewell, p. 43. The same survey revealed that 18.92% of the respondents reported their "head of household" as being employed by entities in the County located outside the Fort Lee military reservation. (Ibid.)

<sup>412</sup>Covered Employment and Wages in Virginia for Quarter Ending Mar. 31, 1986.

Taxation data indicate that taxable retail sales in the City in 1986 totaled \$103.4 million, or nearly three times that in the County generally (\$34.7 million).<sup>413</sup> It is reasonable to conclude that the retail outlets in the City of Hopewell serve to a significant degree persons residing in the area proposed for immunity, particularly those ineligible to use the facilities at Fort Lee.<sup>414</sup> Indeed, the survey of households in the area proposed for immunity undertaken by Prince George County indicated that in terms of apparel, automobile-related items, and dining facilities, residents of the area proposed for immunity utilize facilities within the City of Hopewell to a greater degree than they did similar facilities in Prince George County.<sup>415</sup>

The economic relationship between Hopewell and the adjacent areas on its periphery is strengthened by the presence of wholesale establishments in the City. As of 1986, the City was the site of 14 wholesale businesses, several times the number of such firms in the County generally (four establishments).<sup>416</sup> Moreover, 1982 data reveal that the value of wholesale transactions in the City (\$30.3 million) was nearly three times that in the County overall (\$10.4

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<sup>413</sup>Taxable Sales, Annual Report, 1986.

<sup>414</sup>Retail sales on the Fort Lee military installation are not taxable by the State of Virginia and, thus, are not reflected in the Department of Taxation's annual compilation of taxable retail sales. As noted previously, during calendar year 1985 sales at the Fort Lee post exchange, commissary, and package beverage store totaled \$47.3 million. (Burger, letter to staff of Commission on Local Government, May 16, 1986.) The County's recent survey of households in the area proposed for immunity from Hopewell reported that 51.9% of the respondents indicated that they purchased their food at either Fort Lee (19.7%) or in other portions of Prince George County (32.2%). (County Notice re Hopewell, p. 43.)

<sup>415</sup>County Notice re Hopewell, p. 43.

<sup>416</sup>Covered Employment and Wages in Virginia for Quarter Ending Mar. 31, 1986.

million).<sup>417</sup>

The concentration of financial and other service institutions in the City of Hopewell also contribute to the economic ties between that City and the areas on its periphery. Statistics indicate that, as of 1983, the City's three banks and two savings and loan institutions maintained collectively 15 offices within Hopewell's corporate limits, while only three such financial offices were located within the entirety of Prince George County.<sup>418</sup> The survey conducted by the County of households in the area proposed for immunity from Hopewell revealed that 49.8% of the respondent households reported conducting their banking activities in Hopewell, while 29.2% of the respondents indicated that their banking affairs were conducted in the County.<sup>419</sup> In terms of medical facilities, the City contains the John Randolph Hospital, a 150-bed facility, which serves the medical needs of the general area. With respect to service establishments in general, Virginia Employment Commission data indicate that for the quarter ending March 31, 1986, there were 135 service establishments in Hopewell, a total of such facilities nearly three times that in the entirety of Prince George County (55).<sup>420</sup> Given this concentration of service facilities in Hopewell, it is reasonable to conclude that a significant number of County residents, particularly those living in close proximity to the City and not eligible to use the facilities at Fort Lee, utilized service entities within that municipality.

Finally, there are two additional considerations which bear on the

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<sup>417</sup>1982 Census of Wholesale Trade, Virginia.

<sup>418</sup>1983 Deposit Statistics for Banks and Thrift Institutions in Virginia Communities.

<sup>419</sup>County Notice re Hopewell, p. 43.

<sup>420</sup>Covered Employment and Wages in Virginia for Quarter Ending Mar. 31, 1986.

community of interest between Hopewell and the area proposed for immunity. First, there are a number of public and semi-public facilities in Hopewell which serve residents on the City's periphery.<sup>421</sup> Second, several of the largest concentrations of population in the area proposed for immunity (Jefferson Park and Stratford Woods subdivisions) as well as the commercial areas along the south side of State Route 36 are natural extensions of development originating within the City.

In sum, there are a number of economic and social considerations which contribute to a broad and significant community of interest between Hopewell and the area proposed for immunity.

Area Proposed for Immunity - Prince George County. There are a number of factors which establish a community of interest between the area proposed for immunity from annexation by the City of Hopewell and outlying portions of Prince George County. Those factors are principally public service and economic in nature.

In terms of the former, school zones, recreational facilities, and other governmental activities create public service relationships between the area proposed for immunity and the remaining portion of Prince George County.<sup>422</sup> With respect to economic relationships between the proposed immunity area and other portions of Prince George County it is the Fort Lee military reservation which has the most pervasive effect on the community of interest issue.

As noted previously, Fort Lee is the site of employment for many

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<sup>421</sup>Between July 1984 and April 1985 almost 50% of the approximately 2,100 persons who became members of the Hopewell Recreation Center were nonresidents of the City. As of the latter date, 3,127 nonresidents maintained membership in the Center. (Hopewell Annexation Exhibits: Data, pp. 93-94.) The County survey of households in the area proposed for immunity from annexation by Hopewell reported that 45.0% of the respondents stated that they attended religious services in the City of Hopewell, while only 31.2% reported attending church in the County. (County Notice re Hopewell, p. 43.)

<sup>422</sup>The governmental and recreational facilities located in the vicinity of the Prince George County Courthouse serve the needs of

residents of the general area. Evidence indicates that, as of July 1, 1985, there were 3,880 civilian personnel employed by the Department of the Army at Fort Lee.<sup>423</sup> In addition, as of that date there were approximately 1,100 persons employed by contractors and concessionaires at Fort Lee.<sup>424</sup> It is reasonable to infer that some of those employees resided in the area proposed for immunity from Hopewell. The County's survey of households within the area proposed for immunity from Hopewell disclosed that 21.4% of the respondents reported their "head of household" as being employed on the Fort Lee military reservation.<sup>425</sup>

In addition to constituting a source of employment, Fort Lee contains a post exchange, a commissary, and medical and recreational facilities which serve the needs of both active and retired military personnel living in the general area. The County's survey of households in the area proposed for immunity from Hopewell disclosed that 19.7% of the respondents reported purchasing food at Fort Lee, while 10.8% of the respondents used facilities at Fort Lee for their banking needs. Further, the same survey revealed that 17.7% of the respondents reported use of Fort Lee for golf, tennis, and other sporting activity, while 9.5% of the respondents reported attending religious services at the military reservation.<sup>426</sup> The survey data do not permit the reviewer to identify similar relationships between the area proposed for immunity and other portions of the County outside

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residents of the area proposed for immunity.

<sup>423</sup>Testimony of Spencer H. Elmore, Consultant, County of Prince George, Partial Immunity Proceedings, p. 50.

<sup>424</sup>Elmore, letter to staff of Commission on Local Government, Dec. 19, 1986; and "Fort Lee Statistical Tables."

<sup>425</sup>County Notice re Hopewell, p. 43.

<sup>426</sup>Ibid. In each of the four categories of activity cited, however, a larger percentage of respondents reported using facilities in the City of Hopewell than at Fort Lee.

that area.<sup>427</sup>

Relative Strength of Communities of Interest. We find that the nonmilitary portion of the area proposed for immunity has a community of interest with the City of Hopewell which exceeds that which exists between such territory and the remaining portion of Prince George County. The City's community of interest with the Jefferson Park Area is particularly strong due to the fact that development in that area is an immediate and natural extension of Hopewell, with its proximity to the City heightening the area's economic ties to the municipality. In our view, Lee Plaza and the adjacent commercial development along State Route 36 serve and are sustained more by residents of the adjoining City of Hopewell than by residents of Fort Lee and the relatively small population concentrations in other portions of the County.

With respect to the military property in the area proposed for immunity, which is essentially uninhabited, whatever community of interest may exist between that property and surrounding entities is totally with the other portion of the Fort Lee military reservation. Due to its uninhabited nature and constituting part of Fort Lee, the military property in the area proposed for immunity has virtually no relationship with any other portion of Prince George County nor with the City of Hopewell. Accordingly, we cannot conclude that this military property has a community of interest with the outlying portions of Prince George County which exceeds that between such property and the City of Hopewell.

#### ARBITRARY REFUSAL TO COOPERATE

A fourth factor prescribed for consideration in actions for partial immunity is whether any of the jurisdictions involved in such proceedings has arbitrarily refused to cooperate in the joint provision of public services. The intent of this provision, and a similar

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<sup>427</sup>With the exception of the relationships with Fort Lee, the survey data do not enable the reviewer to distinguish between the

one in the annexation statutes, is to promote interlocal cooperation where such can be of mutual benefit to local governments and their residents. Recognizing that the State's boundary change laws have inadvertently in the past created barriers to mutually beneficial interlocal cooperation, the General Assembly, by means of this provision, has endeavored to remove such barriers and to give impetus to collaboration among units of local government. With respect to the immunity issues presently under consideration, this Commission has been presented with no evidence indicating that any of the three jurisdictions involved in these proceedings has arbitrarily refused to cooperate in the provision of services to their residents. Indeed, the evidence indicates that the three localities have participated in a significant array of cooperative ventures, particularly with respect to multi-jurisdictional activities.<sup>428</sup> In our judgment, it is in the interest of the State to encourage cooperative ventures among local governments and to assure them that such collaborative efforts will not redound to their detriment in the consideration of boundary change issues.

#### SUBSTANTIAL FORECLOSURE OF ANNEXATION

The Code of Virginia states that partial immunity shall not be granted in any instance where such would substantially foreclose the annexation options of cities of less than 100,000 persons. Since the Cities of Petersburg and Hopewell currently have populations significantly less than that figure, the issue of substantial foreclosure is of relevance in this report.

It might be asserted that the question of substantial foreclosure of a city's annexation opportunities can be determined merely on the basis of the percentage of a city's boundary left open to annexation

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relationships which are internal to the proposed immunity area and those which exist with other portions of the County.

<sup>428</sup>Included in the array of multi-jurisdictional activities in which the three localities participate are the Appomattox River

subsequent to an immunity action. From our perspective, however, the percentage of a city's boundary left open to expansion; while an important factor, does not constitute by itself a definitive answer to the question of substantial foreclosure. It appears to us that a full analysis of this issue requires consideration of a variety of factors.

First, it is important to consider, in our judgment, the legal and pragmatic impediments which would affect the ability of a city to annex the territory remaining eligible for such subsequent to a grant of immunity. We note that by law an annexing city must show that the property it seeks to annex is "adapted to city improvements," that it is needed for development in the "reasonably near" future, and that it forms a "reasonably compact body of land."<sup>429</sup> Further, an annexing city must be prepared to extend facilities and services into an annexed area in a prompt and equitable manner.<sup>430</sup> The cost of annexation to municipalities requires that the property annexed carry with it fiscal assets to offset its service responsibilities.

Second, in our view, the General Assembly's protection of the annexation authority of cities of less than 100,000 in population was intended to facilitate the meaningful growth of such municipalities, not merely to permit increases in their geographic size. To accomplish this end, cities must be permitted an opportunity to extend their boundaries in a manner which permits them to share reasonably in the population and economic growth of their general areas - a growth which in many instances their presence has helped to promote and sustain.

Thus, the Commission considers it essential in the analysis of the

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Authority, the Appomattox Basin Industrial Development Corporation, and the Crater Juvenile Detention Facility.

<sup>429</sup>Sec. 15.1-1042(a), Code of Va.

<sup>430</sup>Sec. 15.1-1042(f), Code of Va.

substantial foreclosure question to examine not only the amount of territory which would be left eligible for annexation subsequent to a grant of immunity, but the qualitative aspects of that property as well. Included in such qualitative considerations must be relevant environmental concerns (e. g., slope gradients, floodplain areas, etc.), access to transportation corridors and facilities, the cost of utility extension, and the historical and prospective growth patterns of the area. Where a partial immunity action would remove from possible annexation substantially all of the major road corridors, virtually all the areas free from major environmental constraints, and the predominant portion of avenues of past and prospective development, such would essentially constitute, in our view, the substantial foreclosure of a city's annexation option, even though sizable geographic areas were left legally available for annexation. Again, we construe the law governing partial immunity actions to require that cities having a population of less than 100,000 persons be permitted to retain an opportunity to share meaningfully in the growth of their areas.

#### Nonforeclosure - City of Petersburg

The boundary of the City of Petersburg extends for a distance of 24.28 miles adjoining the City of Colonial Heights and the Counties of Chesterfield, Dinwiddie, and Prince George. Exclusive of those portions of its boundary contiguous to the City of Colonial Heights (0.88 miles) and Chesterfield County (3.52 miles), approximately 19.8 miles of Petersburg's boundary adjoins territory legally eligible for annexation.<sup>431</sup> The Prince George County immunity action would immunize territory adjacent to 9.5 miles of Petersburg's boundary, or approximately 47.8% of that portion of the City's boundary legally eligible for expansion by annexation.

If the proposed immunity action initiated by Prince George County

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<sup>431</sup>County Notice re Petersburg, pp. 204-05. The portion of the City's boundary adjoining Chesterfield County has been obtained from

were ultimately approved by the court, approximately 10.37 miles of Petersburg's boundary, or 42.7% would remain open for annexation. Of that 10.37 mile portion of the City's boundary, approximately a 4.0 mile segment adjoins Prince George County, with the remaining 6.4 mile segment contiguous to territory in Dinwiddie County. The qualitative aspects of this property which would remain eligible for annexation by the City of Petersburg must be considered.

With respect to the property in Prince George County which would remain subject to annexation by the City of Petersburg if the current immunity action is sustained by the court, several facts should be noted. First, the nonimmunized area would embrace a corridor paralleling Interstate Highway 95 and U. S. Route 301 south of Petersburg with major development potential. While, in our view, this corridor does not have a potential for development equal to that possessed by the properties adjacent to U. S. Route 460 southeast of Petersburg and State Route 36 east of that municipality, it does have prospects for appreciable growth.<sup>432</sup> Although the County's comprehensive plan contemplates mainly residential growth south of the City in the Interstate Highway 95 - U. S. Route 301 corridor, that planning document does anticipate the emergence of some commercial activity to serve residential development in the area.<sup>433</sup> Moreover, a limited amount of industrial growth is projected in the corridor near the current City limits.<sup>434</sup> In sum, this nonimmunized area in Prince George County would, from our perspective, afford the City an oppor-

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Cranwell, letter to staff of Commission on Local Government, Oct. 27, 1986.

<sup>432</sup>This corridor is presently served by sewer but not by public water. (See County Maps re Petersburg, Exhs. 5, 6.) Public water could be extended to the area from the City of Petersburg.

<sup>433</sup>See County Comprehensive Plan, 1986, Map 21A, p. 145.

<sup>434</sup>Ibid. The corridor contains a portion of one industrial site which has been listed with the Virginia Department of Economic Development. (Virginia Department of Economic Development, "Industrial

tunity for growth, but principally of a residential nature.<sup>435</sup>

With respect to those portions of Dinwiddie County which adjoin the City of Petersburg, we note that the area is served by a confluence of Interstate Highway 85, U. S. Route 460, and U. S. Route 1 which should enhance the area's development potential. While the Central State Hospital and the Southside Training Center preclude the development of a portion of the area, the territory west of those facilities is currently experiencing significant growth. Development in the corridor west of the two public institutions has been principally residential and commercial in recent years, but the area is served by significant utility facilities and is amenable to industrial activity.<sup>436</sup> In regard to the property south and east of the Interstate 85 - U. S. Route 460 - U. S. 1 corridor, the lack of utilities and adequate access limit its current potential for development.

In sum, while the area proposed for immunity by Prince George County from annexation by the City of Petersburg contains two of the principal growth corridors emanating from that municipality, we cannot conclude that the proposed immunization of that area would substantially foreclose the ability of the City of Petersburg to share meaningfully in the growth of its region through annexation.

#### Nonforeclosure - City of Hopewell

The boundary of the City of Hopewell extends for a distance of 16.8 miles and adjoins the Counties of Chesterfield and Prince George. Since the portion of the City's boundary which is contiguous to Chesterfield County (3.4 miles) cannot be extended by annexation, only

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Site Listings - Prince George County.")

<sup>435</sup>It should be observed that the completion of Interstate Highway 295 and the Temple Avenue extension are likely to diminish the competitive position of industrial sites south of the City of Petersburg.

<sup>436</sup>That portion of Dinwiddie County between the western corporate limits of Petersburg and the Petersburg Municipal Airport contains nine industrial sites (totaling 2,558 acres) which are listed

that segment of Hopewell's boundary which adjoins property in Prince George County (13.4 miles) is legally eligible for annexation.<sup>437</sup> If Prince George County is successful in this immunity action, territory adjacent to approximately 4.9 miles of the latter boundary segment would be immunized from future annexation by that City.<sup>438</sup> Exclusive of the portion of its boundary contiguous to Chesterfield County and assuming that the County's immunity action is approved by the court, Hopewell would retain approximately 8.5 miles of its boundary, or approximately 49.2% of its corporate perimeter, legally eligible for extension through annexation.

With respect to the nature of the property abutting that 8.5 mile segment of the City's boundary, approximately one-half of that property adjoins the James River, which constitutes a formidable bar to annexation.<sup>439</sup> Exclusive of such riverfront property, Hopewell would retain approximately 4.3 miles of boundary, or 25.8% of its corporate perimeter, eligible for growth by annexation if the County's immunity action is ultimately approved by the court. The territory adjacent to this portion of the City's boundary has, in our view, only limited development potential. With respect to such territory, one portion (west of the City) is owned by the State and federal governments with no present prospect for private development, with the other portion (southeast of the City) being without utilities, adversely

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with the Virginia Department of Economic Development. (Virginia Department of Economic Development, "Industrial Site Listings - Dinwiddie County.")

<sup>437</sup>County Notice re Hopewell, pp. 209-10.

<sup>438</sup>The County has noted that its proposed immunity area is contiguous only to approximately 3.3 miles of Hopewell's boundary but that the immunity action would effectively preclude the City from annexing along an additional 1.6 miles of its boundary immediately east of Hopewell along Interstate Highway 295. (Ibid., p. 210, n. 2.)

<sup>439</sup>County Maps re Hopewell, Exh. 2.

affected by environmental constraints, with poor access to major road arteries, and outside the historic path of development.<sup>440</sup>

Moreover, the County's comprehensive plan designates the latter area primarily for residential growth with only limited commercial activity designed to serve local needs:

With respect to the development potential of the area southeast of Hopewell not located in the Jefferson Park Area, several consultants have addressed the question. A witness for the City of Hopewell has stated:

That area has some development potential in the long run, but in the shorter run, given the characteristics of that area, the cost of providing services is above average and therefore, from a fiscal perspective, would not produce the kind of economic base that I believe the city needs, viewing its longer term economic viability.<sup>441</sup>

Regarding the same general territory, a consultant for Prince George County noted during our previous review of the annexation issue:

As you come down to the southeast [of Hopewell] the boundary is Bailey Creek all the way over to this point . . . . And it is really quite a formidable barrier, more formidable than it appears right here . . . . [T]here is a significant floodplain all along Bailey Creek. And even though parts of that floodplain can certainly be used for certain types of development and open space, it is a barrier. And a similar barrier will exist on the other side. You will also notice the barrier has been crossed only two places on Route 10

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<sup>440</sup>County Maps re Hopewell, Exhs. 5, 6; and County Comprehensive Plan, 1986, Map 21A, p. 145. The State of Virginia has acquired approximately one-half the territory formerly owned by the Federal Correctional Institution. This property is now managed by the Virginia Department of Corrections.

<sup>441</sup>Testimony, Thomas Muller, Consultant, City of Hopewell, Partial Immunity Proceedings, p. 417.

. . . and Route 156 . . . .<sup>442</sup>

The County's consultant added:

Another thing you will find in that Bailey Creek drainage area if you look closely at the topographic maps, is that there are a number of extremes here. . . . [S]ome of the steepest parts of Prince George County are right in this . . . area. We don't have a slope map but one would really be appropriate to illustrate that.<sup>443</sup>

This Commission concurs that the development potential of the area southeast of Hopewell is limited. In sum, the immunization of the areas proposed for immunity by Prince George County would, in our judgment, substantially foreclose the ability of the City of Hopewell to share meaningfully in the growth of its area by annexation.

Finally, it should be noted here that the only significant growth on Hopewell's periphery is concentrated within the Jefferson Park Area. Our calculations indicate that the Jefferson Park Area contains approximately 75% of the assessed property values within the entire area proposed for immunity. While the Jefferson Park Area is geographically small, its immunization alone would, in our judgment, substantially foreclose the opportunity of the City of Hopewell to share in the economic growth of the general area by annexation.

#### FINDINGS AND RECOMMENDATIONS

For reasons set forth previously in this report, the Commission is unable to recommend a grant of immunity to any of the areas in Prince George County for which such has been proposed. The Commission finds that, with the exception of the Jefferson Park Area, the nonfederal portion of the areas proposed for immunity are not served generally by

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<sup>442</sup>Testimony of Garland L. Page, Jr., Consultant, County of Prince George, Annexation Proceedings, Nov. 15, 1985, pp. 1007-008.

<sup>443</sup>Ibid., p. 1035.

appropriate urban-type services of a type and level comparable to those provided within the adjoining municipalities. In terms of the Fort Lee military reservation, we find that facility to be served by urban-type services appropriate for its military role and, allowing for the distinctive nature of that facility, we also find such services comparable to the level of those provided within the adjacent municipalities. The services available to Fort Lee, however, exist exclusively by virtue of federal action and are supported solely by federal resources. Whatever role the State and Prince George County have with respect to the provision of urban-type services at Fort Lee, such is contingent upon federal sanction. Due to the general absence of local authority and responsibility for the provision of urban-type services at Fort Lee, we are unable to recommend a grant of statutory immunity from annexation for the properties encompassing the Fort Lee military reservation. With respect to that portion of the Petersburg National Battlefield Park within the area proposed for immunity from Petersburg, services on that property are also governed by federal law and regulation and, moreover, reflect its peculiar role and uninhabited nature. We are unable to recommend a grant of immunity to that property based upon its type and level of services.

Further, this Commission is unable to conclude that the community of interest between the areas proposed for immunity and the outlying portions of Prince George County is greater than that which exists between such areas and the adjoining municipalities. While the Fort Lee military reservation has a degree of self-sufficiency which minimizes its dependence upon all external entities, and while the areas proposed for immunity have a strong internal relationship, we cannot find that the community of interest between the proposed immunity areas and the remaining portion of Prince George County is sufficient to support a grant of statutory immunity.<sup>444</sup>

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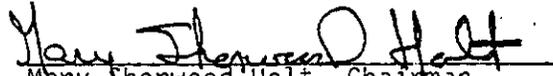
<sup>444</sup>The Commission wishes to reiterate here its previous judgment that there exists no sufficient justification at the present time, or in the foreseeable future, for the annexation of the Fort Lee

In conclusion, this Commission wishes to observe that there exist reasonable and equitable means by which Prince George County and the Cities of Petersburg and Hopewell might resolve the interlocal issues which have been subject to our review. In our view, resolutions to those issues can be effected which properly address the interests of all parties and assure the Commonwealth of the continued viability of each of the local governments.

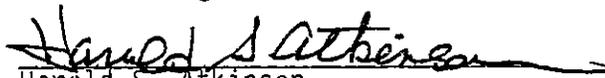
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military reservation.

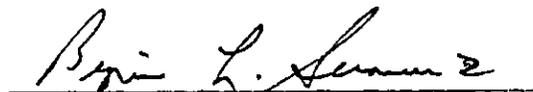
Respectfully submitted,

  
Mary Sherwood Holt, Chairman

  
Donald N. Johnston, Vice Chairman

  
Harold S. Atkinson

  
William S. Hubbard

  
Benjamin L. Susman

## APPENDIX A

STATISTICAL PROFILE OF PRINCE GEORGE COUNTY, THE CITY OF PETERSBURG,  
CITY OF HOPEWELL, AND THE AREAS PROPOSED FOR IMMUNITY

	Prince George County	Area Proposed for Immunity from City of Petersburg <sup>1</sup>	City of Petersburg	Area Proposed for Immunity from City of Hopewell	City of Hopewell <sup>1</sup>
Population (1985)	26,300	10,691 <sup>a</sup>	39,700	2,590 <sup>a</sup>	24,000
Land Area (Sq. Mi.)	291.33	13.5	23.39	9.1	11.3
School Age Population	4,985	2,010	7,329	607	5,340
Total Taxable Values <sup>2</sup>	\$411,732,234	\$34,784,396	\$708,242,224	\$58,055,846	\$530,827,249
Real Estate Values <sup>2</sup>	\$338,932,763	\$31,889,029	\$572,259,500	\$51,744,352	\$384,498,900
Mobile Home Values <sup>2</sup>	\$6,884,425	\$43,360	-	\$947,034	\$833,607
Tangible Personal Property Values <sup>2</sup>	\$34,399,682	\$2,787,017	\$48,976,131	\$5,147,390	\$23,929,686
Machinery and Tools Values <sup>2</sup>	\$810,550	\$64,990	\$28,375,831	\$217,070	\$89,909,140
Public Service Corporation Values <sup>2</sup>	\$30,764,814	N/A	\$58,630,762	N/A	\$31,655,916
Existing Land Use <sup>3</sup> (Acres)					
Residential	10,803	843	3,080	928	2,332
Commercial	759	26	398	122	226
Industrial	1,281	176	600	1,161	392
Public and Semi-Public	9,864	4,612	1,027	5	623
Road and Railroad Rights-of-Way	2,991	280	2,109	237	1,087
Water	7,860	N/A	176	N/A	280
Agricultural, Wooded or Vacant	143,082	2,700	5,949	3,520	1,372

## NOTES:

N/A = Not Available

- As estimated by Prince George County
- All taxable values for the Cities of Petersburg and Hopewell are reported for 1984 and for Prince George County for 1985. Real estate taxable values for the areas proposed for immunity are estimated for 1986 while all other taxable values for those areas are 1985 estimates.
- Land use data for Prince George County and the areas proposed for immunity was estimated for 1984. Similar data for the Cities of Petersburg and Hopewell was tabulated for 1980 and 1984 respectively.

## SOURCES:

Julia H. Martin and David W. Sheatsley, Estimates of the Population of Virginia Counties and Cities: 1984 and 1985 (Charlottesville: Tayloe Murphy Institute, University of Virginia, 1986.)

City of Petersburg, City of Petersburg Annexation Notice and Supporting Data, Vol. I, Apr. 1985.

City of Hopewell, City of Hopewell Annexation Exhibits: Statistical Data and Descriptions, July 1985.

County of Prince George, Comprehensive Plan 1986.

County of Prince George, Notice and Petition for Partial Immunity, Vol. I.

Robert P. Goumas, Consultant, County of Prince George, letters to staff of Commission on Local Government, Feb. 9 and Feb. 13, 1987.

Testimony of Spencer E. Elmore, Consultant, County of Prince George, Proceedings: Partial Immunity for Proposed Annexation of Prince George County, Nov. 24-25, 1986.



APPENDIX C

FISCAL STRESS PROFILE  
OF VIRGINIA LOCALITIES

Fiscal Stress Profile Data by Locality

Locality	COLG 1984		COLG 1984		JLARC 1983		JLARC 1983	
	Fiscal Stress Index Score,	Fiscal Stress Classification,	Fiscal Stress Index Score,	Fiscal Stress Classification,	Fiscal Stress Index Score,	Fiscal Stress Classification,	Fiscal Stress Classification,	
Hopewell City	48.00	High Stress	45.50	High Stress	45.50	High Stress	High Stress	
Norfolk City	47.50	High Stress	46.25	High Stress	46.25	High Stress	High Stress	
Petersburg City	47.50	High Stress	45.00	High Stress	45.00	High Stress	High Stress	
Clifton Forge City	47.25	High Stress	43.50	High Stress	43.50	High Stress	High Stress	
Portsmouth City	47.00	High Stress	46.00	High Stress	46.00	High Stress	High Stress	
Lexington City	46.50	High Stress	43.25	High Stress	43.25	High Stress	High Stress	
Covington City	44.75	High Stress	39.75	High Stress	39.75	High Stress	High Stress	
Charlottesville City	44.25	High Stress	41.00	High Stress	41.00	High Stress	High Stress	
Northampton County	43.00	High Stress	45.00	High Stress	45.00	High Stress	High Stress	
Buena Vista City	43.00	High Stress	44.50	High Stress	44.50	High Stress	High Stress	
Radford City	43.00	High Stress	43.75	High Stress	43.75	High Stress	High Stress	
Suffolk City	42.50	High Stress	40.50	High Stress	40.50	High Stress	High Stress	
Fredericksburg City	42.25	High Stress	37.75	Above Average Stress	37.75	Above Average Stress	Above Average Stress	
South Boston City	42.25	High Stress	39.75	High Stress	39.75	High Stress	High Stress	
Russell County	41.25	High Stress	39.50	High Stress	39.50	High Stress	High Stress	
Emporia City	41.25	High Stress	41.75	High Stress	41.75	High Stress	High Stress	
Danville City	41.00	High Stress	39.25	High Stress	39.25	High Stress	High Stress	
Newport News City	40.75	High Stress	39.50	High Stress	39.50	High Stress	High Stress	
Manassas Park City	40.50	High Stress	41.25	High Stress	41.25	High Stress	High Stress	
Franklin City	40.25	High Stress	40.25	High Stress	40.25	High Stress	High Stress	
Hampton City	40.25	High Stress	41.00	High Stress	41.00	High Stress	High Stress	
Norton City	40.25	High Stress	38.75	High Stress	38.75	High Stress	High Stress	
Lee County	40.00	High Stress	37.75	Above Average Stress	37.75	Above Average Stress	Above Average Stress	
Lynchburg City	40.00	High Stress	39.75	High Stress	39.75	High Stress	High Stress	
Galax City	39.50	Above Average Stress	39.50	Above Average Stress	39.50	Above Average Stress	Above Average Stress	
Waynesboro City	39.00	Above Average Stress	36.00	Above Average Stress	36.00	Above Average Stress	Above Average Stress	
Lunenburg County	38.50	Above Average Stress	34.50	Above Average Stress	34.50	Above Average Stress	Above Average Stress	
Bedford City	38.50	Above Average Stress	34.25	Above Average Stress	34.25	Above Average Stress	Above Average Stress	
Staunton City	38.50	Above Average Stress	36.75	Above Average Stress	36.75	Above Average Stress	Above Average Stress	
Buchanan County	38.00	Above Average Stress	35.50	Above Average Stress	35.50	Above Average Stress	Above Average Stress	
Prince George County	38.00	Above Average Stress	34.25	Above Average Stress	34.25	Above Average Stress	Above Average Stress	
Bland County	37.50	Above Average Stress	38.50	Above Average Stress	38.50	Above Average Stress	Above Average Stress	
Harrisonburg City	37.50	Above Average Stress	34.25	Above Average Stress	34.25	Above Average Stress	Above Average Stress	
Roanoke City	37.50	Above Average Stress	37.50	Above Average Stress	37.50	Above Average Stress	Above Average Stress	
Greensville County	37.25	Above Average Stress	40.75	High Stress	40.75	High Stress	High Stress	
Montgomery County	37.25	Above Average Stress	34.50	Above Average Stress	34.50	Above Average Stress	Above Average Stress	
Accomack County	37.00	Above Average Stress	32.75	Above Average Stress	32.75	Above Average Stress	Above Average Stress	
Buckingham County	37.00	Above Average Stress	32.00	Above Average Stress	32.00	Above Average Stress	Above Average Stress	
Tazewell County	37.00	Above Average Stress	34.25	Above Average Stress	34.25	Above Average Stress	Above Average Stress	
Dickenson County	36.75	Above Average Stress	31.75	Above Average Stress	31.75	Above Average Stress	Above Average Stress	
Scott County	36.50	Above Average Stress	43.75	High Stress	43.75	High Stress	High Stress	
Richmond City	36.50	Above Average Stress	41.50	High Stress	41.50	High Stress	High Stress	
Dinwiddie County	36.00	Above Average Stress	35.75	Above Average Stress	35.75	Above Average Stress	Above Average Stress	
Salem City	36.00	Above Average Stress	38.00	Above Average Stress	38.00	Above Average Stress	Above Average Stress	
Winchester City	36.00	Above Average Stress	33.25	Above Average Stress	33.25	Above Average Stress	Above Average Stress	
Rockbridge County	35.75	Above Average Stress	33.00	Above Average Stress	33.00	Above Average Stress	Above Average Stress	
Brunswick County	35.50	Above Average Stress	36.75	Above Average Stress	36.75	Above Average Stress	Above Average Stress	
Chesapeake City	35.50	Above Average Stress	35.50	Above Average Stress	35.50	Above Average Stress	Above Average Stress	
Colonial Heights City	35.25	Above Average Stress	34.00	Above Average Stress	34.00	Above Average Stress	Above Average Stress	
Charlotte County	35.00	Above Average Stress	33.00	Above Average Stress	33.00	Above Average Stress	Above Average Stress	
Giles County	35.00	Above Average Stress	33.00	Above Average Stress	33.00	Above Average Stress	Above Average Stress	
Smyth County	34.75	Above Average Stress	34.00	Above Average Stress	34.00	Above Average Stress	Above Average Stress	

Fiscal Stress Profile Data by Locality

Locality	COLG		COLG		JLARC		JLARC	
	Fiscal Stress Index Score, 1984	Fiscal Stress Classification, 1984	Fiscal Stress Index Score, 1983	Fiscal Stress Classification, 1983	Fiscal Stress Index Score, 1983	Fiscal Stress Classification, 1983	Fiscal Stress Classification, 1983	
Virginia Beach City	34.75	Above Average Stress	33.00	Above Average Stress	33.00	Above Average Stress	Above Average Stress	
Grayson County	34.50	Above Average Stress	33.50	Above Average Stress	33.50	Above Average Stress	Above Average Stress	
Prince Edward County	34.50	Above Average Stress	35.75	Above Average Stress	35.75	Above Average Stress	Above Average Stress	
Halifax County	34.25	Above Average Stress	35.75	Above Average Stress	35.75	Above Average Stress	Above Average Stress	
Cumberland County	34.00	Above Average Stress	38.00	Above Average Stress	38.00	Above Average Stress	Above Average Stress	
Stafford County	34.00	Above Average Stress	29.00	Above Average Stress	29.00	Below Average Stress	Below Average Stress	
Washington County	34.00	Above Average Stress	34.00	Above Average Stress	34.00	Above Average Stress	Above Average Stress	
Wise County	34.00	Above Average Stress	33.50	Above Average Stress	33.50	Above Average Stress	Above Average Stress	
Alleghany County	33.75	Above Average Stress	31.50	Above Average Stress	31.50	Below Average Stress	Below Average Stress	
Wythe County	33.75	Above Average Stress	31.00	Above Average Stress	31.00	Below Average Stress	Below Average Stress	
King and Queen County	33.50	Above Average Stress	33.00	Above Average Stress	33.00	Above Average Stress	Above Average Stress	
Nottoway County	33.00	Above Average Stress	30.75	Above Average Stress	30.75	Below Average Stress	Below Average Stress	
Carroll County	32.75	Above Average Stress	33.00	Above Average Stress	33.00	Above Average Stress	Above Average Stress	
Pittsylvania County	32.50	Above Average Stress	30.50	Above Average Stress	30.50	Below Average Stress	Below Average Stress	
Floyd County	32.00	Below Average Stress	28.50	Below Average Stress	28.50	Below Average Stress	Below Average Stress	
Southampton County	32.00	Below Average Stress	29.25	Below Average Stress	29.25	Below Average Stress	Below Average Stress	
Pulaski County	31.75	Below Average Stress	31.75	Below Average Stress	31.75	Above Average Stress	Above Average Stress	
Greene County	31.25	Below Average Stress	28.00	Below Average Stress	28.00	Below Average Stress	Below Average Stress	
Patrick County	31.25	Below Average Stress	31.00	Below Average Stress	31.00	Below Average Stress	Below Average Stress	
Henrico County	31.00	Below Average Stress	30.00	Below Average Stress	30.00	Below Average Stress	Below Average Stress	
Charles City County	30.75	Below Average Stress	35.75	Below Average Stress	35.75	Above Average Stress	Above Average Stress	
Henry County	30.75	Below Average Stress	31.75	Below Average Stress	31.75	Above Average Stress	Above Average Stress	
King William County	30.75	Below Average Stress	28.50	Below Average Stress	28.50	Below Average Stress	Below Average Stress	
Page County	30.25	Below Average Stress	30.75	Below Average Stress	30.75	Below Average Stress	Below Average Stress	
Amherst County	30.00	Below Average Stress	30.00	Below Average Stress	30.00	Below Average Stress	Below Average Stress	
Prince William County	30.00	Below Average Stress	29.00	Below Average Stress	29.00	Below Average Stress	Below Average Stress	
Sussex County	30.00	Below Average Stress	34.00	Below Average Stress	34.00	Above Average Stress	Above Average Stress	
Bristol City	30.00	Below Average Stress	27.25	Below Average Stress	27.25	Below Average Stress	Below Average Stress	
Madison County	29.75	Below Average Stress	29.25	Below Average Stress	29.25	Below Average Stress	Below Average Stress	
Fluvanna County	29.50	Below Average Stress	32.75	Below Average Stress	32.75	Above Average Stress	Above Average Stress	
Martinsville City	29.50	Below Average Stress	30.50	Below Average Stress	30.50	Below Average Stress	Below Average Stress	
Botetourt County	29.25	Below Average Stress	28.50	Below Average Stress	28.50	Below Average Stress	Below Average Stress	
Caroline County	29.25	Below Average Stress	28.00	Below Average Stress	28.00	Below Average Stress	Below Average Stress	
Frederick County	29.25	Below Average Stress	26.75	Below Average Stress	26.75	Below Average Stress	Below Average Stress	
Campbell County	29.00	Below Average Stress	30.75	Below Average Stress	30.75	Below Average Stress	Below Average Stress	
Franklin County	29.00	Below Average Stress	29.25	Below Average Stress	29.25	Below Average Stress	Below Average Stress	
Roanoke County	29.00	Below Average Stress	27.50	Below Average Stress	27.50	Below Average Stress	Below Average Stress	
Warren County	29.00	Below Average Stress	25.00	Below Average Stress	25.00	Below Average Stress	Below Average Stress	
Culpeper County	28.75	Below Average Stress	27.00	Below Average Stress	27.00	Below Average Stress	Below Average Stress	
Isle of Wight County	28.75	Below Average Stress	32.00	Below Average Stress	32.00	Above Average Stress	Above Average Stress	
Mecklenburg County	28.75	Below Average Stress	27.25	Below Average Stress	27.25	Below Average Stress	Below Average Stress	
New Kent County	28.75	Below Average Stress	24.75	Below Average Stress	24.75	Below Average Stress	Below Average Stress	
Augusta County	28.50	Below Average Stress	24.25	Below Average Stress	24.25	Low Stress	Low Stress	
Rockingham County	28.50	Below Average Stress	29.25	Below Average Stress	29.25	Below Average Stress	Below Average Stress	
Amelia County	28.25	Below Average Stress	36.25	Below Average Stress	36.25	Above Average Stress	Above Average Stress	
King George County	28.25	Below Average Stress	30.50	Below Average Stress	30.50	Below Average Stress	Below Average Stress	
Appomattox County	28.00	Below Average Stress	28.25	Below Average Stress	28.25	Below Average Stress	Below Average Stress	
Orange County	28.00	Below Average Stress	27.00	Below Average Stress	27.00	Below Average Stress	Below Average Stress	
York County	28.00	Below Average Stress	31.00	Below Average Stress	31.00	Below Average Stress	Below Average Stress	
Westmoreland County	27.75	Below Average Stress	30.00	Below Average Stress	30.00	Below Average Stress	Below Average Stress	
Powhatan County	27.50	Below Average Stress	27.50	Below Average Stress	27.50	Below Average Stress	Below Average Stress	
Shenandoah County	27.25	Below Average Stress						

Fiscal Stress Profile Data by Locality

Locality	COLG		COLG		JLARC		JLARC	
	Fiscal Stress Index Score, 1984	Fiscal Stress Classification, 1984	Fiscal Stress Index Score, 1983	Fiscal Stress Classification, 1983	Fiscal Stress Index Score, 1983	Fiscal Stress Classification, 1983	Fiscal Stress Index Score, 1983	Fiscal Stress Classification, 1983
Chesterfield County	27.00	Below Average Stress	28.00	Below Average Stress	28.00	Below Average Stress	28.00	Below Average Stress
Williamsburg City	26.75	Below Average Stress	34.00	Below Average Stress	34.00	Above Average Stress	34.00	Above Average Stress
Richmond County	26.50	Below Average Stress	25.25	Below Average Stress	25.25	Below Average Stress	25.25	Below Average Stress
Alexandria City	26.50	Below Average Stress	25.00	Below Average Stress	25.00	Below Average Stress	25.00	Below Average Stress
Craig County	25.75	Below Average Stress	21.25	Below Average Stress	21.25	Low Stress	21.25	Low Stress
Gloucester County	25.50	Below Average Stress	26.50	Below Average Stress	26.50	Below Average Stress	26.50	Below Average Stress
Poquoson City	25.00	Below Average Stress	27.00	Below Average Stress	27.00	Below Average Stress	27.00	Below Average Stress
Essex County	24.00	Low Stress	27.25	Low Stress	27.25	Low Stress	27.25	Low Stress
James City County	24.00	Low Stress						
Nelson County	23.75	Low Stress	26.00	Low Stress	26.00	Below Average Stress	26.00	Below Average Stress
Clarke County	23.25	Low Stress	19.00	Low Stress	19.00	Low Stress	19.00	Low Stress
Goochland County	23.25	Low Stress	26.25	Low Stress	26.25	Below Average Stress	26.25	Below Average Stress
Hanover County	23.00	Low Stress	24.00	Low Stress	24.00	Low Stress	24.00	Low Stress
Albemarle County	22.75	Low Stress	23.25	Low Stress	23.25	Low Stress	23.25	Low Stress
Manassas City	22.00	Low Stress						
Highland County	21.75	Low Stress	18.25	Low Stress	18.25	Low Stress	18.25	Low Stress
Mathews County	21.50	Low Stress	24.00	Low Stress	24.00	Low Stress	24.00	Low Stress
Bedford County	21.25	Low Stress	20.75	Low Stress	20.75	Low Stress	20.75	Low Stress
Arlington County	21.00	Low Stress						
Fairfax County	21.00	Low Stress						
Fairfax City	21.00	Low Stress						
Spotsylvania County	20.75	Low Stress						
Middlesex County	20.50	Low Stress	23.50	Low Stress	23.50	Low Stress	23.50	Low Stress
Loudoun County	20.00	Low Stress	21.00	Low Stress	21.00	Low Stress	21.00	Low Stress
Falls Church City	20.00	Low Stress						
Lancaster County	19.75	Low Stress	18.75	Low Stress	18.75	Low Stress	18.75	Low Stress
Northumberland County	19.00	Low Stress	18.75	Low Stress	18.75	Low Stress	18.75	Low Stress
Surry County	18.75	Low Stress						
Bath County	18.00	Low Stress	18.25	Low Stress	18.25	Low Stress	18.25	Low Stress
Rappahannock County	18.00	Low Stress						
Fauquier County	16.00	Low Stress	15.00	Low Stress	15.00	Low Stress	15.00	Low Stress
Louisa County	14.25	Low Stress	14.00	Low Stress	14.00	Low Stress	14.00	Low Stress

1 This table displays index scores which were computed through the application of a methodology described in Report of the Joint Legislative Audit and Review Commission on Local Fiscal Stress and State Aid, House Document No. 4, 1986, pp 23-24.

APPENDIX D

FISCAL CAPACITY AND FISCAL EFFORT  
INDICES

PRINCE GEORGE COUNTY  
CITY OF PETERSBURG  
CITY OF HOPEWELL

Fiscal Capacity  
Ratio Scores Based Upon Local Resources

Year/Locality	1 True Value Per Capita	2 Total Adj. Gross Income Per Capita	3 Taxable Retail Sales Per Capita	4 Modified Index of Wealth Per Capita
1974				
Prince George County	8,008	2,706	876	5,174
Petersburg City	8,608	3,465	3,314	6,021
1975				
Prince George County	8,347	2,920	909	5,432
Petersburg City	9,034	3,517	3,347	6,258
1976				
Prince George County	10,359	2,906	726	6,414
Petersburg City	9,525	3,902	3,739	6,697
1977				
Prince George County	10,265	2,959	657	6,382
Petersburg City	10,607	4,391	4,133	7,473
1978				
Prince George County	11,759	3,455	855	7,347
Petersburg City	11,366	4,740	4,511	8,040
1979				
Prince George County	12,919	3,829	1,015	8,093
Petersburg City	12,674	5,054	4,531	8,812
1980				
Prince George County	14,579	4,251	1,058	9,095
Petersburg City	15,531	5,739	5,037	10,565
1981				
Prince George County	14,525	4,589	1,099	9,208
Petersburg City	15,035	6,204	5,398	10,539
1982				
Prince George County	15,954	5,141	1,147	10,148
Petersburg City	15,371	6,401	5,599	10,806
1983				
Prince George County	17,272	5,486	1,104	10,941
Petersburg City	16,339	6,615	6,222	11,438
1984				
Prince George County	17,253	6,062	1,403	11,191
Petersburg City	16,328	6,815	6,989	11,589

Fiscal Capacity: True Value of Real Estate and Public Service Corporations Per Capita

Year	Pr. George Score	Petersburg Score	Statewide Score	Pr. George/Petersburg Ratio	Pr. George/Statewide Ratio	Petersburg/Statewide Ratio
1979	12,919	12,674	21,644	1.019	0.597	0.586
1980	14,579	15,531	24,316	0.939	0.600	0.639
1981	14,525	15,035	26,386	0.966	0.550	0.570
1982	15,954	15,371	27,495	1.038	0.580	0.559
1983	17,272	16,339	29,018	1.057	0.595	0.563
1984	17,253	16,328	30,680	1.057	0.562	0.592

Fiscal Capacity: Total Adjusted Gross Income Per Capita

Year	Pr. George Score	Petersburg Score	Statewide Score	Pr. George/Petersburg Ratio	Pr. George/Statewide Ratio	Petersburg/Statewide Ratio
1974	2,706	3,465	4,112	0.781	0.658	0.843
1975	2,920	3,517	4,304	0.830	0.678	0.817
1976	2,906	3,902	4,776	0.745	0.608	0.817
1977	2,959	4,391	5,175	0.674	0.572	0.849
1978	3,455	4,740	5,698	0.729	0.606	0.832

Fiscal Capacity: Total Adjusted Gross Income Per Capita

Year	Pr. George Score	Petersburg Score	Statewide Score	Pr. George/Petersburg Ratio	Pr. George/Statewide Ratio	Petersburg/Statewide Ratio
1979	3,829	5,054	6,179	0.758	0.620	0.818
1980	4,251	5,739	6,860	0.741	0.620	0.837
1981	4,589	6,204	7,467	0.740	0.615	0.831
1982	5,141	6,401	7,917	0.803	0.649	0.809
1983	5,486	6,615	8,469	0.829	0.648	0.781
1984	6,062	6,815	9,235	0.890	0.656	0.738

Fiscal Capacity: Taxable Retail Sales Per Capita

Year	Pr. George Score	Petersburg Score	Statewide Score	Pr. George/Petersburg Ratio	Pr. George/Statewide Ratio	Petersburg/Statewide Ratio
1974	876	3,314	2,330	0.264	0.376	1.422
1975	909	3,347	2,370	0.272	0.384	1.412
1976	726	3,739	2,565	0.194	0.283	1.458
1977	657	4,133	2,832	0.159	0.232	1.459
1978	855	4,511	3,137	0.190	0.273	1.438

Fiscal Capacity: Taxable Retail Sales Per Capite

Year	Pr. George Score	Petersburg Score	Statewide Score	Pr. George/Petersburg Ratio	Pr. George/Statewide Ratio	Petersburg/Statewide Ratio
1979	1,015	4,531	3,334	0.224	0.304	1.359
1980	1,058	5,037	3,605	0.210	0.293	1.397
1981	1,099	5,398	3,826	0.204	0.287	1.411
1982	1,147	5,599	3,972	0.205	0.289	1.410
1983	1,104	6,222	4,400	0.177	0.251	1.414
1984	1,403	6,989	5,054	0.201	0.278	1.383

Fiscal Capacity: Modified Local Wealth Index Per Capita

Year	Pr. George Score	Petersburg Score	Statewide Score	Pr. George/Petersburg Ratio	Pr. George/Statewide Ratio	Petersburg/Statewide Ratio
1974	5,174	6,021	8,793	0.859	0.592	0.689
1975	5,432	6,258	9,267	0.868	0.586	0.675
1976	6,414	6,697	9,948	0.958	0.645	0.673
1977	6,382	7,473	10,785	0.854	0.592	0.693
1978	7,347	8,040	12,017	0.914	0.611	0.669

## Fiscal Capacity: Modified Local Wealth Index Per Capita

Year	Pr. George		Petersburg		Statewide		Pr. George/Petersburg		Pr. George/Statewide		Petersburg/Statewide	
	Score	Ratio	Score	Ratio	Score	Ratio	Ratio	Ratio	Ratio	Ratio	Ratio	Ratio
1979	8,093	0.918	8,812	0.918	13,627	0.594	0.918	0.594	0.647	0.594	0.647	0.647
1980	9,095	0.861	10,565	0.861	15,263	0.596	0.861	0.596	0.692	0.596	0.692	0.692
1981	9,208	0.874	10,539	0.874	16,562	0.556	0.874	0.556	0.636	0.556	0.636	0.636
1982	10,148	0.939	10,806	0.939	17,912	0.586	0.939	0.586	0.624	0.586	0.624	0.624
1983	10,941	0.957	11,438	0.957	18,337	0.597	0.957	0.597	0.624	0.597	0.624	0.624
1984	11,191	0.966	11,589	0.966	19,539	0.573	0.966	0.573	0.593	0.573	0.593	0.593



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Fiscal Effort 5  
 Ratio Scores Based Upon the Local-Source Revenues of General Government

Year/Locality	Local-Source Revenues Per Capita	Local-Source Revenues Per \$1,000 Of True Value	Local-Source Revenues Per \$1,000 Of Total Adj. Gross Income	Local-Source Revenues Per \$1,000 Of Modified Wealth Index
FY 1980-81				
Prince George County	187.99	12.89	44.23	20.67
Petersburg City	473.54	30.49	82.51	44.82
FY 1981-82				
Prince George County	191.66	13.20	41.76	20.81
Petersburg City	508.52	39.82	81.97	48.25
FY 1982-83				
Prince George County	214.85	13.47	41.79	21.17
Petersburg City	541.17	35.21	84.54	50.08
FY 1983-84				
Prince George County	227.88	13.19	41.54	20.83
Petersburg City	551.98	33.78	83.45	48.26
FY 1984-85				
Prince George County	273.01	15.82	45.04	24.39
Petersburg City	586.14	35.90	86.01	50.58

Fiscal Effort: Local-Source Revenues Per Capita

Year	Pr. George Score	Petersburg Score	Statewide Score	Pr. George/Petersburg Ratio	Pr. George/Statewide Ratio	Petersburg/Statewide Ratio
1980-81	187.99	473.54	427.84	0.397	0.439	1.107
1981-82	191.66	508.52	470.74	0.377	0.407	1.080
1982-83	214.85	541.17	514.61	0.397	0.417	1.051
1983-84	227.88	551.98	559.57	0.413	0.407	0.986
1984-85	273.01	586.14	605.10	0.456	0.451	0.969

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Fiscal Effort: Local-Source Revenues Per \$1,000 of the True Value of Real Estate and Public Service Corporations

Year	Pr. George Score	Petersburg Score	Statewide Score	Pr. George/Petersburg Ratio	Pr. George/Statewide Ratio	Petersburg/Statewide Ratio
1980-81	12.89	30.49	17.59	0.423	0.733	1.733
1981-82	13.20	33.62	17.84	0.390	0.740	1.896
1982-83	13.47	35.21	18.72	0.383	0.720	1.881
1983-84	13.19	33.78	19.28	0.390	0.684	1.752
1984-85	15.82	35.90	19.72	0.441	0.802	1.820

Fiscal Effort: Local-Source Revenues Per \$1,000 of Total Adjusted Gross Income

Year	Pr. George Score	Petersburg Score	Statewide Score	Pr. George/Petersburg Ratio	Pr. George/Statewide Ratio	Petersburg/Statewide Ratio
1980-81	44.23	82.51	62.37	0.536	0.709	1.323
1981-82	41.76	81.97	63.04	0.509	0.662	1.300
1982-83	41.79	84.54	65.02	0.494	0.643	1.300
1983-84	41.54	83.45	66.07	0.498	0.629	1.263
1984-85	45.04	86.01	65.52	0.524	0.687	1.313

Fiscal Effort: Local-Source Revenues Per \$1,000 of the Modified Local Wealth Index

Year	Pr. George Score	Petersburg Score	Statewide Score	Pr. George/Petersburg Ratio	Pr. George/Statewide Ratio	Petersburg/Statewide Ratio
1980-81	20.67	44.82	28.03	0.461	0.737	1.599
1981-82	20.81	48.25	28.42	0.431	0.732	1.698
1982-83	21.17	50.08	29.74	0.423	0.712	1.684
1983-84	20.83	48.26	30.52	0.432	0.683	1.581
1984-85	24.39	50.58	30.97	0.482	0.788	1.633

Tax Year/Locality	Total Assessed Property Values Per Capita	Property Tax Levies Per Capita	Total Property Tax Levies Per \$1,000 of Assessed Property Values
1974			
Prince George County	2,172.10	61.35	28.25
Petersburg City	7,154.76	147.01	20.55
1975			
Prince George County	2,253.25	63.77	28.30
Petersburg City	8,825.31	166.67	18.89
1976			
Prince George County	2,697.04	69.50	25.77
Petersburg City	9,260.99	176.65	19.08
1977			
Prince George County	7,135.38	84.58	11.85
Petersburg City	10,102.05	191.83	18.99
1978			
Prince George County	7,594.19	92.44	12.17
Petersburg City	11,652.58	208.77	17.92
1979			
Prince George County	8,189.26	100.08	12.22
Petersburg City	13,318.96	241.20	18.11
1980			
Prince George County	11,194.51	98.70	8.82
Petersburg City	14,439.53	263.23	18.23
1981			
Prince George County	11,324.52	99.33	8.77
Petersburg City	15,241.09	279.62	18.35
1982			
Prince George County	13,941.96	118.63	8.51
Petersburg City	16,882.78	308.78	18.29
1983			
Prince George County	14,370.29	122.92	8.55
Petersburg City	16,557.67	286.11	17.28
1984			
Prince George County	15,203.51	146.81	9.66
Petersburg City	17,574.25	302.22	17.20

Fiscal Capacity  
Ratio Scores Based Upon Local Resources

Year/Locality	1 True Value Per Capita	2 Total Adj. Gross Income Per Capita	3 Taxable Retail Sales Per Capita	4 Modified Index of Wealth Per Capita
1974				
Prince George County	8,008	2,706	876	5,174
Hopewell City	10,136	3,889	2,355	6,860
1975				
Prince George County	8,347	2,920	909	5,432
Hopewell City	10,782	4,153	2,465	7,299
1976				
Prince George County	10,359	2,906	726	6,414
Hopewell City	11,718	4,498	2,827	7,941
1977				
Prince George County	10,265	2,959	657	6,382
Hopewell City	12,752	4,918	3,129	8,656
1978				
Prince George County	11,759	3,455	855	7,347
Hopewell City	14,174	5,286	3,206	9,522
1979				
Prince George County	12,919	3,829	1,015	8,093
Hopewell City	15,030	5,879	3,215	10,188
1980				
Prince George County	14,579	4,251	1,058	9,095
Hopewell City	16,426	6,548	3,354	11,168
1981				
Prince George County	14,525	4,589	1,099	9,208
Hopewell City	16,997	6,802	3,634	11,583
1982				
Prince George County	15,954	5,141	1,147	10,148
Hopewell City	17,215	6,955	3,454	11,735
1983				
Prince George County	17,272	5,486	1,104	10,941
Hopewell City	18,083	7,190	3,768	12,294
1984				
Prince George County	17,253	6,062	1,403	11,191
Hopewell City	18,421	7,664	4,329	12,709

Fiscal Capacity: True Value of Real Estate and Public Service Corporations Per Capita

Year	Pr. George Score	Hopewell Score	Statewide Score	Pr. George/Hopewell Ratio	Pr. George/Statewide Ratio	Hopewell/Statewide Ratio
1974	8,008	10,136	13,711	0.790	0.584	0.739
1975	8,347	10,782	14,618	0.774	0.571	0.738
1976	10,359	11,718	15,561	0.884	0.666	0.753
1977	10,265	12,752	16,863	0.805	0.609	0.756
1978	11,759	14,174	18,848	0.830	0.624	0.752

Fiscal Capacity: True Value of Real Estate and Public Service Corporations Per Capita

Year	Pr. George Score	Hopewell Score	Statewide Score	Pr. George/Hopewell Ratio	Pr. George/Statewide Ratio	Hopewell/Statewide Ratio
1979	12,919	15,030	21,644	0.860	0.597	0.694
1980	14,579	16,426	24,316	0.888	0.600	0.676
1981	14,525	16,997	26,386	0.855	0.550	0.644
1982	15,954	17,215	27,495	0.927	0.580	0.626
1983	17,272	18,083	29,018	0.955	0.595	0.623
1984	17,253	18,421	30,680	0.937	0.562	0.600

Fiscal Capacity: Total Adjusted Gross Income Per Capita

Year	Pr. George Score	Hopewell Score	Statewide Score	Pr. George/Hopewell Ratio	Pr. George/Statewide Ratio	Hopewell/Statewide Ratio
1974	2,706	3,889	4,112	0.696	0.658	0.946
1975	2,920	4,153	4,304	0.703	0.678	0.965
1976	2,906	4,498	4,776	0.646	0.608	0.942
1977	2,959	4,918	5,175	0.602	0.572	0.950
1978	3,455	5,286	5,698	0.654	0.606	0.928

Fiscal Capacity: Total Adjusted Gross Income Per Capita

Year	Pr. George Score	Hopewell Score	Statewide Score	Pr. George/Hopewell Ratio	Pr. George/Statewide Ratio	Hopewell/Statewide Ratio
1979	3,829	5,879	6,179	0.651	0.620	0.951
1980	4,251	6,548	6,860	0.649	0.620	0.955
1981	4,589	6,802	7,467	0.675	0.615	0.911
1982	5,141	6,955	7,917	0.739	0.649	0.878
1983	5,486	7,190	8,469	0.763	0.648	0.849
1984	6,062	7,664	9,235	0.791	0.656	0.830

Fiscal Capacity: Taxable Retail Sales Per Capita

Year	Pr. George Score	Hopewell Score	Statewide Score	Pr. George/Hopewell Ratio	Pr. George/Statewide Ratio	Hopewell/Statewide Ratio
1974	876	2,365	2,330	0.370	0.376	1.015
1975	909	2,465	2,370	0.369	0.364	1.040
1976	726	2,827	2,565	0.257	0.283	1.102
1977	657	3,129	2,892	0.210	0.232	1.105
1978	855	3,206	3,137	0.267	0.273	1.022

Fiscal Capacity: Taxable Retail Sales Per Capita

Year	Pr. George Score	Hopewell Score	Statewide Score	Pr. George/Hopewell Ratio	Pr. George/Statewide Ratio	Hopewell/Statewide Ratio
1979	1,015	3,215	3,334	0.316	0.304	0.964
1980	1,058	3,354	3,605	0.315	0.293	0.930
1981	1,099	3,634	3,826	0.302	0.287	0.950
1982	1,147	3,454	3,972	0.332	0.289	0.870
1983	1,104	3,768	4,400	0.293	0.251	0.856
1984	1,403	4,329	5,054	0.324	0.278	0.857

Fiscal Capacity: Modified Local Wealth Index Per Capita

Year	Pr. George Score	Hopewell Score	Statewide Score	Pr. George/Hopewell Ratio	Pr. George/Statewide Ratio	Hopewell/Statewide Ratio
1974	5,174	6,860	8,733	0.754	0.592	0.786
1975	5,432	7,299	9,267	0.744	0.586	0.788
1976	6,414	7,941	9,948	0.808	0.645	0.798
1977	6,382	8,656	10,785	0.737	0.592	0.803
1978	7,347	9,522	12,017	0.772	0.611	0.792

Fiscal Capacity: Modified Local Wealth Index Per Capita

Year	Pr. George Score	Hopewell Score	Statewide Score	Pr. George/Hopewell Ratio	Pr. George/Statewide Ratio	Hopewell/Statewide Ratio
1979	8,093	10,188	13,627	0.794	0.594	0.748
1980	9,095	11,168	15,263	0.814	0.596	0.732
1981	9,208	11,583	16,562	0.795	0.556	0.699
1982	10,148	11,735	17,312	0.865	0.586	0.678
1983	10,941	12,294	18,337	0.890	0.597	0.670
1984	11,191	12,709	19,539	0.881	0.573	0.650

Fiscal Effort  
 Ratio Scores Based Upon the Local-Source Revenues of General Government

Year/Locality	Local-Source Revenues Per Capita	Local-Source Revenues Per \$1,000 Of True Value	Local-Source Revenues Per \$1,000 Of Total Adj. Gross Income	Local-Source Revenues Per \$1,000 Of Modified Wealth Index
FY 1980-81				
Prince George County	187.99	12.89	44.23	20.67
Hopewell City	488.52	29.74	74.61	43.74
FY 1981-82				
Prince George County	191.65	13.20	41.76	20.81
Hopewell City	501.65	29.51	73.75	43.31
FY 1982-83				
Prince George County	214.85	13.47	41.79	21.17
Hopewell City	527.81	30.66	75.89	44.98
FY 1983-84				
Prince George County	227.88	13.19	41.54	20.83
Hopewell City	551.97	30.52	76.77	44.90
FY 1984-85				
Prince George County	273.01	15.82	45.04	24.39
Hopewell City	573.97	31.16	74.89	45.16

Fiscal Effort: Local-Source Revenues Per Capita

Year	Pr. George Score	Hopewell Score	Statewide Score	Pr. George/Hopewell Ratio	Pr. George/Statewide Ratio	Hopewell/Statewide Ratio
1980-81	187.99	488.52	427.84	0.385	0.439	1.142
1981-82	191.66	501.65	470.74	0.382	0.407	1.056
1982-83	214.85	527.81	514.81	0.407	0.417	1.025
1983-84	227.88	551.97	559.57	0.413	0.407	0.986
1984-85	273.01	573.97	605.10	0.476	0.451	0.949

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Fiscal Effort: Local-Source Revenues Per \$1,000 of the True Value of Real Estate and Public Service Corporations

Year	Pr. George Score	Hopewell Score	Statewide Score	Pr. George/Hopewell Ratio	Pr. George/Statewide Ratio	Hopewell/Statewide Ratio
1980-81	12.89	29.74	17.59	0.433	0.733	1.691
1981-82	13.20	29.51	17.84	0.447	0.740	1.654
1982-83	13.47	30.66	18.72	0.439	0.720	1.638
1983-84	13.19	30.52	19.28	0.432	0.684	1.583
1984-85	15.82	31.16	19.72	0.508	0.802	1.580

Fiscal Effort: Local-Source Revenues Per \$1,000 of Total Adjusted Gross Income

Year	Pr. George Score	Hopewell Score	Statewide Score	Pr. George/Hopewell Ratio	Pr. George/Statewide Ratio	Hopewell/Statewide Ratio
1980-81	44.23	74.61	62.37	0.593	0.709	1.196
1981-82	41.76	73.75	63.04	0.566	0.662	1.170
1982-83	41.79	75.89	65.02	0.551	0.643	1.167
1983-84	41.54	76.77	66.07	0.541	0.629	1.162
1984-85	45.04	74.89	65.52	0.601	0.687	1.143

Fiscal Effort: Local-Source Revenues Per \$1,000 of the Modified Local Wealth Index

Year	Pr. George Score	Hopewell Score	Statewide Score	Pr. George/Hopewell Ratio	Pr. George/Statewide Ratio	Hopewell/Statewide Ratio
1980-81	20.67	43.74	28.03	0.473	0.737	1.560
1981-82	20.81	43.31	28.42	0.480	0.732	1.524
1982-83	21.17	44.98	29.74	0.471	0.712	1.512
1983-84	20.83	44.90	30.52	0.464	0.683	1.471
1984-85	24.39	45.16	30.97	0.540	0.788	1.458

Tax Year/Locality	Total Assessed Property Values Per Capita	Property Tax Levies Per \$1,000 of Assessed Property Values	Total Property Tax Levies Per Capita	Property Tax Levies Per \$1,000 of Assessed Property Values
1974				
Prince George County	2,172.10	61.35	28.25	28.25
Hopewell City	4,172.30	152.28	36.50	36.50
1975				
Prince George County	2,253.25	63.77	28.30	28.30
Hopewell City	10,412.05	179.32	17.22	17.22
1976				
Prince George County	2,697.04	69.50	25.77	25.77
Hopewell City	11,535.92	198.39	17.20	17.20
1977				
Prince George County	7,135.38	84.58	11.85	11.85
Hopewell City	12,030.78	208.78	17.35	17.35
1978				
Prince George County	7,594.19	92.44	12.17	12.17
Hopewell City	12,562.30	221.98	17.67	17.67
1979				
Prince George County	8,189.26	100.08	12.22	12.22
Hopewell City	16,740.79	256.47	15.32	15.32
1980				
Prince George County	11,194.51	98.70	8.82	8.82
Hopewell City	17,481.28	274.25	15.69	15.69
1981				
Prince George County	11,324.52	99.33	8.77	8.77
Hopewell City	20,451.05	323.24	15.81	15.81
1982				
Prince George County	13,941.96	118.63	8.51	8.51
Hopewell City	20,640.98	330.95	16.03	16.03
1983				
Prince George County	14,370.29	122.92	8.55	8.55
Hopewell City	21,767.08	346.06	15.90	15.90
1984				
Prince George County	15,203.51	146.81	9.66	9.66
Hopewell City	22,152.45	354.66	16.01	16.01

1. The concept of true value refers to the full-market worth of locally taxed real estate and public service corporation property within a particular jurisdiction.
2. Derived from the administrative records of the State Department of Taxation, the adjusted gross income (AGI) statistics for a locality, while encompassing most dimensions of income, exclude Social Security benefits and various other transfer payments, contributions made by employers to private pension and health plans, non-cash imputed income, payments in-kind, 60% of long-term capital gains, and the income received by non-resident military personnel stationed in Virginia. It should be noted, too, that jurisdictional AGI figures do not reflect the income of residents who are exempt from the filing of state tax returns.
3. With respect to each county and city, the Virginia Department of Taxation annually estimates the level of taxable sales from tax revenue deposits rather than actual sales figures reported by local retailers.
4. The allocation of state aid to the public schools of a locality is based largely on a formula which takes measure of jurisdictional wealth through an additive index that combines 50% of the total true value of real estate and public service corporations, 40% of the total personal income, and 10% of the total value of taxable retail sales within the entitlement county or city. The Commission has modified this local wealth index by substituting adjusted gross income for personal income, a necessary revision stemming from the estimation errors which have beset the latter variable in recent years. [See Dr. John L. Knapp, Deputy Director, Tayloe Murphy Institute, University of Virginia, "Statement of the Tayloe Murphy Institute in Regard to Virginia Personal Income Estimates" (presented to the House Appropriations Committee of the Virginia General Assembly on January 31, 1984); Tayloe Murphy Institute, University of Virginia, "Bureau of Economic Analysis Estimates: Virginia Personal Income by City and County, 1979-84," May 13, 1986.]
5. The local-source revenues of general government, as defined by the Virginia Auditor of Public Accounts, exclude payments from federal and state authorities, non-revenue receipts, and inter-fund transfers.

Virginia Department of Taxation, Virginia Assessment/Sales Ratio Study, 1974-84, Table 8 (1974-77), Table 5 (1978), and Table 6 (1979-84). This annual publication reports the true value of real estate and public service corporations by county and city.

Taylor Murphy Institute, University of Virginia, Distribution of Virginia Adjusted Gross Income by Income Class, 1974-81, Table 1 (1974-76), Table A1 (1977-81); Distribution of Virginia Adjusted Gross Income by Income Class and Locality, 1982-84, Table A1.

Virginia Department of Taxation, Taxable Sales in Virginia Counties and Cities: Annual Report, 1974-84.

Virginia Auditor of Public Accounts, Comparative Report of Local Government Revenues and Expenditures, Exhibit A, FY1981-FY1985.

Taylor Murphy Institute, University of Virginia, Intercensal Estimates and Decennial Census Counts for Virginia Localities, 1790-1980, February 1983, Table 1 (1974-80); Estimates of the Population of Virginia Counties and Cities: 1983 and 1984, August 1985, Table 2 (1981-83); and Estimates of the Population of Virginia Counties and Cities: 1984 and 1985, July 1986, Table 1 (1984).

Virginia Department of Taxation, Annual Report, FY1975-FY1985, Tables 5.4-5.7. This document contains local assessed values and tax levies for all classes of property.

APPENDIX E

REVENUES AND EXPENDITURES  
OF GENERAL GOVERNMENT

PRINCE GEORGE COUNTY  
CITY OF HOPEWELL  
CITY OF PETERSBURG

Appendix E  
Revenues and Expenditures of General Government by Locality

Year/Locality	Local-Source Revenues as a Percentage of Total Revenues		Non-Educational Operating Expenditures as a Percentage of Total General Operating Expenditures	
	1 Local-Source Revenues	2 Total Revenues	3 Non-Educational Operating Expenditures	4 Total General Operating Expenditures
FY 1980-81				
Prince George County	\$4,837,626	\$13,765,916	\$2,503,148	\$13,112,832
Hopewell City	\$11,429,945	\$19,632,997	\$7,735,327	\$17,362,213
Petersburg City	\$19,441,257	\$36,806,675	\$16,496,902	\$32,127,913
FY 1981-82				
Prince George County	\$5,117,424	\$14,649,010	\$2,724,098	\$13,888,313
Hopewell City	\$11,939,178	\$19,691,431	\$8,075,041	\$18,190,763
Petersburg City	\$20,544,090	\$38,713,450	\$17,687,658	\$34,679,033
FY 1982-83				
Prince George County	\$5,521,672	\$15,364,578	\$2,814,852	\$14,494,483
Hopewell City	\$12,720,117	\$21,481,213	\$8,672,736	\$19,637,927
Petersburg City	\$21,755,198	\$41,243,092	\$19,291,370	\$37,445,477
FY 1983-84				
Prince George County	\$5,902,070	\$17,108,135	\$3,082,041	\$15,412,834
Hopewell City	\$13,302,414	\$22,781,631	\$9,408,960	\$21,052,447
Petersburg City	\$22,355,278	\$42,782,487	\$21,390,238	\$40,396,023
FY 1984-85				
Prince George County	\$7,125,469	\$21,749,160	\$3,490,958	\$17,523,220
Hopewell City	\$13,775,217	\$23,923,816	\$9,920,731	\$22,572,429
Petersburg City	\$23,621,470	\$45,040,532	\$21,762,135	\$42,546,156

Data Source: Auditor of Public Accounts, Comparative Report of Local Government Revenues and Expenditures, FY1981-FY1985, Exhibits A, C, and C-6.

Notes

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1. The local-source revenues of general government, as defined by the Virginia Auditor of Public Accounts, exclude payments from federal and state authorities, non-revenue receipts, and inter-fund transfers.
2. Total jurisdictional revenues are the sum of (1) local-source revenues and (2) intergovernmental aid (except categorical amounts for capital projects) received by a county or city from federal and state sources.
3. This category excludes local contributions to community colleges as well as jurisdictional outlays associated with elementary and secondary instruction, adult and summer school programs, and related educational functions.
4. The general operating expenditures of a local government encompass all maintenance and operational costs other than those pertaining to enterprise activities.



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