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What Crozet Stands to Gain (and Lose) as a Town

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An offhand comment by Planning Commissioner Rick Randolph at a January meeting on land use raised an oft-considered question: Should Crozet become a town? As Randolph tried to blunt citizen calls for more county-provided infrastructure to

support breakneck growth in Crozet, he suggested that a town designation could solve several problems.

“If Crozet sought to become a town,” said Randolph, “that would address a comment that the county should be doing more with road construction. The county is not a road department. With the taxing author-
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ity that a town would provide, then Crozet would be able to fund whatever it wanted to fund.”

Many Crozetians, especially recent transplants, might well ask, “Aren’t we a town already?” While it does feel town-like, Crozet’s more pedestrian official titles are “unincorporated community” or “census-designated place.” The town idea has sparked interest among citizens during the current Master Planning process, as it does every few years when Crozet growth issues come to the fore. But is town status the cure-all that Randolph suggests?

Some say yes. “It is extremely dumb that Crozet is not a town,” tweeted Keswick-based government technology authority Waldo Jaquith. “Crozet should have become a town 20 years ago. Add a penny to the sales tax, set up a government, and get on with it.”

Others are more skeptical. “I don’t think it’s the panacea people think it is,” said local public policy analyst Neil Williamson of the Free Enterprise Forum. “I think the machinations that would have to happen, along with the [town’s] surcharges on the tax rates, would be enough to prevent widespread support for the concept.”

The pitch

Creating an incorporated town in Virginia is a non-trivial process. The state legislature must pass a law establishing any new town charter, so Crozet’s State Delegate (Chris Runion) and State Senator (Creigh Deeds) would have to introduce and endorse the legislation. The

criteria to become a town include a minimum population requirement (1,000), a petition signed by at least 100 residents, and a surveyed map of proposed town boundaries.

Most critically, a special state commission must determine that “the services required by the area seeking to be incorporated cannot be provided by the ... extension of existing services currently provided by the County.” In other words, Crozet must make the case that Albemarle County is unable to provide services sufficient to take care of Crozet’s needs. Coupled with a requirement that the petitioners show that “the general good of the community will be improved” by incorporation, Crozet would have to establish that it could run itself better alone than with the county’s help.

“We’d have to show that we don’t get enough police protection, don’t get water and sewer, don’t get firefighters,” said Crozet Community Association president Tim Tolson. “How are we going to prove that? Sure, you hear people argue that we need [more and better] roads, but the county doesn’t provide those—the state does.”

An even bigger hurdle, say long-time Crozet residents, would be agreeing on town boundaries. “It would all hinge on finding boundaries that would be acceptable to the county and the town,” said Bill Schrader, who spearheaded the fundraising effort to build the Crozet Library from 2010-2013. “If you used the Master Plan [development area] boundaries, we could not support being a town because we wouldn’t have the tax base. If instead you used the service area, which includes the areas



where people live who come into Crozet to visit the pharmacy, the library, the grocery store, then you’re talking about annexing county land and the Supervisors will never go along with that.”

The community is currently in a protracted struggle with Albemarle County to define its own land use policies, which govern how much new development is allowed and at what density. Town status would give Crozet that power, but the need to raise revenue would be in tension with the desire to stay small. “I’m not sure that anybody would want to make Crozet bigger so that we could afford to be a town,” said Tom Loach, former Planning Commissioner and current CCAC member. “That would be counterproductive.”

White Hall District Board of Supervisors representative Ann Mallek remembers past town discussions clearly. “Around 2010 was the last time I heard anyone talking about becoming a town, out of frustration with the length of time it was taking to get projects done for Crozet,” said Mallek. She pointed to county-funded projects in the recent past such as the library

(\$11 million) and downtown streetscape (\$6 million), as well as those on the horizon such as the Crozet Elementary expansion (\$22 million) and the downtown Plaza and Square (\$4.2 million) as examples of the county’s dedication to supporting Crozet’s infrastructure.

“While I understand the frustration of being one group of citizens among 100,000 who do not see their priorities advanced, as I recall the discussion stopped quickly when people learned that they would be paying taxes to the county and then additional taxes to the town for law enforcement and local projects,” she said. “I do not think there would be revenue from the town sufficient to carry forward sidewalks and bridges without a crippling tax burden.”

Talk of the town

There are currently 190 towns in Virginia, ranging in size from Clinchport (pop. 40) in the Southwest, to Leesburg (pop. 51,000) near Dulles airport, and there is no fixed template for town organization. While a few items are required of new towns by the state—a town council, a mayor or manager, and a financial record-keeper—the rest is left up to the community to arrange based on what it can afford. Most towns are on the small side; in terms of population, Crozet would be one of the ten largest in the state.

The General Assembly last chartered a new town 30 years ago, in what has become a cautionary tale. Castlewood (pop. 1,800) in Russell County incorporated almost 9,000 acres in 1991 to speed up construction of a new sewer system and to attract businesses to the area. Despite town real estate and

	Farmville	Ashland	Pulaski	Warrenton	Crozet
Population	7,846	7,875	8,714	10,027	7,159
Number of households	2,256	2,798	3,702	3,742	3,007
Total town tax revenue	\$6.1M	\$5.9M	\$5.8M	\$8.5M	

Examples of existing towns similar in size to Crozet by size and budgeted local tax revenue (in addition to county and state tax levies on citizens). Data sources: Population and number of households: U.S. Census data as of the most recent 2019 estimates. Total town tax revenue: each town’s total 2020-21 budget for revenue from real estate, property, and other local taxes as reported on town financial statements. (This figure excludes other town revenue sources such as grants, state transfers, fees, rental property, investments, etc.). For Crozet, the census-designated area surveyed is similar to the current Growth Area boundaries. Town tax revenue is in millions (M).

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personal property tax revenue, plus income from the profusion of speeding tickets issued by the newly formed police department, the town could not stay solvent. Amid citizen fury in 1996, a slate of town council candidates ran and won on a platform of dissolving their own charter, and the town was unincorporated in 1997.

Including Castlewood, three towns have reverted to unincorporated communities in Virginia since 1997, melting back into their counties and relinquishing the duties of government. For towns that rely heavily on (restaurant) meals taxes and transient occupancy taxes (hotels, motels, Airbnbs), the COVID-19 pandemic was a crushing blow to their budgets in 2020. The town of Scottsville, for instance, which does not levy real estate or personal property taxes, has had to make adjustments.

Scottsville is Albemarle County's only town, incorporated in 1818. With a population of about 500, the town's staff is modest. There's a mayor and town council, a police chief and three officers, a maintenance technician, an administrator, a clerk, and an attorney. The town's \$700,000 overall

2020 budget tightened to \$540,000 in 2021 as tax revenue from meals taxes plummeted, and some capital improvements like sidewalks had to be postponed. However, the town maintains what Crozet envies—its own Planning Commission and Architectural Review Board (ARB).

"We are independent when it comes to deciding our land use decisions—the county's not involved," said Scottsville Mayor Ron Smith. "We are really lucky here because our commissioners and ARB and the council—everybody seems to be on the same page. We certainly encourage development, but we want it staked out in an orderly and reasonable manner."

Except for the administrator, the clerk, and the police force, no one in Scottsville town government is paid, which can lead to the same set of citizen volunteers doing most of the work. "We sometimes have a problem getting people to serve on the town council because it does take quite a bit of time and people have real jobs, too," said Smith, who served multiple terms on the council and planning commission before being elected mayor last year. "The challenge [for a new town] is, you've got to figure out how to fund all this stuff."

Tax and spend

The biggest myth among town proponents is that county taxes will be replaced by town taxes. Not so: town residents pay both in most cases. Though Scottsville taxes its citizens indirectly through levies on items like cigarettes, meals, and utilities, some of which are paid by out-of-towners passing through, the revenues from these sources in 2020 equated to an average tax burden of \$1,200 for each of the town's 238 households. Business license taxes, another major source of revenue for Scottsville, impact local business owners as well and may be passed along to town residents in rising prices.

Take, as a more Crozet-sized example, the town of Ashland (tagline: "Center of the Universe"). With a population of 7,900 and located twenty minutes north of Richmond, Ashland is similar to Crozet in that it's a commuter town with

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White Hall District Board of Supervisors member Ann Mallek's review of Albemarle County infrastructure spending in Crozet includes the following (in millions):

Recent

Library: \$11M

Jarmans Gap Road: \$15M

Downtown Streetscape
Phases 1 & 2: \$6M

Wetlands: \$1.2M

Coming

Crozet Elementary expansion: \$22M

Lickinghole Bridge: \$6-8M county
share (VDOT revenue-sharing
the other half)

Downtown Plaza: \$3M

Square Improvements: \$1.2M

Western Park Completion: \$?

Rt. 250 Improvements (three round-
abouts over 10 years): \$10-15M

WAHS Expansion: \$8M

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a railroad history.

The town operates on a \$10 million budget funded largely by a heavy layer of taxes on individuals and businesses—real estate, personal property, sales and use, meals, transient occupancy, cigarettes, machinery and tools, licenses, utilities. For instance, Ashland charges an additional 10 cents per \$100 of real estate property value, and another 77 cents per \$100 on personal property value, on top of Hanover County's tax rates, which are similar to Albemarle's.

The majority of Ashland's revenue is spent on paying its more than 60 employees in departments such as police and public safety, street and road maintenance, parks, economic development, planning, and tourism. Ashland's largest capital project is an \$8 million town hall building, currently under construction, which is funded through debt financing.

One significant difference between Ashland and Crozet is that Ashland's town boundary includes an I-95 interchange—complete with a half-dozen fast food outlets and several major hotels—which contributes significant tax revenue from meals, transient occupancy, and sales. The town is also the home of Randolph-Macon College. In fact, almost all Virginia towns of Crozet's population size or larger have access to alternative types of revenue sources—commercial strips of low-budget restaurants, lodgings, and shops—as well as other attractions such as a museum, small college, or regional airport.

Crozet (as currently bounded) is only about half the size (in square miles) of Ashland, and its “small-town feel” is zealously protected. Crozet residents have higher levels of income, education, and home values than similarly sized towns, but Crozet generates only one-tenth of those towns' retail sales revenue. While the wealthier parts of Crozet could likely absorb increased taxes, other sections may struggle.

“Obviously the demographics in Crozet have changed over the last 30 years, but there's still a strong contingency of older residents, and adding that layer

of taxation may be problematic for them,” said Loach.

Service call

Crozet would have to establish ground rules with the county on a range of services it currently receives, and negotiate contracts for those it loses. Every decision would be a function of the town's agreed-upon boundaries, taxation choices, and intended level of independence. Crozet could get by with a minimalist town structure—which would allow it to control its land use decisions—if it was willing to cede control of most other operations to the county in its charter.

Gary Dillon, a former Crozet fire chief who has worked with law enforcement in towns across Virginia, described three options if Crozet (as a town) wanted its own police force. It could (1) allow law enforcement to remain as it is today with county officers assigned to the Blue Ridge district that serves Crozet, (2) contract with the county for officers specifically assigned to Crozet, or (3) hire its own police force, which would include paying for a facility, vehicles and equipment, insurance, training, civilian staff, and other costs.

“If I had to make a recommendation today based on everything I've seen,” said Dillon, “I would leave it the way it is and let Albemarle County provide the police services because they do a really good job and they are equipped. We've already paid for it or are paying for it through taxes.” But he, like other Crozet residents, wonders about a host of other considerations for a town, such as who provides and operates schools, water and sewer, fire and rescue services, and street maintenance.

Albemarle County schools would continue to provide public education for Crozet town children, as counties do for towns across the Commonwealth. Even behemoth town Leesburg relies on Loudon County for its schools. Similarly, VDOT and county funding would continue to pay for major Crozet road projects, as their price tags (e.g., \$21 million in total for the Lickinghole Creek bridge) are too steep for a town to afford. Local residents

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could continue to transact with the Albemarle County Service Authority for water and sewer service, and would contract with private trash haulers as they do now.

Other charges, such as street maintenance—including snow plowing and curb and sidewalk improvements—would be Crozet’s responsibility because incorporated towns over 3,500 do not typically receive VDOT maintenance on local roads. County services such as land use and transportation planning functions could be taken over by Crozet, but would require hiring staff to do those jobs.

The all-volunteer Western Albemarle Rescue Squad relies in part on county funding and could operate as is, but only if the county agrees, as Scottsville recently found out. “We have a volunteer fire department, so that’s good, but we lost our Rescue Squad because Albemarle was supplementing our volunteer force and they just came in and took it over,” said Mayor Smith. “Right now, it’s still in litigation.”

Playing politics

Beyond the financial and regulatory issues lie stickier notions of goodwill and collaboration between Crozet and the county that should also carry weight in Crozet’s decision. Williamson points out that there’s a delicate political balance between towns and counties, particularly in growth areas. “Albemarle County is pretty strong in the state legislature, and it is highly unlikely that the county would want Crozet to become a town,” he said. Since Crozet is an important part of the county’s

growth plan, Williamson reasons that the county would object to losing all control over land use decisions here.

“The county likely feels that it has invested as much or more into Crozet infrastructure—schools and other services—as it has in other places,” he said. “If you take that part of the growth area away from the county, then Crozet would be competing with non-growth areas for attention. What’s to stop the county from growing around the town, creating an urban ring around Crozet? They’d be within their rights to do so.”

Amid the ongoing Master Plan revision and the uncertainty that the change would involve, some Crozet residents advise proceeding slowly when exploring town status. “It’s complicated, and we shouldn’t rush,” said Tolson. “[The Crozet/county relationship] is like an intricately woven sweater and if you just pull a thread, now you’re neck deep in yarn trying to figure out how the heck do I make a sweater back out of this.”

“I think we should just wait and see how the Master Plan looks before we start to think about town status,” said Loach. “If you look at Scottsville, has it benefitted so much that it would make sense for Crozet? I think the answer is no.”

Mayor Smith thinks that a town the size of Crozet would need more paid staff and structure than Scottsville has to be able to take care of its citizens. “I can understand their frustrations, and if there was some way to just snap your fingers and become a town that would be great, but you got to pay for it,” said Smith. “As our town attorney often says, be careful what you wish for.” ❁