



THE LEAGUE OF WOMEN VOTERS®
OF THE FAIRFAX AREA

Fairfax VOTER

January 2009

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Gerrymandering in Virginia-- What's At Stake?

"Gerrymandering in Virginia—What's At Stake?" is the topic of the LWVFA 2009 General Meeting scheduled for January 24 at 10 AM at the Country Club of Fairfax. (No unit meetings for January.) A panel discussion will be moderated by Sara Fitzgerald from the Falls Church LWV and who served on the League state redistricting committee, which produced two major studies on the subject in September 2005 and November 2006 (see LWVFA website/ publications page for Voter/Bulletin editions). Panelists include Dr. Michael McDonald from George Mason University and the Brookings Institute and State Delegate Kenneth Plum (D-36). Also invited are State Senator Kenneth Cuccinelli (R-37) and a representative from the Redistricting Coalition. Talking points regarding redistricting are found in the Education Fund section of this *VOTER*; attendees are encouraged to bring this *VOTER* with them to the meeting to facilitate a lively discussion. The public is invited to attend this free seminar; reservations for the luncheon following the seminar are required. It is not too late to make a luncheon reservation –the deadline is January 17. Please use the reservation form on Page 15.

Calendar

January 2009 (no Unit Meetings)

02	February <i>Fairfax VOTER</i> Deadline
05	SCHOOL/LWVFA Office Reopens
06	LWV-VA Program Planning Rec's Due
10	No VA G.A. Delegation Public Hearing
14	Gen. Assembly Convenes
19	<i>MLK Day Celebration-Reston</i> School Closed
20	Inauguration Day/School Holiday
21	Board Meeting /February UC Letter
24	General Meeting – Redistricting, Country Club of Fx.
27	League Day at G. A. in Richmond/WRT
30	March <i>Fairfax VOTER</i> Deadline

Inside This Issue

President's Message	2
Action Faction	2
General Meeting Panel Bios	3
Gerrymandering in Virginia	4
Talking Points	5
Felon's Rights – Consensus	6
LWV VA Hosts Legislative Briefing	8
Proffers – What Happens Next?	9
In the Spotlight	10
What's Happening at TPP	11
Elementary Schools Fall Short	12
Suffragist Mrs. Robert Walker	12
Staying Warm and Living Green	13
LWVFA to Help With Forum	14
General Meeting Registration Form	15

Voter Being Sent to You By Mail

Starting with this edition of the Fairfax *VOTER*, everyone on the LWVFA mailing list will be receiving a paper copy in the mail to save everyone the trouble of downloading and printing the online version. However, we will continue to notify people by email when the *VOTER* is available online as an "advance notice" so that one may view the content in "full color" if desired.



The President's Message

Happy New Year! We are proud to present our General Meeting on January 24 on the subject of redistricting reform in Virginia – a topic dear to the hearts of Leaguers and good government advocates across the Commonwealth. Everyone is invited to this free seminar! See background info in the EF pages of this VOTER and the luncheon reservation form on Page 7.

And now as promised, here is a list of the wonderful people who have responded to our appeal for donations to the LWVFA, as of December 9, 2008. And if you want to get your name on this list—just send in a donation to the LWVFA office; if you want it to be tax-deductible, please make your check payable to: LWVFA Education Fund (or “Ed Fund”).

Sherry

THANK YOU, everyone, --for your generosity—we have the best friends and members, ever!

Debra Banks	Joanne Hersh
Patricia Barton	Ginger Hofer
James Brady	Linda Kristiansen
Ruth Beacom	Therese Martin
Iris Bulls	Kay McQuie
Bernice Colvard	Betty McManus
Ann Csonka	Louise Meade
Jane Dittig	Raymond Nolan
Judith Dudley	Shirley Olson
Esther Elstun	Mona Ottoson
Carolyn Evans	Jean Packard
Barbara Ewalt	Marion Perlik
Ruth Filsinger	Del. Ken Plum
Ellen Gale	Judy Prochko
Gloria Hafer	Del. Thomas D. Rust
Diane Hardcastle	Ann Solomon
Margaret Hayes	June Schaeffer
Olga Hernandez	Leslie Vandivere
Pat Brady	

VA Women In History Exhibit

The Virginia Room on the 2nd floor of the City of Fairfax Regional Library will host “Virginia Women in History” from January 5 - February 21, 2009. This is a traveling exhibit from the Library of Virginia in Richmond. It celebrates eight women for their contributions to the commonwealth.

Action Faction . . .

Use of County Athletic Fields Tops BOS Meeting Agenda

By Jane Hilder, LWVFA Action Director

At their November 17 meeting, the Fairfax County Board of Supervisors (BOS) announced that the county magnet housing had won an award from the Alliance for Innovation. Also, the Kate Hanley Family Shelter won an environmental excellence award from the Environmental Quality Advisory Council (EQAC) for its “green building.” The EQAC annual report recommended that the county implement a stormwater utility fee to cover the costs of stormwater control. This fee has been implemented successfully in other jurisdictions. County Executive Tony Griffin noted that he would present an alternative to the stormwater utility fee that would serve somewhat the same purpose. EQAC also recommended that the county fund a position as energy coordinator.

Clearly the most controversial topic at the November BOS meeting was the use of county athletic fields. In some cases private groups have funded the conversion of county-owned fields to artificial turf, but then those groups want complete priority in use of the fields. County staff had developed an 80-20 formula for use of those fields, where 20% was public access. This proposal was deferred until January. County staff did note that 300,000 people are clamoring to use 20

See **Action Faction**, Page 11, Col 1

LWVFA Fairfax VOTER 2008 - 2009

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or call 703-658-9150

Focus on Redistricting . . .

January's General Meeting Panel Features McDonald, Cuccinelli, Plum, and Fitzgerald

"Gerrymandering in Virginia--What's at Stake" is the main topic that is going to be considered at the LWVFA General Meeting on January 24. The discussion is designed to look for answers to questions such as: 1) Why should people be interested? 2) What legislation should we be supporting? and 3) What is most important for us to do now? Participating panelists follows:



McDonald

Dr. Michael P. McDonald is Associate Professor of Government and Politics in the Department of Public and International Affairs at George Mason University and a Non-Resident Senior Fellow at the Brookings Institution. He received his Ph.D. in Political Science from University of California, San Diego and B.S. in Economics from California Institute of Technology. He held a one-year post-doc fellowship at Harvard University and has previously taught at Vanderbilt University and University of Illinois, Springfield.

His research interests include voting behavior, redistricting, Congress, American political development, and political methodology. His voter turnout research shows that turnout is not declining: the ineligible population is rising. His research on redistricting warns of the uncompetitive nature of elections resulting from redistricting.

He also has worked as a redistricting consultant or expert witness in Alaska, Arizona, California, Michigan, and New York. He has worked as a media consultant to ABC and NBC, and is frequently quoted in the media regarding United States elections. His opinion editorials have appeared in *The Washington Post*, *The Politico*, *The Milwaukee Journal-Sentinel*, *The American Prospect*, and *Roll Call*.



Plum

Kenneth R. Plum currently represents Virginia's 36th District in the House of Delegates and has served for 38 years. During that time he has served on numerous committees including: Commerce and Labor Committee, Science and Technology Committee, Agriculture, Chesapeake and Natural Resources Committee, Joint Commission on Technology and Science, Legislative Advisory Council on Career

and Technical Education, Commission on Electric Utility Industry Restructuring, and the Virginia Board of Education's Adult Education and Literacy Advisory Committee. Delegate Plum has introduced a bill to reform redistricting every year that he has been in the General Assembly.

His efforts on behalf of Northern Virginia have earned him positions on a variety of different boards of directors, advisory boards and outside committees. Before getting involved in politics he was in the education field as a teacher and school administrator for almost 30 years. During this time he served as Director of Adult and Community Education, Fairfax County Public Schools.

A native of Shenandoah, Virginia, Mr. Plum graduated with a B.A. degree from Old Dominion University and a M.Ed. from the University of Virginia. He and his wife Jane have four grown children.



Fitzgerald

Sara Fitzgerald is an officer in the Falls Church League of Women Voters and a member of the state League's Redistricting Reform Study Committee. Now retired, she worked for *The Washington Post* for 15 years as an editor and new media developer, and was a partner in Funds For Learning, a consulting company that helped schools, libraries and technology companies make use of the federal E-rate program to help schools and libraries get connected to the Internet.



Cuccinelli

Ken Cuccinelli was first elected to represent District 37 in the Virginia State Senate in an August 2002 special election. His experience with Virginia's judicial system has uniquely prepared him for his role in the General Assembly where he serves on the influential Senate Courts of Justice Committee. Mr. Cuccinelli is also on the Transportation Committee, Local Government Committee, and the Rehabilitation and Social Services Committee.

See **Panel Bios**, Page14, Col. 1

Gerrymandering in Virginia - What's At Stake?

By Sherry Zachry, President and
Therese Martin, State Redistricting Committee

The LWVFA sent the letter below to ten Chambers of Commerce in Fairfax County in December 2008, inviting the organizations to join the coalition and support redistricting reform in Virginia before the 2010 census. As part of the League's efforts to educate and inform the public about why the redistricting process needs to be reformed, LWVFA is presenting a panel discussion on how we can make redistricting reform a reality in Virginia. Although the 2009 Session of the General Assembly will be halfway through by January 24, there still is time to make a difference. The League of Women Voters of Virginia has taken a strong stand in support of making redistricting reform happen in Virginia NOW, before the 2010 census. Although it may seem like "tilting at windmills," if enough people raise their voices for good government principles, maybe we will be heard and can bring about change.

"When the next census is completed in 2010, the Virginia General Assembly will once again have to redraw the lines that will determine the shape of General Assembly and Congressional districts for the next decade. If the past is prologue to what will occur during the 2010-11 Virginia redistricting, the process will be highly partisan, resulting in gerrymandered districts, uncontested and non-competitive elections, polarization, and continued legislative gridlock."

"A broad-based Redistricting Coalition that includes the League of Women Voters, AARP, League of Conservation Voters, Virginia Interfaith Center for Public Policy, Virginia Chamber of Commerce, and the Hampton Roads and Virginia Peninsula Chambers of Commerce is supporting a new approach to this politically charged process. We invite your organization to join us in this effort."

"Last year the Coalition and leaders of both political parties supported a bi-partisan bill in the General Assembly that would have established an independent commission to redraw the district lines and a process to ensure legislative approval as required by the Virginia Constitution. The bill was killed in a House subcommittee after passage by a strong bi-partisan vote in the Senate. The Coalition will continue to advocate for redistricting reform in the upcoming session of the General Assembly and work with General Assembly members of both political parties and both houses to gain enactment of reform legislation."

The League of Women Voters and other organizations in the Coalition believe that the current sharing of political power in the General Assembly provides the best opportunity for enactment of redistricting reform that we have had in recent decades—or may have in the future. This session could be one of the last opportunities to change the redistricting process before Virginia's legislative district lines are redrawn for the 2011 elections.

"Those organizations that have already joined the Coalition have done so because the gerrymandered districts established in the 2001 redistricting have resulted in the election of candidates who are unwilling to compromise on legislation, the budget and—especially important for our region—transportation issues and funding. As one businessman told the Coalition, 'I've seen the Legislature get more and more partisan. The word compromise is foreign to them. The business community in Virginia is used to compromise. We don't understand why the Legislature cannot negotiate in good faith.'"

"The League of Women Voters is also concerned about the effect of gerrymandered districts on voter turnout and participation in the democratic process. The lack of contested and competitive districts (margin of 10 percentage points or fewer) has contributed to a decreasing voter turnout in Virginia. In 2007, voter turnout in the General Assembly election was only 30.2 percent. Of Virginia's 40 senators, 17 incumbents had no opposition, and only 9 races were competitive. In the 100 House of Delegates races, 57 incumbents had no opposition and only 12 races were competitive. Even with the high state-wide voter turnout on November 4, only three of Virginia's 11 congressional district elections were competitive. Two of the eight non-competitive races were uncontested by one of the major parties."

For more talking points, see the following page.

Think Green . . .

One recycled aluminum can saves enough energy to power a television or computer for three hours or a 100-watt light bulb for 20 hours. A six-pack of recycled aluminum cans saves enough energy to drive a car five miles.

Virginia Interfaith Center for Public Policy
Talking Points: Gerrymandering and Redistricting Reform
October 2008

Virginia's General Assembly convenes once a decade to redraw the lines of their electoral districts. While intended to balance out population shifts in the Commonwealth, the process has always been highly partisan. In 2011, a new round of redistricting will occur.

1. Partisan gerrymandering puts political considerations ahead of community interests.
2. Bipartisan redistricting increases governmental legitimacy in the eyes of the public.
3. Partisan gerrymandering results in legislative gridlock.
4. Bipartisan redistricting results in a more efficient government.

Partisan gerrymandering puts political considerations ahead of community interests.

- Gerrymandering allows politicians to choose their constituents rather than the other way around.
- Governments should encourage community cohesion, rather than division. Gerrymandering sometimes splits communities, which then lose one dedicated supporter for their issues and gain numerous representatives who can afford to ignore them politically. (Some notable examples are Joe Morrissey's 74th House district, Chris Jones' 76th House district, and Creigh Deed's 25th Senatorial district.)
- Gerrymandering creates "safe" districts which results in uncontested elections and reduced voter turnout.

Bipartisan redistricting increases governmental legitimacy.

- Placing the power to draw district lines in an independent commission eliminates or reduces problems such as deadlock in drawing district lines that then requires Court intervention.
- Politicians have a conflict of interest between creating fair districts and increasing their party's political power and their own political safety.
- Partisan redistricting allows a small majority to dominate one or both chambers of the General Assembly, marginalizing a significant bloc of voters statewide.

Partisan gerrymandering results in legislative gridlock.

- Creation of gerrymandered "safe" districts usually results in the election of candidates who are at the extreme edges of their party and unwilling to compromise to enact legislation that is controversial in any way or not favored by political party leaders.
- Due to the increase in "safe" seats, legislators have less of a need to compromise. By lowering the number of "safe" seats, bipartisan redistricting lessens both the likelihood of gridlock and partisan bias in decision-making.

A redistricting commission results in a more efficient government.

- Statistically, maps crafted by bipartisan commissions result in less litigation, freeing up court dockets and saving taxpayers' money in court operation.
- By shifting redistricting responsibility to a commission, legislators have more time to tend to the people's business, like passing a state budget or reaching a solution on transportation funding, during the normal session.
- Legislators elected from competitive, non-gerrymandered districts are more likely to enact legislation based on its merits and the good of the Commonwealth rather than on party-line directives.

LWVFA Members Give Input On Felons Rights Consensus

By Lois Page, LWVFA Program Director

Following is a summation of feedback from LWVFA members who participated in the state League study and consensus on "The Restoration of Civil Rights of Felons." The consensus questions were discussed at the November 2008 unit meetings; a total of 108 members took part in the consensus. My comments and explanations received from the units are *in italics* and follow the text of the consensus question, with notation as to whether consensus was achieved on that question. The LWVFA board approved this wording as the formal consensus report to LWV VA at its December 17th meeting.

CONSENSUS QUESTIONS ~ Was consensus achieved (yes no)?

1. Should the restoration of civil rights be automatically granted to felons? X YES

This was a very firm consensus with 91 yes, 10 no and 7 with no consensus. There were complaints about the meaning of "automatic" in spite of our effort to explain in the Voter and in the briefing. They said it was "contradictory and confusing." Another said, "We found the consensus questions left a great deal of room for interpretation. The options were not unique nor were they all-inclusive." One suggestion was that program people are so close to their information that they might not see how the consensus questions could be misinterpreted by those less immersed in the topic, and that the questions should be "test driven" by a non-involved party.

On another note, one unit said, "No consensus was reached. It was felt by most that if violent offenders and those offences involving sexual abuse to children were excluded, then consensus could have been reached. The meeting suggested that the voting right be separated from the other civil rights. This separation would restore the vote to felons and prevent those felons who participated in fraud and matters of public trust being given the right of running for and holding public office." Another unit similarly said that if this were only on voting rights they could easily have agreed.

One unit (6 people) said the following: "We reached consensus that there shouldn't be a connection between losing voting rights and being a convicted felon. We supported Maine and Vermont's method of handling this: no disenfranchisement for people with criminal convictions."

If yes, should it be restored: (Please place a checkmark in the space)

- A. Immediately upon release from incarceration
- X B. Immediately upon completion of probation or parole
- C. Upon fulfillment of all legal obligations, including payments of fees, fines, court ordered restitution, and A and B listed above.

Again this was pretty firm with B chosen by 83 of the 108

2. Should the procedures for the Restoration of Civil Rights be the same for all felons? NO CONSENSUS

I think we would have to call this no consensus. We had 39 say yes, 55 say no, and 14 did not reach consensus. One unit said, "Consider separating out voting rights from other civil rights and make it easier to restore voting rights than the others."

If no, which of the following should have more stringent procedure: (Please place a checkmark in the space)

- _____ A. Non-violent offenses
 _____ B. Violent offenses
 _____ C. Drug distribution offenses
 _____ D. Drug manufacture offenses
 _____ E. Election Law offenses

This answer was not clear-cut either: B had the most with 54, D with 38, C had 25. A had none and E had 14. Clearly half felt non-violent offenders should have an easier time. One unit said, "Unit feels violent offenders should never be able to have firearms again. Another unit said, "Unit is concerned about definition of "violent" and the fact that rape is not considered violent. "

3. Should the current process be made:

- **easier to understand** ☒ YES ☐ NO
 • **more accessible,** ☒ YES ☐ NO
 • **more transparent and fair?** ☒ YES ☐ NO

If yes, in what ways? (Please list suggestions below)

This is a summary of the answers given. Complete text of answers is included below.

- *More training for prison or probation officials*
- *Classes for prisoners while they are still in prison*
- *Standardize the information given to felons across the state*

Complete text of answers/comments to question 3:

- *At each step information should be given to felon about voting rights. Should be required to be sent restoration info upon completion of probation.*
- *Keep everything simple. Require that restoration steps should be part of the education process while in prison.*
- *Parole officers notify felons of voter restoration; notification should be included as a part of counseling prior to release, and that a standard procedure should be adopted to notify felons of voting restoration opportunities.*
- *Send official notification including info on how to apply to each felon when he/she becomes eligible to have rights restored.*
- *Greater uniformity in procedures across different localities.*
- *Encourage volunteer groups in underused areas to do the coaching to help felons apply.*
- *Should be a class before prisoners leave prison and follow-up.*
- *Group feels that voting rights should be more inalienable than other civil rights and should be more easily restored.*
- *Train prison probation officials to provide extensive notification through out the Commonwealth. We doubt if they are stumbling over each other to do this presently.*
- *Felons need to be informed of how to restore civil rights. Suggested the LWV have this as a project to inform felons of their rights.*
- *Classes in prison regarding voting rights*
 - *Train probation officers to ensure felons understand their rights.*
 - *Standardize criteria that are used to judge when and how felons get their voting rights back—one idea was to create a checklist of the criteria.*
 - *The notification of rights/training on voting rights should not be arbitrary but clearly defined*
- *Decisions should be made by someone other than the Governor, i.e. a board. (This unit voted against restoring right automatically—13 people.)*
- *Automatically have the released felons receive the information, help and forms needed to restore their civil rights.*
- *Should be automatic*

This Report was submitted to Molly McClenon, LWVVA Felons' Rights Study Committee Chair, on December 17, 2008.

February's Unit Meetings:

Topic: National Popular Vote Compact

Consensus on Selection of the President by Popular Vote Instead of the Electoral College

LWV VA Hosts Women's Legislative Roundtable Pre-Session Briefing in Richmond

By Jane Hilder, Action Director

The LWV of VA (LWV VA) traditionally hosts the pre-session Women's Legislative Roundtable (WRT) in Richmond on the first Wednesday of December. This meeting previews the legislative issues of concern to the League and other progressive organizations in Virginia for the upcoming General Assembly session that begins in January. This year, Fairfax League President Sherry Zachry and members Therese Martin, Janey George, Dianne Blais and Jane Hilder made the trip to Richmond for the Roundtable on December 3, 2008. The meeting took place in a packed House Room 1 in the elegant old section of the renovated Capitol Building. Olga Hernandez, LWVVA President and also a Fairfax League member, was Moderator.

Of special interest to League members were presentations by Delegates John O'Bannon (R-73) and Ken Plum (D-36), who represent opposite sides on the question of redistricting reform. The group also heard from C. Douglas Smith of the Interfaith Center for Public Policy, which is one of the League's partners in the redistricting reform coalition. The day was packed with interesting and important issues, but as the state finance director put it, "Everything else in the General Assembly session will be secondary to budget issues."

Presentations were made by state officials and other groups expressing views on a variety of issues.

- Budget shortfall, estimated to be \$1 billion, but also noted that Virginia recently had to cancel a second

scheduled day of state bond sales because all bonds had been sold on the first day. Buyers had sufficient confidence in the soundness of Virginia state finances to consider Virginia bonds a safe investment in today's turbulent times.

- Virginia League of Conservation Voters--energy efficiency and conservation, uranium mining, and smart growth;
- Virginia Center for Public Safety - gun safety, especially background checks for all purchasers at gun shows;
- Virginia Regulatory Town Hall has a new online format to comment upon proposed state regulations;
- Planned Parenthood - fight legislation that would shut down many family planning centers,
- American Civil Liberties Union is opposing the real ID law;
- Virginia Interfaith Center for Public Policy - predatory lending
- The Virginia Poverty Law Center - hold the line on health cuts for the poor
- New Electoral Reform Alliance for Virginia is supporting many of the same electoral reforms the League would like to see, such as no-excuse absentee voting;
- Virginia NOW - laws to combat human trafficking;
- ACLU Rights Restoration - restoration of civil rights for felons;
- Virginia Coalition for Juvenile Justice is concerned about transfer of juveniles to adult court where they are less likely to get appropriate services;
- Virginia Organizing Project - make the state Earned Income Tax Credit refundable.

Last in the Series . . .

Proffers in Fairfax County --What Happens Next?

By Baba Freeman & Lucy Dlhopsky,
Proffers Project Committee

Current Virginia law gives Fairfax County great flexibility to influence development for the benefit of the public by involving the county planning staff in project design at an early stage. In the last legislative session, Senator Watkins introduced a bill (SB 768) that would have replaced this flexibility with a system of formula cash fees for all rezonings. It would not have allowed room for negotiations. Fairfax County uses the flexibility provided in the current system of proffers in order to better conform to the Comprehensive Plan.

SB768 would have replaced the voluntary proffer system with flat fees for new development projects. It would also have changed the use of in-kind proffers such as road improvements or land for schools, parks, or libraries. For instance, Loudoun County's suggested fee for each new home would be about \$47,000, the highest in the state, though the final amount is often subject to negotiation. Fairfax projects contribute roughly \$15,000 in cash for each single-family home (usually for schools and/or parks) with significant in-kind improvements as well, in addition to the filing fee paid at the time a re-zoning is accepted.¹ The Fairfax County brochure reads: "A filing fee must accompany an application for a rezoning. The fee is \$8,820, plus an applicable per acre fee ranging from \$165.00 to \$434. The application fee is not refundable after the application has been accepted by the County."

Also a Fairfax County Public Schools letter, "Schools Impact Proffer Formula Update 2007 Update," suggests a per-student proffer contribution of \$12,400. A Park Authority letter suggests a monetary contribution amount of \$893 per new resident. These sums would stay in the respective departments. State legislation stipulates that cash proffers that are not spent for the stated purpose within seven years will be transferred to the Commonwealth Transportation Fund and used for secondary roads anywhere in the state.

The Watkins bill did not pass in the 2008 session, but something similar may be raised again, in some form, in the January 2009 session. In a May 1, 2008, letter² to local government groups and other interested parties³, the Speaker of the House of Delegates requested that local municipalities delay increasing their cash proffer guidelines in order to give

the interested parties time to study and to reach consensus on future legislation.

As mentioned in the December 2008 *Fairfax VOTER*, the matter has been referred to a joint resolutions subcommittee for a comprehensive study of development and land use tools practiced in all of Virginia's localities. An interim report of the subcommittee will be forthcoming in the 2009 session and a final report in the 2010 session. Although future legislation may extend to the 2010-2011 sessions, the League can have a role now in educating Fairfax County residents about the current environment.

While Fairfax County was not the intended target of the Watkins bill, it would lose a valuable tool if legislation were passed without major improvements that allow for Fairfax County's current process. With the last large, single-owner tract taken, the future development landscape will look radically different—it will change from "building out" (sprawl) to "building up" (in-fill). This is why the loss of flexibility could be a serious blow to the county. It is significant to note that the Fairfax building industry did not support the Watkins bill. The purported intent of THAT bill was to provide a means to prevent municipalities from extracting cash payments from developers that would then be used for projects chosen by the supervisors with no regard to the situation surrounding the rezoning.

Passing a new ruling eliminating proffers could also impact other municipalities in the Commonwealth, which may use less complex analyses in planning redevelopment. For example, Middlesex County, on the lower reaches of the Rappahannock River, adopted a cash proffer policy in 2006. Cash proffers are currently accepted for schools and law enforcement, but not for parks, jails, or landfills.⁴

The Proffers Project Committee would like for the LWVFA to be able to take action on the practice of the proffer system in Fairfax County. After studying the issue, the Proffers Project Committee is reasonably pleased with the way the county is now handling redevelopment and recommends that the procedures of the proffer system in the county as set in place today be maintained for future development or re-development. As stated before, the current procedures are flexible enough to be satisfactory to all parties involved.

At the December 17 board meeting, the merits of adding a statement to the LWVFA Land Use position regarding the use of proffers was discussed. The following statement was proposed:

The LWVFA supports the preservation of the county's ability to be flexible in negotiations with developers for the cost of providing new or expanded public facilities and for the resolution of other development issues.

The LWVFA board recommended that membership input on this statement be delayed until after the 2009 session of the General Assembly. We will be monitoring legislation connected to this issue during January and February and will evaluate the need for such a statement in our positions based on the actions of the legislature.

We will provide an update in future editions of the *Fairfax VOTER*. If you have any questions, or would like more information, please contact a member of the Proffers Project Committee: Baba Freeman (703-437-1901), Marcia McDevitt (703-437-7020), or Lucy Dlhopsky, (703-757-5893), or email the League office at league@lwv-fairfax.org.

Endnotes and Sources

Endnotes for January issue:

¹ Bill Turque, *Washington Post* article 2/4/08

² www.rregion.org/pdf/vaco/Letter

³ VA Association of Counties, VA Municipal League, VA Association of Realtors, Home Builders Association of VA, Piedmont Environmental Council

⁴ www.co.middlesex.va.us/planning

Other County Proffer Policies can be viewed at:

Fauquier County: <http://www.fauquiercounty.gov/documents/departments/commdev/>

Warren County: <http://www.warrencountyva.net/documents/profferpolicy>.

Orange County: http://orangecountyva.gov/plan_and_zon/planzondocs/ocpolicyguide.

Southampton County: http://www.tbaonline.org/builderservices/Voluntary_Cash_Proffers_Policy.

Virginia Beach City: Section 107 (h) of the Virginia Beach Zoning Ordinance, at

www.municode.com/resources/gateway.asp

Other Sources

(for the entire Proffers Project articles in September, October, November & December issues of the *Fairfax VOTER*)

Interviews with:

Jan Brodie, Deputy County Attorney for Land Use & Development

Regina Coyle, Director, Zoning Evaluation Division

Mark Looney, Cooley Goodward Kronish LLP

George Barker, State Senator, 39th District

Frank de la Fe, Hunter Mill District Representative, Planning Commission

In The Spotlight . . .



Rona Ackerman,
Board Secretary

This month's spotlight focuses on Rona Ackerman who, since moving to Fairfax County in 2000 has been very active LWVFA affairs serving as Voter Services Director, Program Director, League representative on several advisory boards and

presently is the Board Secretary. In the midst of all this, Rona was a lobbyist for the LWVUS in 2003-05.

She originally joined the LWV in Ulster County, New York and has stayed active ever since. Why is she a

League member? Rona stated "I think it is extremely important to educate voters about the issues so they can make knowledgeable choices. I care passionately about disseminating information through voters' service and through our programs."

Rona has a BS degree in arts administration from the State University of NY at Albany and a MS in business from Perdue University.

While living in New York, she was the vice president for Academic Affairs at the University of New Paltz. The past 12 years she has been a full-time "domestic engineer" (a.k.a mom) keeping her family organized and focused. Between her husband Mike Aarons and two daughters Faye and Lianne, the League, volunteering and working as a business continuity management consultant, she claims to have no time for hobbies, but loves reading and doing crewel embroidery while waiting to drive her kids to their next gig! What one probably doesn't know about Rona is "she would rather be skiing!"

WHAT'S HAPPENING AT THE TURNING POINT PLAZA?

By, Jane Barker, TPP Steering Committee Chair

After witnessing the huge voter turnout in this November's election, it is hard to believe that less than ninety years ago, women were not allowed to vote. How far we have come! And what better way to memorialize the women who fought so hard for our right to vote than having a memorial commemorating their struggle across the road from the original Occoquan Workhouse right here in Fairfax County? The imprisonment of these suffragists at the Workhouse was the "Turning Point" of this struggle and the LWVFA is honored to be working on just such a memorial to these brave women. It is very fitting that the League has taken the lead on this project as it was the suffragists who started our organization in 1920 after winning the right to vote.

Members of the LWVFA are working on plans for the mission, purpose, design and marketing of the memorial with John Houser, the Director of the Occoquan Regional Park, the site of the memorial. The Park is part of the



Northern Virginia Regional Park system. We also are happy to announce that we have a new partnership with George Mason University and will have at least one intern from the University working with us on various parts of the project under the direction of Dr. Vicki Kirsch, Associate Director, Women and Gender Studies.

While the plans for the memorial are evolving, we are on target to complete this project by 2010 to commemorate the 90th anniversary of the passage of the 19th Amendment. Your donations to this memorial are appreciated. Your tax-deductible donation may be made to: LWVFA Ed Fund Suffragist Memorial and mailed to: LWV of the Fairfax Area, 4026 Hummer Road, Suite 214, Annandale, VA 22003-2403. For more information visit the LWVFA website: <http://www.lwv-fairfax.org/TPPfundraisingltr-szedits4-RTF.pdf>

Please visit the site of this memorial and enjoy the beauty of the Occoquan Regional Park and its winter river views while reading the wayside displays telling the story of how far women have come and how we need to be vigilant about equal rights for women in America. It is an inspiring story and one we need to tell people now and for generations to come.

For more information or questions, please contact the League office at league@lwv-fairfax.org or call 703 658-9150.

Action Faction, From Page 2, Col. 2

fields and there are simply not enough synthetic turf fields. The costs born by the private groups to convert and in some cases light the fields are substantial, but county staff noted that the land is owned by the county which also maintains the fields.

The Supervisors were contacting the Congressional delegation and the current and new administrations to urge passage of an additional financial stabilization act that would give money to local jurisdictions for infrastructure projects that are already designed and can be completed within one year.

Supervisor Herrity called attention to a new program that would place Immigration and Naturalization Service (INS) employees to work with the county jail and whose job would be to identify, house and deport illegal immigrants who've

committed crimes. This program would replace the 287G program that required local sheriff's office employees to try to determine the immigration status of local offenders. This pilot program had not yet been approved in November but already the county jail was being wired to accommodate the INS employees' needs, although they would not have offices in the jail. The goal of the program would be to redesign the process of immigration enforcement and make it consistent across local jurisdictions.

At its December 8 meeting, the BOS approved its 2009 legislative package. Although there was nothing in it about redistricting, there were several other voting issues that the League supports included--allowing local regions to extend polling hours in emergencies (weather or otherwise), allowing no-excuse absentee voting, and extending polling hours statewide.

Fairfax County Elementary Schools Fall Short of State Goal for Physical Fitness

By Virginia Fitz Shea, LWVFA
Schools Committee Chair

Most Fairfax County elementary schools do not meet the new goal for physical fitness time established by legislation passed by the General Assembly March 27, 2008. Under the new provisions in the Code of Virginia, effective July 1, 2008, local school boards shall implement a program of physical fitness available to all students with a goal of at least 150 minutes per week on average during the regular school year. This may include any combination of physical education classes, extra-curricular athletics, or other programs and physical activities deemed appropriate by the local school board.

Fairfax County currently requires a minimum of 60 minutes per week of physical education (PE) instruction in elementary schools. According to the Student Health Advisory Committee (SHAC) appointed by the school board, the number of sessions of physical education and minutes per week vary by grade level. "PE instruction ranges from once a week to three times a week," SHAC's 2007 annual report stated. "Time varies from 20 to 60 minutes per session. The average is twice a week at 30 minutes."

SHAC urged the school board to require elementary schools to provide a minimum of two PE classes per week (a minimum of 90 minutes); and a minimum of 20 minutes of recess per day (other than short Mondays). With a few exceptions, Fairfax elementary schools allow only 10 minutes per day for recess. This includes the transition time involved in moving from the classroom to the playground and back. The staff response to the SHAC report stated, "By setting recess at 20 minutes, it would be necessary to extend the school day, or create a uniform weekly schedule."

A uniform weekly schedule is also referred to as a uniform school day. This has been in effect since 1999 in 16 Project Excel schools, allowing students to stay in school for a full day on Mondays rather than being dismissed early. All the other elementary school students lose two hours a week by being dismissed early on Mondays.

The SHAC report concluded, "As FCPS considers longer school days and a full Monday schedule for all elementary schools, the needs of students for physical activity within longer school days should be considered along with academic achievement goals."

Thomas R. Morris, Virginia's Secretary of Education, recently said that the Governor's Nutrition and Physical Activity Scorecard is another important tool schools may use to identify best practices and evidence-based standards that address factors contributing to childhood overweight. "Many school divisions have used the standards of the Scorecard in the development and implementation of the federally required Local Wellness Policy," Dr. Morris, said. "These local wellness policies, required by Public Law 108-275, must address nutrition guidelines for foods available during the school day, nutrition education, physical activity, and other school-based activities to promote student wellness."

The Governor's Nutrition and Physical Activity Scorecard uses best practices and policies recommended by Virginia Action for Healthy Kids, national and state organizations, and the Joint Committee of the Board of Education and the Board of Health. A point system was created to evaluate and recognize school based efforts and a tiered recognition program (gold, silver, and bronze) that rewards schools was implemented. The Governor's Nutrition and Physical Activity Scorecard may be viewed at http://www.doe.virginia.gov/healthva_scorecard.pdf.

Suffragist "Mrs. Robert Walker" Interviewed on Television



Garvey-Hodge

Suffragist Mrs. Robert Walker, (a.k.a Lynne Garvey-Hodge of LWVFA), was interviewed by Andrew Mills, a history teacher at Bishop O'Connell High School, about the voting protests and her subsequent incarceration in the Lorton Work House. in a segment of Virginia's Time Travel Program. According to Cox Cable producer Chuck Mills, the program's producer, the suffragist interview will be aired on Channel 10 three times—Tuesday, January 20 at 6:00 AM, Thursday, January 22nd at 6:00 PM, and Friday, January 23 at 9:30 PM. Mark your calendars and watch this moving story unfold, as the League continues to publicize the efforts of those early women who will be memorialized at the Occuquon Regional Park's "Turning Point Plaza."

STAYING WARM AND LIVING GREEN

By Eleanor Revelle (LWVIL and LWVUS Climate Change Task Force Member)

When colder weather strikes, heating bills start to climb. Not only is that hard on the checkbook; it also means increased greenhouse gas emissions. What is a thrifty, ecologically-minded person to do?

First, figure out what your natural gas bill is telling you about your energy usage. The meter reading section of your bill reports the number of cubic feet of gas used in that billing period and then converts that figure into therms, a measure of the energy content of the gas. (One therm is roughly equal to 100 cubic feet of natural gas.) This number is used as the basis for calculating the various charges on your bill.

How do you know whether the number of therms you used is “reasonable”? The answer to this is . . . it depends. It depends on how cold it was outside.

Your gas bill may give you this information if it reports the total number of heating degree days in that billing period. Or you can find degree day records on Weather Underground (www.wunderground.com/). Go to the Detailed History and Climate section of the weather page for your city and indicate the day, week, month or other time period for which you want weather data.

Heating degree day (HDD) is a measure that indicates how much colder the average temperature was outside compared to a baseline temperature of 65°F. (This reflects the observation that houses generally require heating if the outside temperature is lower than 65°F.) If the average of the high and low temperatures for a particular day was 35°F, that would add 30 HDDs to the total for the billing period.

Dividing the number of therms used by the total number

of degree days gives you information about the energy performance of your house.* It reflects the temperature setting of your thermostat, the tightness of your house, and the efficiency of your home’s heating system.**

With this calculation, you can compare your energy consumption from month to month, and year to year, despite variations in the weather and the fluctuating cost of energy. And the simple act of monitoring will provide a strong incentive to improve your home’s energy efficiency—and help you measure the impact of changes you make.

Improving Your Home’s Performance

You have no control over the outside temperature—the number of degree days—the biggest factor in your energy consumption equation. But you can control the therm usage of your home.

Dialing down the thermostat is the most direct step you can take. In colder climates like the upper Midwest, every degree that you lower the setting on your thermostat will result in roughly a three percent reduction in the amount of energy used.

Installing a programmable thermostat can also bring significant energy savings. By automatically adjusting the temperature setting for your home, this simple device makes it easy to lower the setting when less heat is needed—for example, when you’re asleep or away for the day.

Taking steps to minimize heat loss from your home is next on the list. Adding insulation is one of the most cost-effective improvements you can make, and the attic is the best and easiest place to start. Proper insulation levels in the walls, foundation, and basement or crawl space will also help make your house tighter—and more comfortable.

* If you use heating oil, note the date on which you fill your oil tank and the date on which it needs refilling. Divide the number of gallons of oil used by the number of HDDs for that time period. This will give you a baseline figure of the amount of heating oil you use per HDD.

** The number of therms used also reflects the energy consumed in heating water and any cooking done with gas. Your summer gas bill will give you a rough idea of how much those uses contribute to your energy consumption year-round. Easy things you can do to cut water heating costs include turning down the setting of your water heater (to 115-120°F); insulating the water heater and hot water pipes; installing low-flow fixtures and a more efficient dishwasher and clothes washing machine; and replacing an older water heater with a new, high-efficiency model.

Sealing air leaks—a major source of heat loss in older homes—is another very important energy-saver.

You can spot many of these problem areas on your own with a do-it-yourself home energy audit. Or you can arrange for a professional auditor to carry out a more thorough assessment of your home. Some utility companies conduct audits or can recommend an energy auditor.

The third area for attention is your home's heating system. You can improve its efficiency by insulating ducts (if you have a furnace) and hot water/steam pipes (for a boiler) that pass through unheated spaces, changing the air filter regularly (furnace), and arranging for regular professional maintenance.

Your heating service company can also advise you as to whether replacing your existing furnace or boiler with a new, high-efficiency unit would make sense.

If you are planning to remodel your current home or build a new house, you have an opportunity to "build green" from the start. By making it a priority to incorporate energy-efficient design features and take advantage of new technologies and materials, you can have a high-performance home that minimizes energy consumption and maximizes comfort and durability.

But you don't have to build a new house to save energy. Every small step that each of us takes to improve our homes' energy efficiency will achieve savings and help reduce global warming.

Resources for Home Energy Audits

The U.S. Department of Energy's Consumer's Guide to Energy Efficiency and Renewable Energy (www.eere.energy.gov/consumer/your_home/) includes a helpful tutorial on home energy audits as well as detailed information about insulation, sealing air leaks, and heating systems.

Home Energy Saver (<http://hes.lbl.gov/>) is a web-based do-it-yourself energy audit tool designed to help consumers identify the best ways to save energy in their homes and find the information and resources to make those savings happen.

Consumers can find a certified energy rater in their state through the Residential Energy Services Network (RESNET) Certified Rater Directory (www.resnet.us/directory/raters.aspx).

*Produced by the LWVUS Climate Change Task Force
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Panel Bios, from Page 3, Col 2

(Cuccinelli Con't)

Senator Cuccinelli was a cosponsor to SB 38 that would have created a bipartisan committee for redistricting. Although receiving almost unanimous support in the 2008 Senate, the bill was defeated by a House Subcommittee.

Mr. Cuccinelli served from 1994 to 1999 on Virginia's Juvenile Justice and Delinquency Prevention Advisory Committee (JJDP), serving as chairman of the committee for two years. In 1998-99, he served as the Sully District representative on the Fairfax County Public Schools Social Studies Advisory Committee during the time when new SOLs were being written and introduced. From 1998-2000.

Mr Cuccinelli is a small business owner and partner in the law firm of Cuccinelli & Day, PLLC in Fairfax. He is a business law attorney with a particular focus on intellectual property protection and serving as an outsourced general counsel to small and mid-sized companies

LWVFA to Help With Supervisor Candidates' Forum on January 27th

LWVFA has agreed to join with The Fairfax County Federation of Citizens Associations (The Federation) in sponsoring a debate between the candidates for Chair of the Board of Supervisors: Sharon Bulova (Braddock District) and Pat Herrity (Springfield District). The one-hour event is currently scheduled to occur on January 27, 2009, in the auditorium of The Fairfax County Government Center, probably starting at 7:30 p.m., and will be televised by Fairfax Public Access. As of this writing (mid-December), one candidate had not yet confirmed participation--so stay tuned for updates in January.



~ You are cordially invited to attend ~



The LWV of the Fairfax Area

General Meeting

on

Saturday, January 24, 2009

at

COUNTRY CLUB OF FAIRFAX

5110 Ox Road (Route 123 & Braddock Roads)

Fairfax VA 22030

10 AM – Registration & coffee

10:30 AM

Panel discussion with Q & A on:

"Gerrymandering in Virginia – What's At Stake?"

Moderator: Sara Fitzgerald, Falls Church LWV

Panelists:

Dr. Michael McDonald, GMU Professor & Brookings Institution

Delegate Ken Plum

Invited: Senator Ken Cuccinelli &

A representative from the Redistricting Coalition

12:00 noon –Luncheon

(Reservations required for luncheon only)

Luncheon Reservation Deadline January 17, 2009-- Cost: \$31 per person

Menu: House Salad With Raspberry Vinaigrette, Chicken Capri [Chicken Breast With Basil Butter and Angel Hair Pasta], Chef's Vegetables, Rolls and Butter, Key Lime Pie, Coffee Service

Panel discussion free; Luncheon, \$31 per person.

Make checks payable to: **LWVFA** and Mail with reservation form to:

2009 General Meeting, 11020 Burywood Lane, Reston, VA 20194

Name _____ Lunch @\$31 ea. _____

Phone Number & E-mail _____

Guest(s)'Name(s) _____ Lunch @\$31ea. _____

Total \$ enclosed _____

For special dietary needs or questions, call Viveka at 703-404-0498



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Sherry Zachry, President
Ron Page, Editor
Mary Grace Lintz, Coordinator

The League of Women Voters is a nonpartisan political organization that encourages the public to play an informed and active role in government. At the local, state, regional and national levels, the League works to influence public policy through education and advocacy. Any citizen of voting age, male or female, may become a member.

LWVFA MEMBERSHIP APPLICATION

(Dues year ends June 30th.)

Membership Category: Individual \$55 ____; Household (2 persons–1 Bulletin) \$75 ____; Advocate Member \$100 ____; Student \$27.50 ____ (Coll. Attending ____)

Membership is: New ____; Renewal ____; Reinstate ____; Subsidy Requested ____

We value membership. A subsidy fund is available, check block above and include whatever you can afford.

Dues are not tax deductible. Tax-deductible donations must be written on a separate check payable to LWVFA Ed. Fund.

Please Print Clearly!

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Thank you for checking off your interests:

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<input type="checkbox"/> Fiscal	<input type="checkbox"/> Environmental Quality	<input type="checkbox"/> Human Services	<input type="checkbox"/> Other (Write in Below)
<input type="checkbox"/> Public Libraries	<input type="checkbox"/> Land Use Planning	<input type="checkbox"/> Judicial Systems	
<input type="checkbox"/> Transportation	<input type="checkbox"/> Water	<input type="checkbox"/> Juvenile Problems	