

# Hidden In Plain Sight

*The History of Charlottesville and the August 12, 2017 Riot*



Blair Hawkins

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## *Introduction*

Thank you for reading my first book. I hope it's a launching pad for many more.

What do I have so special that anyone would want to read this book? My Super-power is my ability to see things in plain sight that others cannot see. Then I report on it. My critics will say my ideas are fringe and my conclusions are far-fetched. What is my source for that extreme view? The same public forums, newspapers, books, government documents that everyone else uses.

When the Kelo decision came down in 2005, people called me and approached me to say... Hey, you're not as crazy as we thought you were in your 2003 campaign for House of Delegates on this issue. We thought you made up all those claims you had about Eminent Domain.

My alter ego is Super-Blair. I have Super-vision in 3 areas: public meetings, places, documents.

For example: Where did I get the notion about the illegal Habitat houses in 2005? I was quoting a planner and the city attorney at a regular public meeting. When my critics say I made it up out of thin air, I play the video and point to the real estate deed showing the middle-man needed to facilitate the property transfer. I don't know why the paid media cannot see some things.

I'm Blair-voyant. Where you see a vacant lot or parking lot or super-block, I see what was there before. I can show old pictures, deeds, obituary, newspaper article. Now magically you can see it. Not only what was there before, but the process by which that something acquired the status of nothing.

I also have Semantic Super-power. I can deconstruct words into denotation and connotation, to reveal the true meaning of the statement and the context. I see how rhetoric works and demagogues operate. For example: "Racist against Christians" seems to make no sense. You mean the double standard but not the skin color. Why not say biased or bigoted? Because racism has a greater hierarchy of emotion and social status. The ends justify the means. It's what you have to say for religion to be protected like race is protected.

Once I show the hidden reality, then you can see it. It's like two people writing a report on the same book. One report has only positive points. The other report is only negative. Both reports are true. Other book reports may have a mix of good and bad. It's why we archive documents so future students can see what was once invisible to so many. It's how I can see the socialist loophole in the middle of the Bill of Rights, hidden in plain sight.



It's like learning a new word. You start to see and hear the word in use everywhere. The word was always there but invisible to you. Now your eyes are opened a little bit wider.

Chapter 10 demonstrates the phenomenon. With 6 years left on the lease in 2011, Kmart loses 110 parking spaces because of a 1.5-acre mistake when constructing Hillsdale Drive and Whole Foods. The landlord pays City Council and the City Attorney to seize the disputed area. Act of God: Eminent Domain. I talked about it on the Rob Schilling Show on WINA radio. A national watchdog group archived the abuse. Because I excerpted from the City website, you can see what's really going on, what was hidden in plain sight in the Kmart parking lot.

While most chapters deal with long-term, over-arching issues, a few stories are simple accounts unknown to the modern public. I include them to show that not all issues are epic.

Chapter 7 is the legendary Madam Marguiretta de Crescioli 1922 to 1951 in her 1861 opulent brothel. In Charlottesville all roads lead to urban renewal and prostitution. The 1972 demolition and the money stashed in the brick walls saved this history from being lost and forgotten.

Chapter 8 shows the recurring theme of lost history that is unrelated to urban renewal...except for traumatic memory loss, or future shock. The YMCA appeared to have no history on Google until last year when Blair's Magazine (that's me) published an accounting. Since then I have learned of the black YMCA in newspaper archives shared by Preservers of Daughters of Zion Cemetery, for affluent or society blacks, the most visible relic of the Golden Age.

Chapter 9 is the Elks Lodge. I was able to include the Black Elks Club. That was the age of private social clubs who performed the charity work, before the double standard of non-profits.

Another theme is the unintended consequence of a good intention. Growing up on the poor bulldozed side of town, I see the bigotry of "poor service." I see why people are ungrateful for your help.

For example: housing charity will help you and fix your leaky roof. The charity says, this repair would normally cost \$10,000 but we will do it for \$1,000 and you must pay the tax on the \$9,000. Because you're poor, you can't get a bank loan. The charity will give you a loan.

The affordable housing report to City Council scheduled for February 5, 2018 has been taken off the agenda. It showed that the housing charities are charging for repairs the fund is supposed to pay for. The charities place the poor in a permanent disadvantage by placing a lien on the property to collect back the equity the roof repair added, so the property can be affordable to future owners.

Help is when you are the same or better off than you were before the help.

The corrupt social program Medicaid has been in the news. Some politicians oppose expansion because of future unfunded mandates. Nobody talks about the studies that show statistically Medicaid has the same medical outcomes as no doctor. Medicaid is successful for healthy children. Adults on Medicaid live longer without the Medicaid. I discovered the double standard last fall when UVA Primary Care scheduled my appointment for ten weeks in the future when the website says three business days. There already exists a Children's Health Insurance Program.

Chapter 11 shows how the history of the weather is lost to urban renewal. As a water official, you wouldn't want to talk about a drought 25 years ago. Someone might ask how you know about it.

All the chapters echo the theme of lost or hidden history. Some of it is documented to be suppression. But much revisionist history is accidental through abbreviation. You can't tell the whole story every time. For example: the 30-foot earthen dam compromise of 2011 was a decision made in two meetings separated by a month. Yet media have reported the decision was made on a single date.

There are two types of history. An event happened in the past. A tradition began in the past. Some people think the tradition of urban renewal exists in the past because a particular project occurred in the past. But urban renewal is very much alive with all the old pieces still functioning poorly.

When I decided to remain politically active after my certified write-in run for City Council, I chose the biggest issue that's invisible to the most people. Urban Renewal and Public Housing. I felt this issue had the greatest energy, the greatest voltage drop, the greatest potential to benefit me in the long run, the most amount of history I could make visible. So we can learn the policies that led former slave John West to develop Vinegar Hill.

In many ways, I was the unique individual who could undertake the daunting task of telling a more complete history of urban renewal, and thus of the whole community. I don't have a family to lose. Unmarried. No children. I don't own property or a business to lose. I don't have a reputation. I have nothing to lose and everything to gain.

What's it like writing mostly about one topic for 18 years? It's like writing songs. You have the same old musical clichés and lyrical clichés. When you find a new phrase (like "seize and sell"), you use it until it becomes a cliché. This is where you are most prolific and most inspired.

Like song-writing and practicing the guitar, it's a lonely endeavor except for the 3 Minutes of Attention, the public speech or time to read one of the articles. Also you can't predict which articles will be the most popular, have the most hits or reactions.

Sometimes you must play outside your genre, write about non-land use issues. Where I'm most knowledgeable and most rehearsed, the songs are good. But Super-Blair has his own limits and weaknesses. I'm good at reporting on rallies. But, as you can see last year, I'm not so good at reporting on riots.

Another weakness is I don't have charisma. I'm uncouth like Adam Smith, who wrote "Wealth of Nations" published March 1776. As a bestseller, he was invited to give talks and mingle with aristocrats. Smith was not good at eating in a formal public setting. His talent was clarity and ability of his soul to speak directly to your soul through the technology of a book.

The two most common criticisms I receive: Smooth out the rough edges to create a glossy image. And, Do something else. Some people can see the hidden reality once you show it to them. Others think you are hallucinating. It appears they are Gas-lighting you, seriously arguing that an obvious falsehood is true. Normally you would walk away but the job or school is forcing you to accept the cognitive dissonance, not letting you walk with truth.

Some people will read a book or watch a movie a second or third time, and see things they missed the first time. Others will see the same story every time. It's not that they're evil. If you knew what I know, you would feel as I do. No. Feelings are unpredictable and make us unique. We share the facts.

It's like cooking. Some people can only see the garnish. They know there's an entree, but who cares? While others consider the garnish a wasted effort to present a glossy image and detract from authentic substance. The garnish is discarded.

I have collaborated on a few political cartoons. But generally the collaborator, instead of making the message more clear and effective, starts to change the content of your message and photo-shop the images. They can't see what you can see. They are smarter and wiser than you. So their vision is the only true vision.

I'm familiar with the double standards your comrades try to impose. For example: You can only claim credit for a political prediction if you can prove the politician read your article. Newspapers don't have to prove a connection to be the first with the insight. Or, you must tell the entire story every time you talk about a piece of the story. Or, you must get permission for everything. It's the manifestation of their desire for status quo, that the poor remain poor, not able to profit from moxie like the wealthy do. It happens to be you on the receiving end of that double standard.

Radio host Michael Savage, who has written many books, tells the story of family reunions. The relatives ask how much money he earns per book. As if the book is a black box widget. There are pages inside? How much money do you make per page? My book targets customers who open the book.

History has themes, cycles, milestones. History is the story we tell about the past. So history changes every time you tell it. There is no holy grail, one single true narrative of the past. Like those two book reports, starkly different perspectives can both be true.

A milestone for this book was the 2005 Kelo case. Also the 2005 movie "Idiocracy" political satire. I feel like Joe Bauer, the unlikely smartest man in the world. I see what most cannot see. Before I got into politics, I thought my vision was normal. I didn't realize my Super-power. The smarter you are, the dumber you appear to stupid people. The hidden history is the true reality unfolding before your eyes. But you need a Super Hero to show it to you so you can see it to believe it.

Chapter 1 is intended to be a more inclusive narrative history, a more truthful account of Charlottesville from colonial days leading up to the August 12 rally to save the Robert E. Lee monument. The Unite the Right rally became a riot when 20 times more Antifa showed up to beat up Nazis. The May 2, 2017 injunction goes to court again January 31, 2019.

It's the full historical context City Council is searching for. Hidden in plain sight.

How did we get here? You mean... Why did it take so long?

## *Chapter 1: The Narrative History of Charlottesville*

After the riot at Lee Park on August 12, 2017, President Donald J. Trump said he wanted to study Charlottesville's history to find out what happened. Mr. President: This book is your study manual.

What can the President do? Ask the Department of Justice why Charlottesville is allowed to operate the segregationist At-Large city council system, illegal since 1965 Voting Rights Act. Why is the DOJ prosecuting some cities, but not Charlottesville? Chapter 3 goes into the opposition before and after the Commission government was adopted.

How did disenfranchising the black minority a century ago cause the race riot last year? Suppression of political speech and political participation. The Direct Democracy system was in full operation in the 1950s and '60s when Charlottesville citizens voted eight times to bulldoze neighborhoods by name. Talk about a red flag! The 1920s opponents warned us about it; as did the founding fathers. The Constitution is unable to stand against the tyranny of the majority.

We've been a powder keg for some time. The more pressure, the more people speak out, the more government must regulate speech. In January 2016 the City Council adopted new procedures for public comment for the stated purpose of bringing in new voices, and pushing out the usual suspects who complain and criticize. On January 31, 2017 the symbolic mayor Mike Signer declared Charlottesville to be the "Capital of Resistance" to the President and the rule of law.

Where are these new voices? They are the political minority shut out by the current system set up by Klan segregationists, a system used by many troubled cities still today. If Congress were At-Large, there would be no Democrats right now because they're not the majority. The political minority is where the new ideas reside. But they are shut out by the system desperately wanting them to participate. No compromise is possible because only one side is represented.

Dysfunction! The one thing the President can do for the greatest impact is to enforce the Voting Rights Act. The At-Large system was supported by the Chamber of Commerce as a way to run things like a business, silence any criticism, negative and constructive. No wonder business is held in low regard! The opposite of business is non-profit.

Now the nation, like Charlottesville, is in a state of lost history, traditions without roots or reason, wandering without purpose. We live in a time similar to the Dark Ages. The classic Greek texts were not lost, but unavailable for consideration by the public. When the knowledge is rediscovered, you have a Renaissance.

We are in an Age of Nostalgia for the good old days of the early 1900s. History goes in cycles. The economy boomed during the Golden Age of Race relations 1865 to 1917 Lee Park. You have the South Street Inn built 1856, and the 1861 sporting house of 7 rooms each with a private bath, that would become a famous brothel. Until the east-west rail came through 1849, Charlottesville was smaller than the towns of Scottsville and Milton.

Since World War Two, the economy has been contracting. Industry and business have moved away. Also the residential neighborhood tax base has been eroding. In 2013 we made another Top 10 List – the seventh fastest shrinking economy in the United States losing 2.2% – tied with Salisbury, MD and Pocatello, ID (247wallst.com). It's most visible driving north on Emmet Street and seeing all the vacant lots. Some people say it's turned around because of all the recent hotel building...in hopes they will bring back the economy that created a demand for hotels during the Golden Age.

In 2007 Durham, NC tied with Charlottesville as the worst place in the nation for blacks to get a sub prime mortgage loan (richmond.com). There was local outrage at the comparison. Having lived in Durham, I can see the cultural similarities where there doesn't seem to be a connection.

Now Charlottesville has the most expensive health insurance in the nation. We have the most expensive gasoline in the state. It's what the market will bear. There are differences, apparent discrimination. This book sees discrimination against blacks. And it sees discrimination against whites. Both narratives are true.

You can divide Charlottesville's history in different ways. Pre-slavery and post-slavery. Capitalism and modern socialism. The Progressive epoch versus the Golden Age. The rise and fall of black culture and black society. For the last hundred years the Progressives have attempted to turn the clock back to 1865, which you see in the Civil War monuments.

Others have nostalgia to turn the clock back simply to the Golden Age, to a time before the Progressives ascended to power.

The history divides between Direct Democracy of today and a district-based Republic style of City Council before the 1924 Lee statue. The many referendums point to a direct democracy At-Large system. The ability to vote on whose property to bulldoze and resell should send a red alert. The majority-only system is called segregationist because it creates Us versus Them. The district-based system is Us and Them. The majority still rules but the minority districts are seated at the table. Direct Democracy has only one giant At-Large district. The precincts prevent overcrowding at a single polling station.

What about race? There is nostalgia for the simple racism of the past. So Ku Klux Klan, Black Lives Matter, and Alt-Right have arisen in response to the complicated hierarchy of double standards in government institutions like public

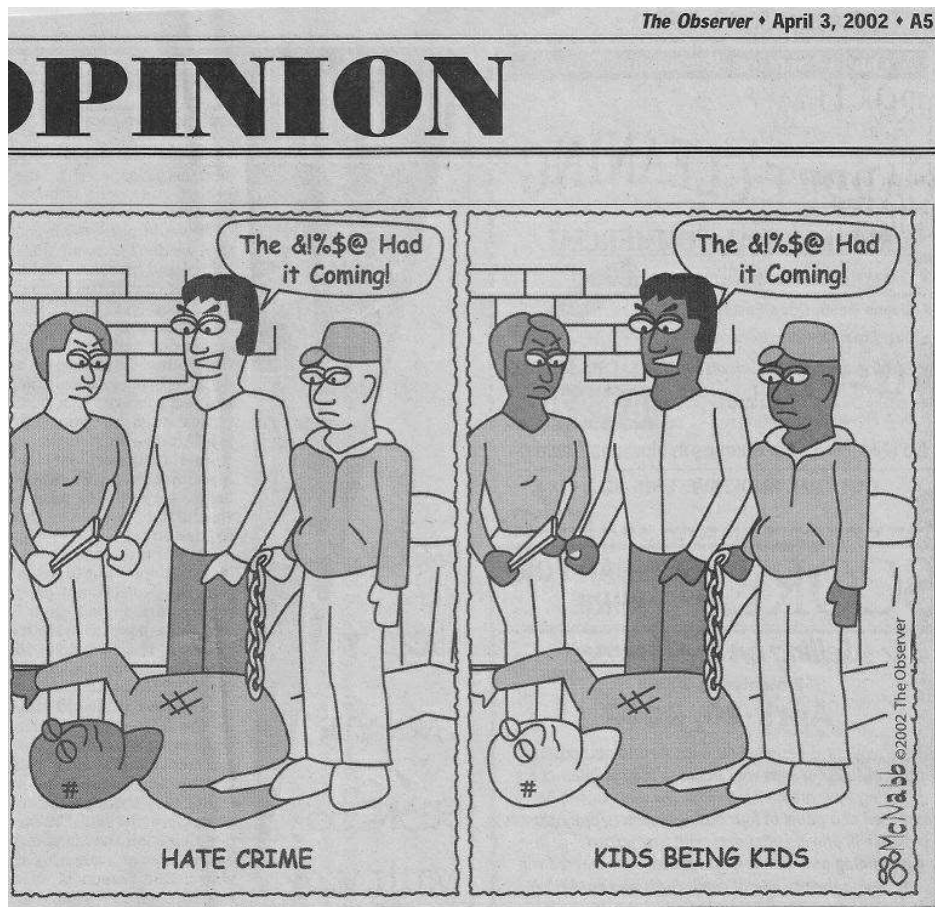
school, college, medicine, non-profits, taxes (7 brackets), Human Rights Commission (13 classes), voting (in how many languages?).

Of course Charlottesville's history is divided into White Privilege (pre-1958) and Black Privilege (1959 to present). When blacks became equal and NAACP continued to call for equality, NAACP became a racial supremacist organization. Words have meaning from context. Increasingly black groups are calling for racial segregation. Integration was the great social experiment in social justice.

Education began a steady decline as children of both races were subjected to social justice bigotry on a daily basis. When black students act out, the teacher looks the other way. When a white student acts out, he is punished doubly. Over-the-top bigotry is why education is held in contempt today and college has stigma. With daily violence, in plain sight, invisible to the administrators, I'm surprised there are not more school shootings and organized walkouts. Let the violent kid drop out. I understand the rise of gangs. At-Large is the biggest gang in town.

The Alt-Right came into existence to oppose the anti-white racism and anti-white violence supported by teachers, media, police, politicians and judges. We saw this in 2017 with the unequal treatment of the courts. If you make a thousand threatening phone calls to the police, you will be released from custody and charges dropped.

If you're a "white nationalist", you sit in jail without bail. In 2002 the black gang led by a high school football player made national news for attacking UVA students if they looked white or Asian. Letters to newspapers called for racist preferential treatment for the attackers. Maximum punishment was house arrest. Ten years later the same thug was back in the news for violence. In 2017 he is arrested for robbery at age 33. The thug's character is invisible to the modern justice system. The political anger (from fear) is still growing in response to growing double standards.



The unprovoked black violence present every day is a government policy. There are specific court policies and school board policies that promote racial violence. In 2013 the Mayor of Charlottesville shut down City Council when speakers started to say most violence downtown is black gangs targeting whites. With social media and technology, the absurd lie of the Blue Ribbon Commission and City Council, that black victimization and white privilege are as bad as ever, has been discredited.

The recorded history, hidden in plain sight, shows a hotbed of anti-white, not anti-black, bias. The Blue Ribbon Commission told of the 1898 lynching of a black man with a long criminal record. But there's no mention of a white man with a long criminal record being lynched in 1882. The Charlottesville mayor was hanged in 1905 for murdering his wife. Two white hangings and one black hanging are interpreted as widespread lynching of black people. In the newspaper, lynchings and riots occurred every day. But not here during the Golden Age of Charlottesville roughly between the Civil War and World War One.

There will always be at least two narratives for any story. We already have one of them in the news media. The Violent Unite the Right Rally of August 12,



2017. Huh? They came down here and attacked themselves. Rocks and urine fell out of a clear blue sky.

The mainstream narrative is like reporting on a boxing match where you can only name one of the boxers. The Alt-Right takes a punch to the face! To the ribs! He's down for the count! Match is over. Who won? We usually forget the names of the losers. But not in this upside down world.

There is an inclusive narrative that the "white nationalists" were attacked by "white globalists" from across the country, paid by George Soros. The concept of volunteer versus paid volunteer is familiar. You see it on Election Day. Democrat volunteers are paid as if they were at their regular job. But Republicans actually have to be at work and are hard to find at the polls.

And most of the voters are paid through social programs and do-nothing jobs. So everybody's grumpy for fear they could be fired and the funding could stop for any number of reasons...like running out of other people's money. For every tax dollar that leaves Charlottesville, \$1.40 comes back. So City government is less responsive to local taxpayers. And they are swimming in surpluses, also called profits of a business-like Commission.

Yes. You were better off in that old drafty shack with a leaking roof. Your children were not in jail. And your grandchildren were not in foster care. The roof doesn't leak anymore but everything else is broken. Plus you're in debt-slavery to your benefactor.

The fake charity sees you as ungrateful. The charity workers become Antifa on the weekends, attacking you for opposing the bigotry in our institutions. And the affordable housing stock continues to disappear as money pours in. Blight begins to grow everywhere. Even a brand new Landmark Hotel is uninhabitable. But it's not condemned because of double standards.

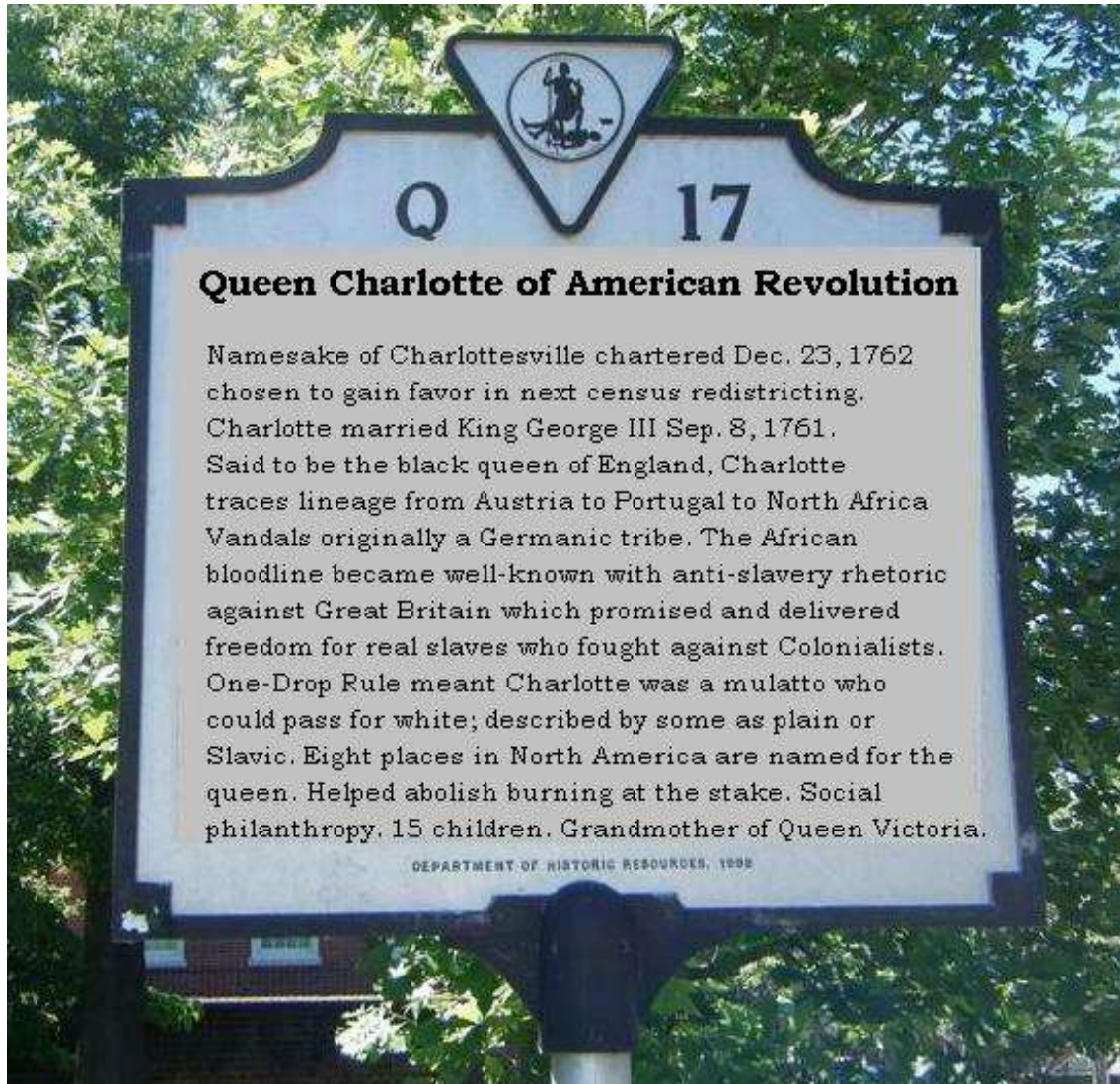
Here's the narrative history you've been waiting for.

## **December 23, 1762**

The town of Charlottesville is established and named after the mulatto monarch of Great Britain. The black Queen Charlotte married evil King George III on September 8, 1761. At this time only a few politicians knew of the queen's African bloodline. During the American Revolution, everybody knew about it. With a royal wedding of Prince Harry and Meghan Markle for May 19, 2018, more people learn about Queen Charlotte every day.

The name was chosen to gain favor with the crown for the next census redistricting as populations grew. In 1744 Albemarle was formed out of Goochland County with Scottsville the centrally located county seat. In its first formation, nine men owned 90% of Albemarle through royal land grants. That ratio continues until

1860 when a few plantations own about 90% of the slaves. The county was agricultural with tobacco at first, then food crops like wheat. Industrialization began with the Civil War.



During the American Revolution, a slave wrote two letters to Queen Charlotte asking for help. It was illegal for slaves to learn to read and write. There were free blacks. Blacks served in the revolutionary war on both sides. But slavery was the rule.

The historical trend has been greater equality until the modern era. The revolution extended civil rights to a larger group than ever before. The Civil War freed blacks. Women's suffrage was 1919. But egalitarianism began to reverse as new double standards were implemented.

The original 1762 town of 50 acres is the 4 columns on the right. Lots 1 through 56. Lots 9 and 10 between Green (1<sup>st</sup>) and Church (2<sup>nd</sup> NE) become the home of Colonel Charles Venable, who recorded Lee's surrender at Appomattox. Venable's estate becomes Lee Park in 1917. The Lee monument is installed 1924.

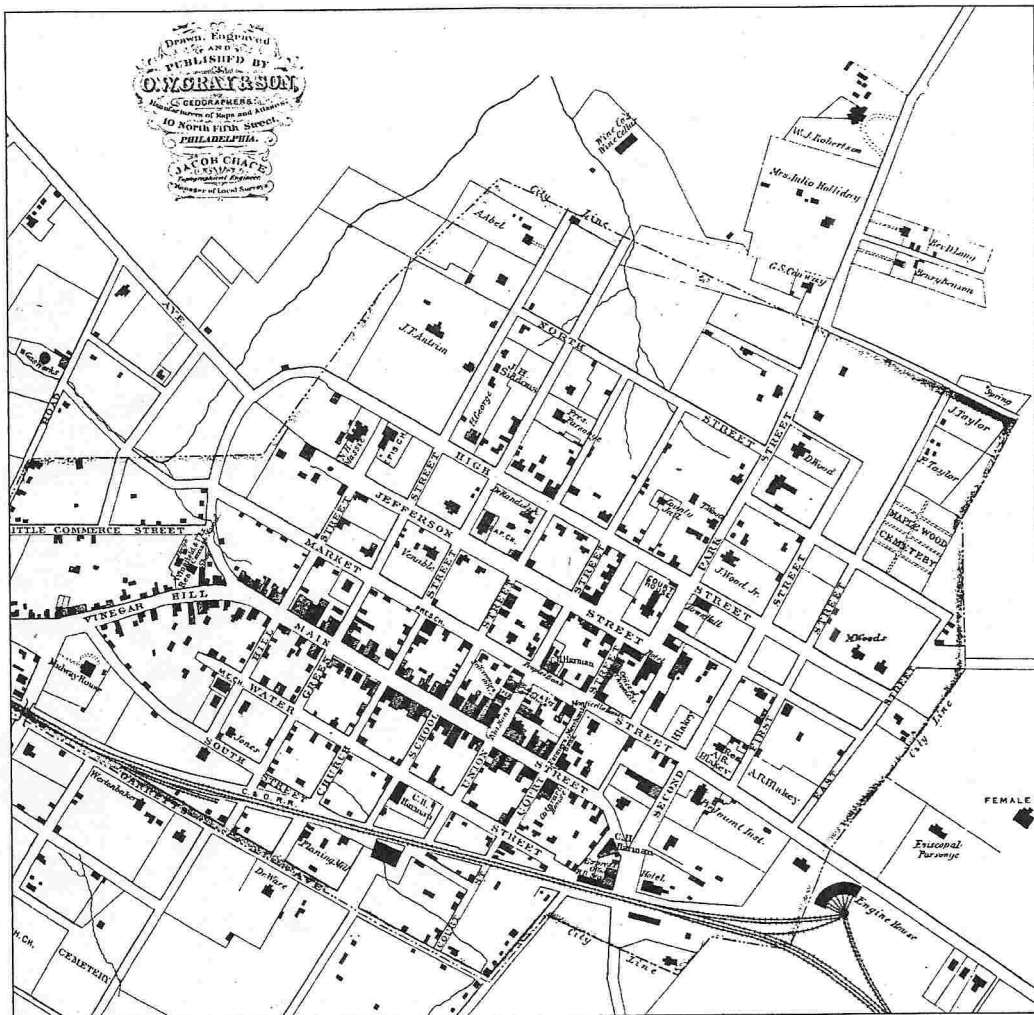




The 2 columns on the left are the new town addition of 1818. It shows the McKee block as lot 58 next to the courthouse. This block becomes Stonewall Jackson Park in 1919, the second public City park. The monument is installed 1921.

The streets were renamed as numbers to help tourists find their way around. First Street is placed west of the center of Old Town because Vinegar Hill extends downtown westward. Hill=2<sup>nd</sup> W. Green=1<sup>st</sup>. Church=2<sup>nd</sup> E. School=3<sup>rd</sup>. Union=4<sup>th</sup>.

Court=5<sup>th</sup>. Original 1<sup>st</sup> and 2<sup>nd</sup> are east of the old town. As late as 1877 the side streets keep their old names.



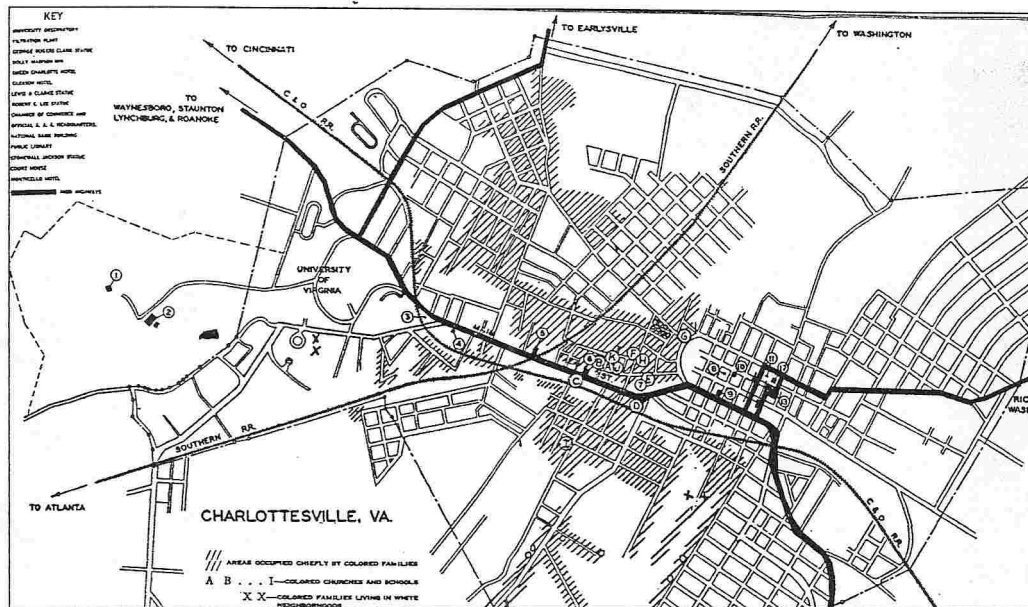
AN 1877 MAP OF CHARLOTTESVILLE/ALBEMARLE COUNTY. (Courtesy Albemarle County Historical Society.)

The 1877 map shows the McKee block where Jackson Park is located and the Venable block where Lee Park is located. Vinegar Hill is developing west of downtown. The rail yard east of downtown services the east-west railroad. An economic boom is taking place.

The town continues to annex northward, then westward and southwestward to the Fry's Spring Beach Club, far from downtown through the rural areas, connected by streetcar. Annexations are amicable because the town remains part of the county. When the town becomes an independent city in 1888, the county loses that territory and tax base. Thus begins the bitter city-county relationship we see

today. The largest, most controversial annexation was 1963. Chapter 12 addresses this issue.

Annexations become racially charged when the At-Large city council system is adopted 1924. Annexing the white suburbs dilutes in the inner city, old town influence. The proportional representation with black city councilors 1888 to 1924 is dropped. From now on, only candidates who represent the citywide majority will be elected. That continues today. No political minority can be elected to city council. Charles Barbour is the first black elected 1970 to represent the white majority. All the councilors represent the same single At-Large district.



MAP OF THE AREAS WHERE "COLORED" PEOPLE LIVED IN CHARLOTTESVILLE IN 1929. We

The 1929 map shows the growth and sprawl of Charlottesville. We are a 2-train station town. The heavy lines show truck traffic from Monticello Road through downtown Main Street, highway US 250, 3-chopt road.

During the age of rapid growth, a somewhat integrated residential pattern arose. On any given street, a block or section could be white or black, or alternate. Some streets were either mostly white or mostly black. That was fine until the 1915 Klan film “Birth of a Nation.” The Progressives took over Charlottesville much like Antifa have taken over today. They took over the Chamber of Commerce 1913 and led a decade-long push to disenfranchise the blacks under the “new” business-like majority-only system. Today the Chamber of Commerce is a fascist non-profit, not a legitimate business.

Ever since, the Charlottesville government has been trying to re-segregate. Zoning was adopted to impose residential segregation, strongly supported by the

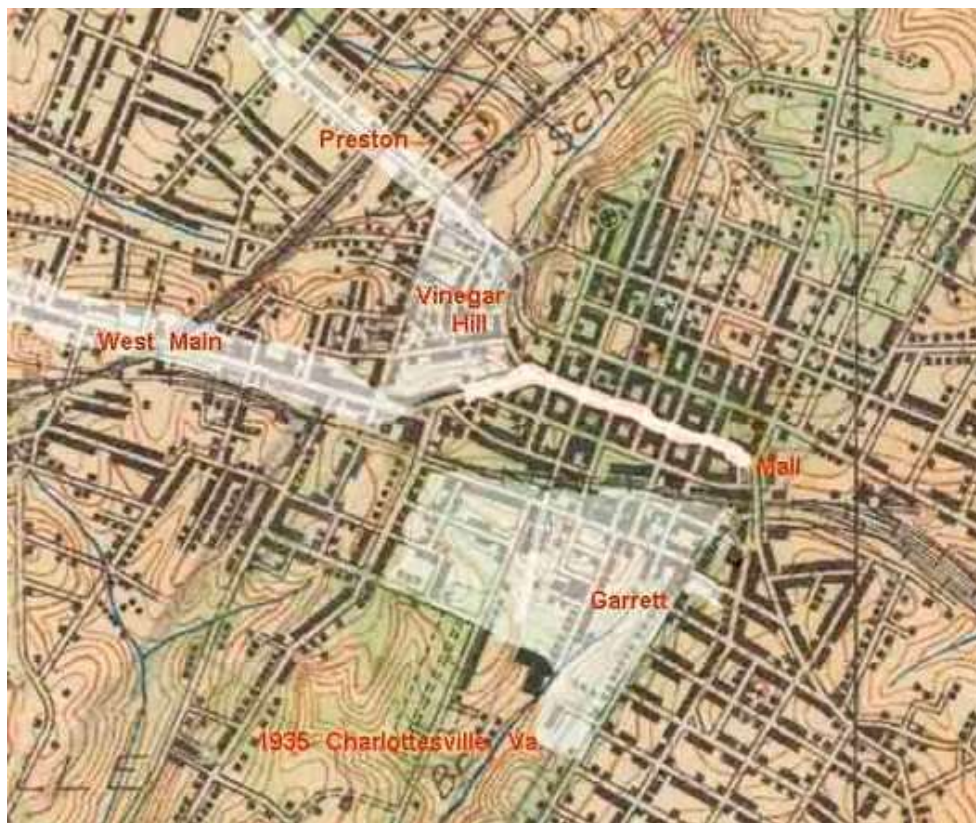


Chamber. The purpose of zoning is to create conformity and uniformity. Zoning was fought everywhere until a 1927 Supreme Court case settled it once and for all. Some people say zoning began the modern decline of America due to the bigotry of double standards.

In 1929 it's all about race. As a result of the Belmont compromise at 6<sup>th</sup> SE, blacks lived on one side and whites on the other side of the same street. South of downtown you see a white area surrounded by blacks, and blacks live in the white area. This is the 1915 Ware Street subdivision, bulldozed 1977 to become Garrett Square / Friendship Court. The 4<sup>th</sup> Street extension south of Garrett Street was renamed Ware Street. The 1929 Ix textile factory was located at the dead-end.

The other area of blacks living in a white area was south of the University Lawn or Academical Village. Thomas Jefferson intended for the Rotunda to have an unobstructed view, open to limitless possibility and sunshine. Rumor is that Cabell Hall was built to hide the slums in the distance. Today they wouldn't hesitate to use Eminent Domain. So Cabell Hall is evidence that blacks once had greater property rights than today.

Charlottesville is less diverse today than a hundred years ago.



The 1935 map shows the growth and development. It shows the 2 biggest of many urban renewal projects to come – Vinegar Hill and Garrett Street. The

modern theme is lost neighborhoods. Preston Avenue is lost in the mid-1960s to eminent domain for a 4-lane 4-block highway to nowhere. Again the argument is made that grant money forces us to bulldoze something. There's no grant to preserve anything. We have no choice but to take the money.

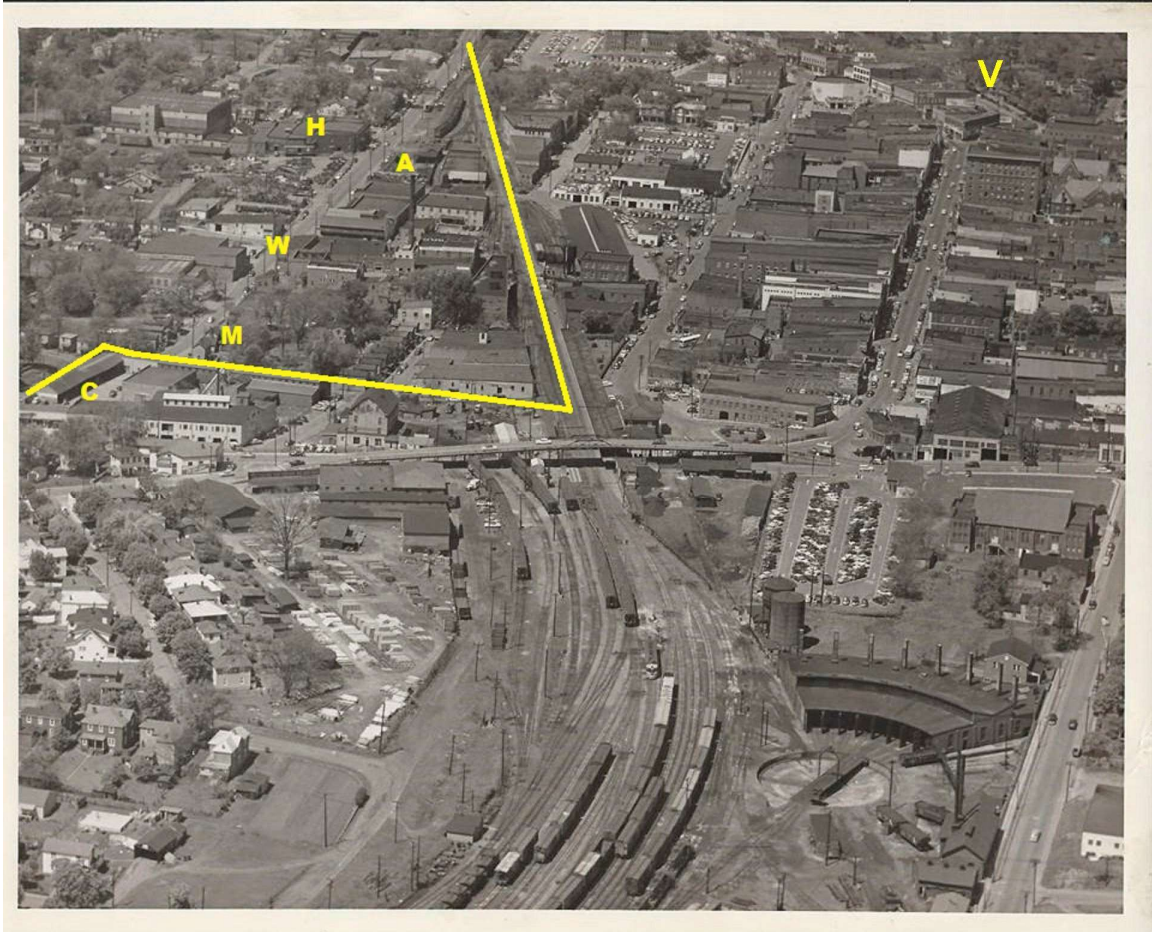
The decline of West Main begins in the 1950s with new zoning codes nobody can comply with. Grandfather clauses are not allowed. Queen Charlotte Hotel, with an elevated walkway from Union Station to the front door, has to close. Hotel after hotel closes. Why not blame the economy?

City council expects another economic expansion, but it never comes. During the 1970s demolition madness, many West Main buildings disappear. Now it's the site of several new, large hotels and apartment buildings.

The Downtown Mall was a government program whose stated purpose was to cleanse away the existing businesses. In 2006 the men behind the mall explained at a forum how it took 20 years to force people out, not the 10 years as expected. The Mall was approved with only 40% of City Council (2 people) voting Yes. Three councilors abstained.

From the elevation contour lines, you can see there was Oak Hill and Alto Street in the Garrett Zone. The Garrett urban renewal is the most dramatic and the most controversial part of urban renewal. It's the biggest, most invisible local history hidden in plain sight.





This 1950s map shows that Water Street was not always parking lots. You see Vinegar Hill upper right and Main Street. You see at top-center the L-shaped parking lot of Midway, the former high school 1893 to 1940 Lane High, and elementary school 1893 to 1916 McGuffey School.

The 1961 Belmont Bridge is shifted to the near side of the Herman Key Recreation Center, 1931 National Guard Armory. The parking lot becomes the Pavilion for Fridays After Five in 2005.

Left of the yellow line is the vast Garrett urban renewal zone invisible to so many people today. (A) is site of Alexander Garrett's 1825 house torn down privately in 1952. (W) is Ware Street or 4<sup>th</sup> Street extension, site of Friendship Court. (M) is somewhere near Marguiretta's brothel. (C) is the 1893 Charlottesville Lumber, renamed Better Living 1968, moved out of city 1981, torn down 2010.

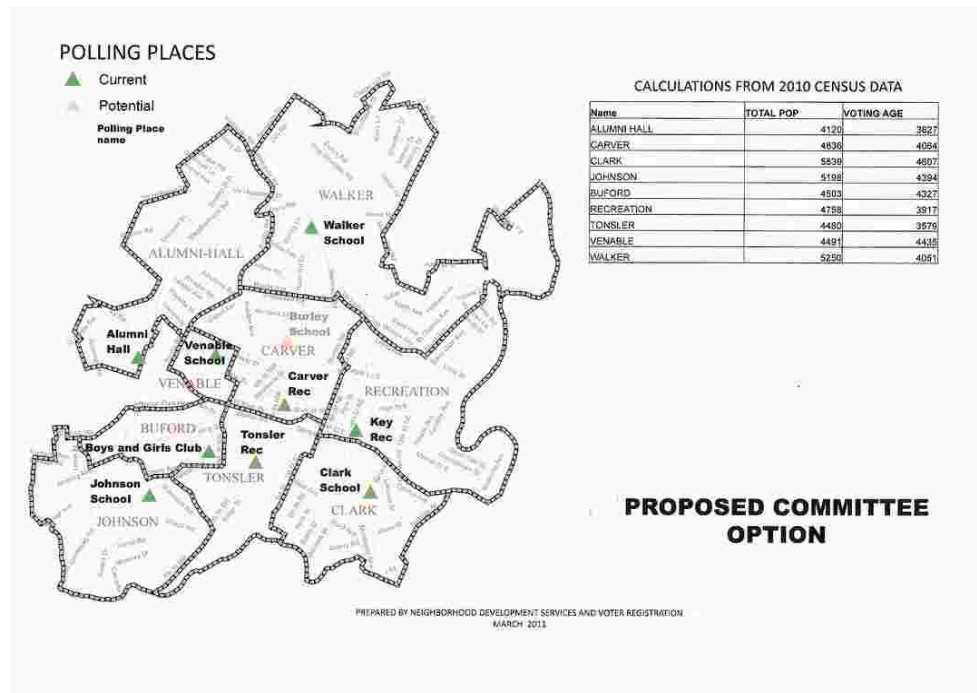


This political map shows the voting precincts. No one has been elected from a precinct or ward since before 1924. In Charlottesville's At-Large system, there is only one district with 5 representatives. The polling locations prevent all the voters from over-crowding a single spot.

The yellow numbers represent the original 4 wards or districts established 1888 when the town became a city. Under that system, each ward had multiple representatives in a bicameral system modeled on the federal system. With each annexation, the symbolic ward was simply extended geographically.

The 1963 annexation was so big that the 4 voting wards were divided into 8 voting precincts. Still nobody is elected from any precinct. The City has only one electoral district and five councilors to represent that single citywide district.

The elected school board was established in 2005 as an At-Large body. The school board has only one district from which 7 members are elected to represent the same single district. No school board member represents any precinct, ward, or school district.



After ignoring 4 efforts to update the precincts, starting with the 2004 Taskforce on Council Representation, the 2010 census forced City Council to add a precinct and balance the population among the 9 precincts. However, in Charlottesville there is only one electoral district. All 5 councilors and all 7 school board members represent the same district. At-Large is the opposite of diversity.

You see the western city limit has changed. The older map did not recognize that the University of Virginia campus remained in the county as the city annexed outward. While some argue that county property within the city is county territory and was never annexed, no document has been found to show that. This map does not show it.

### March 3, 1865

Liberation Day. Charlottesville surrenders to General Custer's advance from the west to prevent the burning of the university, town and crops.

What if you were a black person on this day? How do you feel? In 1860 there were bloody spectacles of torture and lynching as the white minority feared a slave revolt. But now all the alpha males are dead. 22,000 war casualties came to Charlottesville, twice the county population.

You wanted to be free. You wanted retribution for the mean, violent slave drivers. But did you want the burning of cities and crops throughout the South? Did you want civilian women and children to be killed? The more the North used

slavery to justify the atrocities, the more resentment grew toward former slaves. Unrest began to stir in the South.

But in Charlottesville, the Golden Age was unfolding. A booming economy. Full employment for whites and blacks. Economic expansion. New schools. New suburbs.

Blacks were allowed to own real estate. Former slave John West, one of the black real estate speculators, builds Vinegar Hill as a haven for freed slaves. By 1894 Jefferson School moves here from West Main and Booker T. Washington visits Vinegar Hill. Land ownership is declared the black man's path to civil rights.

Only in 1954 is the new direct democracy able to chip away at the property by using eminent domain of direct popular vote, and later, by routine legislative votes. Seizing property requires only one surprise vote. But selling public property requires two separate readings. The double standards of the procedures are quite visible at every meeting.

It's a constant reminder of how much bigotry Charlottesville has internalized, institutionalized, and metastasized.



# MAILBAG

*mailbag@c-ville.com*



## CHARLOTTESVILLE SURRENDERED

On 3 March 1865, a delegation led by Charlottesville mayor Christopher H. Fowler and University of Virginia professors Socrates Maupin and John B. Minor and rector Thomas L. Preston waited here for victorious Union cavalymen to arrive from Waynesboro. Waving a white handkerchief on a cane, they surrendered the town and university to Maj. Gen. George Armstrong Custer and his Third Cavalry Division. They asked that the university be protected, "for it would always be a national asset." Custer agreed and posted guards on the grounds during the three-day Federal occupation of Charlottesville.

May 21, 1924

While the Klan tried to co-opt the Robert E. Lee statue, the monument committee went to great lengths to include a black speaker and denounce the KKK. The monument has come to symbolize the racism of the current At-Large direct democracy city council system.

So Lee Park is like Jerusalem. It has strong meaning to different groups.

ESTABLISHED IN 1892—NO. 10,610

CHARLOTTESVILLE, VA., WEDNESDAY AFTERNOON, MAY 21, 1924

## LEE STATUE IS UNVEILED

**A Monster Parade Precedes Exercises**

**THOUSANDS IN LINE**

Procession, Starting on Fourteenth Street and Ending at Lee Park, Moves in Two Divisions—Five Bands Furnish Music—Great Crowd of Interested People Gathered at Scene, With Emotions Kept at Spirit of Occasion. Judge B. T. W. Duke, Jr., Presides, and Prayer is Offered By Dr. George L. Petrie, One of Few Surviving Chaplains of Confederacy.

According to General Humphreys, the Army of Northern Virginia, in the last year of the war, numbered 61,553. If the estimate of Major-General W. B. Freeman, of Richmond, is near the truth, more than 58,000 of this total have been mustered out by death, for he places the number of Confederate Veterans now living in Virginia at 3,500. Age and attendant debility have vetoed the desire of many of these to attend the event of today, the unveiling of the Shady-Lentell equestrian statue of General R. E. Lee, their supreme leader in war and the succeeding peace. Nevertheless an Confederate occasion limited to Virginia veterans has drawn together a larger proportion of the living veterans and with them an equal total of non-veteran participants. It is the

(Continued on Second Page.)

**NO VERDICT YET IN DAVIS CASE**

**LEE'S BODY GUARD**

Rev. William McK. Lee, colored, who served as body guard to General Robert E. Lee, is attending the Reunion, and attracts much attention. Lee delights in gathering about him a crowd of young people who enjoy his songs and brief reminiscent stories. He was the center of an interested group on a corner near the Y. M. C. A. this morning.

**Introduction of Rev. M. Ashby Jones, D. D.**

In introducing the orator of the day, Dr. M. Ashby Jones, of Atlanta, Dr. H. W. Battle said:

Mr. President, Ladies and Gentlemen:

This is indeed a great hour in the history of Charlottesville and of Virginia.

This vast gathering is composed of elements that would make any occasion great:

Confederate Veterans, cherishing deathless devotion to a cause as precious to them in old age as it was when, in glorious youth, they trod, with the proud bearing of kings, though it may be barefooted and in tatters, battlefields forever redolent with the fame of Lee and Jackson! Sons and Daughters of the Confederacy—their noblest heritage decent from such men as are these venerable fathers; their supreme task to keep the record of Confederate heroism free from the strain of calumny! Veterans of the World War—our boys! Virginia's boys! Just the same on the battlefields of France that their fathers and grandfathers were at Chancellorsville and Gettysburg! Children from our schools—whose young voices in acclaim of those ideals of honor and duty, dearer than life, which, embodied in



Gen. Robert E. Lee's Statue, Unveiled This Afternoon

April 15, 1954

The first day of urban renewal. A direct democracy referendum authorizes Eminent Domain to seize and sell real estate for the first time in City history. The Housing Authority becomes so controversial that City Council starts to claim CRHA is an independent agency, separate entity, quasi-pseudo government business. Those claims were repeated at the most recent City Council meeting.

In fact the Housing Authority has always been a City department, much like the police department. Council does not control the day-to-day operations usually. The department receives outside funding and grants. Yet it is a local agency, as stated by Resolution 1313 on December 20, 2012 passed by all 7 commissioners appointed by City Council. Yet you still hear the myth that CRHA is a rogue agency beyond the reach of the law or City Council.

A simple referendum can abolish the Housing Authority just as it was created. It doesn't matter how many times the Council or Commissioners claim the urban renewal agency is beyond the reach of the people.

ESTAB. 1892—NO. 20,297

## Housing Body For City Voted By Slim Margin

### Proposed Authority Wins Endorsement By Only 36 Votes

Charlottesville voters yesterday approved establishment of a Re-development and Housing Authority here by the narrow margin of 36 votes in a climax to five years of effort to get a slum clearance and low-rent housing program organized.

The official tabulation of the ballots as recorded by Corporation Court Clerk C. E. Moran this morning showed 1,105 votes for the authority and 1,069 against. The total vote of 2,174 was heavier than usual for a special election in which only one issue was involved.

The favorable vote means that Mayor William R. Hill will have to appoint five persons to serve on a housing authority. He said today he would name the members of the authority as soon as possible and would ask Council to approve his nominees.

#### Must Have Plan

The authority's first task, once it is appointed, will be to name an executive secretary and to begin work on a master plan for the development of the city. This plan, which would be an overall one for the city, would spot areas for slum clearance projects and areas for housing projects.

The plan, when completed, must have the approval of the City Planning Commission and the City Council. It is estimated that its preparation would take at least a year.

Once a plan has been approved, the authority will be in a position to seek federal assistance for a public housing project or to seek out ways to help the slum problem with the aid of private enterprise. If federal funds are recommended by the authority, Council must agree by entering into a contract with the housing authority. Without this contract the authority is powerless to negotiate with the federal government.

#### Rent Subsidies Opposed

#### Rent Subsidies Opposed

While the authority was approved by the voters, the closeness of the balloting could cause Council to go slow on any agreement leading to federal aid for housing. Most of the opponents of the housing authority objected mainly to the use of federal rent subsidies.

The city's four wards split on the housing question with the First and Third disapproving and the Second and Fourth voting for the authority.

The First polled 400 votes against the authority and only 149 for. The Third was much closer, disapproving the authority by a vote of 153 to 131.

The Fourth—the city's heaviest voting ward—endorsed the proposal by a vote of 445 to 306 and the Second, with a vote of 380 to 210, gave it its biggest majority.

#### Code Proposal On Docket

City Council meets in regular session Monday afternoon but discussion of the housing authority was not listed on the docket today. How- (See HOUSING, Page 17)

## Housing

(Continued From Page One)

ever, a petition for a health and safety code, submitted by Hartwell P. Clarke, opponent of a housing authority, at the last regular Council meeting is docketed for discussion. Action on this matter was deferred when it was first proposed.

Francis H. Fife, who has served as chairman of three Council-appointed housing committees was out of the city today and was not available for comment. He has been working for the establishment of a housing authority here since 1949, and recently resigned as chairman of the Housing Referendum Committee, appointed by Council to furnish unbiased information on the housing law, in order to campaign publicly for a favorable vote in the referendum.

April 16, 1954

Charlottesville  
Daily Progress

The 1954 newspaper article credits Francis Fife as the one person who campaigned since 1949 to make sure the elderly would suffer in 2018 while living



in public housing Crescent Halls. Ironically Fife's name appears on the West Main Drewary Brown Bridge to honor civil rights, along with other opponents of Due Process civil rights.

Fife was not a simple citizen advocating for "decent housing." He was the president of People's Bank, which held most mortgages in the urban renewal areas. Fife drove the bank out of business, forcing a merger in 1963 to become the first incarnation of Virginia National Bank.

In recent years before his death, Fife would attend and speak at public meetings. He would give the impression that he recently moved to Charlottesville, and thus without any knowledge of local history or his own experience.

His wife Nancy O'Brien, mayor 1976 to 1978, has denied the 1977 clearance of the 1915 Ware Street subdivision, site of Friendship Court. Why would she not be proud of creating affordable housing?

Chapter 5 has the history of urban renewal hidden in plain sight. It's not just Vinegar Hill.

## **August 12, 2017**

The final milestone is a race riot.

The first race riot was on West Main near the City's first and most notorious public housing project, Westhaven permanent displacement housing for Vinegar Hill. At the time, the newspaper reported smashed storefronts on a hot summer's evening. In more recent years, public housing residents have used the old riot as a threat against the Housing Authority and City Council "if our cry is not heard."

The starting point for any countdown timeline is arbitrary. The community has been asking for a more inclusive history in response to all the history destroyed by the Housing Authority. But the June 5, 2000 public hearing to name a street after Sally Hemings was vehemently opposed because being a sex slave is no accomplishment, said Agnes Cross-White.

After the tremendous pushback, Mayor Virginia Daugherty shelved the idea. That's how a normal politician behaves. You act on the trial balloons that are popular. In 2006 Daugherty wrote a column about the African roots of Queen Charlotte, the namesake of Charlottesville. The 9<sup>th</sup>-10<sup>th</sup> Connector was named for Roosevelt Brown.

But Councilor Kristin Szakos is not a normal politician. In 2009 she called for the removal of confederate monuments because they symbolize the Jim Crow policies put in place about the same time as the Lee and Jackson war monuments.

There was tremendous pushback again. Szakos complained that the feedback was harsh. There was a letter-writing campaign. People spoke out in Public Comment. A normal politician would back off. But not Szakos, who wrote an anti-

black, anti-white letter to the Daily Progress condemning Thomas Sowell for being articulate, and for caring about white victims of black violence. Yeah. Shocking. True. Documented. Hidden in plain sight.

### Timeline leading up to August 12.

#### January 2016.

The Charlottesville Five. City Council changes the rules for Public Comment. Citizens protest the first Council meeting. As the year wears on, Jojo Robertson gathers signatures on a petition opposing the new speech restrictions. Eventually time would tell the true reason to suppress speech.

**WEATHER** High: 52° Low: 32°

**REALLY?**

**CHARLOTTESVILLE CITY COUNCIL**

## First meeting to be preceded by protest

Debate over campaign contributions could set the tone for politics over the next two years

BY CHRIS SUAREZ

It will be several weeks, maybe months, until constituents have a reasonably developed impression of how the new Charlottesville City Council functions, but its first meeting may be indicative of how politics will unfold in the city over the next two years.

Following the departure of Mayor Satyendra Huja and Councilor Dede Smith, Albemarle High School teacher Wes Bellamy and attorney Mike Longran for City Council as an independent in 2009 and 2011. He lost in his first campaign and then in 2011 withdrew two months before the election.

Signer will join Bob Fenwick, Kristin Szakos and re-elected incumbent Kathy Galvin.

In addition to choosing a new mayor at its first meeting, the council will be challenged by a protest outside City Hall that Paul E. Long has planned for the two hours preceding the 7 p.m. meeting.

The meeting may be an early barometer of how the council will respond to the city's long-standing issue of campaign money raised by the city, particularly the donations from prominent/wealthy individuals, professional associations and the Virginia Realtors Association.

Long takes issue with some of the campaign money raised by the city, particularly the donations from prominent/wealthy individuals, professional associations and the Virginia Realtors Association.

Some constituents say commercial developments continue to be approved against residents' wishes.

According to a news release, the campaign money raised by the city, particularly the donations from prominent/wealthy individuals, professional associations and the Virginia Realtors Association.

**REALLY?**

Bellamy Fenwick Galvin Signer Szakos

See **COUNCIL**, Page A5

blairhawkins.net #24 SUN JAN 3, 2016

#### May 2, 2016.

Blue Ribbon Commission (BRC) on Race, Memorials and Public Spaces is created. City Council appoints 11 members. The commission was asked to provide options how to tell the full story of Charlottesville's race relations and for changing the City's narrative through public spaces.

After losing a couple members, the commission votes 6 to 3 to keep the statues, rename the parks, and add historical context.

#### December 19, 2016.

The BRC presents the final 328-page report to Council. While omitting information relevant to race relations, such as the white man lynched in 1882 and the white mayor hanged in 1905, the report tries to justify the modern anti-white

racism, which is a cover for the ubiquitous anti-minority bias of the City. Council can't be called racist if they're equally nasty to all races.

**January 17, 2017.**

City Council reviews the report. Councilor Bob Fenwick bargains his vote for a second field house at the 1949 Tonsler Park and for an "equity package." Benjamin Tonsler attended the first Jefferson School 1865, returned 1871 as a teacher, became principal 1883 until his death 1917. When you examine the public spaces, you see they do indeed include African Americans. Court Square includes the Slave Auction Block across from Stonewall Jackson.

Here's the real complaint. The minority community feels like the At-Large majority has used the system to steal from the minorities. That is true. But more overt stealing is unlikely to generate prosperity or economic vitality. It's unlikely to trickle down to the victimized poor. More crime is likely to have the same effect as the earlier stealing.

**January 31, 2017.**

"Capital of Resistance." Mayor Mike Signer and Council declare open resistance to President Trump and to the rule of law. Charlottesville is a sanctuary city. In February 2018 the regional jail board just outvoted Councilor Wes Bellamy's desire to make the jail a sanctuary jail. The policy to notify ICE when a non-citizen is released is upheld for now. Like Szakos, Bellamy is also an outspoken racist.

**February 6, 2017.**

City Council votes 3 to 2 to remove Lee statue from Lee Park. Council votes 5 to 0 to rename both Lee and Jackson Parks.

**February 21, 2017.**

The fascist Antifa is in town to stay, feels right at home. A pro-confederate rally moves from the Free Speech Wall to Lee Park. Then the demonic chants, the bumping, the tussling, the grabbing of phones begin. The Antifa are well-funded and trained to provoke the protesters, then run off to file a police complaint. The magistrate honors the Antifa and denies equal protection to the statue supporters. Already the police and courts show how well practiced and entrenched their anti-white racism has become. The BRC report is absurd.

Candidate for Governor Corey Stewart is attacked by Antifa. Ever since, Stewart has been standing up to the thugs, including fascist Senator Tim Kaine. Conservative radio hosts were also present at the park that day with recording

devices. That's how the public first learned how dangerous and local the Antifa are.

During the spring and summer, there are numerous skirmishes. Antifa identifies an enemy in public having dinner, then posts on Facebook. In minutes thugs swarm and attack the citizen. The citizen is then banned from the business, not the gang who initiated the unlawful activity.



# 'Losing our heritage'



RYAN M. KELLY/THE DAILY PROGRESS

Republican gubernatorial candidate Corey Stewart, of Prince William County, framed by a supporter waving a Confederate flag, speaks during a rally outside City Hall in support of keeping the Robert E. Lee statue in Charlottesville's Lee Park on Tuesday.

## GOP hopeful Stewart rallies against Lee statue's removal

BY DEAN SEAL

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WED FEB 22, 2017

Roughly 100 people from all over the state descended upon Charlottesville's Free Speech Wall on Tuesday night — just ahead of a City Council meeting — to protest the removal of the Robert E. Lee statue from Lee Park.

Organized by Republican gubernatorial hopeful Corey Stewart, chairman of the Prince William County Board of Supervisors, the rally drew Virginia Flaggers and other Southern heritage advocates, many of whom have seen the City Council's recent decision to remove the statue as an affront.

"I'm tired of us losing our history and

heritage, basically," said Theresa Willson, a Hanover County resident toting a sign that read, "Confederate Heroes Matter."

"Every day we're losing it, and it's time to stop it."

As the crowd awaited Stewart's arrival, some of his supporters took to the stage and chastised the council's efforts to remove the statue, as well as the small contingent of counter-protesters who straddled the perimeter of the rally.

"Every generation has its fight, and our fight is this," said Jason Kessler, a conservative blogger who has derided the council and sought to remove Councilor Wes Bellamy since he unearthed dozens of offensive tweets written by Bellamy years ago.

Stewart became attached to the cause this month, after he joined Kessler when

he filed his petition to remove Bellamy from his seat. An attorney for Bellamy has since filed a motion to dismiss Kessler's petition, stating that Kessler has not offered any facts showing that Bellamy "misused his office or that any such misuse has had a material adverse effect upon the conduct of the office."

Kessler, continuing in his own speech to the crowd, said that "if the liberals are allowed to start destroying our history, they'll start with Robert E. Lee, they move on to Thomas Jefferson, they move on to George Washington, and soon, the entire basis of our society is going to be wrecked."

The lambasting of counter-protesters and supporters of the statue's removal was a common theme amongst the

### ONLINE

» Find more photos and a video at [DailyProgress.com](http://DailyProgress.com).

See **STATUE**, Page A9

**April 17, 2017.**

Council votes to hold a renaming contest for the 2 confederate parks. "Lee" wins the contest with 1,382 entries. "Jackson" is second with 1,355. These names were not responsive to the wishes of City Council. So Council chose "Justice" for Jackson and "Emancipation" for Lee Park.

(The naming process starts again February 20, 2018 except Lee, Jackson, Emancipation are not “appropriate” names.)

After ignoring the Blue Ribbon Commission and the naming contest, Council solicits 2 segregationist sub-committees to recommend some names. Parks and Recreation Board and Historic Resources Committee. They’re segregationist because the At-Large segregationist City Council appointed them.

### **May 2, 2017.**

Judge Richard Moore issues his first injunction to the removal of Lee or Jackson statues. Daily Progress quotes Councilor Szakos that the injunction is “temporary,” only for 6 months. (Scheduled for 2-day trial January 31, 2019.)

### **June 5, 2017.**

Council renames Lee Park “Emancipation” and Jackson Park “Justice.” No one ever suggested “Emancipation” as a possibility before Council pulled it out of thin air. (Restarts the process February 20, 2018.)

### **July 8, 2017.**

A North Carolina chapter of KKK rally at Justice Park. Antifa outnumber KKK by 20 to 1. The Klan is well-behaved. Antifa is pushed back, suffers a publicity setback. The police do their job for a change. The Antifa racist socialists are angry they are not allowed to stomp the Klan racist socialists.

Countdown to August 12. City Council denies, then grants, then denies Jason Kessler a permit for Lee Park. Council approves 2 permits, just to the northwest and northeast, for UVA professor Walt Heinecke at nearby McGuffey Park and Jackson Park as staging for Antifa to attack the Alt-Right.

Department of Homeland Security warns the President, local, state, and federal law enforcement that UVA has sent out a nationwide call for thousands of Antifa to descend on Charlottesville to beat up a hundred Nazis. Everybody except the media were well-informed of the slow motion crash unfolding.

### **August 11, 2017.**

The Tiki Torch March onto the bigoted UVA Academical Village. Antifa assemble at the Thomas Jefferson statue for a rumble while police stand down the night before the big stand-down. The July 8 performance of the police was an exception.

## **August 12, 2017. Saturday.**

I had planned to attend the Noon rally. But I watched it on the Live Internet feed first, and decided not to go. I could see starting at 11:30 that trouble was brewing.

The Antifa attacks were expected to come from the northwest (McGuffey Park) and the northeast (Jackson Park). But all the action was on the south side of Lee Park on Market Street.

I could see the corridor 10-foot demarcation by metal fence was not enough separation. Tactics of the counter-protesters are to throw objects, urine and feces into the peaceful crowd at some distance.

The whole world watched what happened. The police stood by as violence erupted. The police marched monument supporters into the crowd of violent counter-protesters. It was a state-sponsored riot, staged by Mayor Mike Signer and Governor Terry McAuliffe.

The rally was declared an unlawful assembly at the moment it was to start. An hour later, at one o'clock, all the Alt-Right has fled downtown and were live streaming their complaints on Facebook.

But the Antifa continued to riot. Again the whole world watched it on the internet. A helicopter hovered. Anti-riot troops were deployed on the mall. The gang moved over to the Water Street parking lots towards the giant urban renewal project.

Around 3:30 the mayor and governor finally get what they want. Someone dies and dozens are injured when a car, chased by a mob, crashes into a crowd. The helicopter, after hovering for hours, crashes upon landing, killing two state troopers.

The politicians quickly forget about the troopers. But they turn the car crash victim into a martyr. August 12 is the latest, new reason to curtail free speech and peaceful assembly of anyone who might be Alt-Right or white or nationalist or pro-Trump.

Like the 2005 Kelo case, suddenly more people can see the hidden reality as I have described it.

That night after the riot, emotions were running high. I may have saved someone's life on Facebook. People were comparing fuzzy smart phone pictures of the tiki torch brigade to the glossy register of UVA students and employees. Sure enough, some people resemble other people. The Facebookers thought they were targeting the Alt-Right for a righteous beat-down, a form of vigilante justice. I commented, someone's gonna get killed by mistaken identity. That post was taken down.

Since then, City Council has been taken over by organized Antifa. It's too dangerous to attend for anyone who may disagree with the mob.

A citizens' group Rise Cville has formed for a petition recall of the Charlottesville Five, the city councilors on August 12. Kristin Szakos finished out her second term. One-term Bob Fenwick did not win nomination of the Democratic Party. Mike Signer and Kathy Galvin will be up for re-election in November 2019.

Wes Bellamy will also be up for re-election. Bellamy has already survived a recall attempt. Bellamy was exposed for racist (anti-white) and sexist (anti-female) tweets he made while on duty as a teacher in Albemarle County. The At-Large mob has rallied around bigot Bellamy.

Two new At-Large councilors were elected November 2017. Heather Hill and Nicuyah Walker. They seem blind to the reality hidden in plain sight. They work hand-in-hand with the Housing Authority, but think they are completely separate entities. No city councilor was elected by a minority or precinct. So there is no political minority on City Council.

The City is trapped in a time warp.

After August 12, the City covered the Lee and Jackson statues with a black tarp, ostensibly a temporary "shroud of mourning." Temporary appeared to be permanent. Citizen activists, supported by the written law, took down the tarps a dozen times. The City quickly put the tarps back up.

Finally on February 27, 2018 Judge Richard Moore ordered the tarps removed.

**January 31, 2019** the judge will hear the May 2, 2017 injunction. Can the City remove the Lee and Jackson statues? The court already said renaming the parks is okay. And adding historical context is okay.

In December 2017 a 500-signature petition objects to the name Emancipation for Lee Park. On February 20, 2018 the renaming process starts all over. This time the names Lee, Jackson, Emancipation are not appropriate.

As it turns out, so far, the bad guys have won. Other narratives will emerge. The official narrative can be identified at City Council by applause and accolades. The disapproved narratives receive coughing and threats of violence. City Council is allied with the bad guys.

As I know in my lifetime, the era of urban renewal, many people have moved away. It's rare to find a Charlottesville native who lives in Charlottesville. We're part of the national diaspora of urban renewal. There have been numerous cycles where the At-Large majority has purged the voting minorities and seized their wealth.

That's what you would expect from socialism. The talk at City Council is all about equity and surpluses.

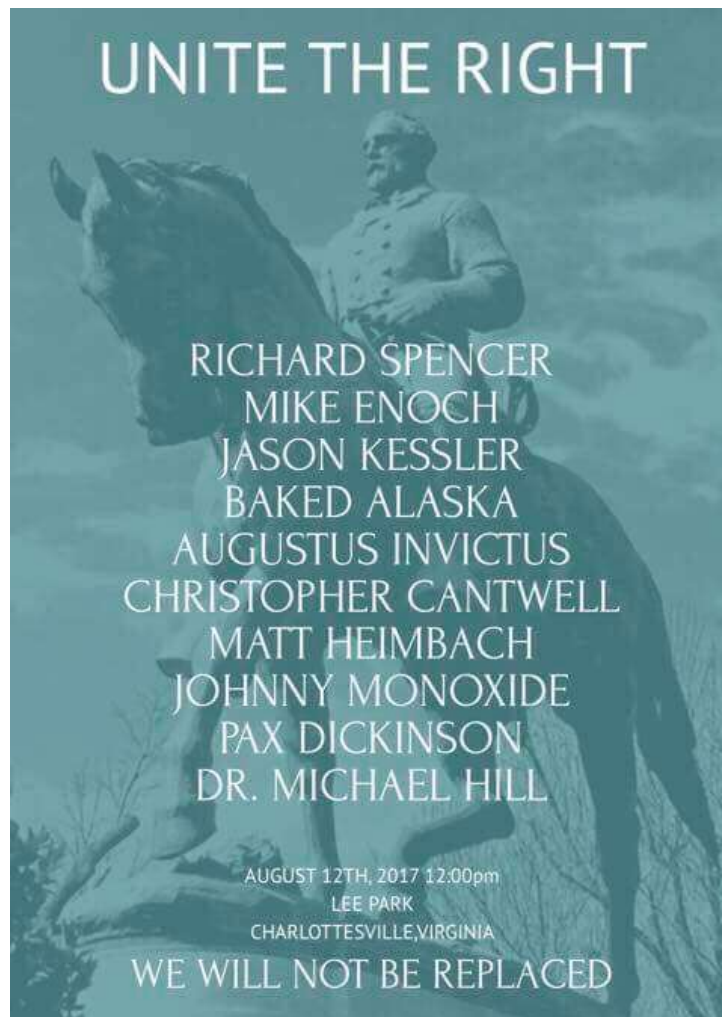


We're in a cycle of economic decline. But socialism has been used to turn around the economy. But the economy keeps getting worse. Maybe we need more urban renewal and more arbitrary rule. Maybe an annual riot will shake people from their complacency.

Far be it from me to smack you in the face with a harsh reality...

Hidden in plain sight.

*Chapter 2: Unite the Right Rally to Save Lee Monument.*



*Poster for Unite the Right.*

Charlottesville, Va. (Fri. Aug. 11, 2017) — The Alt-Right will rally in Lee Park on Saturday Aug. 12. The Alt-Left Antifa groups will stage attacks from the two parks on either side, McGuffey and Jackson Parks. The Left were granted permits without hassle. Two days before the event, the rally was approved Thursday after a lawsuit was filed.

The two groups had confrontations earlier this year in Lee park, resulting in arrests on both sides, including a candidate for commonwealth's attorney Jeffrey Fogel; harassment and death threats from Antifa circulated in social media and posted on downtown kiosks.

After the investigations, Antifa said they had been harassed by the police, who were trying to regain public trust after standing down for the initial conflicts. Downtown businesses, City Council, University of Virginia, Chamber of

Commerce, AirBnb and others have sided with the violent Antifa groups against racial equality and historic preservation.

In February politicians and radio hosts found themselves in a tussle with Antifa for the first time, and shouted down by a demonic chant lasting more than 30 minutes. If they had not been there, and no social media to show the reality, you would have to believe the mainstream media's narrative that the Alt-Right is the problem.

"Hey Hey Ho Ho White Supremacy's got to go. Hey Hey Ho Ho..." - Antifa.

Wait a minute. City Council has moved the Lee rally away from downtown to McIntire Park. The ACLU and Rutherford Institute are now defending the event organizer Jason Kessler's right to assemble at Lee park to redress the grievance of removing the Lee statue.



*Jason Kessler.*

The first response from City Attorney Craig Brown was to isolate Kessler as a lone ranger, and question whether ACLU and Rutherford were truly his legal counsel. This is the level of discourse of the establishment.

On May 3 a judge granted a 6-month injunction. The confederate monument is still under threat. On Feb. 6 City Council voted 3 to 2 to move the statue and rename the two confederate parks despite an online suggestion box where more than 80% submitted the names of Lee and Jackson.



*General Robert E. Lee since May 21, 1924.*

Monument supporters were willing to compromise and move Lee to McIntire Park. But City Council demands it be in a valley where no one can see it. Compromises to add other monuments and markers were also rejected. It's a raw purge of history based on perceived race.

Robert E. Lee Park was renamed Emancipation Park, the first city park donated in 1917 by local philanthropist Paul Goodloe McIntire. Stonewall Jackson Park was renamed Justice Park, the second city park 1919. McIntire donated 3 other city parks, Belmont, Washington; and McIntire Park at the US-250 Bypass where Council wants to move the rally. The 5 parks were racially segregated per deed covenant. Washington was the only park for blacks, about 40% of city population now down to 20%, which is down from 52% in the decades following the Civil War.

The monuments have different meanings to different people.

The supporters see them as symbols of the Civil War and southern heritage. The purpose of the statues was to focus the narrative back to 1865. The Lee statue was installed in 1924. Something happened between 1865 and 1924 that the monument was intended to obscure. The Golden Age of Race Relations. In many ways the Golden Age of Charlottesville.

The opponents see symbols of oppression, slavery, and the imposition of Jim Crow segregation by the Democratic Party. It's a virtue signal that you oppose white supremacy. It's bullying against a racial group justified by mistreatment of ancestors.

The vote was a political compromise for an Equity Package and a field house at 1946 Tonsler Park, named for former slave Benjamin Tonsler who attended the first Jefferson School in 1865, which inspired Virginia public schools 1870.

Tonsler returned as a teacher and became principal 1883 until his death 1917. He's buried in the 1873 Daughters of Zion Cemetery for affluent blacks, also called Society Cemetery. Their Facebook group is active in posting newspaper clips from the Golden Age, and shows the history the monuments were intended to deflect.

That scenario is repeating today with the Vinegar Hill monument, intended to focus the Urban Renewal narrative back to 1960, and erase the 80% percent of lost neighborhoods, business and industry under the same program that continues today. Council has been blocking publication of the public housing archives since 2007.

The 3-year fund-raising campaign for \$300,000 stalled at \$20,000 thanks to social media pointing out the effort to minimize urban renewal to only one project, and isolate blacks as the only target of eminent domain to seize and sell real estate.

City Council will now fund the Vinegar Hill monument and park. What history was the demolition of this neighborhood intended to erase?

The rise of black society and black culture. A reversal of the legacy of former slave John West, who became a wealthy land developer, the Rise of Black Real Estate Speculators. He built a neighborhood and business strip, and sold parcels to other black people, a haven for freed slaves. Land ownership transformed Charlottesville into a paragon of black empowerment, which attracted luminaries like Booker T. Washington and many others.

Where did the residents go when this neighborhood was cleared and put up for sale for economic development? Blacks went to Westhaven public housing, perversely named after John West. The white minority went to Madison Avenue public housing. Like zoning, public housing was used to re-segregate. The 20th century is a progression from better times to a shrinking economy, growing blight, and anger at the loss of civil rights by converting homeowners to renters, and literally driving out the employers. It's a modern theme of American cities.

How does home ownership reduce crime and violence? You put up your property as bond to bail your kids out of jail. They don't flee, and start behaving so you won't lose your house. You can bail anybody out of jail. The cheapest real estate is enough to post bail for most offenses.



But your public housing is worthless in this respect. A recent leftist activist group Cville Solidarity issued a list of demands to City Council. We demand more urban renewal, affordable housing, eminent domain to force homeowners into renting. The group also had 4 demands that urban renewal have only positive consequences. Specifically they called out the loss of civil rights resulting from loss of land ownership.

What does that have to do with the Lee monument? The statue was installed the same time as a new form of City Council, pushed by the Klan and Chamber of Commerce, designed to shut out voting minorities. In the At-Large system the same citywide majority on election day select all councilors every election. It's not the majority of registered voters, which required a referendum to change. If Congress were At-Large, there would be no Democrat Congressmen or Senators because the nation is majority Republican.

We still have this Klan system, which enabled the public stealing of real estate by the At-Large majority from the voting minorities denied representation. The 1895 Chamber of Commerce pushed the city manager government since 1913. It was opposed by a law suit and at least 2 mayors. The opposition warned that the business-like Commission government was a trick to steal land and disempower the blacks.

How right they were. The direct democracy majority-only system ushered in a new era of racial persecution. In the previous system, blacks were elected to the Council. After 1924 the next black would be 1970, elected to represent the white majority. Mayor Charles Barbour was a racial minority, but not a political minority.

The parks are different. They have been reformed and are no longer segregated. The public schools have been reformed and are now integrated. But the Klan City Council system has not been reformed despite several efforts to turn back the clock. NAACP referendums in 1981-1982. Commission on representation 2004. Commission on how to elect the school board 2006.

So there's historical pent-up frustration coming to a logger-head on Saturday. The establishment Left blame the Right for the Klan policies the Left strongly defends. They've called the radio to blame Vinegar Hill on the Republicans. City Council strongly opposes representation of voting minorities, which has grown to 80% of registered voters now excluded because of low turnout and nihilism.

Hence the unpopularity of erasing landmarks that point to the solutions of our problems today. And the silencing of dissent with new speech rules Jan. 2016. So the pressure has been building for some time.

Let's hope Saturday's rally is safe and releases some of the pent-up frustration.

UPDATE 4:30 p.m. eve of rally. Confusion is now a political strategy to disrupt the event. The peaceful assembly is approved if relocated to suburban McIntire Park. Awaiting court ruling on last-minute injunction to permit the rally at Lee Park. The buzz from the organizer and social media is people are going anyway. Police are preparing both Lee and McIntire parks. Some incident with an alt-right leader at our suburban Walmart is unfolding. The 2 Antifa groups are unhindered. Establishment media are publishing racist statements of resolve from the fascist groups. We must make sure the true history of this event is recorded for the future.

UPDATE 2:00 p.m. day after rally. Event organizer is scheduled to hold a news conference.

On Aug. 12 the police deliberately allowed the establishment Antifa fascists to attack the peaceful Unite the Right rally. At 12:00 p.m. rally participants fled the pepper spray, rocks, bottles, paint and other liquids tossed into the crowd. Hours later the Alt-Right were live streaming complaints to Facebook from their motel rooms while Antifa continued to riot. Other members fled to the suburban McIntire Park. Video of police moving in was filmed well after the Alt-Right had fled Lee Park.

One person died at the scene of a car accident which injured others. A helicopter crash killed 2 state troopers hours after the Alt-Right had dispersed. Criminal responsibility goes to Charlottesville Mayor Mike Signer, who has been silencing speech since he took office Jan. 2016. A year later in a similar, unopposed but illegal rally, the anti-American bigot declared himself the leader of the Capital of the Resistance to laws and President Trump. Charlottesville's hatred of history has put Blair Hawkins in a unique position as the only person who has the local history President Trump wants to study.

Blair's Magazine will request the President attend the next peaceful rally to save American history and the Robert E. Lee monument. To save the right to speak out and release political pressure, in order to prevent violence. The Mayor's felony act in opposition of First Amendment rights has caused the violence. The Mayor and city government should be compelled by court order to attend the next rally for racial equality alongside the President himself.

§ 15.2-1812

CODE OF VIRGINIA

§ 15.2-1812.1

**History.**

Code 1950, § 15-704; 1962, c. 623, § 15.1-278; 1997, c. 587.

**ARTICLE 3.  
MISCELLANEOUS.****§ 15.2-1812. Memorials for war veterans.**

A locality may, within the geographical limits of the locality, authorize and permit the erection of monuments or memorials for any war or conflict, or for any engagement of such war or conflict, to include the following monuments or memorials: Algonquin (1622), French and Indian (1754-1763), Revolutionary (1775-1783), War of 1812 (1812-1815), Mexican (1846-1848), Confederate or Union monuments or memorials of the War Between the States (1861-1865), Spanish-American (1898), World War I (1917-1918), World War II (1941-1945), Korean (1950-1953), Vietnam (1965-1973), Operation Desert Shield-Desert Storm (1990-1991), Global War on Terrorism (2000- ), Operation Enduring Freedom (2001- ), and Operation Iraqi Freedom (2003- ). If such are erected, it shall be unlawful for the authorities of the locality, or any other person or persons, to disturb or interfere with any monuments or memorials so erected, or to prevent its citizens from taking proper measures and exercising proper means for the protection, preservation and care of same. For purposes of this section, "disturb or interfere with" includes removal of, damaging or defacing monuments or memorials, or, in the case of the War Between the States, the placement of Union markings or monuments on previously designated Confederate memorials or the placement of Confederate markings or monuments on previously designated Union memorials.

The governing body may appropriate a sufficient sum of money out of its funds to complete or aid in the erection of monuments or memorials to the veterans of such wars. The governing body may also make a special levy to raise the money necessary for the erection or completion of any such monuments or memorials, or to supplement the funds already raised or that may be raised by private persons, Veterans of Foreign Wars, the American Legion or other organizations. It may also appropriate, out of any funds of such locality, a sufficient sum of money to permanently care for, protect and preserve such monuments or memorials and may expend the same thereafter as other funds are expended.

**History.**

Code 1950, § 15-696; 1962, c. 623, § 15.1-270; 1982, c. 19; 1988, c. 284; 1997, c. 587; 1998, c. 752; 2005, c. 390; 2010, c. 860.

**Cross references.**

As to penalty for injuring any monument, etc., see § 18.2-137.

**§ 15.2-1812.1. Action for damage to memorials for war veterans.**

A. If any monument, marker or memorial for war veterans as designated in §§ 15.2-1812 and 18.2-137 is violated or encroached upon, an action for the recovery of damages may be commenced by the following:

1. For a publicly owned monument, marker or memorial, by the attorney for the locality in which it is located; or, if no such action has commenced within sixty days following any such violation or encroachment, by any person having an interest in the matter; and
2. For a privately owned monument, marker or memorial, by the private

*Virginia Legal Code under review by the court.*

### *Chapter 3: Broken City Council Since 1924*

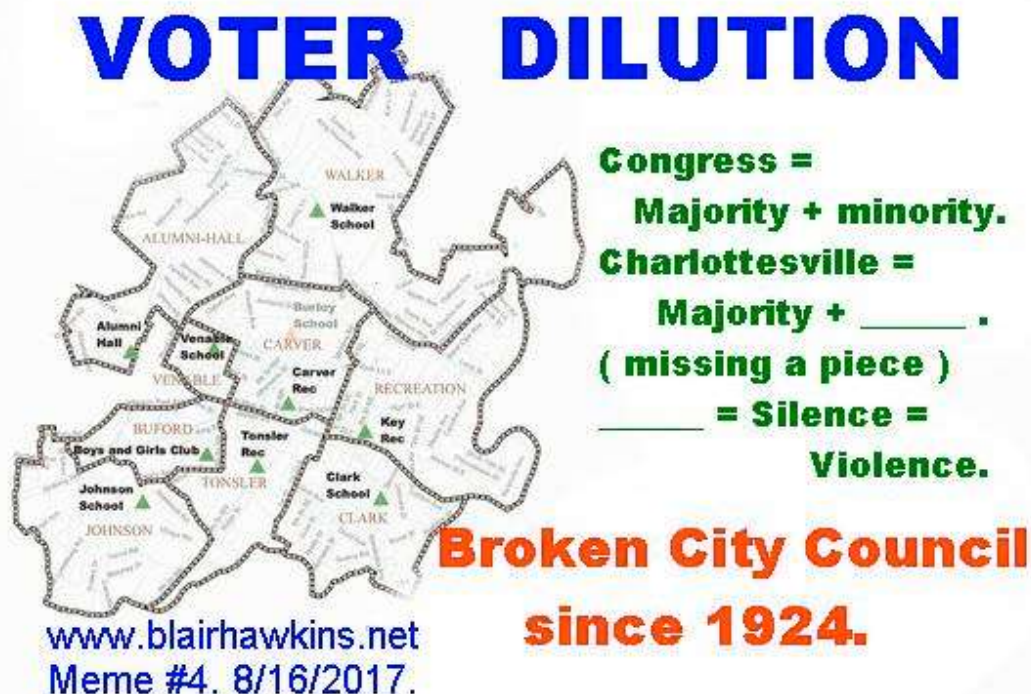
The National Popular Vote movement wants to convert the Electoral College from 50 districts to one national district to elect the President. Direct popular vote typically elects a town mayor. If Congress were At-Large, like some cities, you would have one giant district and every citizen would vote 535 times. The national majority would select all the regional representatives at every election. That's way better than the regional three we have now – one Congressman and two Senators.

The founding fathers thought the socialism of Direct Democracy was a terrible idea. The crime and decay of the big cities seem to be proof the Constitution delivers most when it's practiced.

#### **How To Fix Charlottesville's Broken City Council.**

Wednesday August 16, 2017.

The latest spin-off of Blair Hawkins' one-man 17-year anti-urban renewal campaign kicks off. It's the latest of several campaigns since the 1920s in the community to fix the broken city council.



Not only was the Robert E. Lee statue installed near the end of the Golden Age of Race Relations. This well-known majority-only system was meant to silence the 40% black population at the time. The system silences any political minorities. Most commonly today it's Latinos who are shut out from participation.

## **Why is Voter Dilution allowed?**

Selective prosecution maybe. Political patronage. Charlottesville is not just any town. We're the Capital of the Resistance. We knew this was a bad system. Civics 101. Also mayors and lawsuits opposed it but it was adopted anyway in mid-1920s. The Klan were bad people. We've been trying to fix it ever since. 1981-1982 NAACP tried. 2004 Commission on Representation tried. 2006 was opportunity for elected school board to have Non-Diluted Representation, or Proportional Representation.

You will be overwhelmed by the information on Wikipedia about systems of representation. But the Department of Justice already knows all about it. DOJ has been prosecuting other cities who have the same relic from Klan days.

The Voting Rights Act addresses the scheme of direct democracy to exclude voting minorities, often the same as ethnic minorities. The system has many names. The promise was to run things efficiently like a business. It's a magic system where your legislative opposition disappears.

If Congress had the same system, bills would sail through without effort. Republicans would not have to deal with political minorities such as the Democrats.

## **Voter Dilution Tactic — Broken City Councils.**

Yakima, WA is one-third Latino, but a Latino candidate has not been elected to the city council for almost 40 years. Santa Barbara, CA is 38 percent Latino, but only one Latino has been elected to its council in the last 10 years. And Pasadena, TX is 43 percent Hispanic, but the ethnic group is not even close to being proportionately represented in the city government. (Cities Are Quietly Reviving A Jim Crow Era Trick To Suppress Latino Votes.)

1965 Voting Rights Act applies to entire nation....except Section 5 is like a probation order, certain really bad localities must be pre-approved for any change. Charlottesville is in that list.

Department of Justice knows all about it. We ask President Donald J. Trump why Charlottesville is given a pass. 15th Amendment of 1870 expanded federal government's power to ensure the right to vote of American citizens (freed slaves) was not infringed by the states. 1965 Voting Rights Act applies to localities as well. Section 2 addresses Vote Dilution, where At-Large is only one type.

Roaming Townhall Latest Patch For At-Large. May 21, 2017.

"The first townhall was Thursday Aug. 12, 2010 at Tonsler Park, a year after its sponsor Councilor Kristin Szakos called for removal of confederate monuments



as a way to end division and bring the minorities back to the ever-shrinking majority.

"So the townhall is at least the 9th effort since 2002 to address the unresponsiveness of local government."

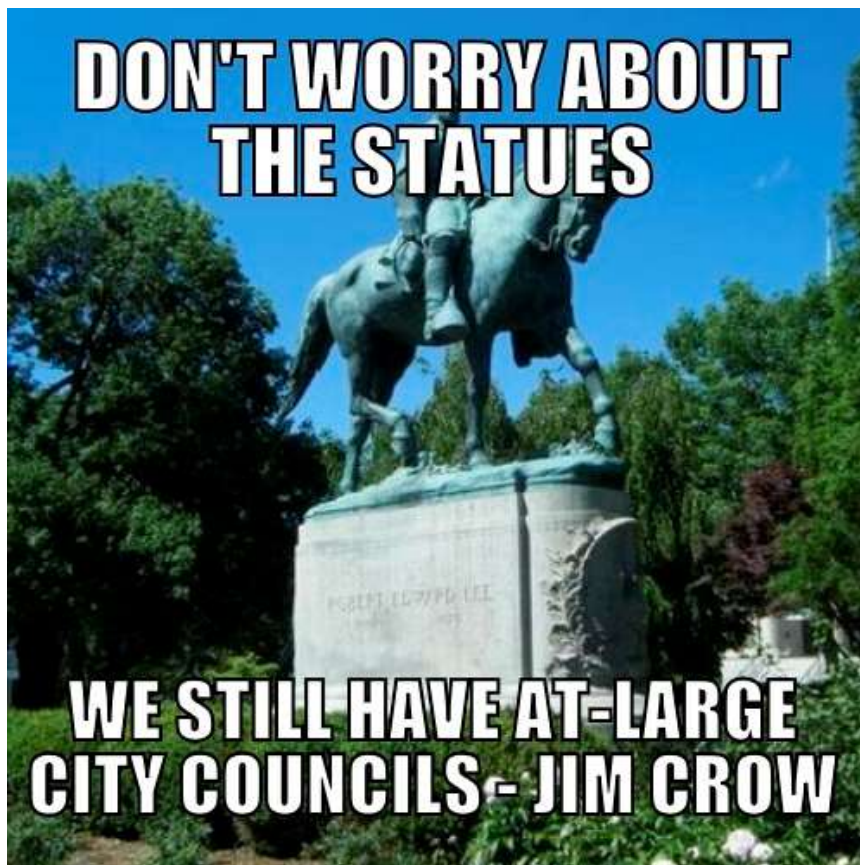
### **History of Charlottesville Chamber of Commerce.**

"In 1922 the elected Mayor B.E. Wheeler "obtained a court order and tried to prevent the new commissioners from taking over, but eventually gave in. [...] E.G. Haden, mayor 1908 to 1912 and 1916 to 1920, also opposed the direct democracy government. The change was slow because of substantial opposition.

"Ironically some said real estate was the ulterior motive for the business-like government. Today we know this change enabled the widespread urban renewal stealing of real estate from the voting minorities stripped of representation on Council."

**Everybody knows City Council is broken.**

Monday August 21, 2017.



Everybody knows City Council is broken but they don't know how it's broken. Often efforts to reform fail until a big moment gives you new energy. In 2002 Kevin Cox failed to get Elected School Board THEN superintendent Scottie Griffin affair THEN the 2005 effort was successful. We can't fix our broken City Council from within. A minority cannot out-vote the majority AND the minority has no vote.

Since the Jim Crow system was adopted 1924, several reform efforts have failed. NAACP 1981-82. An entire commission tried in 2004. In 2006 elected school board was an opportunity for inclusion. We need outside help from the President Donald J. Trump's Department of Justice to enforce 1965 Civil Rights Act which prohibits Voter Dilution of political minorities, usually same as ethnic minorities. Why does Charlottesville get a free pass?

Because of this weird system, instead of a university professor sharing this knowledge to the community, you have nobodies like me, the voting minorities trying to make a difference. Carole Thorpe feels like she's wasting her time because she's outside of the majority. That's the core feature of the system. But she cares and is motivated.

That's nihilism (you care but nothing you do matters). Very destructive emotion sweeping the nation.

### **We Will Lose Our Voting Rights.**

Wednesday August 23, 2017.

**We Will Lose Our Voting Rights**

The people we trust say...

...After years of struggle, don't let them take away our voting rights...

Here's what measure "K" will do: We can now vote for nine council members. If "K" passes we can only vote for 2 council members!

**Don't Let Them Take Our Voting Rights Away!**  
**Vote NO On Measure "K" Nov. 5th.**  
**Save Our Voting Rights!**

Rev. Jones Rev. Johnson Rev. Richards Rev. Bernstein Rev. Montgomery

(A) Would you rather have 2 council members represent your neighborhood, your precinct? A diversity of small groups (precincts) to balance against the citywide majority?

Or

(B) 9 councilors represent the whole city, no neighborhood, no precinct = 9 Mayors from the one party, where the voting minorities (neighborhoods) have no seat at city council?

### **Single-Shot Vote Elected Rob Schilling 2002.**

Thursday August 24, 2017.

Bullet voting is not a magic bullet to slay the At-Large dragon. It doesn't fix the broken system. But it can make the difference in a close race.

- "Single Shot Your Next Vote" (to tune of "Hit me with you best shot!"- Pat Benatar). Sung by Scott Bandy "Blue Spade" on WINA Schilling Show June 23, 2015.

- Cville News with 28 unfriendly comments, some deleted. "May 7, 2002 - Voting takes place at the usual polling places throughout the city. .... The argument for the importance of single-shotting to Schilling's chances ... in the city, said he is not necessarily encouraging people to single-shot."

- 1984 Vote Dilution study of Taylor, Texas. Pdf scanned article.

Single Member Districts. The most common worldwide. One man/one vote/one office.

Plurality Voting = most votes win. Usually more than 2 candidates are running for one office.

Runoff Voting = Absolute Majority of votes needed to win. The 2 highest vote-getters have a second "runoff" vote.

Voter-Diluted Systems. The majority elects all the representatives. The minority has no voice. At-Large is only one way to reduce the voting power of the electorate.

Single-Shot Voting is a tactic where voting minorities unify against the majority, who always choose all the reps.

"Candidates may seek to encourage bullet voting in certain situations. One example is where there is a Bloc voting election for two seats of the same office, and there are several candidates (say A, B, and C). Voters in such a situation typically have two votes.

"Candidate A encourages his voters to vote only for him and not use their second vote. If the second vote is cast for B or C, it helps A's opponents. The situation is most pronounced where A is of one party and B and C are of another party. If voters from B and C's party vote for them, while A's partisans cast one vote for A and split their second vote between B and C, A is significantly disadvantaged."

Single-Shot Vote = Bullet Vote = Under-voting = Vote for only one of several redundant offices (or concentrate on less than the full slate to offset the dilution).

Single-shot requires a diluted system where one man/one vote/one office is violated. In Charlottesville you have 1 man/5 votes/1 office. You have 5 people who have the same job. In U.S. Senate you have 1 man/2 votes/1 office. You have 2 people with the same job.

Why is it good to have 2 senators but bad to have 5 city councilors?

Your state is a small part of the whole, like a precinct. You increase your influence in Congress when you add reps from your state. If you increase national reps, say you elect 5 presidents, that would dilute the Congress, and every state and district would lose influence.

One way to view Charlottesville is we have 5 presidents and no senators. 5 people represent the whole city. Nobody represents any part of the city, precinct or neighborhood.

So city councilors address outside issues like city-county, state, national and international issues with resolutions and funding requests. Meanwhile internal issues are ignored. The councilors ask the public to attend every meeting so councilors can learn their concerns. There are town hall meetings because City Council is out of touch.

### **Single-Shot Vote for Kenneth Jackson.**

Wednesday September 20, 2017.

Has anyone other than local Rob Schilling ever won this way? YES. Happens all the time in diluted systems, which are illegal under Voting Rights Act. Bob Fenwick failed in 2009 as an independent, but was later elected by the one-party system. "Fenwick says single shot voting will be "absolutely" crucial to him getting elected. "The technique was used in the '50s during massive resistance—blacks used it to maximize their vote," he says."

Is there another City Council just like Charlottesville's? YES. Tignall, Wilkes County, Georgia tried to stop single-shot or bullet-voting, to maintain power of existing citywide majority and lock out the 43% voting minority, which

happens to be black. If the political minority was white, the same federal law would apply. DOJ disallowed the "reform."

"[Tygnall's] five-member council is elected at large by plurality vote to four-year concurrent terms. Prior to 1999, only one member of the city council was black. [...]"

"Based on our analysis of the available information, it appears that voting in Tignall is racially polarized and that minority voters under the existing system have achieved some success by limiting the number of votes that they cast for city council seats in order to elect their candidate of choice. This technique is referred to as **\*\*single-shot voting.\*\*** Under the proposed system, each seat on the council that is up for election will be identified as a separate post and candidates will compete against one another for that specific post. This will eliminate the opportunity minority voters have had under the existing system to boost the effectiveness of their vote for their preferred candidate through single-shot voting. [...]"

"It appears, therefore, that the city's proposed addition to its at-large election system of numbered posts, a majority vote requirement and staggered terms will lead to a worsening of minority electoral opportunity, which is prohibited by Section 5. See *Beer v. United States*, 425 U.S. 130, 141 (1976)." (Dept. of Justice Determination Letter 53.)

"The strategy is an election mathematics trick. The goal for a single-shot candidate is to get core supporters to cast only one vote in the race and persuade others to split their votes between the candidate and an opponent. That maximizes the candidate's own numbers and dilutes the opponents' numbers." (Art of the single shot: How less can mean more when voters get to choose two.)

"In Arizona, two representatives serve each legislative district. By choosing to vote only for me, and not using your second vote, it helps your vote go farther. The Single Shot Strategy has proven effective in allowing us to overcome the Democratic voter registration deficit in the past. It enables us to virtually ensure that at least one Democrat is elected to the State House — the only way the moderate values of our district are represented in a balanced way." (What's this Single Shot thing anyway? Kelli Butler for Arizona October 12, 2016.)

"It is virtually impossible," says Rob Schilling. "The last independent elected was in 1936. These elections are rigged to favor Democrats." (Single Shot: Can Independent Win Council Seat? Oct. 27, 2009.)

More about Kenneth Jackson from *The Hook* 2004. "He's African American. He's gay. He lives in Section 8 housing. So why is Kenneth Jackson running for City Council as a Republican? Jackson doesn't put too much stock in political parties." (Hot Seat: Kenneth Jackson Not Your Stereotypical Republican. Feb. 19, 2004.)



### 2004 Retrospective from Charlottesville Independent Media.

City Council was running scared. A single Republican (Rob Schilling) had won two years earlier. The commission to study ward-mayor system passed 3 to 1 on April 6 at 2:03 am. [...]

## *Chapter 4: Jefferson School 1865–2002*

### **The Lost History Of Jefferson School.**

Tuesday May 9, 2017.



A decade ago, the lost history of Jefferson School was the 1865 origins. Today the lost history is that local media were suppressing this history for at least a decade. When the school closed in 2002, everyone thought it had started in 1926. After an archaeology dig in the parking lot, the date was pushed back to 1894.

When my first essay on Jefferson School appeared in *The Observer*, research told me about the 1865 date. But I didn't include it. I didn't know the history was being suppressed. So I started sending emails, writing blog posts, and delivering speeches at City Hall. Other speakers echoed my research. Still in July 2007 *The Daily Progress* declined to print a letter because it was "fact-based." So I read it at City Council a few days later.

Who all knew about 1865 Jefferson School on West Main?

Historical Society knew in a 1976 book and 2006 magazine 30-page story. The National Park Service knew since the 1980s when the school was designated historic.

It's listed in the Virginia and National Register of Historic Places. The assistant City Manager Rochelle Small-Toney said she knew in 2007 at a meeting of Historical Society at First Baptist Church site of the first classes 1865. But she told the public 1894 when Jefferson School moved to Vinegar Hill.



At that meeting the UVA Carter G. Woodson Institute, Scot French and LuAnne Williams, promised to digitize and publish the Urban Renewal, Housing Authority Archives. But they only did a report on Vinegar Hill. City Council is suppressing this history right now so the public won't know the history of current redevelopment plans like Strategic Investment Area— known as Garrett Street urban renewal in newspaper archives.

All the local media knew. But they consistently reported later dates.

Finally in 2010 The Hook reported 1865 from the Historic Register. A week later Fred Dove of the Historical Society brought the real history to [Schilling Show](#) listeners after a reporter ignored him and Daily Progress refused to print his letter. In 2012, after the Jefferson School committee reported the 1865 origins, The Daily Progress echoed the dates as if it was not a correction to its own reporting.

Today the question is whether Jefferson School is sustainable as a historic landmark. Are tenants willing to pay above market-rate to remain in an old place when the subsidies end? Or have we only delayed the bulldozer?

Fortunately history is not a thing or place. It's the story we tell about the past.

["City looks to sustain struggling Jefferson School site" by Chris Suarez, Feb. 4, 2017, Daily Progress.](#)

Some concerns about the future of the Jefferson School City Center were allayed last week after the Charlottesville City Council directed staff to provide nearly \$1 million to help stabilize one of the two anchor tenants in the historic building that re-opened as a multi-purpose civic center in 2013.

As proposed by Councilor Wes Bellamy, per requests from Jefferson School directors and associates, the city is expected to provide \$950,000 to the Jefferson School African American Heritage Center, which opened four years ago following an \$18 million renovation project of the former all-black high school that is on the National Register of Historic Places.

Despite the belief that the city eventually would buy back the building, the city center, which the city transferred to a private partnership in 2011 so that it could leverage almost \$6 million in federal and state tax credits, will remain in private hands.  
[...]

When the rehabilitation project started around 2010, the city sold the building to the partnership for approximately \$100,000. The city then provided nearly \$6 million for the project. The tax credits helped pay for approximately a third of the project, but a loan of about \$7 million was needed to complete it. Last year, the partnership began working with the bank to refinance the loan, but assuring the bank that enough revenue will be generated to pay the loan off in the coming years has been difficult.

["Jefferson School: Ready for its closeup after \\$18 million rehab" by Lisa Provence, Dec 11th, 2012, The Hook.](#)

When classes ceased in the historic Jefferson School about 10 years ago, the discussion began about what to do with the structure on 4th and Commerce streets that is an important educational resource for generations of African-American families.

Once a plan was established, the private partnership assigned to make it happen still had to find the money to secure a loan for the school's \$18-million makeover.

Ground finally broke in August 2011, and more than a year later, on December 11, [2012] the ribbon was cut on a shiny and bright Jefferson School City Center.

["Historical Society: Jefferson School 1865" by Blair Hawkins, Aug. 17, 2010.](#)

In contrast to a decade of news reporting, Fred Dove set the record straight today on the Schilling Show. (Podcast of First Hour Aug 17, 2010) Dove is a board member of the Albemarle Charlottesville Historical Society and seventh generation native of Charlottesville.

["2007: The Jefferson School Rule" by Blair Hawkins, Jan. 5, 2008.](#) Timeline of stories and quotes.

On July 12, The Daily Progress policy to allow only opinion-based letters was discovered when I wrote a letter to correct a July 6 article giving 1894 as the original date of Jefferson School, instead of 1865. Over the phone, Editorial Page Editor Anita Shelburne said she had not decided whether to print the letter because it's "fact-based."

["Newspaper suppresses Jefferson School history" by Blair Hawkins, Apr.12, 2010.](#)

Includes photos of 1926 and 1894 school building and modern location of 1865, 1866, and 1869 school building. Today's Daily Progress updates the redevelopment and preservation of the traditionally all-black Jefferson School. The front-page article repeats, almost verbatim, the historical myth of a controversial 2007 article.

[Register of Historic Places, Aug. 15, 2005.](#) pdf 800K.  
["Jefferson School History." Jefferson City Center.](#)

["Origins of Jefferson School and Public Education in Virginia" by Blair Hawkins, Dec. 4, 2006.](#)

Excerpts pages 230 to 234 in Albemarle: Jefferson's County, 1727-1976. John Hammond Moore, 1976. The Albemarle County Historical Society.

[...]“things” never actually return fully to their old ways, especially after so profound an upheaval as that which convulsed Albemarle during the years 1860 to 1870. In no realm is this more apparent than in public education.

The Freedmen's schools established in the county faced considerable opposition, but the seed of learning, once planted, was never snuffed out, and in



time these institutions and their successors gained recognition as a permanent contribution of Reconstruction years. While hopes of the freedmen for immediate social and political equality were doomed to disappointment, these classrooms, often desperately in need of public funds, nevertheless continued to function.

And, at the same time, their presence fostered grudging acceptance of similar schools for less affluent whites as well. Thus, by a strange twist of fate, the death of slavery, an institution which Thomas Jefferson often deplored, brought into being a program of basic education even more sweeping than the one he once proposed, a development which undoubtedly would have had his wholehearted approval.

Freedmen's schools were launched in the fall of 1865 with the arrival in Charlottesville of a Yankee schoolmarm, Anna Gardner. These schools were financed mainly by the New England Freedmen's Aid Society with some assistance from local citizens of both races.



Anna Gardner. (Courtesy of the Nantucket Historical Society.)

Anna Gardner, fifty years old and member of the seventh generation of a Nantucket family, possessed impeccable abolitionist credentials. At the age of

twenty-five she was instrumental in organizing the first antislavery meeting held on her native island.

She subsequently became an avid admirer of William Lloyd Garrison and, with the coming of the war, followed in the wake of Union armies teaching ex-slaves how to read and write. Miss Gardner, who was in the Carolinas for two years before coming to Albemarle, was a lady of tireless energy and real ability and had a sincere regard for the freedmen's welfare.

She viewed the former master class with proper abolitionist disdain, "those alien and hostile people...primitive in appearance and habits."

Throughout her five-year sojourn in Charlottesville, she doubted the good intentions of most local whites toward blacks and, once her school was established at "Mudwall," feared "those subtle, slippery Virginians" would resort to some legal chicanery to close it down. To her the University of Virginia was a place of special wickedness. She constantly deplored its "baleful shadow" over her classrooms and daily expressed fears they might be attacked during a noisy undergraduate calathump, "the terror of the place."

Reports from Captain William Tidball (1866-67) indicate Miss Gardner's misgivings were somewhat exaggerated. Influential whites, he said, agreed that immediate education of ex-slaves was a "great necessity," but he conceded widespread suspicion of public schools existed. [...]

In the same report Tidball pointed directly to the major source of local irritation. Whites, he emphasized, resented "the social and political doctrines taught by Miss Gardner and her colleagues." And, as political passions mounted during the late 1860s, so did resentment.

No doubt exists that such doctrines were being taught since Miss Gardner, in an exchange of letters with the Chronicle's editor, even boasted of doing so. Early in 1867 she wrote J. C. Southall requesting a donation of printed diplomas for her projected teacher training institution, Jefferson School.

After two years in Charlottesville her appeal begins with these revealing words: "Not knowing any Southerner personally...." Southall replied that he indeed was interested in the Negro's welfare but feared Miss Gardner was more "political missionary" than teacher. If wrong, he added that he would gladly supply the materials requested free of charge. Within forty-eight hours Southall received this answer.

Mr. J. C. Southall, I teach IN SCHOOL and OUT, so far as my political influence extends, the fundamental principles of "politics" and "sociology" apply, viz. – "Whatever you would that men should do to you, do ye even so unto them."

Yours in behalf of truth and justice,  
Anna Gardner.

This determined Yankee spinster first set up class in “Mudwall,” the old Delevan Hospital. By November 1865, assisted by R. A. Musgrove, a local white who already was operating a tuition school for 32 blacks, the institution had 90 pupils. In this free school special emphasis was placed upon arithmetic and training of the more able as teachers. By April 1866 three more instructors had been added to cope with an enrollment of 241. [...]

In March 1867 the Charlottesville schools for freedmen had four teachers and 280 pupils, 100 of them over sixteen years of age. All studied writing and arithmetic, 40 were “in alphabet,” 60 “read easy lessons,” none were yet “in higher branches,” and 30 had been free before the war.

A year later eight day schools were operating within the county, four of them in Charlottesville. In addition there were six Sabbath schools and two night schools located in Charlottesville and Scottsville.

By 1869 enough students had completed elementary work to justify a graded system. Two of the Charlottesville schools became primaries, both taught by freedmen, one of whom (judged by reports [Tidball] submitted) was almost illiterate. Each school had some 60 students and held classes six hours a day, eighteen days per month.



Philena Carlin. (12 June 1838-?) by Charlottesville photographer William Roads. (Ms 11123-a, Courtesy of Special Collection, University of Virginia Library.)

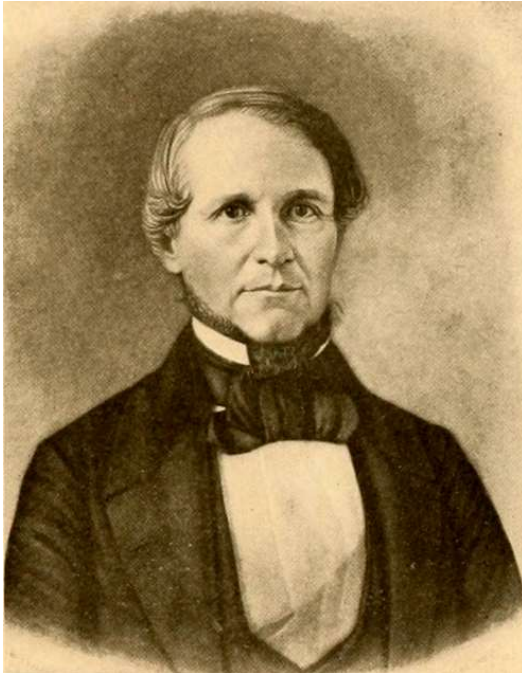
Above these was the intermediate Lincoln School, taught by Philenae Caskie of Boston. It had an enrollment of 50, 27 of them males. Jefferson School, presided over by Miss Gardner, was the capstone of this system. This institution was designed to train teachers. It also had 50 students, with girls slightly outnumbering boys. [...]

With the departure of Miss Gardner and her colleagues for colder climes, the Negro schools of Albemarle declined for a time, but within a decade the teachers they trained, aided by the dedication of State Superintendent W. H. Ruffner, created a reasonably adequate system. Ruffner, by the way, received substantial assistance from Professor John B. Minor in drafting the original bill which established the state's public school system.



*(W.H. Ruffner. Courtesy [encyclopediavirginia.org](http://encyclopediavirginia.org)).*

The two men met at Minor's home, Pavilion X on the Lawn at the University of Virginia, in April 1870 and spent four days pouring over legal and technical details. Although the General Assembly later amended their proposals somewhat, in large measure the design of the Old Dominion's first system of free, public education was fashioned during these discussions. [...]



*(John B. Minor. Courtesy encyclopediavirginia.org).*

Transcribed by Blair Hawkins December 4, 2006.

“Board votes to split Jefferson Preschool into six parts,” Jan. 18, 2002. The Daily Progress.

“Plans for Jefferson School shelved,” Jan. 31, 2002. The Daily Progress.

[“Jefferson School: The Original Model for Public Education in Virginia” by Blair Hawkins, July 16, 2007.](#)

Letter to the editor delivered as speech before City Council and copies handed out at meeting.

*Opening remarks: My name is Blair Hawkins. I live at [address]. I’m here to talk about some of the history of Jefferson School since there’s an important vote on that subject tonight. We should know what we’re trying to preserve. I’d like to read a letter I’ve written to The Daily Progress. The editor Anita Shelburne has not decided whether to print the letter because it’s fact-based. That’s how much power this history has, the power to cause a newspaper to consider a new policy to allow only opinion-based letters. Dear Editor:*

The legacy of Jefferson School is every public school in Virginia today.



Your article (“City mindful of preserving legacy” by Seth Rosen. *The Daily Progress*. Jul. 6, 2007) traces the history to 1894 and says the Jefferson Alumni Association wants to preserve the legacy of the all-black school as a social hub of Vinegar Hill in the 1950s.

The Albemarle Charlottesville Historical Society has published a fuller history at least twice in thirty years. (*Albemarle: Jefferson’s County, 1727-1976* by John Hammond Moore. 1976, pages 230-234 in the hardcover edition. And “Learning in the Charlottesville Freedmen’s School: the First Jefferson School” by Gayle M. Schulman. *The Magazine of Albemarle County History*, Vol. 64, 2006, pages 76-107.)

Both accounts agree on the main facts. Jefferson School opened in the fall of 1865 and was indeed the model for white public schools when the General Assembly approved public education in 1869. Charlottesville’s first public school opened in 1870 on Garrett Street.

In its first year, Jefferson School held classes at the Colored First Baptist Church (organized 1863) at 632 West Main in the 1820s Delevan Hotel/Civil War hospital eventually torn down for the existing 1883 church building.

Classes moved to a series of one-room barracks just west at Union Depot when federal troops left in June 1866. A new school was built on this site in 1869. Jefferson School was funded by the New England Freedmen’s Aid Society until 1875, when it became a public school.

Benjamin Tonsler was already an alumnus and the fourth principal when the 1894 schoolhouse opened. The first two principals, who also taught full-time, were white women: Anna Gardner 1865-1871, and Philena Carkin, 1871-1875, both from Massachusetts. The 1926 building and later additions survive. The school has been closed since 2002.

I want to preserve the 1950s history and the 1860s history. In the future, we’ll look back on today and wonder why some people found it so difficult to acknowledge the full history of Jefferson School, even while claiming to preserve that same legacy.

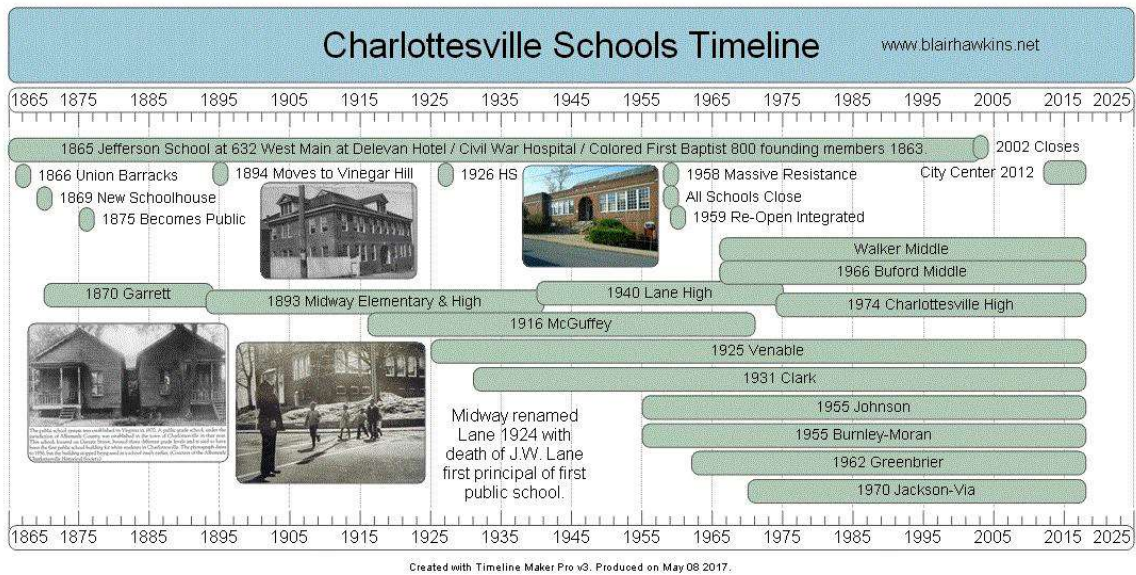
Blair Hawkins

July 8, 2007. Charlottesville, Virginia.

Letters, *The Daily Progress*, P.O. Box 9030, Charlottesville, VA 22906

July 12. Editorial Page Editor Anita Shelburne had not decided whether to print the letter because it’s “fact-based.”

July 16. Delivery as speech before Charlottesville City Council. Night of vote to transfer Jefferson School to a private foundation for preservation and redevelopment.



## *Chapter 5: Era of Urban Renewal 1954–present*

### **Air Conditioning Shines Light On Public Housing.**

Sunday June 18, 2017.

On average the local media report on urban renewal several times a week in most American cities. It's often crimes at public housing sites. But they rarely use the term "urban renewal" or "public housing". If there's any history, it's usually only one project to minimize the actual scope and time scale of the program. So it makes no sense that so many are still angry at the first project Vinegar Hill pictured at right. Of course there were many other projects to account for today's resentment.

The latest Charlottesville update on urban renewal comes from WVIR-TV NBC-29. "Resolution Passes to Replace 2nd Chiller in [1976] Crescent Halls" public housing for the elderly, disabled after the air conditioning failed all last summer, prompting protests and physical removals from City Council chambers. The protests have been ineffective because most residents have a side hustle, like family member not on lease, and don't want to go public.

Urban renewal has 2 parts from a Constitutional perspective:

Eminent Domain to seize (without Due Process for Public Use) real estate for resale (redevelopment), and

Eminent Domain to seize real estate to rent as affordable housing (public housing). By definition urban renewal is a felony though interpreted as legal and widely practiced.

The urban renewal agency is the Charlottesville Redevelopment & Housing Authority. These are different names for the same program that has caused so much "vitriol" since the Era of Urban Renewal began 1954.

Only a hundred feet from Crescent Halls is the 1873 Daughters of Zion Cemetery for affluent blacks. Society Cemetery. This landmark is the most visible relic from the Golden Age of Race Relations 1865 until 1917 Lee Park. Vinegar Hill was the other relic. While not within the official Garrett Street redevelopment boundaries, Daughters of Zion became City-owned Nov. 1971 but remains segregated blacks only.

The last burial was 1995. After many years of neglect resulting in a hundred lost head stones, City Council is funding the renovation, and BeCville a new plaque. In contrast, the adjacent 1863 Oakwood Cemetery has always been integrated with a white section and a black section originally.

WINA radio AM-1070 is also making news. They are playing an advertisement promoting the CRHA Housing Authority. The ad claims affordable

housing while history shows that housing is more expensive than ever while housing stock has shrunk. The ad boasts about importing immigrants in order to further radicalize our public housing, on land stolen from the voting minorities denied representation since 1924 Klan installed the Commission form of City Council, same year as the Robert E. Lee statue. Most recent efforts to reverse the majority-only system include 2004 Taskforce on Council Representation and 1981–82 NAACP referendums. Now you know why the Democrat majority want to remove the Lee statue.

So already the reader may need a pause to absorb this information.

### **1967 Garrett Urban Renewal Expands 5-fold as 2014 Strategic Investment Area.**

This project was so big that the referendum was divided into 3 parts, the so-called Triple Referendum. The Jaycees pamphlet urges a Yes vote on all three because of the money. The money made them do it. And today these organizations are gone or a shadow of yesteryear.

The aerial photos for this neighborhood have not yet been found. The release of so much about Vinegar Hill in recent years was to support the modern propaganda that Vinegar Hill is the only urban renewal. To this effort City officials have tampered with the historical archives, which are top secret off limits to the public, while the urban renewal commissioners claim they just haven't got around to publishing the rich history.

On Feb. 24, 2007, historian Scot French and researcher Lu-Ann Williams of the UVA Carter G. Woodson Institute present the archive report at site of first Jefferson School 1865. They promise to publish the archives, but only do a report on Vinegar Hill.



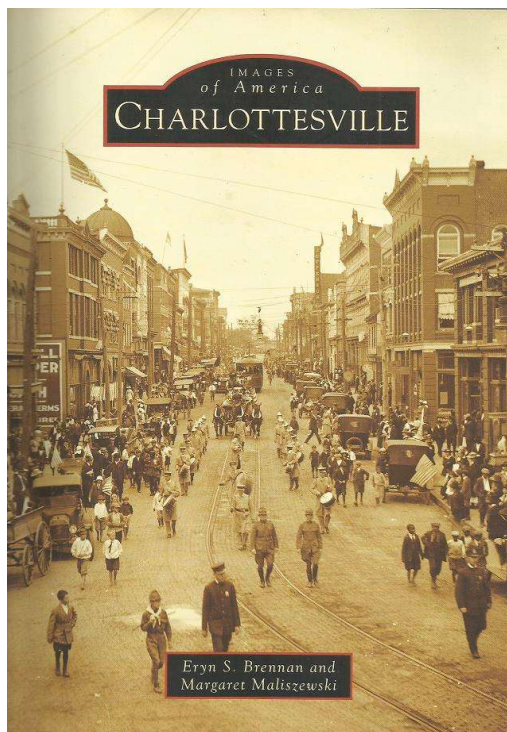
Williams describes the archives as

- 1,189 visual media files
- 6,845 physical documents
- 189 maps and blueprints
- 6,199 files related to GIS mapping
- for a total of 14,422.

Blair Hawkins publishes about 300 archival prints in 3 visits. Initially the assistant city manager presented in 2 visits a handful of pictures cherry-picked. Hawkins complained at a City Council meeting, which resulted in the 152-page notebook with 287 photos in early Feb. 2007. Subsequently Hawkins is denied access while officials say to the media that Hawkins has full access. No other community group or politician, black or white, is interested in publishing this history of mostly African-American interaction with local government.

Asst City Manager Rochelle Small-Toney resigns, blocked access to public records. May 23, 2007.

Timeline of Urban Renewal. Feb. 2009 archive request on WINA. Councilor Holly Edwards wanted to connect Hawkins with the 2 people blocking the history, historian Scot French and urban renewal director Randy Bickers. So it appeared as a political deception.



Another example of this phenomenon is the 2011 book "Images Of America Charlottesville." There are 17 pictures of Vinegar Hill and the Westhaven

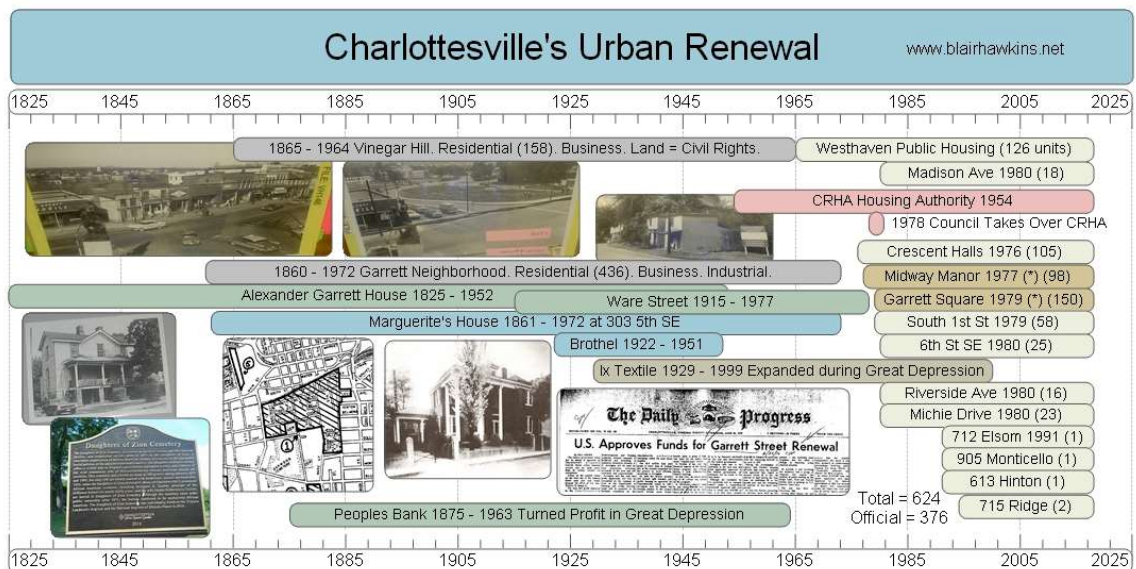


displacement public housing. There are ZERO pictures of the much larger Garrett urban renewal and 5 subsidized housing projects.

This article in Blair's Magazine, while the most comprehensive so far, is only the tip of the iceberg. When I began this endeavor 17 years ago, "daunting" was an understatement. The difficult nature of the underlying truths explain why nobody wants to talk about it. It's indefensible, yet seemingly unstoppable.

If there's a bright side, it's this. Friday's news reports on the new chiller for air conditioning at Crescent Halls public housing show the media actually watched the previous night's meeting of the 7 urban renewal commissioners.

So when the issue grows and threatens the peace and safety of the entire community, the media cannot claim they didn't know. Well, that's exactly what they will say.



Garrett neighborhood development began 1860.

Alexander Garrett was the first bursar of University of Virginia. Friend and financial advisor to Thomas Jefferson, Garrett was at Monticello July 4, 1826 when Jefferson died. His last breath was described as peaceful in a letter to Garrett's wife, excerpts reprinted 1952.

1873 Daughters of Zion Cemetery for affluent blacks is the most visible relic from the local Golden Age of Race Relations 1865 until 1917 Lee Park. Benjamin Tonsler is buried here. Tonsler attended the first Jefferson School at 632 West Main in 1865, returned as teacher in 1871, becomes principal 1883 until his death 1917.

### Timeline of Public Housing & Notable Referendums



- **1912** Nov. 6. State-wide approves local option for Commission At-Large business-like government modeled after corporate governing boards.

- **1920** Dec. 7. City referendum mandates the switch. The same city-wide majority will elect all councilors every election, intended to shut out the large black minority. It's hard to disconnect this institutional change from the systematic urban renewal to come.

- **1954** Apr. 15 Redevelopment & Housing Authority is approved by margin of 2% or 36 votes. Wards Against 1 & 3, For 2 & 4.

The City became split where the southside wanted blight removal and housing rehabilitation. The northside feared the federal government would force integration. This split would reverse when the northside discovered they could use the Housing Authority to continue residential segregation. And they could seize land from the voting minorities. Then offer apartments for rent. Vinegar Hill was a symbol of empowerment because so many blacks owned some land. Cheapest real estate can post bail for most offenses. Loss of Civil Rights, reversal of the historical Vinegar Hill, is biggest complaint today. Loss of history is close behind on many topics unrelated to land use.

- **1958** City schools close to block court-ordered desegregation. Everything becomes politicized as racial.

- **1960** Vinegar Hill clearance by 5% or 206 vote margin. Wards For 2 & 4. Against 1 & 3.

(9-meg pdf. "A Community in Turmoil: Charlottesville's Opposition to Public Housing" by Christopher S. Combs. 1998.)

- **1961** Cox's Row (Westhaven) by 3 to 1 margin, all wards For.

- **1961** Hartman's Mill site for public housing by 1% or 23 votes. For 2 & 4. Against 1 & 3. Rejected by City Council 1962.

- **1963** 4 wards become 8 precincts largest annexation 38% of City's 10 square miles.

- **1965** Ridge Street site fails by 2% or 82 votes. For 2 & 4. Against 1 & 3.

- **1967** Triple Referendum

- (a) Garrett by 34% or 1,603 votes.

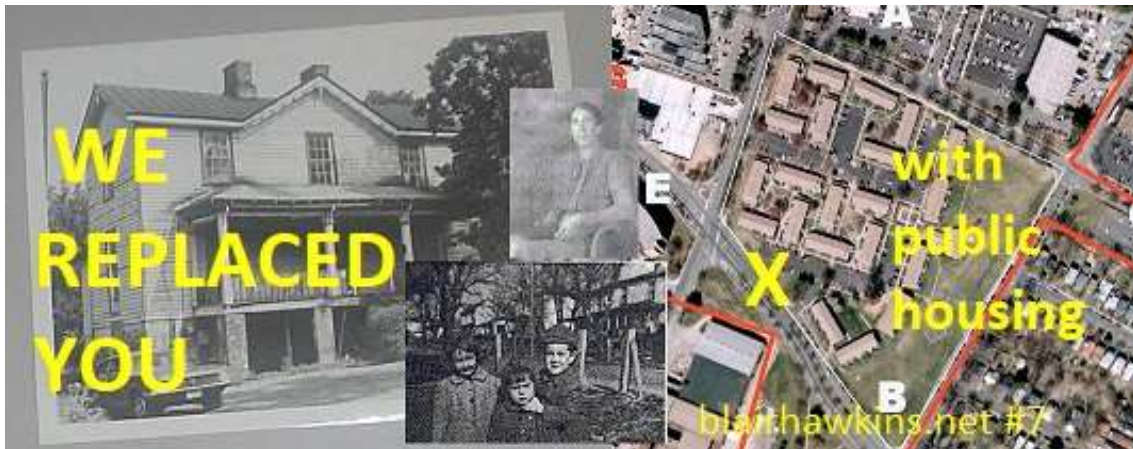
- (b) South 1st Street by 26% or 1,203 votes.

- (c) Ridge Street Revised by 12% or 532 votes.

- (-) Ware Street (Garrett Square), youngest development, was thought by some not to be part of the referendum though clearly inside the redevelopment zone.

- **1970** City (by 2–1 margin) County (4–1) reject Merger.
- **1973** Repeal of McCue Amendment. No more referendums on housing issues. Named for Edward Overton McCue Jr. 1901–1994. Local graduate of Midway Charlottesville High, Delegate 1934–48 and Virginia Senator 1950–1967. His name would resurface in 2007 as the most famous person who had lived in the stone house that sat isolated in a huge clearance for the Hollymead Shopping Center. Rumors arose that a stubborn tenant was the last holdout. Having owned the property for 35 years, the developer laughed at the logical speculation. "How do rumors get going?" (Source Apr 15 2007)
- **1974** Downtown Pedestrian Mall approved by 40% of City Council voting Yes. First five blocks open June 1976. 2.6-meg pdf. "A Pedestrian Mall Born out of Urban Renewal" by Sarita Herman.

There seems to be a referendum or ballot initiative every couple years. The majority voting on whose property to seize should trigger alarms. It's partly why referendums are controversial. But other referendums have been controversial on their own merits, like the 1981 County annexation-based revenue sharing, or Virginia's 2006 ban on gay marriage.



*Ware Street becomes Friendship Court.*

1915 Ware Street (4th SE) development is the white enclave in predominantly black Garrett neighborhood. Consolidated into a 12-acre super-block and cleared 1977, Garrett Square becomes the largest public housing (150 units). Not officially recognized as public housing since funding comes from taxpayer HUD Section 8 account, not the public housing account.

### **Inventory of Public Housing October 2006.**



*The first and least controversial Vinegar Hill urban renewal.*

- **1965** Westhaven. 126 units. Permanent displacement housing for Vinegar Hill.
- **1972** 405 Levy Avenue. 0.846-acre parking lot rents for \$1 a year. 1891 Belmont Plat shows 8 of 10 parcels seized in 3 condemnation suits. Lots 7 & 11 sold under threat. Housing Authority sued Better Living, which left the City in 1981. (Source)
- **1976** Crescent Halls. 105 units.
- **1977** Midway Manor. 98 units. City Council votes for Midway location for 2nd elderly housing. (Source Sep 13 1977)
- **1979** Garrett Square. 150 units. CRHA seized and consolidated ownership of the 12-acre super-block developed 1915, the white enclave in the 1860 Garrett neighborhood. Sold to Cavalier Development 1977. Purchased by Piedmont Housing Alliance and renamed Friendship Court 2002, and purchased again in 2016 with \$350,000 grant from City Council. The most denied part of Charlottesville's urban renewal.
- **1979** South First Street. 58 units.
- **1980** Madison Avenue. 18 units. 2016 Blue Ribbon Report says these are the white families from Vinegar Hill although date does not line up.
- **1980** 6th Street SE. 25 units.
- **1980** Riverside Avenue. 16 units.

- **1980** Michie Drive. 23 units
- **1991** 613 Hinton Avenue. 1 unit.
- **1991** 712 Elsom Street. 1 unit.
- **1991** 905 Monticello Avenue. 1 unit.
- **1994** 715 Ridge Street. 2 units.

Peoples Bank 1875 to 1963. Held most mortgages in the urban renewal areas. Business model was broad customer base of small account holders. One of few banks to turn a profit during the Great Depression.

### **Kelo Anniversay 2017.**

Saturday June 24, 2017.



*(Image Courtesy Fox News).*

The 2005 Kelo decision resonated across America because Eminent Domain for Economic Development was already commonplace and familiar. The Blue Ridge Buck Saver was ready with full-page editorials.

Michigan Supreme Court had already reversed its 1981 Poletown decision to allow removal of 5,000 residents and schools, churches, businesses, etc. for a luxury automobile factory in Detroit, which flopped. Multiply by 100s and you have the vast ghetto which is modern Detroit. Yet politicians see no connection between the two, or why the same best practice would cause the same disaster elsewhere.

Today you must call it Economic Vitality or Economic Growth to reassure the public that your project is legal, not calling for eminent domain abuse. Albemarle Supervisor Ken Boyd learned that the hard way. Yet City politicians



routinely call for eminent domain abuse using the name economic development. The local examples are invisible only to the local politicians and the media.

Friday was the 12th anniversary of the 5–4 landmark decision by the Supreme Court that reaffirmed the status quo. Neither due process nor public use is required to seize property. Urban renewal is the violation of the 5th Amendment. So is asset forfeiture, in addition to 4th Amendment violation. In both cases due process requires you be found guilty of something for a right to be ignored. Eminent domain was supposed to be the only exception.

- 12th Anniversary of Kelo on Schilling Show Podcast. Jun. 23, 2017
- 4th Kelo Anniversary of Schilling Show. Jun. 23, 2009.
- How Eminent Domain Perverts Legal System. Mar. 17, 2012.

**Charlottesville parties in seized neighborhood the day after Eminent Domain ruling.** Jun. 24, 2005.



*American Dumpster plays at Fridays After Five June 24, 2005 on Garrett Street.*

I can't imagine us justifying taking away someone's property to sell another property. – Charlottesville Mayor David Brown.

**UVa alumnus talks about eminent domain.**

Feb. 16, 2005. Charlottesville Independent Media.

Government should get out of the land business. – Steven Anderson, attorney.

The day after Valentine's and a week before the issue goes before the Supreme Court, an attorney for the Institute for Justice came to Charlottesville to talk about eminent domain abuse. Steven Anderson is a UVa alumnus and coordinator of the Castle Coalition. And about 30 people were in attendance. Anderson's speech focused on the 'public use' requirement of eminent domain, with a brief discussion of 'just compensation' issues.

He said eminent domain is a "sovereign power" that predates the Constitution. The king could take land for any or no reason. The Constitution limits this "despotic power," as the Supreme Court described it two hundred years ago.

He said there were 3 main exceptions to the public use restriction against private transfer of property:

- Public necessity of extreme sort, such as canals and railroad.
- Government retains strict control, such as utilities, power, water.
- Facts of independent public significance.

This third group of exceptions include urban renewal, which the Supreme Court ruled Constitutional in the 1954 Berman v. Parker case in southwest Washington, D.C. At the time, cities were thought of as organisms with diseased or blighted parts. Justifications for blight removal were health, safety, and morals. In southwest D.C. there was an outbreak of a sexually transmitted disease. The approach to blight was not piecemeal. You could tear down a nice house next to a blighted house. But southwest D.C. is no better today than it was 50 years ago.

Anderson went on to say that the tide of eminent domain for private purposes may be turning. Last summer, the Michigan Supreme Court overturned its own 1981 decision to allow a neighborhood be cleared for a General Motors auto plant. This was the first case where economic development and increased tax revenue justified eminent domain for purely private use. This project also fell short of its promises. The Michigan court reversed itself in an 8-0 ruling. (Michigan Supreme Court rules: Economic development is not eminent domain. Aug. 2, 2004. Site defunct.)

Before the U.S. Supreme Court next Tuesday at 10am, attorneys for 7 people who own 15 properties in New London, Connecticut, will argue that their land should not be transferred to a "10,000 pound gorilla," Pfizer Pharmaceutical who has been thinking about moving their headquarters here since 1988. The locality is bound by the public use guarantee through the 14th Amendment of equal protection.

The attorneys will argue this seizure does not fit the 3 exceptions, continued Anderson. In this case, there is no pretense of blight. Since the city has no control



over any aspect of the development and no recourse if developer's promises are not kept, the "lack of certainty" means it is not a public use taking. The attorneys will also argue that the compensation is not just. There are other losses such as memories, physical stress, relocation expenses, new mortgages because the compensation is not enough to maintain the standard of living. People have suffered illnesses and even died while condemnation negotiations have dragged on.

Anderson further said that, if the high court rules in favor of the city of New London, every property in the country is at risk. The people most at risk are "overwhelmingly minority and elderly." Friend of the court briefs have been filed by the NAACP, the Southern Christian Leadership founded by Martin Luther King Jr., the AARP, Rutherford Institute, farm bureaus, and others.

He listed a few "bogus blight designations." In one area, a house over 40 years old was defined as blighted. The White House would qualify. In Lakewood Ohio, the story on 60 Minutes Sep 28 2003 and replayed July 4 2004, a house was blighted if it didn't have an attached garage. Since then, a referendum has rejected the blight designation and the mayor was voted out of office. In Norwood, Ohio, the neighbors, who sold out early thinking no one would fight, have directed anger at the few holdouts against a shopping mall expansion.

The true anger is at the worse financial situation they now find themselves in, having to take out second mortgages to sustain a lower standard of living. He reported that "clear cutting" is widespread in Philadelphia and Camden just across the river. In Riviera Beach, Florida, the city wants to transfer 1,700 acres where 5,100 people live. The Southwest Illinois Development Authority rented out its eminent domain power. You could pay them to take someone's land for you and the agency even used the words "private use."

In his final remarks before the question period, Anderson said "government should get out of the land business."

[Hawkins] asked, if the court rules in favor of property rights, what happens to land seized 30 or 40 years ago, that remains open space. Still nobody wants to buy the property because of the intense controversy. Anderson said it's too late. The court's decision will not undo what's already happened. There would have to be legislation to have the land returned to its rightful owners.

### **The 2012 Property Amendment.** Source Sep 9 2012.

1. That the General Assembly shall pass no law whereby private property, the right to which is fundamental, shall be damaged or taken except for public use.
2. No private property shall be damaged or taken for public use without just compensation to the owner thereof.

3. No more private property may be taken than necessary to achieve the stated public use.

4. Just compensation shall be no less than the value of the property taken, lost profits and lost access, and damages to the residue caused by the taking. The terms "lost profits" and "lost access" are to be defined by the General Assembly.

5. A public service company, public service corporation, or railroad exercises the power of eminent domain for public use when such exercise is for the authorized provision of utility, common carrier, or railroad services.

6. In all other cases, a taking or damaging of private property is not for public use if the primary use is for private gain, private benefit, private enterprise, increasing jobs, increasing tax revenue, or economic development, except for the elimination of a public nuisance existing on the property.

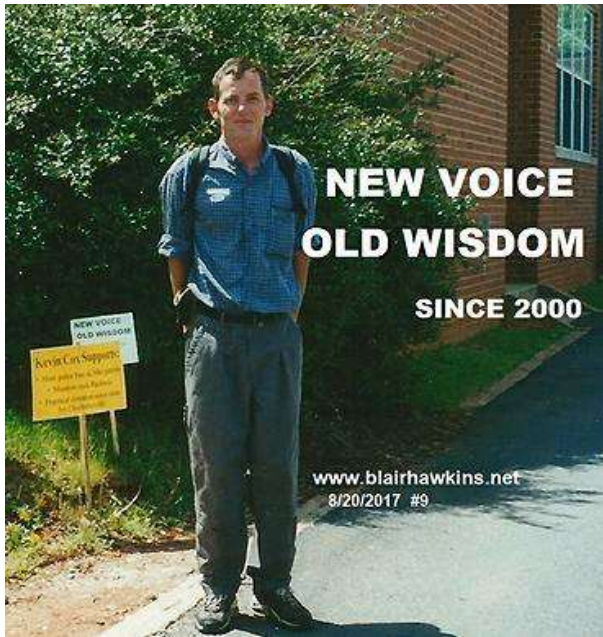
7. The condemnor bears the burden of proving that the use is public, without a presumption that it is.

The 2012 Amendment passed with 75% statewide. The weakest support at 60% were urban liberal areas with a history of eminent domain abuse and associated problems. Just compensation is strengthened. Blight is broadened to public nuisance.

**Seized property sits vacant nine years after landmark Kelo eminent domain case.** Published March 20, 2014. Fox News.

"Seized property sits vacant nine years after landmark Kelo eminent domain case. The 90-acre [neighborhood in New London, Connecticut] once earmarked for office buildings, luxury apartments and a new marina, remains vacant. Seven residents who fought all the way to the Supreme Court to keep their working-class homes in the city's Fort Trumbull section have only their memories and whatever remains of the money they were forced to accept. In the landmark 5-4 ruling [...] Previously, eminent domain had been seen as limited to cases involving projects deemed as benefiting the public, but not a private economic interest."

**2003 Blair Hawkins Stands Alone For Due Process.**  
 Wednesday October 11, 2017.



*Blair Hawkins runs for City Council 2000.*

Convert Crescent Halls APARTMENTS to Gleason CONDOS across the street.

Why can the Gleason residents use their apartment to bail their kids out of jail? But across the street at Crescent Halls you cannot do that. In both cases the land was seized by Charlottesville City Council through their Urban Renewal agency.

CRHA is the city's real estate department with authority to buy land that's not for sale (stealing). If the City stops taking the HUD money, HUD has no control or ownership of anything in Charlottesville.

Why did the City divide this land into Yes-Civil-Rights and No-Civil-Rights zones? How can we fix it? A simple City Council vote declaring Crescent Halls to be a Condominium. They can't do that? They did it for the Luxury Gleason Condos across the street. They don't WANT to do it.

(a) They don't want public housing residents to be able to bail themselves or others out of jail while awaiting trial.

(b) They don't want you to be able to take in a relative during an emergency. You'll get evicted.

(c) They don't want you to have equity and ownership of where you live.

(d) They don't want you to have any control over management and residential rules.

(e) They don't want you to be able to save up for a better life. Your rent goes up if you become successful as a way to keep you impoverished. But across the street your tax stays the same so you can save for a better life.

(f) If you can't pay the rent, the landlord has the option to evict you. If you can't pay the tax, only a court can evict you after you're found guilty of not paying the tax. Then the condo is sold at a police auction.

Why is there such a gap from one side of the street to the other? With such obvious inequality, why doesn't City Council vote to convert Crescent Halls to Condos? Or vote the Gleason to become renters...the same way City Council voted for the previous owners to become renters...if they were poor?

City Council has a lengthy history of using Land Grants to transfer land. It's a 2-step process– (1) Seize the land with Eminent Domain. (2) Sell the Surplus Public Land for \$1 to your buddy (no auction).

Why did the rich receive Due Process of ownership but the poor received an arbitrary landlord? Why has City Council reversed the legacy of Vinegar Hill? Why does City Council use the police power to transfer real estate from the poor to the rich?

The 2003 campaign is continuing today. We still have people who claim to support the poor AND support urban renewal. That's impossible. Despite City Council efforts to expand urban renewal further, quiet civil disobedience continues to stall the efforts. Mainstream media have no idea why the 5-fold expansion of Garrett urban renewal in 2014 to the Strategic Investment Area is not moving forward. Blair's Magazine of Lost History and Blair's Blog have massive documentation on this issue.

**Timeline of 2003 Campaign against Mitch Van Yahres' Urban Renewal.** (The referenced articles are reprinted below.)

**2000** Feb. Blair Hawkins decides to run for City Council as certified write-in. Summary of campaign. Kevin Fletcher decides to run a write-in campaign against Lindsay Dorrier, Scottsville district, Albemarle County Board of Supervisors, for two apparent reasons- Fletcher has an issue and the incumbent is unopposed ("Write-in", Sep 24 2003, The Observer; "Write-in: Latecomer challenges Dorrier", Sep 25 2003, The Hook).

**Jun 5. First speeches on urban renewal:**

*Letter to the Mayor*

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Monday 5 June 2000

Virginia Daugherty, Mayor  
Charlottesville, Virginia

I would like to express a few principles I hope will guide us in the 21<sup>st</sup> century. They were hotly debated in the 18<sup>th</sup> century.

- I.
  - A. It is not eminent domain to take private property into public custody and then sell it back to the private sector.
  - B. It is not eminent domain to convert residential property to residential property, or to convert business property to business property.
  - C. It is not eminent domain to take property for a non-public, non-civic use.
- II.
  - A. Property cannot be taken by referendum.
  - B. The majority cannot vote to disempower a minority.
  - C. The Constitution exists to protect individual liberty and property against majority opinion.
- III. To take property for a non-civic use without the consent of the property owner:
  - A. The owner must first be accused publicly of a crime.
  - B. The accused owner is assumed to be innocent until a judge or jury decides guilt.
  - C. Assets cannot be seized or frozen until a guilty verdict has been rendered.
  - D. The accused has the right to remain silent. That silence cannot be construed as guilt.
  - E. The burden of proof is on the accuser.
  - F. The accused property owner has the right to cross-examine his accusers.
  - G. The accused is entitled to a speedy trial, but also a reasonable time to assemble a legal defense.
  - H. If the owner cannot afford an attorney, a judge will appoint one at taxpayer expense.
  - I. The amount of liberty or property taken by the court should fit the crime.

This complicated system of procedure is called due process. It has been the supreme law of this nation since 1787.

Madame Mayor, I regret to inform you that Vinegar Hill and Garrett Street were destroyed for a non-public use, without the consent of property owners, and without due process of law. Today that property is not even under public ownership. Justice delayed is justice denied.

Therefore, please begin an investigation of the legality of urban renewal and neighborhood revitalization before any more witnesses die or move away and before any more documents are lost or destroyed.

Let us heal these wounds. Let us make sure these atrocities never happen again.

Thank you,  
Blair Hawkins

*Letter to Mayor Virginia Daugherty to Investigate Urban Renewal.*

# PROPERTY STREET

## NAMING OF 9TH/10TH STREET CONNECTOR IN CHARLOTTESVILLE

To remind us of historic differences and similarities, the Ninth-Tenth Street Connector should be named in honor of two people. Sally Hemings and Laura Dowell. A black woman in a white country and a white woman in a black neighborhood. A slave who was property and a free woman who owned property. We are familiar with Sally Hemings.

Mrs. Dowell was born to poverty in Nelson county in 1905. She had a son out of wedlock at the age of 15. He became a chief warrant officer. The next time she had a child, she was over 21, married, and had the right to vote. Altogether she had 12 children. Only 6 lived past the first year. With a third grade education, she worked many jobs while she rented. She sewed and cleaned for rich property owners for half a century.

In 1960, after a car accident, a broken arm, and a one thousand dollar insurance settlement, she bought a hundred year old house on a white street in a black neighborhood south of downtown. Her large house had indoor plumbing, heat, electricity, a refrigerator and telephone. It was shelter for an extended family. The house and property were in compliance with every local ordinance, state and federal law.



At the age of 65, when she was ready to retire, a democratic city council took her dream house and retirement home for urban renewal. She liked living in the historic Garrett Street neighborhood. At the age of 92, she died in a nursing home against her wishes.

Sally Hemings and Laura Dowell were treated with disrespect from the day they were born until the day they died. The naming of Tenth Street should be a covenant, a promise to Fifeville that the condition of a building is not justification to take the land on which it sits.

Tenth Street should be called Property Street. Property tax is cheaper than rent. The city has converted private property to public rentals. Rent is more expensive than property tax. Renters can be evicted. Rent generates more revenue.

Tenth Street should be named for a black woman and a white woman, a slave who was property and a free woman who slaved to own property. Call it Property Street to reassert private ownership and control of property.

Blair Hawkins

Monday 5 June 2000

*Name Connector "Property Street" for Sally Hemings and Laura Dowell.*

**2001 Feb 28.** Constitutional argument in a newspaper. "Free Speech Wall Unnecessary", The Observer.



— Aug 27. The Witness Report newspaper debuts. Sixth and final issue April 30. All 19 pages as jpg images (100k-200k each) on one page best viewed at 1024x768 screen resolution. All 23 pages from 2001–2002.

— Nov. Hawkins begins telling people he will challenge Van Yahres if he runs unopposed again in 2003. Van Yahres is elected to his eleventh 2-year term with 167 write-ins opposed.

**2002** January. HealingCharlottesville website debuts.  
(Yahoo has eliminated free personal webpages.)

— Apr 2. "Schilling and Salidis for Council", The Daily Progress. Incumbent mayor Blake Caravati (D) and challenger Rob Schilling (R) were elected.

— Dec 19. Landmark essay on public housing. "No reparation for slavery... Yes restitution for renewal".

**2003** Mar 15. "Ides of March" email to Van Yahres.

— Apr 7. Campaign website debuts. Campaign kicks off. Vision and biographical resume articulated.

— Apr 16. "GOP adds two to House races", The Observer. (The other candidate was Delegate Steve Landes for re-election.)

— Apr 17. "4 better or worse", The Hook.

"Best long shot in the 57th District. Blair Hawkins challenges Democrat Mitch Van Yahres for the General Assembly seat Van Yahres has held since 1981. Best Credentials. Hawkins is two-time winner of the Clark School spelling bee, according to the press release announcing his candidacy."

— Apr 21. First two planks articulated:

1. Fifth Amendment vs. Housing Authority.
2. Education.

— Apr 29. "Switch hitters: Two candidates pick parties and abandon Independents", C-ville Weekly. (The other candidate was Eric Strucko for the White Hall seat on the Albemarle County Board of Supervisors.)

"...In Hawkins' mind, City annexation of the County and urban renewal are the two issues that explain every aspect of current-day local government...."

— Apr 30. Classifieds Legal Notices, The Daily Progress.

## "REQUEST FOR PROPOSALS. CHARLOTTESVILLE, VA

Physical Stock Assessment. The Charlottesville Redevelopment and Housing Authority (CRHA) seeks proposals from A/E firms to evaluate its physical stock. The successful firm will conduct a comprehensive assessment of CRHA's physical assets and develop a long-range capital plan based upon the agency's mission, market conditions, best and highest use, and effective use of resources. Submission deadline is 12:00 noon EST on 6/11/03."

— May 6. CRHA Board Chairman Dave Norris identifies modern urban renewal.

— May 10. "Housing director resigns: No reason offered for Harvey's action", The Daily Progress.

— May 14. Third plank: "A politician on the politics of gay", The Observer. Position echoed in "Domestic partners walk many paths", Sep 21 2003, letter in The Daily Progress.

— May 28. "Several Va. races lack challengers", The Daily Progress.

"...Blair Hawkins, who garnered four votes as a write-in candidate for Charlottesville City Council in 2000, failed to file the necessary \$500 check by the deadline and thus will not be eligible for nomination even though he had announced as a candidate, said Robert Hodous, city Republican chairman..."

— Jun 2. "Undelivered Nomination Speech" at Republican mass meeting at McIntire Park. Democrat incumbent Van Yahres runs unopposed.

— Jun 3. "Republicans nominate NFL referee for board", The Daily Progress.

"...Blair Hawkins threw in the towel and acknowledged he was giving up a quest for the Republican nomination after missing a filing deadline last week... WVIR-TV Dateline29 News gives the candidate a few minutes of fame.

— Jul 11. "From The Editor", The African American Reflector.

"...I have learned that many feel that the same "Urban Renewal" that dismantled the famed Vinegar Hill as a black business district is resurfacing in the form of housing programs that many feel are preying on the ignorance and misfortune of the elderly and poor for the express purpose of acquiring property in traditional black neighborhoods and building housing that is not affordable in their place..."

— Aug 20. "Eminent Domain is main issue in Va. state house race 2003" email to Neil Boortz' radio talk show syndicated on WINA AM-1070.

— Sep 29 Monday - Boortz spends half the three hour show talking about eminent domain abuses. Citizens Fighting Eminent Domain Abuse.

— Oct 16. "Write in urban renewal!", The Hook.

— Oct 22. Final Letter of Campaign to The Daily Progress.

### Campaign Slogan – **Private Property for the Common Good**

Ad in The Daily Progress Classifieds Special Notices for 7 days centered on June 2 – "Private Property for the Common Good." Blair Hawkins for House of Delegates 57th District. Republican Convention Jun. 2, 6 p.m. McIntire Park. Election Nov. 4. "geocities.com/HealingCharlottesville/Campaign2003"

### **Reflections of the candidate. (Sep 29)**

I've always known that urban renewal is a big story. But it wasn't until I ran for Council and talked to people that I realized just how big a story it really is.

People generally fall into two groups: those who have never heard of urban renewal and think all those parking lots south and west of downtown have always been there, and those who know what has happened. Those who know fall into two subgroups: opponents and victims who are happy to talk about it, and supporters and officials who avoid the issue. Most of the opponents have moved away. The supporters remain and have risen to positions of leadership and wealth.

The discussion on my part seems already to have shifted away from public housing and the facts of urban renewal to redevelopment. After all, the housing authority is the redevelopment authority. Since some high profile officials of urban renewal are now members of ASAP (Advocates for a Sustainable Albemarle Population), a few logical questions follow:

1. Does ASAP support the creation of a development agency in the county, whose mission would be to override eminent domain to accelerate development but whose result would be to slow growth in the county, a rural area?

2. Does ASAP support the elimination of the city development agency in order to encourage growth in the city, an urban area?

The biggest irony of the campaign would have to be the anti-Patriot Act resolution introduced by Richard Sincere to the Republican mass meeting. The resolution warned of possible future civil rights violations by a federal agency while I had just run a campaign against known civil rights violations by a specific local agency. The resolution passed and moved on to City Council. I guess I'll have

to write a resolution informing city employees that they could be arrested for grand larceny if they participate in the taking of property under eminent domain for private use.

There is no shortage of ideas on how to grow this issue: Such as a petition drive for a referendum to abolish the Redevelopment Authority. A run for Congress would be an escalation. Or maybe even a lawsuit as the Authority sells its eminent domain property to private developers. Only time will tell.

I am very happy that this issue went national (CBS "60 Minutes", Sep 28 2003). I am proud to have participated in the movement to restore Fifth Amendment property rights in America. My goal is to compile this work as a Microsoft Word or Adobe Acrobat file for distribution on CD to book publishers by Christmas. I hope also to reproduce a dozen or so old articles from The Daily Progress.

On November 4, I will write in myself to record for history that I publicly stood up for private property. When an incumbent runs unopposed, that's a golden opportunity to write in the one issue you think needs to be addressed. Any of these phrases would be support of my issue campaign:

- urban renewal
- eminent domain
- due process
- Fifth Amendment
- civil rights
- private property
- land use management
- housing authority
- redevelopment authority
- Vinegar Hill
- Garrett Street
- Levy Avenue
- any address taken under eminent domain for private use

If you are happy with the way things are, you should vote for the incumbent, Democrat Mitch Van Yahres.

(Voter Registrar now reports write-ins only if they are pre-certified and spelled exactly. It's the latest effort to block the public from communicating to local government.)

**The opponent: Mitch Van Yahres**

Mitch Van Yahres Acceptance Speech for the Democratic Nomination May 29 2003. Democrats Nominate Mitch Van Yahres/ Delegate Criticizes GOP Plan/ Hawkins' Press Release May 29.

"Mayor Mitchell Van Yahres said the council will meet...and immediately vote itself into executive session" ("Closed Annex Meeting Set", Jul 28 1971, The Daily Progress).

"The Charlottesville Redevelopment and Housing Authority has begun to file for condemnation proceedings for acquisition of land in the Garrett Street urban renewal area" ("City Authority Begins Filing For Garrett Condemnations", Jul 28 1971, The Daily Progress).

"Ides of March" email to Van Yahres. March 15, 2003.

Dear Mitch Van Yahres,

In May, I will declare my intention to seek the Republican nomination to represent Charlottesville and Albemarle in the Virginia House of Delegates. At that time, I will file official papers and post this email to my website.

In my speech at the convention, I will paint the campaign as a historic contest between a man who voted for urban renewal and a man whose family was displaced and disempowered by those votes. The election will be a referendum on the Fifth Amendment.

I will build a coalition among rich and poor, black and white, Democrats and Republicans, and also people who have not voted for years. In this moment of history, it would be irresponsible for me to sit quietly at home. I look forward to a literate and spirited debate on the major issues of the day.

Best of luck to you,

Blair Hawkins, <http://geocities.com/healingcharlottesville/>

**Cville Native to Oppose Mitch Van Yahres: Mr. Sterling Goes to Richmond.** Mon Apr 7, 2003.



*Blair Hawkins.*

A white man who grew up in poor black neighborhoods and public housing of Charlottesville, two-time winner of the Clark School spelling bee, Blair Hawkins announces he will seek the Republican nomination to represent Charlottesville and Albemarle County in the Virginia House of Delegates.

"My immediate strategy is to inform the public how they can join the Republican Party in order to vote at the convention to make sure the election is about issues, not incumbency," says Hawkins. "A vote for me is a vote for inclusion in the political process. It's also a vote for equal protection of the Fifth Amendment."

The convention should be in early June, but the date has not been set. The filing deadline and fees have not been determined. Hawkins is asking for contributions to pay for filing fees and to advertise his message.

He says, if elected, he will use the office to bring about positive change locally. He will argue and introduce legislation to cut funding to the Housing Authority because of its well-known history of violating the Fifth Amendment



process for taking property. These large-scale violations have created unintended consequences.

"Urban renewal has contributed to a shortage of affordable housing, high rents, high property values, loss of confidence in property as a safe investment, declining civil rights as the amount of private property decreases, mass exodus of residents, loss of history, labor shortage, increase in violent and race-based crime, economic stagnation, and general civic shame for the most recent chapter of local history.

"My plan is to increase the supply of real estate by changing one word. Convert public housing 'apartments' to 'condominiums' owned by the current residents. Instant empowerment of low income people through a land grant." Fifth Amendment vs. Housing Authority.

Hawkins' basic message is to force reductions in harmful services by cutting taxes.

"No agency or company will reform if the revenue stream continues at or above past levels. Sometimes a new program is the solution. But sometimes repeal of a bad law will improve quality of life."

His is a cautionary tale. "If you stop forced renewal and subsidized housing, many of our social problems will magically go away. If we don't address these two practices, some kid who lives on Tenth Street today will have a similar message forty years from now, just as people are still talking about Vinegar Hill forty years after the last building was torn down."

### Biographical Resume.

Born Mar. 5, 1964 at UVa Hospital. Mother went into labor with her third of five children at the Paramount Theater on East Main Street during the Doris Day, Rock Hudson film, Pillow Talk.

### Schools Attended.

- Hope House for Preschoolers on Garrett Street.
- Greenbrier.
- Burnley-Moran.
- Clark.
- Buford.
- Walker.
- Jefferson alternative school.

- Charlottesville HS, 1982 graduate in top ten percent of class, Honor Society, French Club President, first speech delivered to ELKS Club on subject of school violence.
- UVa First Summer Foreign Language Institute 1981, German Program 4.0 GPA.
- Georgetown University Russian Program, freshman year.
- North Carolina State University, B.S. Meteorology 1993, Computer Science Minor; 3-year Army ROTC scholarship, Dean's List 3 semesters.
- Piedmont Virginia Community College.
- Cleveland State University, computer technology.

#### Places Lived

- 509 and 522 Ware Street (Photo Vignette).
- Ridge Street.
- Pine Grove trailer court at southwest corner of Hydraulic-Emmet Street intersection 30 years ago.
- Westhaven public housing.
- 1100 block of Market Street across from Skate Town.
- Garrett Square public housing.
- South First Street public housing.
- Harris Street house and trailer park (both gone).
- Sixth Street trailer park.
- North Garden in southern Albemarle county.
- Rugby Road.
- Belmont Avenue.
- Raymond Avenue.
- Cottage Lane apartment in Rosser Mansion on 200-acre farm that once stretched to the Rotunda.
- Also Raleigh and Durham, North Carolina, Cleveland, Ohio, and Caribou, Maine.
- Summer 2002 camping in the foothills of the Cascade Mountains, northeast of Seattle, Washington.

#### Military Service.

- 1983-85 Enlisted, Private First Class; Basic Training Fort Leonard Wood, Missouri; Advanced Individual Training 96B Interrogator, Fort Huachuca, Arizona; Defense Language Institute at Monterrey, California, Introduction to

Arabic; US Military Academy Prep School, Fort Monmouth, New Jersey. The Army paid off my college loans.

- 1985-88 Army ROTC, NC State University; Color Guard, Ranger Trooper, Public Affairs Officer; Advanced Camp at Fort Bragg; Northern Warfare Summer Course, Fort Greely, Black Rapids, Fairbanks, Alaska, in July; Infantry Officer Basic Course at Fort Benning, Columbus, Georgia; Second Lieutenant Commissioned Officer.

- 1996 Reserve Obligation Expires.

### Positions Held.

- Daily Progress newspaper boy with routes south and east of downtown core.

- Lawn boy.

- After school painter, dishwasher, construction worker. Cook at Fellini's in the glory days.

- 1994-97 Meteorologist for National Weather Service. Resigned to take care of father who passed January 11, 1998. (Photo of Marvin Hawkins).

- Brick Mason, Journeyman, Apprentice, Laborer.

- Webmaster, Content Writer, College Level Tutor, Delivery Driver, Barista, Handyman, Tent Erector, Events Lighting Technician.

- Volunteer Service:

- LiveArts Spotlight Operator for Kiss of the Spider Woman and The Robber Bride Groom; Slide Projector Operator for The Cryptogram.

- Candidate for Charlottesville City Council 2000. (Speeches and documents of the campaign).

- The Witness Report Pamphlet, 7 issues, August 2001 to April 2002.

- HealingCharlottesville Website of political activism, created January 2002.

- Letters of Charlottesville in hiatus after 2 issues.

### Special Thanks to Teachers and Mentors

"It's impossible to name every person who has influenced my life. But some deserve mention.

- Clark School 1st grade Ms. Staggers who taught phonics. Ms. Bohr for science. Fifth grade Ms. Carter who put her job on the line to have a violent boy expelled for the few months that remained in the school year.

- Ms. Carson for 6th grade math and joke teller extraordinaire on the Upward Bound bus trip from D.C. in a snowstorm. And the late principal Ralph Law, who gave me three whacks of the paddle in his Buford office.

- Will Paulson and Tom DeMayo of Outreach.

- Michael McCumber, UVa grad student who hired me as an intern for two summers between 9th and 11th grades to help with computer modeling of thunderstorms over Florida and Oahu, Hawaii.

- Mesdames Morton, Rose, and Decanio for French.

- The teacher I think about most is Ms. Miles, 11th grade English, essay-style expository writing. I use her techniques over and over. Thank you again."

### **Fifth Amendment vs. Housing Authority.**

Mon Apr 21, 2003.

#### **The Constitutional Argument.**

- "Free Speech Wall Unncessary," Feb 28, 2001, The Observer.
- Speech before City Council, June 5, 2000.
- "No Reparation for Slavery...Yes Restitution for Renewal," Dec 19, 2002, HealingCharlottesville.

#### **Shortage of Affordable Housing.**

"The good news is that houses in the County and surrounding counties with smaller price tags tend to be more numerous" ("Home is where the help is," Mar. 25, 2003, Cville Weekly).

But those counties don't have a housing authority. The City has had one since 1954. Shouldn't the City have a better position on affordable housing? One unintended consequence of this agency is the opposite of its stated mission. That alone seems sufficient reason to eliminate the agency.

#### **High Rents.**

High rent is a reflection of high real estate assessments. The tenant pays the property tax, rainy day repair fund, landlord's mortgage, and landlord's profit. A mortgage is cheaper than rent plus you have property rights.

#### **High Property Values.**

High assessments are most likely the result of a smaller real estate market because of government expansion. The more land the City, County, UVa, State, and Federal own, the less private property exists. According to supply and demand theory, the more scarce a commodity, the higher its value. The total amount of land does not change.

A second phenomenon is also at work. The economic cycle where a property's value appreciates and depreciates alternately has been interrupted. The consequence of declining assessments in the 1950s and '60s was urban renewal or redevelopment, as it is today. By not allowing property values to decline, the office of the assessor is protecting us from the Housing Authority.

As a side-effect, the range of value from the cheapest to the most high-end property remains the same. Some property assessments have to go up dramatically to offset property that normally would go down.

A third possibility is that rising assessment is a defacto tax increase to generate more revenue. Another way to fund the rising cost of services is to sell off public property, thereby creating a revenue stream of taxation. At the same time, cost of services would go down because that property would then be privately maintained.

### **Loss of Confidence in Property as a Safe Investment.**

Traditionally, if you expected your stay to be brief, you would rent. If you expected to settle down, you would buy a house. This was the culture a hundred years ago.

So people settled south and west of downtown where land was cheap. Some of them built grand homes for their extended families. In the '50 and '60s, these homes were occupied by old people. Their children had grown up and moved to their own homes. Because property values were in decline, the poor had opportunities to buy a grand ol' money pit, live in it, renovate it later, and meanwhile use the advantages of property.

Then urban renewal came to town. It targeted the cheapest real estate regardless of the owner's race or economic status. These areas happened to be predominantly black neighborhoods. The Elderly high-rise on South First Street was built to house the displaced senior citizens. They were not allowed to die in their own home or to pass their estate to their children. In many cases, those grand homes are now parking lots or open space.

The lesson is this: If you get old or sick and unable to maintain the exterior of your house, a program is headed your way whether you want the help or not. City inspectors actively enforce the blight ordinance, which is forcing the elderly out even today.

The County does not have a blight ordinance, another reason for a better supply of affordable housing. The County eyesore ordinance comes closest to a blight ordinance. But a private citizen must complain to trigger enforcement. City inspectors have no such restraint.

Declining Civil Rights as the Amount of Private Property Decreases. The right to a speedy trial or presumption of innocence, let's say. If I'm arrested and can't post bail, I can use my free public education to write letters asking people to post my bond. I should not have to sit in jail for months waiting for trial only to be found innocent.

A greater supply of land would likely mean a greater number of landowners and more people I can ask for help. A few thousand dollars of land to buy a man's freedom. I wouldn't be a flight risk because I don't want you to lose your estate. If I'm found guilty and sentenced to prison, I still owe you a favor because you took a chance on me.

The ability to risk private assets to help others is the glue of a free society. When the government owns all the land, what freedom is there?

### Mass Exodus of Residents.

"Although Charlottesville's overall population has remained flat over the past few decades, the number of UVA students housed off-grounds increased from 3,185 to 12,326 between 1960 and 1995...The growing number of students living off-grounds has...put enormous pressure on the City's own housing market, decreasing the supply and driving up the costs of housing for working poor and blue-collar families" ("UVA's failure the crowding source" letter by Dave Norris, Mar 27, 2003, The Hook.)

If population has remained constant and new people have moved here, such as students, where did the former residents go? When and why did they leave? Mostly they moved to Albemarle and surrounding counties. Their presence helps to explain institutional differences between the city and its neighbors.

Dave Norris is the chairman of the board for the Charlottesville Redevelopment and Housing Authority. Presumably, he has a say in whose property the agency will take next. The Housing Authority blaming UVa for a shortage of affordable housing is like the pot calling the kettle black.

### Loss of History.

"Housing Authority is controversial because of urban renewal's history," Aug 20, 2002, Daily Progress.



### Labor Shortage.

The Charlottesville area routinely has the lowest unemployment in the state. Some economists consider an unemployment rate of less than 2% as a labor shortage. The problem locally is not a shortage of jobs, but a shortage of people willing to do the work for the wage offered. Now is the time for workers to ask for a raise.

The shortage may also stem from a generation of working-class residents who have moved out of the city. They moved for the American Dream, the security of knowing you have a place to stay in your retirement. They moved for a lower cost of living and less regulation.

Public assistance also contributes to the labor shortage. Some people who are able to work prefer to draw disability or Region Ten subsidy. These workers are lured away on the promise that they can do nothing and live "independently."

### Economic Stagnation.

The shortage of labor suppresses economic activity and investment. At any given moment, businesses fold while new businesses start up. Stagnation is more of a feeling that the economy is not performing.

A subjective indicator of economic stagnation is the same one used for blight. You just look around and take notice of vacant buildings and failed businesses. The Terrace Triple next to Kmart. The four vacant buildings across from Jefferson Theater. The Paramount's inability to bring itself back to life. The current state and future of the Frank Ix textile mill, which opened in 1923, lessened the impact of the Great Depression locally, was the largest employer during WWII, and helped make South Downtown the most integrated neighborhood in town in the '60s. The Charlottesville Warehouse Corp. vacant building should go under historic designation as one of the few historical markers remaining to recall how things used to be.

### Increase in Violent and Race-based Crime.

Like economic stagnation, this indicator is subjective. People generally judge their safety based on what they hear from others, what they see in the media, and what they observe. Older folks report the perception that life was safer before urban renewal. Some say you were able to leave your doors unlocked even in poor neighborhoods. Public housing appears universally to be less safe than privately-owned slum housing.

### Civic Shame for the Most Recent Chapter of Local History.

Another subjective indicator. I realize this issue was widely discussed in the '70s. But as a representative, my job is to focus on the one or two areas that are likely to improve quality of life the most. It's time for a new generation to examine the wisdom of their parents.

Urban renewal was optional. In general communities without housing authorities have more affordable housing and property, and are better places to live. Compare Waynesboro, Lexington, Gordonsville to Charlottesville, Richmond, D.C. Public housing is a bad idea no matter how you look at it.

<b>Apartment</b>	<b>Condo</b>
Pay rent as tenant.	Pay taxes as owner.
Annual lease the landlord can decide not to renew.	Permanent resident. Only due process can evict.
Lease.	Deed.
Cannot sublet.	Can rent out.
Landlord decides number of tenants, not leaseholder.	Owner decides.
Can move.	Can move and sell condo, move and rent out condo, stay and rent condo from new owner, or let condo sit vacant.
Cannot be used by tenant as equity or collateral.	Owner can get equity loans and leans.
Cannot be used as bond to get anyone out of jail.	Legally just like real estate.
Expectation that you are transient with short-term interest.	Expectation that you are a permanent resident with long-term interest in community.
Timely rent payments reflect positively on credit history.	Instant credit rating.

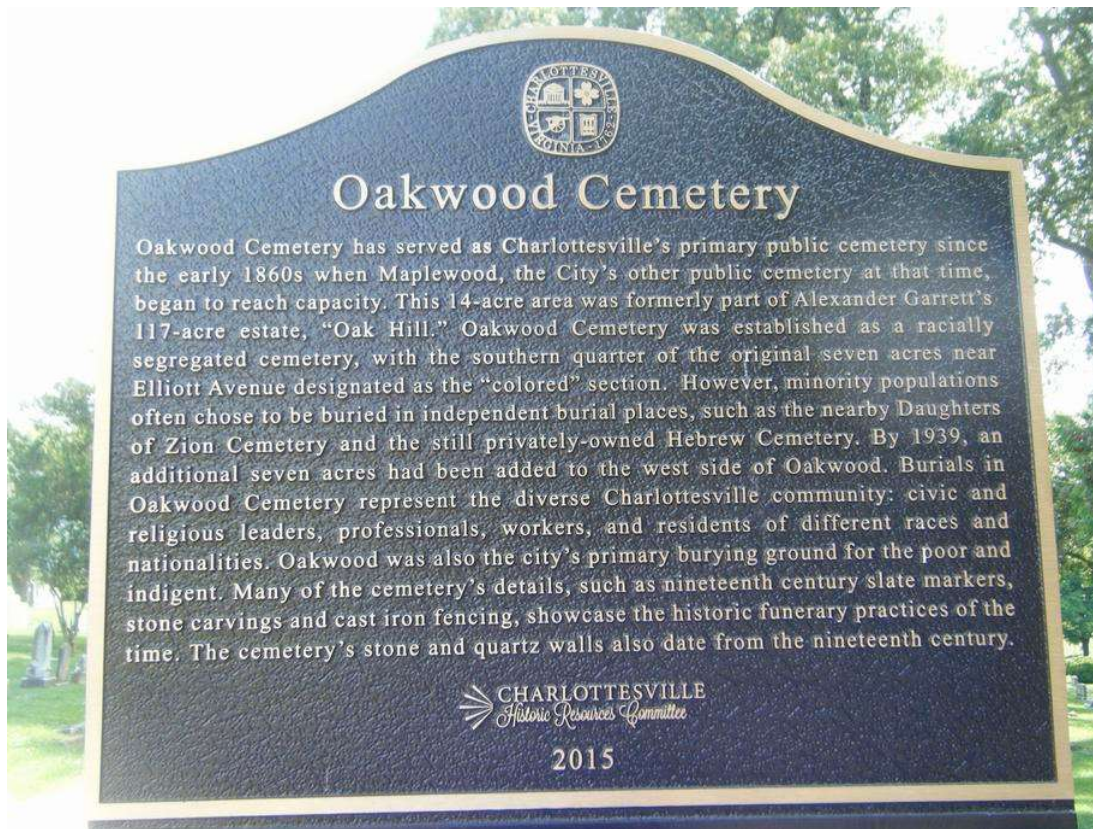
### **The Office of Delegate.**

The responsibility of a delegate is to represent his district, to articulate concerns and issues relevant to residents of the district, and to express those views

to the General Assembly. What I have to offer are ideas, words, a way of thinking about things.

On most issues in the House, I will vote as the majority of my constituents feel. But occasionally I will have to say no to the majority. In the case of having government take one man's property for someone else to own, I will say no regardless of political pressure.

Rule of Law should apply locally. The Fifth Amendment means you cannot vote to take your neighbor's land. As delegate, I will officially affirm the principles of Free Enterprise, private property for the common good.



*1860 Oakwood Cemetery Marker 2015.*

**Education.** Mon Apr 21, 2003.

As delegate, I would not represent a school board, board of visitors, board of supervisors, or city council. A delegate represents the residents of his district directly.

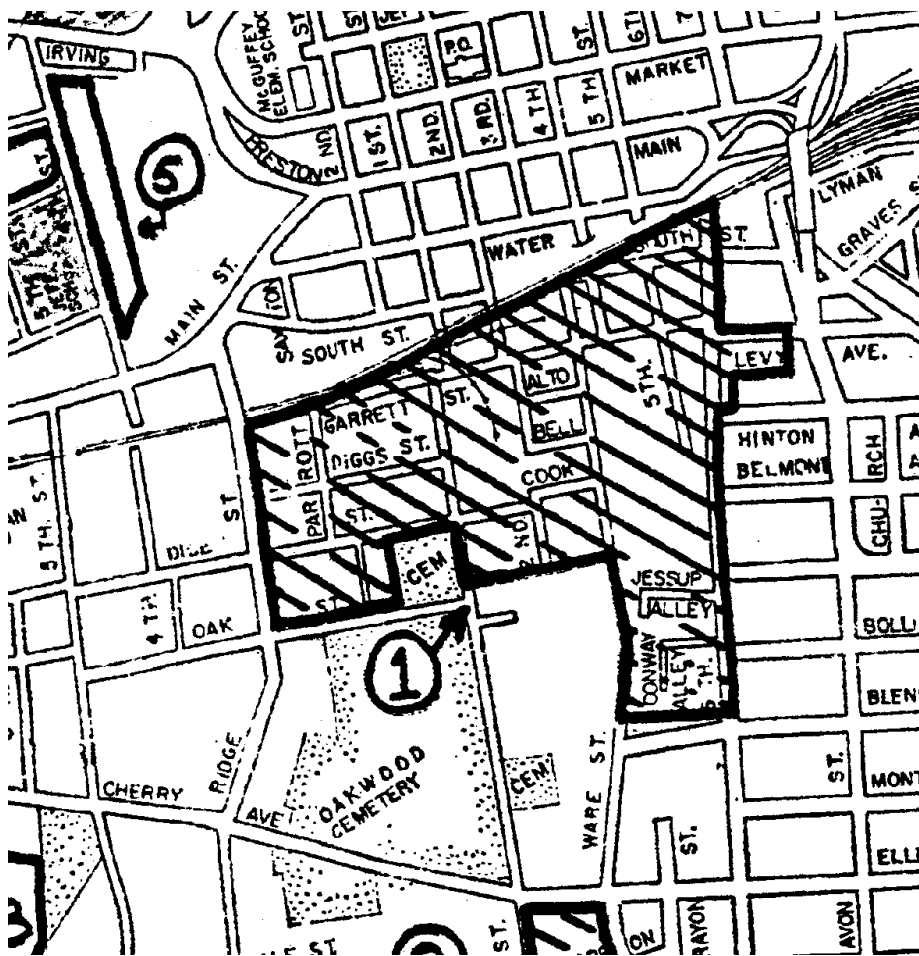
Jefferson School. The Charlottesville city school system can expect a series of funding cuts as political pressure to reform.

– Less Need. This school year is the first since 1865 that Jefferson is not open as a school. The city now has 8 schools instead of 9. Fewer schools to

maintain, fewer expenses. That comes out to an 11% reduction in need from now on.

– Less Merit. The Charlottesville School Board's handling of the debate over Jefferson and its preschool was a poor example for our children. Postponement of hearings until interest had diminished and scheduling the hearings for late in the evening when the crowd had thinned out were both intended to exclude voices and ears from the public process.

As your representative, I will tell the General Assembly that city schools have capital needs. But my constituents believe the school board should not be rewarded for its recent performance. I will have to hear from my constituents about the state of public education in the county.



*1967 Garrett urban renewal zone (1). Vinegar Hill already cleared (5).*

### **Support Teachers.**

Teachers should earn enough pay so they can afford to teach. I believe a good teacher is good regardless of pay. Teaching is not a job. It's a calling. The

General Assembly decides the level of funding to a school district. The school board decides how much to pay teachers.

### **Trust Teachers.**

If a teacher says a disruptive student should be removed from the classroom, that should be the end of it. A teacher has no interest in picking on a kid. Removing children from school does not make a teacher look good. Trust the judgment of our teachers. Parents who always take the side of their kid undermine respect for authority.

### **Protect Students.**

"If any teacher makes the statement that Joe beat up John, then Joe should not be allowed to return to the same school with his victim. When Joe runs out of schools to attend, his family will have to move away if they want him to have a public education" (at the Education Forum, CHS, Apr. 13, 2000). Younger children have more chances because there are more elementary schools.

### **Repeal Compulsory Education.**

Making school voluntary would achieve these results.

- Truant officers and social workers would not force violent and disruptive students to attend school.
- Truant officers and social workers would not force good kids to attend a school that is unsafe.
- Truant officers and social workers would be laid off. The money saved could be used for educational purposes.
- More parental involvement because parents would be responsible for their children's attendance.
- If society continually under-funds education, let the education establishment shrink to a level we are willing to fund.

### **Out-of-City Tuition.**

Since public schools are funded primarily from local real estate tax, it seems reasonable to charge a fee for students who reside outside the jurisdiction. As it stands now, city schools are free to city residents and the same fee for everyone else. But Albemarle county pays revenue sharing to the city at around ten percent of the city's annual budget, all of which goes into the general fund and can be used



for education. Because outlying counties do not subsidize the city tax base directly, they should be charged tuition to attend city schools. Charlottesville schools should be free or discounted to Albemarle residents.

### **Merit Testing.**

Allow people to get jobs by demonstrating skill or knowledge. Relax educational requirements for those who can't afford college. Dress Code. Students and teachers should dress for success. T-shirts, torn jeans, and unkempt appearance are not appropriate for public school. Because of taxpayer funding, public school should be held to a higher standard than private school.

## **Healing Charlottesville**

The purpose of this website is to entertain a political theory that the assumptions and fears of urban renewal contribute to modern problems. The talk of an ideal neighborhood today is institutional memory and desire to bring back Vinegar Hill and Garrett Street.

I can't bring them back. So I invented a time machine to take you back to those neighborhoods.

### **Real Time Machine**



#### **Trip #1**

Click on photo at left to print larger version. Take photo to south parking lot of Garrett Square. Stand with the Ix building at your back. Hold this photo in front of your face.

I guarantee you will travel 35 years back in time.

*Healing Charlottesville website February 2002.*

### **College Welfare.**

UVa President John Casteen has said that the state continually under-funds the University. If UVa were short of funds, they would not be building a new



athletic arena, parking garage, library, and monuments to benefactors. They would also not be buying up real estate for future expansion.

### **UVa Logic for Recipients of Public Funds.**

What if President Casteen lived in public housing and a social worker came by one day and saw his brand new furniture, TV, computer and appliances? Social worker: "If you can afford all this, then you don't need public assistance." Casteen: "That money was specifically earmarked. I'm not allowed to use it for rent or groceries (or basic education)."

### **State Pay Raises.**

It's easy for state workers, such as public school teachers and university professors, to call for tax increases because they don't pay taxes. They are paid from taxes. I would ask government employees to share the sacrifice and draw unemployment if you are laid off. Meanwhile, we should make policy changes to retain quality teachers.

**CRHA Board Chairman Dave Norris identifies modern urban renewal.**  
May 6, 2003.

Had City Council been more interested in hearing from the public last night before moving ahead on its Prospect Avenue gentrification project, here are the comments I would have made.

Good evening, my name is Dave Norris and I live at 1508 Green St. in Belmont. I rise tonight to thank you for appointing me to the City's new Housing Policy Task Force. I look forward to working with my fellow Task Force members to produce some substantive proposals for addressing the affordable housing crisis here in our community.

One of the specific ideas that I will be pushing the Task Force to consider is a set of principles to guide the City's efforts in revitalizing low-income neighborhoods. These principles will serve to encourage public and private investment in distressed neighborhoods while ensuring that the result of this new investment is community empowerment, and not community gentrification.

At a minimum, I would hope that anytime there are public dollars invested in a neighborhood redevelopment project in the future, there is:

- a well-defined vision and plan for how the project will uplift the whole neighborhood

- full involvement by neighborhood residents in the development and implementation of this plan (with groups like the Quality Community Council and PHAR helping to build the capacity of residents to assume leadership in this process)
- use of the Weed and Seed approach in weeding out known criminal elements, building code violators and irresponsible/absentee landlords and in seeding the neighborhood with community policing, youth programs, training and education initiatives, infrastructure improvements, etc.
- one-for-one replacement of any affordable rental units lost to redevelopment [when the demand for affordable rental housing is so severe, we've got to at LEAST preserve what small stock we have now]
- deliberate targeting of new homeownership opportunities to existing neighborhood residents
- deliberate targeting of new employment opportunities to existing neighborhood residents
- measures to ensure the affordability of new housing for the long-term (in order to ensure that public dollars remain in service to the public good) With provisions like these in place, you will see a much different result than we've seen in other redevelopment projects, and you will realize a much higher long-term gain on your investment. Instead of using the redevelopment process to displace and relocate problems, you will be using the redevelopment process to solve problems.

Instead of using public dollars to evict poor families and further restrict housing choices for people who are already struggling to get by, you will be using public dollars to expand housing options, help low-income families build assets and skills, and foster a much greater sense of ownership and pride among neighborhood residents. Instead of encouraging community gentrification, you'll be encouraging community empowerment.

Unfortunately, the Prospect Avenue proposal you have before you tonight contains few, if any, of these kinds of provisions. Furthermore, it adds insult to injury by blaming renters as a class of people for the problems in that neighborhood. It is easy to stigmatize low-income people and it is easy to stigmatize renters but evicting an entire block of low-income renters is not the answer. I would challenge you to look into the eyes of each of the families you will be evicting and explain how it is that they are bringing down the neighborhood. If there are problem tenants and problem landlords, by all means let's deal with them – but don't use their bad example as an excuse to make life even harder for others.

I applaud the City and the Piedmont Housing Alliance for your interest in helping to revitalize low-income neighborhoods, but I strongly encourage you to learn from the lessons of Charlottesville's checkered redevelopment history and

make the effort to show that this time, on Prospect Avenue, it can be done right. (Dave Norris, May 6, 2003.)

**A politician on the politics of gay.** May 14, 2003.

I would like to thank The Observer (defunct) for its coverage of my announcement to seek the Republican nomination for House of Delegates 57th District.

I'd like to take issue with "The Spur: the politics of 'gay'" (Apr. 30) and express a candidate's view. "...if Charlottesville is the liberal Mecca of Virginia, the gay presence has been, to date, a little underwhelming."

As a gay man, born and raised here, and out of the closet for fifteen years, I can tell you that gay people are everywhere. Like other underprivileged, they are invisible. As a minority, gays are like no other. They are the only people who routinely need protection from their own families. The best way to protect them is to extend the right to form a new family to all people.

Married people don't seem to be aware of their privileges. So naturally, they don't want to pay the marriage penalty, a higher income tax to pay for those special rights. Only a man and a woman can designate each other as next of kin, power of attorney, and sole heir in a single legal document. Of course, everyone can write a will and assign power of attorney. The exclusive right of marriage is the ability to choose your next of kin as many times as you want.

Usually, your closest blood relative would have your best interest at heart. This is often not the case for gays. It becomes apparent if you find yourself suddenly hospitalized or jailed. Next of kin, whom you haven't seen for decades, can show up and, legally, make decisions for you. You don't have to be gay to have a hateful family.

Gay marriage seems to be a contradictory phrase. Marriage is a religious term. The government should not discriminate on the basis of religion. We should recognize nontraditional families. Marriage certificate for a man and woman. Next of Kin certificate for everyone else. Fee for both. If you're happy with your next of kin, you need do nothing.

Two old ladies living out their retirement as roommates should be able to designate each other as next of kin to protect themselves from greedy children. Would you want someone to make life or death decisions for you if you knew that person would choose death? A Next of Kin license is just a piece of paper naming your closest legal relative. Government agencies would regard the name on the license as your closest family member.

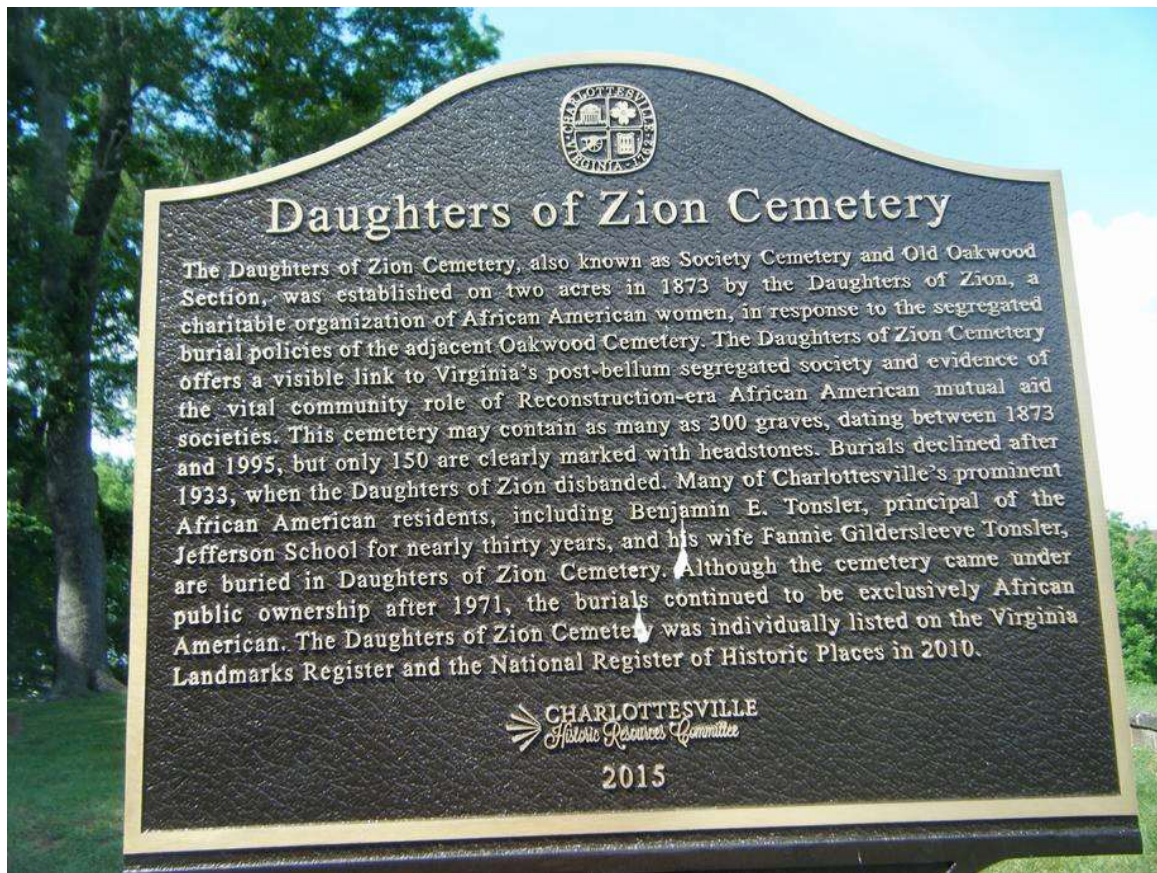
What exactly is a family? A group of people with common relatives? Related by blood or by marriage? Or two people who care about each other more

than anyone else? I consider my coworkers as family because I spend more time with them than I spend with anyone else. In some circles, 'family' is code for gay. It is already legal for gays to be closest next of kin; for example, two orphans or man and woman married for convenience.

I favor equal rights, not special rights. Every crime is a hate crime. Pressure should be placed on judges and prosecutors to enforce the law equally. The legislature should pass laws that apply equally to everyone. The right to form a legal family would make the world a safer place for all people.

This kind of honest analysis and focus on basic principles distinguishes me as a candidate. If elected, you can expect more simple solutions to complex problems. I will try to make the world a better place one person at a time.

Letter to the Editor, The Observer. May 14, 2003.



*1873 Daughter of Zion Cemetery for affluent blacks.*

### **Undelivered Nomination Speech.**

McIntire Park, Charlottesville, Virginia, 6 pm, Monday, June 2, 2003

I would like to thank you all for attending this historic gathering. A political drama is unfolding here tonight.

I am seeking the Republican nomination because no one else has the courage to oppose the Democratic nominee. I also believe that my ideas are more powerful than those of Mitch Van Yahres. Because I have observed and studied recent local history, my conscience compels me to seek the 57th district seat of the House of Delegates.

As a native of Charlottesville, I care about this place. So I am trying to make a difference. I don't own property or a business. I don't have money, power, or influence. I don't have a network of cronies to whom I owe political favors. What I have to offer are ideas. As delegate, I can write letters, propose and vote on legislation, deliver speeches, make phone calls, give interviews. I cannot be a successful representative without your support.

Honestly, I don't think I can win the nomination or the election. Public housing remains popular in both parties even today. I'm running for office to bring attention to the Fifth Amendment.

Urban renewal is the most important issue we are facing. Can the government take your property just because they want someone else to own it? We fought a revolution to remove this power from government. Taking your land to sell to a developer is a property transfer, which is prohibited by the Fifth Amendment. Can the Housing Authority take my house because they want someone else to live there? Some people in this community live in fear that their home will be taken when they need it most, when they become elderly or infirm and unable to maintain the house.

In his nomination speech, the only thing Democrat Van Yahres has to offer is fear of Republicans and repeated calls for us "to do something about it." He offers no specific action that we should undertake. So I will. Here are some of my campaign promises.

- On behalf of the 57th district, I will ask Attorney General Jerry Kilgore to issue a legal opinion of urban renewal.

- I will ask the General Assembly to eliminate funding of the Charlottesville Redevelopment and Housing Authority and convert public housing apartments to condominiums owned by the current residents.

- I will introduce a bill that annexation require voter approval of those to be annexed.

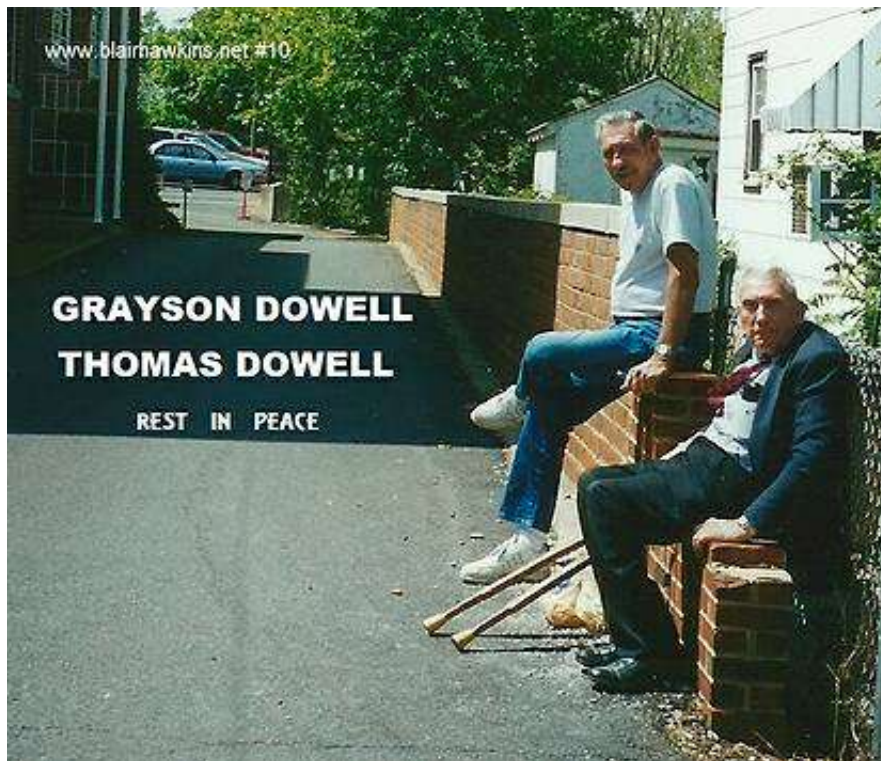
- I will bring attention to Jefferson School and local heritage lost to urban renewal.



- If elected, I will represent the residents of the district to the best of my ability. I will make mistakes along the way but have learned from the mistakes of others.

I would like to thank a few of those involved with urban renewal over the years. The League of Women Voters who opposed the creation of the Housing Authority in 1954. Mrs. Nimmo and her family who put an ad in The Daily Progress opposing Ridge Lane renewal in 1965. Frank Tomlin and Sherman White who ran for City Council in 1976. Dave Norris, current chairman of the Housing Authority board, who circulated an email stating that urban renewal is in progress right now. And Del Harvey, who resigned as director of the Housing Authority since my campaign began in April.

For me, it's not just local history. It's family history. I'd like to thank my grandmother Mrs. Laura Dowell, who gave up her estate to the Housing Authority in November 1971 after a court battle. I would like to thank Ed Wayland who represented my family in court.



*Grayson Dowell and Thomas Dowell.*

Thomas Dowell ran 3 times in 1970s on Anti-Urban Renewal platform. He tried to run for House of Delegates but Republicans would not allow it.



A special thanks to my uncle Thomas Dowell here with us today. Thomas ran for City Council three times in the 1970s on a platform to stop urban renewal. He once sought the Republican nomination for House of Delegates but was not allowed to give a speech at the convention. He has been a member of the Republican Party since the '50s and Belmont precinct captain since the '70s.

I will continue an awareness campaign. My next scheduled appearance is the Independence Day parade in Scottsville. I will cruise down the strip in a 1967 Pontiac Tempest. 1967 was the year that Charlottesville voted to demolish my childhood neighborhood. I will build more time machines. I will add more photos to my website. I will try to publish as a book the body of knowledge of urban renewal now available to commemorate with the 50th anniversary of the Housing Authority.

Thanks again to those who helped in this campaign and those who offered encouragement. You participated in history.

Blair Hawkins, 908 Cottage Lane, Apt. 1, Charlottesville, Va. 22903.

Disqualified for failing to meet filing deadline. Democratic nominee runs unopposed. Update: I did not appear at the parade.

Completion of Campaign for Republican Nomination 2003.

### **Write in urban renewal!**

Oct. 16, 2003.

Since I campaigned for the Republican nomination for the House of Delegates seat held by Mitch Van Yahres since 1981, I thought I should weigh in on gentrification which I favor.

Antoinette Roades is correct [Letters, October 2: "Fifeville wasn't Fife's"]. Poor and working class neighborhoods are and always have been more diverse than affluent neighborhoods. Fifeville was not a poor neighborhood when it was new. If you own a cheap house in a run-down neighborhood being gentrified, that's your ticket out of poverty.

Whatever the assessed value, you should ask for two or three times that amount. If your selling price is too high, you continue to own the property and pay taxes at the assessed value. Don't sell unless you get enough to buy a decent place with money leftover to spend. Gentrification is the kind of redevelopment that can benefit everyone.

My campaign was against urban renewal, the process by which homeowners and businesses are forced out or threatened to be forced out by the government for

the express purpose of selling the land to a private developer. According to public statements by citizens and officials, the one-block renewal on Prospect Avenue, and individual houses on and near Tenth Street NW are examples of urban renewal 2003.

The only thing I can do about it is write this letter. Unlike Mitch Van Yahres while he was on City Council 1968-1976, I don't have oversight of the Redevelopment and Housing Authority. I have no reason to think that he has changed his position.

On November 4, I will write in myself because I actually tried to get the nomination. When an incumbent runs unopposed, that's an opportunity to write in the one issue you think needs to be addressed. The incumbent will still win. Write in Urban Renewal so we can begin to put this chapter of history behind us.

Letter to the Editor, The Hook. October 16, 2003.

### **Final Letter of Campaign. Oct. 22, 2003 .**

I enjoyed Bob Gibson's article on the perception that public discourse is less civil than it used to be ("Former Texas official bemoans loss of honor," Oct. 22, 2003). America has a tradition of harsh rhetoric beginning with Thomas Paine, who defined the art form. I think we would be hard-pressed to outdo our predecessors. But I'll give it a try.

I'd like to update your readers on my campaign to make people aware of urban renewal and how it influences us today. I was uniquely suited for this task. As a bright kid, growing up two houses north of the Ix textile factory, I am an eyewitness to Garrett Street urban renewal. Frankly, I'm not sure I would believe it actually happened if I hadn't seen it with my own eyes.

What was the stated purpose for clearing this neighborhood? Housing and redevelopment. What have we today? Garrett Square and parking lots. What happened was, a city agency invoked eminent domain for the explicit purpose of reselling the area to private developers, who would grow the tax base by redeveloping the land, which would mean higher assessments and greater revenue to fund ever-expanding services for the public good. Also, a federal grant was available to finance the project. Problem is, few developers have been interested in this prime real estate.

As it turns out, this practice is widespread. "Steal from the poor and give to the rich." Today, it's more likely to be called abuse of eminent domain. One study has documented 10,000 instances of this abuse nationwide in just the last five years (castlecoalition.org). "60 Minutes" (CBS, Sep. 28, 2003) exposed the case in Lakewood, Ohio, where the mayor wants to condemn an old neighborhood

of senior citizens so a developer can build condos. Unlike a generation ago, the developer is likely to be already lined up today.

On November 4, since Mitch Van Yahres is unopposed for reelection and unable to condemn urban renewal, I'm asking people to exercise the write-in option to send a message.

If you think urban renewal is the issue we most need to deal with, write in Eminent Domain or any address you may know that was taken under eminent domain for private use. If you think something else is the bigger issue, write that in. If you are part of a voting block, write in your pivotal issue. There's no reason to vote for an incumbent who is unopposed. But vote anyway. Think of something important and write it in.

Sincerely,  
Blair Hawkins

Daily Progress Editor Anita Shelburne said she chose not to print the letter due to lack of space (Oct. 31).

### **Free Enterprise Monument Instead of Free Speech Wall. Feb. 28, 2001.**

As an alternative to a monument to free speech, Charlottesville should seriously consider a monument to free enterprise.

We already have forums for free expression. There is a kiosk on the downtown mall. Beta Bridge is on Rugby Road. The concrete retaining wall at the student parking lot at Charlottesville High is a graffiti wall. Your newspaper prints letters from readers. The expression of ideas through spoken and written words is not in danger.

Instead of memorializing the second clause of the First Amendment, the final clause of the Fifth Amendment may be overdue for a tombstone. This clause defines free enterprise.

No person shall...be deprived of life, liberty, or property without due process of law; nor shall private property be taken for public use without just compensation.

The government can take your property by court order and for public use. The only other way the government can come into possession of your property is if you freely give or sell it to them. There is no other lawful method. Ballot initiatives and referenda cannot take property even if the vote is 99.9 percent. Public use is not the same as public good. Renewal, improvement, and revitalization are not valid reasons to take property. The intent of urban renewal was to renew the urban area, not for the public to use. Vinegar Hill was a vacant

lot for twenty years after demolition. Obviously the public had no use for the property.

The city should explain how poor people benefit when their property is taken and sold to rich people. City council should elaborate on why homeowners and entrepreneurs should invest in blighted neighborhoods if the government can take your property for public use and then not use it.

The lingering outrage over urban renewal inspired a Live Arts play last year called Vinegar Hill. Garrett Square is also a history lesson. The property, taken for public use, is now owned by a private corporation. Crime, thought to be high before renewal, is unquestionably higher today. If entire historic neighborhoods had not been made new, there would be less clamor for historic preservation today.

A free speech wall is unnecessary. A free enterprise resolution might begin to restore confidence that Charlottesville is an American city.

Letter to the Editor, The Observer. February 28, 2001.



*The House That Stood Against Urban Renewal. 509 Ware Street.*

**Move council election to November and media coverage of candidates.**  
Oct. 31, 2002.

Charlottesville should move council elections to November, but not for the reasons your paper states (October 17). The best reason is that increased voter turnout will bust the Democratic monopoly of city council as more people vote

along party lines. With the nation and state leaning more Republican, council is unlikely to change a system that has served Democrats well for decades.

Your newspaper states that "the media will pay attention" if candidates are more interesting and hold more appearances. Paying attention is not the same as media coverage. The last council election proves the point.

There were six forums, nine candidates, and no debates. The most interesting candidate, the only native, struggled for coverage. Only WINA radio covered my candidacy before the first forum and throughout the campaign. I circulated several platform letters to media during two months before the official campaign kicked off.

At the first forum, I accused city council of treason because of revenue sharing. I said it was taxation without representation, a crime against democracy, the highest crime in the nation. The Daily Progress reported only that I hammered on the Constitutionality of revenue sharing. No other paper reported the story. No one has refuted the charge.

At the second forum, I said city council policies create a climate where serious crime flourishes and goes unreported. That same morning a school bus of students witnessed a gun fight on Hinton Avenue. I appeared on WVIR-29 because I came out to investigate from my apartment one block away.

At the third forum, I related first-hand knowledge that Charlottesville High is a violent school. I was the only candidate who had attended the schools that are funded by city council.

Only after these performances did the Observer invite me to write a candidate's essay on education. I wrote about the history of Jefferson School. It was the most requested pamphlet of my campaign and added value to the Observer.

At the fourth forum, I speculated a connection between pancreatic cancer and the drinking water. No one reported it. Sixteen months later, the Rivanna Water and Sewer Authority has responded only with speculation that the water is safe. The last two forums were a refinement of my positions.

A week before the first forum, the C-ville Weekly censored the second certified write-in candidate in the city's history. Editor Hawes Spencer stated in writing that his paper was not covering any write-ins. He kept his word until after Election Day.

Your guarantee that media will pay attention to interesting and accessible candidates rings hollow.

Letter to the Editor, The Observer. October 31, 2002.

**Schilling and Salidis for Council.** Apr. 2, 2002.

I would like to endorse the Republican Rob Schilling and the Independent Stratton Salidis for the Charlottesville City Council in the election to be held May 7. I also support Waldo Jaquith as a certified write-in candidate.

Rob Schilling and his wife moved here a few years ago. He represents the traditional opposition of the Republican Party. As a realtor, he knows the connection between private property and civil rights. His campaign slogan, "Common Senses Leadership," is reminiscent of Thomas Paine's Common Sense pamphlet published in January 1776.

Thomas Paine used logic to arrive at emotional conclusions, to inspire change. He had only been in America a few years, never held elected office, and died in poverty and obscurity. But without Thomas Paine, the world would be a different place.

Stratton Salidis is also new to Charlottesville. His views are aligned closer to the Democrats. He and I became friends a few months before we both ran for City Council in the last election. He expresses clear opinions on issues and civic projects. He trusts students to design their own curriculum thereby minimizing teachers. His faith in the establishment was further undermined by a petty marijuana conviction last year ("Salidis only candidate with non-traffic criminal record," The Daily Progress, March 25). I'm sure he realizes that liberty is the most important quality of life.

Waldo Jaquith, the youngest, has the longest political resume and has been in town the longest of the three. Joan Fenton tossed her support to Waldo after being eliminated in the voting at the Democratic convention in February. Waldo did not receive the nomination but enjoyed boisterous support. He says he carries a copy of the Bill of Rights in his pocket. If so, Waldo has the blueprint for freedom and prosperity in his pocket.

The last day to register to vote and to certify a write-in candidacy is April 3. The office of the voter registrar in the City Hall Annex is the place to go.

Letter to the Editor. The Daily Progress. April 2, 2002





*Levy Avenue for sale since 1972.*

**Housing Authority is controversial because of urban renewal's history.**  
 Aug. 20, 2002.

As a former resident of public housing (Westhaven, Garrett Square, and South First Street) I would like to give back to the community by explaining why the Charlottesville Redevelopment and Housing Authority is controversial.

The authority was created narrowly by voter referendum in 1954 - the same year the Supreme Court ruled that "separate but equal" was an oxymoron. Ironically, the local elite, who opposed the CRHA for fear of federal pressure to integrate, later supported urban renewal.

The CRHA was the instrument of urban renewal. The two are synonymous. The CRHA appears on deeds as part of the record of ownership of parcels in Vinegar Hill, the Garrett area, and elsewhere around town.

Urban renewal is the big story today not because it was wrong or unjust, but rather because of the excessive number of historic buildings destroyed and because half the population moved away, taking their oral and documented histories with them.

As a result, Charlottesville has suffered a major break with its recent and distant past.

The next study commissioned by the CRHA should answer these basic questions: How many parcels of land have been owned by the CRHA? What percentage of city acreage is that? Who owned the land before and who owns it now? How are the assumptions of urban renewal and present-day CRHA different? Should the government convert poor people's property to affordable housing for poor people to rent?

Until we have these answers, newcomers and community leaders will not know the scale, duration, or impact of an ongoing, well-intentioned program.

Letter to the Editor, The Daily Progress. August 20, 2002.

### **No Reparation for Slavery... Yes Restitution for Renewal.**

"What other explanation is there" for black poverty other than slavery? asks Neil Steinberg in a Chicago Sun-Times essay, reprinted in Charlottesville's The Hook Dec.12.

The obvious answer here and throughout the country is urban renewal, also known as public housing. Interestingly, renewal has created social unrest in Chicago for generations as poor neighborhood after neighborhood was bulldozed in the '50s, '60s, and '70s. The land then became public property or was sold to developers. Several books have been written about Chicago renewal alone.

Renewal came late to the South but with the same devastating effects for blacks. Some black leaders have called for reparations for slavery while remaining silent about renewal. The silence may stem from a desire not to criticize the Democratic party.

Comparing slavery, segregation, and renewal leads to startling conclusions. Indeed, they are different forms of the same peculiar institution.

- Slavery ended 140 years ago. Segregation ended a half century ago. Renewal replaced segregation and remains the law of the land.

- Slavery denied all rights to blacks. Segregation meant blacks could own property in areas zoned for blacks, but most other rights were restricted. Renewal denies the right of individuals of any race to own property by taking it from the private sector and selling it to more desirable individuals.

- No court order was needed to enslave or segregate blacks. No court order is needed to take property from anyone anywhere if the land grab is for the purpose of urban renewal.

- Slavery and segregation were typically enforced by violence of individuals with government sanction. Urban renewal is a government program, usually a housing authority, backed by the same deadly force.

- No slave is alive today. Segregation survivors are an aging and shrinking population. The total number of renewal victims is growing.

- Slavery and segregation applied exclusively to blacks. Renewal targets whoever owns the cheapest property when a grant is awarded to improve housing or economic development.

- Whites never feared they would be enslaved or segregated. But today whites have no protection from renewal.
- Slavery and segregation violated the Bill of Rights but somehow were interpreted as legal at the time. Renewal violates the same but has not yet been struck down.

The specific rights violated by renewal are these: (1) The owner sets the selling price, not the buyer. (2) The owner does not have to sell at any price.

The Fifth Amendment allows two exceptions. A court can force the owner to sell when he is found guilty of a crime. Also any agency can force the owner to sell if the property is to be used by the public (eminent domain). The minimum requirement for public use is believed to be public ownership, such as schools, highways, and reservoirs.

The problem with renewal is its goal of redevelopment, the desire that private developers buy and develop the land after government clearance. In order to declare eminent domain to take property for private use, public use must be equated to public good.

A renewal project is doomed for failure. Investors fear lawsuits from previous owners charging the program is a property transfer, not public use. The new investors fear what happened to the previous owners will happen to them when a new development idea comes along (Preston Commons?)

Investors also do not want to involve themselves in controversy. Here in Charlottesville, they did not want to appear to benefit from the destruction of the city's premier black neighborhood or the city's industrial base. Vinegar Hill was vacant for twenty years after clearance. Except for a privately owned public housing project, the Garrett renewal area has a tenth of the businesses there in the '60s. Only one business has not been displaced or gone under – Standard Produce since 1910.

How do controversies like slavery, segregation, and renewal live on for decades and generations? Because they violate Fifth Amendment due process, a core American principle. Such a violation is a felony without a statute of limitations, outweighing all other injustices except treason.

This lack of a time limit is why blacks can claim the injustice of slavery can be righted with reparations. If a slave were alive today, he could sue for enslavement and receive compensation. Whether next of kin can bring suit is not so clear.

Reparation is a kind of restorative justice where the transgressor makes amends before ordered to do so by a court. This good will gesture is intended to minimize the penalty if found guilty or simply to make right a wrong without involving a court.

Unlike slaves, renewal victims and witnesses are still alive. The documents of slavery are not well preserved. Renewal was widely reported and well documented. Locally, Vinegar Hill assessments cross-referencing deeds have been lost. The city assessor has safeguarded the Garrett renewal record for public inspection and research.

Vinegar Hill may be a fifth of the total area affected by renewal. The exact percentage is not known because there has been no study of which projects had the most impact. Such a study would be a form of restorative justice.

How do we make right the injustice of urban renewal? First, we acknowledge the history and admit the offense occurred.

Charlottesville is in denial. One day before the Democratic convention to select council candidates in February, a former official and candidate denied renewal. Bern Ewert said he was deputy city manager 1971-1976 after the 1972 Garrett clearance.

Second, we must realize the problem will not go away on its own.

The first opponents to Vinegar Hill renewal appeared in 1960 before the first structure was torn down. They made the same Constitutional arguments I have outlined.

The opposition to public housing was strongest in the mid '70s. Black independent Sherman White ran against the Democrats in 1976 blaming them for renewal. At the time, Vinegar Hill and now Garrett lay vacant. Also in 1976, Thomas Dowell ran for council a third and final time on a platform to stop renewal. The following year, his mother's house was demolished in the 1977 clearance of Ware Street, the last historic neighborhood to be razed. Whites had lived on this street surrounded by blacks.

Renewal seemed unstoppable and indiscriminating. Opponents began moving away along with county residents who had become city residents in the 1963 annexation. Urban renewal accelerated urban sprawl.

At the public hearing to name the Tenth Street Connector after Sally Hemings on June 5, 2000, that campaign was born again when I asked Mayor Virginia Daugherty to investigate urban renewal. In other words, I was asking her to explain why the Housing Authority should not be abolished given its record of performance and damage to the black community.

The Jefferson School controversy in January 2002 showed that the issue is real and contemporary. Do the Democrats want to tear down Jefferson to finish the job they started forty years ago? The fate of Jefferson School is now in committee. Third, we must acknowledge the magnitude of the problem. Like slavery and segregation, renewal touches almost every issue. Perhaps the greatest damage is to history itself when old buildings are destroyed and old people are reluctant to talk about the past.

When mandatory water restrictions began in August, nobody knew about the last restrictions in the drought of 1977. RWSA board chairman, Richard Collins, Housing Authority board chair in 1977, didn't tell anybody. Interim RWSA executive director last year, Cole Hendrix, city manager in 1977, didn't tell anybody. RWSA director, Eugene Potter, RWSA operations director since 1977, didn't tell anybody.

In bipartisan spirit, Charlottesville Republican Committee chair, Robert Hodous, Housing Authority board member in 1977, did not write a letter to a paper or call a radio station to say, wait a minute, the last water crisis was 1977. There has been a breakdown in communication.

Fourth, we should stop honoring those who support urban renewal. The Charlottesville Democratic Committee this year gave the Drewary J. Brown award to Francis H. Fife. Fife was mayor for 1972 Garrett clearance and vice mayor for 1977 Ware St. clearance. The late Brown was president of the local NAACP. But somehow the committee claims the award is not a civil rights honor.

Fifth, we should explain how renewal is wrong and harmful and promise not to do it again. We must make institutional changes. Abolish the Housing Authority so urban renewal can come to an end. Abolish the Board of Architectural Review, which is an attempt to blame the private sector for the loss of history caused by government renewal.

Major reform must occur with city inspectors. I've heard more complaints about inspectors than all other issues combined. I respond that it didn't get this way overnight. Many people, black and white, argued against it. But the fear of urban renewal has now arrived at every doorstep. Nowhere are the assumptions of renewal more apparent than with city inspectors. The idea is that you must improve your property or the city will destroy you literally.

If these good will steps do not prevent a trial, will the accused plead the Fifth when they are charged with the Fifth? Will they continue their silence?

If a black leader made the same statement as Trent Lott, that we would have been better off with segregation, the sentiment would make perfect sense. The lesson of integration for many blacks is be careful what you wish for. The glory days for the black community in Charlottesville was the 1950s, the height of segregation and separate education.

Urban renewal did what segregation never tried to do. It took real property that could be used to secure civil rights. The legal system favors landowners. Take away the land and you put the citizen at a disadvantage.

Integration allowed white schools to prove that blacks are less smart. In the '50s, Jefferson School was proof that blacks are no less intelligent than whites. Sherman White thought it inconceivable that blacks would vote Democratic.

Government programs weaken the fabric of society. Public housing perpetuates poverty, violence, and segregation.

The Dixiecrats did not become Republicans here. The Democrats of urban renewal are the Democrats of today. City Republicans generally opposed public housing for the damage it would do to the black community. They opposed renewal to protect the economy.

Since the '60s, the nation has become more suburban and more Republican. People fled renewal and rejected its poisonous fruit, public housing. The Republican party will become stronger in the black community until urban renewal is outlawed.

The year 2004 will be the fiftieth anniversary of the Charlottesville Redevelopment and Housing Authority. Urban renewal will have been ongoing for half a century. Is now the time to evaluate whether voters made a mistake in 1954? If a mistake was made, how do we make it right?

The only thing to prevent a fresh wave of forced renewal is nothing. "Philadelphia embarked last [spring] on a \$295 million, five-year plan to demolish 14,000 largely abandoned homes, renovate 2,500 buildings and clear 31,000 vacant lots...Not since the 1970s has an American city undertaken such a vast clearance...The second largest city on the East Coast, with 1.5 million people, Philadelphia has lost 500,000 residents since 1960...government plans to build several thousand apartments for the elderly and poor in the next five years" ("Raze of Sunshine in Philadelphia? City Pins Renewal Hopes on Clearing Vast Areas of Blight, Inviting Development," Mar. 19, 2002, The Washington Post).

An alternative to clearance is to give the parcels of land and abandoned houses to people in public housing. They would instantly become landowners with long-term interest in the community. They would have equity to get loans for business or home improvement. Or let the buildings crumble some more until the property is cheap enough to attract investors. Or reduce regulation. If clearance is inevitable, compose the historical markers before the demolition.

If, back in Chicago, you're still seeking the solution to black poverty, maybe you're looking in the wrong place.

"The answer, my friend, is blowing in the wind. The answer is blowing in the wind."

Blair Hawkins. December 19, 2002.



# Bill of Rights

**Congress of the United States** begun and held at the City of New-York, on Wednesday the fourth of March, one thousand seven hundred and eighty nine.

**THE** Conventions of a number of the States, having at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added: And as extending the ground of public confidence in the Government, will best ensure the beneficent ends of its institution.

**RESOLVED** by the Senate and House of Representatives of the United States of America, in Congress assembled, two thirds of both Houses concurring, that the following Articles be proposed to the Legislatures of the several States, as amendments to the Constitution of the United States, all, or any of which Articles, when ratified by three fourths of the said Legislatures, to be valid to all intents and purposes, as part of the said Constitution; viz.

**ARTICLES** in addition to, and Amendment of the Constitution of the United States of America, proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth Article of the original Constitution.

## Amendment I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

## Amendment II

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

## Amendment III

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

## Amendment IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

## Amendment V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

## Amendment VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

## Amendment VII

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

## Amendment VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

## Amendment IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

## Amendment X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

## *Chapter 6: Downtown Mall Original Sin 1974*

### **Downtown Mall Original Sin.**

Friday January 19, 2018.

**Charlottesville, Virginia.  
Thursday August 9, 1973.**



March 18, 1974 the downtown pedestrian mall is passed by 40% of City Council. Public safety is the most common criticism of downtown Charlottesville today.

The fire occurred Thursday evening Aug. 9, 1973 and consumed five businesses: a restaurant, Hallmark Card Shop, Carmichael Shoe Repair, Kirby's Jewelers and McCrory's variety store. The offices of WVIR-TV and WELK radio were temporarily evacuated.

The 3-alarm blaze raged from 8:25 p.m. until 12:30 a.m. with 80 firemen from 8 engine companies and 2 ladder companies, some overcome by smoke and heat. Flames leapt 50 feet into the sky. It was the worst fire since 1968 when a furniture store burned, according to Fire Chief Julian Taliaferro. A crowd estimated in the thousands watched the action from behind rope barricades

("Five businesses in Charlottesville destroyed by fire" (AP) Friday Aug. 10, 1973, Page 11, The Free Lance-Star, Fredericksburg, Virginia).

*Chapter 7: Madam of Charlottesville 1922–1951***Legendary Madam Of Charlottesville.**

Wednesday May 24, 2017.



Marguiretta de Crescioli and her opulent brothel may have been lost to history except for all that money found in the rubble of an urban renewal demolition decades after her death.

There were many legends and variations of her name. Everyone had a memory and story to tell. Some have artifacts like a coin found in the days after word got out about the big money. The upscale brothel became an institution, making loans and buying houses to help people out of financial difficulties.

The money was first found November 22, 1972. A "workman was bulldozing the rubble after the house had been torn down...struck something solid which turned out to be a metal box containing approximately \$700 in cash...At about 9 p.m. [Nov. 24] Darlene Harris, 16, found a small wooden box three feet below the ground at the base of a large oak tree.

"Imprinted upon the box were the initials "D.C" taken to stand for Marguerite's last name De Crescioli. The box contained about \$7,000 in \$100 bills, five dollar silver certificates, and coins. The money was tightly rolled in various denominations, each roll totalling \$100.

"By noon Monday, hundreds of people, some armed with metal detectors, were scouring the site, which resembled a battlefield [...]" ( "Marguerite's", The Declaration, Apr. 7, 1977.)

Sweet Marguerite's on Fifth Street was not the only house of prostitution. It's the only one anybody remembers.

"The keeping, frequenting, and renting of "houses of ill fame" for the "purpose of prostitution or lewdness" was illegal; engaging in prostitution was punishable by fines or jail sentences. On October 29, 1912, in a single raid, police arrested 25 women on charges of prostitution in 8 different brothels (Figure 2).

"No men were arrested. Some of the women had operated as prostitutes and madams in the district for decades, building their business with patronage from university students. Martha "Mattie" Thompson worked here for over 40 years as a prostitute and madam, from the early 1880s until her death in 1925.

"Also arrested that night was Ada Miller, who built a large brothel in the mid-1890s, which she operated for over two decades. Annie Williams, who was also arrested, worked here from 1900 through the early 1920s.

"In 1922 Williams sold her brothel and left Charlottesville; Marguiretta L. Baccigalluppocrescioli, who had worked in the district as a prostitute since 1916, succeeded Williams as the brothel's proprietor and continued in business until her death in 1951."

("Charlottesville's Landscape of Prostitution, 1880–1950" From: Buildings & Landscapes: Journal of the Vernacular Architecture Forum Volume 22, Number 2, Fall 2015 pp. 36-61. Source)

Marguiretta de Crescioli is the legal name on many documents. The madam died testate Jan. 7, 1951, her will dated Oct 16, 1946, probated Mar. 1, 1951 and spread in Will Book 6 Page 474.

Upon her death she owned the home of John West at 313 West Main location of latest hotel. The freed slave became a land developer and built Vinegar Hill during the Golden Age of Race Relations. ("Hayes sold the property to Marguiretta ... for \$10,000 (Deed Book 155 Page 233, Feb. 27, 1947." Source with deed timeline).

The brothel itself off Garrett Street near the downtown train station was built 1861 and torn down 1972. It changed ownership 15 times. Built as a "sporting house," each of the 7 bedrooms had its own bath. It had already been a brothel up to a couple decades when Marguiretta bought the house in 1922.



Back then almost every large house had been a brothel at some point. None of the houses was built for the purpose of prostitution. And the houses spoke of an earlier age of explosive growth in the late 1800s.

Upon Marguiretta's death 1951, Blind Jennie Donaldson and her husband bought the house as a home for the elderly. My memories are selling candy to the old black ladies to benefit some church activity. I waited on the porch as they got the money. For a time the blighted properties were all gone. But the nice places were still there. If they could have stopped and built around the landmarks, urban renewal would have a positive meaning today.

Blind Jennie moved across the railroad and bought what became the South Street Inn built 1856. It too served as a bordello at some point. Blind Jennie passed away 1984.

That was the end of an era where women and minorities seemed more empowered than they are today. And Madam Marguiretta was the successful business leader whom we remember fondly.

## Marguerita Ville

Marguiretta de Crescioli. The Madam of Fifth Street.

"Businesswoman of unprecedented proportions. Operated her illicit but well-respected brothel for nearly 27 years before the raid of 1949 caused her to restrict her transactions.

"Down across the railroad tracks was Marguiretta's brothel,' says Cliva Harris, now in his 70s. As a young man, Harris delivered furniture to Marguiretta for M.C. Thomas, and vividly remembers the opulence of the Fifth Street residence.

"Marguiretta was extremely well schooled. Rich and diverse education: music, languages, etiquette and generosity.

"Most exclusive of clientele: the wealthy, a former state governor, judges and, of course, students. One person says that so many students were known to frequent the place that it became known as 'University Union.'

"Marguiretta died at the University of Virginia Hospital barely a year after the raid, on January 7, 1951. She left her estate—estimated value

\$200,000—to Clarence Andrews. He put the house (8-room with porches and balcony) on the market for \$40,000 and eventually sold it for \$11,000.

"Marguiretta's exquisite furnishings [fell] to the auctioneer's gavel, bringing a mere \$6,000, a fraction of their appraised value of more than \$100,000. And most of these pieces stayed right here in the community, furnishing some of the most elite homes in the area.

"It wasn't until the wrecker's ball hit the red-brick Jeffersonian structure in 1972 that Marguiretta's substantial stash of money was found buried in the walls.

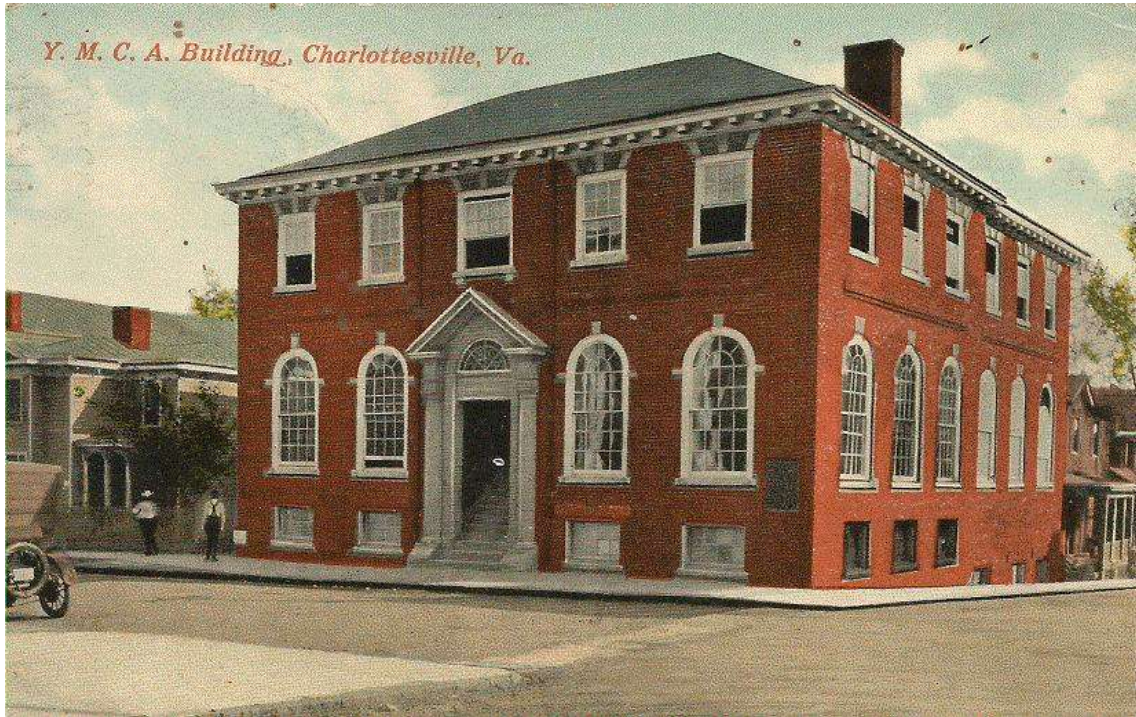
"Harris and his wife carted away 1,900 bricks and built a fireplace in their Rio Road home, capturing a small part of history."

—Excerpts from "Marguiretta's: Charlottesville's Legendary House of Ill Repute." Kathleen Phalen. *Albemarle Archives: Famous, Infamous and Unforgettable People and Events that Shaped Central Virginia*. Carden Jennings Publishing, 1997.

## *Chapter 8: YMCA Checkered Past*

### **McIntire YMCA Is Latest New Fitness Club.**

Thursday June 8, 2017.



The latest iteration of the YMCA is set to open June 30 in McIntire Park. Locally the Y has a checkered past shrouded in mystery.

That's why the new Brooks Family YMCA and parent organization Piedmont Family YMCA have no history webpage. The Brooks name was chosen to honor the lead benefactor. There is also a Brooks Family YMCA in Jacksonville, Florida.

The Piedmont Family Y started 1994. The idea of a YMCA in McIntire Park was conceived in 2002. The discussion went public in 2007. The park was donated 1926 as a public golf course possibly as a replacement for the YMCA-Redlands Golf Course. Since then 2 highways and a railroad pass through the park.

A hundred years ago there were 2 YMCA facilities-- Downtown at Market & 2nd NE, southeast corner from Lee Park across from the library. And Madison Hall at the University of Virginia across from the Rotunda. Charlottesville's history has many unusual features, like 2 train stations. Those unfamiliar with the local history describe Charlottesville as a typical southern town or as the hometown they moved from.



## Crony Capitalism

Two legitimate fitness clubs sued in 2010 over the discrimination. ACAC and Gold's Gym alleged the City and County illegally favored the YMCA and tax-paying clubs were not allowed to compete. Circuit Judge Cheryl Higgins ruled against the fitness clubs, which appealed to the Virginia Supreme Court. In Jan. 2013 the high court did not rule on the due process/equal protection violation, saying the clubs had no grounds to bring the suit in the first place.

The McIntire Park location was controversial from the first proposal to build it at nearby Charlottesville High in the athletic field adjacent Melbourne Road. Swimming pool priority would go to the high school swim team. The City would donate \$1.25 million and a 40-year 4.5-acre lease for \$1 a year. The County donated \$2 million.

The site was moved to McIntire Park ostensibly because it's the geographic center of local population. No buses connect to McIntire Park. Piedmont Virginia Community College, right off the interstate where buses actually go, offered to donate land. The Y said, no thank you.

In addition to the swim team, the Y appealed to a second interest group across town, the residents of public housing. City Councilor and chair of the urban renewal commission at the time, Kendra Hamilton advocated for the Boys and Girls Club and a new Smith Pool at Buford Middle. Hamilton criticized county residents for using city pools though paying a surcharge and city-county revenue sharing. Hamilton eventually voted against the YMCA.



### **Timeline of Young Men's Christian Association.**

- **1844** June 6. First YMCA is formed by George Williams in London and aims to put Christian principles into practice by developing a healthy "body, mind, and spirit." "Established to provide low-cost housing in a safe Christian environment for rural young men and women journeying to the cities." [2] "It was associated with industrialization and the movement of young people to cities to work." (Source)

- **1855.** Ninety-nine clubs meet in Paris and form the YMCA Federation.

- **1857 / 1858.** First-in-the-nation University-sponsored YMCA, founded by the pastor of First Baptist Church.

- **1860.** UVA YMCA has 162 members, 50 of whom teach Sunday schools.

- **1874.** "For reasons not clear, the university's YMCA was disbanded in 1874, only to be revived a decade later by Rev. George Petrie, a prominent Presbyterian pastor."

- **1905.** Madison Hall YMCA with athletic field. Becomes Student Union 1933. Facilities include the Dry Dock, a soda fountain. Woodrow Wilson delivered building's dedication (Source). A second source says the UVA YMCA disbanded late 1960s due to lack of interest. It evolved into Masters and Fellows of Madison Hall volunteer organization. Renames and moves to Madison House. Alternative spring break program since 1992. Big Brother / Big Sister. ("The University of Virginia: A Pictorial History" by Susan Tyler Hitchcock. Page 237)

- **1908.** Both of these postcards are postmarked.

- **1909** to 1927. Downtown YMCA. Source. Jun 23 2017.

- **1914.** YMCA and Redlands Club create golf and tennis club at East Market and Meade Avenue, the only marker being Fairway Avenue.

- **1924** Sep. YMCA denies KKK use of Y facilities. May 21 Provides First Aid stations for Lee Statue unveiling.

- **1927.** YMCA moves and becomes Farmington Country Club. "In time, however, these men acquired more property and erected a clubhouse which apparently became a prime social center until 1927 when the new development at Farmington absorbed this pioneer group."

- **1980s.** YMCA fitness center at location of MACAA on Park Street.

- **1994.** Piedmont Family YMCA forms.

- **2007** July 9. First joint public hearing for YMCA fitness center and swimming pool in McIntire Park. New YMCA in trouble, new Boys & Girls Club likely: Session invites public input but allows none.

- **2007** Dec. Council votes 3–2 to approve the 40-year lease. Yes (David Brown, Kevin Lynch, Dave Norris). No (Julian Taliaferro, Kendra Hamilton). (Source)

- **2013** Jan. 11. "Two YMCA lawsuits dismissed." (Source)
- **2015** May. Capital campaign is announced.
- **2017** June 30. First YMCA facility in Charlottesville since 1980s.

## *Chapter 9: Elks Lodge BPO 389*

### **Charlottesville Elks Benevolent Protective Order 389.**

Wednesday May 3, 2017.



*Charlottesville's Elk Lodge.*

A portion of the back wall collapsed on March 30, 2006 at 12:20 p.m. during renovation. The Elks Society formed 1868. Charlottesville Chapter 1897. Lodge is built 1902. Elks is part of the racial fervor in 1924, when Lee statue is erected and the segregationist At-Large City Council is adopted. In 1940s there's a fire. 1970s it becomes Juvenile & Domestic Relations Courthouse. Elks Club moves to the county at Darden Towe Park (which came later).

No official website for the 1914 Black Elks at 115 2nd St. NW (Rivanna Lodge 195) beside Fellini's #9. But The Hook has a 2013 story with 31 comments. The black social club, 1913 Mentor Lodge, stands behind Fellini's facing Market St. and 1916 McGuffey Elementary.

The Elks had modest beginnings in 1868 as a social club (then called the "Jolly Corks") established as a private club to elude New York City laws governing the opening hours of public taverns. Early members were mostly from theatrical performing troupes in New York City. It has since evolved into a major

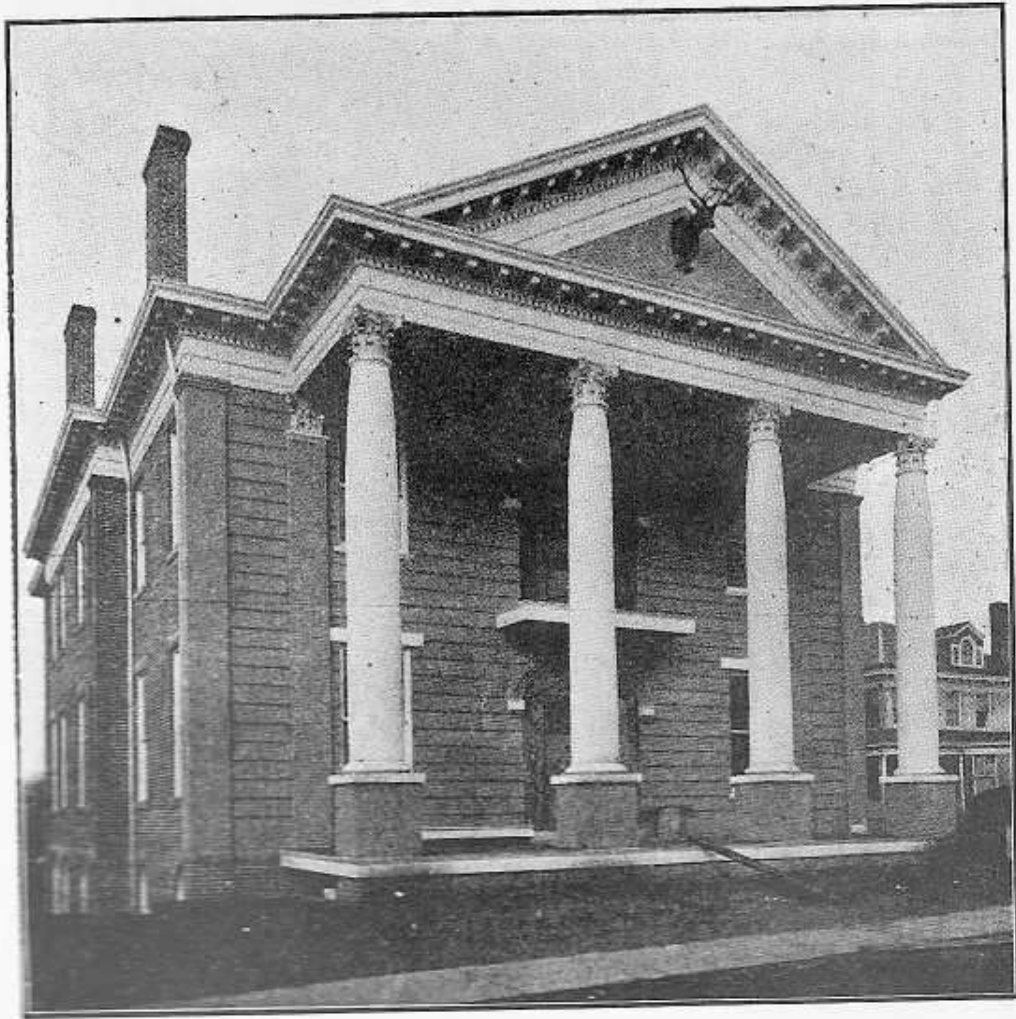


American fraternal, charitable, and service order with more than a million members, both men and women, throughout the United States. Current members are required to be U.S. citizens over the age of 21 and believe in God. (Wikipedia)

- Charlottesville Elks History Page.
- Elks Lodge - Juvenile Courthouse Update Dec. 26, 2008.
- City Sues Over Elks Lodge - Juvenile Courthouse Renovation Dec. 5, 2007.



*Juvenile and Domestic Relations Court.*



NEW HOME OF THE ELKS.

*New Home of the Elks.*



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### Ye Order of Elks.



Charlottesville Lodge No. 389 B. P. O. Elks was organized here October 1897 and is one of the most prosperous of this popular fraternal organization. From the day of its inauguration up to the present time its career has been one of unbounded success. The splendid new home that it has just erected at a cost of \$20,000 speaks more for the healthfulness of the order than any words that we might pen in its praise. The building is of old English colonial architecture with four huge columns in front. Its interior is beautifully decorated and is divided into lodge-room, parlors, library, card-room, bowling alley, banquet hall, pool and billiard parlors, hot and cold baths, buffet etc. The Exalted Rulers have been James B. Wood, Moses Leterman, J. W. Fishburn, W. H. Wood, H. M. Lewis, G. B. Goodyear, Stuart Hanckel, T. C. Conlon, B. W. Leterman and Joel M. Cochran who with the following constitute the present officers of the lodge. Esteemed Leading Knight—G. Burnley Sinclair. Esteemed Loyal Knight—Harmon Dinwiddie. Esteemed Lecturing Knight—Ed. A. Joachim. Treasurer—George E. Walker. Secretary—Charles E. Jones. Trustees—Phil Leterman, Fred W. Twyman and Sol. Kaufman. Board of Governors of New Home—T. C. Conlon, Sol. Kaufman, B. W. Leter-

*Ye Order of Elks.*

## *Chapter 10: Kmart Closes 1964–2017*

### **Kmart To Close After 53 Years.**

Thursday June 1, 2017.



*Kmart and Gold's Gym.*

Our local Kmart will close in July. It opened here in 1964. The Blue Light Special was born 1965. Walmart surpassed Kmart around 1990. In 2011 a 1.5-acre mistake caused Hillsdale Drive to take 110 parking spaces from Kmart with 6 years remaining in the lease.

When Kmart opened, it was on the northern edge of town. 29-North was wilderness until the Rio Road Suprette convenience store. Sears and JC Penny at Fashion Square are expected to close. County courts may move from the City back to the County in these spaces. The suburban mall was disapproved by the City twice, then moved across the county line.

Not only have the places changed. Society has changed. Five-and-dime stores once lined the Main Streets of America. Now they're pushed out to the suburbs and rural areas. But the concentration of poverty remains in the cities. It's another symptom of social instability.

Kmart split off from McCrory's. John Graham McCrorey opened his first store 1882 Scottdale, Pa. And Sebastian Spering Kresge, as a traveling salesman for all 19 Woolworth stores, partnered with McCrory 1897 to buy a store in Memphis, then Detroit. In 1899 the two split and the first SS Kresge store was in Detroit. The first of 18 Kmart's opened March 1, 1962. McCrory dropped the "e" in his name to save money in the signs. Imagine how much was saved by shortening SS Kresge to "K".

McCrory's department store becomes Central Place after a massive fire Aug. 9, 1973. Six months later the downtown pedestrian mall was illegally approved with 40% of City Council voting yes.



*Kmart Open 10-10 Daily.*

Council invokes eminent domain for Hillsdale dedication, May 2, 2011. Kmart loses 110 parking spaces, 1.5 acres from 9-acre parcel, or one sixth of leased area. Assessed over \$10 million, City Attorney acting as landlord's attorney, offers \$25,000 for the remaining 6 years.

According to attorney Craig Brown, Kmart does not own the property. Meadowbrook Creek owns the Kmart property as well as the first phase of Hillsdale Drive and Whole Foods. The road is under a public use now. Kmart rents the store and parking lot and has 6 or 7 years left on the lease.

Brown said the condemnation is urgent because the city wants to dedicate the private road as a city public road. But why? Why can't this private road be an easement for the public use as a public road? Easement was good enough for the storm drain.

The owner Meadowbrook Creek had intended to give the land and road to the city anyway as a proffer for approval of the plan. But they built the road too far into Kmart's parking lot. It's not a property rights issue; it's a lease dispute between Kmart and the property owner. Council has now made it a property rights issue.

Meadowbrook Creek will reimburse the city. So in essence Council is asked to nullify a landlord-tenant agreement between Kmart and its landlord. In return the city will have more public land not paying taxes.

1. Is this action necessary? No. The property owner agrees to the perpetual public use.

2. Is this a last resort? No. If Council postponed this item indefinitely, the inaction would have no effect on anyone. The property would continue as a public road.

3. Is fair market value offered? No. According to Brown a few years ago, fair market value is a sale where neither the buyer nor seller is under any coercion. If Kmart also had the power of eminent domain, then it might be fair.

4. Have all other options been exhausted? No, not even close. But the action is urgent because they want to dedicate the street. So a dedication is now a justification for eminent domain?

The City's online real estate database disagrees with news media and the City Council meeting. Apparently Peyton Associates Partnership has been owner at least since 12/27/1990 at \$0.00 purchase price. Meadowbrook Creek sub-leases to Kmart. The online viewer agrees with Daily Progress online archives that Kmart was built 1964 while ads began appearing late 1964.

"Kmart to close in July amid planning for Hydraulic-29 area" by Chris Suarez. May 8, 2017, Daily Progress. No mention of any Kmart history or the 2011 eminent domain abuse.

When the City Becomes Involved in Private Transactions. National Eminent Domain Watchdog archives the missing C-ville Weekly article.

An all too frequent problem of government interference in private land transactions is evident in the article below from a Charlottesville, Virginia newspaper. When a city intervenes in private affairs between buyers and sellers or landlords and tenants, this creates an unfair imbalance in arms-length negotiations between parties. The party with the government on its side can use the threat of condemnation to extort the non-favored party, making it difficult to negotiate a fair price for property.

But last spring, Kmart Corporation filed a lawsuit against Meadowbrook Creek that claimed construction of the grocery store and Hillsdale Drive Extended occurred within the boundaries of Kmart's property, and thus breached the lease agreement between the two companies. The 1991 lease states that the landlord, Meadowbrook Creek, "will not erect any buildings or other structures on the land."

Alan Taylor, a vice president at Meadowbrook parent company River Bend Management, previously told C-VILLE that Kmart's claims were "unfounded," and did not return a request for comment by press time. River Bend Management is the real estate company of developer and Dave Matthews Band manager Coran Capshaw.

Ultimately, Charlottesville Circuit Court Judge Edward Hogshire denied the injunction to stop construction. Kmart attorney Miles Dumville says a damages lawsuit against Meadowbrook is still pending. "Currently there is no trial date, and the parties are trying to work things out by agreed resolution, but that hasn't happened yet," he tells C-VILLE.

Brown says Meadowbrook Creek offered to purchase the portion of the land within Kmart's lease, but was unsuccessful. According to Brown, while the portion was appraised at \$19,991, Meadowbrook made an initial \$20,000 offer. When Kmart didn't respond, Meadowbrook offered \$25,000. Due to litigation between

the two businesses, the City of Charlottesville stepped in and made the same offer, a legal requirement for condemnation proceedings.

CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA May 2, 2011  
VIDEO May 2, 2011  
– This Resolution –

Background: On December 4, 2000 City Council passed a Programming Resolution requesting the Virginia Department of Transportation (“VDOT”) to establish an urban system highway project for the construction of Hillsdale Drive Extended from Greenbrier Drive to Hydraulic Road, a distance of approximately 4,500 feet. In October 2005 and October 2007 this extension of Hillsdale Drive was identified by City Council as a transportation improvement priority during VDOT’s funding allocation process, and the road project is currently a part of VDOT’s approved Six Year (FY 2008 – 2013) Improvement Plan for the City.

Hillsdale Drive Extended is also identified in the Charlottesville Albemarle Regional Transportation (“CHART”) 2025 Plan, as approved by the Metropolitan Planning Organization Policy Board. The City has received state funding for preliminary engineering for the road under the Urban Construction Initiative (“First Cities”) Program, but state funding for right-of-way acquisition and construction is not anticipated before FY 2015 at the earliest.

The first phase of Hillsdale Drive Extended, from Hydraulic Road to the rear of Parcel 2 on City Tax Map 41 B (the parcel where Kmart is located, also known as 1801 Hydraulic Road) has been built by Meadowbrook Creek, LLC, the developer of the new Whole Foods Market. The Charlottesville Economic Development Authority, with funds provided by the City, agreed to reimburse Meadowbrook Creek for the costs of the road project, up to a maximum of \$2 million. In return Meadowbrook Creek agreed to construct the new road in accordance with all city and state standards, and to dedicate the road to the City as a public right-of-way.

Last year, after Hillsdale Drive was under construction, Kmart Corporation filed suit against Meadowbrook Creek, alleging that the road and related improvements were being built on property that is a part of Kmart’s lease. Kmart is a subtenant to Meadowbrook Creek, who holds a long term ground lease on the entire site. The Court declined to enjoin construction of the road, and it has now been completed in accordance with all city and state standards. The lawsuit between Kmart and Meadowbrook Creek remains pending in Charlottesville Circuit Court.

Discussion: Hillsdale Drive cannot be dedicated to the City as a public right-of-way if any portion of it is still within the area that is subject to Kmart's lease. Meadowbrook Creek has attempted to acquire that portion of Kmart's leasehold interest, but has not been successful. An appraisal of that portion of the lease indicates that it has a fair market value of approximately \$20,000. At the request of the developer, the City also made an offer of the appraised value to Kmart, so that Hillsdale Drive could be dedicated and accepted as a public street. As of April 26, 2011 Kmart had not responded to the City's offer.

City staff is seeking City Council's approval to institute a condemnation action to acquire title to that portion of Kmart's lease that is within the area where the new Hillsdale Drive right-of-way and related improvements have been constructed. State law provides that condemnation proceedings must be authorized by the governing body of the locality after a public hearing. While City Council's adoption of the attached Resolution will authorize the filing of a condemnation action in Circuit Court, we will remain open to further discussion with Kmart should they wish to avoid litigation. [...]

A RESOLUTION AUTHORIZING THE INITIATION OF CONDEMNATION PROCEEDINGS TO ACQUIRE THAT PORTION OF THE LEASEHOLD INTEREST OF K MART CORPORATION AT 1801 HYDRAULIC ROAD (CITY REAL PROPERTY TAX MAP 41B, PARCEL 2), CONSISTING OF UP TO APPROXIMATELY 1.487 ACRES AND BEING THE PORTION OF THE LEASHOLD ESTATE THAT IS WITHIN THE AREA WHERE THE NEW HILLSDALE DRIVE RIGHT-OF-WAY AND RELATED IMPROVEMENTS HAVE BEEN CONSTRUCTED. [...]

WHEREAS, the City has made a bona fide offer to Kmart Corporation of the appraised fair market value of the portion of the leasehold interest that is needed for the dedication and acceptance of Hillsdale Drive Extended and related public improvements, which offer has not been accepted.

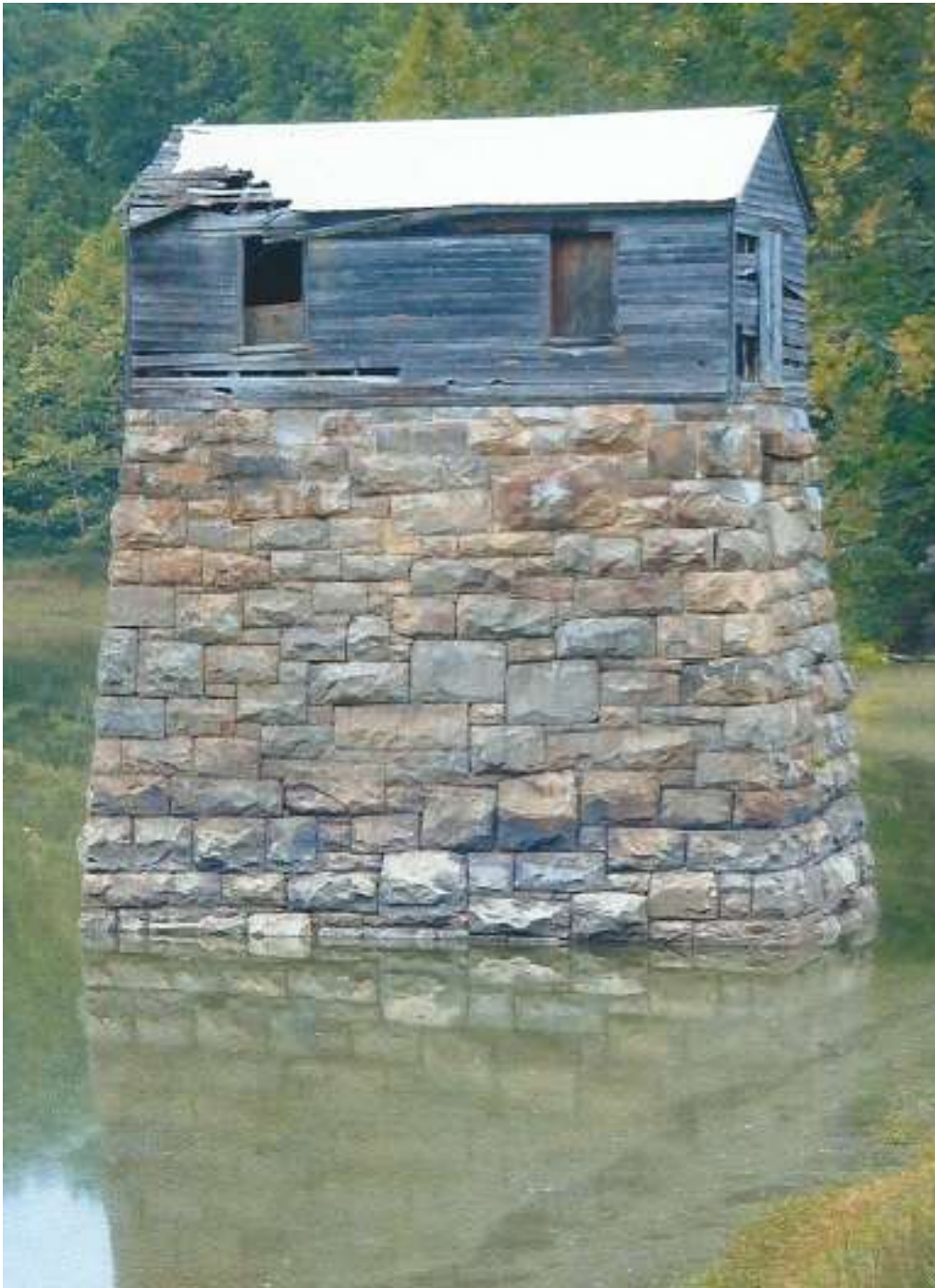
NOW, THEREFORE, BE IT RESOLVED by the Council for the City of Charlottesville, Virginia that the proposed public use of the approximately 1.487 acres shown on the attached plat as a public street is hereby approved, and the City Council hereby states that the right, title and interest, including that portion of the leasehold interest held by Kmart Corporation, acquired pursuant to this Resolution shall be used as a public street and related public improvements to be owned and maintained by the City of Charlottesville.

BE IT FURTHER RESOLVED that the City Council hereby finds that the acquisition of the property as shown on the attached plat is necessary for the purpose of establishing a new public street and making related street improvements to Hydraulic Road, and to provide for the transportation improvements described herein, and the **City Council hereby directs that the right, title and interest to**





## *Chapter 11: Water Supply History*



*1885 Pump House.*

Leading up to the 2002 drought restrictions, the system was calibrated and operating at optimum efficiency. For several years, reservoir levels approached the

trigger but recharged without significant precipitation. The reservoir system was fine-tuned for our climate. People have superstition and fear it will never rain again. So water restrictions respond to political demands; not so much the science.



*1885 Upper Ragged Mountain.*

**2007: Year Of The Non-Drought.** Jan. 3, 2008.

For the third time since the Rivanna Water and Sewer Authority was created in 1972, Charlottesville and Albemarle enacted mandatory water restrictions in August 2007. Just yesterday (Jan. 2, 2008) RWSA executive director since 2004 Tom Frederick downgraded the agency's Drought Warning to a Drought Watch, clearing the way for the city and county to lift restrictions.

In 1977 the severity of the water shortage was measured in days of supply remaining. In 2002 the water shortage was measured in percent of total capacity. Because the 2007 drought was still milder, the new metric is level of reservoirs below full. But the height of the dam and area of the reservoir are never given, making it a meaningless metric. Today The Daily Progress, WCHV and WINA filled up space and air time with the meaningless measurements.





*1908 Lower Ragged Mountain concrete coupled with earthen when dam integrity and bedrock were questioned.*

The numbers keep changing in order to avoid historical comparisons. In 2000 the trigger for mandatory restrictions was 60% of capacity, in 2001 65%, in 2002 70%. In Nov.-Dec. 2001, reserves fell to 68% before reservoirs filled without any rain. In 2007 the water shortage was 93% of full. In 2006 the metric was in-stream flow, removing the water supply itself as a factor in determining whether water restrictions are warranted.

On Sep. 13, 2007, Frederick held a forum at Lane Auditorium in the Albemarle County Office Building at the foot of Vinegar Hill. He kicked off the forum on how to finance the \$142 million Ragged Mountain reservoir expansion by saying he wanted to focus on the future. The city and county approved the plan in 2006. Virginia Department of Environmental Quality has approved the plan. The State Water Control Board is expected to approve the plan in March (“Localities set to lift limits on water use” by Jeremy Borden, Jan. 3, 2008, The Daily Progress).



*2012 Ragged Mountain earthen dam 2006 water plan 45-foot additional height pool elevation.*

But members of the public complained that RWSA was editing its website to keep the public uninformed, to remove historical information so that documents posted only a year previously had already been removed. The website did not contain basic information such as when the dams were built, how much water they hold, or how tall the dams are (reference for water measurements below top of dam).

Ragged Mountain's upper reservoir was built 1885 and expanded 1908. Combined Ragged Mountain contains 460 million gallons when full, or 43 days of supply at average daily demand of 10.6 million gallons per day.





*2006 Water Supply Plan. Blue(I-64) Yellow(Bypass) Green(29North) Red=Cancelled bypass right-of-way. Pipeline from Rivanna W(Walmart) U(University Hall) B(Birdwood).*

Sugar Hollow was built 1924 and holds 360 million gallons or 33 days. A pipeline connects Sugar Hollow to Ragged Mountain. When expanded, a pipeline would bring water from South Rivanna to Ragged Mountain. Water from Sugar Hollow would return normal flow to the Moorman's river.





*1924 Sugar Hollow with pipeline to Ragged..*

The South Rivanna reservoir began operation in 1966, and now contains 750 million gallons or 70 days of water, a third less than 1966 because of sedimentation.



*Director Tom Frederick Sep. 13, 2007 meets growing opposition.*

When reservoirs are full, we have 146 days or 20 weeks of supply at normal demand. In 2007 supply fell to 135 days (93%). Until a member of the public demanded this information on Sep. 13, no one was able to quantify the non-severity of the current “drought.”

The city of Charlottesville acquired land for South Rivanna in 1962. The reservoir flooded Hydraulic Mills, the commercial center of the African American community of Union Ridge dating to the early 1800s. John Perry built the mill 1818 which supplied much of the lumber used to build the University of Virginia.

The mill complex included “a grist and merchant mill, a miller’s house, a cooper’s house, a storehouse, a blacksmith’s shop, a country store, and, briefly, a silkworm industry.” Hydraulic Mills became the head of navigation for bateaux commerce on the Rivanna until an 1870 flood “ended river navigation in Albemarle County forever.” (“The Life & Legacy of Hugh Carr: River View Farm” brochure at Ivy Creek Natural Area. Ivy Creek Foundation )

### **South Fork History.**

**1962** South Fork Rivanna Reservoir land purchased and still owned by the City.

**1966** SFRR filled and water production begins in August.

**1968** First Albemarle zoning allows high density development.

**1969** Four fish kills at night possibly due to low oxygen. Hurricane Camille in August.

**1970** SFRR closed for two weeks after fish kill attributed to Endrin discharge at Crown Orchards.

**1972** Fish kill at Lickinghole Creek attributed to ammonia spill at Morton Frozen Foods. RWSA formed. Clean Water Act. Hurricane Agnes in June.

**1973** RWSA forms advisory committee on reservoir pollution.

**1974** City asks county to downzone near SFRR. UVa says SFRR is "sick."

**1975** EPA says accelerated pollution is occurring.

**1976** Albemarle begins downzoning. Nature Conservancy, City, County, and Virginia Commission on Outdoor Recreation purchase 80 acres as Ivy Creek Natural Area.

**1977** Clean Water Act tightens restriction of discharge of toxins. Worst drought on record. First mandatory water conservation for 35 days.

**1979** Watershed Manager official created. Hurricane David in September.

**1980** Downzoning appealed to Virginia Supreme Court, Albemarle prevails.

**1981** 81.5 acres added to Ivy Creek Natural Area.

**1983** Land purchased for possible future Buck Mountain Creek Reservoir.

**1988** Hydro power plant installed. Virginia bans phosphates in detergents.

**1995/** Major flooding in region.

**1996** Sugar Hollow Reservoir placed on dam failure alert after heavy rains. Blizzard of '96 in January, Hurricane Fran September.

**2002** Second mandatory water restrictions begin August 23.



*1966 South Rivanna the day after Hurricane Isabel Sep. 19, 2003. The 2006 water plan features a pipeline from Rivanna to Ragged. Sugar Hollow pipeline to be decommissioned.*

Following the drought of 1977, RWSA acquired 1,300 acres in 1983 near Free Union for Buck Mountain Creek reservoir on a tributary of South Rivanna. But the dam was never built because the endangered James River Spiny Mussel was found. RWSA never returned the land to its owners. In Feb. 2004, RWSA chairman Mike Gaffney said at a City Council meeting that the reservoir might not be built for a hundred years, but the agency is keeping the land as an “insurance policy” against future water demands.

In late 2006, the agency unveiled a plan to use Buck Mountain land in the mitigation plan to replace inundated wetlands and to quadruple the size of the Ragged Mountain reservoir from 460 million gallons to 1,590 million gallons. The pool elevation would be 45 feet higher than today and extend under Interstate 64. Because of the small drainage basin, a pipeline from South Rivanna will fill the mega Ragged Mountain reservoir.

In 2007 RWSA floated the idea to abandon the South Rivanna and allow the reservoir to completely siltate rather than dredge. Today Rivanna holds about half



the water supply. When Ragged Mountain is expanded, Rivanna will hold a quarter of the supply and shrinking over time due to siltation.



*1983 Buck Mountain land seized but reservoir never built for 1977 record drought 35 days mandatory water conservation. 2004 RWSA is keeping land as "insurance policy".*

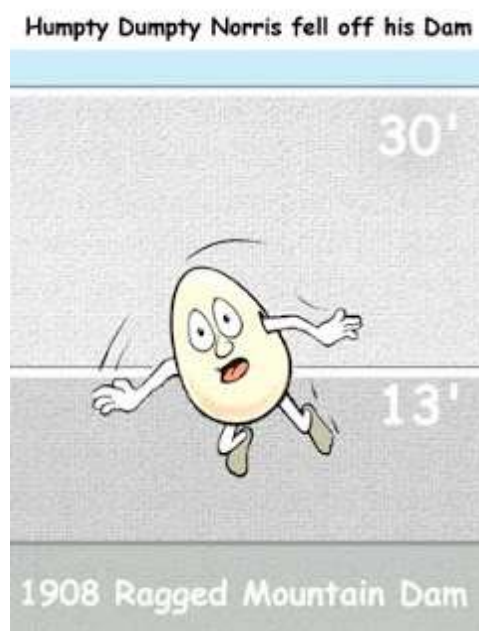
The expanded Ragged Mountain will flood hiking trails surrounding the existing lakes. Councilor Kevin Lynch and others have asked that this “park land” be replaced with park land elsewhere. But RWSA explained the trails will be relocated to higher ground and expanded, and the financing of that relocation is a point of discussion.

Director Frederick said the trails are on reservoir land acquired in the 1880s for the purpose of future expansion. In December Mayor David Brown made the same argument, explaining we must sometimes invest in the future as past generations have done.

### **2011 Turning Point For 2006 Plan When Opposition Arises.**

Despite the rare consensus and almost unanimous support to centralize the water supply back to the first reservoir, opposition from the City began to arise and would become bitter and personal. "If you disagree, you're dumber than a 4th grader" became the low-point in the logic.

The opposition could be seen Sep. 13, 2007 when City residents wanted to shift costs to the County and to future users. The audience at old Lane High wanted to know why documents and resources were disappearing from the agency's website. When a few metrics were pried out of staff, Blair's Blog was able to compute the 2007 drought at 93% capacity. Just 5 years earlier the drought trigger was 70%.



*Humpty Dumpty Norris fell off his Dam.*



Dave Norris & Holly Edwards 13-foot compromise is outvoted Jan. 18, 2011 for 30-foot addition, which became earthen 30 feet on Feb. 23, 2011.

The public may have been angry that Rivanna floated a trial balloon that the South Rivanna reservoir would be abandoned, allowed to siltate, and water siphoned off to the new mega Ragged Mountain. Finally, after multiple submitting proposals to dredge across several years, which were ignored, the professionals gave up. Then Rivanna issued a Request For Proposals and nobody responded. Of course Rivanna had no idea why no one would be interested in dredging.

Perhaps there was frustration left over from the 2006 attempt to ouster Virginia climatologist Patrick Michaels. City Councilor Kevin Lynch and Blogger Waldo Jaquith led a McCarthy-style crusade to fire Michaels for not being alarmist. Michaels agreed on every other point of global warming. A year later Michaels resigned anyway.

City Council approved the current water plan June 2006 and again June 2008. Yet the opposition grew as former city councilors claimed they had been duped. The climax was 2011 when City Council threatened to take over the Rivanna agency.

- Council approves Ragged Mountain option: Water for another 50 years. Jun. 5, 2006. Includes Rivanna report Feb. 7, 2005. In an unusual show of active listening, the director summarized some themes of public input for these 4 concepts:

- interest from the public on how the decision will be made locally and by the regulators

- watershed management
- growth and development
- instream flow
- maintaining existing resources
- water conservation

- Rivanna Uncomfortable Using Buck Mountain Land For Ragged Mountain Plan. Nov. 2, 2006.

- 50-year Water Plan for 76% more population: Ragged at same phase as Buck Mountain. Sep. 18, 2007.

- The Emperor Has No Water Hoax. Mar. 16, 2008. Pie Charts. 1972 News articles show Rivanna born out of secrecy.

- Dredging Alternative at Citizens Forum. May 5, 2008.

- Rivanna Four Party Agreement 1972 to 2012. For federal grant subsidies, the City & County consolidated to bring sewage from Crozet and from Forest

Lakes to the Woolen Mills Advanced Water Treatment Plant down-river from the Rivanna reservoir.

- Crying Drought Fatigue. Mar. 9, 2009.
- Historic day for water supply plan; City, County officials give final approval. Jan 24, 2012. Charlottesville Tomorrow.
- Annexation History Drives Water Agreement. Jan. 29, 2012. Another timeline. Connection to annexation and revenue sharing.

# Letters of Charlottesville

Charlottesville, Virginia

Issue 1

Tuesday, September 3, 2002

Shareware

## The Last Drought

Has Time Stood Still for 25 Years?

Charlottesville and Albemarle County imposed mandatory water conservation August 22 for the first time in "possibly a half century." The two ordinances were identical and took effect the next calendar day for the 80,000 customers. The maximum penalty for wasting water is \$500 and water shut-off ("Water Limits Enacted," Aug. 23, 2002, *Daily Progress*).

Actually, the last mandatory water conservation was 1977. The ordinances were similar and took effect immediately with the same penalties applied to the 60,000 customers ("Mandatory Water Ordinances Enacted," Oct. 8, 1977, *Daily Progress*). The restrictions remained in Albemarle for 34 days and a day longer in Charlottesville.

I was a 13-year-old student at Walker Middle School, lived across from Skate Town on Market St., delivered newspapers, and was interested in weather (B.S. Meteorology 1993). Unless noted, the referenced articles appeared in 1977 from September 1 to November 11 in *The Daily Progress*.

### Now and Then

During today's drought, Louisa was the only central Virginia county without mandatory conservation until the governor mandated state-wide conservation ("Warner imposes water restrictions," Aug. 31, 2002, *Richmond Times-Dispatch*).

In 1977, Louisa was hit hard ("Dry Louisa Town Gets Help in New Water Well," Sep. 2; "Drought Closes Louisa Schools," Sep. 6; "Louisa Hits Water, May Open Schools," Sep. 9; "Louisa Will Build Reservoir," Nov. 8).

Orange has been seriously affected in the current drought. "The Town Council first discussed building a reservoir in 1947, but the proposal to buy land was turned down for reasons no one in the current town administration seems to know ("Inaction on water issue leads Orange down familiar path," Sep. 1, 2002).

In this and the last drought, Scottsville, supplied by Totter Creek

Dam, and Crozet, Beaver Creek Dam, have called for voluntary conservation.

In the current drought, the Rivanna Water and Sewer Authority promoted a "10 for 10" campaign, ten tips for ten percent reduction in water use. In 1977, the RWSA called for 15-20% reduction in demand. WCHV AM-1260 radio hosted a competition for the best conservation tip ("More Than a Contest," Oct. 28).

During the current water shortage, the RWSA used percentage of capacity to gauge the severity of the drought. Reserves reached their lowest point last November at 68% then began rising without any rain. According to RWSA last year, 65% would trigger mandatory conservation. That trigger is 70% now.

In 1977, days of supply at projected demand were estimated for each of the reservoirs. Because of sedimentation and increased demand, it is difficult to determine which conservation ordinance was the more urgent. Days remaining seems the more meaningful, comparative measure.

Then as now, Charlottesville and urban Albemarle were served four water impoundments: Lower and Upper Ragged Mountain, Sugar Hollow, and South Rivanna reservoirs.

In 1977, several large, front page photos displayed scary reservoirs ("Our Water Is Drying Up," Sep. 28; "Only Mud at Sugar Hollow," Oct. 6; "The Sign of Things to Come," Oct. 21).

Water quality became a concern as water volume decreased ("Cleaning the Water," "Turning Foul Water Into Something Fit for Human Consumption," Oct. 16; "Mystery Muck," Oct. 29).

In 1977, a graph of seven-day average water demand appeared on the front page ("Water Consumption Drops as Conservation Takes Hold," Oct. 12). Similar charts have not appeared in the local mainstream press during the current drought.

The last drought ended with heavy rains locally and flooding regionally but authorities resisted lifting restrictions.

("Southwest Cleaning Up Again: Flash Flooding Routs Hundreds," Oct. 3; "Water Savings Expected to Lead to Higher Rates," Oct. 30; "Reservoir Levels Up, Water Use Declines," Nov. 1; "Light Rain Adds Two Inches To Hungry Rivanna River," Nov. 3; "Further Water Cutbacks Eyed," Nov. 4; "Rain Fills Reservoirs; Water Curbs May Stay," "Flood Watch Posted," Nov. 6; "Georgia Flooding Kills 37: Wall of Water Bursts From Toccoa Dam," "Virginia Rivers Jump Banks," "New Look at the Sugar Hollow Reservoir," Nov. 7; "Damage in Millions, Many Homeless in Va. Flooding," Nov. 8; "Curbs On Water Lifted," "The Drought's Over....But Look at the Basement," Nov. 10; "Curbs on Water Removed By City," Nov. 11.)

### Current Affairs

Terrorists were hijacking planes but not flying them into buildings. President Jimmy Carter "gave away" the Panama Canal. The Allen Bakke reverse discrimination case was being litigated. G. Gordon Liddy was fresh out of prison. *Roots* won a string of Emmies. Crooner Bing Crosby passed away. The northeast U.S. saw massive blackouts.

John Dalton defeated Henry Howell for governor. Charles Robb defeated Joe Canada for lieutenant governor ("Dalton's Margin 150,000," Nov. 11). Five state bonds were approved.

A challenger and incumbent were elected to the Albemarle County Board of Supervisors ("Reservoir Dominant Albemarle Issue," Nov. 6; "Lindstrom Upsets Carr; Fisher Wins," Nov. 9).

The city and county jointly purchased the old downtown post office to become a regional library ("Post Office Sale Signed," Oct. 11). The county did not trust the city ("County, City Still Holding Hands," Oct. 26) but they both talked of one centralized government ("City, County Executives See Makings of Merger," Oct. 12 by Karen Lowe).

Regional transportation was born ("JAUNT Offers Public a Ride," Sep. 14). Teenagers were assaulting

# Letters of Charlottesville

Charlottesville, Virginia

Page 2

Tuesday, September 3, 2002

pedestrians near the University ("6 Seized In Attacks Near UVa," Oct. 20). City Schools were unpopular ("City Schools Face Enrollment Drop," Sep. 9). The SPCA held a charity fair at Barracks Road Shopping Center October 7-8.

Urban renewal was in full swing. There was a move to split the Charlottesville Redevelopment and Housing Authority and bring Housing under direct control of City Council ("Housing Board Change Argued: Council Split," Oct. 14). If successful, the separation of the independent agency's two functions, property purchase (Housing) and resale (Redevelopment), might have minimized the impact of renewal.

City Council delayed discussion of the proposal and approval by the General Assembly was needed ("City Council Will Weigh Housing Authority Control," Sep. 3; "Authority Hearing Postponed," Sep. 30; "City Puts Off Housing Authority Shift," Oct. 18). Today, the Housing Authority remains intact.

The mayor wanted a second Elderly high-rise at the top of Vinegar Hill at then City Market, site of the old Midway School. The Authority wanted it in the "Garrett Street urban renewal area." Housing Authority Board Chairman Richard C. Collins said "the benefits of home ownership" were being exaggerated and "it's a sham" for people to think everyone can afford to own their home ("Price of Highrise Site Set by Council: Midway Location Chosen," Sep. 13).

The Housing Authority came within two days of losing a \$6.2 million grant "to construct a 58-unit housing project on First Street and four other smaller complexes scattered around the city" ("City Housing Grant Okayed," Sep. 30).

Rule of Law was not absolute. After lengthy debate, car washes and acid brick cleaning were exempted in the city ("Car Wash: New Law May Hurt Business," Oct. 9; "Council Exempts 6 Firms," Oct. 18). The county opposed then allowed the exemptions ("County Opposes Water Exceptions," Oct. 20; "Car Wash Businesses Exempted," Nov. 3). In the current drought, the exemptions are routine.

On-street permit parking had been

banned by the Va. Supreme Court. Signs came down and went back up when the U.S. Supreme Court overturned the ruling ("City Takes Wait, See Attitude on Permit Parking Decision: State Court Overturned," Oct. 12).

There was much talk about "economic development," "revitalization," "comprehensive plan," and "quality of life." WINA AM-1070 radio had opinions ("Need for Economic Development," Oct. 15).

## Some of the Players

■ Mills Godwin was governor, best-known for his 40-hour work week decree in the extended record cold and energy crisis of the winter of '76-'77.

■ Nancy K. Obrien was mayor, now active in the effort to save Jefferson School from her own Democratic party.

■ Francis H. Fife was vice mayor ("Vice Mayor Goes Jogging, Loses Pants," Nov. 11). He presently serves as member of the board of directors of Advocates for a Sustainable Albemarle Population ("Group opposes county growth," Sep. 2, 2002).

■ Cole Hendrix was city manager. He served as seven-month interim executive director of RWSA, RSWA last year.

■ Eugene K. Potter, Jr. was RWSA operations director. Today, Potter continues as water authority director.

■ Satyendra Huja was and is city planner.

■ Richard C. Collins was Housing Authority board chairman. "Rich Collins" is director of UVa's Institute of Environmental Negotiations ("Group opposes county growth," Sep. 2, 2002).

■ Robert Hodous was member of the Housing Authority board. He is now chairman of the Charlottesville Republican Committee.

■ Kay Peaslee wrote a letter to the *Progress* ("Measures Inadequate to Protect Reservoir," Sep. 14). She founded *The Observer*, now published by Jeffrey M. Peyton.

■ Bob Gibson reported on crimes small-time and big. He still works at the *Progress* and writes about state-wide politics.

## Climatology

The expert was wrong. As soon as

State Climatologist Bruce P. Hayden predicted persistent drought, the pattern changed to abundant rainfall ("Severe Record Drought Expected to Continue," Oct. 4). Current State Climatologist Patrick Michaels has downplayed the severity of the present 3 to 4 year drought.

If we define drought as rainfall deficit from "normal," that belief requires devastating floods before the drought can be over. Take this hypothetical.

Your region needs 20 inches of rain spread evenly over 30 days to recharge completely groundwater and reservoirs. Suppose no rain falls for the first ten months of the year, the worst drought on record by far. Then 20 inches fall in November. The ground is saturated. Is the drought over? You're still 20 inches below normal for the year. If you get 20 inches of rain in December, you will wish for drought.

Historically, flood is a greater threat here than drought. A 45-day dry spell is rare enough that it makes news. Charlottesville and Albemarle have less water now than in 1977 because of sedimentation. We have the same reservoirs and higher demand. We run completely out of water if it doesn't rain at all for 4 or 5 months.

The last drought is why mandatory conservation now is premature. If authorities had waited a few more weeks in both cases, the rains would have come before mandatory conservation. As you would expect according to the climate, we now seem to be in a wetter pattern.

To save money and effort, authorities should consider letting things get a little worse before stepping in. It may seem counter-intuitive. But next time, let the water supply go to 50 percent. If we get that low, then something big might have happened to the weather.

Or possibly, floods are just around the corner.

— Blair Hawkins

### COCKTAIL SIP

Where: Odyssey Night Club  
Rt. 250 East

Date: Sunday, October 27, 1985

Time: 6:00 - 10:00 P.M.

Given by: Debonnaire Socialites Club

Price: \$10.00

Filling the gaps of local history, past and present. Relying on your support. Seeking sponsors and contributors.

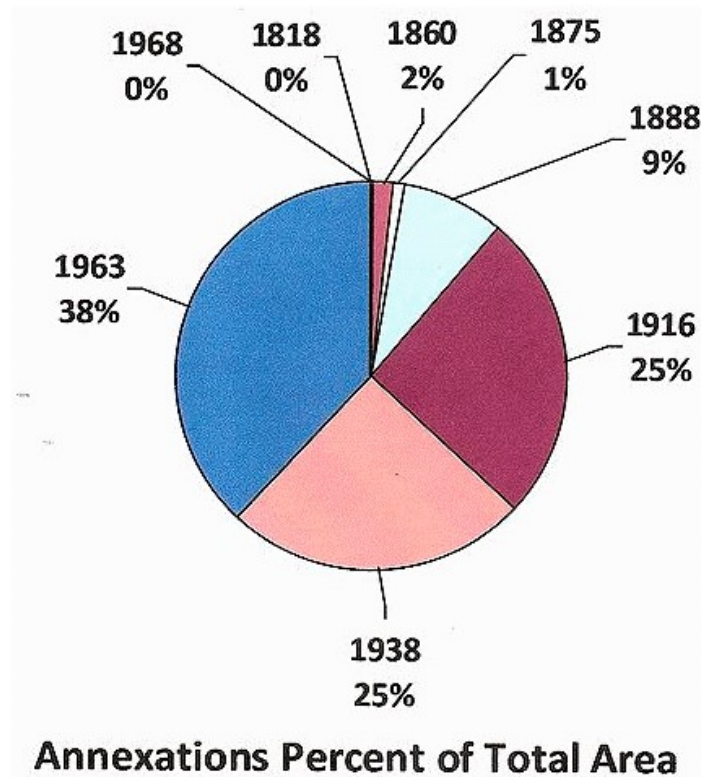
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www.geocities.com/HealingCharlottesville

434-960-1824



## *Chapter 12: Annexation and Revenue Sharing*



County Courts May Move To Albemarle Square.  
Thursday May 4, 2017.

Court Square is the latest unintended consequence of annexation, and payment not to annex called revenue sharing. The County courts are no longer in the County, thus violating the principle of local rule. The City has acted with bad will for many decades, like not making payments to Juvenile Courthouse renovation and Solid Waste Authority. The City is like a bad neighbor whose arguments keep changing.

The latest argument is that County-owned land within the City was never annexed. When you go to the County Office building, you're not subject to City laws because its County territory as well as County property. That might be why City Council thought the City-owned Ragged Mountain Reservoir, leased to joint-venture Rivanna water, is not subject to County authority. Somehow it's City territory outside the City.

This very issue came up in 2001. Videotape aired on WVIR NBC-29 appeared to show police brutality. The interrogation occurred at the County police station inside the City. The officer was later charged by the City commonwealth's



attorney because the alleged assault occurred in City territory albeit County land. The victim was later acquitted by a County jury because his alleged assault occurred in County territory.

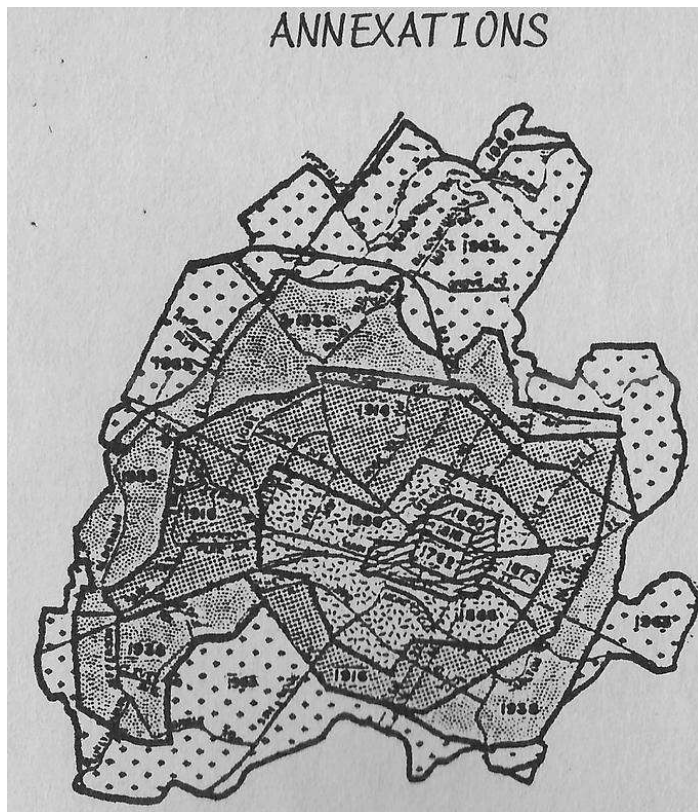


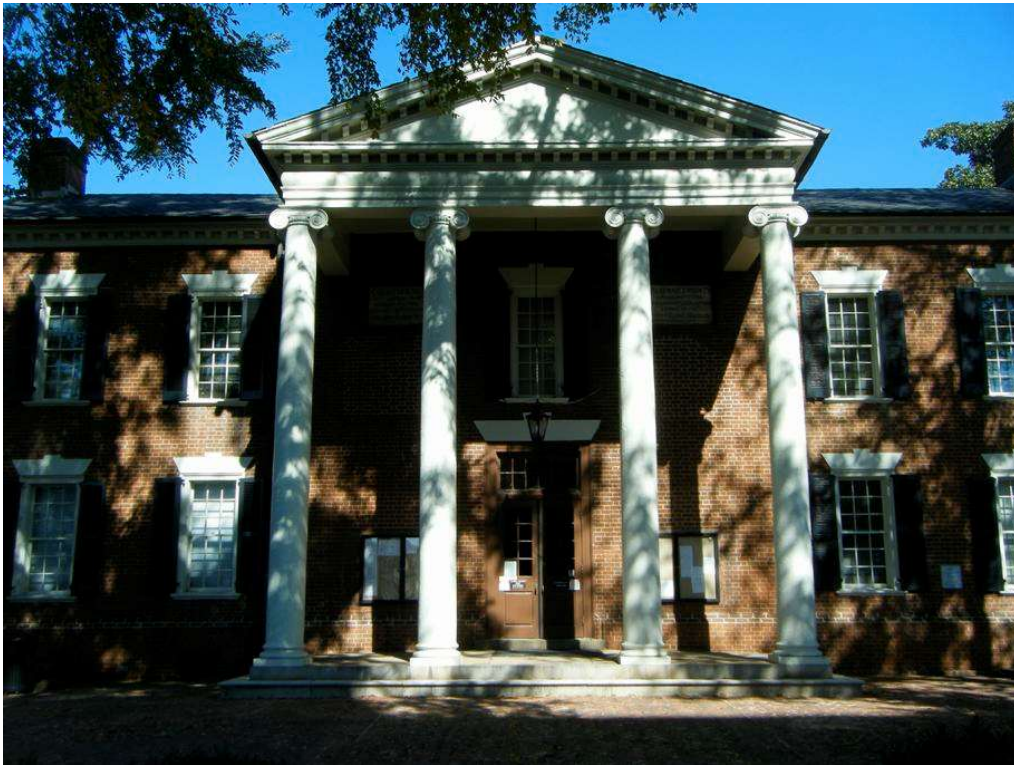
TABLE 1  
CHARLOTTESVILLE ANNEXATIONS  
1818-1968

YEAR	AREA (SQ. MILES)
1792 (Old Town)	.059
1818.	.087
1860.	.271
1873.	.340
1888.	1.221
1916.	3.840
1938.	6.434
1963.	10.362
1968.	10.442

State funding of schools is another unexpected outcome. The School Composite Index is a form of means testing for localities. But it doesn't see the

City income gained, or the County income lost to revenue sharing. So the City unfairly receives several million dollars extra. The City's argument is the County wants to take money from City children. While the County is right, a couple Delegates introduced then withdrew a bill to make the Composite Index count all the income of municipalities.

When you're a town, nobody cares about annexation. The borders change but you're still in the county. When the town becomes a city, it's no longer part of the county. The county suddenly has a budget shortfall equal to the local taxes from the town. With every annexation the county has a budget shortfall equal to taxes paid from the area just annexed. Government has only one morality— more money good, less money bad. So a county sees annexation as equal to a military invasion, resulting in great ill will.



*Albemarle County Courthouse.*

The state and federal see cities and counties as completely separate jurisdictions. Historically great favor has been given to cities. When you travel and see the city border far from the urban area, that's annexation abuse, declaring a rural area to be urban so the rural tax can go to the city. But counties have no power to annex, and no ally in the courts.

So you have more unintended consequences. There are no counties in southeast Virginia. Under constant threat of annexation, the counties re-

incorporated into cities to prevent loss of revenue and territory. Charlottesville and Albemarle cooperate more than any two municipalities in the world. It was a legal strategy in the 1970s to prevent annexation. According to late Mayor Mitch Van Yahres in a 2006 forum about the downtown pedestrian mall, Van Yahres said he was the last mayor to lose an annexation before the state-wide moratorium. He wanted to annex Fashion Square and Pantops Shopping Center.

Under the 1982 Revenue Sharing Agreement, Albemarle agrees to purchase Charlottesville's right to annex. Under the 1987 moratorium, Charlottesville has no such right. So Charlottesville is in violation of the agreement since 1987 and owes Albemarle a huge refund. The City sees the threat of less money, the highest moral imperative for a government.

So Karma zeroes in on the Independent City of Charlottesville.

- Annexation History Drives Water Agreement. Jan. 29, 2012.
- Revenue Sharing Summit: More city-county cooperation. Apr. 25, 2010.
- Apr. 11, 2000 Revenue Sharing speech on video. Mar. 10, 2008.
- Slutzky: Revenue Sharing reform would be Declaration of War. Apr. 8, 2008.

### **The Formula to Compute the Annual Payment.**

Information needed:

- Population of the city and county as determined by US Census, and by the Tayloe Murphy Institute of the University of Virginia in years between censuses.
- True real property Tax Rates for city and county as determined by Virginia Department of Taxation.
- Total Assessed Value of Taxable Property for city and county to find Total Contribution to revenue and economic growth sharing fund.

a = city and b = county

1. Population Index. P=Population

$$PI_a = P_a / (P_a + P_b)$$

$$PI_b = P_b / (P_a + P_b)$$

2. Tax Index. T=Tax Rate

$$TI_a = T_a / (T_a + T_b)$$

$$T_{lb} = T_b / (T_a + T_b)$$

### 3.Composite Index

$$C_{la} = (P_{la} + T_{la}) / 2$$

$$C_{lb} = (P_{lb} + T_{lb}) / 2$$

4.Contribution to Fund. 0.0037 = valuation factor (37cents per \$100 assessed value)

$$C_a = (0.0037)(\text{Total Value of Taxable Property in city})$$

$$C_b = (0.0037)(\text{“ “ county})$$

### 5.Distribution

$$D_a = (C_{la})(C_a + C_b)$$

$$D_b = (C_{lb})(C_a + C_b)$$

### 6.Net Transfer

$$\text{Net} = D_a - C_a = D_b - C_b$$

Here's the first example given for Jan. 31, 1983 initial payment.

$$P_a = 39,916 \quad P_b = 55,783$$

$$T_a = 0.91510 \quad T_b = 0.49848$$

$$C_{la} = \frac{1}{2} [ (P_a / (P_a + P_b)) + (T_a / (T_a + T_b)) ]$$

$$C_{lb} = \frac{1}{2} [ (P_b / (P_a + P_b)) + (T_b / (T_a + T_b)) ]$$

$$C_a = (0.0037)(\$ 651,387,930) = 2,410,135$$

$$C_b = (0.0037)(\$1,229,123,396) = 4,547,759$$

$$\text{Total Contributions } C = (C_a + C_b) = 6,957,894$$

### Distribution

$$D_a = (C_{la})(C_a + C_b) = (0.5323)(6,957,894) = 3,703,687$$

$$D_b = (C_{lb})(C_a + C_b) = (0.4677)(6,957,894) = 3,254,207$$

Net Transfer.

$$\text{NET} = \text{Da} - \text{Ca} = \text{Db} - \text{Cb}$$

$$\text{NETa} = \text{Da} - \text{Ca} = 3,703,687 - 2,410,135 = +\$1,293,552$$

$$\text{NETb} = \text{Db} - \text{Cb} = 3,254,552 - 4,547,759 = -\$1,293,552$$

(+) is transfer to you and (-) is transfer from you

$$\text{NETa} = (\text{CIa})(\text{Ca} + \text{Cb}) - (0.0037)(\text{total assessed property value for city})$$

$$\text{NETb} = (\text{CIb})(\text{Ca} + \text{Cb}) - (0.0037)(\text{“ “ county})$$

**The 1982 Revenue Sharing Agreement.**



ANNEXATION AND REVENUE  
SHARING AGREEMENT

This Agreement is between the COUNTY OF ALBEMARLE, acting through its Board of Supervisors, and the CITY OF CHARLOTTESVILLE, acting through its City Council:

SECTION I. PURPOSE.

This agreement arises out of the annexation statutes found in Title 15.1 of the Code of Virginia. The Board of Supervisors recognizes that those statutes permit the City to initiate court proceedings to annex County territory; however, the Board believes annexation to be ineffective as a solution to the social and financial problems of cities, and generally opposes the concept of annexation on philosophical grounds. The City Council believes that annexation has been historically effective as a method for cities to increase their tax bases and provide for effective delivery of urban services and that the City would be justified in asking to annex parts of the County at this time.

In spite of these philosophical differences, the City Council and the Board of Supervisors realize that their jurisdictions have much in common and that the interests of their citizens often extend across jurisdictional boundaries. They are proud of many instances in which their two governments have cooperated to serve the interests of those citizens, and they share the hope of a future filled with more cooperative measures, perhaps ultimately resulting in the combination of the two jurisdictions into one.

Whatever the merits of annexation might be, an annexation suit initiated by the City at this time would threaten the spirit of cooperation now existing between the City and County governments. It would involve great expenditures of time and money, and it would introduce an element of uncertainty into the political and governmental processes of both jurisdictions which both the City Council and the Board of Supervisors would prefer to avoid.

Recognizing all of these circumstances, the Board of Supervisors and the City Council have sought through negotiations to find a solution which would lessen the City's need to annex County territory and thereby permit the County to proceed with its planning and other governmental processes free of the threat of annexation. Both bodies believe that the revenue and economic growth sharing plan described in this agreement is an equitable solution, which permits both jurisdictions to share fairly in the

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property tax revenues created by future economic growth in the community regardless of whether that growth occurs in the City or County.

## SECTION II. REVENUE AND ECONOMIC GROWTH SHARING PLAN.

### A. Agreement to Contribute and Share.

Pursuant to Va. Code Ann. §15.1-1166, for as long as this agreement remains in effect, the County and City agree annually to contribute portions of their respective real property tax bases and revenues to a revenue and economic growth sharing fund as described in this Section. Each agrees to transfer to the other the net amount determined by applying the calculations described in this Section to the fund so created.

### B. Determination of Contributions to Fund.

The City and the County will each annually contribute to the revenue and economic growth sharing fund, from their respective real property tax revenues, thirty-seven cents for each one hundred dollars of value of locally assessed taxable real property, improved and unimproved, within their respective political boundaries.

The city manager and county executive, or their designees, shall meet in the month of January in each year in which the agreement is in effect to determine the amount each jurisdiction will contribute to the fund in the ensuing fiscal year. The sum of the contributions of the City and County shall constitute the "fund" as referred to below.

In each year that this agreement is in effect, the assessed values used to calculate the respective contributions shall be those reflected on the land books of the two jurisdictions for the most recent year for which population and true tax rate figures are also available, as provided in Subsection D. However, for any year in which one jurisdiction conducted a general reassessment and the other did not, the contributions of both jurisdictions shall be based on the assessed values for the most recent year in which both conducted a general reassessment, plus subsequent new construction and less subsequent demolitions in both jurisdictions.

### C. Determination of Distribution of Fund.

After computing the total contributions to the fund, the designated officials, using the steps set forth in Subsection D,

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shall determine the distribution of the fund for the ensuing fiscal year. This determination shall be used by the two jurisdictions in the preparation of their budgets and for fiscal planning purposes.

The distribution of the fund and the resulting net transfer of funds shall be made initially on January 31, 1983, and on each January 31 thereafter that this agreement remains in effect.

D. Procedure for Computing Distribution.

The procedure to compute distribution of the fund requires the determination of the following figures:

- Population of the City
- Population of the County
- True Real Property Tax Rate of the City
- True Real Property Tax Rate of the County

The population figures shall be determined by official United States Census figures for years in which a census has been taken. For years between censuses, the population figures shall be the final population estimates of the Tayloe Murphy Institute of the University of Virginia.

True real property tax rates shall be as determined by the Virginia Department of Taxation.

In the event the Tayloe Murphy Institute or the Department of Taxation ceases to make such determinations, the city manager and county executive shall jointly select another source for such figures.

The distribution shall be computed as follows:

- Step 1. Compute relative population indices for both jurisdictions by dividing each jurisdiction's population by the sum of the populations for both jurisdictions.
- Step 2. Compute relative tax effort indices for both jurisdictions by dividing each jurisdiction's true real property tax rate by the sum of the true real property tax rates for both jurisdictions.

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- Step 3. Compute a composite index for each jurisdiction by averaging the relative population index and the relative tax effort index for the respective jurisdictions.
- Step 4. Multiply the composite index of each jurisdiction by the total contributions to determine each jurisdiction's share of the fund.
- Step 5. Compute the net transfer by finding the difference between each jurisdiction's contribution and its share of the distribution.

Each time the contribution and distribution are computed the computation shall be based on the assessment, population and true tax rate figures for the most recent year for which all three such figures are available.

#### EXAMPLE

This example shows how such a computation would be made for the Fiscal Year 1983 (July 1, 1982-June 30, 1983), using the figures for the most current year for which all three elements are available, 1980.

Contributions to Revenue and Economic Growth Sharing Fund  
Total Assessed Values of Taxable Property (Jan. 1, 1980):

Charlottesville: \$651,387,930  
Albemarle : \$1,229,123,396

These multiplied by 37 cents per \$100 of valuation, yield the following respective contributions:

Charlottesville : \$2,410,135  
Albemarle : \$4,547,759  
Total Contributions: \$6,957,894

Distributions (based on 1980 populations and true tax rates for 1980):

#### Step 1. Relative Population Indices:

<u>Jurisdiction</u>	<u>Population</u>	<u>Index</u>
Charlottesville	39,916	.4171
Albemarle	55,783	.5829
Totals	95,699	1.0000

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Step 2. Relative Tax Effort Indices:

<u>Jurisdiction</u>	<u>True Tax Rate</u>	<u>Index</u>
Charlottesville	.91510	.6474
Albemarle	.49848	.3526
Totals	1.41368	1.0000

Step 3. Composite Indices:

<u>Jurisdiction</u>	<u>Composite Index</u>
Charlottesville	.5323
Albemarle	.4677
Total	1.0000

Step 4. Actual Distribution:

Multiply Composite Indices by amount of Total Contributions (\$6,957,894) to obtain the following distribution of the pooled amount:

<u>Jurisdiction</u>	<u>Composite Index</u>	<u>Distribution</u>
Charlottesville	.5323 x \$6,957,894=	\$3,703,687
Albemarle	.4677 x \$6,957,894=	\$3,254,207
Total		\$6,957,894

The net transfer of funds which will result from this formula is the difference between each jurisdiction's contribution and its distribution. The 1980 figures yield the following net transfer from Albemarle to Charlottesville from this example:

	<u>City</u>	<u>County</u>
Distribution :	\$3,703,687	\$3,254,207
Contribution :	-2,410,135	-4,547,759
Net Transfer :	+\$1,293,552	-\$1,293,552

As can be seen from this example, the contribution of each jurisdiction will rise or fall as the tax base rises or falls, and the distribution will increase or decrease as a combination of relative populations and relative-tax rates.

E. Limitation on Distribution.

The contributions, distributions and the net transfer of funds for fiscal year 1983 shall be as shown in the example in subsection IID above. In all subsequent fiscal years, the amount transferred to either jurisdiction for any year shall not exceed one tenth of one percent (.1%) of the total locally assessed value of taxable real estate used to compute the contribution of the other jurisdiction for that year.



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F. Disputes About Computations.

In the event the city manager and county executive cannot agree with regard to any computation made under this agreement or any figure to be used in such computations, they shall jointly select a person knowledgeable about governmental finances to resolve the dispute.

SECTION III. ANNEXATION.

During the time this agreement is in effect, the City will not initiate any annexation proceedings against the County, with the exception that the City may, if it chooses, petition for annexation of that property presently owned by the City, adjacent to its corporate limits, known as Pen Park. A plat of the Pen Park property is attached to this agreement and marked as Exhibit A. If the City decides to petition for annexation of Pen Park, the County agrees that it will not oppose that annexation. The City further agrees that while the agreement is in effect it will oppose any petitions filed by County residents or property owners seeking to have territory annexed by the City.

SECTION IV. DISCRIMINATORY TAXES.

The County and City agree that, except for ad valorem property taxes, taxes on restaurant meals, transient lodgings or admissions to public places or events and other general or selective sales or excise taxes, neither jurisdiction will, during the life of this agreement, impose or increase any tax that would affect residents of the other jurisdiction if the other jurisdiction is not legally empowered to enact that tax at the same rate and in the same manner. This provision is specifically intended among other things to ensure that neither jurisdiction will enact a so-called "commuter" or payroll tax unless the other jurisdiction has the legal authority to do so.

SECTION V. CONSOLIDATION STUDY.

The City Council and Board of Supervisors agree that immediately after the approval of this agreement pursuant to Section VII they will appoint a committee to study the desirability of combining the governments of the two jurisdictions, or some of the services presently provided by them, either in a consolidation as provided in Va. Code §15.1-1131, or in some other manner for which special legislation might be requested.

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The study committee will be comprised of two members of City Council, two members of the Board of Supervisors, the city manager and the county executive. Each governing body shall select the members to represent it on the committee. The city and county attorneys will attend the meetings of the committee and advise it, but will not be voting members.

The committee will begin meeting as soon as possible after its appointment and will make a preliminary report to the Board of Supervisors and City Council within six months after its first meeting to set forth the manner in which it thinks the study should proceed, including a request for whatever staff or other assistance it anticipates will be needed. The City Council and Board of Supervisors agree to act on the preliminary recommendations within thirty days after receiving them.

A full public report of the final conclusions and recommendations of the study will be made to both governing bodies not later than January 30, 1983. However, the Board of Supervisors and City Council may jointly agree to extend this time limit.

#### SECTION VI. DURATION OF AGREEMENT.

This agreement will remain in effect until:

- A. The City and County are consolidated or otherwise combined into a single political subdivision; or
- B. The concept of independent cities presently existing in Virginia is altered by state law in such a manner that real property in the City becomes a part of the County's tax base; or
- C. The City and County agree to cancel or change the agreement.

#### SECTION VII. APPROVAL OF AGREEMENT.

This agreement shall be effective when it has been signed by both jurisdictions, following the adoption of resolutions approved by majority votes of the City Council and Board of Supervisors after publication of notices and public hearings, as required by Va. Code §15.1-1167, and in the case of the County, following approval by the qualified voters of the County in a referendum conducted pursuant to state law.

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SECTION VIII. SEVERABILITY.

The provisions of Sections II and III of this agreement are not considered severable, and any determination by a court of competent jurisdiction that the revenue and economic growth sharing plan or the City's agreement not to initiate or support annexation petitions (except for Pen Park) is invalid shall cause this entire agreement to be null and void. All other provisions are considered severable, and a determination that any of them is invalid shall not affect the remaining provisions.

SECTION IX. BREACH OF AGREEMENT.

If either party deems the other to have breached any provision, it shall so notify the other in writing, and the party deemed to have breached the agreement shall have 60 days to remedy the breach. In the event remedial action has not been taken within the 60 day period, the aggrieved party shall be entitled to seek specific performance of the agreement in the circuit court of the City or County.

IN WITNESS WHEREOF the City Council has authorized the Mayor to sign this agreement by a resolution adopted March 15, 1982, and the Board of Supervisors has authorized its Chairman to sign it by resolution adopted Feb. 17, 1982, and pursuant to the results of a referendum of the qualified voters conducted May 18, 1982.

CITY OF CHARLOTTESVILLE

BY

  
 Mayor

ATTEST:

  
 Clerk of the Council

COUNTY OF ALBEMARLE

BY

  
 Chairman, Board of Supervisors

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ATTEST:

Lettie E. Davis  
Clerk of the Board

STATE OF VIRGINIA

CITY/COUNTY OF Albemarle, to-wit:

The foregoing instrument was acknowledged before me this 24  
day of May, 1982, by Francis L. Buck, Mayor, on behalf of  
the City of Charlottesville.

My commission expires 8-6-85

Judy S. Haugh  
Notary Public

STATE OF VIRGINIA

~~CITY~~/COUNTY OF Albemarle, to-wit:

The foregoing instrument was acknowledged before me this 18  
day of February, 1982, by David S. Fisher, Chairman  
of the Board of Supervisors, on behalf of the County of Albemarle.

My commission expires August 6, 1985

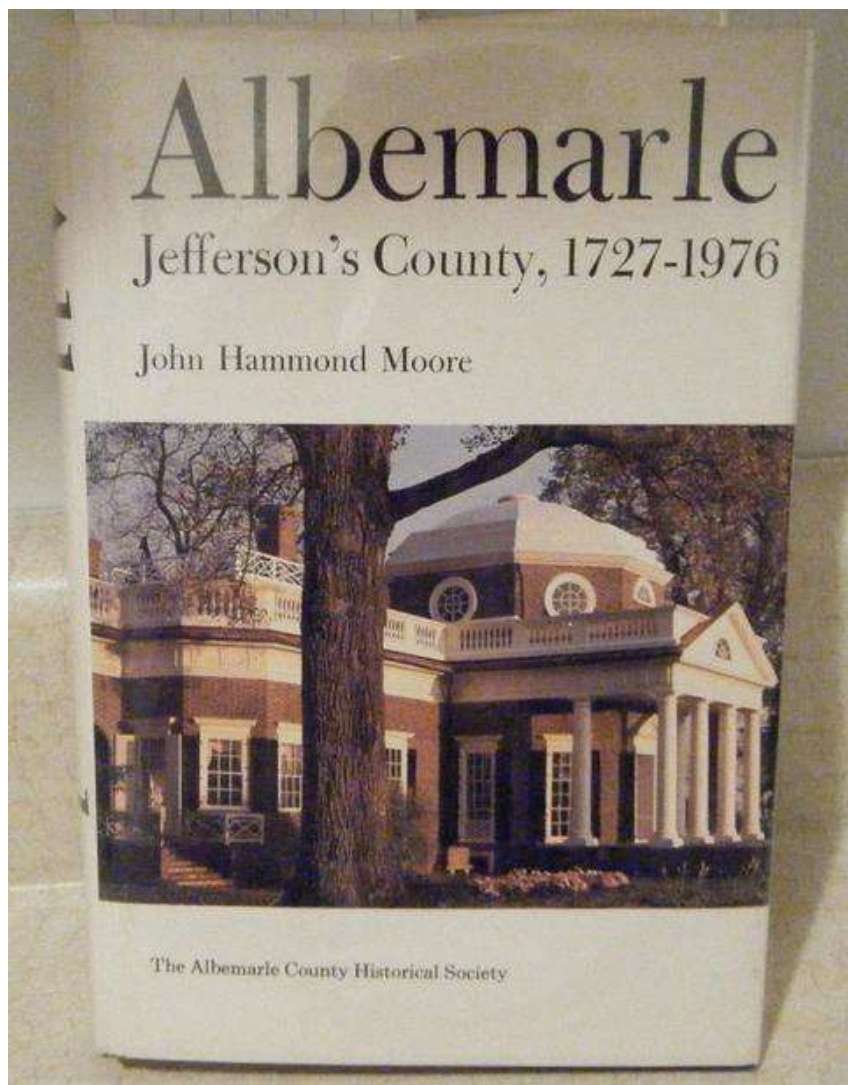
Judy S. Haugh  
Notary Public

**City/County Revenue Sharing:  
Historical**

<b>Payment Fiscal Year</b>	<b>Tax Year</b>	<b>Amount of Payment</b>	<b>Dollar Increase</b>	<b>Percent Increase</b>
1982-83		1,293,552		
1983-84	1981	1,530,991	237,439	18.36%
1984-85	1982	1,579,753	48,762	3.18%
1985-86	1983	1,875,179	295,426	18.70%
1986-87	1984	1,942,509	67,330	3.59%
1987-88	1985	2,277,953	335,444	17.27%
1988-89	1986	2,368,027	90,074	3.95%
1989-90	1987	2,693,120	325,093	13.73%
1990-91	1988	2,802,359	109,239	4.06%
1991-92	1989	3,277,350	474,991	16.95%
1992-93	1990	3,426,001	148,651	4.54%
1993-94	1991	4,319,236	893,235	26.07%
1994-95	1992	4,475,118	155,882	3.61%
1995-96	1993	5,049,991	574,873	12.85%
1996-97	1994	5,170,853	120,862	2.39%
1997-98	1995	5,518,393	347,540	6.72%
1998-99	1996	5,587,013	68,620	1.24%
1999-2000	1997	5,853,794	266,781	4.78%
2000-2001	1998	6,093,101	239,307	4.09%
2001-2002	1999	6,482,712	389,611	6.39%
2002-2003	2000	6,692,811	210,099	3.24%
2003-2004	2001	7,726,021	1,033,210	15.44%
2004-2005	2002	8,004,461	278,440	3.60%
2005-2006	2003	9,742,748	1,738,287	21.72%
2006-2007	2004	10,134,816	392,068	4.02%
2007-2008	2005	13,212,401	3,077,585	30.37%
2008-2009	2006	13,633,950	421,549	3.19%



*Albemarle: Jefferson's County, 1727-1976.* John Hammond Moore.  
Albemarle County Historical Society.



## *Acknowledgements*

Thank you to everyone who helped me or gave me encouragement. Also thank you to all those who fought against me. Without pushback, I would not have pushed forward.

Thanks to *The Daily Progress* for suppressing so much history. It gave me the motivation to set the record straight from the newspaper's own archives.

Thanks to the weekly newspapers. *C-ville Weekly*. *The Hook*. *The Observer*. *The Tribune*.

Thanks to WINA's Rob Schilling and WCHV's Joe Thomas. Thanks for letting me show your listeners what's hidden in plain sight.

*Albemarle: Jefferson's County, 1727–1976*. John Hammond Moore. Albemarle County Historical Society. The unofficial narrative history of Charlottesville up to 1976. The book takes great effort to include African-American history.

Albemarle Charlottesville Historical Society. *The Magazine of Albemarle County History*. The organization is in trouble. But they have been good stewards of our local history.

*Images of America: Charlottesville 2011*. Eryn S. Brennan and Margaret Maliszewski.

I'm sure I left out many people. Thanks to the unknown friends. Thanks to the hidden enemies. If you found this book is worth more than a dollar, please make a donation. Visit my website for many more stories and images.

*Blair's Magazine of Lost History*.  
[www.blairhawkins.net](http://www.blairhawkins.net)

*Hidden In Plain Sight*.  
 The History of Charlottesville and the August 12, 2017 Riot  
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