

Valley Business FRONT

THE SMALL BUSINESS & ENTREPRENEUR
CHAMPION IN VIRGINIA'S BLUE RIDGE

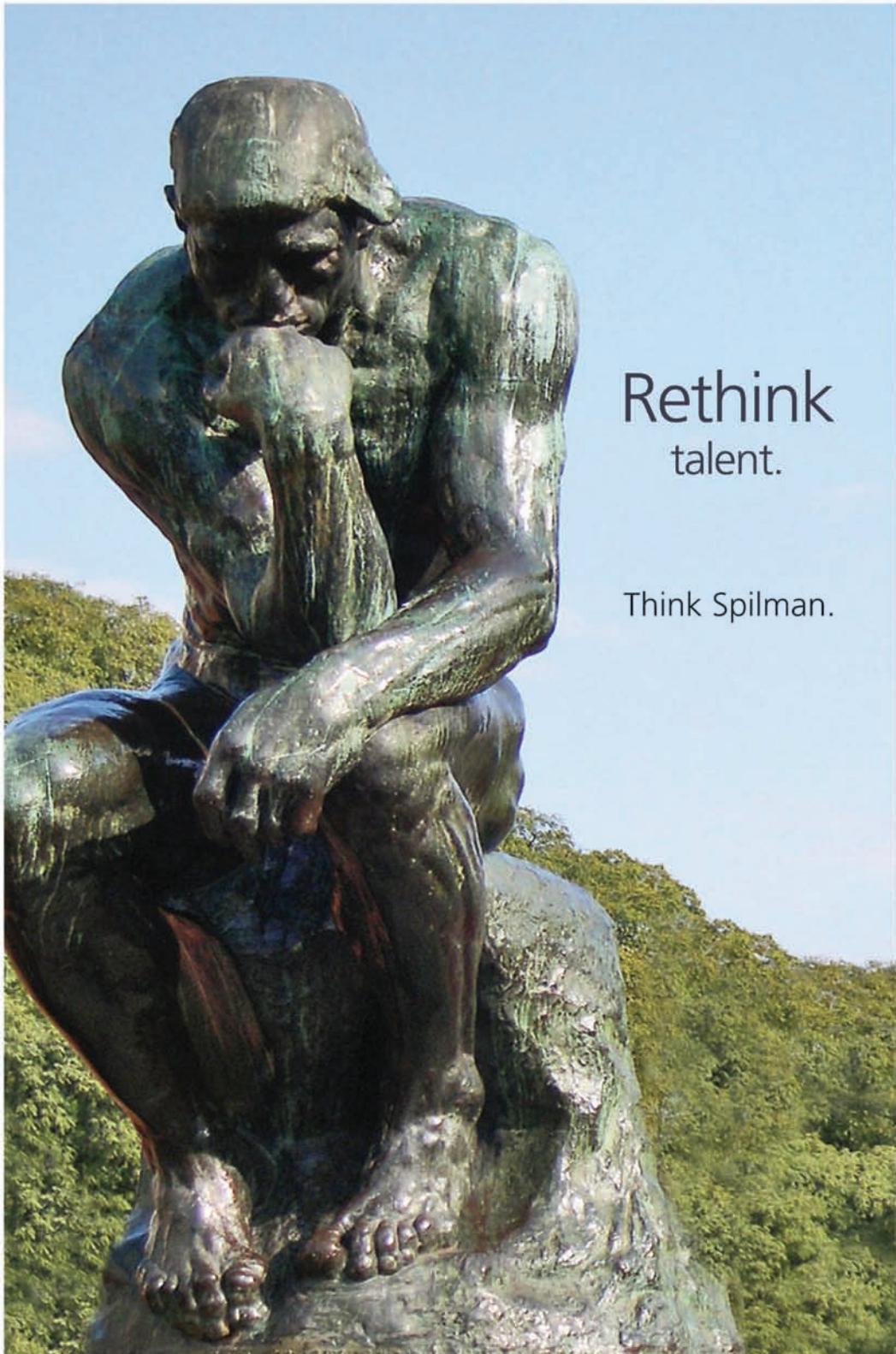
FREE • ISSUE 85 • OCTOBER 2015

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Keeping Up With
Employee Policies

Marie Greer,
Associated Asphalt



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talent.

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How do we put it all together?

I can't explain it. You'll have to get that answer from our lawyers and human resource experts.

They're waiting to see you, now.



Tom Field

““”

Opera is the most expensive
of all the art forms and we do
it on a shoestring it seems like

— Page 60



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& Complicated

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Cover photography of Marie Greer by Anne Sampson.

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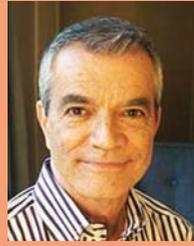
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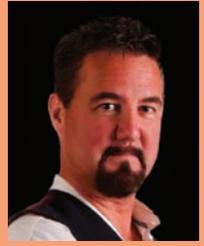
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OCTOBER



Dan Dowdy



Tom Field



Mike Leigh



Ariel Lev



Randolph Walker

Editorial Advisory Board

Valley Business FRONT has organized an Editorial Advisory Board in order to help direct coverage. FRONT selected a group of 16 diverse business professionals, who will serve as a sounding board throughout the 18 month rotational term that will turn over every year and a half.

This board has been given the task of helping FRONT understand the issues and develop coverage. "Members essentially have a red telephone at their hand," says publisher Tom Field. "They can inform us best on what is important, what is new, what impacts the greater community. Of course, our red phone reaches right back to them as well, for assignments and insight on our coverage. Although the members are encouraged to keep FRONT updated on their own industries and the key players, they aren't limited to their area of specialty, as all commercial enterprises ultimately collaborate to impact our quality of life here in this part of Virginia." An additional contribution by the Editorial Advisory Board involves direct input on the various FRONTLists we present throughout the year.

CONTRIBUTORS



Keith Finch



Kathleen Harshberger



Rebekah Hertzberg



Anne Sampson



Kathy Surace



Nicholas Vaassen

“

Our blueways are where our
greenways were 15 to 18 years ago

— Page 31

Biographies and contact information on
each contributor are provided on Page 30.

2015 Members

Nancy Agee Carilion (Wellness)
Laura Bradford Claire V (Retail)
Nicholas C. Conte Woods Rogers (Legal)
Warner Dalhouse Retired (Seniors)
John Garland Spectrum (Development)
James Glass JG Co. (Development)
Nancy Gray Hollins University (Education)
Ellis Gutshall Valley Bank (Finance)
Nanci Hardwick Aeroprobe (Tech/Industry)
George Kegley Retired (Seniors)
John D. Long Salem Museum (Culture)
Nancy May LewisGale Regional Health System (Wellness)
Stuart Mease Virginia Tech (Education)
Mary Miller IDD (Tech/Industry)
Ed Walker Regeneration Partners (Development)

You will note that the Board is comprised of experts in many different business / industry “fronts.” This is intentional, as we are reporting on all the areas that affect our regional economy and are important to you. In keeping with our policy of being “the voice of business in the valleys” we ask each reader to join us as an editorial partner by calling or e-mailing us your ideas. You know more than we know about your business—or you certainly should—and that inside knowledge shared with our readers will make us all better at what we do.

“

There are
actually many low
barrier of entry
opportunities for
startups in the
state of Virginia

— Page 25

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OSHA

NLRA

EEOC

FMLA

Title VII

ADA

FLSA

NLRB

DoL

The Challenging

& Complicated

World of

Employment &

Labor Law

As most of us enjoy a hurried morning coffee and get dressed for work, we don't think about Title VII, the ADA, FSLA, FMLA or the Cadillac Tax. But these things affect our lives and, rest assured, there are attorneys and human resource directors thinking about them all the time.

Employment and labor law is a tower of interlocking federal, state and local laws, regulations and statutes. Move one block and four others are affected in ways that can be difficult to foresee. According to Victor Cardwell, who practices employment law at Woods Rogers in Roanoke, 2015 issues are often addressed with laws from the 1930s and 1950s.

"Law reacts," he explains. "It doesn't change ahead of the situation."

King Tower, who practices employment law at Spilman Thomas and Battle in Roanoke, acknowledges that it's a complex field.

"The rules are always changing," he says. "The Department of Labor (DOL) and the Equal Employment Opportunity Commission (EEOC) issue and change regulations. New case law decisions are interpreted."

But the bottom line is very simple, says Tower.

"Don't do stupid stuff."

The Challenges Today's HR Departments Face >

Executive Summary:

Staying abreast of employment regulations is difficult; even for companies with dedicated human resource departments trying their best to do the right thing.

By Anne Sampson



Meaning: Treat people fairly, reasonably and honestly. As an employer, you can apply the Fairness Test: 'Would a jury think this employee was treated fairly?'

Victor Cardwell concurs. He advocates developing very clear and reasonable workplace policies "that you can explain with a straight face."

"Treat (employees) according to policy," he continues. "Teach people to work in your environment. And take the necessary steps" to address a problem.

Those are the rock bottom fundamentals. But there's an alphabet soup out there of acts and regulatory commissions, an employment environment complicated by changing technologies and social mores, and the challenge of staying abreast of an ever-changing legal landscape.

"Legal obligations have become increasingly dynamic, so static employment guidelines, handbooks and trainings

Harry I. Johnson III

"It's the best job I'll ever have," says Harry I. Johnson III of his tenure as a member of the National Labor Relations Board (NLRB). Johnson, a Roanoke native, was practicing employment law in Los Angeles, California when he got a call to gauge his interest in completing the last two years of a board member's term.

"I had a job I enjoyed, the kids were happy at school – I had to do a real sales job on my family to take this job. We had to leave all that and move to D.C."

For the last 80 years, the NLRB has safeguarded "employees' rights to organize and to determine whether to have unions as their bargaining representative. The agency also acts to prevent and remedy unfair labor practices committed by private sector employers and unions." (www.nlr.gov) The five-member board rules on cases of alleged unfair labor practices. Divided along political party lines (three of the five belong to the sitting president's party), board members write opinions much like Supreme Court justices. According to King Tower, a North Cross classmate (a private school in Roanoke County), Johnson's was often a dissenting opinion.

A significant ruling several weeks ago (Browning-Ferris Industries) redefined the concept of 'joint employer', as in the case of temporary workers. Johnson says this ruling will affect franchises and independent contractors as well.

"It's a big deal."

Johnson wrote opinions on over 900 cases during his term, and found the job intellectually engaging. "It was exciting to be there while cases were decided," he says. He sees the misclassification of overtime-exempt employees, social media and email policies, and severance agreements as significant issues.

"And then I got to be there for the government shutdown," says Johnson. All but the board and 6 other staff members went home. The board continued to meet and work on cases.

"It turns out that if you're a federal official, they can make you work for free."

provide employers no refuge," states an online article from the Society of Human Resource Management (www.shrm.org/legalissues/stateandlocalresources/pages/new-laws-2015.aspx). "Maintaining and providing up-to-date policies and practices is made more daunting by staggered effective dates for various new laws and



regulations. Accordingly, employers must make diligent efforts to ensure compliance obligations are timely met at the federal, state and local levels.”

So what are a few of the modern-world challenges facing employers and human resource managers as we head toward 2016?

Wages and Hours

In March 2014, the Department of Labor proposed an update to the Fair Labor Standards Act (FLSA) which has potentially far-reaching consequences. This is one of the biggest changes on the horizon for 2016.

The FLSA of 1938 introduced the 40 hour work week and the concept of paying at least time-and-a half for working more than 40 hours in a week. Most salaried, “white-collar” employees are exempt from overtime payments—the



**Victor Cardwell,
Wood Rogers**

current salary threshold for exemption is \$23,600 per year, which is right around poverty level for a family of four. That means an employee who earns more than that is not paid overtime.

By some estimates, that figure is worth less than half of its value 40 years ago, and the FLSA has gone from covering about 61% of all salaried workers in 1975 to protecting only 8% today.

But the FLSA has an interesting history.

“Originally, overtime was a way to incentivize employers to hire more employees and thus not work anyone over 40 hours – it was motivated by the high unemployment of the Great Depression,” says Victor Cardwell. “In other words, it was really designed as a deterrent for employers who

Mental Health First Aid

According to the National Council for Behavioral Health (www.thenationalcouncil.org), the Mental Health First Act of 2015 authorizes \$20 million in federal grants to states for training in recognizing and addressing mental health issues, and defusing crisis situations. Emergency responders, teachers and human resource managers are among the professionals to be targeted for training.

employed fewer employees and worked them long hours, as opposed to a benefit to employees working long hours.”

The proposed new threshold for overtime is approximately \$50,440 per year. Employees who earn less than this will be eligible for overtime. This change will affect approximately 140,000 Virginia employees, or 3.5% of the total number of workers. More people taking home more pay – wouldn’t that be a good thing?

“There will be unintended consequences,” says Paul Klockenbrink of Gentry Locke Rakes & Moore, who, by his own admission, “lives and breathes employment law.”

“The reality is that it may force employers to do things differently,” he says. “When employers are challenged, they look at the bottom line. They may respond by giving fewer hours, or hiring fewer employees. Employees could wind up getting paid less.”

“This is a hot issue,” says King Tower. Compared to the Depression era, when the FLSA was enacted, “there is less distinction between management and workers, and less distinction between personal time and work time.”

“We think it’s going to be a big deal,” says Marie Greer, Human Resource Manager at Associated Asphalt in

**King Tower, Spilman
Thomas & Battle**





Roanoke. "We've already reviewed who might be affected" among Associated Asphalt's 200 employees.

Wages, Time and Recordkeeping

In a phrase that's already obsolete, the Department of Labor refers to the time an employee spends responding to calls and emails, or doing other work outside of regular work hours as "blackberry time." But "work hours" are more fluid with a surge in work-from-home options, as well as from the sheer connectedness of modern life.

"You have to ensure that records accurately reflect time worked," says Victor Cardwell. "You have to manage that 'good employee' who comes early to set up and be ready to work." Those extra minutes spent preparing for work cannot necessarily be considered work time according to the DOL.

"It sounds simple but it's not," he says of tracking actual

work time. Since 2011, the DOL has offered a free smartphone app to workers who want to track their time independently of their employers.

Ongoing changes to the Family Medical Leave Act (FMLA) paid leave include intermittent time off.

"FMLA leave can be taken hourly now, for doctor's appointments and other needs," says Marie Greer. "The forms and reporting have changed. It's very complex to manage,"

Social Media

Social media, like Facebook, LinkedIn and Twitter, play a continuously increasing role in how employees communicate, but they are also used in recruiting and hiring. According to a survey of membership conducted by the SHRM, 77% of companies surveyed in 2013 used social media in recruiting. Platforms like LinkedIn can be valuable tools in identifying good employment candidates, but employers must be careful not to use the vast amount of personal information that's available improperly, or in a discriminatory way.

"There's more awareness of unconscious bias at the HR level," says King Tower. "Employers are concerned about implicit bias. You have to take out subjectivity."



The Cadillac Tax

It's difficult to talk about labor law without mentioning the Affordable Care Act (ACA). One of the biggest and most complex changes on the horizon is known as the Cadillac Tax, a 40% excise tax on the premiums of employer-provided healthcare above certain thresholds, which would go into effect in 2018. Its purpose was to discourage the provision of high-end, "Cadillac" benefits which might lead to unnecessary healthcare spending. It was thought that it would affect only the wealthiest Americans, but in reality it could affect as many as 26% of employers in its first year, according to Forbes magazine. Employers watching their bottom lines may choose to offer plans with higher deductibles in order to avoid the tax, meaning higher out-of-pocket expenses for consumers. These expenses may be offset by tax-free Health Savings Accounts. (<http://www.forbes.com/sites/robertpearl/2015/09/03/why-the-cadillac-tax-will-drive-health-care-costs-higher-for-the-middle-class/>)

Social media questions loom large enough in the workplace that the National Labor Relations Board (NLRB) posts a Fact Sheet on the topic (<https://www.nlr.gov/news-outreach/fact-sheets/nlr-and-social-media>). It states that "The National Labor Relations Act protects the rights of employees to act together to address conditions at work, with or without a union. This protection extends to certain work-related conversations conducted on social media, such as Facebook and Twitter."

Employees have "broad latitude in what they can say in protected, concerted activity," says Harry Johnson III, a native Roanoker who just completed a term on the NLRB. As long as they avoid slander or libel, employees "can say almost anything."

Americans with Disabilities Act (ADA) and Mental Health

Mental health issues cause more lost time from work than diabetes, heart disease or arthritis (www.rightdirectionforme.com). "Employers genuinely struggle" with accommodations for mental health issues, says Paul Klockenbrink. "They wonder 'What do those accommodations look like?'"

According to the National Alliance on Mental Illness (www2.nami.org), "reasonable accommodations for people with severe mental illnesses include providing self-paced workloads and flexible hours, modifying job responsibilities, allowing leave (paid or unpaid) during periods of hospitalization or incapacity, assigning a

supportive and understanding supervisor, modifying work hours to allow people to attend appointments with their psychiatrist, providing easy access to supervision and supports in the workplace, and providing frequent guidance and feedback about job performance.”

Exceptions include accommodations that cause “undue” hardship, as well as individuals who pose a “direct threat” in the workplace. It’s important to note that the identification of a person posing a direct threat must be “based only on objective evidence from a treatment provider or another credible source that the individual’s present condition makes him or her a direct threat to self or others.”

Title VII – The Civil Rights Act

The Civil Rights Act of 1964, administered by the Equal Employment Opportunity Commission (EEOC), protects against discrimination in employment based on race, color, ethnicity, gender and religion. It covers hiring and advancement practices, work environment, harassment, compensation, segregation and retaliation.

“In the last two or three years, I’ve seen a marked increase in racial discrimination charges,” says Paul Klockenbrink. He attributes this to high-profile incidents like those in Charleston, South Carolina and Ferguson, Missouri. “People are more sensitized” to the issue of race.

“Gender claims have evolved over the years,” Klockenbrink continues. “Retaliation makes up the majority of claims,” where an employee experiences reprisal because, for example, they made a complaint. He sees it continuing to trend upward.

In addition, a 2012 EEOC decision declared unanimously that “anti-trans(gender) bias was sex discrimination under Title VII.” (transgenderlawcenter.org/wp-content/uploads/2014/01/TitleVII-Report-Final012414.pdf) Discrimination against someone who is “gender non-conforming” is similarly a Title VII violation. A pending federal bill, the Employment Non-Discrimination Act (ENDA), if passed, would strengthen Title VII by making it expressly illegal to fire someone because of the gender identity or sexual orientation.

Staying on Top of Things

So how does a diligent Human Resources director stay aware and avoid toppling the tower of laws, statutes and regulations?

“Get good legal counsel when you start,” advises Victor Cardwell. “Don’t wait until you have a problem to get advice.”

"If I had to pick a word," says Marie Greer, "it would be self-management. We have great resources, but I can't wait for them to come to me. It's all about being pro-active."

We're lucky in Roanoke to have a very active chapter of the Society for Human Resource Management (SHRM)," she continues. "We have monthly speakers on great topics."

Kathy Claytor, VP of Human Resources at Delta Dental, agrees.

"A good Human Resources professional keeps in touch with the changing legal landscape by using sources like our local law firms, publications and networking groups like the local SHRM chapter. SHRM is an excellent place to learn about issues and provides access to HR professionals who can share ideas and solutions."

Marie Greer adds, "We have good law firms here that provide training and do a terrific job of staying connected with us. You have to have a strong personal relationship with your attorney."

"Most importantly," says Kathy Claytor, "organizations need to ensure they provide a great and inclusive work culture and an engaged workforce. This will position them well to navigate changing employment laws." 

Independent Citations from ADP:

Employment lawsuits have increased over 400% in the last 20 years.

Over 70% of employers are not fully compliant with FLSA.

Over 44% of HR managers have trouble keeping up with changing employment laws.

64% of HR managers in small companies believe they lack the time and resources needed to adequately confront growing HR compliance challenges.

Source: ADP Research Institute survey



Business Dress

By Kathy Surace

Executive Summary:
Fabrics have different properties that should be taken into consideration when choosing your wardrobe ensemble.

Natural vs. man-made fabrics >

When choosing your work wardrobe, the fabrics—and the fibers they're composed of—are crucial to the appearance, comfort and life of the garments. Fiber content determines whether the garment is warm, cool, wrinkle-free, wrinkle-prone, drapes well or looks bulky.

Consider these well-known fibers:

Silk – a natural fiber that is exceptionally strong, lustrous, drapes well and retains body heat. Can be dyed in rich hues but may lose color eventually. Although dry cleaning is usually recommended, some silk blouses can be washed gently. An Italian silk-blend sport coat is a reliable wardrobe staple.

Wool – another natural fiber, is warm but also allows body heat to evaporate for cooling. Wool regains its shape after wearing if aired out for a day. Dry cleaning recommended.

Cotton – natural fiber that allows sweat to evaporate, isn't as warm as silk or wool but is perfect for moderate temperatures. Warm or cool wash for best results, low heat in dryer to avoid shrinkage. Over time it may stretch out or fade.

Rayon – a man-made fiber with a silky texture. However, it isn't especially warm and will shrink if washed inappropriately.

Acetate – a man-made fiber with a lustrous texture requires dry cleaning and careful pressing to avoid surface shine.

Polyester – durable, synthetic fiber that drapes well, retains its shape and color well, and is easily laundered. Conversely, it may "pill", isn't especially warm and is poor at wicking away sweat.

Bamboo – a natural fiber, it's resilient and strong, absorbs moisture well and wicks it away from the body well. Soft and drapeable, its appearance makes it perfect for more casual clothing. Machine washable and dryable.

Knowing this, we can understand that a suit of lightweight wool will last a long time, retain its shape, drape well on the body and keep you comfortably warm or cool as needed.

A dress shirt in a natural fiber like cotton absorbs moisture better than polyester, which allows less sweat evaporation. If wrinkling is a concern, a cotton/poly blend will add wrinkle resistance while maintaining wick-ability.

Ties are popular in 100% silk because silk drapes so well and doesn't create a bulky knot, however cotton works in knit ties where slight bulkiness is acceptable.

So, shop wisely. When investing in lasting wardrobe staples, certain tried-and-true fabrics will serve you better simply because of their fiber content. 

Questions? Email kathy@peacockimage.com

Great service expectations >

For the past few decades there has been a great deal of emphasis in the food industry on serving quality foods that are not only delicious, but a delight to the eye. Witness the rise of food networks, and the fascination many have with watching cooking shows. Chefs compete with each other under extraordinary time constraints to produce culinary delights with an artistic touch.

Now what about when the meal is handed over to the wait staff? In many restaurants, dining can be spoiled by inexperienced and badly trained servers. As guests in a good restaurant, we should expect that those who wait on us:

- Remember the three “P”s and be Poised, Polite, Professional
- Observe the basics of good grooming and personal hygiene.
- Not chew gum – Oh, no!
- Handle tableware and silverware correctly.
 - o Handle plates by spreading fingers under and placing thumb on the edge.
 - o Pick up silverware by the handles: never touching a fork by the tines, a knife by the blade, or a spoon by the bowl.
 - o Handle cups (are you ready for this?) by the handles and glasses by the stems.
- Smile and make eye contact.
- Say “Welcome” or “Good evening”—not “Hi, how are ya?”
- Identify the host or hostess.
- Avoid slang and informality, addressing guests as “Sir” or “Ma-am” – not “folks” or “guys.”
- Serve food with the left hand at the guest’s left. (It is rude to serve food with your right hand to the guest’s left – that’s called “backhanding.”)
- Serve water, wine and hot beverages with the right hand at the guest’s right.
- Serve beverages correctly. There are two schools of thought about serving beverages: stationery (leaving glass on the table) or lifting to pour. Stationery method is more correct, and needs practice.
- Never reach across the guests to serve anything. This is considered lazy service and will land them in the Wait Staff Hall of Shame!
- Realize that “No problem!” is an attitude, not a response to “Thank you!”
- Not ask, “Are you still working on this?” but rather “May I remove your plate?”
- Remove plates, silverware and glasses from the right side of the guest.
- Present the check with a smile.
- Bid us goodbye.

If you are a guest, consider giving feedback – positive or negative – based on the above. Who knows? Maybe your input will improve your service next time! 



Etiquette & Protocol

By Kathleen Harvey Harshberger

Executive Summary:
Dining experiences are enhanced when proper tableside service is practiced



2016 Audi A6 in front of Audi Roanoke.

all photos: Randolph Walker



General manager Mike Maddox really won't haggle over the price of this Audi A3 Cabriolet.

Negotiation-free >

Executive Summary:

Hate haggling over car prices? Duncan Acura and Roanoke Audi are betting there are lots of customers like you.

By Randolph Walker

Shopping for a new car last April, Ginger Jones pulled into a dealer lot. "As soon as I pulled in, all these salesmen swarmed on me like a bunch of bees on honey and it just annoyed me. I'm like, let me look before you try to tell me what you want me to buy."

Irritated, Jones moved on to Duncan Acura on Peters Creek Road. "When I got on the Duncan lot, there were salesmen inside but they didn't swarm me. When I walked up to the car, the price was on the window. After 20 minutes, the salesman came out, extremely nice, and said, do you want to take it for a test drive? When I got ready to buy the car, I said, what is the price? And he said, well, it's on the window. I said, wow, that's easy. Actually that's what made me

buy there." She took home a 2015 Acura.

Jones, from Fincastle, had just encountered an innovative car pricing model that is making inroads nationwide.

The Acura-Audi dealership in Roanoke and the Honda-Hyundai dealership in Christiansburg changed to a fixed-price model in February, timed with the opening of a new Audi building. The initiative came from owner Gary Duncan.

Mike Maddox is general manager of Duncan Acura and Audi Roanoke (two adjacent buildings on Peters Creek Road, but one company).

"We felt like the auto industry needed to make a change," he says. "In the major markets of the country they have been making changes with negotiation-free selling." When the Duncan team visited negotiation-free dealerships in bigger markets, they were struck by the high morale among staff. "People were happier, they were excited. You felt an aura, it was fun to be at.

"The company that started the ball rolling in this process was CarMax. Lynchburg,



The new Audi Roanoke building opened in February.

Charlottesville and Harrisonburg are the closest three. They'll be in Roanoke within the next year or two. With the industry changing, we wanted to get ahead of everybody else in the valley. Once CarMax gets here I think you'll see other dealerships have to change."

To prepare, Maddox advertised for new sales staff, "people that had been with

customers on a day to day basis. We weren't looking for people that were car people." His existing staff stayed as well.

"At first it was a big shock. I've been here 31 years, I've had to change everything I've been taught to do." Some older customers, accustomed to haggling, also found the new system challenging. On the other hand, "the younger people love this. They're wanting to get in and out as quick as possible."

After a few months, the new model started accelerating. "We're well ahead of where we were last year in sales," Maddox said in a September interview. "In the last month we doubled our Audi sales" over the assigned target from the manufacturer.

"My income hasn't changed that much," says 16-year Duncan veteran Brad Wyatt, who, like the other sales staff, has gone from commissions to salary. "It's a little more steady income. It's made it much less stressful on myself as well as on the customer."

When Maddox says negotiation-free, he means it. If a potential customer offers less than the sticker price, Maddox will politely explain why he can't negotiate. The sticker price is the real price (not including taxes, tags, title and \$459 processing fee). Maddox prices the cars—new and used—based on market reports from a region stretching from Washington, D.C., to Charlotte.

"It's a much easier sales process," says Maddox. "It's information-based selling without asking for a commitment. You're hoping once they leave here with that information, they'll make a good buying decision" and come back to buy the car. 



Salesman Brad Wyatt: "Let's go ahead and give people what they want, give them something that's a pleasant buying experience."

The root of all entrepreneurial ills >

Those who keep a finger on the entrepreneurial pulse in this region know the story: a bright, innovative startup blossoms from the graduating class of Virginia Tech, Roanoke College, Virginia Western, or other local institution. The startup is a high-growth potential technology company, and they have lots of exciting goals, as well as lots of specific needs. They need developers. They need bandwidth. They need mentors. But most pressingly of all, they need money.

We see this frequently at the CoLab. A conversation about a specific startup struggle, whether it be marketing, accounting, or another element of running a business, inevitably settles on the same issue: startups need capital. So, with their senses trained on vast sums of capital, the startups head West, or North, or South—to Silicon Valley, Texas, New York, Florida.

Roanoke and the surrounding rural areas have a bad reputation for letting enterprising startups slip past state lines because of a lack of capital, or a lack of connecting power. What is interesting is that there are actually many low barrier of entry opportunities for startups in the state of Virginia, but SWVA-based entrepreneurs typically do not know how to find them! This tragic lack of communication must be fixed, and soon, before we lose local startups like Card Isle and We Evolve Us.

In an effort to bring these resources to those who need them, CoLab is putting on CoLab Business Week in November (more information can be found on the website, www.CoLabRoanoke.com). During this event, we want to see people meaningfully engage with resources from here and around the state, which will give them an opportunity to quickly learn the local funding landscape. This does not guarantee success, though. It is one step in a series of needed events and opportunities, where instead of dancing around the subject, we shine a spotlight on entrepreneurs' access to capital.

Every opportunity Roanoke misses to nurture a startup is a bigger loss than we can even imagine. I encourage everyone in the business community to put some thought into this tricky issue, and to talk to each other about a solution. One organization nor one event is big enough to solve this problem on our own. 



Young Professionals

By Ariel Lev

Executive Summary:
Are we losing entrepreneurial start ups to other states simply because funding opportunities are easier to get over the border? Real or perceived, we better fix that.



Technology-wise >

During the recent vote by the International Olympic Committee (IOC) to select the location for the 2022 Winter Games, a “re-vote” had to be conducted using paper ballots when problems occurred with the new, electronic voting system. This technology challenge was quite comical when you realize there were only 84 total votes to tally, and everyone was located in the same place. Why try to apply technology to such a simple, infrequent process?

As a kid in the 1970s, much of the technology I now take for granted (computers, internet, cell phones, etc.) was not available. Televisions had knob controls, telephones had dials, cars had no airbags, and letters were hand-written and mailed. Technology has in many ways improved our quality of life, and has saved countless lives. In business, technology has greatly improved information flow, manufacturing quality and efficiency, and employee productivity. Our love of technology, however, often leads to poor investment decisions.

I recently toured a local manufacturing plant that was having significant challenges fulfilling their production schedule. Several months prior to my visit, this facility had installed two very large, complex, and highly-automated machines. After several months, these machines were still not working correctly, and the workforce did not have the expertise to fix the problems. When I asked why they were purchased, I learned that it was the “latest technology” that could “solve” all their biggest production challenges.

All too often, organizations make poor decisions when they invest in technology. In the book *The Toyota Way*, one of the 14 management principles listed by the author is to “Use only reliable, thoroughly tested technology that serves your people and processes.” To help avoid making a mistake in your technology investments, follow these guidelines:

- Conduct actual tests. Do not adopt any new technology without verifying its reliability and performance expectations. In the factory I visited, no testing was done prior to installation.

Business Operations

By Mike Leigh

Executive Summary:

With so much proliferation of technology, some of us are forgetting to exercise discretion in which applications are truly beneficial.



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PERSPECTIVES

- Calculate the Return on Investment (ROI). How exactly will this technology result in greater profitability for the organization? The factory above invested about \$2M in the two new machines. I'm fairly certain that investment will not be recovered.
- Evaluate the risk. Installing new technology is almost always more difficult and time-consuming than expected. What will the impact be to your operations if there are installation delays?
- Use technology to support processes, not to fix or replace them. Technology works best when it supports an already effective and proven process. In the factory example, one of the existing issues was the inability to consistently make the right part at the right time. Even if these two machines begin to work well, they will probably still be making the wrong part at the wrong time, but only faster. Simply "digitizing" an ineffective operation might make it more efficient, but it will still be ineffective.
- Keep it simple and get only what you need. Too often I see organizations buy more capacity or features than necessary. This often results in less ROI, or less productivity because features are used that do not really help the business. The IOC did not need electronic balloting for such a simple voting process.
- Beware of information overload. New technology often provides access to incredible amounts of information that was not previously available. But all of this information can distract you from what is truly important in your organization. Collect and use only the information you need.

In our personal lives, we can enjoy flat screen televisions, iPhones, and satellite radio, even if we don't need them. But organizations must be practical and smart with their investments. Use technology wisely. 



Technology has in many ways improved our quality of life, and has saved countless lives. In business, technology has greatly improved information flow, manufacturing quality and efficiency, and employee productivity. Our love of technology, however, often leads to poor investment decisions.



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Art Walk (Bullit Ave) beside the city library

all photos: Anne Sampson



Wasena Park and The Green Goat Restaurant

A moving water story >

Executive Summary:

Every construction development affects water and where it goes; specialized products and solutions can help mitigate some of our impact.

By Anne Sampson

According to James Breakell of Boxley Block, humans are covering the world with more impervious surfaces every day.

Surfaces like concrete and asphalt. Buildings. Roofs. Mortared stone and brick.

These surfaces deflect water. During a summer downpour, water skates along, setting streets and sidewalks awash, sluicing into gutters, funneling down storm drains. Around here, that water winds up in the Roanoke River, flows to Smith Mountain Lake, crosses the North Carolina border and heads for the Albemarle Sound.

In simpler, less-paved times, when rainwater could percolate through the soil “it might take a couple of weeks to get to the river,” says

Breakell. “Now it hits the Roanoke River in five or ten minutes.”

When stormwater reaches the river, it’s laden with untreated pollutants which damage, not only the local riverine environment, but the entire watershed. Quickly rising water levels cause erosion and flooding.

There are several ways to deal with storm run-off. One of the most familiar is the retention pond, often seen on commercial property and highway ramps. A retention pond is a relatively inexpensive solution up front, but there are hidden costs.

“It’s like a swimming pool,” says Breakell. “It’s got to be fenced. Plant matter gets washed in and pretty soon you’ll have trees growing if you don’t maintain it. Drains get clogged.” Ponds are often out of sight and therefore out of mind. They don’t receive maintenance until there’s a problem.

And they use space. Commercial land is a premium commodity, and ponds take up valuable real estate. You can build over them, storing the water underneath. Or you can make impervious surfaces, like asphalt parking lots, pervious, meaning

CONTRIBUTORS

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Whether someone who works for you is an employee or an independent contractor depends upon the nature of your relationship — Page 35



Art Walk (Bullit Ave) beside the city library

that they allow water to pass through rather than shedding it.

One nifty technology uses a 6 inch paver with an arch underneath. The paver rests on a bed of gravel, which stores water as it seeps into the ground. The arch distributes weight and provides extra reservoir space.

"The pavers duplicate, as closely as possible, a natural process," says Breakell.

If you'd like to see them in action, head over to the Art Walk, the old Bullit Avenue beside the downtown library. It was easy to see, during a recent rainstorm, water standing on the surrounding concrete sidewalks while the pavers absorbed the moisture and quickly dried.

"Run-off is stored and used to water the plantings in the park," says Phil Schirmer, City Engineer. "The whole park was designed to show what can be done with stormwater management."

Since July 2014, the city has assessed a fee on both residential and commercial property owners based on square footage of impervious surfaces. The money is dedicated to upgrading infrastructure, waterway clean-up and reducing the amount of pollutants entering the watershed.

"Stormwater management used to mean moving water in a pipe as quickly as

possible," resulting in the rapid deposition of pollutants and sediments, says Dwayne D'Ardenne, Stormwater Utility Manager for the City of Roanoke. "Now we know we have to slow it down."

D'Ardenne's office must comply with stringent protocols from the Virginia Department of Environmental Quality in cleaning up the Roanoke River and its tributaries.

"This is going to be a marathon, not a sprint," he says. "It will take at least a decade to really see progress."

Improving water quality impacts recreation and tourism, too.

"Our blueways are where the greenways were 15 to 18 years ago," says D'Ardenne. "When I took this job, my staff did a canoe float with (Greenways Coordinator) Liz Belcher. What an eye-opener."

"Water quality is a community problem, not just a city problem," he continues. "We have to work with every locality to educate and change behaviors." 

www.roanoke.gov has a lot of information on stormwater management, fees and credits on the Stormwater page under Public Works. You can also download an Ideabook filled with commonsense ways to help improve local water quality.





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How “independent” are your “independent contractors?” >

I got an urgent text message from the president of a telecom company. “Fired an independent contractor last month. Today he sued for overtime. WTF?” he wrote.

I called him up. “What sort of work did this guy do for you?” I said.

“He installed cable and fiber,” he said. “I have about fifteen independent contractors who do installations. They all meet here at our lot every morning at 7:15 a.m. They pick up their tools, then we assign them jobs for the day and they go out to do them. They use their own trucks,” he said.

“How do you pay them?” I said.

“They’re paid by the job,” he said. “Minus deductions, that is. They’re docked \$100 if there’s a quality issue with their work, and \$50 if they break one of the rules.”

“Rules? What sort of rules?” I said.

“Oh, the usual rules,” he said. “They have to arrive on time, do their installation jobs in the proper order, eat lunch only from noon to 1 p.m., that sort of thing. We also have a dress code. They have to wear the company logo shirt and put the company sign on their trucks. They use their own trucks.”

“How do you know whether they do their jobs in order?” I asked.

“Oh, that’s easy,” he chuckled. “We have them put GPS in their trucks. With our software we can track the exact times when each worker arrives at a job and leaves for the next one.”

“So why did you fire this guy?” I said.

“He was breaking one of the rules,” he said. “He was working for a competitor—and we gave him two weeks’ worth of training when he started! I’ve been burned before, so you’d better believe that I’m going to put a non-compete into every single Independent Contractor Agreement that I sign.”

“OK, I’ve got some bad news for you,” I said. “These installation guys are not independent contractors. They’re employees.”

“But I have them all sign Independent Contractor Agreements,” he said.

“Unfortunately that doesn’t matter,” I said. “Whether someone who works for you is an employee or an

Shark Patrol

By Keith Finch

Executive Summary:

Businesses like to hire independent contractors for a variety of advantages; but if the business exercises too much control over them, the workers may be “employees” after all.

independent contractor depends upon the nature of your relationship, not upon the title of the agreement you have them sign.”

“But they use their own trucks!” he said.

“That’s one point in your favor,” I said. “But there are a bunch of other things to consider. For example, the IRS has a list of about thirteen different things it looks at to see whether someone is an employee. Virginia courts have a slightly different list. No single thing on the list is conclusive, but the more things that match, the more likely a worker is to be an employee.”

“I pay them by the job, not by the hour,” he said.

“Yes, and that is about the only other point in your favor,” I said. “In general, an independent contractor has freedom to decide when and where to work and how to do the work. That’s because generally a business doesn’t care how an independent contractor does the work; the business just wants the work done.”

“That’s all we want, too,” he said. “We just want the work done.”

“Certainly that’s the main thing,” I said, “but you also require these workers to go through your training program, to use your tools, to show up at a particular time, to do their jobs in a particular order, to take lunch at a particular time, and to put your company logo on their bodies and on their trucks. If you control the details of how they do their work, then they’re more likely to be employees.”

“But I gotta have control,” he said.

“Sure, and every business likes to have more control,” I said. “But when you have that much control, you’re more likely to have an employee too. It’s hard to have one without the other.”

“What about you?” he said. “I’m hiring your law firm right now. Does that make you my employee?”

“Ah, well, no,” I said. “An independent contractor also often does work that’s different from the specialty of the business that’s hiring him or her—so if a law firm hires a cable installer (or a cable installation firm hires a lawyer) then the worker is more likely to be an independent contractor, but if a law firm hires a lawyer (or a cable installation firm hires a cable installer) then the worker is more likely to be an employee.”

“I see,” he said. “And of course a law firm also can take on other clients.”

“Exactly,” I said. “And to tell you the truth, that non-competition



The IRS has a list of about thirteen different things it looks at to see whether someone is an employee. Virginia courts have a slightly different list. No single thing on the list is conclusive, but the more things that match, the more likely a worker is to be an employee.

clause in your Independent Contractor Agreement is a big red flag. An independent contractor will almost always have the right to take on other clients. When you prohibit someone from working for your competitors, that's a very strong indication that the person is an employee."

I went on to go over the most important things that determine whether someone is an employee. In general, a worker is more likely to be an employee if:



If a law firm hires a cable installer (or a cable installation firm hires a lawyer) then the worker is more likely to be an independent contractor, but if a law firm hires a lawyer (or a cable installation firm hires a cable installer) then the worker is more likely to be an employee.

- the business tells the worker what times to work
- the worker has to work at the business's premises
- the worker uses tools provided by the business
- the business requires that work be done in a particular order
- the worker has to follow detailed instructions in doing the work
- the business's quality control system checks how the work is done, and not just the end result
- the business gives the worker training on how to do the job
- the worker does not make a significant investment in equipment
- the worker has unreimbursed business expenses
- the worker runs a risk of losing money on the work
- the worker is not allowed to work for several businesses at once
- the worker is paid by the hour, week or month, rather than by the job
- the worker receives benefits like insurance, vacation, or sick days
- the business and the worker expect that the relationship will continue indefinitely, instead of just for a particular project or period
- the business hires the worker to do things that are a key aspect of what the business itself does

None of these points is determinative by itself, but the more of these that describe a worker, the more likely it is that the worker is an employee and not an independent contractor.

My friend the telecom president worked fast to settle his

ex-employee's overtime claim. (Independent contractors aren't entitled to overtime, but employees are.) That, however, was the easy part. The really painful bit was totaling up all of the payroll deductions that the telecom company should have been making from the amounts paid to its "independent contractors" over the years, getting all of that money together, and then sending it to the IRS along with amended tax documents and (worst of all) penalties and interest. The company wound up having to borrow money to pay those taxes and penalties. But of course it is infinitely better to owe money to a bank than to owe money to the IRS. . .

Keith can be reached at keith@creekmorelaw.com

Note: *facts have been changed to preserve confidentiality. Oh, and this isn't legal advice—you should consult a lawyer about how to classify workers, about preparing an independent contractor agreement, etc.* 

FROM THE Grapevine

The Source for Roanoke's Commercial Real Estate Buzz
By Richard Wellford & Bryan Musselwhite



Who Covers Operating Expenses: Tenant or Landlord?

The handling of operating expenses in rent structures can be even more perplexing than the eternal questions above.

Often, the pass-through of operating expenses is dictated by the physical limitations of the property, the ability of the owner to manage the property, or even mortgagee requirements. Ultimately, it's all a question of who assumes the risks of expense escalation — the Landlord or the Tenant.

There can be as many as 8 different types of rent structures and the terminology is often confusing and inconsistent. The trick is to tease out and

itemize exactly which expenses will be covered by the landlord and which will be covered by the tenant.

That's where experience can help.

For landlords, we have the tools to help you make sure your property truly is priced competitively, and for tenants, we can help strip away the jargon and make sure you are able to compare apples to apples.



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Heidi Cupka



College of Nursing - Classroom Waiting

For the love of design >

Executive Summary:

Commercial interior designer Heidi Cupka of Roanoke's Interior Creations says every project is an original one.

By Rebekah Hertzberg

Never doubt the passionate individual, especially when the passion radiates from one's career. Possessing such passion, and at the career level, often drives one to greatness in any number of respects. And for Heidi Cupka, proprietor of Interior Creations, it is this attention to passion that drives her to success.

Originally from Ohio, Heidi spent time in Tennessee and North Carolina for both school and work. She says, "I came to Virginia to do something different," and she did just that. Initially working for

HSMM (now AECOM), Heidi found a niche in Roanoke. Heidi admits, "I had a great experience [with HSMM] and that helped me launch Interior Creations."

As a full-service, commercial interior design firm with roots in Roanoke and a new location in Raleigh, North Carolina, Interior Creations offers design solutions for a variety of projects.

Specializing in hospitality, healthcare, education, senior living, and commercial venues, Interior Creations assists clients in all manners of design from inception to completion. Entering its 15th year of operation in September 2015, Interior Creations has a solid portfolio that can be found on its new website: www.interiorcreation.net.

Heidi's unyielding passion elevates her level of design expertise to extraordinary measures. Her understanding of interior architecture and design allows her to arrive at appropriate and exciting solutions to the built environment.

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Dawson Inn - Reception

Even Heidi's office environment caters to color theory to prevent distractions during the design process. Indeed, the black and white diagonal pattern of the office floor prevents competition from design palettes, or samples, and design models.

Heidi's propensity for design is evident through her demeanor. Although Heidi didn't initially go to school for interior design, she was raised in a creative household. This creative energy at home transferred into a passion many years later when she was approached by an employer to select finishes for a current home project.

"It was the most fun I ever had," says Heidi. "If this is something I can do full-time, I want to do it."

A seemingly simple glimpse into the infinite possibilities in the world of interior design propelled Heidi forward. She called on architects in North Carolina, her residence at the time, to ask them from what school

they would hire an interior designer. They told her UNCG (the University of North Carolina at Greensboro).

Heidi followed their advice and graduated from UNCG's 5-year long Interior Design Program. Now, with Interior Creations, Heidi markets to architects, who hire her when they need interior design solutions. She typically has 10-15 projects at various stages going on at any given time.

Heidi finds that "making a difference in someone else's environment" is fulfilling, and that's "why I do what I do." As a result of a simple request by a former employer, Heidi discovered a passion for interior environments that has lasted over twenty years.

Just as she came to Virginia for "something different," she doesn't "like any project to be identical to anything else." Heidi says, "Everything needs to be original and different," and everything is. 



On Tap from the Pub

By Tom Field

Executive Summary:
Someone once said you can't legislate morality; does that apply to honor as well?

Your honor >

Business magazine Strategy+Business published its 20 Questions for Business Leaders in its Autumn 2015 edition. Getting the answers to that assignment was easy. Simply publish short snippets from various "experts" from the contemporary to the ancient. You can compare Sheryl Sandberg's (*Lean In*; 2013) response to Sun Tzu's (*The Art of War*; 500 BC). I'm a sucker for the ancient philosophers; I figure they've been around longer.

No, what is more interesting, and far more difficult, is coming up with the questions.

Seven of the twenty. That's the first thing I notice. There are seven questions I find essential (red lettered in the list below). The other 13 are good questions, too; but in the interest of simplicity and prioritizing, I'm going to prefer that my business leaders are most adept at giving solid responses to my top seven.

How well would your business leader answer these questions? Regardless whether you're a business leader or not, how well do *you* answer them?

* * *

Smack dab in the middle of the mix (it's on a nice little yellow block on S+B's online interactive version at www.strategy-business.com/feature/20-Questions-for-Business-Leaders) is this little gem:

What is honorable?

I admit it; I did not select this question as one of the top twenty.

Maybe I should have. Maybe it should be number one. You see, I—perhaps falsely—assume honor is a given. Work itself is an honor. And I can see how digging a ditch to provide drinking water to an un-served community is honorable as is building a mega-entertainment complex for non-suffering people who just want to have some fun. You can provide a product or service and meet a need in any area in an ethical manner, with integrity and good intention.

But just imagine. Just imagine what our world would be like if only honorable business practices were allowed. Is there a model that would be more likely to foster such positive enterprises? Are there models that are more likely to encourage dishonorable enterprises?

I hope most of us agree that the answer to both of these questions is yes; otherwise, we're lost and hopeless. Unfortunately, we have vast disagreement on that preferred model.

Let's put a current business headline to the test.

An executive for a pharmaceutical startup was revealed to have raised the price of a drug by 5,000 percent. The price for a single pill of 62-year-old Daraprim jumped from \$13.50 to \$750.

I'm going to go out on a limb here and say that this action was probably not honorable.

So, what system would prevent such travesty?

A free and open market that would allow such a man to do such a thing? (The same system that would allow another man to do the opposite, by the way... offering the same pill for \$500, or \$150, or \$10, or even \$1 or free.)

Or a tightly controlled system that would prevent a man from doing such a thing? (Well-regulated products that an agency oversees for fair and equitable distribution.)

In this case, the action was taken under the most regulated environment we've ever had in place. BY LAW, an enterprising, innovative, entrepreneurial fellow or gal couldn't step in and offer the pill at a reasonable price (or perhaps free) even if he or she wanted to.

Tightly controlled, legalized, and carefully monitored societies produce no more honorable practices than any other model, even if the desire is to create a moral and fair environment.

We're better off trusting in the goodness of our fellow citizen, exercising strong discretion in who we choose to do business with, watching out for our neighbors, and standing against the forces that do us harm. No rule or law on the books anywhere can do a better job.

Of course, if most of us are dishonorable, it will all come crumbling down. That would happen anyway.

Honor.

Perhaps we'd be wise to realize it's the bedrock of successful leadership after all. 

Questions for Business Leaders >

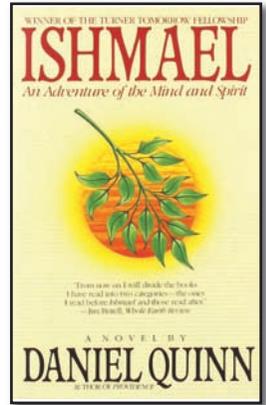
- 1 How do we win?
- 2 How do we prepare for uncertainty?
- 3 What will help us make smarter decisions?
- 4 What do we know about change?
- 5 What's the best way to do the work?
- 6 How can I possibly get everything done?
- 7 What systems should we use to track how we're doing?
- 8 What's our ideal organizational structure?
- 9 How shall we grow?
- 10 What do we know about global expansion?
- 11 How do we attract customers?
- 12 What's the best way to innovate?
- 13 What do we do for our best employees?
- 14 What is honorable?
- 15 How can we fulfill our potential?
- 16 How can I work here and still be me?
- 17 Why do business enterprises exist?
- 18 What the hell is leadership?
- 19 Who is the best CEO?
- 20 How does the world really work?

SOURCE: Strategy+Business; Autumn 2015

NOTE: Red lettered entries are our columnist's top picks.

Books @ the FRONT >

Following are book recommendations from our contributors and business people in the Roanoke and New River Valleys who are inveterate readers. Readers are invited to submit short reviews of books you've read during the past six months. Our goal is to recommend good books on any topic and in any genre. Send reviews to news@vbFRONT.com



Developing a world view

Ishmael (Bantam) by Daniel Quinn is a story told by a narrator who takes a chance and responds to an ad in the classifieds. The ad brings out the cynic in our guy who serves as our weaver of this well written tale of a guy who still hopes to find the answer to the question, "What can be done to save the world?"

After he sets enough fear of failure aside, our guide to this deeply thoughtful novel follows up on the ad and finds himself in a nearly empty office room in New York City where he meets his teacher: Ishmael.

Ishmael is a highly intelligent gorilla who, lacking the power of vocal cords and other equipment to speak, is able to communicate nevertheless through speaking in thoughts that, our narrator can hear quite clearly.

Suspenseful, philosophical, emotionally endearing—this short novel is a page that leads to stunning revelations and crucial, current world view contemplations.

—Gayla D'Gaia

That sinking feeling

Erik Larson's *Dead Wake: The Last Crossing of the Lusitania* (Random House) is not his best, but the bar is so high in his case that this is still quite a book. The sinking of the Canard luxury liner by a German submarine—which had declared open warfare on ships serving great Britain—came three years

after the Titanic went down and led to U.S. entry into World War I.

Larson's book, commemorating the 100th anniversary of the sinking, concentrates heavily on the crossing of the Atlantic and the preparation of the German sub for the showdown near Ireland that led to the sinking. It took a whole series of unusual circumstances to set up the liner as a target, one coveted by the submarine commanders.

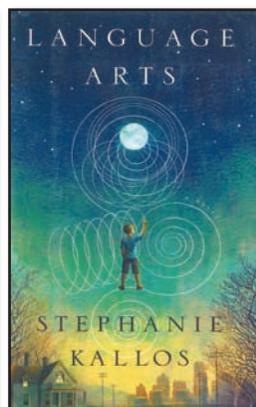
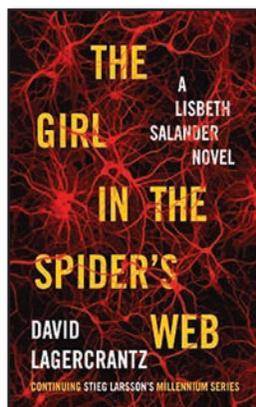
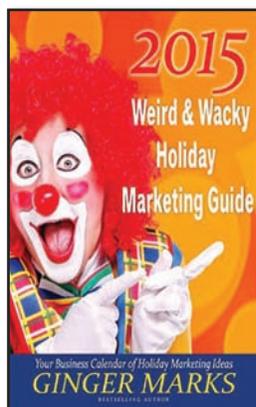
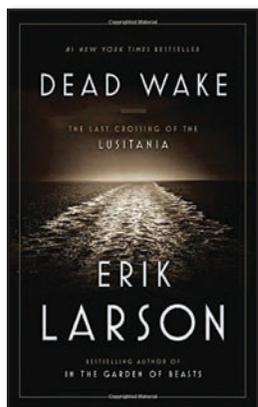
Larsen is a good storyteller, as he proved in the past with books like *The Devil in the White City*, *Thunderstruck*, *In the Garden of Beasts*, among the best. He takes historic events and looks closely at the surrounding circumstances and comes up with compelling narratives, as he has here.

Again, relating what the book is not: It is not the best book on the Lusitania (Diana Preston wrote that one in 2002), but it is another solid contribution from Larson, a man who makes history sing.

—Dan Smith

'Carpe diem' with a twist

Don't worry if you don't have the 2015 edition of *Weird & Wacky Holiday Marketing Guide* (DocUmeant Publishing; www.HolidayMarketingGuide.com) in your hot little business-seeking hands – author, artist and publisher Ginger Marks promises a 2016 guide. That would mark the eighth edition of an offbeat bible for entrepreneurs



willing to stage events or news tied to one of the world's myriad "days."

For starters, Jan. 1 is way more than New Year's Day. It's also the celebration day for the Emancipation Proclamation, the introduction of the Euro and—who knew?—the Czech-Slovak Divorce.

Jan. 16 is Appreciate a Dragon Day. Feb. 12 is both Darwin Day and Dracula Day. You get the gist. There's no end to the things we celebrate, from snail mail to sharks. July 12 kicks off Sports Cliché Week. If you can't think of a way to tie these celebrations to your business, Marks offers tips and ideas in every chapter.

—Andrea Brunais

More dragon tattoos

Fans of the wildly successful Swedish Millennium trilogy, begun with *The Girl With the Dragon Tattoo*, will be delighted to know that in *The Girl in the Spider's Web* (Knopf; 2015) our oddball heroes are still at it. The brooding, honest journalist (Mikael Blomkvist) and the angry, sometimes lesbian gothic hacker (Lisbeth Salander) are two of the oddest, most appealing characters in fiction in 20 years and this new book might put a shadow on the new Harper Lee travesty.

The Millennium series has not been noted for its magical style of writing, but for its incredibly detailed and creative storytelling and this one continues to entertain, even though the original author, Stieg Larsson, has died and

been replaced by David Lagercrantz. Larsson tended to dwell in the most minute detail, but Lagercrantz feels freer and more relaxed with the narrative.

The original trilogy became huge movies in Sweden and the U.S. and one imagines the same for this version.

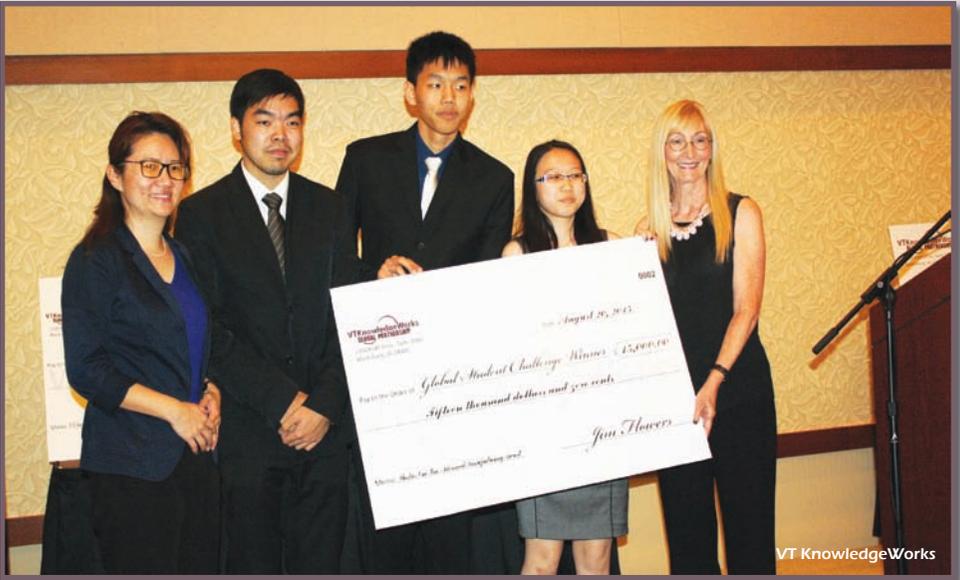
—Dan Smith

Cursive

We all know some teachers who connect with their students better than other teachers. And then there are the students who just seem impossible to reach. In *Language Arts* (Houghton Mifflin Harcourt; 2015), Stephanie Kallos paints this impossibility in vivid fashion. Take that impossible-to-reach student—and make him your own child—and the pain is on the verge of unbearable. Empathetic to the core, this novel is artfully constructed to wrench your gut. An excellent lesson of futility, profound sadness, and our inadequate coping mechanisms. There's a running metaphor using old school penmanship teaching that is apropos in myriad ways.

—Tom Field

The reviewers: Gayla D'Gaia is a small business owner in Roanoke; Dan Smith is the founding director of Roanoke Regional Writers Conference, freelance journalist and former editor of FRONT; Andrea Brunais is an author living in Blacksburg; Tom Field is a creative director and publisher of FRONT



Around the world >

VT KnowledgeWorks held its sixth annual **Global Student Entrepreneurship Challenge** Aug. 20 at the Inn at Virginia Tech; winners included Team Visionear from Thailand (\$10,000 grand prize and \$15,000 Pastics One award) with Tiranee Achalakul, Natthaphat Laoharawee, Nuntipat Narkthong, Budsapanee Pongsiriyaport (shown above, with Plastic One's Sandy Ferrell at right); Team Animus of Columbia (\$15,000); and Team EntoLog of Switzerland (\$5,000).



Small business group gives >

Network NRV donated \$500 to NRV Cares, a private, nonprofit organization dedicated to protecting children in the New River Valley; NRV Cares executive director **Laura Guilliams** (center) accepts the contribution from (left to right): **Sarah Beth Jones**, **Kathie Dickenson**, **Terri Welch**, and **Alice de Sturler**.



Atten-hut >

The 2015 **Star City Cruiser Car Show** and **Welcome Home Event** was held Aug. 14–15 at the Salem VA Medical Center, with a focus on Post Traumatic Stress Disorder (PTSD) and suicide prevention awareness; retired U.S. Marine **Frank Kingery** shown above.



Clinical business >

Salem-Roanoke County Chamber of Commerce held its Business After Hours along with the ribbon-cutting on Aug. 27 at the **Carilion Clinic PCA, Velocity Care, and Carilion Clinic Pharmacy** on Salem's Main Street next to Walmart.



Take it outside >

The 2nd Annual **Southwest Virginia Outdoor Expo** was held in Abingdon at Heartwood artisan gallery on Sept. 12; featuring outdoor recreational organizations, related activities and opportunities, servicing vendors, craft beer and music.



Helping the hungry >

Over 500 **Ferrum College** freshmen and other new students had a busy first weekend on campus as they joined with hundreds of local church and community members on Sunday, Aug. 30, to package 55,512 nutritious meals for the hungry during the College's annual Stop Hunger Now event.



Paintin' the town >

Paint Nite Roanoke events have been held on a regular basis at Downtown Roanoke's City Market Building, including this one where the Star City served as the subject.



Memorial relocates >

A 9/11 monument constructed of recovered beams from one of the World Trade Center Towers attacked on Sept. 11, 2001 was donated and moved from the recently sold Old Virginia Brick company to the Salem fire and police station.



Small town saviors >

The **Save Our Towns** summit was held in Abingdon at the Southwest Virginia Higher Education Center on Sept. 9–10; mayors, town managers, business and government leaders attended the event that featured presentations and action plans for economic improvement of towns in western Virginia; **Suzanne Morse Moomaw** with UVA and Appalachian Prosperity Project; **Susan Short**, associate VP for engagement at Virginia Tech; and **Martha Walker** with Virginia Cooperative Extension were among the attendees.



Nursery nabs top award >

Greenbrier Nurseries received the 2015 Small Business of the Year award at Roanoke Regional Chamber of Commerce's annual banquet on Sept. 17 at Hotel Roanoke as well at the Wholesale/Retail category. See complete list in this edition's FRONT Notes.



Stick a fork in it >

Roanoke County's annual Highland Games were held at Green Hill Park on Aug. 29; featuring traditional Scottish competitions including stone put, hammer throw, caber toss, and sheaf toss (shown above).

*Valley Business FRONT is FRONT'n About at many events each month.
Check the blog links at www.vbFRONT.com for more coverage.*

FRONT 'N ABOUT



Square meal >

The annual dinner for Roanoke's **Center in the Square** was held to a packed ballroom at Hotel Roanoke on Sept. 15.



Preppin' for zoo boo >

The Zoo Boo at **Mill Mountain Zoo** in Roanoke is a Halloween-themed day at the zoo on Oct. 31, 11am to 4pm; holiday activities are included as part of the regular admission (\$8 adults; \$6 children); the snow leopard and red panda are among the zoo's most popular animals.



Rolling along >

The **Science Museum of Western Virginia** celebrated the retirement of outgoing executive director **Jim Rollings** at one of its STEM Tavern PLUS events held at Soaring Ridge brewery on Sept. 9; above, **Sam English** (right) presents Rollings with his own periodic element certificate.

Career FRONT

FINANCIAL FRONT

Steve Cline has joined as senior consultant, MMA Environmental; and Jerry Martin has joined as human resources specialist at Marsh & McLennan Agency, Mid-Atlantic Region.



Jenkins

Brent Jenkins is the new vice president of business banking at Freedom First Credit Union.

Ware Smith Jr. has joined as financial advisor at Ameriprise Financial Services, Roanoke office.



Deatherage

Robin Deatherage has been named customer service and automation manager at Chas. Lunsford & Associates.

Adam Midkiff has been named assistant vice president, director of merchant services for HomeTown Bank.

Tracey Palame has been hired as vice president, branch



Midkiff



Palame

manager at Challenger Ave., Roanoke at BNC Bank.

Kathryn Polk has been appointed retail relationship manager for American National Bank and Trust Co., Franklin County.



Garletts

Michele Garletts has been hired as vice president, branch manager at the Roanoke, Keagy Road location of BNC Bank.

LEGAL FRONT

David Paxton of Gentry Locke, has been named chair of labor and employment law group for ALFA International.

DEVELOPMENT FRONT



Cass

Kelly Cass has joined as vice president operations at Smith Mountain Building Supply.

Meg Smith has joined as real estate agent at RE/MAX Valley Realtors.



Bartorillo

Patrick Bartorillo has been appointed president of Branch Highways.



Owens

Kandace "Kandi" Owens has joined as sales associate at Long & Foster Real Estate, Smith Mountain Lake office.

Chris Carver, Adam Sparks, and Scott Wilson have joined as sales associates



Carver



Sparks



Wilson

at Long & Foster Real Estate, Roanoke office.

RETAIL/SERVICE FRONT

Carol Agee has been promoted to national sales manager; **Brian Boush** has been promoted to local sales manager; **Mary Carpenter** has been promoted to traffic manager; **Justin Harris** has been promoted to full-platform account executive; **Phoebe Rakes** has been promoted to traffic employee; and **Cookie Miller** has joined the traffic department at WDBJ 7 television.

Chrystall Ayers has

received the bronze sales award at the 2015 FASTSIGNS Outside Sales Summit in Charlotte.

Kristin Bringewatt and **Cheryl Matthews** have joined Growing Up In The Valley to help MoFat Publishing launch two new publications, Living Naturally and Evina, respectively.

Jamie Forrest has been promoted to operations manager for New River Valley market; **Andy Bower** has been promoted to program director for 100.7, 1460 and

News/Talk 710; **DreZ Nunya** has been promoted to program director for 105.3 and 101.7; and **Nicole Williams** has been promoted to program director for 107.1 at Cumulus Media Blacksburg.

EDUCATION FRONT

Laura Neff-Henderson has been named communications director for administrative services at Virginia Tech.

Kacy Lawrence has



Neff-Henderson

Have a career announcement?

Send announcements to news@vbFRONT.com. Photos should be color, 300dpi. A contact / source must be provided. Inclusions are not guaranteed and all submissions are subject to editing.

ViBE 100.1 FM 97.7 FM *The R&B Station*

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in the Roanoke Metro
listen exclusively to ViBE!**

**... And for Men 25-54, that exclusive audience
jumps to 73.1%**

Reach ViBE's Exclusive Audience!

**Call 540-989-4591 today to find out how you can
deliver your marketing message to
ViBE's exclusive audience!**

Source: Nielsen Fa'14-Sp'15, Exclusive AQH, M-F 6am-7pm, Roanoke Metro (Roanoke City & County, Salem City & Botetourt County)

Career FRONT

been named data reporting and assessment administrator for Virginia Tech Graduate School.



Markgraf

Karl Markgraf has been named associate vice president for international affairs at Virginia Tech.



Vosburgh

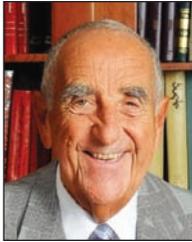
Tracy Vosburgh has been named senior associate vice president for university relations at Virginia Tech.



Crawford

T. Daniel Crawford has been named 2015 American Chemical Society Fellow.

Howard Feiertag, a hospitality and tourism instructor at Virginia Tech, has been recognized in the Top 30 CMP Influencers Awards by Convention Industry Council's



Feiertag

Certified Meeting Professional program.

Roger Dalton of American National University was elected chair of the 2015-16 Association of Private Sector Colleges and Universities board of directors.

Allison Maupin and **Suzanne Speck** have joined as assistant directors or annual giving at Washington and Lee University.



Godsell

David Godsell has been appointed assistant professor of accounting and information systems at Virginia Tech.



Potter

Peter Potter has joined as director of publishing strategy at University Libraries at Virginia Tech.



Cobabe

Matthew Cobabe has been appointed assistant professor of accounting and information systems at Virginia Tech.



Chaxel

Anne-Sophie Chaxel has been appointed assistant professor of marketing at Virginia Tech.



Upthegrove

Tanner Upthegrove was named a top young innovator in the audiovisual field by Systems Contractor News.



Roper

David Roper has joined Virginia Tech and Virginia Cooperative Extension as a livestock specialist for 4-H youth.



Hayne

Christie Hayne has been appointed assistant professor of accounting and information systems at Virginia Tech.



Target

John Target has been appointed vice president for leadership gifts and annual giving at Virginia Tech.

CULTURE FRONT

Lea Riddle has been elected chair; **Nathan Hungate**, elected vice chair; and **Joel Miller** elected secretary/treasurer at Blue Ridge Autism and Achievement Center.

Botetourt County Chamber of Commerce has announced its 2015-2016 board and officers: **Pete Pearl**, president; **Dan Babish**, first vice president;

Stephanie Frost, second vice president; **Scott Winter**, past president; **Doloris Vest**, executive director, secretary-treasurer; and members: **Granville Grant**; **Tiphonie Whitt**; **Lisa Barnett**; **Cassandra Dove**; **Mary Ann Layman Miller**.

Nancy Ruth Patterson, children's book author, was honored with the 2015 Perry F. Kendig Individual Artist Award on September 2.

Mark Brittain has been named executive



Brittain

director, and Corrie Prater has been promoted to assistant director at Mountain View Humane.

Jamie Campbell has joined Mill Mountain Theatre teaching faculty for the 2015 fall semester, teaching adult and middle school acting and



Campbell

improv-sketch comedy class for high school students.

Roanoke Valley SPCA has elected: **Justin vanBlaricom**, president; **Rob Mangus**, vice president; **Christa Stephens**, vice president; **Carl Beck**, treasurer;

Lynda McGarry, secretary; and new board members: **Nicole Bruch**; **Joanne White**; **Spencer Wiegard**; and **Heather Carter-Lindstrom**.

MUNICIPAL FRONTS

Carlan Myers has joined as human resources administrator for Roanoke County.

Compiled by Tom Field

*Do you want to talk to Women?
We can deliver them!*

On average, more than 53% of Women 25-54 who are listening to radio are listening to Adult Contemporary Station - WSLQ, Country Station - WSLC, Top 40 Station - WXLK, or the R&B Station - WVBE.



*Text the word FRONT to 81944
or Visit WheelerBroadcasting.com to learn more!*

Source: Nielsen, Fa'14/Sp'15, Roanoke MSA, M-F 6am-7pm
Roanoke MSA = Roanoke City & County, Salem City + Botetourt, Craig, & Franklin Counties



Lake Region Medical

Noble upgrade

Lake Region Medical, a Wilmington, Mass. medical device manufacturer with a facility in Salem (formerly Accellant and originally Noble-Met), is being acquired by Texas-based Greatbatch Inc.

Ride to show

The **Harvester Performance Center** in Rocky Mount now has an optional shuttle service to Roanoke at Tanglewood Mall and Smith Mountain Lake at the YMCA in Moneta; a partnership with TNT Auto Body Repair of Glade Hill [tickets are at www.harvester-music.com/Roanoke-Shuttle].

Trespassers welcomed

Circuit court judge Robert Turk ruled Aug. 24 that natural gas companies surveying private property without the owner's permission is not unconstitutional as long as the company has given proper notice, citing

Virginia statute 56-49.01; the ruling issued on a suit against **Mountain Valley Pipeline** by property owners in Giles County.

In the hopper

FreightCar America has agreed to a preliminary settlement of a \$32.8 million lawsuit by United Steelworkers International Union over the termination of retiree medical coverage and life insurance benefits.

Flower fading

Fallon Florist in downtown Roanoke is closing after more than 100 years of operation.

County rec app

Roanoke County Parks, Recreation and Tourism has launched a free mobile app with news and information about the department's parks, programs and special events; it includes reward redemptions, fitness videos, interactive maps, etc.; download Roanoke

County Parks app via Apple Store and Google Play.

Natural recognition

Virginia Tech's natural resources and conservation program was ranked No. 1 by USA Today College edition.

They're grrrr-eat!

A report by Virginia Tech researcher **Vivica Kraak** suggests food and entertainment companies should use branded media characters for promoting healthy and nutritional products to children like they do for sugary and salty foods pitched by cartoon mascots.

Coal lumped with credits

ERP Compliant Fuels, a new company to be based in Natural Bridge, is developing plans to sell coal bundled with carbon credits to electric utilities; a carbon dioxide management business that could be the first

such environmental capital program in the industry.

Big med-data

Virginia Tech has opened the **Office of Medical Informatics Translation, Training and Ethics**; which will utilize super-computing to process massive biomedical datasets for healthcare research, analytics, and scientific application.

Carrier pheasant

Shenandoah Life is moving to Pheasant Ridge Executive Park in south Roanoke County.

Raid on Hillsville

Virginia State Police, Hillsville Police Department, and South Carolina-based Blazer Investigations joined forces to arrest seven sellers of counterfeit branded merchandise (primarily perfumes, electronics and clothing accessories) at an estimated value of

approximately \$500,000 at the popular annual Labor Day weekend **Hillsville Flea Market**.

Clean jobs

Virginia made the top ten in the Environmental Entrepreneurs (E2) list of states for **clean energy and clean transportation job announcements**, second quarter 2015.

Finale suit

Sherman's and Smithman's haberdashery and clothing store in Christiansburg is closing after 47 years in business.

Southside rides

RIDE Solutions has expanded its commuter services into the Martinsville and Danville area with its partnership with the West Piedmont Workforce Investment Board

Kendig claims

Local author **Nancy Ruth Patterson**, the **Foundation for Roanoke Valley**, and the **Southwest Virginia Ballet** were honored with the 2015 Perry F. Kendig Arts and Culture Awards on Sept. 2.

Peanut precedent

Stewart Parnell, former president of **Peanut Corporation of America**, was sentenced in

Lynchburg federal court to 28 years in prison for his role in the deadly salmonella outbreak in 2008 that was linked to nine deaths and more than 700 sicknesses; a groundbreaking ruling in product liability regarding food safety.

SOT season 2

Virginia Tech's **Save Our Towns** social experiment and news outlet—a collaboration from VT Foundation and VT Outreach (and featured in Valley Business FRONT)—has launched a second season; the program follows small town economic development challenges in southwestern Virginia [www.saveourtowns.outreach.vt.edu]

Balmy in Abingdon

Chris Renee Cosmetics, maker of natural body and lip balms and soaps, is opening a manufacturing facility at the Oak Park Center for Business and Industry in Abingdon; a \$2 million investment with 37 expected new jobs.

Small business awards

Roanoke Regional Chamber of Commerce held its 29th Annual **Small Business Awards** on Sept. 17 at Hotel Roanoke. Winners included: **Greenbrier Nurseries** (wholesale/retail and small business of the year); **Bill Hume** of Interactive Design Group

Have an announcement about your business?

Send announcements to **news@vbFRONT.com**
A contact / source must be provided.
Inclusions are not guaranteed and all submissions are subject to editing.

(veteran of the year); **Jim Flowers** of VT Knowledge-Works (small business advocate); **Valley Boiler & Mechanical** (construction/real estate); **Viva la Cupcake** (micro-business); **Farmer Auctions** (business-to-business); **HomeTown Bank** (business-to-consumer); **Tecton Products** (manufacturing); **TORC Robotics** (technology); **Mechanical Development Company Inc** (legacy); **Soaring Ridge Craft Brewers** (new business); **Big Brothers Big Sisters of Southwest Virginia** (nonprofit, arts and culture); **HopeTree Family Services** (nonprofit, health and human services).

Stagecoach rolls in southwest

Freedom First Credit Union was awarded a \$1.725 million Wells Fargo NEXT Opportunity Award to expand its low-cost workforce development loan program; the program serves individuals in high-unemployment areas throughout southwestern Virginia with financing education and training in tractor-trailer operations,

and is expected to expand into other skills, such as healthcare and welding.

Channel surfing

Indiana-based Schurz Communications, parent company of Roanoke-based **WDBJ 7** television, is pending sale to Gray Television of Atlanta, upon FCC approval; the acquisition of Schurz's television and radio stations in seven markets would create media presence in about 50 markets for Gray.

Floyd's gets its first ABC

A Virginia **ABC** store has opened in Floyd County at 117 Parkview Road; the county passed its liquor-by-the-drink referendum in 2014, permitting mixed drink sales at restaurants and the state retail store.

Oxtail and jerk, mon

876 Jamaican Grill has opened at The Forum strip on Starkey Road in Roanoke County.

Compiled by Tom Field

Additional FRONT Notes posted online at moreFRONT.blogspot.com.

Read extended versions of items listed above, plus photos and many more current listings each day on the [moreFRONT](http://moreFRONT.com) blog, also available by link at vbFRONT.com.





Randolph Walker

Linda Gavel Webb, pictured in Shaftman Hall, started with the opera in January as executive director.

Roanoke's opera is like nothing else >

Executive Summary:

New executive director strives to strengthen Opera Roanoke's financial base as its 40th season begins.

By Randolph Walker

Linda Gavel Webb came to Opera Roanoke with a mission—to take charge of the arts organization's business side.

Actually, calling opera a business is a bit of a misnomer. Businesses are expected to make a profit. Opera does not.

Opera Roanoke's annual budget is around \$700,000. The company produces two major shows per year, and if every seat sells, tickets bring in around \$80,000.

"Obviously there is a differential there," says Webb. "That's the nature of a nonprofit arts organization. You need to make up the rest through private donations. From individuals is where the heaviest amount comes from." Support also comes from "foundations, corporate sponsorship or underwriting and some government support from the Virginia Commission for the Arts."

Corporate sponsors include Berglund Automotive and Kroger, and Webb is seeking others. Some companies' clients are a good fit with opera's demographic, and these companies may use tickets to reward clients or high-performing employees.

Webb's first show was "Cinderella," in March. She used social media, paid advertising, personal phone calls. "We did market 'Cinderella' very, very hard," she says. "We did have pretty much a full house" for the two performances. "Without the effort you would not have a full house,



Courtesy Opera Roanoke

Amy Williamson (right), soprano, is co-director of the Apprentice Artist Program.

no matter how great the product is.”

The man in charge of that product is Scott Williamson, tenor and artistic director.

“Opera is the most expensive of all the art forms and we do it on a shoestring, it seems like,” he says.

Opera Roanoke has paid staff and a paid orchestra composed of Roanoke Symphony Orchestra musicians. It brings in a half dozen out-of-town professionals for a typical show. Local singers and actors, some of whom are volunteers, round out the cast. The crew includes lighting, costume and makeup artists. “We’ve got a good dozen people backstage, another dozen people out in

When You Go To The Opera

Never been to an opera?
Here’s what to expect.

Shows are staged in Shaftman Performance Hall at the Jefferson Center.

Tickets range from \$20 to \$100.
Student tickets are free.

Operas lasts two to three hours with one intermission. Onstage you’ll see 20 to 40 performers and hear 30 to 40 musicians from the Roanoke Symphony Orchestra in the pit.

If the opera is not in English, supertitles (translations) will be projected. For Opera

Roanoke’s 40th anniversary season in 2015-16, there’s one show in English (“Sweeney Todd”) and one in Italian (“La Traviata”).

If the show sells out, you’ll be among a crowd of 860 or so. Most of them will be 45 and up, although Opera Roanoke is trying to build the younger demographic.

“Some people wear black tie on opening night, others wear cocktail attire, or dressy casual,” says Webb. “On Sunday matinee days you see a lot of church clothes or ladies’ lunch dresses, blazers and khakis, but T-shirts and jeans are fine anytime too.”

the house doing various functions," Williamson says.

Opera Roanoke maximizes its budget by collaborating with sister organizations including the symphony, Jefferson Center, Virginia Western Community College, and Center in the Square, which houses its offices. "In a similar city with a regional opera company, it would be unlikely to have that much cooperation between arts organizations," Williamson says. Standalone opera operations are more typical.

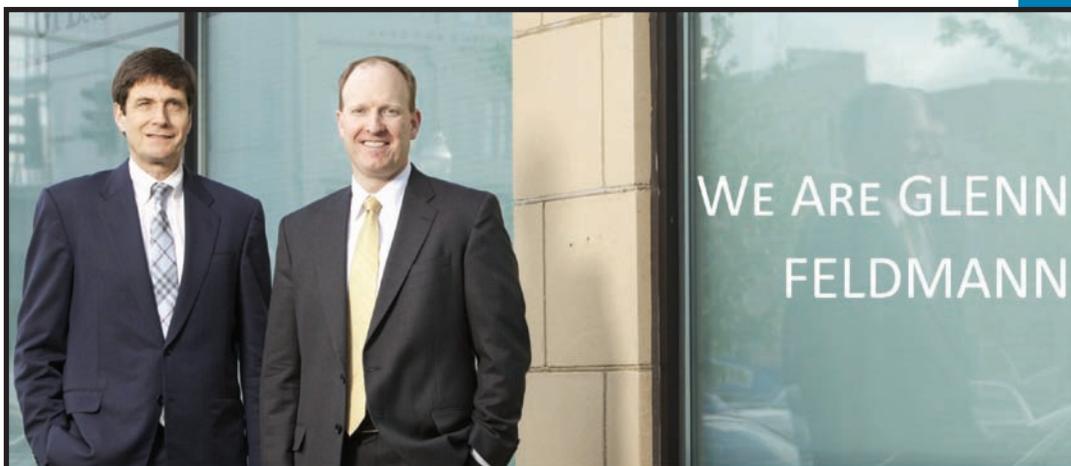
The collaboration makes it possible for Roanoke residents to experience something that many similar-sized cities don't have.

"There is nothing else like opera," Williamson says. "There is nothing like the experience of hearing a classically trained singer with no amplification literally pour their whole body and soul into an aria." 



Courtesy Opera Roanoke

Scott Williamson, artistic director, grew up in Chesapeake and majored in music at James Madison University.



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Glenn, Feldmann, Darby & Goodlatte is a full service firm that represents businesses, governments, and sophisticated clients in legal matters relating to employment law, complex transactions, litigation, zoning and many other practice areas. Serving Roanoke and southwest Virginia for over 60 years, our lawyers are known for their efficient and uniquely personal approach, as well as for the positive outcomes they achieve for clients. And, as the region's only Meritas law firm, Glenn Feldmann offers clients highly skilled legal resources worldwide.

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“Realize that ‘No problem’ is an attitude, not a response to ‘Thank you!’ — Page 21

“We felt like the auto industry needed a change — Page 23



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