

VACo Preliminary Legislative Program



20
22

2022 Draft Legislative Program Virginia Association of Counties

Table of Contents

Economic Development and Planning	p. 2
Education	p. 4
Energy	p.7
Environment and Agriculture	p. 8
Finance	p. 12
General Government	p. 15
Health and Human Services	p. 18
Transportation	p. 22

ECONOMIC DEVELOPMENT AND PLANNING

Priority

Broadband

VACo urges the Commonwealth to provide adequate financial assistance to counties to build the necessary telecommunications infrastructure to deploy universal affordable access to the internet for all areas, particularly in underserved and rural areas. Additionally, VACo supports legislation that provides additional tools for counties to finance, build and operate open access networks in partnership with commercial internet service providers. VACo also supports efforts to streamline the permitting of broadband infrastructure in the VDOT right-of-way, at railroad crossings, and within utility easements.

Positions

Economic Development

VACo supports economic development policies and programs that bolster local and regional development efforts by maintaining and expanding state funding, streamlining state and federal processes, and granting additional funding and authority to promote local and regional initiatives. VACo also supports the provision of state funding to support the mission of regional economic development organizations (REDOs) to foster regional cooperation in expanding business and job opportunities.

Land Use

VACo supports maintaining local and expanding authority to plan and regulate land use and opposes any legislation that weakens these key local responsibilities. VACo also supports legislation that grants localities additional tools to adequately meet increasing needs for public services driven by new development without burdening current residents with the cost of new growth through increased real estate taxes. Such additional tools may include broad impact fee authority for all counties, and adequate public facilities provisions.

Affordable and Workforce Housing

VACo supports maintaining federal and state funding and appropriate incentives to assist localities in fostering affordable housing, as well as workforce housing for employees such as teachers and first responders.

Regulation of Home-based Businesses

VACo opposes any legislation that limits or restricts local authority to regulate home-based businesses, including short-term rentals regardless of whether services or goods are purchased through an online hosting platform.

Impacts of Federal and Military Facilities

VACo supports maintaining federal and state funding and technical assistance to mitigate the impacts on counties affected by federal budget cuts and to sustain current and future federal facilities in Virginia. VACo supports state and local partnerships that work to prevent encroachment and non-compatible land uses next to military installations. VACo also supports workforce training and retraining for programs that support defense activities in Virginia.

Maintain Public Sector Role in Onsite Sewer Program

VACo supports an onsite sewage program at the Virginia Department of Health (VDH) that protects public health and the environment in all regions of the Commonwealth. The Commonwealth should give special focus to addressing the challenge of failing septic systems and allow localities authority to develop and implement policies that support the state's program. VACo supports the private sector providing onsite sewage system design, installation, and repair services, as long as the services can be provided at affordable rates and in a timely manner, and as long as VDH continues to provide these direct services as well.

Siting of Transmission Lines

VACo supports requiring utilities to seek input from localities and property owners before any actions to construct, modify or enlarge transmission facilities.

Electric Grid Capacity Planning

VACo supports legislation and policy that requires electric grid operators to continually share with localities where current and planned infrastructure to transmit and store energy exists that may feasibly accommodate the development of large-scale renewable energy facilities.

EDUCATION

Priority

Education Funding

VACo urges the General Assembly to provide full state funding for public education, including the Standards of Quality (SOQ) as recommended by the Board of Education, where these recommendations coincide with prevailing local practice, targeted incentive programs, capital, and maintenance support, and teacher salaries. Full state funding should be achieved without reduction to other parts of state public education budgets or to other core services.

VACo supports additional state resources and additional statewide funding options for localities for capital and school construction costs, including expanding dedicated local sales and use tax authority first given to select counties by the General Assembly in 2019.

VACo supports voluntary incentives that encourage localities to increase teacher salaries to reflect the national average in compensation, as long as this is done without a required minimum local match. The state share of compensation for the base rate of salaries should reflect the actual average salary as determined by prevailing local practice.

Positions

Charter Schools

VACo opposes legislation that removes authority from local school boards and divisions to establish charter schools.

Childhood Development and School Readiness

VACo supports efforts to increase at-risk children's access to high-quality, enriching learning environments, including more resources and flexibility for localities participating in programs like the Virginia Preschool Initiative and Head Start.

Childcare

VACo supports additional federal and state funding for programs such as the Child Care and Development Block Grant (CCDBG) to support increased demand for childcare services. Access to safe and affordable childcare is an essential component to allowing local businesses to resume operations and county economies to recover. VACo supports local flexibility to administer or expand support services for childcare.

Critical Thinking Skills

VACo supports changes to educational programs and standards that rely less on standardized testing and more on critical thinking skills such as performance-based assessments. VACo opposes efforts to impose additional standardized testing burdens on students and school staff.

Funding Support Personnel

VACo supports full restoration of budget cuts, including the elimination of the funding cap on support positions, and full reinstatement of the Cost of Competing Adjustment “COCA” for support staff. In addition to meeting its obligations to fully fund instructional staff, the Commonwealth should meet its obligation to fully fund K-12 support staff.

Library System

VACo supports additional state resources for the funding of financial aid to the local library system.

Reversion of Funds

VACo supports the current practice whereby all year-end funds appropriated to the school divisions by the locality revert to the locality, retaining discretion with the governing body to evaluate and approve the reallocation of year-end fund balances.

School Consolidation and Regionalism

VACo supports additional state resources and incentives that allow counties to voluntarily consolidate or regionalize K-12 services to increase operational efficiencies.

School Safety and Security

VACo supports efforts to improve school safety and preparedness VACo supports the development of model policies to provide guidance on active shooter drills and updates to school safety plans and drills. VACo supports dedicated state funding to improve school security for both capital and operational costs including funding that would serve as an incentive for local school divisions to make investments in security and health. VACo supports continued local authority to implement appropriate security measures.

Special Education Regional Tuition Reimbursement Program

VACo supports enhancing local capacity to serve children with high-level support needs in the least restrictive environment, including regional special education programs. VACo supports local flexibility in the structure of such programs. If a new model for the distribution of funding for special education students with intense support needs is implemented, such a model should be phased in gradually, with state dollars provided to enable school divisions that would otherwise experience reductions in funding to continue to meet federal maintenance of effort requirements.

K-12 Staff Shortage and Retention

VACo urges the General Assembly to approve and fund strategies addressing the teacher shortage in the Commonwealth. VACo supports a targeted approach to teacher shortage by prioritizing areas in critical need, as recommended by the Virginia Department of Education. VACo supports using district-level data to determine how to best fill shortage gaps, especially in hard-to-staff divisions.

VACo supports reducing burdens on the teacher workforce in the Commonwealth. VACo supports programs aimed at reducing student debt for teaching in public schools. VACo also supports programs that encourage teachers to stay in the profession including measures that provide mentorship, guidance and other forms of support for teachers in their first five years in the profession. VACo also supports similar efforts to address the shortage of school bus drivers.

Workforce-Ready Students

VACo supports changes in curriculum and funding that will increase the number of students leaving the K-14 system with workforce-ready credentials. VACo supports incorporating career and technical education curriculum at the elementary school level. VACo supports high school students earning academic credit for participating in an internship, apprenticeship, credential, and other work programs. VACo supports innovative models for schools to give academic credit for students that earn industry workforce skills through certifications, or licensure from an approved education or training provider. VACo supports establishing partnerships to strengthen the school-to-workforce pipeline in a variety of ways including guaranteed employment opportunities with local businesses and learning opportunities shared between local community colleges and high schools. VACo supports opportunities for students to physically visit and train at actual work sites in cooperation with local employers and economic development entities.

VACo supports the expansion and funding of workforce training programs such as the Virginia Talent Accelerator Program and the Virginia Jobs Investment Program.

ENERGY

Priority

Energy Policy

VACo supports energy policies and goals that reduce greenhouse gas emissions without compromising reliable and affordable access to electricity, and that address potential environmental impacts and life cycle costs for the manufacture, disposal, re-use, or recycle of material inputs. Such policies should allow for responsible coal and natural gas extraction, processing, and transport while protecting agricultural interests and natural resources.

Positions

Renewable Energy Production and Energy Efficiency

VACo supports legislation allowing counties to implement renewable energy and energy efficiency goals. This includes the allowance of third-party power purchase agreements (PPAs) to serve municipal electric accounts, as well as other creative financing mechanisms that enable the development of renewable energy sources and energy efficiency programs and measures.

Utility-Scale Renewable Energy Generation and Energy Storage

VACo supports maintaining local authority to address all impacts and all choices associated with utility-scale installations of solar power, wind power, and energy storage facilities. Additionally, VACo opposes any expansion or extension of the state-mandated tax exemption on local property taxes for solar equipment.

ENVIRONMENT AND AGRICULTURE

Priority

Water Quality Funding

VACo supports effective partnerships across all levels of government as well as adequate financial and technical assistance from the federal and state governments to improve water quality. VACo supports improved water quality but opposes strategies that penalize local governments by withdrawing current forms of financial assistance or imposing monitoring, management, or similar requirements on localities without providing sufficient resources to accomplish those processes. VACo supports efforts to continue to restore and protect the Chesapeake Bay but opposes additional nutrient regulations on wastewater treatment facilities that are scientifically unsound, economically infeasible, or unnecessary for meeting the Commonwealth's goals. VACo opposes the imposition of a state fee, tax or surcharge, on water, sewer, solid waste, or any service provided by a local government or authority.

Positions

Aquifer Protection

VACo supports initiatives by the state to assure adoption of actions to reduce high chloride concentrations and loss of artesian head pressure in Virginia's aquifers. VACo also supports a review of regulations and supports education initiatives that promote reclamation of water on a local level for industrial and irrigation uses to offset future demands on all ground and surface water used for human consumption.

Biosolids

VACo supports an effective statewide regulatory program governing land application of biosolids. Such a program should not infringe upon the authority of local governments to monitor compliance. VACo supports the ability of local governments to propose amendments to biosolids permits as they are considered by DEQ.

Conservation

VACo encourages targeted initiatives to facilitate the protection of land for conservation purposes. VACo supports the creation a Purchase of Development Rights program that provides state funding for the Virginia Land Conservation Foundation and participation incentives for landowners. Such programs preserve prime soils for food production and protect important forest land and environmentally sensitive areas in the Commonwealth.

VACo supports voluntary state and federal conservation programs, including the United States Department of Agriculture's (USDA) Environmental Quality Incentives Program and the Conservation Stewardship Program, to assist producers with the implementation of best management practices.

Dam Safety

VACo supports programs that keep downstream owners and developers aware of potential inundation zones. VACo also supports sufficient state and federal funding for the repair and maintenance of dams.

Energy

See Energy Subcommittee Platform.

Hydraulic Fracturing

VACo supports a stringent state regulatory program for hydraulic fracturing (“fracking”) that addresses the potential to tap into natural gas reserves in ways that protect public and private groundwater supplies and preserve local government authority to regulate and/or ban this type of mining activity through their land use ordinances. VACo supports transparency efforts that require the disclosure of all chemicals and chemical mixes used in the fracking process prior to their use.

Invasive Species and Noxious Weeds

VACo supports funding for, and the complete implementation of, the Virginia Invasive Species Management Plan. VACo supports an amendment to the term, “noxious weeds,” enabling additional invasive plants to be considered for regulation. All programs and proposals should be evaluated for their commercial impact, allowing no more than a negligible impact on Virginia’s agricultural industry. Finally, VACo supports requiring better state prevention and mitigation practices.

Large Utility Projects

VACo supports the provision of adequate direction and resources for the state to improve monitoring and enforcement of Erosion and Sediment Control and Stormwater requirements by entities constructing large-scale utility projects. The state should conduct a review of the annual standards, specifications, and construction general permit requirements to determine adequate protection of water quality and natural resources.

Non-Point Source Pollution

VACo supports a well-financed state program to address non-point source runoff from agricultural operations. The program should encourage implementation of priority best management practices (BMPs) such as nutrient management planning, use of cover crops, continuous no-till farming and development of forested riparian buffers and livestock stream exclusion.

Predator Control

VACo urges state and federal agencies to support the agricultural industry by allowing farmers and producers sufficient flexibility when protecting livestock against predatory animals. VACo encourages the USDA Wildlife Services Division and the Virginia Department of Agriculture and Consumer Services to allow producers access to the predator control tools required for the continuation of

effective livestock production. VACo also supports USDA's Livestock Indemnity Program and the financial relief it provides to producers who have lost livestock to the attacks of federally protected predators.

Southern Rivers Watershed

VACo supports continued funding for the Southern Rivers Watershed Enhancement Program to improve water quality in non-Chesapeake Bay watersheds.

Stormwater Programs

VACo supports state funding that enables local governments to fully satisfy the resource and funding needs associated with local stormwater management programs. VACo supports legislation that proposes creative and cost-effective stormwater management practices. VACo supports initiatives that clarify and modernize stormwater regulations and permitting processes, including measures that make permitting more efficient, reevaluates the fee structure system, and allows for considerations of factors such as long-term maintenance costs. VACo supports legislation that proposes new and innovative solutions to facilitate compliance with stormwater standards in ways that promote economic development while achieving water quality goals.

Tree Conservation and Replacement

VACo supports strengthening and expanding tree replacement and tree conservation statutes to include all localities in Virginia. VACo supports providing greater flexibility to local governments to achieve their specific goals.

Onsite Wastewater Systems

VACo supports legislation ensuring that potential buyers of real property are told about the type, size and maintenance requirements and associated costs of the wastewater systems on the property prior to the signing of the initial sales contract and the recordation of engineered systems plat and deed at the time of sale.

Uranium Mining

VACo supports continuation of a moratorium on uranium mining and milling within the Commonwealth of Virginia.

Technical Assistance

VACo supports robust state funding for entities that provide critical resources and technical assistance to localities in their efforts to comply with environmental policies and regulations. This includes, but is not limited to, organizations such as Soil and Water Conservation Districts, the Virginia Cooperative Extension, and Planning District Commissions (PDCs).

Water Supply Planning

VACo supports appropriations adequate to ensure full funding by the state for the ongoing development and implementation of state-mandated water supply plans.

VACo does not support overly burdensome permitting processes or applications
for water usage.

PRELIMINARY

FINANCE

Priorities

Local Finance

VACo supports preserving the authority of county governments to levy and collect revenue from local business taxes.

American Rescue Plan Act and Federal Infrastructure Funds

VACo supports the use of federal relief funds provided to the state through the American Rescue Plan Act, and federal infrastructure funding that may be provided to the state in the future, to make investments in county priorities, including broadband, wastewater and stormwater improvements, school capital needs, reimbursement for workers' compensation claims filed under the new presumption for COVID-19, and replenishment of the Unemployment Trust Fund. VACo encourages coordination with local governments in deployment of relief funds so that each federal dollar can be maximized for the benefit of the residents of the Commonwealth.

Positions

Appeals of Tax Assessments

VACo opposes proposals to make major changes to the current appeals processes for real or tangible personal property assessments, such as changes to the assessor's presumption of correctness or the role of the state Tax Commissioner with respect to valuation of property.

Funding for State Mandated Positions and Jails

The Commonwealth must meet its obligations to fund appropriate staffing for the state's system of justice, to include clerks, magistrates, Commonwealth's Attorneys, public defenders, district court employees, and probation office employees. In the absence of adequate state support for this critical function of government, localities are frequently placed in the untenable position of supplementing the justice system with local dollars in order to ensure its continued functioning.

VACo urges the Commonwealth to meet its full funding obligations, to include realistic levels of staffing to enable constitutional offices to meet their responsibilities and limit the need for localities to provide additional locally-funded positions. VACo supports flexibility in the use of state funds for compensation of constitutional officers and state-supported local employees.

VACo supports a more robust state-local partnership in funding local and regional jails. In FY 2019, the Compensation Board reported \$1.02 billion in total expenditures, including capital costs, to house inmates in local and regional jails – localities contributed \$593.1 million of these costs, while the state contributed \$358.8 million. A key mechanism through which the state assists with operating costs is per diem payments. Per diem rates have not been adjusted since FY 2011, when the payment of \$8 per day for local-responsible

inmates was reduced to \$4 per day, and the state-responsible rate was adjusted from a bifurcated rate of 8 per day for the first 60 days and \$14 per day thereafter to a standard rate of \$12 per day. VACo requests that jail per diem funding in the 2022-2024 biennial state budget be increased to levels that better represent the costs of housing inmates and be adjusted for inflation in the future so that payments keep pace with rising costs. The current rates are inadequate and represent an underfunded mandate on counties. The Compensation Board estimated a total average daily cost of operating local and regional jails at \$91.97 per inmate in FY 2019, of which \$51.06 was contributed by localities.

VACo supports payment of the medical costs of inmates using a cost-effective program jointly funded at the federal and state levels

The state must provide sufficient funding to enable local and regional jails to meet any new standards for the provision of health care, including behavioral health care, for individuals incarcerated in these facilities. A report recently issued by the Department of Criminal Justice Service and the Compensation Board estimating compliance costs for proposed behavioral health standards suggests that jails will need certain baseline staffing to comply with the standards, to include 24/7 coverage, either on-site or on-call, by a registered nurse; on-call and regularly scheduled services from a psychiatric provider; a qualified mental health professional to provide group and individual therapy services; and behavioral health case management services, to include discharge planning.

Mitigation of the Effects of Tax-Exempt Property on the Local Tax Base

VACo supports reinstating state payments (PILT) to counties that mitigate the impacts of state correctional and behavioral healthcare facilities on county revenue. VACo supports measures to ameliorate the effects of large amounts of other tax-exempt property on the local tax base, including state assistance with the costs of state-mandated property tax exemptions.

Legislation with Local Fiscal Impact

VACo supports legislation or other measures providing additional time for localities to review legislation that may have an impact on local revenues or expenditures.

Modernization of Communications Sales and Use Tax Structure

VACo supports updating the Communications Sales and Use Tax (CSUT) to ensure that it reflects the modern telecommunications landscape, which has evolved since the CSUT took effect in January 2007.

VACo opposes any further diversion of Communications Sales and Use Tax Trust Fund dollars beyond the uses already specified in statute. These revenues should be held in trust for localities and not diverted for general state purposes. Currently, funds from the Communications Sales and Use Tax Trust Fund are taken “off the top” for the Department of Taxation’s costs to administer the tax, the telephone relay center operated by the Department for the Deaf and Hard of Hearing, and any franchise fees owed to localities. Language adopted in the

2018-2020 biennium budget and continued in the 2021 Appropriations Act provides for an additional diversion of funds to the state General Fund from assumed savings in the telephone relay contract; these funds would otherwise flow to localities.

Real and Personal Property Tax Exemptions Enacted Prior to 2003

VACo supports providing localities the ability to decide whether to maintain property tax exemptions granted by the General Assembly prior to passage of the Constitutional amendment vesting the authority to grant such exemptions with localities. The Constitutional amendment which was passed by the voters in 2002 and took effect in January 2003 placed decision-making authority about local tax exemptions with local governing bodies, within certain limits, and this authority should apply to exemptions granted before 2003 as well.

GENERAL GOVERNMENT

Priorities

Local Authority

VACo supports relaxation of the Dillon Rule and legislation maintaining and enhancing local authority and autonomy in matters including land use, revenue measures, procurement and other issues of local concern. VACo supports extending powers currently granted to some local governments to all local governments. VACo opposes legislation that erodes local authority.

Unfunded Mandates

VACo opposes unfunded mandates and shifting fiscal responsibility for existing programs by the Commonwealth from the state to localities. When funding for a mandated program is altered, the mandate should be suspended until full funding is restored. When legislation with a cost to localities is passed by the General Assembly, the cost should be borne by the Commonwealth, and the legislation should contain a sunset clause providing that the mandate is not binding on localities until funding by the Commonwealth is provided.

Positions

Collective Bargaining for Public Employees

VACo opposes any effort to mandate collective bargaining for public employees.

Election Costs and Districts

VACo supports legislation that would decrease the costs of elections to localities. These costs include primaries, voting equipment, personnel and voting places. Cost reduction solutions include requiring parties to pay for primary elections, having one date for primary elections, using printed ballots, establishing countywide voting places and other similar measures. The state should provide adequate funding to localities for optical scan and other voting equipment and registrar costs. VACo also supports legislation to minimize or eliminate Split Voting Precincts. Additionally, VACo supports a streamlined process to address situations in which census boundaries do not align with locally drawn or commonly adhered to boundaries.

Ethics Reform

VACo supports common sense efforts to strengthen Virginia's public ethics and conflicts of interest laws that are applicable and practical at the local level.

687 **Freedom of Information Act (FOIA)**

688 VACo opposes changes to the Virginia Freedom of Information Act that would
689 impose additional burdens on localities. VACo supports the option for local and
690 regional advisory bodies to meet electronically.

691 **Grievance Hearings**

692 VACo supports legislation authorizing localities to use an administrative hearing
693 officer and existing grievance panels and procedures, and opposes the mandate of
694 a three-member panel. VACo also supports providing immunity to local
695 government employees, officers, volunteers, administrative hearing officers and
696 panel members for claims arising out of participation in personnel grievance
697 procedures.
698
699

700 **Interoperability**

701 VACo supports the state's goal that agencies and their representatives at the local,
702 regional, state and federal levels be able to communicate using compatible
703 systems to respond more effectively during day-to-day operations and major
704 emergencies. Local governments require dedicated federal and state funding
705 sources to achieve this goal.
706

707 **Next Generation 9-1-1 (NG9-1-1)**

708 VACo supports the Commonwealth's transition to Next Generation 9-1-1 (NG9-1-
709 1) in a way that does not unfairly burden localities, financially or otherwise.
710

711 **Pretrial Services**

712 VACo supports increased funding for and expansion of pretrial services. If the
713 Commonwealth adopts a funding formula for pretrial services, it must hold
714 harmless the localities currently participating.
715

716 **Public Notice, Public Hearing and Public Procurement**

717 VACo supports legislation to streamline required newspaper advertising for
718 public notices, public hearings and public procurement including legislation to
719 give localities the option to use electronic or other forms of notification as an
720 alternative to newspaper advertising.
721

722 **Public Safety – Body Worn Cameras**

723 VACo supports maintaining the ability of local governments to adopt policies and
724 practices regarding body worn cameras that reflect local needs and fiscal realities.
725

726 **Sovereign Immunity**

727 VACo opposes any substantive change in local governments' present defense of
728 qualified immunity and sovereign immunity. VACo opposes bringing counties
729 under the Virginia Tort Claims Act.
730

731 **State Assistance for Police Departments**

732 VACo supports increasing state assistance for police departments through "599"
733 Aid to Localities. This funding is designed to equalize state funding between

734 counties in which the sheriff department provides law enforcement and those
735 cities, counties, and towns with a police department.

736 **Workers' Compensation Presumptions**

737 VACo opposes any effort to expand workers' compensation presumptive illnesses
738 eligibilities for public employees that is not done in concert with additional state
739 funding assistance to local governments to offset additional insurance liabilities.

740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762

PRELIMINARY

HEALTH AND HUMAN RESOURCES

Priority

Health and Human Resources Funding

VACo supports transparent state policies and funding to ensure the Commonwealth's at-risk families have access to high quality and appropriate services. The Commonwealth should provide full funding to localities and their state administrative entities for state-mandated human services and provide the necessary program flexibility to enable localities to provide comprehensive and case-tailored services.

Positions

Aging/Long-Term Care

VACo supports efforts that allow seniors to remain at home in a safe and secure environment. VACo urges the General Assembly to provide sufficient funding for companion services, in-home services, and home-delivered meals. Due to the increasing number of older adults in Virginia and the rise of Adult Protective Services (APS) cases, VACo supports additional state resources to ensure adequate training for APS workers on topics such as financial exploitation.

Behavioral Healthcare

VACo supports continued funding by the Commonwealth sufficient to allow Community Services Boards (CSBs) to meet adequately the charge of providing services through a community-based system of care. State support must adequately enable CSBs to provide the additional services mandated by the General Assembly to be phased in over the next several years, as well as any additional requirements that may be added. Funding must be sufficient to ensure adequate staffing in a competitive market.

VACo supports the provision of additional resources to meet the behavioral health needs of justice-involved individuals, such as mobile crisis services and other diversion programs that may be appropriate substitutes for, or supplements to, law enforcement responses. Such work should be coordinated with existing local and state efforts. A sustained commitment of resources from the state will be necessary to ensure successful implementation of the Marcus Alert system; these resources must be in addition to, and not at the expense of, the funding needed to provide the array of community-based services established under STEP-VA.

Any changes to CSB funding should involve meaningful consultation with localities as key funding partners in the behavioral health system. In addition to local contributions to CSBs, localities make significant commitments to behavioral health through support for services funded through the Children's Services Act and local spending on behavioral health care in local and regional jails, among other funding commitments.

Proposed changes to the funding structure, such as the creation of new funding formulae, should apply only to new funding. As an alternative, hold-harmless funds must be provided to those CSBs that would stand to lose state funding under any new funding structure.

VACo supports the ability of the Department of Behavioral Health and Developmental Services to waive local matching requirements for CSB funding for localities experiencing financial hardships.

VACo supports efforts to address census pressures at state hospitals through near-term funding measures that will enable all state hospitals to receive admissions of individuals subject to temporary detention orders without delays. VACo supports competitive salaries and training for state hospital direct care staff. In addition, ongoing efforts to support community-based crisis services must continue.

Realignment of the behavioral health funding structure to incentivize community-based treatment rather than use of state hospitals will require additional state dollars and must not rely on local funding to backfill unanticipated costs for hospitalization.

VACo supports the creation of additional Medicaid waiver slots to serve individuals with intellectual and developmental disabilities in the community, approximately 13,958 of whom were on a wait-list as of July 2021.

Children's Services Act

VACo supports equitable cost-sharing between the state and localities for the costs involved in the placements of children in residential treatment facilities for non-educational reasons. VACo opposes proposals to limit state participation in funding services for children and youth who are mandated to be provided with special education and foster care services.

VACo supports enhancing the ability of local school divisions to serve children with disabilities, to include flexibility in use of state pool funds to serve children with high-level needs in local or regional programs tailored to meet those needs, and additional support for special education wraparound services to help support children in their communities.

VACo supports state assistance to localities with contracting for CSA services to improve localities' ability to negotiate with providers of these services, such as private day placements. VACo supports rate setting by the state for private day placements, with appropriate recognition of cost variations by region.

VACo supports additional state resources to assist in the local administration of CSA programs. As CSA becomes increasingly complex and the Office of Children's Services is charged with ensuring effective implementation, the state should provide funding and other resources to support local programs.

Early Intervention

VACo supports sustainable funding for Part C Early Intervention, which is an entitlement program that provides services for Virginia's infants and toddlers. VACo requests that the General Assembly continue to increase state general funding to address growth in caseloads and fund rates that address the costs of

providing the services. Underfunding this entitlement program puts pressure on local revenues to fill funding gaps for this mandated service.

Emergency Medical Transportation

VACo supports policies to protect consumers who require air ambulance services. VACo opposes proposals that would add additional legal and administrative burdens on local first responders regarding decisions about methods of transportation in emergency situations.

Foster Care

VACo supports continued state efforts to ensure successful implementation of federal legislation governing federal funding for children placed in foster care, to include improving access to the evidence-based prevention services that may be funded by Title IV-E dollars and ensuring that congregate care providers are able to meet new standards required in the law. This legislation will allow federal participation in prevention services that previously have been funded by state and local dollars, but services must meet certain standards in order to qualify for federal funding.

VACo supports state assistance in recruiting appropriate foster families to care for children who must be removed from their homes. VACo supports state assistance in recruiting and retaining child welfare workers to address high rates of turnover in local departments of social services, such as by increasing the number of partnerships with universities in Virginia, improving training for child welfare workers by implementing an academy model, and expanding the Child Welfare Stipend program.

Group Homes

VACo supports resources necessary for the state to enforce appropriate regulation of group homes, such as staff qualifications and the condition of the homes, to ensure the protection of residents' health and safety.

Healthcare

VACo supports continued state funding for dental care, school nurses and preventive services and maternal and child health programs offered through local health departments and local school systems. VACo encourages the state to prepare for emergency health services access to care and to develop and fund incentives that would alleviate the nursing shortages felt in many communities.

Human Trafficking

VACo supports treating survivors of human trafficking as victims, not criminals, and supports their access to services available to other trauma victims, such as job placement services, housing assistance, access to education, legal services, and mental health services.

Implementation of Medicaid Expansion

VACo supports continued state funding for the local costs associated with Medicaid expansion, such as local eligibility workers.

Local EMS Involvement

VACo supports increased local involvement in state EMS planning to ensure statewide needs are met and to avoid imposing unnecessary barriers to volunteerism.

Prevention Services

VACo supports increased state general funding for community-based service programs. VACo recognizes programs such as Healthy Families, Comprehensive Health Investment Project (CHIP) of Virginia, Smart Beginnings, and Resource Mothers as important models and requests that the General Assembly provide additional funding for these home- and community-based activities. Investments in programs that ensure a strong start for children can help reduce the need for costlier interventions later in life.

Substance Abuse

Efforts to address substance dependency must be comprehensive and coordinated with localities. The state should develop and support evidence-based prevention initiatives and should continue to improve access to treatment.

Telehealth

VACo supports the use of electronic information and telecommunications technologies to support long-distance clinical health care, patient and professional health-related education, public health and health administration. Flexibility in the delivery of these services is essential in meeting the needs of residents.

TRANSPORTATION

Priority

Transportation Funding

VACo supports continued study and action to address the causes for declining growth in transportation revenues and to develop recommendations to grow revenue over time to meet increasing demands for new construction and maintenance for existing transportation infrastructure. Such action must address the secondary road needs of counties throughout the Commonwealth.

VACo supports changes to simplify the Smart Scale process for allocating transportation funds to reduce time and costs to prepare and review applications. VACo supports adequate funding levels to maintain existing transit capital state match rates.

In 2018 the legislature enacted a dedicated funding solution for Metro that came largely through reallocation of existing revenues, at the expense of other significant transportation projects throughout Northern Virginia. Though significant progress was in the 2020 legislature, VACo supports continuing efforts to replace the regional funding that was redirected from the Northern Virginia Transportation Authority.

VACo supports efforts by the federal government to provide additional infrastructure funding to state and local governments, including passage of a five-year surface transportation reauthorization bill and encourages the state to coordinate with local governments on use of this funding.

Positions

Autonomous Vehicles

VACo supports continued collaboration with local governments on the development, deployment, and restrictions of use for autonomous vehicles, aerial systems, and related support infrastructure.

Local-State Cooperation

VACo is committed to the protection of local government authority to regulate land use. This authority must be recognized by Virginia Department of Transportation (VDOT) and the Commonwealth Transportation Board (CTB) when evaluations are conducted to determine the consistency between local transportation plans and the Commonwealth's transportation priorities. VACo also opposes the reduction of local control that is associated with the CTB's process of designating Corridors of Statewide Significance and the implementation of Arterial Preservation. Additionally, VACo supports additional flexibility within the VDOT project approval process and standards to be responsive to localities' individual needs. VACo supports the expansion of authority and discretion of Resident Administrators of VDOT to approve modifications to design standards where appropriate with local needs, including

reduction of speed limits. VACo also supports local control over applications submitted to the Office of Intermodal Planning and Investment (OIPI).

Devolution of Secondary Roads

VACo opposes legislative or administrative initiatives that would transfer to counties the responsibility for the construction, maintenance or operation of new and existing roads.

Highway Tolls

VACo opposes the installation of toll facilities on Virginia's interstate highways until the Commonwealth Transportation Board has thoroughly reviewed and assessed the components of a long-term capital improvement program, has identified and compared all available funding alternatives and has adopted a proposal that matches capital improvements with realistically available funding sources.

Maintenance Priorities

VACo supports a requirement imposed upon VDOT to implement a notification plan with the local governing body to establish maintenance priorities.

Orphaned Drainage Outfalls

VACo supports dedicated funding assistance to counties to mitigate the impacts of drainage outfalls with no assigned maintaining entity across the Commonwealth.

Parking

VACo supports general authority for counties to adopt ordinances regulating, including prohibiting, the parking of boats, RVs, utility trailers, campers, etc. on subdivision streets. In addition, VACo supports additional authority that would allow localities with parking ordinances the ability to enforce such ordinances using law enforcement, uniformed local employees, or uniformed personnel under contract with the locality.

Railways

VACo supports efforts by the Commonwealth to expand sustainable passenger rail service to currently unserved areas of the Commonwealth as well as areas where demand exceeds available service. VACo supports authority for counties to approve Commonwealth Rail Fund projects funded by the state and constructed within their jurisdictions. VACo supports efforts to safely improve mobility issues on roads that cross railway lines.

Recordation Tax Distribution to Localities

VACo supports the restoration of state recordation tax revenues distributed to counties and cities for use of transportation or public education purposes.

1039 **Regional Transportation Funding**

1040 VACo opposes any efforts to divert existing dedicated regional transportation
1041 revenues to areas and purposes outside of that region unless additional dedicated
1042 funding sources are provided to hold such funding harmless.

1043
1044 **Truck Size and Weight**

1045 VACo opposes any legislation that seeks to increase truck size or weight beyond
1046 the current federal standards, thereby stressing the capacity of the
1047 Commonwealth's road systems and putting highways, roads and bridges at risk of
1048 increased damage or deterioration.
1049