



VACo 2022 LEGISLATIVE PROGRAM

For the 2022 General Assembly Session



ADOPTED BY VACO
MEMBERSHIP ON
NOVEMBER 16, 2021

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2022 Legislative Program Virginia Association of Counties

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45 **ECONOMIC DEVELOPMENT AND**
46 **PLANNING**

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48 **Priority**

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50 **Broadband**

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

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62 **Economic Development**

63 VACo supports economic development policies and programs that bolster local
64 and regional development efforts by maintaining and expanding state funding,
65 streamlining state and federal processes, and granting additional funding and
66 authority to promote local and regional initiatives. VACo also supports the
67 provision of state funding to support the mission of regional economic
68 development organizations (REDOs) to foster regional cooperation in expanding
69 business and job opportunities.
70

71 **Land Use**

72 VACo supports maintaining and expanding local authority to plan and regulate
73 land use and opposes any legislation that weakens these key local responsibilities.
74 VACo also supports legislation that grants localities additional tools to adequately
75 meet increasing needs for public services driven by new development without
76 burdening current residents with the cost of new growth through increased real
77 estate taxes. Such additional tools may include broad impact fee authority for all
78 counties, and adequate public facilities provisions.
79

80 **Affordable and Workforce Housing**

81 VACo supports maintaining federal and state funding and appropriate incentives
82 to assist localities in fostering affordable housing, as well as workforce housing
83 for employees such as teachers and first responders.
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85 **Regulation of Home-based Businesses**

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

Impacts of State Facilities

VACo recommends that prior to the proposed closure of any state facilities, the Department of General Services shall provide a detailed plan to the locality regarding removal, demolition, rehabilitation and/or adaptive reuse of buildings. VACo also recommends that the state provide technical and financial resources to assist localities in ameliorating the impacts any closure will have on the local economy.

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

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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.

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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.

230 VACo supports reducing burdens on the teacher workforce in the
231 Commonwealth. VACo supports programs aimed at reducing student debt for
232 teaching in public schools. VACo also supports programs that encourage teachers
233 to stay in the profession including measures that provide mentorship, guidance
234 and other forms of support for teachers in their first five years in the profession.
235 VACo also supports similar efforts to address the shortage of school bus drivers.
236

237 **Workforce-Ready Students**

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

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

255 VACo supports the mission and activities of local Workforce Development
256 Boards across the Commonwealth of Virginia to assist businesses in securing a
257 qualified workforce that meets current and future job demand, including efforts
258 to coordinate actions across state agencies within Virginia under the
259 Commonwealth's Workforce Innovation and Opportunity Act (WIOA) plan.
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ENERGY

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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

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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.

367 **Dam Safety**
368 VACo supports programs that keep downstream owners and developers aware of
369 potential inundation zones. VACo also supports sufficient state and federal
370 funding for the repair and maintenance of dams.

371
372 **Energy**
373 *See Energy Committee Platform.*

374
375 **Flood Preparedness**
376 VACo supports continued funding and resources that assist localities in
377 preventing and reducing the impacts of flooding. VACo supports greater
378 flexibility in these programs and funding sources that will maximize their
379 benefits and best suit local and regional needs.

380
381 **Hydraulic Fracturing**
382 VACo supports a stringent state regulatory program for hydraulic fracturing
383 (“fracking”) that addresses the potential to tap into natural gas reserves in ways
384 that protect public and private groundwater supplies and preserve local
385 government authority to regulate and/or ban this type of mining activity through
386 their land use ordinances. VACo supports transparency efforts that require the
387 disclosure of all chemicals and chemical mixes used in the fracking process prior
388 to their use.

389
390 **Invasive Species and Noxious Weeds**
391 VACo supports funding for, and the complete implementation of, the Virginia
392 Invasive Species Management Plan. VACo supports an amendment to the term,
393 “noxious weeds,” enabling additional invasive plants to be considered for
394 regulation. All programs and proposals should be evaluated for their commercial
395 impact, allowing no more than a negligible impact on Virginia’s agricultural
396 industry. Finally, VACo supports requiring better state prevention and
397 mitigation practices.

398
399 **Large Utility Projects**
400 VACo supports the provision of adequate direction and resources for the state to
401 improve monitoring and enforcement of Erosion and Sediment Control and
402 Stormwater requirements by entities constructing large-scale utility projects. The
403 state should conduct a review of the annual standards, specifications, and
404 construction general permit requirements to determine adequate protection of
405 water quality and natural resources.

406
407 **Non-Point Source Pollution**
408 VACo supports a well-financed state program to address non-point source runoff
409 from agricultural operations. The program should encourage implementation of
410 priority best management practices (BMPs) such as nutrient management
411 planning, use of cover crops, continuous no-till farming and development of
412 forested riparian buffers and livestock stream exclusion. VACo additionally
413 supports state-sponsored initiatives and funding that addresses non-agricultural

414 non-point sources runoff.

415

416 **Predator Control**

417 VACo urges state and federal agencies to support the agricultural industry by
418 allowing farmers and producers sufficient flexibility when protecting livestock
419 against predatory animals. VACo encourages the USDA Wildlife Services Division
420 and the Virginia Department of Agriculture and Consumer Services to allow
421 producers access to the predator control tools required for the continuation of
422 effective livestock production. VACo also supports USDA’s Livestock Indemnity
423 Program and the financial relief it provides to producers who have lost livestock
424 to the attacks of federally protected predators.

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426 **Southern Rivers Watershed**

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

430

431 **Stormwater Programs**

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

442

443 **Tree Conservation and Replacement**

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

447

448 **Onsite Wastewater Systems**

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

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455 **Uranium Mining**

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

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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.

FINANCE

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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 assistance to localities in meeting election cybersecurity requirements. 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

553 inmates was reduced to \$4 per day, and the state-responsible rate was adjusted
554 from a bifurcated rate of 8 per day for the first 60 days and \$14 per day thereafter
555 to a standard rate of \$12 per day. VACo requests that jail per diem funding in the
556 2022-2024 biennial state budget be increased to levels that better represent the
557 costs of housing inmates and be adjusted for inflation in the future so that
558 payments keep pace with rising costs. The current rates are inadequate and
559 represent an underfunded mandate on counties. The Compensation Board
560 estimated a total average daily cost of operating local and regional jails at \$91.97
561 per inmate in FY 2019, of which \$51.06 was contributed by localities.

562 VACo supports a requirement for the Department of Corrections to accept
563 state-responsible inmates into the state correctional system unless a local or
564 regional jail agrees to continue holding such inmates at the applicable per diem
565 rate. The Department of Corrections is better equipped than local and regional
566 jails to provide intensive re-entry programming, offering more than 125
567 academic, job training, and therapeutic programs to offenders who are in prison
568 and individuals under community supervision. The Department of Corrections
569 reports that state-responsible inmates who spend their entire sentences in local
570 or regional jails recidivate at a higher rate than offenders who spend at least part
571 of their incarceration in a Department of Corrections facility (26.9 percent and 21
572 percent, respectively).

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

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

586 587 **Mitigation of the Effects of Tax-Exempt Property on the Local Tax** 588 **Base**

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

594 595 **Legislation with Local Fiscal Impact**

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

599

600 **Modernization of Communications Sales and Use Tax Structure**

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

604 VACo opposes any further diversion of Communications Sales and Use Tax
605 Trust Fund dollars beyond the uses already specified in statute. These revenues
606 should be held in trust for localities and not diverted for general state purposes.
607 Currently, funds from the Communications Sales and Use Tax Trust Fund are
608 taken “off the top” for the Department of Taxation’s costs to administer the tax,
609 the telephone relay center operated by the Department for the Deaf and Hard of
610 Hearing, and any franchise fees owed to localities. Language adopted in the
611 2018-2020 biennium budget and continued in the 2021 Appropriations Act
612 provides for an additional diversion of funds to the state General Fund from
613 assumed savings in the telephone relay contract; these funds would otherwise
614 flow to localities.

615
616 **Real and Personal Property Tax Exemptions Enacted Prior to 2003**

617 VACo supports providing localities the ability to decide whether to maintain
618 property tax exemptions granted by the General Assembly prior to passage of the
619 Constitutional amendment vesting the authority to grant such exemptions with
620 localities. The Constitutional amendment which was passed by the voters in
621 2002 and took effect in January 2003 placed decision-making authority about
622 local tax exemptions with local governing bodies, within certain limits, and this
623 authority should apply to exemptions granted before 2003 as well.

GENERAL GOVERNMENT

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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.

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Freedom of Information Act (FOIA)

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

Grievance Hearings

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

Interoperability

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

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

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

Pretrial Services

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

Public Notice, Public Hearing and Public Procurement

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

Public Safety – Body Worn Cameras

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

Sovereign Immunity

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

State Assistance for Police Departments

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

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

738 **Workers' Compensation Presumptions**

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

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HEALTH AND HUMAN RESOURCES

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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.

VACo supports resources necessary for behavioral health and mental health facilities to ensure the protection of residents’ and staff health and safety, such as appropriate staff qualifications, training, compensation, and condition of the facilities.

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.

VACo recognizes the need for specialized services for individuals with dementia who may experience behavioral health challenges, and supports the provision of resources to enable these individuals to remain in the community,

811 such as funding for dementia behavioral specialists and other supports for
812 caregivers.

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

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

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

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

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

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

839 VACo supports efforts to improve efficiency and save staff time for child
840 abuse or neglect or family abuse cases in juvenile and domestic relations courts
841 by allowing behavioral health care providers the ability to submit written reports
842 documenting mental health conditions, similar to the current ability for
843 documentation of physical conditions or injuries to be submitted in writing by
844 certain health care providers, provided that all current standards of
845 confidentiality are preserved.

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Children's Services Act

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

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

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

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

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867 **Early Intervention**

868 VACo supports sustainable funding for Part C Early Intervention, which is an
869 entitlement program that provides services for Virginia's infants and toddlers.
870 VACo requests that the General Assembly continue to increase state general
871 funding to address growth in caseloads and fund rates that address the costs of
872 providing the services. Underfunding this entitlement program puts pressure on
873 local revenues to fill funding gaps for this mandated service.

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875 **Emergency Medical Transportation**

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

880

881 **Foster Care**

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

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

897

898 **Healthcare**

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

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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

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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 restoration of Revenue Sharing funds for the FY2023-FY2024 biennium.

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

998 modifications to design standards where appropriate with local needs, including
999 reduction of speed limits. VACo also supports local control over applications
1000 submitted to the Office of Intermodal Planning and Investment (OIPI).

1001
1002 **Devolution of Secondary Roads**
1003 VACo opposes legislative or administrative initiatives that would transfer to
1004 counties the responsibility for the construction, maintenance or operation of new
1005 and existing roads.

1006
1007 **Highway Tolls**
1008 VACo opposes the installation of toll facilities on Virginia’s interstate highways
1009 until the Commonwealth Transportation Board has thoroughly reviewed and
1010 assessed the components of a long-term capital improvement program, has
1011 identified and compared all available funding alternatives and has adopted a
1012 proposal that matches capital improvements with realistically available funding
1013 sources.

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1015 **Maintenance Priorities**
1016 VACo supports a requirement imposed upon VDOT to implement a notification
1017 plan with the local governing body to establish maintenance priorities.

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1019 **Orphaned Drainage Outfalls**
1020 VACo supports dedicated funding assistance to counties to mitigate the impacts
1021 of drainage outfalls with no assigned maintaining entity across the
1022 Commonwealth.

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1024 **Parking**
1025 VACo supports general authority for counties to adopt ordinances regulating,
1026 including prohibiting, the parking of boats, RVs, utility trailers, campers, etc. on
1027 subdivision streets. In addition, VACo supports additional authority that would
1028 allow localities with parking ordinances the ability to enforce such ordinances
1029 using law enforcement, uniformed local employees, or uniformed personnel
1030 under contract with the locality.

1031
1032 **Railways**
1033 VACo supports efforts by the Commonwealth to expand sustainable passenger
1034 and commuter rail service to currently unserved areas of the Commonwealth as
1035 well as areas where demand exceeds available service. VACo supports authority
1036 for counties to approve Commonwealth Rail Fund projects funded by the state
1037 and constructed within their jurisdictions. VACo supports efforts to safely
1038 improve mobility issues on roads that cross railway lines.

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1040 **Recordation Tax Distribution to Localities**
1041 VACo supports the restoration of state recordation tax revenues distributed to
1042 counties and cities for use of transportation or public education purposes.

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Regional Transportation Funding

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

Truck Size and Weight

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