



# VACo 2024 LEGISLATIVE PROGRAM

*For the 2024 General Assembly Session*



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ADOPTED BY VACO  
MEMBERSHIP ON  
NOVEMBER 14, 2023

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# **2024 Legislative Program**

# **Virginia Association of Counties**

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# AGRICULTURE AND RURAL AFFAIRS

## Priority

### **Farm and Forestland Preservation**

VACo supports increasing state allocations to the Office of Farmland Preservation (OFF) Purchase of Development Rights (PDR) locality matching funds program. VACo also supports increasing allocations to the newly established Forest Sustainability Fund, created as an incentive for the establishment and maintenance of local forest land use valuation programs. Such programs preserve prime soils for food production and protect important forest land and environmentally sensitive areas in the Commonwealth.

VACo supports preserving and enhancing the ability for counties to balance growth and development, as it pertains to farm and forestland, within their jurisdiction.

## Positions

### **Agriculture and Forestry Best Management Practices**

VACo supports voluntary state and federally-funded 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.

### **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. VACo supports a study to determine the impact of biosolids on agriculture and forest land.

### **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 state prevention and mitigation practices, including coordination with the Virginia Department of Transportation (VDOT) to assist counties in species control.

### **Predator Control**

VACo urges state and federal agencies to support the agricultural industry by allowing farmers and producers sufficient flexibility when protecting livestock and crops against predatory animals. VACo encourages the USDA Wildlife

79 Services Division, the Virginia Department of Wildlife Resources and the Virginia  
80 Department of Agriculture and Consumer Services to allow producers access to  
81 the predator control tools required for the continuation of effective livestock and  
82 crop production. VACo also supports continuing and sufficiently funding the  
83 USDA’s Livestock Indemnity Program and the financial relief it provides to  
84 producers who have lost livestock to the attacks of federally protected predators.  
85 Furthermore, VACo supports the USDA’s various crop and livestock insurance  
86 policies as well as the Noninsured Crop Disaster Assistance program (NAP) as  
87 these programs seek to provide financial assistance to producers who have  
88 undergone crop or livestock loss.

89  
90 **Technical Assistance**

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

96  
97 **Water Usage**

98 VACo supports streamlined permitting and application processes for water usage.  
99 VACo also supports a review of regulations and supports education initiatives  
100 that promote reclamation of water on a local level for industrial and irrigation  
101 uses to offset future demands on all ground and surface water used for human  
102 consumption. VACo supports water use and water rights decisions be made at  
103 the local level.

104  
105 **Solid Waste**

106 VACo supports maintaining local authority to regulate solid waste and opposes  
107 any effort to interfere with local “flow control” ordinances.

126 **COMMUNITY, ECONOMIC, AND**  
127 **WORKFORCE DEVELOPMENT**  
128

129 **Priority**  
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131 **Broadband**

132 VACo requests that the Commonwealth provide 100 percent funding to counties  
133 to build the necessary telecommunications infrastructure to deploy universal  
134 affordable access to the internet for all areas, particularly in underserved and  
135 rural areas, and streamline the application process for Virginia  
136 Telecommunication Initiative (VATI) grants. Additionally, VACo supports  
137 legislation that provides additional tools for counties to finance, build and  
138 operate open access networks in partnership with commercial internet service  
139 providers. VACo also supports efforts to streamline the permitting of broadband  
140 infrastructure in the VDOT right-of-way, at railroad crossings, and within utility  
141 easements.  
142

143 **Affordable and Workforce Housing**

144 VACo supports increasing federal and state funding and appropriate incentives to  
145 assist localities in fostering affordable housing, as well as workforce housing for  
146 employees such as teachers, and first responders, and for business growth.  
147

148 **Positions**  
149

150 **Economic Development**

151 VACo supports economic development policies and programs that bolster local  
152 and regional development efforts by maintaining and expanding state funding,  
153 streamlining state and federal processes, and granting additional funding and  
154 authority to promote local and regional initiatives. VACo also supports the  
155 provision of state funding to support the mission of regional economic  
156 development organizations (REDOs) to foster regional cooperation in expanding  
157 business and job opportunities.  
158

159 **Impacts of Federal and Military Facilities**

160 VACo supports maintaining federal and state funding and technical assistance to  
161 mitigate the impacts on counties affected by federal budget cuts and to sustain  
162 current and future federal facilities in Virginia. VACo supports state and local  
163 partnerships that work to prevent encroachment and non-compatible land uses  
164 next to military installations. VACo also supports workforce training and  
165 retraining for programs that support defense activities in Virginia.  
166

167 **Impacts of State Facilities**

168 VACo recommends that prior to the proposed closure of any state facilities, the  
169 Department of General Services shall provide a detailed plan to the locality

170 regarding removal, demolition, rehabilitation and/or adaptive reuse of buildings.  
171 VACo also recommends that the state provide technical and financial resources to  
172 assist localities in ameliorating the impacts any closure will have on the local  
173 economy.

174

### 175 **Maintain Public Sector Role in Onsite Sewer Program**

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

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

189

### 190 **Workforce-Ready Students**

191 VACo supports changes in curriculum and funding that will increase the number  
192 of students leaving the K-14 system with workforce-ready credentials. VACo  
193 supports incorporating career and technical education curriculum at the  
194 elementary and middle school levels. VACo supports high school students  
195 earning academic credit for participating in an internship, apprenticeship,  
196 credential, and other work programs. VACo supports innovative models for  
197 schools to give academic credit for students that earn industry workforce skills  
198 through certifications, or licensure from an approved education or training  
199 provider.

200 VACo supports establishing partnerships to strengthen the school-to-  
201 workforce pipeline in a variety of ways including guaranteed employment  
202 opportunities with local businesses and learning opportunities shared between  
203 local community colleges and high schools. VACo supports opportunities for  
204 students to physically visit and train at actual work sites in cooperation with local  
205 employers and economic development entities.

206 VACo supports the expansion and funding of workforce training programs  
207 such as the Virginia Talent Accelerator Program and the Virginia Jobs  
208 Investment Program to leverage federal grant programs with state funding.

209 VACo supports the mission and activities of local Workforce Development  
210 Boards across the Commonwealth of Virginia to assist businesses in securing a  
211 qualified workforce that meets current and future job demand, including efforts  
212 to coordinate actions across state agencies within Virginia under the  
213 Commonwealth Workforce Innovation and Opportunity Act (WIOA) plan.

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# EDUCATION

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## Priority

### **Education Funding**

VACo supports full state funding for public education, including the Standards of Quality (SOQ) as recommended by the Board of Education and the Joint Legislative Audit & Review Commission (JLARC), as expeditiously as possible. As long as these recommendations coincide with prevailing local practice, VACo supports 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 as well as continuing to fund the School Construction Grant Program and School Construction Assistance Program.

VACo supports state 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

### **Appointed School Boards**

VACo supports local authority to choose the selection process for school board members.

### **Charter Schools**

VACo supports the continuation of local authority to establish charter schools.

### **Federal Bureau of Investigation’s Record of Arrest and Prosecution Back (Rap Back) Service**

VACo supports the acceleration of Virginia’s implementation of the Federal Bureau of Investigation’s Record of Arrest and Prosecution Back (Rap Back) service, which provides ongoing, real-time updates on arrests, convictions, or other relevant information about employees in safety-sensitive positions to help safeguard vulnerable populations and the community. Rap Back is currently expected to go live in July 2025 and should be accompanied by sufficient state funding to ensure localities and school divisions have full access to this essential service.

### **Laboratory Schools**

VACo supports innovative approaches to K-12 education as long as they do not divert state or local funds away from local public schools.

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### **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.

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. VACo supports local flexibility to administer or expand support services for childcare.

VACo supports the work of and local government representation on the Commission on Early Childhood Care and Education to provide recommendations for and tracking progress on the financing of Virginia’s comprehensive birth-to-five early childhood care and education system.

### **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 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 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 continued local authority and state funding to implement appropriate security, preparedness, and health measures. VACo supports dedicated state funding that may include capital and operational costs.



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**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.

**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 at both the state and federal level including incentives to recruit and retain drivers and additional flexibility regarding driver requirements.

# ENVIRONMENT, ENERGY, AND LAND USE

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## Priorities

### **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. New sources of potential energy generation should include a range of technologies such as solar, wind, hydroelectric, hydrogen, and nuclear, including small modular nuclear reactors. Such policies should allow for responsible coal and natural gas extraction, processing, and transport while protecting agricultural interests and natural resources.

### **Water Quality Funding**

VACo supports sufficient and sustained financial and technical assistance to counties to improve water quality and meet all federal and state standards to reduce pollution.

## Positions – Environment

### **Chesapeake Bay**

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.

### **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.

### **Flood Preparedness**

VACo supports continued funding and resources that assist localities in preventing and reducing the impacts of flooding. VACo supports greater flexibility in these programs and funding sources that will maximize their benefits and best suit local and regional needs.

### **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

400 their land use ordinances. VACo supports transparency efforts that require the  
401 disclosure of all chemicals and chemical mixes used in the fracking process prior  
402 to their use.

403

#### 404 **Southern Rivers Watershed**

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

408

#### 409 **Stormwater Programs**

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

420

#### 421 **Tree Conservation and Replacement**

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

426

#### 427 **Uranium Mining**

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

430

#### 431 **Technical Assistance**

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

437

#### 438 **Water Supply**

439 VACo supports appropriations adequate to ensure full funding by the state for the  
440 ongoing development and implementation of state-mandated water supply plans.  
441 VACo does not support overly burdensome permitting processes or applications  
442 for water usage. VACo supports initiatives by the state to assure adoption of  
443 actions to reduce high chloride concentrations and loss of artesian head pressure

444 in Virginia’s aquifers. VACo also supports a review of regulations and supports  
445 education initiatives that promote reclamation of water on a local level for  
446 industrial and irrigation uses to offset future demands on all ground and surface  
447 water used for human consumption.

448

## 449 **Positions – Energy**

450

### 451 **Local Tax Revenue**

451

452 VACo opposes any imposition, expansion, or extension of state-mandated  
453 exemptions on local property taxes for energy generating and storage equipment.

454

### 455 **Renewable Energy Production and Energy Efficiency**

455

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

461

### 462 **Utility-Scale Renewable Energy Generation and Energy Storage**

462

463 VACo supports maintaining local authority to address all impacts and all choices  
464 associated with utility-scale installations of solar power, wind power, and energy  
465 storage facilities.

466

### 467 **Utility-Scale Energy Generation and Transmission Projects**

467

468 VACo supports the provision of adequate direction and resources at the state  
469 level to improve monitoring and enforcement of erosion and sediment control  
470 (ESC) and stormwater (SWM) requirements by entities constructing utility-scale  
471 projects for energy generation or transmission (including fuel). The state should  
472 have relevant agencies conduct an annual review of the standards, specifications,  
473 and construction general permit requirements to determine adequate protection  
474 of water quality, water supply, and natural resources.

474

### 475 **Siting of Transmission Lines**

475

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

478

### 479 **Electric Grid Capacity Planning**

479

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

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489 **Positions – Land Use**

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**Local Authority**

VACo supports maintaining and expanding local 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.

**Regulation of Event Spaces**

VACo opposes exemptions to local review and enforcement of building, fire, and other health and safety regulations for event and assembly spaces.

**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.

# FINANCE AND ELECTIONS

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## Priority

### **Local Finance**

VACo supports preserving the authority of county governments to collect revenues necessary to provide local public services.

VACo appreciates the starting point that the discussions in the 2022 legislative session took regarding adjustments to sales taxes on food purchased for human consumption and essential personal hygiene products -- that any local revenue losses would be replaced. VACo believes that the compromise forged in the budget negotiations in 2022 protects local K-12 revenue and respectfully requests that no further changes be made that would negatively affect this important local funding source.

## Positions

### **Appeals of Tax Assessments**

VACo supports preservation of the current appeals processes for real or tangible personal property assessments, including the assessor's presumption of correctness and the role of the state Tax Commissioner with respect to valuation of property.

### **Election Administration**

Conducting accessible, transparent, secure, and accurate elections is a fundamental responsibility of government and a shared funding obligation of the state and local governments. Recent changes to offer more robust voting options have not been accompanied by additional ongoing state support for this fundamental function of government, and VACo supports a more balanced state/local funding partnership in election administration. Areas in which the state could provide additional support to localities include adequate funding for voting equipment and registrar costs, as well as the resources necessary to implement state requirements, such as meeting election security standards. VACo also supports legislation that would assist localities in minimizing or eliminating 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. VACo supports additional flexibility for localities in the requirements for drawing precinct and district boundaries. VACo supports reentry into the Electronic Registration Information Center in addition to working with neighboring states to exchange voter data in order to ensure accurate voter lists.

### **Federal Relief and Infrastructure Funds**

VACo encourages coordination with local governments in deployment of American Rescue Plan Act and Infrastructure Investment and Jobs Act funds so

581 that each federal dollar can be maximized for the benefit of the residents of the  
582 Commonwealth.

583  
584 **Funding for State Mandated Positions and Jails**

585 The Commonwealth must meet its obligations to fund appropriate staffing, to  
586 include competitive salaries, for the state’s system of justice, to include clerks,  
587 magistrates, Commonwealth’s Attorneys, public defenders, district court  
588 employees, and probation office employees.

589 In the absence of adequate state support for this critical function of  
590 government, localities are frequently placed in the untenable position of  
591 providing supplemental funding in order to ensure its continued functioning.  
592 VACo urges the Commonwealth to meet its full funding obligations, to include  
593 realistic levels of staffing to enable constitutional offices to meet their  
594 responsibilities and limit the need for localities to provide additional locally-  
595 funded positions.

596 VACo supports flexibility in the use of state funds for compensation of  
597 constitutional officers and state-supported local employees, as well as state  
598 funding levels for compensation increases that more closely reflect the true cost  
599 of providing such increases across the state-supported local workforce, which  
600 encompasses both state-supported and locally-funded positions. For example,  
601 state-funded salary increases typically provide funding only for Compensation  
602 Board-funded positions for employees in Constitutional offices and for  
603 instructional and support positions recognized in the Standards of Quality for  
604 school divisions. In these instances, in addition to any required local matches for  
605 state-recognized positions, localities must provide comparable salary increases  
606 for locally-funded positions purely from local dollars in order to preserve parity  
607 between state-funded and locally-funded positions in the workforce.

608 **Jails:** VACo supports a more robust state-local partnership in funding  
609 local and regional jails. In FY 2021, the Compensation Board reported \$1.04  
610 billion in total expenditures, including capital costs, to house inmates in local and  
611 regional jails – localities contributed \$601.4 million of these costs, and an  
612 additional \$16.4 million to house inmates in other jurisdictions, while the state  
613 contributed \$364.1 million.

614 A key mechanism through which the state assists with operating costs is  
615 per diem payments. Prior to action by the 2022 General Assembly, per diem  
616 rates had not been adjusted since FY 2011, when the payment of \$8 per day for  
617 local-responsible inmates was reduced to \$4 per day, and the state-responsible  
618 rate was adjusted from a bifurcated rate of \$8 per day for the first 60 days and  
619 \$14 per day thereafter to a standard rate of \$12 per day. VACo is grateful for  
620 action taken in 2022 to increase the state-responsible rate by \$3 (from \$12 to  
621 \$15) and in 2023 to increase the local-responsible rate by \$1 (from \$4 to \$5),  
622 both steps toward more realistic funding levels. VACo supports continued efforts  
623 to increase per diem rates to levels that better represent the costs of housing  
624 inmates and to adjust the rates in the future so that payments keep pace with  
625 rising costs. While the increase in the state-responsible rate is an important step  
626 in the right direction, and the numbers of state-responsible inmates in local jails  
627 have declined significantly, the current rates remain inadequate and require

628 counties to subsidize care for individuals who should be housed at the  
629 Department of Corrections. The Compensation Board estimated a total average  
630 daily cost of operating local and regional jails at \$107.09 per inmate in FY 2021,  
631 of which \$59.03 was contributed by localities.

632 VACo supports a requirement for the Department of Corrections to accept  
633 state-responsible inmates into the state correctional system unless a local or  
634 regional jail agrees to continue holding such inmates at the applicable per diem  
635 rate. The Department of Corrections is better equipped than local and regional  
636 jails to provide intensive re-entry programming, offering more than 125  
637 academic, job training, and therapeutic programs to offenders who are in prison  
638 and individuals under community supervision. The Department of Corrections  
639 reports that state-responsible inmates who spend their entire sentences in local  
640 or regional jails recidivate at a higher rate than offenders who spend at least part  
641 of their incarceration in a Department of Corrections facility (26.9 percent and 21  
642 percent, respectively).

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

645 The state must provide sufficient funding to enable local and regional jails  
646 to meet any new standards for the provision of health care, including behavioral  
647 health care, for individuals incarcerated in these facilities. A report issued in  
648 2021 by the Department of Criminal Justice Service and the Compensation Board  
649 estimating compliance costs for proposed behavioral health standards suggests  
650 that jails will need certain baseline staffing to comply with the standards, to  
651 include 24/7 coverage, either on-site or on-call, by a registered nurse; on-call and  
652 regularly scheduled services from a psychiatric provider; a qualified mental  
653 health professional to provide group and individual therapy services; and  
654 behavioral health case management services, to include discharge planning. The  
655 2022 Appropriation Act included funding for 125 behavioral health case manager  
656 positions and 127 partially-funded medical/treatment positions, to be phased in  
657 over the biennium, representing approximately half of the staffing recommended  
658 by the Compensation Board. This funding is a significant investment in helping  
659 jails to comply with proposed behavioral health standards. VACo supports a  
660 continued state partnership with localities in ensuring that jails are able to meet  
661 state standards in caring for these vulnerable individuals.

## 662 663 **Mitigation of the Effects of Tax-Exempt Property on the Local Tax** 664 **Base**

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

## 670 671 **Legislation with Local Fiscal Impact**

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



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**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

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## Priorities

### **Local Authority**

VACo supports relaxation of the Dillon Rule by 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 and new 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.

### **Emergency Management**

VACo supports efforts to study emergency management needs and associated funding, evaluate the sustainability of present funding models, and assess alternative funding strategies employed in other states.

### **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.

### **First Responder Recruitment, Retention, Training, and Support**

VACo urges the General Assembly to provide additional resources that would assist local governments with the recruitment, retention, training, and support of first responders such as law enforcement, fire and EMS personnel, and 9-1-1 dispatchers.

### **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. VACo supports protecting the confidentiality of citizen complainants' personal information from disclosure under FOIA.

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**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.

VACo supports increased interoperability and 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.

**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.

**LODA Participation by State Authorized and Trained Private Law Enforcement Agencies**

VACo supports changes to the Line of Duty Act (LODA) that would allow state authorized and trained private law enforcement agencies to participate in and contribute to the LODA program in a manner that does not create an unfunded mandate to local government.

**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.

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**Reimbursement of Expenses in False Reporting Incidents**

VACo supports legislation that would allow local governments to collect restitution for reasonable expenses from an individual convicted of false reporting.

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

**Workers’ Compensation Presumptions**

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

**Cybersecurity**

VACo supports dedicated state and federal funding for local governments to acquire and maintain advanced cybersecurity to protect vital systems and sensitive data. Incident reporting requirements should not impose an undue burden or interfere with local incident response.

# HEALTH AND HUMAN RESOURCES

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## Priorities

### **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.

### **Crisis Services and State Hospital Capacity to Accept Individuals Subject to Temporary Detention Orders**

VACo supports efforts to address census pressures at state hospitals through near-term funding measures that will ensure that all state hospitals have the capacity 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.

## 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) (or equivalent county agencies)<sup>1</sup> to meet adequately the charge of providing services through a community-based system of care. State support must adequately enable CSBs to provide the services mandated by the General Assembly as part of the STEP-VA initiative, as well as

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<sup>1</sup> The term “Community Services Boards” is used here to encompass the operating or administrative policy Community Services Boards, behavioral health authority, and local government departments with policy-advisory Community Services Boards.

903 any additional requirements that may be added. Funding must be sufficient to  
904 ensure adequate staffing in a competitive market.

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

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

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

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

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

931 VACo recognizes the need for specialized services for individuals with  
932 cognitive impairments who may experience behavioral health challenges, and  
933 supports the provision of resources to enable these individuals to remain in the  
934 community, such as continued funding for dementia behavioral specialists and  
935 other supports for caregivers.

936 VACo supports the creation of additional Medicaid waiver slots to serve  
937 individuals with intellectual and developmental disabilities in the community,  
938 approximately 14,845 of whom were on a wait-list as of August 2023.

939 VACo supports efforts to improve efficiency and save staff time for child  
940 abuse or neglect or family abuse cases in juvenile and domestic relations courts  
941 by allowing behavioral health care providers the ability to submit written reports  
942 documenting mental health conditions, similar to the current ability for  
943 documentation of physical conditions or injuries to be submitted in writing by  
944 certain health care providers, provided that all current standards of  
945 confidentiality are preserved.

946

#### 947 **Children's Services Act**

948 VACo supports equitable cost-sharing between the state and localities for the  
949 costs involved in the placements of children in residential treatment facilities for

950 non-educational reasons. VACo opposes proposals to limit state participation in  
951 funding services for children and youth who are mandated to be provided with  
952 special education and foster care services.

953 VACo supports enhancing the ability of local school divisions to serve  
954 children with disabilities, to include flexibility in use of state pool funds to serve  
955 children with high-level needs in local or regional programs tailored to meet  
956 those needs, at local option; exploration of enhancements to the Students with  
957 Intensive Support Needs Application (SISNA) or a similar funding mechanism  
958 within the Department of Education to enable more children to be supported  
959 within the public school environment; and additional support for special  
960 education wraparound services to help support children in their communities.

961 VACo supports state assistance to localities with contracting for CSA  
962 services to improve localities' ability to negotiate with providers of these services,  
963 such as private day placements. Rate setting by the state must not limit the  
964 state's funding obligation at the expense of localities if a provider refuses to  
965 accept the negotiated rate.

966 VACo appreciates the investment of an additional \$500,000 per year in  
967 state administrative funds in the 2022 Appropriation Act and supports continued  
968 investment of state resources to assist in the local administration of CSA  
969 programs. As CSA becomes increasingly complex and the Office of Children's  
970 Services is charged with ensuring effective implementation, the state should  
971 provide funding and other resources to support local programs.

972

### 973 **Early Intervention**

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

980

### 981 **Foster Care and Social Services**

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

990 VACo supports state assistance in recruiting appropriate foster families to  
991 care for children who must be removed from their homes. Continued state  
992 assistance with finding placements for youth with high-acuity needs is  
993 particularly important in building on the progress made by the Safe and Sound  
994 Task Force. VACo supports state assistance in recruiting and retaining child  
995 welfare workers to address high rates of turnover in local departments of social  
996 services, such as by increasing the number of partnerships with universities in

997 Virginia, improving training for child welfare workers by implementing an  
998 academy model, and expanding the Child Welfare Stipend program. VACo  
999 supports the proposal by the Virginia Department of Social Services to replace  
1000 the current benefits management IT system (VACMS and CommonHelp) with a  
1001 new integrated Benefits System in order to provide staff in local departments of  
1002 social services the appropriate technology and training to carry out their  
1003 responsibilities efficiently and effectively.

1004  
1005 **Healthcare**

1006 VACo supports continued state funding for dental care, school nurses and  
1007 preventive services and maternal and child health programs offered through local  
1008 health departments and local school systems. VACo encourages the state to  
1009 prepare for emergency health services access to care and to develop and fund  
1010 incentives that would alleviate the nursing shortages felt in many communities.

1011 VACo supports efforts to reduce the cost of prescription drugs for  
1012 individual consumers as well as for local governments' health insurance plans for  
1013 county employees, such as through an affordability review process and the  
1014 establishment of Upper Payment Limits for high-cost prescription drugs,  
1015 provided there is an opportunity for local representation in such a process.

1016  
1017 **Human Trafficking**

1018 VACo supports treating survivors of human trafficking as victims, not criminals,  
1019 and supports their access to services available to other trauma victims, such as  
1020 job placement services, housing assistance, access to education, legal services,  
1021 and mental health services.

1022  
1023 **Implementation of Medicaid Expansion**

1024 VACo supports continued state funding for the local costs associated with  
1025 Medicaid expansion, such as local eligibility workers, as well as state assistance  
1026 with reviewing the Medicaid eligibility of more than 1.2 million cases as required  
1027 after the termination of the federal public health emergency (which has barred  
1028 disenrollment of individuals during the emergency period as a condition of the  
1029 state's receipt of the enhanced federal match rate). As of October 2023,  
1030 approximately half of the required redeterminations for Medicaid members were  
1031 complete.

1032  
1033 **Prevention Services**

1034 VACo supports increased stable, predictable funding, through state general fund  
1035 appropriations or federal funding streams, for voluntary home visiting programs.  
1036 Investments in programs that ensure a strong start for children can help reduce  
1037 the need for costlier interventions later in life.

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1039 **Substance Use Disorder**

1040 Efforts to address substance dependency must be comprehensive and  
1041 coordinated with localities. The state should develop and support evidence-based  
1042 prevention initiatives and should continue to improve access to treatment.

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**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**

The Virginia Association of Counties (VACo) is committed to advocating for a robust and sustainable transportation funding framework that effectively addresses the evolving needs of our communities across the Commonwealth. We recognize the critical role transportation infrastructure plays in connecting our counties, supporting economic growth, and ensuring the safety and well-being of our residents. To that end, our transportation funding position is as follows:

**Addressing Declining Growth in Transportation Revenues:** VACo supports ongoing efforts to study and address the underlying causes of declining growth in transportation revenues. VACo believes it is essential to develop recommendations that will foster revenue growth over time, aligning with the increasing demands for new construction and the maintenance of existing transportation infrastructure. These actions must encompass the vital secondary road needs of counties throughout Virginia, including securing additional funding for the paving of unpaved roads.

**Streamlining the Smart Scale Process:** VACo advocates for changes to simplify the Smart Scale process, with the goal of reducing the time and costs associated with preparing and reviewing funding applications. VACo recognizes that an efficient allocation process is crucial for ensuring that transportation funds are effectively and equitably distributed across the Commonwealth.

**Maintaining Transit Capital State Match Rates:** VACo emphasizes the importance of adequate funding levels to maintain existing transit capital state match rates. This commitment ensures that our transit systems remain reliable and accessible, contributing to the overall well-being of our communities.

**Replacing Redirected Regional Funding:** VACo supports efforts to replace regional funding that was redirected from the Northern Virginia Transportation Authority. Ensuring that this funding is reinstated is essential to address transportation needs in the Northern Virginia region and maintain a balanced statewide approach.

**Addressing Revenue Loss from Grocery Sales Tax Elimination:** VACo advocates for efforts to replace revenue lost due to the elimination of the state sales tax on groceries without redirecting funding away from other essential transportation purposes. VACo believes that maintaining a stable funding source for transportation infrastructure is paramount.

1097 **Maintaining Commitment to Local Transit and Infrastructure Needs:**  
1098 While VACo acknowledges and supports the passage of the 2021 Infrastructure  
1099 Investment and Jobs Act (IIJA), we assert that this funding should not replace  
1100 the necessary funding the Commonwealth should provide to localities or regional  
1101 bodies for their transit and infrastructure needs. VACo encourages flexible  
1102 funding mechanisms that enable counties to address transportation, transit, and  
1103 infrastructure projects in a manner that aligns with the unique needs of their  
1104 communities.

1105  
1106 In summary, VACo remains dedicated to advocating for transportation funding  
1107 policies that empower counties to address their evolving infrastructure needs  
1108 effectively. VACo is committed to working collaboratively with stakeholders to  
1109 ensure the continued growth, safety, and prosperity of Virginia's counties and  
1110 their residents.

1111  
1112 **Local-State Cooperation**

1113 VACo is committed to the protection of local government authority to regulate  
1114 land use. This authority must be recognized by Virginia Department of  
1115 Transportation (VDOT) and the Commonwealth Transportation Board (CTB)  
1116 when evaluations are conducted to determine the consistency between local  
1117 transportation plans and the Commonwealth's transportation priorities. VACo  
1118 also opposes the reduction of local control that is associated with the CTB's  
1119 process of designating Corridors of Statewide Significance and the  
1120 implementation of Arterial Preservation. Additionally, VACo supports additional  
1121 flexibility within the VDOT project approval process and standards to be  
1122 responsive to localities' individual needs. VACo supports the expansion of  
1123 authority and discretion of Resident Administrators of VDOT to approve  
1124 modifications to design standards where appropriate with local needs, including  
1125 reduction of speed limits.

1126  
1127 **Positions**

1128  
1129 **Airports**

1130 VACo supports additional state and federal funding for the maintenance and  
1131 expansion of airports to foster regional economic development.

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1133 **Autonomous Vehicles**

1134 VACo supports continued collaboration with local governments on the  
1135 development, deployment, and restrictions of use for autonomous vehicles, aerial  
1136 systems, and related support infrastructure.

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1138 **Electric Vehicle Charging Stations**

1139 VACo supports increased state and federal funding that provides for the  
1140 availability and installation of interoperable, electric vehicle charging stations in  
1141 collaboration with localities.

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1144 **Devolution of Secondary Roads**  
1145 VACo opposes legislative or administrative initiatives that would transfer to  
1146 counties the responsibility for the construction, maintenance or operation of new  
1147 and existing roads.

1148  
1149 **Maintenance Priorities**  
1150 VACo supports a requirement imposed upon VDOT to implement a notification  
1151 plan with the local governing body to establish maintenance priorities.

1152  
1153 **Orphaned Drainage Outfalls**  
1154 VACo supports the recommendations of the Evaluation of Drainage Outfalls Final  
1155 Report to mitigate the impacts of drainage outfalls with no assigned maintaining  
1156 entity across the Commonwealth.

1157  
1158 **Parking**  
1159 VACo supports general authority for counties to adopt ordinances regulating,  
1160 including prohibiting, the parking of boats, RVs, utility trailers, campers, etc. on  
1161 subdivision streets. In addition, VACo supports additional authority that would  
1162 allow localities with parking ordinances the ability to enforce such ordinances  
1163 using law enforcement, uniformed local employees, or uniformed personnel  
1164 under contract with the locality.

1165  
1166 **Railways**  
1167 VACo supports efforts by the Commonwealth to expand sustainable passenger  
1168 and commuter rail service, including Transforming Rail in Virginia, to currently  
1169 unserved areas of the Commonwealth as well as areas where demand exceeds  
1170 available service. VACo supports continued collaboration with local governments  
1171 regarding Commonwealth Rail Fund projects funded by the state and constructed  
1172 within their jurisdictions. VACo supports efforts to safely improve mobility issues  
1173 on roads that cross railway lines.

1174  
1175 **Recordation Tax Distribution to Localities**  
1176 VACo supports the restoration of state recordation tax revenues distributed to  
1177 counties and cities for use of transportation or public education purposes.

1178  
1179 **Regional Transportation Funding**  
1180 VACo opposes any efforts to divert existing dedicated regional transportation  
1181 revenues to areas and purposes outside of that region unless additional dedicated  
1182 funding sources are provided to hold such funding harmless.

1183  
1184 **Truck Size and Weight**  
1185 VACo opposes any legislation that seeks to increase truck size or weight beyond  
1186 the current federal standards, thereby stressing the capacity of the  
1187 Commonwealth's road systems and putting highways, roads and bridges at risk of  
1188 increased damage or deterioration.

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**Transit**

VACo supports additional state and federal funding for transit that accounts for the needs of each region and community to foster regional economic development.