

AUGUSTA COUNTY BOARD OF SUPERVISORS
Legislative Issues, Priorities, and Proposals
2011 Virginia General Assembly



MAJOR ISSUES

Transportation:

Subdivision streets should be eligible to be placed easily in the state system if they are built to state specifications and are approved by the local governing body.

The transportation funding formula should remain as it is.

The Board of Supervisors believes that a dedicated source(s) of revenue reserved for transportation only is the fairest way to fund the increasing transportation needs. We also believe that revenue sources should be found that maximize the payments by out-of-state drivers that travel the Virginia transportation system. The potential privatization of ABC services for an amount yet to be agreed upon for a one-time, limited infusion of funding into transportation does not appear to be wise given the longer term losses to revenues.

Comprehensive Services Act Costs:

The program has been in existence for 11 years, and County costs have increased over 1000% during that time. State costs for services in Augusta County and for Augusta County youth in the same period have increased more than County costs. Something must be done. A comprehensive, objective study needs to be started which would include how judges are using the CSA, the costs associated with those actions and potential revenue streams to cover those costs.

Mandates:

Mandates from the General Assembly come to local governments in two forms:

- issues that local governments have to perform which they are not currently performing (this item means additional expenditures in local budgets); and
- issues which involve revenue reductions either by cutting state revenue that has historically been shared with local government (example – ABC profits), or the abolition/altering of local revenues (example – car tax, BPOL, machinery and tools tax).

The General Assembly needs to direct JLARC to review Code Section 10.1-603, *et seq.*, and pertinent regulations promulgated by the Department of Conservation and Recreation with respect to storm water management and land disturbance. Such study should examine cost/benefit of pending and proposed actions.

Further, actions resulting from the work of the Governor's Reform and Restructuring Commission must not transfer or impute to local government additional tasking or reduced local revenues by virtue of the action taken, whether legislative or administrative. Further, local government should be granted access to cost-saving measures taken at the state level wherever possible.

Aid to the Commonwealth:

The budgetary requirement in the 2009-2011 budget and continued in the 2011-12 budget that localities "find and return" to the Commonwealth \$100 million needs to end with no increase prior to that time. Given the state's fiscal current revenue projections, this local cost should be phased out in the law based on revenues exceeding projections and could be over a two- or four-year period.

Annexation:

The General Assembly needs to end annexation in all parts of the Commonwealth of Virginia. . The General Assembly should guarantee 599 funding increases to all localities with police departments.

Land-Use Decisions:

Local land use decisions should remain at the local level.

-Legislation on cash proffers or similar: Such legislation should not affect counties that don't use cash proffers nor should it interfere with those that accept on- or off-site, non-cash voluntary proffers.

Water Quality:

The Augusta County Service Authority is currently in a time of intense regulatory activity where it is being required to upgrade their facilities and infrastructure to meet new laws and regulatory requirements (such as the Chesapeake Bay Initiative) that are only partially funded by state and/or federal funds. The Board of Supervisors is concerned about costs involved with the Chesapeake Bay Initiative and the timeframe in which the projects need to be completed. With many localities improving their treatment plants to meet the timeframe in a short period of time, bid prices are being inflated.

The Department of Conservation and Recreation's Agriculture Proposals:

-Farm inspections should not reach to farms under 200 acres.

-Fertilizer legislation needs to keep in line with current definitions and should NOT attempt to define fertilizers differently in different portions of the Code nor in conflict with federal law in order to be understood and easily enforced. Further, retail sale of products must be consistent and be easily understood by consumers and enforcement. Additionally, fertilizer application regulation should not be inconsistent with VDACS' work regulating fertilizer applicators.

Payday Lending:

This issue has been too long a burden on unwitting consumers and must be simplified with a cap on total interest that is fair and reasonable. The current law has too many deviations from the stated "maximum" rate of interest.

OTHER PRIORITIES

State Funding for Mandated and Shared Programs:

The state has enacted programs which are administered at the local level and then required the localities to fund larger and larger shares of the expense of these programs, whether directly or through re-defining terms within the formulas used to compute such funding. The state needs to continue to fund its share of these programs including:

- education, including:
 - sufficient funding for K-12
 - sufficient funding for the SOLs
 - additional funding for school construction;
- libraries;
- constitutional officers and their offices;
- area agencies on aging;
- community service boards;
- mental health and mental retardation programs and facilities;
- the programs needed to support the Comprehensive Services Act;
- the mandated replacement of election equipment; and
- law enforcement agencies.

State Funding for Any New State Initiatives:

The Commonwealth should bear 100% of the cost for any Pre-K initiative mandated by the state.

Machinery and Tools Tax:

Business, Professional and Occupational Taxes:

While neither of these taxes is particularly “popular” with various constituencies, unless and until the Commonwealth enacts replacement revenue sources for local governments, the two above-referenced taxes must stay in place as options for local governments. It is irresponsible to further add to the real property tax burden on constituents in communities by eliminating diverse revenue sources for local governments.

Privatization of ABC:

While selling of alcoholic beverages may seem to some not to be a core function of state government, this function has become an integral part of the revenue stream to state and local governments. Until there is consensus on the revenue and expenditure portion of privatization, it would seem risky to undertake to fix something that does not appear to be broken.

Reform and Restructuring Commission:

The Reform and Restructuring Commission is in the process of completing their initial report, which preliminarily has numerous recommendations, and many may affect local Government. It is too early to evaluate these far-reaching ideas. The General Assembly needs to examine carefully short-term and long-term effect on state government and local governments, particularly, with respect to state and local budgets. Many of the ideas that have been forwarded seem to have merit; however, the methods by which the concepts are proposed to be implemented have to be carefully reviewed for long-term effectiveness.