



# City of Danville, Virginia

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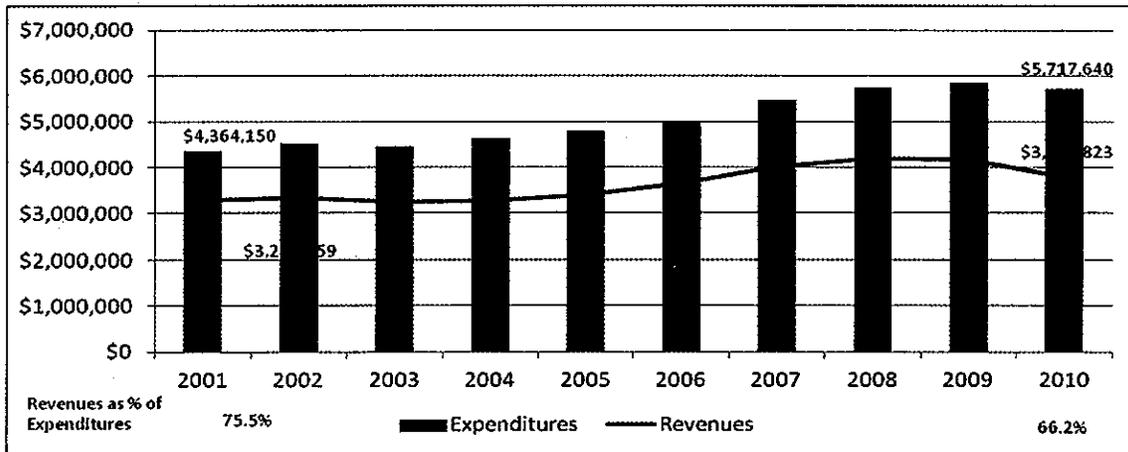
November 11, 2011

Ms. Susan Williams  
Commission on Local Government  
Department of Housing and Community Development  
600 East Main Street, Suite 300  
Richmond, Virginia 23219

Dear Ms. Williams:

We very much appreciate Governor McDonnell's invitation to comment on unfunded mandates imposed on local governments by the Commonwealth of Virginia. We concur with points made on mandates by the Virginia Municipal League (VML) in its letter of September 13, 2011 to Lt. Governor Bolling. I will focus my input on several mandates and their impact on the City of Danville.

1. Line of Duty Act -- Our position is that financial responsibility for programs created and funded by the Commonwealth should not be later imposed on local governments. The Line of Duty Act was created and funded by the Commonwealth without consultation or involvement with local governments. Recent legislation has shifted the burden for funding the program to local governments. The City of Danville's costs to administer this program are difficult to forecast, but expenses this year alone could easily reach \$150,000. We request that the Commonwealth rescind this unfunded mandate on local governments.
2. Constitutional Offices -- The Commonwealth has steadily shifted the burden of financing its Constitutional Offices to local governments. Over the past decade, the cost to operate these offices in Danville has increased \$1.3 million, while the State support has increased by only \$488,000. Below is a chart depicting the recent history on State and local shares. The chart includes the Commonwealth Attorney, Sheriff's Office, Commissioner of Revenue, Treasurer, Registrar, Electoral Board, and the Clerk of Circuit Court.



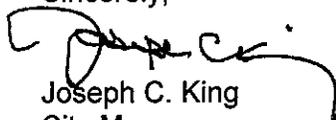
3. Aid to Localities -- We agree with the letter from VML to Lt. Governor Bolling requesting restoration of \$60 million in State aid to local governments to cover the cost of mandates. The City of Danville is receiving \$690,000 less in financial aid this fiscal year than received last year.
4. Comprehensive Services Act -- Danville's share for Comprehensive Services expenditures has increased from \$242,000 in FY 2001 to \$1.3 million in FY 2011. The State should, at a minimum, cover a greater portion of administrative expenses for this program.
5. Local Revenues -- Local revenues are increasingly being impacted by State decisions. Examples include the following:
  - Shares of alcoholic beverage sales and wine tax revenues to local governments were discontinued in 2007 without providing replacement income.
  - Recurring attempts are made to reduce or eliminate the Business, Professional, and Occupational Tax.
  - The recent decision by the State to offer a property tax incentive to disabled veterans has burdened local governments.

A "do no harm" principle should be employed to avoid simply shifting tax burdens from state to local governments.

6. Library Funding -- The State Aid to Virginia Public Libraries program has a requirement that local operating expenditures for libraries not fall below that of the previous year in order to receive State funding. Essentially, a local library budget must remain flat or increase in order to receive State funding. This is difficult to accomplish during a period when local budgets must be cut. We suggest that State funding for public libraries not be reduced during this economic recession.
7. Adult Detention -- We recommend that implementation of changes in Correctional Facility Standards be deferred until an estimate of projected costs is completed and proposed changes in standards are reviewed and commented on by sheriffs and correctional facility superintendents.
8. Overtime Compensation for Law-Enforcement and Fire Protection Employees -- State Code requires that hours paid (including time on leave) be counted as hours worked when calculating overtime. This exceeds requirements of the Fair Labor Standards Act and imposes higher costs on local governments.
9. Local Government Personnel Procedures -- State requirements regarding local government grievance procedures are onerous, time consuming, and costly. As a right to work state, Virginia should allow local governments to establish their own employee grievance procedures.

Thank you for your consideration and your work on the Task Force on Local Government Mandate Review. I look forward to seeing the results from your efforts.

Sincerely,

  
Joseph C. King  
City Manager