

DRAFT MINUTES
Governor McDonnell's Task Force for
Local Government Mandate Review
January 4, 2012 at 10:00 a.m.

Primary Meeting Location:
Main Street Center, 12th Floor North Conference Room
600 East Main Street
Richmond, VA 23219

Remote Meeting Locations:

Bidders Room
3rd Floor, City Hall
900 Church Street
Lynchburg, VA 24504

Room 234
City Hall, Building #1
Municipal Center
2401 Courthouse Drive
Virginia Beach, VA 23456

City Council Workroom
2nd Floor, City Hall
301 King Street
Alexandria, VA 22314

Members Present (at the Primary Meeting Location)

The Honorable Pat Herrity, Chair
The Honorable Joan Wodiska, Vice-Chair
The Honorable Shaun Kenney

Members Absent

Remote Meeting Locations

The Honorable Bob Dyer (at Virginia Beach City Hall)
Kimball Payne (at Lynchburg City Hall)

Government Reform Commission
Liaisons to the Task Force Present
(at Remote Meeting Locations):

The Honorable Suzy Kelly (at Virginia Beach City Hall)
The Honorable Alicia Hughes (at Alexandria City Hall)

Government Reform Commission
Liaisons to the Task Force Absent

Staff Present(at the Primary Meeting Location)

Susan Williams, Local Government Policy Manager
Barbara Johnson, Administrative Assistant
Ed Lanza, Senior Public Finance Analyst
Zack Robbins, Senior Policy Analyst

I. Call to Order

Mr. Herrity called the meeting to order at 10:25 a.m., on January 4, 2012, in the Main Street Center Building in Richmond, Virginia. Mr. Herrity called roll, asking all members to state their name and location. All members were present.

II. Approval of Minutes of Task Force Meeting on December 9, 2011

Mr. Dyer made a motion, which was seconded by Ms. Wodiska, to approve the draft minutes of the Task Force's December 9, 2011 meeting, with minor amendments to items 55 and 79 on page 7. Such motion passed unanimously.

III. Approval of Draft Agenda

Mr. Kenney made a motion, which was seconded by Ms. Wodiska, to approve the draft agenda.

IV. Consideration of Draft Interim Report to Governor McDonnell

a. Specific Mandates for Further Discussion and/or Clarification

Mr. Payne discussed item #75 – Mandated Land Use Requirements, and stated that he believed that the item was broad, and that the Task Force should be specific as to what land use requirement should be addressed. There was consensus that the item should be revised to address Urban Development Areas only, and the other land use issues may be studied further at a later date.

Mr. Kenney made a motion to narrow the scope of #75 to eliminate Urban Development Area requirements, which was seconded by Ms. Wodiska. Voting aye: Herrity, Wodiska, Kenney, Dyer. Voting nay: Payne.

Ms. Wodiska made a motion to recommend elimination of the on-line SOL Testing mandate. Such motion was seconded by Mr. Kenney, and was unanimously approved.

Ms. Wodiska stated that she learned from the Virginia Department of Education that there is flexibility within the Mandatory Seat Time mandate to allow school divisions to waive up to six verified credits per student. She added that the Department also advised that Family Life Education is not mandatory; however, a standard curriculum must be followed if it is taught. Ms. Wodiska made a motion that these two items be removed from the Task Force's report. Such motion was seconded by Mr. Herrity, and unanimously approved.

Mr. Herrity noted that there was a revenue impact on #55 – Circuit Court Fee Collection, and he made a motion that this item should be studied further, rather than advanced for elimination. Such motion was seconded by Mr. Kenney, and was unanimously approved.

By consensus, the Task Force agreed to amend the following individual items within the report:

#79 – VRS – Revise solution to state that local governments should be given the option to require employees to contribute up to 5% for their employee share contribution. In addition, the source of the requirement should be included.

#81 – Reduction in State Aid to Libraries – Add a solution: to not reduce state funding for libraries.

#82 – Licensing Local government Loan Administrators – Add a solution: to eliminate.

#41 – Medicaid Applicants Duplication – Revise solution to read: "Develop a new system that consolidates the two existing systems."

#57 – Depositing Requirements for State Funds & Estimated Tax Payments – clarify that the solution is to allow for multiple deposits from individual localities.

#58 – Real Property Tax Exemption for Disabled Veterans – It was agreed that, because this exemption is mandated by a constitutional amendment that was approved by voters, this item should be removed from further consideration.

Ms. Wodiska asked that the several education mandates that originated in the General Mandates list be relocated to the Education Mandates list.

b. Comments on Draft Report

By consensus, it was suggested that new language be added to the report to suggest amendments to the mandate assessment process, specifically, to eliminate the two-year period before an initial assessment can occur; to reduce the four-year limitation on repeat assessments; and to add language to clearly explain the current mandate assessment process.

Ms. Wodiska added the recommended 15% reduction in mandates was to be a 15% annual reduction.

There was discussion as to whether language should be added to request stable, predictable VRS payments. After discussion, the Task Force agreed by consensus to add a sentence to this effect, but not an additional bullet point, after the text near the bulleted items on page 6.

Mr. Herrity asked that several examples of general mandates be added to the subcommittee reports. Suggested examples included the requirement to purchase code books, and payment of overtime to public safety employees, Labor Day school opening, and Department of Education reporting. He also stated that the submittal letter should include language to thank agencies for their participation in the process.

Mr. Herrity stated that all proposed edits should be completed by January 11, to allow sufficient time for the final draft to be distributed prior to the next meeting on January 16th.

V. Public Comment

Mr. Herrity opened the floor to receive comments from the public. Participants from the remote meeting locations indicated that there was no one present that desired to address the Task Force. The Task Force received comments from the following persons:

Patti Rosner, a Goochland County resident
Susan Lascollete, Goochland County Board of Supervisors
Nathan Lott, Virginia Conservation Network
Stacey Haney, Virginia School Boards Association
Ted McCormack, Virginia Association of Counties

There being no additional persons to come before the Task Force, Mr. Herrity closed the public comment period.

VI. Comments by Task Force Members

Mr. Dyer stated that it will be important that legislators be educated on the impact of proposed legislation.

Mr. Payne addressed new bills that have been filed for the 2012 General Assembly, several which are new mandates, and several which address some of the Task Force's concern. It was suggested that this be discussed further at the Task Force's next meeting.

Ms. Wodiska stated that she did not believe that the Task Force was charged with addressing or lobbying on specific legislation, pointing out that the Task Force has clearly stated that there should be no new mandates.

Mr. Herrity said that once this report is transmitted to the Governor, that the report must be sent to localities, and that they should be asked to support these initiatives.

Ms. Hughes suggested that the cost of these mandates be determined. She added that local government officials and the General Assembly should have a copy of this report before VACo and VML's Lobby Day on February 9th.

Ms. Wodiska indicated that she'd like for a joint letter of endorsement of the report be sent from VML, VACo, VSBA, and VASS.

VII. Scheduling of Future Meetings

Mr. Herrity stated that the next meeting would be on January 16th at 9:30 at a location to be determined in Richmond. He stated that the interim report would be distributed on January 11, and members would adopt the report at the next meeting.

Mr. Herrity stated that he would like to call a meeting sometime before July 15th. Ms. Hughes suggested meeting during the General Assembly session during the VML/VACo Lobby Day to educate other localities. There was general discussion as to the merits of holding such a meeting, followed by general consensus that the Chair would ask VACo and VML if they could make a presentation to the membership, and reserved the possibility of holding a meeting, if needed, at 8:30 a.m. on February 9th.

VIII. Adjournment

There being no further business, Ms. Wodiska made a motion for adjournment, which was seconded by Mr. Kenney, and unanimously approved.