



County of Roanoke
Office of the County Administrator

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November 11, 2011

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

Dear Ms. Williams:

Thank you for allowing Roanoke County the opportunity to review the state mandates imposed on our locality and to recommend modification, temporary suspension, or permanent repeal of such mandates. Like the governor we are also interested in areas where the burden of onerous mandates can be lifted and, where it makes sense, decisions regarding the governance and well-being of Roanoke County residents can be made locally by officials most familiar with their citizen's needs.

It is important to note that this memo does not address all mandates that impact Roanoke County. The Roanoke County School Board is an important partner with the Roanoke County Board of Supervisors in providing comprehensive governmental services to the citizens of Roanoke County. Given the burdensome effects of unfunded mandates on public education, the School Board has prepared its own analysis and will forward to the Task Force separately.

Support of VACo's List of Top Mandates of Concern to Counties

While this list below is not representative of all state mandates that are of concern to Roanoke County, the following items were derived from VACo's listing of Top Mandates of Concern to Counties, and summarizes the mandates that are most relevant to Roanoke County and include the fiscal impact to Roanoke County, where applicable:

<p>Aid to Localities Appropriation Act; Item 473.10</p>	<p>Roanoke County's reduction in aid to localities for FY12 totals \$580,000; the County elects to issue payment to the state rather than receive reduced funding for specific programs</p>
<p>Line of Duty Act Code of Virginia §§ 9.1-400 et. seq; Item 258, Chapter 890, 2011 Acts of Assembly</p>	<p>General Assembly included budget language transitioning the Line of Duty benefit in FY 2012 from a fully state funded program to one paid by local governments and state agencies. Expenditure budget for FY12 is \$186,000</p>

<p>Constitutional Officers §§15.2-1636.13, 15.2-1636.14, 17.1-287</p>	<p>Total Compensation Board reductions in funding for constitutional offices from FY10 to FY12 totals \$350,636</p>
<p>Equal Tax Authority</p>	<p>With two cities basically within its borders (Roanoke City and Salem), a significant inequity exists between localities in the ability to generate local revenues including, but not limited to, cigarette taxes, admission taxes, transient occupancy taxes, and meals taxes. It is critical from the standpoint of equity and consistency of administration of local taxes between adjoining jurisdictions that localities have the option of equalizing some tax rates as they see fit</p>
<p>Public Safety</p>	<p>Fully fund the cost of state-responsible prisoners. The state has lowered the per diem payment for state-responsible prisoners held in local jails. The state also redefined the legal definition for state-responsible inmates so that going forward, state funding will drop even further.</p> <p>Currently Roanoke County's local cost of housing state responsible prisoners is calculated to be approximately \$200,000, based upon the state's early reimbursement rates of \$6 and \$8 per day.</p>
<p>Comprehensive Services Act</p> <p>Code of Virginia §§ 2.2-2648, 2.2-2649, 2.2-5201 et seq.; Item 274, Chapter 890, 2011 Virginia Acts of Assembly; P.L. 94-142 (Fed.); P. L. 96-272 (Fed.); 20 USC 1400 through 1485; (Fed.); 34 CFR 300 (Fed.); 45 CFR 1355 through 57 (Fed.)</p>	<p>Make the CSA program subject to the Administrative Process Act. The state share of administrative costs has not been increased in more than a decade. At the same time, the administrative burdens on local governments have increased in data collection and reporting requirements. The APA ensures adequate public notice about, and input into proposed rules and regulations that affect all taxpayers in the Commonwealth.</p> <p>In addition, it is essential that the state be prohibited from establishing a cap on state allocations of funds through CSA. By arbitrarily setting a cap on funding for state responsible services, the state is intentionally shifting costs to local governments who are then mandated to cover these unfunded costs.</p>

Roanoke County’s List of Mandates of Concern

While we support VACo’s list of state mandates that should be altered or eliminated, the following list identifies additional mandates the County considers burdensome in effectively serving its citizens:

<p>Virginia Retirement System</p> <p>Code of Virginia §§ 51.1-132 through 51.1-135, 51.1-138, 51.1-800</p>	<p>Roanoke County requests the General Assembly to fulfill its responsibility by adequately funding VRS as recommended by its actuaries and restores VRS to an actuarially sound status; also, requests the General Assembly to maintain local discretionary authority to determine the share paid by local government employees and school board employees.</p>
<p>Urban Development Areas</p> <p>Section 15.2-2223.1</p>	<p>The General Assembly ordered local governments to amend their comprehensive plans to incorporate “urban development areas.” Roanoke County requests the General Assembly to adopt legislation repealing this mandate and providing that this be made optional for local governments.</p>
<p>Constitutional Officer Annual Budget Request</p> <p>Code of Virginia §§ 15.2-1600, 15.2-1636.7, 15.2-1636.18</p>	<p>Treatment of Constitutional Office funding as having the character of a Block Grant. The current complexity of Compensation Board funding of constitutional offices is completely unnecessary and should be simplified to the benefit of both the locality and the state. Treated as a block grant, current funding levels can be specified as the local government’s cost of providing state services and future funding can be adjusted up or down based on the level of overall funding of the block grant at the state level. The Comp Board’s current methods of the manipulation of rates, dates, salaries, benefits, etc. in order to “back into” an approved funding level is confusing to the CO’s staff and can hardly ever be adequately explained by Compensation Board staff. If given the character of a block grant, local governments would spend much less resources in administering 2 budgets (local and state), could accurately estimate the exact funding level expected which would ensure stable delivery of services, and the state could recognize extensive savings by the elimination of numerous staff and operational costs associated with the current inefficient approach.</p>
<p>Wireless Board of Virginia Information Technology Agency</p> <p>Code of Virginia § 56-484.16</p>	<p>The Wireless Board of Virginia Information Technology Agency imposes financial and operational burdens on the local delivery of E911 services, without producing any significant value, and should be eliminated. The vast majority of services offered are duplications of existing services that are either federal functions, commercial services, or could be handled more efficiently locally.</p>

No New State Mandates

Like the Commonwealth, Roanoke County continues to struggle with the rising costs associated with performing its core governmental function—providing for the health, safety, and welfare of its citizens. It is becoming increasingly difficult to provide these critical services in the face of unstable revenue streams and escalating costs; therefore, additional state mandates, especially those that are unfunded, could have devastating impacts on our most basic services. It is important that the General Assembly impose no new mandates in order to protect Roanoke County’s ability to provide core services.

Specifically, there are several potential mandates that have been discussed by legislators which, if passed by the General Assembly, could have a crippling impact to Roanoke County:

<p>Devolution – Secondary Road Maintenance</p>	<p>It is not fiscally prudent to proceed with this plan (i) without bringing roads up to required standards, (ii) without expanding local replacement revenue authority, and (iii) without addressing the costs to the taxpayers of Virginia and inefficiencies of duplication arising from over 100 local transportation departments. This plan will only increase the costs to the taxpayers of Virginia by shifting required and necessary transportation costs onto the backs of the residential real estate taxpayer and homeowner.</p> <p>Based on information provided by VDOT, Roanoke County can expect to realize additional annual “net” costs of \$4.6 million (2011 dollars) for maintenance, operations, and construction. These costs equate to an increase of 5.7 cents on the real estate tax rate. In addition, start-up costs associated with the proposal are estimated to be \$11.2 million.</p>
<p>Local Revenues Restrictions</p>	<p>Roanoke County opposes efforts to reduce or restrict local sources of revenue. The General Assembly currently places significant restrictions on the County’s ability to control its own revenue sources; thereby limiting our ability and flexibility in determining the most equitable method for funding the services demanded by our citizens. The General Assembly should control decisions regarding state revenues and the Board of Supervisors should control decisions regarding Roanoke County revenues.</p>
<p>Tipping Fees – DEQ</p>	<p>Roanoke County opposes efforts by the General Assembly to fund the operating budget of the Department of Environmental Quality (DEQ) by imposing a “tipping fee” on solid waste disposed at public solid waste disposal facilities (landfills)</p>

Once again, thank you for this opportunity to provide better, more cost-efficient services to the citizens of Roanoke County by eliminating or modifying state mandates that impose unnecessary burdens on the locality.

Sincerely,

A handwritten signature in blue ink that reads "Clay Goodman". The signature is written in a cursive style with a large initial "C".

B. Clayton Goodman, III
County Administrator