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We're a Natural



**SCOTT COUNTY
 BOARD OF SUPERVISORS**

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Governor's Task Force for
 Local Government Mandate Review
 To the Attention of:

Susan Williams at MandateRelief@dhcd.virginia.gov.

Realizing the difficult economic times of today, Scott County has become increasingly concerned about the mandates that we are required to cover locally in our budget. As requested, we have identified those of particular importance and concern, as shown in the following text:

Constitutional Offices – Comp Board Approved Employees/Salaries

Comparison of Fiscal Year 2008 with Fiscal Year 2012					
Office	FY 08		FY 12		Change/Notes
	No. Emp. Approved	Salaries Budgeted	No. Emp. Approved	Salaries Budgeted	
Treasurer	5 (4 funded)	\$163,237	5 (2 funded)	\$125,452	One position in FY 08 was unfunded. Three positions in FY 12 are unfunded. Salaries have decreased by \$37,785
Commissioner of the Revenue	5 (4 funded)	\$150,444	5 (3 funded)	\$125,117	One position in FY 08 was unfunded. Two positions in FY 12 are unfunded. Salaries have decreased by \$25,327.
Commonwealth's Attorney	5	\$236,818	5 (4 funded)	\$236,587	One unfunded position in FY 12. Salaries decreased by \$231.
Clerk to the Circuit Court	6 (5 funded)	\$225,033	7 (6 funded)	\$256,228	
Sheriff	28 funded	\$1,132,896	28 funded	\$1,125,223	Same number of deputies funded with a decrease in salaries of \$7,673.

In summary for this portion, even though the Compensation Board agrees that our offices qualify for more employees, they are not adequately funded to support that number. Our funding for these offices has been reduced by \$71,016, but to adequately serve our citizens, these budgets should be increased by the state amount paid.

Law Enforcement Officers Retirement Program

Required by the state for sheriff's deputies and regional jail employees, this is a retirement program with enhanced benefits. Initial indication was that the state would pay a portion of the additional costs; however, that has not been the case.

Line of Duty Act

FY 12 – Localities were required to take on full payment of this benefit for all local volunteer and paid personnel who work in hazardous positions. This mandate cost us an additional \$22,365. Additionally, it has added administrative duties to our employees.

Per Diems for Regional Jails

Reducing the per diem payment by one-half for state prisoners who are held in local jails placed a tremendous increase on an already expensive item in our budget. Further reductions in state reimbursements, due to changes in definition for state-responsible inmates, will add to the burden. Previously a state-responsible inmate could be held in regional jails for 1 year. That has increased to 2 years, also adding to the funding burden.

Election Costs

Each year, localities pay a large percentage of total election costs. This year alone, our election budget increased by \$37,375, in part due to the added expense brought on by the Census 2010 finalization; however, this was still an additional amount of money that we were required to pay that placed a burden on our county.

Retired Teacher Retirements

The state requirement that retired teachers receive a monthly health insurance credit to offset the cost of health insurance premiums costs localities at least 60 percent of the total cost.

We agree with VACO on the following points:

Public Education

- There has not been any movement to go back to review the Standards of Learning, the Standards of Accreditation and other administrative regulations to bring them into sync with the current Standards of Quality. If the state cannot afford its standards, then it needs to develop standards that it can afford instead of simply passing those costs onto local governments.
- One of the requirements of No Child Left Behind (NCLB) is that students be tested in reading and math. It also requires that students be tested in science once while in elementary, middle and high school. The state, however, mandates that all students in grades three through eight be tested in not only reading and math, but also in social studies and history, and that students in high school take additional end of course tests. The preparation for and the administration of these tests by the school systems is both time-consuming and costly.

- Virginia exceeds the federal requirements under the Individuals with Disabilities Act (IDEA), however, in over 175 areas. To be sure, local school boards and superintendents have been and remain fully supportive of children with disabilities receiving a free and appropriate public education to prepare them for further educational opportunities and the workplace. At present, the federal government only funds approximately 20-25% of the total cost of special education. The state and local governments must pick up the difference. When Virginia's regulations exceed the federal requirements, those regulations can, and do, impose significant additional costs on the state and, most importantly, local governments.
- An example of state mandates that have a negative impact on the provision of instruction by local school systems is the number of reports required to be filed with the state. We applaud the recent efforts of the Board of Education in eliminating or consolidating some of these reports, but much remains to be done to reduce this costly burden. It must be remembered that Governor Kaine eliminated the funding for approximately 16,000 support positions in the K-12 budget. While some localities were able to fund some of these positions, many were not. In addition, as school divisions had to further tighten their belts due to additional budget cuts, more of these support positions were eliminated. The relevance of these facts is that these very support personnel were the individuals who performed the clerical functions, including the preparation of the state-mandated reports, for our instructional personnel. With the elimination of these support personnel, our teachers must perform these clerical duties, which detract from the time they have to devote to instruction-related activities.

Comprehensive Services Act

- CSA is a program with shared costs between the state and cities and counties. Over time, the financial burden has been shifted over to local governments. Three examples are as follow:
 - Local governments pay more than 80 percent of the administrative costs of this "shared" program. 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, most notably data collection and reporting requirements. These are purely state, not federal requirements.
 - The Commonwealth has increased mandatory local participation percentages for the provision of services funded through the Comprehensive Services Act. Mandates increasing local rates for residential and foster care related services should be abolished and returned to the FY 2006 level.
 - Local governments pay a healthy portion of the state's Medicaid match for certain youth in this program. The portion paid by local governments has increased over the life of this program, which began in the early 1990s. The state pays the Medicaid match for other service areas and should do so for this program.
- The CSA program should fall under the Administrative Process Act. The APA ensures adequate public notice about, and input into, proposed rules and regulations that affect all taxpayers in the Commonwealth. At the current time, CSA has its own public participation process that has proven time and time again to be completely unsatisfactory in terms of notifying stakeholders and the general public of proposed changes, of

allowing for sufficient time to provide public comments, and for analyzing the fiscal and programmatic impact of proposed changes in rules and regulations.

In addition, our Reduction in Aid to Localities amount for FY 2012 is equal to \$134,545.

The counties have no easy way of increasing revenue to cover state mandated items, yet we have no choice but to cover the added expenses. In order to do this, we have had to cut our budget to a bare minimum. With this current budget year, we feel that we have cut the budget as far as we can go without eliminating personnel. We have been creative in the past few years covering the expenses without burdening our citizens with a tax increase or unemployment. However, our creativity has expired, so any help that we can receive in this situation would most greatly be appreciated.