



November 14, 2011

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

Dear Ms. Williams:

On behalf of the Town of Vienna, I greatly appreciate your giving me the opportunity to express our locality's concerns regarding unfunded mandates. The Governor's Task Force for Local Government Mandate Review is taking a step in the right direction by asking each locality in the Commonwealth about the respective challenges associated with this issue. Below is a list of the unfunded mandates that challenge the Town of Vienna:

#### **Administrative Service Department (Human Resource Management)**

- Employee Retirement System: INDVRS001  
The current cost to the Town (employer portion only) is 9.80% of payroll. The Town of Vienna's membership is irrevocable, leaving Vienna unable to explore other retirement plan options for its employees.
- Line of Duty Act Benefits: INDVRS002  
The benefits provided under this plan have been expanded over time by the State without the input of the Town. This was previously funded 100% by the State. As of July 1, 2011, 100% of this program's costs have been passed on to Vienna and other local jurisdictions with no ability to control the program's scope or design.

#### **Planning and Zoning Department**

- Land Development and Ordinance Requirements in Tidewater Virginia (SNR.DCR019) Related to the Chesapeake Bay Preservation Act. Staff is not opposed to the Act itself, just the more restrictive requirements created by

legislative acts of the Virginia General Assembly. We experienced this during our "Phase III Compliance" review in spring 2011, in which new regulations were enforced without our ability to comment prior to imposition.

- Local Government Agreement to Pull Illegal Signs (STO.VDOT038) The Zoning Technicians, as well as the Director of Planning & Zoning, has removed all types of illegal signs for years under the authority of Code Sections 10-5 and 10-28.1 of the Vienna Town Code. It has not been necessary to have an agreement with VDOT because the Town maintains its own streets. This seems duplicative.

### **Public Works Department**

- Environmental Impacts Reports on Local Road Projects  
The mandate requires local governments to prepare an environmental impact report for any highway construction, reconstruction or improvement project costing over \$500,000. The Town does not see the need for an environmental document on routine maintenance or reconstruction projects. Ironically, the VDOT environmental review process for their projects considers maintenance "categorically exempt" from thorough environmental review.

Please let us know if you need additional information regarding the above unfunded mandates. I look forward to hearing from you soon.

Sincerely,



M. Jane Seeman  
Mayor

Cc: Senator Chap Peterson  
Delegate Mark Keam  
Town Council  
Mercury T. Payton, Town Manager  
Nancy McMahan, Administrative Services Director  
Greg Hembree, Director of Planning and Zoning  
Dennis Johnson, Director of Public Works