



COUNTY OF WARREN

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Douglas P. Stanley
County Administrator

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October 31, 2011

Susan B. Williams, Esq.
Local Government Policy Manager
Commission on Local Government
Department of Housing and Community Development
Main Street Centre - 600 East Main Street, Suite 300
Richmond, VA 23219

Ref: Local Government Mandate Review

Dear Ms. Williams:

I am writing in response to the Governor's letter of October 4, 2011 relative to the impact of unfunded mandates on Virginia localities. First of all, we are extremely pleased at the Governor's acknowledgement of the impacts of these mandates on localities and his interest to look at suspending or repealing such mandates.

Please find attached Warren County, Virginia's information for unfunded mandates. While there are hundreds of mandates that have an impact on our County, these are the mandates that our staff has identified as being most onerous on the County and subsequently our citizens and taxpayers. Suspension or elimination of these mandates would not only save time and resources but also provide additional potential revenue sources to our community to reduce the dependence on property taxes.

Sincerely,

A handwritten signature in black ink, appearing to read "Douglas P. Stanley".

Douglas P. Stanley, AICP
County Administrator

DPS

Attachment

cc: Warren County Board of Supervisors
Department Heads
James Campbell, Executive Director, VACO

Celebrating 175 Years
1836 - 2011

Commonwealth of Virginia Unfunded Mandates

Mandate Area	Mandate Description
Line of Duty Act	Delete local funding requirements for Lone of Duty benefit. The 2010 General Assembly included budget language transitioning the Lone of Duty benefit in FY 2012 from a fully state funded program to one paid by local governments and state agencies. The program is administered by the state, and many local governments opting to self-fund need the authorization to administer the program.
Public Education	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 it can afford instead of simply passing those costs onto local governments. Fully fund rebenchmarking. *Delete state educational mandates that exceed federal requirements: *Currently, the state mandates all students in grades 3-8 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 federal No Child Left Behind (NCLB) only requires students be tested in reading and math as well as in science once either in elementary, middle and high school. *Virginia exceeds the federal requirements under the Individuals with Disabilities Education Act (IDEA), however, in over 175 areas. When Virginia's regulations exceed the federal requirements, those regulations impose additional costs on the state and, most importantly, local governments.
Constitutional Officers	Fund fully the state's obligations for mandated constitutional officers. A full fiscal and program analysis should determine state and local responsibilities and whether state funding responsibilities are sufficient. Additionally, the study should examine jail issues including staffing, funding, construction, per diems, operational costs, and benefits.
Equal Tax Authority	Equalize county taxing authority to enact local excise taxes including the cigarette tax, admissions tax, transient occupancy tax and meals tax with that of cities and towns.
Public Safety	Increase state funding for state prisoners housed in local jails. Since 2008, the state has closed eight adult correctional facilities and one juvenile facility. More than 3,000 prison beds, or about a tenth of the state capacity, have been eliminated. The state has lowered the per diem payment for state-responsible prisoners held in local jails. The state also has redefined the legal definition for state-responsible inmates so that going forward, state funding will drop even further.
Election Administration	Increase state funding for the local election administration. The state budget contains \$13.8 million in FY11 and \$12.8 million in FY 12 for election administration. Of that amount, \$5.8 million a year is designation for electoral services, primarily to pay a portion of salaries for general registrars, and for the salaries and limited expenses for local electoral boards. Localities, however, spent \$40.8 million on election administration in FY09. Thus, localities pay the tab for not only local elections, but also primaries, state and federal elections.

Commonwealth of Virginia Unfunded Mandates

Mandate Area	Mandate Description
Environmental Protection	<p>Increase funding for Chesapeake Bay clean up. Virginia local governments face an estimated cost of more than \$7 billion to comply with the Watershed Implementation Plan under Chesapeake Bay TMDL. Localities need additional state and federal funds.</p> <p>*Delete local monitoring requirements in Chesapeake Bay Preservation Act.</p> <p>*Local governments subject to the Chesapeake Bay Preservation Act are required to devote staff resources to monitor the five-year septic tank pump out provision of the Act. This should be the job of the Virginia Department of Health since it currently has the records and personnel already in place to monitor this requirement.</p> <p>*Local governments subject to the Chesapeake Bay Preservation Act are required to review soil and water runoff control and water quality assessments prepared by all agricultural operations within their jurisdiction, and to take enforcement action when necessary. This function should appropriately be the responsibility of either the Virginia Department of Conservation and Recreation or the Virginia Department of Agriculture.</p>
Comprehensive Services for At-Risk Youth and Families	<p><i>It is a 1993 Virginia Law that provided for the pooling of eight specific funding streams used to purchase services for high-risk youth. These funds are returned to the localities with a required state/ local match and are managed by local interagency teams. Each locality is required to have at least two different interagency teams. They are the Community Policy and Management Team and Family Assessment and Planning Team. The Community Policy and Management Teams (CPMTs) have the statutory authority and accountability for managing the cooperative effort and developing interagency policies that govern CSA in the community. Family Assessment and Planning Teams (FAPTs) are established by CPMTs to provide for family participation, assess the strengths and needs of children and their families, develop individual family services plans, and make recommendations to the CPMTs. In order to ensure and maintain compliance with statutory requirements many localities employ a CSA Coordinator to be the liaison to CPMT and FAPT to assist in establishing procedures, policies and standards for the CSA Office while ensuring and maintain compliance with State and Federal guidelines, such as the requirement to provide monthly and quarterly reporting to the State CSA Office and Department of Education from both a client data set and financial reporting perspective.</i></p>
Building Inspections	<p>Erosion and Sediment Control as it relates to the Chesapeake Bay Restoration Act Building code implementation and enforcement.</p>