



VACo 2025 LEGISLATIVE PROGRAM

For the 2025 General Assembly Session



ADOPTED BY VACO
MEMBERSHIP ON
NOVEMBER 12, 2024

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2025 Legislative Program Virginia Association of Counties

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2025 TOP FUNDING PRIORITY

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VACo supports legislative action to implement the recommendations of JLARC’s landmark 2023 report on Virginia’s K-12 Funding Formula where they coincide with local prevailing practices. In the near term, VACo encourages prioritization of efforts to restore pre-recession era K-12 funding, especially eliminating the cap on support positions; provide full state support for the actual number of K-12 staff positions employed; and revise the methodology for calculating teacher salaries to more adequately reflect the actual salaries being paid by school divisions.

91 **AGRICULTURE AND RURAL**
92 **AFFAIRS**

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94 **Priority**

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96 **Farm and Forestland Preservation**

97 VACo supports increasing state allocations to the Office of Working Lands
98 Preservation Purchase of Development Rights (PDR) locality matching funds
99 program. VACo also supports increasing allocations to the newly established
100 Forest Sustainability Fund, created as an incentive for the establishment and
101 maintenance of local forest land use valuation programs. Such programs preserve
102 prime soils for food production and protect important forest land and
103 environmentally sensitive areas in the Commonwealth.

104 VACo supports preserving and enhancing the ability for counties to
105 balance growth and development, as it pertains to farm and forestland, within
106 their jurisdiction.

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108 **Positions**

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110 **Agriculture and Forestry Best Management Practices**

111 VACo supports voluntary state and federally-funded conservation programs,
112 including the United States Department of Agriculture’s (USDA) Environmental
113 Quality Incentives Program and the Conservation Stewardship Program, to assist
114 producers with the implementation of best management practices.

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116 **Biosolids**

117 VACo supports an effective statewide regulatory program governing land
118 application of biosolids. Such a program should not infringe upon the authority
119 of local governments to monitor compliance. VACo supports the ability of local
120 governments to propose amendments to biosolids permits as they are considered
121 by Department of Environmental Quality (DEQ). VACo supports a study to
122 determine the impact of biosolids on agriculture and forest land.

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124 **Invasive Species and Noxious Weeds**

125 VACo supports funding for, and the complete implementation of, the Virginia
126 Invasive Species Management Plan. VACo supports an amendment to the term,
127 “noxious weeds,” enabling additional invasive plants to be considered for
128 regulation. All programs and proposals should be evaluated for their commercial
129 impact, allowing no more than a negligible impact on Virginia’s agricultural
130 industry. Finally, VACo supports state prevention and mitigation practices,
131 including coordination with the Virginia Department of Transportation (VDOT)
132 to assist counties in species control.

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Predator Control

VACo urges state and federal agencies to support the agricultural industry by allowing farmers and producers sufficient flexibility when protecting livestock and crops against predatory animals. VACo encourages the USDA Wildlife Services Division, the Virginia Department of Wildlife Resources and the Virginia Department of Agriculture and Consumer Services to allow producers access to the predator control tools required for the continuation of effective livestock and crop production. VACo also supports continuing and sufficiently funding the USDA’s Livestock Indemnity Program and the financial relief it provides to producers who have lost livestock to the attacks of federally protected predators. Furthermore, VACo supports the USDA’s various crop and livestock insurance policies as well as the Noninsured Crop Disaster Assistance program (NAP) as these programs seek to provide financial assistance to producers who have undergone crop or livestock loss.

Technical Assistance

VACo supports increased state funding for entities that provide critical resources and technical assistance to localities in their efforts to comply with environmental policies and regulations. This includes, but is not limited to, organizations such as Soil and Water Conservation Districts, the Virginia Cooperative Extension, and Planning District Commissions (PDCs).

Water Usage

VACo supports water conservation as well as streamlined permitting and application processes for water usage. VACo also supports a review of regulations and supports education initiatives that promote reclamation of water on a local level for industrial, commercial, and irrigation uses to offset future demands on all ground and surface water used for human consumption. VACo supports water use and water rights decisions being made at the local level.

Solid Waste

VACo supports maintaining local authority to regulate solid waste and opposes any effort to interfere with local “flow control” ordinances.

COMMUNITY, ECONOMIC, AND WORKFORCE DEVELOPMENT

Priorities

Broadband

VACo requests that the Commonwealth provide 100 percent match funding to counties to build the necessary telecommunications infrastructure, including cellular communications, to deploy universal affordable access to the internet for all areas, particularly in underserved and rural areas, and streamline the application process for both the Broadband Equity Access and Deployment (BEAD) and Virginia Telecommunication Initiative (VATI) grants. Additionally, VACo supports legislation that provides additional tools for counties to finance, build and operate open access networks in partnership with commercial internet service providers. VACo also supports efforts to streamline the permitting of broadband infrastructure in the VDOT right-of-way, at railroad crossings, and within utility easements.

Affordable and Workforce Housing

VACo supports increasing federal and state funding and appropriate incentives to assist localities to create and sustain more affordable housing.

Positions

Economic Development

VACo supports economic development policies and programs that bolster local and regional development efforts by maintaining and expanding state funding, streamlining state and federal grant application processes, and granting additional funding and authority to promote local and regional initiatives. VACo also supports the provision of state funding to support the mission of regional economic development organizations (REDOs) to foster regional cooperation in expanding business and job opportunities.

Impacts of Federal and Military Facilities

VACo supports maintaining federal and state funding and technical assistance to mitigate the impacts on counties affected by federal budget cuts and to sustain current and future federal facilities in Virginia. VACo supports state and local partnerships that work to prevent encroachment and non-compatible land uses next to military installations. VACo also supports workforce training and retraining for programs that support defense activities in Virginia.

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Impacts of State Facilities

VACo recommends that prior to the proposed closure of any state facilities, the Department of General Services shall provide a detailed plan to the locality regarding removal, demolition, rehabilitation and/or adaptive reuse of buildings. VACo also recommends that the state provide technical and financial resources to assist localities in ameliorating the impacts any closure will have on the local economy. Additionally, VACo supports measures to ameliorate the effects of state tax-exempt property on the local tax base.

Maintain Public Sector Role in Onsite Sewer Program

VACo supports an onsite sewage program at the Virginia Department of Health (VDH) that protects public health and the environment in all regions of the Commonwealth. The Commonwealth should give special focus to addressing the challenge of failing septic systems and allow localities authority to develop and implement policies that support the state’s program. VACo supports the private sector providing onsite sewage system design, installation, and repair services, as long as the services can be provided at affordable rates and in a timely manner, and as long as VDH continues to provide these direct services as well. Additionally, VACo supports legislation ensuring that potential buyers of real property are told about the type, size and maintenance requirements and associated costs of the wastewater systems on the property prior to the signing of the initial sales contract and the recordation of engineered systems plat and deed at the time of sale.

Workforce-Ready Students

VACo supports changes in curriculum and funding that will increase the number of students leaving the K-14 system with workforce-ready credentials. VACo supports incorporating career and technical education curriculum at the elementary and middle school levels. VACo supports high school students earning academic credit for participating in an internship, apprenticeship, credential, and other work programs. VACo supports innovative models for schools to give academic credit for students that earn industry workforce skills through certifications, or licensure from an approved education or training provider.

VACo supports establishing partnerships to strengthen the school-to-workforce pipeline in a variety of ways including guaranteed employment opportunities with local businesses and learning opportunities shared between local community colleges and high schools. VACo supports opportunities for students to physically visit and train at actual work sites in cooperation with local employers and economic development entities.

VACo supports the expansion and funding of workforce training programs such as the Virginia Talent Accelerator Program and the Virginia Jobs Investment Program to leverage federal grant programs with state funding. VACo supports the mission and activities of local Workforce Development Boards across the Commonwealth of Virginia to assist businesses in securing a qualified workforce that meets current and future job demand, including efforts to

270 coordinate actions across state agencies within Virginia under the
271 Commonwealth Workforce Innovation and Opportunity Act (WIOA) plan.
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EDUCATION

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Priority

Education Funding

VACo supports full state funding for public education, including the Standards of Quality (SOQ) as recommended by the Board of Education, the Joint Legislative Audit & Review Commission (JLARC), and Joint Subcommittee on Elementary and Secondary Education Funding. As long as these recommendations coincide with prevailing local practice, VACo supports targeted incentive programs, capital, and maintenance support, and teacher salaries. Full state funding should be achieved without reduction to other parts of state public education budgets or to other core services.

VACo supports additional state resources and additional statewide funding options for localities for capital and school construction costs, including expanding dedicated local sales and use tax authority first given to select counties by the General Assembly in 2019 as well as continuing to fund the School Construction Grant Program and School Construction Assistance Program.

VACo supports state incentives that encourage localities to increase teacher salaries to reflect the national average in compensation, as long as this is done without a required minimum local match. The state share of compensation for the base rate of salaries should reflect the actual average salary as determined by prevailing local practice.

Positions

Appointed School Boards

VACo supports local authority to choose the selection process for school board members.

Charter Schools

VACo supports the continuation of local authority to establish charter schools.

Federal Bureau of Investigation’s Record of Arrest and Prosecution Back (Rap Back) Service

VACo supports the acceleration of Virginia’s implementation of the Federal Bureau of Investigation’s Record of Arrest and Prosecution Back (Rap Back) service, which provides ongoing, real-time updates on arrests, convictions, or other relevant information about employees in safety-sensitive positions to help safeguard vulnerable populations and the community. Rap Back is currently expected to go live in July 2025 and should be accompanied by sufficient state funding to ensure localities and school divisions have full access to this essential service.

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Laboratory Schools

VACo supports innovative approaches to K-12 education as long as they do not divert state or local funds away from local public schools.

Childhood Development and School Readiness

VACo supports efforts to increase at-risk children’s access to high-quality, enriching learning environments, including more resources and flexibility for localities participating in programs like the Virginia Preschool Initiative and Head Start.

VACo supports additional federal and state funding for programs such as the Child Care and Development Block Grant (CCDBG) to support increased demand for childcare services. VACo supports local flexibility to administer or expand support services for childcare.

VACo supports the work of and local government representation on the Commission on Early Childhood Care and Education to provide recommendations for and tracking progress on the financing of Virginia’s comprehensive birth-to-five early childhood care and education system.

Critical Thinking Skills

VACo supports changes to educational programs and standards that rely less on standardized testing and more on critical thinking skills such as performance-based assessments. VACo opposes efforts to impose additional standardized testing burdens on students and school staff.

Funding Support Personnel

VACo supports full restoration of budget cuts, including the elimination of the funding cap on support positions, and full reinstatement of the Cost of Competing Adjustment “COCA” for support staff. In addition to meeting its obligations to fully fund instructional staff, the Commonwealth should meet its obligation to fully fund K-12 support staff.

Library System

VACo supports additional state resources for the funding of the local library system.

Reversion of Funds

VACo supports the current practice whereby all year-end funds appropriated to the school divisions by the locality revert to the locality, retaining discretion with the governing body to evaluate and approve the reallocation of year-end fund balances.

School Consolidation and Regionalism

VACo supports additional state incentives that allow counties to voluntarily consolidate or regionalize K-12 services to increase operational efficiencies.

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School Safety and Security

VACo supports efforts to improve school safety and preparedness. VACo supports continued local authority and state funding to implement appropriate security, preparedness, and health measures. VACo supports dedicated state funding that may include capital and operational costs, including ongoing support for School Resource and School Security Officer positions.

Special Education Regional Tuition Reimbursement Program

VACo supports enhancing local capacity to serve children with high-level support needs in the least restrictive environment, including regional special education programs. VACo supports local flexibility in the structure of such programs.

K-12 Staff Shortage and Retention

VACo urges the General Assembly to approve and fund strategies addressing the teacher shortage in the Commonwealth. VACo supports a targeted approach to teacher shortage by prioritizing areas in critical need, as recommended by the Virginia Department of Education. VACo supports using district-level data to determine how to best fill shortage gaps, especially in hard-to-staff divisions.

VACo supports reducing burdens on the teacher workforce in the Commonwealth. VACo supports programs aimed at reducing student debt for teaching in public schools. VACo also supports programs that encourage teachers to stay in the profession including measures that provide mentorship, guidance and other forms of support for teachers in their first five years in the profession.

VACo also supports similar efforts to address the shortage of school bus drivers at both the state and federal level including incentives to recruit and retain drivers and additional flexibility regarding driver requirements.

ENVIRONMENT, ENERGY, AND LAND USE

Priorities

Energy Policy

VACo supports energy policies and goals that reduce greenhouse gas emissions without compromising reliable and affordable access to electricity, and that address potential environmental impacts and life cycle costs for the manufacture, disposal, re-use, or recycle of material inputs. New sources of potential energy generation should include a range of technologies such as solar, wind, hydroelectric, hydrogen, geothermal, and nuclear, including small modular nuclear reactors. Such policies should allow for responsible coal and natural gas extraction, processing, and transport while protecting agricultural interests and natural resources.

Water Quality Funding

VACo supports sufficient and sustained financial and technical assistance to counties to improve water quality and meet all federal and state standards to reduce pollution.

Positions – Environment

Chesapeake Bay

VACo supports efforts to continue to restore and protect the Chesapeake Bay but opposes additional nutrient regulations on wastewater treatment facilities that are scientifically unsound, economically infeasible, or unnecessary for meeting the Commonwealth's goals.

Dam Safety

VACo supports programs that keep downstream owners and developers aware of potential inundation zones. VACo also supports sufficient state and federal funding for the repair and maintenance of dams.

Flood Preparedness

VACo supports continued funding and resources that assist localities in preventing and reducing the impacts of flooding. VACo supports greater flexibility in these programs and funding sources that best suit local and regional needs.

Southern Rivers Watershed

VACo supports continued funding for the Southern Rivers Watershed Enhancement Program to improve water quality in non-Chesapeake Bay watersheds.

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Stormwater Programs

VACo supports state funding that enables local governments to fully satisfy the resource and funding needs to comply with stormwater standards, including standards for implementation of local stormwater programs, in ways that promote economic development while achieving water quality goals. VACo also supports initiatives that clarify and modernize stormwater regulations and permitting processes, including measures that make permitting more efficient, reevaluate the fee structure system, and allow for consideration of factors such as long-term maintenance costs.

Tree Conservation and Replacement

VACo supports strengthening and expanding tree replacement and tree conservation statutes to include all localities in Virginia. VACo supports providing greater flexibility to all local governments to achieve their specific goals.

Technical Assistance

VACo supports state funding for entities that provide critical resources and technical assistance to localities in their efforts to comply with environmental policies and regulations. This includes, but is not limited to, organizations such as Soil and Water Conservation Districts, the Virginia Cooperative Extension, and Planning District Commissions (PDCs).

Water Supply

VACo supports appropriations adequate to ensure full funding by the state for the ongoing development and implementation of state-mandated water supply plans. VACo supports streamlining permitting processes or applications for water usage. VACo supports initiatives by the state to assure adoption of actions to reduce high chloride concentrations and loss of artesian head pressure in Virginia’s aquifers. VACo also supports a review of regulations and supports education initiatives that promote reclamation of water for industrial and irrigation uses to offset future demands on all ground and surface water used for human consumption.

Positions – Energy

Local Tax Revenue

VACo opposes any imposition, expansion, or extension of state-mandated exemptions on local property taxes for energy generating and storage equipment.

Regional Energy Planning

VACo supports state funding and technical assistance for the development of local or regional energy plans to address the production, transmission, and deployment of new resources to meet statewide goals that reduce greenhouse gas emissions. VACo also supports legislation and policy that requires electric grid operators to continually share with localities where current and planned

546 infrastructure to transmit and store energy exists that may feasibly accommodate
547 the development of large-scale renewable energy facilities. Additionally, VACo
548 supports requiring utilities to seek input from localities and property owners
549 before any actions to construct, modify or enlarge transmission facilities.

550

551 **Renewable Energy Production and Energy Efficiency**

552 VACo supports legislation allowing counties to implement renewable energy and
553 energy efficiency goals. This includes the allowance of third-party power
554 purchase agreements (PPAs) to serve local electric accounts, as well as other
555 creative financing mechanisms that enable the development of renewable energy
556 sources and energy efficiency programs and measures.

557

558 **Utility-Scale Renewable Energy Generation and Energy Storage**

559 VACo supports maintaining local authority to address all impacts and all choices
560 associated with utility-scale installations of solar power, wind power, and energy
561 storage facilities.

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563 **Utility-Scale Energy Generation and Transmission Projects**

564 VACo supports the provision of adequate direction and resources at the state
565 level to improve monitoring and enforcement of erosion and sediment control
566 (ESC) and stormwater (SWM) requirements by entities constructing utility-scale
567 projects for energy generation or transmission (including fuel). The state should
568 have relevant agencies conduct an annual review of the standards, specifications,
569 and construction general permit requirements to determine adequate protection
570 of water quality, water supply, and natural resources.

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572 **Positions – Land Use**

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574 **Local Authority**

575 VACo supports maintaining and expanding local authority to plan and regulate
576 land use and opposes any legislation that weakens these key local responsibilities.
577 VACo also supports legislation that grants localities additional tools to adequately
578 meet increasing needs for public services driven by new development without
579 burdening current residents with the cost of new growth through increased real
580 estate taxes. Such additional tools may include broad impact fee authority for all
581 counties, and adequate public facilities provisions.

582

583 **Regulation of Event Spaces**

584 VACo opposes exemptions to local review and enforcement of building, fire, and
585 other health and safety regulations for event and assembly spaces.

586

587 **Regulation of Home-based Businesses**

588 VACo opposes any legislation that limits or restricts local authority to regulate
589 home-based businesses, including short-term rentals regardless of whether
590 services or goods are purchased through an online hosting platform.

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FINANCE AND ELECTIONS

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Priority

Local Finance

VACo supports preserving the authority of county governments to collect revenues necessary to provide local public services.

VACo appreciates the General Assembly’s action in 2022 to stipulate in statute that local revenue losses associated with the elimination of the state sales tax on food purchased for human consumption and essential personal hygiene products would be replaced and strongly advocates for the state to maintain this commitment. VACo urges that no further changes be made that would negatively affect this important local funding source.

Positions

Appeals of Tax Assessments

VACo supports preservation of the current appeals processes for real or tangible personal property assessments, including the assessor’s presumption of correctness and the role of the state Tax Commissioner with respect to valuation of property.

Election Administration

Conducting accessible, transparent, secure, and accurate elections is a fundamental responsibility of government and a shared funding obligation of the state and local governments.

Recent changes to offer more robust voting options have not been accompanied by additional ongoing state support for this fundamental function of government, and VACo supports a more balanced state/local funding partnership in election administration.

Areas in which the state could provide additional support to localities include:

- adequate funding for voting equipment and registrar costs
- resources necessary to implement state requirements, such as meeting election security standards.

VACo also supports legislation that would assist localities in minimizing or eliminating split voting precincts. Additionally, VACo supports a streamlined process to address situations in which census boundaries do not align with locally drawn or commonly adhered to boundaries. VACo supports additional flexibility for localities in the requirements for drawing precinct and district boundaries. VACo supports reentry into the Electronic Registration Information Center in addition to working with neighboring states to exchange voter data in order to ensure accurate voter lists.

639 **Federal Relief and Infrastructure Funds**

640 VACo encourages coordination with local governments in deployment of
641 American Rescue Plan Act and Infrastructure Investment and Jobs Act funds so
642 that each federal dollar can be maximized for the benefit of the residents of the
643 Commonwealth.
644

645 **Funding for State Mandated Positions and Jails**

646 The Commonwealth must meet its obligations to fund appropriate staffing, to
647 include competitive salaries, for the state’s system of justice, to include clerks,
648 magistrates, Commonwealth’s Attorneys, public defenders, district court
649 employees, and probation office employees. Similarly, VACo urges the
650 Commonwealth to meet its full funding obligations for Constitutional offices, to
651 include realistic levels of staffing to enable these offices to meet their
652 responsibilities and limit the need for localities to provide additional locally-
653 funded positions or salary supplements.
654

655 **Constitutional offices:** VACo supports flexibility in the use of state
656 funds for compensation of constitutional officers and state-supported local
657 employees. VACo supports state funding levels for compensation increases that
658 more closely reflect the true cost of providing such increases across the state-
659 supported local workforce. For example, state-funded salary increases typically
660 provide funding only for Compensation Board-funded positions for employees in
661 Constitutional offices and for instructional and support positions recognized in
662 the Standards of Quality for school divisions. In these instances, in addition to
663 any required local matches for state-recognized positions, localities must provide
664 comparable salary increases for locally-funded positions purely from local dollars
665 in order to preserve parity between state-funded and locally-funded positions in
666 the workforce.
667

668 **Jail per diems:** VACo supports a more robust state-local partnership in
669 funding local and regional jails. In FY 2023, the Compensation Board reported
670 \$1.11 billion in total expenditures, including capital costs, to house inmates in
671 local and regional jails – localities contributed \$645.5 million of these costs, and
672 an additional \$14.2 million to house inmates in other jurisdictions, while the
673 state contributed \$407.3 million.

674 A key mechanism through which the state assists with operating costs is
675 per diem payments. Prior to action by the 2022 General Assembly, per diem
676 rates had not been adjusted since FY 2011, when the payment of \$8 per day for
677 local-responsible inmates was reduced to \$4 per day, and the state-responsible
678 rate was adjusted from a bifurcated rate of \$8 per day for the first 60 days and
679 \$14 per day thereafter to a standard rate of \$12 per day. Legislative action in
680 2022 increased the state-responsible rate by \$3 (from \$12 to \$15) and in 2023
681 increased the local-responsible rate by \$1 (from \$4 to \$5), both steps toward
682 more realistic funding levels. VACo supports continued efforts to increase per
683 diem rates to levels that better represent the costs of housing inmates and to
684 adjust the rates in the future so that payments keep pace with rising costs. While
685 the increase in the state-responsible rate is an important step in the right

686 direction, and the numbers of state-responsible inmates in local jails have
687 declined significantly, the current rates remain inadequate and require counties
688 to subsidize care for individuals who should be housed at the Department of
689 Corrections. The Compensation Board estimated a total average daily cost of
690 operating local and regional jails at \$145.18 per inmate in FY 2023, of which
691 \$80.67 was contributed by localities.

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693 **State-responsible inmates in local or regional jails:** VACo
694 supports a requirement for the Department of Corrections to accept state-
695 responsible inmates into the state correctional system unless a local or regional
696 jail agrees to continue holding such inmates at the applicable per diem rate.

697
698 **Medical and behavioral health care for incarcerated**
699 **individuals:** VACo supports expanded flexibility to cover payment of the
700 medical costs of inmates through Medicaid.

701 The state must provide sufficient funding to enable local and regional jails
702 to meet any new standards for the provision of health care, including behavioral
703 health care, for individuals incarcerated in these facilities. Funding for additional
704 case management and medical/treatment positions first provided in 2022
705 represents a significant investment in helping jails to comply with proposed
706 behavioral health standards. VACo supports a continued state partnership with
707 localities in ensuring that jails are able to meet state standards in caring for these
708 vulnerable individuals.

709
710 **Mitigation of the Effects of State-Mandated Property Tax Exemptions**
711 **on the Local Tax Base**

712 VACo supports reinstating state payments (PILT) to counties that mitigate the
713 impacts of state correctional and behavioral healthcare facilities on county
714 revenue. VACo supports measures to ameliorate the effects of large amounts of
715 other tax-exempt property on the local tax base, including state assistance with
716 the costs of state-mandated property tax exemptions.

717
718 **Legislation with Local Fiscal Impact**

719 VACo supports legislation or other measures providing additional time for
720 localities to review legislation that may have an impact on local revenues or
721 expenditures, as well as improvements to the process of local mandate review at
722 the Commission on Local Government to capture the effects of mandates on
723 localities more accurately.

724
725 **Modernization of Communications Sales and Use Tax Structure**

726 VACo supports updating the Communications Sales and Use Tax (CSUT) to
727 ensure that it reflects the modern telecommunications landscape, which has
728 evolved since the CSUT took effect in January 2007.

729 VACo opposes any further diversion of Communications Sales and Use Tax
730 Trust Fund dollars beyond the uses already specified in statute. These revenues
731 should be held in trust for localities and not diverted for general state purposes.
732 Currently, funds from the Communications Sales and Use Tax Trust Fund are

733 taken “off the top” for the Department of Taxation’s costs to administer the tax,
734 the telephone relay center operated by the Department for the Deaf and Hard of
735 Hearing, and any franchise fees owed to localities. Language adopted in the
736 2018-2020 biennium budget and continued in subsequent budgets provides for
737 an additional diversion of funds to the state General Fund from assumed savings
738 in the telephone relay contract; these funds would otherwise flow to localities.
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Real and Personal Property Tax Exemptions Enacted Prior to 2003

740 VACo supports providing localities the ability to decide whether to maintain
741 property tax exemptions granted by the General Assembly prior to passage of the
742 Constitutional amendment vesting the authority to grant such exemptions with
743 localities. The Constitutional amendment which was passed by the voters in
744 2002 and took effect in January 2003 placed decision-making authority about
745 local tax exemptions with local governing bodies, within certain limits, and this
746 authority should apply to exemptions granted before 2003 as well.
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GENERAL GOVERNMENT

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Priorities

Local Authority

VACo supports relaxation of the Dillon Rule by enhancing local authority and autonomy in matters including land use, revenue measures, procurement, and other issues of local concern. VACo supports extending powers currently granted to some local governments to all local governments. VACo opposes legislation that erodes local authority.

Unfunded Mandates

VACo opposes unfunded mandates and shifting fiscal responsibility for existing and new programs by the Commonwealth from the state to localities. When funding for a mandated program is altered, the mandate should be suspended until full funding is restored. When legislation with a cost to localities is passed by the General Assembly, the cost should be borne by the Commonwealth, and the legislation should contain a sunset clause providing that the mandate is not binding on localities until funding by the Commonwealth is provided.

Positions

Collective Bargaining for Public Employees

VACo opposes any effort to mandate collective bargaining for public employees.

Emergency Management

VACo supports efforts to study emergency management needs and associated funding, evaluate the sustainability of present funding models, and assess alternative funding strategies employed in other states.

Ethics Reform

VACo supports common sense efforts to strengthen Virginia's public ethics and conflict of interest laws that are applicable and practical at the local level.

First Responder Recruitment, Retention, Training, and Support

VACo urges the General Assembly to provide additional resources that would assist local governments with the recruitment, retention, training, and support of first responders such as law enforcement, fire and EMS personnel, and 9-1-1 dispatchers.

Freedom of Information Act (FOIA)

VACo opposes changes to the Virginia Freedom of Information Act that would impose additional burdens on localities. VACo supports the option for local and regional bodies to meet electronically. VACo supports protecting the

823 confidentiality of citizen complainants' personal information from disclosure
824 under FOIA.

825

826 **Grievance Hearings**

827 VACo supports legislation authorizing localities to use an administrative hearing
828 officer and existing grievance panels and procedures, and opposes the mandate of
829 a three-member panel. VACo also supports providing immunity to local
830 government employees, officers, volunteers, administrative hearing officers and
831 panel members for claims arising out of participation in personnel grievance
832 procedures.

833

834 **Interoperability**

835 VACo supports the state's goal that agencies and their representatives at the local,
836 regional, state and federal levels be able to communicate using compatible
837 systems to respond more effectively during day-to-day operations and major
838 emergencies.

839 VACo supports increased interoperability and the Commonwealth's transition to
840 Next Generation 9-1-1 (NG9-1-1) in a way that does not unfairly burden localities,
841 financially or otherwise.

842

843 **Local EMS Involvement**

844 VACo supports increased local involvement in state EMS planning to ensure
845 statewide needs are met and to avoid imposing unnecessary barriers to
846 volunteerism.

847

848 **LODA Participation by State Authorized and Trained Private Law 849 Enforcement Agencies**

850 VACo supports changes to the Line of Duty Act (LODA) that would allow state
851 authorized and trained private law enforcement agencies to participate in and
852 contribute to the LODA program in a manner that does not create an unfunded
853 mandate to local government.

854

855 **Pretrial Services**

856 VACo supports increased funding for and expansion of pretrial services. If the
857 Commonwealth adopts a funding formula for pretrial services, it must hold
858 harmless the localities currently participating.

859

860 **Public Notice, Public Hearing and Public Procurement**

861 VACo supports legislation to streamline required newspaper advertising for
862 public notices, public hearings and public procurement including legislation to
863 give localities the option to use electronic or other forms of notification as an
864 alternative to newspaper advertising.

865

866 **Public Safety – Body Worn Cameras**

867 VACo supports maintaining the ability of local governments to adopt policies and
868 practices regarding body worn cameras that reflect local needs and fiscal realities.

869

870 **Public Safety – Regulatory Overreach**
871 VACo opposes any federal or state regulatory action that hinders the provision of
872 emergency services by increasing costs of operations or deterring recruitment
873 and retention of emergency services employees. This includes the Occupational
874 Safety and Health Administration proposed rules change to Fire Brigades
875 Standards and the Food and Drug Administration’s proposed rule changes
876 impacting prescription drug box programs.
877

878 **Reimbursement of Expenses in False Reporting Incidents**
879 VACo supports legislation that would allow local governments to collect
880 restitution for reasonable expenses from an individual convicted of false
881 reporting.
882

883 **Sovereign Immunity**
884 VACo opposes any substantive change in local governments’ present defense of
885 qualified immunity and sovereign immunity. VACo opposes bringing counties
886 under the Virginia Tort Claims Act.
887

888 **State Assistance for Police Departments**
889 VACo supports increasing state assistance for police departments through “599”
890 Aid to Localities. This funding is designed to equalize state funding between
891 counties in which the sheriff department provides law enforcement and those
892 cities, counties, and towns with a police department.
893

894 **Workers’ Compensation Presumptions**
895 VACo opposes any effort to expand workers’ compensation presumptive illnesses
896 eligibilities for public employees that is not done in concert with additional state
897 funding assistance to local governments to offset additional insurance liabilities.
898

899 **Cybersecurity**
900 VACo supports dedicated state and federal funding for local governments to
901 acquire and maintain advanced cybersecurity to protect vital systems and
902 sensitive data. Incident reporting requirements should not impose an undue
903 burden or interfere with local incident response.
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HEALTH AND HUMAN RESOURCES

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Priorities

Health and Human Resources Funding

VACo supports transparent state policies and funding to ensure the Commonwealth’s at-risk families have access to high quality and appropriate services. The Commonwealth should provide full funding to localities and their state administrative entities for state-mandated human services and provide the necessary program flexibility to enable localities to provide comprehensive and case-tailored services.

VACo supports resources necessary for behavioral health and mental health facilities to ensure the protection of residents’ and staff health and safety, such as appropriate staff qualifications, training, compensation, and condition of the facilities.

Crisis Services and State Hospital Capacity to Accept Individuals Subject to Temporary Detention Orders

VACo supports efforts to address census pressures at state hospitals through near-term funding measures, to include efforts to stabilize staffing, that will ensure that all state hospitals have the capacity to receive admissions of individuals subject to temporary detention orders without delays. VACo supports competitive salaries and training for state hospital direct care staff, as well as support staff. In addition, ongoing efforts to support community-based crisis services must continue, to include any necessary clarification to ensure that eligible services provided to Medicaid members within short-term crisis intervention facilities can be covered by Medicaid.

Positions

Aging/Long-Term Care

VACo supports efforts that allow seniors to remain at home in a safe and secure environment. VACo urges the General Assembly to provide sufficient funding for companion services, in-home services, and home-delivered meals. Due to the increasing number of older adults in Virginia and the rise of Adult Protective Services (APS) cases, VACo supports additional state resources to ensure adequate training for APS workers on topics such as financial exploitation.

Behavioral Healthcare

Funding for Community Services Boards or equivalent county

agencies: VACo supports continued funding by the Commonwealth sufficient to allow Community Services Boards (CSBs) (or equivalent county agencies)¹ to

¹ The term “Community Services Boards” is used here to encompass the operating or administrative policy Community Services Boards, behavioral health authority, and local government departments with policy-advisory Community Services Boards.

958 meet the charge of providing services through a community-based system of care.
959 State support must enable CSBs to provide the services mandated by the General
960 Assembly as part of the STEP-VA initiative, as well as any additional
961 requirements that may be added. Funding must be sufficient to ensure adequate
962 staffing in a competitive market.

963 Any changes to CSB funding should involve meaningful consultation with
964 localities as key funding partners in the behavioral health system.

965 Proposed changes to the funding structure, such as the creation of new
966 funding formulae, should apply only to new funding. As an alternative, hold-
967 harmless funds must be provided to those CSBs that would stand to lose state
968 funding under any new funding structure.

969 VACo supports maintaining the ability of the Department of Behavioral
970 Health and Developmental Services to waive local matching requirements for
971 CSB funding for localities experiencing financial hardships.

972 Realignment of the behavioral health funding structure to incentivize
973 community-based treatment rather than use of state hospitals will require
974 additional state dollars and must not rely on local funding to backfill
975 unanticipated costs for hospitalization.

976
977 **Services for justice-involved individuals, individuals with cognitive**
978 **impairments, and individuals with intellectual and developmental**

979 **disabilities:** VACo supports the provision of additional resources to meet the
980 behavioral health needs of justice-involved individuals, such as mobile crisis
981 services and other diversion programs that may be appropriate substitutes for, or
982 supplements to, law enforcement responses. Such work should be coordinated
983 with existing local and state efforts. A sustained commitment of resources from
984 the state will be necessary to ensure successful implementation of the Marcus
985 Alert system; these resources must be in addition to, and not at the expense of,
986 the funding needed to provide the array of community-based services established
987 under STEP-VA.

988 VACo recognizes the need for specialized services for individuals with
989 cognitive impairments, neurodevelopmental disabilities, or neurocognitive
990 disorders who may experience behavioral health challenges, and supports the
991 provision of resources to enable these individuals to remain in the community,
992 such as continued funding for dementia behavioral specialists and other supports
993 for caregivers.

994 VACo supports the creation of additional Medicaid waiver slots to serve
995 individuals with intellectual and developmental disabilities in the community,
996 approximately 15,283 of whom were on a wait-list as of July 2024. Funding for
997 3,440 additional waiver slots in the 2024-2026 biennium aimed at eliminating
998 the Priority 1 waitlist represents a major investment toward meeting this need.
999 VACo supports the provision of additional state resources to assist CSBs in
1000 supporting the significant numbers of individuals who will receive these waivers
1001 over the biennium in order to ensure the successful implementation of these new
1002 slots.

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Children’s Services Act

VACo supports equitable cost-sharing between the state and localities for the costs involved in the placements of children in residential treatment facilities for non-educational reasons. VACo opposes proposals to limit state participation in funding services for children and youth who are mandated to be provided with special education and foster care services.

VACo supports enhancing the ability of local school divisions to serve children with disabilities, to include flexibility in use of state pool funds to serve children with high-level needs in local or regional programs tailored to meet those needs, at local option; exploration of enhancements to the Students with Intensive Support Needs Application (SISNA) or a similar funding mechanism within the Department of Education to enable more children to be supported within the public school environment; and additional support for special education wraparound services to help support children in their communities.

VACo supports state assistance to localities with contracting for CSA services to improve localities’ ability to negotiate with providers of these services, such as private day placements. Rate setting by the state must not limit the state’s funding obligation at the expense of localities if a provider refuses to accept the negotiated rate.

VACo appreciates the recent investment of an additional \$500,000 per year in state administrative funds and supports continued investment of state resources to assist in the local administration of CSA programs. As CSA becomes increasingly complex and the Office of Children’s Services is charged with ensuring effective implementation, the state should provide funding and other resources to support local programs.

Early Intervention

VACo supports sustainable funding for Part C Early Intervention, which is an entitlement program that provides services for Virginia’s infants and toddlers. VACo requests that the General Assembly continue to increase state general funding to address growth in caseloads and fund rates that address the costs of providing the services. Underfunding this entitlement program puts pressure on local revenues to fill funding gaps for this mandated service.

Foster Care and Social Services

VACo supports continued state efforts to ensure successful implementation of federal legislation governing federal funding for children placed in foster care, to include improving access to the evidence-based prevention services that may be funded by Title IV-E dollars and ensuring that congregate care providers are able to meet new standards required in the law. This legislation will allow federal participation in prevention services that previously have been funded by state and local dollars, but services must meet certain standards in order to qualify for federal funding.

VACo supports state assistance in recruiting appropriate foster families to care for children who must be removed from their homes. Continued state assistance with finding placements for youth with high-acuity needs is particularly important in building on the progress made by the Safe and Sound

1052 Task Force. VACo supports state assistance in recruiting and retaining child
1053 welfare workers to address high rates of turnover in local departments of social
1054 services, such as by increasing the number of partnerships with universities in
1055 Virginia, improving training for child welfare workers, and expanding the Child
1056 Welfare Stipend program. VACo supports building on investments in the 2024
1057 session and providing the full funding necessary to replace the current benefits
1058 management IT system (VACMS and CommonHelp) with a new integrated
1059 Benefits System in order to provide staff in local departments of social services
1060 the appropriate technology and training to carry out their responsibilities
1061 efficiently and effectively.
1062

1063 **Healthcare**

1064 VACo supports continued state funding for dental care, school nurses and
1065 preventive services and maternal and child health programs offered through local
1066 health departments and local school systems. VACo encourages the state to
1067 prepare for emergency health services access to care and to develop and fund
1068 incentives that would alleviate the nursing shortages felt in many communities.

1069 VACo supports efforts to reduce the cost of prescription drugs for
1070 individual consumers as well as for local governments' health insurance plans for
1071 county employees, such as through an affordability review process and the
1072 establishment of Upper Payment Limits for high-cost prescription drugs,
1073 provided there is an opportunity for local representation in such a process.
1074

1075 **Human Trafficking**

1076 VACo supports treating survivors of human trafficking as victims, not criminals,
1077 and supports additional state resources to assist in providing access to services
1078 available to other trauma victims, such as job placement services, housing
1079 assistance, access to education, legal services, and mental health services.
1080

1081 **Implementation of Medicaid Expansion**

1082 VACo supports continued state funding for the local costs associated with
1083 Medicaid expansion, such as local eligibility workers.
1084

1085 **Prevention Services**

1086 VACo supports increased stable, predictable funding, through state general fund
1087 appropriations or federal funding streams, for voluntary home visiting programs.
1088 Investments in programs that ensure a strong start for children can help reduce
1089 the need for costlier interventions later in life.
1090

1091 **Substance Use Disorder**

1092 Efforts to address substance dependency must be comprehensive and
1093 coordinated with localities. The state should develop and support evidence-based
1094 prevention initiatives and should continue to improve access to treatment.
1095

1096 **Telehealth**

1097 VACo supports the use of electronic information and telecommunications
1098 technologies to support long-distance clinical health care, patient and

1099 professional health-related education, public health and health administration.
1100 Flexibility in the delivery of these services is essential in meeting the needs of
1101 residents.
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TRANSPORTATION

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Priorities

Transportation Funding

The Virginia Association of Counties (VACo) is committed to advocating for a robust and sustainable transportation funding framework that effectively addresses the evolving needs of our communities across the Commonwealth. We recognize the critical role transportation infrastructure plays in connecting our counties, supporting economic growth, and ensuring the safety and well-being of our residents.

VACo supports continued study and action to address the causes for declining growth in transportation revenues and to develop recommendations to grow revenue over time to meet increasing demands for new construction and maintenance for existing transportation infrastructure. Such actions must, without impacting other transportation funding, address the secondary road needs of counties as well as unpaved roads.

VACo supports simplifying the Smart Scale process and maintaining transit capital state match rates.

VACo supports fully replacing redirected regional funds from the Northern Virginia Transportation Authority and recovering lost grocery tax revenue without impacting other transportation funding.

While VACo supports the 2021 Infrastructure Investment and Jobs Act (IIJA), this funding should supplement, not replace, funding the Commonwealth should provide for localities and regional bodies regarding their transit and infrastructure needs. VACo supports flexible funding for transportation, transit and infrastructure projects across the Commonwealth.

VACo remains dedicated to advocating for transportation funding policies that empower counties to address their evolving infrastructure needs effectively and is committed to working collaboratively with stakeholders to ensure the continued growth, safety, and prosperity of Virginia's counties and their residents.

Local-State Cooperation

VACo is committed to the protection of local government authority to regulate land use. This authority must be recognized by the Virginia Department of Transportation (VDOT) and the Commonwealth Transportation Board (CTB) when evaluations are conducted to determine the consistency between local transportation plans and the Commonwealth's transportation priorities.

1148 VACo opposes the reduction of local control that is associated with the CTB's
1149 process of designating Corridors of Statewide Significance and the
1150 implementation of Arterial Preservation.

1151
1152 VACo supports additional flexibility within the VDOT project approval process
1153 and standards to be responsive to localities' individual needs. VACo supports the
1154 expansion of authority and discretion of Resident Administrators of VDOT to
1155 approve modifications to design standards where appropriate with local needs,
1156 including reduction of speed limits. VACo supports preservation of local
1157 authority to reduce speed limits below 25mph in certain business and residential
1158 districts.

1159
1160 **Positions**

1161
1162 **Airports**

1163 VACo supports additional state and federal funding for the maintenance and
1164 expansion of airports to foster regional economic development.

1165
1166 **Autonomous Vehicles**

1167 VACo supports continued collaboration with local governments on the
1168 development, deployment, and restrictions of use for autonomous vehicles, aerial
1169 systems, and related support infrastructure.

1170
1171 **Electric Vehicle Charging Stations**

1172 VACo supports increased state and federal funding that provides for the
1173 availability and installation of interoperable, electric vehicle charging stations in
1174 collaboration with localities.

1175
1176 **Devolution of Secondary Roads**

1177 VACo opposes legislative or administrative initiatives that would transfer to
1178 counties the responsibility for the construction, maintenance or operation of new
1179 and existing roads.

1180
1181 **Maintenance Priorities**

1182 VACo supports a requirement imposed upon VDOT to implement a notification
1183 plan with the local governing body to establish maintenance priorities.

1184
1185 **Orphaned Drainage Outfalls**

1186 VACo supports the recommendations of the 2021 Evaluation of Drainage Outfalls
1187 Final Report to mitigate the impacts of drainage outfalls with no assigned
1188 maintaining entity across the Commonwealth.

1189
1190 **Parking**

1191 VACo supports general authority for counties to adopt ordinances regulating,
1192 including prohibiting, the parking of boats, RVs, utility trailers, campers, etc. on
1193 residential streets. In addition, VACo supports additional authority that would
1194 allow localities with parking ordinances the ability to enforce such ordinances

1195 using law enforcement, uniformed local employees, or uniformed personnel
1196 under contract with the locality.

1197

1198 **Photo Speed Monitoring Devices**

1199 VACo supports, as a local option, enhanced authority for counties to deploy and
1200 administer photo speed monitoring devices within their jurisdiction in the
1201 interest of public safety.

1202

1203

Railways

1204 VACo supports efforts by the Commonwealth to expand sustainable passenger
1205 and commuter rail service, including Transforming Rail in Virginia, to currently
1206 unserved areas of the Commonwealth as well as areas where demand exceeds
1207 available service. VACo supports continued collaboration with local governments
1208 regarding Commonwealth Rail Fund projects funded by the state and constructed
1209 within their jurisdictions. VACo supports efforts to safely improve mobility issues
1210 on roads that cross railway lines.

1211

1212 **Recordation Tax Distribution to Localities**

1213 VACo supports the restoration of state recordation tax revenues distributed to
1214 counties and cities for use of transportation or public education purposes.

1215

1216 **Regional Transportation Funding**

1217 VACo opposes any efforts to divert existing dedicated regional transportation
1218 revenues to areas and purposes outside of that region unless additional dedicated
1219 funding sources are provided to hold such funding harmless.

1220

1221 **Truck Size and Weight**

1222 VACo opposes any legislation that seeks to increase truck size or weight beyond
1223 the current federal standards, thereby stressing the capacity of the
1224 Commonwealth's road systems and putting highways, roads and bridges at risk of
1225 increased damage or deterioration.

1226

1227 **Transit**

1228 VACo supports additional state and federal funding for transit that accounts for
1229 the needs of each region and community to foster regional economic
1230 development.

1231