

An adjourned meeting of the Board of Supervisors of Albemarle County, Virginia, was held on December 4, 2014, at 12:00 p.m., Room 241, County Office Building, McIntire Road, Charlottesville, Virginia. The meeting was adjourned from December 3, 2014.

PRESENT: Mr. Kenneth C. Boyd, Ms. Jane D. Dittmar, Ms. Ann Mallek, Ms. Diantha H. McKeel, Ms. Liz A. Palmer and Mr. Brad L. Sheffield.

ABSENT: None.

OFFICERS PRESENT: County Executive, Thomas C. Foley, Deputy County Executive, Bill Letteri, Deputy County Executive, Doug Walker, County Attorney, Larry W. Davis, Clerk, Ella W. Jordan, and Senior Deputy Clerk, Travis O. Morris.

Agenda Item No. 1. The meeting was called to order at 12:35 p.m., by the Chair, Ms. Dittmar. Ms. Dittmar welcomed everyone present and thanked them for attending this joint session. Ms. Dittmar asked everyone present to introduce themselves. (**Note:** Prior to the meeting starting, the Board members and Legislators ate lunch.)

Agenda Item No. 2. Meeting with Area Legislators. State Legislators Present: Senator Creigh Deeds from the 25th District, Senator Bryce Reeves from the 17th District, Delegate Steve Landes from the 25th District, Delegate Rob Bell from the 58th District, and Delegate David Toscano from the 57th District.

Also present were: Legislative Liaison for the Thomas Jefferson Planning District Commission (TJPDC), Mr. David Blount.

Thomas Jefferson Planning District Legislative Program Summary, David Blount.

Mr. Blount stated that he will provide a brief overview of the regional legislative priorities for the Thomas Jefferson Planning District localities. He said that the top priorities and legislative requests were the subject of their annual legislative forum, which was held at the end of October.

Mr. Blount said that their top priority has been identified as equalizing the revenue authority of counties with that of cities and towns, a position that was geared toward removing the cap on the meals, cigarette, lodging and admissions taxes. He said that their position cites a number of state studies stretching back 30 years. He noted that the historical differences in taxing authority of cities and counties was largely due to the level of services being provided, and a lot of those distinctions no longer exist. Mr. Blount noted that the studies also made recommendations that the distinction be eliminated. Such a move in whole or in part would help diversify the revenue base of localities, which are currently highly dependent on the real property tax.

He stated that the next two priorities on state mandates and funding obligations as well as public education funding, were two perennial priorities. The state mandates priority urges the state not to impose unfunded mandates on localities, to not shift the cost of state programs to localities, and to not reduce the local revenue authority. Mr. Blount said that the public education position also asks that the state fund the Standards of Quality at a realistic level, and that the state not shift responsibilities for educational programs to localities and school divisions in order to make policy changes at the state level.

Mr. Blount said that transportation funding and devolution are the next priorities. Localities are seeking the restoration of formula allocations for secondary road construction – opposing the shifting of secondary road responsibilities to localities.

Mr. Blount said that the position on water quality moves away from a focus exclusively on the Chesapeake Bay TMDLs to talk about local clean water efforts and management, recognizing that all of these issues will necessitate federal and state funding. He said that the final regional position pertains to land use and growth management, requesting that the state provide additional tools to localities to address growth, while at the same time not usurping those authorities.

Mr. Boyd said that, in relation to state mandates, the County had a panel of department heads who met with the Board the night before, talking about the budget woes they will experience this year. One of the things that the Department of Social Services Director, Kathy Ralston pointed out was the tremendous number of mandates handed down to the local department with no funding for any of it, which is really putting a strain on them. Mr. Boyd said that Ms. Ralston indicated that this was a statewide problem, not unique to Albemarle County. He added that this creates a tremendous burden on local taxpayers and boards of supervisors to have to support.

Ms. McKeel said that DSS mentioned mandates coming from every direction. She asked the legislators if they were doing any kind of cost analysis on what it would cost the divisions to implement those mandates. Delegate Landes said that they are trying to do that. He said that his understanding is that the process is in place and they are trying to figure out the way to implement it and get the information to the legislature. He stated that he hopes that this session will be a test run of the new

system whereby they get the local impact statement in addition to the state fiscal impact statement, so they know what the cost is related to the state agency and the cost to localities.

Ms. McKeel asked if it would be possible to take social services and this particular issue and have it run through as a pilot, to see the impact of what the localities are dealing with right now. Delegate Landes said that the system is usually looking at things the legislators are considering at the time, and he does not know if they could go back retroactively.

Ms. Dittmar said that it could be that they have a proliferation of mandates that are no longer starting with a new bill, and are coming down directly to departments.

Mr. Boyd clarified that these are not all state mandates, and there are federal mandates as well having to do with Medicare, etc.

Mr. Blount said that one of the different approaches this year is to funnel some of these specific bills to a team of policy experts, those who are versed in specific areas such as education or social services, to provide a higher level of feedback on impact from the localities. He stated that regarding things that are already in place, the Commission on Local Government keeps a catalog of local government mandates derived from statutory and state regulatory provisions. He said that they have an ongoing assessment process, so that in any given year they are picking out various provisions and analyzing them – asking for state agency feedback, local feedback and input, and public comment. Mr. Blount said that the Commission is on a regular schedule so that every four or five years it will get feedback from the entities that are affected.

Ms. Palmer asked if the Commission is doing fiscal impact studies retroactively. Mr. Blount responded that it is not necessarily a fiscal impact study; instead an impact study to get feedback.

Ms. Palmer asked for confirmation that there is no actual dollar figure put on it as to how much it costs local government at this point, because that is what the County really needs to know. Mr. Blount said that it is not something the state is expending time and personnel on, to go out on each of hundreds of requirements to determine what the cost is to each locality or school division in the state.

Mr. Sheffield said that there must be a certain threshold for how it is assessed, because there are small things that the state does that have minimal impacts but they start to add up. He cited an example of the DMV requiring a physical for all Commercial Driver's License holders, and that cost JAUNT an additional \$3,000-\$4,000 per year. That is a minimal cost, but it is an indirect impact that the state could not really ever address.

Delegate Landes said that the process they came up with was to try to address the issue being introduced, but it will not go back and fix what the legislators have done in the past. He said that the mandate study gives an idea of what the costs are, and perhaps they need to figure out a way to communicate that to legislators. Almost every year, he has requested that information, but has not received it. He emphasized that not all of these mandates come from the General Assembly. There is the other end of what agencies do from a regulatory standpoint – if they can directly relate the regulation to the state law passed, that is something the General Assembly can take responsibility for, but a lot of times what happens is that the agency will interpret the law and go beyond what the legislative intent was, which causes additional costs. Delegate Landes said that the state legislature now has an administrative review commission that is tasked with the responsibility if they have an example of a problem and/or an unintended consequence, and they can look at it and have the agency explain why that has occurred in contravention to what the General Assembly intended. He also stated that the General Assembly does not control the executive branch agencies, so they need to take responsibility when agencies go beyond their scope of authority. Delegate Landes said that he hopes that the reform with the local impact statement will at least provide information for localities and the legislature before they actually vote on the legislation, so they can assess the true costs.

Ms. Mallek asked if the filing date has been changed to allow more time for that to happen, as there was a discussion about moving it back. Delegate Landes said that the procedural resolution is pretty much as-is. The legislature had to have pre-file requests for bills in by December 8, and there is also a deadline for when they convene. He said that they did get some additional money for the Commission, and hopefully that along with what Mr. Blount has explained will provide the necessary information. Delegate Landes said that it will likely take two or three years to get the system in place so that they are getting the information that is helpful, and they will likely need more resources to make it work.

Ms. Mallek said that another issue is having the Board find out in time, so perhaps if there is a bill in the works; Mr. Blount can alert the jurisdictions so they can gather the impact information.

Delegate Toscano said that the legislators watch these things pretty carefully, and they will either catch them or Mr. Blount will. He said that there are things that happen in the General Assembly in passing a law that are function of a federal requirement, such as the foster care provision – in which the feds decided they wanted to get permanency for children faster, so they accelerated the time periods by which social services has to file the reports. Delegate Toscano said that the state had to pass a bill to

ensure it was the law, so that DSS would do what they needed to do in order to get the federal funding. He said that the theory is that the sooner you get kids out of foster care, the less cost there will be long-term, but short-term there may be a problem with picking up the slack. Delegate Toscano asked the Board to provide him with the information Ms. Ralston provided on foster care.

Mr. Boyd said that Ms. Kathy Ralston had mentioned the foster care increased time limit, because DSS does not have the staff to get through the process. Delegate Toscano said that the feds were making it conditional on the federal money coming in, because their theory is, the faster you push these kids through, the faster they will be reunited with their former families or find new families.

Ms. Mallek said that the visitation is a good idea to ensure they are in safe places, but four times per week is unrealistic. Delegate Toscano said that is a regulation issue – it is not in the statute.

Mr. Boyd asked Mr. Foley to convey that information.

Albemarle County 2015 Legislative Priorities, Larry Davis.

- Shared Priorities with the School Board
- Albemarle County Requested Legislation

Mr. Davis said that he will report on the County's legislative priorities. He stated that the stormwater utility waiver is a technical amendment being requested by the County. Under the stormwater utility law enabling authority, there is a mandated exemption for property held by a public entity that is under an MS4 permit. Mr. Davis said that this became an issue for Albemarle because the County holds the permit for both local government and schools, and there are two schools located in the City – with their interpretation being that they are not exempting the school system from the fee, which is about an \$8,000 this year. He stated that the County has talked to the drafter of the bill, Delegate Bulova, who said that was not his intent – but the County is in a position where it needs to have a technical amendment to fix that application, which would also have application in other localities.

Senator Creigh Deeds asked if Delegate Bulova was willing to offer that. Mr. Davis said the County is discussing that with him, but are not sure if he has capacity with the number of other bills he has. The County is hoping for a local sponsor.

Senator Deeds offered to be that bill's sponsor.

Delegate Landes commented that House members have a 15 bill limit; Senate colleagues do not have that same limit.

Mr. Davis said that he has some suggested language for the bill.

Mr. Davis reported that the next priority legislative item is conservation easements. The County has locally the ACE program which is a high priority for funding. Mr. Davis said that the County relies upon several funding sources from the state, under the Virginia Land Conservation Foundation and the Office of Farmland Preservation Grant Program. He said that they both are important matches to the County's grant program, and if there is an opportunity to support those, it is important to Albemarle County.

Mr. Davis said that they have already discussed the Comprehensive Services Act and local Department of Social Services, which are continued priorities for which the County does not want to have cost shifting, and if possible to have better funding to match the mandates being required. He stated that under local government administration and finances, the taxation initiative is their highest priority this year although they are aware it is a difficult issue. Mr. Davis said that every additional penny of meals tax would equate to about \$1.6 million in Albemarle County; another penny of the Transient Occupancy Tax is about one-half million; if the County could impose the same cigarette tax as the City of Charlottesville, it would be about \$1.6 million.

Senator Deeds said that in theory he does not have an objection to doing that, but it will not pass because it will be considered a tax increase. He said one thing that might make sense would be to figure out how to describe a county by density of population, that would be a breakdown of those localities that are required to provide more services – because that is the historic distinction, as counties did not provide services but cities did. He added that some counties are more urban than some cities. Senator Deeds said that perhaps there would be a density per square mile in terms of population, to give localities above a certain density the same option to raise money as cities have.

Ms. Mallek asked if having a referendum attached would make it more palatable. Senator Deeds said that he doubts it, but maybe so. A referendum would make no difference to him. He said that he would introduce the legislation and trust local governments to make the decision – and if people disagree with what the local government has done, they can throw them out of office, as that is how a representative form of government works. Senator Deeds emphasized that the density issue is more important to him because there are some localities that do not provide a lot of services, and to give them extra tools like this to raise more tax revenue would not be the right approach.

Ms. Dittmar stated that Albemarle surrounds the City of Charlottesville with an urban ring of about 50,000 people. The County has a larger urban ring in population than the City, and it has to supply services. In addition, Albemarle has a lot of rural land. The County's only go-to is the property tax where it can try to make up school funding. She added that at a panel presentation last night Board members learned that right-sizing the County Police Department would require 27 more police officers, which they cannot afford. She said that the County has no choice but to increase taxes, and the one source they have is the property tax. The local government is being asked to make up this deficit and they are close to the citizens that the legislators also represent. If the legislators want the local governments to go to the property tax, then they need to say that. The other option is to give them some tools, then they could hopefully grow the economy and start patching some of the holes in Social Services and police citizen safety.

Ms. Palmer said that the property tax is a fairly poor proxy for income. There are a lot of elderly people who are trying to stay in their homes – so increasing this tax will send some of them out, and she hears from these people all the time.

Delegate Toscano said that this will be one of the big issues of the session. He added that he is not sure who is introducing this bill, but it would be useful to have the data that the Senators talked about because it will be difficult to get the bill passed with a blanket authority given to counties to do what cities do. He stated that it might be possible, although not likely, with a density provision, but they would need to know who it would cover.

Mr. Davis said that there is a density figure necessary that would allow a county to qualify to become a city. Albemarle has just recently reached that population density, so that probably applies to Henrico and Chesterfield – and it might be a logical number to look at.

Delegate Toscano asked who is carrying this bill in the upcoming session, and said that VACO must have somebody doing it. Mr. Davis responded that he does not know.

Mr. Blount stated that they tried to get it introduced last year and were not able to.

Ms. Dittmar said Albemarle is asking for it.

Delegate Toscano expressed concern that it has not even been drafted yet, and said it will not be the big issue of the session if it has not been introduced yet.

Ms. Dittmar said that her concern is the solution they continue to go to is to raise the property tax. Localities just want a solution and if legislators say that they just need to raise the property tax, then that is what they need to say.

Senator Deeds said that the problem with that is that a lot of people who live outside the urban ring end up paying for the services they do not use, and that is why localities need additional tools. He said that he understands that need, but he is not interested in taking something on that is going to be a "Don Quixote".

Delegate Toscano said that both the Senate and House are controlled by Republicans, so perhaps they should be asked about what they have heard. It makes no sense to introduce legislation that has no chance of passing, unless it is just to make a point.

Delegate Landes said that Senator Deed's idea has some merit, and he would be glad to talk with Lee Ware on the House side to see if there is any movement on this. He said that they are going to be looking at tax preferences as the big tax issue. It may be a good year to at least get the discussion going on this, but with it being a short session, it is kind of hard to draw attention to it without VACO or VML making it a big issue. Delegate Landes said that every locality has been concerned about education and funding for other areas, but he has not heard that there is even consensus within localities on the tax equity issue.

Senator Deeds said that he would be interested in seeing who it impacts. If the County puts the density required to become a city in this formula, who it would impact – and what kind of consensus could be built among those localities.

Ms. Dittmar asked Mr. Boyd what Lee Ware said about this on the VACO Finance Committee.

Mr. Boyd said that he said basically the same thing – that it has been tried before, and there has not been interest to pass it. Mr. Boyd said that he mentioned the referendum issue to him, and he had not thought about what kind of impact it would have. He stated that Mr. Ware did not give any indication one way or another as to whether he thought this would be a high priority with the legislature.

Delegate Landes said that he would also talk with him, and like Senator Deeds they all have a lot of things they are working on, so it is good to get a read on what is a possibility for consideration.

Mr. Boyd noted that the committee is well representative of the state, as a lot of big Northern Virginia and Eastern counties are represented.

Mr. Foley said that staff would do that analysis and get that information to the Board so they know who the group is, as part of the conversation.

Delegate Landes reiterated that sometimes to build support for something is not just a one-year thing, and although the concept may not be acted on this session, it could start the conversation. Mr. Foley said that Albemarle can work on the connections with the other urban counties that are in the same situation, through their county administrators and boards of supervisors. Mr. Foley said that he stood up and spoke about this at VACO, and Lee Ware asked, "Do you know that it is an election year?" He stated that the urban counties are all going to get together on this issue; there is not much question about that – and their points are well-taken regarding density and level of services.

Mr. Davis said that next item, a shared item with the school system, is the Virginia Retirement System. The County's position is basically not to shift costs to the school systems that localities will have to pay for, and to have more predictability in what those increases will be. He said that Albemarle is not opposed to adequately funding the retirement system; it is just having an orderly way to do that.

Mr. Davis said that the next priority is a technical amendment regarding the school bus video monitoring system bill, which was passed a few years ago but is used by very few localities because of an inherent flaw. This bill allows localities and school boards to have an ordinance to create a program that photographs anyone who runs past a school bus. He stated that this has been adopted by four localities including Albemarle, but the problem is that the bill mandates that for anyone who fails to pay after they have been noticed, the prosecution of a civil fine must be initiated in the same manner as a traffic violation summons, which requires it to be served by a police officer – which is totally impractical for this type of offense. Mr. Davis said that the red light camera summonses are allowed to be served by first class mail, just like parking fines, so this bill in order to be practically implemented needs to have that correction made to allow summonses to be served by first class mail rather than by police officers.

Ms. Mallek said that Albemarle has had near fatalities, so it is a very serious issue here.

Delegate Bell said that this should be prosecuted like a crime with all sorts of penalties. He did not like photo red. This is not a loophole or a technical correction; it is the way the bill came through. If it is going to be treated like a penalty; it is an entirely different way of handling people who are in trouble with the law. Delegate Bell said that the issue is similar to that of red-light cameras, where there is another group of charges where they are essentially presuming guilt – and a letter is sent to the alleged violator, with no one having to testify and no chance to challenge it. He stated that if someone is describing this as a minor correction or minor change, they are misleading them about what it means.

Ms. Dittmar clarified that what they are asking for means they do not have to go to court.

Delegate Bell said that in that sense, it is like the photo-red cameras.

Mr. Davis said that currently the way the process works for photo-red is that a violation is recorded, the police department then reviews the photo evidence of that, verifies that a violation has occurred, and then a notice of violation is mailed to the violator. If they pay the violation, he said, that ends the process. If they do not pay it, then a summons has to be issued to have them come to court to contest it and it must be proven that it was a violation. Mr. Davis said that under photo-red, that can be delivered by first-class mail. Under photo-arm monitoring, it must be served by a police officer.

Delegate Landes said that the debate at the legislative level is that it is a departure from the normal process for people who violate the law, so basically there is a law enforcement officer making the determination as to whether a person has violated the law rather than allowing them due process to come in and plead their case. He said that with photo-red, there is evidence and information, but it is a departure from due process and having your day in court – and that is what the legal arguments are.

Ms. Mallek said that the normal recourse after getting a letter would be to come to court if they disagree.

Delegate Landes said that other than photo-red, that is the only other exception, and in every other case you either go to court or pay your fine. He said that with photo-red, they have already made the exception after much debate, and now Albemarle is trying to expand it even though it is for a good purpose – which is a departure from process.

Mr. Davis said that Delegate Bell's point is well taken on the policy issue behind this, which means prosecuting someone passing a bus as a civil infraction with a \$250 fine rather than a class one misdemeanor. He said that once you get past that philosophical standpoint, this is just an issue of practicality of whether it can be implemented as a civil fine rather than a crime.

Delegate Toscano asked if Easy-Pass violations are prosecuted criminally or civilly. Mr. Davis said that it is a civil penalty, just as red-light infractions and parking tickets.

Delegate Landes said that the whole issue of technology is moving this way.

Ms. Dittmar said that Mr. Davis has indicated that there are not sufficient police officers to deliver these summonses. Delegate Toscano said that he is going to get the bill drafted and figure out if someone can introduce it.

Mr. Davis said the next issue is another shared issue with the schools, the June Primary Bill, which has already been drafted and would move the primary date from the second Tuesday to the third Tuesday to avoid conflicts with schools. He said that the next issue is another important issue to Albemarle - Senator Hanger introduced legislation in 2013 related to the composite index and land use value taxation. He explained that in Albemarle County, if the composite index reflected land use value rather than the true fair market value, it would make about a \$2.9 million difference in school funding. The way it is currently computed does not accurately reflect the County's ability to pay for schools because it does not collect taxes on the difference between those values. Mr. Davis said that the purpose of land use taxation is to promote the statewide policy of land conservation, and although the County is a very good steward of this program, it has to pay a significant price in school funding as a result of the use of the composite index. He stated that Emmett Hanger's legislation did not get very far in 2013, but hopefully it is gaining notice statewide in terms of its fairness.

Mr. Davis reported that the next issue relates to funding of public defenders, which are statewide offices paid for by state funding. Last year the public defender came to the County Board and said they were so grossly underpaid they could not compete in this market. He said that they asked for local funding, and Albemarle County stepped up to the plate and provided \$74,000 to the public defender's office to bring up their salaries. Mr. Davis said that the County feels that this should be funded by the state, not localities, so any opportunity to adequately fund them would be appreciated.

Delegate Landes said that the General Assembly just looked at this a couple years ago, and it is basically an issue of people wanting to live in Albemarle and Charlottesville – and they see the same problems in Fairfax County for public defenders and Commonwealth's Attorneys, because of the costs there. He said that the problem is that the market for attorneys here is much higher than it would be in Staunton or Waynesboro, and without having some offset based on population or some other factor he is not sure what else they can do in the short term. The General Assembly put additional funding at that time into the public defenders so as to ensure that everyone had access to representation.

Mr. Davis said that there was a compelling case made by the local public defender, to both the City and the County, which they funded after a great deal of debate.

Mr. Davis said that they already discussed full funding for state mandates, but it remains a priority. He stated that the voting precinct issue relates to continuation of split precincts – primarily in Senator Reeves' and Senator Deeds' districts – and Albemarle would love to have that fixed if possible. Mr. Davis said that it continues to be an important issue for the County's Registrar. He stated that the final issue is drug court funding. The County hopes that funding is not reduced this year because it has been an important program that has achieved a lot of results and success in the court system, and cutting that funding would have negative consequences.

Mr. Davis said the final priority item is from Sherriff Chip Harding, who proposed an initiative to expand the DNA database to include samples from those who are convicted of serious misdemeanors for which they could be subject to jail time. He said that the Board expressed support for that concept, and hopes there would be a bill to which they have given a formal measure of support.

Senator Deeds asked what the fiscal impact of this would be, as DNA testing can be pretty expensive.

Mr. Boyd said that Sherriff Harding gave an example in which it would be included as part of court costs.

Ms. Dittmar said that Sheriff Harding also cited the cases of Hannah Graham and other missing individuals, which cost more than \$2 million, and those cases might not have ever happened had the DNA database been expanded. She said that there would be human expense and pain that would go away with this, in addition to the funding issues.

Delegate Toscano said that he has had two bills drafted related to this: one that extends this to all misdemeanors and another that extends it to a class of serious misdemeanors, but budgetary constraints may make it a difficult sell this year. He said that New York State tests DNA for all misdemeanor offenders, and had this been in place in Virginia, it is unlikely that Jesse Matthew would have ever met Hannah Graham.

Ms. Mallek said that Sherriff Harding also mentioned exonerations of people who were proven innocent by DNA.

Ms. McKeel stated that Sheriff Harding had quoted the cost at \$40-\$50 in court costs.

Ms. Dittmar commented that she is not familiar with the criminal side, but she does know that criminals do not usually start with major crimes – they move their way up to more serious offenses.

Delegate Landes said that there are two budgetary issues, but they are also getting complaints that the State forensics labs are having a tough time keeping up with the workload and are putting off some tests. He said that they should give this serious consideration, but the fiscal impact is going to be more significant than originally thought.

Regarding the voting precinct technical changes, Delegate Landes said, both the House and Senate have made an effort – and he has also heard that the Governor is not going to sign any technical changes either, so before they go down that road they need to find out if there is even a chance to do that. Delegate Landes said that the House has entered a bill every year to try to make the changes. Generally they put in a bill to make the House technical changes, and the Senate puts in a bill to make the Senate technical changes. He said that perhaps they can ask if the administration will actually support that.

Senator Deeds said that in 2004, they changed the constitution to include specific language that says redistricting will occur in 2011 and every 10 years thereafter. Identical language in a western state was taken by the courts very literally, and any attempt to change districting after that was found to be unconstitutional. He said that is the dilemma – do they follow what the constitution says word for word – because if they change the district boundaries, whether technical or substantive, they are redistricting.

Delegate Landes said that only judges can do redistricting, which is basically what was just decided by the recent court ruling.

Ms. Dittmar asked legislators for any final comments.

Legislator's Priorities and Sponsorships/Questions and Answers, Legislators.

Delegate Toscano said that he would encourage the Board to watch the bills that are coming at the legislature, because they come fast and representatives are not always sure what people think about them.

Senator Deeds said that they do not always have the right information. He encouraged the Board to pay attention to what is coming up and communicate with them about it because he is often focused on the bills that he is sponsoring and the committees he serves, and he does not always see what is coming until it hits the floor. He reiterated that what the Board has to say does matter.

Ms. Mallek said that what was going around at the recent VACO conference was that the counties were not going to be reimbursed for the last quarter expenses of the regional jails. Delegate Landes said that he heard that rumor also, but he has not been able to track down the source or confirm the information. As Vice-Chairman of the Appropriations Committee, he usually gets good information from his staff. He added that the Executive branch does have the discretion to delay payments, etc., to make things balance, depending on cash flow, but that is not something the legislature has initiated although it might be something in the Governor's budget for them to have to consider. He added that this is not how the legislature should be operating.

Delegate Landes said that as the Board hears about legislation, they should pick up the phone and call him about it. He suggested to Mr. Blount that they have further conversation, that they use the Education Committee as a test to make sure that every bill in that committee gets a local fiscal impact statement.

Ms. Mallek asked if the property tax minimum \$250 bill has been discussed yet. Mr. Davis said that the Chamber has requested that, and the County's legislative packet agreed to support a bill if it was within the limitations of \$250 and at the discretion of the Board.

Senator Deeds said that he has looked at the bill and asked Legislative Services to look at it, and it appears that it will require a constitutional change.

Delegate Landes said he and Mr. Blount had looked into it also, and there may be some questions related to that.

Delegate Toscano said that you have to tax all property equally, so they are trying to find out if there is a workaround.

Ms. Mallek said that it is a real burden on some businesses to fill out the forms.

Delegate Landes said that the Chamber would like to see a \$500 limit, but the Board would like to see a \$250 limit.

Board members and County staff thanked the legislators for attending.

Adjourn.

At 1:32 p.m., Ms. Dittmar **moved** to adjourn the meeting to December 9, 2014 at 3:30 p.m. Mr. Sheffield **seconded** the motion.

Roll was called, and the motion passed by the following recorded vote:

AYES: Mr. Sheffield, Mr. Boyd, Ms. Dittmar, Ms. Mallek, Ms. McKeel and Ms. Palmer.

NAYS: None.

Chairman

Approved by Board
Date: 04/01/2015
Initials: EWJ