



COMMONWEALTH OF VIRGINIA
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JEFFREY C. MCKAY
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Joint Board Matter

Chairman Sharon Bulova
Supervisor Jeffrey C. McKay

October 5, 2009

Letter to General Assembly Delegation Regarding Secondary Road Devolution, Proffers and the 2010 Legislative Worksession

Background:

Each December, the Board has invited the County's General Assembly (GA) delegation to a legislative breakfast, where the Board presents the County's legislative program to the delegation. This year, in an effort to increase discussion with the delegation, the Board will be inviting them to an afternoon work session in December, in advance of the 2010 GA session.

Additionally, the issue of secondary road devolution has received a great deal of media attention in recent weeks, leading to some confusion about the Board's position on devolution of the County's secondary road system. It has long been the Board's position to oppose the mandatory transfer of secondary roads from the state to the County. However, the Board has directed staff to undertake a study of the potential advantages and disadvantages of entering into a voluntary agreement with VDOT to assume responsibility for some portion of our secondary roads. Any such negotiated agreement (should it be deemed advantageous to the County) would be contingent upon a guarantee of appropriate funding from the state for taking on these responsibilities.

Finally, another long held position of the Board is that existing local authority to accept cash and in-kind proffers from developers to assist localities in financing the capital facilities and infrastructure needed to serve new development must be retained without restrictions.

During the September 16, 2009, meeting of the Legislative Committee, the attached draft letter was recommended for approval at today's Board meeting, addressing each of the above issues.

Motion:

Therefore, I move that the Board endorse the attached letter to the County's General Assembly delegation, requesting that they mark their calendars for the December 9th work session, asking them not to introduce or consider any legislation on the topic of secondary road devolution during the 2010 General Assembly, pending the completion of our Board's study and

commission that will consider this subject, and reiterating the County's position that any proposal for replacing proffer payments with development impact fees must be at the option of each locality.