

[Print Page](#)

Board: Anti-Proffer Bill Hurts Taxpayers

By Erika Jacobson

(Created: Thursday, February 7, 2008 10:02 AM EST)

The Loudoun County Board of Supervisors voted unanimously Tuesday to "strongly oppose" a Senate bill that would require the proffer system to be replaced with a system of impact fees. While sentiment among Loudoun leaders has been negative with regard to the bill that would remove Loudoun's ability to negotiate developer proffers to offset the cost of providing schools, parks and other services to residents of new homes, Tuesday's position was the first official action taken.

Supervisors said the Home Building Association of Virginia, which endorsed the bill, would come to regret their actions if the bill passes.

"[They] may not know what they are doing with this bill," Supervisor Lori Waters (R-Broad Run) said, suggesting that the board reach out to the Loudoun-based builders and developers for help. "This is bad for us, bad for them and bad for taxpayers."

Indeed, Chairman Scott K. York (I-At Large) called the bill the "anti-taxpayer bill," stating that it would "completely obliterate what we have worked through for 30 years with respect to the proffer system" with about "30 minutes of work."

"What will occur is that the development community will forego paying that which is the result of their development and it will put it on the backs of us, the taxpayers," he said.

As the bill is written now, Loudoun and other area governments would be allowed to levy a maximum impact fee of \$8,000 on each new single-family homes. Townhouses would only be subject to a maximum of two-thirds that amount and multifamily units would only be subject to half that amount.

Under its current proffer guidelines, Loudoun requests contributions totaling \$47,000 for new single family detached homes approved through the rezoning process.

The "word on the street," York said, is that the bill will pass. If that happens, he said he hopes Gov Timothy Kaine (D) will step in and veto it.

As the board voted Tuesday on its positions on many General Assembly bills currently making their way through the house and senate, one of the largest debates occurred concerning a bill introduced by Del. Tom Rust (R-86) that would cement the duties and powers of the chairman of the Loudoun County Board of Supervisors. Debate erupted among supervisors over whether the chairman's responsibilities should be written into state law or if they should be left to the will of the elected body.

Some supervisors said that the 2004 stripping of York's powers by the previous board showed why such legislation was needed, especially since the chairman is the only board member elected to represent voters countywide. In that 2004 action, the newly elected Republican majority voted at its first meeting to give most power to control board meetings and agendas to the vice chairman.

"The citizens felt robbed when they elected a chairman and then that person was stripped of his powers," Supervisor Kelly Burk (D-Leesburg) said. "We have to make sure that the citizens' voices are heard."

Supervisor Eugene Delgaudio (R-Sterling), however, said that the legislation was suspect, stating that York took part in usurping the powers of former County Chairman Dale Polen Myers (R) when he was the Sterling District supervisor. "I am aware of the long-time friendship of Del. Rust and Chairman York," Delgaudio said.

Other supervisors, however, countered that there was no stripping of powers from Myers, only a disagreement over who should chair the board's committee's when she announced her slate of appointees

and that the people should be confident that the person they elect would actually lead the board.

"It is no secret that Mrs. Myers had a role in revising the rules of order that first day under the previous board," Waters said. "This would stop this argument forever, for the future."

Supervisor Stevens Miller (D-Dulles) questioned why the legislation was being brought forward now, instead of years before, especially in light of the current board's decision to leave the powers with the chairman. York told his fellow board members that the bill was only being brought forward this year because before "there wasn't a legislator who would touch it."

"This is not about Scott York. This is about the institution of the chairmanship of Loudoun County," York said. "This bill is about ensuring that whoever is elected chair fills out the responsibilities that are outlined by citizens who elect him."

Also Tuesday, the board of supervisors unanimously supported Senate bill 1, which is the Senate's version of a bill that would repeal the abusive driver fees.

The board was split 5-4 on a motion to support a bill that would require "public contractors and their subcontractors to register and participate in a federal Electronic Work Verification Program or similar electronic verification of work authorization program to determine that their employees and individual independent contractors are legally eligible for employment in the United States." Supervisors Sally Kurtz (D-Catoctin), Jim Burton (I-Blue Ridge), Miller and Burk opposed the bill.

"We, as a county, have approved those things for which we have solid legal ground," Burton said. "These other things that are being proposed, there is not solid ground. It seems to me we should stay away until the courts figure it out."

Reader Comments

The following are comments from the readers. In no way do they represent the view of Leesburg Today.

Total Comments: 1 comment(s)

observer wrote on **Feb 7, 2008 12:17 PM:**

" This is funny sort of. For years and all through the election we heard that proffers were no good and put the cost on the taxpayers and the only reason we don't have impact fees are because the developers won't let Richmond give them to us. Now there will be impact fees and all of a sudden proffers are much better! Mrs. Waters is funny too after bonding that interchange that would have been proffered. Now that One Loudoun won't be in the running for the county center and the market is bad it may well be that the only interchange that gets built is the tax funded one. And Mrs. Waters I bet Mrs. Myers did have a hand in the rules of order just like you do yourself every year. That is the only place Mr. York's extra duties were and I don't know why Richmond should pass a bill that only is for Loudoun when they can't even get a unanimous vote on it here! "

Copyright © 2008 Leesburg Today

[\[x\] Close Window](#)