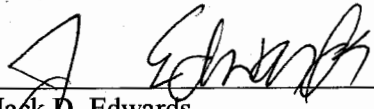


RESOLUTION

2000 LEGISLATIVE PROGRAM

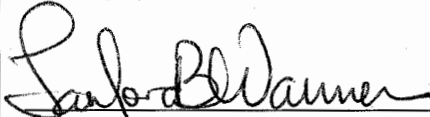
WHEREAS, it is appropriate for the Board of Supervisors to consider a legislative program to present to the 2000 session of the General Assembly.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby endorse the attached 2000 Legislative Program and urges its consideration and passage as appropriate.



Jack D. Edwards
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
NERVITT	AYE
SISK	AYE
MCGLENNON	AYE
BRADSHAW	AYE
EDWARDS	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 1st day of December, 1999.

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JAMES CITY COUNTY
2000 LEGISLATIVE PROGRAM

PART I. Legislation to be introduced on behalf of the County

1-1. TRAFFIC CONTROL

James City County requests that it be added to those localities authorized by §46.2-833.01 of the Code of Virginia to permit the establishment of a program involving cameras at traffic intersections to monitor traffic.

1-2. ABATEMENT OF TAX LEVIES FOR DAMAGED BUILDINGS

Amend §58.1-3222 to change the time period in which damaged buildings can not be repaired, in order to qualify for an abatement. Delete the fourth sentence which states: "Also, no such abatement shall be allowed if such destruction or damage shall be repaired during the same calendar year in which it occurred." Replace the fourth sentence with the following: "Also, such abatement shall not be allowed unless the destruction or damage which renders the building unfit for use, occupancy and enjoyment exists for 30 days or more during the same assessment cycle in which it occurred."

1-3. LIABILITY FOR ROLL-BACK TAXES

Amend § 15.2-4314(B) to clarify that roll-back taxes are due upon removal of land from an agricultural and forestal district by changing the phrase "shall be subject to roll-back taxes" to "shall be liable for roll-back taxes." The purpose of this change is to make the language consistent for agricultural and forestal district ("AFD") in Title 15.2 and land use value taxation in Title 58.1. Use of the term "liable" avoids the interpretation that land which qualifies for use value taxation because it is in an AFD does not have to pay the roll-back tax when such land removed from an AFD until some other event occurs. Roll-back taxes should be both due and payable when land is removed from an AFD.

1-4. ALLOW WETLANDS BOARD MEMBERS TO SERVE ON APPEALS BOARD FOR CHESAPEAKE BAY PRESERVATION ORDINANCE

Amend the second to last sentence of § 28.2-1303 to allow members of the Wetlands Board to serve on a local appeals board for a Chesapeake Bay Preservation Ordinance. Currently, the Wetlands Board is the appeals board for the Chesapeake Bay Preservation Ordinance in the County and in several other Virginia localities. Wetlands Board members generally have the type of knowledge and experience which makes them well qualified to decide environmental and water quality issues. However, an issue exists as to whether all decisions of a Wetlands Board must be reviewed by the Virginia Marine Resources

Commission ("VMRC"). VMRC does not have jurisdiction over Chesapeake Bay issues. In order to avoid this potential problem, the amendment allows the members of the Wetlands Board to serve on a separate appeals board for Chesapeake Bay issues.

1-5. REINSTATEMENT OF THE SOLAR PHOTOVOLTAIC MANUFACTURING INCENTIVE GRANT PROGRAM

Revise the annual incentive grant program for Virginia manufacturers of photovoltaic panels to allow grants for new manufacturers and for manufacturers who expand their manufacturing capacity. The revised grant program would apply to companies that commence manufacturing or expand their manufacturing capacity of photovoltaic panels by at least 50 percent over previous levels after January 1, 2000, and report eligible sales for each calendar year of the grant. The grants should be paid out of the Solar Photovoltaic Manufacturing Incentive Grant Fund (the "Fund"). Payment of any grants from the Fund shall not commence until the calendar year 2002. In the event applications for grants exceed ten million watts per calendar year, the grant payments will be apportioned among the eligible applicants based upon the total wattage evidence by such applicants, the amount per watt the applicant is eligible to receive, and the wattage eligible for grants.

New manufacturers and existing manufacturers that expand their capacity shall be eligible to receive an annual solar photovoltaic manufacturing incentive grant based on the number of watts of rated capacity of panels sold in each calendar year for six calendar years after commencing or expanding manufacturing, as the case may be. In the event of an expansion, grants paid shall apply only to the increased sales resulting from the expansion over previously existing levels. Such manufacturers shall be eligible to receive an incentive grant in the amount of seventy-five cents (\$0.75) per watt of rated capacity of panels sold in calendar years one and two after commencing or expanding manufacturing. The incentive grants shall be reduced to fifty cents (\$0.50) per watt of rated capacity sold in the third and fourth calendar year after commencing or expanding manufacturing. In the fifth and sixth calendar year after commencing or expanding manufacturing, the incentive grant shall be twenty-five cents (\$0.25) per watt of rated capacity sold. Manufacturers eligible for grants under the previously existing program would be eligible grants under this program for new facilities in Virginia and expansions of existing facilities to increase production capacity occurring after January 1, 2000. Such manufacturers would not, however, be permitted to begin receiving grants for an expansion until after exhausting grants under the program already in effect.

The purpose of this proposal is to provide an incentive to alternate energy manufacturers to locate new facilities and/or expand existing facilities in Virginia. The grants are larger during the beginning years of the program to provide additional assistance during the ramp-up phase of the investment. The Division of Energy of the Department of Mines, Minerals and Energy shall revise its existing guidelines for the administration of the Fund.

PART II. Positions/Legislation to be Supported by the County

2-1. SUPPORT FUNDING FOR THE COLLEGE OF WILLIAM AND MARY AND THOMAS NELSON COMMUNITY COLLEGE ECONOMIC AND COMMUNITY DEVELOPMENT CENTER

William and Mary and Thomas Nelson Community College are seeking funding in the form of a budget initiative from the State totaling \$590,000 to serve the economic development needs of the Greater Williamsburg Area. That sum would provide a full-time staff of four, operating, and lease costs during the 2000-2002 biennium. In addition, one time funding in the amount of \$150,000 would permit the establishment of two on-site computer labs.

2-2. SUPPORT FOR HIGH GROWTH COMMUNITY LEGISLATIVE PROGRAM

- a. **Impact Fees.** Authority for high-growth localities to assess school and road impact fees.
- b. **Adequate Public Facilities.** Enable high-growth localities to adopt adequate public facilities ordinances.
- c. **Revise Vested Rights Legislation,** Section 15.2-2288.1 of the Virginia Code. Revise the legislation to permit localities to again exercise flexibility in determining how residential property, particularly in the rural areas of James City County, will be developed.

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