

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY,  
VIRGINIA, APPROVING THE POWERS GRANTED BY THE GENERAL ASSEMBLY OF THE  
COMMONWEALTH OF VIRGINIA TO THE HAMPTON ROADS TRANSPORTATION  
AUTHORITY PURSUANT TO THE HAMPTON ROADS TRANSPORTATION AUTHORITY  
ACT, SECTIONS 33.1-391.6 ET SEQ. OF THE CODE OF VIRGINIA OF 1950, AS AMENDED,  
AND REQUESTING AMENDMENTS THERETO

WHEREAS, the General Assembly of the Commonwealth of Virginia has enacted, and the Governor of the Commonwealth of Virginia has approved, the Hampton Roads Transportation Authority Act, Sections 33.1-391.6 et seq. of Chapter 10.2 of the Code of Virginia of 1950, as amended (the Act);

WHEREAS, the Act, which becomes effective July 1, 2007, creates the Hampton Roads Transportation Authority (the Authority) as a body politic and political subdivision of the Commonwealth of Virginia embracing the Counties of Isle of Wight, James City and York, and the Cities of Chesapeake, Hampton, Newport News, Norfolk, Poquoson, Portsmouth, Suffolk, Virginia Beach, and Williamsburg;

WHEREAS, the voting members of the Authority consist of the chief elected officer of the governing body (or his or her designee, who shall be a current elected officer of such governing body) of the counties and cities embraced by the Authority;

WHEREAS, the Act empowers the Authority, among other things to impose or assess certain specified fees and taxes for imposition or assessment by the Authority, including a gasoline sales tax, a real property conveyance grantor's tax, a vehicle rental tax, a vehicle safety inspection fee, an initial vehicle registration fee, a sales tax on auto repair labor, an annual vehicle registration fee and tolls, in all the counties and cities embraced by the Authority;

WHEREAS, the Act provides that the fees and taxes authorized by the Act for imposition and/or assessment by the Authority shall only be imposed and/or assessed by the Authority if: i) at least seven of the twelve governing bodies of the counties and cities embraced by the Authority that include at least fifty-one percent (51%) of the population of the counties and cities embraced by the Authority pass a duly adopted resolution stating their approval of such power of the Authority to impose and/or assess the fees and taxes specified in the Act no later than December 31, 2007, and, thereafter; ii) at least seven of the twelve voting members of the Authority that include at least fifty-one percent (51%) of the population of the counties and cities embraced by the Authority vote in the affirmative to impose and/or assess all of the fees and taxes authorized by the Act for imposition and/or assessment by the Authority in all of the counties and cities embraced by the Authority; and

WHEREAS, this legislation requires Hampton Roads localities, upon the appropriate vote, to form the Hampton Roads Transportation Authority and to impose or assess the taxes and fees included in that legislation without regard to local choice on the revenues; and

WHEREAS, James City County Board of Supervisors is of the opinion that the Act is flawed legislation in that it did not include sufficient State revenue to meet the transportation needs of the Commonwealth including the Hampton Roads region; and

WHEREAS, James City County Board of Supervisors believes that it is incumbent upon the Virginia General Assembly to review this legislation during the 2008 session and to make necessary amendments to address the funding of transportation statewide; and

WHEREAS, the economic vitality of Hampton Roads and James City County and the citizens' reasonable expectations for efficient and convenient travel require the immediate commencement of improvements to our highway system, and

WHEREAS, the urgency and seriousness of the Hampton Roads regional transportation needs compels the acceptance of a flawed transportation funding plan.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby urges the General Assembly to study the effect of the Act on the Hampton Roads region and to make the necessary amendments resulting from that study during the 2008 and 2009 biennium.

BE IT FURTHER RESOLVED that the proposed amendments be discussed with local governments throughout the Commonwealth prior to any enactment.

BE IT FURTHER RESOLVED by the Board of Supervisors of the County of James City, Virginia, that:

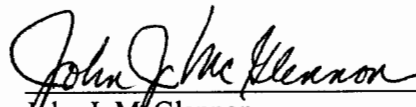
1. It expresses its regret that the General Assembly abdicated its obligation to meet the transportation needs of the Commonwealth and passed on to Hampton Roads localities the responsibility for funding transportation improvements in Hampton Roads either by assessing taxes or imposing fees.
2. It is disappointed at the absence of a substantial connection between most of the taxes and fees being imposed to fund regional transportation improvements and the persons and businesses needing and benefiting from those improvements.
3. The County, as a member of the Hampton Roads Metropolitan Planning Organization, has supported over the past four years the recommendation that the State should increase the gasoline tax statewide as the preferred method of generating the necessary revenues to fund transportation improvements not only in the Hampton Roads region, but also across the Commonwealth.

BE IT FURTHER RESOLVED by the Board of Supervisors of the County of James City, Virginia that:

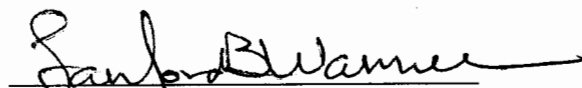
1. The Board of Supervisors of the County of James City, Virginia, as contemplated by the Act and in accordance therewith, hereby approves the powers granted to the Authority under the Act to impose and/or assess the fees and taxes authorized thereby and in the amounts specified therein, including a gasoline sales tax, a real property conveyance grantor's tax, a vehicle rental tax, a vehicle safety inspection fee, an initial

vehicle registration fee, a sales tax on auto repair labor, an annual vehicle registration fee and tolls, such fees and taxes constituting all of the fees and taxes authorized by the Act.

2. This resolution will take effect on July 1, 2007.
3. The Clerk of the Board of Supervisors of the County of James City, Virginia, shall provide a copy of this resolution to the Clerks of the House of Delegates and the Senate of the Commonwealth of Virginia as soon as practicable after the effective date hereof.

  
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John J. McGlennon  
Chairman, Board of Supervisors

ATTEST:

  
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Sanford B. Wanner  
Clerk to the Board

| <u>SUPERVISOR</u> | <u>VOTE</u> |
|-------------------|-------------|
| HARRISON          | NAY         |
| BRADSHAW          | AYE         |
| GOODSON           | AYE         |
| ICENHOUR          | AYE         |
| MCGLENNON         | AYE         |

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of June, 2007.

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