

## **JAMES CITY COUNTY 2005 LEGISLATIVE PROGRAM**

### **Part I. Legislation to be Introduced on Behalf of the County**

#### 1-1. TRAFFIC CONTROL

Amend Section 46.2-833.01 of the Code of Virginia by adding James City County to those localities permitted to establish a program involving cameras at traffic intersections to monitor the running of red lights.

#### 1-2. ALLOW WETLANDS BOARD MEMBERS TO SERVE ON AN APPEALS BOARD FOR CHESAPEAKE BAY PRESERVATION ORDINANCE

Amend Section 28.2-1303(A) to allow members of the Wetlands Board to serve on a local appeals board for a Chesapeake Bay Preservation Ordinance. Wetlands Board members generally have the type of knowledge and experience which makes them well qualified to decide environmental and water quality issues.

#### 1-3. LIFT MORATORIUM ON FUNDING FOR GROUP HOMES

Remove "group homes" from the moratorium on funding for juvenile facilities in the Commonwealth's budget in order to allow the City of Williamsburg and the Counties of Gloucester, York, and James City to make the urgently needed replacement of the Crossroads Community Youth Home.

#### 1-4. INOPERABLE MOTOR VEHICLES - CIVIL PENALTIES

Amend Section 15.2-904(c) to make the civil penalty provisions added by the 2003 General Assembly consistent with the civil penalties provisions for zoning violations under Section 15.2-2209. Many jurisdictions, including James City County, have been enforcing the inoperative vehicle restrictions under the zoning ordinance.

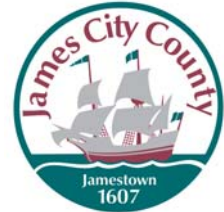
#### 1-5. CONVEYANCE OF CERTAIN EASEMENTS WITHOUT A PUBLIC HEARING

Amend Section 15.2-1800 to permit local governing bodies to convey, without holding a public hearing, an easement for ingress, egress, utilities, cable, telecommunications, stormwater management, open space, environmental protection, and other such conveyances involving matters of public interest.

#### 1-6. FEE CHARGED TO LOCALITIES FOR SERVICES BY COURT AND SHERIFF

Amend Section 17.1-266 to provide that, in addition to the Commonwealth, local governments are exempt from paying fees for services rendered by a clerk, sheriff, or other officer for cases, whether in a court of record or a court not of record, where the local government is a party.

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**Part II. Position/Legislation to be supported by the County**

2-1. CONSOLIDATED TELECOMMUNICATIONS AND/OR ENHANCED E-911 TAXATION

James City County opposes any legislation that will impede the ability of localities to collect and assess taxes on telecommunications services and for Enhanced E-911.

2-2. CAR TAX REIMBURSEMENT TO LOCAL GOVERNMENTS

James City County supports continued funding of local reimbursement for the Personal Property Tax Relief Act. James City County opposes shifting state reimbursement to a fiscal year which would cause a one-time revenue shortfall to localities with collection dates in the first half of the year. Should the State change from a calendar year to a fiscal year reimbursement cycle result in a one-time reduction in local revenue, localities should be allowed to recoup that revenue directly from taxpayers.

2-3. LOCAL CIGARETTE TAX

James City County supports enabling legislation to authorize counties to impose local taxes on cigarettes.

2-4. LOCAL LAND USE

James City County urges the General Assembly to leave local land use decisions to localities. The County strongly objects to statewide mandates or prohibitions on the zoning authority of localities.

2-5. SURCHARGES ON LOCAL SERVICES

James City County opposes the imposition of a state fee, tax or surcharge on water, sewer, solid waste or on any other local government services.

2-6. AFFORDABLE HOUSING: ZONING INCENTIVES FOR IN-FILL DEVELOPMENT AND REDEVELOPMENT

The state code provisions on zoning authority should continue to ensure that local governments have a full range of authority to promote affordable housing, including enabling legislation to give localities the power to facilitate in-fill development, redevelopment and mixing of uses in redevelopment projects. Therefore, the code must not be changed to limit local governments' authority to enact land use regulations for the benefits of all citizens of a locality.

2-7. MANUFACTURED HOUSING BY RIGHT

Local governments should retain the authority to plan for the appropriate mix of residential structures in their communities, and should retain full authority to regulate the placement of manufactured homes, without state intervention.

## 2-8. SUBDIVISION STREET STANDARDS

Local governments should have authority to modify standards for subdivision street payment and right-of-way widths that are beneficial to good planning; public safety; and the well-being of the residents of new subdivisions, without diminishing state funding for street maintenance payments.

## 2-9. BEHAVIORAL HEALTH AND COMPREHENSIVE SERVICES ACT (CSA) FUNDING

James City County urges the General Assembly to provide sufficient funding to Community Services Boards to adequately implement mental health, mental retardation and substance abuse treatment programs. Additional State funding is needed to: 1) adequately fund the Mental Retardation waiver program; 2) provide services to children with serious emotional disorders (yet not eligible for CSA funding); and 3) to cover reasonable administrative costs for CSA programs. Adequate funding and services will help prevent the mentally ill from being released early from treatment, living on the streets, going to jail, or being inappropriately placed in residential facilities or other government programs.

## 2-10. STUDY OF ADULT AND JUVENILE GROUP HOMES

James City County urges the General Assembly to support a state and local study of the status of adult and juvenile group homes, including licensure and regulatory requirements and responsibilities for such homes; how the concentration of such homes in particular neighborhoods and localities affect neighborhood dynamics and service responsibilities of affected localities, and workable regulatory alternatives that could result in greater dispersal of homes and greater integration of consumers into the community as a whole, which is the intention of state in complying with the *Olmstead* decision.

## 2-11. FUNDING FOR THE COMMEMORATION OF THE 400TH ANNIVERSARY OF JAMESTOWN

James City County supports continued State funding infrastructure, transportation, planning, and advertising the 2007 quadricentennial commemoration of the founding of Jamestown.

## 2-12. EDUCATION FUNDING

James City County supports additional State education funding: 1) to implement the recommendations made in 2003 study of education funding by JLARC study; 2) to fully fund the State Board of Education proposals (which address some of the issues in the JLARC report); and 3) for the At-Risk Student Achievement Program created in 2004 by the General Assembly.

## 2-13. TRANSPORTATION FUNDING

James City County calls upon the Governor and the General Assembly to make transportation the primary focus of the 2005 session of the General Assembly. Given the fact that the General Assembly did not address this issue during the 2004 session and the consequent decline in transportation funding, the Commonwealth is experiencing disinvestments in its transportation infrastructure. Absent a major infusion of new and sustained investment in transportation, a congestion and mobility crisis may strangle economic growth and profoundly and negatively affect the quality of life of all our citizens.

## 2-14. SUBSTANCE ABUSE AND MENTAL HEALTH TREATMENT

James City County urges the Commonwealth to provide mental health and substance abuse treatment in jails and juvenile detention facilities given the overwhelming percentage of adults and juveniles in the system diagnosed with mental health and/or substance abuse conditions. In addition, the State must address service access issues that require parents to surrender custody or courts to take youth into the juvenile justice system in order to access mental health and/or substance abuse services. The State requiring these services be provided without allocating funding constitutes an unfunded mandate.