

A G E N D A

JAMES CITY COUNTY BOARD OF SUPERVISORS

County Government Center Board Room

January 6, 2009

4:00 P.M.

A. ROLL CALL

B. ORGANIZATIONAL MEETING

1. Board of Supervisors
2. Williamsburg Area Transport Company
 - a. Williamsburg Area Transport Company Stockholders
 1. Board of Directors
 2. Minutes – January 2, 2008
 - b. Williamsburg Area Transport Company
 1. Board of Directors and Officers
 2. Organizational Meeting
 3. Assignment of Agreement for Transportation Services and Amendment

C. ADJOURNMENT

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MEMORANDUM

DATE: January 6, 2009
TO: The Board of Supervisors
FROM: Leo P. Rogers, County Attorney
SUBJECT: Organizational Meeting

The Code of Virginia, Section 15.2-1416, requires the Board of Supervisors to organize at its first meeting in January.

The meeting should proceed generally as follows:

1. Nominations and elections of Chairman and Vice Chairman.
2. Establishment of meeting dates, place and times (this is accomplished by adopting the attached resolution).
3. Commission/Committee appointments, usually handled in closed session.
4. Appointment of the Board of Directors and Officers for the Williamsburg Area Transport ("Transport Company"). The past practice has been that the Stockholders (all of whom are members of the Board of Supervisors) have served as the Board of Directors, the President has been a member of the Board of Supervisors, and the Secretary/Treasurer has been a staff member. I suggest, with Sandy Wanner's concurrence, that M. Douglas Powell be renominated to that joint position. The Stockholders and the Board of Directors of the Transport Company must meet after these appointments are made to formally approve the appointments.

The Board of Supervisors shall follow Robert's Rules of Order, Newly Revised 10th Edition, October 2000, and more specifically, the provisions which pertain to the "Conduct of Business in Boards," at page 469 et seq., in particular, the "Procedure in Small Boards" as follows:

- C Members are not required to obtain the floor before making motions or speaking, which they can do while seated.
- C Motions need not be seconded.
- C There is no limit to the number of times a member can speak to a question, and motions to close or limit debate generally should not be entertained.
- C Informal discussion of a subject is permitted while no motion is pending.
- C The Chairman can speak in discussion without rising or leaving the chair; and can make motions and votes on all questions.

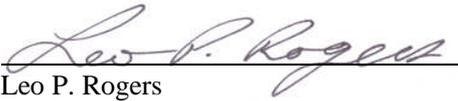
Organizational Meeting
January 6, 2009
Page 2

In addition, the Board for the last several years has chosen to follow the following:

- C Motions to rescind shall not be in order after the Board has made a decision on land use matters involving rezonings or special use permits. A motion to reconsider such matters must be made at the same meeting the original decision is made by the Board.
- C Should it be necessary to cancel an advertised Board of Supervisors meeting due to weather or other conditions, the meeting shall be continued forty-eight hours to the same time and place.

I believe these rules have worked effectively for these Boards and recommend its continuation.

I have attached the appropriate resolution for your consideration.


Leo P. Rogers

LPR/nb
bosorg09_mem

Attachments

RESOLUTION

ORGANIZATIONAL MEETING OF THE BOARD OF SUPERVISORS

WHEREAS, the Board of Supervisors of James City County, Virginia, is required by State law to organize at the first meeting in January.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the following rules shall apply for the Year 2009:

1. Regular meetings of the Board shall be held as shown on the attached 2009 calendar, in the Board Room of the James City County Government Center. The meeting time shall be 7:00 p.m.

Work session meetings of the Board shall be held at 4:00 p.m., Tuesday before the second regular meeting in the Board Room of the James City County Government Center.

2. The Board of Supervisors shall follow Robert's Rules of Order, Newly Revised 10th Edition, October 2000, and more specifically, the provisions which pertain to the "Conduct of Business in Boards," at page 469 et. seq., in particular, the "Procedure in Small Boards" as follows:
 - a. Members are not required to obtain the floor before making motions or speaking, which they can do while seated.
 - b. Motions need not be seconded.
 - c. There is no limit to the number of times a member can speak to a question, and motions to close or limit debate generally should not be entertained.
 - d. Informal discussion of a subject is permitted while no motion is pending.
 - e. The Chairman can speak in discussion without rising or leaving the chair; and can make motions and votes on all questions.
3. In addition, the Board agrees to the following:
 - a. A motion to rescind shall not be in order in a land use decision involving a rezoning or a special use permit. A motion to reconsider such a decision must be made at the same meeting the original decision is made by the Board.
 - b. Should it be necessary to cancel an advertised Board of Supervisors meeting due to weather or other conditions, the meeting shall be continued forty-eight hours to the same time and place.

Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 6th day of
January, 2009.

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2009 Board of Supervisors' Calendar



KEY



Months with change



BOS Meeting



Holiday

More Information

- 2nd & 4th Tuesday meeting 7 p.m.
- 4th Tuesday Work Session 4:00 p.m.
- January 6 BOS Organizational Meeting 4:00 p.m.

Location

101-F Mounts Bay Road Williamsburg, Virginia 23185

Mailing Address

P.O. Box 8784 Williamsburg, Virginia 23187-8784

Website

www.jccEgov.com/BOS

JANUARY

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

BOS Meetings - 5, 6, 13, 27

BOS Retreat - 24

New Year's Day - 1

Martin Luther King, Jr. Day - 19

FEBRUARY

S	M	T	W	T	F	S
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BOS Meetings - 10, 24

Presidents' Day - 16

VML - VACo
Legislative Day - 5

MARCH

S	M	T	W	T	F	S
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22	23	24	25	26	27	28
29	30	31				

BOS Meetings - 10, 24

APRIL

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26	27	28	29	30		

BOS Meetings - 14, 28

Budget Work Sessions - 16, 20, 22

MAY

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17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

BOS Meetings - 12, 26

Memorial Day - 25

JUNE

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14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

BOS Meetings - 9, 23

JULY

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26	27	28	29	30	31	

BOS Meetings - 14, 28

Independence Day - 3

AUGUST

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23	24	25	26	27	28	29
30	31					

BOS Meeting - 11

SEPTEMBER

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27	28	29	30			

BOS Meetings - 8, 22

Labor Day - 7

OCTOBER

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18	19	20	21	22	23	24
25	26	27	28	29	30	31

BOS Meetings - 13, 27

VML - 18-20

NOVEMBER

S	M	T	W	T	F	S
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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

BOS Meetings - 10, 24

VACo - 8-10

Veteran's Day - 11

Thanksgiving - 26 & 27

DECEMBER

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

BOS Meeting - 8

Christmas - 24 & 25

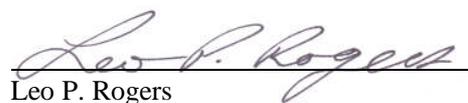
BOS Organizational Meeting - 1/4/10 at 4pm

MEMORANDUM

DATE: January 6, 2009
TO: The Board of Supervisors
FROM: Leo P. Rogers, County Attorney
SUBJECT: Organizational Meeting - Williamsburg Area Transport Company

I recommend the organizational meeting of the Williamsburg Area Transport Company proceed as follows:

1. At the request of the Stockholders, the Board of Supervisors appoints the Board of Directors and officers.
2. The Stockholders convene to approve the appointments for the Board of Directors made under "1" above.
3. The Board of Directors convene to approve the appointments for officers made under "1" above.
4. Adoption of parliamentary procedures.


Leo P. Rogers

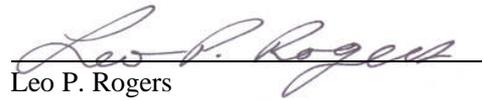
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MEMORANDUM

DATE: January 6, 2009
TO: The Board of Supervisors
FROM: Leo P. Rogers, County Attorney
SUBJECT: Appointment of Board of Directors and Officers for Williamsburg Area Transport Company

The Williamsburg Area Transport Company Stockholders request that the Board of Supervisors appoint its Board of Directors, President, and Secretary/Treasurer for the Year 2009.

I have attached the appropriate resolution for your consideration.


Leo P. Rogers

LPR/nb
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Attachment

RESOLUTION

APPOINTMENT OF BOARD OF DIRECTORS AND OFFICERS FOR

WILLIAMSBURG AREA TRANSPORT COMPANY BY

BOARD OF SUPERVISORS

WHEREAS, the Stockholders of the Williamsburg Area Transport Company ("Transport Company") have requested the Board of Supervisors to appoint the Board of Directors and the officers of the Transport Company for the Year 2009.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that it hereby appoints as Directors of the Transport Company for the Year 2009 the following individuals:

Bruce C. Goodson
Mary K. Jones
James G. Kennedy
John J. McGlennon
James O. Icenhour, Jr.

BE IT FURTHER RESOLVED, that the Board of Supervisors appoints the following officers:

President -

Secretary/Treasurer - M. Douglas Powell

Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 6th day of January, 2009.

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AT AN ORGANIZATIONAL MEETING OF THE BOARD OF DIRECTORS OF THE WILLIAMSBURG AREA TRANSPORT COMPANY STOCKHOLDERS, JAMES CITY COUNTY, VIRGINIA, HELD ON THE 2ND DAY OF JANUARY 2008, AT 4:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

John J. McGlennon, President
James O. Icenhour, Jr.
James G. Kennedy
Mary K. Jones
Bruce C. Goodson

Doug Powell, Secretary

B. ORGANIZATIONAL MEETING

Mr. Goodson made a motion to adopt the resolution for approval of the Board of Directors and Officers of the Williamsburg Area Transport Company.

On a roll call vote, the vote was AYE: Icenhour, Goodson, Jones, Kennedy, McGlennon (5); NAY: (0).

RESOLUTION

APPROVAL OF BOARD OF DIRECTORS OF

WILLIAMSBURG AREA TRANSPORT COMPANY BY STOCKHOLDERS

WHEREAS, the Board of Supervisors of James City County, Virginia, appointed the Board of Directors of the Williamsburg Area Transport Company ("Transport Company") on January 2, 2008.

NOW, THEREFORE, BE IT RESOLVED that the Stockholders of the Williamsburg Area Transport Company, hereby approve as Directors of the Transport Company the following appointments of the Board of Supervisors:

Bruce C. Goodson
Mary K. Jones
James G. Kennedy
John J. McGlennon
James O. Icenhour, Jr.

Mr. Goodson made a motion to adopt the January 2, 2007, Organizational Meeting minutes.

On a roll call vote, the vote was AYE: Icenhour, Goodson, Jones, Kennedy, McGlennon (5); NAY:
(0).

C. ADJOURNMENT

Mr. Goodson made a motion to adjourn.

The motion passed by a unanimous voice vote.

Mr. McGlennon adjourned the Board at 4:41 p.m.

Doug Powell
Secretary

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MEMORANDUM

DATE: January 6, 2009
TO: The Stockholders of the Williamsburg Area Transport Company
FROM: Leo P. Rogers, County Attorney
SUBJECT: Approval of the Board of Directors

The Stockholders are requested to formally approve the Board of Directors for the Williamsburg Area Transport Company appointed by the Board of Supervisors at its organizational meeting on January 6, 2009.

I have attached the appropriate resolution for your consideration.


Leo P. Rogers

LPR/nb
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Attachment

RESOLUTION

APPROVAL OF BOARD OF DIRECTORS OF

WILLIAMSBURG AREA TRANSPORT COMPANY BY STOCKHOLDERS

WHEREAS, the Board of Supervisors of James City County, Virginia, appointed the Board of Directors of the Williamsburg Area Transport Company ("Transport Company") on January 6, 2009.

NOW, THEREFORE, BE IT RESOLVED that the Stockholders of the Williamsburg Area Transport Company, hereby approve as Directors of the Transport Company the following appointments of the Board of Supervisors:

Bruce C. Goodson
Mary K. Jones
James G. Kennedy
John J. McGlennon
James O. Icenhour, Jr.

Stockholders, Williamsburg Area Transport
Company

ATTEST:

M. Douglas Powell
Secretary/Treasurer

Adopted by the Stockholders of the Williamsburg Area Transport Company, James City County, Virginia, this 6th day of January, 2009.

MEMORANDUM

DATE: January 6, 2009
TO: The Board of Directors of the Williamsburg Area Transport Company
FROM: Leo P. Rogers, County Attorney
SUBJECT: Approval of Officers

The Board of Directors is requested to formally approve the Officers for the Williamsburg Area Transport Company appointed by the Board of Supervisors at its organizational meeting on January 6, 2009.

I have attached the appropriate resolution for your consideration.


Leo P. Rogers

LPR/nb
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Attachment

RESOLUTION

APPROVAL OF OFFICERS FOR WILLIAMSBURG AREA TRANSPORT COMPANY

BY THE BOARD OF DIRECTORS

WHEREAS, the Board of Supervisors of James City County, Virginia, appointed the Officers of the Williamsburg Area Transport Company ("Transport Company") on January 6, 2009.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Williamsburg Area Transport Company, hereby approves as Officers of the Transport Company the following appointments of the Board of Supervisors:

President -

Secretary/Treasurer - M. Douglas Powell

Board of Directors Williamsburg Area
Transport Company

ATTEST:

M. Douglas Powell
Secretary/Treasurer

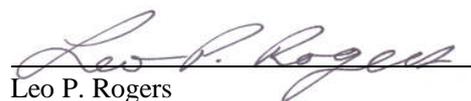
Adopted by the Board of Directors of the Williamsburg Area Transport Company, James City County, Virginia, this 6th day of January, 2009.

MEMORANDUM

DATE: January 6, 2009
TO: The Board of Directors - Williamsburg Area Transport Company
FROM: Leo P. Rogers, County Attorney
SUBJECT: Organizational Meeting

It is recommended that the Board of Directors of the Williamsburg Area Transport Company adopt and follow certain parliamentary rules to assist in the conducting of your business. In addition, it is recommended that the date for the 2010 Organizational Meeting be set for January 4, 2010.

A resolution has been attached for your consideration.


Leo P. Rogers

LPR/nb
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Attachment

RESOLUTION

ORGANIZATIONAL MEETING OF THE BOARD OF DIRECTORS

WHEREAS, the Board of Directors of the Williamsburg Area Transport Company, James City County, Virginia, is desirous of establishing rules for the conducting of its business for the year 2009.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Williamsburg Area Transport Company, James City County, Virginia, that the following rules shall apply for the year 2008:

1. The Board of Supervisors has been following Robert's Rules of Order, Newly Revised, 1981. Robert's Rules has subsequently been revised and I recommend following the Robert's Rules of Order, Newly Revised 10th Edition, October 2000, and more specifically, the provisions which pertain to the "Conduct of Business in Boards," at page 469 et. seq., in particular, the "Procedure in Small Boards" as follows:
 - a. Members are not required to obtain the floor before making motions or speaking, which they can do while seated.
 - b. Motions need not be seconded.
 - c. There is no limit to the number of times a member can speak to a question, and motions to close or limit debate generally should not be entertained.
 - d. Informal discussion of a subject is permitted while no motion is pending.
 - e. The President of the Williamsburg Area Transport Company presides over the meeting and can make motions and votes on all questions.
2. In addition, the Board agrees that should it be necessary to cancel an advertised Board of Directors meeting due to weather or other conditions, the meeting shall be continued forty-eight hours to the same time and place.
3. The organizational meeting for the Board of Directors of the Williamsburg Area Transport Company for year 2010 shall take place on January 4, 2010.

President, Williamsburg Area Transport Company

ATTEST:

M. Douglas Powell
Secretary

Adopted by the Board of Directors of the Williamsburg Transport Company, James City
County, Virginia, this 6th day of January, 2009.

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MEMORANDUM

DATE: January 6, 2009

TO: The Williamsburg Area Transport Board of Directors

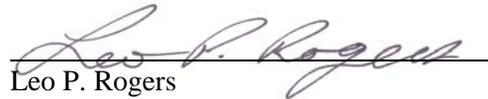
FROM: Leo P. Rogers, Counsel for Williamsburg Area Transport

SUBJECT: Assignment of Agreement for Transportation Services and Amendment

Attached is a resolution regarding the Assignment of Agreement for Transportation Services and Amendment. Williamsburg Area Transport ("WAT") and the College of William and Mary (the "College") entered into an Agreement for Transportation Services dated August 9, 2005. The Agreement contemplated the assignment of WAT's rights and obligations under the Agreement to a regional transportation authority, when and if one was formed. Williamsburg Area Transit Authority ("WATA") was formed in 2006. The resolution authorizes the assignment of the Agreement from WAT to WATA.

In addition, the resolution authorizes WAT to acknowledge an Amendment to the Agreement for Transportation Services (the "Amendment") by signing off on the Amendment.

I recommend the adoption of the attached resolution.


Leo P. Rogers

LPR/nb
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Attachment

RESOLUTION

ASSIGNMENT OF AGREEMENT FOR TRANSPORTATION SERVICES AND AMENDMENT

WHEREAS, on August 9, 2005, Williamsburg Area Transport (“WAT”) and the College of William and Mary (the “College”) entered into an Agreement for Transportation Services (the “Agreement”) to provide contractual transportation for the College students and faculty; and

WHEREAS, the Agreement contemplated that WAT would assign its rights and responsibilities under the Agreement to a regional transportation authority, if and when such an authority was established; and

WHEREAS, Williamsburg Area Transit Authority (“WATA”) was organized and exists pursuant to ordinances adopted in 2006 and Virginia State Code § 15.2-6800 et seq. to meet growing transportation demands in the region; and

WHEREAS, WAT desires to assign its rights and obligations under the Agreement to WATA and WATA desires to accept the assignment of WAT’s rights and obligations under the Agreement; and

WHEREAS, in addition, the College requests that WAT acknowledge an Amendment to the Agreement by signing off on the Amendment.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Williamsburg Area Transport Company of James City County, Virginia, hereby assigns the rights and obligations of Williamsburg Area Transport under the Agreement for Transportation Services to Williamsburg Area Transit Authority and acknowledges the Amendment to the Agreement.

President, Williamsburg Area Transport Company

ATTEST:

Douglas Powell
Secretary to the Board

Adopted by the Board of Directors of the Williamsburg Area Transport Company of James City County, Virginia, this 6th day of January, 2009.