

**ACTION ITEM  
BOARD OF SUPERVISORS**

**DATE:** April 17, 2007

**TO:** Board of Supervisors

**FROM:** Steve Crosby *SC*  
County Administrator

**ISSUE:** Support the Rappahannock Regional Jail Authority's Participation in the Retirement Benefits Provided under the Law Enforcement Officers System

**RECOMMENDATION:** Approval

**BUDGET IMPACT:** RRJA FY2008 Budget

**ATTACHMENTS:** (3)

- [1] Background Report [3] Reso/Ord/Proc # R07-167
- [2] RRJA Resolution [ ] Reso/Ord/Proc #
- [ ] [ ] Reso/Ord/Proc #

**REVIEW:** [X] Legal

*Joseph D. Howard, Jr.*

[X] Budget

*Kimberly A. Howard for Cheryl L. Beagle*

- [X] Consent Agenda [ ] Other Business [ ] Public Hearing
- [ ] Discussion Item [ ] Presentation [ ] Unfinished Business
- [ ] New Business

**PRESENTATION BY:** N/A

**ELECTION DISTRICT:** N/A

**BACKGROUND REPORT**

The Rappahannock Regional Jail budget for Fiscal Year 2007-2008 contains funds to provide additional retirement benefits under the LEOS (Law Enforcement Officers System). This is a supplemental retirement benefit currently provided to Stafford County public safety personnel.

The Regional Jail Authority approved the LEOS benefit effective July 1, 2007. All representatives from Stafford on the Authority voted in favor. However, the benefit cannot be provided unless the governing bodies of all participating jurisdictions adopt a resolution in support.

## RESOLUTION

**WHEREAS**, the Virginia General Assembly enacted legislation during the 1999 session which authorized employees of regional jails to be eligible for LEOS benefits under the Virginia Retirement System with the approval of the regional jail authority and the governing bodies of all of the participating jurisdictions; and

**WHEREAS**, the Rappahannock Regional Jail Authority has determined that in order to remain competitive, particularly since all state correctional officers were also automatically covered by LEOS through legislation that took effect July 1, 1999, the same benefits should be offered to employees of the regional jail.

**NOW THEREFORE, BE IT RESOLVED** that the Rappahannock Regional Jail Authority, a political subdivision currently participating in the Virginia Retirement System under Title 51.1, Chapter 1, Article 5 of the Code of Virginia, as amended, does hereby elect to have such employees of the Rappahannock Regional Jail who are employed in positions as full time salaried Jail Superintendents and Jail Officers and whose tenure is not restricted as to temporary or provisional appointment, become eligible, effective July 1, 2007 or as soon thereafter as approval is received from each of the governing bodies of the participating political jurisdictions, to be provided benefits in the Virginia Retirement System equivalent to those provided for State police officers of the Department of State Police, state correctional offices and sheriff's deputies in those jurisdictions which have chosen to participate in such program, as set out in Section 51.1-138 of the Code of Virginia, in lieu of the benefits that would otherwise be provided as such Code has been or may be amended from time to time, and the Jail agrees to pay the employer cost for providing such benefits to these employees. The allowance shall

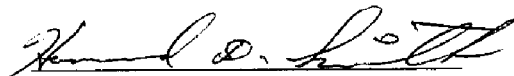
equal the amount of creditable service multiplied by 1.70 percent of average final compensation, subject to change by the Authority to the extent allowed by the Code of Virginia.

**BE IT FURTHER RESOLVED** that Joseph Higgs, Jail Superintendent, and Howard Smith, Chairman of the Jail Authority, be and they are hereby authorized and directed in the name of the Jail Authority to execute any required contract in order that the above described employees of the Jail may become entitled to such retirement benefits. In execution of any contract which may be required, said officers of the Jail Authority are hereby authorized and directed to do any other thing, or things, incident and necessary in the lawful conclusion of this matter. The Superintendent be and is hereby authorized and directed to pay over to the Treasurer of Virginia from time to time such sums are to be paid by the Jail Authority for this purpose.

**CERTIFICATE**

I, Howard Smith, Chairman of the Rappahannock Regional Jail Authority, certify that the foregoing is a true and correct copy of the resolution passed at a lawfully organized meeting of the Rappahannock Regional Jail Authority held at the regional jail, Stafford County, Virginia on March 15, 2007.

Given under my hand and seal of the Jail Authority this 21 day of MARCH,  
2007.



PROPOSED

BOARD OF SUPERVISORS  
COUNTY OF STAFFORD  
STAFFORD, VIRGINIA

RESOLUTION

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, Stafford County Administration Center, Stafford, Virginia, on the 17th day of April, 2007:

MEMBERS:

Jack R. Cavalier, Chairman  
Mark Dudenhefer, Vice Chairman  
M. S. "Joe" Brito  
Peter J. Fields  
Robert C. Gibbons  
Paul V. Milde III  
George H. Schwartz

VOTE:

On motion of , seconded by , which carried by a vote of , the following was adopted:

A RESOLUTION TO SUPPORT THE RAPPAHANNOCK REGIONAL  
JAIL AUTHORITY'S PARTICIPATION IN THE RETIREMENT BENEFITS  
PROVIDED UNDER THE LAW ENFORCEMENT OFFICERS SYSTEM

WHEREAS, the 1999 Virginia General Assembly enacted legislation allowing the Superintendent and sworn jail officers of regional jails to participate in the LEOS (Law Enforcement Officers System) system of benefits available to state police officers, state correctional officers, and sheriffs' deputies in those jurisdictions which have chosen to participate in such program; and

WHEREAS, the Rappahannock Regional Jail Authority voted at its meeting of March 15, 2007 to include the Superintendent and sworn officers in such program in order to remain competitive in the hiring and retention of employees, subject to the approval by each of the governing bodies participating in the jail authority; and

WHEREAS, the Rappahannock Regional Jail Authority requests each of the governing bodies to adopt this resolution authorizing such participation;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of April, 2007, that the Board does hereby concur that the Rappahannock Regional Jail Authority may elect to have full-time salaried Jail Superintendents and Jail Officers, whose tenure is not restricted as to temporary or provisional appointment, become eligible, effective July 1, 2007, or as soon thereafter as approval is received from each of the governing bodies of the participating jurisdictions, to be provided benefits in the Virginia Retirement System equivalent to those provided to State police officers, state correctional officers, and sheriffs' deputies in those jurisdictions which have chosen to participate in such program. This benefit, as set out in Section 51.1-138 of the Code of Virginia (1950), as amended, is in lieu of the benefits that would otherwise be provided as such Code has been or may be amended from time to time.

BE IT FURTHER RESOLVED that the Board does hereby concur that the Rappahannock Regional Jail will be liable for all costs for providing such benefits to these employees.

SC:myb