

**BOARD OF SUPERVISORS  
COUNTY OF NEW KENT, VIRGINIA**

**R-19-11**

At the regular meeting of the New Kent County Board of Supervisors in the Boardroom of the Administration Building in New Kent, Virginia, on the 13th day of June, 2011:

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Present:	Vote:
James H. Burrell	Aye
Stran L. Trout	Aye
W. R. Davis, Jr.	Aye
David M. Sparks	Aye
Thomas W. Evelyn	Aye

Motion was made by Mr. Sparks, which carried 5:0, to adopt the following resolution:

**RESOLUTION MAKING IRREVOCABLE ELECTION  
NOT TO PARTICIPATE IN LINE OF DUTY ACT FUND**

WHEREAS, pursuant to Item 258 of the Appropriations Act, paragraph B, the Virginia General Assembly has established the Line of Duty Act Fund (the "Fund") for the payment of benefits prescribed by and administered under the Line of Duty Act (Va. Code § 9.1-400 et seq.); and

WHEREAS, for purposes of administration of the Fund, a political subdivision with covered employees (including volunteers pursuant to paragraph B2 of Item 258 of the Appropriations Act) may make an irrevocable election on or before July 1, 2012, to be deemed a non-participating employer fully responsible for self-funding all benefits relating to its past and present covered employees under the Line of Duty Act from its own funds; and

WHEREAS, it is the intent of the County of New Kent to make this irrevocable election to be a non-participating employer with respect to the Fund;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the County of New Kent hereby elects to be deemed a non-participating employer fully responsible for self-funding all benefits relating to its past and present covered employees under the Line of Duty Act from its own funds; and

IT IS FURTHER RESOLVED that the following entities, New Kent County Sheriff's Office and New Kent County Fire-Rescue Department, to the best of the knowledge the County

of New Kent, constitute the population of its past and present covered employees under the Line of Duty Act; and

IT IS FURTHER RESOLVED that, as a non-participating employer, the County of New Kent agrees that it will be responsible for, and reimburse the State Comptroller for, all Line of Duty Act benefit payments (relating to existing, pending or prospective claims) approved and made by the State Comptroller on behalf of the County of New Kent on or after July 1, 2011; and

IT IS FURTHER RESOLVED that, as a non-participating employer, the County of New Kent agrees that it will reimburse the State Comptroller an amount representing reasonable costs incurred and associated, directly and indirectly, with the administration, management and investment of the Fund; and

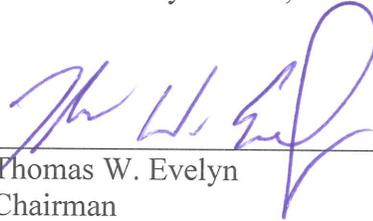
IT IS FURTHER RESOLVED that the County of New Kent shall reimburse the State Comptroller on no more than a monthly basis from documentation provided to it from the State Comptroller.

IT IS FURTHER RESOLVED that the County Administrator is hereby authorized to take such action as deemed appropriate to implement this action, including the execution of any documents.

Adopted in New Kent County, Virginia this 13<sup>th</sup> day of June, 2011.



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G. Cabell Lawton, IV  
County Administrator



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Thomas W. Evelyn  
Chairman