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

**R-45-16**

At the regular meeting of the Board of Supervisors of the County of New Kent, in the Boardroom of the Administration Building in New Kent, Virginia, on the 7th day of September, 2016:

| Present: | Vote: |
|---|---|
| Thomas W. Evelyn | Aye |
| C. Thomas Tiller, Jr. | Aye |
| Patricia A. Paige | Aye |
| W.R. Davis, Jr. | Aye |
| Ronald P. Stiers | Aye |

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

**RESOLUTION OF THE MEMBER JURISDICTIONS OF THE MIDDLE PENINSULA JUVENILE DETENTION COMMISSION AMENDING SECTIONS 3.7 AND 4.1 OF THEIR 1994 SERVICE AGREEMENT**

Be it concurrently resolved by the Middle Peninsula Juvenile Detention Commission, the Boards of Supervisors of the Counties of Caroline, Charles City, Essex, Gloucester, Hanover, James City, King and Queen, King William, Lancaster, Mathews, Middlesex, New Kent, Northumberland, Richmond and Westmoreland, and the Councils of the Cites of Poquoson and Williamsburg, that sections 3.7 and 4.1 of the Service Agreement adopted by all of them effective December 12, 1994, are amended and readopted as follows:

**Section 3.7 <u>Annual Budget</u>.**

The Commission shall provide to each Member Jurisdiction on or before each January 1 the Commission's Annual Budget for the next Fiscal Year including any proposed capital projects. Beginning with the budget for Fiscal Year 2018, and in each Fiscal Year thereafter, the Commission shall establish each Member Jurisdiction's annual charge for the Fiscal Year based on the ratio of such Member Jurisdiction's usage of space in the Detention Center during the preceding five Fiscal Years to the aggregate usage of space by all Member Jurisdictions during the same five Fiscal Years.

**Section 4.1 <u>Payments from Member Jurisdictions</u>.**

(a) Each Member Jurisdiction agrees to pay the Commission its annual charge for each Fiscal Year based on usage as determined by the method prescribed in Section 3.7.

(b) One fourth of the annual charges due from Member Jurisdictions shall be invoiced quarterly by the Commission not later than the first day of the quarter. Such charges shall be due and payable to the Commission no later than 30 days from- the date of the invoice, and if not paid when due shall bear interest at the rate set forth in Section 2.2-4352 of the Code of Virginia unless otherwise provided by law.

(c) If the amount owed by any Member Jurisdiction based on the usage calculation in Section 3.7 is below $2,500, for any Fiscal Year, such Member Jurisdiction shall pay the Commission a minimum charge for such Fiscal Year of $2,500 to cover general and administrative expenses.

**Adopted the 7th day of September, 2016, by the Board of Supervisors of the County of New Kent, Virginia.**

Rodney A. Hathaway
County Administrator

Ronald P. Stiers
Chairman