BOARD OF SUPERVISORS
COUNTY OF NEW KENT
VIRGINIA

R-49-16

At a meeting of the Board of Supervisors of the County of New Kent held in the Boardroom of the Administration Building in New Kent, Virginia, on the 28th day of September, 2016:

Present:	Vote:
Patricia A. Paige	Aye
W.R. Davis, Jr	Aye
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
Ron Stiers	Aye

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

RESOLUTION REAFFIRMING
NEW KENT COUNTY'S ENDORSEMENT
OF AN INDEPENDENT POLICY BOARD FOR THE
TRI-RIVER ALCOHOL SAFETY ACTION PROGRAM

WHEREAS, the Commonwealth of Virginia, in the interest of highway safety, has enacted laws to create programs for probation, education, and rehabilitation of persons convicted of driving motor vehicles under the influence of alcoholic beverages and other self-administered drugs. These programs are known as Alcohol Safety Action Programs or ASAPs; and

WHEREAS, since 1984, the local program "Tri-River Alcohol Safety Action Program" has been serving the Counties of Essex, Gloucester, King & Queen, King William, Lancaster, Mathews, Middlesex, New Kent, Northumberland, Richmond and Westmoreland providing probation, education, and monitoring of persons charged in violation of Virginia Code Section 18.2-266, and providing other services approved by the Commission on VASAP; and

WHEREAS, Sections 18.2-271 and 18.2-271.2 of the Code of Virginia establish a Commission on VASAP; said Commission to establish procedures for the operation of local ASAP programs; and April 3, 1987, said Commission issued directives that all local ASAP programs would establish and implement an independent Policy Board, representative of localities served, to operate the program; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of New Kent County, Virginia, hereby affirms its position as a participating locality in the Tri-River Alcohol Safety Action Program, herein called the Program, endorses the continuation of an independent Policy Board, and agrees to the following:

1. The Policy Board consists of at least five (5) but not more than thirteen (13) members.
2. Each city and county governing body shall appoint one (1) member to serve as a representative to the Tri-River ASAP Policy Board for a term of three (3) years; and additional Policy Board members shall be elected according to the Policy Board's by-laws. Membership not appointed by the governing bodies of represented jurisdictions, at the discretion of the Board, shall be selected or elected from but not limited to the judiciary, the bar, law enforcement, education, treatment professionals and other interested groups such as local transportation safety commissions. Vacancies which occur on the Board shall be filled by majority vote of the remaining Board Members from nomination of other Board Members and participating governing bodies of the jurisdiction.
3. A Chair, Vice Chair and Secretary shall be elected in accordance with the by-laws. The Program's Executive Director shall serve as an ex-officio member without voting power.
4. The Policy Board shall hire and supervise the Program's Executive Director. The Executive Director shall be responsible to implement operational policies for the Program, hire and supervise staff for the Program and control all revenues and expenditures. The Executive Director shall serve at the pleasure of the Policy Board.
5. The Program shall be operated by the Board in compliance with the VASAP Commission Policies and Procedures and in conjunction with requirements of the local administrative and fiscal agency.
6. Each fiscal year, the Executive Director shall prepare a budget and submit it for approval to the Tri-River ASAP Policy Board and the Commission on VASAP. The VASAP Commission shall also oversee program plans, operations, performance and a system for allocating funds to cover deficits that may occur in the budget of the local program.
7. An annual report shall be prepared under the supervision of the Policy Board indicating the activities of Tri-River ASAP.
8. This agreement shall remain in effect continuously from year to year until termination either by the Tri-River ASAP Policy Board, local jurisdiction, or the Commission on VASAP. If a locality withdraws, its representative shall no longer serve on the Tri-River ASAP Policy Board. This agreement supersedes any previous resolution that was adopted for the Tri-River Alcohol Safety Action Program.

9. The Program may acquire and own real property and personal property as approved by the Policy Board and upon approval of the Commission on VASAP for the Program's operation. Title to such property shall be vested in the Program. Should the Program cease to operate, all property shall be disposed of pursuant to applicable provisions of the Virginia Code. The Policy Board may seek the advice of the Commission on VASAP and the Attorney General.

Adopted this 28th day of September, 2016

Rodney A. Hathaway
County Administrator

Ron Stiers
Chairman