

Grayson County Board of Supervisors
Budget Work Session
June 3, 2015

Members attending were: David M. Sexton, Brenda R. Sutherland, Kenneth R. Belton, John K. Brewer and Glen E. Rosenbaum.

IN RE: CONSENT AGENDA

John K. Brewer made the motion to amend the agenda and add public comment; duly seconded by Glen E. Rosenbaum. John K. Brewer made the motion to approve the amended agenda; duly seconded by Glen E. Rosenbaum. Motion carried 5-0?

IN RE: CLOSED SESSION

Glen E. Rosenbaum made the motion to go into closed session pursuant to Section 2.2-3711(A)(7) of the Code of Virginia for the purpose of consultation and briefings from staff pertaining to other legal matters; duly seconded by Kenneth R. Belton. Motion carried 5-0.

Glen E. Rosenbaum made the motion to come out of closed session; duly seconded by Kenneth R. Belton. Motion carried 5-0.

Whereas, the Grayson County Board of Supervisors has convened a closed session on this 3rd, day of June, 2015, pursuant to an affirmative recorded vote and in accordance with provision of the Virginia Freedom of Information Act; and

Whereas, Section §2.2-3711 of the Code of Virginia requires a certification by this Board of Supervisors that such closed session was conducted in conformity with Virginia law;

Now, Therefore Be It Resolved that the Board of Supervisors hereby certifies that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed session to which this certification resolution applies, and (II) only such public business matters as were identified in the motion convening the closed session were heard, discussed or

considered by the Board of Supervisors with recorded confirmation from members as follows: David M. Sexton – I so certify; Glen E. Rosenbaum – I so certify; Kenneth R. Belton – I so certify; Brenda Sutherland – I so certify; John K. Brewer – I so certify.

IN RE: OLD BUSINESS

- SCHOOL BOARD SUPPLEMENTAL APPROPRIATION

Jonathan D. Sweet informed the Board of Supervisors per a letter from School Board Chairman Larry K. Bartlett, the elements of the County's offer to the school has been met as much as possible at this time. The Board of Supervisors tabled this discussion temporarily and will resume discussion after School Board Chairman Bartlett speaks later in the meeting.

IN RE: NEW BUSINESS

- MEMORANDUM OF UNDERSTANDING – SCHOOL RESOURCE OFFICERS POSITIONS

Jonathan D. Sweet explained the MOU (listed below) and Section XIII – Financial Responsibilities – noting that the School Board has adopted it and the Sheriff Department will sign also. Chairman David M. Sexton asked for a motion to approve. John K. Brewer made the motion to approve; duly seconded by Brenda R. Sutherland. Roll call vote as follows: John K. Brewer – Aye; Glen E. Rosenbaum – Aye; Kenneth R. Belton – Aye; Brenda R. Sutherland – Aye; David M. Sexton – Aye. Motion carried 5-0.

MEMORANDUM OF UNDERSTANDING

between

**GRAYSON COUNTY SCHOOL BOARD
GRAYSON COUNTY SHERIFF'S OFFICE &
GRAYSON COUNTY BOARD OF SUPERVISORS**

SCHOOL RESOURCE OFFICER POSITIONS

I. Purpose

The purpose of this memorandum is to establish an agreement between the Grayson County School Board, Grayson County Sheriff's Office, and Grayson County Board of Supervisors for the placement of School Resource Officers in Grayson County schools.

II. Communications

A critical element of the School Resource Officer (SRO) program is the relationship between the school division, the school principal and his/her staff, the SRO's and their supervisor (designated as the Sergeant of Investigations).

Each SRO and their school principal will meet weekly, preferably at a pre-set time, for the purpose of exchanging information regarding any criminal activity/investigation, problem areas persons or groups, or school and/or the community.

The Sheriff, or his designee, will meet weekly with each SRO to ensure that open lines of communication are in place between this department and the school division and to keep abreast of ongoing SRO activities and programs.

The Sheriff, or his designee, will meet with each school principal as necessary to review ongoing SRO activities and programs and to address any issues of concern.

The SRO supervisor will meet at least once each school year with the superintendent of schools, or his designee, and the school principals. The purpose of this meeting will be to evaluate the SRO program, the assigned officers and to address areas of concern.

The SROs will, on occasion, be required to be away from the schools for training and other police-related duties. Any time that a SRO is required to be away from the school for a full day or more, it will be approved by the SRO supervisor, and the school principal will be given as much advance notice as possible. SRO's will notify school administration as soon as possible in the event of a temporary off-campus departure.

Although school principals exercise administrative oversight, the Grayson County Sheriff shall provide for the employment, supervision, and evaluation of the SRO's.

Station assignments will be provided in writing to the Clerk of the Board before the school year begins for distribution to the Grayson County School Board and Superintendent of Schools.

Any permanent changes during the school year to this station assignment will merit the re-issue of this communication to the same distribution.

Collaboration between the parties to determine the most appropriate individuals to fill the positions of SRO are desirable to ensure that SRO's have appropriate, specialized training and experience to work with youth in a school setting. Criteria such as response time, enrollment, and grade levels served as well as the number of reported incidents will be used in decision making for SRO placements.

It is expressly understood and agreed that the SRO is an employee of the Sheriff's Office, not the School District. Consistent with the Code of Virginia, Section 9.1-101 which states in pertinent part, that "School Resource Officer" means a certified law-enforcement officer hired by the local law-enforcement agency to provide law-enforcement and security services to Virginia public elementary and secondary schools".

The Grayson County School Board reserves the right to submit to the Sheriff a written request to modify station assignment. The Sheriff's Office shall take into account the desires of the School District in this regard, and shall first and foremost make such a determination that is in the best interests of the students of the School District.

SRO's remain employees of the Sheriff's Office, and shall be subject to the administration, supervision, and control of such. However, because the SRO is a full-time designated officer for assigned school properties, the SRO must adhere to all the same policies set forth for school personnel, and shall be subject to the instruction, assignment, and control of the School Superintendent and Principal so far as such are consistent with his duties as set forth with the Sheriff's Office and applicable law.

The presence of the SRO at the school is not intended to usurp the rights and responsibilities of the Principal to enforce the rules of the Student Code of Conduct and to administer discipline in the school.

The parties acknowledge that not every criminal act will be handled through the criminal justice system. There will be times when the administration of typical school disciplinary measures and/or availability of intervention services will be sufficient to address behaviors. In deciding when to resort to the criminal justice system in lieu of, or in addition to, school discipline, the Principal and SRO will confer and each strive to accommodate the opinions of the other as to how to best handle a particular situation.

III. School Division/Building Responsibilities

Each school with an assigned SRO shall provide a work area for the SRO that is equipped with a telephone and a computer. A work area to allow for private and confidential meeting between the SRO and faculty, parents, staff, and students may be needed at times. The school principal will be the primary point of contact to secure this space.

The school division shall provide in-service training, when available, to the SROs in areas that will increase the effectiveness of the officers and their ability to accomplish their respective duties and responsibilities.

The school superintendent (or his designee) and the school principals shall meet at least once each year with the Sheriff, or his designee. The purpose of this meeting will be to evaluate the SRO program, assigned officers, and to address any areas of concern.

Per Virginia Code 22.1-79.4, the Grayson County School System shall adopt policies for the establishment and utilization of threat assessment teams. In accordance with developed policies, this team should report quantitative data per the applicable code.

IV. School Principal Responsibilities

The school principal will retain chief responsibility for administration of discipline in the school.

It is the responsibility of the school principal to facilitate effective communications between the SRO and school staff.

The principal of each school shall ensure that a weekly meeting with the SRO is adhered to, in order that open lines of communication are maintained. This meeting shall not be delegated to other administrative staff on a regular basis.

The principal will notify the parents of any student under investigation for criminal activity prior to them being interviewed by the SRO or any other law enforcement agent at the school unless there is an imminent threat, or it is in conjunction with child protective services.

Criminal activity of a serious nature as defined in clauses (ii) through (vii) of the Code of Virginia 22.1-279.3:1A, 1D, which comes to the attention of a principal or school staff member shall be reported immediately to the SRO when on duty. If an immediate police response is necessary (i.e. recovered drugs, weapons or other evidence or immediate police assistance is needed) and the SRO is not available, the principal shall notify the Sheriff and request another SRO to respond. If an emergency exists, the principal shall contact the police via 9-1-1. If an immediate police response is not necessary, the principal may hold the information until the SRO assigned to the building returns.

V. School Resource Officer Responsibilities

The SRO's shall wear a standard police uniform while on duty in the school unless otherwise authorized. One goal of the program is to provide a visible deterrent to crime while also providing a positive impression of police in a non-confrontational setting.

The SRO's duty schedule shall be determined by their supervisor, but will generally be arranged to provide coverage throughout the school day. Whenever possible, the SRO will be visible in and around the campus, particularly during the beginning and end of the day and during lunch periods.

The SRO's assume primary responsibility in handling all calls for service from the school and coordinate the response of other police resources to the school with the school principals.

The SRO's should be advised of all situations where other sheriff's office or police department entities are providing services to the schools. Notification of services should

be made in advance to the SRO's whenever possible to prevent duplication of services and to ensure proper coordination of those services.

The SRO's shall be responsible for assisting in providing training for the school division administration and staff in law enforcement and related areas. Crime trends, crime prevention information and changes in the Code of Virginia shall be disseminated to assist the school staff in effectively providing a safe school environment.

The SRO's will, upon request, become involved in the school's curriculum and provide instruction that will enhance students' understanding of local and state law, law enforcement procedures and the police philosophy and mission. The SRO's will include the Virginia Rules curriculum as part of their instruction.

The SRO's will provide testimony for school disciplinary and expulsion hearings as long as the request is made in a timely manner.

The SRO's will assist in the completion of the annual School Safety Audit, Safety Inspection Checklist, and serve as part of the school Crisis Team upon invitation.

VI. Police Investigation and Questioning

The SRO's have the authority to stop, question, interview and take police action involving students (and other persons present in school) without the prior authorization of their principal when necessary in order to resolve an immediate situation in compliance with code.

The investigation/questioning of students or faculty/staff during school hours or at school events should be done in conjunction with the principal or an administrative team member whenever possible. The SRO's will also take steps to ensure minimal intrusion into the educational experience of the students being questioned in the school setting.

VII. Arrest/Enforcement Procedures

The SRO's will become and remain familiar with the school board policy relating to personnel and students, and the school building, teacher and student policy handbooks. The SRO's will address violations of school policy not otherwise defined as crimes whenever necessary according to procedures set forth by the school. At no time, however, will a SRO become directly or indirectly involved in assigning discipline to a student. The SRO's will also not discuss matters of student discipline with parents/guardians; all such questions will be referred to a school administrator.

The following procedures will be adhered to when criminal enforcement action in the school becomes necessary:

1. The warrant arrest of a student or staff member of the school should be coordinated through the principal and accomplished after school hours whenever practical. Arrest of students or staff during school hours or on school grounds should be reported to the principal as soon as possible.
2. The principal shall be notified as soon as practical of any significant criminal enforcement action (to include arrest) in the school or related to the school.
3. Any criminal investigation or arrest that occurs in the school will take precedence over the accompanying school policy violation and the investigation or action to be taken by school officials.

VIII. Search & Seizure

School officials may conduct searches of students' persons and their property (under school jurisdiction) when reasonable suspicion exists that the search will reveal evidence that the student has violated, or is violating, either the law or school policy.

The SRO's shall not be considered school officials for the purposes of searches based on reasonable suspicion; the SROs must be held to probable cause standards for the purpose of conducting searches as part of a criminal investigation.

The SRO's shall not become involved in school searches conducted by school officials unless specifically requested by the school official to be their designated safety agent. If a SRO becomes involved in this type of search, it will be done at the direction and control of the school official.

At no time shall a SRO request that a school search be conducted for criminal investigation purposes or have the school official act as his agent. This shall not preclude the SRO's from providing school officials with information they have received regarding students or staff of the school.

Any search by a SRO shall be based upon probable cause and when required, a search warrant will be obtained. A "stop and frisk" will remain an option when there is reasonable suspicion that a suspect may be armed.

IX. Administrative Hearings

The SROs shall attend discipline, suspension and/or expulsion hearings upon the request of the school principal (or his designee). The request to have the SRO attend shall be done in a timely manner and must be made through the SRO supervisor. The SRO shall be prepared to provide testimony on any actions they take and/or personally observed conduct they witness. The SRO's shall also make available any physical evidence related to the hearing unless the evidence would be compromised.

The SRO's shall not provide any official police document or juvenile record to the school or expulsion hearing officer. Release of such information is prohibited by the Code of Virginia unless such documents are subpoenaed by the schools through the appropriate court.

X. Release of Student Information

The written consent of parents is generally required for the release of any student's personally identifiable record. However, the School Board has established the following items of student information as "directory information" which may be made available without parental consent, provided parents have not notified the school in writing they do not wish such information released:

1. Student's name, address, and telephone number
2. Participation in officially recognized activities and sports
3. Height and weight of a member of an athletic team
4. Date of attendance
5. Awards and honors received
6. Student picture

The availability of this type of information, for official police use in criminal cases, eliminates a potential barrier to the investigative capacities of the sheriff's office and also safeguards the privacy of the students.

Information about students may be released to police officials, including SRO's, without permission or consent in connection with an emergency, if the knowledge of such information is necessary to protect the health and safety of a student or other persons.

XII. Release of Police Information

SRO's should exchange information with the school principal regarding students' criminal activity (see Code 22.1-279:3:1A, 1B) in and around the school as long as it is limited to that which directly relates and contributes to the safety of the school environment.

SRO's shall not make any official documents, police reports, or records available to the school.

The Sheriff's Office will provide Quarterly Reports of SRO activities in the school to the Clerk of the Board for distribution to the Grayson County School Board and Superintendent of Schools.

XIII. Financial Responsibilities

The financial responsibility of maintaining the School Resource Officer Program shall be a shared responsibility of each of the parties to this Memorandum of Understanding.

After all available grant funds are exhausted, the Grayson County School Board shall continue to support this program by remitting as pass through to the Grayson County Sheriff's Office in quarterly installments, all monies annually appropriated by the Grayson County Board of Supervisors by supplemental appropriation to the Grayson County School Board for 'School Security or Safety'. The Grayson County Sheriff's Office shall utilize all such funds for the sole purpose of the SRO Program, and additionally, through the Sheriff's Office annual operating budget, shall provide at their expense all training and equipment necessary in the delivery of the services as described herein this agreement. Match funding by the Grayson County School Board shall continue as originally agreed upon and as is currently provided to match applicable grant funds, and said contribution shall continue to be the responsibility of the School System for the duration of this agreement. Any change in the funding

commitment as described herein shall warrant written notification to all parties and may require all parties reapprove, if applicable, an amendment to this MOU.

XIV. Conclusion

This endeavor is a partnership between education and law enforcement, which supports a collaborative, pro-active approach to providing a safe school environment for the Grayson County community.

This policy represents the mutually agreed goals, objectives and financial responsibilities of the Grayson County School Board, Grayson County Board of Supervisors, and the Grayson County Sheriff's Office for the School Resource Officer program.

The Memorandum of Understanding will remain in force until such time as the parties withdraw from the agreement by delivering written notification of such rescission to the other party; it shall be reviewed annually and may be modified upon the written concurrence of all parties.

Larry K. Bartlett, Chairman
Grayson County School Board

Date

Jonathan Sweet, ICMA-CM
County Administrator and Clerk
Grayson County Board of Supervisors

Date

Richard A. Vaughan, Sheriff
Grayson County Sheriff's Office

Date

- SCHOOL BOARD ADDITIONAL APPROPRIATION REQUEST FY-15
- Larry K. Bartlett, Chairman, Grayson County School Board

Chairman David M. Sexton asked Mr. Larry K. Bartlett to speak on behalf of his request. Mr. Bartlett reported some of the items that have already been implemented such as a spending freeze. Mr. Bartlett requested \$500,000 so they would be able to make payroll this month, to balance the FY-15 budget and to pay the bills. The Board of Supervisors asked Mr. Bartlett a few questions and then thanked him for his service. Chairman David M. Sexton covered the 4 points for the School Board regarding the supplemental appropriation of \$500,000:

- ✓ *Address the need for Immediate Assistance:*
Invoke mutual aid assistance with neighboring jurisdictions-City of Galax and Carroll County-by requesting their immediate assistance with finance/budget, as well as general administration needs until an interim superintendent can be secured; and

- ✓ *Restore Faith and Trust to the School System:*
Expect accountability and assurance of proper stewardship of tax payers monies by respectfully requesting the resignation from all culpable members of the school board, as well as the Assistant Superintendent, with respect to the current financial calamity as recently discovered and brought forth, prior to any consideration of additional financial assistance for this Fiscal Year; and,
- ✓ *Insure Accountability and Prevent Reoccurrence:*
Direct the County Administrator to have an investigation reengaged immediately as to the cause of the budgeted shortfall and to ascertain if any inappropriate activity has caused to effect such shortfall; and
- ✓ *Fill the Financial Gap:*
Subject to all of the above conditions, make an additional appropriation for this Fiscal Year with the understanding that whatever the additional appropriation amount required this Fiscal Year will down adjust next Fiscal Year's supplemental appropriation by that same amount.

Glen E. Rosenbaum made the motion to accept the 4 points; duly seconded by John K. Brewer. Motion carried 5-0.

- FAIRVIEW AND OLDTOWN WATER BILLING

Jonathan D. Sweet spoke regarding a memo (listed below) from Treasurer Kelly Haga, on bi-monthly water billing. Glen E. Rosenbaum made the motion to accept this recommendation; duly seconded by Kenneth R. Belton. Motion carried 4 – 1 with John K. Brewer abstaining.

Memo: Water billing cycle

To: County Administrator, Jonathan Sweet and Grayson County Board of Supervisors

From: Kelly Haga, Grayson County Treasurer

Date: May 27, 2015

With the county becoming a public service authority now is the time for me to recommend that we begin a bi-monthly (every other month) billing cycle. The process of monthly billing has become so time consuming that by the time meters are read, verified and the billing produced, it time to start the process over again. It is confusing for utility customers as the timeframe that they are being billed for is not clear to many of them.

The cost savings is a very conservative estimate of \$1815.00/year in postage and materials and \$2052.00/year in labor costs. I am not including any time within the billing office as that person is still available for other work.

With the expansion of the water system it will only increase the amount of time directed at the water billing cycle.

I do want to note that this in no way affects the ability for customers to make monthly payments. If they wish to prepay each month that is perfectly fine. Any payments received will be fully credited on their next bill.

Please feel free to contact me with any questions.

Respectfully,



R. Kelly Haga

Grayson County Treasurer

IN RE: WORK SESSION

- GRAYSON COUNTY FY-16 BUDGET WORK SESSION
 - Review Final Draft of FY-16 Grayson County Budget

Jonathan D. Sweet explained there would be some final tweaks and tonight's action would have to be reviewed and any changes should be within the 1% or less.

IN RE: PUBLIC COMMENT(S)

- Betsy Shearin: removal of Shannon Holdaway.
- Jerry Perry: thankful for what the Board of Supervisors have done and the two (2) School Board members present.
- Fred Weatherman: thanked the Board of Supervisors and stated that we need to work together.
- Wanda Pinion: thanked the Board of Supervisors and Fred Weatherman.
- Jamie Hale: thanked the Board of Supervisors and stated that the (school) system needs the money.

➤ Nathan Hall: thanked the Board of Supervisors and Larry K. Bartlett.

IN RE: ADJOURN

Glen E. Rosenbaum made the motion to adjourn; duly seconded by Brenda R. Sutherland. Motion carried 5-0.