

**BOARD OF SUPERVISORS**  
**Agenda Item**



<b>Meeting Date:</b>	June 17, 2014
<b>Title:</b>	Consolidation of the Rappahannock Area Office on Youth Commission and Chaplin Group Home Commission
<b>Department:</b>	Human Services
<b>Staff Contact:</b>	Donna Krauss, Assistant to the County Administrator for Human Services
<b>Board Committee/ Other BACC:</b>	N/A
<b>Staff Recommendation:</b>	Approval
<b>Budget Impact:</b>	See background report
<b>Time Sensitivity:</b>	N/A

**ATTACHMENTS:**

1.	Background Report	3.	Proposed Resolution R14-152
2.	Memorandum of Agreement		

X	Consent Agenda		Other Business		Unfinished Business
	Discussion		Presentation		Work Session
	New Business		Public Hearing		Add-On

**REVIEW:**

X	County Administrator	
X	County Attorney	
X	Finance and Budget	Maria Rend He

<b>DISTRICT:</b>	N/A
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### **BACKGROUND REPORT**

In 1990, the Stafford and Spotsylvania County Boards of Supervisors, and the Fredericksburg City Council, approved an agreement creating the Spotsylvania, Stafford, and Fredericksburg Group Home Commission (“Group Home Commission”), pursuant to the Virginia Juvenile Detention Facilities Act (VA Code § 16.1-310 *et seq.*), to operate a residential home for youth in the above-referenced localities.

The Group Home Commission purchased 4.9 acres of property on Cool Springs Road in Stafford County, and constructed a group home known as the Chaplin Youth Center, named for Alvin N. Chaplin, Jr., and his wife, Joady. The Group Home Commission has operated the Chaplin Youth Center for 20 years, and expanded its mission to also house juveniles, on a contractual basis, from Caroline and King George counties.

The Rappahannock Area Office On Youth (“Office on Youth”) was created in 1989 by the City of Fredericksburg and the counties of Caroline, King George, Spotsylvania, and Stafford (pursuant to VA Code § 66-26 *et. seq.*), to provide programs aimed at reducing delinquency in the region by promoting positive youth development. These prevention programs, including the program available at the Chaplin Youth Center, are cost-effective and give teens an opportunity to be successful within the community, and to avoid juvenile detention. The cost of placing a youth at the Chaplin Youth Center is \$178 daily compared to the cost of \$259 per day for housing a youth at the Juvenile Detention Center.

The governing bodies of the member localities of both the Group Home Commission and the Office on Youth determined that it would be in the best interest of the youth in the region to combine the two organizations into one. This allows for administrative and program savings, and combines the functions of the Office on Youth into the Group Home Commission. The newly combined organization will be named the Rappahannock Area Youth Services and Group Home Commission (Commission) to reflect its combined function.

Proposed Resolution R14-152 asks the Board to approve the consolidation of the (Chaplin) Group Home Commission and the Rappahannock Area Office on Youth and authorize an agreement creating the new, consolidated organization. Mr. Snellings is the Board’s representative on the (Chaplin) Group Home Commission and wishes to remain in that position on the newly-consolidated Commission.

## **AGREEMENT**

**THIS AGREEMENT** is made and entered into this \_\_\_\_\_ of \_\_\_\_\_, 2014, by and among the BOARD OF SUPERVISORS OF SPOTSYLVANIA COUNTY (“Spotsylvania County”); the BOARD OF SUPERVISORS OF STAFFORD COUNTY, VIRGINIA (“Stafford County”); the BOARD OF SUPERVISORS OF KING GEORGE COUNTY, VIRGINIA (“King George County”), the BOARD OF SUPERVISORS OF CAROLINE COUNTY, VIRGINIA (“Caroline County”) and the CITY OF FREDERICKSBURG, VIRGINIA (the “City of Fredericksburg”).

**WHEREAS**, the Boards of Supervisors of Spotsylvania County, Stafford County and the City Council of the City of Fredericksburg approved an agreement in 1990 creating the Spotsylvania, Stafford, Fredericksburg Group Home Commission (the “Group Home Commission”) pursuant to the Virginia Juvenile Detention Facilities Act (Article 13 of Chapter 11, Title 16.1 of the Code of Virginia, Section 16.1-310 et. seq.) to operate a residential home for youth in the three jurisdictions; and

**WHEREAS**, the Group Home Commission purchased 4.9 acres of property from the City of Fredericksburg on Cool Springs Road in Stafford County, and constructed a group home known as the Chaplin Youth Center, named for Alvin N. Chaplin, Jr. and his wife Joady; and

**WHEREAS**, the Group Home Commission has operated the Chaplin Youth Center for the last twenty years, and

**WHEREAS**, the Rappahannock Area Office on Youth (“ Rappahannock Area Office on Youth”) was created in 1989 by the City of Fredericksburg and Spotsylvania County, Stafford County, King George County and Caroline County pursuant to Section 66-26 et. seq. of the Code of Virginia to provide programs to reduce delinquency in the region by promoting positive youth development; and

**WHEREAS**, the governing bodies of the member jurisdictions of both organizations have determined that it would be in the best interests of the region to combine the two organizations into one, which would allow for administrative and program savings, and to combine the functions of the Rappahannock Area Office on Youth into the Group Home Commission and rename the Group Home Commission to reflect the combined function.

**NOW THEREFORE, IT IS AGREED** by the parties as follows:

## **1. Dissolution of Rappahannock Area Office on Youth and Naming of Commission.**

As of July 1, 2014, or such later date as this Agreement is approved by all parties (the "Effective Date"), the Rappahannock Area Office on Youth is hereby dissolved, and the functions of the Rappahannock Area Office on Youth shall be transferred to the Group Home Commission, which shall be renamed the Rappahannock Area Youth Services and Group Home Commission (the "Commission"). The Commission shall be governed by Section 16.1-315 et. seq. of the Code of Virginia and other applicable statutes.

The name of the group home shall remain the Chaplin Youth Center. The program operated by the Commission to reduce juvenile delinquency and provide services to youth and their families shall continue to be known as the Rappahannock Area Office on Youth ("Office on Youth").

## **2. Governing Board.**

The Commission shall serve the counties of Spotsylvania County, Stafford County and the City of Fredericksburg (the "Member Jurisdictions"). The Commission shall be governed by a seven person board consisting of two persons from each of the Member Jurisdictions appointed by the governing body of each Member Jurisdiction and one person appointed by the governing bodies from the Advisory Board referred to in Section 3 below recommended by the Advisory Board. One of the members shall be a member of the governing body of each jurisdiction, who shall be appointed for a term of four years, or until his or her term on the governing body ends, whichever is sooner. The other member shall be the county administrator, city manager or other employee from each jurisdiction, who shall also be appointed by the governing body for a four year term. Each governing body may appoint an alternate from the board of supervisors or city council to attend meetings when the regular board or council member cannot attend, as well as an alternate, who shall be a county or city employee, for the administrative member from that jurisdiction. Alternates shall serve a term of four years. The chief judge of the juvenile and domestic relations court for each Member Jurisdiction shall be consulted about the appointments before they are made.

## **3. Advisory Board.**

The Commission shall establish and appoint the members of an advisory board of citizens to meet with the Commission to discuss issues relative to programs of the Commission (the "Advisory Board"). The Advisory Board shall consist of one member from each Member Jurisdiction. The members shall serve at the pleasure of the Commission.

## **4. Duties.**

The Commission shall operate the Chaplin Youth Center and the Office on Youth, as well as operate other programs that the Commission determines will provide services to assist juveniles and their families in avoiding the juvenile justice system, as well as take any actions that are authorized by Section 16.1-318 and other Virginia laws.

## **5. Employees.**

The employees of the Rappahannock Area Office on Youth will become employees of the Commission effective July 1, 2014 or the Effective Date. All of the employees of both organizations will become members of the Virginia Retirement System. The retirement plan for the employees of the Rappahannock Area Office on Youth will be terminated as of July 1 or such date as approval is received from VRS for the employees of the Office on Youth to come under VRS

## **6. Executive Director**

The Commission shall appoint an Executive Director, who shall have day to day control over the operations of the Chaplin Youth Center and the Office on Youth (subject to the ultimate control of the Commission) and shall be responsible for preparing a budget, making all employment and personnel decisions, and keeping the Commission advised of the operation of the Commission on a regular basis. The Executive Director shall not hire or terminate department heads until after he has consulted with the Commission.

## **7. Rules of Procedure and Bylaws.**

A majority of the members of the Commission shall constitute a quorum, and a majority vote of the quorum may take action. The Commission shall elect a chairman and vice-chairman, and shall adopt bylaws and rules of procedure for the conduct of its business.

## **8. Budget and Audit.**

The Commission will prepare a budget of anticipated income and expenditures for the next fiscal year, which will be presented to the Member Jurisdictions no later than October 1 of each year. The Commission shall have an independent audit completed annually, a copy of which shall be sent to each of the Member Jurisdictions promptly upon completion of the audit.

## **9. Fiscal Agent.**

The Commission may enter into an agreement with any of the participating localities to serve as fiscal agent for the Commission. The fiscal agent may be compensated for its services as agreed to by the Commission.

## **10. Rappahannock Area Office on Youth Funds.**

Any funds remaining in the account of the Rappahannock Area Office on Youth as of June 30, 2014 or the Effective Date shall become the property of the Commission, and shall be deposited in the Commission's account. The Commission shall be responsible for all current contracts of the Office on Youth effective July 1, 2014 or the Effective Date.

## **11. Funding from Localities.**

The annual operating budget for The Commission includes administrative and programmatic expenses. Administrative expenses cover costs incurred to manage the Chaplin Youth Center and the Office on Youth. Programmatic costs include residential services provided by the Chaplin Youth Center and community based services provided by the Office on Youth.

Programmatic expenses – Residential Services: Beginning with the FY 15 fiscal year, the Commission shall establish a per diem rate schedule for each juvenile that is expected to be housed at the Chaplin Youth Center. There will be two rates – one for participating jurisdictions and one for non-participating jurisdictions. Per diem rates will be based on the projected net operating costs and the number of juveniles expected to be housed at the Chaplin Youth Center during that fiscal year. Each of the participating localities shall pay the per diem rate for each day or portion of a day that a juvenile from that locality is housed at the Chaplin Youth Center. The Board may revise the per diem rates during the year depending on the actual utilization. . Invoices for services provided at the Chaplin Youth Center shall be prepared monthly and payments shall be made within 30 days of receipt.

Programmatic Expenses – Community based services: as part of the annual operating budget, the Commission will determine the expenses related to community based service provision. Each participating locality shall pay a portion of the cost based on its actual utilization of services during the previous fiscal year.

Administrative Expenses: Administrative expenses (net cost of the operations of the Commission) shall be allocated to each participating locality annually based on the percentage of juvenile intakes conducted in the prior fiscal year by the respective court service unit in each of the funding localities as provided by the Virginia Department of Juvenile Justice's annual statistics. The payment by each locality for administrative services shall be made by July 30 of each fiscal year.

Special projects or grant funded services will be funded by the individual localities in separate agreements.

Capital requests and expenditures shall be distributed based on a three year average of program utilization for each of the partner localities.

## **12. Term of Agreement.**

This Agreement shall be effective unless terminated by the action of the governing bodies of all of the Member Jurisdictions of the Commission at the time of termination. The property and the fund balance of the Commission at the time of termination shall be determined by agreement of the Member Jurisdictions at the time of termination.

### **13. Withdrawal.**

Any locality may withdraw as a member of the Commission by giving one year's written notice to the Commission and the other Member Jurisdictions, unless such notice is waived by all of the other participating localities. Upon withdrawal, the withdrawing locality shall have no right to any of the property or funds of the Commission. Once a locality has withdrawn from the Commission, it shall have no further legal or financial responsibility to the Commission.

### **14. Additional Members.**

When additional local governing bodies desire to join the Commission, they may do so upon the recommendation of the Commission and with the approval of the participating Member Jurisdictions. The terms of such addition, and the number of members a new governing body will have on the board of the Commission, shall be determined by agreement of the parties.

### **15. Records.**

The Commission shall keep and preserve complete records of its administrative operations, and shall comply with all state laws relative to record retention. The Commission shall make a report annually to each of the Member Jurisdictions detailing its activity for the prior fiscal year and at such other times as the Member Jurisdictions may require.

### **16. Amendments.**

This Agreement may be amended or modified only by written instrument executed by all of the Member Jurisdictions at the time of the amendment.

### **17. Effect on Prior Agreements.**

This Agreement supersedes any prior agreements, whether oral or written, regarding the creation of the Group Home Commission or the Rappahannock Area Office on Youth, including, but not limited to, the 1990 agreement.

### **18. Caroline County and King George County.**

Caroline County and King George County agree to join this Agreement to indicate their agreement to dissolve the Rappahannock Area Office on Youth. However, Caroline County and King George County shall be allowed the opportunity to use beds at the Chaplin Group Home, to the extent there are beds available other than those being used by Spotsylvania County, Stafford County and the City of Fredericksburg, at the same per bed cost as offered to non-member jurisdictions at the time of the use, and before beds are offered to other jurisdictions. Caroline County and King George County may, subject to an agreement with the Commission, access the services of the Office on Youth to the same extent as when they were members of the Rappahannock Area Office on Youth at the non-member rate in effect at the time of the use.

**WHEREFORE**, the parties execute this Agreement by their duly authorized signatures below.

**COUNTY OF SPOTSYLVANIA**

**By:** \_\_\_\_\_

**Approved as to form**

**By:** \_\_\_\_\_

**COUNTY OF STAFFORD**

**By:** \_\_\_\_\_

**Approved as to form**

**By:** \_\_\_\_\_

**COUNTY OF KING GEORGE**

**By:** \_\_\_\_\_

**Approved as to form**

**By:** \_\_\_\_\_

**COUNTY OF CAROLINE**

**By:** \_\_\_\_\_



**Approved as to form**

**By:** \_\_\_\_\_

**CITY OF FREDERICKSBURG**

**By:** \_\_\_\_\_

**Approved as to form**

**By:** \_\_\_\_\_

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, George L. Gordon, Jr., Government Center, Stafford, Virginia, on the 17<sup>th</sup> day of June, 2014:

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MEMBERS:

Jack R. Cavalier, Chairman  
Gary F. Snellings, Vice Chairman  
Meg Bohmke  
Paul V. Milde III  
Laura A. Sellers  
Cord A. Sterling  
Robert "Bob" Thomas, Jr

VOTE:

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

A RESOLUTION APPROVING THE CONSOLIDATION OF THE  
CHAPLIN GROUP HOME COMMISSION AND THE  
RAPPAHANNOCK AREA OFFICE ON YOUTH; AND  
AUTHORIZING THE COUNTY ADMINISTRATOR TO SIGN A  
CONSOLIDATION AGREEMENT

WHEREAS, in 1990, the Spotsylvania and Stafford County Boards of Supervisors and the Fredericksburg City Council, approved an agreement creating the Spotsylvania, Stafford, Fredericksburg Group Home Commission (the Group Home Commission) pursuant to the Virginia Juvenile Detention Facilities Act (Virginia Code § 16.1-310 *et seq.*) to operate a residential home for youth in the three localities; and

WHEREAS, the Group Home Commission purchased 4.9 acres of property on Cool Springs Road in Stafford County, and constructed a group home known as the Chaplin Youth Center, named for Alvin N. Chaplin, Jr., and his wife, Joady; and

WHEREAS, the Group Home Commission has operated the Chaplin Youth Center for 20 years, and expanded its mission, on a contractual basis, to also house juveniles from Caroline and King George counties; and

WHEREAS, in 1989, the Rappahannock Area Office on youth (Office on Youth) was created by the City of Fredericksburg and the counties of Caroline, King George, Spotsylvania, and Stafford (pursuant to Virginia Code § 66-26 *et seq.*) to provide programs to reduce delinquency in the region by promoting positive youth development; and

WHEREAS, the governing bodies of the member localities of both organizations determined that it would be in the best interest of the youth in the region to combine the two organizations into one, allowing for administrative and program savings; and to combine the functions of the Office on Youth into the (Chaplin) Group Home Commission, renamed the Group Home Commission (the Commission) to reflect its combined function;

NOW THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this 17<sup>th</sup> day of June, 2014, that the Agreement to create the combined Commission named the Rappahannock Area Youth Services and Group Home Commission be and it hereby is approved, and that the County Administrator is authorized to sign the Agreement and any related documents, on behalf of Stafford County; and

BE IT FURTHER RESOLVED that the Board appoints Gary Snellings as its representative on the Commission, and appoints the County Administrator, Anthony Romanello, as the other member, with Donna Krauss appointed as Mr. Romanello's alternate. An alternate for Mr. Snellings will be appointed at a later date; and

BE IT STILL FURTHER RESOLVED that all terms on the Commission will begin on July 1, 2014, or when the Agreement is approved by all parties, for a period of four consecutive years, expiring on June 30, 2018, or until the appointees no longer hold their respective positions with the County.

AJR:dk