

New River Valley Emergency Communications Regional Authority
Board Meeting
January 23, 2018 4:00 PM
Montgomery County Public Safety Building – Fourth Floor

Minutes

Attendees:

Members: Sherwood Wilson, Chair, *Vice President for Administration, Virginia Tech*; Marc Verniel, Vice Chair, *Blacksburg Town Manager*; Billy Hanks, *Chief Town of Christiansburg Fire Department*, Craig Meadows, *Montgomery County Administrator*; Alan Fabian, *Joint Member*

Staff: Deborah Stump, *Operations Manager*; Derek Rogers, *Communications Systems Manager*

Absent: Matt Hobson, *Executive Director*

Guests: Chief Mark Sisson, *Christiansburg Police*; Sheriff Hank Partin, *Montgomery County Sheriff's Office*

Recorder: Valerie D'Intino, *Training Coordinator*

Transcriber: Sonia Ramsey, *Executive Assistant*

1. Call to Order

The Chair called the meeting to order at 4:01 PM.

2. Approval of the Agenda

The Chair requested an addition to the agenda in reference to the amendment submitted to the General Assembly. Motion made by Mr. Meadows and seconded by Mr. Verniel to add this item to New Business and the agenda was then approved.

3. Approval of Minutes

The Chair presented the minutes from the December 5, 2017 Board meeting for approval.

Mr. Meadows advised of corrections that need to be made to the following items:

- Page 3 of 3, New Business, members of the Radio Sub-Committee: Brad Sinclair should be Brad St. Clair and Pete Paslick should be Pete Haislip.

Mr. Meadows moved to approve the minutes with these corrections. The motion was seconded by Mr. Verniel and passed unanimously.

4. Secretary / Treasurer's Budget Report

An updated summary of the revenues and expenditures was provided to members at the start of the meeting (Attachment A). Mr. Meadows reviewed the current (through December 31st, 2017) expenditures and balance and advised that he had questions concerning two (2) particular items:

- Why is there a software fees monthly expenditure of \$62,886?
- Why is the year to date expenditure for Other Capital Outlay \$193,410, which is well over the budgeted amount for the year?

Once the Board receives the answer to these questions either from Finance or the 911 Authority, they will revisit the line items to adjust the budget if need be. This information will be provided before the next board meeting.

5. Director's Report

Ms. Stump presented the Executive Director's Report (Attachment B). There was additional discussion on the following topics:

a. Regional Consolidated Emergency Communications Center

- i. Ms. Stump advised that public education, especially with the medical community, will help ease the process of Emergency Medical Dispatching. Dispatch is having difficulty getting health care professionals to answer questions and give information needed to determine call coding. Authority representatives will be working with the health care professionals to let them know the new process of calling 911 and what to expect when they call 911. Per Ms. Stump, the number of calls from January 16th – 23rd (including test calls) requiring EMD protocol was approximately 148.

b. Meetings / Discussions

No further discussion was necessary on these items.

c. Personnel Report – New Hires / Promotions

Ms. Stump advised that we have since received a resignation so we are currently down 2 personnel.

Ms. D'Intino advised we currently have 5 persons in training, with one being almost ready for release.

6. Review of NRV 911 Monthly Performance Statistics for December 2017 and CY 2017

Ms. Stump advised that the answer times may slow down just a bit while the transition to EMD is underway, but then even out again. In reviewing December 2017 Performance statistics (Attachment C), discussion of the reasons for longer answer times during certain hours led to the understanding of bad weather and high call volume times being directly related to longer answer times. The Board advised they would like to see the number of 911 land line versus 911 wireless calls, which used to be a statistic that was provided to them. There was no further discussion of Calendar Year 2017 statistics (Attachment D).

7. Old Business

a. Update from the JAC Radio Sub-Committee

Derek Rogers spoke to the Board about the first Radio Sub-Committee meeting. The issues that the Sub-committee agreed need to be addressed are coverage, interoperability, interference, and that there is a need to pursue a long-term solution to these problems. Three (3) agencies would need funding assistance to go to UHF: Riner, Elliston, and Shawsville with a total need of \$400,000 - \$600,000.

The Sub-Committee realized that there is a need for a joint radio system for all agencies throughout the county. This would be a long-term goal and would address all issues at hand. The Sub-Committee voted to present to the Joint Advisory Committee that a 2010 study on radio issues be re-evaluated by a consultant who would be funded by the 911 Authority since the Authority represented all agencies involved.

b. Update from the Joint Advisory Committee

Mr. Sisson advised that he did attend the first Radio Sub-Committee meeting and commented that he was very impressed with the wealth of knowledge that was shared during the meeting. The JAC received the recommendation from the Sub-Committee to present to the Board a request to fund a consultant for the study of a county wide joint radio system. In lieu of a meeting, an email was sent

out and the vote returned 5-1 in favor of presenting to the Board that they consider funding a consultant to look at the 2010 report and reevaluate the needs for a joint agency radio system. Discussion continued with questions coming from members of the Board and answers being provided by Mr. Rogers. Further discussion continued between members of the Board. A recommendation was made by the Chair to table this discussion until a work session could be scheduled in which the members could process the information shared and be presented further information. In preparation for the work session, the Chair advised that the 911 Authority shall do a presentation to the Board to include:

- A recap of the 2010 study to include a power point of the major recommendation in terms that everyone will understand what exactly is needed.
- The state of the current system(s) county wide.
- Short-term fixes to take care of immediate needs.
- Comprehensive list of concerns from agencies involved.
- Highlights of a 10-15 long term plan.

8. New Business

The House version of the proposed amendment to the Acts of Assembly of 2010 (Attachment E) was presented for review. The Chair stated the two items of concern are the highlighted Comments [KS7} and [KS11]. The goal is to have the House Bill with these selected changes, which also incorporated some items in the Senate version of the bill, be presented to the General Assembly by Senator Edwards. The Chair requests that everyone look over the proposed amendment and get feedback to him by the end of business day January 24, 2018.

9. Public Comments

None

10. Board Member Comments

None

11. Adjourn

The Chair adjourned the meeting at 5:39 PM.

Regional 911
Revenue and Expenditures
July 1, 2017 - December 31, 2017

	Original Budget	Revised Budget	MTD Actual	YTD Actual	
Reserve from Prior Year					\$ 761,599
Reserve for Purchased Leave Accruals					\$ 73,920
Carried forward from Prior Years for Purchase Orders					\$ 65,511
Total Available Balance from Prior Years					<u>\$ 328,381</u>
					<u>\$ 1,229,411</u>
Revenue					
Participant Funding					
* Montgomery County	821,033	821,033	-	410,516	
* Blacksburg	821,033	821,033	-	410,516	
Christiansburg	821,033	821,033	-	410,516	
* VT	821,033	821,033	-	410,516	
Total Participant Funding	<u>3,284,131</u>	<u>3,284,131</u>	-	1,642,064	
Interest Income	-	-	-	-	
PSAP Grant	-	-	-	4,000	
Reimbursement - Events/OT	-	-	2,938	3,952	
Total Revenue	<u>3,284,131</u>	<u>3,284,131</u>	2,938	1,650,016	<u>1,650,016</u>
Expenditures					
Personnel Salaries and Benefits	2,600,000	2,600,000	213,295	1,245,456	
Professional Services	45,262	62,668	2,120	22,492	
Professional Services - Moving	-	9,820	-	9,820	
Maintenance Services	77,671	77,671	911	27,109	
Fiscal Agent - Contract Services	46,000	46,000	-	808	
Lease Facility	186,471	186,471	-	93,240	
Facility/Utility Services	19,851	19,851	1,836	9,798	
Insurance	7,000	7,000	-	6,775	
Telecommunications	67,751	67,751	5,168	33,277	
Postage, Copier Charges, Office Expense etc.	2,500	2,500	729	1,869	
Advertising	1,000	1,000	-	-	
Training	10,000	10,000	-	813	
Travel-Meals/Lodging/Mileage	5,000	5,000	-	6,080	
Dues and memberships	21,865	28,415	695	22,428	
Uniforms/Clothing	2,000	11,078	-	2,524	
Software Fees	24,760	33,752	62,886	88,436	
IT Equipment	5,000	5,000	97	1,684	
Equipment Lease	102,000	102,000	-	-	
Capital Reserve	50,000	80,000	-	-	
Other Capital Outlay		118,882	-	193,410	
Contingency	10,000	45,000	-	-	
Total Expenditures	<u>3,284,131</u>	<u>3,519,859</u>	287,737	1,766,018	<u>1,766,018</u>
Available Balance					<u>\$ 1,113,409</u>

New River Valley Emergency Communications Regional Authority

Executive Director's Report

January 23, 2018

A. REGIONAL CONSOLIDATED EMERGENCY COMMUNICATIONS CENTER

On Tuesday, January 16th at approximately 11:00 am, the New River Valley Emergency Communications Regional Authority processed and dispatched its first Emergency Medical Dispatch call. At this time, we are still working out some operational issues to make the process smoother. We will soon start the public relations process to show case this new asset to the New River Valley 911 system and to educate the public and the medical community as a whole.

We are pleased to announce that the 911 Board approved our grant request with CGIT for \$102,427 to integrate VITA's error check analysis into NRVCECRA's GIS merge process and implement any data corrections faster as well as to improve the current merge dataset with topology. These improvements will better integrate GIS into our operations and position us to more smoothly transition into a statewide Next-Generation 911 system. The grant money will become available on July 1, 2018.

B. MEETINGS / DISCUSSIONS

The Communications Manager provided a 911 center tour to the Lynchburg Department of Emergency Services who is looking at replacing their console furniture.

The Director, Operations Manager, and Communications Manager met with our Tyler representative, Christiansburg PD reps, and Virginia Tech PD reps on December 14th to discuss open issues that require Tyler input to resolve. The bulk of the discussion centered on report generation from the CAD data and drawing out the statistical data that is reliable and consistent. All involved felt that they were not comfortable in being able to create reports using varying data points from the CAD data primarily because the training for this was so long ago. Having the ability to create adhoc CAD reports is very important in order to accurately and consistently apply the CAD data towards needed police statistics as well as a funding formula report. Tyler offered to send an instructor for an in-house class on report creation for a nominal fee. Tyler recently sent us a quote for \$7,800 to hold this class. We are currently exploring options to include asking Christiansburg PD and Virginia Tech PD to split the cost of the class and to invite others to participate as well. No decisions have been made at this time.

The Director and Communications Systems Manager attended the Fire & Rescue Commission meeting. At this meeting, the Commission agreed to allow the JAC radio system sub-committee to evaluate the Riner FD radio system proposal before they approve the \$115,000 expenditure. The sub-committee has until March 15th to recommend any changes to the proposal to the Fire & Rescue Commission.

The Director and Communications Manager met with members of the Local Emergency Preparedness Committee (LEPC) to discuss their concerns regarding communications within the public safety community and their lack of expertise in this area on their committee. We shared our concerns as well and offered our assistance to the committee in addressing their concerns which will benefit all involved.

The Communications Manager, Training Coordinator, Operations Manager and Director held an EMD Committee meeting to explain the EMD call taking and dispatch procedure changes that they can expect once the EMD program is live. All involved understood the processes and were very supportive.

On January 10th, the first JAC radio system sub-committee was held with its members and the Director and Chief Sisson in attendance. This was a very positive meeting where all involved recognized that improvements need to be made to resolve major radio system concerns all across Montgomery County. The three main concerns that were repeatedly identified were:

- The need for greater agency interoperability, particularly among Fire and Rescue,
- The need to decrease outside frequency interference in the UHF bandwidth,
- The need for greater county-wide coverage for all agencies.

Further details regarding the discussion and resulting recommendation will be addressed by Chief Sisson and Derek Rogers in their report to the Board.

Due to the holidays and other scheduling conflicts, and in consultation with Chief Sisson, the Joint Advisory Committee postponed its scheduled January meeting to February 14th. At the upcoming meeting, items that will be addressed include issues that will directly influence the calculus of the potential new funding formula. This includes more clearly defining what constitutes a call for service and what does not as well as the possibility of inserting the geographic location of the call as a criteria to better determine how the contributing political subdivisions would account for such calls.

The Director met with the Finance Committee for a discussion of the FY 2018-2019 budget on January 11th. The committee came to an agreement on the next fiscal year's budget but had some requests for the projected FY 2019-2020 budget. These revisions have been made and submitted back to the finance committee for approval and/or any further discussion.

The Director and Operations Manager attended a pipeline safety meeting at the Sheriff's Office. The items addressed included both a fire/rescue component as well as a law enforcement component. Mountain Valley Pipeline will be supplying the 911 center with maps that will integrate with our mapping system that shows the actual construction areas and access points in the event of an emergency.

The Director, Operations Manager and Communications Manager attended the January Fire & Rescue Commission meeting where the members were updated on the implementation of the EMD program as well as the radio sub-committee's progress.

C. PERSONNEL REPORT – NEW HIRES/PROMOTIONS

Interviews for communications officer were held on December 15th and 18th. Of the candidates, two were selected for further processing. One declined to continue the process and one has completed the background successfully and still needs to complete the psychological and drug tests before a final offer is made. If the candidate is successful, the 911 center will be only short staffed by one position.

December 2017 Call Stats

Call Summary

New River Valley Emergency Communications Regional Authority

1 E Main Street, Suite 400

Christiansburg, 24073

County: Montgomery

Year: 2017

Agency Affiliation: Emergency Communications

Report Date: 01/19/2018 09:11:40

Report Date From: 12/01/2017

Report Date To: 12/31/2017

Period Group: Month

Call Type: All

Abandoned Filters: Include Abandoned

NSI Filters: NSI Included in 911

Agency Affiliation: Emergency

Fire

Medical

Police

Sheriff

Date	911	911 Abdn	Unparsed 911	Total 911	911 Abdn Percentage
December 2017	2720	176	0	2896	6.08%
PSAP Totals	2720	176	0	2896	6.08%

Date	10-Digit Emergency Inbound	10-Digit Emergency Outbound	10-Digit Emergency Abdn	Unparsed 10-Digit Emergency	Total 10-Digit Emergency
December 2017	0	0	0	0	0
PSAP Totals	0	0	0	0	0

Date	Admin Outbound	Admin Inbound	Admin Inbound Abandoned	Unparsed Other	Total Admin
December 2017	2776	987	1	0	3764
PSAP Totals	2776	987	1	0	3764

	Total All Calls	Average Call Duration
	6660	82.3
	6660	82.3

PSAP Answer Time

New River Valley Emergency Communications Regional Authority

1 E Main Street, Suite 400

Christiansburg, 24073

County: Montgomery

Month - Year: December 2017

Agency Affiliation: Emergency Communications

Report Date: 01/19/2018 09:02:22

Report Date From: 12/01/2017

Report Date To: 12/31/2017

Period Group: Month

Time Group: 60 Minute

Time Block: 00:00 - 23:59

Call Type: 911 Calls

Abandoned Filters: Exclude Abandoned

Agency Affiliation: Emergency

Fire

Medical

Police

Sheriff

The PSAP Answer Time Report is representative of the caller's answer time experience. Seizure-to-Answer Time is measured from the time of call seizure to the time of agent answer. Times shown include Setup, and may include Queue Seconds and/or Ring Seconds depending on PSAP configuration.

Call Hour	Answer Times In Seconds						% Answered ≤ 10 Secs	% Answered ≤ 15 Secs	% Answered ≤ 40 Secs
	0 - 10	11-15	16 - 20	21 - 40	41 - 60	Total			
00:00	78	1	0	0	0	79	98.73%	100.00%	100.00%
01:00	60	1	0	0	0	61	98.36%	100.00%	100.00%
02:00	45	2	0	0	0	47	95.74%	100.00%	100.00%
03:00	25	1	0	0	0	26	96.15%	100.00%	100.00%
04:00	22	0	0	0	0	22	100.00%	100.00%	100.00%
05:00	26	1	0	0	0	27	96.30%	100.00%	100.00%
06:00	41	1	0	0	0	42	97.62%	100.00%	100.00%
07:00	74	1	0	0	0	75	98.67%	100.00%	100.00%
08:00	115	0	0	1	0	116	99.14%	99.14%	100.00%
09:00	95	1	0	0	0	96	98.96%	100.00%	100.00%
10:00	113	5	0	1	0	119	94.96%	99.16%	100.00%
11:00	132	7	0	0	0	139	94.96%	100.00%	100.00%
12:00	120	4	1	0	0	125	96.00%	99.20%	100.00%
13:00	162	7	1	0	0	170	95.29%	99.41%	100.00%
14:00	144	4	0	1	0	149	96.64%	99.33%	100.00%
15:00	143	7	0	0	0	150	95.33%	100.00%	100.00%
16:00	182	2	0	1	1	186	97.85%	98.92%	99.46%
17:00	182	15	2	2	0	201	90.55%	98.01%	100.00%
18:00	172	8	1	2	0	183	93.99%	98.36%	100.00%
19:00	145	11	0	0	0	156	92.95%	100.00%	100.00%
20:00	131	11	0	0	0	142	92.25%	100.00%	100.00%
21:00	118	7	1	0	0	126	93.65%	99.21%	100.00%
22:00	93	6	1	0	0	100	93.00%	99.00%	100.00%
23:00	181	1	1	0	0	183	98.91%	99.45%	100.00%
Total	2,599	104	8	8	1	2,720			
Overall Percentage:	95.55%	3.82%	0.29%	0.29%	0.04%	100.00%			
% answer time ≤ 15 seconds	99.38%								
% answer time ≤ 40 seconds	99.96%								

2017 Call Stats

Call Summary		Report Date:	01/19/2018 10:17:48
New River Valley Emergency Communications Regional Authority		Report Date From:	01/01/2017
1 E Main Street, Suite 400		Report Date To:	12/31/2017
Christiansburg, 24073		Period Group:	Year
County: Montgomery		Call Type:	All
Year:	2017	Abandoned Filters:	Include Abandoned
Agency Affiliation:	Emergency Communications	NSI Filters:	NSI Included in 911
		Agency Affiliation:	Emergency
			Fire
			Medical
			Police
			Sheriff

Date	911	911 Abdn	Unparsed 911	Total 911	911 Abdn Percentage
2017	30943	1903	0	32846	5.79%
PSAP Totals	30943	1903	0	32846	5.79%

Date	10-Digit Emergency Inbound	10-Digit Emergency Outbound	10-Digit Emergency Abdn	Unparsed 10-Digit Emergency	Total 10-Digit Emergency
2017	0	0	0	0	0
PSAP Totals	0	0	0	0	0

Date	Admin Outbound	Admin Inbound	Admin Inbound Abandoned	Unparsed Other	Total Admin
2017	33338	11028	20	0	44386
PSAP Totals	33338	11028	20	0	44386

		Total All Calls	Average Call Duration
		77232	82.2
		77232	82.2

PSAP Answer Time

New River Valley Emergency Communications Regional Authority

1 E Main Street, Suite 400

Christiansburg, 24073

County: Montgomery

Year: 2017

Agency Affiliation: Emergency Communications

Report Date: 01/19/2018 10:35:04

Report Date From: 01/01/2017

Report Date To: 12/31/2017

Period Group: Year

Time Group: 60 Minute

Time Block: 00:00 - 23:59

Call Type: All

Abandoned Filters: Include Abandoned

Agency Affiliation: Emergency

Fire

Medical

Police

Sheriff

The PSAP Answer Time Report is representative of the caller's answer time experience. Seizure-to-Answer Time is measured from the time of call seizure to the time of agent answer. Times shown include Setup, and may include Queue Seconds and/or Ring Seconds depending on PSAP configuration.

Call Hour	Answer Times In Seconds							% Answered ≤ 10 Secs	% Answered ≤ 15 Secs	% Answered ≤ 40 Secs	
	0 - 10	11-15	16 - 20	21 - 40	41 - 60	61 - 120	120+				Total
00:00	1,219	23	0	1	0	0	0	1,243	98.07%	99.92%	100.00%
01:00	949	15	0	0	0	0	0	964	98.44%	100.00%	100.00%
02:00	804	18	0	0	0	0	0	822	97.81%	100.00%	100.00%
03:00	521	12	1	0	0	0	0	534	97.57%	99.81%	100.00%
04:00	474	10	3	5	0	0	0	492	96.34%	98.37%	100.00%
05:00	485	14	0	0	0	0	0	499	97.19%	100.00%	100.00%
06:00	783	20	0	0	0	0	0	803	97.51%	100.00%	100.00%
07:00	1,159	23	2	0	0	0	0	1,184	97.89%	99.83%	100.00%
08:00	1,448	29	1	1	0	0	0	1,479	97.90%	99.86%	100.00%
09:00	1,798	46	2	0	0	0	0	1,846	97.40%	99.89%	100.00%
10:00	2,334	70	4	3	0	0	0	2,411	96.81%	99.71%	100.00%
11:00	2,292	51	7	0	0	0	0	2,350	97.53%	99.70%	100.00%
12:00	2,495	81	8	2	0	0	0	2,586	96.48%	99.61%	100.00%
13:00	2,611	100	11	4	1	0	0	2,727	95.75%	99.41%	99.96%
14:00	2,673	84	9	1	0	0	0	2,767	96.60%	99.64%	100.00%
15:00	2,919	93	6	5	2	0	0	3,025	96.50%	99.57%	99.93%
16:00	2,622	85	16	2	3	1	0	2,729	96.08%	99.19%	99.85%
17:00	2,669	124	9	11	0	0	0	2,813	94.88%	99.29%	100.00%
18:00	2,599	133	11	4	0	0	0	2,747	94.61%	99.45%	100.00%
19:00	2,329	92	5	7	10	4	1	2,448	95.14%	98.90%	99.39%
20:00	2,244	94	4	4	0	0	0	2,346	95.65%	99.66%	100.00%
21:00	1,866	70	6	1	0	0	0	1,943	96.04%	99.64%	100.00%
22:00	1,547	51	4	0	0	0	0	1,602	96.57%	99.75%	100.00%
23:00	1,491	40	2	1	0	0	0	1,534	97.20%	99.80%	100.00%
Total	42,331	1,378	111	52	16	5	1	43,894			
Overall Percentage:	96.44%	3.14%	0.25%	0.12%	0.04%	0.01%	0.00%	100.00%			
% answer time ≤ 15 seconds	99.58%										
% answer time ≤ 40 seconds	99.95%										

2018 SESSION

INTRODUCED

18105156D

HOUSE BILL NO. 1500
Offered January 18, 2018

A BILL to amend and reenact §§ 3, 20, 28, and 29 of Chapter 638 of the Acts of Assembly of 2010, relating to the New River Valley Emergency Communications Regional Authority; annual contributions.

Patron—Rush (By Request)

Referred to Committee on Militia, Police and Public Safety

Be it enacted by the General Assembly of Virginia:

1. That §§ 3, 20, 28, and 29 of Chapter 638 of the Acts of Assembly of 2010 are amended and reenacted as follows:

§ 3. Definitions.

As used in this act, the following words and terms have the following meanings unless a different meaning clearly appears from the context:

"Act" means the New River Valley Emergency Communications Regional Authority Act.

"Annual deficit-budget" means the amount of budgeted expenditures in excess of anticipated revenues from necessary each fiscal year for the payment of operations or capital budgets.

"Annual contribution" means the portion of the annual budget attributable to each participating political subdivision for each fiscal year.

"Authority" means the New River Valley Emergency Communications Regional Authority created by this Act.

"Board" means the governing body of the Authority.

"Bonds" means any bonds, notes, debentures, grant obligations, or other evidence of financial indebtedness issued by this Authority pursuant to this Act.

"Commonwealth" means the Commonwealth of Virginia.

"Facility" means any and all buildings, structures, or facilities purchased, constructed, or otherwise acquired or operated by the Authority pursuant to the provisions of this Act. Any facility may consist of or include any or all buildings or other structures, improvements, additions, extensions, replacements, machinery, or equipment, together with appurtenances, lands, rights in land, water rights, franchises, furnishings, landscaping, utilities, roadways, or other facilities necessary or desirable in connection therewith or incidental thereto.

"Participating political subdivisions" means the Towns of Blacksburg and Christiansburg, the County of Montgomery, and Virginia Polytechnic Institute and State University or any other political subdivision that may join or has joined the Authority pursuant to §§ 4 and 5 of this Act.

"Political subdivision" means a county, city, town, public body, public authority, institution (including an institution of higher education), or commission of the Commonwealth.

"University" means Virginia Polytechnic Institute and State University.

§ 20. Annual deficit-budget.

A. The Board shall have full authority to adopt its operating and capital budget annual budget on an annual fiscal year (July 1 through June 30) basis, and to amend the same from time to time, and for the annual deficit to be divided among all participating political subdivisions.

B. The Board shall have the full authority to develop and adopt a formula for allocating to the participating political subdivisions the responsibility to pay for the annual budget. Such allocation formula shall be presented to the participating political subdivisions on or before February 1, 2019. The participating political subdivisions shall consider and make a decision as to the approval of the allocation formula on or before May 1, 2019. If each of the participating political subdivisions approves the allocation formula, each shall pay its annual contribution as allocated by the formula. If all participating political subdivisions do not approve the application formula by July 1, 2019, each participating political subdivision's annual contribution shall be equal to the Authority's annual budget for fiscal year 2019 divided by the number of participating political subdivisions and shall continue to be so calculated for each fiscal year thereafter unless and until an allocation formula is approved by each participating political subdivision. Once approved by each participating political subdivision, the Board shall use the allocation formula to determine each political subdivision's annual contribution. The Board shall have full authority to amend the allocation formula, but any amendment shall be submitted to each participating political subdivision on or before the next February 1 after the amendment is adopted by the Board and shall be approved by each political subdivision by the May 1 preceding the fiscal year in which the amendment is to go into effect.

INTRODUCED

HB1500

Commented [KS1]: 1: Proposal did not strike "operating and capital budgets"; rather proposed adding "(the Annual Budget)" following the word "basis"; believe this is ok as definition in section 3 includes reference "operations or capital budgets"

Commented [KS2]: 2: Proposal included the word "also" here

Commented [KS3]: 3: Proposal included the phrase "among the participating political subdivisions (the "Allocation Formula")"

Commented [KS4]: 4: Proposal used "must" rather than "shall"

Commented [KS5]: 5: New language (not in proposal)

Commented [KS6]: 6: Proposal used "In the event" rather than "if"

Commented [KS7]: 7: Proposal states "allocation"; believe this is a typo that needs to be updated.

Commented [KS8]: 8: Proposal stated "subdivision will contribute one-quarter of the Authority's Annual Budget for fiscal year 2019"; believe the change is actually more accurate since the bill allows for the addition of other members.

Commented [KS9]: 9: Proposal stated "for all following fiscal years"

Commented [KS10]: 10: Proposal included additional language here: "As used herein, "Annual Contribution" means either (a) each participating political subdivision's share of the Annual Budget allocated under the Allocation Formula or (b) the one-quarter share of the Annual Budget that each of the participating political subdivisions will pay if not all of the participating political subdivisions have on or before July 1, 2019 (or July 1 in any year in which the Allocation Formula is presented for approval by the participating political subdivisions)."; believe this is ok to exclude because shorter definition is provided in revised section 3 and detailed as part of allocation formula above.

Commented [KS11]: 11: Proposal stated "may"

Commented [KS12]: 12: Proposal stated "amend and revise"

Commented [KS13]: 13: Proposal language was "submitted to and approved by each of the participating political subdivisions on the same dates prior to the fiscal year in which the Allocation Formula is scheduled to be amended or revised."; believe intent is accomplished, just more specific.

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59 C. Each participating political subdivision shall contribute its ~~respective one quarter share of the~~
60 ~~annual deficit annual contribution~~ each year and otherwise as required; however, such obligation shall
61 be subject to and dependent upon annual appropriations being made from time to time by the governing
62 body of each such respective participating political subdivision, and as to the university by normal
63 approval of appropriations, and shall not be deemed to constitute a debt of such participating political
64 subdivisions within the meaning of Article VII, Section 10 of the Constitution of Virginia, and as to the
65 university, within the meaning of Article X, Section 9 of the Constitution of Virginia, or any applicable
66 statutory debt limitation. Should any participating political subdivision fail to contribute in full its
67 ~~proportionate share of the annual deficit contribution~~, it shall remain a member of the Authority, but its
68 representative on the Board shall not be entitled to cast a vote on any Authority matter until that
69 participating political subdivision's ~~share of the annual deficit contribution~~ has been paid in full. Further,
70 should any participating political subdivision fail to contribute in full its ~~proportionate share of the~~
71 ~~annual deficit contribution~~, the Authority shall have a lien on any share of the Authority's profit or
72 surplus revenues otherwise entitled to be distributed to the participating political subdivision. A
73 participating political subdivision may contribute a portion or all of its ~~share of the annual deficit~~
74 ~~contribution~~ through "in-kind" contributions, subject to the approval of such contribution and valuation
75 by the Authority.

76 § 28. Withdrawal of membership.

77 A participating political subdivision may withdraw its membership in the Authority at the end of any
78 fiscal year if the withdrawing participating political subdivision has given notice to the Authority and all
79 other participating political subdivisions of its intention to withdraw at least one year before the end of
80 such fiscal year and the withdrawing participating political subdivision has paid in full its ~~share of the~~
81 ~~annual deficit contribution~~, if any; provided that no anticipating political subdivision may withdraw its
82 membership in the Authority if the Authority has any outstanding debt without written approval of each
83 participating political subdivision. As used in this section, the term "debt" shall mean a monetary
84 obligation, whether general or limited in any way, to repay a loan or bond, or any long-term obligation,
85 whether absolute or contingent in any way, to refund or reimburse any agency or entity for grant funds
86 received by the Authority.

87 § 29. Dissolution of Authority.

88 Whenever it shall appear to the Board or to all participating political subdivisions that the need for
89 the Authority no longer exists, all participating political subdivisions may petition the Circuit Court of
90 Montgomery County, Virginia, for the dissolution of the Authority. If the court determines that the need
91 for the Authority as set forth in this Act no longer exists and that all debts and other obligations of any
92 kind have been fully paid or provided for:

93 1. The Court shall enter an order dissolving the Authority; and

94 2. The remaining assets of the Authority shall be distributed to the participating political subdivisions
95 in proportion to their respective ~~shares of the annual deficit contributions~~ less any amounts owed to the
96 Authority by *each* such participating political subdivision.

97 Each participating political subdivision and all holders of the Authority's bonds shall be made parties
98 to any such proceeding and shall be given notice as provided by law. Any party defendant may reply to
99 such petition at any time within six months after the filing of the petition. An appeal from the final
100 judgment of the court shall lie to the Supreme Court of Virginia.