



NEW KENT COUNTY BOARD OF SUPERVISORS

February 27, 2024, 9:00 AM

Boardroom, County Administration Building, 12007 Courthouse Circle, New Kent, VA
23124 - WORK SESSION

AGENDA

CALL TO ORDER AND ROLL CALL

Times are approximate

- 9:00 a.m. ITEM 1 **Rappahannock Community College Presentation**
RCC President Dr. Shannon Kennedy
- 9:20 a.m. ITEM 2 **Court Salary Discussion**
*JDR Court Clerk Kelly Wiggins and General District
Court Clerk Rachel Mills*
- 9:35 a.m. ITEM 3 **Other Business**
- 9:45 a.m. ITEM 4 **Adjournment**

MEETING SCHEDULE: The next regularly scheduled meeting of the Board of Supervisors will be held at 6:00 p.m. on Monday, March 11, 2024 and the next work session will be held on Tuesday, March 19, 2024, both in the Boardroom of the County Administration Building. The Board will also meet for a Budget Retreat at 9:00 a.m. on Friday, March 15, 2024. Location TBD.

If a meeting cannot be held because of the closing of State and/or County offices, the meeting will be held on the next business day that the County offices are open.

AGENDA ITEM REQUEST
(TO BE SUBMITTED NO LATER THAN 12 DAYS PRIOR TO
THE MEETING)

Meeting Date: 2/27/2024

Agenda Item

Motion: "Mr. Chairman, I move to (not required for Consent Agenda items)	No action is required.		
Subject	Rappahannock Community College Presentation		
Issue	RCC President Dr. Shannon Kennedy will provide an update as well as their FY25 budget request.		
Recommendation	No action is required for this agenda item.		
Fiscal Implications	NA		
Policy Implications	NA		
Legislative History	NA		
Discussion	Rappahannock Community College offers diverse programming, including short-term credentials to two-year transferable associate degrees. RCC has guaranteed admissions agreements with 35 public and private colleges and universities, providing a wide variety of opportunities for transfer. RCC has locations in Glenss, Warsaw, Kilmarnock, King George, New Kent, and Montross.		
Time Needed:	9:00 a.m.	Person Appearing:	RCC President Dr. Shannon Kennedy
Request prepared by:	Rodney Hathaway, County Administrator	Telephone:	(804) 317-5326
Copy provided to:			

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Hathaway, Rodney	Approved	2/19/2024 - 12:29 PM
Administration	Hathaway, Rodney	Approved	2/19/2024 - 12:29 PM
Attorney	Everard, Joshua	Approved	2/20/2024 - 9:13 AM

AGENDA ITEM REQUEST
(TO BE SUBMITTED NO LATER THAN 12 DAYS PRIOR TO
THE MEETING)

Meeting Date: 2/27/2024

Agenda Item

Motion: "Mr. Chairman, I move to (not required for Consent Agenda items)	N/A
Subject	Court Salary Discussion
Issue	The New Kent County General District Court and Juvenile & Domestic Relations Court salaries are substantially lower than the salaries of the New Kent County Employees. General District Court is asking for \$18,000.00 (\$4,000.00 for four full-time employees and \$2,000.00 for one part-time employee).
Recommendation	
Fiscal Implications	Both courts supply funds and services to the county. New Kent just added 18 new firefighter positions and a raise mandated by the Code of Virginia. These positions and raises were taken out of the General Fund. The supplement could be taken out of the general fund or any other means that the county pays their employees.
Policy Implications	No policy implications. New Kent can pay the court employees on a set schedule in accordance with the county payroll and tax the amount or the employee can receive the supplement in a lump sum and the the employee would need to file a 1099 on their own.
Legislative History	Virginia Code Section 16.1-69.45 allows for any county or city to supplement the salaries of the clerks and other personnel of the district court wholly out of local funds. JDR has asked for this supplement every year since 2012.
Discussion	As state employees, we receive our salary and benefits from the state, but we are here solely to serve the citizens of New Kent County. The state salaries are way behind New Kent County's salaries and are based on an outdated model using population and case count (amount of cases filed in the court within a year). Clearly, they have not updated New Kent, as we are the fastest growing locality in the Commonwealth of Virginia. The jobs that we have as clerks and deputy clerks are highly skilled and technical jobs. They have to be done quickly, efficiently and with a smile on their face, despite the circumstances. Sometimes the cases/customers are difficult to deal with and the courts have to deal with the aftermath of listening to the case and the customer. It takes a special kind of person to survive in this career, and the salary we receive

doesn't match the skillset required to survive. Our deputy clerks are dedicated to the County, just as much as the clerks are. The supplement would be a huge morale boost for the employees, it would make them feel like the county backs them. So, we ask that the County provide the General District and JDR Courts with \$30,000.00 to supplement their employees.

Time Needed:	9:20 a.m.	Person Appearing:	JDR Court Clerk Kelly Wiggins and General District Court Clerk Rachel Mills
Request prepared by:	Kelly Wiggins, JDR Clerk	Telephone:	804-966-9620
Copy provided to:	Wanda Watkins, Deputy Clerk of the Board		

ATTACHMENTS:

Description	Type
Virginia Code Section 16.1-69.45 (PDF)	Backup Material
List of Localities Providing Supplements (PDF)	Backup Material
District Court Salary & Compensation Plan (PDF)	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Clerk	Watkins, Wanda	Approved	2/12/2024 - 12:54 PM
Administration	Hathaway, Rodney	Approved	2/19/2024 - 12:05 PM
Attorney	Everard, Joshua	Approved	2/20/2024 - 9:12 AM

Code of Virginia
Title 16.1. Courts Not of Record
Chapter 4.1. District Courts

§ 16.1-69.45. Salaries of clerks and personnel.

The Committee on District Courts shall fix the salaries for the clerks and personnel of the district courts. Any county or city may supplement the salaries of the clerks and other personnel of the district court wholly out of local funds. However, no supplements may be paid to full-time district court judges or substitute judges. The Commonwealth shall assume the cost of any supplement being paid to a district court employee on January 1, 1980.

1972, c. 708; 1973, c. 546; 1975, c. 334; 1976, c. 667; 1980, c. 613; 2008, cc. 349, 804; 2012, c. 62.

Virginia Localities Providing Salary Supplements to District Court Employees

Locality & Level(s) of Court	Current Annual Dollar Amount or Percentage	How Paid / Taxed?	W-2 or 1099
Alexandria JDR and General District Court	15%	Bi-weekly Taxed	W-2
Arlington JDR and General District Court	15%	Bi-weekly Taxed	W-2
Botetourt JDR and General District Court	\$3,000 per employee; \$1,500 per part-time employee	Monthly Not taxed	1099
Buena Vista Combined District Court	\$3,800 for office, split amongst 2 employees	Lump sum Not taxed	1099
Clarke JDR and General District Court	\$3,000 for each Court, split amongst 2 employees per Court	Lump sum Not taxed	1099
Dickenson Combined District Court	\$9,000 for office, split amongst 3 employees	Semi-monthly Taxed	W-2
Fairfax City General District Court	15%	Quarterly Not taxed	1099
Fairfax County JDR and General District Court	15%	Bi-weekly Taxed	W-2
Falls Church Combined District Court	15%	Semi-monthly Taxed	W-2
Fredericksburg General District Court	2,500 per full time employee 800 part-time employee	Lump sum Not Taxed	1099
Giles JDR and General District Court	\$3,000 per employee	Monthly Taxed	W-2
Henrico General District and J&DR Courts	\$4,000 per employee	Monthly Taxed	W-2
Highland Combined District Court	\$2,250 per employee		
Hopewell Combined District Court ¹	\$15,000 for office, split amongst four eligible employees	Lump sum Not taxed	1099
Isle of Wight JDR and General District Court	2%	Lump sum Not taxed	1099
King George Combined District Court	2%	Lump sum Taxed	W-2
Lexington/Rockbridge GDC			
Loudoun JDR and General District Court	10%	Monthly Not taxed	1099
Prince William GDC and JDR	15%	Bi-weekly/taxed	
Roanoke City JDR and General District Court	\$3,000 per employee	Lump sum Not taxed	1099
Roanoke County JDR and General District Court	\$3,000 per full-time employee; \$1,500 per part-time employee	Lump sum Not taxed	W-2
Salem Combined District Court	\$3,000 per employee		
Stafford JDR and General District Court	15%		
Staunton General District Court	\$6,000 for office, split amongst four eligible employees	Lump sum	
Virginia Beach JDR and General District Court	\$1,200 per employee	Lump sum Not taxed	1099

¹ Eligible employees must have worked for Fredericksburg GDC and Hopewell CMB Court for at least one full year.

Updated 9/7/23

SALARIES & CLASSIFICATION PLAN OF THE DISTRICT COURT SYSTEM

Below are the paygrades, entry steps, and salaries for each classification listed,
effective December 10, 2023.

Statewide

Clerk of Court

Pay Grade	Step	Salary
15	2848	\$73,426
14	2557	\$63,653
13	2365	\$57,930
12	2173	\$52,719
11	1984	\$48,038

Supervising Deputy Clerk

Pay Grade	Step	Salary
14	2427	\$59,720
13	2234	\$54,324
12	2044	\$49,489
11	1853	\$45,045
10	1763	\$43,108

Deputy Clerk

Pay Grade	Step	Salary
9	1645	\$40,688
8	1572	\$39,247

NORTHERN VIRGINIA includes districts 17, 18, 19, 31 & Loudoun County

Clerk of Court

Pay Grade	Job Code	Step	Salary
15	000115	3236	\$88,825
14	000114	2945	\$77,011
13	000113	2751	\$70,006
12	000112	2557	\$63,653
11	000111	2365	\$57,930

Supervising Deputy Clerk

Pay Grade	Job Code	Step	Salary
14	010214	2812	\$72,139
13	010213	2618	\$65,591
12	010212	2427	\$59,720
11	010211	2234	\$54,324
10	010210	2138	\$51,823

Deputy Clerk

Pay Grade	Job Code	Step	Salary
9	010109	2025	\$49,028
8	010108	1950	\$47,252

New Kent County Board of Supervisors
P O Box 150, 12007 Courthouse Circle
New Kent, VA 23124

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THE MEETING)

Meeting Date: 2/27/2024

Agenda Item

Motion: "Mr. Chairman, I move to (not required for Consent Agenda items)	
Subject	Other Business
Issue	
Recommendation	
Fiscal Implications	
Policy Implications	
Legislative History	
Discussion	

Time Needed:	9:35 a.m.	Person Appearing:	
Request prepared by:	W. Watkins, Deputy Clerk of the Board	Telephone:	804-966-9687
Copy provided to:			

REVIEWERS:

Department	Reviewer	Action	Date
Clerk	Watkins, Wanda	Approved	2/20/2024 - 10:50 AM

AGENDA ITEM REQUEST
(TO BE SUBMITTED NO LATER THAN 12 DAYS PRIOR TO
THE MEETING)

Meeting Date: 2/27/2024

Agenda Item

Motion: "Mr. Chairman, I move to (not required for Consent Agenda items)	adjourn
Subject	Adjournment
Issue	
Recommendation	Approval
Fiscal Implications	
Policy Implications	
Legislative History	
Discussion	The next regularly scheduled meeting of the Board of Supervisors will be held at 6:00 p.m. on Monday, March 11, 2024 and the next work session will be held on Tuesday, March 19, 2024, both in the Boardroom of the County Administration Building. The Board will also meet for a Budget Retreat at 9:00 a.m. on Friday, March 15, 2024. Location TBD.

Time Needed:	9:45 a.m.	Person Appearing:	
Request prepared by:	W. Watkins, Deputy Clerk of the Board	Telephone:	804-966-9687
Copy provided to:			

ATTACHMENTS:

Description	Type
Closed Session Motions (PDF)	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
Clerk	Watkins, Wanda	Approved	2/20/2024 - 11:09 AM

MOTIONS FOR CONVENING A CLOSED SESSION

- 1 I move to go into closed session pursuant to §2.2-3711A.1 of the Code of Virginia for *(discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or County employees)* involving _____.
- 3 I move to go into closed session pursuant to §2.2-3711A.3 of the Code of Virginia for *(discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County)* involving _____.
- 4 I move to go into closed session pursuant to §2.2-3711A.4 of the Code of Virginia for *(the protection of the privacy of individuals in personal matters not related to public business)* involving _____.
- 5 I move to go into closed session pursuant to §2.2-3711A.5 of the Code of Virginia for *(discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community)* involving _____.
- 6 I move to go into closed session pursuant to §2.2-3711A.6 of the Code of Virginia for *(discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the County would be adversely affected)* involving _____.
- 7 I move to go into closed session pursuant to §2.2-3711A.7 of the Code of Virginia for *(consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by the Board regarding specific legal matters requiring the provision of legal advice by such counsel)* involving _____.
- 19 I move to go into closed session pursuant to §2.2-3711A.19 of the Code of Virginia for *(discussion of plans to protect public safety as it relates to terrorist activity and briefings by staff members, legal counsel, or law-enforcement or emergency service officials concerning actions taken to respond to such activity or a related threat to public safety; or discussion of reports or plans related to the security of any governmental facility, building or structure, or the safety of persons using such facility, building or structure)* involving _____.
- 28 I move to go into closed session pursuant to §2.2-3711A.28 of the Code of Virginia for *(discussion or consideration of records excluded from this chapter pursuant to subdivision 11 of § 2.2-3705.6 by a responsible public entity or an affected local jurisdiction, as those terms are defined in § 56-557, or any independent review panel appointed to review information and advise the responsible public entity concerning such records)* involving _____.

- 29 I move to go into closed session pursuant to §2.2-3711A.29 of the Code of Virginia for *(discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the Board)* involving _____.
- 33 I move to go into closed session pursuant to §2.2-3711A.32 of the Code of Virginia for *(discussion or consideration of confidential proprietary records and trade secrets excluded from this chapter pursuant to subdivision 18 of § 2.2-3705.6.)* involving _____.

CERTIFICATION OF CLOSED SESSION

A. Motion

I move that the Board certify by roll call vote that to the best of each member's knowledge only public business matters lawfully exempted from open session requirements of the Freedom of Information Act and identified in the motion to go into closed session were heard, discussed or considered in the closed session.

B. Vote taken on certification.

Present:

Vote:

Thomas W. Evelyn
John P. Moyer
Amy M. Pearson
Ron Stiers
Jordan T. Stewart