



ORDINANCE NO. 2013-100

AN ORDINANCE TO AUTHORIZE THE CITIES OF BUENA VISTA AND LEXINGTON, AND THE COUNTY OF ROCKBRIDGE TO PARTICIPATION IN THE VALLEY ALCOHOL SAFETY ACTION PROGRAM

WHEREAS, the Commonwealth of Virginia in the interest of highway safety has provided by law, programs for probation, education, and rehabilitation of persons charged with driving motor vehicles under the influence of alcoholic beverages and other self-administered drugs, such programs being collectively known as Virginia Alcohol Safety Program or VASAP; and

WHEREAS, § 15.2-1300 of the Code of Virginia, as amended, authorizes local units of government to exercise their powers, privileges and authorities under a joint exercise of powers for the operation of a multi-jurisdictional venture; and

WHEREAS, § 18.2-271.2 of the Code of Virginia requires the establishment of a VASAP Commission and the Commission shall establish procedures for the operation of local Alcohol Safety Action Programs; and

WHEREAS, one of those programs known as Valley ASAP has been serving the City of Staunton, the City of Waynesboro, and the County of Augusta, providing probationer monitoring, education and treatment of persons charged with alcohol and drug offenses with all powers and duties granted to it by the laws of Virginia, and

WHEREAS, the program known as Valley ASAP will begin providing services to the City of Lexington, the City of Buena Vista, and the County of Rockbridge, providing probationer monitoring, education and treatment of persons charged with alcohol and drug offenses with all powers and duties granted to it by the laws of Virginia, and

WHEREAS, the City of Staunton, the City of Waynesboro, the County of Augusta, the City of Lexington, the City of Buena Vista, and the County of Rockbridge desire to establish jointly, said Policy Board.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF WAYNESBORO that the City of Waynesboro does hereby join the County of Augusta, the City of Staunton, the City of Buena Vista, the County of Rockbridge, and the City of Lexington, to establish said Policy Board as administrative and fiscal agent subject to the following provisions:

Section 1. The board shall consist of not more than twelve (12) members. Two persons shall be appointed by the governing body of each participating locality and will serve for a term of three (3) years.

Section 2. The officers of the Board shall consist of a Chairman, a Vice-Chairman, a Secretary-Treasurer, and such subordinate officers as may from time to time be elected or appointed by the Board. Each of said officers shall serve without compensation. The officer of Chairman and Vice-Chairman shall be held by members from different participating localities. Each officer shall be elected at

the annual meeting of the Board to serve for a term of one (1) year unless sooner removed by the Board, or until his successor be elected and qualify.

Section 3. The Board shall be responsible for the operation of the program within the participating localities, and shall hire and supervise an Executive Director who shall be responsible for implementing operational policies for the Program, hiring and supervising the staff of the Program, and controlling all revenue and expenditures of the Program.

Section 4. Regular meetings of the Board shall be held quarterly and are open to the public. Special meetings may be called by the Chairman at his or her discretion or by any seven (7) board members upon five (5) days notice to all members in writing or by telephone of the time, place, and purpose of the special meeting. A simple majority of members of the Board shall constitute a quorum for transaction of any and all business.

Section 5. The Executive Director shall prepare and submit a operating budget for approval by the Board each fiscal year. The budget shall include projected revenue from client fees and other available funds as deemed appropriate by the Board and operating expenses. The participating localities will at no time incur any costs for the operation of the Program. The Commission on VASAP shall be responsible for funding any deficit occurring in the operation of the Program.

Section 6. The Commission on VASAP shall be responsible for conducting financial audits of the Program at such times as determined by the Commission.

Section 7. The Executive Director shall prepare and submit an annual report for approval by the Board within ninety (90) days of the close of the fiscal year. The annual report shall be presented to the governing body of each participating locality after approval by the Board.

Section 8. The Program shall be operated by the Board in compliance with the Commission on VASAP Policies and Procedures.

Section 9. Title to all property acquired by Valley ASAP shall be vested within the Alcohol Safety Action Program so long as two (2) or more localities continue to participate in its operation. In the event that all localities withdraw and the Commission on VASAP withdraws its endorsement, the property owned by the Program shall be disposed of in accordance with the then applicable provisions of the Code of Virginia.

Section 10. This agreement shall remain in effect continuously from year to year until termination. Participating localities may withdraw at any time by official action of the governing body and after ninety (90) days written notice to the Board. If a locality withdraws, its representative shall no longer serve on the Board.

INTRODUCED: ON NOVEMBER 25, 2013 BY VICE MAYOR TIM WILLIAMS
ADOPTED: ON DECEMBER 9, 2013
EFFECTIVE: DECEMBER 19, 2013

/s/ Julia Bortle
CLERK

/s/ Bruce Allen
BRUCE ALLEN, MAYOR