

## RESOLUTION

### IRREVOCABLE ELECTION NOT TO PARTICIPATE IN LINE OF DUTY ACT FUND

WHEREAS, pursuant to Item 258 of the Appropriations Act, paragraph B, the Virginia General Assembly has established the Line of Duty Act Fund (the "Fund") for the payment of benefits prescribed by and administered under the Line of Duty Act, (Virginia Code § 9.1-400 et seq.); and

WHEREAS, for purposes of administration of the Fund, a political subdivision with covered employees (including volunteers pursuant to paragraph B2 of Item 258 of the Appropriations Act) may make an irrevocable election on or before July 1, 2012, to be deemed a non-participating employer fully responsible for self-funding all benefits relating to its past and present covered employees under the Line of Duty Act from its own funds; and

WHEREAS, it is the intent of the County of James City to make this irrevocable election to be a non-participating employer with respect to the Fund.

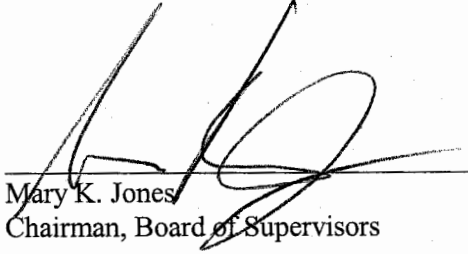
NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby elects to be deemed a non-participating employer fully responsible for self-funding all benefits relating to its past and present covered employees under the Line of Duty Act from its own funds effective July 1, 2011.

BE IT FURTHER RESOLVED that the following entities of James City County, the James City-Bruton Volunteer Fire Department, and the James City Volunteer Rescue Squad, to the best of the knowledge of James City County, constitute the population of their past and present covered employees under the Line of Duty Act.

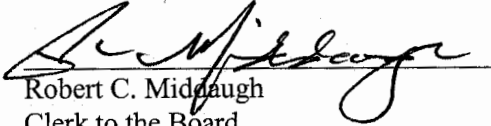
BE IT FURTHER RESOLVED that, as a non-participating employer, James City County agrees that it will be responsible for, and reimburse the State Comptroller for, all Line of Duty Act benefit payments (relating to existing, pending, or prospective claims) approved and made by the State Comptroller on behalf of James City County on or after July 1, 2010.

BE IT FURTHER RESOLVED that, as a non-participating employer, James City County agrees that it will reimburse the State Comptroller an amount representing reasonable costs incurred and associated, directly and indirectly, with the administration, management, and investment of the Fund.

BE IT FURTHER RESOLVED that James City County shall reimburse the State Comptroller on no more than a monthly basis from documentation provided to it from the State Comptroller.

  
Mary K. Jones  
Chairman, Board of Supervisors

ATTEST:

  
Robert C. Middaugh  
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
KENNEDY	AYE
GOODSON	AYE
MCGLENNON	AYE
ICENHOUR	AYE
JONES	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of June, 2011.

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