

**Caroline County  
Board of Supervisors Agenda  
Executive Summary**

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**Meeting Date:**           **January 25, 2022**

**Title:**                   **New Business – Discussion of Alternatives for Caroline County  
Social Services Board (Administrative Board or Advisory  
Board)**

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*(Check Mark)*

<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Closed Meeting
<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Public Hearing
<input type="checkbox"/> No Action (Information Only)	<input type="checkbox"/> Ordinance
<input type="checkbox"/> Resolution	<input type="checkbox"/> PowerPoint Presentation

**Summary:** Discussion of the issues identified in the attached memorandum from County Administrator Charles Culley has been scheduled for the January 25 Board of Supervisors meeting at the request of Chairman Underwood.

**Budget Impact:** N/A

**Requested Action from Board of Supervisors:** Discuss and direct staff



# MEMORANDUM

To: Board of Supervisors

From: Charles M. Culley, Jr., County Administrator

Date: January 20, 2022

Subject: Discussion of Possible Conversion of Social Services Board from an Administrative to an Advisory Board

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This memorandum describes the options available for how a local social services board may be constituted under the Code of Virginia, along with my experience with the process of changing forms that Middlesex County undertook in July of 2009.

Virginia Code Section 63.2-302 outlines the two forms the local social services board may take at the discretion of the Board of Supervisors. The code section reads as follows:

“The local board serving a single county shall be, at the discretion of the governing body of the county, either a local government official or a local board consisting of residents of the county who are, except as provided in §63.2-303, appointed by the governing body of the county. If residents of the county constitute the local board, such board shall consist of three or more members. The governing body shall appoint a member of the board of supervisors to be one member of the local board, except in those case where the board of supervisors has determined otherwise.”

If a local government official constitutes the local board, he may designate a senior staff person in the local department to act in his behalf, in his absence, to approve, cancel or change grants made under the provisions of this title.”

Caroline, like most counties in the Commonwealth of Virginia, has operated with a local board of citizens appointed by the Board of Supervisors (the Board of Supervisors appoints one member from its own ranks to serve). This is known as an administrative board, which has full authority to govern the operation of the department including hiring a director, setting policy and providing guidance on the overall direction of the department.

The other option available is to appoint a local government official to constitute the local board, which in reality results in the designation of the County Administrator to oversee the operations of the department and its director as a department of County government. Under this scenario, the governing body must appoint a board to serve in an advisory capacity to such local government official with respect to the duties and functions imposed upon him or her by this title.

Such advisory board must consist of no fewer than five and no more than thirteen members. The members shall be appointed initially for terms of from one to four years so as to provide for the balanced overlapping of the terms of the membership. Subsequent appointments shall be for a term of four years each, except that appointments to fill vacancies that occur during terms shall be for the remainder of these unexpired terms. The local government official shall be an ex officio member, without vote, of the advisory board.

The advisory board shall elect its own chairman and shall meet at least bimonthly. In addition to regularly scheduled meetings, it may meet at the call of the chairman or on the petition of at least one-half of the members.

The powers and duties of the advisory board shall be:

1. To interest itself in all matters pertaining to the public assistance and social services needed by people of the political subdivision or subdivisions served by the local department;
2. To monitor the formulation and implementation of public assistance and social services programs by the local department;
3. To meet with the local government official who constitutes the local board at least four times a year for the purpose of making recommendations on policy matters concerning the local department;
4. To make an annual report to the governing body or bodies, concurrent with the budget presentation of the local department, concerning the administration of the public assistance and social services programs; and
5. To submit to the governing body or bodies, from time to time, other reports that the advisory board deems appropriate.

**Experience with Middlesex County**

Middlesex County operated with the same administrative board as Caroline until the summer of 2009. There were many issues and several directors over a three year period that led the Middlesex Board to consider changing the local administrative board to the local government official. Although I knew supervision of the department would fall to me, I recommended making the change after consulting with New Kent County, in that they had previously made the change and reported that it was working well.

Middlesex had years of issues ranging from employees successfully suing to get their jobs back with back pay to family members of child protective services (CPS) cases continually calling my office for help. I referred them to the leadership at the department, the state, the local board and finally the Board of Supervisors. It was after several years of this that the Middlesex Board of Supervisors decided to replace the citizen board with the county official local board. In doing so, the citizen board was converted to an advisory board as described above. Again, this advisory board does not have administrative oversight of the Social Services Department or director. Furthermore, the local Director of Social Services does not report to the State Regional Director. The state Social Services Department provides rules, HR functions and general guidance, but the local director does not report to the state director under either scenario presented in this memorandum. That was the ultimate reason that the Middlesex Board decided it was important to make the local board a county official and have the Director of Social Services report to the County Administrator as a department head like other departments of the county. This also serves to improve the issue that exists with local employees of the Department of Social Services. They are not state employees and yet they are not exactly local employees when they do not report to the County Administrator.

The change in form in Middlesex did achieve the desired goal. Middlesex had long been in the bottom of the performance rankings that the state assembles and after the change moved up those rankings with stable leadership and only two local directors serving there since July 2009.