

Bond Case Briefs

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City of Emporia v. County of Greenville

Court of Appeals of Virginia, Richmond - June 11, 2024 - S.E.2d - 2024 WL 2925292

County brought action against city, seeking a declaratory judgment that the city was required to pay its share of the county sheriff's entire budget.

The Greenville Circuit Court denied city's motion craving oyer, granted the county's motion for partial summary judgment, and ordered city to pay \$676,924.94 to the county. City appealed.

The Court of Appeals held that:

- City was statutorily required to pay its proportional share of the salary of the county sheriff but was not required to pay a proportionate share of the county sheriff's entire budget, and
- City's motion craving oyer was properly denied as seeking attachment of documents not essential to the county's claim.

Following its transition from a town to a city, city was statutorily required to pay its proportional share of the salary of the county sheriff, as well as its share of jointly used county buildings, but was not required to pay a proportionate share of the county sheriff's entire budget; statute providing for apportioning county costs and expenses required the costs and expenses of the circuit court to be apportioned, but only required apportionment of the salaries of county constitutional officers such as the sheriff, and statute itemized circuit court costs and expenses to be apportioned but did not mention costs or expenses of sheriff's office.

City's motion craving oyer, seeking to attach mutual aid document and other agreements between city and county in action by county for payment of city's proportional share of sheriff's expenses, was properly denied; the documents were not essential to county's claim which was based solely on statutory interpretation and not for breach or enforcement of the parties' agreements, and the court was not asked to interpret or rule on any of the documents at issue in the motion craving oyer.