ADMINISTRATIVE DETERMINATION AND DIRECTIVE TO IMPLEMENT GRIEVANCE PANEL RELIEF

To: Town Clerk; Finance Director; Designated Payroll and Benefits Personnel
Notice Only: Chief of Police; Director of Human Resources; Assistant Town Manager
From: Anthony Sabio, Interim Town Manager
Date: August 1, 2026
Time: 8:45 pm

S**ubject:** Carl Benjamin Nett – Grievance Panel Relief

Purpose

This directive addresses the administrative determination of whether the relief awarded by the Employee Grievance Panel concerning Carl Benjamin Nett is consistent with the Town of Purcellville's written personnel and grievance policies and identifies the administrative actions necessary to implement that relief.

This directive does not reconsider the evidence presented to the Panel, independently adopt every factual statement or legal conclusion contained in the Panel Decision, decide the merits of any civil or criminal proceeding, determine personal liability, or make findings concerning the conduct or motivations of any individual.

Authority and independence

Virginia Code §15.2-1507 provides that the decision of a grievance panel is final and binding and assigns the chief administrative officer the responsibility to determine whether the relief awarded is consistent with written policy, unless that official had direct personal involvement in the events giving rise to the grievance.

I was not employed by, appointed to, or acting on behalf of the Town of Purcellville during the investigation, employment action, grievance filing, panel-selection process, evidentiary hearing, or issuance of the Panel Decision. I had no direct or personal involvement in the events giving rise to the grievance.

I therefore make this determination independently in my official capacity as Interim Town Manager and chief administrative officer of the Town.

Records reviewed

I reviewed:

1. The Town of Purcellville Employee Handbook and grievance procedure;

2. The Agreement for Grievance Procedure dated April 23, 2025;
3. The written Grievance Panel Decision;
4. The relief awarded by the Panel; and
5. The publicly filed Petition for Enforcement and its exhibits.

This determination is based solely upon the official administrative record, the Town's written policies, and applicable law.

Administrative independence

To preserve the independence of this determination and its implementation, Town officials with prior direct involvement in the underlying personnel matter or related adversarial proceedings did not participate in making this determination and are assigned no discretionary role under this directive.

Their receipt of this directive is limited to required notice and coordination of strictly ministerial actions. This administrative safeguard does not constitute a finding of wrongdoing, bias, liability, or merit regarding any person or pending proceeding.

Administrative determination

I determine that the relief awarded by the Grievance Panel—reversal of the termination, reinstatement, back pay, applicable employment benefits, and qualifying attorney's fees—is consistent with the categories of relief authorized by the Town's written personnel and grievance policies.

The award relief shall be implemented in accordance with all applicable:

- calculation and documentation requirements;
- legally required deductions and properly supported offsets;
- benefit-plan requirements;
- attorney-fee submission, documentation, and hourly-rate limitations;
- budgetary and appropriation requirements;
- controlling court orders;
- applicable law; and
- legally required approvals.

This determination is limited to whether the relief awarded by the Grievance Panel is consistent with the Town's written policies. It does not decide or resolve any separate procedural-compliance issues raised by either party.

Reinstatement

Effective **August 1, 2026 at 8:45pm**, Carl Benjamin Nett is restored to Town employment in the employment status required by the Grievance Panel Decision.

Payroll, benefits, and personnel records shall be updated to reflect this reinstatement. Those administrative updates do not change the effective date stated above.

Uninvolved personnel, payroll, and benefits staff are directed to:

1. Update the Town's personnel and payroll systems to reflect the reinstatement;
2. Restore the applicable employment classification and regular base salary;
3. Make personnel-record corrections required by the Panel Decision;
4. Calculate applicable service credit, leave, retirement, insurance, and benefit adjustments;
5. Determine the applicable back-pay period;
6. Obtain documentation reasonably necessary to calculate legally applicable offsets;
7. Coordinate the calculations with the Finance Director and Town-side litigation counsel; and
8. Prepare written confirmation that reinstatement and associated ministerial entries have been completed.

Officials receiving this directive for notice only shall not delay, condition, reinterpret, or modify the reinstatement.

Back pay and benefits

The Finance Director and designated payroll and benefits personnel shall:

1. Calculate gross back pay for the applicable period;
2. Apply legally required payroll deductions and properly documented offsets;
3. Verify applicable retirement, leave, insurance, and benefit adjustments;
4. Identify available lawful appropriations;

5. Identify any amount requiring additional legal or governing-body authorization;
6. Preserve written calculation records; and
7. Refrain from issuing any unverified payment.

The Handbook provides that a grievant may not recover more than the amount actually lost.

Any disagreement over the calculations shall be referred to Town-side litigation counsel. No official who was directly involved in the underlying matter or has an active dispute with Mr. Nett may decide that issue.

Attorney's fees

The attorney-fee component of the award shall be reviewed for compliance with the Employee Handbook, including applicable:

- submission deadlines;
- affidavit requirements;
- itemized billing requirements;
- documentation of services and time;
- hourly-rate limitations; and
- other written policy conditions.

The Handbook requires a qualifying fee request to be filed within 15 days and supported by an affidavit itemizing services, time, and a rate not exceeding $144 per hour.

This directive does not independently approve a specific attorney-fee amount before those requirements are verified.

Pending enforcement proceeding

Town-side litigation counsel, when identified or available, is requested to take the appropriate legal action concerning the pending enforcement proceedings. If counsel cannot be reached before this directive issued, the Interim Town Manager may provide the signed directive directly to Mr. Nett and his counsel solely as official administrative notice.

1. Provide this determination to Mr. Nett and his counsel;
2. Take any appropriate action in the pending enforcement proceeding;
3. Review implementation calculations;

4. Address any remaining dispute concerning back pay, benefits, attorney's fees, costs, or implementation;
5. Pursue an appropriate resolution of the enforcement proceedings once implementation obligations have been established; and
6. Promptly identify any controlling court order or binding legal restriction affecting implementation.

Any direct transmission by the Interim Town Manager is for official administrative notice only. It is not a settlement communication and does not request a release, waiver, dismissal, settlement, or other litigation action. All settlement negotiations and court-related communication shall remain the responsibility of counsel.

Records and transition

The Town Clerk shall:

1. Maintain this directive as an official Town record;
2. Preserve the records identified as the basis for this determination;
3. Maintain proof of distribution;
4. Preserve records showing the status of implementation; and
5. Include any incomplete implementation items in the transition record provided to the incoming Town Manager.

Separate prospective duty status

Restoration of Mr. Nett's employment shall be implemented independently from the determination of his prospective active-duty status.

His prospective duty status is addressed through a separate personnel directive. That separate action shall not reverse, diminish, delay, or condition the reinstatement, back pay, benefits, or qualifying attorney's fees awarded through the grievance process.

Preservation of rights and non-admission

Nothing in this directive:

- determines the merits of pending criminal charges;
- determines Mr. Nett's status as an elected official;
- supersedes a controlling court order;

- changes any party’s right to seek judicial-review or enforcement;
- constitutes an admission of constitutional, statutory, civil, criminal, or personal liability;
- determines the merits of another pending proceeding; or
- waives any claim unrelated to the implementation of the grievance relief.

This directive remains subject to applicable law, controlling court orders, and any properly authorized written resolution of the pending enforcement matter.

This Administrative Determination and Directive to Implement Grievance Panel Relief is effective upon execution August 1, 2026, at 8:45 p.m. Eastern Time.

Anthony Sabio
Interim Town Manager
Town of Purcellville, Virginia

Signature: _____

Date: ____August 1, 2026_____

Time: _____8:45pm_____