

# COMPENSATION BOARD DOCKET #09/07

## January 21, 2009

### EMPLOYEE RECOGNITION

#### NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
BUCKINGHAM COUNTY	COMMISSIONER OF THE REVENUE	<p>01-07-09 Email from Linda Baird, retired Buckingham County Commissioner of the Revenue, regarding Compensation Board staff:</p> <p>"I wanted you and all the members of the Compensation Board to know what a pleasure it has been to work with each of you for the past 30 years. I went to work at the Sheriff's Office 11/06/1978. I took office as Commissioner on 1/1/2000. Your office and staff have been one of the most cooperative and helpful groups that I have dealt with. I just want to say "THANK YOU" to each of you for all your help through the years. You made my jobs a lot easier. I pray for God's blessings on each of you as you continue to serve the citizens of Virginia through your work at the Compensation Board. Please let the staff there know how much I appreciate each one of them and the hard work you do. God Bless!!"</p>	N/A	The Compensation Board wishes to thank the former Commissioner for her kind remarks.

## 307-09-07: SHERIFFS & REGIONAL JAILS

### NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
ALLEGHANY COUNTY	SHERIFF	<p>12-17-08 Officer requests an exception to the 90-Day Vacancy Policy for Pos. 00048, budgeted at \$21,705, vacant effective 12/17/08.</p> <p>Officer states that in addition to the abrupt resignation of the cook in Pos. 00048 the jail is currently maintaining a daily population of 80-85 inmates which is 35-40% over capacity. The vacancy has decreased the staff to 1 full-time cook and 1 part-time cook. The part-time cook is paid out of temporary funds which are not enough to accommodate for the increased hours of pay.</p> <p>Officer states that it is necessary to fill this vacancy in order to meet state and federal health guidelines regarding meal provisions to the inmate population.</p>	\$7,235	The Compensation Board did not approve this request, per FY09 Budget Priorities and Policies identified May 1, 2008. A 90-day vacancy policy is in effect as a part of the Governor and General Assembly's approved Budget Reduction plans for FY09.
SMYTH COUNTY	SHERIFF	<p>1-12-09 Sheriff request an exemption to the 90-Day Vacancy policy for Pos. 00044, L7 budgeted at \$30,493 vacant on 1/5/09.</p> <p>Officer states that the deputy in this position unexpectedly died from injuries sustained from a motor vehicle accident. There are currently two other law enforcement positions that are currently vacant. Officer wants to fill Pos. 00044 immediately to relieve some of the hardship from the other two vacant positions.</p>	\$7,623.24	Approved as an exception to policy, based upon the specific conditions stated by the officer.

## 307-09-07: SHERIFFS & REGIONAL JAILS

### NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
RIVERSIDE REGIONAL JAIL	SHERIFF	01-05-09 The following locality is requesting a One Time Fund Transfer from Active Duty Vacancy Savings to Office Expense Funds	\$43,484.77	The Compensation Board did not approve this request. The Compensation has previously restricted transfers of salary funds to office expenses, and clarifies its restrictions to include that Active Duty Vacancy Savings may no longer be transferred to Office Expenses.

<b>FIPS</b>	<b>Office</b>	<b>Locality Name</b>	<b>Request Date</b>	<b>From Category</b>	<b>To Category</b>	<b>Amount Available</b>	<b>Amount Requested</b>
465	307	Riverside Regional Jail	01/05/09	Active Duty Vacancy Savings	Office Expenses	\$44,804.69	\$43,484.77
		<b>Totals</b>				<b>\$44,804.69</b>	<b>\$43,484.77</b>

## 772-09-07: COMMONWEALTH'S ATTORNEYS

### NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
CITY OF BUENA VISTA	COMMONWEALTH'S ATTORNEY	1-9-2009 Officer requests an exception to the 90-Day Vacancy Rule for pos. 00002 AAI budgeted at \$29,585, which will become vacant January 26, 2009.  Officer states this is his only staff position.	\$7,396.25	Approved as an exception to policy, based upon the specific conditions stated by the officer

## 771-09-07: COMMISSIONERS OF THE REVENUE

### NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
ACCOMACK COUNTY	COMMISSIONER OF THE REVENUE	<p>1-14-2009 Officer requests to transfer funds from a vacant position to Temporary Funds. Officer does not intend to fill this position within FY09. Officer states these temp funds will be used to pay salaries of existing help.</p> <p>Staff Notes this position has been vacant for the entire FY09.</p>	\$0	The Compensation Board did not approve this request, per FY09 Budget Priorities and Policies identified May 1, 2008. Accrued vacancy savings is not available for transfer to other budget categories as a part of the Governor and General Assembly's approved Budget Reduction plans for FY09.

<b>FIPS</b>	<b>Office</b>	<b>Locality</b>	<b>Request Date</b>	<b>FROM POSITION #</b>	<b>CLASS</b>	<b>To Category</b>	<b>Amount Requested</b>
001	771	ACCOMACK	01/14/2009	00001	DI	Temporary	7,625
						<b>Total</b>	<b>\$7,625</b>

## 774-09-07: TREASURERS

### NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
CITY OF MARTINSVILLE	TREASURER	<p>01-14-08 Acting Officer requests additional Temporary Funding of \$12,916.25. This is equivalent to position # 00004 MDIII budgeted at \$30,999 from February 1, 2009 to June 30, 2009.</p> <p>This request for "additional" funding is made in lieu of a request to transfer these funds to Temporary Funds budget, as Acting Officer understands that the Compensation Board's interpretation of §24.2-226 and 228 is that position #00004 MDIII is not vacant during the period in which she is the Acting Treasurer. Consequently, funds cannot be transferred from this position.</p>	\$0	Approved at no additional cost to the Compensation Board

# 773-09-07: CIRCUIT COURT CLERKS

## NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
MADISON COUNTY	CIRCUIT COURT CLERK	<p>1-12-2009 Acting Officer requests additional Temporary Funding at \$12,519.02. This is equivalent to position #00002 DCIII at \$46,394 from January 1, 2009 to April 7, 2009. The special election will be held on April 7, 2009.</p> <p>This request for "additional" funding is made in lieu of a request to transfer these funds to Temporary Funds budget, as I understand that the Compensation Board's interpretation of §24.2-226 and 228 is that position #00002 DCIII is not vacant during the period in which I am the Acting Clerk, consequently funds cannot be transferred from this position.</p>	\$0	Approved at no additional cost to the Compensation Board.
STAFFORD COUNTY	CIRCUIT COURT CLERK	<p>1-13-2009 Officer requests to correct CY07 workload data reported for Restitutions. Officer had reported number of cases at 248 and the correct data for number of checks written is 771.</p>	\$0	Compensation Board concurs with officer's request to update workload data for CY07 and asks Compensation Board staff to update COIN with corrected data.

### CURRENT

FIPS	OFFICE	LOCALITY	Category	CY05	CY06	CY07	Wkld Avg
179	773	Stafford	Restitution	0	0	248	83

### CORRECTION

Category	CY05	CY06	CY07	Wkld Avg
Restitution	0	0	771	257

## OTHER MATTERS

### NEW BUSINESS:

	<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
1.	MEETING MINUTES	COMPENSATION BOARD	Staff presents minutes for approval as follows: Docket # 09/06.	N/A	Approved.
2.	MONTHLY ACTIVITY REPORT- LIDS AUDITS & JAIL COST REPORT REVIEWS	COMPENSATION BOARD	Staff presents monthly activity report for Local Inmate Data System (LIDS) Jail Audits and Jail Cost Report Reviews.	N/A	Noted.
3.	ANNUAL LIDS AUDIT STATUS REPORT	COMPENSATION BOARD	Staff presents annual LIDS Audit Status Report	N/A	Noted.
4.	COMPENSATION BOARD MEETINGS	COMPENSATION BOARD	Confirmation of upcoming Board meetings: Wednesday, February 18, 2009 at 11:00 a.m., and Wednesday, March 25, 2009 at 11:00 a.m.	N/A	Confirmed.
5.	TRAINING STATUS REPORT	COMPENSATION BOARD	Staff presents training status report.	N/A	Noted.

# OTHER MATTERS

## NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
6. TECHNOLOGY TRUST FUND COLLECTIONS	CIRCUIT COURT CLERKS	<p>Collections: FY09 YTD collections totaled \$3,808,646.59, which is a 17.02% decrease compared to the same period in FY08.</p> <p>Expenditures: FY09 YTD expenditures through December 31,2008, which represents the reimbursement for July through November, total \$3,942,539 which is 31.28% of budgeted funding.</p> <p>Projections:</p> <ol style="list-style-type: none"> <li>Based on current collections, FY09 TTF collections would be approximately \$7.62 million, a decrease of 16.23% over FY08 collections.</li> <li>Based on a projected reduction in recordings of an additional 10% over the remainder of FY09, collections for FY09 would be \$7.24 million, a decrease of 20.42% over FY08 collections.</li> </ol> <p>The 2009 Six Year Nongeneral Fund Revenue Estimate submitted to the Department of Planning and Budget includes FY09 projected collections of \$7,682,761.</p>	N/A	Noted.

FOR YOUR INFORMATION  
NONE.

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**CLOSED MEETING  
COMPENSATION BOARD DOCKET #09/07  
January 21, 2009**

**1) MOTION FOR “CLOSED MEETING” by Chairman Frank Drew. (\_Walt Kucharski seconded the motion).**

- Under the provisions of Section 2.2-3711.A.1, Code of Virginia, I move that the Compensation Board hold a **Closed Meeting** to discuss personnel issues—discussion of interview applicants, assignment, appointment, promotion, performance, salaries, discipline or resignation of specific officers, appointees or employees.
- ✓ Under the provisions of Section 2.2-3711.A.7, Code of Virginia, I move that the Compensation Board hold a **Closed Meeting** for consultation with legal counsel and/or briefing by staff members pertaining to actual or “probable litigation” concerning

When the closed meeting is complete, the public body must ***immediately*** reconvene in open session and take a recorded vote of its members in roll call fashion.

**MOTION BY CHAIRMAN FRANK DREW: I move to certify that only public business exempt from the Act was discussed. (\_Walt Kucharski seconded the motion.)**

Frank Drew, Chairman	Yes ✓	No <input type="checkbox"/>
Walter J. Kucharski, Member	Yes ✓	No <input type="checkbox"/>
Janie E. Bowen, Member ( <b>absent</b> )	Yes <input type="checkbox"/>	No <input type="checkbox"/>

**AND**

**MOTION BY CHAIRMAN FRANK DREW: I move to certify that only public business matters identified in the motion to convene the closed meeting were discussed. (Walt Kucharski seconded the motion.)**

Frank Drew, Chairman	Yes ✓	No <input type="checkbox"/>
Walter J. Kucharski, Member	Yes ✓	No <input type="checkbox"/>
Janie E. Bowen, Member ( <b>absent</b> )	Yes <input type="checkbox"/>	No <input type="checkbox"/>

**Any member who cannot certify must state the specific details of the unauthorized discussion on the record. That record can be used as evidence in a lawsuit brought against the public body for violating the Act.**

# H A N D C A R R Y

## COMPENSATION BOARD DOCKET #09/07

### January 21, 2009

EMPLOYEE RECOGNITION  
NONE.

#### 307-09-07: SHERIFFS & REGIONAL JAILS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
PITTSYLVANIA COUNTY	SHERIFF	<p>12-16-08 Officer provides documentation and requests in accordance with §15.2-1606 <u>Code of Virginia</u>, to reimburse the County of Pittsylvania for Defense Counsel at \$29,674.67.</p> <p>Staff notes that appropriateness of payment in this matter was determined at the October 15, 2008 board meeting.</p>	\$29,674.67	Deferred to the February, 2009 meeting pending further review by staff.
BRUNSWICK COUNTY	SHERIFF	<p>1-14-09 Sheriff requests an exception to the 90-Day Vacancy policy for Pos. 00022, budgeted at \$30,863 in order to switch the Compensation Board employee with a locally funded employee.</p> <p>Officer states that the locally funded Deputy has taken on responsibilities and duties that are in line with the Compensation Board funded Deputy position, and officer needs to swap these two employees.</p>	\$0	Approved as an exception to policy, based upon the specific conditions stated by the officer
BRUNSWICK COUNTY	SHERIFF	<p>1-14-09 Sheriff requests an exception to the 90-Day Vacancy policy for Pos. 00011, CO SP budgeted at \$27,177 vacant on 1/2/09.</p> <p>Officer requests permission to hire locally funded employee into pos. 00011 and move employee in position 00018, budgeted at \$23,723, to a locally funded position, leaving position 00018 vacant for the duration of the 90 days period.</p>	\$863.50	Approved as an exception to policy, based upon the specific conditions stated by the officer

## 307-09-07: SHERIFFS & REGIONAL JAILS

### NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
NEW RIVER VALLEY REGIONAL JAIL	SUPERINTENDENT	<p>01-13-08 Superintendent requests an exception to the 90-day vacancy policy for position number 00037 budgeted at \$38503 with class of RC10 separation of 1/19/09, position number 00057 budgeted at \$28234 class of RC7 separation of 1/23/09, and position number 00072 budgeted at \$35419 class of RC9 separation of 1/19/09.</p> <p>Officer states that these separations are a direct result of the impending opening of the Western Virginia Regional Jail and that the loss of a Captain, Lieutenant, and Sergeant has left the jail in short supply of critical supervisory staff with experience and leadership ability. Subsequently, the jail has offered employment to 3 trained and experienced former employees of the Pulaski Correctional Unit, a closing Department of Corrections facility.</p> <p>Officer states that this sudden reduction of key supervisory personnel has placed a hardship on the jail and that supervisory personnel must be provided to ensure compliance with state standards and provide for a safe working and living environment for both staff and inmates alike. The officer states that according to DOC staffing standards the jail is currently understaffed by a total of 27 security officers.</p> <p>Staff notes that based upon overcrowding the jail is currently due 54 emergency corrections officer positions.</p>	\$25,539.06	Approved as an exception to policy, based upon the specific conditions stated by the officer and in consideration of the hiring of officers from the closing DOC correctional facility.

772-09-01: COMMONWEALTH'S ATTORNEYS  
NONE.

## 771-09-01: COMMISSIONERS OF THE REVENUE

### NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
CITY OF CHARLOTTESVILLE	COMMISSIONER OF THE REVENUE	<p>1-14-08 Officer requests an exception to the 90-Day Vacancy Policy for pos. 00001, budgeted at \$27,834 in order to switch the Compensation Board funded employee with a locally funded employee.</p> <p>Officer states that the responsibilities of the Compensation Board funded Deputy III position corresponds more with the responsibilities of the employee currently working in the locally funded position.</p>	\$6,958.50	Approved as an exception to policy, based upon the specific conditions stated by the officer
BATH COUNTY	COMMISSIONER OF THE REVENUE	<p>1-21-2009 Officer requests to correct CY07 workload data reported for the following items. Officer accidentally omitted data from 2007 reporting. Workload Audit Committee concurs with the changes.</p>	\$0	Compensation Board concurs with officer's request to update workload data for CY07 and asks Compensation Board staff to update COIN with corrected data.

#### CURRENT

FIPS	OFFICE	LOCALITY	ITEM NUMBER	CY05	CY06	CY07	Wkld Avg
017	771	Bath	51	18	18	0	12.0
			52	2	2	0	1.3
			53	257	222	0	159.7
			54a	5161	5512	0	3557.7
			54c	0	0	0	227.3
			54d	324	358	0	85.0

#### CORRECTION

Category	CY05	CY06	CY07	Wkld Avg
51	18	0	18	18.0
52	2	2	2	2.0
53	257	222	221	233.3
54a	5161	5512	5531	5401.3
54c	0	0	114	38.0
54d	324	358	338	340.0

## 774-09-01: TREASURERS

NONE.

## 773-09-01: CIRCUIT COURT CLERKS

NONE.

## OTHER MATTERS

NONE.

## FOR YOUR INFORMATION

NONE

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Public Body: Compensation Board  
Date: January 23, 2009  
Time: 11:00 a.m.  
Location: Compensation Board Conference Room  
Oliver Hill Building, 102 Governor Street  
Richmond, VA 23219  
Members: Frank Drew, Chairman (present)  
Walt Kucharski (present)  
Janie Bowen (absent)