

COMPENSATION BOARD DOCKET #10/10

May 19, 2010

EMPLOYEE RECOGNITION
NONE.

307-10-11: SHERIFFS & REGIONAL JAILS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
SEE BELOW	SHERIFF	4-27-10 Officer request s to transfer funds from vacancy savings to temporary funds and/or office expenses.	\$0	Compensation Board approved transfer of expendable amount or amount requested, whichever is less. This is a one-time transfer, not in the base budget.

FIPS	Office	Locality Name	Request Date	From Category	To Category	Unused Vacancy Savings	Expendable Amount	Amount Requested
650	307	Hampton City	04/27/10	Vacancy Savings	Office Expenses	\$472,193.34	\$26,873.57	\$150,000.00
710	307	Norfolk City	05/06/10	Vacancy Savings	Office Expenses	\$612,119.16	\$90,468.47	\$27,290.00
143	307	Pittsylvania County	05/12/10	Vacancy Savings	Office Expenses	\$123,643.74	\$7,374.55	\$123,643.74
175	307	Southampton County	05/12/10	Vacancy Savings	Temporary Funds	\$136,751.08	\$20,301.24	\$20,385.67
Totals						\$1,344,707.32	\$145,017.83	\$321,319.41

NOTTOWAY COUNTY	SHERIFF	05-14-10 FY11 One sheriff (Nottoway Co) requests that his salary be reduced in lieu of a staff position. Officer acknowledges that there is no expectation that the salary level will be restored without specific legislative appropriation to do so, or without the office choosing an alternative reduction of other expenses at a later date, and that the request is binding on any subsequent incumbent in office.	N/A	Approved as requested.
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307-10-11: SHERIFFS & REGIONAL JAILS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
GREENSVILLE COUNTY	SHERIFF	05-14-10 FY11 Officer requests reconsideration of the FY11 budget reduction, and seeks restoration of \$18,650 to temporary salaries	\$18,560	The Compensation Board did not approve this request. However, the Board advises the officer that he may submit a request to redistribute the reduction amount to other areas of the budget by May 21 st through the process outlined on May 1 st , in accordance with guidelines approved and outlined on May 1 st and at the Board's May 19 th meeting.

717-10-11: DIRECTORS OF FINANCE NONE.

772-10-11: COMMONWEALTH'S ATTORNEYS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
CHESAPEAKE CITY	COMMONWEALTH'S ATTORNEY	5-10, 2010 Officer requests a One Time Fund Transfer of Vacancy Savings Funds to fund the purchase of a Shredder. Vacancy Savings Funds are available to fund the cost of this item and the remaining authorized balance thru May 31 exceeds the FY10 Budget and Furlough Reduction amounts to fully reimburse the salaries in the May reimbursement.	\$700 Total Cost \$500.15 Total Stressed Cost	Approved at no additional cost to the Compensation Board. This is a one-time transfer, not in the base budget.

FIPS	Locality	Equipment Requested	Requested Qty	Requested Cost	Total Requested Cost	Per Policy Qty	Per Policy Cost	Total Cost Approved	Stressed Cost	Board Action 5-19-10
550-772	Chesapeake City	Shredder	1	1,268	1,268	1	700	700	500.15	Approved
550-772 Total					1,268			700	500.15	

772-10-11: COMMONWEALTH'S ATTORNEYS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
APPOMATTOX COUNTY	COMMONWEALTH'S ATTORNEY	Officer requests to transfer available Vacancy Savings to Office Expense Funds. Officer states he does have enough unexpended Vacancy Savings to offset the FY10 Budget Reduction.	\$0	Approved at no additional cost to the Compensation Board. This is a one-time transfer, not in the base budget.

FIPS	Office Code	Locality Name	Request Date	From Category	To Category	Amount Available	Amount Requested
011	772	Appomattox County	05/12/10	Vacancy Savings	Office Expense	12,429	5,627.63
		Totals					5,627.63

CHARLES CITY COUNTY	COMMONWEALTH'S ATTORNEY	5-12-2010 FY11 One Commonwealth's Attorney (Charles City County) requests that his salary be reduced in lieu of a staff position. The officer acknowledges that there is no expectation that the salary level will be restored without specific legislative appropriation to do so, or without the office choosing an alternative reduction of other expenses at a later date, and that the request is binding on any subsequent incumbent in office.	N/A	Approved as requested.
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771-10-11: COMMISSIONERS OF THE REVENUE

NONE.

774-10-11: TREASURERS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
LEE COUNTY	TREASURER	May 13, 2010 FY11 Officer requests reconsideration of the FY11 Approved Budget in order to restore position 00003, DIV, budgeted at \$33,690	\$33,690	The Compensation Board did not approve the request to restore funding reductions necessary due to appropriation reductions approved by the 2010 General Assembly. However, the Board notes that additional actions taken may assist the officer in maintaining authorized positions in the office, even in the absence of available funds to support the position.
NOTTOWAY COUNTY	TREASURER	May 11, 2010 FY11 Officer requests reconsideration of the FY11 Approved Budget in order to restore position 00001, DII, budgeted at \$23,738	\$23,738	The Compensation Board did not approve the request to restore funding reductions necessary due to appropriation reductions approved by the 2010 General Assembly. However, the Board notes that additional actions taken may assist the officer in maintaining authorized positions in the office, even in the absence of available funds to support the position.

773-10-11: CIRCUIT COURT CLERKS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
VARIOUS	CIRCUIT COURT CLERK	5-19-2010 FY11 Two Circuit Court Clerks (Alleghany County, Grayson County) requests that their salary be reduced in lieu of a staff position. The officer acknowledges that there is no expectation that the salary level will be restored without specific legislative appropriation to do so, or without the office choosing an alternative reduction of other expenses at a later date, and that the request is binding on any subsequent incumbent in office.	N/A	Approved as requested.

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 #10/10.	N/A	Approved.
2.	MONTHLY ACTIVITY REPORT-LIDS AUDIT, JAIL COST REPORT REVIEWS & ANNUAL LIDS AUDIT STATUS REPORT	COMPENSATION BOARD	Staff presents monthly activity for Local Inmate Data Systems (LIDS), Jail Audits, Jail Cost Report Reviews & Annual LIDS Audit Status Report.	N/A	Noted.
3.	COMPENSATION BOARD MEETINGS	COMPENSATION BOARD	Confirmation of upcoming Board meetings: Wednesday June 23, 2010 at 11:00 a.m. and Wednesday, July 28, 2010 at 11:00 a.m.	N/A	Approved.
4.	LIABILITY/BLANKET BOND INSURANCE	VIRGINIA ASSOCIATION OF COUNTIES	Representatives from the Virginia Association of Counties (VACO) request to address the Board to present the findings of their research into the availability of competitive insurance rates that may be less expensive than those offered by the Department of Risk Management.	N/A	This item was deferred until the June 23, 2010 Compensation Board meeting.
5.	ACKNOWLEDGMENT OF NOTIFICATION OF PROVISIONS OF THE APPROPRIATION ACT	COMPENSATION BOARD	Staff submits to Board members and for Chairman's signature "Acknowledgement of Notification of Indebtedness to State Agencies" Appendix A and associated references.	N/A	Chairman provided information to Board Members.

OTHER MATTERS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
6. EMERGENCY MEDICAL REQUESTS	COMPENSATION BOARD	Staff presents Emergency Medical Requests for Approval	\$65,726.85	Action taken as noted in Board Action Column.

Facility Name	Inmate Name	Date(s) of medical services	State Responsible	Bonus Start Date (date inmate became state responsible)	Amount Requested	Amount Recommended for Approval	COMPENSATION BOARD ACTION Approved/Not Approved
Henrico County	Kevin Small	10/15-10/21/2009	Yes	3/4/2009	\$20,653.00	\$20,653.00	Approved
Henrico County	Jack Gittens	11/3-11/6/2009	No	1/15/2010	\$10,659.00	\$0.00	Not Approved
Riverside Regional Jail	Charles Pizzino	4/16-4/17/2009	Yes	3/2/2009	\$192.00	\$192.00	Approved
Riverside Regional Jail	Richard Hazel	8/11/2009	Yes	5/10/2009	\$152.50	\$152.50	Approved
Riverside Regional Jail	Rahim Shabazz	2/23/2009	Yes	1/8/2004	\$550.25	\$550.25	Approved
Riverside Regional Jail	Cortez Harris	11/23/2009	Yes	6/12/2009	\$3,028.25	\$3,028.25	Approved
Riverside Regional Jail	Andrew Brown	7/29-7/31/2009	Yes	5/20/2009	\$16,166.23	\$16,166.23	Approved
Riverside Regional Jail	Robert Patterson	3/23-3/25/2009	Yes	1/9/2009	\$207.94	\$207.94	Approved
Riverside Regional Jail	Reginald Malone	8/20/2009	Yes	1/5/2005	\$439.17	\$439.17	Approved
Botetourt County	Kenneth Eugene Beck Jr.	10/14,10/26/2009	No	11/2/2009	\$1,291.50	\$0.00	Not Approved
Botetourt County	Kenneth Eugene Beck Jr.	11/05, 11/17/2009	Yes	11/2/2009	\$21,184.50	\$21,184.50	Approved
Richmond City	Demonte Bullock	9/22-9/23/2009	Yes	8/6/2009	\$845.28	\$845.28	Approved
Richmond City	Kemonda Johnson	10/3/2009	Yes	5/19/2009	\$775.77	\$775.77	Approved
Richmond City	Devonte Johnson	12/27/2009	Yes	11/20/2009	\$1,220.52	\$1,220.52	Approved
Richmond City	Milton Wood	2/23/2010	Yes	8/23/2009	\$311.44	\$311.44	Approved
TOTALS					\$77,677.35	\$65,726.85	

OTHER MATTERS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
7. TECHNOLOGY TRUST FUND COLLECTIONS	CIRCUIT COURT CLERK	<p>Collections: FY10 year-to-date collections through April 2010, totaled \$6,488,483.65, which is a 0.24% decrease compared to the same period in FY09.</p> <p>Expenditures: FY10 YTD expenditures through May 12, 2010, which represents the reimbursement for July through partial April, total \$5,117,064.77 which is 57.27% of budgeted funding.</p> <p>Projections:</p> <ol style="list-style-type: none"> 1. Based on current collections, FY10 TTF collections would be approximately \$7.79 million, a decrease of 4.17% over FY09 collections. 2. Based on a projected reduction in recordings of an additional 10% over the remainder of FY10, collections for FY10 would be \$7.66 million, a decrease of 5.77% compared to FY09 collections. <p>The 2010 Six Year Nongeneral Fund Revenue Estimate submitted to the Department of Planning and Budget includes FY10 projected collections of \$8.48 million.</p>	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>
8. RECONSIDERATION OF FY11 POSITION ALLOCATIONS	CONSTITUTIONAL OFFICER ASSOCIATIONS	<p>Staff presents letters to the Board from the Virginia Sheriffs' Association (VSA), the Virginia Association of Commonwealth's Attorneys (VACA), the Treasurers' Association of Virginia (TAV), the Commissioners of the Revenue Association of Virginia (CRAV), and the Virginia Association of Local Elected Constitutional Officers (VALECO) requesting reconsideration of budget decisions impacting the allocation of positions for constitutional officers for FY11.</p> <p>In the establishment of budgets for constitutional officers, regional jails, directors of finance, and regional drug prosecutors, the Compensation Board implemented across-the-board reductions approved by the 2010 General Assembly in the budgets of each office, and provided a two-week time period in which officers may choose to redistribute reduction amounts where possible in an alternative manner. Where the reductions resulted in no funding remaining to support a position, the position was eliminated from the officer's budget.</p> <p>All associations submitting a letter seeking reconsideration have asked that the Board retain all currently authorized positions in each office's budget, regardless of whether funds are available to support the positions, in order to assist local efforts to support previously authorized positions without the need for new local positions to be established. All associations acknowledge that positions may be unfunded due to budget reductions, but seek to retain the authorized positions in their budgets. 25 individual constitutional officers also sent letters regarding this issue.</p> <p>VACA and TAV also requested that additional flexibility be provided to maintain position salaries below the entry level of the pay grade and to allow salary reductions decreasing salaries below the entry level of the pay grade in order to meet current budget reduction amounts. 16 individual constitutional officers also sent letters regarding this issue.</p> <p>CRAV and TAV also specifically requested extensions to the deadline to submit requested changes to the implementation of reductions within their offices until after the Board's decision regarding these requests.</p> <p>These associations also expressed concerns regarding the viability of their career development programs given the impact of overall office budget reductions.</p>	N/A	<p>The Compensation Board approved the Association requests to maintain in all office budgets positions that are currently authorized, pursuant to Appropriation Act position count language, and remain due in an office for FY11 based upon Board approved staffing standards as required by law. Positions for which no funding is available due to insufficient appropriation will not have an established salary, but will be listed in approved budget documents as "unfunded". The Compensation Board notes that while local governments have the option at their discretion to provide funding for positions pursuant to Section 15.2-1605.1, Code of Virginia, this action is not intended to <u>mandate</u> that local governments provide specific salary levels for such authorized positions.</p> <p>The Compensation Board approved "grandfathering" positions that are already below the entry level of the pay band, and allows that those positions may be further reduced to meet the budget reductions where necessary. Any position with funding reduced to \$0 will become "unfunded". The Board upholds its responsibility to fix a reasonable salary level for each authorized position, and as such did not provide an exception to allow additional positions to be reduced below the entry level of the pay band. Any positions that cannot be fully funded with a salary that exceeds the entry level of the pay band will remain in the officer's budget in unfunded status, and any balance of funding will be available for expenditure in the office budget through the temporary salaries category. If at such time sufficient funds become available to fully fund an unfunded position at a minimum of entry level, the Board will allow for transfer of funds to support such position.</p> <p>The Board notes that Staff has already notified officers of an approved extension to the deadline for submission of implementation alternatives from May 14 until Friday, May 21.</p> <p>The Board directs Staff to work with the Treasurer's Association of Virginia and Commissioner of the Revenue Association of Virginia regarding concerns related to Career Development Programs, and to draft any necessary changes to the program to address funding impacts for consideration by the Board at its July 28th meeting.</p>

FOR YOUR INFORMATION
NONE.

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Public Body: Compensation Board
Date: May 19, 2010
Time: 10:00 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)

**CLOSED MEETING
COMPENSATION BOARD DOCKET #10/11
May 19, 2010**

NO CLOSED MEETING

1) **MOTION FOR “CLOSED MEETING”** by _____. (_____ 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 _____: I move to certify that only public business exempt from the Act was discussed.
(_____ seconded the motion.)

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

AND

MOTION BY _____: I move to certify that only public business matters identified in the motion to convene the closed meeting were discussed. (_____ seconded the motion.)

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