

# COMPENSATION BOARD DOCKET #09/12

## June 25, 2009

EMPLOYEE RECOGNITION  
NONE.

### 307-09-12: SHERIFFS & REGIONAL JAILS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
HENRICO COUNTY	SHERIFF	<p>5-28-2009 Officer requests a one-time fund transfer from Active Duty Vacancy Savings to Office Expenses for the inmate medical contract.</p> <p>Staff notes that original request was sent on May 11, 2009 to be on the May 2009 docket; however, due to technical difficulties the request was received on May 21, 2009.</p>	\$25,653.99	Approved as an exception to policy, based upon the specific conditions stated by the officer.
BRUNSWICK COUNTY	SHERIFF	<p>6-4-09 Officer requests an exception to the 90-Day Vacancy Policy for Pos. 00006, L7 budgeted at \$28,234 in order to switch the Compensation Board funded employee with a locally funded employee.</p> <p>Officer states the deputy currently in the Compensation Board funded position is a school resource officer which is funded by the county, and the duties of the county funded deputy are more in line with Compensation Board funded duties.</p>	\$2,352.83	Approved as an exception to policy, based upon the specific conditions stated by the officer.

# 307-09-12: SHERIFFS & REGIONAL JAILS

## NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
LISTED BELOW	SHERIFF	The following localities are requesting one-time fund transfers from Active Duty Vacancy Savings to Temporary funds.	\$0	The Compensation Board did not approve these requests. Any savings from vacancies are not available after reimbursement of the May payroll.

FIPS	Office	Locality Name	Request Date	From Category	To Category	Amount Available	Amount Requested
760	307	Richmond City	05/22/09	Active Duty Vacancy Savings	Temporary	\$19,839.32	\$19,839.32
650	307	Hampton City	06/02/09	Active Duty Vacancy Savings	Temporary	\$14,329.61	\$14,329.61
450	307	Rappahannock RJ	06/04/09	Active Duty Vacancy Savings	Temporary	\$5,143.74	\$5,143.74
460	307	Pamunkey RJ	06/09/09	Active Duty Vacancy Savings	Temporary	\$8,003.97	\$8,003.97
465	307	Riverside RJ	06/09/09	Active Duty Vacancy Savings	Temporary	\$38,907.70	\$38,907.70
485	307	Blue Ridge RJ	06/12/09	Active Duty Vacancy Savings	Temporary	\$2,571.83	\$2,571.83
		<b>Totals</b>				<b>\$88,796.17</b>	<b>\$88,796.17</b>

# 772-09-12: COMMONWEALTH'S ATTORNEYS

## NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
RUSSELL COUNTY	COMMONWEALTH'S ATTORNEY	<p><b>FY10</b> 5-28-2009 Acting Commonwealth's Attorney requests additional Temporary Funding at \$15,308.43. This is equivalent to position #00006 ATTI at \$45,385 from July 1, 2009 to November 3, 2009. The special election will be held on November 3, 2009.</p> <p>This request for 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 #00006 ATTI is not vacant during the period in which I am the Acting Commonwealth's Attorney, consequently funds cannot be transferred from this position.</p>	\$0	Approved at no additional cost to the Compensation Board.
RUSSELL COUNTY	COMMONWEALTH'S ATTORNEY	<p>5-28-09 Acting Officer requests an exception to the 90-day Vacancy Savings Rule to fill pos. #5, ATTI budgeted at \$45,385, which will become vacant June 17, 2009.</p> <p>NOTE: Officer states his original pos. #6, ATTI at 45,385, must be held vacant while he is the acting officer. The separation of pos. #5 leaves this office with one part-time assistant attorney, pos. #3, ATTA at 23,727, and one assistant attorney being funded from Temporary Funds who passed the bar in 2007 and this is her first employment in a prosecutorial position.</p>	\$11,346.25	Approved as an exception to policy, based upon the specific conditions stated by the officer.
CHESTERFIELD COUNTY	COMMONWEALTH'S ATTORNEY	6-10-2009 Officer requests an exception to the \$500, 60-day reimbursement policy. The Substitute Prosecutor did not submit the CB22 Forms in a timely manner.	\$1,700.00	Approved as an exception to policy, based upon the specific conditions stated by the officer.

<u>Prosecutor</u>	<u>Expenses From - To</u>	<u>Defendant</u>	<u>Total</u>
Nelson Fisher	10-10-08 to 1-29-09	Danny Cox	\$300.00
Nelson Fisher	8-30-08 to 2-3-09	Ryland Lee Johnson	\$300.00
Nelson Fisher	7-24-08 to 2-11-09	Steve Lloyd	\$300.00
Nelson Fisher	10-7-08 to 2-12-09	David Dovel	\$200.00
Nelson Fisher	10-23-08 to 2-23-09	Mary Schott	\$250.00
Nelson Fisher	10-23-08 to 2-23-09	Kimberly Wilkerson	\$350.00
<u>Total</u>			\$1,700.00

## 771-09-12: COMMISSIONERS OF THE REVENUE

### NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
BLAND COUNTY	COMMISSIONER OF THE REVENUE	5-26-09 Officer requests an exception to the 90-Day Vacancy Policy for pos. 00003, budgeted at \$19,856 which became vacant June 5, 2009. Officer states that pos. 00003 represents 50% of her Compensation Board funded employees. She further states that, to keep this position vacant would severely interrupt the operations of her office and affect her ability to meet state mandated functions.	\$4,964	Approved as an exception to policy, based upon the specific conditions stated by the officer.
CITY OF FAIRFAX	COMMISSIONER OF THE REVENUE	6-3-09 Officer requests an exception to the 90-Day Vacancy Policy for pos. 00004, budgeted at \$23,825 which became vacant June 5, 2009. Officer states his office is already budgeted at 1.83 positions below staffing standards. Officer further states that his locality is small and has been hit hard by the economic downturn.	\$5956.25	The Compensation Board did not approve this request, per FY10 Budget Priorities and Policies identified May 1, 2009. A 90-day vacancy policy is in effect as a part of the Governor and General Assembly's approved Budget Reduction plans for FY10.

## 774-09-12: TREASURERS

### NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
CITY OF FREDERICKSBURG	TREASURER	6-8-09 Officer requests an exception to the 90-Day Vacancy Policy for pos. 00003, budgeted at \$43,285 which became vacant June 5, 2009. Officer states position 00003 represents 1/3 of his staff positions. He further states that collection procedures and supplemental billings have increased his daily workload.	\$10,821.25	The Compensation Board did not approve this request, per FY10 Budget Priorities and Policies identified May 1, 2009. A 90-day vacancy policy is in effect as a part of the Governor and General Assembly's approved Budget Reduction plans for FY10.
CITY OF HOPEWELL	TREASURER	6-15-09 Officer requests to reduce her salary by the amount of \$6,699 in order to increase the salaries of her deputies who have completed their Career Development Programs and have yet to receive an increase. This amount is equal to the amount of her 9.3% Career Development increase. She further requests to have \$2,883 transferred to position 00001 and \$1908 each to positions 00004 & 00005.	\$0	The Compensation Board did not approve this request. The General Assembly designates separate appropriations for officer versus deputy career development programs, and funding in one program cannot be re-distributed within an office for a different program.

## 773-09-12: CIRCUIT COURT CLERKS

### NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
DANVILLE CITY	CIRCUIT COURT CLERK	<p>6-10-09 Officer requests an exception to the 90-Day Vacancy Rule for pos. 00002, budgeted at \$48,738 that became vacant on May 29, 2009.</p> <p>Officer states pos. 2, CDCI, budgeted @ 48,738, became vacant on 5-29 and pos. 3, DCI, budgeted @ 6,343, became vacant on 5-29. Pos. 6 will be on temporary medical leave from June 1 to approx. July 6, 2009.</p>	\$12,184.50	<p>The Compensation Board did not approve this request, per FY10 Budget Priorities and Policies identified May 1, 2009. A 90-day vacancy policy is in effect as a part of the Governor and General Assembly's approved Budget Reduction plans for FY10.</p>
ALBEMARLE COUNTY	CIRCUIT COURT CLERK	<p>6-10-09 Officer requests an exception to the 90-Day Vacancy Rule for pos. 00009, budgeted at \$23,935 that became vacant on May 8, 2009.</p> <p>Officer states she has had to rearrange the staff in this office to accommodate the criminal department when both of its employees have to be in court at the same time leaving this section unattended. Pulling the civil clerks from their jobs creates a heavy workload on the criminal and civil offices.</p>	\$5,983.75	<p>The Compensation Board did not approve this request, per FY10 Budget Priorities and Policies identified May 1, 2009. A 90-day vacancy policy is in effect as a part of the Governor and General Assembly's approved Budget Reduction plans for FY10</p>
NORTHAMPTON COUNTY	CIRCUIT COURT CLERK	<p>6-4-2009 Officer requests, in accordance with §15.2-1606, to reimburse the County of Northampton for Defense Counsel at \$2,200.00</p>	\$2,200	<p>The Compensation Board deferred consideration of this matter pending request for additional information from the Division of Risk Management.</p>
LEE COUNTY	CIRCUIT COURT CLERK	<p>6-11-09 Officer requests an exception of 30 days of the 90-Day Vacancy Rule for pos. 00004, budgeted at \$23,723 that will become vacant on July 1, 2009.</p> <p>Officer states the locality was no longer going to fund salary supplements for her employees, so she was forced to leave position 3 SCT vacant and redistribute the funding to her deputies to make up for the local supplements. The separation of position 00004 will create a hardship since two (2) deputies must work in the courtrooms and with scheduled vacations. Officer requests to fill pos. 4 on Sept. 1, 2009 instead of October 1, 2009.</p>	\$5,930.75	<p>The Compensation Board did not approve this request, per FY10 Budget Priorities and Policies identified May 1, 2009. A 90-day vacancy policy is in effect as a part of the Governor and General Assembly's approved Budget Reduction plans for FY10.</p>

## 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 # 09/11.	N/A	Approved.
2.	COMPENSATION BOARD MEETINGS	COMPENSATION BOARD	Confirmation of upcoming Board meetings: Wednesday, July 15 <sup>th</sup> at 11:00 a.m. and Wednesday, August 19 <sup>th</sup> at 11:00 a.m.	N/A	Approved.
3.	ACKNOWLEDGMENT OF NOTIFICATION OF PROVISIONS OF THE APPROPRIATION ACT	COMPENSATION BOARD	Staff submits "Acknowledgment of Notification of Provisions of the Appropriation Act Relating to Indebtedness of State Agencies" Appendix A and associated references. Staff notes Chairman submitted document on June 17, 2009 and board members acknowledged receipt of notification from Chairman.	N/A	Noted.
4.	FY10 COST RECOVERY SUMMARY	COMPENSATION BOARD	Staff submits FY10 Cost Recovery Summary, part of the Compensation Board Requests for Information Policy, for approval.	N/A	Approved.
5.	FINES AND FEES FORMS	COMMONWEALTH'S ATTORNEYS AND CIRCUIT COURT CLERKS	Staff presents for Board review the Fines and Fees materials, including a Collection Form, Election of Collection Method Form, and Policy Statement, to be sent to Commonwealth's Attorneys and Circuit Court Clerks for FY09 assessment and collection of court and delinquent fines and fees.	N/A	Approved.
6.	FY10 POLICY & PROCEDURE MANUAL	CONSTITUTIONAL OFFICERS	Staff presents FY10 Policy & Procedure Manual.	N/A	Approved.

**FOR YOUR INFORMATION  
NONE.**

**CLOSED MEETING  
COMPENSATION BOARD DOCKET #09/12  
June 25, 2009**

**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.**

# HANDCARRY COMPENSATION BOARD DOCKET #09/12 June 25, 2009

EMPLOYEE RECOGNITION  
NONE.

## 307-09-12: SHERIFFS & REGIONAL JAILS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
BATH COUNTY	SHERIFF	<p>6-23-09 Officer requests the reimbursement for LiveScan equipment for FY09.</p> <p>Officer states the Board of Supervisors approved the purchase of a Live Scan system at its June meeting. As a result, the Compensation Board deadline for reimbursement in May 2009 was missed.</p>	\$6,821.63	Approved as an exception to policy, based upon the specific conditions stated by the officer.
CENTRAL VIRGINIA REGIONAL JAIL	SUPERINTENDENT	<p>6-23-09 Superintendent requests an exception to the 90-Day Vacancy Policy for Pos. 00042, R GC, budgeted at \$19,856.</p> <p>Officer states the previous employee unexpectedly vacated the position. This vacancy leaves the jail with one Records Clerk to maintain the records of approximately 272 Local and State responsible prisoners, which is greater than the number approved by the Compensation Board staffing rules. This vacancy places an undue burden on the facilities Records Department by trying to maintain this workload amount.</p>	\$4,964.01	The Compensation Board did not approve this request, per FY10 Budget Priorities and Policies identified May 1, 2009. A 90-day vacancy policy is in effect as a part of the Governor and General Assembly's approved Budget Reduction plans for FY09.

## 772-09-12: COMMONWEALTH'S ATTORNEYS

### NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
CUMBERLAND COUNTY	COMMONWEALTH'S ATTORNEY	6-24-09 Officer requests an exception to the 90-Day Vacancy Rule for pos. 00001, SECA budgeted at \$11,038 that became vacant on April 30, 2009. This position represents 50% of the Compensation Board staffing in this office.	\$2,759.50	Approved as an exception to policy, based upon the specific conditions stated by the officer.

## 771-09-12: COMMISSIONERS OF THE REVENUE NONE.

## 774-09-12: TREASURERS

### NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
CITY OF VIRGINIA BEACH	TREASURER	6-8-09 Officer requests to make a 15 to 30 minute presentation to the Compensation Board to explain how the TAV workload standards negatively impact Virginia Beach.	\$0	Compensation Board thanks the Treasurer for his letter and information, and informs the officer that anyone is welcome to present matters before the Board at any meeting. The next meeting will be held on July 15, 2009 at 11:00 a.m. if the Treasurer wishes to present his concerns.

# 773-09-12: CIRCUIT COURT CLERKS

## NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
PITTSYLVANIA COUNTY	CIRCUIT COURT CLERK	6-16-09 <b>FY10</b> Officer requests to expend Office Expense funds to purchase a Copier at \$3,100 Total Cost, \$2,227.66 Stressed Cost. The locality agrees to fund the Stressed Cost.	\$3,100 Total Cost  \$2,227.66 Stressed Cost	Approved at no additional cost to the Compensation Board. Expense is approved from current budgeted funds for FY10.

## OTHER MATTERS

### NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
1. TECHNOLOGY TRUST FUND COLLECTIONS	CIRCUIT COURT CLERKS	<p>Collections: FY09 YTD collections totaled \$7,235,495.69, which is a 12.79% decrease compared to the same period in FY08.</p> <p>Expenditures: FY09 YTD expenditures through June 23, 2009, which represents the reimbursement for July through May, total \$7,699,449.72, which is 72.12% of budgeted funding.</p> <p>Projections:</p> <ol style="list-style-type: none"> <li>1. Based on current collections, FY09 TTF collections would be approximately \$7.89 million, a decrease of 13.2% over FY08 collections.</li> <li>2. Based on a projected reduction in recordings of an additional 10% over the remainder of FY09, collections for FY09 would be \$7.82 million, a decrease of 13.92% 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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Public Body: Compensation Board  
 Date: June 25, 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)