

COMPENSATION BOARD DOCKET #12/12

June 28, 2012

EMPLOYEE RECOGNITION

NONE.

307-12-12: SHERIFFS & REGIONAL JAILS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
MEHERRIN RIVER REGIONAL JAIL	SUPERINTENDENT	<p>06-18-2012 Officer requests funding for the 120 new positions budgeted by the Compensation Board, along with the transfer of funding for 14 positions from the Brunswick Sheriff's office, 14 positions from the Dinwiddie Sheriff's office and 41 positions from the Mecklenburg Sheriff's office, effective July 1, 2012.</p> <p>Positions and funding are to staff the newly constructed Meherrin River Regional Jail, scheduled to open on July 1, 2012.</p> <p>Officer States that the facility will begin housing inmates effective July 2, 2012</p> <p>Staff notes that funding is budgeted in Chapter 3 beginning July 1, 2012.</p>	\$3,624,739	The Compensation Board approved funding effective July 1, 2012 for the 120 new positions and 69 transferring positions as budgeted in Chapter 3.

772-12-12: 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	6-11-2012 FY12 Officer requests an exception to the \$500 60-day Substitute Prosecutor reimbursement policy. Officer was delayed in submitting the request for reimbursement due to the absence of the office fiscal technician,	\$50.31	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>
Patricia Scales	9/9/11 - 11/17/11	Tanya Michelle Knight	50.31
		<u>Total</u>	50.31

772-12-12: COMMONWEALTH'S ATTORNEYS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
MONTGOMERY COUNTY	COMMONWEALTH'S ATTORNEY	6-11- 2012 FY13 Acting Officer requests additional Temporary Funding @ \$44,047.44. This is equivalent to position #5 ATTIV @ \$75,932 from July 1, 2012 to November 6, 2012. The Special Election will be held on November 6, 2012. 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 #5 ATTIV is not vacant during the period in which I am the Acting Commonwealth's Attorney, consequently funds cannot be transferred from this position.	-0-	Approved at no additional cost to the Compensation Board.

772-12-12: COMMONWEALTH'S ATTORNEYS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
CULPEPER COUNTY	COMMONWEALTH'S ATTORNEY	<p>6-15- 2012 FY13 Acting Officer requests additional Temporary Funding @ \$21,308.45. This is equivalent to position #1 ATTIV @ \$61,146 from July 1, 2012 to November 6, 2012. The Special Election will be held on November 6, 2012.</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 #1 ATTIV is not vacant during the period in which I am the Acting Commonwealth's Attorney, consequently funds cannot be transferred from this position.</p>	\$0.00	Approved at no additional cost to the Compensation Board.

772-12-12: COMMONWEALTH'S ATTORNEYS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
MADISON COUNTY	COMMONWEALTH'S ATTORNEY	<p>6-1-2012 FY13 Officer requests additional Temporary Funds at \$7,000.00 for a paralegal assistant and office supplies necessary, in this very unusual circumstance, to assist in trial preparation.</p> <p>Officer calculates the salary at \$12.00 per hour for 8 hours per day for 12 weeks equaling \$5,760.00. Officer also request \$1,240.00 to fund the cost of increased telephone bills and office supplies related to this case.</p> <p>This office is in the middle of a triple homicide involving 6 counts of capital murder, one count grand larceny, 3 counts of use of firearm in the commission of murder and 1 count of posses/use sawed off shotgun. A majority of the evidence and witnesses are located in the Newport News area of the State.</p> <p>Officer states the defense has had unlimited funding to date and this office has to also maintain the regular court docket in addition to the added workload of this case.</p> <p>This office does not have any Compensation Board budgeted Temporary or Office Expense funds and is staffed by the Commonwealth's Attorney and one (1) Compensation Board funded administrative position.</p> <p>There is one Assistant Commonwealth Attorney funded by a VSTOP grant and County subsidy, a part time File Clerk/Receptionist and a part-time Victim Witness Coordinator position that, due to the unexpected death of this individual, has suddenly become vacant.</p>	\$7,000	The Compensation Board did not approve this request. Staffing standards for Commonwealth's Attorneys' offices provide for one full-time administrative support position for two full-time attorney positions and one paralegal position for four full-time attorney positions.

772-12-12: COMMONWEALTH'S ATTORNEYS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
FLOYD COUNTY	COMMONWEALTH'S ATTORNEY	<p>6-12-2012 FY13 Officer requests Emergency Temporary Funds of \$114,400.00 to hire a temporary full-time Assistant Commonwealth's Attorney with prior experience in capital murder cases, to assist with the ongoing preparation and trial of a mentally unbalanced Defendant, who is charged with the murder of a two year old child. The Defendant and all witnesses, most of which are located in Galax, Virginia, over an hour away, are non-English speakers and require interpreters.</p> <p>Officer states the case numbers increased for her office by 135 between 2009 and 2010. Additionally, between June 7 and June 10, 2011 approximately 100 felony drug indictments and 50 defendants were issued and prosecuted through her office. There have been two additional drug sweeps which have led to approximately 100 additional felony drug indictments and 40 defendants. Due to the significant increase in the criminal docket for Floyd County, the Judicial Circuit has justified Circuit Court every week, rather than twice a month.</p> <p>Officer states the defense team consists of five (5) attorneys specially trained in Capital litigation, an investigator, and a social worker trained to assist in Capital cases; Her office is staffed by the Officer, one (1) Compensation Board funded full-time administrative assistant and one (1) part-time Administrative Assistant funded from budgeted Compensation Board temporary funds.</p> <p>A Capital defense attorney appointed and certified to work in a Capital case is permitted by the Commonwealth to bill their normal hourly rate, which can range from \$150.00 to \$300.00 per hour. Officer requests funds at \$55.00 per hour; the lowest hourly rate assigned to court-appointed counsel, for work performed outside of court in a capital case.</p> <p>Accordingly, Officer requests Emergency Temporary Funds for FY13 to be paid \$55.00 per hour for forty (40) hours a week from July 1, 2012, to June 30, 2013, equaling \$114,400.00.</p> <p>Staff notes that staffing standards currently indicate a need for one additional assistant attorney position.</p>	\$114,400	Compensation Board approved additional temporary funds in the amount of 50% of the amount requested by the officer for 26 weeks. Total approved is \$28,600, based upon 50% of \$55.00 per hour, 40 hours per week for 26 weeks. The Board notes that the officer may re-present the status of her caseload in December, 2012 for consideration of potential emergency funds needed in the remainder of FY13.

771-12-12: COMMISSIONERS OF THE REVENUE

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
SEE BELOW	COMMISSIONER OF THE REVENUE	06/12/12 Staff has become aware of three individuals scheduled to receive New Career Development one-time funding for FY13 who will be removed from the program prior to the beginning of the Fiscal Year. Total Cost for these three positions was budgeted at \$5,468 for FY13. Staff recommends reallocation of one-time funds to the next four individuals on the list at no additional cost. Concurrence from the Governing Bodies is forth coming.	(\$105.00)	Approved for FY13 only, upon receipt of concurrence from Governing Bodies. Staff is directed to notify officers and localities of the one time nature of the funding and classification changes for FY13 only.

FIPS	LOCALITY	LAST NAME	POSITION NUMBER	CURRENT CLASS	NON-CDP SALARY 7/1/12	CDP SALARY 7/1/12	CDP SALARY COST	FY13 COST
041	Chesterfield	Stensland	00008	DI	\$26,467	\$28,928	\$1,231	\$1,354
710	Norfolk	Carleo	00010	DII	\$27,990	\$30,593	\$1,302	\$1,432
710	Norfolk	Smith	00020	DII	\$30,500	\$33,337	\$1,419	\$1,561
065	Fluvanna	Hudgins	00004	DI	\$19,856	\$21,703	\$924	\$1,016
							Totals	\$5,363

774-12-12: TREASURERS

NONE.

773-12-12: CIRCUIT COURT CLERKS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
VIRGINIA BEACH CITY	CIRCUIT COURT CLERK	<p>5-30-2012 FY13 Officer requests an exception to Compensation Board policy to approve the use of Turnover to fund in-band salary increases for four (4) positions.</p> <p>Officer states with the retirement of the employee in pos. 31, it presents the opportunity to generate enough Turnover to fund this request within the budgeted funds of this office. These employees have taken on additional responsibilities over the years and deserve the compensation for the outstanding jobs they perform.</p> <p>Compensation Board policy restricts the use of turnover for in-band pay adjustments for fiscal year 2013.</p>	-0-	The Compensation Board has deferred this request until the October 2012 Board meeting, pending additional review and analysis by staff regarding the fiscal impact of a change to policy.

FIPS	Office Code	Locality Name	Request Date	From Category	Class Code	To Category	Current Salary	Salary Requested	Amount Requested	Amount Approved	Pro-Rate
810	773	Virginia Beach City	05/30/12	CDCI	DCI	pos. 00031	48,022.00	24,450.00	-23,572.00	-23,572.00	-23,572.00
810	773	Virginia Beach City	05/30/12	Turnover	CDCII	pos. 00005	59,102.00	68,102.00	9,000.00	9,000.00	9,000.00
810	773	Virginia Beach City	05/30/12	Turnover	CDCII	pos. 00032	59,102.00	65,102.00	6,000.00	6,000.00	6,000.00
810	773	Virginia Beach City	05/30/12	Turnover	COMP	pos. 00025	56,677.00	64,102.00	7,425.00	7,425.00	7,425.00
810	773	Virginia Beach City	05/30/12	Turnover	CDCI	pos. 00019	61,955.00	63,102.00	1,147.00	1,147.00	1,147.00
		Totals							0.00	0.00	0.00

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 #12/11	N/A	Approved.
2.	COMPENSATION BOARD MEETINGS	COMPENSATION BOARD	Confirmation of upcoming Board meetings: Wednesday July 25, 2012 at 11:00 a.m. and Wednesday August 22, 2012 at 11:00 a.m.	N/A	Noted.
3.	FY12 TECHNOLOGY TRUST FUND COLLECTIONS & PROJECTIONS	COMPENSATION BOARD	<p>Collections: FY12 year-to-date collections for July – May totaled \$7,025,105.66, a decrease of 0.62% over the same period in FY11.</p> <p>Expenditures: FY12 year-to-date Clerk's expenditures through 6/19/12, totaled \$4,344,004.56, or 69.29% of budgeted Technology Trust Funds.</p> <p>Projections: Based on current collections, FY12 TTF total collections would be approximately \$7.65 million, an increase of 0.77% over FY11 collections.</p>	N/A	Noted.
4.	FINES & FEES FORMS	COMPENSATION BOARD	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 FY12 assessment and collection of court and delinquent fines and fees.	N/A	Approved.

OTHER MATTERS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
5. EMERGENCY MEDICAL REQUESTS	COMPENSATION BOARD	The below Emergency Medical Requests are submitted for reconsideration after additional documentation was received from the Richmond City Jail.	N/A	Approved as noted.

Facility Name	Inmate Name	Date(s) of medical services	State Responsible	Date Inmate Became SR	To Category	Amount Available	Amount Requested
Richmond City Jail	Jarell Roane	10/26-10/27/2011	Yes	11/18/2010	\$26,891.25	\$26,891.25	Approved
Richmond City Jail	Khi-Lin Webb	10/14/2011-10/26/2011	Yes	8/31/2011	\$56,498.09	\$22,464.65	Approved max funds remaining available of \$22,464.65
Richmond City Jail Total					\$83,389.34	\$49,355.90	

FOR YOUR INFORMATION
NONE.

**CLOSED MEETING
COMPENSATION BOARD DOCKET #12/09
March 28, 2012**

NO CLOSED MEETING

1) **MOTION FOR “CLOSED MEETING” by Chairman Frank Drew. (_____ 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.
(_____ 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"/>
Craig Burns, Member	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. (_____ 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"/>
Craig Burns, 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.

H A N D C A R R Y
COMPENSATION BOARD DOCKET #12/12
June 28, 2012

EMPLOYEE RECOGNITION
NONE.

307-12-12: SHERIFFS & REGIONAL JAILS
NONE.

772-12-12: COMMONWEALTH'S ATTORNEYS
NONE.

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

774-12-12: TREASURERS

NEW BUSINESS:

CONSENT DOCKET

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
CITY OF HOPEWELL	TREASURER	<p>6-22-12 Officer states that LaTonya Felton, position 4, DI, budgeted at \$23,172, completed certification of Career Development and was certified in the FY10 Budget Request. Officer requests that her deputy be added to the list of newly certified deputies for one-time funding for FY13.</p> <p>Officer further states that the date of certification from Weldon Cooper is November 15, 2008.</p> <p>Staff Confirms that Felton was submitted for certification for the FY10 Budget Request and in each year's budget request thereafter.</p> <p>Locality has concurred with the officer's request.</p>	\$1,186 (FY13)	Approved for FY13 only, upon receipt of concurrence from the Governing Body. Staff is directed to notify officer and locality of the one time nature of the funding and classification change for FY13 only.

773-12-12: CIRCUIT COURT CLERKS

NONE.

OTHER MATTERS

NONE.

Public Body: Compensation Board

Date: June 28, 2012

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, ex-officio member (present)

Craig Burns, ex-officio member (present)