

# COMPENSATION BOARD DOCKET #14/12

## June 25, 2014

EMPLOYEE RECOGNITION  
NONE.

### 307-14-12: SHERIFFS & REGIONAL JAILS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
WASHINGTON COUNTY	SHERIFF	<p>06-05-14 Officer requests to transfer \$5,688 from base Temporary funds to increase two Compensation Board approved salaries. The Officer would like to increase the salary of position 00036 from \$41,515 to \$44,359 and position 00049 from \$34,745 to \$37,589 effective July 1. The salaries requested are within Compensation Board policy and the funding is available.</p> <p>The officer acknowledges that due to budget reductions, he currently has two unfunded authorized positions, and understands that taking action to move base temporary funds to salaries of existing personnel may significantly reduce his options in dealing with any potential future funding reductions without impacting salaries of permanent staff.</p>	\$0	The Compensation Board approved a transfer of \$5,688 from base Temporary funds to effect the salary actions requested by the officer in accordance with the Compensation Board's pay and classification policy. This action will result in a reduction in the officers' Temporary fund budget in the current as well as subsequent fiscal years

FIPS	Office Code	Locality Name	Request Date	From Category	To Category	Amount Available	Amount Requested	Pro-Rate Amount
191	307	Washington County	06/05/14	Temporary	Position 00036	\$5,688.00	\$2,844.00	\$2,844.00
191	307	Washington County	06/05/14	Temporary	Position 00049		\$2,844.00	\$2,844.00
		<b>Totals</b>				<b>\$5,688.00</b>	<b>\$5,688.00</b>	<b>\$5,688.00</b>

# 772-14-12: COMMONWEALTH'S ATTORNEYS

## OLD BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
JAMES CITY COUNTY	COMMONWEALTH'S ATTORNEYS	<p><b>At its May 28, 2014 meeting the Compensation Board deferred action on this item pending additional review by staff.</b> 4-4-14 Officer requests in accordance with §15.2-1606, to reimburse James City County for legal fees and expenses incurred in the defense of a civil action arising out of the performance of his official duties in the amount of \$1,279.00.</p> <p>Staff notes that the officer is requesting reimbursement for an assessment of costs by the Virginia State Bar as a result of the court's Admonition, and disagrees that this is a cost incurred in defense. The Division of Risk Management indicates that they do not pay penalties and fines in such a case, however the Division also indicates they were not requested to pay such expenses.</p>	\$1,279	The Compensation Board approved the request for reimbursement in compliance with the court order, however, the Board notes that any future court orders requiring reimbursement of expenses by the Compensation Board are to be submitted by the Constitutional Officer seeking such order to the Compensation Board immediately upon approval by the court.
VARIOUS	COMMONWEALTH'S ATTORNEY	<p>5-12-2014 Officers request to transfer March, April, May and June Vacancy Savings, for the following positions to Office Expense Funds.</p> <p>Officers plan to claim reimbursement for these funds with the May payroll reimbursement process.</p>	\$0	Compensation Board confirmed informal approval given on May 30, 2014 as this item was inadvertently excluded from the May 28, 2014 meeting docket. Approved per the Compensation Board's FY14 Budget Priorities and Policies. This is a one-time transfer, not in the base budget.

FIPS	Office Code	Locality Name	Request Date	From Permanent Position	Class Code	To Category	Current Salary	Amount Requested	Pro Rated Amount Approved
740	772	Portsmouth City	4/22/2014	pos. 00012	ATTI	Office Expense	\$49,601	\$16,534	\$16,534
740	772	Portsmouth City	4/22/2014	pos. 00019	PA	Office Expense	\$9,618	\$3,206	\$3,206
740	772	Portsmouth City	4/22/2014	pos. 00027	ATTI	Office Expense	\$49,601	\$16,534	\$16,534
740	772	Portsmouth City	4/22/2014	pos. 00033	ATTI	Office Expense	\$49,601	\$16,534	\$16,534
740	772	Portsmouth City	4/22/2014	pos. 00036	ATTI	Office Expense	\$49,601	\$16,534	\$16,534
		<b>Portsmouth City Total</b>					<b>\$208,022</b>	<b>\$69,341</b>	<b>\$69,341</b>
770	772	Roanoke City	5/12/2014	pos. 00010	ATTI	Office Expense	\$49,601	\$12,718	\$12,718
770	772	Roanoke City	5/12/2014	pos. 00014	PA	Office Expense	\$5,005	\$1,251	\$1,251
770	772	Roanoke City	5/12/2014	pos. 00017	PA	Office Expense	\$29,177	\$7,294	\$7,294
770	772	Roanoke City	5/12/2014	pos. 00022	SEC	Office Expense	\$24,435	\$6,109	\$6,109
		<b>Roanoke City Total</b>					<b>\$108,218</b>	<b>\$27,372</b>	<b>\$27,372</b>

## 772-14-12: COMMONWEALTH'S ATTORNEYS

### NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
WAYNESBORO CITY	COMMONWEALTH'S ATTORNEY	<p><b>FY15</b> 6-18-2014 Acting Officer requests additional Temporary Funding @ \$23,789.23. This is equivalent to position #1 ATTIV @ \$69,627 from July 1, 2014 to November 4, 2014. The Special Election will be held on November 4, 2014.</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	Approved at no additional cost to the Compensation Board.

## 771-14-12: COMMISSIONERS OF THE REVENUE

### NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
AMHERST COUNTY	COMMISSIONER OF THE REVENUE	<p>6-17-2014 Acting Officer requests additional Temporary Funding in the amount of \$8,020.97. This is equivalent to position #00005 MDII \$23,476 from July 1, 2014 to November 4, 2014. The Special Election will be held on November 4, 2014.</p> <p>This request for "additional" funding is made in lieu of a request to transfer these funds to Temporary Funds budget, as she understands that the Compensation Board's interpretation of §24.2-226 and 228 is that position #00005 MDII is not vacant during the period in which she is the Acting Commissioner, consequently funds cannot be transferred from this position.</p>	\$0	Approved at no additional cost to the Compensation Board.

## 771-14-12: COMMISSIONERS OF THE REVENUE

### NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
ORANGE COUNTY	COMMISSIONER OF THE REVENUE	<p>6-17-2014 Acting Officer requests additional Temporary Funding in the amount of \$9,057.58. This is equivalent to position #00003 DIV \$26,510 from July 1, 2014 to November 4, 2014. The Special Election will be held on November 4, 2014.</p> <p>This request for "additional" funding is made in lieu of a request to transfer these funds to Temporary Funds budget, as she understands that the Compensation Board's interpretation of §24.2-226 and 228 is that position #00003 DIV is not vacant during the period in which she is the Acting Commissioner, consequently funds cannot be transferred from this position.</p>	\$0	Approved at no additional cost to the Compensation Board.
CITY OF MARTINSVILLE	COMMISSIONER OF THE REVENUE	<p><b>FY15</b> 05-28-2014 - Officer requests to transfer base temporary funds of \$5,649 to increase the annual salary of position 00002, DI budgeted at \$1,769 to \$7,418. The new salary will be effective July 1, 2014.</p> <p>Officer acknowledges that due to budget reductions she currently has one unfunded authorized position; she understands that taking action to move base temporary funds to salaries of exiting personnel may significantly reduce her options in dealing with any potential future funding reductions without impacting salaries of permanent staff.</p>	\$0	The Compensation Board approved a transfer of \$5,649 from base Temporary funds to effect the salary action requested by the officer in accordance with the Compensation Board's pay and classification policy. This action will result in a reduction in the officers' Temporary fund budget in the current as well as subsequent fiscal years.

# 774-14-12: TREASURERS

## NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
WESTMORELAND COUNTY	TREASURER	<p>6-18-2014 Acting Officer requests additional Temporary Funding in the amount of \$9,607.67. This is equivalent to position #00004 DIII \$28,120 from July 1, 2014 to November 4, 2014. The Special Election will be held on November 4, 2014.</p> <p>This request for "additional" funding is made in lieu of a request to transfer these funds to Temporary Funds budget, as she understands that the Compensation Board's interpretation of §24.2-226 and 228 is that position #00004 DIII 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.

## 773-14-12: CIRCUIT COURT CLERKS

### NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
HALIFAX COUNTY	CIRCUIT COURT CLERK	<p><b>FY15</b> 6-19-2014 Acting Officer requests additional Temporary Funding in the amount of \$15,109.53. This is equivalent to position #00002 DCIV @ \$44,223 from July 1, 2014 to November 4, 2014. The Special Election will be held on November 4, 2014.</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 DCIV is not vacant during the period in which I am the Acting Circuit Court Clerk, consequently funds cannot be transferred from this position.</p>	\$0	Approved at no additional cost to the Compensation Board.
CUMBERLAND COUNTY	CIRCUIT COURT CLERK	<p><b>FY15</b> 6-20-2014 Acting Officer requests additional Temporary Funding in the amount of \$8,348.63. This is equivalent to position #00002 DCI @ 24,435 from July 1, 2014 to November 4, 2014. The Special Election will be held on November 4, 2014.</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 DCI is not vacant during the period in which I am the Acting Circuit Court Clerk, consequently funds cannot be transferred from this position.</p>	\$0	Approved at no additional cost to the Compensation Board

## 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 #14/11.	N/A	Approved.
2.	COMPENSATION BOARD MEETINGS	COMPENSATION BOARD	Confirmation of upcoming Board meetings: Wednesday, July 23rd, 2014 at 11:00 a.m. and August 20, 2014 at 11:00 a.m.	N/A	The Compensation Board changed the date of the August monthly meeting to Thursday, August 14, at 11:00 a.m.
3.	FY15 BUDGET ALLOCATIONS AND POLICIES	COMPENSATION BOARD	Staff presents final budget allocations for FY15 and FY15 budget policies.	N/A	Approved.
4.	FY15 BUDGET LETTERS	COMPENSATION BOARD	Staff presents Budget Approval letters to be sent to all constitutional officers.	N/A	Approved.

FOR YOUR INFORMATION  
NONE.

**CLOSED MEETING  
COMPENSATION BOARD DOCKET #14/12  
June 25, 2014**

**NO CLOSED MEETING**

1) **MOTION FOR “CLOSED MEETING” by Chairman Susan Swecker. ( \_\_\_\_\_ 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 SUSAN SWECKER: I move to certify that only public business exempt from the Act was discussed. ( \_\_\_\_\_ seconded the motion.)**

Susan Swecker, Chairman	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Craig Burns, Member	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Martha Mavredes, Member	Yes <input type="checkbox"/>	No <input type="checkbox"/>

**AND**

**MOTION BY CHAIRMAN SUSAN SWECKER: I move to certify that only public business matters identified in the motion to convene the closed meeting were discussed. ( \_\_\_\_\_ seconded the motion.)**

Susan Swecker, Chairman	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Craig Burns, Member	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Martha Mavredes, 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 #14/12**  
**JUNE 25, 2014**

EMPLOYEE RECOGNITION  
NONE.

307-14-12: SHERIFFS & REGIONAL JAILS  
NONE.

# 772-14-12: COMMONWEALTH'S ATTORNEYS

## OLD BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
WASHINGTON COUNTY	COMMONWEALTH'S ATTORNEY	<p><b>The Compensation Board deferred action on this request at its April, 2014 meeting pending additional discussions by staff with the Supreme Court of Virginia regarding workload reporting in other localities. 4-9-2014</b></p> <p>The Officer requests the Board to maintain its January decision to allow the Washington County Commonwealth's Attorney office to increase her Felony Defendant workload data to include hand-counted parole violators excluded from the Supreme Court's count. On the January 2014 Compensation Board Docket, the Washington County Commonwealth's Attorney's office requested to increase their Felony Defendant data for FY10, FY11 and FY12 to include cases excluded by the Circuit Court Clerk. The Compensation Board approved the request based upon the premise that the data was to be included for all offices, and was specifically excluded for this office, and instructed Compensation Board staff to follow up with the Supreme Court for confirmation of this office's data concerns. The Supreme Court has verified the Circuit Court Clerk is and was reporting the criminal data correctly and they will not be accepting changes to workload data.</p> <p>Staff notes the concern appears to stem from a 2006 definition of "felon defendants" which indicates parole violators are included in the count, however the Supreme Court has confirmed that such violators are not actually included. It is possible that some Clerks may be erroneously including parole violators in the defendant count, but a review of data appears that is unlikely in most cases. Also the Supreme Court indicates it cannot confirm for any office whether such cases are in fact erroneously included. Staff also notes that while felon defendants data does not appear inconsistent across similarly sized counties, that this office is understaffed more significantly than offices in similarly sized counties with comparable workload figures.</p>	\$0	<p>The Compensation Board did not approve the officer's request to include hand-counted probation violators in the count of felon defendants for her office, as the Supreme Court confirms that such probation violators are not routinely included in the count for other offices.</p> <p>The Compensation Board further directed staff to ensure that staffing standards definitions documents are updated to exclude the example of probation violators from definition of types of cases included in felon defendants workload counts.</p>

### CURRENT

FIPS	OFFICE	LOCALITY	CATEGORY	CY10	CY11	CY12	Wkld Avg
191	772	Washington County	Felony Defendants	283	316	312	304

### CORRECTION

FIPS	OFFICE	LOCALITY	CATEGORY	CY10	CY11	CY12	Wkld Avg
191	772	Washington County	Felony Defendants	480	473	536	496

# 772-14-12: COMMONWEALTH'S ATTORNEYS

## NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
WINCHESTER CITY	COMMONWEALTH'S ATTORNEY	<p><b>FY15 6-23-2014</b> Officer requests to transfer base Temporary Funds in the amount of \$5,707 to increase the salary of position. This is to be effective July 1, 2014.</p> <p>Pos. 00010, ATTI Current salary of \$57,074, would be increased to a salary of \$59,473.</p> <p>Staff notes this office has 2 unfunded positions.</p> <p>Officer acknowledges that due to budget reductions he currently has 2 unfunded authorized positions, and states his understanding that taking action to move base temporary and/or office expense funds to salaries of existing personnel may significantly reduce officer's options in dealing with any potential future funding reductions without impacting salaries of permanent staff.</p>	\$0	The Compensation Board approved a transfer of \$5,707 from base Temporary funds to effect the salary action requested by the officer in accordance with the Compensation Board's pay and classification policy. This action will result in a reduction in the officer's Temporary fund budget in the current as well as subsequent fiscal years.

<b>FIPS</b>	<b>Office Code</b>	<b>Locality Name</b>	<b>Request Date</b>	<b>From Category</b>	<b>Class Code</b>	<b>To Category</b>	<b>Current Salary</b>	<b>Amount Requested</b>	<b>Pro Rated</b>
840	772	Winchester City	6/17/2014	Temporary	ATTI	pos. 00010	\$57,074	\$5,707	\$5,707.00
		<b>Totals</b>						<b>\$5,707</b>	<b>\$5,707.00</b>

771-14-12: COMMISSIONERS OF THE REVENUE  
NONE.

774-14-12: TREASURERS  
NONE.

773-14-12: CIRCUIT COURT CLERKS  
NONE.

## 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	COMPENSATION BOARD	<p>Collections: FY14 year-to-date collections for July – May totaled \$6,532,720.59, a decrease of 17.85% over the same period in FY13.</p> <p>Expenditures: FY14 year-to-date Clerk's FY14 expenditures totaled \$4,120,899.37 or 54.85% of budgeted Technology Trust Funds.</p> <p>Projections: Based on current collections, FY14 TTF total collections through the final month of June would be approximately \$7.10 million, a decrease of 18.08% compared to FY13 collections.</p>	N/A	Noted.

## FOR YOUR INFORMATION NONE.

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Public Body: Compensation Board

Date: June 25, 2014

Time: 11:00 a.m.

Location: Compensation Board Conference Room

Oliver Hill Building, 102 Governor Street

Richmond, VA 23219

Members: Susan Swecker, Chairman (present)

Martha Mavredes, ex-officio member (present)

Craig Burns, ex-officio member (present)