

# COMPENSATION BOARD DOCKET #09/04

## October 15, 2008

EMPLOYEE RECOGNITION  
NONE

### 307-09-04: SHERIFFS & REGIONAL JAILS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
PETERSBURG CITY	SHERIFF	9-25-08 Sheriff requests to transfer the salaries of three positions that will remain vacant for the entire fiscal year 2009 to temporary funds. Officer states that this will assist department in running more efficiently.	\$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>
730	307	Petersburg City	09/25/08	00076	PMED	Temporary	\$18,682
730	307	Petersburg City	09/25/08	00079	PREC	Temporary	\$18,496
730	307	Petersburg City	09/25/08	00082	CK A	Temporary	\$19,856
<b>Totals</b>							<b>\$57,034</b>

## 307-09-04: SHERIFFS & REGIONAL JAILS

### NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
MADISON COUNTY	SHERIFF	<p>9-19-08 Sheriff requests an exception to the 90-day vacancy policy to fill Pos. 00018, CS7 budgeted at \$28,234 vacant effective 9/16/08.</p> <p>Officer states that this vacant position has left a hardship on the office to be able to legally secure the court system. Currently, they have one full-time court security officer to secure the General District Court, Juvenile &amp; Domestic Relations Court, and Circuit Court in addition to transports. The courts have been extremely busy with an average of 3 days per week at times having to secure double courts on one day. Over the last several weeks, the court has been 4 days a week with double courts on a single day with transports travelling more than 2 hours away with double trips.</p>	\$0	Approved as an exception to policy, based upon the specific conditions stated by the officer.
BATH COUNTY	SHERIFF	<p>10-9-08 Officer requests 100% reimbursement \$17,305 for Live Scan Equipment approved in the FY09 Budget Request.</p> <p>Officer states that the locality has not placed the necessary funds in their upcoming budget to pay the difference in the stressed amount of the livescan equipment. They are a small office, in a rural, sparsely populated area and many people are living on a fixed income and the locality has had financial difficulty for several years. Also without the livescan equipment this office cannot proceed with the Career Development Program.</p> <p>Equipment Approved \$17,305            Stressed factor 39.42%            Comp Bd Share \$ 6,822</p> <p>Staff notes that the same request was made by Sheriff on the June 2008 docket and was not approved by the Compensation Board.</p>	\$10,483	<p>The Compensation Board did not approve this request. Although the Compensation Board is sensitive to the financial difficulties experienced by the locality, application of the fiscal stress factor to equipment purchases is a matter of law and not a matter of Compensation Board discretion in setting budgets.</p> <p>Absent a change in law, the Compensation Board will not be able to consider approval of a like request in the future.</p>

## 307-09-04: SHERIFFS & REGIONAL JAILS

### NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
PIEDMONT REGIONAL JAIL	SUPERINTENDENT	<p>10-2-2008 The Superintendent requests an exception to the 90 day vacancy policy to fill the following 15 positions.</p> <p>The Superintendent states that these separations are a result of an immigration facility opening in the area which has attracted their staff, and the reduced staffing has created a hardship on the facility operations and the remaining staff. These 15 positions represent 28% of their security staff.</p> <p>Staff notes these 15 positions represent 22% of 69 Compensation Board funded positions. Jail is due 31 emergency corrections officers not currently funded based on jail overcrowding.</p>	\$0	The Compensation Board approved an exception to the 90 day vacancy policy for 5 corrections positions, based upon the unique circumstances stated by the Superintendent.

<b>Position #</b>	<b>Class</b>	<b>Budget Amount</b>	<b>Separation Date</b>
00009	RMDC9	\$33,731	10/1/2008
00011	R C7	\$28,234	10/1/2008
00012	R C7	\$28,234	10/1/2008
00024	R C10	\$44,058	10/1/2008
00028	R C7	\$28,234	10/1/2008
00034	R C12	\$44,058	10/1/2008
00037	R C8	\$30,863	10/1/2008
00039	R C8	\$30,863	10/1/2008
78455	R EC8	\$30,862	10/1/2008
78573	R EC8	\$30,863	10/1/2008
78574	R EC7	\$28,234	10/1/2008
78575	R EC8	\$30,863	10/1/2008
79012	R EC8	\$30,863	10/1/2008
79013	R EC8	\$30,863	10/1/2008
79017	RMEC9	\$33,736	10/1/2008

# 307-09-04: SHERIFFS & REGIONAL JAILS

## NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
VARIOUS	SHERIFF	The following localities are requesting Base Budget Fund transfers for Personnel Changes. Salary increases are within Compensation Board guidelines.	\$0	<p>Salary increase, COIN Pay Practices:</p> <p>The Compensation Board approved a transfer of \$6,391 from base Temporary Funds (Rappahannock-\$1,500; Prince Edward County-\$1,391; Lancaster County-\$3,500) and Office Expenses (Petersburg City-\$1666) 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 Funds and Office Expenses budget in the current as well as subsequent fiscal years.</p> <p>Based upon current economic conditions and revenue shortfalls, the Compensation Board wishes to advise all constitutional officers that future transfers of base funding from temporary and office expense budget categories will no longer be allowed to implement pay practices for permanent personnel. This is anticipated to be a temporary action for reconsideration after adjournment of the 2009 General Assembly.</p>

<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>	<b>Prorated Amount</b>
157	307	Rappahannock County	09/23/08	Temporary	Position #00008	\$23,625	\$2,000	\$1,500
147	307	Prince Edward County	10/06/08	Temporary	Position #00020	\$29,198	\$1,855	\$1,391
730	307	Petersburg City	10/01/08	Office Expenses	Position #00081	\$40,107	\$1,000	\$833
730	307	Petersburg City	10/01/08	Office Expenses	Position #00036	\$39,107	\$1,000	\$833
103	307	Lancaster County	10/07/08	Temporary	Position #00007	\$35,600	\$2,000	\$1,500
103	307	Lancaster County	10/07/08	Temporary	Position #00026	\$33,600	\$3,000	\$2,000
<b>Totals</b>							<b>\$10,855</b>	<b>\$4,557</b>

# 307-09-04: SHERIFFS & REGIONAL JAILS

## NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>CONSENT DOCKET</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
ROANOKE CITY	SHERIFF	10-15-2008 The Sheriff requests an exception to the 90 day vacancy policy to fill 6 of the following 12 vacant positions. They would like to fill 3 positions, 00113, 00018, and 78824, that became vacant due to retirement and 3 other positions whose 90 days vacancy requirement has not already passed.		\$0	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.

The Sheriff states that their jail is experiencing high turnover with a total of 12 vacant positions. This unusual turnover is partly due to 5 plus individuals pursuing supervisory opportunities at the new Western Regional Jail. The Roanoke City Jail houses high risk and high profile inmates. In addition to the vacancies, they currently have one deputy deployed, and they will also have two deputies deployed on active duty for 400 days beginning 1/2/2009 which requires additional time off in preparation. Nine deputies will be attending the academy for 12 weeks. The Sheriff is requesting these exceptions due to the critical hardship these unavoidable circumstances have caused. It is imperative that they maintain adequate staffing for safety and security as well as inmate transports and security for hospital admissions.

Staff notes that 3 of the 12 listed vacant positions are currently eligible to be filled.

<b>Position #</b>	<b>Class</b>	<b>Budget Amount</b>	<b>Separation Date</b>
00018	C7	\$30,859	10/10/2008
00021	C9	\$35,268	9/22/2008
00076	C11	\$62,896	5/7/2008
00082	C7	\$44,058	8/15/2008
00088	CK B	\$23,723	7/5/2008
00113	C7	\$30,860	10/1/2008
00126	PTRT	\$24,702	8/8/2008
00150	C7	\$28,234	5/13/2008
00161	C7	\$28,234	9/5/2008
00162	C7	\$28,234	8/11/2008
00175	C7	\$29,516	10/26/2008
78824	EC7	\$28,869	10/1/2008

## 307-09-04: SHERIFFS & REGIONAL JAILS

### NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
CITY OF NEWPORT NEWS	SHERIFF	<p>09-23-08 Officer requests funding for 17 additional security positions and 8 non-security positions to staff the annex to the Newport News Jail based on the staffing analysis completed by William Wilson, Compliance and Accreditation Unit. Officer states they will begin housing inmates on October 27, 2008 which is also their final completion date.</p> <p>Staff notes that 16 Corrections Officer positions were allocated by the Board as a part of the May 1 budget allocations for FY09 based upon an informal staffing estimate by staff of the Department of Corrections. The official staffing analysis performed by the Department of Corrections for the jail's Annex was not completed until the Board of Corrections approved the Annex planning study on September 17. Chapter 879, 2008 Acts of Assembly, includes positions in the position count and funding for 20 additional positions for the new jail annex, effective March 1, 2009. Based upon positions and funding approved by the 2008 General Assembly, the final DOC staffing analysis, and Compensation Board approved staffing standards and rank policies, staff recommends a revised allocation in FY09 of a total of 20 positions for the new jail annex, to include 15 C7 positions at \$28,234, 2 C10 positions at \$51,166, and 3 PMED positions at \$18,496. Sufficient funding is included in Chapter 879 for this facility for this staffing recommendation.</p>	\$165,970	The Compensation Board approved the allocation of 20 positions as provided in the staff recommendation, with an effective date of funding of March 1, 2009. Funding for reimbursement of staffing prior to this date, regardless of recognizing the earlier opening of the annex facility, will not be available unless specific allocation is made by the 2009 General Assembly for this purpose.

# 772-09-04: COMMONWEALTH'S ATTORNEYS

## NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
PRINCE WILLIAM COUNTY	COMMONWEALTH'S ATTORNEY	9-29-2008 Officer requests an exception to the 60-Day, \$500 reimbursement policy.  Officer states the total bill, including two (2) nights lodging exceeds the \$500 policy maximum.	\$583.92	Approved as an exception to policy, based upon the specific conditions stated by the officer.

Prosecutor	Expenses From - To	Defendant	Total
Paul B. Ebert	08-06-2008 to 09-09-2008	Ryan Frederick	\$583.92
<b>Total</b>			<b>\$583.92</b>

ROANOKE CITY DRUG PROSECUTOR	COMMONWEALTH'S ATTORNEY	9-30-2008 Officer for Roanoke City requests an exception to the 90-Day Vacancy Rule for pos. 00001 DP111 budgeted at \$56,674, which became vacant 9-19-2008.  Officer states this is the only Drug Prosecutor position in this office. The Drug Prosecutor's office is a separate multi-jurisdictional unit supported by one attorney and one support staff position, and as such this position represents 50% of the staffing of the office.	\$14,168.50	Approved as an exception to policy, based upon the specific conditions stated by the officer.
PORTSMOUTH CITY DRUG PROSECUTOR	COMMONWEALTH'S ATTORNEY	10-9-2008 Officer for Roanoke City requests an exception to the 90-Day Vacancy Rule for pos. 00001 DP111 budgeted at \$59,290, which became vacant 10-17-2008.  Officer states this is the only Drug Prosecutor position in this office. The Drug Prosecutor's office is a separate multi-jurisdictional unit supported by one attorney and one support staff position, and as such this position represents 50% of the staffing of the office.	\$14,822.50	Approved as an exception to policy, based upon the specific conditions stated by the officer.

## 772-09-04: COMMONWEALTH'S ATTORNEYS

### NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
CAREER PROSECUTOR PROGRAM AUDIT	COMMONWEALTH'S ATTORNEY	<p>10-9-08. The Career Prosecutor Audit Committee reports the results of the career Prosecutor Program audits.</p> <p>The following offices have met all the necessary requirements and no further action is required:</p> <ul style="list-style-type: none"> <li>• Augusta County Commonwealth's Attorney's Office</li> <li>• Brunswick County Commonwealth's Attorney's Office</li> <li>• Chesterfield County Commonwealth's Attorney's Office</li> <li>• Hanover County Commonwealth's Attorney's Office</li> <li>• Stafford County Commonwealth's Attorney's Office</li> <li>• Westmoreland County Commonwealth's Attorney's Office</li> <li>• City of Alexandria Commonwealth's Attorney's Office</li> <li>• City of Chesapeake Commonwealth's Attorney's Office</li> <li>• City of Norfolk Commonwealth's Attorney's Office</li> <li>• City of Suffolk Commonwealth's Attorney's Office</li> <li>• City of Virginia Beach Commonwealth's Attorney's Office</li> </ul> <p>The Career Prosecutor Audit Committee makes the following recommendations and language amendments to the Career Prosecutor Program:</p> <ul style="list-style-type: none"> <li>• Each office that has a Career Prosecutor Program is hereby advised that there is a Model Career Prosecutor Plan, (Appendix B) available through the Compensation Board and reminded that the current model plan may be more up-to-date than the plan in place in that office. In addition, the blank on the middle of page 4 of the Model Plan should be filled in with the numeral "5."</li> <li>• The Career Prosecutor Audit Program (Appendix D) needs to be updated to include this additional 5 hour MCLE requirement.</li> </ul>	N/A	<p>Approved as recommended. The Compensation Board wishes to thank the members of the audit committee for their time and assistance.</p> <p>The Compensation Board directs staff to make the updates to the plan materials noted by the audit committee.</p>

## 771-09-04: COMMISSIONERS OF THE REVENUE

### NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
RUSSELL COUNTY	COMMISSIONER OF THE REVENUE	<p>09-22-08 Officer requests an exception to the 90-Day policy for Pos. 00001, DI, budgeted at \$19,575, vacated on 10-01-2008. Officer states there have been two separations in his office in September. The vacancy of pos. 00006, combined with position 00001 vacated on 10-01-08, will create an undue hardship, jeopardizing office's ability to accomplish state mandated responsibilities during tax season.</p> <p>Officer also requests to remove position 00006, CT, budgeted at \$1. The county will fund this position at 100%.</p>	\$4,893.75	<p>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.</p> <p>The Compensation Board did not approve the removal of Pos. 00006. Although the Compensation Board recognizes the reduced funding level of the position, the Board notes that current staffing standards are reflective of funding reduced from positions in previous years, and the removal of a position would impact those standards.</p>

## 774-09-04: TREASURERS NONE

## 773-09-04: CIRCUIT COURT CLERKS

### OLD BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
ALEXANDRIA CITY	CIRCUIT COURT CLERK	<p>The Clerk of Alexandria City requested TTF \$4 money in the amount of \$114,605 to redact 2,250,000 images. This request includes redaction of five fields to include social security number (SSN), date of birth, child's name and age, mother's maiden name, and actual signatures. Based upon the approved standard of 4 cents per image of SSN redaction, this request includes redaction of the additional fields at a cost of 1.09 cents per image.</p> <p><b>The Compensation Board deferred action on the request for \$24,605 in funding for redaction of fields other than social security numbers, pending additional information from the officer.</b></p> <p>On October 1<sup>st</sup>, officer responded with additional information attached.</p>	\$24,605	Based upon follow-up information received from the City of Alexandria's Circuit Court Clerk, the Compensation Board approved this request.

# 773-09-04: CIRCUIT COURT CLERKS

## NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
NORTHAMPTON COUNTY	CIRCUIT COURT CLERK	<p>10-2-2008 Officer requests an exception to the 90-Day Vacancy Rule for pos. 00002, budgeted at \$29,629 that became vacant on September 3, 2008.</p> <p>Officer states this chief deputy position is solely responsible for all criminal case load, orders and court hearings in this office. The responsibilities of the other two deputies with the public, filings records, receipting, civil caseload, probate, indexing/imaging and financial duties does not allow them the time to fill in for the vacant position.</p>	\$7,407.25	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.
MONTGOMERY COUNTY	CIRCUIT COURT CLERK	<p>9-22-2008 Officer requests a Base Budget funds transfer for a Personnel Change. The salary increase is within Compensation Board guidelines. The office is requesting that the salary increase be made effective October 1, 2008.</p>	\$0	<p>Salary increase, COIN Pay Practices:</p> <p>The Compensation Board approved a transfer of \$255.75 from base Temporary 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 Funds budget in the current as well as subsequent fiscal years.</p>

<b>FIPS</b>	<b>Office Code</b>	<b>Locality Name</b>	<b>Request Date</b>	<b>From Category</b>	<b>To Category</b>	<b>Class Code</b>	<b>Amount Available</b>	<b>Amount Requested</b>	<b>Pro-Rated Amount</b>
121	773	Montgomery County	09/22/08	Temporary	pos. 00007	DCI	1,381.00	341.00	255.75

## 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 # 09/03.	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.	COMPENSATION BOARD MEETINGS	COMPENSATION BOARD	Confirmation of upcoming Board meetings: Wednesday, November 19, 2008 at 12:00 a.m., and Wednesday, December 17, 2008 at 11:00 a.m.	N/A	Approved. Note that the time for the November meeting is a change from 11:00 a.m.
4.	TRAINING STATUS REPORT	COMPENSATION BOARD	Staff presents training status report.	N/A	Noted
5.	BUDGET DEVELOPMENT PROCESS FOR FY09	COMPENSATION BOARD	Staff provides updated information regarding funding items required by law.	N/A	Approved. Board notes that only statutorily required items should be considered at this time due to current budget conditions.
6.	JAIL COST REPORT	COMPENSATION BOARD	Staff presents final FY2007 Jail Cost Report. No comments were received to the Exposure Draft.	N/A	Approved
7.	FINES AND FEES REPORT	COMPENSATION BOARD	Staff presents exposure draft of FY08 Fines and Fees Report.	N/A	Approved distribution of exposure draft, with comments and final report to be provided at November meeting.

# OTHER MATTERS

## NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
8. TECHNOLOGY TRUST FUND COLLECTIONS	COMPENSATION BOARD	<p>Collections: FY09 YTD collections totaled \$2,085,283.85, which is a 15.51% decrease compared to the same period in FY08.</p> <p>Expenditures: FY09 YTD expenditures through October 8, 2008, which represents the reimbursement for July through partial payment of September, total \$622,867.37 which is 5.76% 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 \$8.3 million, a decrease of 8.27% 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 \$7.72 million, a decrease of 15.15% over FY08 collections.</li> <li>3. The 2008 Six Year Nongeneral Fund Revenue Estimate submitted to the Department of Planning and Budget includes FY09 projected collections of \$9,009,037. Revised 2009 Six Year Nongeneral Fund Revenue Estimates are due to DPB on October 24, 2008.</li> </ol>	N/A	Noted
9. GOVERNOR'S OCTOBER 2008 REDUCTION PLAN, FY09	COMPENSATION BOARD	On October 9, Governor Kaine announced his October 2008 Reduction Plan for FY09. Such plan includes a delay in the implementation of a 2.0% salary increase for constitutional officers and their employees from December 1, 2008 (FY09) to July 1, 2009 (FY10). The plan does not include any other items impacting Compensation Board funding for Constitutional Officers.	N/A	Approved.
10. FY 09 AID TO LOCALITIES REDUCTIONS	COMPENSATION BOARD	Staff presents locality elections to be implemented through Compensation Board funding for Constitutional Officers, and presents plans for administration. Staff notes that locally elected reductions to per diem payments are to be implemented in the 2 <sup>nd</sup> Quarter Payment in October.	N/A	Approved.

FOR YOUR INFORMATION  
NONE.

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**CLOSED MEETING**  
**COMPENSATION BOARD DOCKET #09/04**  
**October 15, 2008**

**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"/>
Janie E. Bowen, 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"/>
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.**

H A N D C A R R Y  
 COMPENSATION BOARD DOCKET #09/04  
 October 15, 2008

EMPLOYEE RECOGNITION  
 NONE

307-09-04: SHERIFFS & REGIONAL JAILS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
WISE COUNTY	SHERIFF	<p>10-14-08 Sheriff requests an exception to the 90-day vacancy policy to fill Pos. 00028, SECI budgeted at \$22,790 vacant effective 9/30/08.</p> <p>Officer states that this vacant position has left a hardship on the entire office. Her duties included entering all civil papers and returns for service, processing transports and numerous gun permits, in addition to answering the phones, greeting the public and making the appropriate referrals. During this time, the Sheriff has had to pay dispatchers to fill in. The funds used to pay the dispatchers have been exhausted.</p>	\$5,697	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.

## 307-09-04: 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	COUNTY ADMINISTRATOR	10-2-08 Pittsylvania County Administrator seeks approval that the Compensation Board will reimburse the County of Pittsylvania for expenses incurred in the defense of a County Sheriff's Deputy pursuant to §15.2-1606 of the <u>Code of Virginia</u> . The Pittsylvania County deputy Sheriff is the defendant in a civil action pending in the U.S. District Court, and a circuit court order appointing counsel, fixing compensation, and designating payment of fees and expenses has been entered pursuant to Code §15.2-1606. County Administrator states that the County will pay the bill submitted by legal counsel and submit the paid invoice to the Compensation Board once they verify it is a legitimate expense in accordance with Code.	N/A	The Compensation Board cannot approve reimbursement of an expense until it has been paid by the locality and submitted for reimbursement. However, it is the opinion of the Compensation Board that the provisions of Code §15.2-1606 have been met by the entering of a court order that assigns counsel and designates payment according to this section, and that the expenses incurred must be paid by the locality and reimbursed by the Compensation Board. Per Compensation Board policy in its administration of this Code section, once the locality has paid the legal expenses incurred, the Sheriff must submit written request for reimbursement within one month of payment and must provide a copy of the court order and an itemized list of expenses including miles traveled and hours worked. Once the information is received, the Compensation Board will act on the request for reimbursement at its next regular meeting.

## 307-09-04: SHERIFFS & REGIONAL JAILS

### NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
MASTER DEPUTY AUDIT PROGRAM	MASTER DEPUTY AUDIT COMMITTEE	<p>10-6-08. The Master Deputy Audit Committee reports the results of the Master Deputy Program audits.</p> <p>The following offices have met all the necessary requirements and no further action is required:</p> <ul style="list-style-type: none"> <li>• Fairfax County Sheriff's Office</li> <li>• Brunswick County Sheriff's Office</li> <li>• Caroline County Sheriff's Office</li> <li>• Gloucester County Sheriff's Office</li> </ul> <p>The following offices pass the audit, but with suggestions for improvement:</p> <ul style="list-style-type: none"> <li>• Roanoke County Sheriff's Office</li> <li>• City of Winchester Sheriff's Office</li> <li>• Augusta Sheriff's Office</li> <li>• Charlotte County Sheriff's Office</li> <li>• Wythe County Sheriff's Office</li> <li>• Wise County Sheriff's Office</li> </ul> <p>The following offices did not meet the necessary requirements and recommend the deputies/jail officers be removed from the Master Deputy Program immediately:</p> <ul style="list-style-type: none"> <li>• Arlington County Sheriff's Office</li> <li>• Albemarle-Charlottesville Regional Jail</li> </ul> <p>A recommendation for the following office is deferred pending clarification from the Sheriff's office regarding evaluation standards.</p> <ul style="list-style-type: none"> <li>• Chesterfield County Sheriff's Office</li> </ul>	N/A	<p>The Compensation Board approved the recommendations of the Master Deputy Audit Committee as submitted, to include the removal of the two individuals in the program in Arlington County and Albemarle/Charlottesville Regional Jail.</p> <p>Staff is directed to provide follow-up information to offices with suggestions for improvement and not meeting necessary requirements, and to work with the committee to seek clarifying information for Chesterfield County's audit.</p>

## 307-09-04: SHERIFFS & REGIONAL JAILS

### NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
MASTER DEPUTY AUDIT PROGRAM	MASTER DEPUTY AUDIT COMMITTEE	<p>10-06-08 The Master Deputy Audit Committee makes the following recommendations and language amendments to the Master Deputy Program:</p> <ol style="list-style-type: none"> <li>1. The Sheriff or Superintendent should attest that the officer does not have more than one written reprimand within the past two years immediately preceding application for selection.</li> <li>2. The language should be broadened to include the two years immediately preceding application for selection or "retention" and consider adding language to specifically reflect the two year retention periods to all minimum criteria where appropriate.</li> <li>3. The language which requires a deputy or officer to have no more than one "preventable vehicular accident" in the past three years should be changed to one "preventable accident" to encompass officers that do not commonly operate a vehicle in the course of their work day. Also suggest changing "three years" to "two years" since all other requirements are based on a two year period.</li> <li>4. The call for audit documents should notify the agency of the two year time period under review. Consequently, a deputy or officer selected for audit should not be included if they have not had the opportunity to complete their retention period.</li> <li>5. When an agency has a deputy or officer removed from the program based on audit findings, the locality should be included again in the subsequent year for an audit of another deputy or officer.</li> <li>6. An agency should be required to provide documentation of all training records during a two year examination period and clearly identify training that exceeds DCJS minimum requirements for in- service training, training not required by law or regulation, or training mandated by agency policy.</li> </ol>	N/A	<p>The Compensation Board concurs with recommended changes 1, 2, 5, and 6 and directed staff to update program documents for final approval at the November Board Meeting.</p> <p>The Compensation Board deferred until the November meeting action on recommendations 3 and 4 pending further discussion with the committee and feasibility review by Staff.</p>

772-09-04: COMMONWEALTH'S ATTORNEYS  
NONE

771-09-04: COMMISSIONERS OF THE REVENUE

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
SMYTH COUNTY	COMMISSIONER OF THE REVENUE	10-07-08 Officer requests reconsideration of the September request for an exception to the 90-Day vacancy policy for Pos. 00002, DIV, budgeted at \$36,840. Chief Deputy was originally scheduled to retire 12/31/2008. However, position became vacant on 10-03-2008, as officer states his Chief Deputy passed away unexpectedly and without ample time to completely cross train staff members effectively. The position represents 33% of staff for compensation purposes but 50% of his workforce total based on the fact that she maintained all real estate transactions.	\$9,210	Approved as an exception to policy, based upon the specific conditions stated by the officer.
LUNENBURG	COMMISSIONER OF THE REVENUE	10-10-08 Officer requests an exception to the 90-Day Vacancy policy for Pos. 00003, MDIII, budgeted at \$31697, vacating on 01-31-2008. Officer states that vacancy of pos. 00003, combined with a new deputy in position 00001 vacated on 07-31-08, will create an undue hardship, jeopardizing office's ability to accomplish state mandated responsibilities during tax season.  This position represents 50% of the officer's two staff positions.	\$7,250	Approved as an exception to policy, based upon the specific conditions stated by the officer.

## 774-09-04: TREASURERS

### NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
GILES COUNTY	TREASURER	<p>9-10-08 Officer requests to reclass position 4, MDIII, pay band 4, at an annual salary of \$32,145 to a MCDI, pay band 7, at the same annual rate.</p> <p>Officer states he has two DIII positions; one is considered his chief deputy and is sworn as such. To clearly delineate duties of this position he asks that her title be changed to a MCDI classification with no increase in salary.</p> <p>The minimum salary of pay band 7, CDI is \$33,685.</p>	\$0	The Compensation Board did not approve this request to pay a salary that is less than the minimum of the pay band.
FRANKLIN CITY	TREASURER	<p>09-04-08 Officer requests reconsideration of the September docket request to transfer an additional \$5937.50 from position 2 to Temporary. The position will remain vacant the entire fiscal year.</p> <p>Officer states the amount granted, \$16,942.50 in September will not be sufficient to pay her part-time employee for the entire fiscal year. The employee is paid at an hourly rate of \$11 or \$22,880 annually; her hours were increased from the prior fiscal year due to increased workload. Position #2 is budgeted at \$33,885, with a transfer of \$22880, there would be a balance of \$11,005. If the funds are not transferred this will leave only one person to run the office.</p>	\$0	Approved as an exception to policy, based upon the specific conditions stated by the officer.

<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>
620	774	City of Franklin	10/15/08	00002	DII	Temporary	\$5,937.50

## 774-09-04: TREASURERS

### NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
GILES COUNTY	TREASURER	<p>9-10-08 Officer requests an exception to the 90-Day Vacancy Policy for pos. 00001, budgeted at \$17,627 in order to switch the Compensation Board funded employee with a locally funded employee.</p> <p>Officer states both employees are new, and began employment February 2008 and after getting to know their work attributes, he wants to change their assignments within the office. The switch will better use the demonstrated skills of both employees and will improve his ability to carry out the duties of his office.</p> <p>Staff notes position 00001 was actually filled on Compensation Board payroll May 2008 after completion of a 90-day vacancy period.</p>	\$4,406.75	Approved as an exception to policy, based upon the specific conditions stated by the officer.

## 773-09-04: 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. Commissioners' Staffing Standards	N/A	<p>10-08-08 The Commissioners' Association Workload and Staffing Committee request the following revisions to their workload definitions and staffing standards due to General Assembly actions that affect their workload:</p> <ul style="list-style-type: none"> <li>• Addition of Item 1H, number of personal property license fees adjusted;</li> <li>• Deletion of current workload item 48 related to personal property tax relief and addition of new workload item 48, number of motor vehicle records reviewed for personal property tax relief qualification;</li> <li>• Addition of Item 50B, number of motor vehicle license fees assessed;</li> </ul> <p>Each of these changes does not result in a change to weight or staffing need. The workload committee wishes to establish a plan to phase out irrelevant measures and phase in newly established responsibilities. Transaction data is currently being collected by the committee to determine the appropriate weights for the new workload items and what effect these changes could have on staff need. Results of this effort and corresponding recommendations regarding changes in existing and new weights to be provided after spring data collection for implementation in FY10.</p>	N/A	The Compensation Board approved as an interim measure changes to workload elements as requested. Board requests final change requests for modifying workload elements and weights by August 2009.
2. 2007 Mental Health Report	Compensation Board	Staff presents draft of new mental health report required per Chapter 879, Item 70.	N/A	Approved.

**FOR YOUR INFORMATION  
NONE.**

Public Body: Compensation Board  
Date: October 15, 2008  
Time: 11:00 a.m.  
Location: Compensation Board Conference Room  
Oliver Hill Building, 102 Governor Street  
Richmond, VA 23219  
Members: Frank Drew, Chairman (present)  
Walter J. Kucharski, ExOfficio Member (present)  
Janie E. Bowen, ExOfficio Member (absent)

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