

Meeting with  
Paul Garrett, President, VCCA  
and Linda Timmons, Vice President, VCCA  
Richmond, Virginia  
November 30, 2004

**1. *What are we doing wrong, and what do we need to do to fix it?  
What are we doing right?***

VCCA asked that Compensation Board staff give greater attention to additional communications with Clerks detailing various issues and Compensation Board action in order to improve communications. VCCA noted that for a variety of reasons, VCCA membership was not fully aware of the Compensation Board's role and responsibilities.

Compensation Board Staff Action:

- Staff will develop a "Compensation Board Overview" document for dissemination with the annual Operating Manual.
- All budget information and summaries prepared by Compensation Board staff for Constitutional Officer leadership will be provided to all Clerks.
- Compensation Board response to Wilder Commission will be placed on the website.

VCCA Leadership Action: Questions and comments regarding Compensation Board matters directed to VCCA leadership will be directed to Compensation Board staff if the answer or response is not immediately apparent to VCCA leadership.

**2. *What do you want to do about TTF budgeting?***

Compensation Board staff addressed two areas of TTF budgeting: use of carryover balances and current year budgeting. After discussion, VCCA leadership was of the opinion that there was not a good solution to the problem and suggested that Compensation Board staff take no further action on this matter. The potential for Clerks to have access to carryover funds in July, August and September was also reviewed in detail. VCCA leadership was of the opinion that the short-term solution was for the Compensation Board to include TTF estimates as part of their annual budget estimating process, and for Clerks to arrange for local funding with their governing bodies until TTF money is provided each October 1. The long-term solution would require increasing the Compensation Board appropriation and VCCA Leadership will pursue such an increase.

Compensation Board Staff Action:

- Include TTF collections in annual budget estimate.

VCCA Leadership Action:

- Inform VCCA membership of TTF budgeting alternatives involving local governments.
- Seek an increase in the Compensation Board's TTF appropriation based upon collection projections.

**3. *Staffing Standards: Status Report***

VCCA leadership briefed Compensation Board staff on efforts to develop a legislative commission on circuit courts to address staffing issues and other issues relevant to Clerks.

Compensation Board Staff Action: The Compensation Board staff indicated support for this legislation.

VCCA Leadership Action: Keep Compensation Board staff informed of progress.

**4. *Salary Issue: Status Report***

Other than supporting any across the board pay increase for Clerks and staff, no special pay raises would be requested.

Compensation Board Staff Action: none.

VCCA Leadership Action: none.

**5. *COIN development costs borne by TTF; is special training needed?***

After discussion of current COIN training offerings, Compensation Board staff and VCCA leadership agreed that special training for Clerks did not appear necessary. Compensation Board staff noted that all COIN training costs were funded from the Compensation Board's General Fund budget and not from TTF.

Compensation Board Staff Action: Compensation Board staff will continue to respond to any request for assistance from specific Constitutional Officers as needed.

VCCA Leadership Action: VCCA leadership will ask Clerks if additional training is needed, pointing out availability of January makeup training and December "hands-on" training, as well as training area on Compensation Board website. Questions or connection problems will be sent to Anne Wilmoth (804-786-0786x222 or [anne.wilmoth@scb.virginia.gov](mailto:anne.wilmoth@scb.virginia.gov)) or Dan Munson (804-786-0786x210 or [dan.munson@scb.virginia.gov](mailto:dan.munson@scb.virginia.gov)).

## **6. Notification of Year End Balances**

Compensation Board staff discussed the annual process involved in notifying Constitutional Officers of year-end procedures.

Compensation Board Staff Action: Compensation Board staff will specifically add the following to the annual year-end procedures: “You should review your available balances to determine if you have funds available to expend prior to year-end. Unexpended funds WILL NOT be available for expenditure after processing of the June payroll.”

VCCA Leadership Action: To avoid large unexpended General Fund balances, VCCA leadership will annually remind Clerks upon receipt of the Compensation Board’s Year-End Procedures email, to review their Compensation Board budget and determine if funds are available for expenditure.

## **7. Career Development**

VCCA leadership briefed Compensation Board staff on a Metro Clerks’ initiative to have the General Assembly approve a Career Development Plan administered by the National Center for State Courts. Compensation Board staff offered to assist in this effort. Compensation Board staff also pointed out that both CDP’s approved for Constitutional Officers (Commissioners of the Revenue and Treasurers) contained specific, measurable performance criteria in excess of Code specified duties and timeframes as well as minimum APA and local government audit standards. In the opinion of Compensation Board staff, a CDP proposal without audit and measurable performance standards would not receive Compensation Board or General Assembly approval.

## **8. Other General Assembly Budget Issues and Legislative Issues**

VCCA leadership briefed the Compensation Board staff on various legislative proposals, including an immunity bill for Clerks and changes to APA audit requirements. Compensation Board staff indicated support for an immunity bill in order to facilitate more Clerks to make land records available by remote access. Compensation Board staff urged a cautious approach to any change in APA procedures, noting the “law of unintended consequences.” Compensation Board staff noted that a specific improvement in audit findings would negate the need for changes.

Compensation Board Staff Action: Compensation Board staff will carefully review any immunity bill and make the Governor’s Office aware of the positive effect of such legislation on the remote access of land records.

VCCA Leadership Action: VCCA leadership will reconsider potential pitfalls of audit legislation and continue to evaluate the legislation as it proceeds through the General Assembly.

## **9. Colonial Heights Mandamus**

Compensation Board staff briefed the VCCA leadership on the mandamus filed by the Colonial Heights Commonwealth's Attorney against the Colonial Heights Clerk, seeking the filing of Criminal Sentencing Events and Final Sentencing Orders with the Virginia Criminal Sentencing Commission (VCSC). In calendar year 2001, three reports were filed. Virginia Association of Commonwealth's Attorneys (VACA) supports the filing of this mandamus action. The number of sentencing events reported to the VCSC determines the number of Compensation Board funded Assistant Commonwealth's Attorneys due on staffing standards.

Compensation Board Staff Action:

Compensation Board staff will keep VCCA leadership apprised of events.  
VCCA Leadership Action: VCCA leadership agreed that this situation has serious statewide implications and will address the matter with the Clerks.

**10. *What can/should we do to improve remote access? (July 1, 2006)***

Compensation Board staffed asked VCCA leadership to get back with them regarding additional comments and suggestions.

Compensation Board Staff Action:

- Staff will support in concept an immunity bill.
- Staff will follow-up with TTF vendors in January to determine progress.

VCCA Leadership Action: VCCA leadership will provide Compensation Board staff with additional recommendations by March 1, 2005.