

VIRGINIA: AT A REGULAR MEETING OF THE COUNTY OF AMELIA BOARD OF SUPERVISORS HELD IN THE GENERAL DISTRICT COURTROOM OF THE COUNTY OF AMELIA COURTHOUSE ON WEDNESDAY, MAY 18, 2016.

PRESENT:	THOMAS R. GLEASON	District 1
	JUDY M. JONES	District 2
	RALPH A. WHITAKER, JR.	District 3
	FRANKLIN D. HARRIS	District 5

Board of Supervisors

TAYLOR HARVIE, III, County Administrator  
DAVID WHITAKER, Planning and Zoning  
ROGER WILEY, County Attorney  
CARLA CAVE, Finance Director  
BRENDA ARTHUR, Administrative Assistant

Chairman Harris called the May 18, 2016 Regular Meeting of the County of Amelia Board of Supervisors to order at 7:00 P.M. and determined there was a quorum present with four members in attendance.

Supervisor Whitaker offered the invocation, and everyone was invited to join in the Pledge of Allegiance.

**APPROVE/AMEND AGENDA**

The Agenda was amended to include Election of Health Insurance for County Employees and appointment to the Amelia Day Committee. The amended agenda was unanimously approved on a motion by Supervisor Whitaker.

**APPROVAL OF MINUTES**

The following minutes were unanimously approved on a motion by Supervisor Jones.

- April 20, 2016 Regular Meeting
- April 28, 2016 Continued Meeting
- March 28, 2016 Joint Public Hearing

**APPROVAL OF TREASURER'S APRIL 2016 ACCOUNTABILITY BALANCE SHEET**

The Treasurer's April 2016 Accountability Balance Sheet was unanimously approved on a motion by Supervisor Whitaker.

## **APPROVAL OF TREASURER'S APRIL 2016 REVENUE SUMMARY**

The Treasurer's April 2016 Revenue Summary Report was unanimously approved on a motion by Supervisor Jones.

## **APPROVAL OF EXPENDITURES REPORT FOR APRIL 2016**

The Expenditures Report for April 2016 was unanimously approved on a motion by Supervisor Whitaker.

## **APPROVAL OF AP CHECK REGISTER (BILLS HAVING BEEN PAID)-APRIL 2016**

The AP Check Register for April 2016 was unanimously approved on a motion by Supervisor Jones.

## **PUBLIC COMMENTS**

No one came forward to address the Board during the Public Comments.

## **STAFF/COMMITTEES/ORGANIZATIONAL REPORTS AND PRESENTATIONS**

### **1. Monthly VDOT Status Report**

Butch Sirry, Resident Engineer gave the monthly VDOT report on activity in the County. He introduced an Engineer in Training, Neil McNulty and Kevin Reichart, Assistant Resident Engineer. He reported they were repairing potholes, grading and working on bridge projects. The pipe replacement on Bird Lane is being complete. He thanked the Board for the letter that was sent to Cumberland County opposing the bridge abandonment on Fowlkes Bridge Road. VDOT will be doing a study on keeping the bridge open. Supervisor Jones asked what material is being used for pothole repair. It seems that when one or two are fixed 3 or more show up. Mr. Sirry said the rain has a lot to do with it but he will check on it. Supervisor Gleason asked about increasing the weight limit on the Fowlkes Bridge. Mr. Sirry said he would follow up with what is to be done with the bridge.

### **2. Joint Public Hearing-VDOT Six Year Road Plan**

David Whitaker, Director of Planning and Zoning, gave a summary of what has been done on the Six Year Plan. They are close to completing the road projects and have not added any new ones. There are 7 roads in the plans. Kevin Reichert explained additional funds would be allocated this year to complete the roads. 5% of Funds are being set aside for Rural Addition projects. This would include Archers Creek Lane and Barkhouse Branch Drive. The meeting was open to a public hearing. No one came forward to speak and the public hearing was closed. A Resolution to accept the Six Year Plan was unanimously approved on a motion by Supervisor Whitaker.

## **OLD/NEW BUSINESS**

### **1. Special Event Permit-National Day of the Cowboy**

An application to hold National Day of the Cowboy on Saturday, July 23, 2016 from 10am until 6pm at the Amelia Fairgrounds was unanimously approved on a motion by Supervisor Whitaker.

### **2. Madeline's House-Request for Donation**

Glen O. Fowlkes, Executive Director of Madeline's House sent a letter explaining its mission and requesting a cash donation. Since funding was already included in the FY2017 budget there was no action needed on this request.

### **3. Commissioner of Revenue Salary Supplement Request**

Laura Walsh, Commissioner of the Revenue has requested a salary supplement. The written request is included with these minutes. (See Attachment A) County Administrator, Taylor Harvie, reported on his findings on research on the origin of the salary supplement for Constitutional Officers. A written copy of the report is also included in the minutes. (See Attachment B) The Board decided to revisit the request at the June Board meeting.

### **4. County Treasurer Salary Supplement Request**

County Treasurer, Pamela Conyers, appeared before the Board to request a salary supplement of \$10, 190.71. This would allow her to convert 2 part time positions into one full time position to be filled by an experienced employee, avoiding the time and expense of training another part time person. The extra cost would be for benefits with no salary increase. The Board deferred decision until the completion of the first quarter budget of FY17.

### **5. Dr. Jack McKinley-Amelia County Schools**

Dr. Jack McKinley addressed the Board to update them on the current year's budget. He told the Board that he would determine what additional funding would be needed by the next Board meeting.

## **AMENDED AGENDA ITEMS**

### **1. Appointment to Amelia Day Committee**

A motion was made by Supervisor Gleason on behalf of Supervisor Barnard to appoint Christina Easter to a 2 year term on the Amelia Day Committee. The motion was unanimously approved.

## **2. Amelia County Employees Health Insurance**

Taylor Harvie presented the results of the Request for Proposal for the County employees Health Insurance. The board agreed that the best option was OPTIMA resulting in savings for the County. The Board unanimously approved the decision on a motion from Supervisor Jones.

## **CONSENT AGENDA**

### **COUNTY ADMINISTRATOR'S REPORT**

#### **1. Waste Management of Virginia**

Taylor Harvie, County Administrator, reported the check from Waste Management for April was \$200,807.47. The total for FY2016 is \$1,276,911.26.

#### **2. Education Times**

Mr. Harvie presented the Board with the April 30, 2016 Education Times from Southside Virginia Community College for their review.

Supervisor Jones asked if Mr. Harvie could check to see what agencies are not submitting quarterly reports.

### **BOARD MEMBER COMMENTS /REPORTS**

#### **District 1- The Honorable Thomas R. Gleason**

Supervisor Gleason said he has real difficulty hearing people in the audience. He questioned if the audio in the Courtroom will be fixed. He also said he requested a schedule of a shift differential to try to alleviate the problem with the Sheriff's Department working 12 hour shifts. He said that it must come to a stop.

#### **District 2- The Honorable Judy M. Jones**

Supervisor Jones reported she attended the Piedmont Senior Resources fund raiser, A Racy Affair. She said it was a success and is looking forward for plans for next year.

#### **District 5-The Honorable Franklin D. Harris**

Supervisor Harris let the Board know he would be attending the Tobacco Commission meeting next week.

**MOTION TO ADJOURN/CONTINUE MEETING**

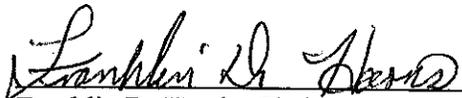
Being no other business, the May 18, 2016 Regular meeting was adjourned on a motion by Supervisor Jones.

ATTEST:

Minutes Approved: June 15, 2016



A. Taylor Harvie, III  
Amelia County Administrator



Franklin D. Harris, Chairman  
Amelia County Board of Supervisors

ATTACHMENT "A"

It came to my attention several weeks ago that every constitutional officer in Amelia county receives a supplement from the County. The board adopted that decision years ago, but for some reason the administrator decided to remove it from my salary when I started. I have been in contact with all of you to have this rectified but have not managed to do so yet. I was not aware that the administrator could decide my salary himself. The state sets my base and if the board provides a supplement then only the board can take it away. I have two documents and copies for you all... one is the state compensation board salaries for treasurers and commissioner the other is a report on Amelia counties constitutional officer salaries. The county report that was created on 4/28/16 it shows supplements for every officer about 12% ranging from 8,808 to 14,025 but beside my name percent and dollar figure are both 0.

My predecessor received the same supplement that all the other officers receive. Why was this not just reallocated to my salary upon my taking office. I have been told it was reallocated for the current treasurer and prior commissioner from their predecessors. that means it was that way for the sheriff and the commonwealth attorney as well. Why is there any reason change it now that I take office?

Thinking further on that the County budget runs from July 1 to June 30th...we are still on last year's budget. In last year's budget the supplement was allocated to my predecessor, which left office December 31, 2015, where did the funds go January 1? They should have still be there for my salary.

The state base salary is based on population of a locality...not years of service, education etc. The state base for the treasurer and commissioner is the exact same in each locality because it is based on population. Our current treasurer receives a supplement of almost 12% from the County on top of her state salary that I do not. With that said if the treasurers salary receives a supplement then shouldn't mine? The day I took office I had the full responsibility of the office same as the rest of the officers.

This supplement was given years ago for constitutional officers to make up for years the state did not provide raises. Constitutional officers, that means all of us. It was given to every officer prior to my taking office then it for some reason was removed from the commissioner of the revenue...me.

Counties across the state have supplemented their constitutional officers to prevent wage stagnation. Again, my state base salary is the exact same as the treasurer. This proves that any year the state did not provide raises for any other salary my salary didn't receive those raises either. The economic effects to the other officers salaries is the exact effect that happened to mine. Yet, I am the only one that doesn't receive the supplement to make up for that.

Every officer here was given the same percentage supplement on their state reimbursed salary. Same percentage regardless of years of service, quality of service, age, sex, classes

and certifications etc...again except myself. This supplement isn't something that was adopted for one individual because of outstanding service it was adopted for all constitutional officers...of which I am one, voted for the same as the rest, responsibilities for the office same as the rest and for the office that generates most of the funds the county brings in, however it appears I a valued the least.

I have talked with other county commissioners of about this situation... to which they all find it inequitable to remove the supplement from just one office or individual and question why I am being discriminated against.

County funds are supposed to be voted on by the board, am I correct? Adopted directives are supposed to be followed until changed, isn't that correct also?

With that said, if Amelia is going to treat me differently than every other officer it should have been voted on and adopted in an open public meeting just as all other county funds are supposed to be done. Since it has not been done to date then I should have still recieved the supplement on January 1st until it is adopted to change this supplement.

I have been w the county longer than one of our officers has even been in office, yet they still receive this supplement and to the same percentage as other officers who have many more years of service.

I hate to stand here and ask for this, but I also don't like feeling discriminated against. I don't like asking for an answer and feeling like I'm getting the run around either. I have gotten a couple answers which simply do not add up factually. If it had been handed down to me as it has been done for everyone else and it was intended to be done when it was adopted I wouldn't be standing here asking for it. This makes it seem I am asking the county to come up with more money...which is not the case. The case is that it has been taken without cause when it was supposed to be given.

I feel like I personally get along with every one of you on the board as well as the administrator, but am starting to wonder what someone has against me. There is no difference between myself and the other officers in our county except that I am younger and I was pregnant when I took office. Are these the causes for not funding me to the same extent as everyone else?

I don't want our taxpayers who put all of us in our respective positions to get the wrong idea about me! It is my job to make sure everyone is taxed equally and without bias. Shouldn't that be reflected with their tax dollars being distributed equally and without bias?

I am not here asking for new funds. I am asking for funds that were already allocated to constitutional officers, the commissioner of the revenue office and to my predecessor to be reallocated to myself now that I am a constitutional officer the commissioner of the revenue. Just as it has been done in all years past. I am not asking for special treatment. I am only asking to be treated equally.

## Constitutional Officer Salary Supplements

Commissioner of the Revenue, Laura Walsh, has requested that she be awarded the salary supplement that had been paid to her predecessor, Joyce Morris. I had reviewed this issue with staff prior to the November 2015 election. I wanted the question settled before the voters picked one of the candidates so we wouldn't be seen as setting a salary for a person rather than a position. This was also because I wanted to set a standard for future transitions. It would be very difficult otherwise to navigate this as an administrator (or Board Member) given the various demographics that could be in play. One could never convince the electorate that age, experience, sex, color, disability or other personal feature did not influence an initial salary starting point if it were done post-election rather than prior to the election. As explained in the following email chain with Mrs. Walsh, I determined that a supplement was not proper. I handled this as an administrative matter and she has elected to appeal this to the Board of Supervisors.

In discussions with various members of the Board of Supervisors, I was asked to find the enabling legislation that guides the "Constitutional Officer Salary Supplement Policy". I spent much of the past two weeks researching the genesis of these supplements for the Constitutional Officers by examination of meeting minutes from FY85 until August of 2011 when Bill Whitley became the Interim County Administrator. I also had conversations with Supervisors, past and present, as well as Constitutional Officers. I also asked for their recollections via email sent out May 13, 2016.

I have gone from the FY85 Budget to date and can report that a 2% supplement was awarded during FY02 to help the employees until the Comp Board awarded salary increases. This was maintained by official Board action until FY04. I have included copies of the minutes of Supervisor meetings where supplements were discussed. Discussion was in the minutes that this originally was intended to be a temporary supplement and a request was rejected to make it a part of the salary. An additional \$30,000 from E-911 funds was spread among Constitutional Officers and their employees in FY04 as a one-time supplement. It was awarded at 1% for those with a salary over \$40,000 and 2% for those under \$40,000.

The supplement was not addressed in the minutes from the FY05 development or adoption. At the August 28, 2006 Board meeting discussion was had about a Classification and Compensation Study which was being performed by Springsted and Associates to help the County address funding for Constitutional Officers and their staffs. The Board did not approve the salary study for the Constitutional Officers, which had a 2% supplement added to the Comp Board salary. It was suggested that the 2% supplement would remain that year but not have VRS benefits paid on it. Acting County Administrator Norma Duty appealed this decision and Supervisor Hall motioned that VRS benefits be paid on the 2% supplement for Constitutional Officers but it remained as a supplement. Motion passed. During a November 2, 2006 board meeting, a lengthy discussion was held about the Classification and Compensation Study. Talk revolved around a 4% increase for all Constitutional Officers and their employees, being retroactive to July 1, 2006, with the Comp Board offsetting it with their December 1, 2006 increase. Mr. Wiley had John Anzivino confirm that this was correct. This was the second of three mentions of the Study in any of the Board meeting minutes. There is no record of the Classification and Compensation Study being adopted. The last mention of the Plan was on April 4, 2007 when Lee Harrison appeared at a meeting, representing all of the Constitutional Officers. He was requesting a 5%

raise for all Officers and Employees while noting the Comp Board only granted 4% for the year. The minutes say "Supervisor Hall stated that they had previously talked and from the Classification and Compensation Study that was done they needed to get back together to discuss getting the Constitutional Officers' employees under some type of Pay Plan and schedule increase. Mr. Harrison stated if he is contacted, he would get the meeting set up." There is no other mention of a meeting or the plan in the minutes of subsequent meetings. The FY08 Budget was adopted on June 28, 2007 with no mention of retaining the supplements in the minutes. There have been no other meetings with discussions about salary supplements for the Constitutional Officers or their comp board funded employees.

It is my opinion, after discussion with current and retired Board members and staff, that the 2% temporary supplement that was awarded in FY02 and last mentioned in FY06, was converted by staff into something ongoing. For the Constitutional Officers, this was then compounded by not only county raises as they were awarded, but by the raises issued by the Comp Board as well. This was confirmed by a retired finance officer in the county and continued until Carla Cave did her first Budget in FY14. At that time, local salary increases were applied to local money only and Comp Board raises were applied only to Comp Board base salaries. 10 years of the 2% (as well as Comp Board base) being increased by both the County and the State would approach something close to the 12% that we currently have on the books. The only new Comp Board position that has been added since Carla Cave and Taylor Harvie have been in their current positions is that of John Bateman, Assistant Commonwealth Attorney. Mr. Bateman was started, and currently remains, at the Comp Board base salary. Another interesting point is that the Comp Board "base" salary from Constitutional Officers is not fully funded by the Comp Board. Amelia County already pays almost 10% of the salary, before the supplements come into play.

Taylor Harvie

## Constitutional Officer Salary Supplement Handout - May 18, 2016

- ❖ Analysis
- ❖ Email string with Commissioner of the Revenue Laura Walsh
- ❖ Meeting Minutes
  - January 16, 2002 Board Minute Book 16 Page 321
  - May 15, 2002 Board Minute Book 16 Page 385
  - June 4, 2002 Board Minute Book 16 Page 397
  - April 23, 2003 Board Minute Book 17 Page 64
  - April 23, 2003 Board Minute Book 17 Page 68
  - June 18, 2003 Board Minute Book 17 Page 94 (2 Pages)
  - July 16, 2003 Board Minute Book 17 Page 110
  - August 20, 2003 Board Minute Book 17 Page 119 (2 Pages)
  - April 19, 2006 Board Minute Book 18 Page 270
  - June 28, 2006 Board Minute Book 18 Page 324 (2 Pages)
  - August 28, 2006 Board Minute Book 18 Page 371 (2 Pages)
  - November 2, 2006 Board Minute Book 18 Page 410 (6 Pages)
  - April 4, 2007 Board Minute Book 19 Page 62
- ❖ Summarized History of Constitutional Officers Salary increases from Comp Board ( 6 Pages)
- ❖ Comments of CRC/PDC County Administrators about their Officer Salary Funding