

## Denise Lunsford

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**From:** Denise Lunsford  
**Sent:** Tuesday, March 13, 2012 3:54 PM  
**To:** Ann Mallek; Ken Boyd; Dennis Rooker; Rodney Thomas; Duane Snow; Christopher Dumler  
**Cc:** Bill Letteri; Stacey Trader  
**Subject:** Delinquent Fines and Costs

During the Budget Meeting yesterday I mentioned a concern voiced by County staff about the collection of delinquent fines and costs undertaken by this office. The short answer to the issue raised is that *according to Randy Johnson with the Auditor of Public Accounts* the collection fee retained by Albemarle County (in 10/11 the amount was \$61,228 which was distributed to the County after June 30, 2011) is the result of this office undertaking the collection effort. In previous years, when the Department of Taxation undertook this effort they retained the collection fee. As a result of the foregoing, I officially request that the amount of \$60,000 be reallocated to my office for the fiscal year 2012/13, for the amounts collected in FY 11/12. These funds will become available after June 30, when the final accounting is due.

What follows is a more detailed explanation. Pursuant to Code, the Commonwealth Attorney is responsible for the collection of delinquent fines and costs. When a fine/fees/costs becomes delinquent the clerk forwards that information to my office monthly. It is my responsibility to determine how to collect these delinquent amounts. In the past, the amounts have been submitted to the Department of Taxation for collection. When that happened, the 35% "collection fee" is divided equally between the Department of Taxation and the State Treasurer's Office. When I elected to collect the delinquent amounts, in an effort to obtain funding for my office to increase staff so that I would not have to request additional funds from the County, 50% of the "collection fee" comes to the County instead of the Department of Taxation. The remaining 50% still goes to the State Treasurer's Office. These amounts are net of costs (\$2099.40 in FY 10/11). For FY 10/11, as I have previously stated, 50% of the collection fee came to the County General Fund. That amount was disbursed after June 30, 2011 and I did not request reallocation. At the end of FY 11/12, I expect at least \$60,000 to be available for disbursement. That amount should be reallocated from the General Fund to my office for staffing needs.

I think that perhaps the confusion for staff may have arisen as a result of the collection of delinquent amounts for County Code violations. These amounts would have been remitted entirely to the County and this would not change as a result of current collection efforts by my office. It is not a part of the deposit made by the Courts to County Finance for these collection efforts and is, instead, deposited in a separate check by the Courts.

I trust that this finally resolves the issue. Please contact me directly with any questions. In the meantime I shall expect that the reallocation will be made and that I will be contacted should I need to appear at a Board meeting for that purpose.

*Denise Lunsford*  
Albemarle County Commonwealth's Attorney  
434-972-4072

## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Tuesday, March 13, 2012 2:54 PM  
**To:** Christopher Dumler  
**Subject:** RE: Police Citizens Advisory Committee

She will be great and I think Steve could use someone with common sense and ovarian fiber.

*Denise Lunsford*

Albemarle County Commonwealth's Attorney  
434-972-4072

**From:** Christopher Dumler  
**Sent:** Tuesday, March 13, 2012 2:51 PM  
**To:** Denise Lunsford  
**Subject:** Re: Police Citizens Advisory Committee

Nope - we did Rich Hewitt a few weeks back, but last Wednesday did Bonnie.

Very Respectfully,

--

Christopher J. Dumler  
Supervisor, Scottsville District  
[www.christopherdumler.com](http://www.christopherdumler.com)  
434.260.1123  
[cdumler@albemarle.org](mailto:cdumler@albemarle.org)

Sent from my iPad. Please forgive brevity and typos.

On Mar 13, 2012, at 2:50 PM, "Denise Lunsford" <[dlunsford@albemarle.org](mailto:dlunsford@albemarle.org)> wrote:

Really??? I thought it was someone else. Thanks.

*Denise Lunsford*

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**From:** Christopher Dumler  
**Sent:** Tuesday, March 13, 2012 2:50 PM  
**To:** Denise Lunsford  
**Cc:** Ann Mallek; Steve Sellers  
**Subject:** Re: Police Citizens Advisory Committee

She should be getting a letter in the mail any day now indicating she was appointed last Wednesday - I just hadn't had a chance to call her yet :-)

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On Mar 13, 2012, at 2:39 PM, "Denise Lunsford" <[dlunsford@albemarle.org](mailto:dlunsford@albemarle.org)> wrote:

Ann and Chris

Bonnie Brewer may be submitting another application for the Police Citizens Advisory Committee. She lives in Chris' district. Bonnie would be a wonderful addition and a great advocate for the Police Department. In addition to her knowledge of the community, dedication to her service projects and the fact that she knows a great many people, Bonnie has served as a grievance officer (my word – I am not sure what it is officially called) with the City of Charlottesville for many years. In this regard, she has sat on the grievances of a number of city officers and, as a result, has a familiarity with the needs and works of a department.

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## Denise Lunsford

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**From:** Christopher Dumler  
**Sent:** Wednesday, March 07, 2012 4:51 PM  
**To:** Denise Lunsford  
**Subject:** Re: Trespass Ordinance

Confirmed that Chris had a meeting with police today and will have something for you soon. Let me know if you've heard nothing by next Wednesday and I'll fire it up again :)

Very Respectfully,

--

Christopher J. Dumler  
Supervisor, Scottsville District  
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434.260.1123  
[cdumler@albemarle.org](mailto:cdumler@albemarle.org)

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On Mar 6, 2012, at 10:59 AM, "Denise Lunsford" <[dlunsford@albemarle.org](mailto:dlunsford@albemarle.org)> wrote:

Nada.

*Denise Lunsford*  
Albemarle County Commonwealth's Attorney  
434-972-4072

**From:** Christopher Dumler  
**Sent:** Tuesday, March 06, 2012 10:59 AM  
**To:** Denise Lunsford  
**Subject:** Re: Trespass Ordinance

Heard back from Chris/Larry yet, or do I need to lean on someone again?

Very Respectfully,

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Christopher J. Dumler  
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On Feb 20, 2012, at 8:55 AM, "Denise Lunsford" <[dlunsford@albemarle.org](mailto:dlunsford@albemarle.org)> wrote:

Chris

I first sent this to Chris Brown on 12/29. I resent on 1/23 and checked in with him again on 2/2. Its seems pretty straightforward but I havent heard anything else. Let me know

if I can do anything else to get this going. We have had a number of issues and wanted to get this in place before spring arrives and the pretty weather sends folks outdoors to do their drinking.

*Denise Lunsford*

Albemarle County Commonwealth's Attorney  
434-972-4072

**From:** Chris Brown

**Sent:** Monday, January 23, 2012 10:55 AM

**To:** Denise Lunsford

**Subject:** RE: Trespass Ordinance

Denise,

I have it and will review asap.

Thanks

Chris

---

**From:** Denise Lunsford

**Sent:** Monday, January 23, 2012 10:51 AM

**To:** Chris Brown

**Subject:** RE: Trespass Ordinance

I don't know if I had your email wrong or not but I just cut and pasted the other one below. Please confirm that you get this.

Hi Chris

I have been working with the PD to resolve some particular issues we have with people who are repeatedly drunk in public and often disorderly. In addition to some other remedies we are trying, we propose two amendments to the Albemarle Code. Both, I think, are allowed by 15.2-1717.1. The first involves amending CHAPTER 2 (Administration) ARTICLE 3 (Law Enforcement) to add the following new Section:

#### DESIGNATION OF POLICE TO ENFORCE TRESPASS VIOLATIONS

An owner, lessee, custodian, or person lawfully in charge of any real property may designate the Albemarle County Police Department as a "person lawfully in charge of the property" for the purpose of forbidding another to go or remain upon the lands, buildings, or premises as specified in the designation. The decision whether to accept or rescind any such designation is solely within the discretion of the chief of police or his designee, who may base his decision on such factors including, but not limited to, resource levels of the Police Department and the proper allocation of resources. Any such designation shall be in writing and shall be kept on file with the Albemarle County Police Department. The Chief of Police shall promulgate rules, regulations, and/or procedure for the acceptance and use of such designation.

This is pretty simple and straightforward and tracks the language used by the City of Charlottesville and some other localities. It has the benefit of allowing the Chief of Police to determine whether to accept or rescind the designation. Additionally, allowing the rules to be established by PD Policy keeps it flexible so that if a particular rule is cumbersome or simply not working it can be altered by changing the Policy instead of

amending the Ordinance. The Ordinance would be helpful in addressing the issue of persons causing specific issues at shopping malls. Additionally, it is anticipated that it may be helpful to apartment complex owners as well.

The second involves an amendment to CHAPTER 11 (Parks & Rec) SECTION 11-103 to add the following subsection:

C. The Director of Parks and Recreation may designate the Albemarle County Police Department as a "person lawfully in charge of the property" for the purpose of forbidding another to go on or remain upon the property of any park when arrested or summonsed for a violation of any state or local law, or to enforce the provisions of Sections 11-101 or 11-102. The designation shall be subject to the provisions of Section \_\_\_\_\_ ( new ordinance). Any person going or remaining on park property after having been forbidden to do so shall be punished as set forth in Section 10-120.

This is very similar to the previous suggestion but pertains specifically to parks and rec and I really need your input on this. I have tried to fashion it so that it is sufficiently narrow to avoid interfering with free speech, access to public areas, etc. In my version, the PD may issue a trespass notice only when they arrest or summons someone for a violation of state law or local ordinance. I think this subsection is different and more narrow than the provisions of subsections A and B which allow the director to enforce park rules including the authority to expel someone for violating those rules. A rule violation for which the director may enforce and expel include such things as not paying the appropriate fees, swimming in non-designated areas, etc. This is particularly important to address person who are repeatedly drunk in public on County maintained trails and who cause issues for other users. As drunk in public is a fineable offense and there is no method by which the PD, who are most frequently in contact with the offenders, to issue trespass notices to repeat offenders.

Please let me know your thoughts on these and how to submit them to the Board. In the past, I or others in my office have worked with the PD to draft language, coordinated it with Annie, and she did what was necessary to get it before the Board because we are unfamiliar with that process. We can, obviously, appear at any Board meeting to answer questions and help in any other way necessary.

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**From:** Chris Brown  
**Sent:** Friday, January 20, 2012 9:25 AM  
**To:** Denise Lunsford  
**Subject:** RE: Trespass Ordinance

Denise,

I remember talking to you about this but I've searched and can't find an email from you about trespass ordinance. My apologies. If you will resend I'll look at it at once.



Chris

**From:** Denise Lunsford

**Sent:** Wednesday, January 18, 2012 11:01 AM

**To:** Chris Brown

**Subject:** Trespass Ordinance

Hi Chris

I just wanted to make sure that you had gotten my previous email, back before Christmas, about proposed amendments to Albemarle's ordinances regarding trespass. Please let me know whether you received them and your thoughts.  
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**From:** Denise Lunsford  
**Sent:** Tuesday, March 06, 2012 10:59 AM  
**To:** Christopher Dumler  
**Subject:** RE: Trespass Ordinance

Nada.

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434-972-4072

## Denise Lunsford

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**From:** Denise Lunsford  
**Sent:** Tuesday, February 28, 2012 8:23 AM  
**To:** Christopher Dumler  
**Subject:** Monday Mar 5

Chris

There is a general government budget work session on Monday, March 5 from 9 to 12. I have informed Lori Allhouse that I cannot be there for the entire time and, based on past years, do not need to be there for that long as the Courthouse stuff usually comes up at the end. I have asked that she schedule me for after 11. I really need to be there, though, to talk about the reallocation of the fines and fees.

Just wanted to let you know about this so that someone else is in the loop in the event March 5 gets here and she has me down for 10.

d

*Denise Lunsford*  
Albemarle County Commonwealth's Attorney  
434-972-4072



## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Monday, February 20, 2012 9:09 AM  
**To:** Christopher Dumler  
**Subject:** Clerks Audit

Is this not the report you wanted:

[http://www.apa.virginia.gov/reports/AlbemarleCoCC\\_10.pdf](http://www.apa.virginia.gov/reports/AlbemarleCoCC_10.pdf)

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## Denise Lunsford

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**Sent:** Monday, February 20, 2012 8:56 AM  
**To:** Christopher Dumler  
**Cc:** Robert Schwertfeger  
**Subject:** FW: Trespass Ordinance

Chris

I first sent this to Chris Brown on 12/29. I resent on 1/23 and checked in with him again on 2/2. Its seems pretty straightforward but I havent heard anything else. Let me know if I can do anything else to get this going. We have had a number of issues and wanted to get this in place before spring arrives and the pretty weather sends folks outdoors to do their drinking.

*Denise Lunsford*

Albemarle County Commonwealth's Attorney  
434-972-4072

**From:** Chris Brown  
**Sent:** Monday, January 23, 2012 10:55 AM  
**To:** Denise Lunsford  
**Subject:** RE: Trespass Ordinance

Denise,

I have it and will review asap.

Thanks

Chris

**From:** Denise Lunsford  
**Sent:** Monday, January 23, 2012 10:51 AM  
**To:** Chris Brown  
**Subject:** RE: Trespass Ordinance

I don't know if I had your email wrong or not but I just cut and pasted the other one below. Please confirm that you get this.

Hi Chris

I have been working with the PD to resolve some particular issues we have with people who are repeatedly drunk in public and often disorderly. In addition to some other remedies we are trying, we propose two amendments to the Albemarle Code. Both, I think, are allowed by 15.2-1717.1. The first involves amending CHAPTER 2 (Administration) ARTICLE 3 (Law Enforcement) to add the following new Section:

### DESIGNATION OF POLICE TO ENFORCE TRESPASS VIOLATIONS

An owner, lessee, custodian, or person lawfully in charge of any real property may designate the Albemarle County Police Department as a "person lawfully in charge of the property" for the purpose of forbidding another to go or remain upon the lands, buildings, or premises as specified in the designation. The decision whether to accept or rescind any such designation is solely within the discretion of the chief of police or his designee, who may base his decision on such factors including, but not limited to, resource levels of the Police Department and the proper allocation of resources. Any such designation shall be in writing and shall be

kept on file with the Albemarle County Police Department. The Chief of Police shall promulgate rules, regulations, and/or procedure for the acceptance and use of such designation.

This is pretty simple and straightforward and tracks the language used by the City of Charlottesville and some other localities. It has the benefit of allowing the Chief of Police to determine whether to accept or rescind the designation. Additionally, allowing the rules to be established by PD Policy keeps it flexible so that if a particular rule is cumbersome or simply not working it can be altered by changing the Policy instead of amending the Ordinance. The Ordinance would be helpful in addressing the issue of persons causing specific issues at shopping malls. Additionally, it is anticipated that it may be helpful to apartment complex owners as well.

The second involves an amendment to CHAPTER 11 (Parks & Rec) SECTION 11-103 to add the following subsection:

C. The Director of Parks and Recreation may designate the Albemarle County Police Department as a "person lawfully in charge of the property" for the purpose of forbidding another to go on or remain upon the property of any park when arrested or summonsed for a violation of any state or local law, or to enforce the provisions of Sections 11-101 or 11-102. The designation shall be subject to the provisions of Section \_\_\_\_\_ (new ordinance). Any person going or remaining on park property after having been forbidden to do so shall be punished as set forth in Section 10-120.

This is very similar to the previous suggestion but pertains specifically to parks and rec and I really need your input on this. I have tried to fashion it so that it is sufficiently narrow to avoid interfering with free speech, access to public areas, etc. In my version, the PD may issue a trespass notice only when they arrest or summons someone for a violation of state law or local ordinance. I think this subsection is different and more narrow than the provisions of subsections A and B which allow the director to enforce park rules including the authority to expel someone for violating those rules. A rule violation for which the director may enforce and expel include such things as not paying the appropriate fees, swimming in non-designated areas, etc. This is particularly important to address person who are repeatedly drunk in public on County maintained trails and who cause issues for other users. As drunk in public is a fineable offense and there is no method by which the PD, who are most frequently in contact with the offenders, to issue trespass notices to repeat offenders.

Please let me know your thoughts on these and how to submit them to the Board. In the past, I or others in my office have worked with the PD to draft language, coordinated it with Annie, and she did what was necessary to get it before the Board because we are unfamiliar with that process. We can, obviously, appear at any Board meeting to answer questions and help in any other way necessary.

*Denise Lunsford*  
Albemarle County Commonwealth's Attorney  
434-972-4072

*Denise Lunsford*  
Albemarle County Commonwealth's Attorney  
434-972-4072

**From:** Chris Brown  
**Sent:** Friday, January 20, 2012 9:25 AM  
**To:** Denise Lunsford  
**Subject:** RE: Trespass Ordinance

Denise,

I remember talking to you about this but I've searched and can't find an email from you about trespass ordinance. My apologies. If you will resend I'll look at it at once.

Chris

## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Tuesday, March 13, 2012 5:29 PM  
**To:** dsrooker@earthlink.net; Ann Mallek; Ken Boyd; Dennis Rooker; Rodney Thomas; Duane Snow; Christopher Dumler  
**Cc:** Bill Letteri; Stacey Trader; Tom Foley  
**Subject:** RE: Delinquent Fines and Costs

Yes, Bill Letteri and I have had that discussion last year. He informed me that it would be a request for reallocation, not a budget request, because the money is not available until after June 30, 2012. When I met with County staff late last year I informed them of this discussion. Perhaps unfortunately, I relied on his expertise in this matter. I truly hope, Dennis, that the County does not try to use this money for other purposes when everyone included on this email knows what I was trying to do and I brought it up to Bill Letteri several months ago. I will be at tomorrow work session and will make the formal request.

*Denise Lunsford*

Albemarle County Commonwealth's Attorney  
434-972-4072

**From:** Dennis Rooker [mailto:dsrooker@earthlink.net]  
**Sent:** Tuesday, March 13, 2012 5:23 PM  
**To:** Denise Lunsford; Ann Mallek; Ken Boyd; Dennis Rooker; Rodney Thomas; Duane Snow; Christopher Dumler  
**Cc:** Bill Letteri; Stacey Trader; Tom Foley  
**Subject:** Re: Delinquent Fines and Costs

Denise,

I would not presume that this resolves the issue and would suggest you may want to attend tomorrow's work session. As I understand it, this was not a budget request and the revenues are included in the County revenue projection with no provision for this expense.

Dennis

--

Dennis S. Rooker  
1421 Sachem Place, Suite 3  
Charlottesville, Virginia 22901  
Phone (434) 977-7424, Fax 974-7600

=====

**From:** Denise Lunsford <dlunsford@albemarle.org>  
**Date:** Tue, 13 Mar 2012 15:53:51 -0400  
**To:** Ann Mallek <amallek@albemarle.org>, Ken Boyd <kboyd@albemarle.org>, Dennis Rooker <dooker@albemarle.org>, Rodney Thomas <rthomas@albemarle.org>, Duane Snow <dsnow@albemarle.org>, Christopher Dumler <cdumler@albemarle.org>  
**Cc:** Bill Letteri <bletter@albemarle.org>, Stacey Trader <strader@albemarle.org>  
**Subject:** Delinquent Fines and Costs

During the Budget Meeting yesterday I mentioned a concerned voiced by County staff about the collection of delinquent fines and costs undertaken by this office. The short answer to the issue raised is that *according to Randy Johnson with the Auditor of Public Accounts* the collection fee retained by Albemarle County (in 10/11 the amount was \$61,228 which

was distributed to the County after June 30, 2011) is the result of this office undertaking the collection effort. In previous years, when the Department of Taxation undertook this effort they retained the collection fee. As a result of the foregoing, I officially request that the amount of \$60,000 be reallocated to my office for the fiscal year 2012/13, for the amounts collected in FY 11/12. These funds will become available after June 30, when the final accounting is due.

What follows is a more detailed explanation. Pursuant to Code, the Commonwealth Attorney is responsible for the collection of delinquent fines and costs. When a fine/fees/costs becomes delinquent the clerk forwards that information to my office monthly. It is my responsibility to determine how to collect these delinquent amounts. In the past, the amounts have been submitted to the Department of Taxation for collection. When that happened, the 35% "collection fee" is divided equally between the Department of Taxation and the State Treasurer's Office. When I elected to collect the delinquent amounts, in an effort to obtain funding for my office to increase staff so that I would not have to request additional funds from the County, 50% of the "collection fee" comes to the County instead of the Department of Taxation. The remaining 50% still goes to the State Treasurer's Office. These amounts are net of costs (\$2099.40 in FY 10/11). For FY 10/11, as I have previously stated, 50% of the collection fee came to the County General Fund. That amount was disbursed after June 30, 2011 and I did not request reallocation. At the end of FY 11/12, I expect at least \$60,000 to be available for disbursement. That amount should be reallocated from the General Fund to my office for staffing needs.

I think that perhaps the confusion for staff may have arisen as a result of the collection of delinquent amounts for County Code violations. These amounts would have been remitted entirely to the County and this would not change as a result of current collection efforts by my office. It is not a part of the deposit made by the Courts to County Finance for these collection efforts and is, instead, deposited in a separate check by the Courts.

I trust that this finally resolves the issue. Please contact me directly with any questions. In the meantime I shall expect that the reallocation will be made and that I will be contacted should I need to appear at a Board meeting for that purpose.

*Denise Lunsford*

Albemarle County Commonwealth's Attorney  
434-972-4072

## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Wednesday, March 28, 2012 5:23 PM  
**To:** Christopher Dumler  
**Subject:** FW: meeting tomorrow

fyi

*Denise Lunsford*  
Albemarle County Commonwealth's Attorney  
434-972-4072

**From:** Bill Letteri  
**Sent:** Wednesday, March 28, 2012 3:32 PM  
**To:** Denise Lunsford  
**Subject:** RE: meeting tomorrow

I want to be sure we are all in agreement as to the findings before we prepare a report, which is the purpose of the meeting. If follow up or subsequent verification is required, then we will plan a follow up meeting.  
Thanks  
Bill

**William M. Letteri**  
Assistant County Executive  
Albemarle County, Virginia  
(434) 296-5841, ext. 3401

**From:** Denise Lunsford  
**Sent:** Wednesday, March 28, 2012 3:25 PM  
**To:** Bill Letteri  
**Subject:** Re: meeting tomorrow

Thanks Bill. I assume a staff report will also be prepared? I would like information in writing so that we can research your findings (along with names, etc) if they differ from mine.  
Thanks again.  
d

---

**From:** Bill Letteri  
**To:** Denise Lunsford  
**Cc:** Betty Burrell; Lori Allshouse  
**Sent:** Wed Mar 28 15:09:07 2012  
**Subject:** RE: meeting tomorrow

Denise,  
The purpose of this meeting is to review our recent findings as related to delinquent fines and fees. Betty Burrell has discussed the program and options with a representative of the State Supreme Court and we would like to review our understanding with you before we share it with our board. We do not expect the information will change anything for FY 13, but it may have implications for future years.  
Thanks,  
Bill

William M. Letteri  
Assistant County Executive  
Albemarle County, Virginia  
(434) 296-5841, ext. 3401

**From:** Denise Lunsford  
**Sent:** Wednesday, March 28, 2012 2:13 PM  
**To:** Bill Letteri  
**Subject:** meeting tomorrow

Bill

Diane called to schedule a meeting for us tomorrow at 10 at your office. Please let me know what the meeting is about so that I can prepare, if necessary, or plan accordingly.  
Thanks and I look forward to seeing you.

*Denise Lunsford*  
Albemarle County Commonwealth's Attorney  
434-972-4072

## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Monday, March 26, 2012 12:43 PM  
**To:** Christopher Dumler  
**Subject:** FW: FW: Delinquent Fines and Fees  
**Attachments:** pic12316.gif; Albemarle FY11 Election.doc

Forwarded to Tom today.

*Denise Lunsford*

Albemarle County Commonwealth's Attorney  
434-972-4072

**From:** Denise Lunsford  
**Sent:** Monday, March 26, 2012 12:43 PM  
**To:** Tom Foley  
**Subject:** FW: FW: Delinquent Fines and Fees

For you information.

---

**From:** [CBeam@courts.state.va.us](mailto:CBeam@courts.state.va.us) [mailto:[CBeam@courts.state.va.us](mailto:CBeam@courts.state.va.us)]  
**Sent:** Monday, March 26, 2012 9:09 AM  
**To:** Stacey Trader  
**Subject:** Re: Delinquent Fines and Fees

Ms. Trader,

You inquired last week regarding the collection of delinquent fines and fees. Specifically, you asked for clarification as to how the percentage of funds collected will be disbursed when the Department of Taxation is serving as the collection agent versus your office using an In-House collection program. The collection fee percentage is specified on a form your office submits to the State Compensation Board, which is entitled "Election for Collection Method of Fines and Fees: Commonwealth's Attorney." A copy of this election form is also to be forwarded to our office. The most recent form we have on file from your office is the FY2011 form. A copy is attached for your reference. As specified on your FY2011 Election Form, your office is utilizing an In-House program for Circuit and General District Court, and the collection fee percentage for those courts is 35%. For juvenile & domestic relations district court, the form specifies that the Department of Taxation's Court Debt Collections will be the collection agent. The fee the Department of Taxation receives for collection services is 17%, as is specified on your form. Our office does not receive any percentage of the funds collected for delinquent fines and fees. The remaining balance of the funds collected is disbursed in the same manner as fines and fees collected that are not delinquent. For general district and circuit court where your office uses an In-House program, the remaining balance would be 65% of the delinquent fines and fees collected. In juvenile court, where Department of Taxation serves as the collection agent, the remaining balance would be 83% of the delinquent fines and fees collected.

I hope this information is helpful to you.

*(See attached file: Albemarle FY11 Election.doc)*



Thank you,  
Cheryl J. Beam  
Court Analyst  
Department of Judicial Services  
Office of the Executive Secretary  
Supreme Court of Virginia  
(804) 371-2422  
Email: [cbeam@courts.state.va.us](mailto:cbeam@courts.state.va.us)  
"Stacey Trader" <[strader@albemarle.org](mailto:strader@albemarle.org)>

"Stacey Trader" <[strader@albemarle.org](mailto:strader@albemarle.org)>

03/12/2012 11:21 AM

To <[cbeam@courts.state.va.us](mailto:cbeam@courts.state.va.us)>

cc

Subject Delinquent Fines and Fees

Good morning Cheryl, I'm not sure if you remember but we had a few discussions when our office undertook the collection of delinquent fines and fees versus the Department of Taxation. Well we are underway with local budget approvals and allocations. It was our goal to undertake in-house collections of delinquent fines and fees so that we could then generate income to our locality in hopes of hiring additional staff. The parties involved are all operating under different understandings of this income. Would you be able to answer the following question for me, which I believe will help make it clear to all parties. I need to show the difference between the Dept. of Taxation as the collection agent and our office.

When we elected to have the Department of Taxation as our collection agent the percentage of funds dispersed was what?:

Department of Taxation \_\_\_\_\_ %  
Supreme Court of Virginia \_\_\_\_\_ %  
Our Locality \_\_\_\_\_ % (if at all)  
Any other \_\_\_\_\_ % (if at all)

Now that our office is collecting in-house the percentage of funds dispersed is as follows:

Our locality \_\_\_\_\_ 17%  
Where else \_\_\_\_\_ %

Stacey Trader, Paralegal  
Albemarle County Commonwealth's Attorney Office  
410 East High Street  
Charlottesville, VA 22902  
Phone: [434-972-4072](tel:434-972-4072)  
Fax: [434-972-4093](tel:434-972-4093)

## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Monday, March 26, 2012 8:08 AM  
**To:** Christopher Dumler  
**Subject:** RE: Collection of Delinquent Fines/Additional Funding

One thing Debbie was upset about when we started this was that she perceived it would be more work for her. Assuming she was doing what she should have been doing in the past it should not have been more work. She would only have had to provide reports and write checks to a different agency. Stacey can tell you more if you like.

*Denise Lunsford*

Albemarle County Commonwealth's Attorney  
434-972-4072

**From:** Christopher Dumler  
**Sent:** Sunday, March 25, 2012 10:31 PM  
**To:** Denise Lunsford  
**Subject:** Re: Collection of Delinquent Fines/Additional Funding

Ugh, that's ridiculous. I'm going in to talk to him tomorrow, I plan to bring this up ...

Very Respectfully,

--

Christopher J. Dumler  
Supervisor, Scottsville District  
[www.christopherdumler.com](http://www.christopherdumler.com)  
434.260.1123  
[cdumler@albemarle.org](mailto:cdumler@albemarle.org)

Sent from my iPad. Please forgive brevity and typos.

On Mar 23, 2012, at 5:22 PM, "Denise Lunsford" <[dlunsford@albemarle.org](mailto:dlunsford@albemarle.org)> wrote:

He is seriously going to Debbie for information? The woman the Auditor said didn't know what she is doing?

---

**From:** Tom Foley  
**To:** Denise Lunsford  
**Sent:** Fri Mar 23 16:57:00 2012  
**Subject:** RE: Collection of Delinquent Fines/Additional Funding

We need to talk to Debbie directly about how she may have handled this in the past. We'll be back in touch with you next week.

*Thanks,  
Tom*

*Thomas C. Foley*

County Executive  
County of Albemarle, Virginia  
(434) 296-5841 ext. 3399

**From:** Denise Lunsford  
**Sent:** Friday, March 23, 2012 4:40 PM  
**To:** Tom Foley  
**Subject:** Re: Collection of Delinquent Fines/Additional Funding

Yes.  
What information are you looking for?

---

**From:** Tom Foley  
**To:** Denise Lunsford  
**Sent:** Fri Mar 23 16:24:22 2012  
**Subject:** RE: Collection of Delinquent Fines/Additional Funding

Denise,

Staff is still working on developing the information for the executive summary. We need to talk with Debbie Shipp and have had a hard time getting in touch with her. My hope is to have something for you to review on Tuesday/Wednesday before we send the Board agenda information out on Thursday. Will you have an opportunity to review information on Tuesday or Wednesday?

Thanks,  
Tom

Thomas C. Foley  
County Executive  
County of Albemarle, Virginia  
(434) 296-5841 ext. 3399

---

**From:** Denise Lunsford  
**Sent:** Friday, March 23, 2012 7:45 AM  
**To:** Tom Foley  
**Subject:** RE: Collection of Delinquent Fines/Additional Funding

Thank you. I will wait to hear from you today.

*Denise Lunsford*  
Albemarle County Commonwealth's Attorney  
434-972-4072

**From:** Tom Foley  
**Sent:** Thursday, March 22, 2012 8:21 PM  
**To:** Denise Lunsford  
**Subject:** Re: Collection of Delinquent Fines/Additional Funding

Denise,

As an update, we are currently waiting on information from the State to develop the executive summary, but intend to have you review the information prior to finalizing it for the Board. I'm expecting a status on this tomorrow and will let you know where things are as soon as I find out.

Thanks,  
Tom

Thomas C. Foley  
County Executive  
County of Albemarle, Virginia  
(434) 296-5841

---

**From:** Denise Lunsford  
**To:** Tom Foley  
**Cc:** Board of Supervisors members; Larry Davis; Bill Letteri; Betty Burrell; Stacey Trader  
**Sent:** Wed Mar 14 16:34:41 2012  
**Subject:** RE: Collection of Delinquent Fines/Additional Funding

Thank you.

So that I know what is submitted and have an opportunity to respond to any incorrect information, I would appreciate receiving a copy of the executive summary when it is submitted. I am not sure if this is typical or not, but, in light of the obvious misunderstandings and disagreements it seems appropriate in this situation.

*Denise Lunsford*  
Albemarle County Commonwealth's Attorney  
434-972-4072

---

**From:** Tom Foley  
**Sent:** Wednesday, March 14, 2012 4:31 PM  
**To:** Denise Lunsford  
**Cc:** Board of Supervisors members; Larry Davis; Bill Letteri; Betty Burrell  
**Subject:** Collection of Delinquent Fines/Additional Funding

Denise,

The Board approved an adjustment to the proposed budget today that includes \$60,000 in additional funds for your office based on the assumption that there will be an offsetting revenue of \$60,000 in the collection of delinquent fines, as discussed. The Board's action was to amend the proposed budget with this funding included and advertise the budget for a public hearing to be held on March 28<sup>th</sup>. After the public hearing on the 28<sup>th</sup>, the Board is scheduled to consider final adoption of the budget on April 4<sup>th</sup>.

Prior to the Board's final consideration of the budget on April 4<sup>th</sup>, staff will complete its review of this issue and provide an executive summary to the Board which outlines the details of how this process works and the amount of revenue anticipated to be collected. As a part of completing this executive summary for the Board, we will review the information with you to assure that we are all in agreement on the facts.

Without placing blame on any individuals, I regret that this has been such a challenge. I'm committed to working together with you to bring this to final resolution by April 4<sup>th</sup>.

*Thanks,*  
*Tom*

*Thomas C. Foley*  
*County Executive*  
*County of Albemarle, Virginia*  
*(434) 296-5841 ext. 3399*

## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Friday, March 23, 2012 5:23 PM  
**To:** Christopher Dumler  
**Subject:** Fw: Collection of Delinquent Fines/Additional Funding

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**From:** Tom Foley  
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Tom*

*Thomas C. Foley  
County Executive  
County of Albemarle, Virginia  
(434) 296-5841 ext. 3399*

---

**From:** Denise Lunsford  
**Sent:** Friday, March 23, 2012 4:40 PM  
**To:** Tom Foley  
**Subject:** Re: Collection of Delinquent Fines/Additional Funding

Yes.  
What information are you looking for?

---

**From:** Tom Foley  
**To:** Denise Lunsford  
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*Thanks,  
Tom*

*Thomas C. Foley  
County Executive  
County of Albemarle, Virginia*

(434) 296-5841 ext. 3399

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**To:** Tom Foley  
**Subject:** RE: Collection of Delinquent Fines/Additional Funding

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*Denise Lunsford*  
Albemarle County Commonwealth's Attorney  
434-972-4072

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Thomas C. Foley  
County Executive  
County of Albemarle, Virginia  
(434) 296-5841

---

**From:** Denise Lunsford  
**To:** Tom Foley  
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**Subject:** RE: Collection of Delinquent Fines/Additional Funding

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So that I know what is submitted and have an opportunity to respond to any incorrect information, I would appreciate receiving a copy of the executive summary when it is submitted. I am not sure if this is typical or not, but, in light of the obvious misunderstandings and disagreements it seems appropriate in this situation.

*Denise Lunsford*  
Albemarle County Commonwealth's Attorney  
434-972-4072

**From:** Tom Foley  
**Sent:** Wednesday, March 14, 2012 4:31 PM  
**To:** Denise Lunsford  
**Cc:** Board of Supervisors members; Larry Davis; Bill Letteri; Betty Burrell  
**Subject:** Collection of Delinquent Fines/Additional Funding

Denise,

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Without placing blame on any individuals, I regret that this has been such a challenge. I'm committed to working together with you to bring this to final resolution by April 4<sup>th</sup>.

*Thanks,  
Tom*

*Thomas C. Foley  
County Executive  
County of Albemarle, Virginia  
(434) 296-5841 ext. 3399*





## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Friday, May 04, 2012 11:55 AM  
**To:** Christopher Dumler  
**Subject:** RE: Press Release : Albemarle Sheriff : Woman found, searcher injured

Those damn deer. Probably pissed off and not gonna take it anymore. Probably formed a union. I, personally, hate the damn things and want them all dead. I seriously get viscerally angry when I see one. They eat my flowers. I LIKE my flowers.

Last SD animal injury was a rooster, which they maced. That on the heels of the same officer (Rooster Guy) going to Hospice – you know, the place where people go to DIE? – to serve a man with a capias. Actually carried the man to the magistrate and back to the hospital in time for his chemo. The Deputy is only just getting over that. Chip got calls from PETA people over macing the rooster.

Those press releases will be the death of him.

*Denise Lunsford*

Albemarle County Commonwealth's Attorney  
434-972-4072

**From:** Christopher Dumler  
**Sent:** Friday, May 04, 2012 11:47 AM  
**To:** Denise Lunsford  
**Subject:** Re: Press Release : Albemarle Sheriff : Woman found, searcher injured

What's up with all the wildlife injuries lately?

Very Respectfully,

--

Christopher J. Dumler  
Supervisor, Scottsville District  
[www.christopherdumler.com](http://www.christopherdumler.com)  
434.260.1123  
[cdumler@albemarle.org](mailto:cdumler@albemarle.org)

Sent from my iPad. Please forgive brevity and typos.

On May 4, 2012, at 11:03 AM, "J. E. \"Chip\" Harding" <[jharding@albemarle.org](mailto:jharding@albemarle.org)> wrote:

fyi

**From:** J. E. "Chip" Harding  
**Sent:** Friday, May 04, 2012 11:02 AM  
**To:** 'Associated Press'; '[bmckenzie@dailyprogress.com](mailto:bmckenzie@dailyprogress.com)'; 'Brian M.'; '[bshulleeta@dailyprogress.com](mailto:bshulleeta@dailyprogress.com)'; 'community'; 'Courtney Stuart'; 'Coy Barefoot'; 'C-Ville Weekly Editor'; 'Daily Progress Editor'; 'Frankie - Ch 19'; 'Henery Graff'; J. E. "Chip" Harding; 'Jennifer Von Reuter'; 'Jim Hanchett Newsplex'; 'Joe Thomas'; 'Joe--c-ville'; 'Lee Catlin'; 'Lisa Provence'; 'McGregory Mccance'; 'Megan Davis'; 'NBC News Desk'; 'Newsplex Desk'; 'Rector Daily Progress'; 'Rob Schilling'; 'The Hook'; 'Tobby Beard'; 'Tristan Lejeune'; '[tstrong@dailyprogress.com](mailto:tstrong@dailyprogress.com)'; 'WINA News Desk'  
**Subject:** Press Release : Albemarle Sheriff : Woman found, searcher injured

**FOR IMMEDIATE RELEASE: <image001.gif>**

**Date: May 4, 2012**

**Contact:**

**Sheriff Chip Harding**

**Albemarle County Sheriff's Office**

**Cell: 434-531-5728**

**Office: 434-972-4001**

**iharding@albemarle.org**

**www.albemarleso.org**

### **Albemarle Sheriff's Search and Rescue Finds woman, searcher injured by deer**

Albemarle Sheriff Chip Harding received a call from the Albemarle Police Department last night around 10:30 pm asking for the assistance of the Search and Rescue team.

A 53 year old female was last seen by her family at 9:30 am as she had left PVCC from dropping her daughter off for classes. She had been sick during the night and there was a concern that she was becoming dehydrated and not acting normal. Her husband tried to check on her by phone from work and by lunch time had gone home to see why she was not answering her cell phone. He located her phone and her purse in the house. Family members began checking areas she liked to visit and calling other family members. A few hours later a missing person report was filed with the ACPD.

At 9:20 pm Monticello Security called the police to inform them that they had a van in one of their parking lots off Rt. 53 that services the walking trails. The engine was running and no one could be seen anywhere in the area—it was hers.

The Sheriff's Office SAR was activated and arrived around 11Pm. The search was in full swing and approximately 1:30 am a search leader, Tom Payne, was checking a remote trail approximately 2 miles from the parking lot on an ATV. A deer jumped off the side of the mountain knocking him off the ATV an injuring him. By 2:10 am searchers Carol Hunt and Lyn Holt had hiked back up to the point on the trail where Tom had been injured and resumed searching the trial almost to the top of the mountain calling out the missing person's name. They received a call

back from her for help and located the woman at approximately 2:30 am. She appeared to be having some hallucination but was physically able to walk. They walked her down the mountain for 45 minutes until they could reach an ATV to ride them out the rest of the way. She was greeted by the rescue squad and her husband at 4:15 am.

Both Tom Payne ( should need stitches ) and the victim are in good condition.

J.E. "Chip" Harding  
Sheriff Albemarle County  
411 E. High Street  
Charlottesville, VA 22902  
434-972-4001  
[www.albemarle.org](http://www.albemarle.org)

<Tom Payne SAR.JPG>

## Denise Lunsford

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**From:** Denise Lunsford  
**Sent:** Tuesday, June 12, 2012 8:29 AM  
**To:** Christopher Dumler  
**Cc:** Stacey Trader  
**Subject:** FW: Update on Performance-based Recognition Program and REQUIRED SMAART Goal Training

I didn't think they were serious. I think the real goals here are deforestation and creative writing.

---

**From:** Tom Foley  
**Sent:** Monday, June 11, 2012 5:03 PM  
**To:** Denise Lunsford  
**Cc:** Bill Letteri  
**Subject:** RE: Update on Performance-based Recognition Program and REQUIRED SMAART Goal Training

Denise,

We are trying to drive improvement in performance through improving goal setting and aligning those goals to the strategic plan just adopted by the Board of Supervisors. The money was approved with those conditions and specifically not provided as a general bonus. This bonus is being provided in combination with the 1% raise. If not for the 1% raise, a straight bonus likely would have been provided.

Thanks,  
Tom

Thomas C. Foley  
County Executive  
County of Albemarle, Virginia  
(434) 296-5841 ext. 3399

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**From:** Denise Lunsford  
**Sent:** Monday, June 11, 2012 1:06 PM  
**To:** Tom Foley  
**Subject:** FW: Update on Performance-based Recognition Program and REQUIRED SMAART Goal Training

Morning Tom

I understand the desire to have people strive for a goal, etc. But in an environment where there have been no raises for several years wouldn't it make more sense, be much more honest, and avoid bickering to just divide up the "bonus" money for each department and let the dept head allocate? Or just give everyone a bonus maybe based on years of service?

Some of this just seems like make-work.

d

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**From:** Mark Graham  
**Sent:** Saturday, June 09, 2012 12:35 PM  
**To:** Lorna Gerome; Leadership Council  
**Subject:** RE: Update on Performance-based Recognition Program and REQUIRED SMAART Goal Training

Thanks Lorna,

I do have 2 questions.

Questions 1: Team goals are acceptable? We previously discussed team goals at a LC meeting and I want to verify that is an option before we start putting this in place. In using this bonus for a team goal, I assume we would need to emphasize this is a "blended" measure, partially based on the team's performance with respect to their goal (a "yes/no" score) and partially based on the individual's performance based on the competencies used with the performance evaluation (a variable score). For example, if a 3 person team successfully met its goal and the individual performance ratings were "successfully meets", "often exceeds" and "consistently exceeds", the 3 team members would respectively receive bonuses of \$X, 1.5 x \$X, and 2 x \$X based on their individual performance score (where X is the final share value of the pool). Conversely, even if all the team member's performance evaluation ratings were "consistently exceeds", but the team did not meet its goal, none of the team members would receive a bonus. Is this correct?

Question 2: Will the money be allocated by department (e.g. X dollars per FTE) or will the money be aggregated for all departments? For example, department A sets very challenging goals and only 50% of its people meet their goals, while department B sets much easier goals and 100% of its people meet their goal. If allocated by department, a "successfully meets" in department A could receive twice the bonus as the same rating in department B. If aggregated for all departments, a "successfully meets" in department A and department B receive the same bonus regardless of the effort required to meet the goal. With the former, each department focuses on assuring goals within the department are equally challenging and has the ability to do so. With the latter, each department has an interest in assuring its goals are no harder than those of other departments but has no easy way of determining this.

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**From:** Lorna Gerome

**Sent:** Fri 6/8/2012 4:29 PM

**To:** Leadership Council

**Subject:** Update on Performance-based Recognition Program and REQUIRED SMAART Goal Training

All:

As discussed in LC this morning, please share this information with your staff. Let me know if you have any questions.

In this year's budget, the Board approved \$150,000 for a performance-based recognition program. The objective is to award lump-sum bonuses at the end of FY12-13 to certain employees based on demonstrated success in accordance with the General Government mission, values and the recently approved FY13-17 Strategic Plan goals.

**Who is eligible to earn a bonus?**

All merit-eligible employees (employed as of 6/30/12), except for Department Heads/Directors.

**How do I earn a bonus?**

The performance bonus will be awarded to employees who in the 2012-2013 review process:

- 1) Achieve an overall performance rating of "Successfully Meets High Expectations," "Meets and Often Exceeds High Expectations;" or "Consistently Exceeds High Expectations" **AND**
- 2) Successfully achieve a SMAART (Specific, Measureable, Agreed-Upon, Attainable, Realistic, Time-Oriented) performance goal that is aligned with the County's FY13-17 strategic plan.

**How much will the bonus be?**

As this is a 'pool' of money that we will need to fit into, the exact bonus amounts cannot be determined until the final scores are all in next June. However, the bonuses will be structured as follows:

- "Successfully Meets High Expectations" will receive a bonus (amount to be determined).
- "Meets and Often Exceeds High Expectations" will receive 50% more than "Successfully Meets High Expectations"
- "Consistently Exceeds High Expectations" will receive two times the amount of "Successfully Meets High Expectations"

Our estimates using prior year scores indicate that these amounts may approximately be \$200, \$300 and \$400, respectively. However, these amounts are only estimates and the actual numbers will certainly vary, although the methodology will not.

**When will bonuses be awarded?**

The lump-sum bonuses will be paid at the end of FY12-13.

**3 required next steps for ALL employees by Friday, July 13<sup>th</sup>**

- 1) First, complete SMAART goal training: you may either view the 11-minute [pre-recorded webinar here](#), or if you prefer, read a written version of the webinar slides and script that is available [here](#).
- 2) Then, [click here](#) to confirm that you completed this training.
- 3) Finally, work with your supervisor to create a SMAART goal aligned with one of the seven goals (not necessarily objectives and/or action plans) of the County's [FY 13-17 Strategic Plan](#). You should record this goal either in the performance evaluation form or a separate "[Goal Objective Planning Form](#)," whichever you prefer is fine. If you have already set goals for FY12-13, please revisit those to make sure at least one of them meets the criteria to make you eligible for the bonus.

Lorna Gerome  
Director of Human Resources  
Albemarle County  
401 McIntire Road  
Charlottesville, VA 22902  
(434) 296-5827 #3016

## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Wednesday, May 30, 2012 10:29 AM  
**To:** Christopher Dumler  
**Subject:** FW: Executive Summary

When should I be there?

*Denise Lunsford*  
Albemarle County Commonwealth's Attorney  
434-972-4072

**From:** Bill Letteri  
**Sent:** Wednesday, May 30, 2012 9:58 AM  
**To:** Denise Lunsford  
**Subject:** RE: Executive Summary

Denise,  
Of course, you're welcome to come at 9:30, but I feel compelled to warn you that the board's morning schedule is very unpredictable – I hate to see you have to sit there all morning. If the board decides to "pull" the item for discussion or questions, we can ask them to postpone the discussion to the end of the day, which is customary; we could then let you know what time.

Thanks,  
Bill

**William M. Letteri**  
Assistant County Executive  
Albemarle County, Virginia  
(434) 296-5841, ext. 3401

**From:** Denise Lunsford  
**Sent:** Wednesday, May 30, 2012 9:32 AM  
**To:** Bill Letteri  
**Cc:** Lori Allshouse  
**Subject:** RE: Executive Summary

Thanks for this Bill. I understand it will be a consent item but still would like to be there. Would I be safe arriving at 9:30?

*Denise Lunsford*  
Albemarle County Commonwealth's Attorney  
434-972-4072

**From:** Bill Letteri  
**Sent:** Tuesday, May 29, 2012 11:48 AM  
**To:** Denise Lunsford  
**Cc:** Lori Allshouse  
**Subject:** FW: Executive Summary

Denise,

Attached is a copy of the executive summary and attachment as requested. As I've mentioned, this will be handled as a consent item.

Thanks,  
Bill

**William M. Letteri**  
**Assistant County Executive**  
**Albemarle County, Virginia**  
**(434) 296-5841, ext. 3401**

**From:** Bill Letteri  
**Sent:** Thursday, May 24, 2012 4:20 PM  
**To:** Denise Lunsford  
**Cc:** Lori Allshouse  
**Subject:** RE: Executive Summary

Denise,  
Thanks for checking in. The document has not quite made it through our ES review process, but I expect we should finish up tomorrow, at which point we'll shoot you a copy.  
We are recommending changes to the budgets of all three Constitutional Officer's operations, so one ES has been prepared to address all three. The item will be included on the "consent agenda", so formal presentation or discussion is not expected.  
Thanks,  
Bill

**William M. Letteri**  
**Assistant County Executive**  
**Albemarle County, Virginia**  
**(434) 296-5841, ext. 3401**

**From:** Denise Lunsford  
**Sent:** Thursday, May 24, 2012 10:30 AM  
**To:** Lori Allshouse; Bill Letteri  
**Subject:** Executive Summary

Good Morning  
Just wondering if you guys have the executive summary prepared yet. I just wanted an opportunity to review it.

*Denise Lunsford*  
Albemarle County Commonwealth's Attorney  
434-972-4072



## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Wednesday, May 16, 2012 3:32 PM  
**To:** Christopher Dumler  
**Subject:** FW: Part-time Attorney Position

With my reply

*Denise Lunsford*  
Albemarle County Commonwealth's Attorney  
434-972-4072

**From:** Denise Lunsford  
**Sent:** Wednesday, May 16, 2012 3:27 PM  
**To:** Laura Vinzant  
**Cc:** Stacey Trader  
**Subject:** RE: Part-time Attorney Position

Laura,  
The way I remember the conversation going was that I have no issue with the difference between the amount needed for the position and the amount our office generates going to the County for whatever purpose it deems necessary beginning FY 14. For FY 13, the \$60,000 was allocated to our office and it was my understanding that this would belong to the office and rolls over at the end of the year. One reason this is important to me for FY 13 is the event that I may need to purchase equipment and/or supplies to support the new position or if I have other, additional, expenses in other years.  
My intent was to use the bulk of the \$60,000 to fund a part time position during FY 13 because I understood that the County cannot pick up that position during the current fiscal year and would propose beginning County funding of a position effective FY14. Please correct me if I am wrong because this may change my position.

*Denise Lunsford*  
Albemarle County Commonwealth's Attorney  
434-972-4072

**From:** Laura Vinzant  
**Sent:** Wednesday, May 16, 2012 10:55 AM  
**To:** Denise Lunsford  
**Cc:** Stacey Trader  
**Subject:** Part-time Attorney Position  
**Importance:** High

Hi Denise,  
I'm working on the executive summary for your part-time attorney position and just want to verify where we landed on the numbers. I'm recommending funding totaling \$52,000 for the PT position (salary and benefits). The Board included \$60,000 in the adopted budget for this position, leaving a balance of \$8,000. It is my understanding that you are comfortable with returning this difference to the County for other uses. Is that correct? If so, we will likely recommend using a portion of the \$8,000 to help fund a position in the Circuit Court Clerk's office.

Thanks,  
Laura

## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Tuesday, June 19, 2012 4:37 PM  
**To:** Christopher Dumler  
**Subject:** FW: List of Commonwealth's Attorney employees that have completed SMAART training as of 6/19

I listened to the webinar. Have you? this is stupid.

*Denise Lunsford*  
Albemarle County Commonwealth's Attorney  
434-972-4072

**From:** Louise Wyatt  
**Sent:** Tuesday, June 19, 2012 2:29 PM  
**To:** Denise Lunsford  
**Subject:** List of Commonwealth's Attorney employees that have completed SMAART training as of 6/19

Hi Denise,

As of today, the following employees from your department have completed the SMAART goal training, which is required by July 13<sup>th</sup> for employees to be eligible to receive the performance bonus. HR will provide an updated list next week.

Elliott	Casey	Commonwealth Attorney
Sonia	Prabhudas	Commonwealth Attorney
Stacey	Trader	Commonwealth Attorney

Thanks,  
Louise

---

**From:** Lorna Gerome  
**Sent:** Friday, June 08, 2012 4:30 PM  
**To:** Leadership Council  
**Subject:** Update on Performance-based Recognition Program and REQUIRED SMAART Goal Training

All:  
As discussed in LC this morning, please share this information with your staff. Let me know if you have any questions.

In this year's budget, the Board approved \$150,000 for a performance-based recognition program. The objective is to award lump-sum bonuses at the end of FY12-13 to certain employees based on demonstrated success in accordance with the General Government mission, values and the recently approved FY13-17 Strategic Plan goals.

### **Who is eligible to earn a bonus?**

All merit-eligible employees (employed as of 6/30/12), except for Department Heads/Directors.

### **How do I earn a bonus?**

The performance bonus will be awarded to employees who in the 2012-2013 review process:

- 1) Achieve an overall performance rating of "Successfully Meets High Expectations," "Meets and Often Exceeds High Expectations;" or "Consistently Exceeds High Expectations" **AND**

- 2) Successfully achieve a SMAART (Specific, Measureable, Agreed-Upon, Attainable, Realistic, Time-Oriented) performance goal that is aligned with the County's FY13-17 strategic plan.

**How much will the bonus be?**

As this is a 'pool' of money that we will need to fit into, the exact bonus amounts cannot be determined until the final scores are all in next June. However, the bonuses will be structured as follows:

- "Successfully Meets High Expectations" will receive a bonus (amount to be determined).
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Our estimates using prior year scores indicate that these amounts may approximately be \$200, \$300 and \$400, respectively. However, these amounts are only estimates and the actual numbers will certainly vary, although the methodology will not.

**When will bonuses be awarded?**

The lump-sum bonuses will be paid at the end of FY12-13.

**3 required next steps for ALL employees by Friday, July 13<sup>th</sup>**

- 1) First, complete SMAART goal training: you may either view the 11-minute [pre-recorded webinar here](#), or if you prefer, read a written version of the webinar slides and script that is available [here](#).
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Lorna Gerome  
Director of Human Resources  
Albemarle County  
401 McIntire Road  
Charlottesville, VA 22902  
(434) 296-5827 #3016

## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Tuesday, June 19, 2012 6:15 PM  
**To:** Christopher Dumler  
**Subject:** Re: List of Commonwealth's Attorney employees that have completed SMAART training as of 6/19

No. Are they planning to as for something?

---

**From:** Christopher Dumler  
**To:** Denise Lunsford  
**Sent:** Tue Jun 19 17:46:34 2012  
**Subject:** Re: List of Commonwealth's Attorney employees that have completed SMAART training as of 6/19

Nope - one of the perks of getting paid shit, I s'pose. The MoUs are going to be on one of our July consent agendas - have they laid out precisely what they're asking from you?

Very Respectfully,

--

Christopher J. Dumler  
Supervisor, Scottsville District  
[www.christopherdumler.com](http://www.christopherdumler.com)  
434.260.1123  
[cdumler@albemarle.org](mailto:cdumler@albemarle.org)

Sent from my iPad. Please forgive brevity and typos.

On Jun 19, 2012, at 4:37 PM, "Denise Lunsford" <[dlunsford@albemarle.org](mailto:dlunsford@albemarle.org)> wrote:

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*Denise Lunsford*  
Albemarle County Commonwealth's Attorney  
434-972-4072

---

**From:** Louise Wyatt  
**Sent:** Tuesday, June 19, 2012 2:29 PM  
**To:** Denise Lunsford  
**Subject:** List of Commonwealth's Attorney employees that have completed SMAART training as of 6/19

Hi Denise,

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Sonia	Prabhudas	Commonwealth Attorney
Stacey	Trader	Commonwealth Attorney

Thanks,  
Louise

**From:** Lorna Gerome  
**Sent:** Friday, June 08, 2012 4:30 PM  
**To:** Leadership Council  
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Lorna Gerome  
Director of Human Resources  
Albemarle County  
401 McIntire Road  
Charlottesville, VA 22902  
(434) 296-5827 #3016

## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Thursday, July 12, 2012 2:55 PM  
**To:** Tom Foley; Bill Letteri  
**Cc:** Christopher Dumler  
**Subject:** FW: August 1 tentative agenda  
**Attachments:** August 1.doc  
  
**Importance:** High

I hate to be a total pain about scheduling. However, my little world is governed by my calendar which indicates that I have a matter pending in Circuit Court that day. Would it not be possible to consult with me prior to scheduling matters requiring my appearance? As I have indicated in the past, this is a matter that I want to address personally with the Board and which should not be on the Consent Agenda. Finally, I have repeatedly asked for the authority allegedly requiring such an MOU and have not received any response from either Mr. Brown or Mr. Letteri. Would someone be so kind as to inform me whether such authority exists.

Thank you.

---

**From:** Ella W. Jordan  
**Sent:** Thursday, July 12, 2012 2:00 PM  
**To:** Christopher Perez; Bill Fritz; Brenda Neitz; Carla Harris - CDD; Ches Goodall; Claudette Grant; COB-4TH FLOOR; County Attorney; David Benish; Ed Koonce; Elaine Echols; Elise Hackett; Ginny Sawyer; Greg Harper; Jack Kelsey; Jennifer Johnston; Leadership Council; Margaret Maliszewski; OMB; Robert Walters; Ron Lilley; Sarah Baldwin; Sharon Taylor; Sherry Short; Stephanie Mallory; Steven Allshouse; Tex Weaver; Wendy Roberman  
**Subject:** August 1 tentative agenda  
**Importance:** High

Attached please find the tentative agenda for August 1<sup>st</sup>. The due dates for agenda material are as follows:

**ALL EXECUTIVE SUMMARIES DUE TO COUNTY ATTORNEY'S OFFICE BY JULY 17, 2:00 P.M.**  
**ALL AGENDA MATERIAL DUE IN CLERK'S OFFICE BY JULY 24, 2:00 P.M.**

Please let me know if there are any changes/additions to the agenda. Thanks,

*Ella*

Ella W. Jordan  
[ejordan@albemarle.org](mailto:ejordan@albemarle.org)  
Clerk, Albemarle County Board of Supervisors  
401 McIntire Road  
Charlottesville, Virginia 22902-4596  
(434) 296-5843; Fax (434) 296-5800  
[www.albemarle.org](http://www.albemarle.org)

## Denise Lunsford

---

**From:** Christopher Dumler  
**Sent:** Tuesday, July 10, 2012 1:51 PM  
**To:** Stacey Trader  
**Cc:** Denise Lunsford  
**Subject:** Re: MOU Agenda Item - Bill

Thanks :)

Very Respectfully,

--

Christopher J. Dumler  
Supervisor, Scottsville District  
[www.christopherdumler.com](http://www.christopherdumler.com)  
434.260.1123  
[cdumler@albemarle.org](mailto:cdumler@albemarle.org)

Sent from my iPad. Please forgive brevity and typos.

On Jul 10, 2012, at 1:28 PM, "Stacey Trader" <[strader@albemarle.org](mailto:strader@albemarle.org)> wrote:

I just received a call from Bill with regards to the MOU agenda items. He says that it will stay on the agenda because it pertains to all constitutional officers but that before the matter is discussed, someone will address the Board and defer the CA's MOU matter pending further discussions and that the CA's MOU will not be a matter for discussion.

Stacey Trader, Paralegal  
Office of the Albemarle County Commonwealth Attorney  
410 East High Street  
Charlottesville, VA 22902  
(434) 972-4072 - Office Phone  
(434) 972-4093 - Office Facsimile



## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Friday, June 29, 2012 9:21 PM  
**To:** Christopher Dumler  
**Subject:** Re: MOU

Chris Brown told me confidentially that the reason was that when they asked debbie to sign one she asked did I have one and why not. I told him he could talk to me about it if my office ever got as fucked up as hers. Thanks so much for your support on this.

---

**From:** Christopher Dumler  
**To:** Denise Lunsford  
**Cc:** Ann Mallek  
**Sent:** Fri Jun 29 16:45:55 2012  
**Subject:** Re: MOU

Thanks, Denise. Keep us posted on any conversations with staff - should it be removed from the 11th agenda, I'll read it as a discussion item at the end to inform staff of my objections to them proceeding with this (and tying compensation to it in any way), and maybe that can be the end of it, should a majority of the Board agree.

Very Respectfully,

--

Christopher J. Dumler  
Supervisor, Scottsville District  
[www.christopherdumler.com](http://www.christopherdumler.com)  
434.260.1123  
[cdumler@albemarle.org](mailto:cdumler@albemarle.org)

Sent from my iPad. Please forgive brevity and typos.

On Jun 29, 2012, at 9:27 AM, "Denise Lunsford" <[dlunsford@albemarle.org](mailto:dlunsford@albemarle.org)> wrote:

Ann and Chris,

I wanted to make you guys aware of this in the event that anything comes up in my absence. Ann, I have discussed this with Chris at some length and am happy to discuss it with you and any other BOS member that needs or wants additional information but did not feel it appropriate to send this to the entire Board at this time. I will, however, be on vacation from today at noon until the afternoon of 7/6. I can be reached by email in the interim. While the "MOU" matter is on the consent agenda for 7/11, I was not approached about it until yesterday and have not seen any proposed MOU. Additionally, I have significant concerns about entering into one and have informed both Chris Dumler and Chris Brown of those concerns. Bill Letteri and I also discussed these concerns earlier this year.

I informed Chris Brown yesterday that any matter of an MOU with my office cannot be taken up on 7/11 (I am in trial) and should certainly not be on a consent agenda.

If either of you feel that this email should be forwarded to anyone else please feel free to do so. I am not trying to exclude anyone just didn't want to send out an email to the entire BOS without knowing what is going to happen with the staff.

d

**From:** Denise Lunsford  
**Sent:** Friday, June 29, 2012 9:22 AM  
**To:** Chris Brown  
**Cc:** Bill Letteri  
**Subject:** MOU

Chris

Since yesterday, I have spent some time thinking about our conversation concerning the desire of the County, apparently the administration, that I sign an MOU with the County. I will note that I have not been presented with a proposed MOU and first heard from administration yesterday around 3:00 when I got an email from Bill Letteri. After our conversation I was left with the impression that a possibility exists that my staff's collective salaries will be cut significantly (they will be removed from the County pay plan) unless I sign a MOU subordinating my Constitutional authority to the BOS and County administration. This was not explicit in our conversation but when I tried repeatedly to get an answer to the question of consequences of failure to sign I never received one other than that the status quo would continue should I sign. I cannot help but wonder, though, if ANY member of the BOS is aware of this action by administration toward my office, which is substantially different in both function and operation than that of Clerk or Sheriff.

To fill in more information for you, I was presented with a MOU by Kimberly Suez with HR in early 2008. I did not sign it and told her my reasons – many of the same ones you and I discussed yesterday. The matter was dropped and not brought up again until now. To my knowledge, no previous CA has signed such an MOU despite the staff having been on the County pay plan since at least the administration of Jim Camblos. I have been provided no reason for the current request.

If you have authority for your assertion that such an MOU may be required then I would very much appreciate seeing that authority. Otherwise I will consider the matter closed unless and until I am requested to discuss it with the Board of Supervisors in a public meeting.

*Denise Lunsford*

Albemarle County Commonwealth's Attorney  
434-972-4072

## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Friday, June 29, 2012 9:28 AM  
**To:** Christopher Dumler; Ann Mallek  
**Subject:** FW: MOU

Ann and Chris,

I wanted to make you guys aware of this in the event that anything comes up in my absence. Ann, I have discussed this with Chris at some length and am happy to discuss it with you and any other BOS member that needs or wants additional information but did not feel it appropriate to send this to the entire Board at this time. I will, however, be on vacation from today at noon until the afternoon of 7/6. I can be reached by email in the interim. While the "MOU" matter is on the consent agenda for 7/11, I was not approached about it until yesterday and have not seen any proposed MOU. Additionally, I have significant concerns about entering into one and have informed both Chris Dumler and Chris Brown of those concerns. Bill Letteri and I also discussed these concerns earlier this year.

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*Denise Lunsford*

Albemarle County Commonwealth's Attorney  
434-972-4072

## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Thursday, June 28, 2012 3:15 PM  
**To:** Christopher Dumler  
**Subject:** FW: MOU

Should I send this to the other BOS members now or wait and see?

---

**From:** Denise Lunsford  
**Sent:** Thursday, June 28, 2012 3:14 PM  
**To:** Bill Letteri  
**Cc:** Stacey Trader  
**Subject:** RE: MOU

Hi Bill

I can do my best to fit you in but I am leaving about 12 on Friday for vacation that is scheduled through the end of next week. I then have a 3 day trial scheduled to start on Tuesday, July 10. I will be entirely unavailable on Monday the 9<sup>th</sup>. What time on Friday morning works?

To shortcut matters, I should let you know that I have no intention of signing an MOU for all of the reasons I explained to you in our meeting earlier this year when we were discussing collections. It has been a long time since I practiced employment law but I do recall enough to know that even incremental agreements to policies such as those in force in the County can erode the at-will nature of the employees of this office. Additionally, I have never been informed of any issues encountered by the County Administration concerning my office. Unlike what might be experienced in the offices of other Constitutional officers, my non-exempt staff work 40 hour weeks and abide by all leave and other policies. I simply cannot understand why this recommendation has been made for my office at this point – 5 years into my administration – when it was never an issue with either me or other CAs in the past.

I look forward to hearing from you.

d

---

**From:** Bill Letteri  
**Sent:** Thursday, June 28, 2012 3:04 PM  
**To:** Denise Lunsford  
**Subject:** MOU

Denise,

I hope all is well.

County staff (HR and Finance in particular) has recommended that we document our payroll, employment and benefit policies and procedures related to staff of the constitutional offices in an MOU. To this end, I have asked our legal department to draft MOU's for each of the constitutional offices reflecting current practices and excluding those policies that either don't apply or are inconsistent with the comp board. If your schedule permits, I would like to meet with you for a few minutes this week or early next week to review the proposed draft. Our hope is to get board authorization to sign these agreements at the July 11<sup>th</sup> meeting.

I have some flexibility Friday morning and afternoon, or Monday afternoon and would be happy to come to your office.

Thanks,  
Bill

**William M. Letteri**  
**Assistant County Executive**  
**Albemarle County, Virginia**  
**(434) 296-5841, ext. 3401**

## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Wednesday, June 27, 2012 6:32 PM  
**To:** Stacey Trader  
**Cc:** Christopher Dumler  
**Subject:** RE: SMAART Goals

whaaaaaa

---

**From:** Stacey Trader  
**Sent:** Wednesday, June 27, 2012 3:15 PM  
**To:** Commonwealth Attorney's Office  
**Subject:** SMAART Goals

I've talked to HR and if you are not interested and do not want to participate in developing a SMAART goal that is tied to the Strategic Plan to be considered for the 200-400 payout next year then you are not required to. This is not mandatory.

Stacey Trader, Paralegal  
Office of the Albemarle County Commonwealth Attorney  
410 East High Street  
Charlottesville, VA 22902  
(434) 972-4072 - Office Phone  
(434) 972-4093 - Office Facsimile

## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Thursday, June 21, 2012 9:14 PM  
**To:** Christopher Dumler  
**Subject:** Re: Sheriff/CA Salary increase

This only relates to income for the electeds. Not the 1 percent increase

---

**From:** Christopher Dumler  
**To:** Denise Lunsford  
**Sent:** Thu Jun 21 21:11:50 2012  
**Subject:** Re: Sheriff/CA Salary increase

Thanks for the update. Either I misunderstood something, or else it's Debbie only, or something in the works ...

Very Respectfully,

--

Christopher J. Dumler  
Supervisor, Scottsville District  
[www.christopherdumler.com](http://www.christopherdumler.com)  
434.260.1123  
[cdumler@albemarle.org](mailto:cdumler@albemarle.org)

Sent from my iPad. Please forgive brevity and typos.

On Jun 21, 2012, at 5:12 PM, "Denise Lunsford" <[dlunsford@albemarle.org](mailto:dlunsford@albemarle.org)> wrote:

FYI

---

**From:** Bill Letteri  
**Sent:** Thursday, June 21, 2012 4:34 PM  
**To:** Denise Lunsford  
**Cc:** Tom Foley; Lorna Gerome  
**Subject:** RE: Sheriff/CA Salary increase

Denise,

The appropriation request for the salary increases funded by the Comp Board will go to the board on July 11<sup>th</sup>. The increase will be reflected in you July paycheck. I am not aware of any issues that would prevent this from happening. Hope this helps. Feel free to call me if you still have questions.

Thanks,  
Bill

William M. Letteri  
Assistant County Executive  
Albemarle County, Virginia  
(434) 296-5841, ext. 3401



**From:** Denise Lunsford  
**Sent:** Thursday, June 21, 2012 10:19 AM  
**To:** Tom Foley  
**Cc:** J. E. "Chip" Harding; Stacey Trader  
**Subject:** Sheriff/CA Salary increase

Morning Tom

Stacey has been working with Brody for some weeks/months on the salary increase that is due to me (and also to Chip, maybe Debbie) as a result of the population increase in Albemarle County. This is a Comp Board funded increase that has already been allocated to the County by the Comp Board. I understand, though, that there may be some issue with whether or how it is paid.

I know that Brody is to be on vacation next week and he has indicated to Stacey that he will get with her at some point when he returns. Prior to that, though, would you please have Brody or Lorna or someone explain to me and to Stacey what the issues are? Perhaps we can help on our end.

Thx  
d

## Denise Lunsford

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**Sent:** Thursday, June 21, 2012 5:12 PM  
**To:** Christopher Dumler  
**Subject:** FW: Sheriff/CA Salary increase

FYI

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**To:** Tom Foley  
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Thx  
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## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Thursday, June 21, 2012 10:01 AM  
**To:** Christopher Dumler  
**Subject:** RE: List of Commonwealth's Attorney employees that have completed SMAART training as of 6/19

Hey  
Did you get the agenda yet?

---

**From:** Christopher Dumler  
**Sent:** Tuesday, June 19, 2012 6:40 PM  
**To:** Denise Lunsford  
**Subject:** Re: List of Commonwealth's Attorney employees that have completed SMAART training as of 6/19

It's seat of the pants over here, right?

Very Respectfully,

--  
Christopher J. Dumler  
Supervisor, Scottsville District  
[www.christopherdumler.com](http://www.christopherdumler.com)  
434.260.1123  
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Let me see if I understand. Condition a bonus they already announced and budgeted for on something they haven't yet negotiated?

---

**From:** Christopher Dumler  
**To:** Denise Lunsford  
**Sent:** Tue Jun 19 18:24:36 2012  
**Subject:** Re: List of Commonwealth's Attorney employees that have completed SMAART training as of 6/19

Maybe I read it wrong. Tom seemed to indicate the County wanted to try and condition the 1% bonus on Constitutional Officers agreeing to some HR rules ... maybe it's something your office already does, or maybe it's another shoe waiting to drop. Just a headsup, I guess ...

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---

**From:** Christopher Dumler  
**To:** Denise Lunsford  
**Sent:** Tue Jun 19 17:46:34 2012  
**Subject:** Re: List of Commonwealth's Attorney employees that have completed SMAART training as of 6/19

Nope - one of the perks of getting paid shit, I s'pose. The MoUs are going to be on one of our July consent agendas - have they laid out precisely what they're asking from you?

Very Respectfully,

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I listened to the webinar. Have you? this is stupid.

*Denise Lunsford*  
Albemarle County Commonwealth's Attorney  
434-972-4072

**From:** Louise Wyatt  
**Sent:** Tuesday, June 19, 2012 2:29 PM  
**To:** Denise Lunsford  
**Subject:** List of Commonwealth's Attorney employees that have completed SMAART training as of 6/19

Hi Denise,

As of today, the following employees from your department have completed the SMAART goal training, which is required by July 13<sup>th</sup> for employees to be eligible to receive the performance bonus. HR will provide an updated list next week.

Elliott	Casey	Commonwealth Attorney
Sonia	Prabhudas	Commonwealth Attorney
Stacey	Trader	Commonwealth Attorney

Thanks,  
Louise

**From:** Lorna Gerome  
**Sent:** Friday, June 08, 2012 4:30 PM  
**To:** Leadership Council  
**Subject:** Update on Performance-based Recognition Program and  
REQUIRED SMAART Goal Training

All:

As discussed in LC this morning, please share this information with your staff. Let me know if you have any questions.

In this year's budget, the Board approved \$150,000 for a performance-based recognition program. The objective is to award lump-sum bonuses at the end of FY12-13 to certain employees based on demonstrated success in accordance with the General Government mission, values and the recently approved FY13-17 Strategic Plan goals.

**Who is eligible to earn a bonus?**

All merit-eligible employees (employed as of 6/30/12), except for Department Heads/Directors.

**How do I earn a bonus?**

The performance bonus will be awarded to employees who in the 2012-2013 review process:

- 1) Achieve an overall performance rating of "Successfully Meets High Expectations," "Meets and Often Exceeds High Expectations;" or "Consistently Exceeds High Expectations"  
**AND**
- 2) Successfully achieve a SMAART (Specific, Measureable, Agreed-Upon, Attainable, Realistic, Time-Oriented) performance goal that is aligned with the County's FY13-17 strategic plan.

**How much will the bonus be?**

As this is a 'pool' of money that we will need to fit into, the exact bonus amounts cannot be determined until the final scores are all in next June. However, the bonuses will be structured as follows:

- "Successfully Meets High Expectations" will receive a bonus (amount to be determined).
- "Meets and Often Exceeds High Expectations" will receive 50% more than "Successfully Meets High Expectations"
- "Consistently Exceeds High Expectations" will receive two times the amount of "Successfully Meets High Expectations"

Our estimates using prior year scores indicate that these amounts may approximately be \$200, \$300 and \$400, respectively. However, these amounts are only estimates and the actual numbers will certainly vary, although the methodology will not.

**When will bonuses be awarded?**

The lump-sum bonuses will be paid at the end of FY12-13.

**3 required next steps for ALL employees by Friday, July 13<sup>th</sup>**

- 1) First, complete SMAART goal training: you may either view the 11-minute [pre-recorded webinar here](#), or if you prefer, read a written version of the webinar slides and script that is available [here](#).
- 2) Then, [click here](#) to confirm that you completed this training.
- 3) Finally, work with your supervisor to create a SMAART goal aligned with one of the seven goals (not necessarily objectives and/or action plans) of the County's [FY 13-17 Strategic Plan](#). You should record this goal either in the performance evaluation form or a separate "[Goal Objective Planning Form](#)," whichever you prefer is fine. If you have already set goals for FY12-13, please revisit those to make sure at least one of them meets the criteria to make you eligible for the bonus.

Lorna Gerome  
Director of Human Resources  
Albemarle County  
401 McIntire Road  
Charlottesville, VA 22902  
(434) 296-5827 #3016

## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Tuesday, June 19, 2012 6:38 PM  
**To:** Christopher Dumler  
**Subject:** Re: List of Commonwealth's Attorney employees that have completed SMAART training as of 6/19

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**To:** Leadership Council

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Lorna Gerome  
Director of Human Resources  
Albemarle County  
401 McIntire Road  
Charlottesville, VA 22902  
(434) 296-5827 #3016

## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Monday, July 30, 2012 4:05 PM  
**To:** Christopher Dumler  
**Subject:** FW: Dumler  
**Attachments:** Dumler

FYI

Not that you would forget or anything.....

## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Monday, August 06, 2012 2:12 PM  
**To:** Christopher Dumler  
**Subject:** draft email to board

ANY SUGGESTIONS APPRECIATED

In late June Bill Letteri approached me about the possibility of signing an MOU with Albemarle County concerning "compensation, benefits and personnel policies" which would be made applicable to my employees. After having been provided with and reviewed a copy of the proposed MOU, I also talked with Bill and reviewed the County's Personnel Policies. Additionally, I have contacted other CAs to determine what, if any, such arrangements they have with their localities. After this research and much consideration I have determined that my original position was sound and I will not sign such an MOU with Albemarle County. I also ask that a policy not be implemented, as the County Executive's Office has indicated would be suggested. So that you fully understand my position, I respectfully request that you indulge what I expect may be a long email. Of course, I am also happy to discuss this matter with you in person, either individually or as a Board.

I understand and appreciate that the County Executive's Office believes that it is following the Board's direction in suggesting an MOU. However, the breadth of the proposed MOU also demonstrates a lack of understand of how my office was created and functions as well as the need for my autonomy with respect to my employees. The position of Commonwealth's Attorney is set forth in the Constitution of the Commonwealth of Virginia in Article VII, pertaining to Local Government, and provides that an Attorney for the Commonwealth is to be elected by the qualified voters of a county, just as the members of the governing body of each county are elected. This indicates that the position is to be separate and apart from the governing body, the Board of Supervisors in our situation. Employees of this office service at the pleasure of the Commonwealth's Attorney. While state and Federal laws, such as those related to Family Medical Leave and Military Leave, obviously apply to such employees it is vitally important to the function of the office that the policies and rules applicable to the employees be determined by the elected official. The reasoning is simple. Because I am elected by the qualified voters of Albemarle County, I am responsible to those voters for any action taken by my office, including the actions of my employees – much as the Board is responsible for the actions of the Offices of County Executive or Human Resources. Neither the County Executive's Office nor the members of the Board of Supervisors will be called to answer for an action of one of my employees. I, however, will be. Accordingly, those employees must answer only to my policies and rules. As an aside, I will note that I specifically questioned the CAs in Lynchburg, Hanover, Roanoke, and Henrico. Those jurisdictions supplement the pay of employees of their offices. None have an MOU or other agreement about policies.

My overriding concern is that no portion of my decision making with respect to employment determinations, appointment, hiring, discharge, retention, or discipline, be ceded in any way to Human Resources, the County Executive's Office, or the Board of Supervisors. Signing an MOU agreeing that my employees operate under any portion of the County's Personnel Policies will do just that. While the MOU presented to me excepts six of the County's Policies, including that related to Termination of Employment, most other of the Policies provide for notification of Human Resources or the County Executive or leaves input or decision making regarding discipline or other matters to those offices. Still others, though not giving specific authority to the Board or one of its Departments, serve to erode my autonomy with respect to certain matters.

Having said all of that, I have abided by many Albemarle County policies as they relate to my employees. When he and I met, Bill Letteri agreed that my office has given rise to no complaints insofar as personnel is concerned. My non-exempt employees work a regular 40-hour week; my exempt employees at least that. We are meticulous about leave, including vacation and sick time. Human resources is consulted about advertising for positions and salary determinations. With my most recent hire, I undertook to seek the capable advice of Naomi Gilliam with respect to a particular issue concerning which I did not want to make a mistake. These determinations, though voluntary, indicate a willingness on my part to fully abide by the law and to be fair both to my employees and to Albemarle County. I also



appreciate the advantage to my employees provided by being on the County pay and classification system. As many of you may know, this office attracts many highly qualified candidates for any position advertised as a result of participation in the system.

One other overriding concern must be noted. This office and those who serve in it are called upon daily to make unpopular decisions that affect the lives of others in this community. It is not appropriate for the Board, the Office of County Executive, or any other County Department to be in a position to influence, attempt to influence, or appear to have influence over the determinations made by any person in this office. As a direct result of incidents that have occurred in the past, I am concerned that such may result. Such would not be appropriate, fair to the citizens of the County of Albemarle, or suit the ends of justice.

Finally, I also ask that this Board decline to "establish a formal policy" establishing rules, policies, or procedures applicable to my employees for the reasons set forth above.

Should the Board determine that it must discuss these matters more formally, I ask that I be present for any such discussions. Due to the unique nature of this office and the complete discretion with which its decisions must be made I ask that any such discussion with respect to such a policy not be had in informal meetings between the County Executive and Board members

*Denise Lunsford*

Albemarle County Commonwealth's Attorney

434-972-4072

## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Tuesday, September 25, 2012 2:44 PM  
**To:** Christopher Dumler

Can you tell me, please, what was discussed at the retreat about the courthouse?  
Also, we need to get together about the riding club think and I need your signature on richard's application.d

*Denise Lunsford*  
Albemarle County Commonwealth's Attorney  
434-972-4072

## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Monday, October 01, 2012 12:29 PM  
**To:** tomhsullivan@yahoo.com  
**Cc:** Ann Mallek; Christopher Dumler; Gregory Jenkins; Chris Brown  
**Subject:** Hunting Dogs

Mr. Sullivan

Through various means your email concerning "field testing" of hunting dogs has been forwarded to me. Do the posted signs you mention indicate who posted them or if there is any person or organization involved?  
Thank you for any information you can provide.

*Denise Lunsford*

Albemarle County Commonwealth's Attorney  
434-972-4072

## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Tuesday, October 02, 2012 3:55 PM  
**To:** Christopher Dumler  
**Subject:** sorry to cyber stalk you

I never know how to get in touch with you!! Call me about the cell tower stuff please – before your meeting tomorrow

*Denise Lunsford*

Albemarle County Commonwealth's Attorney  
434-972-4072



## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Thursday, February 07, 2013 8:22 AM  
**To:** Christopher Dumler  
**Subject:** FW: Dumler

Please call him and at least talk to him.  
d

-----Original Message-----

**From:** Gregory Jenkins  
**Sent:** Thursday, February 07, 2013 8:01 AM  
**To:** Denise Lunsford  
**Cc:** Ron Lantz  
**Subject:** RE: Dumler

He still has not called me back. I tried him yesterday and left a message. I called him this morning with no answer. I have also sent him an e-mail asking him to call me.

-----Original Message-----

**From:** Denise Lunsford  
**Sent:** Wednesday, February 06, 2013 9:13 PM  
**To:** Gregory Jenkins  
**Subject:** Dumler

Just following up. Did u get a report?

Sent from my iPhone

## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Friday, March 22, 2013 2:42 PM  
**To:** Christopher Dumler  
**Subject:** Commonwealth Attorney MOU

Poor Chris Brown is leaving so they have asked him to give the MOU another try. This time he said (Im paraphrasing but this is pretty close) that he cannot say what the effect will be on my budget if I fail to sign. I asked him to explain and he said that my folks have pay supplements and he knows that I do not want my employees to be adversely affected. I told him that I would like to have Tom or Bill call me and explain exactly what they recommend will happen if I fail to sign and that I will want it in writing.

He sent a proposed MOU and I will look at it. What I resent is being threatened. I explained that to him and said that we could tit for tat until one of us blinked but I didn't see how that benefitted anyone.

I talked to Ella and she said that the only way to get something on the Board agenda is to have a Board member request that it be placed on the agenda for discussion. Every time the staff puts it on the try to put it on the consent agenda and I have to email and tell them I don't consent and I want a discussion. She said that the earliest it can come up is May

1. Do you feel comfortable putting it on the agenda for then?

*Denise Lunsford*

Albemarle County Commonwealth's Attorney  
434-972-4072

## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Friday, March 22, 2013 2:43 PM  
**To:** Christopher Dumler  
**Subject:** FW: MOU - CWealthAtty  
**Attachments:** MOU - CWealthAtty.doc

I have not even opened it. I want to salvage some of the good feelings I had about my day.

**From:** Chris Brown  
**Sent:** Friday, March 22, 2013 2:02 PM  
**To:** Denise Lunsford  
**Subject:** MOU - CWealthAtty

## Denise Lunsford

---

**From:** Christopher Dumler  
**Sent:** Friday, March 22, 2013 5:58 PM  
**To:** Denise Lunsford  
**Subject:** RE: Commonwealth Attorney MOU

Yeppppppp. Can do. Let's try and hammer this out beforehand so that you and I know what success looks like and can set things up such that we achieve what we're after, though. Chat after I get out Sunday?

CD

-----Original Message-----

**From:** Denise Lunsford  
**Sent:** Fri 3/22/2013 2:42 PM  
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**Subject:** Commonwealth Attorney MOU

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Denise Lunsford

Albemarle County Commonwealth's Attorney

434-972-4072

## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Friday, March 22, 2013 6:33 PM  
**To:** Christopher Dumler  
**Subject:** Re: Commonwealth Attorney MOU

Sure! Gimme a call. Or come by for a drink. :)

Sent from my iPhone

On Mar 22, 2013, at 5:58 PM, "Christopher Dumler" <[cdumler@albemarle.org](mailto:cdumler@albemarle.org)> wrote:

Yeppppppp. Can do. Let's try and hammer this out beforehand so that you and I know what success looks like and can set things up such that we achieve what we're after, though. Chat after I get out Sunday?

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-----Original Message-----

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**Sent:** Fri 3/22/2013 2:42 PM  
**To:** Christopher Dumler  
**Subject:** Commonwealth Attorney MOU

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Denise Lunsford

Albemarle County Commonwealth's Attorney

434-972-4072

## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Tuesday, March 26, 2013 9:43 AM  
**To:** Christopher Dumler  
**Subject:** FW: jessica smith

She goes by Jessica Phillips now. Marriage and all that.....

**From:** Toni Tuthill  
**Sent:** Tuesday, March 26, 2013 9:04 AM  
**To:** Denise Lunsford  
**Subject:** RE: jessica smith

ROYER, CARAMANIS & MCDONOUGH, PLC  
200 C GARRETT STREET  
CHARLOTTESVILLE, VA 22902  
434-260-8767  
[JPHILLIPS@RCMPLC.COM](mailto:JPHILLIPS@RCMPLC.COM)

*Toni G. Tuthill*  
*Albemarle County Commonwealth's Attorney's Office*  
434-972-4172  
434-972-4093 (fax)

**From:** Denise Lunsford  
**Sent:** Tuesday, March 26, 2013 9:02 AM  
**To:** Toni Tuthill  
**Subject:** jessica smith

What is her new contact information?

*Denise Lunsford*  
Albemarle County Commonwealth's Attorney  
434-972-4072

## Denise Lunsford

---

**From:** Christopher Dumler  
**Sent:** Tuesday, March 26, 2013 10:20 AM  
**To:** Denise Lunsford  
**Subject:** Re: jessica smith

Awesome, thanks! You in court?

Sent from my iPhone. Please excuse brevity and typos.

On Mar 26, 2013, at 9:42, "Denise Lunsford" <[dlunsford@albemarle.org](mailto:dlunsford@albemarle.org)> wrote:

She goes by Jessica Phillips now. Marriage and all that.....

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**From:** Toni Tuthill  
**Sent:** Tuesday, March 26, 2013 9:04 AM  
**To:** Denise Lunsford  
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What is her new contact information?

*Denise Lunsford*  
Albemarle County Commonwealth's Attorney  
434-972-4072

## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Tuesday, March 26, 2013 11:16 AM  
**To:** Christopher Dumler  
**Subject:** Re: jessica smith

No. At a conference. There is no suit filed in that thing. Contacting Kumer for info.  
What're u up to?

Sent from my iPhone

On Mar 26, 2013, at 10:19 AM, "Christopher Dumler" <[cdumler@albemarle.org](mailto:cdumler@albemarle.org)> wrote:

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**Subject:** jessica smith

What is her new contact information?

*Denise Lunsford*  
Albemarle County Commonwealth's Attorney  
434-972-4072



## Denise Lunsford

---

**From:** Chris Dumler <cjdumler@gmail.com>  
**Sent:** Tuesday, March 26, 2013 11:21 AM  
**To:** Denise Lunsford  
**Subject:** Re: FW: jessica smith

Apparently it's under seal - Dana said she got it this morning (as Jake said, "The Eagle has landed. I repeat, the Eagle has landed."), judge'll look at it this afternoon if the jury trial finishes in time or tmw morning if not. Jake said he thought they could finish the name checking in two days, so I anticipate we're looking at a show cause late next week if Higgins doesn't put it out of its misery.

I'm about to go have lunch w/ Robert Hurt (gag) along w/ Tom, Ken, and Dennis - some BS outreach thing he's doing.

How's the conference?

Sincerely,

--  
Christopher J. Dumler  
[cjdumler@gmail.com](mailto:cjdumler@gmail.com)  
434.260.1123

-----Original Message-----

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>> What is her new contact information?

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>> Denise Lunsford

>> Albemarle County Commonwealth's Attorney

>> 434-972-4072

>>

## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Tuesday, March 26, 2013 11:44 AM  
**To:** Chris Dumler  
**Subject:** Re: jessica smith

Contacted Kumer. I'll let u know

Sent from my iPhone

On Mar 26, 2013, at 11:36 AM, "Chris Dumler" <[cjdumler@gmail.com](mailto:cjdumler@gmail.com)> wrote:

Ohhh, LOL. Yeah, I don't think it's been filed yet - Larry was just prepping us for the ultimate suit. Jail's insurance would settle it, quickly, if they're smart (which they've proven they're not ...)

Sincerely,

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Christopher J. Dumler  
[cjdumler@gmail.com](mailto:cjdumler@gmail.com)  
434.260.1123

On Tue, Mar 26, 2013 at 11:30 AM, Denise Lunsford <[dlunsford@albemarle.org](mailto:dlunsford@albemarle.org)> wrote:  
Boring!  
I'm here to keep my contacts fresh.

Sent from my iPhone

On Mar 26, 2013, at 11:22 AM, "Chris Dumler" <[cjdumler@gmail.com](mailto:cjdumler@gmail.com)> wrote:

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>> Subject: RE: jessica smith

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>> Sent: Tuesday, March 26, 2013 9:04 AM

>> To: Denise Lunsford

>> Subject: RE: jessica smith

>>

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>> [434-972-4172](tel:434-972-4172)

>> [434-972-4093](tel:434-972-4093) (fax)

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>> To: Toni Tuthill

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>> Denise Lunsford  
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>> Subject: RE: jessica smith

>>

>> ROYER, CARAMANIS & MCDONOUGH, PLC

>> 200 C GARRETT STREET

>> CHARLOTTESVILLE, VA 22902

>> [434-260-8767](tel:434-260-8767)

>> [JPHILLIPS@RCMPLC.COM](mailto:JPHILLIPS@RCMPLC.COM)

>>

>> Toni G. Tuthill

>> Albemarle County Commonwealth's Attorney's Office

>> [434-972-4172](tel:434-972-4172)

>> [434-972-4093](tel:434-972-4093) (fax)

>>

>>

>> From: Denise Lunsford

>> Sent: Tuesday, March 26, 2013 9:02 AM

>> To: Toni Tuthill

>> Subject: jessica smith

>>

>> What is her new contact information?

>>

>>

>> Denise Lunsford

>> Albemarle County Commonwealth's Attorney

>> [434-972-4072](tel:434-972-4072)

>>

## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Tuesday, March 26, 2013 11:29 AM  
**To:** Chris Dumler  
**Subject:** Re: jessica smith

I mean the "three guys get into a Gator" thing!

Sent from my iPhone

On Mar 26, 2013, at 11:22 AM, "Chris Dumler" <[cjdumler@gmail.com](mailto:cjdumler@gmail.com)> wrote:

Apparently it's under seal - Dana said she got it this morning (as Jake said, "The Eagle has landed. I repeat, the Eagle has landed."), judge'll look at it this afternoon if the jury trial finishes in time or tmw morning if not. Jake said he thought they could finish the name checking in two days, so I anticipate we're looking at a show cause late next week if Higgins doesn't put it out of its misery.

I'm about to go have lunch w/ Robert Hurt (gag) along w/ Tom, Ken, and Dennis - some BS outreach thing he's doing.

How's the conference?

Sincerely,

--

Christopher J. Dumler  
[cjdumler@gmail.com](mailto:cjdumler@gmail.com)  
434.260.1123

-----Original Message-----

From: Denise Lunsford  
Sent: Tue 3/26/2013 11:16 AM  
To: Christopher Dumler  
Subject: Re: jessica smith

No. At a conference. There is no suit filed in that thing. Contacting Kumer for info.  
What're u up to?

Sent from my iPhone

On Mar 26, 2013, at 10:19 AM, "Christopher Dumler" <[cdumler@albemarle.org](mailto:cdumler@albemarle.org)> wrote:

> Awesome, thanks! You in court?

>

> Sent from my iPhone. Please excuse brevity and typos.

>

> On Mar 26, 2013, at 9:42, "Denise Lunsford" <[dlunsford@albemarle.org](mailto:dlunsford@albemarle.org)> wrote:

>

>> She goes by Jessica Phillips now. Marriage and all that..

>>

>> From: Toni Tuthill

>> Sent: Tuesday, March 26, 2013 9:04 AM

>> To: Denise Lunsford

>> Subject: RE: jessica smith

>>

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>> Denise Lunsford

>> Albemarle County Commonwealth's Attorney

>> [434-972-4072](tel:434-972-4072)

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## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Wednesday, April 10, 2013 3:17 PM  
**To:** Christopher Dumler  
**Subject:** FW: Court Study Update Mtg. - March 28th - MINUTES  
**Attachments:** Albemarle\_Courts\_Study\_stakeholdermtg\_28March13\_Presentation.pdf  
  
**Importance:** High

**From:** Trevor Henry  
**Sent:** Monday, April 08, 2013 2:27 PM  
**To:** Diane Mullins; Cheryl Higgins; Denise Lunsford; wgb8329@comcast.net; J. E. "Chip" Harding; Debra Shipp; T.D. Layman; jbeard@cha.idc.viginial.gov; jlsnook@snookandhaughey.com  
**Cc:** pstewart@courts.state.va.us; Stacey Trader; Tom Foley; Bill Letteri; Larry Davis; Marsha Davis; Bower, Meg; Doug Walker; Montie Breeden; Beight, Jim L.; David Puckett  
**Subject:** Court Study Update Mtg. - March 28th - MINUTES  
**Importance:** High

Tom, et al.

Thanks again for adjusting your schedules to meet on March 28th to discuss the future of the courts. As mentioned by Bill in a previous email I'm providing a summary of the meeting below and have attached a .pdf of the PowerPoint presentation used by Staff and the consultants to walk through the study results. Also, we have the architects conceptual test fit boards at our office for future reference.

The following personnel attended at the meeting:

Representing the Court: Judge Higgins, Judge Barkley, Commonwealth Attorney Lunsford, Debbi Shipp (Clerk of the court), TD Layman (Sheriff's Office)

Representing Court Functions: James Beard (Public Defenders Office), Lloyd Snook (Bar Association)

Representing County staff: Tom Foley (County Exec), Bill Letteri (Assistant County Exec), Larry Davis (County Attorney), Trevor Henry (OFD), Montie Breeden (OFD)

Study Consultants: Jim Beight (PSA-Dewberry), Meg Bower (PSA-Dewberry), Dave Puckett (FPW Architects)

### AGENDA

1. Purpose of Meeting/State of Affairs
2. Process/Findings
3. Options/Test Fits
4. Potential Phasing
5. CIP Process/Potential Timeline
6. Discussion/Comments
7. Wrap up

### Notes from the Meeting:

Mr. Foley led off the meeting stating the overall purpose was to ensure the Courts key stakeholders and Staff were operating off the same assumptions regarding urgency of action for the courts planning. Tom provided a summary of why the county commissioned the study, which has provided an assessment of current conditions, a forecast of future needs and potential site options to meet the long-term vision of the Courts. Tom noted some BOS members had communicated to him a sense of less urgency in the timeline and need for action after our Feb BOS meeting based on

feedback by Courts staff during that work session. Tom relayed direction from the BOS, which is to better determine urgency of the decision while working with the city to reach an acceptable agreement on the disposition of the Levy Building and providing some relief to the current parking conditions downtown. Tom did note the BOS also is keeping the split option on the table staff in the event the City is unable to meet some of the BOS specific requirements.

Meg Bower from PSA-Dewberry lead a discussion on the process the consultants went through to analyze current conditions and a brief description of the methodology of caseload forecasting that drove the space needs. The analysis included some additional sensitivity analysis that looked beyond 2030 and analyzed a population growth to 150K. Needs were described in terms of "court sets" (courtroom, chambers, courtroom holding, jury deliberation, and any other requisite areas) instead of simply courtrooms, and the judicial time was clarified to include both resident judges and visiting judge time. The forecast concluded a need for two Circuit Court sets both now and into the future. The General District Court was determined to need two court sets now, with the future forecast either staying at two (with higher utilization) or growing to three.

Jim Beight from PSA-Dewberry walked through the "test fit" process of the Downtown and Split Options. Due to some of the constraints of the existing conditions of the Historic Court House, the consultants conducted a deeper analysis of the site as part of the test fit process to ensure all components of the Court sets and three paths of circulation could be met. Their findings confirmed the Historic Court house and existing annex could contain the necessary functions for two Circuit Court sets, Clerk's office and proper separation of uses (Judiciary, Public, Defendants).

In either scenario (Remain Downtown option or Split Option), the Historic Courthouse and existing annex are planned to be renovated for two Circuit Court Sets. In the downtown option, it is envisioned the Levy Building (Old Opera House) would be renovated to Support the Commonwealth Attorney's office and its rear addition would be demolished with a new wing constructed for adding two to three court sets for the General District Court. The study assumed full build out which included shell space for a future court set. After some discussion it was agreed on Two Court sets would likely be needed at the 2030 timeframe (one resident and one to be used by visiting judge(s) as currently done), with the potential of needing one additional court set in the long-term future. There was doubt state funding would support the third Judgeship through a dedicated resident judge; regardless, if caseload increases, the courtroom would be needed.

The Split option has the same renovation of the Historic Court for Circuit Court needs and assumes a new construction project at the county's Millcreek property for the General District Court and Sherriff's office. The Split option would need further analysis of where to locate the Commonwealth attorney.

David Puckett (FPW Architects) – led a discussion of potential phasing for the two options.

The first option would be an Incremental Phasing of the Downtown scenario which provides the most immediate relief to the most taxed groups (CA, Circuit Ct Clerk, Land Records), but may have issues related to adjacent construction activities requiring either tolerance to noise or premium construction at night. The phasing scenario is as follows:

- First step requires design and renovation of the Levy Opera house for the relocation of the Commonwealth Attorney. Once the CA office is vacated and relocated, the basement of the Historic courthouse could be renovated to allow the relocation of the Circuit Court Clerk and records to their permanent location.
- Second step is the demolition of the Levy rear addition and construction of the new General District court and Clerk's office.
- Third step is the renovation of the Historic Court house and annex, and re-occupancy by Circuit Court.

The second option proposed is essentially two big projects, Dave presented the split option.

- Design and construction of new General District courthouse at the proposed Millcreek site. Move the Gen Dist Court, Clerk and Sherriff's office to Millcreek. A solution to keep the CA downtown will need to be determined, possibly renovation of the Levy Opera House, other leased space or relocate to the now vacated Sherriff's office
- Renovate the historic Court for Circuit court use as described above.

Trevor provided a review of the CIP process and stressed the importance of getting the BOS to a decision point to all direction to staff to initiate the CIP request. Trevor reviewed a potential timeline that showed the major design efforts and construction efforts taking four + years to get the first phase of the project completed and up to 8 years to complete all phases.

#### Discussion points:

Unanimous consensus among the Courts stakeholders to remain downtown as the only viable option without significant disruptions to all court functions and efficiencies if any portion of the courts were to be located off-site.

Lloyd Snook suggested the possibility of exploring a collaborative solution with the City for ensuring full utilization of whatever is built. He mentioned that the City is likely to be exploring options for expansion during the same 20-year window. It was commented that the City Circuit Court has expansion capabilities on their current site.

Judge Barkley commented and questioned about the ability to share resources with the City Gen Dist court. He also strongly recommended staff look at short-term solutions, such as temporary renovation of space in Levy, to alleviate current space constraints at the Historic Court Complex. He also emphasized the simplicity of providing space for his operation during a "swing" period."

Judge Higgins and CA Lunsford expressed surprise the BOS left the Feb 6<sup>th</sup> meeting with any thought of lack of urgency to move the project forward.

CA Lunsford also expressed displeasure over the delay in seeing the preliminary draft report, which was dated late Aug 2012, and the general lack of communication by staff. Although not discussed, it should be noted the report was not finalized until Jan 2013 in preparation for the Feb BOS meeting. Several of the chapters were not finalized until the Dec timeframe.

Judge Higgins discussed the need for better communication from Staff on the project, especially when materials will be going back to the BOS.

Debbie Shipp questioned the need for the full renovation and wondered if less costly options might be discovered allowing for relief of current operational conditions but not the full \$40Mil + project or at least consider phasing it over a longer period.

Deputy Layman said from the Sherriff's perspective one location is the preference, whether downtown or in the county to maintain more efficient Sherriff operations in support of the courts operations.

Tom ended the discussion confirming that Staff will be working with the City to resolve the issues related to parking and Levy disposition per the direction of the BOS but felt that we had accomplished the purpose of the meeting to confirm the urgency of action with Key stakeholders. He emphasized the desire for collaborative teamwork moving forward between the County and the court family.

Next steps will include continued discussions/negotiations with the City and providing an update to the BOS at an upcoming meeting (Date TBD) confirming the urgency of action to move forward.

Respectfully submitted,

Trevor

Trevor Henry  
Director, Office of Facilities Development  
County of Albemarle

401 McIntire Road, Room 228  
Charlottesville, Virginia 22902-4596

T (434) 872-4501 ext. 7942  
F (434) 972-4091  
C (434) 284-1112  
[thenry@albemarle.org](mailto:thenry@albemarle.org)

---

**From:** Diane Mullins [<mailto:DMULLINS@albemarle.org>]

**Sent:** Wednesday, March 27, 2013 10:36 AM

**To:** Cheryl Higgins; Denise Lunsford; [wgb8329@comcast.net](mailto:wgb8329@comcast.net); J. E. "Chip" Harding; Debra Shipp; T.D. Layman

**Cc:** [pstewart@courts.state.va.us](mailto:pstewart@courts.state.va.us); Stacey Trader; Tom Foley; Bill Letteri; Larry Davis; Trevor Henry; Marsha Davis; Bower, Meg

**Subject:** REMINDER: Court Study Update Mtg. - March 28th

**Importance:** High

**Reminder: Court Study Update Meeting w/consultants:**

**Date:** Thursday, March 28<sup>th</sup>

**Time:** 4:30 p.m. to 6:30 p.m.

**Location:** Circuit Court Jury Room

**Agenda:** Attached

Diane B. Mullins  
County Executive's Office  
County of Albemarle  
401 McIntire Road  
Charlottesville, VA 22902-4596  
Phone: (434) 296-5841, ext. 3402



## Denise Lunsford

---

**From:** Denise Lunsford  
**Sent:** Thursday, May 09, 2013 8:18 AM  
**To:** Christopher Dumler  
**Subject:** FW: Custodial Contractor

"Documents were provided to us from the Contractor that demonstrated he has the proper credentials that was good until 2018..."

---

**From:** George Shadman  
**Sent:** Tuesday, May 07, 2013 6:45 AM  
**To:** Denise Lunsford  
**Subject:** RE: Custodial Contractor

Denise:

This will be my priority today. Hope to have an answer to you no later than noon.

George

---

**From:** Denise Lunsford  
**Sent:** Tuesday, May 07, 2013 6:43 AM  
**To:** George Shadman; Bill Letteri; Larry Davis  
**Subject:** Re: Custodial Contractor

George  
We received the information below from an Immigration Detention Officer. Please have the company provide you with copies of proof of legal status of all other employees. I am NOT asking you to ask for documentation of the status of Diego Cax because that status has already been determined and, to put matters simply, I would be asking you to obtain information about possibly illegal activity on the part of the contractor and that would be improper. In the meantime, I suggest that the County suspend its contract with this contractor until such time as proof of the legal status of its workers is provided. They may NOT work in my office until their status is verified.

Removal hasn't been ordered yet. He still has to go see the Immigration Judge for that decision to be rendered. But he was placed in Immigration Proceedings for being in the United States illegally. Hope this helps.

Thanks George.  
Denise

Sent from my iPhone

On May 6, 2013, at 12:04 PM, "George Shadman" <[gshadman@albemarle.org](mailto:gshadman@albemarle.org)> wrote:

Denise:

As per my telephone message:

Bill Letteri asked me to follow up with our efforts to address your concerns of an employee of our custodial contractor who may have been deported—that's how the issue was presented to me.

This office has been in contact several times this morning with the Contractor, both the foreman and the owner and asked the same question several ways to make sure we were receiving reliable information.

The Contractor has had only two employees leave their company in recent weeks. The one with "Diego" in his name was Diego Miguel Cash who resigned because the contractor could not give him work hours accommodation to enable him to work two jobs. Documents were provided to us from the Contractor that demonstrated he has the proper credentials that was good until 2018, he has been in the country since 2011. The other employee, a young woman, gave notice and left to return to New Jersey to be with her family.

If you have information that conflicts with what we are being told by the Contractor, let us know and we will continue to probe. We recognize the importance of having the right people given access to the court facility.

George Shadman  
Department of General Services  
Albemarle County, Virginia

## Denise Lunsford

---

**From:** Christopher Dumler  
**Sent:** Thursday, May 09, 2013 8:27 AM  
**To:** Denise Lunsford  
**Subject:** Re: Custodial Contractor

In the form of an attestation? Or a scanned copy of a legitimate looking visa/work permit? We should be requiring the latter, but I doubt we have that ...

Sent from my iPhone. Please excuse brevity and typos.

On May 9, 2013, at 8:18 AM, "Denise Lunsford" <[dlunsford@albemarle.org](mailto:dlunsford@albemarle.org)> wrote:

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No idea. His full email is near the bottom

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