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FEB 2016
RECEIVED
County
Administrator

February 12, 2016

Honorable Members of the
Board of Supervisors of
Montgomery County, Virginia

Re: Request for Information

Dear Supervisors:

Please be advised that we represent Mrs. Erica Williams, Clerk of the Circuit Court of Montgomery County, Virginia. Mrs. Williams has referred to us the letter to her from Mr. Tuck, Chair of the Board of Supervisors, with an attached resolution of the Board requesting that Mrs. Williams provide an explanation to the Board for "the high employee turnover rate" in her office and "a response as to her attendance record as Clerk." Mrs. Williams has asked us to respond on her behalf to this request from the Board.

Mrs. Williams was honored to be elected in November of 2007 by the voters of Montgomery County to serve as Clerk of the Montgomery County Circuit Court for an initial term of eight years. Obviously, Mrs. Williams excelled in her service to the citizens of Montgomery County because she was just reelected as Clerk in November of 2015 for a new term of office ending in December 2024. She is grateful for the support of the citizens of Montgomery County, and thankful to be given the opportunity to continue to provide the best service possible to the citizens of the County and the officials of the Montgomery County Circuit Court. Never satisfied with the "status quo" Mrs. Williams intends to continue her efforts to improve the quality of services offered by her office to the public and the Court.

Mrs. Williams is a professional, acutely aware of the responsibilities and duties she owes to the Court and the public, and handles her duties and responsibilities accordingly. She is unaware of the specific concerns the Board of Supervisors has regarding her attendance record due to the non-specific nature of the request, and is therefore unable to respond to the Board's concerns regarding her attendance record, other than to assure the Board that she spends countless hours both in the office and outside normal office hours fulfilling the duties of her office. To her knowledge, no Circuit Court officials have expressed concerns about the conduct of her office. Clearly, a majority of the voters of Montgomery County felt that Mrs. Williams is properly fulfilling the duties of her office when they recently reelected her as Clerk, and she will continue to perform her duties to the best of her ability.

The Board also inquired about employee turnover in Ms. Williams' office. Obviously, personnel matters involving her current or former employees are confidential, and despite pressure from certain individuals or organizations, Mrs. Williams will not discuss any personnel matter in any inappropriate and/or public forum. Rest assured that Mrs. Williams has consulted with and followed the advice of trained human relations professionals in all employment matters involving her office, and will continue to consult with such experts moving forward.

Mrs. Williams and the County of Montgomery have entered into a Memorandum of Agreement (the "MOA") dated April 24, 2008, concerning certain employment issues and the supplement paid to Mrs. Williams and her deputies. Mrs. Williams is in full compliance with the terms of that MOA and does not intend to withdraw from or terminate it. Mrs. Williams and her employees rely upon, and expect the Montgomery County Board of Supervisors to likewise fully comply with, the terms and spirit of that MOA, which enables the Office of the Circuit Court Clerk to fully perform all of the services needed by the Court and the citizens of Montgomery County.

Mrs. Williams is aware of personal attacks made against her in the media and in public meetings. Although she is a public official, many of these statements constitute personal attacks which exceed legitimate public comment concerning a public official. She knows that you, the Members of the Montgomery County Board of Supervisors, are also public officials and subject to public comment both fair and unfair and asks that you not be parties to these types of personal attacks or allow the meetings of the Board to be a forum for such attacks rather than the legitimate business of the County.

We hope that this letter is responsive to the Board's requests. Mrs. Williams looks forward to a long and productive working relationship with this Board for the mutual benefit of the citizens of Montgomery County.

Please direct any further inquiries on these matters to my attention.

Respectfully,

James E. Cornwell, Jr.

JEC/klm
c: Marty McMahon, Esq., County Attorney
Craig Meadows, County Administrator

MONTGOMERY COUNTY

BOARD OF SUPERVISORS
MONTGOMERY COUNTY, VIRGINIA
www.MONTGOMERYCOUNTYVA.gov

755 ROANOKE ST, SUITE 2E
CHRISTIANSBURG, VA 24073
PHONE: 540.382.6954 • FAX: 540.382.6943

February 10, 2016

Erica Williams
Clerk of the Circuit Court
55 Main Street, Suite 1
Christiansburg, VA 24073

Dear Ms. Williams:

At our meeting on February 8, 2016 the Board of Supervisors adopted a resolution requesting an explanation for the high employee turnover rate in the Clerk's Office during your term as Clerk of the Circuit Court. Concerns have also been raised about your work attendance during this time.

The attached resolution respectfully requests your response to the Board of Supervisors before February 18, 2016.

Sincerely,

Christopher A. Tuck JK

Christopher A. Tuck
Chair, Board of Supervisors

CT/jk

Attachment

DISTRICT B
*Christopher A. Tuck, Chair*

DISTRICT C
*Gary D. Creed, Vice Chair*

DISTRICT A
*Annette S. Perkins*

DISTRICT D
*M. Todd King*

DISTRICT E
*Darrell O. Sheppard*

DISTRICT F
*Mary W. Biggs*

DISTRICT G
*April N. DeMotts*

COUNTY ADMINISTRATOR
*F. Craig Meadows*

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF MONTGOMERY COUNTY, VIRGINIA HELD ON THE 8TH DAY OF FEBRUARY, 2016 AT 7:15 P.M. AT THE MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

**R-FY-16-89**
**REQUEST TO CLERK OF CIRCUIT COURT TO PROVIDE INFORMATION CONCERNING THE HIGH EMPLOYEE TURNOVER RATE IN THE CLERK'S OFFICE AND THE CLERK'S ATTENDANCE IN THE OFFICE**

On a motion by Gary D. Creed, seconded by M. Todd King and carried,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Board of Supervisors hereby respectfully requests that the Clerk of the Circuit Court provide an explanation for the high employee turnover rate in the Clerk's Office during her term as Clerk and provide a response as to her attendance record as Clerk.

BE IT FURTHER RESOLVED, That the Board of Supervisors hereby respectfully requests a response from the Clerk of the Circuit Court to the Board of Supervisors before February 18, 2016.

The vote on the foregoing motion was as follows:

| AYE | NAY |
|---|---|
| M. Todd King | Annette S. Perkins |
| Gary D. Creed | Mary W. Biggs |
| Darrell O. Sheppard | April N. DeMotts |
| Christopher A. Tuck | |

ATTEST: F. Craig Meadows
F. Craig Meadows
County Administrator

MEMORANDUM OF AGREEMENT

Be it hereby agreed to by the Board of Supervisors and the undersigned Constitutional Officer of Montgomery County, Virginia:

1. In accordance with Section 1.4.B of the Personnel Policies Manual, Montgomery County, Virginia, Constitutional Officers and their employees may elect to participate in the County's personnel policies by written agreement between the County Administrator and the Constitutional Officer.

2. It is understood and agreed that as far as practicable, the undersigned Constitutional Officer will follow and be guided by the Personnel Policies Manual authorized and approved by the Board of Supervisors and/or the County Administrator.

3. It is also understood that the undersigned Constitutional Officer and the Board of Supervisors do hereby agree that the undersigned Constitutional Officer shall continue to be included as an exempt service employee within the County service in recognition of their status as an elected official which precludes their total inclusion as a regular employee as defined in Section 1.10 of the Personnel Policies Manual.

4. It is further understood that the undersigned Constitutional Officer and employees of this officer will be exempt from the County's Employee Grievance Procedure.

5. That fringe benefits and future pay and classification increases shall be set by the Board of Supervisors with an intent to pay at least as much as the salary levels set by the Virginia Compensation Board.

6. That this agreement shall not preclude the granting of any new positions by the Virginia Compensation Board to the Constitutional Officer.

7. That the County Compensation and Classification Plan and Personnel Policies shall not violate any mandatory requirements established by the Virginia Compensation Board or by the Code of Virginia.

8. Finally, if the Constitutional Officer chooses to withdraw from this agreement at any time in the future, employees of the Constitutional Officer would revert back to the Compensation Board pay schedule and policies, losing the County supplement, effective the beginning of the following fiscal year.

Annette S. Perkins — 1-14-08
Chairman, Board of Supervisors — Date

B. Clayton Goodman, III — 1/8/08
County Administrator — Date

Erica W. Williams — 1/1/08
Constitutional Officer — Date