

**Minutes of Meeting
Elected Officials
November 22, 2013
9:00 a.m.**

The Kootenai County Board of Commissioners: Chairman Todd Tondee, Commissioner Dan Green and Commissioner Jai Nelson met to discuss the following agenda items. Also present were Prosecutor Barry McHugh, Clerk Clifford Hayes, Assessor Mike McDowell, Coroner Deb Wilkey, Chief Deputy Clerk Pat Raffee, Chief Deputy Assessor Richard Houser, Chief Deputy Treasurer Laurie Thomas, Major Dan Mattos, Finance Director David McDowell, Emergency Management Manager Sandy VonBehren and Deputy Clerk Pamela Bogaert.

A. Call to Order: Chairman Tondee called the meeting to order at 9:03 a.m.

B. Introductions: No introductions were needed.

C. Changes to the Agenda:

Commissioner Nelson asked that a discussion in regard to the Idaho Counties Risk Management Program (ICRMP) Discount Program be added to the agenda. Commissioner Green asked that an Executive Session pursuant to *Idaho Code §67-2345(1)(f)* to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated, be added to the agenda due to the timeliness of the matter.

Commissioner Nelson moved to add to the agenda a discussion in regard to the ICRMP Discount Program and an Executive Session pursuant to *Idaho Code §67-2345(1)(f)* to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. Commissioner Green seconded the motion. There being no discussion, Deputy Clerk Bogaert called the roll.

Commissioner Nelson: Aye

Commissioner Green: Aye

Chairman Tondee: Aye

The motion carried.

D. New Business:

Emergency Management Manager Sandy VonBehren advised the group that the Office of Emergency Management (OEM) is currently working to enhance the capabilities of the Emergency Operations Center (EOC) and is recruiting and training response personnel. Ms. VonBehren is seeking volunteers for the EOC from current County staff and asked that the Elected Officials pass the information on to staff. Ms. VonBehren briefly described EOC operations and the online training that would be provided.

Chief Deputy Clerk Pat Raffee advised the group that she and Finance Director David McDowell met with the Board after the Fiscal Year (FY) 2014 Budget process was completed and handed out a compilation of the results of those interviews. Ms. Raffee explained that the Board would like to give more direction for the FY2015 process, including discussions with the Elected Officials of B Budget items, line by line. The Board will be provided with the past three (3) years'

actual expenditures and then seek an explanation regarding any significant shifts in the amounts. Chairman Tondee noted that if the Board is present during the Elected Officials budget deliberations, it will be necessary to adhere to the Idaho Open Meeting Laws during those deliberations. Further, Chairman Tondee advised that the Board will be focusing on five (5) year trends and fulfilling the salary survey recommendations. Ms. Raffee anticipates that there will be fewer budget deliberation meetings over the next budget process. Mr. McDowell was confident that the Clerk's preliminary recommendation to the Board will expedite the process.

Commissioner Nelson expressed her desire to focus on the B budget in order to prioritize need. Commissioner Green felt that giving the Elected Officials more direction would help make their work more productive. Ms. Raffee noted that the more time the group spent in individual preparation would directly result in less time spent collectively, as well as allow more time in front of the Board. Further, Ms. Raffee felt that the deliberations could be delayed several months so that more actual data would be available.

The attendees continued to discuss the options in regard to the FY2015 budget process and Commissioner Green advised that, in his opinion, capital purchases should be prioritized. Chairman Tondee felt that County-significant issues, such as the construction of a parking garage, a system upgrade to Office 2012 or improvement of other support systems would be significant capital purchases.

Clerk Clifford Hayes advised the group that it has recently come to light that not all departments are adhering to the Fair Labor Standards Act (FLSA) and asked that the Elected Officials and Department Heads monitor the correct completion of time sheets. In particular, vacation/sick time for exempt employees may be taken in eight (8) hour increments only.

Commissioner Nelson passed out a copy of the Reprographics Department's floor plan and asked that the group consider possible uses for the space and submit their ideas to the Board. Commissioner Nelson noted that Reprographics will be vacating the space in mid-to-late summer, 2014.

Prosecutor Barry McHugh raised the question of what may constitute a contract and what the Board may want, or require, prior to Board approval. Further, Mr. McHugh asked the Board to clarify the parameters of which contracts must be presented to the Board versus which contracts may be signed by an Elected Official. Commissioner Nelson advised that it is the duty of the Legal department to provide guidance to the Board with regard to contracts. The group discussed the differences between a contract and a purchase order and which would require Board approval. Mr. McHugh suggested that the group work on guidelines for the Board's consideration and revisit the subject at the next Elected Officials' meeting.

Chairman Tondee advised the group that the Board will implement a two and one-half percent (2.5%) salary increase for most of the Elected Officials. Further, Chairman Tondee explained that because the Treasurer and Assessor took an approximate two and one-half percent (2.5%) increase last year they would be ineligible to receive an increase this year in an effort to maintain parity. Also, the Prosecutor has requested that his salary remain below \$100,000. Assessor Mike McDowell advised the group that several salary surveys, performed in 2001, 2005

and 2013, have indicated that County salaries are approximately sixteen percent (16%) below market and pointed out that Elected Official positions are professional, require a certain level of education, call for a longer term of service and include an expectation of fair compensation. Mr. McDowell further noted that the Elected Officials have had no pay increase for the last four (4) out of eight (8) years and that many Department Heads, and other positions, are paid at a higher rate of pay than the Elected Official for whom they work. Mr. McDowell also noted that after a comparison of other counties it was found that the Canyon County Assessor was paid at a rate of \$77,661 per year; Ada County Assessor at \$89,800 and Nez Perce Assessor at \$71,500. Also, state agencies administrators earn \$77,500. Mr. McDowell felt that it is not reasonable for a candidate to take a cut in pay to become an Elected Official and that an analysis, or salary survey, should be completed to determine where Elected Officials' salaries should be when compared to other internal positions. Mr. Hayes noted that only the Prosecutor's position requires a specific degree to hold office. Further, Mr. Hayes advised that Elected Officials are not held to the same requirements as employees in that they are required, by statute, to be physically in the office only one (1) day out of every twenty (20) days and have the ability to take as many sick and/or vacation days as they require. Commissioner Green advised the group that he would vote no on the matter of Elected Officials' increases. Commissioner Green felt that the Elected Official positions are public service positions, not career moves. Commissioner Nelson noted that she will approve the increases in order to make Elected Officials' salaries more equitable. Mr. Hayes suggested a possible step system, guided by years of service, as an alternative.

Commissioner Nelson presented the Open Position Report dated November 19, 2013 and noted that it was the most concise report to date. Commissioner Nelson asked that the group review the report for errors and/or edits.

Chairman Tondee advised the group that, in the future, all Business Meeting requests will be submitted to Administrative Secretary Teri Johnston who will in turn submit the requests to the Legal department so that all personnel involved will have the same information. In response to a question from Finance Director David McDowell, Chairman Tondee noted that Ms. Johnston will be responsible to route any required documents to the Auditor's department. Chairman Tondee also promised to send an email, with instructions, to Elected Officials and Department Heads.

Commissioner Nelson advised that the County would, again this year, be participating in the ICRMP Discount Program. This year's topics will be vehicle use policy review, harassment and two (2) tailgate meetings. Law Enforcement personnel shall also be required to complete a driving course. The deadline for successful completion is February 1, 2014 and will save the County five (5%) percent in premiums.

Mr. McHugh informed the attendees that Civil Deputy Prosecuting Attorney John Cafferty will be leaving the County's employ as of December 20, 2013 to take a new position with a Boise firm that is opening an office in Coeur d'Alene. Mr. McHugh assured the group that Mr. Cafferty will be working hard to take care of his responsibilities prior to his last day.

Commissioner Green moved that the Board enter into Executive Session pursuant to *Idaho Code* §67-2345(1)(f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. Commissioner Nelson seconded the motion. There being no further discussion Deputy Clerk Bogaert called the roll:

Commissioner Nelson: Aye

Commissioner Green: Aye

Chairman Tondee: Aye

The motion carried.

The Board, Civil Deputy Prosecuting Attorney Pat Braden, Assessor Mike McDowell, Chief Deputy Assessor Richard Houser and Chief Deputy Treasurer Laurie Thomas entered Executive Session at 10:41 a.m.

The group exited Executive Session and Chairman Tondee adjourned the meeting at 10:55 a.m.

Respectfully submitted,

CLIFFORD T. HAYES, CLERK

BY: _____
Pamela B. Bogaert, Deputy Clerk