

**Minutes of Meeting**  
**Prosecutor**  
**March 21, 2016**  
**8:30 a.m.**

The Kootenai County Board of Commissioners: Chairman Dan Green, Commissioner Marc Eberlein, and Commissioner David Stewart met to discuss the following agenda item. Also present were Prosecutor Barry McHugh, Investigator Larry Kirkhart, Human Resources (HR) Generalist – Employee Relations Kimberly Buffin and Deputy Clerk Cecilia Sweet.

- A. Call to Order:** Chairman Dan Green called the meeting to order at 8:30 a.m.
- B. Introductions:** There were no introductions.
- C. Changes to the Agenda:** There were no changes to the agenda.
- D. New Business:**

**Classification of Investigative Position for Pay Purposes**

Prosecutor Barry McHugh provided a description of the Investigator position. He said that this Investigator position had been established and funded through a federal grant for two years, and then the position transferred to being County funded. He added that the State of Idaho had passed legislation and funding for an Internet Crimes Against Children (ICAC) Investigator and the County entered into a Memorandum of Understanding (MOU) with the State in which the County supplied supervision and a workplace while the State of Idaho provided management and funding for the wages and benefits.

Chairman Green said that these positions were difficult to address since the employee sought the State of Idaho's wages but preferred the County's benefits.

Prosecutor McHugh explained that he had completed HR Director Skye Reynolds' request for a written ICAC Investigator job description. He reported that the position required POST (Peace Officers Standards and Training) certification similar to a KCSO Detective. He added that the current employee initiated Internet investigations, obtained and executed search warrants, and created and presented criminal cases to the Prosecutor. He opined that the position would be best classified as a KCSO sworn officer with arresting power.

Commissioner Marc Eberlein asked for the current rate of pay for this Investigator position.

Prosecutor McHugh replied that this position paid \$33.16 per hour. He added that Ms. Reynolds had disagreed with this position being compared to a KCSO Detective, because the position lacked responsibility for staff supervision. Prosecutor McHugh said that he

discussed with Ms. Reynolds the Peace Officer salary range with the .50¢ shift differential and a \$2.25 increase in pay for Detective Assignment.

Investigator Larry Kirkhart added that some of the other responsibilities of this position were administering polygraphs and psychological testing, and being *the supervisor on the scene*, which supersedes a Sheriff Deputy. Mr. Kirkland said that the Investigator was also a Deputy Marshall.

Chairman Green mentioned that a *supervisor on the scene* differed from daily supervisory or managerial oversight. He asked if this was a request for evaluation or had this position been evaluated on points.

Prosecutor McHugh said that since this was an Investigator position, the KCSO matrix was still the best model, and the position had not been evaluated for points.

Chairman Green said that County employees received merit increases that were initiated and issued by the Board. He added that every County policy was applicable to this position except the County pay scale. He acknowledged that the Investigator position had a written job description, an executive order and received State funding.

HR Generalist – Employee Relations Kimberly Buffin reported that this Investigator position was unique and HR’s comparable position was a ninth year patrol deputy.

Chairman Green requested that Prosecutor McHugh draft a memorandum for the Investigator position that stated the distinctive job functions and that there were no other similar County positions.

- E. **Public Comment:** This section is reserved for citizens wishing to address the Board regarding a County related issue. Idaho Law prohibits Board action on items brought under this section except in an emergency circumstance. Comments related to future public hearings should be held for that public hearing. There were no public comments.

Chairman Green adjourned the meeting at 8:55 a.m.

Respectfully submitted,

JIM BRANNON, CLERK

DANIEL H. GREEN, CHAIRMAN

BY: \_\_\_\_\_  
Cecilia M. Sweet, Deputy Clerk

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