

Minutes of Meeting
Human Resources: Personnel Changes
August 12, 2021
11:00 a.m.

The Kootenai County Board of Commissioners: Chairman Chris Fillios, Commissioner Leslie Duncan and Commissioner Bill Brooks met to discuss the following agenda items. Also present were Prosecutor Barry McHugh, Human Resources (HR) Director Sylvia Proud, HR Generalist – Employee Relations Kimberley Van Slate, Chief Deputy Assessor Allyson Knapp, Vehicle License Manager Anna Frohboese, Chief Deputy Clerk Jennifer Locke, Finance Director Dena Darrow, Staff Accountant – Budget Michelle Chiaramonte, First Judicial District Trial Court Administrator Karlene Behringer, KCSO Undersheriff Dan Mattos, KCSO Captain Andy Deak, Juvenile Detention Director JT Taylor, Juvenile Detention Assistant Director Linda Hoss, Adult Misdemeanor Probation (AMP) Director Keith Hutcheson, Reprographics/Mail Center Manager David Reid, BOCC Communications Manager Nancy Jones and Deputy Clerk Tina Ginorio. Prosecutor Barry McHugh was present via teleconference.

- A. Call to Order:** Chairman Chris Fillios called the meeting to order at 11:01 a.m.
- B. Changes to the Agenda (Action):** There were no changes to the agenda.
- C. Business Items (Action):**

Position Changes and Distribution of Salary Savings – Prosecutor

Prosecutor Barry McHugh explained that an AT5 Attorney had left his department and he had promoted from within to fill the position. He said that two Attorneys had taken on some additional responsibilities and he would like to distribute salary savings as bonuses.

Chairman Fillios stated that this item would require an Executive Session, as had been noted on the agenda, and that it would be addressed at the end of the meeting.

Exception to Policy 120 and Retention Bonus Funding – Prosecutor

Prosecutor McHugh said he wished to hire a Grade 6 Legal Assistant. He explained that he had found a highly qualified candidate and wanted to bring her in at full market rate. He stated that she had six years of relevant experience in Ada County as a Legal Assistant, so the level of pay would be appropriate. He indicated that no compression issues would be created and that the expense was covered in his FY22 Budget, with the position to start October 1, 2021.

Treasurer Steve Matheson entered the meeting at 11:04 a.m.

In addition to this, Prosecutor McHugh said his department had accrued about \$30,000 in salary savings, out of which he would like to distribute \$20,000 in retention bonuses to his staff.

Commissioner Leslie Duncan said she would like the question of retention bonuses to be handled as part of a larger, County-wide process. She indicated she felt that issues of equity would arise if the topic continued to be addressed piecemeal.

Civil Deputy Prosecuting Attorney Darrin Murphey entered the meeting at 11:07 a.m.

Commissioner Bill Brooks voiced agreement with Commissioner Duncan's point.

Chairman Fillios also agreed that a County-wide Retention Bonus Policy was needed. He said the question would be addressed in the Elected Officials meeting next week. He stated he would not consider any requests for retention bonuses until such a policy had been created.

Commissioner Duncan moved that the Board approve an exception to Policy 120 for the Legal Assistant starting October 1, 2021 for the Prosecutor's Office. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

Executive Session pursuant to Idaho Code §74-206(1)(a) to consider hiring a public officer, employee, staff member, or individual agent. (Closed Session – Discussion Item)

Decisions/Direction (Open Session – Action)

No information requiring an Executive Session was submitted.

Executive Session pursuant to Idaho Code §74-206(1)(b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent. (Closed Session – Discussion Item)

Decisions/Direction (Open Session – Action)

No information requiring an Executive Session was submitted.

Request for Overlap of Staff Attorney and Retro Overlap of Staff Attorney – Specialty Court

First Judicial District Trial Court Administrator Karlene Behringer reported that Judge Meyer's Staff Attorney had resigned effective August 6, 2021. She said that the replacement for the position had begun work August 2, 2021 and asked if retroactive overlap pay could be offered.

Ms. Behringer stated that Judge Mitchell's Staff Attorney had also given notice of resignation, to be effective September 10, 2021. She asked the Board to approve overlap pay for that position as well.

Ms. Behringer said that there were salary savings in their account which would cover the expense.

Commissioner Duncan moved that the Board approve the request for overlap for the two Staff Attorney positions and making the one request effective retroactively, as described. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

Executive Session pursuant to Idaho Code §74-206(1)(a) to consider hiring a public officer, employee, staff member, or individual agent. (Closed Session – Discussion Item)

Decisions/Direction (Open Session – Action)

No information requiring an Executive Session was submitted.

Request for Repro/MC Manager Grade Change – Reprographics

Reprographics/Mail Center Manager Dave Reid presented a request to have his position adjusted from a Grade 8 to a Grade 10, because that would be more in line with other Managers in the County. He provided information about his responsibilities.

Human Resources (HR) Director Sylvia Proud stated that his position had not been adjusted after the 2019 Wage Study because they had been unable to find data on similar positions for comparison.

Chairman Fillios asked if Ms. Proud could collect the market data now.

Ms. Proud said it would take a couple of weeks to get it from Ameriband.

Commissioner Duncan commented that there was at least one other position in the County that was in a similar situation and suggested that both be handled at one time.

It was generally agreed that Ms. Proud would gather the necessary information and the changes would be considered after the start of the new fiscal year October 1, 2021.

No other action was taken at this time.

Executive Session pursuant to Idaho Code §74-206(1)(b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent. (Closed Session – Discussion Item)

Decisions/Direction (Open Session – Action)

No information requiring an Executive Session was presented.

Standby Pay Policy – KCSO

KCSO Captain Andy Deak stated that he needed an agenda change on this item, because he had not gotten a copy of it before the meeting. He said he wanted to address Vacation Buy Back as well as Standby Pay Policy.

Commissioner Duncan said she thought the vacation question had been settled; that anyone that accrued over 240 hours would be paid out in December for the overage.

Captain Deak said that was his understanding as well; he had just wanted it confirmed on the record.

Captain Deak stated that Detention Deputies were currently called in for overtime to fill empty shifts at the Jail. He said his suggestion would be budget neutral and would be paid out of their overtime fund. He explained that they wanted to put one person on standby pay at .5 of the normal wage. He said the person would stay at home and be immediately available, but not needed, would stay on the standby rate. If the person were called in, then the normal overtime rate would be paid.

Commissioner Duncan suggested that, instead of changing Policy County-wide, that a Resolution be targeted to handle the specific situation. She said that, since the COVID emergency would not last indefinitely, this was a better way.

Civil Deputy Prosecuting Attorney Darrin Murphey agreed to create such a Resolution, which would be addressed and approved in a later Business Meeting.

No further action was required at this time.

Retention Bonuses – Assessor

Chief Deputy Assessor Allyson Knapp accepted Chairman Fillios' request that this topic be discussed in next week's Elected Officials' meeting and followed up in subsequent meetings.

Executive Session pursuant to Idaho Code §74-206(1)(b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent. (Closed Session – Discussion Item)

Decisions/Direction (Open Session – Action)

No information requiring an Executive Session was submitted.

KCSO Undersheriff Dan Mattos exited the meeting at 11:30 a.m.

Request to Convert Temp Payroll Technician to Full Time Regular – Auditor

Finance Director Dena Darrow reminded the Commissioners that they had approved a part-time, temporary Payroll Technician in April. She asked them to approve conversion of the person to a full-time, permanent employee, since the workload was more than enough to justify another person.

After discussion, Chairman Fillios asked that this item be placed on the next HR meeting agenda, to allow the Commissioners time to consider the request.

No additional action was taken at this time.

Executive Session pursuant to Idaho Code §74-206(1)(b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent. (Closed Session – Discussion Item)

Decisions/Direction (Open Session – Action)

No information requiring an Executive Session was submitted.

On Call Pay Policy – BOCC

Commissioner Duncan reviewed the current On Call Pay Policy, approved December 11, 2019. She said that the Board had received two separate requests that were outside the policy as written and asked the other Commissioners if they felt the policy should be changed or if they should make exceptions on an as-needed basis.

Commissioner Bill Brooks said he was in favor of approving the request by KCSO.

Ms. Proud stated that this decision was at the Board’s discretion; they could choose to be more generous than policy stated, but could not offer less that policy outlined.

Commissioner Duncan noted that Adult Misdemeanor Probation (AMP) had asked to offer staff one day off, to be used within 90 days, for each week an employee took on-call duty.

Mr. Murphey suggested that a County-wide policy be developed which would place the issue under the discretion of the appropriate Elected Official or Department Director.

AMP Director Keith Hutcheson said he felt his suggestion fell within the parameters of the current policy and asked the Board to approve it.

After further discussion, Mr. Murphey stated that he would work with Ms. Proud on determining an appropriate response to the request.

No additional action was taken at this time.

COVID Related Leave – Human Resources

Ms. Proud asked the Board to review current COVID leave policy.

Chairman Fillios commented that he felt the currently available measures of working from home, distancing, vaccines and masking fulfilled the needs of staff in the workplace. He said that an employee could choose to take time off if someone in their work area tested positive, but that he felt it should come from their accrued leave.

Commissioner Duncan voiced her agreement. She said she felt COVID should be treated the same as other illnesses and no additional policy was required.

No additional action was required at this time.

Holiday Policy 312 – Human Resources

Ms. Proud reported that she had been reviewing the County's Holiday Policy 312 in cooperation with Ms. Darrow and representatives from Solid Waste, KCSO and Juvenile Detention. She said they had created a County-wide policy which allowed 80 hours of Holiday Time to be accrued, which needed to be used within 120 days and would not be paid out if the employee left. She added that a Holiday would be defined as 8 hours at the regular rate of pay.

Ms. Proud said that they also recommended that Juneteenth be added as an observed holiday to the County calendar.

Treasurer Matheson pointed out that this created a special problem for his department. He pointed out that the County's tax collection deadline was June 20 and the Juneteenth holiday was to be celebrated on June 19. He stated he wished to keep the Treasurer's Office open on the 19th and give staff a floating holiday.

Commissioner Duncan asked whether this would create an issue in other departments, since both Buildings & Grounds and Security would need to be present.

Ms. Behringer exited the meeting at 11:58 a.m.

Chief Deputy Clerk Jennifer Locke asked if other departments could take advantage of the policy. She remarked that District Court would be closed for the holiday but some staff might want to come in to work on catching up their backlog.

Commissioner Duncan said that some Elected Officials have indicated that they would prefer Juneteenth to be treated as more of a floating holiday.

Mr. Murphey said that this suggestion was valid as well, and could be handled as the Board decided.

Chairman Fillios commented that it sounded as if the best way to satisfy the needs of all the different departments was to offer Juneteenth as a floating holiday.

Commissioner Duncan indicated she would approve a floating holiday, based on the information provided by the different departments.

Commissioner Brooks disagreed because he said there was too much ambiguity in offering a floating holiday.

It was generally agreed that the requests for Juneteenth to be allowed as a floating holiday based on the expressed needs of individual Elected Officials would be added to the policy and be brought before the Board at an upcoming Business Meeting.

Chairman Fillios stated that the Board would now return to item one on the agenda and address Prosecutor McHugh's requested Executive Session.

Commissioner Duncan moved that the Board enter into Executive Session pursuant to Idaho Code §74-206(1)(b). Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

The Board entered into Executive Session at 12:08 p.m.

Chairman Fillios noted that Prosecutor McHugh and Mr. Murphey would remain for the Executive Session.

Executive Session pursuant to Idaho Code §74-206(1)(b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent. (Closed Session – Discussion Item)

Decisions/Direction (Open Session – Action)

The Board exited Executive Session at 12:16 p.m.

Commissioner Duncan moved that the Board exit Executive Session. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

Commissioner Duncan moved that the Board approve the position changes and exception to Policy 120 as outlined in the Prosecutor's documents. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

- D. **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.

- E. **Adjournment (Action):** Chairman Fillios adjourned the meeting at 12:17 p.m.

Respectfully submitted,

JIM BRANNON, CLERK

CHRIS FILLIOS, CHAIRMAN

BY: _____
Tina Ginorio, Deputy Clerk
