

**Minutes of Meeting**  
**Human Resources**  
**May 4, 2023**  
**10:00 a.m.**

The Kootenai County Board of Commissioners: Chair Leslie Duncan, Commissioner Bruce Mattare and Commissioner Bill Brooks met to discuss the following agenda items. Also present were Clerk Jennifer Locke, Finance Director Brandi Falcon, Staff Accountant – Budget Arrow Gidney, 1<sup>st</sup> Judicial District Trial Court Administrator Karlene Behringer, Chief Bailiff Pete Barnes, Prosecutor Stanley Mortensen, Civil Deputy Prosecuting Attorney Darrin Murphey, Human Resources (HR) Director Sylvia Proud, HR Generalist – Employee Relations Dorothy Cross, KCSO Undersheriff Brett Nelson, Juvenile Probation Director Bryan Alexander, Juvenile Probation Officer Loni Whiteman, Interim Airport Director Phil Cummings, Community Development Director David Callahan, Community Development Administrative Manager Reba Grytness, BOCC Communications Coordinator Jonathan Gillham and Deputy Clerk Tina Ginorio.

**A. Call to Order:** Chair Leslie Duncan called the meeting to order at 10:00 a.m.

**B. Changes to the Agenda (Action):**

Human Resources (HR) Director Sylvia Proud asked that item 1 on the agenda be handled after item 9.

Chair Duncan said that item 11 on the agenda would be handled before item 10.

Prosecutor Stanley Mortensen asked that item 8 be withdrawn from this week’s agenda.

No objections were voiced to any of these changes.

**C. Business:**

Item 1 from the agenda was moved to later in the meeting.

Civil Deputy Prosecuting Attorney R. David Ferguson entered the meeting at 10:01 a.m.

**Overlap Pay Request – Juvenile Probation (Action)**

Juvenile Probation Director Bryan Alexander reported that a senior secretary was retiring soon and he would like the Board to authorize a 30 day overlap to train a replacement. He commented that there would be an increase for this fiscal year of about \$3,300, but a decrease of about \$7,900 for next fiscal year, since the new person would be at a lower salary.

Chair Duncan asked why a 30 day overlap was requested.

Mr. Alexander explained the highly complex nature of the position and the critical functions it included. He said he would like the extra time to make certain the new person was ready to take over.

Commissioner Bruce Mattare moved that the Board approve the overlap pay request from Juvenile Probation. Commissioner Bill Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye  
Commissioner Mattare: Aye  
Chair Duncan: Aye

The motion carried.

Mr. Alexander and Juvenile Probation Officer Loni Whiteman exited the meeting at 10:03 a.m.

**Parity Increase Request – Community Development**

Community Development Director David Callahan requested the Board’s approval of parity adjustments to the salary of two of the Planner II staff members.

There followed substantial discussion of the reason the newer Planners had been given higher starting wages and other potential parity issues.

Mr. Callahan predicted than any other ongoing parity problems would be covered during the Budget sessions.

Chief Deputy Treasurer Jill Smith entered the meeting at 10:05 a.m.

Ms. Proud confirmed she had evaluated the parity issue for the two employees and that it did need to be addressed.

Commissioner Brooks moved that the Board approve the request from Community Development to correct a parity issue for Planner II positions, as outlined. Commissioner Mattare seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye  
Commissioner Mattare: Aye  
Chair Duncan: Aye

The motion carried.

Community Development Administrative Manager Reba Grytness exited the meeting at 10:06 a.m.

**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. – BOCC Division (Closed Session – Discussion)**

**Decisions/Direction (Open Meeting – Action)**

No information requiring an Executive Session was submitted.

**Request for Additional FTE and Overtime – Airport (Action)**

Interim Airport Director Phil Cummings reported on the Airport's ongoing overtime needs. He said they had received \$6,000 in their FY23 Budget for overtime expenses and had already exceeded that amount. He stated they had spent about \$12,700 so far.

Parks & Waterways (P&W)/Noxious Weeds/Snowgroomers Director Nick Snyder entered the meeting at 10:08 a.m.

Chair Duncan suggested that the Board increase the Airport's overtime allotment to a total of \$20,000 for FY23, since most of the overtime demands had come from snow removal duties which should be over for the year.

Commissioner Mattare urged Mr. Cummings to come back to the Board if he found he still needed additional overtime funds.

Mr. Cummings said he had previously discussed the additional FTE (Full Time Employee) with the Board. He indicated that he also needed someone to act as Deputy Director/ Operations Manager and remarked that he did not know why the previous Director did not have one.

Chair Duncan said that today's discussion needed to remain on the topic of overtime and the FTE Specialist he wanted to bring on. She reminded those present that a person had been temporarily assigned as his Deputy Director through to the end of the Budget sessions.

Mr. Cummings acknowledged her point, but said he needed to replace that person in the Operations position. He said he would like to bring someone in at the base position to fill the vacancy on the crew. He stated that he could not promise that the request would be budget – neutral, but noted that there were some salary savings available.

Chair Duncan commented that it did appear that the Airport's revenues looked like they would be adequate to cover any difference. She asked if the additional person would reduce the need for overtime.

Mr. Cummings indicated that it might, but he could not make a definitive statement. In response to a question from Commissioner Mattare, he said that it was likely that some of the overtime money would still be used between now and the end of the fiscal year, despite the snow no longer being an issue. He listed ongoing projects which might absorb some of the overtime allowance.

Chair Duncan said she would prefer to approve less than the \$30,000 he had requested for overtime, since next winter would be covered under the next fiscal year.

Mr. Cummings agreed to the additional \$7,000 for his overtime needs for the rest of this fiscal year, as proposed by Chair Duncan. In response to a question from Commissioner Mattare, he confirmed that the additional position he was requesting would be for an

Operations Specialist. He provided additional information regarding staffing schedule needs and the challenges he was facing.

Commissioner Mattare speculated that trying to get through the rest of this fiscal year without the mid-year addition of a position might be desirable from a Budget point of view.

Mr. Cummings stated that there were going to be a number of projects which would demand his time and attention coming up and he would not have the time to cover those duties himself.

Commissioner Mattare remarked that another issue to consider was that a new, permanent Airport Director was being sought and the new person might prefer to choose a second in command him/herself. He said that Mr. Cummings was considering permanently filling that second in command slot by promoting from within and asked if that might create a future problem.

Mr. Cummings described the problems that had been caused by not having a Deputy Director at the Airport after he had retired himself. He said that FAA (Federal Aviation Administration) maintenance standards had not been fully met, for that reason. He stated that liability fell on the County if those standards were not met. He indicated he would prefer to retire again if corners were cut that led to this.

Commissioner Mattare suggested that the FTE be addressed in a future meeting.

Mr. Cummings said he agreed because he would have a better idea of the demands the Airport would be facing.

It was generally agreed that the item would be addressed at the next HR meeting in two weeks.

Commissioner Mattare moved that the Board defer the addition of another FTE to another HR meeting and approve the increase in the Airport's overtime budget to a total of \$20,000 for FY23. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Mattare: Aye

Chair Duncan: Aye

The motion carried.

Mr. Cummings exited the meeting at 10:24 a.m.

#### **Request for Additional FTE – Prosecutor's Office (Action)**

Prosecutor Stanley Mortensen explained that the Prosecutor's Office generally operated with a two to one ratio of Attorneys to Legal Assistants. He said that his office was currently short by two Legal Assistants and there would be four new Attorneys starting between July and September, so the Assistants would be needed badly. He stated that he would like to get approval for one Assistant now, so that the person would be trained

and ready when the new Attorneys arrived. He said he would request the second one during Budget sessions.

Prosecutor Mortensen pointed out that his office had plenty of salary savings, due to a number of vacant positions. He said the request today would be Budget-neutral for the rest of FY23.

In response to a question from Chair Duncan, Prosecutor Mortensen confirmed that three of the four new Attorneys would be starting July 1, 2023 and another in September.

Commissioner Mattare moved that the Board approve the request for one additional full time equivalent (FTE) Legal Assistant at the Prosecutor's Office. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye  
Commissioner Mattare: Aye  
Chair Duncan: Aye

The motion carried.

#### **Request for Step Increases – Prosecutor's Office**

Prosecutor Mortensen reported that he had two AT 3s who were taking on more challenging cases. He said he could not promote them to AT4, since there were no open slots for that level. He asked the Board to approve Step increases for the two people, in view of the heavy felony caseloads they were handling. He added that this would also resolve a compression issue which affected these employees.

Commissioner Mattare moved that the Board approve the request for Step increases, as presented by the Prosecutor's Office. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye  
Commissioner Mattare: Aye  
Chair Duncan: Aye

The motion carried.

**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. – Prosecuting Attorney Division (Closed Session – Discussion)**

#### **Decisions/Direction (Open Meeting – Action)**

No information requiring an Executive Session was submitted.

#### **Request for Bonus Payments – Prosecutor's Office**

Prosecutor Mortensen requested the Board's approval to distribute bonuses across his staff, drawing on salary salvage to fund them.

There followed substantial discussion of the proposed bonuses. Commissioner Mattare indicated he would be more willing to consider bonuses for specific individuals based on performance, rather than an across-the-board award.

Chair Duncan also indicated she was reluctant to approve the request because it was made halfway through the fiscal year. She said that the Board had been able to collect unused salary savings from many departments and distribute bonuses to all County employees last year and she felt that was more equitable. She stated that there were a number of departments in the County that had long-term employees who were in the same situation that he described in his staff: having to take on additional work because of personnel shortages.

Commissioner Brooks stated that he would support the request.

Since two of the three Commissioners did not support the proposal, there was no motion made at this time.

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**Decisions/Direction (Open Meeting – Action)**

No information requiring and Executive Session was submitted.

~~**Increase Funding to Criminal Witness Payment Line Item – Prosecutor’s Office (Action)**~~  
– Pulled

Chair Duncan said that the Board would now address item 1 from the agenda.

**Step Increase Request – Noxious Weed Control**

Parks & Waterways (P&W)/Noxious Weeds/Snowgroomers Director Nick Snyder requested the Board’s approval of a Step increase for the Noxious Weeds Superintendent. He described the circumstances which he felt made this appropriate and said he had contacted HR for a recommendation. He acknowledged that this would cause an increase in his budget of \$1,252 for FY23 and \$2,712 for FY24. He said that they did have \$15,000 in salary savings for FY23.

Commissioner Brooks moved that the Board approve the request for a Noxious Weeds Superintendent Step increase. Commissioner Mattare seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye  
Commissioner Mattare: Aye  
Chair Duncan: Aye

The motion carried.

Mr. Snyder and Mr. Callahan exited the meeting at 10:46 a.m.

**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. – BOCC Division (Closed Session – Discussion)**

**Decisions/Direction (Open Meeting – Action)**

No information requiring an Executive Session was submitted.

**Parker Resolution Discussion – Sheriff’s Office**

KCSO Undersheriff Brett Nelson said he was bringing an update to a Resolution which had first been approved in 1994. He explained that the BOCC had been trying to look out for the best interests of KCSO staff at that time and had mirrored a State Statute which entitled an injured employee a leave of absence while disabled, without the loss of salary or benefits, for a period of one year. He said the Statute had been written for state law enforcement.

Undersheriff Nelson stated that the original Resolution had been re-approved by the Board in 2017. He said that the amended Resolution had been reviewed by Legal and HR and would limit the period of full benefits to six months.

Commissioner Mattare moved that the Board approve the Parker Resolution as presented by KCSO. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks:           Aye  
Commissioner Mattare:         Aye  
Chair Duncan:                    Aye

The motion carried.

**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. – Sheriff Division (Closed Session – Discussion)**

**Decisions/Direction (Open Meeting – Action)**

No information requiring an Executive Session was submitted.

Chair Duncan reminded those present that they were going to address item 11 from the agenda before item 10.

**Personnel Changes Meeting Process – Human Resources/BOCC (Action)**

Chair Duncan commented that this was a continuation of the topic from the April Elected Officials meeting.

Ms. Proud reminded those present that one of the things discussed in that past meeting was that there would be an impact on the Auditor's Office from extra requests for creating projections for personnel changes.

Undersheriff Nelson and Prosecutor Mortensen exited the meeting at 10:45 a.m.

Clerk Jennifer Locke reported that she had discussed the issue with Finance Director Brandi Falcon and Staff Accountant – Budget Arrow Gidney and they did not object to the proposal. She stated that they would ask certain things be included: a memo, consideration of whether the change would cause compression, a parity issue or a problem with internal alignment elsewhere in the County or the department, and whether it fell within Policy 120.

Chair Duncan asked whether the intent was that Elected Officials were to be able to add an item to an HR agenda without consultation with any Commissioner.

Commissioner Mattare said that was not the intent; he said an item would only need to be approved by one Commissioner instead of two before being added to an HR agenda. He confirmed that the Commissioner did not necessarily have to be the liaison assigned to that Elected Official.

Aquifer Protection District Advisory Board Chair Necia Maiani entered the meeting at 10:50 a.m.

Chair Duncan remarked that, if any Commissioner could be asked to approve an item, it would lead to shopping around for the one that would agree.

Commissioner Brooks said he agreed with Commissioner Mattare's suggestion.

Ms. Proud remarked that the Board had previously asked HR to only allow 10 items per agenda. She asked if they still wanted that to be used as a guide.

Chair Duncan said she would favor a 10 item limit. She also stated that BOCC departments would still have to get two Commissioners.

Commissioner Brooks said he would allow as many items as were presented.

Commissioner Mattare suggested that, if there were going to be more than 10 items, the 11<sup>th</sup> one and any additional items, would have to have two Commissioners' approval to be added.

Chair Duncan said she would agree with that proposal, with the additional requirement that all the things the Auditor's Office had requested also be included.

Ms. Proud said she would draft such a policy and bring it back to the Board for approval.

No motion was required at this time.

Commissioner Mattare 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 Mattare: Aye  
Chair Duncan: Aye

The motion carried.

The Board entered into Executive Session at 10:53 a.m.

**Separation and Release Agreement – Court Security**

**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)**

**Decisions/Direction (Open Meeting – Action)**

The Board exited Executive Session at 11:10 a.m.

Commissioner Mattare moved that the Board exit Executive Session, with staff to proceed as discussed. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye  
Commissioner Mattare: Aye  
Chair Duncan: 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):** Chair Duncan adjourned the meeting at 11:10 a.m.

Respectfully submitted,

JENNIFER LOCKE, CLERK

BOCC SIGNATURE

BY: \_\_\_\_\_  
Tina Ginorio, Deputy Clerk