

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2017

Monday, October 16, 2017

The Board met pursuant to recessing Thursday, October 12, 2017.

Present:

Commissioners: Jay Huber

Mike Fitzgerald

John Hansen

Deputy Clerk: Susan K. Hendrixson

The following proceedings were had to-wit:

The Board convened at 10:00 a.m. to discuss and consider the Shoshone County Public Defender Contract For Services and extension. Following review and discussion of the agreement that was reviewed and approved by Keisha Oxendine, Shoshone County Prosecuting Attorney, a motion was made by Commissioner Fitzgerald, seconded by Commissioner Huber to approve the Public Defender Contract For Service and extension as presented. The motion carried unanimously. The contract is extending the previously existing Contract for a period of up to one (1) year commencing October 2, 2017 and ending on September 30, 2018, with a quarterly review to be conducted in January 2018. The amount of the agreement is \$206,494 annually in quarterly installments with the quarterly payment being made on the 1st day of the quarter.

The Board met with Shoshone County Clerk Peggy White and Shoshone County Sheriff Mike Gunderson at 11:00 a.m. to review, discuss and consider the proposed Goose Peak Agreement with the State of Idaho. Peggy White stated that the State of Idaho contacted her regarding this agreement and the impact on her Odyssey program. The State would like to get started installing the equipment so get the link up and operational before they get snowed out of the site. They will mount two (2) 2ft microwave dish antennas on the Avista tower next to Goose Peak building and wire in the power supplies. Following review and discussion of the proposed agreement that was reviewed with suggested changes by Shoshone County Prosecuting Attorney Keisha Oxendine, a motion was made by Commissioner Hansen, seconded by Commissioner Huber to approve the agreement as presented. The motion carried unanimously.

Thereafter, the meeting adjourned.

ATTEST Peggy White
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2017

Tuesday, October 17, 2017

The Board met pursuant to recessing Monday, October 16, 2017.

Present:

Commissioners: Jay Huber

John Hansen

Deputy Clerk: Susan K. Hendrixson

The following proceedings were had to-wit:

Commissioners Huber and Hansen met with Karey Eddy and Hannah Etherton with the Shoshone County Sick Leave Bank Committee at 9:30 a.m. to discuss and consider changes/updates to the Shoshone County Sick Leave Bank Policy. Following discussion and review of proposed changes, a motion was made by Commissioner Huber, seconded by Commissioner Hansen to approve the changes as recommended. The motion carried.

RESOLUTION 2017-41

**RESOLUTION TO AMEND SHOSHONE COUNTY
EMPLOYEE SICK LEAVE BANK POLICY**

WHEREAS, on December 6, 1993, and as amended thereafter, the Shoshone County Board of Commissioners adopted the Shoshone County Sick Leave Bank Policy, which provided employees who qualified for membership in the Bank additional sick leave days up to a maximum of 12 weeks in order to recover from temporary non-occupational illness/disabilities when they have complied with the regulations in the Sick Leave Bank Policy; and

WHEREAS, the Sick Leave Bank Committee met on September 21, 2017 to review the current policy; and

WHEREAS, further clarification is needed in the policy.

NOW, THEREFORE, be it resolved by the Shoshone County Board of Commissioners to amend the wording of the Sick Leave Bank Policy as recommended by the Sick Leave Bank Committee – amended Sick Leave Policy attached.

APPROVED by Shoshone County Board of Commissioners this 17th day of October 2017.

BOARD OF COUNTY COMMISSIONERS

s/Jay Huber

Jay Huber, Chairman Pro Tem

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s/John Hansen

John Hansen, Commissioner

ATTEST:

s/Susan K. Hendrixson

Susan K. Hendrixson

Deputy Clerk

SHOSHONE COUNTY
SICK LEAVE BANK POLICY
Amended: 10-17-2017

PURPOSE

The purpose of the Sick Leave Bank shall be to provide **full-time regular and part-time regular employees** who qualify by membership in the Bank with the additional sick leave days needed at half the rate of their hourly wage for a maximum of 12 weeks in a 12-month period, to recover from a temporary non-occupational illness/disability. The Bank shall not be used as a reserve for time lost due to short term illness/accident of less than ten (10) working days; for time lost due to illness in the family; bereavement; for occupational illness/disability; for any purpose other than the personal illness of the employee.

ADMINISTRATION

The Sick Leave Bank shall be governed by the Shoshone County Board of Commissioners and administered by the Sick Leave Council in conformance with the regulations set forth in this policy. The Sick Leave Council shall be composed of ten members, one from each of the following departments; Clerk, Treasurer, Assessor, Sheriff, Prosecuting Attorney, Public Works, Solid Waste and Road Districts #1, #2, #3. In the event that a council member cannot attend a meeting, the Sick Leave Council will recognize a substitute to attend the meeting. The Council members shall be elected by Department employees from each of the above departments on October 1 of each year. Retiring officers must stay in as representative for one (1) year.

Mid-term vacancies shall be filled by election from the department employees from the department they are employed in and the Appointee shall fill that vacancy. The Sick Leave Council Members will elect a chairperson. The Sick Leave Council shall annually review and/or revise this policy. Any changes, additions or deletions to the Sick Leave Bank Policy shall be approved by the Board of County Commissioners by Resolution. The Council members serve with the understanding that all information that each member receives by and because of his/her status as a Council member is confidential and may not be disclosed to any person outside of the Council meetings. Disclosure of confidential information may result in removal from office and possible disciplinary proceedings being instituted against him/her. All Council members are required to sign a Confidentiality Agreement prior to being allowed to serve on the Council.

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ELIGIBILITY FOR MEMBERSHIP

Membership in the Sick Leave Bank shall be extended to any **full-time regular and part-time regular employees** of Shoshone County who has donated one (1) day of personal sick leave at the formation of the Sick Leave Bank.

Thereafter, membership shall be extended as follows:

1. Membership in the Sick Leave Bank will be extended to new employees within thirty (30) calendar days after initial employment by Shoshone County and upon the donation of one (1) day of sick leave within sixty (60) days of employment.
2. Open enrollment in the Sick Leave Bank will be extended to any employee, who has previously waived enrollment and is currently accruing benefits, in the month of September each year. Eligibility for Bank benefits will be effective October 1 for that same year, except for the initial policy year. The enrollment form, a copy attached and incorporated herein, authorizing the transfer of a personal sick leave day to the Bank fund must be signed and returned to the Payroll Department of the Clerk/Auditors office before the employee becomes a member of the Sick Leave Bank.

MEMBERSHIP

Employees who donate one (1) day of accumulated personal sick leave to the Sick Leave Bank upon formations of the Bank or during the enrollment period, as specified in "Eligibility for Membership", shall be members of the Bank and be eligible for its benefits. A list of current Sick Leave Bank members shall be published by the Clerk/Auditors office and given to the Sick Leave Council on a monthly basis unless no changes have occurred. This list shall be considered the official membership Roll.

DONATION

Donations to the Sick Leave Bank shall conform to the following regulations:

1. An employee donating one (1) day of accumulated personal sick leave at the formation of the Sick Leave Bank, during the open enrollment period or within sixty (60) days of initial employment with Shoshone County shall be a current member and shall continue as a current member until it is necessary to call for a special assessment.
2. Days donated to the Bank shall be non-returnable to the donor as personal sick leave in the event of termination of Bank membership or separation from Shoshone County.
3. Days may only be donated at the open enrollment/initial sign-up and special assessment. No other donations are allowed.
4. Members will need to sign a new enrollment application each fiscal year.

MAXIMUM CAPACITY

The Sick Leave Bank shall accumulate unused Bank days from year to year to a maximum capacity which shall not exceed double the number of members on the official membership Roll as defined in "Eligibility for Membership" and "Membership".

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SPECIAL ASSESSMENT

If the Bank's accumulated unused days drops to one-half (1/2) the Bank's currently enrolled members, the Clerk/Auditors office will notify the Sick Leave Council that a special assessment, consisting of one (1) personal sick leave day per current member must be made. The Sick Leave Council will then distribute and collect donation forms. Upon return of the donation forms, the Clerk/Auditors office will deduct the sick leave day from the Donors personal account.

An employee may donate only one (1) day at open enrollment and the special assessment shall be for only one (1) day. Any current member not donating a day to the special assessment when the member has sick leave days available shall be dropped from the Sick Leave Bank. Current members who have no accumulated personal sick leave shall continue as current members without penalty, but must donate one (1) day within 60 days of the new fiscal year and that day will be transferred to the Sick Leave Bank.

MAXIMUM WITHDRAWAL

The maximum number of hours that shall be approved for withdrawal shall not exceed the Bank's total available hours.

EMPLOYEE USE OF THE SICK LEAVE BANK

Members of the Sick Leave Bank shall conform to the following regulations when requesting the use of Bank days:

1. To qualify for Sick Leave Bank usage, an employee must first satisfy the following three (3) requirements:
 - a. Time lost due to illness/disability must exceed ten (10) working days.
 - b. All accrued personal sick leave, **vacation and comp hours** must be exhausted.
 - c. Documentation by the employee that a known illness/injury did not exist prior to initial Sick Leave Bank enrollment.

The transfer of Sick Leave Bank hours will occur beginning on the 11th day following the onset of the illness/disability or upon the exhaustion of all accumulated personal sick leave, **vacation and comp hours** whichever occurs last.

2. The employee or family member when the employee is physically incapable shall secure a written statement of the illness from the employee's physician to protect the Sick Leave Bank and Shoshone County from malingering and false claims of illness. Said statement shall include: Verification of the illness/disability; date of onset of illness/disability; projected recovery period; estimated date of return to work and next scheduled visit with a doctor. An update must be given to the employee's elected official in intervals of thirty (30) calendar days; the elected official will then forward the updated information to the Sick Leave Council within five (5) working days.
3. The physician's statement must be attached to the "Employee Application to the Sick Leave Bank", a copy attached and incorporated herein and given to the employee's

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elected official or supervisor. The Official shall complete the remainder of the application, obtain the required verification from the Clerk/Auditors office, make a recommendation and submit the completed application and physician's statement to the Sick Leave Council Chairperson (or Sick Leave Council Secretary in the Chairpersons absence) within five (5) working days.

4. The Sick Leave Bank Council shall approve or disapprove the request within five (5) working days of receipt of the application.
5. If the employee's request is approved, transfer of the approved number of days from the Sick Leave Bank to the employee shall be made, as used during the pay period.

If an employee's request is denied, the employee does have the option to ask for one (1) re-hearing within five (5) days from the date of the denial with the Sick Leave Council. Upon request the re-hearing must be held within five (5) working days. Upon rehearing, the decision of the Sick Leave Council is final and the employee has no further right to an appeal. Any personal sick leave hours **vacation and comp hours** accrued by an employee, while being compensated through the Sick Leave Bank, shall be used in the next pay period prior to the transfer of any additional Sick Leave Bank hours.

6. The maximum number of Sick Leave Bank days in a 12-month period available to an employee, for any total illness/disability, is 60 days at half of the employee's hourly wage. More clearly defined as an eight (8) hour day employee would be allowed a maximum of 240 hours from the Sick Leave Bank; a seven (7) hour day employee would be allowed a maximum of 210 Sick Leave Bank hours. Bank grants shall end on the employee's last date of employment if the employee separates from employment with the County for any reason. The 12-month period is determined using a "rolling" 12-month period measured backward to the date an employee first uses any Sick Bank leave. Therefore, if the employee has used any Sick Leave Bank days within the previous 12-month period, his/her available days are reduced by the number of hours previously used in that period. In the interests of fairness, it is the intent of the County that an employee only be allowed 12 weeks of sick Bank days within any 12-month period.
7. The employee's request should be with the understanding that the Committee's decision is final.
8. It shall be the responsibility of the applicant and/or the applicant's representative to get the required paperwork to their department for the sick Leave Banks review. This needs

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to be submitted by the 15th of the month to be considered for that month's payroll. All claims must be filed within sixty (60) days of the initial date of the illness or injury.

Effective 12-06-93 by Shoshone County Commissioners Resolution No. 93-87 and amended by Resolution No. 94-37 and amended by Resolution No. 2000-06 01/11/2000 and amended by Resolution No. 2001-22 07/17/2001 and amended by Resolution 2002-07 02/13/02 and amended by Resolution No. 2010-49 10/25/2010, and Resolution No. 2015-36 10/21/2015 **and Resolution No. 2017-41 10/17/2017.**

The Board met with Shoshone County Clerk Peggy White, Aaron Freudenthal Regional Counsel for Capital Crimes Defense and Kelly Jennings Deputy Director for the Idaho Public Defense Commissioner. Items of discussion included the following:

- The Public Defense Council conducts annual review and reports on compliance related matters.
- On March 31, 2018 it will be required to have attorney's present for 1st appearances – it was not required before.
- Review Public Defender contracts to assure 1st appearance will be complied with by March 31st date and discussed general Public Defender reporting standards.
- Some counties are using contracts with Polycom or Lifesize (approximately \$650 per year), to handle 1st appearance requirements.
- Peggy White is working on getting video conferencing available to the Courtroom at the Public Safety Building.
- Legislative pieces that the Public Defense Commission is currently working on - there are currently seven (7) members on the Public Defense Commission and proposed legislation is to add two (2) additional members. The Public Defense Commission has a litigation fund (approximately \$250,000 per year) that attorney's can apply for. Proposed legislation would allow counties to request funds retroactive for an unexpected expense.

Thereafter, the meeting adjourned.

ATTEST Peggy White
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

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SHOSHONE COUNTY, IDAHO

BOOK 2017

Wednesday, October 18, 2017

The Board met pursuant to recessing Tuesday, October 17, 2017.

Present:

Commissioners: Jay Huber

Mike Fitzgerald

John Hansen

Deputy Clerk: Susan K. Hendrixson

The following proceedings were had to-wit:

The Board convened at 9:30 a.m. and the meeting was called to order. The consent agenda was reviewed for consideration as follows:

OLD BUSINESS:

1. Consideration and Decision of the Minutes of the Commissioners' Public Agenda Session dated Monday, October 9 to Friday, October 13, 2017.

NEW BUSINESS:

1. **Consent Agenda** – (These items will be enacted by one motion unless requested by a Commissioner that one of more items be removed for separate discussion.)
 - Letter of Support to Panhandle Parks Foundation For a Community Event Center in Shoshone County – Letter was in support of Ryder Gauteraux and Katie Watterson in their endeavors and involvement to bring a Community Event Center to Shoshone County by working with the Panhandle Parks Foundation.
 - J&E Solid Waste Agreement – Amended to remove Benewah County Transfer Station for Disposal
 - Pre-Pay Billings for Shoshone County
 - Delta Dental Service Agreement Amendment – Changing Eligibility Period to 30 days from 3 Months Effective October 1, 2017. This will coincide with the County's medical insurance.
 - Benefits Exchange COBRA Remittance & Enrollment – Plan administration for COBRA participants was changed from REHN to Benefits Exchange Northwest, LLC. The COBRA participant pays Benefits Exchange and Benefits Exchange issues a check to Shoshone County to pay the Medical Remittance Report that includes employees that are enrolled with health care coverage along with COBRA participants. The Board approved the invoice for the COBRA administration from Benefits Exchange in the amount of \$873.00

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- St. Maries Fire Protection District Memorandum of Understanding for Rescue Services – between Shoshone County and St. Maries Fire Protection District.

2. Executive Session: Indigent Cases: Consideration and Decision. Executive Session ID Code 74-206(d) – Indigent Cases #2017-147, #2017-133, #2017-141, #2017-142, #2017-164/Approved and Cases #2017-151, #2017-160, #2017-161, #2017-169, #2017-134/Denied

A motion was made by Commissioner Hansen, seconded by Commissioner Huber to approve the consent agenda as presented with specific items addressed as indicated. The motion carried unanimously.

The Board met with Shauna Miller, Grants & Contracts Officer with ITD and Charlie Gay with Northwest Medical Transport at 2:00 p.m. to discuss and consider the Transfer Asset Management Plan. Item discussed included the following:

- Review the inventory which is three (3) vehicles: (1) 2017 Starcraft Bus and (2) older vehicles.
- Need facilities documentation which will be the Commissioners office in the Courthouse, and the bus stop benches. Will need to document location of the benches and get back to ITD.
- Need to submit a current certificate of insurance to ITD.
- Need to submit a list of gas stations and prices that we used to select our current vendor.

The Board met with Charlie Gay with Northwest Medical Transport at 3:00 p.m. to discuss and finalize the ITD bus services grant for 2018-2020. The grant application was reviewed and a motion was made by Commissioner Huber, seconded by Commissioner Hansen to approve and submit the grant application as presented. The motion carried unanimously.

Thereafter, the meeting adjourned.

ATTEST Peggy White
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

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SHOSHONE COUNTY, IDAHO

BOOK 2017

Thursday, October 19, 2017

The Board met pursuant to recessing , 2017.

Present:

Commissioners: Jay Huber

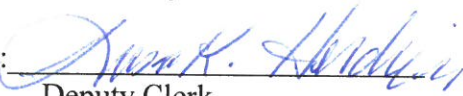
Deputy Clerk: Susan K. Hendrixson

The following proceedings were had to-wit:

Commissioner Fitzgerald participated in a Panhandle Health District Special Board meeting conference call at 4:00 p.m.

ATTEST Peggy White
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

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Friday, October 20, 2017

Not a regular meeting day of the Board of Commissioners.

Present:

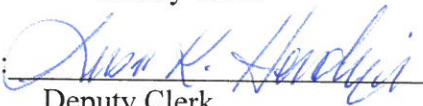
Commissioners:

Deputy Clerk:

The following proceedings were had to-wit:

ATTEST Peggy White
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk