

**COMMISSIONERS' MINUTES
KITITAS COUNTY, WASHINGTON
COMMISSIONERS CONFERENCE ROOM
SPECIAL MEETING**

MONDAY

2:00 P.M.

DECEMBER 20, 2010

Board members present: Chairman Mark McClain; Vice-Chairman Paul Jewell and Commissioner Alan Crankovich.

Others: Catherine Dunn, Deputy Clerk of the Board; Greg Zempel, Prosecutor; Lisa Young, HR Director.

SPECIAL MEETING

EMPLOYMENT LAW SERVICES

PROSECUTOR

At 2:00 p.m. **Chairman McClain** opened a special meeting to discuss the continued use of in-house staff for employment law issues instead of outside legal representation. Commissioner Crankovich said the information provided by the in-house staff came under question.

At 2:02 p.m. the Board retired into Executive Session for five minutes to evaluate the qualifications of an applicant for public employment or to review the performance of a public employee. However, subject to RCW 42.30.140 (4), discussion by a governing body of salaries, wages, and other conditions of employment to be generally applied within the agency shall occur in a meeting open to the public, and when a governing body elects to take final action hiring, setting the salary of an individual employee or class of employees, or discharging or disciplining an employee, that action shall be taken in a meeting open to the public. No action was anticipated.

At 2:07 p.m. the Board reconvened from Executive Session and Chairman McClain announced the Board would again retire into Executive Session for five minutes to evaluate the qualifications of an applicant for public employment or to review the performance of a public employee. However, subject to RCW 42.30.140 (4), discussion by a governing body of salaries, wages, and other conditions of employment to be generally applied within the agency shall occur in a meeting open to the public, and when a governing body elects to take final action hiring, setting the salary of an individual employee or class of employees, or discharging or disciplining an employee, that action shall be taken in a meeting open to the public. No action was anticipated.

APPROVED
1/4/2011

At 2:12 p.m. the Board returned from Executive Session with no action taken.

Vice-Chairman Jewell said his concerns were two: 1. the transition from a long term contract and the impact on the County; and 2. how the change is being handled and the impact on the Human Resources Department by creating more work for them or taking a longer time. He asked where the funding project was for this change. He expressed consternation on these issues.

Chairman McClain said he hadn't communicated to the Prosecutor the scope of this meeting. He had spoken to him about the financing part but nothing further.

Greg Zempel explained the Misdemeanant Probation Diversion Program is up and running and in the first week brought in \$1,000. The program should meet the \$20,000 goal for the 2011 year but did not meet the goal in 2010. He said the program had not started until after June and it did not move smoothly at first.

Vice-Chairman Jewell said he was concerned with the funding as well as other issues and wondered if the Board wished to revisit the impact on Human Resources caused by the change as they are having to research more as opposed to calling an outside source and getting answers.

Lisa Young said a greater concern is a couple of bigger issues with larger employment ramifications. She said she was hoping to get more concise responses and clear directions for her.

Prosecutor Zempel said that it takes time for a large change like this to take effect and for everything to run smoothly. He said he didn't think this change has had enough time. He said many discussions still needed to take place before any change is made. He said Menke and Jackson has been a special deputy to the Prosecutor and a change is not up to the Board. He said the Board would have to go before the Superior Court Judge to declare the Prosecutor is not able to do the job and the Judge would rule whether the Board could make the change.

Commissioner Crankovich asked about the negotiations for contracts currently open. **Ms. Young** said she was getting the answers she needed in a timely manner, but she was worried about any future problems.

There was a discussion on union contracts.

Vice-Chairman Jewell said that the Board needed to look at the policy on contract review by the Prosecutor's office. The current policy indicates review is needed on every contract and it seems to put an additional burden onto the Deputy Prosecutors. He said he thought they should only review the new contracts and those current contracts with new amendments.

Greg Zempel agreed and said this is a good discussion to have with the Board, Auditor and Prosecutor. **Commissioner Crankovich** noted that contracts have been like a pendulum swinging from the lax review of a number of years ago to a stringent review policy now.


The meeting was adjourned at 3:20 p.m.

DEPUTY CLERK OF THE BOARD


Catherine Dunn

KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON


Mark McClain, Chairman


Mark McClain