

STATE BOARD OF EXAMINERS
MINUTES – Subcommittee Meeting
June 12, 2018 – 1:30 p.m.
Joe R. Williams Building, 5th Floor Conference Room A

The regular meeting of the Subcommittee to the State Board of Examiners was called to order at 700 West State Street, Boise, Idaho, at 1:32 p.m. pursuant to Idaho Code §67-2002 and by order of the chair.

The following members were present: Madam Chair Jani Revier, Division of Financial Management; Tim Hurst, Office of the Secretary of State; Brian Kane, Office of the Attorney General; and Patrick Hodges, Office of the State Controller, as assisting secretary of the subcommittee.

Also present were David Fulkerson, Division of Financial Management; Jackie McCleve, State Controller’s Office; Wayne Harris, Idaho Office of Emergency Management; Rachelle Vance, Department of Health and Welfare; Colonel Kedrick Wills, Idaho State Police; Marsi Woody, Idaho State Police and Ms. Lora Whalen, Panhandle Health District by phone.

Discussion

Mr. Hurst proposed an amendment to the agenda. Proposed that item number 8 include approved contracts to list Idaho Power at Swan Falls (a new memo has been provided). Mr. Kane seconded the motion. The motion carried on a unanimous voice vote.

CONSENT AGENDA

1. Minutes- Action Item

Approval of official minutes for the meeting of the Subcommittee to the Board of Examiners on May 8, 2018.

Resolution: Mr. Hurst moved to approve the minutes from the May 8, 2018 subcommittee meetings. Mr. Kane seconded the motion. The motion carried on a unanimous voice vote.

REGULAR AGENDA

2. Office of Emergency Management/Homeland Security – Action Item

ID#	Description	Amount	Comments	Date to Board
2018-00037	Unknown Chemical	\$1,010.99	Response to unknown chemical mixture in residence. (KOOTENAI COUNTY)	6/7/2018
2018-00041	Diesel	\$2,331.78	Response to diesel release to waterway from automotive accident (ELMORE COUNTY)	6/7/2018
	TOTAL	\$3,342.77		

Resolution: Mr. Kane moved to place item 2 on the consent agenda. Mr. Hurst seconded the motion. The motion carried on a unanimous voice vote.

3. Department of Health and Welfare – Action Item

Requested that \$216,814,800 be transferred from the General Fund to the Cooperative Welfare Fund #0220 during the 1st Quarter of Fiscal Year 2019 in accordance with appropriations passed.

Resolution: Mr. Kane moved to place item 3 on the consent agenda. Mr. Hurst seconded the motion. The motion carried on a unanimous voice vote.

4. Military Division – Action Item

Request for approval for cash compensation of overtime for State Year 2019, to all state professionals and administrative personnel deployed to assist on state or federally declared disasters. Idaho Code § 67-5823(3C) allows for cash payment for “overtime accumulated during unusual or emergency situations.”

Resolution: Mr. Hurst moved to place item 4 on the consent agenda. Mr. Kane seconded the motion. The motion carried on a unanimous voice vote.

5. Department of Administration- Division of Public Works- Action Item

a) Request for recognition of assignment from GGR LLC, c/o RFR Properties to SRBC, LLC. A transfer of interest in the real property lease of the State of Idaho, by and through the Idaho State Liquor Division, as “Lessee,” and Lessee’s occupancy of 16584 N Midland Blvd., Ste 101, Nampa, Idaho.

b) Request for recognition of assignment from Holiday Partners, LLC to McMillan’s Corner, LLC, c/o NAI Select. A transfer of interest in the real property lease of the State of Idaho, by and through Idaho State Liquor Division, as “Lessee,” and Lessee’s occupancy of 4568 N. Eagle Road, Boise Idaho.

Resolution: Mr. Kane moved to place item 5 on the consent agenda. Mr. Hurst seconded the motion. The motion carried on a unanimous voice vote.

6. Lava Hot Springs Foundation – Action Item

Request pursuant to Idaho Code §67-4402 to approve the lease from Lava Hot Springs Foundation (Lessor) to Portneuf Rapids Tube Rental Limited Liability Company (Lessee).

Resolution: Mr. Kane moved to place item 6 on the consent agenda. Mr. Hurst seconded the motion. The motion carried on a unanimous voice vote.

7. Panhandle Health District – Action Item

Request for approval to pay Christine Crummer overtime hours worked due to extended hours since the unexpected death of Fiscal Officer, Jim Fenton. Comp-time balance is 132.2.

Discussion:

Ms. Revier questioned the secretary whether there had been any additional information gathered regarding this request, such as how much time she had used.

Mr. Hodges responded that the time had just been building.

Mr. Kane commented that he would like to see some effort to manage those hours. Also he commented that he would like to know from the director if any time had been taken off or if any effort has been made.

Ms. Whalen responded that she has been encouraging Ms. Crummer to take time, however it has proven difficult because their agency has been going through their budget process as well as an LSO audit. Also that Ms. Crummer has been able to take some time, and was planning on taking off next week.

Mr. Kane asked Ms. Whalen if she knew Ms. Crummers pay rate. Ms. Whalen was unsure of the exact amount.

Mr. Kane then asked if this request was to pay all of the comp time.

Ms. Whalen responded yes and that her policy is not to accumulate more than 40 hours of comp time without prior approval. Also that Ms. Crummer had no comp time balance prior to Mr. Fenton's passing.

Resolution

Mr. Hurst Motioned to put item #7 on the consent agenda to pay off the comp time

Mr. Kane – Seconded the motion

The motion had two 'Aye' (Mr. Hurst and Ms. Revier) and one 'Nay' (Mr. Kane)

The motion passes 2 to 1 for item #7 to be placed on the consent agenda

Discussion –

Mr. Kane commented that he felt this is an ongoing issue. That many employees are in a position where this type of situation happens. Mr. Kane also commented that employees should be encouraged to take time off.

Mr. Hurst commented that there are extenuating circumstances on everything, and that sometimes there needs to be exceptions to the rules. Mr. Hurst also commented that perhaps this item should not be on the consent agenda but placed on the regular agenda.

Resolution

Ms. Revier motioned to reconsider the previous motion

Mr. Kane seconded the motion

Ms. Revier motioned to set aside the previous motion

Mr. Hurst seconded the motion

Motion to set aside previous motion carried on a unanimous voice vote

Mr. Hurst then motioned to place item #7 on the regular agenda

Mr. Kane seconded the motion, but offered a friendly amendment. Motioned to place item on the regular agenda but also gather additional information from the district to include the amount of comp and vacation time taken from January to present, and the pay rate. Mr. Kane asked Mr. Hurst if he would accept that amendment.

Mr. Hurst responded 'Yes' to the amendment

The motion as amended carried on a unanimous voice vote.

8. Idaho State Police – Action Item

a) Request for approval, pursuant to Idaho Code § 67-5302(20), to continue to pay overtime shifts for previously approved contracts Idaho State Police has with CH2M-WG, Idaho, LLC (CWI) INL and also with the World Triathlon Corporation for the Coeur d'Alene Ironman Competition.

b) Request for approval to pay overtime for Forensic Lab Managers, Quality Managers, Forensic Scientist 2, Forensic Scientist 3, and Forensic Scientist 4.

Discussion

Ms. Revier commented that last year this item was discussed and wanted to know if any effort had been made to address the workload.

Colonel Wills commented that amount of work has been significantly increasing in forensics. The most notable area it is increasing is in the DNA section, which is located in the Boise area. He commented that they have had good support to build labs elsewhere in the state; however it has not helped the DNA section. He also commented that it is in ISPs 5 year plan to build a lab in Boise, but cannot continue to add positions where we there is no space. ISP has approval to purchase land that is adjacent to ISP headquarters as a long-term solution. However, in the short term they do not have the ability to grow as fast as needed. Federal grants have been necessary for ISP to keep backlogs at a manageable level.

Ms. Revier asked Colonel Wills if the agenda item needs to be approved in order for ISP to meet the workload requirements.

Colonel Wills responded yes, and that the workload is driven by the court system.

Mr. Kane then commented that it was important to note that it is not ISPs workload requirements, but it is the States workload requirements and that if we want cases to move through and the backlog to clear we should approve the item.

Resolution

Mr. Kane moved to place item 8 on the consent agenda. Mr. Hurst seconded the motion. The motion carried on a unanimous voice vote.

INFORMATIONAL AGENDA

9. Office of the Attorney General

Notification that Deputy Attorney General Jeff Nye is permitted to accept additional outside employment at Concordia University School of Law (Concordia) in an educational program conducted under supervision of the State Board of Education. Mr. Nye will serve as an adjunct faculty member, teaching a Moot Court class one day a week.

10. State Insurance Fund

- a) Estimate of the State Insurance Fund expenses to be paid by sight drafts for the month of May 2018.

Estimated expenditure for workers compensation claim costs, dividends and premium refunds	\$19,000,000.00
Funds Expended in April 2018:	
Workers Compensation Claim Costs	\$13,508,834.96
Dividends	0
Commission	4,302,408.56
<u>Policy Refunds</u>	<u>\$288,505.38</u>
Total	\$18,099,748.90

b) Estimate of the Idaho Petroleum Clean Water Trust Fund expenses to be paid by sight drafts for the month of May 2018.

Estimated expenditure for Idaho Petroleum Clean Water Trust Fund	\$600,000.00
Funds Expended in May 2018:	
Payroll	\$70,635.73
Operations	\$32,893.60
<u>Claim Costs</u>	<u>\$34,285.35</u>
Total	\$137,814.68

Mr. Kane moved to adjourn the meeting. Mr. Hurst seconded the motion. The meeting adjourned at 1:53 p.m.