

**EUREKA COUNTY BOARD OF COMMISSIONERS**

**March 29, 2010 – Special Meeting**

**Re: Personnel Policy Manual**

STATE OF NEVADA            )  
  :SS  
COUNTY OF EUREKA        )

**CALL TO ORDER**

The Board of Eureka County Commissioners met pursuant to law on March 29, 2010, for a special meeting regarding the revised draft of the Eureka County Personnel Policy Manual Present were Chairman Leonard Fiorenzi, Vice Chair Jim Ithurralde, Member Mike Page, District Attorney Theodore Beutel, and Clerk & Treasurer Jackie Berg. The meeting was called to order at 5:00 p.m. and began with the Pledge of Allegiance. The interactive video conference system was connected and utilized between Crescent Valley and Eureka for the entire meeting.

**APPROVAL OF AGENDA**

Commissioner Ithurralde motioned to approve the agenda as posted; Commissioner Page seconded the motion; motion carried 3-0.

**PUBLIC COMMENT**

Chairman Fiorenzi called for public comments. There were none.

**UPDATES TO EUREKA COUNTY PERSONNEL POLICY MANUAL**

Policy Manual Revisions: Jerry Larson, Human Resources Analyst, reported that revisions suggested by employees and approved by the Board at the March 19<sup>th</sup> meeting had been incorporated into the draft Personnel Policy Manual.

Volunteer Fire Departments: Terry Conaway, Assistant Fire Chief for the Diamond Valley Fire Department, expressed concerns over the selection process outlined in the draft manual for volunteers. Mr. Conaway explained that volunteers are often scarce and the proposed selection process seems to make the task more difficult, as well as take some of the process away from the local fire department. The Diamond Valley Fire Department has a set of bylaws (registered with the Secretary of State) that includes guidelines for selecting volunteers. Chairman Fiorenzi noted that the County assumes liability for volunteers, and under Nevada Revised Statutes is required to treat volunteers as employees, to a certain extent. After discussion between the Board, Mr. Larson, and Mr. Conaway, it was agreed that the current selection process would remain with the local department, but once a candidate is selected, Mr. Larson will conduct background checks, drug tests, and will maintain a file on the volunteers. The Board directed Mr. Larson to incorporate language into the policy manual clarifying that department heads, fire chiefs, and emergency medical services will select and appoint volunteers according to each organization’s policies, with Human Resources conducting background checks and drug tests upon selection of the candidate.

Holiday Pay: Gladys Goicoechea was unable to attend, but submitted a letter with several questions or concerns. One request was for clarification regarding the holiday pay accrual for 10-hour per day employees versus 8-hour per day employees. The Board had recently agreed that 8-hour employees would also receive 10 hours of compensation so that all full-time employees receive the same number of paid holiday hours annually. In order to clarify this decision, Commissioner Ithurralde motioned that all employees will receive 10 hours of holiday compensation, with 8-hour employees receiving 8 hours of holiday pay and banking 2 hours for use within 30 days of the holiday; Commissioner Page seconded the motion; motion carried 3-0.

Medical Files: A question was also raised concerning the need to keep separate medical files in a secured location by the Human Resources Analyst. Mr. Larson explained that Health

Insurance Portability and Accountability Act (HIPAA) regulations require that medical files be securely stored, and the County must comply with federal law.

Timecard Falsification: The draft policy manual addressed timecard falsification, and an employee asked why this was not discussed during the focus meetings. Recorder & Auditor, Mike Rebaleati, clarified that this was not an addition to the policy, but was simply moved from a different section and the language was strengthened because time card falsification is fraud, which is a very serious issue.

Dependent Insurance Premiums: An employee requested clarification in the manual regarding the employee-paid portion of dependent health insurance premiums. Commissioner Ithurralde motioned that the words "for dependents" be added to the section regarding shared dependent coverage, and that the manual specify the employee contribution for dependent coverage is 30% for employees hired prior to July 1, 2009, and 40% for employees hired after July 1, 2009. Commissioner Page seconded the motion. Motion carried 3-0.

Solicitation Policy: The Board had recently taken action to remove the solicitation policy from the draft policy manual. Mr. Rebaleati asked the Board to reconsider this decision, acknowledging that there wasn't a problem now, but one might develop in the future. Several department heads and employees commented, with most in favor of leaving the solicitation policy out of the manual. After a lengthy discussion, Chairman Fiorenzi motioned to reinstate the solicitation policy; Commissioner Page seconded the motion simply so it could go to a vote. Chairman Fiorenzi voted in favor of reinstating the solicitation policy; Commissioner Ithurralde and Commissioner Page voted against the solicitation policy. Motion carried 2-1.

Casual Employee Performance Evaluations: Vicki Drenon, Crescent Valley Public Works employee, had a concern regarding the proposal to change casual employee performance evaluations (currently due on July 1<sup>st</sup> of each year) to the anniversary of their hire date. She wanted the Board to address the problem that this would create a delay in the annual evaluation of some employees, thus postponing their eligibility for a merit increase. The Board indicated that this would be addressed at the next meeting, and Mr. Rebaleati offered to work with Mr. Larson to draft a resolution covering this interim period for casual employees.

Evaluations and Disciplinary Actions: Keith Logan, Deputy Sheriff, questioned the change in the manual regarding employee evaluations and/or discipline being reviewed by Human Resources before the employee is notified. Mr. Larson explained that the change was made to provide consistency and fairness prior to discipline being implemented and before evaluations are conducted.

15 Day Notice for Annual Leave: Necessity of a 15 day notice for annual leave taken in excess of three days was questioned. Mr. Damele noted that if an employee is taking a week or more off, then as much notice as possible is appreciated. Mr. Rebaleati pointed out the importance of giving adequate notice for annual leave in order to properly staff departments. The revised manual states that this notification requirement can be waived in emergency situations.

Sick Leave Bank: Ms. Drenon questioned the current policy of donating sick leave hours to a sick leave bank, feeling that employees should be allowed to donate to their person of choice. Mr. Rebaleati explained that the sick leave bank, established some months ago, was set up in this manner to maintain fairness and alleviate discrimination. This is a voluntary program for employees, who cannot benefit from the bank unless they have participated by donating hours. Tina Hubbard, Deputy Recorder/Auditor, asked who makes the decisions regarding how many hours are given from the bank and who receives those hours. The Board said they would address this policy further at the April 6<sup>th</sup> meeting and directed staff to bring forth possible options by researching what methods were working well for other counties or entities.

Law Enforcement Background Checks: Sheriff Ken Jones noted that background investigations on peace officers are mandated by statute, must meet certain stringent criteria, and are historically conducted by the law enforcement agency. He was concerned that proposed restrictive language in the draft policy shifts this responsibility to Human Resources. After some

discussion the Board agreed that the personnel policy could not supersede law, and felt that background checks for law enforcement should be a coordinated effort by both the Sheriff's Department and Human Resources, with files maintained by Human Resources.

Law Enforcement Reference Checks: Similarly, the Sheriff was concerned that the draft policy stated that reference checks would be conducted exclusively by Human Resources, but felt that it was appropriate for the law enforcement agency to conduct their own reference checks. Undersheriff Bill Tilton suggested researching how this is done throughout the State, and the Board agreed that staff should research this and bring it forward at the April 6<sup>th</sup> meeting.

Hiring of Critical Positions: The current policy allows for immediate hiring of critical positions in the County (specifically dispatchers and jailers due to the 24/7 nature of their duties). Sheriff Jones was concerned that this had been stricken from the proposed manual. After some discussion, the Board felt that advertising, recruitment, and the selection process for critical positions could begin immediately, but hiring could not be done until final approval was obtained from the Board. The Commissioners agreed that this could be readdressed in the future, if it proves to be a hindrance.

Approved Meal Periods: Undersheriff Tilton asked for clarification for meal periods in respect to employees who cannot leave their post, such as jailers and dispatchers. Mr. Larson explained that individuals in sensitive positions are allowed to take meal time during a regular shift, but do not have to clock out if they do not leave their post.

Undersheriff and Lieutenant Salaries: Undersheriff Tilton pointed out an error in the draft language regarding the Undersheriff and Lieutenant salaries (previously approved by the Board to be 90% and 85% of the Sheriff's salary, respectively). The error indicated that the Sheriff's salary can be changed by the County Commissioners; however, it is set by statute. Additionally, draft language indicated that the Undersheriff and Lieutenant salaries can be changed by recommendation of the Sheriff and County Commissioners. Commissioner Ithurralde motioned to remove the erroneous and redundant language regarding Sheriff, Undersheriff, and Lieutenant salaries; Commissioner Page seconded the motion; motion carried 3-0.

Applicants for Positions: Undersheriff Tilton questioned the proposed policy that present employees be considered for open positions before non-employee applicants. He was concerned with offering Sheriff's Office positions to unqualified County employees before qualified non-employee applicants. Commissioner Ithurralde explained that the policy stated a department "may" consider current employees prior to outside applicants, but the decision was up to the department manager.

## **PUBLIC COMMENT**

Chairman Fiorenzi called for public comments. There were none. The Board discussed holding the next budget meeting on May 17<sup>th</sup> and addressing issues that arise during regular Commissioner meetings.

## **ADJOURNMENT**

Commissioner Ithurralde motioned to adjourn the meeting at 6:24 p.m.; Commissioner Page seconded the motion; motion carried 3-0.

Approved this 15<sup>th</sup> day of April, 2010.

/s/ Leonard Fiorenzi  
Leonard Fiorenzi, Chairman

Attest: /s/ Jackie Berg  
Jackie Berg, Clerk