

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

THURSDAY

9:30 AM

OCTOBER 8, 2009

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

Others: Catherine Dunn, Deputy Clerk of the Board; Greg Zempel, Prosecuting Attorney.

SPECIAL MEETING PROSECUTOR-PDR-REORGANIZATION COMMISSIONERS

At 9:30 a.m. **Chairman Alan Crankovich** opened the special meeting to consider discussion of reorganization of the Prosecutor's Office and Public Disclosure Requests.

Prosecuting Attorney Greg Zempel explained with the progression of the Public Disclosure Requests in the Courts over the past 3 years, he has concerns about the County. He said there was currently filed a lawsuit, based on a Public Disclosure Request with the County.

Commissioner McClain said there is a statute requiring a County Public Disclosure Officer. The current County process with a Public Disclosure Officer in each department does not meet this requirement. He said he had pushed for the DART program to help with Public Disclosure Request tracking. He said it would have caught the CDS lapse. He said the Commissioners need to take this on or someone else needs to.

Prosecutor Zempel said that the Civil Deputy Prosecutors are spending a great deal of time on this issue. It takes considerable time away from their regular duties. He said if one deputy could handle all the Public Disclosure Request duties, it would help the whole department.

Commissioner McClain said as the DART program commences, the front line people need to be trained on Public Disclosure Request procedures and the additional Prosecutor could do the training. **Prosecutor Zempel** said this could help with the failings in redaction and responses to the Public Disclosure Requests.

Mr. Zempel said that the second area he is concerned about is purchase and bidding. He is concerned about the number of offices who are putting out bid requests or should be soliciting bid requests.

Commissioner McClain said it would be good to have an attorney more active in study sessions and meetings, to be aware of things as they come up.

Prosecutor Zempel said that another area he is concerned about is employment law. He said he thought another attorney in that area would be good. He said in addition to the County's outside lawyer on employment issues, Rocky Jackson, there are payouts to the Risk Pool for employment issues. He said that Mr. Jackson is most involved with negotiations and union issues. He said some of the issues come to the Prosecutor's office after the fact.

Mr. Zempel said the biggest weakness in the County is training new managers. If employment law was handled through the Prosecutor's office, there would be more in-house expertise to work with Human Resources to train the new supervisors and managers. **Commissioner McClain** said that personnel issues seem to involve the Risk Pool more than Rocky Jackson and the \$60,000 spent on Mr. Jackson's contract could be better spent elsewhere.

Vice-Chairman Jewell said that employment law was not a small arena and he thought more expertise was needed to cover it.

Prosecutor Zempel said that he would invest in training the deputy, and he could advise, as he had done private civil work before coming to the Prosecutor's office.

Prosecutor Zempel said another change he would like to make is the pre-diversion charging practice. He explained that under the current system, people are charged and go through the court system and get a stay of proceedings, but they have taken up court and prosecutor time and resources. If they take these cases from the court system, they use less court and prosecutor resources and the \$250 charging fee can be moved from District Courts to the Prosecutor's office.

Mr. Zempel said that these ideas for reorganization will help the Prosecutor's Office. He noted that civil liability is coming into play which could increase lawsuits regarding attorney malpractice. He said that in a short amount of time, the Prosecutor's office could be providing better service.

Commissioner McClain said that he had told Prosecutor Zempel to bring these proposals before the Board early because it would take some time to train the proposed deputies.

Vice-Chairman Jewell asked if the funds would be re-allocated from the 3/10's sales tax funds. **Mr. Zempel** said that the higher paid Deputy Prosecutor is paid from the general fund and the District

Court Deputy is paid from 3/10's funds and the funding source could be exchanged and the higher paid deputy would be paid from the 3/10's funds and the District Court deputy from the general fund, thus saving the general fund approximately \$15,000.

It was decided to continue this discussion at the budget meeting on Tuesday, October 13, 2009.

The meeting was adjourned at 10:00 a.m.

DEPUTY CLERK OF THE BOARD

KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON

Catherine Dunn

Alan Crankovich, Chairman