

August 28, 2018

The Lincoln County Board of Commissioners met for a special session on August 28, 2018 in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Cole, Commissioner Bennett, Commissioner Peck, County Administrator Darren Coldwell, and Clerk and Recorder Robin Benson.

10:00 AM

**Sheriff Audit Report:** Present were H.R. Director Dallas Bowe, Sheriff Roby Bowe, Undersheriff Brian Griffeth, Brad Dodson, Duane Rhodes, John Davis, Nate Scofield, Boyd White, Darren Short, John Hyslop, Dave Hall, Steve Short, Brent Faulkner, and Ben Kibbey. Also present via phone conference was Audrey Haynes of WIPFLI, LLC and Josh Letcher, Eureka via VisionNet.

Darren introduced Audrey and explained the county retained WIPFLI, LLC to conduct the Sheriff's Department's Payroll Audit from January 2006 through June 14, 2018. Darren commented that WIPFLI has never had any prior involvement with Lincoln County. Audrey confirmed that all active employees were paid at a rate that exceeded state statute limits. Dallas handed out spreadsheets for each employee and clarified the process for calculating wages. Darren asked Audrey if going forward it has been determined that Lincoln County payroll spreadsheets are correct. Audrey confirmed current payroll spreadsheet are correct.

Brent commented that employees were hired at a rate set by the county and expressed that the use of the word "overpaid" is not the best choice of describing incorrect wages set by the county. Darren agreed and said there is no blame; it is our job to ensure moving forward that wages and longevity are correct.

Brent said it was a county error and it seems appropriate to make the corrections first and ensure all employees are at the correct percentage of the sheriff's salary.

Dallas said the county cannot talk about wages or increases while the sheriff's department is in union negotiations.

Commissioner Peck said we need to talk to our attorney first but expressed that he understands Brent's concern. Dallas said we need to take that issue under advisement through the attorneys. Commissioner Bennett commented that the whole purpose of today's meeting and the audit is to correct an error; it is our responsibility to do that. Commissioner Peck stated that we are all in agreement that employees need to be at the correct percentage of the sheriff's salary.

Dallas informed everyone that MACo advised the county to take back the overage, but the commission has decided that is not going to happen. Dallas said the 2 years of longevity that were frozen is a wash with the wage overages.

Brent clarified that employees were hired at a certain rate, and everyone was paid in excess of the statutorily amount; the point is that the 2 years of missing longevity should not come against the employees. Dallas said the county did take that to MACo and the county did receive advisement; the commissioners will have to discuss it moving forward. Darren said the county cannot legally freeze longevity and we need to fix it. Commissioner Peck said the key issues are the 1% longevity that employees did not receive for 2 years and fixing the rates to the correct percentages. Darren said he is committed to fixing the 2 years of missing longevity and to look at the percentages, but the county needs to attain a legal recommendation. Commissioner Peck said the county will fix the longevity and percentage issues, but the county will need legal authority to do so. Then we can work on individual issues.

**Finance Meeting:** Present were Finance Director Wendy Drake. Also present was Josh Letcher, Eureka via VisionNet.

- **Flathead Valley Community College (FVCC), Lincoln County Campus:** Commissioner Bennett said he has conducted his own research and feels the MCA's give the commission authority to remove all penalties and fees from 2013 back. Darren said the tax bill can be reduced to \$22,000 and FVCC has agreed to split that cost; then we can write a new contract stating that FVCC will receive and pay the tax bills for the FVCC, Lincoln County Campus moving forward. Tax bills are for the building and land used as the college parking lot. Commissioner Bennett said he will visit with the county attorney to ensure he has interpreted the applicable MCA's correctly.
- **Road Department Trucks:** Wendy said Libby is now getting 3 trucks instead of 2 and asked where that money will come from. It was agreed the cost will be paid out of the road budget. Eureka will be receiving 2 trucks and Troy will be receiving 1 truck. Commissioner Peck commented that we need to protect the road fund at all cost. Commissioner Bennett said the truck purchases will set up the road departments for the next 10 years. Commissioner Peck expressed that we need to get on board with Capital Improvement Funds. Wendy expressed that it would be set up as a restricted cash account, so the county does not lose the interest by taking it out of the road budget.
- **FY 18/19 Department Budgets:** Wendy submitted a draft Levy Requirement Schedule summarizing FY 18/19 expenditures, revenues and mill levies per department. Darren commented that all departments have reduced or cut back budgets except the sheriff's department. There was a brief discussion and shared frustration among the commission about sheriff department overtime costs not decreasing although the department is running at full staff. Commissioner Peck expressed that the commission needs to have this discussion with the incoming Sheriff Darren Short so he knows what he is coming into and so he is trained and educated on the sheriff department budget before January. Coldwell commented that he has talked with the sheriff's department about the amount of overtime numerous times over that past two years and it is not decreasing. The commissioners requested a two-year comparison of budgets vs. actuals spent.

**Meeting adjourned** at 12:00 PM

**LINCOLN COUNTY BOARD OF COMMISSIONERS**

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Mike Cole, Chairman

**ATTEST:** \_\_\_\_\_

Robin Benson, Clerk of the Board