



# BOISE COUNTY

## RESOLUTION #2010-05

### A BOISE COUNTY RESOLUTION TO CHANGE DEPUTY PROSECUTING ATTORNEY'S PAY FROM AN HOURLY BASIS TO A SALARY BASIS

**WHEREAS**, the two deputy prosecuting attorneys employed by Boise County have been paid at an hourly rate of twenty dollars (\$20) per hour during fiscal year 2009 and those deputies were part-time employees who were hired to work no more than nineteen (19) hours a week; and

**WHEREAS**, the two deputy prosecuting attorneys both stated in writing to the Boise County Commissioners that their duties required more than nineteen (19) hours per week to fulfill; and

**WHEREAS**, the two deputy prosecuting attorneys were made full-time employees at a rate of twenty dollars (\$20) an hour for thirty-hour work weeks during the Boise County budget setting process for fiscal year 2010; and

**WHEREAS**, the elected prosecuting attorney of Boise County advised the Boise County Commissioners in a letter dated September 22, 2009, that he found that timekeeping as to hours worked by his deputies would be "tedious, time consuming and unnecessary in my opinion," and further advised that he had "instructed" his deputies not to "answer any future requests that are not authorized by me;" and

**WHEREAS**, the elected prosecuting attorney of Boise County authored a document signed by each of the deputy prosecuting attorneys on September 22, 2009, wherein the thirty-hour work week for the deputies was confirmed, and each deputy was further advised that the annual salary for the position would be \$31,200; and

**WHEREAS**, the two deputy prosecuting attorneys each signed the aforementioned document as acceptance of the terms and conditions therein; and

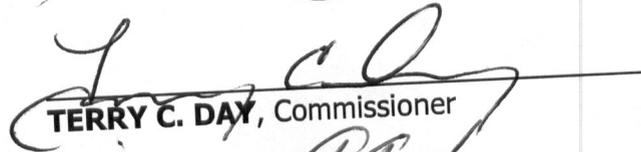
**WHEREAS**, the two deputy prosecuting attorneys may not remain hourly employees while simultaneously refusing to keep track of their hours.

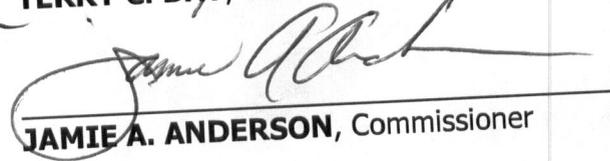
**IT IS HEREBY RESOLVED** by the Boise County Commissioners that each deputy prosecuting attorney's pay shall be converted from an hourly rate to a salary basis at an annual rate of \$31,200. It is further resolved that each deputy prosecuting attorney shall be informed in writing of this resolution.

**APPROVED** and **ADOPTED** in Open Session the 13<sup>th</sup> day of October 2009.

**BOISE COUNTY BOARD OF COMMISSIONERS**

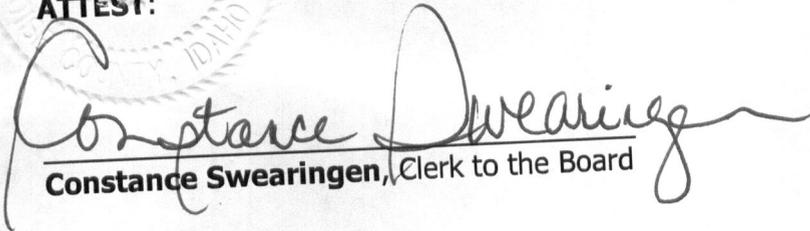
  
**LINDA W. ZIMMER**, Chairperson

  
**TERRY C. DAY**, Commissioner

  
**JAMIE A. ANDERSON**, Commissioner



**ATTEST:**

  
**Constance Swearingen**, Clerk to the Board