



## Minutes: CLARK COUNTY CIVIL SERVICE COMMISSION MEETING

### IN ATTENDANCE

- COMMISSIONER MARLA LUDOLPH-HEIKKALA (CHAIR)
- COMMISSIONER GARRY PRESTHUS
- COMMISSIONER JAMES SENESCU (VICE-CHAIR)
- COMMISSIONER CRYSTAL KROELLER (VIA TELEPHONE)
- COMMISSIONER RICK TORRES (SENT PROXY FOR VOTES)
- SENIOR DEPUTY PROSECUTING ATTORNEY CHRISTINE COOK (COUNSEL TO THE COMMISSION)
- SECRETARY/CHIEF EXAMINER LESLIE HARRINGTON SMITH (DESIGNEE KATINA LACKEY)

MEETING DATE: **JULY 16, 2019** REGULAR MEETING   
 MEETING TIME: **3:00 P.M.** SPECIAL MEETING

LOCATION:  CONF RM. 511  CONF RM. 523  CONF RM. 433  
 CCSO ADMIN CONF ROOM  CONFERENCE CALL – 564-397-2029

Guests included: Deputy Chief John Chapman, Sgt Fred Neiman, Keely Warren and Lois Hickey from CCSO HR and Corrections Deputy Ray Bettger.

### EXECUTIVE SESSION:

Commission discussed personnel issues with respect to RCW 42.30.110(1)(g) including background investigations and removals after the regular agenda items and other business on the agenda was discussed.

### REGULAR SESSION:

1. Commissioners **certified** the following background investigations:

- Bryant, Ethan – Corrections Deputy
- Chicks, Emily – Food Services Coordinator
- Ellyson, Jason – Corrections Deputy
- Harris, Charles – Lateral Deputy Sheriff
- Huynh, Diep – Sheriff’s Support Specialist II

2. Commissioners took action and **reaffirmed removal** for three (3) background investigations. The commission requested that the Secretary include candidate names on the meeting minutes for easier tracking purposes.

- Chris Calcagno – Lateral Deputy
- Brandon Driscoll – Deputy Sheriff
- Noah Swanson – Deputy Sheriff

3. Commissioners reviewed and **certified** the following eligibility lists for one year or until exhausted:

- Deputy Sheriff R000019 June 2019
- Sheriff's Support Specialist II R000132 June 2019

4. Commissioners reviewed and **approved** the following meeting minutes:

- June 18, 2019 Regular Meeting

5. Other business to come before the commission:

- a. The Sheriff's Office is proposing a change to the Lateral Deputy qualifications in order to attract more candidates. The Sheriff's Office asked the commission to approve the following qualification changes as outlined here:

#### Lateral Deputy Qualifications

- ~~• At least two (2) years of recent, related law enforcement experience with a United States, state, municipal or county agency.~~
- Completed a Washington State recognized criminal justice academy. Successfully completed a bona fide Field Training program and deployed full-time to patrol squad/unit to perform duties autonomously as a sworn peace officer.
- Current certification as a law enforcement officer through a United States, state certified law enforcement academy, recognized by Washington State Criminal Justice Training Commission.
- Upon hire, certification must be obtained through the Washington State Equivalency Academy prior to the completion of the twelve month probationary period, or currently possess certification as a peace officer through Washington State Criminal Justice Training Commission.
- ~~• Certification through the Washington State Equivalency Academy prior to the completion of the twelve month probationary period~~

The commission approved a motion to publish the proposed changes and will hold it over until the next meeting for a final vote.

- b. The Sheriff's Office discussed the removal of the Physical Agility Test (PAT) requirement for Lateral Corrections Deputy candidates. The Sheriff's Office does not require Lateral enforcement candidates to pass a PAT as part of the recruitment process because the WSCTJC does not require lateral candidates to pass the PAT as part of the equivalency academy.

The Sheriff's Office believes that if the PAT is not a required component of the recruitment process for eligible Lateral Corrections Deputy candidates, the number of interested lateral candidates will increase. The commission agreed to consider the change to the recruitment process, pending formal request from Deputy Chief Ric Bishop.

- c. Corrections Deputy Ray Bettger appealed Secretary Harrington Smith's decision to not allow him to apply for the Corrections Corporal promotional process. Mr. Bettger was on vacation from June 10<sup>th</sup> through July 9<sup>th</sup>. On July 10<sup>th</sup>, the Secretary received an emailed request from Sgt Schmierer on behalf of Mr. Bettger, asking for consideration to let him apply for the promotional opportunity. The Secretary denied the request, in the interest of not delaying the process, considering that it would be 16 days past the deadline, and finally considering that the 2<sup>nd</sup> step in the recruitment process was already scheduled to take place at 2PM on July 10<sup>th</sup>.

Mr. Bettger stated that he investigated going to the state for an appeal, but was told that the Clark County Civil Service Commission was the appropriate body to address first. His first point was that the internal promotional opportunity notice for the Corrections Corporal was only posted for 10 business days, and he requested that the Commission void the entire promotional process and re-advertise the promotional opportunity for a total of 21 days.

The commission pointed out that Rule 19.03 of the Civil Service Rules define days as calendar days, not business days; therefore the promotional opportunity was posted for 12 -13 days. He was also asked if he could have checked his work email while he was on vacation and he shared that the Sheriff's office has recommended against Sheriff's Office employees checking their work email while not on duty.


The commission took it under advisement in executive session and upon coming out of executive session, voted to uphold the Secretary's action as reasonable and correct. The commission's decision was sent in writing to Mr. Bettger on July 25, 2019 via email.

Next regular meeting is scheduled for August 20, 2019 at 3PM

Commissioners confirmed attendance:


- COMMISSIONER MARLA LUDOLPH-HEIKKALA
- COMMISSIONER GARRY PRESTHUS
- COMMISSIONER JAMES SENESCU
- COMMISSIONER CRYSTAL KROELLER
- COMMISSIONER RICK TORRES

Date: 8-20-19

  
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Marla Ludolph-Heikkala, Chairperson

  
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Crystal Kroeller, Civil Service Commissioner

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Garry Presthus, Civil Service Commissioner

  
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James Serescu, Vice Chair, Civil Service Commissioner

  
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Rick Torres, Civil Service Commissioner

  
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Leslie Harrington Smith,  
Chief Examiner/Secretary