

**VALLEY COUNTY BOARD OF COMMISSIONERS
CASCADE, IDAHO**

November 20, 2009 – Special Meeting

**PRESENT: GERALD “JERRY” WINKLE – CHAIRMAN
FRANK W. ELD) COMMISSIONERS
GORDON L. CRUICKSHANK)
ARCHIE N. BANBURY, CLERK**

The meeting was called to order by Chairman Winkle at 9:05 a.m.

Matt Williams, County Prosecuting Attorney presented the matter for consideration, which was the selection of Valley County’s Public Defender, either as a contractor or as a County employee. He presented a pro forma budget for costs to expect if the decision is in favor of an employee.

Matt provided background from a case in Canyon County. Most, if not all, Counties have not followed the provisions of Title 19 regarding the appointment of Public Defenders. This results in asking the Fourth District Court to recommend selection of Public Defenders from a list they prepare. All those recommended will be interviewed.

The Commission will rank the candidates after their interviews, and then decide whether or not to bring the office “in house” as employees, or to continue with the contractual arrangement as it exists today. Then, the selection should be made and the matter finalized.

Commissioner Eld moved to convene Executive Session, I. C. 67-2345(f), for legal discussion with the Prosecutor. Commissioner Cruickshank seconded, and carried to enter into Executive Session at 9:22 a.m. Matt advised the Board concerning appropriate questions and the proper process with each applicant.

On motion of Commissioner Eld, and second by Commissioner Cruickshank, and carried to end the Executive Session pertaining to legal advice.

On motion of Commissioner Cruickshank, second by Commissioner Eld, and carried to enter Executive Session as provided by Idaho Code, Title 67, Section 2345(b) at 10:17 a.m. for the interview of Todd Wilcox.

At 11:11 a.m. commenced interview of J. D. Hallin.

Recessed for Lunch at 12:00 Noon.

Reconvened at 12:58 p.m. and commenced the interview of Ken Arment, still in Executive Session as above.

Commenced interview of Scott Erekson at 1:50 p.m. and completed at 2:25 p.m.

Motion by Commissioner Cruickshank to go out of Executive Session, second by Commissioner Eld, and carried.

Motion by Commissioner Eld, and second by Commissioner Cruickshank to table consideration of the Public Defender contract or appointment until Monday's meeting on November 23, 2009 at 4:30 p.m. was carried.

Adjourned at 3:51 p.m.

GERALD "JERRY" WINKLE, CHAIRMAN

ATTEST:

ARCHIE N. BANBURY, CLERK