



**BOARD OF SUPERVISORS  
COUNTY OF BUTTE**

*Resolution No. 09-170*

**RESOLUTION OF THE COUNTY OF BUTTE  
SALARY AND BENEFITS OF  
BUTTE COUNTY ELECTED OFFICIALS**

WHEREAS, Butte County elected officials are exempt from the Merit System and some employee benefits provisions of the Personnel Rules; and

WHEREAS, the Butte County Board of Supervisors grants benefits to elected officials that are the same as or similar to those provided to classified employees; and

WHEREAS, it is the intent of the Board of Supervisors that elected officials' benefits be standardized where allowed by law or this policy; and

WHEREAS, Resolution Number 08-057 provides for the standardization of elected and appointed department head benefits as outlined above; and

WHEREAS, elected officials are subject to different statutory provisions concerning modifications to compensation and benefits than are appointed department heads; and

WHEREAS, for this reason and the associated efficiency of administration of such benefits County desires to create separate benefits resolutions for elected officials and appointed department heads; and

WHEREAS, the benefits of elected officials cannot be changed during the pendency of the term of office to which such officials are elected; and

WHEREAS, County desires to maintain the current benefits set forth in 08-057 for existing elected officials throughout the remainder of the terms of office they are currently

serving while modifying the benefits for elected officials who initially file a Declaration of Candidacy after December 31, 2009; and

WHEREAS, this resolution supersedes and replaces Resolution Number 08-057 by retaining those provisions of Resolution Number 08-057 that apply to existing elected officials through the remainder of the terms of office they are currently serving, and making new provisions for elected officials who file an initial Declaration of Candidacy after December 31, 2009.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors that elected officials' benefits shall be as follows:

I. Existing Elected Officials

Those Elected Officials sworn into office as of December 31, 2009 ("Existing Elected Officials") shall continue to have those benefits already in effect as specified in Resolution 08-057 (attached hereto as Exhibit "A") through the end of the terms of office they currently hold.

II. Elected Officials who file an initial Declaration of Candidacy after December 31, 2009 shall have the following benefits:

1. **Vacation Leave Accrual and Use**

a. Elected officials do not accrue vacation.

2. **Sick Leave Accrual and Use**

a. Elected officials do not accrue sick leave.

b. If a regular employee of the County is elected into office as a Butte County Elected Official and there is no break in service by so doing, any sick leave on accrual as of the date that elected office is taken may be frozen at the option of the employee until such time as the elected official separates from County service. Upon separation from County service said individual may opt for California Public Employees Retirement System ("CalPERS") service credit or cash out as outlined in Subsection c below.

- c. On retirement or separation in good standing from County employment, the elected official may be paid for any sick leave over thirty (30) days at one-half the normal rate up to a maximum of three thousand dollars (\$3,000), or may apply the leave time to service credit for retirement purposes.
- d. Thirty (30) days prior to retirement from County service, an elected official may opt to purchase back any sick leave accruals that were forfeited at the time of taking office so that the unused balance is restored.

3. **Holiday Leave**

Elected officials do not receive compensation for holidays.

4. **Administrative Leave**

- a. Elected officials do not accrue paid administrative leave.

5. **Bereavement Leave**

- a. Elected officials do not receive bereavement leave.

6. **Retirement Plan**

Elected officials are eligible to participate in the County retirement program as contracted through CalPERS. The retirement program is integrated with Social Security and the retirement benefit is based on the highest single year of salary and on the 2% @ 55 formula (3% @ 50 safety formula for the Sheriff-Coroner).

7. **Unemployment Insurance**

Elected officials are not covered by unemployment insurance.

8. **Health, Dental, Vision and Life Insurance**

a) **Participation.**

Elected officials are entitled to participate in a County sponsored Health Plan under the County's CalPERS contract and including dental, vision, and life insurance elements. All elected officials assigned to a (1/2) one-half time or more position and the department heads' dependents shall be entitled to participate in the county-sponsored group health plan. Eligible elected officials enrolling in the plan within (30) thirty days following the beginning of their term will be covered subject to the provisions of this resolution and the contract limitations with the carrier. Elected officials enrolling after the thirty-day enrollment period will be approved only upon evidence of insurability.

b) Premium.

Elected officials shall pay their share (as established annually by the Chief Administrative Officer) of the total monthly premium for employee and dependent coverage to be paid through a payroll deduction.

c) Description.

The Butte County Flexible Benefits Plan (hereafter "Cafeteria Plan") is available to all elected officials. There will be two (2) participation levels, identified as Option "A" and Option "B" as per Section 9. d) below. Once the selection is made, it will remain in force until the next open enrollment period. The fee for a third party administrator will be paid by the County.

d) Participation Levels

Option A - CORE PLAN

The County will pay the first \$101.00/month of the premium for the medical coverage elected through PERS. If the elected official elects medical coverage, then the elected official must participate in a dental plan option and the vision insurance (Core Plan). The County will pay to elected officials' Flexible Benefit Account the following amounts:

	<u>January 2009</u>
Employee only	\$462.78
Employee plus one	\$921.30
Family	\$1,207.41

Elected officials that have elected to participate in the "Core Plan" can also elect to participate in optional benefits. If the elected official has any surplus Flexible Benefit Account credits after making all elections required to participate in the health insurance, the elected official can use that surplus toward the Flexible Benefit Options. Elected officials that wish to participate in the optional benefits in the plan, with the exception of the cash back option, but do not have any surplus credits, can elect to have pre-tax payroll deductions in an amount to cover the cost of their elections.

Option B - FLEXIBLE BENEFIT OPTIONS

Elected officials who elect not to participate in Option A will be asked to sign a waiver and will be required to provide proof of medical insurance. They will have an opportunity to participate in the Flexible Benefit Options listed in the Flexible Benefit Options Exhibit.

Effective January 2009, the Employer Flex Credit amount will be four hundred three and thirty-four cents (\$403.34) per month. Elected officials can use this contribution toward any of the Flexible Benefit Options listed in the Flexible Benefits Options Exhibit. Elected officials who wish to participate in the Flexible Benefits Option, with the exception of the cash back option, but do not have sufficient flex credits, can elect to have pre-tax payroll deductions in an amount to cover the cost of their elections.

e) Administration

- No benefits will be paid to elected officials in Option B until proof of insurance is on file in the Human Resources Department.
- All elected officials and the elected official's dependents including registered domestic partner (effective January 1, 2005) pursuant to Family Code Section 297.5 shall be entitled to participate in the County's Flexible Benefits Plan.
- Any money deposited in the Flexible Benefits Account of an elected official must be used during the plan year; otherwise, the remaining balance reverts to the County.

f) Retired Employee Options.

Elected officials initially sworn into office prior to January 1, 2010, retiring in good standing before age 65 from the County of Butte under the provisions of the county's contract with CalPERS may continue to cover themselves and eligible dependents under the health plan as provided in Personnel Rules section 12.9. The county shall pay the full premium for such coverage until the retiree becomes 65 years of age or is covered by another governmental or employer-paid health plan. Application for post-retirement health coverage shall be made to the Director-Human Resources, prior to the official termination date of county service, in a manner and form prescribed by the Director.

Elected officials initially sworn into office after December 31, 2009, with five (5) years or more of cumulative service with Butte County, retiring in good standing before age 65 from the County of Butte under the provisions of the county's contract with the CalPERS may continue to cover themselves and eligible dependents under the health plan. The county shall pay a premium contribution at the rate of the HMO, Delta DPO, and Vision Service Plan premiums for such coverage until the retiree becomes 65 years of age or is covered by another governmental or employer-paid health plan. Application for post-retirement health coverage shall be made to the Director-Human Resources, prior to the official termination date of county service, in a manner and form prescribed by the Director.

g) Life Insurance.

Life Insurance is provided for elected officials in the amount of \$25,000. Purchase of supplemental life insurance is also available at group rates.

9. Deferred Income Plan

Elected officials may participate in an IRS Section 457 Deferred Compensation Plan up to the maximum allowed by the law.

**10. Travel Allowance and Mileage Reimbursement**

- a. Monthly Mileage Allowance. Elected officials shall be provided a monthly mileage allowance of six-hundred and twenty dollars (\$620.00) per month for all within-County travel. Additionally, all elected officials shall be reimbursed at the current IRS allowable rate for all work related travel in his or her private vehicle outside of the County. Elected officials who have County assigned emergency vehicles which are available for their use during non-business hours are not eligible for this allowance.
- b. Travel Policy and Meal reimbursement. Elected officials shall comply with the Travel Policy contained in the Personnel Rules and may be reimbursed for meal expenses incurred while traveling pursuant to Butte County policy, without receipts, up to the following maximums:

Breakfast	\$10.00
Lunch	\$15.00
Dinner	<u>\$25.00</u>
Daily total	\$50.00/day

**11. Cell Phone Allowance**

- a. Elected officials may opt to be provided a County-owned cell phone for business purposes. Any personal charges incurred while using the County-provided cell phone must be reimbursed to the County Auditor-Controller on a monthly basis.
- OR
- b. Elected officials may opt to receive a monthly cell phone allowance of seventy dollars (\$70.00) for use of a privately owned cell phone to conduct County business.

**12. Reimbursement for Professional Designations**

- a. Elected officials who are in one of the following groupings shall be eligible to be reimbursed for 100% of the professional license and certification fees required as a prerequisite to their position:
  - Attorneys
  - Certified Public Accountants
- b. Dues for all elected officials to a local service club may be reimbursed 100% for said dues.

**13. Employee Assistance Program**

Elected officials and eligible family members are entitled to receive up to eight (8) program visits per family unit per benefit year through the County's Employee Assistance Program, for such services as the following:

- Marital and family problems
- Alcohol Abuse
- Financial and credit concerns
- Child care
- Pre-retirement planning
- Legal issues and questions
- Relationship issues
- Drug dependency
- Emotional problems and stress
- Elder care
- Federal taxpayer problems
- Interpersonal conflicts

**14. Long Term Disability Insurance**

Elected officials are covered by Long Term Disability Insurance, which provides for disability income protection with a guarantee replacement of 60% of the monthly earning up to a maximum of five thousand dollars (\$5,000) per month, beginning on the 91<sup>st</sup> day of disability with benefits payable for illness or accident to age 65. This policy provides for a ninety (90) day waiting period.

**15. Pay Plan**

**Salary for elected officials, shall be established as follows:**

1. Prior to the filing of a Declaration of Candidacy for an elected office, the salary for that office shall be reviewed by the Board of Supervisors and, a new salary may be set by ordinance to become effective with the new term of office. In order to determine a new salary, if any, the Board of Supervisors may review a survey of comparable positions in the Board of Supervisors' approved comparable counties as listed in the personnel rules.
2. The salary as set shall extend throughout the term.
3. Effective with the term of office beginning in January 2007 for the District Attorney, Assessor, Treasurer-Tax Collector, Clerk-Recorder, Auditor-Controller and Sheriff-Coroner, in lieu of leave accrual, salary is augmented two percent (2%) for each previous term, or portion thereof, served in office by the respective elected official. Any accrued time on the books carried over from classified service shall be paid off upon the individual's taking of office, with the exception of section 2 b and/or c if applicable.

**16. POST Incentive**

Upon the effective date of an ordinance adopted by the Board of Supervisors setting the salaries for elected officials, the Sheriff-Coroner shall be entitled to the following POST incentives:

1. Intermediate POST Certificate  
Possession of the Intermediate POST Certificate shall result in a three and one-half percent (3.5%) increase in salary as indicated in the salary ordinance including any adjustments pursuant to Section 17 above for elected officials.
2. Advanced POST Certificate  
Possession of the Advanced POST Certificate shall result in a four and one-half percent (4.5%) increase salary as indicated in the salary ordinance including any adjustments pursuant to Section 17 above for elected officials.
3. Executive POST Certificate  
Possession of the Executive POST Certificate shall result in a two and one-half percent (2.5%) increase in salary as indicated in the salary ordinance including any adjustments pursuant to Section 17 above for elected officials.

PASSED AND ADOPTED by the Board of Supervisors of the County of Butte, State of California, on the 8th day of December 2009 by the following votes:

AYES: Supervisors Dolan, Kirk, Lambert, Yamaguchi, and Chair Connelly

NOES: None

ABSENT: None

NOT VOTING: None

Bill Connelly  
Bill Connelly, Chair - Butte County Board of Supervisors

ATTEST:

Scott Tandy  
Interim Chief Administrative Officer  
and Clerk of the Board of Supervisors

By: 