

# BONNEVILLE COUNTY RESOLUTION NO. 17-12

## A RESOLUTION SETTING THE BONNEVILLE COUNTY SHERIFF CIVIL GARNISHMENT AND INTERIM RETURN PROCESS FEES

**WHEREAS**, Idaho Code section 11-729 authorizes the Bonneville County Board of County Commissioners to set by resolution the Bonneville County Sheriff's fees for civil process service for an initial order of garnishment and writ of execution, not to exceed actual costs directly incurred for order of garnishment and writ of execution; and

**WHEREAS**, Idaho Code section 11-729 also allows for the Board of County Commissioners to set an additional lesser fee for making an interim return on a continuing garnishment to show disbursement of moneys held by the Sheriff for return service, including for receiving and paying over money from any money garnishment, and including wage garnishment or financial institution garnishment; and these fees shall be established using criteria determined by the board not to exceed actual costs directly incurred for order of garnishment and writ of execution service; and

**WHEREAS**, the Bonneville County Sheriff reviewed and analyzed actual cost of civil service process and determined that the following fees should be revised to more accurately reflect, but not exceed the actual costs of serving and processing wage and bank garnishments, and interim returns:

1. For serving a writ of execution of wage or financial institution garnishment when service is allowed by mail pursuant to Idaho Law, including a return of service. \$40.00
2. For serving of writ of execution of wage or financial institution garnishment by personal service including a return of service. \$40.00
3. For copy of and making an interim return on any document to show disbursement of monies held by the Sheriff, in addition to the return of service included in all service fees. \$12.00

**WHEREAS**, Idaho Code section 11-729 requires the Board of County Commissioners to annually publish on the county website the criteria used to establish an order of garnishment and writ of execution total fee and the value of each criterion's proportionate share of the total fee: the accompanying Sheriff's addendums provide criteria and the value of each criterion's proportionate share of the total fee and are represented by:

Wage or Financial Institution Garnishment Served by Mail

Wage or Financial Institution Garnishment by Personal Service

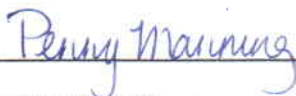
Interim Return

**IT IS HEREBY RESOLVED** by the Bonneville County Board of County Commissioners that the Sheriff's civil process service fees for wage and bank garnishment and interim returns shall be effective: October 16, 2017.

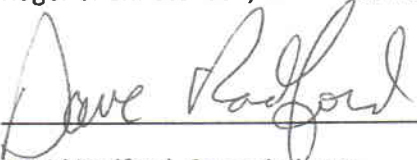
**APPROVED AND ADOPTED** this 16th day of October, 2017.

BOARD OF BONNEVILLE COUNTY COMMISSIONERS

ATTEST:

  
\_\_\_\_\_  
Penny Manning, County Clerk

  
\_\_\_\_\_  
Roger S. Christensen, Commissioner – Chairman

  
\_\_\_\_\_  
David Radford, Commissioner

  
\_\_\_\_\_  
Bryon L. Reed, Commissioner

BONNEVILLE COUNTY SHERIFF'S OFFICE

To comply with Idaho Code Section 11-729 Sheriff Paul J. Wilde provides in the attached addendums, criterion and criterion proportionate share of actual cost for garnishment and interim return process directly incurred for order of garnishment and writ of execution service.

**CRITERION:** Sheriff Wilde included incurred actual cost of human resources, equipment, facilities, communications, computer systems, budget allowance and support networks provided in addendums. Cost incurred to facilitate process and service for an order of garnishment and writ of execution and an interim return is directly incurred and integral to the process, service and return.

**APPLICATION OF CRITERION PROPORTIONATE SHARE:** The total number of civil process requests or orders received by the Bonneville County Sheriff's Office Civil Process unit in calendar year 2016 was 7551. Of the 7551 civil process requests or orders, 3068 were initial orders of garnishments. To determine the proportionate share of initial order of garnishments and interim returns, 3068 garnishments were divided by 7551 total civil process requests or orders. ( $3068 \div 7551 = .406$ ). Forty percent (40%) was used as a multiplier to determine the proportionate share of costs directly related to process and service for orders of garnishments. The total garnishment figure of 3068 was used as a divisor to determine actual cost related to a single garnishment or interim return.

The number of garnishments that required one or more interim return during calendar year 2016, was 2072. That number was divided by the 3068 total garnishments ( $2072 \div 3068$ ) to determine sixty-seven percent (67%) of garnishments required one or more interim return. The Civil Process specific financial program identified an average of five separate interim returns for continuing garnishments.

Four full time Civilian Civil Process Deputies have an average hourly pay rate with benefits of \$21.76 an hour. Sixty minutes divided into \$21.76 provided a minute rate of pay. ( $\$21.76 \div 60 \text{ minutes} = .36$  cents). Civilian Civil Process Deputies process garnishments and interim returns.

Two full time Idaho Peace Officer Standards and Training Certified Deputies were assigned to the Civil Process Unit and have primary duty to provide personal service of garnishments and bank deposits. An hourly pay rate with benefits for a Certified Deputy assigned to the Civil Process unit was \$30.89 an hour. Sixty minutes divided into \$30.89 provided a minute rate of pay. ( $\$30.89 \div 60 \text{ minutes} = .51$  cents)

Annual supervision of the Civil Process unit by Idaho POST Certified Deputies included a Sergeant and Lieutenant. Criterion for supervision was a percentage of the Supervisor's total annual rate of pay with benefits, multiplied by 40% and then divided by the number of initial garnishments, 3068 to arrive at a proportionate share.

Annual County building maintenance, computer systems support and insurance budget costs were divided by 525 total county employees to arrive at a single employee proportionate share as it related to civil process deputies who directly facilitate garnishment and interim return process and service.

Equipment was pro-rated by rotation or estimated service life to arrive at an annual proportionate share of the equipment criterion. The annual figure was used to determine the application of criterion proportionate share.

**BONNEVILLE COUNTY SHERIFF'S OFFICE**

**CIVIL PROCESS FEES**

Wage or Financial Institution Garnishment Served by Mail	\$ 40.00
Wage of Financial Institution Garnishment by Personal Service	\$ 40.00
Interim Return of Garnishment	\$ 12.00

**ADDENDUM: Bonneville County Sheriff's Criteria and Criterion Proportionate Share of a Wage or Financial Institution Garnishment Process and Service by Mail**

Civilian Civil Process Deputy Enter Initial Garnishment – 20 minutes x .36 cents =	\$ 7.20
Civilian Civil Process Deputy Enter Answer Information & File – 3 minutes x .36 cents =	\$ 1.08
Civilian Civil Process Deputy Enter Money & Comments for Continuing Garnishment – 6 min. x avg. 5 entries = 30 min. x .36 Cents =	\$10.80
Civilian Civil Process Deputy Enter Comments, Prepare Check Writer disbursement – 5 min. x .36 =	\$ 1.80
Civilian Civil Process Deputy Status Checks, Fax Employer - 10 min. x .36 =	\$ 3.60
Civilian Civil Process Deputy Check Writer Final Disbursement/Return to Court – 25 min. x .36 =	\$ 9.00
Annual Sgt. Supervision – 10% of 87025.12 = 8702.51 = 8702.51 x .40 = 3481.00 ÷ 3068 =	\$ 1.13
Annual Lt. Supervision – 20% - of 98138.04 = 19627.60 x .40 = 7851.04 ÷ 3068 =	\$ 2.55
Paper and (6x9) envelope =	\$ .06
Postage =	\$ .67
Annual Civil Process Unit Supply Budget – 1500.00 x .40 = 600.00 ÷ 3068 =	\$ .19
Annual Copier/Fax/Printer - 7848.00 ÷ 7 years = 1121.14 x .40 = 448.45 ÷ 3068 =	\$ .14
Annual Copier Annual Maintenance Agreement - 700.00 x .40 = 280.00 ÷ 3068 =	\$ .09
Annual Copier Annual Maintenance Overage – 525.80 x .40 = 210.32 ÷ 3068 =	\$ .06
Annual Civil Process Computer Financial Program – 8275.00 x .40 = 3310.00 ÷ 3068=	\$ 1.07
Annual Computer, Keyboard, Mouse, Monitor 1200.00 ÷ 7 years = 171.42 x .40 = 68.56 ÷ 3068 =	\$ .02
Annual ShoreTel Telephone – 270.00 ÷ 10 years = 27.00 x .40 = 10.80 ÷ 3068 =	\$ .003
Annual Drop Safe – 1183.52 ÷ 10 years = 118.35 x .40 = 47.34 ÷ 3068 =	\$ .01
Annual Three Rotating File Cabinets – 4110.00 ÷ 20 years = 205.50 x .40 = 82.20 ÷ 3068 =	\$ .02
Annual Corner Desk & File – 1700.00 ÷ 20 years = 85.00 x .40 = 34.00 ÷ 3068 =	\$ .01
Annual Secretary Chair – 300.00 ÷ 7 years = 42.85 x .40 = 17.14 ÷ 3068 =	\$ .005
Annual Sit/Stand Riser – 150.00 ÷ 20 years = 7.50 x .40 = 3.00 ÷ 3068 =	\$ .0009
Annual Carpet Mat – 75.00 ÷ 7 years = 10.71 x .40 = 4.28 ÷ 3068 =	\$ .001
Annual Time Stamp Machine – 765.00 ÷ 20 years = 38.25 x .40 = 15.30 ÷ 3068 =	\$ .004
Annual Civil Process Deputy Uniform – 498.00 x .40 = 199.20 ÷ 3068 =	\$ .06

Annual Civil Process Deputy Boot/Cleaning –  $400.00 \times .40 = 160.00 \div 3068 =$  \$ .05

Annual Civil Process Deputy Training –  $16 \text{ hrs.} \times 21.76 = 348.16 \times .40 = 139.26 \div 3068 =$  \$ .04

Annual Building Maintenance –  $592873.06 \div 525 \text{ County Employees} = 1129.28 \text{ per employee}$   
 $1129.28 \times .40 = 451.71 \div 3068 =$  \$ .14

Annual Computer Tech Support –  $491713.47 \div 525 \text{ County Employees} = 936.59 \text{ per employee}$   
 $936.59 \times .40 = 374.63 \div 3068 =$  \$ .12

Annual Insurance Coverage –  $390356.00 \div 525 \text{ County Employees} = 743.53 \text{ per employee}$   
 $743.53 \times .40 = 297.41 \div 3068 =$  \$ .09

County Contracted Civil Process Legal Advice –  $52 \text{ hrs.} \times 37.48 = 1948.96 \times .40 = 779.58 \div 3068 =$  \$ .25

Actual Cost of a Wage or Financial Institution Garnishment Served by Mail = \$ 40.26

**ADDENDUM: Bonneville County Sheriff's Criteria and Criterion Proportionate of a Wage or Financial Institution Garnishment Process and Service by Personal Service**

Civilian Civil Process Deputy Enter Initial Garnishment – 20 minutes x .36 =	\$7.20
Civilian Civil Process Deputy Enter Service Comments, Claim of Exemption-6 min. x .36 =	\$2.16
Civilian Civil Process Deputy Enter Money, Comments, Prep Disbursement- 5 min. x .36 =	\$1.80
Civilian Civil Process Deputy Disbursement, Final Return to Court = 25 minutes x .36 =	\$9.00
Paper and two Envelopes –	\$ .04
Postage - .49 x 2 =	\$ .98
Annual Civil Process Supply Budget – 1500.00 x .40 = 600.00 ÷ 3068 =	\$ .19
Annual Sgt. Supervision – 10% of 87025.12 = 8702.51 x .40 = 3481.00 ÷ 3068 =	\$1.13
Annual Lt. Supervision – 20% of 98138.04 = 19627.60 x .40 = 7851.04 ÷ 3068 =	\$2.55
POST Certified Serving Deputy – 17 minutes x .51 =	\$8.67
Mileage – 5 miles at .53 mileage rate = 5 x .53 =	\$2.65
Annual Emergency Vehicle = 29000.00 ÷ 7 years = 4142.85 x .40 = 1657.14 ÷ 3068 =	\$ .54
Annual Emergency Vehicle radio, safety seat, safety partition, MDT Mount - 11650.00 ÷ 7 years = 1664.28 x .40 = 665.71 ÷ 3068 =	\$ .21
Annual Emergency Vehicle Watch Guard Video System = 6100.00 ÷ 7 years = 871.42 x .40 = 348.56 ÷ 3068 =	\$ .11
Annual Mobil Data Terminal - 4600.00 + 950.00 Equip = 5550.00 ÷ 7 years = 792.85 x .40 = 317.14 ÷ 3068 =	\$ .10
Annual MDT Maintenance – 9918.07 ÷ 62 = 159.96 x .40 = 63.98 ÷ 3068 =	\$ .02
Annual Deputy duty equipment-1500.00 ÷ 5 years = 300.00 x .40 = 120.00 ÷ 3068 =	\$ .03
Annual Firearms - 1100.00 ÷ 7 years = 157.14 x .40 = 62.85 ÷ 3068 =	\$ .02
Annual Taser w/Cartridges – 1050 ÷ 7 years = 150.00 x .40 = 60.00 ÷ 3068 =	\$ .01
Portable Radio – 4000.00 ÷ 7 years = 571.42 x .40 = 228.56 ÷ 3068 =	\$ .07
Annual Radio Maintenance – 21329.04 ÷ 490 radios = 43.52 x 2 = 87.04 x .40 = 34.81 ÷ 3068 =	\$ .01
Mobile Phone – 140.98 ÷ 7 Years = 20.14 x .40 = 8.05 ÷ 3068 =	\$ .002
Annual Mobile Phone Maintenance – 53212.56 ÷ 99 = 537.50 x .40 = 215.00 ÷ 3068 =	\$ .07

Annual Soft Body Armor –  $900.00 \div 5 \text{ years} = 180.00 \times .40 = 72 \div 3068 =$  \$ .02  
 Annual Uniforms -  $489.00 \times 2 = 978.00 \times .40 = 391.20 \div 3068 =$  \$ .12  
 Annual Boot/Clean –  $400.00 \times 2 = 800.00 \times .40 = 320.00 \div 3068 =$  \$ .10  
 Annual Civil Process Training One Civilian and One POST Certified Deputy =  
 $(16 \text{ hrs.} \times 21.76 = 348.16) + (16 \text{ hrs.} \times 30.89 = 494.24) = 842.40 \times .40 = 336.96 \div 3068 =$  \$ .10  
 Annual Idaho POST Certified Deputy Mandatory Training =  $20 \text{ hrs.} \times 30.89 =$   
 $617.80 \times .40 = 247.12 \div 3068 =$  \$ .08  
 Annual Copier/Fax/Printer –  $7848.00 \div 7 \text{ years} = 1121.14 \times .40 = 448.45 \div 3068 =$  \$ .14  
 Annual Copier Maintenance Agreement –  $700.00 \times .40 = 280.00 \div 3068 =$  \$ .09  
 Annual Copier Maintenance Overage –  $525.80 \times .40 = 210.32 \div 3068 =$  \$ .06  
 Annual Civil Process Financial Computer Program –  $8275.00 \times .40 = 3310.00 \div 3068 =$  \$1.07  
 Annual computer, keyboard, mouse, monitor– $1200.00 \div 7 = 171.42 \times .40 = 68.56 \div 3068 =$  \$ .02  
 Annual ShoreTel telephone –  $270.00 \div 10 \text{ years} = 27.00 \times .40 = 10.80 \div 3068 =$  \$ .003  
 Annual Time Stamp –  $765.00 \div 10 \text{ years} = 76.50 \times .40 = 30.60 \div 3068 =$  \$ .009  
 Annual Drop Safe –  $1183.52 \div 10 \text{ years} = 118.35 \times .40 = 47.34 \div 3068 =$  \$ .01  
 Annual Rotating File Cabinets–  $4110.00 \div 20 \text{ years} = 205.50 \times .40 = 82.20 \div 3068 =$  \$ .02  
 Annual Corner Desk & File –  $1700.00 \div 20 \text{ years} = 85.00 \times .40 = 34.00 \div 3068 =$  \$ .01  
 Annual Secretary Chair –  $300.00 \div 7 \text{ years} = 42.85 \times .40 = 17.14 \div 3068 =$  \$ .005  
 Annual Carpet Mat –  $75.00 \div 7 \text{ years} = 10.71 \times .40 = 4.28 \div 3068 =$  \$ .001  
 Annual Sit/Stand Riser –  $150.00 \div 20 \text{ years} = 7.50 \times .40 = 3.00 \div 3068 =$  \$ .0009  
 Annual Building Maintenance –  $592873.06 \div 525 \text{ County Employees} = 1129.28 \text{ per employee}$   
 $1129.28 \times 2 \text{ Deputies} = 2258.56 \times .40 = 903.42 \div 3068 =$  \$ .29  
 Annual Computer Tech Support –  $491713.47 \div 525 \text{ County Employees} = 936.59 \text{ per employee}$   
 $936.59 \times 2 \text{ Deputies} = 1873.18 \times .40 = 749.27 \div 3068 =$  \$ .24  
 Annual Insurance Coverage –  $390356.00 \div 525 \text{ County Employees} = 743.53 \text{ per employee}$   
 $743.53 \times 2 \text{ Deputies} = 1487.06 \times .40 = 594.82 \div 3068 =$  \$ .19  
 County Contracted Civil Legal Advice –  $52 \text{ hrs.} \times 37.48 = 1948.96 \times .40 = 779.58 \div 3068 =$  \$ .25  
 Actual Cost of a Wage or Financial Institution Garnishment by Personal Service = \$ 40.39



**ADDENDUM: Bonneville County Sheriff's Criteria and Criterion Proportionate Share of Interim Return Process**

Information & Money Entry by Civil Process deputy = 5 minutes x .36 cents =	\$1.80
Process Return with Check delivered to Court or Mail Room = 5 minutes x .36 =	\$1.80
Paper and Envelope –	\$ .02
Postage –	\$ .49
Daily Bank Deposit of Interim Returns by Idaho POST Certified Deputy = 15 min. x .51 =	
7.65 x .40 = 3.06 x .67 = 2.05 ÷ 2072 =	\$ .0009
Mileage – ½ mile at .53 mileage rate (.53 ÷ 2) =	\$ .26
Annual Emergency vehicle–29000.00 ÷ 7 years = 4142.85 x .40 = 1657.14 x .67 = 1110.28 ÷ 2072=	\$ .53
Annual Emergency vehicle radio, safety seat, safety partition, MDT Mount	
11650.00 ÷ 7 years = 1664.28 x .40 = 665.71 x .67 = 446.02 ÷ 2072 =	\$ .21
Annual Emergency vehicle Watch Guard Video system	
6100 ÷ 7 years = 871.42 x .40 = 348.56 x .67 = 233.53 ÷ 2072 =	\$ .11
Annual Modil Data Terminal – 4600.00 + 950 Equipment = 5550.00	
5550.00 ÷ 7 years = 792.85 x .40 = 317.14 x .67 = 212.48 ÷ 2072 =	\$ .10
Annual MDT Maintenance – 9918.07 ÷ 62 = 159.96 x .40 = 63.98 x .67 = 42.86 ÷ 2072 =	\$ .02
Annual Deputy Duty Equip. = 1500.00 ÷ 5 years = 300.00 x .40 = 120.00 x .67 = 80.40 ÷ 2072 =	\$ .03
Annual Firearms – 1100.00 ÷ 7 years = 157.14 x .40 = 62.85 x .67 = 42.10 ÷ 2072 =	\$ .02
Annual Taser & Cartridges – 1050.00 ÷ 7 years = 150.00 x .40 = 60.00 x .67 = 40.20 ÷ 2072 =	\$ .01
Annual Soft Body Armor – 900.00 ÷ 5 years = 180.00 x .40 = 72.00 x .67 = 48.24 ÷ 2072 =	\$ .02
Portable Radio – 4000.00 ÷ 7 = 571.42 x .40 = 228.56 x .67 = 153.13 ÷ 2072 =	\$ .07
Annual Radio Maintenance – 21329.04 ÷ 490 radios = 43.52 x 2 = 87.04 x .40 =	
34.81 x .67 = 23.32 ÷ 2072 =	\$ .01
Mobile Phone – 140.98 ÷ 7 Years = 20.14 x .40 = 8.05 x .67 = 5.39 ÷ 2072 =	\$ .002
Annual Mobile Phone Maintenance – 53212.56 ÷ 99= 537.50 x .40= 215.00 x .67= 144.05 ÷ 2072	\$ .06
Annual Civil Process Supply Budget – 1500.00 x .40 = 600.00 x .67 = 402.00 ÷ 2072 =	\$ .19
Annual Sgt. Supervision – 10% of 87025.12 = 8702.51 x .40 = 3481.00 x .67 = 2332.27 ÷ 2072 =	\$1.12
Annual Lt. Supervision – 20% of 98138.04 = 19627.60 x .40 = 7851.04 x .67 = 5260.19 ÷ 2072 =	\$2.53

Annual Copier/Fax/Printer –  $7848.00 \div 7 \text{ years} = 1121.14 \times .40 = 448.45 \times .67 = 300.46 \div 2072 =$  \$ .14  
 Annual Copier Maintenance –  $700.00 \times .40 = 280.00 \times .67 = 187.60 \div 2072 =$  \$ .09  
 Annual Copier Overage –  $525.80 \times .40 = 210.32 \times .67 = 140.91 \div 2072 =$  \$ .06  
 Annual Civil Process Financial Program –  $8275.00 \times .40 = 3310.00 \times .67 = 2217.70 \div 2072 =$  \$1.07  
 Annual Computer, Keyboard, Monitor, Mouse–  $1200.00 \div 7 \text{ years} = 171.42 \times .40 = 68.56 \times .67 =$   
 $45.93 \div 2072 =$  \$ .02  
 Annual ShoreTel Telephone –  $270 \div 10 \text{ years} = 27.00 \times .40 = 10.80 \times .67 = 7.23 \div 2072 =$  \$ .003  
 Annual Drop Safe –  $1183.52 \div 10 \text{ years} = 118.35 \times .40 = 47.34 \times .67 = 31.71 \div 2072 =$  \$ .01  
 Annual Rotating File Cabinets –  $4110.00 \div 20 \text{ years} = 205.50 \times .40 = 82.20 \times .67 = 55.07 \div 2072 =$  \$ .02  
 Annual Time Stamp –  $765.00 \div 10 \text{ years} = 76.50 \times .40 = 30.60 \times .67 = 20.50 \div 2072 =$  \$ .009  
 Annual Corner Desks & File –  $1700.00 \div 20 \text{ years} = 85.00 \times .40 = 34.00 \times .67 = 22.78 \div 2072 =$  \$ .01  
 Annual Secretary Chair –  $300 \div 7 \text{ years} = 42.85 \times .40 = 17.14 \times .67 = 11.48 \div 2072 =$  \$ .005  
 Annual sit/stand Riser –  $150 \div 20 \text{ years} = 7.50 \times .40 = 3.00 \times .67 = 2.01 \div 2072 =$  \$ .0009  
 Annual Carpet Mat –  $75.00 \div 7 \text{ years} = 10.71 \times .40 = 4.28 \times .67 = 2.86 \div 2072 =$  \$ .001  
 Annual Deputy Uniforms –  $498.00 \times 2 = 996.00 \times .40 = 398.40 \times .67 = 266.92 \div 2072 =$  \$ .12  
 Annual Deputy Boot & Cleaning –  $400 \times 2 = 800.00 \times .40 = 320.00 \times .67 = 214.40 \div 2072 =$  \$ .10  
 Civil Process Deputy Training One Civilian Deputy and One POST Certified Deputy = (16 hrs. x  
 $21.76 = 348.16) + (16 \text{ hrs.} \times 30.89 = 494.24) = 842.40 \times .40 = 336.96 \times .67 = 225.76 \div 2072 =$  \$ .10  
 Annual Idaho POST Certified Deputy Mandatory Training =  $20 \text{ hrs.} \times 30.89 = 617.80 \times .40 =$   
 $247.12 \times .67 = 165.57 \div 2072 =$  \$ .07  
 Annual Building Maintenance –  $592873.06 \div 525 \text{ County Employees} = 1129.28 \text{ per employee}$   
 $1129.28 \times 2 \text{ Deputies} = 2258.56 \times .40 = 903.42 \times .67 = 605.29 \div 2072 =$  \$ .29  
 Annual Computer Tech Support –  $491713.47 \div 525 \text{ County Employees} = 936.59 \text{ per employee}$   
 $936.59 \times 2 \text{ Deputies} = 1873.18 \times .40 = 749.27 \times .67 = 502.01 \div 2072 =$  \$ .24  
 Annual Insurance Coverage –  $390356.00 \div 525 \text{ County Employees} = 743.53 \text{ per employee}$   
 $743.53 \times 2 \text{ Deputies} = 1487.06 \times .40 = 594.82 \times .67 = 398.53 \div 2072 =$  \$ .19  
 Contract Civil Legal Advice –  $52 \text{ hrs.} \times 37.48 = 1948.96 \times .40 = 779.58 \times .67 = 522.31 \div 2072 =$  \$ .25  
 Actual Cost of an Interim Return = \$ 12.20