

Governance Steering Committee Association of Oregon Counties

November 15, 2011 Meeting Minutes
AOC Annual Conference- Lane County, Oregon

Members: Present: Washington County Chair Andy Duyck, Columbia County Commissioner Earl Fisher, Gilliam County Judge Pat Shaw, Linn County Administrator Ralph Wyatt (NACA-Administrators), Yamhill County Commissioner Leslie Lewis, Jefferson County Commissioner John Hatfield,

Guests: Alex Cuyler (Lane County), Jim McCauley (Washington County), Troy Rayburn (Clackamas County), Janet Carlson (Marion County), Bill Waddle (Curry County), Rod Runyon (Union County), Jeff Rasmussen (Jefferson County), John Lattimer (Marion County), Greg Hansen (Polk County), Cheryl Betschart (Lane County), Henry Heimuller (Columbia County), Jay Dixon (Benton County), Roger Nyquist (Linn County), Mark Labhart (Tillamook County), John Lindsey (Linn County), Nancy Bennett (Multnomah County), Keith Dubanevich (Oregon Dept. of Justice), Paul Cleary (PERS), Co-Speaker of the House Representative Bruce Hanna (R-Roseburg), Will Tucker (Linn County), Dennis Mulvihill (Washington County)

AOC Staff: Mike Eliason, Mike McArthur, Paul Snider, Jon Oshel, Ann Hanus, Laura Cleland

Co-Chair Duyck convened the meeting

Washington State Liquor Initiative- Linn Co. Commissioner Roger Nyquist

Linn County Commissioner Roger Nyquist updated the committee on the passage of I-1183 in Washington State. Washington voters, by a margin of roughly 60-40, approved a measure to privatize sales of distilled spirits, ending the state's longtime monopoly on the liquor business. The committee discussed the possibility of a similar privatization model being implemented in Oregon and what that might mean for counties.

Proposed Resolution on Post-Office Closures

Mike Eliason described a possible NACo resolution related to post-office closures being proposed in Washington D.C. The resolution supports legislation introduced that would not allow rural post office closures to occur if the closure results in a 10-mile or longer distance between post offices. This is in response to fears that rural communities rely on post offices for many services and too many closures would further cut off rural communities. The committee debated the resolution and ultimately decided not to make a motion in support. There was a sense among members that post office services might be adequately provided by grocery stores and other alternatives and that the large post office deficit might require closures to the extent proposed. The resolution was also scheduled to be introduced in Community Development.

MERS- Attorney General's Chief of Staff/Special Counsel Keith Dubanevich

Mr. Dubanevich walked the committee through the continuing evolution of court cases regarding the Mortgage Electronic Recording System (MERS). MERS created an alternative online recording/tracking system for members of MERS, generally the big banks and lending industry. There are over 25 cases currently working their way through the Oregon court system, most addressing the question of whether MERS has the authority to initiate a foreclosure without all assignments being recorded prior to foreclosure. The Attorney General believes the likely answer is no and may file an amicus brief stating so in one of the cases. Counties also have concerns over a scheme that is designed to avoid the necessity of recording real property transactions at the county level.

PERS Update- Exec. Director Paul Cleary

Mr. Cleary gave a presentation on the funded status of PERS and updated the committee on the recent Supreme Court decision in the *Arken/Robinson* cases concerning the appropriateness of the method used by PERS to recoup overpayments to the so-named "window" retirees from 1999-2003. The Supreme Court ruled that these retirees were not entitled to keep the extra amounts credited to their member accounts and that PERS has the authority to recover this money. Mr. Cleary also discussed the recent settlement with the Oregonian that will result in the names and benefit amounts of all PERS retirees. This has received an inordinate amount of attention of late with the publication of the monthly benefit received by former Oregon Ducks head coach Mike Belliotti.

2011 Legislative Recap/2012 Legislative Preview- House Co-Speaker Bruce Hanna

Co-Speaker Hanna reviewed the unique 2011 and the "shared governance" model. He noted how well he and fellow Co-Speaker Arnie Roblan co-existed and extended appreciation toward Governor Kitzhaber, noting he did not seem like the same Governor who previously served two terms. The Co-Speaker also provided a preview of his efforts as co-chair of the Legislative Task Force on County Payments, saying that he wants to review work that has already been done first, such as the Governor's Task Force on Federal Forest Payments that was completed in 2008. He spoke as well on what the House Republicans would like to see take place in February 2012, namely more focus on jobs and private-sector economic development.

Co-Chair Duyck adjourned the meeting at 11:52 a.m.