

**Association of Oregon Counties
Board of Directors**

**Monday, December 12, 2011
2:00 p.m.**

**Multnomah County Board Room
Portland, Oregon**

Present: President Tammy Baney, Commissioner Mary Stern, Judge Pat Shaw, Commissioner Earl Fisher, Commissioner Janet Carlson, Commissioner Wayne Fording, Commissioner Mark Labhart, Commissioner Annabelle Jaramillo, Commissioner Craig Pope, Commissioner Tony Hyde, Commissioner Jim Bernard, Commissioner Diane McKeel

Via telephone: Commissioner Simon Hare, Commissioner Sam Brentano, Commissioner Alan Unger, Administrator Ralph Wyatt, Public Works Director Robb Paul

Staff: Mike McArthur, Cara Fischer, Eric Schmidt, Laura Cleland, Gil Riddell, Mike Eliason, Emily Ackland, Mark Nystrom, Paul Snider, Joann Hendrix

President Tammy Baney called the meeting to order at 2:00 p.m.

2012 AOC appointments to Board and Legislative Committee

AOC President Tammy Baney moved for adjournment of the 2011 Board of Directors and Legislative Committee and the acceptance of the recommended seating of the 2012 Board of Directors and Legislative Committee.

Commissioner Tony Hyde moved to approve the seating of the 2012 Board of Directors and Legislative Committee, seconded by Commissioner Craig Pope. Motion carried.

President Baney then requested the Board of Directors to recess and reconvene after the Legislative Committee meeting is adjourned.

President Baney called the meeting to order at 3:40 pm

Agenda Approval

Commissioner Earl Fisher moved to approve the agenda of December 12, 2011 with the addition of 12.2 Health Transformation and 12.3 NACo Nationwide LLC. Seconded by Commissioner Wayne Fording. Motion carried.

Consent Agenda

Accept the minutes as presented from October 10, 2011

Receive the financial reports as presented for periods ending October 31, 2011 and November 30, 2011

Recommendations & Appointments

1. The Local Bridge Selection Review Committee is established in the Federal-aid Project Guidelines and Working, an intergovernmental agreement between AOC, LOC and

ODOT. It is the policy setting and project recommending body for all issues associated with the federal Highway Bridge Program and the TIA programs for local agency bridges in Oregon.

*Renew appointment of Ian Cannon, Multnomah County Bridge Services manager, as a voting member, with a term to expire on November 30, 2015.

*Renew appointment of Greg Clemmons, Washington County operations engineer, as a voting member, with a term to expire on November 30, 2015.

*Renew appointment of Mike Kuntz, Jackson County engineer, as the alternate voting member, with a term to expire on November 30, 2015.

2. Recommend Kim Rhodes, Marion County crew leader, be appointed as AOC's representative to the Oregon Utilities Notification Council Board.
3. Concur with AOC president's recommendation to the Oregon Parks and Recreation (OP&R) Departments director to appoint Roger Nyquist to the OP&R Scenic Bikeways Committee.
4. Concur with AOC president's nomination of Jackson County Commissioner John Rashor to represent counties west of the Cascades and Clackamas County Commissioner Jim Bernard as an at-large member to serve on the Oregon Parks and Recreation Department's (OPRD) Local Government Grant Advisory Committee.

AOC supplemental budget request

Authorize executive director to receive grant funds from City of Portland, U.S. Department of Agriculture and Oregon Solutions totaling \$78,000 to be used for Oregon Clean Energy Alliance (SOCEA) projects. AOC acts as fiscal agent and grant manager for these funds. \$2,500 stays with AOC for administrative duties the remainder is pass-through on SOCEA's behalf.

Administrator Ralph Wyatt moved to approve the consent agenda of December 12, 2011, seconded by Commissioner Fisher. Motion carried.

Agreement with Community Renewable Energy Association (CREA)

Mr. McArthur requested the board authorize the executive director to enter into a one-year agreement with the Community Renewable Energy Association to provide advocacy, information and administrative services for that association.

CREA is an Oregon-based intergovernmental organization; its mission is to support policy and advocacy for Community Based Renewable Energy projects in Oregon. Gilliam, Harney, Hood River, Lake, Morrow, Sherman, Union, Wallowa, Wasco and Wheeler counties are active members of CREA.

For the last 18 months, AOC has successfully provided advocacy, information and administrative services for CREA. CREA has requested the relationship continue through 2012. Again, to provide the expertise necessary to fulfill the advocacy component of the contract, AOC will need to enter into a personal services agreement with a specialist.

The terms of the agreement call for a monthly payment to AOC by CREA of \$1,200. Of this fee, \$200 will be kept by AOC as compensation for services provided; the remainder will cover the expense of an independent contractor. During the one-month legislative session in 2012, this fee increases to \$1,800 with \$1,500 dedicated to the contractor and \$300 to AOC for services.

Commissioner Janet Carlson moved to authorize the executive director to enter into an agreement with Community Renewable Energy Association (CREA) to provide advocacy and administrative services, seconded by Commissioner Jim Bernard. Motion carried.

Independent contractor agreement with Doris Penwell

Mr. McArthur requested the board to authorize the executive director to enter into a personal services agreement with Doris Penwell to provide advocacy and information services called for in the Community Renewable Energy Association agreement.

Ms. Penwell has provided services required under the CREA agreement for the last 18 months. Her knowledge and background have made her particularly valuable in this role; she is a recognized authority of renewable energy policy issues.

For her service, Ms. Penwell will receive compensation of \$1,000 during non-legislative months and \$1,500 during the month of February for the legislative session.

Commissioner Hyde moved to authorize the executive director to enter into a personal services agreement with Doris Penwell, seconded by Commissioner Fisher. Motion carried.

Additional signatory for AOC emergency checks

Mr. McArthur requested the board approve amending AOC Check Signators Policy to allow for a third emergency signatory. Further, approve adding AOC staff person Mike Eliason as an emergency signatory on AOC bank accounts.

In October of 2008, the AOC Board of Directors approved a check signators policy that includes a provision for emergency check signing authority in the absence of the association treasurer or executive director.

The proviso currently reads:

“The deputy executive director and legal counsel may sign checks for amounts of less than \$5,000; checks must bear both signatures. This provision is allowed only in emergency situations and with approval of either the treasurer or the executive director when neither of those individuals is available to act as signatory.”

Since approval of the policy, this provision has been invoked twice. Two upcoming events cause this request. Mr. McArthur previously announced that upon Paul Snider's retirement Mike Eliason would be named AOC legal counsel. Secondly, Cara Fischer, deputy director, will be away from the office most of January and unavailable as a signatory should an emergency arise. Adding Mr. Eliason now as a signatory on AOC bank accounts adds to a smooth transition when Mr. Snider decides to retire.

Mr. Wyatt moved to approve the amendment of the AOC Check Signators Policy to allow for a third emergency signatory. Further, approve adding AOC staff person Mike Eliason as an emergency signatory on the AOC bank accounts, seconded by Commissioner Fisher. Motion carried.

PSU Center for Public Service request for project funding assistance

Mr. McArthur requested the board authorize the executive director to enter into an agreement with Portland State University (PSU) Center for Public Service for up to \$5,000 from the PERS Alliance fund to support the Public Sector Employer Total Cost of Compensation Study.

AOC has been requested by Phil Keisling of the PSU Center for Public Service to help fund an expanded study of the total cost of compensation for public employees. The total cost of the study is estimated at \$25,000; AOC is requested to provide \$5,000 for the project.

Commissioner Carlson moved to authorize the executive director to enter into an agreement with Portland State University Center for Public Service for up to \$5,000 from the PERS Alliance fund to support the Public Sector Employer Total Cost of Compensation Study, seconded by Commissioner Fisher. Motion carried.

Prescription drug programs

Mr. McArthur discussed a request by NACo to approve authorization for NACo staff to negotiate an agreement with CVS Caremark to change the NACo Prescription Discount Card Program to allow counties to receive revenue through the program and to enable state associations and NACo to receive revenue for marketing the program. He added that Coast2Coast, a business that provides similar services to county constituents, is interested in AOC endorsement of its program, independent of the NACo-offered plan.

Discussion ensued regarding the benefits and possible implications to counties about changing the contract with CVS Caremark. Commissioner Hyde said he was opposed to AOC endorsement of the Coast2Coast product.

Further discussion and possible action will be taken at the January 9, 2012 Board meeting.

AOC Annual Conference location/timing survey

Cara Fischer reported that at the AOC 2011 annual business meeting on November 17 the membership was asked about preferences for timing and location of annual conferences for 2012-2016. Ms. Fischer explained that AOC will release a request for proposals (RFP) to hotels

and conference centers this winter looking to contract for space for the next five years. When seeking proposals it is necessary to request specific dates for specific years.

Staff proposed holding the annual conference in even number, election years in the Willamette Valley during the week before Thanksgiving. AOC has met for its annual conference at this time since 1938. This allows new commissioner orientation to be held in tandem with the annual conference; legislative leaders to be more concrete in comments they share with membership; and newly elected or re-elected statewide officers to address AOC members as part of the program. Staff believes holding this meeting in the Willamette Valley will increase participation by legislative leadership and state officials.

On this proposed schedule, the dates would be November 13-15, 2012, November 18-20, 2014 and November 15-17, 2016.

Further, staff suggested moving the annual conference to October in non-election years to allow the conference to be held in other parts of the state. Both of these proposals were well received by members present.

Staff was asked to survey the full membership on suggestions raised at the annual meeting. Ms. Fischer reviewed with the Board the proposed survey and requested comments. President Baney proposed e-mailing Ms. Fischer by December 19 with any additional suggestions for the survey prior to distribution.

Commissioner Fisher requested a recap of number of past conference attendees, number of sleeping rooms and meeting rooms required, etc. so members have a background of size of appropriate venues available that would be able to host the AOC Annual Conference.

Mr. Wyatt requested a list of possible venues available throughout the state that would be able to accommodate the AOC Annual Conference.

Ms. Fischer will provide this information to board members and start the survey of full AOC membership in late January.

County-Coordinated Care Organization Agreements: Analysis of Issues and Guidance for Development

Commissioner Carlson requested support by the AOC Board of Directors to endorse the County-Coordinated Care Organization Agreements: Analysis of Issues and Guidance for Development draft document.

Commissioner Carlson reported that the purpose of this document is to help county officials understand how to implement Section 24 of HB 3650, Partnering with county government, in order to create the robust partnerships between counties and coordinated care organizations (CCOs) necessary for achieving the Triple Aim at the local level. The county responsibilities defined in Section 24 are presented in a matrix, and links each responsibility with a systems issue, and potential outcome measures. The first part of the matrix covers the realm of public health and the second part of the matrix addresses mental health and addictions.

Discussion ensued regarding the draft document. Board members expressed a preference for additional time to review the document and discuss it with their county commissions and county courts before agreeing to an AOC board endorsement. Commissioner Craig Pope suggested that until the full membership has had an opportunity to review the CCO draft document it could state “draft” and allow the AOC logo to be placed upon it.

Commissioner Annabelle Jaramillo requested that "reference use for counties" be added to the document. Commissioner Stern stated that the CCO document is for informational guidance and not a position paper. She added that the paper could be helpful to counties in better understanding the issues

Commissioner Stern moved to allow the use of the AOC logo with the addition of the words "reference use for counties" added to the document and technical edits corrected, seconded by Commissioner Sam Brentano. Motion carried.

NACo Nationwide LLC

Mr. McArthur explained that AOC has an agreement with NACo to endorse the NACo Nationwide Retirement Solutions 457 deferred compensation plan. For several years, AOC has marketed the plan and received compensation for the endorsement.

NACo has now created NACo Nationwide LLC and request that all state associations become members by investing in the company. Other associations raised questions regarding the rules and regulations of the Securities and Exchange Commission. With this proposal, state associations could join for a fee and receive payments directly from the corporation. AOC legal counsel is researching how Oregon law applies to this limited liability corporation.

President Baney and Commissioner Stern raised legal and ethics questions about AOC becoming a member and endorsing one company over another i.e., Nationwide Retirement Solutions. Mr. McArthur said he would take these concerns under advisement and as the corporation evolves, he will return to the Board with more information.

With no further business, President Baney adjourned the meeting at 4:30 p.m.