



CLACKAMAS COUNTY  
VECTOR CONTROL DISTRICT

**MINUTES OF THE REGULAR BUSINESS MEETING OF THE BOARD OF TRUSTEES**

June 7, 2016

A Regular Business Meeting of the Clackamas County Vector Control District Board of Trustees was held on June 7, 2016. The meeting was called to order at 2:35 p.m., by Chairman Dan Green.

Board of Trustees Members Present:

Dan Green – Chairman  
Lowell Hanna – Treasurer  
Gordon Young - Secretary

Staff: George Peck  
Theresa Micallef  
Josh Jacobson  
Rich Imholt

Absent: John Borden – Vice-Chairman  
Mike Bondi – Board Member

Guest: Rob Mills –SDAO  
William Cloran - Attorney  
Christy Valdrow – Kent, Kuykendall & Co., P.C.  
Jay Clemens – Turtledove Clemens

Items before the Board:

**Public Comment – Limited to 5 minutes per person:**

No comments.

**Approval of the May 3, 2016 Regular Meeting Minutes** – A motion was made by Treasurer Lowell Hanna, seconded by Secretary Gordon Young, to approve the May 3, 2016 Regular Business Meeting Minutes as revised and submitted via e-mail. With no further discussions, motion unanimously approved. The original copy of the approved minutes was signed by Secretary Gordon Young.

**Bills & Checks** - Bills and Checks were given to Board Members for review and approval. Bills and checks were approved as presented by way of review and signatures.

**SDAO Board Practices Assessment Update** - Rob Mills from SDAO handed out information regarding the "Special District Board Practices Assessment". Rob Mills had a discussion with the Board Members about "Board Duties and Responsibilities", "Operational Compliance", "Budget and Finance", "Customer Relations", "Personnel Administration", and "Policies and Procedures".

**Budget Hearing** - Chairman Dan Green opened the Budget Hearing 2:56 p.m., there being no public comment Chairman Dan Green closed the Budget Hearing at 3:07 p.m.

**Adopt Budget** - A "Resolution Adopting the Budget" was read by Chairman Dan Green. A motion was made by Treasurer Lowell Hanna seconded by Secretary Gordon Young, to approve the "Resolution Adopting the Budget" as presented, motion unanimously approved, FY 2016 – 2017 budget adopted. Resolution attached.

**Resolution Imposing and Categorizing Taxes** - A "Resolution Imposing and Categorizing Taxes" was read by Chairman Dan Green. A motion was made by Secretary Gordon Young, seconded by Treasurer Lowell Hanna, to approve the "Resolution Imposing and Categorizing Taxes" as presented for FY 2016 - 2017, motion unanimously approved, the approved resolution was signed by Chairman Dan Green, and Secretary Gordon Young. Resolution attached.

**Finalize COLA for Salaries** - Director George Peck distributed paperwork regarding Clackamas County COLA rates, and informed the Board Members that Clackamas County Employees will be receiving a 2.1 COLA increase for the FY 2016 – 2017. Chairman Dan Green said "I was not at the last Board Meeting and it is my understanding that we gave all of the employees, except George who already has this benefit, the 6% payment for their PERS contribution, my opinion is that in light of that no further raise is necessary but I would be happy to discuss that, but 6% is pretty hefty".

Treasurer Lowell Hanna said "the PERS increase that the District will pick up, 6%, that is going to be an ongoing annual pick up from this point on that we have already taken that action, so there will be a 6% increase this year, but there also is a 6% next year, and that is ongoing, so based on that, I have been given that thought then, is it not fair that the COLA should be shown in this, for this year and as well in future years, we don't know what future years are going to be, but we do show here, what was it 1.5 % did you say, and I'm thinking even though we have decided to pick up the 6% COLA should be taken into consideration for the employees this year as well as future years, or you could make the argument in future years the same as what we are making right now, ok, that we are giving them that 6% every year from now on". Dan said "the 6% is a raise, it is like any other raise and it is permanent". Lowell said "it is not a raise, it is a responsibility the District is taking on their

obligation to equalize what other organizations are picking up PERS for their employees, granted it's going to be money in their pocket, but I think we need to look at it in a different manner than calling it a raise". Dan said "that when this happened in the State which is the first place I ever heard of it happening, it used to be everybody paid their 6% themselves. When this happened in the state I was an employee at the time and it was in lieu of a raise, it was in lieu of about a 5% raise, and so it is a raise, a standard raise, a negotiable item, in that where we have union represented employees, it increases payroll that people take home, and it's a raise in every sense of the word, and they used to have to provide that 6% out of their pay and now they get to keep that money, it's a raise, it's just like any other raise". Lowell said "but then you're saying that it would be that way in future years, is it going to be considered a raise. Treasurer Gordon Young said it becomes part of the employee's standard salary and the new normal". Lowell said "so why is it not considered the new normal for this year". Dan said "because it just happened, it's a new raise and I'm simply saying we have done a 6% raise, that to do another 1% to 2% does not seem necessary to me or financially prudent. Lowell said "I would still make the argument that the District is still taking on what it should have been doing in the past as other organizations have done". Both Dan and Gordon said "some organizations do and some don't". Gordon said "it is not obligatory", Dan said "have you a say on this Gordon", Gordon said "I totally concur with everything that you have said Dan, and I alluded to that in the last meeting, and I called it essentially a "push", especially because of the history the State demonstrated, Mike had alluded to that in his comments".

Dan said "if all of us want to vote, in one way or the other, we have enough of us to pass something, we do not have enough of us to pass something if one of us is uncertain, one of the options is to table this item until there is more representation of the Board, and then to discuss it at that point, whatever we decided would still be retroactive, I assume, to the July 1 date, so that no one would be disadvantaged by that". Lowell said "is it July 1 or June 1", Dan said "July 1, that is our fiscal year". Lowell said I would like to table it till we have the full Board here to discuss this". Dan said "I would support that", Gordon said "I don't have a difficult problem with it either". A motion was made by Treasurer Lowell Hanna, seconded by Secretary Gordon Young, to table the finalizing of the COLA until there are more Board Members present for discussion, motion unanimously approved.

**Signing of Revised Resolution PERS** – Chairman Dan Green read the Resolution (00-01) to change the type of PERS Employee contributions for full time CCVCD employees from MPAT to EPPT Contributions, rescinding the CCVCD Board of Trustees Resolution dated 27<sup>th</sup> of December, 1994, which provided for MPAT Contributions, and to be deemed "Picked Up" for purposes of internal Revenue Code Section 414 (h) (2). A motion was made by Treasurer Lowell Hanna, seconded by Secretary Gordon Young to have Chairman Dan Green sign the PERS Resolution (00-01), motion unanimously approved.

**CCC Work Services Crew (yard maintenance) Contract** – Chairman Dan Green read the CCC Work Services Crew Contract to the Board Members. A motion was made by Secretary Gordon Young, seconded by Treasurer Lowell Hanna to have Chairman Dan Green sign the intergovernmental Contract for CCC Work Services Crew (yard Maintenance), motion unanimously approved.

**Update on Payroll with Christy Valdrow, Kent Kuykendall & Co., P.C. (Payroll assistant; Lowell Hanna)** – Treasurer Lowell Hanna informed the Board Members that Theresa, George, and himself had met with Christy Valdrow at her office and discussed the procedure that is being put in place to do reconciliations of the Wells Fargo account and Quick Books system that would produce reports directly from the Quick Books system instead of hand typed reports. Christy Valdrow stated that the Quick Books program is transparent, everything that is typed into it will be on the reports. We also discussed the State Pool Accounts. Lowell Hanna stated that with this system we would be able to see deposits, where we were not able to see that in the past, it is a clearer picture of our accounting process.

**Items That May Occur Before the Meeting:**

Director George Peck stated that he wanted to remind the Board Members that last month the Board voted to unanimously approve to adopt the LGIP Mandate which is the Local Government Investment Pool, and if there were any questions, the Board could ask at this time. Treasurer Lowell Hanna stated that CCVCD would be transferring from Clackamas County Treasurer handling CCVCD's account to CCVCD handling the account thru the LGIP.

Director George Peck distributed to the Board Members a copy of the Salary Matrix that included a step 7 and a 3% COLA for the FY 2016 - 2017. George stated that in July 2012 the Board had approved the Salary Matrix and that this Matrix is taken directly from the Board minutes, it is an Excel spread sheet. It was the Board Members intention for this mandate to be followed, it was only followed in the case of one (1) employee, and other full time employees were either below or above where they should have been in terms of following the COLA's, George reminded the Board Members that they had approved six (6) steps. George stated that he had a discussion with Dan about a month ago and a step seven (7) was created, and that would allow all employees to be aligned into the Matrix going forward into the FY 2016 – 2017. Dan asked if the employees were currently being paid on one (1) of the steps on this Matrix; George stated "yes", Dan then asked if this included the 6% PERS pick up; George stated that it did not include the 6% PERS pick up and that he considered the 6% PERS pick up as a benefit rather than part of the salary, Dan stated that George was undoubtedly right. A motion was made by Treasurer Lowell Hanna, seconded by Secretary Gordon Young to adopt the current FY 2015 – 2016 Official District Salary Matrix with step seven (7) added as of today's date June 7, 2016, motion unanimously approved.

3:30 p.m. - The Executive Session of the Clackamas County Vector Control District Board of Trustees Meeting to obtain legal advice, was called to order at 3:30 p.m. by Chairman Dan Green.

4:18 p.m. - The Executive Session of Clackamas County Vector Control District Board of Trustees Meeting to obtain legal advice, adjourned at 4:18 p.m. and the Regular Business Meeting of the Clackamas County Vector Control District Board of Trustees was called to order by Chairman Dan Green.

A motion was made by Secretary Gordon Young, seconded by Treasurer Lowell Hanna, to direct Attorney Bill Cloran to negotiate a contract with Turtledove Clemens to reflect the agreement made in August of 2015.

Chairman Dan Green invited Jay Clemens of Turtledove Clemens to speak. Jay said "I always felt very comfortable with the Board, and comfortable talking with the Board if something comes up, this situation came up with George and I last week came over and we were going thru the website showing him everything that was going on, because June, July, and August is our season, that is where everything has to happen, and George just looked at me and said I am sorry I can't have this conversation and I can't pay your bill. Then I said well can we talk about it, and he said no I can't talk about it either, and I said well wait a minute I just walked in and you say I can't pay my bill and I can't talk about it, so it wasn't heated by any stretch of the imagination, and so I didn't know that this was going to come up at this meeting and so I just wanted to be at this meeting to answer any questions or whatever regarding it, I will obviously be happy to do whatever we have to do. My concern was leaving that meeting, we are crescendoing right now in June, July, and August, I am leaving that meeting canceling billboards, radio, and I am canceling newspapers, and mailers to the schools, and so I didn't know you were going to bring this issue up right now because we couldn't lose the calendar, mosquito season doesn't stop".

Secretary Gordon Young said "our apology to you because we screwed up, and we should have gotten a contract, but we dropped the ball". Dan said "that in all honesty you should have held us to having a contract, you are used to those too". Jay said "I am and I'm not". Dan stated that it's to none of our advantages at this point to wonder how it happened, it happened, it shouldn't happen, and we have asked Bill to rectify it. Jay said to Bill "what can I do to do this as quickly as we can, because I want to be able to un-cancel all of this".

Dan said "we would like Turtledove Clemens to start back to work immediately, we are going to pay your bill. We went thru the right process and then we dropped the ball on getting the contract finalized, we don't have any problem with the work you have done to this point, so we have asked Bill to put together a contract, and we are asking George to put together an RFP for next year so we can go thru the process and get things set up for the next fiscal year, which is not that far off, and it would be very much appreciated if you would put in a bid", Jay said "you know I would".

Dan said "we need to follow the state laws and state rules". Lowell said "that is the reason why we are doing an RFP, because it is what we are required to do, it is not anything against Turtledove, this is just what we are required to do, to start off with an RFP when we are going into a new contract".

Dan said to Jay "you mentioned things you were doing in July and August, under our agreement we were to be done in June". Jay said "our agreement was a 2 (two) year agreement, when we made the presentation I had the document here, we said that the leg work all had to be done in April, May, and June, but because the media is July and August that it was an extension of the contract for two years so it cut across, and again you can't start on something on July 1 and have it be in the media on July 1". Dan said to Jay "can you put together a summary for us about what you think needs to happen to finish up the year that we have already finished, the fiscal year ends this month, the things that are going on that need to happen, because I don't remember us talking about a 2 (two) year deal". Jay said "let me

show you just briefly, this is the document we presented", "this is the document you all had copies of, these are all of the items that were in the budget, and it was a 150, and then this is when everything was going to be done, so this part of this is calendar year 2016, so then all of these things happen in July and August". Dan Said "so you're saying that this wraps around to here", Jay said "correct", "so what is left is the outreach, media, and everything that goes into this, so it's the radio, television, and digital outreach to the schools, everything in June, July, and August. We have had to go to the schools in June, and then all the media for the public outreach, and education, was July, and August. That is why we did that, because we can't start a contract on July 1 (one) because media needs to be ordered a month or two (2) months ahead of time". Dan said "you can see why we are confused", Jay said "Yes, but that is the way it was presented, because the outreach timing doesn't fit with your fiscal year, so that's why it was done as a 2 (two) year extension of the contract".

George said "is there actual physical language that says wrap around or is this something that was an oral communication during the meeting and there is no documentation". Jay said "no, this is all the documentation right here. It's everything, when we are doing it, budget, and explanation".

Dan said "for instance billboards, I noticed it was one that wraps around, where was the one for billboards". Jay said "for instance festivals". Dan said "let's do billboards if you don't mind". Jay answered "sure, that is this right here". Dan said "strategically placed billboards, so it doesn't specifically speak to when". Jay said "no, that is what this is". Dan said "so all of the when it happens is here", "I can understand that there are things like this that need to keep happening, like billboards, and if we put up a billboard in June with a 3 (three) month rental, then that's the way it would run for now". Jay said "and television the same way, so June starts it, July and August is when we would have to be doing our communicating to the general public".

Dan said "where are the prices", Jay responded, "the prices are all right here", Dan said "so billboards 18,000", Jay said "so 6,000, 6,000 and 6,000, June, July, and August", Dan said "so they would be billed as they occur", Jay said "as they occur but they will have to be ordered, obviously ahead of the time". Dan said "We have the ability to do a contract that would do short term sole source funding to finish those out". Jay said "my suggestion would be to, and I don't know how to do it legally, but do something to extend it thru August, even though that's not right on your June 30<sup>th</sup>, but then the new contract would come up and it still would be July 1 thru June 30". Dan Green asked Bill Cloran if that was something he could do, Bill answered "yes". Lowell said "one of the things is that you have got a 2015 for July and August, and that is misleading to me", Jay said "I totally get that, it's actually not 2015 it's actually 2016, but when we presented this it was July 31, 2015, that would be my suggestion so we wouldn't have to cancel anything". Dan said "just so we stay on board I would like to entertain a motion to ask Bill to create sole source funding contracts for July and August, consistent with this presentation we heard back last year". Lowell said "so moved", Gordon said "seconded". Dan Green said "any discussion", Lowell said "no, I think we have covered it, Bill do you have anything to add to it", and Bill said "the only thing that I would add is that I may be able to do it without going to the sole source authority, so I can carry it thru July or August, bridging the fiscal year requires me to put in a non-appropriation clause, but since the appropriation for this budget I don't know it's already made here at this meeting

here today it's a formality, and so putting in the amount appropriation clause, and I can carry the contract out to the date that you need to put there". Dan said "all in favor", the Board Members unanimously approved.

Dan said "Jay we would like you to go back to work, we are going to pay your bill, and Bill will work with you to get a contract to get this in place thru the end of August, and we will put out and RFP, which may or may not include all of these things, or you may want to add more things in your proposal and response", Jay said "we will", Dan said "and we will try to make sure that the next time we do this we do a better job of it". Jay said "thank you, I have always felt comfortable talking to you guys about things and I know it kind of put George in a bad squeeze position on the other side, but he also did what he was supposed to do too, and not talk about it, so that was good. So thank you I'm glad we were able to resolve it and I will go back to the office and un-cancel everything". Bill said "Jay I'm going to be out of town to a hearing at the coast on Thursday, I will probably be back to you on Friday". Jay said "I'm totally good, I know what we are going to do, and we are going to do it in good faith and so I am sure that you will too, thank you guys, and then in July we will be able to show you in the Board meeting everything we have got done, all new website, all new videos, all new education material. Lowell said "I hope this break does not throw your works in", Jay said, "no, not at all, a lot of things you just have to do in good faith sometimes".

George said to Jay "we need to have access the web site as well, we are not able to edit it at this point". Theresa said "we cannot receive work orders either, the work orders are not coming thru". George said "part of our surveillance is shut down completely, it is totally non-functional, and the Sentinel system, the part that allows the public to ask for service is shut down", "Sentinel is completely shut down, it is not working at all, so Sentinel is not working, we cannot edit the web site it is part of our web site and it needs to be working". Jay said "of course it is, it will be handled tomorrow".

Dan Green asked "are there any other items to be brought before the Board". Gordon asked Biologist Josh Jacobson what is the status out in the field. Josh said "yes, I pulled some numbers on some reports, and the conclusion of that is that we are well ahead of previous year's number wise this year, I would attribute that to both the warm weather we have had and so there are more mosquitoes out there this time of year than previous years, last year we had a really wet spring actually, for instance in May for 2016 we collected 476 adult mosquitoes in our traps, last year in May we only had collected 36, and it was so wet we were unable to get out there and set traps. Numbers are definitely up this year, we also have more crew on earlier this year, so it has also increased the number of mosquitoes we are seeing, the larvae numbers are also up for May, we have collected about 3 times as many of mosquito larvae this year as last year", Gordon asked "same number of sites", Josh answered "yes, same sites we have been going to".

Lowell asked Josh "do you have any updates on Zika, Dengue, or West Nile". Josh stated that he had just seen an article that stated they believe Zika can now be transmitted thru oral sex, not just sexual intercourse, and that is the latest I have heard on Zika. Lowell said "so, even kissing can now I would think would be a possibility of passing Zika then", Josh said "could be possible, we don't know at this point".

Dan asked if there was anything else needed from the Board, George said "I will be asking for reviews of the RFP in the next week and I will be in touch with Bill

Cloran regarding what we have discussed today, I know I'll have questions as I review all of the things that have occurred, there is nothing that I can presently think of, I just want to say I am pleased with all of the guidance I have had, managing a district is a new experience for me, all of the different hats we have to wear from politician, to bookkeeper, to public relations, and we are just trading hats all day long, so it's a journey". Lowell said "I want to commend the two (George and Theresa) of them that they are doing an outstanding job in passing the hats around too, working with these folks I think that they are doing well together".

Dan said "I suggest that we look hard at our other contracts, and make sure that we are following the proper state required processes in setting those up. I would hate to run into the situation where we need to spray with a plane and we find out that the contract we have been using forever has never really been appropriately set up, just any of our big expenditures or potential expenditures, make sure that we jump thru the right hoops". George said "I will do that and have a report ready in July".

Adjournment:

There being no further business before the Board, the meeting was adjourned at 4:39 p.m., by Chairman Dan Green.

BOARD OF TRUSTEES  
CLACKAMAS COUNTY VECTOR CONTROL DISTRICT

By: \_\_\_\_\_  
Secretary