

COMPENSATION BOARD FOR ELECTED OFFICIALS
Meeting Discussion Highlights – February 28, 2023

Members Present

Melissa Fireside
Alisa Grandy
Aimee Smith

Guests Present

Catherine McMullen, County Clerk
Bronson Rueda, County Assessor
Karen Brisbin, Justice of the Peace

Staff Present

Heather Pedersen
Erin Braman
Nina Smith

Call to Order		Heather Pedersen called the Compensation Board for Elected Officials (CB) meeting to order at 9:07 AM.
Welcome and Introduction of Members		All members present.
Recognition of Guests		Catherine McMullen, Clerk, joined at 9:00 AM until 9:32 AM Bronson Rueda, Assessor, joined at 9:00 AM until 10:23 AM Karen Brisbin, Justice of the Peace, joined at 10:45 until 11:05 AM
Elected Official Presentations		<p>County Clerk, Catherine McMullen – Provided presentation.</p> <p>Minimum Qualifications: ORS 204.016; ORS 249.091. Clerk McMullen has worked in elections for 7.5 years; 13 years in Libraries and Information Management</p> <p>Responsibilities of Clerk are virtually all described in Oregon Statute:</p> <p><i>Records Management:</i> (Internal Facing); supports Public Records Requests; US State Department approved passport acceptance facility (high demand; seen by appointment).</p> <p><i>Recording:</i> Located on Red Soils property: records all real property transactions, plats, BCC’s Journal documents, and board orders for the county. Issues marriage licenses and registers Domestic Partnership Declarations; Officiates weddings (this service will resume June 2023); Oversees the Board of Property Tax Appeals (BOPTA) which provides appeal process for property owners to challenge assessed value of property; records military discharges; OLCC Liquor Licensing in unincorporated areas of the county.</p> <p><i>Elections:</i> Most high-profile service; conducts all local, state, and federal elections for county citizens. Maintains voter registration data, county voters’ pamphlets; ballot design; maintains 25 official ballot drop sites; 311,125 registered voters in 16 unincorporated cities and unincorporated rural and urban communities.</p> <p>Will be one of the first County’s to conduct Ranked Choice Voting (RCV) elections starting in Nov 2024 for City of Portland voters (working with Multnomah County and Washington County on that project).</p> <p>Elections Division Improvements:</p> <ul style="list-style-type: none"> • Strengthened staffing (hired interim Elections Manager mid-January)

		<ul style="list-style-type: none"> ○ Will update position description prior to running a regular recruitment for Elections Manager ○ Hiring for vacant Elections Specialist (bilingual) ○ Election Worker recruitment is open; hoping to hire 80 temporary election workers <ul style="list-style-type: none"> ▪ (e.g.: 25 ballot boxes; 2 people from opposing parties close each night – 50 Election Workers needed) ● Every election is a project <ul style="list-style-type: none"> ○ Communications, specific deliverables ● Quality control and security <ul style="list-style-type: none"> ○ Improved quality control processes. ● Technology and vendor review <ul style="list-style-type: none"> ○ Reviewing every step of elections process; identify bottlenecks and opportunities to improve technology. Partner with vendors and other jurisdictions. Reviewing all contracts and moving forward on Request for Proposal (RFP) <p>Election Integrity – ensure every eligible voter has the resources they need to vote easily and without barriers; ensure elections are safe, secure, transparent, and are confusion and error free; ensure election results are timely, accurate, and trusted. Working with Secretary of State to update election reporting on an automatic reporting; adding layers of transparency (e.g.: additional cameras; ballot stations)</p> <p>Revenue generated by the Clerk’s Office is from marriage licenses; passport applications; soon officiating weddings; jurisdictions are billed to conduct elections.</p> <p>Clackamas County is most populous county with an elected County Clerk.</p> <p>Recording FY 21/22: 86,657 documents were recorded, 1727 marriage licenses; no marriages officiated</p> <p>Records Management FY 21/22: 1,373,050 images scanned; 2966 boxes processed in Records Center; 1,684 passports were processed. Some other jurisdictions have stopped processing passports and so more community members are coming to Clackamas for passport services.</p> <p>County Assessor, Bronson Rueda – Provided presentation.</p> <p>Assessor Rueda has a degree in Criminal Justice; joined Military; and got a job in Commercial Property Appraisal (retail, vacant lands, subdivisions, etc.); experience as manager supervising commercial property appraisal. Went to a position as a litigation appraiser. Worked with Department of Revenue. Came to Clackamas County in 2019 as Deputy Assessor. Appointed as Assessor July – December 2022. Elected term started January 1, 2023.</p> <p><i>Appraisal</i> – 170,000 Accounts (third highest County – Multnomah and Washington Counties are larger). Since so large, perform mass appraisals (look at sales within a neighborhood; requires statistical analysis).</p>
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	<p>For Future years</p>	<ul style="list-style-type: none"> Deputy Assessor position – Has left vacant purposefully until now. Ongoing interviews. Hopes to finalize Deputy Assessor decisions by end of week (week of 2/27/23) <p>Assessor Compensation Analysis – Bronson reached out to Assessors in jurisdictions currently used as comparables. Assessors in Marion, Deschutes, and Clark Counties are not tax collectors, which is a major component of Clackamas County Assessor role. Appraisal work is higher percentage of time than tax collection, but tax collection is part of that position. Deputy position manages the tax collection side of the Assessor’s office.</p> <p>Marion and Deschutes County have fewer accounts than Clackamas (same assumption for Clark but not verified).</p> <p>Lane County performs same functions, smaller budget, and less FTE.</p> <p>Conclusion from Assessor’s analysis: Clackamas County position has more functions than the other comparables.</p> <p>Multnomah and Washington County: Both are larger in terms of property accounts; both have additional duties than Clack County, which is also smaller in terms of property accounts, budget, and FTE.</p> <p>Lane County Compensation Board uses Washington County in their comparable analysis.</p> <p>In summary, Assessor Rueda suggested Washington and Multnomah County should be added in the comparable analysis. He also questioned the Assessor’s flat salary in relation to the salaries of other (appointed) Department Director’s salaries who are paid within a pay range.</p> <p>Heather suggested that for future years, staff collect information regarding the number of property accounts each of the surveyed jurisdictions has. This information can be added to the Assessor data sheet along with budget and FTE information.</p> <p>Following the Assessor’s presentation, the Compensation Board took an 8-minute break at 10:25. Went back on record at 10:33am.</p> <p>Judge Karen Brisbin –Judge Brisbin joined the group at 10:45.</p> <p>Judge Brisbin did not have any recommendations for changes to the current matches, noting that each of the matches are slightly different than the County’s Justice Court, but reflect the same type of work.</p> <p>Judge Brisbin shared there are 22 Justice Courts statewide – Clackamas County is one of the larger ones. 30-60 cases/week. Jurisdiction evictions; small claims. Cases can be filed in Circuit Court or with Justice Court. Oregon law does not allow justice courts to be in the county seat.</p> <p>Two courtrooms in location. Even during COVID, community was separated into court rooms to allow for spacing.</p>
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		<p>Hearing over 99% evictions; violations (red lights; speeding; traffic); increase in high speed cases. Seasonal violations (Fish & Wildlife; fire; boating). Some can be resolved with court staff, or individuals can have a trial and see the judge. Fine structure is set up the same for every court, statewide.</p> <p>Small claims: Increase in small claims. Individuals suing each other which have not been resolved in mediation.</p> <p>Evictions have seen a lot of changes since 2020. Process for courts to handle evictions is being reviewed by Legislature. Ever evolving due to relationship with houselessness. Current legislation is under review which would change the court processes.</p> <p>Clackamas County has a fair amount of money to support those who qualify for Rent Assistance. State implementing a program to support tenant/landlord eviction proceedings.</p> <p>Main changes in the next year: Implementation of landlord/tenant changes. One impact is it will likely give the tenant more opportunity/time to pay. Majority of eviction cases are due to non-payment.</p> <p>Both Circuit Courts and Justice Courts are state Courts; however Justice Courts are operated by County.</p> <p>Have not performed marriages since the pandemic, but pre-COVID, used to hold free marriages on Fridays. Justice of Peace could perform marriages anywhere in Oregon. The Justice Court Judge can charge up to \$100/wedding but if performed as part of regular hours, no charge.</p> <p>Court is in session Tuesday-Friday. Staff prepares everything on Mondays. Intergovernmental Agreement with the City of Sandy – Judge Brisbin provides support as needed.</p> <p>Election cycle is every six years. Appointed by Governor Kulongoski in 2009. Judge Brisbin organized, hired staff and the Justice Court opened in 2010. Started as a part-time position, but now is full-time due to scope/responsibility.</p> <p>Receives cases from State of Oregon. In 2012, Justice Court met with all filers for evictions, so all evictions moved to Justice Court which allows Circuit Court to see other cases.</p> <p>County Counsel and other judges pro tem for Justice Court as needed.</p> <p>Succession planning: If a Justice retires at the end of the term, then there is an election. If the Justice of the Peace leaves in the middle of the term, then the Governor will appoint a new Justice of the Peace. Since County requires JofP to be a Member of State Bar, there is currently no other staff in Justice Court that would qualify.</p>
Review and Approve Meeting Discussion		Meeting discussion highlights (minutes) from February 21, 2023 were reviewed and accepted without changes by the Compensation Board for Elected Officials.

<p>Updates and Follow-Up</p>	<p>Update</p> <p>Update</p> <p>Update</p> <p>Update</p> <p>Follow-Up</p> <p>Decision</p> <p>Update</p> <p>Follow-up</p>	<p>Staff confirmed that County Elected Officials are covered under the Oregon Paid Leave Law.</p> <p>Staff confirmed that being a Member of the State Bar is NOT a requirement to be a Justice of Peace, but one of the ways an individual may be qualified. Staff shared a list of comparable jurisdictions and their requirements.</p> <p>ORS 204.112 Interpretation of Sheriff’s Office Compensation. Staff shared list of comparable jurisdictions and a description of their interpretation of the ORS.</p> <p>Staff distributed a list of the County Commissioners’ assignments on various committees and boards, which was provided by County Administration.</p> <p>Question: Who makes the final decision on committee/board assignments? Does the Chair have this authority? HR will inquire.</p> <p>The CB asked if there are any updates on a possible cost of living adjustment. Heather noted there are no updates from what was recently shared. It is unknown if a COLA for non-represented staff will be approved by the County Administrator at this time; or what the rate would be.</p> <p>The CB discussed, for purposes of calculating and initial review, what could be used. The CB agreed to use a 4.5% COLA for initial calculations. This can be adjusted or reviewed further if something else is agreed upon. But for initial calculations, 4.5% COLA will be assumed.</p> <p>Staff distributed updated data sheets (on goldenrod) to clarify where responsibilities are similar/different. Green/shaded areas included updated information.</p> <p>Question: County Clerk is elected. What is the difference if they have their own representation? How would this differ from non-elected Clerks? HR will inquire.</p>
<p>General Discussion</p>	<p>Decision</p>	<p>Referencing the ORS interpretation findings regarding the Sheriff, the Compensation Board discussed if they want to revisit their compensation philosophy for elected officials (i.e., at least 10% above the second-in-command). The CB unanimously agreed to maintain their philosophy, recommending no changes.</p> <p><u>ASSESSOR</u></p> <p>The 2022 recommendation was a 4.5% COLA, which was approved by the Budget Committee. This year, the spread between the second-in-command is unknown as Deputy Assessor position remains vacant. Assessor is 6.0% above market.</p> <p>The CB noted the Assessor has not had a Deputy for some time, so recognized they may be carrying heavier load. CB discussed that there may be different FTEs/Budgets for comparable jurisdictions but agreed those don’t necessarily support a difference in compensation. Their focus is where there are similar functional/core duties.</p>

		<p>In relation to using larger counties as matches, one CB member noted at Multnomah County, there are twice as many BOPTA appeals, and twice the staff.</p> <p>One CB member brought up a past practice of the CB to place a value on jurisdictions with smaller/larger budgets and FTEs. Heather shared history that in previous years, the Compensation Board had applied adjustments based on staff size, budget, or geographic region. The weighting percentages were determined appropriate based on the information at the time, but future Compensation Boards saw those adjustment amounts as more subjective/arbitrary and the adjustments were removed in 2018.</p> <p>Heather also mentioned that prior to 2007 Clackamas County compared to and surveyed Marion and Lane Counties for all market studies. In 2007 those counties were removed as comparables as their compensation was notably lower and not consistent with the Portland-Metro area, making it more difficult to attract and retain qualified employees. The County chose to replace those two jurisdictions with City of Vancouver and Metro (Regional Government). In 2008, this change in practice was shared with the Compensation Board. At that time, the CB decided to keep Marion and Lane Counties as comparable matches, as removing them would result in limited comparable information for several elected positions. However, they did agree to add Metro and City of Vancouver to the jurisdictions surveyed by the CB.</p> <p>Heather shared that in relation to the Assessor’s comments related to Pay Equity and the Equal Pay Law, HR received guidance that elected officials were not considered employees for purposes of Equal Pay Law. As a result, elected officials were not included in the County’s pay equity analysis.</p> <p>Members of the CB discussed that the data point for second-in-command used to help ensure internal alignment does consider the Portland-Metro region market.</p> <p>The Compensation Board confirmed they do not want to adjust any of the matches for Assessor based on the information they have.</p> <p><u>CLERK</u> The 2022 recommendation was 4.5% COLA, which was approved by the Budget Committee.</p> <p>The Compensation Board confirmed they do not want to adjust any of the matches.</p> <p><u>DISTRICT ATTORNEY</u> The Compensation Board confirmed they do not want to adjust any of the matches.</p> <p>Deschutes County was previously “Tier 2” based on population and at a lower rate. However, it’s now a “Tier 1” based on population and has moved to the</p>
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		higher rate. As a result, may be added which has changed the difference from average from 15.2% to 16.6%.
	Follow-up	The Compensation Board requested information about Deschutes was added as a Tier 1 County. They would also like to see an updated District Attorney data sheet that includes Deschutes.
	Decision	<u>JUSTICE OF THE PEACE</u> The Compensation Board confirmed they do not want to adjust any of the matches.
	Follow-up	Add note regarding why Marion County was removed as match in 21/22 (less variety of cases heard).
	Decision	<u>SHERIFF</u> Clark County had a major change in 2022. Jail Services are no longer under the Sheriff's Office as of 1/1/2023.
	Follow-up	The CB agreed to remove Clark County as a match to Sheriff. HR will provide an updated data sheet for Sheriff at the next meeting.
	Follow-up	Special note made regarding Clackamas County's 7/1/22 organizational change when the Community Corrections Department was absorbed into the Sheriff's Office as a Division.
	Follow-up	<u>TREASURER</u> Marion County may no longer be a match as the Treasurer's Office has been consolidated into Finance. The investment portfolio has been contracted out, but the Treasurer is still responsible for investments. More information was requested to gather information about all jurisdictions' Treasurer's Offices budget, staff, and other information consolidated for review.
Adjourn		Meeting adjourned at 12:15 PM.

Action Items/Items for Follow-up		
<u>Deliverable</u>	<u>Responsible Party</u>	<u>Due Date</u>
HR will add a question on the Match Analysis/Data Survey regarding the number of Property Accounts their Assessment & Taxation Department has.	Human Resources	Next Year
Confirm who makes BCC Committee Assignments	Human Resources	03/07/2023
Confirm any differences in Clerks who need their own representation (elected/non-elected)	Human Resources	03/07/2023
Confirm when Deschutes County became "Tier 1" for purposes of District Attorney State salary. Provide updated DA data sheet reflecting Deschutes County as a comparable.	Human Resources	03/07/2023

Data Sheet – Justice Court: Add note regarding why Marion was removed as match in 21/22.	Human Resources	03/07/2023
Data Sheet – Sheriff: Update to remove Clark County as match	Human Resources	03/07/2023
Compile information about Treasurer’s Budgets, staff, and other Information needed for comparison (elected and non)	Human Resources	03/07/2023

Upcoming meetings/events:

- Comp Board Meeting 4: March 7th 1pm-3pm (scheduled via Zoom)
 - County Administrator will attend
- Comp Board Meeting 5: March 14th 9am-12pm (scheduled for in-person)
- Compensation Board Recommendations to Budget Committee: Wednesday April 26, 2023 (in-person)

Comp Board Handouts distributed

- Agenda
- Meeting Discussion Highlights from February 21, 2023
- County Clerk PowerPoint presentation
- County Assessor PowerPoint presentation
- Justice of the Peace Qualifications – All Jurisdictions
- Sheriff ORS Interpretation – All Jurisdictions
- List of boards/commissions assigned to each County Commissioner
- Revised Data Sheets (goldenrod)
- Revised Match Review
- Revised Elected Official/Second-In-Command sheet

Audio recording is available upon request.