

January 21, 2010

The **Oklahoma County Budget Board** met in regular session on Thursday, January 21, 2010 at 10:00 a.m. in the Conference Room 201 of the Oklahoma County Annex Building, 320 Robert S. Kerr, Oklahoma City, Oklahoma, following statutory notice of public meeting being properly posted on Wednesday, January 20, 2010. The following members were present:

Raymond L. Vaughn, Jr. Commissioner District 3, Chairman
 Willa Johnson, Commissioner District 1, Member
 P. D. Taylor, Chief Deputy for John Whetsel, County Sheriff, Member
 Mark Mishoe, Chief Deputy for Carolyn Caudill, County Clerk, Secretary
 Larry Stein, Chief Deputy for Leonard Sullivan, County Assessor, Member
 Jerry Stone, Chief Deputy for Forrest "Butch" Freeman, County Treasurer, Vice-Chairman
 Tim Rhodes, Chief Deputy for Patricia Presley, Court Clerk, Member
 Brian Maughan, Commissioner District 2, Member

Absent:

John Whetsel, County Sheriff, Member
 Carolyn Caudill, County Clerk, Secretary
 Leonard Sullivan, County Assessor, Member
 Forrest "Butch" Freeman, County Treasurer, Vice-Chairman
 Patricia Presley, Court Clerk, Member

The meeting was called to order by Raymond L. Vaughn, Chairman of the Board.

Motion by Johnson, second by Mishoe to approve the minutes of the special meeting dated Monday, December 14, 2009 and the regular meeting dated Thursday, December 17, 2009. APPROVED. Motion carried unanimously.

Motion by Taylor, second by Johnson to approve the follows resolutions as the consent docket:

Resolution HWY 11-10: Cash fund appropriation for Highway Cash 1110 as follows:

| | | 9100 | 9200 | 9300 | Total |
|-----------------|-----------|---------------------|---------------------|---------------------|---------------------|
| 1110-51000 | Salary | \$125,000.00 | \$140,000.00 | \$123,535.40 | \$388,535.40 |
| 1110-52000 | Benefits | \$51,000.00 | \$44,000.00 | \$41,801.58 | \$136,801.58 |
| 1110-53000 | Travel | \$2,500.00 | \$0.00 | \$0.00 | \$2,500.00 |
| 1110-54000 | Operation | \$112,803.03 | \$99,886.67 | \$124,514.85 | \$337,204.55 |
| 1110-55000 | Capital | \$25,000.00 | \$0.00 | \$10,000.00 | \$35,000.00 |
| 1110-9101-54000 | Operation | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 1110-9102-54000 | Operation | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 1110-9205-55000 | Capital | \$0.00 | \$14,941.40 | \$0.00 | \$14,941.40 |
| 1110-9206-54000 | Operation | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Total | | \$316,303.03 | \$298,828.07 | \$299,851.83 | \$914,982.93 |

To appropriate miscellaneous and Tax Commission receipts for the month of December 2009 as follows (Document Received):

| <u>Misc. Receipts</u> | | <u>Tax Collections</u> | |
|---------------------------------|-------------|---------------------------|--------------|
| Sale of Material D-1 | \$1,088.26 | Gross Production | \$102,532.00 |
| Sale of Material D-2 | \$10,200.40 | Diesel Fuel Excise Tax | \$142,030.57 |
| Sale of Material D-3 | \$0.00 | Gasoline Excise Tax | \$302,186.14 |
| Reimb Gas & Fuel D-1 | \$373.38 | Special Fuel Tax | \$27.10 |
| Reimb Gas & Fuel D-2 | \$239.85 | Veh Coll for Rds /w CRIRF | \$314,594.93 |
| Reimb Gas & Fuel D-3 | \$2,819.99 | | |
| Reimb Parts & Serv Repair D-1 | \$0.00 | Interest | \$2,510.20 |
| Reimb Parts & Serv Repair D-2 | \$0.00 | Sub Total | \$863,880.94 |
| Reimb Parts & Serv Repair D-3 | \$8,973.50 | | |
| Sale of Scrap D-2 | \$427.50 | | |
| Sale of Scrap D-3 | \$33.40 | | |
| All Other Reimb or Receipts D-3 | \$64.63 | | |
| Reimb from City of Edmond D-1 | \$8,235.00 | | |
| Reimb from City of Spencer D-1 | \$90.00 | | |
| Reimb from Midwest City D-1 | \$18,451.68 | | |
| Reimb from Choctaw SD 4, D-1 | \$104.40 | | |
| Miscellaneous Receipts Total | \$51,101.99 | Total Receipts | \$914,982.93 |

Resolution TMF 9-10: Cash fund appropriation for Treasurer's Mortgage Tax Fee Fund 1140 as follows:

| | | |
|----------------------|----------|-------------------|
| 1140-1500-2010-51000 | Salary | \$11,765.00 |
| 1140-1500-2010-52000 | Benefits | <u>\$1,875.00</u> |
| Total | | \$13,640.00 |

To appropriate receipts for the month of December 2009. (Document Received)

Resolution CCLF 11-10: Cash fund appropriation for County Clerk Lien Fee Fund 1150 as follows:

| | | |
|----------------------|-----------|------------------|
| 1150-1700-2010-54000 | Operation | \$3,718.96 |
| 1150-1700-2010-55000 | Capital | <u>\$3718.96</u> |
| Total | | \$7,437.92 |

To appropriate receipts for the month of December 2009. (Document Received)

Resolution UCC 11-10: Cash fund appropriation for County Clerk Uniform Commercial Code Fee Fund 1151 as follows:

| | | |
|----------------------|-----------|--------------------|
| 1151-1700-2010-51000 | Salary | \$25,600.00 |
| 1151-1700-2010-52000 | Benefits | \$7,400.00 |
| 1151-1700-2010-54000 | Operation | <u>\$14,015.97</u> |
| Total | | \$47,015.97 |

To appropriate receipts for the month of December 2009. (Document Received)

Resolution CCRP 12-10: Cash fund appropriations for County Clerk Records Preservation and Management Fund 1152 as follows:

| | | |
|----------------------|-----------|--------------------|
| 1152-1700-2010-51000 | Salary | \$14,500.00 |
| 1152-1700-2010-52000 | Benefits | \$6,200.00 |
| 1152-1700-2010-54000 | Operation | <u>\$42,596.95</u> |

Total **\$63,296.95**
To appropriate receipts for the month of December 2009. (Document Received)

Resolution SF 10-10: Cash fund appropriation for Sheriff Service Fee Fund 1160 as follows:

| | | |
|----------------------|-----------|---------------------|
| 1160-5100-2010-51000 | Salary | \$25,000.00 |
| 1160-5100-2010-52000 | Benefits | \$5,000.00 |
| 1160-5100-2010-53000 | Travel | \$5,000.00 |
| 1160-5100-2010-54000 | Operation | \$135,955.77 |
| 1160-5100-2010-55000 | Capital | \$25,000.00 |
| 1160-5105-2010-54000 | Operation | \$15,000.00 |
| 1160-5105-2010-55000 | Capital | \$5,000.00 |
| 1160-5160-2010-54000 | Operation | \$4,195.33 |
| 1160-5160-2010-55000 | Capital | <u>\$12,000.00</u> |
| Total | | \$232,151.10 |

To appropriate interest and miscellaneous receipts for the month of December 2009. (Document Received)

Resolution SSR 13-10: Cash fund appropriation for Sheriff Special Revenue Fund 1161 as follows:

| | | |
|----------------------|-----------|---------------------|
| 1161-5108-2010-54000 | Operation | \$19,420.11 |
| 1161-5108-2010-55000 | Capital | \$10,000.00 |
| 1161-5110-2010-51000 | Salary | \$40,000.00 |
| 1161-5110-2010-52000 | Benefits | \$50,000.00 |
| 1161-5110-2010-54000 | Operation | \$430,000.00 |
| 1161-5111-2010-54000 | Operation | \$145,568.88 |
| 1161-5113-2010-54000 | Operation | \$2,718.41 |
| 1161-5127-2010-55000 | Capital | \$9,891.64 |
| 1161-5146-2010-54000 | Operation | <u>\$170,000.00</u> |
| Total | | \$877,599.04 |

To appropriate interest and miscellaneous receipts for the month of December 2009. (Document Received)

Resolution AFR 8-10: Cash fund appropriation for Assessor's Fee Revolving Fund 1201 as follows:

| | | |
|----------------------|---------|----------|
| 1201-1300-2010-55000 | Capital | \$812.50 |
|----------------------|---------|----------|

To appropriate receipts for the month of December 2009. (Document Received)

Resolution JPF 9-10: Cash fund appropriation for Juvenile Probation Fee Fund 1231 as follows:

| | | |
|----------------------|-----------|------------|
| 1231-5200-2010-54000 | Operation | \$3,322.50 |
|----------------------|-----------|------------|

To appropriate receipts for the month of December 2009. (Document Received)

Resolution JWRF 9-10: Cash fund appropriation for Juvenile Work Restitution Fund 1232 as follows:

| | | |
|----------------------|-----------|------------|
| 1232-5200-2010-54000 | Operation | \$2,344.00 |
|----------------------|-----------|------------|

To appropriate receipts for the month of December 2009. (Document Received)

Resolution JGF 9-10: Cash fund appropriation for Juvenile Grant Fund 1233 as follows:

| | | |
|----------------------|-----------|--------------------|
| 1233-5216-2010-51000 | Salary | \$35,000.00 |
| 1233-5216-2010-52000 | Benefits | \$20,000.00 |
| 1233-5216-2010-54000 | Operation | \$21,180.00 |
| 1233-5217-2010-54000 | Operation | <u>\$ 125.00</u> |
| Total | | \$76,305.00 |

To appropriate grant receipts for the month of December 2009. (Document Received)

Resolution PC 9-10: Cash fund appropriations for Planning Commission Fee Fund 1240 as follows:

| | | |
|----------------------|----------|--------------------|
| 1240-3000-2010-51000 | Salary | \$10,000.00 |
| 1240-3000-2010-52000 | Benefits | <u>\$3,891.20</u> |
| Total | | \$13,891.20 |

To appropriate fee receipts for the month of December 2009. (Document Received)

Resolution CSF 11-10: Cash fund appropriations for Community Service Fee Fund 1260 as follows:

| | | |
|----------------------|-----------|-------------------|
| 1260-3100-2010-54000 | Operation | 1,920.00 |
| 1260-3105-2010-54000 | Operation | <u>\$7,936.00</u> |
| Total | | \$9,856.00 |

To appropriate fee receipts for the month of December 2009. (Document Received)

Resolution SENT 9-10: Cash fund appropriations for Community Sentencing Fund 1270 as follows:

| | | |
|----------------------|-----------|---------------------|
| 1270-3110-2010-51000 | Salary | \$109,759.70 |
| 1270-3110-2010-52000 | Benefits | \$43,184.15 |
| 1270-3110-2010-53000 | Travel | \$5,398.01 |
| 1270-3110-2010-54000 | Operation | \$16,194.06 |
| 1270-3110-2010-55000 | Capital | <u>\$5,398.01</u> |
| Total | | \$179,933.93 |

To appropriate fee receipts for the month of December 2009. (Document Received)

Resolution DCF 8-10: Cash fund appropriations for Drug Court fund 1280 as follows:

| | | |
|----------------------|--------|-------------|
| 1280-3150-2010-51000 | Salary | \$45,687.50 |
|----------------------|--------|-------------|

To appropriate fee receipts for the month of December 2009. (Document Received)

Resolution CIR 10-10: Cash fund appropriation for Capital Improvement- Regular Fund 2010 as follows:

| | | |
|----------------------|---------|--------|
| 2010-1200-2010-55000 | Capital | \$4.52 |
|----------------------|---------|--------|

To appropriate interest receipts for the month of December 2009. (Document Received)

Resolution TCF 9-10: Cash fund appropriation for Tinker Clearing 2002 – Fund 2031 as follows:

| | | |
|----------------------|---------|----------|
| 2031-1202-2010-55000 | Capital | \$567.29 |
|----------------------|---------|----------|

To appropriate interest receipts for the month of December 2009. (Document Received)

Resolution CB 10-10: Cash fund appropriation for County Bonds 2008, Fund 2032 as follows:

| | | |
|----------------------|-----------|---------------------|
| 2032-0001-2010-54000 | Operation | \$2.91 |
| 2032-1203-2010-55000 | Capital | \$141.23 |
| 2032-1204-2010-55000 | Capital | \$1,061.87 |
| 2032-1205-2010-55000 | Capital | \$1,438.90 |
| 2032-1206-2010-55000 | Capital | \$51.99 |
| 2032-1207-2010-54000 | Operation | <u>\$206,204.67</u> |
| Total | | \$208,901.57 |

To appropriate interest and sale of material receipts for the month of December 2009. (Document Received)

Resolution EB 17-10: Cash fund appropriation for Employee Benefits 4010-0001-2010-54000 in the amount of \$980,000.00. To appropriate miscellaneous receipts for the month of January contingent upon funds to be deposited on January 31, 2010.

Resolution EB 18-10: Cash fund appropriation for Employee Benefits 4010-0001-2010-54000 in the amount of \$723,000.00. To be appropriated as soon as receipts from Resolution EB 16-10 are deposited into the Employee Benefits Fund.

Resolution WC 10-10: Cash fund appropriation for Worker's Compensation Fund 4020 as follows:

| | | |
|----------------------|-----------|----------|
| 4020-0001-2010-54000 | Operation | \$813.16 |
|----------------------|-----------|----------|

To appropriate receipts for the month of December 2009. (Document Received)

Resolution LL 9-10: Cash fund appropriations for Law Library Fund 6010 as follows:

| | | |
|----------------------|-----------|--------------------|
| 6010-0001-2010-51000 | Salary | \$8,200.00 |
| 6010-0001-2010-54000 | Operation | <u>\$31,856.77</u> |
| Total | | \$40,056.77 |

To appropriate receipts for the month of December 2009. (Document Received)

Resolution TMF 10-10: Transfer of appropriations for Treasurer's Mortgage Fee Fund 1140 in the amount of \$60,300.00 as follows:

| | | |
|---------------------------|----------|--------------------|
| From 1140-1500-2010-55000 | Capital | \$60,300.00 |
| To 1140-1500-2010-51000 | Salary | \$47,000.00 |
| To 1140-1500-2010-52000 | Benefits | <u>\$13,300.00</u> |
| Total | | \$60,300.00 |

Transfer is needed to fund salary and benefits for a portion of the year based on the fact receipts are coming in less than previous months.

Resolution GF 17-10: Inter-fund transfer from General Fund Cash to Worker's Compensation Fund 4020 cash and appropriations in the amount of \$500,000.00 as follows:

| | | |
|-----------------------------|-----------|--------------|
| From General Fund Cash 1001 | | \$500,000.00 |
| To 4020-0001-2010-54000 | Operation | \$500,000.00 |

Transfer of cash was approved by the Budget Board in the Annual Adopted Budget on June 9, 2009.

Resolution GF 18-10: Inter-fund transfer from General Fund Cash to Self Insurance Fund 4030 cash and appropriations in the amount of \$37,430 as follows:

| | | |
|------------------------------------|--------------------|--------------------|
| From General Fund Cash 1001 | \$37,430.00 | |
| To 4030-0001-2010-54000 | Operation | \$37,430.00 |

Transfer of cash was approved by the Budget Board in the Annual Adopted Budget on June 9, 2009.

APPROVED. Motion carried unanimously.

Discussion and possible action regarding the Monthly Financial Report to be presented by Danny Lambert, County Clerk's Accounting Manager. This item requested by Carolynn Caudill, County Clerk and secretary to the Board.

Lambert stated Page 1) General Fund Cash at December 31st the balance was \$32,655,771 as compared to last year when the balance was \$29,039,213 that is an increase of 12.5%. The Temporary Cash transfers for fiscal year 09-10 totaled \$19,980,000 to date and the amount transferred in 2008-09 fiscal year was \$15,175,000. Page 3) General Fund Actual Comparison Year to date revenue is down \$279,885 -.7% over last year. The breakdown for that is \$1,453,483 in property tax which we budgeted \$2,185,702 more than 08-09 fiscal year and \$202,964 down in Charges for Services. \$198,909 of that is Clerk Recording fees, which is down 9%. Inter-government revenue is down \$1,206,416 and \$1,006,532 is the T&GA Grants, which have gone away. Interest Income is also down by \$357,824. Last year the County had \$168,280 in stale dated checks. So overall comparison we are up \$771,123 when net out T&GA Grant funds. Year to date expenditures are \$217,912 more or .7% as compared to last December. Net out T&GA Grants of \$592,653 the expenditures are up \$810,565 or 2.5%. Page 5) General Fund Expenditures, we have spent 48.4% and we are 50% through the fiscal year. Page 9) Workers Compensation Fund cash balance ended at \$174,801, last year it was \$198,768. The County budgeted \$1,100,000 in transfers and so far we have transferred \$600,000. There is \$500,000 on today's agenda now that taxes coming in. We received the Worker's Compensation Actuary Report. We use this report for our CAFR reporting to record Unpaid Claims Liability. The actuary report states we should have \$3.2 million in reserves to cover unpaid claims. We estimate \$1,405,000 in paid losses for 09-10. Last year the report suggested \$3.3 million in reserves and \$1,391,000 in estimated claims with \$1,141,568 actual expenditures in the 2009 fiscal year. Page 11) Employee Benefits Fund cash balance of \$659,200 compared to last year at this time was \$1,745,513. Medical Claims for the month of December were \$1,161,449, which is higher than our monthly budget of \$736,979. The total prescription claims for the month of December were \$429,837, which is the highest month this year. The budgeted average for prescription claims are \$264,834. The year-to-date medical and prescription claims are currently \$7,141,415 and last year they were \$5,408,456, which is \$1,732,959 or 32% more. We already know that the totals for January medical and prescription claims will total \$927,878. Next weeks claims are \$198,352.

The Budget Board approved \$723,000 transfer from the Reserve account at the Budget Board meeting on January 15, 2010. In our budget estimates if we average in February through June

\$1,152,756 per month as we did the first 7 months we will end up \$462,600 short in this fund. There is only \$204,055 left in the reserve account. The Budget Evaluation Team has a meeting set up to meet with the Mutual Administrator Representatives to find out why the claims are coming in so high. Page 13) Capital Projects there is really no change on this. Page 15) Special Revenue Funds actual expenditure comparisons show the difference in expenditures.

Motion by Mishoe, second by Johnson to receive the Monthly Financial Report presented by Danny Lambert, County Clerk's Accounting Manager. This item requested byCarolynn Caudill, County Clerk and secretary to the Board. RECEIVED. Motion carried unanimously.

Discussion and possible action agreeing to participate in the development of a regional Comprehensive Economic Development Strategy (CEDS) through a letter of commitment to the Association of Central Oklahoma Governments. This item requested by Ray Vaughn Jr., County Commissioner for District No. 3 and Chairman of the Board.

Vaughn stated that the Comprehensive Economic Development Strategy has been approved already. Rick Buchanan, Chief Deputy for Ray Vaughn, County Commissioner stated that the Budget Board discussed this item at the last meeting, but did not have the letter to approve at the time. There was some confusion and the letter has been signed and the request has gone through the Board of County Commissioner's meeting. Therefore, it is time to approve the letter that has been signed by all the elected officials and approved by the Oklahoma County Board of Commissioners. Motion by Vaughn and second by Johnson to approve the letter of commitment to the Association of Central Oklahoma Governments. APPROVED. Motion carried unanimously.

Discussion and possible action to approve the recommendation contained in the Oklahoma County Clerk's Office Business Case to Update Employee Handbook to Clarify Excess Annual Leave Accruals. Such action, if approved by the Budget Board and the Board of County Commissioners, will result in uniform policies regarding annual leave usage and the maximum hours that any employee of Oklahoma County government may claim as annual leave. Any leave hours in excess of the maximum amount of annual leave per this change or amended policy will result in loss of such annual leave and such employee will not be able to claim any excess hours or monetary value in such hours above policy limits when his/her employment with Oklahoma County is terminated, or when the employee separates from Oklahoma County employment either by retirement, resignation or voluntary or involuntary separation. This item requested by Carolynn Caudill, County Clerk and Secretary to the Board. (Document Received.)

Mishoe stated that this item is to update the Oklahoma County Employee Handbook. Basically this is getting us in line with the state statute. The statute says that the County cannot have annual leave in excess of what the state allows. This is just dealing with excess leave. We allow employees to accrue in excess of what the maximum allowed are; but they end up losing that if they don't use the excess by June 30. The policy goes on to state at this time, that when an employee leaves Oklahoma County they will be paid for any unused annual leave. The word Any, may also include excess leave so we just wanted to clarify our policy and wanted some language to let employees know that they are not entitled to payment on the excess leave. They

can take it as leave time, but they can only be paid out what the maximum is on our policy. This is just to help us establish the Oracle portion of the payroll and we have to go in and establish the rules to set up in the program. We are just adding a sentence in the handbook that states: *Any employee who is terminated from their job shall be paid for any unused annual leave accumulated to their credit. However, employees shall not be paid for excess leave above the accumulation limits stated herein. Such excess accumulations shall be used for leave purposes only.* That is what we are proposing.

Motion by Stein, second by Johnson to approve Resolution No. 14-10: the recommendation contained in the Oklahoma County Clerk's Office Business Case to Update Employee Handbook to Clarify Excess Annual Leave Accruals. Such action, if approved by the Budget Board and the Board of County Commissioners, will result in uniform policies regarding annual leave usage and the maximum hours that any employee of Oklahoma County government may claim as annual leave. Any leave hours in excess of the maximum amount of annual leave per this change or amended policy will result in loss of such annual leave and such employee will not be able to claim any excess hours or monetary value in such hours above policy limits when his/her employment with Oklahoma County is terminated, or when the employee separates from Oklahoma County employment either by retirement, resignation or voluntary or involuntary separation. This item requested byCarolynn Caudill, County Clerk and Secretary to the Board. (Document Received.) APPROVED. Motion carried unanimously.

Discussion and possible action regarding Resolution _____ amending the Workers' Compensation Leave policy and language within the OKLAHOMA COUNTY EMPLOYEES PERSONAL HANDBOOK. This item requested by John Whetsel, County Sheriff and Member of the Board. (Document Received)

Vaughn stated that he spoke to Mr. Whetsel this morning and he said to move forward on the Worker's Compensation item. Mr. Taylor stated that Captain Falkner was present if he had any information on the item. Mishoe distributed a document showing the changes in red. Captain Falkner stated that everything was fine. Vaughn stated that we are reducing from 6 months to 3 months regular monthly salary after someone has a work related injury. Dan Matthews, Human Resources Director stated that this amendment is also adding back the 3 day waiting period that was removed when we made the original change. I would ask that we grandfather anyone that is currently in the system under the old plan and then anyone injured after the date the Board of County Commissioner's approves it would come under the amendment. Rhodes asked if this returned the policy to the original plan. Matthews stated no this changes it from 6 months worth of full pay to 3 months of full pay and previously we had temporary total disability not regular pay.

Motion by Taylor, second by Maughan to approve Resolution 15-10 amending the Workers' Compensation Leave policy and language within the OKLAHOMA COUNTY EMPLOYEES PERSONAL HANDBOOK. This item requested by John Whetsel, County Sheriff and Member of the Board. (Document Received) APPROVED. Motion carried unanimously.

Discussion and possible action concerning options for the Oklahoma County Health and Dental Plans regarding accepting a Certificate of Credible Coverage in order to waive

medical underwriting. This item requested by Carolynn Caudill, County Clerk and Secretary to the Board. (Document Received) This item was tabled from the November 19, 2009 Budget Board meeting.

Mishoe stated that we discussed this item previously and representatives from Mutual Assurance Administrators were going to check on how this would change our Stop Loss coverage. Candace Amini, Executive Director of Client Services for Mutual Assurance explained that she did get some figures from the stop loss carrier. She also talked to Todd Archer because she wanted to relay to the Budget Board the information he told her. The figures are fairly innocuous. It is \$4,350 a year, it would be \$362.50 a month additional in premiums that you would pay on your specific premium. But Todd did want me to let you know that your exposure on claims would also increase, because you would be allowing people to come on to the plan. The cost of your claims could increase up to 15%. Vaughn asked if she was familiar with what other companies do; do they accept these certificates when they have employees with spouses covered elsewhere. Amini stated that other companies have longer periods of pre-existing conditions and they have open enrollment periods and yes they do allow Certificates of Credible Coverage. Mishoe stated that we are unique as a county government because we can be exempt from the HIPPA. Amini stated yes we are exempt from ARISA law and the county can be exempt from allowing people to come on if they have credible coverage. Mishoe stated that when we have made exceptions to the rule then those employees were not covered under the stop loss at that time. Amini stated yes, if someone, whether it be an employee or the spouse had to show proof of insurability and we declined them and you made an exception and covered them, then that person would not be covered under the stop loss plan. Mishoe stated the county would be exposed at that point. If we approved this and paid the premium and came under those provisions then would those employees be covered under the stop loss. Amini stated yes they would. She stated that the ramifications are that the claims could increase by making the change to the plan and when you come up for renewal then your stop loss rates could increase again at that time, based on your claims experience. Mishoe asked if this rate was just for the remaining 6 months. Amini stated no this rate is just what the stop loss carrier said it would charge to remove the underwriting requirement. Vaughn asked what a person has to do to get a Certificate of Credible Coverage. Amini stated the person's insurance carrier would produce a certificate of coverage based on the dates covered for that participant. Vaughn stated so we would just have to take their word on it based on the standards that company is following. There are seven options in the handout that the County can consider. I'm not sure if we adopt the general statement as item 33 who would make the decisions as to the options the County would pursue. Mishoe stated that these are actually the options that were presented the last time and we would either choose number one, two or three. He asked Ms. Amini to go over what those would mean to the County. Amini stated the first one is saying that the plan will be modified and comply with ARISA, which is putting perhaps a larger limitation on pre-existing condition exclusion for special enrollees. That is what these people would be, is those that had the option to have coverage at one time, but denied it and decided to come on later whether it is because they lost their other coverage or whatever. That is what a special enrollment period would be, they could come onto the plan, but have a longer pre-existing condition period they wouldn't be underwritten. But if they had Certificate of Credible Coverage that could reduce or possibly eliminate their pre-existing condition period all together if they had at least 36 months of prior coverage. Those other items are basically at face value and the plan would not be able to discriminate against participants

based on health status which means you would underwrite them. There is also some standards relating to benefits for mothers and newborns, which mean that part in your plan would need to be updated. There is also a provision on your mental health benefits and reconstructive surgery following mastectomies and there is also a new law called Michelle's law that requires you to continue coverage on a student if they have a medical requirement to leave school. That is basically ARISA in a net-shell and the County is not required to maintain the ARISA coverage, but other agencies are required to abide by ARISA. Vaughn stated that he does want to hear about all the options, but Danny stated that our benefit claims are up 32% this year, we are looking at an increase in our stop loss premium on the front end and a possible 15% increase in cost if we implement this. I am not saying that I don't want to necessarily do this, but I think we should have all our officers here to decide this. Vaughn asked the Board about tabling this item until all the elected officials could be present. Rhodes asked what brought this item to the table to begin with. Vaughn stated it started because there was an appeal to a denial and the employee had a certificate of credible coverage and we didn't not have any provision for what that meant or didn't mean regarding our policy. What I am hearing so far, I think we need to get more intense with the elected officials on our discussions.

Motion by Maughan, second by Stein to defer for one month discussion and possible action concerning options for the Oklahoma County Health and Dental Plans regarding accepting a Certificate of Credible Coverage in order to waive medical underwriting. This item requested byCarolynn Caudill, County Clerk and Secretary to the Board. (Document Received) This item was tabled from the November 19, 2009 Budget Board meeting. DEFERRED. Motion carried unanimously.

Board Comments/ Comments from the Elected Officials. Stein stated that Mr. Sullivan is at home taking care of his wife after surgery. No other comments from elected officials.

Citizens' participation. Any citizen wishing to address the Oklahoma County Budget Board on an Agenda Item may do so at this time. Bill Geer, OSU Extension Center Director introduced Ladonna Dunlap who will be stepping into his role as Director when he retires the end of January. He just wanted to introduce her to everyone. Mishoe stated that the County appreciates all the work Bill has done and wished him well. All the other elected officials stated the same.

New Business. In accordance with the open Meetings Act, Section, 311.9, New Business is defined, as "any matter not known about or which could not have been reasonably foreseen prior to the time of posting the Agenda." No new business at this time.

Motion by Maughan, second by Johnson to recess into executive session. RECESSED. Motion carried unanimously.

The Oklahoma County Budget Board reconvened after **Executive Session for the purpose of discussing the following:**

Pursuant to Title 25 O. S. § 307(B)(4), discussion regarding confidential communication between the Board and its attorney concerning a pending investigation, claim, or action of

settlement from Bryce Johnson & Associates, because the Board, with the advice of its attorney, has determined that disclosure would seriously impair the ability of the Board to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest.

Pursuant to Title 25 O. S. § 307(B)(4), discussion regarding confidential communication between the Board and its attorney concerning a pending investigation, claim, or action of Fred Auwen, because the Board, with the advice of its attorney, has determined that disclosure would seriously impair the ability of the Board to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest.

Pursuant to Title 25 O. S. § 307(B)(4), discussion regarding confidential communication between the Board and its attorney concerning a pending investigation, claim, or action of Robert Fulton, because the Board, with the advice of its attorney, has determined that disclosure would seriously impair the ability of the Board to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest.

Action regarding the confidential communications between the Board and its attorney concerning a pending investigation, claim or action of settlement from Bryce Johnson & Associates.

Motion by Maughan, second by Taylor to direct Legal Counsel to proceed as discussed in executive session and ask to reduce claim of subrogation from \$5,867.20 to the County accepting \$4,400.40. APPROVED. Motion carried unanimously.

Action regarding the confidential communications between the Board and its attorney concerning a pending investigation, claim or action of Fred Auwen.

Motion by Stein, second by Taylor to approve adding the spouse of Fred Auwen to the County Medical plan. FAILED. Vote taken as follows: Vaughn, no; Rhodes, no; Maughan, no; Stone, no; Johnson, aye; Caudill, aye; Presley, aye; Taylor, aye.

Action regarding the confidential communications between the Board and its attorney concerning a pending investigation, claim or action of Robert Fulton.

Motion by Taylor second by Stein to approve adding the spouse of Robert Fulton to the County Medical plan. APPROVED. Vote taken as follows: Vaughn, aye; Rhodes, no; Maughan, no; Stone, aye; Johnson, aye; Caudill, aye; Presley, aye; Taylor, aye.

There being no further business to come before the Board motion by Maughan, second by Taylor to adjourn the meeting at 11:00 a.m. until the next meeting. ADJOURNED. Motion carried unanimously.

OKLAHOMA COUNTY BUDGET BOARD

Ray L. Vaughn, Jr., Commissioner District No. 3,
and Chairman to the Board

Forrest "Butch" Freeman, County Treasurer
and Vice-Chairman to the Board

ATTEST:

Carolynn Caudill, County Clerk and
Secretary to the Board