

August 5, 2010

The **Oklahoma County Budget Board** met in special session on Thursday, August 5, 2010 at 1:30 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 Tuesday, August 3, 2010. The following members were present:

Raymond L. Vaughn, Jr. Commissioner District 3, Chairman
Willa Johnson, Commissioner District 1, Member
John Whetsel, County Sheriff, Member
Carolynn Caudill, County Clerk, Secretary
Leonard Sullivan, County Assessor, Member
Forrest "Butch" Freeman, County Treasurer, Vice-Chairman
Brian Maughan, Commissioner District 2, Member
Patricia Presley, Court Clerk, Member

The meeting was called to order by Ray Vaughn, Commissioner District 3, Chairman of the Board.

Discussion and possible action regarding Resolution No. _____ regarding House Bill No. 2573, which amended 19 O.S. § 180.75, and is taking effect November 1, 2010, changing wording from "may" to "shall" with relation to the increase of county officer salaries from the applicable basic salary and directing that each elected official, including the County Treasurer, County Clerk, County Assessor, Court Clerk, County Sheriff, and each Commissioner, shall have the applicable basic salary reduced so as to offset any mandatory, statutory increase, in order to maintain current salary levels established last fiscal year according to the applicable statutory provisions. This item requested by Ray Vaughn. (Document Received.)

Vaughn said that he asked that this resolution be drafted last week. Mr. Grau accommodated us and did the research and drafted the proposed resolution that has been distributed regarding the salary issue that tends to come up every year. He said he thought that there had been some confusion about this House Bill 2573 in that it does not create a mandatory increase in the salaries of Oklahoma County elected officials. And he thinks they will demonstrate that shortly if we pass this resolution. But the resolution guarantees that there will be, for the third straight year all of the salaries of Oklahoma County officials will be frozen at the levels they were at in 2008.

Leonard Sullivan, County Assessor asked why we had all this embarrassing publicity over this raise which we are not for, not going to get and never intended for us. He wonders why he was doing all this adverse publicity for the County. Brian Maughan, County Commissioner said it's not for county government it's at the legislature. He visited with the bills author and he asked if there was an opt out option from the District Attorney's office and they didn't believe that there was an opt out option. John Jacobsen, Assistant District Attorney said, wait a minute, do not put me here, you haven't asked me that question. Maughan said that he asked Jim Robertson because Dana said he wasn't taking the calls. Jacobsen said that he was in depositions, but I will

tell you right now the way the resolution is proposed you can reduce down the discretionary amount formula funding so that what you get is a wash and you stay exactly where you are at. So don't say that. If Jim Robertson gave you a comment it was off the cuff without him ever even talking to me or Mr. Prater. Maughan said he apologized. Sullivan said that he thought he should apologize to the whole county staff down here because he caused us more embarrassment than we have had since Rinehart left. He is very irritated about it because he doesn't want to have to explain this at church and rotary and everywhere he goes when you are out there doing these press releases which are absolutely false, untrue and causing us all embarrassment. Maughan said first off I've not issued a press release. Sullivan said you were on national TV and you asked for that they didn't call you. Maughan said they did call me. Sullivan said no we already checked that out.

John Whetsel, Sheriff said for purposes of the discussion let me make a motion to approve the resolution as written by the chairman. Second by Caudill. Motion carried unanimously.

Whetsel said that he wanted to say that he has not asked for a salary increase, as a matter of fact he would not take one until his employees are able to receive a salary increase. He said his employees haven't had an increase in salary for the last two years other than this year we are going to give a \$20 longevity pay available to them. That's why he's in favor of this resolution.

Freeman said that he totally supports the resolution. He thinks it clarifies, truthfully you don't even have to have the resolution. The statutes to the law are very clear that it does not mandate a pay raise. None the less he appreciates two things. One is bringing the item to the budget board where the eight elected officials can be able to discuss it in open meeting. He also appreciates the opportunity again to discuss the issue and give you our feeling realizing that the Board of County Commissioners by statute is the one that sets the wages for all of us.

Caudill said that she was in favor of the resolution also because as Clerk it's a good tracking device. Freeman agreed and said that was a good point.

Sullivan said that another thing that the resolution brings for us, it doesn't get us compared to people in California making \$900,000 per year as a city councilman in a town with a population of 6,000. He doesn't know how we got compared to them and he didn't hear Commissioner Maughan try and correct that. He didn't know how much this raise would have been, a few hundred dollars and you are comparing it to that. This is going to resolve that.

Vaughn said that an affirmative vote for this resolution basically freezes all elected officials salaries in Oklahoma County for the third year in a row.

Motion by Whetsel, second by Presley to approve **Resolution PC 3-11: Carry-over appropriations for Planning Commission 1240 the amount of \$384.54. To carry forward funds from fiscal year 2009-10 to the current fiscal year 2010-11. (Document Received)**
Motion carried unanimously.

Sullivan said he was looking over the progress we are making by the three county commissioners and Willa Johnson for FY 08-09 did 11 miles of highway, currently has 10 miles in planning and

projecting 8 for next year. Brian Maughan did 1 mile last year, none this year and projecting 1 mile next year and he thinks we should spend a lot more time taking care of county business and not so much time on national TV would be his suggestion.

Sheriff Whetsel will echo what Butch Freeman said regarding bringing this item to the Budget Board. He appreciates the fact that the Chairman has operated very openly with the Budget Board and gives us the opportunity to make comments and those comments are listened to by the Board.

Maughan said that he appreciated putting this item on the agenda. He apologized again to John Jacobsen, but he has the emails where he sent the stuff to Jim Robertson and he was awaiting a reply and had a verbal conversation with him and didn't get a formal answer. Evidently, the Chairman's office was handling that and maybe that could be some reason as to why he didn't get a formal answer. I just appreciate it being resolved. Jacobsen said he appreciated it and it may be that the specific question was whether the shall means shall and if that was the question posed to Jim, then that's pretty direct in relation to the resolution there was no comment by Mr. Prater and I was out of the office, pressing business by Mr. Robertson didn't allow for him to touch base with you. Maughan said that this was some time ago but that's ok.

Freeman said that he did not care for the way the Stuart Barney on Fox Business News portrayed this and put us into the category of an \$800,000 per year city manager. He didn't think we had Commissioners even making that much in this County or even the State. I am intrigued and he thinks that he needs to get word back to your bosses at the Daily Oklahoman that they apparently read it and pick up these stories.

The reason that this bill came about in changing the word may to shall actually had nothing to do with pay issues. It had to do with an AG's opinion 2010-5 that came out. In 1998 what we faced in county government was that we ended up with a situation that 4 county officers would be making more than the other four county officers depending upon when you were elected. In fact the 4 brand new officers were the ones that made the most against someone who perhaps was starting for a second, third or fourth term. In order to fix that issue, in 2000 with statutory changes and other AG opinions, is what finally changed it. So for the last 10 years that's not been an issue. Suddenly up comes an AG's opinion responding to a question about that. So the changing of the word from may to shall, corrected that issue. The most important thing is that it's not a mandated pay raise. The elected officers pay, the part that goes up can then be reduced on the back side with the base pay, because it has a range of \$20,000 to where the county commissioners can decide where as county officers we will be within that range. That tells us assuming that it's adopted later today by the County Commissioners what it says is yes we acknowledge that if there will be an increase in value that part of the formula will go up but what we are going to do is reduce the base pay part of the formula that then keeps the pay the same.

He's disappointed that these types of things are getting us compared to California.

Sullivan asked if Maughan understands the law now. Maughan said that he understood it before and he didn't make these comparisons and you don't have a press statement from me and you don't have a press release from me and I didn't go out and ask for this to be compared to Belle,

California. So if you are going to come at me, come at me with some facts. Freeman said that he didn't want to be picky but he did see the channel 9 story last night and in it they had an interview with you that according to the screen was dated August 2nd and they asked you and you did state that yes this is a pay increase, but it's not. It doesn't have to be. Maughan asked how the commissioner in Comanche county believed he could give himself the raise. Freeman said how did he do it when the law is not even into effect. Maughan said exactly, he's talking about retracting it but he's going to issue it again November 1st. Freeman said that would be up to him and the Commissioners to make that decision. Sullivan said you put us all in that category with him. Freeman said that it was very clearly brought to his attention by his Excise Board you can't even do it until November 1st. Maughan said we are proactively acting now even though that law hasn't come into effect until November 1st. Freeman said that he thinks what we are trying to say is that no one anticipated that law was going to get us a pay raise anyway.

Willa Johnson, Commissioner thanked the Chairman for waiting for her as she did not want to miss voting on this particular item.

There being no further business to come before the Board motion by Freeman, second by Johnson to adjourn the meeting at 1:56 p.m. until the next regularly scheduled 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