

**JOINT MEETING OF THE
BOARDS OF COMMISSIONERS
MULTNOMAH AND WASHINGTON COUNTY
PCC Rock Creek Campus
Room 122, Bldg. 9, Room 122C**

Wednesday, December 21, 2011

Attendees

Washington County

Chair Andy Duyck

Commissioner Dick Schouten, D-1

Commissioner Greg Malinowski, D-2

Commissioner Roy Rogers, D-3

Commissioner Bob Terry, D-4

Also attending:

Alan A. Rappleyea, County Attorney

Lynda Grow, Board Clerk & Marina Baker, Assistant Board Clerk, Multnomah County

Multnomah County

Chair Jeff Cogen

Commissioner Deborah Kafoury, D-1

Commissioner Loretta Smith, D-2

Commissioner Judy Shiprack, D-3

Jenny Morf, County Attorney

Also attending were various members of staff, press, and the public.

Roll Call

Chair Duyck opened the meeting. He confirmed proper public meeting notifications had been made and that material from the nominees was posted and available on the County websites. He asked the Board Clerk to take roll call. A quorum was confirmed with all members present except Commissioner Malinowski, who arrived at 2:05 pm; Commissioners Smith and Shiprack, who joined the meeting telephonically; and Commissioner Terry, who was traveling and would also join the meeting telephonically a little later. Commissioner McKeel was excused. Chair Duyck confirmed that the proceedings of the meeting were being recorded and documented.

Purpose of the Meeting

Chair Duyck said the purpose of the joint meeting was to appoint a nominee to fill the vacancy in Senate District 17. Senator Suzanne Bonamici resigned effective November 21, 2011 to run for Congress. The two County Commissions have a joint responsibility to appoint her replacement. Names were submitted by the Democratic Party Precinct Committee representatives of Senate District 17. The Secretary of State designated Chair Duyck as Chair of the joint meeting because Washington County has the highest number of registered electors in Senate District 17. He emphasized that the vacancy must be filled within 30 days, or no later than today, December 21, 2011 by 5:00 p.m.

Nominees

Chair Duyck stated that the Democratic Party Committees' nomination meeting resulted in the selection of the following three nominees: Representative Chris Harker, Dr. Elizabeth Steiner Hayward, and Mr. Paul Terdal.

Adoption of Procedures for the Joint Meeting

Each nominee has the opportunity to make a five-minute opening statement followed by a question and answer period of no more than 25 minutes. Questions will be asked by Commissioners of both Counties. He said this is not a public hearing, so no other testimony will be received. Each nominee is given one minute for a closing statement. At the conclusion of interviews, a recess is held. Weighted voting was determined by the Secretary of State for members of each County's Governing Body. Since Washington County has the highest number of registered electors in Senate District 17. Their Commissioners will each have 11.2 votes and Multnomah County Commissioners will each have 4.4 votes. The votes will be tallied and recorded and a simple majority will prevail with 38 votes constituting a majority.

Chair Duyck called for a motion to adopt the procedures as stated. Motion was made by Commissioner Schouten and seconded by Chair Cogen. The motion passed unanimously.

Chair Duyck said he had the nominees draw straws just prior to the meeting to determine the order of their presentations. He announced that Mr. Terdal was the first nominee, to be followed by Representative Harker, then Dr. Hayward.

Presentation of First Nominee: Paul Terdal

Opening Statement

Paul Terdal gave an overview of his professional background, his community work, and his priorities if he became the next State Senator. He spoke of his personal experiences with his children's Autism and his grassroots work that has led to his writing SB555, the Autism Health Insurance Reform legislation. He also discussed his collaboration with a Ukrainian American organization to improve relations and organize a trade delegation with senior government officials and business leaders to come to Portland and develop strategies in terms of clean technology and energy efficiency. He said these experiences have prepared him for this seat, and if chosen, he would apply his experiences, passion and skills to lead, champion, advocate and mobilize for these and other issues.

Questions

Chair Cogen asked him what his top priorities are for both the short session in February and later, full session.

Mr. Terdal said his priorities including, short-term: passing the Bill he has drafted and longer term, addressing health care reform, and issues pertaining to the economy, including job development and recruiting businesses to Oregon.

Chair Duyck asked what his priorities are for the urban, unincorporated areas that are a large part of SD17.

Mr. Terdal talked about growing up in the unincorporated areas and his belief that the Senate must work closely with the Commissioners as the local experts to ensure the needs of small communities are addressed and that they have representation in how they are governed.

Commissioner Kafoury asked which committees he would like to serve on in the Senate. Mr. Terdal responded that short-term, the Education and Health Care Committees, but longer-term, he would want to also focus on job development in Business & Transportation Committee.

Commissioner Malinowski asked how he would cope with the time commitments and demanding schedule of being a Senator.

Mr. Terdal discussed the personal support systems his family has in place and professionally, the flexibility being a management consultant provides which will allow him to manage his business but still focus on Session and legislative issues.

Commissioner Rogers asked how he would make concerted effort to outreach to local businesses and understand their complexities.

Mr. Terdal said he has experience working with government locally, plus the professional and business skills and experience needed that would help him collaborate with local businesses. He said he would look to businesses and leaders for direction, feedback and input on their issues and concerns and weigh those in his decision-making in the Senate.

Commissioner Shiprack asked what he will do to help Counties perform services that are mandated by the State and rely on State funds.

Mr. Terdal said that he recognizes that the County is working under the State mandate and that the State and Counties have to collaborate to find better ways to distribute funding and conduct business.

Commissioner Schouten asked about the rolls of intergovernmental agencies.

Mr. Terdal said it was important to look at each County differently and what's best for that particular area, and at the State level, what issues need to be addressed, evaluated and acted on at the State level as opposed to the local level.

Commissioner Smith asked how he felt about the Columbia River Crossing Bridge.

Mr. Terdal said he supports building the bridge; it needs to get done.

Chair Cogen's referenced the line of questions about the relationship between State and County governments. He asked how he would address the fact that the State in a number of instances, has pre-empted the County in certain actions, specifically in raising revenues, and more specifically, in the tobacco tax pre-emption. Mr. Terdal said every County has different needs and perhaps different philosophies for their community. The Counties have been empowered to perform these functions and therefore, need to be able to act on behalf of the citizens that elected them and the priorities and needs peculiar to that area.

Commissioner Rogers asked if he would defer to Washington or Multnomah County in his decision making if they had a difference of opinion.

Mr. Terdal said he would work with both but if there is no consensus, ultimately he has to use his best judgment and work with his colleagues to determine what is best overall.

Closing Statement

Mr. Terdal closed by thanking everyone and said he would use his energy and commitment to put his skills and experience to work with them on these issues whether as Senator or in the private sector.

Presentation of Second Nominee: Representative Chris Harker

Opening Statement

Representative Harker gave an overview of his experiences as a Representative on the House side and his work with lobbyists, physician groups and legislators. He emphasized his experience and the importance of health care reform, women's health, Planned Parenthood, high quality public education, issues surrounding poverty, and protecting the environment. He talked about developing his own business and how these experiences have prepared him for this seat on the Senate.

Questions

Chair Cogen asked him what his top priorities are for both the short session in February and later, full session.

Representative Harker answered that a Task Force is looking at revisiting sentencing guidelines but decided to wait and submit for long session. He said affiliations with businesses and making sure we give them the opportunity to grow including distillers, brewers, wineries. Also education issues from K-12 and higher education.

Chair Duyck asked what he believed were the keystone issues in Oregon health care reform and his perspective on how they should be addressed, especially if they require additional revenue from the State.

Representative Harker said they should be addressed through a better health care delivery model that improves access to affordable and accessible care, gets more folks qualified for the Oregon Health Plan and covers children, the underinsured and uninsured and offers more preventative care.

Commissioner Kafoury asked about his philosophy on poverty and possibly reinstating funding for the cuts made to programs like worker retraining and child care for low income families, as these cuts have had such a devastating impact in the community.

Representative Harker said it is his goal to protect the most vulnerable people and make some adjustments to the cuts previously made, adding that it will be a challenge in short session.

Commissioner Malinowski asked about the issues facing urban and incorporated areas and its effects on neighborhoods.

Representative Harker said they need to collaborate to come up with better solutions to address the challenges and responsibilities of adjacent properties owned by state, county and city.

Commissioner Rogers asked how he would work with Multnomah and Washington County leaders to more effectively determine issues being experienced in local government.

Representative Harker replied that having a frequent dialogue between the County and the State representatives, expanding on the monthly meetings held during legislative session, and improving communications, are all essential components.

Commissioner Terry joined the meeting telephonically at 2:50 pm.

Commissioner Shiprack asked how he would distribute shortfalls the State might experience in the short session coming up in February.

Representative Harker said by examining needs in particular areas for specific services, then collectively trying to provide services to folks, and eliminating repetitive audit and report mechanisms.

Commissioner Schouten asked about what role he would take in economic development.

Representative Harker said bringing private sector expertise into the conversations, encouraging more dialogue between businesses and community leaders, and delivering the infrastructure for economic development needed for businesses.

Commissioner Smith referenced the senior deferral tax program that was hit hard in last session and asked how he would champion the restoration of those funds for struggling seniors.

Representative Harker said they are facing a challenging fiscal situation and made changes they thought right but now some of those changes will have to be adjusted to reflect those local priorities.

Commissioner Terry did not have a question.

Chair Cogen asked, as a follow up, if he would consider supporting the lifting of pre-emptions on local governments so they can meet local needs.

Representative Harker said he agrees that the County needs options to adjust their budget to meet local needs.

Commissioner Shiprack asked where he stands on the Columbia River Crossing bridge.

Representative Harper said something has to be done. He said there are severe implications for transport, freight and the health of people living along the corridor. It needs to be as cost effective as possible and offer multi-modal transit, adding that he supports tolls.

Closing Statement

Representative Harker closed by stating that he wanted their votes and believes he earned them. He pointed to the letters, emails and phone calls from businesses, education, legislators in support of his nomination. He added that as his record and supporters indicate he's the kind of person who can listen and communicate and believes he is the best person for this role.

Presentation of Third Nominee: Dr. Elizabeth Steiner Hayward

Opening Statement

Dr. Steiner Hayward gave an overview about her strengths as a team player who collaborates and communicates well. Her ten years of experience in medicine requires attention to detail and addressing constant change. She has an unwavering commitment to social equity and advancing access to high quality health care for all Oregonians. If selected, she would commit to working with the Counties to gain the flexibility they need to address their local budgetary concerns and promote smart incentives for local, sustainable businesses, kids programs, and health care.

Questions

Chair Cogen asked her what her top priorities would be for short session and then again full session.

Dr. Hayward said she would seek to understand the recommendations and engage all stakeholders in these conversations to determine which ones have the best consequences.

Chair Duyck asked how she would address health care issues and whether she believes the system is adequately funded.

Dr. Steiner Hayward said health care transformation will only work if the same core services and benefits are offered to all, using evidence-based health care services and front line preventative care. Creative ways have to be found to frontload the system to save money in the long term and it won't work by taking money and services away from those already receiving services.

Commissioner Kafoury asked what Committees she would want to serve on in and why.

Dr. Steiner Hayward said her top choice is Health Care and Human Services; also Education because we won't be a prosperous state without it; and third, Finance and Revenue to help in determining how to finance all the services provided and develop sustainable funding services to keep government running.

Commissioner Malinowski asked how she will address the impact on her family and practice.

Dr. Steiner Hayward said she supervises residents in their practice and teaches, so her work schedule is flexible. As to her personal life, her husband is a full time parent with their children and they have a strong network of family and friend support.

Commissioner Rogers asked how she felt her skill set readies her for the challenge and whether her experiences were of a broad enough scope.

Dr. Steiner Hayward said she's a generalist by nature and gone back and taken credits in administration to expand her horizons. She has been meeting with constituents to get perspectives on education, childcare, unions, business alliances, and how to balance the needs of workers and businesses.

Commissioner Shiprack asked how she saw funding shared services in partnership with the State.

Dr. Steiner Hayward said using active listening and establishing effective partnerships and working together to find creative solutions and leverage resources.

Commissioner Schouten said to the respective roles of State and local government, asked her how she would allocate the issues of economic development.

Dr. Steiner Hayward said it is pertinent to be aware of the infrastructure and utilize the specific tools and resources each brings to the table.

Commissioner Smith asked how she would go about building infrastructure for youth for job creation.

Dr. Steiner Hayward said nothing is more important to the future of the State than caring for our children. For each dollar spent in early childhood services now, \$7 are saved later. \$600 million is spent on corrections alone, and if more was done on preventative services across racial and ethnic lines, less would have to be spent in Corrections.

Commissioner Terry said the State has a tendency to push down programs to the Counties and expect them to finding funding to keep those programs working. He asked her what she would do to address this issue.

Dr. Steiner Hayward said unfunded mandates are the bane of every organization. The overall principals of what the State is providing have to be balanced with the ability to provide those services. The Legislators have to make sure the State is realistic as to what it imposes on counties or municipalities. If the State can't provide the money, perhaps they can provide other types of infrastructure, and allow the Counties to make individual decisions on those programs.

Commissioner Schouten asked how she would address problems associated with the large tracks of urban unincorporated areas.

Dr. Steiner Hayward said she lives in an unincorporated part of Multnomah County and has personally found it unclear sometimes as to who is providing the specific services. Evaluation must be made to what the needs are, what the residents are willing to pay, and then strike a balance so that all share the burden equally. She said she'd want to evaluate what is available and the precedent and whether it is appropriate for the State to be involved in those matters.

Commissioner Malinowski said most of her district is in another county and she lives in the other and asked how this will impact her decision making.

Dr. Steiner Hayward said present and previous Senators have dealt with this same issue and it's important for anyone selected to think of the District as a whole.

Closing Statement

Dr. Steiner Hayward said she has been engaging people over the past few months who haven't been engaged, haven't voted, because they don't think they are being represented. She hopes to reverse that thinking.

Recess

Chair Duyck called for a motion to recess the meeting at 3:16 pm. Chair Cogen moved and Commissioner Kafoury seconded the motion to recess. It passed unanimously.

The meeting was recessed at 3:32 pm.

Reconvene

Chair Duyck reconvened the meeting at 3:48 pm. He took a quick roll call and confirmed everyone was either back in person or by phone.

Chair Duyck said that it was decided to forego the straw poll and proceed. He asked how the formula for the vote changes since there are a total of nine votes instead of ten. Attorney Morf stated that the missing vote for Multnomah County goes away; it is not reapportioned. He asked each Board member to name the nominee they would support at this time. He then called on the Commissioners in alphabetical order.

Commissioner Kafoury said all three candidates were very impressive and would do a great job and she was casting her vote in favor of Dr. Elizabeth Steiner Hayward.

Commissioner Malinowski thanked the candidates for participating and said he was casting his vote in favor of Representative Chris Harker.

Commissioner Rogers said he was impressed with all three candidates and was casting his vote in favor of Dr. Elizabeth Steiner Hayward.

Commissioner Shiprack said she found all their presentations today encouraging and she was casting her vote in favor of Representative Chris Harker.

Commissioner Schouten said all candidates were great and he was casting his vote for Representative Chris Harker.

Commissioner Smith thanked all the candidates for being on point on the issues and said she was casting her vote for Dr. Elizabeth Steiner Hayward.

Commissioner Terry's call was disconnected momentarily.

Chair Cogen said all three candidates were fantastic and he was casting his vote today for Representative Chris Harker.

Chair Duyck said all three candidates were excellent and he was casting his vote today for Dr. Elizabeth Steiner Hayward.

At this juncture, the vote was tied at 31.2 versus 31.2. Attorney Morf said if Commissioner Terry cannot be reconnected the Commissioners would ask additional questions and then go back through the voting process again.

Chair Duyck said that at this time, he would like to give staff time to try to reconnect with Commissioner Terry so that he could cast his vote.

Recess

Chair Duyck called for a motion to briefly recess the meeting at 4:01 pm. Chair Cogen moved and Commissioner Schouten seconded the motion to recess. It passed unanimously.

Reconvene

Chair Duyck reconvened the meeting at 4:06 pm. He took a quick roll call and confirmed everyone was either back in person or by phone.

Commissioner Terry thanked everyone for their patience and thanked the nominees for participating and said he was casting his vote in favor of Dr. Elizabeth Steiner Hayward.

Chair Duck announced this breaks the tie. He called for the final vote.

Final Vote

The final vote was tallied and called out.

Representative Chris Harker received 31.2 votes
Dr. Elizabeth Steiner Hayward received 42.4 votes.

Formal Motion

Chair Duyck asked for a formal motion to appoint Dr. Steiner Hayward as the Senatorial Representative for District 17. Motion was made by Chair Cogen and seconded by Commissioner Schouten to appoint Dr. Hayward. The motion passed unanimously.

Chair Duyck asked if any Commissioners had closing comments. There were none. Chair Duyck thanked everyone for attending, thanked the candidates for participating and congratulated Dr. Elizabeth Steiner Hayward on her appointment.

Adjournment

Motion was made, seconded and passed unanimously to adjourn at 4:10 pm.

The minutes reflect the actions of the Board. For more detail, you are welcome to view the presentation material and/or video at: http://multnomah.granicus.com/ViewPublisher.php?view_id=3

Respectfully submitted by
Lynda J. Grow, Board Clerk for
The Board of Commissioners
Multnomah County, Oregon