



## Arizona County Clerks Association (ACCA)

### Executive Board Virtual Business Meeting Minutes February 9, 2022 1:00 P.M. Zoom Meeting

#### **CALL TO ORDER:**

At 1:02 p.m., President Kapin convened the Arizona County Clerk's Association (ACCA) Executive Board meeting to order via electronic conferencing.

Executive Board members present via electronic conferencing were:  
Kim Kapin, ACCA President/Yavapai County Clerk of Board; Melissa Buckley, ACCA Vice-President/Navajo County Clerk of Board; Natasha Kennedy, Pinal County Clerk of Board; Ginny Anderson, ACCA Treasurer/Mohave County Clerk of Board; and Christy Isbell, ACCA Secretary/Yuma County Deputy Clerk of Board.

#### **ACTION ITEMS:**

##### **NO. A1: Approve Executive Board Minutes of February 4, 2021 – see attached.**

MOTION (BUCKLEY/KAPIN): Approve as presented.

VOICE VOTE: The motion carried unanimously.

##### **No. A2: Discussion and possible action to approve the Revision of Bylaws, as listed in Attachment A.**

President. Kapin stated she cleaned the bylaws up somewhat, then opened the floor for discussion regarding Attachment A.

#### **➤Article III – Objectives & Goals**

##### **•Discussion ensued regarding Paragraph (E), which reads as follows:**

“Coordinate with the County Supervisors Association's Legislative Planning Committee (LPC) to develop an official position as an Association regarding proposed legislation.”

Discussion ensued regarding the questions listed in Attachment A.

##### **•Do we work with the CSA Legislative Planning Committee now? Which Board member is responsible?**

Ms. Buckley stated she has been forwarding the ACCA members' collective comments to Robin Hillyard/CSA, who then presents them during the LPC meetings. She is willing to continue doing so this year.

Discussion ensued regarding which Executive Board member would have responsibility as legislative liaison going forward.

Ms. Kennedy stated Ms. Buckley's method of communicating ACCAs legislative concerns as noted above works well, and suggested this duty could be set as the responsibility of one of the ACCA Executive Board members.

Discussion ensued regarding delegating legislative liaison to either the immediate past ACCA President or Vice-President.

Pursuant to the discussion, the Executive Board agreed the following proposals will be presented to the full ACCA membership for consideration:

- Propose Ms. Buckley's method for sharing ACCA legislative concerns with CSA as noted above, rather than establishing an LPC Committee for a formal vote on legislative matters of interest to the ACCA.
- Propose that liaison for communicating ACCA legislative concerns to CSA would reside with the immediate past ACCA president, and back-up with the immediate past vice-president.

#### ➤ **Article IV – Membership (B) - Clerks Emeritus**

Discussion ensued regarding policies for Honorary Clerks Emeritus.

Ms. Buckley noted previous ACCA discussions indicated consensus that: "once a clerk, always a clerk"; and retired clerks could attend conferences if they wished to do so.

President Kapin suggested developing a "invitation" template for inviting retiring clerks who qualify to accept Honorary Clerk Emeritus; and to develop a certificate template for issuance to Emeritus Clerks who accept. Those who accept would be forever honorary clerks.

The Executive Board agreed with President Kapin's suggestions.

The Executive Board agreed to present the suggestions noted above to the full ACCA membership for consideration.

#### ➤ **Article V – Officers**

##### • **Section 4 Duties (A) President --**

Discussion ensued regarding possible revisions to the President's duties.

President Kapin reviewed the Executive Board consensus to propose to the full membership, designating the immediate past president to serve as LPC liaison with CSA, and the immediate past vice-president as back-up.

President Kapin opened the floor for discussion regarding any other immediate past president duty designations.

Ms. Buckley suggested delegating website updates to the immediate past president. She reported she entered some updates last week, with others still pending such as posting more recent ACCA Minutes. Ms. Buckley stated website updating definitely includes a learning curve.

●**Section 5, Board Member Requirement --**

Upon discussion and for clarity, the Executive Board confirmed the following regarding the current bylaws: Each county has only one vote. If the clerk and deputy clerk are both present, the clerk votes. If clerk is absent, deputy clerk votes.

Discussion ensued regarding possible revisions to Section 5, with the Executive Board agreeing to the redlined revisions shown below:

A Board member will be required to be a Clerk or a Deputy Clerk. ~~acting as a Clerk~~; The Board Member must be an active ACCA Member and have attended at least one (1) ACCA Conference (training session or business meeting) the prior year.

➤**Article IX -- Meetings**

●**Paragraph A --**

Discussion ensued regarding Paragraph A, which currently reads as follows:

The Association shall not exceed the amount of \$4,000 for annual conference; and to host one clerk's meeting in conjunction with AACo and CSA meetings and to have the Board approve expenditures including retirement gifts, with a member coordinating a gift on volunteer basis with approval by membership.

Discussion ensued to clarify whether the current wording is a commitment to conduct one meeting in conjunction with AACo and/or CSA conferences – Or a commitment for two meetings and an annual conference, as the current wording seems to imply.

Upon discussion, the Executive Board agreed to change the phrase : “AACo *and* CSA meetings”, so as to read: “AACo and/or CSA meetings . . .”. The Board also agreed the emphasis is on conducting meetings in conjunction with the CSA meetings.

●**Paragraph C --**

Discussion ensued regarding whether ACCA has a proxy form for member voting and to confirm where, in the current bylaws, proxy voting is referenced.

Ms. Anderson referenced Article IV – Membership, Paragraph A, which reads, in part:

*“ . . . On voting matters, each county shall have only one vote. Voting by email is authorized.”* Based on this paragraph, Ms. Anderson stated proxy could take the form of an email.

Upon discussion, the Executive Board agreed to revise the bylaws to include the following:

Deputy clerks may vote in absence of the clerk. If the clerk and deputy clerk are both unable to attend, either proxy or email vote is acceptable.

Additional review of the bylaws revealed that Article III, Paragraph C also references a Legislative Committee and proxy vote, as does Article IX, Paragraph C.

President Kapin read Article IX, Paragraph C as follows, and stated this “pretty much spells it out”:

“All official business of the Association, with the exception of the Executive Board and the Legislative Committee (if convened), shall be decided by a majority of the membership counties, either in person, by email, or by proxy.”

Ms. Kapin suggested adding to this paragraph a reference regarding the Deputy Clerk being able to vote (per previous discussion above) if the Clerk had not provided proxy or an email noting his/her vote.

Upon discussion, the Executive Board agreed to delete the phrase “. . . *and the Legislative Committee, (if convened)* . . .” from Article IX, Paragraph C.

The Board agreed the above proposals will be presented to the full ACCA membership for consideration.

#### •Paragraph E – Minutes

Upon discussion regarding whether to have minutes for the first-day “meet-and-greet” session during which no official business is conducted, the Executive Board agreed to propose the following to the full ACCA membership for consideration:

- Adding a paragraph to the posted agendas stating that during meet-and-greets, no official action will be taken.
- Create a sign-in sheet for distribution during Meet-and-Greets.
- Conference minutes reflect separate attendance roster for meet-and-greets, and that no official action was taken.

Ms. Isbell asked whether Paragraph E could simply state the minutes will be taken in compliance with statutory requirements.

Ms. Kennedy noted this would require compliance with future legislative changes to the Arizona Revised Statutes.

Upon discussion, the Executive Board agreed the best practice would be for the bylaws to cite what the minutes will include as presented in today’s agenda packet, rather than “. . . in compliance with statutory requirements”.

The above proposal regarding meet-and-greets and the wording from Attachment A on today's packet will be presented to the full ACCA membership for consideration.

Attachment A reads as follows:

Minutes shall include:

The date, time, and place of the meeting.

Record the members of the ACCA as either present or absent. If members attend the meeting other than how it was posted, at a location, Zoom, etc., note whose who attended video or telephonically.

A general description of all legal actions proposed, discussed, or taken, including a record of how each member voted. Include the names of members who proposed each motion and the names of the persons who made statements or presented material.

The notes from any meet and greet prior to a conference will include the date, time and place of gathering and members present, and be included in the conference minutes.

**•Conference registration, Exhibitors, and Sponsorship:**

Discussion regarding the conduct of conferences ensued.

Reading from Attachment A, President Kapin sought and received confirmation that the hosting county is determined by a call for volunteer. The conference is coordinated by the hosting county, with assistance of the Executive Board.

**➤No. A3: Discussion and possible action regarding the Arizona County Clerk's Association (ACCA) Certification Program, Attachment B.**

**•Continuing Education for maintaining County Clerk certification status:**

Discussion ensued regarding "*Other Essential Items Approved by the ACCA Membership*" on the last page of the current bylaws.

Ms. Kennedy explained that when she distributed the bylaws, these were essential items previously approved by the ACCA membership, but not clearly defined in the bylaws. Consequently, she created the essential items list and added the list as the last page of the bylaws.

President Kapin entertained discussion regarding requirements for continuing education as noted in the item under "Other Essential Items" in the current bylaws.

Ms. Kennedy proposed including credit for training received from such as CSA, IIMC, and other training sources.

Discussion ensued regarding Ms. Kennedy's proposal. Ms. Buckley stated she agreed in part. She noted, however, that during the CSA Conference, the ACCA conducted its meeting, including training. This training counted toward continuing education. Ms. Buckley agreed with the suggestion that IIMC and CSA training should also be listed for continuing education credits.

For clarity, Ms. Anderson asked: If CSA and IIMC conducted training during an ACCA meeting, would this count for continuing education credits? The Executive Board agreed that it would. During the "continuing education" discussion later during the meeting, the Executive Board also agreed that NAGARA records management training would also count toward continuing education.

President Kapin summarized as follows: If a person has already been certified, there would be documentation each year that the person has received training. Continuing education and certification records are forwarded to the vice-president per the current bylaws for tracking purposes. The Executive Board agreed.

Ms. Kennedy suggested transferring tracking of certification and continuing education as responsibility of the immediate past president. As immediate past president, Ms. Kennedy maintains a spreadsheet documenting who has attended the ACCA conferences. Upon query, Ms. Kennedy confirmed she maintains documentation of the 2021 certifications.

Upon request by President Kapin, Ms. Kennedy stated she will provide a list of all who are currently certified to President Kapin and Ms. Buckley.

Ms. Buckley proposed the immediate past president and past vice-president should be back-ups for certification documentations as well. The Executive Board agreed.

Ms. Buckley stated when the association previously discussed continuing education requirements, it was noted such education could be as simple as when a member asked a question, the clerks responded and the member created a spreadsheet containing the responses. This would count toward the member's continuing education, and the spreadsheet would be posted on the website in the "members only" section.

The Executive Board concurred with Ms. Buckley's example for continuing education as stated above.

Ms. Buckley requested Ms. Kennedy's assistance in setting a "members only" section on the website.

President Kapin opened the floor for discussion whether to conduct an in-person online, or combination in-person/online program. She would like to have a program completed before October, perhaps in August or September, so certifications could be presented during the October CSA conference.

Ms. Anderson voiced her preference for in-person, noting that while taking an online class many distractions occur, and the same level of valuable interaction is missing.

President Kapin stated she would like to avoid situations such as person(s) declining to attend in-person due to hesitancy related to COVID-19, or when that county has no financial resources for traveling to in-person sessions. The Executive Board was receptive to these considerations.

Ms. Anderson suggested providing the option of either in-person participation, or via Zoom or Microsoft Teams if some are not able to participate in-person for whatever reason.

President Kapin noted it can be difficult for presenters to simultaneously manage in-person and online participants. She suggested perhaps the presenters could be asked whether they are comfortable conducting simultaneous in-person and online training.

Ms. Isbell asked whether online training could be such that a person would log in online for training at their own schedule, not necessarily during the in-person training.

President Kapin responded she envisioned online training during the in-person program to accommodate interaction during the training, rather than separate online classes. The Executive Board concurred.

Ms. Buckley offered the following: Remote meetings via such Zoom or Microsoft Teams takes away personal interaction. The first certification program had a great many participants. However, citing the names of new Clerks/Deputy Clerks to date who would possibly participate, she believes it would be a much smaller class, perhaps only 10 persons. She suggested a 2- or 3-day in-person session, possibly at the CSA facility in Phoenix again.

Ms. Buckley suggested those member(s) of the Executive Board who would be available should attend to welcome new Clerks/Deputy Clerks and to provide administrative and other assistance to minimize the impact upon CSA staff if the program can be held at the CSA facility.

The Executive Board concurred its preference for an in-person program, which will be presented to the full ACCA membership for consideration at the next meeting.

Ms. Buckley proposed that only those counties that will send a person to the certification class should have a vote. The Executive Board agreed.

President Kapin opened the floor for discussion regarding certification program dates, venue, and whether to conduct the same curriculum as during the 2018 Program.

Upon discussion regarding possible dates and with preference for conducting the program at the CSA facility in Phoenix, President Kapin stated she will reach out to CSA regarding whether a 3-day\* session could be conducted in the CSA conference room, and possible dates which would not conflict with CSA activities. *\*Total program training hours should be consistent for each program conducted. President Kapin confirmed the 2018 program was a 3-day session and included two (2) tours.*

Discussion ensued regarding the program curriculum.

Consensus of the Executive Board was to keep the program the same as in 2018. After dates are determined, presenters from the 2018 program will be solicited as to availability.

Other class topics and possible presenters for same were discussed as follows:

- Special districts
- Tax deeded property sales -- President Kapin suggested Jayme Rush could present. Ms. Buckley offered to co-present with Ms. Rush.
- Records management – Ms. Anderson stated she could ask Annie Meredith (City of Kingman, President of AMCA) whether she knows someone who could present.
- Legislative process – President Kapin stated possibly Robin Hillyard could present.
- “Clerks Many Hats” presentation – President Kapin stated she could contact Fran McCarroll. Ms. Buckley suggested perhaps Ms. McCarroll could co-present with Wendy Escoffier (retired county clerks).
- Board of Equalization - Discussion ensued regarding an alternate presenter from the 2018 class. The following options were offered: Ms. Kapin and Ms. Anderson stated they could reach out for presenter(s) from their respective counties. President Kapin stated she could ask Deputy Jayme Rush. Another suggestion was to solicit one of the County Assessors as presenter.

In summary, President Kapin stated the first step is to determine dates, venue, and hotel. Then the Executive Group may make calls to confirm presenters. If necessary, some presenters could provide classes via video. Ms. Buckley stated she could ask Brant Clark for an ethics presentation once dates are fixed.



**DISCUSSION ITEMS:**

➤ **No. D1: Discussion of Corporation Commission Annual report and financial status of ACCA.**

Ms. Anderson stated she successfully registered with the Arizona Corporation Commission, and paid \$10 fee. She thanked Ms. Kennedy for her assistance with registration.

Ms. Anderson stated she will visit the local Wells Fargo branch to transfer registration for the banking account from Deb Schaeffer to herself.

Ms. Kennedy stated since Ms. Anderson is now registered with the Corporation Commission as the ACCA officer, Wells Fargo will access the ACCA website. If the website is current as to ACCA officers (which it is) there should be no difficulty transferring the account to Ms. Anderson.

➤ **No. D2: Discussion of Legislative Conference regarding new bills.**

Ms. Kennedy requested scheduling a legislation conference regarding bills that have passed and/or are pending, that are of impact to clerk responsibilities. This would be particularly valuable since the Clerks Association has several new Clerks and Deputy Clerks. Ms. Kennedy offered to host such conference sometime after legislature adjourns.

President Kapin stated she will add this to the next agenda for discussion.

**ANNOUNCEMENTS**

Ms. Kennedy stated she now has a second Deputy Clerk who handles records management. The first Deputy handles agenda management.

Ms. Kapin reported on Yavapai County's need for additional support staff in records management. The County is working to make an additional support person a reality.

Ms. Isbell reported on Yuma County's need for additional staff support in records management. The Records Technician retired after 30 years. The technician's replacement is onboard, in training, and working out extremely well.

Ms. Buckley reported on additional support staff needs. Keeping up with meeting coverage and minute transcriptions for four (4) different commissions is difficult, and she recently received a request to cover a fifth, which Ms. Buckley declined. She was then asked to handle the 5<sup>th</sup> commission's coverage until recruitment/hire of an additional part-time person (19 hours/month) for meeting coverage and other duties as needed. The Deputy Clerk is covering three (3) commissions, the Executive Secretary another, and Ms. Buckley handles redistricting. It would be impossible for a person to cover and transcribe for the several commission meetings within a 19 hour per month restriction.

Ms. Anderson stated prior to video taping Board meetings, Board members would debate what actual comments were made during the meetings. Per Board direction, minutes must be verbatim and typed. Her office also transcribes minutes for boards and commissions, which are brief and not verbatim.

Discussion ensued regarding software programs used by some counties to video tape Board meetings, such as Swagit, AgendaQuick, and Liberty.

Ms. Kennedy shared information regarding the "Otter" verbatim software, which is a \$300/year subscription. During the meetings, Otter converts to verbatim text, and Ms. Kennedy is able to read the motions out verbatim, in real time. This software has worked really well. She stated the Board often makes motions that are paragraph(s) long then expects Ms. Kennedy to read the motion out-loud. Otter also displays the motion on the screen, and Board members can read it in real time. The motions are copied-and-pasted from Otter, into the minutes.

Ms. Isbell announced the Yuma County Administrator is retiring at the end of June. Three new clerical staff members are in training. The records management technician of some 30 years retired in December 2021, and her replacement is in training. Ms. Isbell served as recording secretary for the Redistricting Advisory Commission meetings. The Board approved the maps and the redistricting process has been completed.

There being no further business to come before the ACCA Executive Board, President Kapin adjourned the meeting at 2:39 pm.

KK/cpi