



Arizona County Clerks Association
Executive Group
Virtual Business Meeting Minutes
February 4, 2021
10:00 A.M. Google Meet

CALL TO ORDER

At 10:03 a.m., President Kapin convened the Arizona County Clerk's Association (ACCA) Executive Group meeting to order via electronic conferencing.

Executive Group members present electronically via Google Meet were:

- Kim Kapin, ACCA President – Yavapai County
- Melissa Buckley, ACCA Vice-President – Navajo County
- Natasha Kennedy, ACCA President 2018-2019 – Pinal County
- Deb Schaffer, ACCA Treasurer – Maricopa County
- Christy Isbell, ACCA Secretary – Yuma County

Ms. Kapin gave introductory comments, noting the agenda items may be taken out of order. As many items as possible will be addressed in the time allowed.

DISCUSSION ITEMS:

No. 1a/Goals – President's Book:

Ms. Kapin explained the intent behind creating a Clerk's Association President's Book as previously discussed is to create a handbook of helpful information that would be passed on to each successive ACCA President from year to year.

Following discussion, the Executive Group reached consensus that the President's Book could contain the following information:

- ACCA logo
- ACCA membership list: Clerks and Deputy Clerks:

Upon discussion, the Executive Group agreed the President's Book will include membership data from the spreadsheet recently created by Ms. Kapin, which lists each ACCA member's name, address, birthday, hobbies, etc. (The group deemed this information helpful at gift-giving time, such as the Association tradition of honoring outgoing Association Presidents with a gift, etc.)

- Clerk's Association website information, password and login information.

- Banking information including Arizona Corporation Commission requirements:

Banking information:

Ms. Schaffer stated she is unable to access banking statements from the bank's website or to have printed statements forwarded to her from the bank because Ms. Kennedy is still listed as the contact person.

Ms. Kennedy stated the account was opened with online rights only for statements; therefore, all statements are available online, which Ms. Schaffer has access to. Ms. Kennedy advised that the entity information (current board members) needs to be updated with the Arizona Corporation Commission to allow the current board full access to the account.

Corporation Commission information:

Upon query by Ms. Schaffer, Ms. Kennedy confirmed that the ACCA's Corporation Commission filings are tied to the Clerk's Association entity, not to Ms. Kennedy personally as creator of the ACCA Clerk's Association Corporation Commission membership.

Ms. Kennedy responded that a new *Notice of Posting* would need to be implemented which lists the new ACCA Executive Group Board member names. Ms. Schaffer stated she was not familiar with the Notice of Posting. Ms. Kennedy responded the Notice is included in the *Treasury Book* previously forwarded to Ms. Schaffer. Ms. Schaffer was then able to locate the Notice.

- ACCA Bylaws
- ACCA Code of Ethics
- Turn-over procedures for transition of newly elected ACCA Executive Group/Officers: President, Vice-President, Treasurer and Secretary.

Ms. Buckley suggested creating a list of information from outgoing officers to ease the transition of ushering in and welcoming new officers to their duties.

Ms. Kapin asked the Executive Group to list their thoughts regarding turnover procedures for each of their individual positions as ACCA officers, and forward them to her by March 4, 2021 if possible

- Conference procedures -- Who coordinates hotels, what services the Clerk's Association pays for, etc.
- How often conferences will be held.

- List of essential items approved by ACCA membership.

Ms. Kennedy referenced the last page of the current bylaws (dated October 28, 2019) as containing a list of essential items listed below:

- Certified Professional County Clerk's Accreditation Program information
- Conference registration fee for membership – Currently \$100-\$150 as needed.
- Conference exhibitors and sponsorship information
- Continuing Education requirements
- Meeting minutes requirements:
 - Names of those attending in person/video/telephonic
 - Brief statement of current events from each county
 - Meeting summary containing enough information on each agenda item to show why decision was made.
 - Documentation of motions -- Who made and who seconded motions; Vote-count -- Unanimous if vote was so; and Aye, Nay and No-votes individually by name if not unanimous.

No. 1b/Clerk information update:

The Executive Group members briefly reported on recent activities in their respective counties such as census activities, and Ms. Buckley is heavily involved in the redistricting process.

No. 1c/Education:

Ms. Kapin stated she is a proponent of continuing education. The ACCA Certification Program is an excellent source of ongoing training. A few ACCA members have not yet been through the Program. Ms. Kapin also cited the Municipal Clerks training is available for those who might be interested.

Ms. Kapin suggested adding ACCA internal training opportunities for those who are unable to travel for in-person training and requested suggestions for topics.

Upon discussion, internal training suggestions included the following topics:

- Zoom meeting training.
- Special District functions – establishment and dissolution of districts, etc.
- Board of Equalization Hearings
- Auctions -- Online and "not online".

Ms. Schaffer, Ms. Isbell, and Ms. Buckley stated they use *Public Surplus* (Company) for their online auctions.

Ms. Isbell stated that in January, Yuma County's employee who coordinated its auctions retired from County employment. Although cross training began some time ago, staff is definitely in a learning process and asked whether other counties who also use *Public Surplus* could be a resource for auction procedures if needed. Ms. Buckley and Ms. Schaffer responded affirmatively. Ms. Buckley stated they have written auction instructions and she will forward them to everyone "for starters".

Ms. Schaffer stated Maricopa County's Treasurer handles the Tax Deeded Property (TDP) auctions, conducted by the Board of Supervisors. She offered to have the Treasurer's Office conduct TDP auction training.

Ms. Kapin suggested getting TDP information together for the first training session.

Ms. Schaffer stated she will reach out to the Maricopa County's Treasurer's Office to see if they would participate in TDP auction training since the Treasurer handles their auctions from initiation to finish.

Upon Ms. Kapin's query, discussion ensued regarding how many training sessions the ACCA should conduct each year. Upon further discussion, the Executive Group agreed that two sessions per year was reasonable, and perhaps more. The full ACCA membership's consensus for topics would be requested.

Ms. Kapin requested that if anyone becomes aware of additional online training topics that might be available on the web for internal training, to please share the information with the group.

- Open Meeting Law (OML) training

Ms. Schaffer stated training on the Open Meeting Law would be beneficial from an operational, rather than a statutory standpoint, specifically as to when and how emergency Board of Supervisors meetings are authorized.

- Clerk's Certification classes

Ms. Schaffer suggested internal training could also include some of the classes given during the October 2018 *Professional Certified Professional County Clerk's Accreditation Program*. (Please reference discussion regarding Item No. 1d/Certification, below.)

No. 1d/Certification:

Ms. Kapin requested confirmation from the Executive Group whether, as indicated during the previous meeting, "in-person" is the most advantageous training method versus other remote training methods such as tele-meetings and video conferencing. Ms. Kennedy stated although in-person training is needed, at least during year 2021 she will be unable to travel. Consequently, online training options would be advantageous.

Ms. Buckley stated she could do in-person or online training, but is not sure whether her County Administrator would authorize travel this year.

Ms. Kapin stated there was no travel money in Yavapai County last year. Although she prefers in-person training, it may be another year before that is feasible. Consequently, she would like to have some type of online certification training by the end of this year.

Ms. Schaffer stated it is difficult to carve out time even for remote/online training under the current circumstances; however, it is a good idea to schedule online training rather than none at all.

The Executive Group reached consensus that, while in-person training is preferable, online training will be made available, particularly for 2021.

Discussion ensued regarding access to MMC and IIMC training.

Ms. Kennedy stated IIMC is offering a great deal of online training, and IIMC has already approved the Clerk's certification program.

Ms. Kapin stated she will investigate availability of IIMC online courses.

No. 1e/Website:

Discussion ensued regarding a "Member's Only" section on the website.

Ms. Kennedy stated the members section is not exactly a website, but more of a "Google bank (forum)" where login information and other topical information regarding previous conversations amongst members can be stored. The link for logging into the Google forum can be included on the actual website for members only.

Discussion ensued regarding what information would be available on the website for the public, and what information would be restricted for ACCA members only. Discussion included the option of a "members-only" click-box, with information to include conference information (registration link for members), general questions to members regarding standard operating procedures, and topics members have discussed via emails, etc.

For clarification, Ms. Kapin asked how the members-only Google section was organized. She envisioned it containing information regarding the conferences, general questions sent to the members asking, for instance: "How do you conduct a tax lien sale", etc. For the public site, she envisioned including only general information.

Ms. Kennedy responded that the agendas, posting notices, minutes, and bylaws should be available on the public access website. The Google members-only forum would include dialogues amongst the members regarding different topics, listed topically. There would be a "Members Only" tab for accessing members-only information.

Ms. Buckley concurred with Ms. Kennedy's suggestion for the members-only portion of the website as stated above. However, the "Events" tab, containing conference registration links should be for members only since these events are not open to the public. She agreed the bylaws, minutes, and agendas should be available for the public.

Upon query by Ms. Isbell asked whether the Open Meeting Law would accommodate excluding the public from attending ACCA Conferences. Ms. Kennedy proposed

information regarding conferences (dates, locations, etc.) would be included on the public website. However, the link for members' registration would be available for members only.

Ms. Kapin asked for the Executive Group's consensus on implementing a Google forum.

Ms. Kennedy affirmed that she needed the group's direction whether to proceed with a Google forum or some other members-only venue. Previous research indicated Google as the best method available; however, she has not researched costs and would need to do so.

Upon query by Ms. Buckley as to who is responsible for website updates, Ms. Kennedy responded that per the ACCA bylaws, the Vice-President holds this responsibility. [Reference Section 4/Duties (B).]

Discussion indicated consensus that the public access website should include the agendas, posting notices, minutes, bylaws, and information regarding the conferences. However, the public access site would exclude a link for conference registration. The Google members-only forum would include the dialogues amongst the members regarding different topics, listed topically, and would include ACCA events including conference registrations.

1f/Committees:

At Chairman Kapin's direction, this item was not discussed.

1g/Meeting dates (Executive Group) and 2a/Meetings (Full ACCA Membership):

Upon query by President Kapin, discussion ensued whether to set a regular schedule for: Association and Executive Group meetings; informing Association members regarding the Executive Board meeting schedule; and how often the Association and Executive Group should meet.

Discussion regarding the meeting schedules is summarized below.

Ms. Buckley suggested the schedule for the Association and Executive Group meetings could be similar to those of the County Supervisors Association (CSA) Board of Directors: The Executive Board could meet first and then subsequently the entire ACCA membership would meet. Alternatively, she offered an option of scheduling Executive Board meetings either an hour before or an hour after the Association meetings.

Ms. Kapin responded it would be difficult to have the Executive minutes transcribed and ready the same day as Association meetings. She suggested scheduling Executive and Association meetings on a quarterly basis in advance, and adjusting the schedule as deemed necessary.

Following discussion as summarized above, the Executive Group reached consensus to calendar Executive and full Association meetings on a quarterly basis in advance, and adjust the schedule as necessary with Executive Group meetings on dates prior to the Association meetings.

Ms. Kapin confirmed she will set a schedule of quarterly Executive Group and Association meetings so as to not conflict with the Board of Supervisors sessions as discussed above.

2b/Taxes due:

Upon query by Ms. Kapin whether any association taxes are due, Ms. Kennedy responded negatively.

Ms. Kennedy stated, however, that an *Annual Financial Report* to the Arizona Corporation Commission is required.

Annual Financial Report:

Discussion ensued regarding the financial report, which may be submitted electronically as an Excel spreadsheet.

Ms. Kennedy stated because this is new, this would be the first financial report required of the Clerk's Association. The Excel expenditures spreadsheet Ms. Kennedy submitted could be submitted as the report.

Upon reviewing the Treasurer's Book previously received from Ms. Kennedy, Ms. Schaffer read the following: "*Corporations are required by statute to file an annual report with the Arizona Corporation Commission (ACC) once a year. Annual reports may be submitted electronically through the ACC website.*" Ms. Schaffer stated the report for this year is due tomorrow, February 5, and she will ensure submission.

2d/Membership dues:

Ms. Schaffer stated that per Ms. Kennedy's December 30 report, Mohave County is currently outstanding on membership dues. The remaining county dues are current.

Upon query by Ms. Kapin, the Executive Group confirmed the invoices would be sent to the clerks each year in advance of the July 15 payment deadline. (Reference Bylaws Article VI/Dues.)

Discussion ensued regarding a possible policy regarding outstanding (past due) membership dues, particularly when payment arrears are due to a financial hardship within a given county.

Ms. Isbell suggested that perhaps the bylaws could include some kind of past-due hardship accommodation under certain circumstances.

Ms. Buckley cited a previous hardship example when one county's payment was outstanding, and the Clerk was authorized to attend the upcoming conference. The county's dues payment was caught up at a later time.

Ms. Kennedy stated she has forwarded four or five invoices to Mohave County regarding the dues payment, with no response. Ms. Kapin suggested a reach-out to the Clerk might be in order to determine whether a hardship exists, and whether a delayed or non-payment of dues could be authorized in this instance.

Discussion ensued regarding possible options to offer delayed hardship payments as an Association "loan", or for the Association to fund the dues payment for a county under financial hardship.

The discussion indicated the Executive Group consensus that a Clerk whose County is under financial hardship should not be penalized when non-payment of dues is difficult due to the hardship.

Ms. Buckley stated she would contact Ms. Anderson, Mohave County Clerk, for a welfare check and will update the group.

Round table discussion:

Ms. Schaffer stated last week Ms. Buckley shared information on legislative conference calls, particularly regarding legislation that might affect the Clerk's offices. She finds the information helpful, rather than each Clerk researching legislation that might affect the clerks.

Ms. Kapin stated she will seek information on this from Yavapai County's legislative representative and will update the group. Ms. Buckley stated she will research this as well.

Ms. Schaeffer stated the Arizona Senate plans to draft a resolution holding the Maricopa County Board of Supervisors in contempt for failing to turn over voting machines and ballots from the November 2020 election. She is not sure of the status at this time.

Ms. Schaeffer stated retired Maricopa County Clerk Fran McCarroll is doing well and is transcribing a backlog Maricopa County minutes from home.

ADJOURNMENT

At 11:16 a.m., there being no further business to come before the Executive Group, Ms. Isbell moved to adjourn the meeting. Seconded by Ms. Schaeffer, the motion carried unanimously.