



Minutes of the Oregon State Fair Council Regular Meeting

June 18, 2015

Oregon State Fair & Exposition Center – Floral Building

Audio Recorded: Yes

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- I. **Call to Order:** The meeting convened at 1:30 p.m. with Chair Gene Derfler presiding.
- II. **Roll Call:** The attendance, both in person and by phone, was recorded as shown below:
- | Present: | Non-Present: |
|---------------------------------|--|
| Gene Derfler, Chair | Leah Perkins-Hagele, Council Member |
| Craig Smith, Vice Chair | Anna Peterson, Council Member |
| Vicki Berger, Council Member | Kerry Tymchuk, Council Member |
| Loyal Burns, Council Member | Kacey Duncan, Advisory Council Member |
| Kevin Cameron, Council Member | Sen. Arnie Roblan, Advisory Council Member |
| Jon Chandler, Council Member | |
| George Jennings, Council Member | |
| Austin McGuigan, Council Member | |
| Mike Paluszak, CEO | |
- III. **Pledge of Allegiance:** The Pledge of Allegiance was made by all parties present.
- IV. **Presentations: None**
- V. **Approval of Minutes:** Chair Derfler asked if there were any changes or corrections to the minutes presented for approval. Chair Derfler reported that May 21, 2015 meeting minutes recorded that Anna Petersen was present for the May 21, 2015 and that she was not. Correction will be made in the minutes to reflect that. Hearing no other changes, the Full Council Meeting Minutes of 5/21/15 were unanimously approved as presented.
- VI. **Public Comment on Agenda Items: None**
- VII. **Council Chair's Report: None**
- VIII. **CEO's Report:**
- Mr. Paluszak stated that work on the Horse Show arena is scheduled to start on Friday. Net cost for repairs to the Horse Show arena will be approximately \$26,000 which is under budget from the \$60,000 originally approved. Knife River will be providing materials for the arenas and Kim Grewe-Powell was able to secure a \$7,000 sponsorship trade against cost of materials from Knife River. That is in addition to the \$10,000 donation from the Foundation. The question regarding cost effectiveness of purchasing vs. renting equipment to maintain the arena after the construction is complete came up in previous discussions. The cost of renting was only a few hundred dollars. Mr. Paluszak made the decision to use rental equipment and services for the horse show arenas through the State Fair. Mr. Paluszak stated that we will reconsider long term equipment and service needs after State Fair. The dressage show that was anticipated in July was postponed until after the State Fair due to time restraints.
- Mr. Paluszak gave the Legislative report and announced that SB 934 for tort liability limits and Council membership passed out of the House, 59 ayes with 1 absent, following a unanimous vote out of Senate. As of June 18, 2015, it is waiting on a signature by the Senate President. Council Member Chandler added that SB 934 is for liability protection for non-property claims applicable to State Fair Council. Mr. Chandler also mentioned

that nothing has happened yet with the budget request, but we will have a little over one million dollars in operating money on top of money generated through operations. At this time he does not have an update on funding requested for building maintenance, but will know by the end of session. Chair Derfler thanked Council Member Chandler for his work and effort on securing funding for the State Fair.

IX. Information Items: None

X. Action Items:

State Fair Council:

a. Financial Statement 1/1/15-5/31/15

Council Member McGuigan asked about the \$8,800 in other income on the financial statement, Mr. Paluszak explained that it is prior year revenue from the 2014 State Fair Carnival.

It was then moved by Council Member McGuigan and seconded by Council Member Jennings to accept the financial statement as presented. The motion carried unanimously.

Further discussion of the budget included whether or not it's possible to compare the financial statement this year with last year's. Mr. Paluszak explained that it's almost impossible to compare at this point in time, but beginning next year we will be able to show prior year comparisons.

b. Discussion and action regarding insurance covering the Oregon State Fair Council/Oregon State Fair and Exposition Center beginning 7/1/15.

In cost comparison with DAS State Self-Insurance pool and commercial insurance it is Mr. Paluszak's recommendation that we enter into an Intergovernmental Agreement between the Oregon State Fair Council and the State of Oregon Department of Administrative Services for participation in the State Self-Insurance Program for the period of July 1, 2015 to June 30, 2017; maintain the current insurance policy for Directors & Officers Liability and Employment Practices Liability; and terminate the current SAIF Workers Compensation policy effective July 1, 2015. However, this does not cover workers compensation for volunteers. There are three options for volunteers:

1. No coverage
2. VIC-Volunteer Injury Coverage (\$25,000 cap per claim)
3. State Self-Insurance Pool (Rate of 3.3¢ per/hr.)

Mr. Paluszak would like to add to the recommendation that we add option #3, workers compensation coverage for volunteers to the DAS Risk Management State Self-Insurance Program.

It was moved by Council Member Cameron and seconded by Council Member Chandler that the CEO enter into an Intergovernmental Agreement between the Oregon State Fair Council and the State of Oregon Department of Administrative Services for participation in the State Self-Insurance Program for the period of July 1, 2015 to June 30, 2017; maintain the current insurance policy for Directors & Officers Liability and Employment Practices Liability; terminate the current SAIF Workers Compensation policy effective July 1, 2015; and include volunteers workers compensation through DAS. The motion carried unanimously.

State Fair:

c. Proposed Contract with Oregon State Police for Law Enforcement Services during the 2015 State Fair.

Mr. Hillman explained that law enforcement services are required for the 2015 Oregon State Fair. As in prior years, the Oregon State Police will provide those services. This is an Interagency Agreement vs. a contract and is not to exceed \$92,000. Having Oregon State Police present on the grounds will help with risk management and prevent escalating insurance costs.

Vice Chair Smith commented that after the State Fair is over he would like to see the number of hours State Police worked and the total cost that we pay for troopers so we can average cost per hour for troopers and compare that with local law enforcement fees. He also asked about the increase in cost this year over last years. Mr. Hillman responded that the increase in cost is due to hourly cost and that we would likely have an increase in State Police presence this year.

Council Member Berger stated that she also would like to see data on the cost per hour vs. the quality of services provided by the State Police, and that we should be mindful that there are a lot of other good police options that might be considered.

A motion was made by Council Member Cameron and seconded by Council Member Chandler to approve the contract between the Oregon State Fair Council and Oregon State Police for Law Enforcement Services during the 2015 Oregon State Fair. The motion carried unanimously.

d. Proposed Contract with Falck Northwest for Emergency Medical and Related Service during the 2015 State Fair.

The previous contract for emergency medical services expired and there is a new contract with the city. The cost last year for emergency medical services for the State Fair was approximately \$36,000. The fees for this company are a little higher because they include labor charges; this is a five year contract.

A motion was made by Council Member McGuigan and seconded by Council Member Jennings to approve the contract between the Oregon State Fair Council and Falck Northwest for emergency medical services during the 2015 Oregon State Fair. The motion carried unanimously.

e. Proposed Vehicle, Motorized Cart, Heavy Equipment and Bicycle Policy during the 2015 State Fair.

Adopted "Oregon State Fair Rules and Policies" for the upcoming 2015 State Fair did not refer to a written vehicle, motorized cart, heavy equipment and bicycle policy. Therefore, to ensure a safe and comfortable experience, it is important the Oregon State Fair have a written policy in place.

A motion was made by Council Member Cameron and seconded by Council Member Jennings that we review and adopt the vehicle, motorized cart, heavy equipment and bicycle policy for 2015 Oregon State Fair with the addition of clarification by staff of what exceptions may be allowed. The motion carried unanimously.

- f. Proposed smoking policy during the 2015 Oregon State Fair.

Mr. Hillman explained that at the April 2015 meeting, when the Oregon State Fair Council adopted “Oregon State Fair Rules and Policies” for the upcoming 2015 Oregon State Fair that the rules and policies did not refer to a smoking policy. He would like to clarify and include language regarding smoking. These policies are consistent with other state & county fairs policies. Council Member Cameron asked if we should have “No Smoking Except in Designated Areas” policy vs. “No Smoking .“

A motion was made by Council Member Jennings and seconded by Vice Chair Smith that we amend the proposed policy to state that there will be no smoking anywhere on the fairgrounds except in designated areas. Council Members Chandler and Berger oppose the amended policy. Mr. Paluszak suggested that the first two paragraphs be deleted in the proposed policy to only state that “Smoking, including the use of electronic cigarettes, vaporizers and oil/wax pens, will be limited to areas designated by the CEO or designee,” if that was sufficient in terms of policy language. The motion then carried unanimously.

XI. Public Comments on Non-Agenda Items:

Judy Skinner commented that Garten will be providing services for Marion County Fair for litter patrol, clearing tables, garbage/recycle collection and sorting. She would like to invite State Fair Council Members to stop by during Marion County Fair and she would like to show members the services Garten provides.

- XII. Council Members’ Comments:** Council Member Chandler would like to mention that he has written Legislative Counsel Dexter Johnson asking for clarification of what we are in regards to being a quasi public-private entity.

XIII. Executive Session:

At this point in the meeting the Council went into closed session pursuant to ORS 192.660(2)(e) Real Estate Negotiations and ORS 192.660(2)(f) Attorney/Client Privilege.

- XIV. Adjourn:** Upon reconvening into public session, there being no further business the meeting was adjourned.

Meeting Materials:

Agenda

Financial Statement 1/1/15 – 5/31/15

Report and contracts regarding insurance covering the Oregon State Fair Council/Oregon State Fair and Exposition Center beginning 7/1/15

Contracts with Oregon State Police and Falck Northwest

Proposed policies for Vehicle, Motorized Carts, Heavy Equipment and Bicycles

Proposed policy for smoking