

Amended  
Approved

Date July 7, 2010  
Recorder Susan Ortiz  
Chair Darin Olson

## Marion Soil and Water Conservation District Board Meeting

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Location: Salem USDA Service Center Conference Room  
650 Hawthorne Ave. SE, Ste. 130, Salem, OR 97301-5894  
Date: Wednesday, June 2, 2010  
Time: 7:03 PM to 10:01 PM

*Actions and follow-up items (notes) are italicized.*

### ATTENDANCE:

#### Directors

Ackland, Emily  
Carr, Joanne  
McKinley, Brian  
Miller, Jayne  
Olson, Darin

#### Associates / Directors Emeritus

Baum, Robert  
Dyk, Robert  
Hardy, Leland

#### Staff

Keppinger, Jane  
Ortiz, Susan

#### Guests / Partners

Bachelor, Les – NRCS  
Fisher, Ralph – Citizen

### NOT IN ATTENDANCE:

#### Directors

Harper, Sara Jane  
Krahmer, Doug

#### Associates

Bishop, Ryan  
Bowman, Quentin  
Clouser, Marilyn

#### Directors

Emeritus  
Harper, Myron

## BOARD MEETING

### ADMINISTRATIVE

**Call Meeting to Order:** Darin Olson, Chairman of the Board, called the Board Meeting to order at 7:03 PM.

### BOARD MEETING

Introductions of all persons present were made.

### **Public Comment:**

There were no public comments made.

### **May 5, 2010, Board Meeting Minutes**

The May 5, 2010 Board Meeting Minutes were reviewed by the Board members. Bachelor had one correction to his report. Miller stated that she would like to rescind her vote in favor of terminating the employment of Luca DeStefanis.

### *ACTION:*

*Ackland motioned for the Board to accept and approve the Board meeting minutes for May 5, 2010 as corrected. The motion was 2<sup>nd</sup> by McKinley. There was no further discussion. Motion passed by unanimous vote.*

### **May 11, 2010 Budget Committee Meeting Minutes**

The May 11, 2010 Budget Committee Meeting Minutes were reviewed by the Board members.

#### **ACTION:**

*McKinley motioned for the Board to accept and approve the Budget Committee Meeting minutes for May 11, 2010 as presented. The motion was 2<sup>nd</sup> by Carr. There was no further discussion. Motion passed by unanimous vote.*

### **May 2010 Treasurer's Report**

Keppinger provided the financials report to the Board for May 2010. She stated that she did not have either the Bank Statement or the LGIP statement for May 2010. She reviewed the District's Local Government Investment Pool (LGIP) funds, noting that the balance holding was \$1,819,359.28, on 5/31/2010. The District's checking account activity report was reviewed, and questions regarding the checks paid out were addressed. Keppinger then reviewed business activity in relation to the current budget, items noted were: 92% of budgeted tax revenues have been received, as of May 31, 2010; she noted that there was one check for Envirothon that was written to the District which was deposited and used against Envirothon expenses.

#### **ACTION:**

*McKinley motioned for the Board to accept and approve the Treasurer's Financial Report for May 2010 as submitted. The motion was 2<sup>nd</sup> by Miller. There was no further discussion. Motion passed by unanimous vote.*

### **June 2010 and July 2010 Calendar's Reviewed**

Olson asked the Board members to review both the June 2010 and July 2010 calendars and to advise if any changes or corrections were needed. Keppinger noted that the AmeriCorps crew is currently training with staff. No changes were indicated.

### **Staff and Board Acknowledgements**

Keppinger stated that in the past month there has been an incredible amount of work for all of the staff, due to the departure of one staff member, the beginning and end of the LAP grant cycle, and the finalization of the SPG and RCAP grants for the fiscal year. She stated that staff really stepped up and worked well together. Keppinger noted that she awarded bonuses to some staff members to acknowledge their extra efforts.

Keppinger thanked Olson for his time and support during this unusually hectic time.

She also acknowledged the efforts of the LAP Grant Application Review Committee.

*Robert Dyk arrived at 7:10 PM*

### **REPORTS**

#### **NRCS Report**

Les Bachelor presented his report;

- The CSP sign up period closes June 11, 2010
- WRP sign up closed on June 2<sup>nd</sup>; no sign-ups for Marion County were submitted
- Bachelor is continuing to act as Basin Team Leader

Bachelor provided three (3) conservation plans (all under EQIP) which were then reviewed and discussed as needed. The plans reviewed were for: (1) Casper Ott Jr., (2) Platts Turner Farms, LLC, and (3) Veeman Dairy, LLC. Bachelor noted that although organic dairies are eligible for the organic EQIP pool, it has a lower limit than the regular EQIP program, therefore most dairies prefer the regular EQIP program.

Miller stated a conflict of interest with the Platt Turner Farms, LLC.

**ACTION:**

*Ackland motioned for the Board to accept and approve the Casper Ott Jr., and Veeman Dairy, LLC Conservation Plans. The motion was 2<sup>nd</sup> by McKinley. There was no further discussion. Motion was passed by a unanimous vote.*

**ACTION:**

*McKinley motioned for the Board to accept and approve the Platts Turner Farms, LLC Conservation Plan. The motion was 2<sup>nd</sup> by Carr. There was no further discussion. Motion passed by a vote of 4 to 0. Miller did not cast a vote.*

***The Board Meeting was suspended to complete the Budget Hearing from 7:19 to 7:20 PM.***

**Admin Committee**

Hardy stated that the committee did not meet in May; therefore he had nothing to report.

**Building**

Olson stated that he had hoped that all of the board members would be present for a discussion regarding the District Building Fund, in order to follow-up with the discussion from the Budget Committee Meeting. He then opened the floor for discussion.

Fisher stated that the first item will be to determine if all of the agencies would like to remain within the same building (stay together), then identify suitable locations for the facility that meet the criteria of being centrally located within the county, within 2 miles of the I-5 corridor to provide ease of access for staff and residents, and able to meet required access for federal offices. Olson asked for input regarding sustaining a location with NRCS and FSA. Discussion followed, and it was noted that if the District remains housed with NRCS and FSA that it can be expensive to meet all of the Federal standards.

Carr noted that she would like to see the district research available properties to determine what is available, and the cost, even if it requires time to find a suitable location. McKinley concurred.

Miller stated that there are a lot of good facilities available right now, and that in her opinion, it would be prudent and wise for the District to invest in real estate.

Keppinger noted that if the district has a building that has additional space, beyond what the District and Federal partners can utilize, regulations limit who it could be rented to. She also stated that the District income and expenses have caught up with each other, and if the District were to own office space it may come at the detriment of existing district programs.

Robert Dyk asked which agencies are located at the Service Center; Keppinger responded NRCS and FSA. Dyk stated that it would behoove the district to continue to be co-located with NRCS and FSA to facilitate the flow of information and ease of communication between the District partners, as it provides for ease of getting the job done and conservation on the ground. He also stated that being co-located with NRCS and FSA and the proximity to the I-5 corridor is beneficial to all the agencies. He also suggested that the District remain located in the Salem area, as it is close to the state capitol and near many of the state agencies which the district liaises with. He reemphasized the importance of remaining co-located with NRCS and FSA. Ackland concurred with Dyk regarding the need to remain co-located with NRCS and FSA.

Miller stated that she did not believe that purchasing a property would be a financial detriment to the district, so long as adequate research is done prior to the purchase.

Keppinger noted that the approximately \$120,000 per year, that the District currently pays for "rent" includes rent, utilities, janitorial, building upkeep and maintenance, grounds maintenance, security, etc.

Dyk noted that it is expensive to move to a new location. Keppinger and Bachelor responded that it cost approximately \$33,000 to move the Service Center to its current location.

McKinley asked the Board Chair to form a Building Committee to further research properties and regulations involved in the District purchasing a building. Carr stated that as long as the District remains within their means that she can support moving forward with a Building Committee.

Olson stated that he has determined that there is a need for a Building Committee and that he will determine who will be assigned to it. Olson reminded the Board that staff is extremely busy right now; therefore, he would not suggest the committee meet until at least August. Ortiz noted that Oregon Department of Administrative Services has personnel available to assist with the research and groundwork to comply with Public Contracting Law.

### **Program committee**

Ackland reported on the Program Committee's activities and asked the board to determine how to move ahead on the following issue:

The Mid-Willamette Watershed Alliance bylaws state that an SWCD representative (staff or director) will sit on their board. DeStefanis had been very active with the Alliance and held the District seat on their board. Keppinger had not been aware of this prior to attending an Alliance meeting in May.

Ackland brought this issue before the board to determine if the district would like to continue to hold a seat on the Alliance board, and if so, who should be appointed to fill the seat. Keppinger stated that DeStefanis is no longer holding that position, as he is no longer a representative of the district.

- o Olson noted that he would like to have the district removed from the by-laws of the Alliance. McKinley, Carr concurred
- o Carr stated that she was concerned that it might add to the responsibilities of a director from the Salem area.
- o Hardy stated that these positions are often asked to assist with extensive fund raising efforts.
- o Miller asked if DeStefanis could have served on the committee if he had asked for permission.
  - Keppinger stated that the District has a Policy that District staff will not hold a position on any Watershed Council board.
- o Miller then inquired about how the District ended up in the Alliance by-laws
  - Keppinger stated that DeStefanis made it happen without notifying the District, as the version she reviewed had no mention of the District holding a seat on their board.
- o Discussion continued regarding whether or not districts hold positions on watershed council boards. Keppinger also stated that the District has supported watershed councils financially to a great extent in the past.
- o Ackland stated that she would like to know what repercussions would occur to the Alliance should the District position be removed from their by-laws.

Keppinger will make an inquiry to the Alliance and ask them to explore removing the District seat from their by-laws, in order to determine what effects that may have on their organization.

### **Education Committee**

Joanne Carr reported to the board on the Education Committee's activities.

### **Computer Ad-Hoc Committee Meeting – no report**

Keppinger reported that the committee did not hold a meeting in May. The committee will meet after June 15<sup>th</sup> to review and rank the RFQ submittals.

### **OACD Update**

Sarah Jane Harper was absent, therefore Olson asked Directors to read the letter she provided at the May meeting regarding the OACD Board of Districts Meeting.

### **SWCC Update**

Krahmer was not present to provide an update.

## **OLD BUSINESS**

### **New District Vehicle Purchase**

Keppinger reported that staff received quotes, reviewed, and test drove the Toyota, Honda, and Dodge mini-vans available currently on the market. Staff preferred the Dodge Grand Caravan for a number of reasons, including: the seat fabric is darker and heavier, has tinted windows, seats 7, and the 2<sup>nd</sup> and 3<sup>rd</sup> row fold down flat, without removing them. She stated that the current quote, from Withnell Dodge, for a 2010 Dodge Caravan is \$20,615 (not including licensing costs) and the dealer will accept the District's old minivan for trade-in.

#### *ACTION:*

*Carr motioned for the Board to approve the District purchase a 2010 Dodge Grand Caravan. The motion was 2<sup>nd</sup> by Miller. There was no further discussion. Motion was passed by a unanimous vote.*

### **November Director Elections**

Keppinger reported that the District received the packets for the 2010 Director Elections from ODA. She advised the Board that the first day to file the elections paperwork is July 15<sup>th</sup> and that the last day is August 24<sup>th</sup>. It was noted that each candidate needs a minimum of ten (10) signatures from registered voters, which must be verified by Marion County Elections prior to submitting to the ODA, on the Petition for Nomination. Keppinger reminded the Board that the links to all candidacy information are on the district website. Marion SWCD has four (4) Director positions available which will appear on the November ballot: Zone 2, Zone 3, Zone 5, and At-Large 2.

***Bachelor left the meeting at 8:15 PM.***

### **SWCD Business Plan Goals**

Olson asked the Board to approve the Business Plan goals that were clarified by the staff and reviewed at the Education & Outreach and Program Committee Meetings.

Miller voiced her frustration regarding the items removed from the business plan and asked why all of the timelines, deliverables, organics section, and air priority had been removed. She stated that the changes did not include specific percentages or amounts which were previously listed on the plan.

McKinley responded that staff will take the Business Plan and form the Annual Work Plan, which will include actual deliverables. Keppinger stated that the Business Plan was more vague than the original, as staff will have measurable deliverables in the Annual Work Plan. Hardy stated that he felt that staff did a good job of bringing the goals back in line with what the District can actually accomplish within the 5 year time line.

Carr noted that at the first meeting, the Directors tried to define measurable goals; however, those goals were, for the most part, not achievable or measurable. McKinley noted that all of the concerns of the Directors were noted and remain available for staff to include in the Annual Work Plan.

#### *ACTION:*

*McKinley motioned for the Board to approve the District Business Plan Goals as presented. The motion was 2<sup>nd</sup> by Ackland. There was no further discussion. Motion was passed by a unanimous vote.*

## NEW BUSINESS

### **Resolution to adopt budget for 2010-2011**

Keppinger asked the Board to adopt Resolution No. 060210 for the purpose of adopting the 2010-2011 Budget and imposing the tax rate.

#### *ACTION:*

*Ackland moved to adopt Resolution No. 060210 for the purpose of Adopting the Budget for Fiscal Year 2010-11 in the total of \$2,874,755, and to impose a \$ .05 tax per \$1,000.00 of assessed value, for operations. The motion was 2<sup>nd</sup> by Miller. There was no further discussion. Motion was passed by a unanimous vote.*

### **Requests for Payments – LAP / RCAP/SPG**

Keppinger stated that due to the circumstances outside of landowner control, two LAP projects were not completed by the June 1<sup>st</sup> deadline; both projects would be completed no later than June 30, 2010 and have requested an extension of time to complete the projects. Extensions were requested by: Mark Forster and the Adams Family.

#### *ACTION:*

*Miller moved to approve the requested extensions, with a final completion no later than June 30, 2010. The motion was 2<sup>nd</sup> by McKinley. There was no further discussion. Motion was passed by a unanimous vote.*

Keppinger referred the Directors to the three page list of Requests for Payments (*attached to minutes*) for the Landowner Assistance Program (LAP), the Special Projects Grants (SPG), and the Riparian Conservation Action Program (RCAP). Keppinger asked the Directors to review the requests, and to state if there were any conflicts of interest that need to be identified. Olson was noted to have conflicts with two of the LAP grants.

Miller asked how many of the grants included irrigation and which companies were used for the irrigation installations. Olson and Hardy provided information regarding area irrigation companies. Keppinger stated that in order to determine which grants included irrigation a review of each grant folder would be needed, as that was reviewed at the time of application and the District Technical Staff were aware of the specifics of each project.

#### *ACTION:*

*Ackland motioned for the Board to accept and approve the LAP request for payment to*

- *3-H Simmental Ranch (Gary Hafner)*
- *Mark Anderson*
- *Gordon House Conservancy*
- *Alan M Haley*
- *Ann Haviland*
- *Carl L Holm*
- *Nathan Lamkey*
- *Melinda L McDonald*
- *Deborah VanHorne*

*thereby authorizing Keppinger to issue final payments to each as provided on the list of Requests for Payments in accordance to the 2009-2010 project agreements. The Motion was 2<sup>nd</sup> by Miller. There was no further discussion. Motion passed by unanimous vote.*

#### *ACTION:*

*Ackland motioned for the Board to accept and approve the LAP request for payment to*

- *Stuart Olson Farms, Inc.*
- *Joel W Osborn*

*thereby authorizing Keppinger to issue final payments to each as provided on the list of Requests for Payments in accordance to the 2009-2010 project agreements. The Motion was 2<sup>nd</sup> by Miller. There was no further discussion. Motion passed by majority vote. Olson abstained, due to a stated conflict of interest.*

**ACTION:**

*Carr motioned for the Board to accept and approve the SPG request for payment to*

- **Dickman Farms Inc**
- **Jennifer Lloyd**
- **OSU Extension Service – Marion County**

*thereby authorizing Keppinger to issue final payments to each as provided on the list of Requests for Payments in accordance to the 2009-2010 project agreements. The Motion was 2<sup>nd</sup> by Miller. There was no further discussion. Motion passed by a unanimous vote.*

The Board asked Keppinger to arrange for either Scott Eden or Mark Dickman to provide a presentation at a Board Meeting on the SPG project.

**ACTION:**

*Ackland motioned for the Board to accept and approve the RCAP request for payment to*

- **City of Keizer**
- **City of Turner**
- **Fairview Center for Sustainability Inc**
- **Kettle Foods**

*thereby authorizing Keppinger to issue final payments to each as provided on the list of Requests for Payments in accordance to the 2009-2010 project agreements. The Motion was 2<sup>nd</sup> by McKinley. There was no further discussion. Motion passed by a unanimous vote.*

Keppinger asked for approval of payment for the extensions granted to Mark Forster and the Adams Family, to be paid up to the budgeted amount.

**ACTION:**

*McKinley motioned for the Board to accept and approve the LAP request for payment to*

- **Mark Forester**
- **Adams Family**

*thereby authorizing Keppinger to issue final payments to each up to the budgeted amount, in accordance to the 2009-2010 project agreements. The Motion was 2<sup>nd</sup> by Carr. There was no further discussion. Motion passed by a unanimous vote.*

Olson stated that Dave Etzel cancelled his project for the Portable Compost Tumbler.

**ACTION:**

*Ackland moved to accept the cancellation of the Portable Compost Tumbler Project by Dave Etzel, funded under a SPG. The motion was 2<sup>nd</sup> by McKinley. There was no further discussion. Motion was passed by a unanimous vote.*

**Envirothon**

Keppinger asked board member to review the travel itinerary and budget for the Canon North American Envirothon competition in Fresno, CA, as prepared by Ron Crouse. She noted that Crouse and Ortiz are working with Azumano Travel to utilize the State of Oregon travel contracts to reduce costs.

**ACTION:**

*Ackland moved to approve the travel itinerary and budget for the 2010 Canon North American Envirothon competition, in Fresno, California. The motion was 2<sup>nd</sup> by Miller. There was no further discussion. Motion was passed by a unanimous vote.*

**Robert Dyk and Ralph Fisher left the meeting at 8:45 PM.**

**EXECUTIVE SESSION**

Olson suspended the regular board meeting at 8:45 PM to convene Executive Session for the purpose of  
**ORS: 192.660(1)(i) To review and evaluate employment related performance of employees.**

**BOARD MEETING**

The regular board meeting was reconvened at 9:55 PM.

**Manager's Employee Performance Recommendations**

**ACTION:**

*McKinley moved to approve a one-step increase in pay rate for all regular staff members, except the District Manager, for employee performance. The motion was 2<sup>nd</sup> by Carr. There was no further discussion. Motion was passed by a unanimous vote.*

Olson noted that a performance review of the District Manager, Jane Keppinger, will be completed within the next two months.

**Resignation of Director**

Joanne Carr tendered her resignation to the board, due to time constraints from her personal commitments and work. She appreciated being able to learn from the board and staff. Olson stated that her resignation would be effective as of June 30, 2010, and that he appreciated her time.

**ACTION:**

*Ackland moved to accept the resignation of Joanne Carr, with a heavy heart, effective June 30, 2010. The motion was 2<sup>nd</sup> by McKinley. There was no further discussion. Motion was passed by a unanimous vote.*

**MEETING WAS ADJOURNED AT 10:01 PM**

Next meeting: Wednesday, July 7, 2010 and beginning at 7:00 PM.

Location: Salem USDA's Service Center Conference Room  
650 Hawthorne Ave SE, Ste. #130, Salem, OR 97301-5894

Minutes submitted by Susan Ortiz