

Amended
Approved
Date 02/01/12
Recorder Susan Ortiz
Chair Darin Olson

Marion Soil and Water Conservation District Board Meeting

Location: Salem USDA Service Center Conference Room
650 Hawthorne Ave. SE, Ste. 130, Salem, OR 97301-5894
Date: Wednesday, January 4, 2012
Time: 7:02 PM to 9:08 PM

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

ATTENDANCE:

Directors

Ackland, Emily
Keasey, Dave
Krahmer, Doug
Olson, Darin
Storke, Carol

Associates / Directors Emeritus

Hardy, Leland

Staff

Keppinger, Jane
Ortiz, Susan

Guests / Partners

Keasey, Dorothy
Fields, Mark
Guttridge, Don – Clackamas Co. SWCD

NOT IN ATTENDANCE:

Directors

Miller, Jayne

Associates

Bishop, Ryan
Bowman, Quentin
Dyk, Robert
Harper, Sarah Jane

Directors Emeritus

BOARD MEETING

CALL TO ORDER

Call Meeting to Order: Darin Olson, Chair of the Board, called the Board Meeting to order at 7:02 PM.

INTRODUCTIONS

Introductions of all individuals present were made. Ortiz made note that the meeting was being recorded.

SPECIAL RECOGNITION / SPECIAL ACKNOWLEDGEMENTS

Keppinger announced that Ron Crouse has been with the district for 5 years.

MONTHLY CALENDARS

Olson asked the Board members to review both the January 2012 and February 2012 calendars and to advise if any changes or corrections were needed. Education & Outreach move to January 18th.

AGENDA CHANGES

Olson asked if there were any changes to the agenda, none were brought forth.

ACTION:

Keasey moved to approve the agenda as presented. The motion was 2nd by Krahmer. Motion was passed by a unanimous vote.

REPORTS

A. SWCD COMMITTEES:

A1. Administrative:

Hardy reported on the Administrative Committee's December meeting. The committee discussed proposed policy language for the proposed new budget fund and plans to present it at the February Board Meeting. See committee minutes for more information.

A2. Education & Outreach:

Olson reported on the Education & Outreach Committee's December meeting. The committee reviewed a number of CLEAR grant applications; one opted out after receiving the suggestions from the committee. The Straub Environmental Learning Center has asked for additional funding, but concerns were raised regarding grant limits and more research is being done by the committee. The committee would like to change committee to Education/Outreach/Marketing; Olson provided additional information regarding what is included in marketing and how these items are currently being covered. See committee minutes for more information.

A3. Program:

Ackland reported on the Program Committee's December meeting. The committee recommended approval for the purchase of gates for the bridge replacement project. The committee as received information regarding a potential partnership with OAN forward, and reviewed and updated the LAP application, priorities, and cost list. The committee is currently completing an assessment of what the committee priorities are to determine direction for the future. See committee minutes for more information.

Keppinger asked if the board would like to agree with the committee's changes to the LAP priorities and cost list; noting that the priorities are same as last year with the addition of Reduced Irrigation Induced Erosion as a higher priority.

ACTION:

Krahmer motioned for the Board to approve the 2011-2012 LAP Application and 2011-2012 LAP Priorities. The motion was 2nd by Keasey.

Discussion: Keppinger noted that the cost list is also part of the LAP program and needs to be approved. Krahmer and Keasey approved amending the motion to include the 2011-2012 LAP Cost List. Ortiz noted that the cost list is also used for the SPG program. Krahmer and Keasey approved amending the motion to include the 2011-2012 SPG Cost List.

Motion now reads "To approve the 2011-2012 LAP Application, 2011-2012 LAP Priorities, and the 2011-2012 LAP/SPG Cost List." Motion passed by unanimous vote.

B. OREGON ASSOCIATION OF CONSERVATION DISTRICTS:

B1. Ackland reported that the OACD officers met to discuss the OACD annual meeting and conference to determine how to move forward for the next annual meeting.

Guttridge [speaking as the Basin Chair for the OACD Lower Willamette Basin] stated that the OACD Executive Board will be holding a meeting in Salem on January 22nd. Ackland asked about whether a Basin meeting will be held. Guttridge replied that in the past the Basin meetings have been held in conjunction

with the Basin Roundtables, however, the roundtables have not been held for over 18 months. Guttridge stated that the earliest the Basin meeting could occur is March. Ackland stated that she would assist with the agenda.

Statewide Water Quality Advisory Committee Meeting

Ackland reported on the Statewide Water Quality Advisory Committee meeting; she noted that attendance included stakeholders, conservation community groups, and others interested in water quality. One of the major items discussed was how the ODA-DEQ Memorandum of Understanding is being implemented. Overarching the discussion is that DEQ is getting pressure from outside groups to look at how ODA is managing the Ag Water Quality Management Program (AgWQMP) to ensure that measurable differences are occurring. Ackland noted that at this time Marion County is being placed in the position of being the poster child for demonstrating success, with Zollner Creek being the focal point of measuring success of water quality improvement activities. Krahmer stated that EPA also attended the meeting and did not have much input on the matter. ODA is being asked to show how the SB1010 plan is being implemented and those agricultural producers to do their part for water quality; Krahmer stated that he feels comfortable that the ag producers are doing their part, however ODA is not providing much confidence on their end. ODA is requiring SWCDs to provide specific information regarding landowner practices, under the AgWQMP in order to meet the requirements of their Scope of Work (SOW). Krahmer noted that the ODA system of compliance has been complaint driven, with a proactive approach on the part of SWCDs; it appears now that ODA plans to use the information from the SWCDs to give citations to landowners who are not complying with the AgWQMP. In the past the SWCDs have always worked with landowners on a voluntary basis to those who ask for assistance; he is concerned that with this change landowners will see the SWCDs as more regulatory. Ackland stated that some districts have asked that if they choose to not provide this information, and participate, with the ODA requests will they still receive funding, the response from ODA is no. Krahmer stated that ODA put a hold on the information they are requesting until the situation is resolved. Ackland stated that essentially ODA is using the SWCDs relationship with landowners to get information to cite landowners.

Keppinger stated that last year's meeting it was told that ODA would tell the districts where they would focus their work, not just on activities, but rather on specific geographic areas; then this year many districts were told that they would need to focus on specific geographic areas, in addition, districts were not getting the same message from all of the ODA water quality managers. It was noted that the districts were only confronted with the new idea of focusing on a geographic area when filling out their SOW last summer. Keppinger noted that it is ODA, DEQ, and EPA determining what the districts are to do, without any input from the districts. She also noted that the current reporting is based on quantitative measures of items like fencing installed.

Keppinger stated that under Measure 76 have nothing legislatively or legally to tie it to SB1010 funding and should now be treated exactly the same as watershed councils; watershed councils can use the funds for administrative funds, overhead, etc. Krahmer stated that now the only tie to SB1010 is putting together the SOW that is submitted to ODA; with none of the funds going through ODA, while in the past funding for SB1010 implementation was specified legislatively. Keppinger explained that the passage of Measure 76 changed the funding mechanism for districts and councils to receive funding through OWEB. As a result Keppinger would like to see this board support challenging the funding pool to ensure that the funding is equal in amount and direction of usage to the watershed councils. Keppinger stated that she is very concerned that the districts' work over the past 15 years is now being set aside by ODA. Keppinger noted that the ODA water quality planners were originally hired to fulfill the SB1010 requirement of writing the AgWQMP for each of the areas and that task has now been completed. Krahmer stated that now the water quality planners are the enforcers of the ag water quality rules, while at the same time trying to work with the districts to implement the AgWQMP [plans]. Storke stated that the district is not an enforcement agency, and posed the question of how the districts collect the information needed to assist the landowners without turning the information over to ODA for enforcement purposes. Krahmer stated that the moving of district

funding from ODA to OWEB is emotionally difficult for many districts to accept. Ackland asked if moving the funding for districts to OWEB is a good idea; Krahmer stated that it needs to be research.

ACTION:

Ackland motioned for the Board to approve the drafting a letter to OACD regarding the ODA water quality program outlining the points discussed earlier in the meeting and providing recommendations regarding how the SWCD funding pool should be treated, the letter will state the concerns of the district and solutions that were discussed; the letter shall also be sent to the SWCC and ODA. The motion was 2nd by Krahmer.

Discussion: It was clarified that Krahmer and Ackland will review the letter prior to Olson signing it.

Motion passed by unanimous vote.

The board had a consensus that the district will not become enforcers of Ag Water Quality Rules. Ackland stated that the Association of Oregon Counties is very concerned with this situation and would be interested in this letter. Discussion continued regarding the situation and how other districts are dealing with the matter. Ackland stated that the districts need to demonstrate success [of water quality improvement] and bring those to ODA as an example of how to resolve the situation. OACD needs to be able to let all of the districts know that they can challenge ODA regarding their water quality SOW requirements.

C. SOIL AND WATER CONSERVATION COMMISSION:

C1. Krahmer reported that the next Quarterly meeting is scheduled for January 31st at the Marion SWCD Conference Room.

D. MARION COUNTY WATER QUALITY ADVISORY COMMITTEE:

Krahmer provided the board with a draft copy of the Post-Construction Runoff Control Ordinance. He stated that the committee met last on December 22nd; however, he just received this draft of the ordinance yesterday.

Krahmer noted a couple of items that, i.e. this ordinance only applies inside the Stormwater Management Area (the area encompasses the Urban Growth Boundary). Marion County agreed to update the ordinance to assist with maintenance of stormwater management facilities that serve more than one residence; however if it is a single residence that is served by stormwater management facility the landowner is responsible, also any commercial user is responsible for maintenance of their stormwater management facility. In addition, a notification process was added to the ordinance to provide warnings before penalties will be imposed. Keasey asked how the Stormwater Quality Treatment Engineering Standards were established and how will they be maintained; Krahmer replied that the county is currently accepting comments on the standards

Krahmer stated that the ordinance still has to go through the full adoption process with the county commissioners. Keasey noted his unease with the lack of specifics in the ordinance and the fact that the engineering standards will not be in place prior to this ordinance. Krahmer will continue to keep the board updated with the progress of this ordinance and any other associated ordinances that come before the committee.

E. NATURAL RESOURCES CONSERVATION SERVICE:

Bachelor was unable to attend, therefore the two conservation plans pending approval were postponed until the next meeting.

PUBLIC COMMENTS RE: CONSENT AGENDA

None were heard.

CONSENT AGENDA

Olson presented the amended agenda; he asked board members to state any comments or conflicts of interest. No comments or conflicts of interest were heard.

ACTION:

Keasey motioned for the Board to approve and adopt the following items contained in the Consent Agenda.

A. MARION SWCD MINUTES

A1. December 7, 2011 Board Meeting Minutes (no corrections)

Motion was 2nd by Storke. Motion was passed by a unanimous vote.

FINANCIAL REPORT

Keppinger provided the financial report to the Board for December 2011. The QuickBooks reconciliation detail report showed the balance held under the Local Government Investment Pool (LGIP) to be \$2,192,759.75 as of the close of business on December 31, 2011; interest rate remained at 0.5000. Keppinger noted that the tax collected for the current year are being collected as expected, with approximately 90% of the total taxes collected for the 2011-2012 year. The District's checking account has an ending balance of \$50,135.37 as of December 31, 2011; this amount could not be reconciled as the monthly bank statement had not yet been received. The District's checking account activity report was reviewed for the month, and all questions regarding the checks paid out were addressed. The November bank statements were provided for board review. Current activity within the budget categories were reviewed and discussed as needed. Keppinger noted that payments were received for currently and previously levied taxes, DEQ for pesticide sampling collections, 2nd quarter payment from ODA; interest received was split between the general fund and the building fund. There were no further questions or voiced concerns on the information presented.

ACTION:

Keasey motioned for the Board to accept and approve the Financial Report for December 2011 as submitted. The motion was 2nd by Krahmer. There was no further discussion. Motion passed by unanimous vote.

UNFINISHED BUSINESS

A. Update on Hiring of New SWCD Employee

Keppinger advised the board that the job to Tracy Solomon as Resource Conservationist, she will begin on January 17, 2011. She holds a degree from Purdue in Natural Resources; she has worked for NRCS and a conservation district. Her last position in Hawaii was doing energy audits for landowners and others, she worked for Kona Brewing Co implementing energy efficiency project.

Keppinger stated that they interviewed 6 qualified applicants and were looking for someone who could bring more and different skills/knowledge to the district. Keppinger believes that Solomon will bring a lot to the district and will be able to provide assistance to Scott Eden with technical resources.

Keppinger stated that in another applicant they had someone who worked for OSU Extension who was qualified, and that if the district hired him right now that the position he currently holds would be eliminated from OSU Extension to accommodate budget cuts. As the individual did not make tenure at OSU his position is currently scheduled be eliminated sometime during the next fiscal year. Keppinger has held a meeting with the individual and his superiors to discuss the possibility of partnering to keep the resource that position provides within the county. At this time the idea is to contract with OSU Extension for a share of services, in order to keep a Crops Specialist on the OSU Extension staff; this would bring the district all of the experience and knowledge associated with someone in that position. Keppinger stated that sometime after July 1st OSU Extension will eliminate two crop specialist positions in Linn/Marion counties.

ACTION:

Ackland motioned for the Board to give Keppinger the authority to continue discussions with OSU Extension and to work funding for a partnership position into the district's 2012-2013 fiscal budget should the district choose to fund the position. The motion was 2nd by Krahmer.

Discussion: Olson stated his concern regarding working with OSU Extension.

Vote passed unanimously.

B. Approve Purchase of New SWCD Truck and Amount

Keppinger noted that Board had previously authorized \$28,000.00 for the purchase of a new pick-up truck, canopy and slide-out bed. She stated that district staff, Mark Hadden, had worked with several dealers to negotiate pricing for the truck and desired accessories; in addition, Hadden encouraged local dealers to keep the business local to encourage the purchase to be made within Marion County. Ron Tonkin has the state contract, worked to get Capitol to match the quote from Ron Tonkin

ACTION:

Ackland motioned for the Board to approve the purchase of a 2012 Toyota Tacoma, as presented. The motion was 2nd by Keasey. There was no further discussion. Motion passed by unanimous vote.

ACTION:

Storke motioned for the Board to approve the purchase of after-market parts and accessories for the Toyota Tacoma, as presented. The motion was 2nd by Krahmer. There was no further discussion. Motion passed by unanimous vote.

NEW BUSINESS

A. 2012 Board Officer Elections

Olson advised the Board that elections will be held at this meeting.

Krahmer stated that he would like to see Olson remain Chair, Ackland for Vice-Chair, and Storke as Secretary/Treasurer. Krahmer then moved to nominate as stated; all candidates accepted.

ACTION:

Krahmer motioned for the Board to accept the nominations for 2012 District officers. The motion was 2nd by Keasey. There was no further discussion. Motion passed by unanimous vote.

The following individuals were elected to officer positions by a majority vote of the board.

- Chair - Darin Olson
- Vice-Chair – Emily Ackland
- Secretary/Treasurer – Carol Storke

B. Appoint SWCD Budget Officer to oversee 2012-2013 Budget Preparations

ACTION:

Olson motioned for the Board to appoint Jane Keppinger, District Manager, as the 2012-2013 Budget Officer for Marion SWCD. The motion was 2nd by Krahmer. Motion passed by unanimous vote.

Keppinger stated that are a couple of budget committee positions that will need to be reappointed or newly appointed.

C. Discuss SWCD Business Plan Meeting / Retreat for Directors

Olson stated that the revisions to the district's business plan still has not been completed; he would like to see the board have a one-day retreat to finish up the business plan and to discuss longer-term vision for the district. He suggested having a facilitator and noted that the meeting would have to be held within the district. Krahmer noted that his schedule is very full, but that the business plan does need to be completed. Ackland agreed with Krahmer and suggested that the meeting be held in conjunction with a board meeting and provide dinner. Keppinger stated that it should be planned as either one separate meeting or in association with a couple of board meetings/committee meetings; she anticipates that it will take about 4 hours to work through the remainder of the plan revisions.

ACTION:

Board consensus was that the meeting should run from 5:30-9:00 including dinner; at the conclusion of the initial meeting determine if another meeting will be necessary. Suggested dates were February – 7th, 8th, 9th with a final date dependent upon the availability of a facilitator. Board agreed that a nominal cost for the facilitator was acceptable.

Ackland left the meeting at 8:43PM

D. Discuss/Approve Intergovernmental Agreement with Yamhill SWCD for CREP Position

Keppinger presented the draft Intergovernmental Agreement (IGA) with Yamhill SWCD for the CREP position that will be funded by the OWEB grant received by Yamhill SWCD. She noted that Marion SWCD is responsible for \$5,000.00 of the two year agreement for CREP services; with the employee to be housed at Yamhill SWCD.

ACTION:

Storke motioned for the Board to approve the Intergovernmental Agreement with Yamhill SWCD for CREP technical services, as presented. The motion was 2nd by Krahmer. There was no further discussion. Motion passed by unanimous vote.

Ackland rejoined the meeting at 8:46PM

E. Discuss/Approve Support Letter for "Increasing Agricultural Biodiversity in the West" Project

Keppinger asked what is being asked of the district; Ackland stated that the district is being asked for a letter of support.

ACTION:

Ackland motioned for the Board to approve writing a letter in support of the grant request. The motion was 2nd by Storke. There was no further discussion. Motion passed by unanimous vote.

F. Approve LAP Landowner Payment Requests

Keppinger presented two landowner payment requests for the Landowner Assistance Program (LAP) and provided a brief review of the projects. Olson asked the directors to state if there were any conflicts of interest that need to be identified, none were brought forth.

ACTION:

Ackland motioned for the Board to accept and approve the LAP requests for payment to:

- ***Doug and Karen Stair***
- ***Camilla R. Stair***

thereby authorizing Keppinger to issue payments to each as provided on the Requests for Payments in accordance to the 2011-2012 project agreements. The motion was 2nd by Storke. There was no further discussion. Motion passed by unanimous vote.

Keppinger noted Susanna Owens had completed her OWEB small grant and the district would be issuing her a payment for \$9,000.00, once the funds are received from Linn SWCD.

G. Approve Purchase of Swing Gates for Cold Creek Project

Keppinger noted that during the course of the project the original gates were destroyed and new gates were not included in any of the other funding sources that went to the project. Keppinger provided a quote from Oregon Corrections Enterprises for three gates in the amount of \$5,076.00. Hardy noted that these are not farm gates, but are gates to deal with river access and access to the riparian area, including a WHIP project; the landowner has had ongoing problems in the area with vehicles off-roading on the land destroying the area.

ACTION:

Ackland motioned for the Board to approve the purchase of three gates, in the amount of \$5,076.00, to complete the Cold Creek Project. The motion was 2nd by Keasey.

Discussion: Kraemer asked where the funding for the gates would come from: Keppinger responded that the funds would be drawn from the grant expense line item [see 2011-2012 Budget - page 3, line 5].

Motion passed by unanimous vote.

H. Approve Attendance at SDAO Conference February 9-12, 2012 at Sunriver

Kraemer noted that it is possible that the district business plan meeting will conflict with this meeting. Keppinger asked anyone who was interested to let her know within the week.

I. Approve adding Marketing to the Education & Outreach Committee

Olson would like to amend the work-plan to allow the education and outreach committee.

ACTION:

Storke motioned for the Board to approve the addition of marketing and publicity to the activities of the Education and Outreach Committee. The motion was 2nd by Ackland. There was no further discussion. Motion passed by unanimous vote.

PUBLIC COMMENT

Guttridge stated that Clackamas Co. SWCD provided 9 farmers markets with grant funding, with \$1,000.00 to the Aurora Farmers Market. He stated that funding the farmers markets to provide sustainability, and locally grown produce. The funding directed for administrative costs of the farmers market. Storke asked Guttridge to provide the information regarding how they rank the farmers markets in order to provide funding. Guttridge also noted that they provided grants to ten watershed councils, including \$500.00 to the Pudding River Watershed Council.

Ackland stated that she had a person ask her about the district putting a bounty on nutria; she noted that Polk SWCD did offer it for a period of time. Discussion regarding how the populations are currently being controlled and whether or not this is an issue that needs to be addressed.

MEETING WAS ADJOURNED AT 9:08 PM

Next meeting: Wednesday, **February 1, 2012** 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, Administrative Coordinator

Definitions of Acronyms Used:

AgWQMP – Agricultural Water Quality Management Plan

CREP – Conservation Reserve Enhancement Program

DEQ – Department of Environmental Quality

LAP – Landowner Assistance Program

NRD – Natural Resource Division

ODA – Oregon Department of Agriculture

OWEB – Oregon Watershed Enhancement Board

RFP – Request for Proposal

SDAO – Special Districts Association of Oregon

SOW - Scope of Work

SPG – Special Projects Grant

SWCC – Soil and Water Conservation Commission

SWCD - Soil and Water Conservation District

TMDLS - Total Maximum Daily Loads

WRP – Wetland Reserve Program