

**Marion Soil and Water Conservation District**  
**Board of Directors Meeting - September 4, 2019**  
*\*Handouts and attachments available on request\**

Location: Marion SWCD Conference Room  
338 Hawthorne Ave. NE, Salem, OR 97301

Date: Wednesday September 4, 2019

Time: 6:05 PM to 8:38 PM

**FINAL APPROVED COPY**

Recorder: MSWCD Staff

Chair: Terry Hsu

**ATTENDANCE:**

<u>DIRECTORS</u>	<u>ASSOCIATES</u>	<u>STAFF</u>	<u>GUESTS</u>
Olson, Darin	Hardy, Lee	Keppinger, Jane	McCoun, Rebecca (N. Santiam WC)
Koch, Rochelle	Budeau, Dave	Ammon, Jenny	Stevenson, Brent (Santiam WCD)
Hsu, Terry		Bishop, Brandon	Nusbaum, Eric (ODA)
Walker, Scott		Ortiz, Susan	Alexander, Catherine (Straub Outdoors)
Bielenberg, Tim			Hedrick, Tammy (OR Ethics Comm.)
			Freitas, Anna (OACD, NOWC)
			Bachelor, Les (NRCS)

**CALL TO ORDER:** Chair Hsu called the meeting to order at 6:05 PM.

**Presentation on Public Meetings Law Executive Sessions:**

Tammy Hendricks with the Oregon Ethics Commission provided a presentation titled "Oregon Public Meetings Law: Executive Session Provisions". Key points included: Directors have a personal responsibility and liability to ensure that Executive Sessions are held only under the allowable statutes; the topic(s) discussed must pertain specifically to the statute under which the executive session was called; Directors are personally responsible for keeping the executive session on topic; and a Director may excuse themselves from an executive session that is off topic and/or statute by announcing it publicly during the executive session and ensuring that it is recorded either in the written or recorded minutes. Two handouts were provided: Oregon Public Meetings Law: Executive Session Provisions and Oregon Ethics Commission: Preliminary Review: Case No. 19-110XSM, Udelhoven, Jay vs. Hensey, Alison.

**Presentation on Grant Management System:**

Jenny Ammon, Natural Resource Educator, and Susan Ortiz, Program Assistant, provided a presentation on Grant Management Systems. Ammon and Ortiz provided information regarding cloud-based grant management systems software, the District's need for the software, an independent review, evaluations of three software providers by staff and a recommendation to pursue contract negotiations with Foundant for a two-year contract for the Grant Lifecycle Manager at the Advanced level. Two handouts were provided: Grants Management for Marion SWCD (PowerPoint Presentation slides) and Memorandum dated August 28, 2019 Request for Grant Management System.

*Darin Olson arrived at 7:00PM*

**ANNOUNCEMENTS:**

None.

**PUBLIC COMMENTS:**

Anna Freitas with OACD, introduced herself to the Board and thanked the District for leasing office space to OACD, NOWC and COLT.

## AGENDA APPROVAL / CHANGES:

Bishop requested to add a Landowner project discussion be added; Hsu added it after D in Action Items.

Hsu advised that the Board had received a letter from a Marion SWCD employee; Hsu kept the name of the employee confidential to maintain confidentiality. Hsu stated that he had spoke to District's legal counsel regarding the matter and will inform the Board as needed. Olson inquired as to why the letter from the employee was included in the Director Packets; Ortiz stated that the employee prepared copies of the letter and requested that it be sent to the Directors and be part of the supporting handouts for the minutes of the meeting.

## AGENCY / COMMITTEE REPORTS:

- NRCS. Bachelor advised that there were a total of six (6) conservation plans for the Board to consider; Blue Sky Farms Inc., McBee Farms Inc., Seifer Bros., Coleman Valley Orchards LLC., Mike Davidson, and Mark Anderson. Bachelor will provide a year-end report at the October Board Meeting. He noted that as there are no rules under the new Farm Bill, the Conservation Cover/Cover Crop program will not be able to move forward this fall and clients will be referred to the District for potential participation in the District's Cover Crop Program.
- Ad-Hoc Building: The committee met on August 29, 2019, and on September 3, 2019, with the later date to tour a potential building to purchase. Walker provided a 2-page memorandum which he had created, of which had been reviewed by Koch. Bielenberg stated that he had not been provided with the memorandum prior to receiving it at the Board Meeting and it did not come from the Committee. Walker reviewed the memorandum. Hsu requested a matrix comparison of the options presented on the memorandum with regards to the potential building to purchase: Bielenberg stated that the remodeling costs listed in the memorandum are not based upon any professional recommendation; Walker conceded that it was simply a place-holder amount. Bielenberg advised that the District needs to gain a better perspective on potential costs to modify the building; it was suggested that the Building Committee reach out to potential contractors to obtain estimates.
  1. Potential New (Sublessee) Renters  
Keppinger stated that Straub Outdoors has made an offer to lease space in the building, on the second floor. Keppinger noted that the District currently supports Straub with \$4,500 per year, and inquired if the Board would consider shifting those support funds to a reduction in leasing costs? The Board asked if a 2-year lease would be adequate for Straub Outdoors to move into the building. Catherine Alexander with Straub Outdoors responded that a 2-year lease would be adequate and noted that their current lease ends on September 30, 2019. The Board asked to review the lease proposal at their October board meeting.
  2. Future Office Leasing  
Bielenberg stated that the Building Committee did receive lease options from the current landlord; however, the memorandum provided by Walker did not provide a clear interpretation of that information.
- Education:
  1. CLEAR grants. Ammon provided clarification from Queen of Peace School regarding their CLEAR grant application. The committee recommended approval of both CLEAR grant applications; Queen of Peace School and Silvies River Charter School.

- Program: Bishop stated that the next Program Committee meeting will be on September 18, 2019. Keppinger noted that at the previous Program Committee meeting, they discussed and agreed to move ahead with approving payment for the LAP grants at the time the funding for each application is approved by the Board, which is the same manner which CLEAR grants are treated.

### FINANCIAL REPORT:

- Local Government Investment Pool (LGIP) as of 08/31/2019 was **\$1,992,106.20**
- Checking account as of 08/31/2019 was **\$129,013.82**
- 125 Plan balance as of 08/31/2019 was **\$10,127.07.**

***ACTION: Walker moved for the Board to approve the August financial report as presented. 2nd by Koch; PASSED 4-1 (Olson NAY).***

### DISCUSSION ITEMS:

- A. Follow-up on services with George Dunkel with SDAO.  
Hsu stated that he spoke to Mr. Dunkel, and they agreed that with the job description, strategic plan and 360 report that there was adequate information in which to generate a suitable matrix to create a course of action to identify any potential reward or shortcomings.
- B. Manager 360 Review Report.  
Hsu stated that he had received the final Manager 360 Review Report. There were two handouts provided in relation to the Manager's 360 Review Report.

Bielenberg stated that he did not get the opportunity to fill out the evaluation, as he was gone when the emails are sent and that it is known that he does not check his emails often, and that he did not receive a phone call reminder or other mailing to advise him regarding the evaluation. Bielenberg reminded the Board that previously when Olson did not receive the 360 evaluation, the evaluation was reopened to allow Olson to complete it; therefore, it would be inequitable to not allow the same this time. Hsu stated that he has some reservations with the company performing the evaluation. Hsu stated that he would engage them in another contract for Bielenberg to enter his evaluation; Hsu anticipated \$1,000 - \$1,500 to add the additional evaluation. Bielenberg stated that he believes that HR Answers should provide it free of charge, particularly when it was apparent that not all the Directors had completed the evaluation. Walker indicated that another conversation with HR Answers is needed to determine how to proceed. Hsu stated that he would talk to HR Answers in order to ensure that Bielenberg's evaluation is included. Olson stated that at this point the review of the evaluation should be on hold until the evaluation from Bielenberg is incorporated; Hsu concurred. No further discussion.

### ACTION ITEMS

- A. August 7, 2019 Board Meeting Minutes  
***ACTION: Olson moved for the Board to approve the August 7, 2019 Board minutes as submitted. 2nd by Bielenberg. PASSED 5-0.***
- B. NRCS Conservation Plans:  
***ACTION: Walker moved for the Board to approve the NRCS Plans as presented. 2nd by Bielenberg. PASSED 5-0.***

- C. CLEAR Grants- Queen of Peace School-Environmental Instructors for Classes/Field Trips for \$900; Silvies River Charter School for Buses for Field Trip for \$664  
**ACTION: Walker moved for the Board to approve CLEAR Grants for Queen of Peace for \$900 and Silvies River Charter School for \$664. 2nd by Olson. PASSED 5-0.**
- D. Selection of Grant Management Program  
**ACTION: Olson moved for the Board to approve staff moving forward with contract negotiations with Foundant for a 2-year contract. 2nd by Hsu. PASSED 5-0.**
- E. Project proposal.  
 Bishop stated that he has been working with a landowner that has severe streambank erosion; the landowner has been working on securing permits for an extended period of time, and just received the permits to do the work. Bishop asked if the Board would prefer to see a funding request for the project as a SPG or LAP grant application. **Board consensus was for the landowner to submit a SPG application for the project at the October board meeting.**
- F. Landowner Assistance Program Request for Payment  
**ACTION: Olson moved for the Board to approve payment of \$7,500 to Darin Houts for LAP-20-19-007. 2nd by Bielenberg. PASSED 5-0.**
- G. 2019-2020 1<sup>st</sup> cycle Landowner Assistance Program Funding Recommendation  
 Olson declared a conflict of interest with LAP applications 20-20-004 and 20-20-006.  
 Discussion regarding approving payment for grant applications in the same motion as approving allocating funds to the LAP applications. An example motion was provided. It was noted that the CLEAR grants now receive pre-screening by the Education Committee and are then approved by the Board for funds allocation and payment in the same motion; in contrast the LAP grants are reviewed by the LAP Review Committee (also in a public meeting) but the Board approves only funds allocation initially, with a second request required at project completion for payment. The process can delay LAP payments for over a month and is an inequity between District grant programs.  
**ACTION: Bielenberg moved for the Board to approve LAP applications 20-20-001 thru 20-20-015, except 20-20-004 and 20-20-006. 2nd by Walker. PASSED 5-0.**  
**ACTION: Hsu moved for the Board to approve LAP applications 20-20-004 and 20-20-006. 2nd by Koch. Olson declared a conflict of interest. PASSED 4-0. Olson abstained.**
- H. 2019-20 Cover Crop Applications  
**ACTION: Koch moved for the Board to approve Cover Crop Program applications 30-20-001 and 30-20-002. 2nd by Bielenberg. PASSED 5-0.** Walker expressed his opinion that farmers that are already utilizing cover crops should not be allowed to participate in the program; there was no discussion on this matter.
- I. 2018-2019 SWCD Annual Meeting  
 Discussion regarding when and where to hold the 2019-2019 Annual Meeting. **Board consensus was to hold the meeting in February 2020 at the Macleay Conference and Retreat Center.**
- J. Agenda Items for October Board Meeting.
- Council of Governments
  - Straub Outdoors
  - Salmon Watch presentation
  - Grant Management Platform contract
  - Building committee/office space
  - 360 Review

**MEETING WAS ADJOURNED BY CHAIR HSU AT 8:38 PM.**

*Minutes submitted by the Marion SWCD staff present at the meeting. Handouts and audio available by request*

**Upcoming Meeting Dates:**

Next Regular Board Meeting:

**October 2, 2019 beginning at 7:00 PM**

Location:

Marion SWCD Multnomah Falls Conference Room

338 Hawthorne Ave NE, Salem, OR 97301

*The Marion Soil and Water Conservation District complies with the American with Disabilities Act (ADA) and does not discriminate in employment based on race, color, religion, sex, national origin, political affiliation, sexual orientation, gender identity, marital status, disability and genetic information, age, or membership in an employee organization. Anyone who wishes to attend a meeting but needs special accommodations, please telephone the District office 48 hours in advance at 503-391-9927.*