

**Marion Soil and Water Conservation District
BOARD MEETING
1/08/2020**

Location: Marion SWCD Conference Room
338 Hawthorne Ave. NE, Salem, OR 97301
Date: Wednesday, January 8, 2020
Time: 7:06 PM to 8:55PM

APPROVED MINUTES
Recorder: Janice Calkins
Chair: Terry Hsu

ATTENDANCE:

<u>DIRECTORS</u>	<u>ASSOCIATES</u>	<u>STAFF</u>	<u>GUESTS</u>
Walker, Scott	Budeau, Dave	Bishop, Brandon	Bachelor, Les - NRCS
Hsu, Terry	Fields, Mark	Calkins, Janice	Easterly, EM-Glenn Gibson Watershed-
Koch, Rochelle	Hardy, Leland (Lee)	Keppinger, Jane	Council (GGWC)
Krahmer, Doug			Bierly, Ken - GGWC
Olson, Darin			

1. CALL TO ORDER/INTRODUCTIONS: Chairman Hsu called the meeting to order at 7:06 PM. Introductions made (everyone present introduced themselves).

2. PRESENTATIONS:

- a) **CIVIL RIGHTS PRESENTATION:** - Les Bachelor, NRCS
Bachelor explained that Civil Rights is equal treatment to all people without regard to: race, color, national origin, sex, age, disability, sexual orientation, marital and family status, political beliefs, parental status, or because all or a part of an individual's income is derived from any public assistance program. Though the District is not a Federal agency, it does work alongside and in partnership with NRCS (a federal agency), providing information and referrals to their programs and services. Civil Rights assurances in the Cooperative Agreement help us all to follow guidelines for Federal funding; ensure accountability of both the SWCD and NRCS; and protect the Board. A Civil Rights review is required to be done every 5-years, he said. A power-point presentation was shown, and each director also received hard copies of that presentation. Topics included: Roles & Responsibilities, Public Postings & Notices, Program Participation, Accessibility, Complaint Process, SWCD Diversity, Benefits of Board Diversity, and more. Once the presentation was over, Bachelor asked if there were any additional questions? There were none. Olson told Bachelor "Good Job!" and the Board followed, thanking Bachelor for his time and instruction.

- b) **OVERVIEW SOIL HEALTH ACADEMY** – Brandon Bishop, Staff
Bishop thanked the Board for allowing him to attend the training session offered by the Soil Health Academy, saying it was one of the best trainings he has attended outside of college. It was three days of training in Chico, CA at Chico State. Great classes on cover-cropping and use of animals, applicable to both large and small producers, he said. Perhaps most importantly, everything presented is accessible on Google Drive, for all Staff to use. Koch asked how the information learned can be applied to his daily work. Bishop responded we now know it is important to guide landowners into considering a larger diversity of cover crops. In the past we would suggest 1 or 2 species be used, we now have a list of 5 to 8 species to suggest, and all will work well. I learned more about stocking rates and grazing densities and can now better advise how to move animals more frequently to encourage forage quality amongst other things like putting up better hay. Fencing is one way of keeping animals away from nearby fields, but overgrazing can still occur. Learning how to move animals and when to move them is key. Walker stated the training applies to animal management as well then. Yes (Bishop). Koch asked it could be applied to cover-cropping? Absolutely, Bishop responded. Hsu thanked Brandon for his report.

3. PUBLIC COMMENTS:

None.

4. AGENDA APPROVAL / CHANGES:

Koch asked Hsu, if the Manager Evaluation Process Update shouldn't be moved, as discussed?

Hsu responded, oh yes, let's move that Agenda item down – between items M and N (from Discussion Item a.). He asked for any other suggestions. There were none.

5. AGENCY / COMMITTEE REPORTS:

a) NRCS

Les Bachelor indicated NRCS will be at OSU (Oregon State University) for the Nut Growers meeting and wished to invite everyone to come attend and stop by the booth/outdoor tent NRCS will have in partnership with Yamhill SWCD. He was aware, Brandon Bishop might be stopping by. Olson asked if they would be distributing notebooks again this year as they had done last year? Bachelor responded yes, adding they also had new bags to distribute, which have proven to be very popular. Walker wished to know more about the event, and Bachelor responded that it was a large event, all booth spaces had been rented out, and that a lot of harvesting equipment and fertilizers will be displayed there. There will also be several speakers, with the first scheduled to speak at 8:00am on the 16th of this month (a one-day event). The President of the Nut Growers Association will also be there to speak along with others. You can access information and the agenda on the Nut Growers Association's website, he said. Olson added, I believe they are expecting about 1,800 to 2,000 people to be in attendance. Bachelor agreed. He then noted that EQUIP plans are still being submitted, however no cut-off date has yet been established. (End of report).

b) AD-HOC BUILDING COMMITTEE- Rochelle Koch, Chair

Koch asked if they wished to discuss Aaron (Tarpenting), the Architect? Any thoughts, comments?

Discussion:

Olson said he had no problem with Realtor, Terry Hancock presenting to the Board several property options and buildings to review, as a year and a half is not very far off. Walker said as a member of the Committee he feels that as much as they can do now, will help clear the air down the road. Budeau interjected he felt they should take Leland Hardy's suggestion and determine exactly what the District needs/wants, square footage, etc. Koch replied that they had already done that and had determined needs/wants. Budeau replied, then that list created is what Terry Hancock should be given to work with. Hsu added, if we look at a 4,000 to 6,000 sq. ft. building it wouldn't preclude doing any particular land, and there are a lot of land purchases available that would support either a 4,000 or 6,000 square foot building, depending upon what you wanted. Walker added, that after having seen the new building/land purchase of Clackamas SWCD – his views/vision for this District have changed. Koch asked when Clackamas SWCD's up-coming open house was being held. Keppinger thought it was being held possibly on the 24th and 25th (Friday and Saturday). Walker confirmed the dates to be correct, the times: Friday 2:00 – 4:00, Saturday:10am to 12pm. And if you wish to hear them speak, the 18th of January Clackamas will hold a meeting. Koch felt it beneficial for all to see the Clackamas SWCD's new site/facility. Hsu agreed looking into all options and what each have to present would be beneficial. And contacting Terry Hancock to see what those options are, would be a good idea. Keppinger asked, are you then engaging Terry Hancock now as your Realtor? Olson replied that's another question - asking if an RF...was needed, or? Keppinger replied, well that's the issue. The fact is, if you continue to work with Terry Hancock, he is going to want you to enter a contract making him your sole realtor, etc., etc. You don't want to give the impression that he will be your sole contact. Walker said, as a buyer's agent Hancock would incur compensation. Yes, Jane said, but he will want to go under contract to be your Realtor, and that is the question

you will want to ask him if that is the direction you want to go, before you begin looking at any properties or buildings, etc. Olson stated regardless of which realtor is contacted, they will all want a contract signed. Doug asked Keppinger, as a Board, do we have to open it up as an RFQ, before we do an RFP or what? How do we proceed legally? Keppinger responded, like Hancock, you will need to find other Realtors that work in the Salem area, and deal in commercial real estate, and property purchases, and building. Find out what they do and how they do it. Focus on that first. I'm sure each of you know Realtors within the area. Select perhaps 5 realtors, set out our written criteria of what is needed and see what they each have to offer and determine if you are all comfortable in working with them further. Hsu said, then perhaps we kick this back to the Building Committee, until we determine who our Realtors will be and determine criteria. Hsu questioned, and then interview/evaluate three? Koch asked if they recommended 4 or 5? Krahmer suggested two or three. Jane agreed, saying yes. Koch asked if they had names and Hsu responded, A.J. Nash, Terry Hancock obviously, and there are a few others. Sometimes it's good to drive around and see what Real Estate firms are about, and to see what type of listings they have to offer. See who would be a good fit. Looking at various firms available - might be a better way to look at it – like Coldwell Banker and others (Keppinger). Olson asked, if we wish to return this to the Ad-Hoc Committee to pick a realtor, what kind of criteria/direction do we want to give them? Hsu asked, why can't we have the Ad-Hoc Committee come up with the criteria? Krahmer added, and then I would have the Ad-Hoc Committee bring those two or three to this Board along with a recommendation so that the Board can make a decision. Walker and Koch again spoke to restate the direction given. Koch stating the Ad-hoc Committee will establish the criteria, they will interview realtors, and then they will come back to the Board and present their recommendation and a reason why they were chosen; this was later restated again by Hsu. Koch hoped this could be done and presented by the next Board meeting in February. Koch asked if there were some strong candidates to be considered. Krahmer voiced, it would be good to consider Terry Hancock. Hsu voiced, A.J. Nash, and said a woman whose name he could not remember would be good. Olson questioned if she were in Albany. Hsu said no someone in Salem. Perhaps Pam Rushing? Yes, I believe that was her, I would have to double check (Hsu). Again, Koch asked how many Realtors should be contacted? Keppinger replied, as many as you want. You just want to show that you followed a process. Hsu again confirmed, this will go back then to the Ad-hoc Building Committee. Koch then questioned where Tim Bielenberg was tonight, as he too is a member of the Ad-hoc Committee. Keppinger advised Bielenberg was out of State at this time. And Krahmer reminded everyone they were made aware of this as Bielenberg had announced he would not be available this month at the last meeting.

c) **EDUCATION COMMITTEE** – Scott Walker, Chair

Walker advised that the Education Committee did not meet, as there were no pressing applications to review. One had been received however funding was not needed until March and they could address it in their February meeting (Third Tuesday of the month, February 21st at 11:30am) along with others that might be received before then. He then added, oh now we have two.

d) **PROGRAMS COMMITTEE** - Doug Krahmer, Chair

Grant Limitation Policy Overview & Comments

DISCUSSION:

Krahmer could not recall what was needed, and no documentation had been included in the Board packets. Koch stated the matter was very important, and it must be passed today, people were depending on it. Bishop stated that the Committee had not made any changes to policy. Krahmer indicated they should put the review/discussion off until the Board's next meeting. Koch replied, no it must be approved tonight. Keppinger advised, Darin you provided the Program Committee a list of questions, and they went through your list during that meeting. Olson replied he had given this a lot of thought and felt that so many of these companies are too large, that they cannot deal with NRCS and that they had fallen between the cracks. Could this be part of the criteria, if they were too big for NRCS would they then become eligible for the \$22,500.00? Could this program help these people? Krahmer voiced in, that is the problem we've got. We are too big for NRCS -we are over their limits. Olson added, and LAP was originally designed to help people who fell through the cracks. Keppinger wished to review the minutes of the Program Committee. Koch asked if Brandon could find the

documents and that they come back to this. Budeau stated he was under the impression changes would not become in effect until the next fiscal year. **Krahmer, Koch and Hsu agreed, then we have time to address this later.** Olson agreed saying, this is important enough that we need to get it right.

INQUIRY: Walker asked Chair Hsu, if the two gentlemen visitors (waiting to address the Board) might be moved up and be given time to speak next. Hsu responded they are next, oh, actually, financials are next, but we can move them up to now.

6. DISCUSSION ITEM (was 7.b.(moved up). Item 7.a. (moved to follow Action: m) *FINANCIAL REPORT TO FOLLOW*

DISCUSS GLENN-GIBSON WATERSHED COUNCIL WILLAMETTE RIVER PROPOSED PROJECT

Ken Bierly introduced himself saying he was the Chairman of the Glen-Gibson Watershed Council, and EM Easterly is here, whom has been on our Board now for quite some time. We are a small Watershed Council on the West side of the river. I presume you have in your package, a handout we have provided. This is a proposal before the City of Salem, and a newsletter we are handing out now that will be distributed to our members and as broadly distributed as possible. We are here now so that you folks understand what we are proposing to do. This has not been funded. It's something we want to do. It puts a gleam in our eyes and hope in our hearts. We are trying to look at that stretch of the river between Hayden Island which is now the Gail Ackerman Wildlife Area on the Polk County side just above the confluence between Rickreal Creek and the Willamette River and downstream to.... Easterly interjected, in the middle of the newsletter is a map that shows the entire region we are talking about. Yes, Windsor Island and Hayden Island, that the stretch we are referring to. It encompasses the full-length of the City of Salem on the North side. It also includes part of Polk County and Marion County, Bierly said. We wanted to make sure others that might be interested in this, would have some information about it. What they are looking at is trying to do an inventory of what the conditions of the flood plain are, what the restoration opportunities are, and how they might work with both public and private landowners along that stretch of river for the benefit of the river itself. The Conservation District here is really active in the Marion County side and we wanted to make sure you were aware of what we are up to and not become aware after reading some article in a newspaper. We are looking for and exploring opportunities and ways for landowners to be provided resources to address flood plain restoration. Walker asked, how....this is primarily in Polk County correct? Bierly responded, it is on both sides of the river – both Polk and Marion County. Krahmer added, Glenn Gibson is just on the West side of the river, but their project encompasses both sides of the river. Walker said he was curious as to if Polk in County was interested, and how they might be participating. Bierly responded, Polk County SWCD has provided a letter of support. They will keep Polk County Commission and Marion County Planning advised. Olson asked, then are you asking for a letter of support from MSWCD? Bierly responded, that would be wonderful, but it is mostly my desire that you are aware of what we are talking about, before it becomes real. Hsu asked, the Glen Gibson Creek Watershed presumably, starts at the confluence of the Willamette. Is that correct? Yes, Bierly replied. And it extends upward into the Eola Hills? (Hsu) Yes/Correct. (Bierly and Walker). So, whatever impacts the Willamette River could have some influence on what happens upstream in the Glenn Gibson Creek and that's a concern to your Watershed Council? (Hsu). Our concern is also the Willamette flood plains, so we are really looking beyond the boundaries of our Watershed, Bierly replied. You see most of the small Watershed Councils in the Salem area, don't really deal with the flood plain issues. So, we are trying to pick up a little bit of the slack in this mid-Willamette Valley area where Yamhill comes down and does some work on the flood plain, but in an area due North. Then you are picking up nearly river miles along the Willamette that are not in your watershed, right? Hsu asked. Correct. Absolutely. (Bierly). Walker asked, there is no watershed council for the Willamette River, right? No there is not (multiple voices replied). Hsu said, that's the Army Corp. That's an interesting situation, Walker said. And it's a bit of an oddity quite frankly. Hsu asked, doesn't the Army Corp regulate the river? Bierly replied, the Army Corp regulates the dam, yes. What we are trying to do, is to look at restoration opportunities along that stretch, Bierly said. It was clarified that this was not regarding any boundary change for the Council. Bierly, advised that Rickreal Creek Watershed Council has been a long-time partner (20plus years), and one of my questions to them is how we can address problems further to the South on the reach of the Willamette? We brought this topic before the Polk SWCD before they wrote their letter, they said well it's about time somebody needs to start talking about this interaction

between the land world and the river. As this study is being outlined (and you have been provided a copy of the proposed study) this is our effort to begin to say we as keepers of one little piece of this reach of the river, would like to join with others to do what we are suggesting. Our long-term motion is to engage all-of-the-folks that live along the Willamette River, so that it is truly a reflection of what the people who have lived there .their future desires. They thanked the Board for their time and asked if the Board agreed the project made sense then they would appreciate the Board's support.

DISCUSSION:

Hsu asked the Board if they wished to issue a letter of support. Olson asked for a motion.

ACTION:

Hsu motioned for the Board to **grant the Glenn-Gibson Watershed Council a Letter of Support for their study of the Willamette River.** 2nd by Koch (*and then Walker*). There was no further discussion.

MOTION PASSED. (Aye- 5 votes, Nay-0 votes).

7. FINANCIAL REPORT: (Previously Item 6. (moved down)) - Scott Walker, Secretary/Treasurer

Walker asked Keppinger to present. First sheet (p.1) of the report shows: Local Government Investment Pool (LGIP) balance ending 12/31/2019 was \$2,742,576.71, second sheet (p.2) - Oregon State Treasury's report for the LGIP shows the closing balance for 12/31/19 to be the same amount. Interest rate is right at: 2.25%, which had dropped from 2.34% previously. Next page (p.3) shows the balance for the Flex-Savings Plan with balance being \$3,390.06 as of 12/31/19 which matches/agrees to the end of month balance noted on the Reconciliation Detail report (back p.3). The following page (4) shows the checks issued for the month (front & back of page). Keppinger continued through all pages of the seven-page report explaining what the figures related to.

DISCUSSION:

Walker asked about the Native Plant Sale. Keppinger responded work was in process as usual to assure the Sale goes well on March 14th. Later, Walker asked about the ACH Redemption, a transfer of \$80,000.00 as seen on page two, what does that represent? Keppinger responded, that's when she transfers funds from LGIP to checking. Walker was ok with that.

Olson questioned, did the District get a new vehicle? Hsu and Keppinger both responded, yes. Keppinger confirmed, saying a couple of months ago (past), and directed Olson to look at page seven of the report under the heading "Requirements" where is listed Purchase of Vehicle(s) and shows the amount spent: \$21,826.20. Walker asked if that was the net? Keppinger responded yes, the vehicle was paid for in full, and balance is now 0.

ACTION:

Hsu motioned that they accept the financial report as presented. Koch 2nd the motion. There was no further discussion.

MOTION PASSED. (5-Aye Votes, 1-Nay (Olson))

QUESTION:

Keppinger asked Hsu, referring back to the **Glenn-Gibson WSC**, who do you wish to create a support letter? Staff? Hsu responded yes, Staff could do so and then he will sign the document. Thank you.

8. ACTION ITEMS

a) **SWCD OFFICER ELECTIONS:-** Chair Hsu

Hsu opened nominations for Board Officers. Koch said, it is dangerous not to be here when elections occur. Hsu said, guess we can begin with the position of

SECRETARY/TREASURER

ACTION:

Koch moved to nominate Scott Walker as Secretary/Treasurer. Olson 2nd the motion. There were no other nominations made.

MOTION PASSED. (3-Votes – AYE, 1-Abstained (Krahmer))

VICE-CHAIR

ACTION:

Walker nominated Rochelle Koch for Vice-Chair. Hsu 2nd the motion. There were no other nominations made.

MOTION PASSED. (3 Votes-Aye, (1) Abstained (Krahmer))

BOARD-CHAIR

ACTION:

Walker nominated Terry Hsu. Olson 2nd the motion. There were no other nominations made.

MOTION PASSED. (3 Votes-Aye, (1) Abstained (Krahmer))

That concludes officer elections (Hsu).

b.) NOVEMBER 14, 21, DECEMBER 4, 2019 SPECIAL/BOARD MEETING MINUTES – Chair Hsu

Hsu noted that he and Walker had discussed the minutes for the Special 360-Review, and it was felt that it be best **to have an out-side transcription service provide an outside and objective assessment of those meeting minutes. For objectivity and clarity, and so everything is covered. Walker advised he obtained a price quote and transcription will run \$140.00 per meeting hour.** Which involves listening to tape and then editing. We have two meetings, four hours of tape to be transcribed. Walker's concern he says is that everybody's voice is heard via the minutes. Normally I would say, let's cut it down and make it shorter. Hsu asked are you meaning the meeting for the 360-Review and the Building? I mean the one we have no minutes for tonight (Walker). Krahmer stated, I don't know how they (an outside transcriber(s)) are going to know who is speaking. Yeah (Koch). Yes (Keppinger). Because they will transcribe it, and I will listen and put the names into it (Walker). I'd rather they just put it down if they don't know whom said it then (Krahmer). Unknown (Olson). ...so be it (Krahmer). Well that's an option (Walker). Another option too is to have Staff do it and make sure all voices are recorded. On the 14th minutes for example, there were many questions brought up and I felt it important we could go back and review exactly what was said. Olson questioned the time spent and the cost per hour it cost the District to have Janice (Calkins) type the minutes, saying \$114 or \$140.00 per hour seemed a bit high. It was hard for Ms. Calkins to provide an actual number of hours spent in typing minutes as her days are filled with constant interruptions. Olson asked would you say roughly 3-4 hours. Yes, that might be correct (Janice.). Koch asked couldn't we ask Janice to do the minutes verbatim. But there has been some difficulty having that happen (Walker). Well because we've always had them condensed, and you wanted them condensed, Koch responded. Yes, but I made it clear in our conversation that for these two meetings that I want all the words down (Walker). Janice interjected no you did not say word by word. You can do it yourself. (Chuckles from room).

MOTION:

Olson said, I'll make the motion that we at least try this for at least these two meetings and see how it goes and we will be able to review it and see if it is something we'd like in the future or not. Ok (Walker) ...and see what happens (Olson). Do you need a second before we discuss it? (Koch) Technically yes (Olson). Are you gonna second it so I can discuss it? (Koch) Okay, sure I'll 2nd it. (Walker)

DISCUSSION - Transcription of Minutes/Two Meetings:

So, are you asking that every meeting gets written verbatim or just those two meetings? Koch asked. Just those two meetings (Walker). I don't think you worded it as such, as you could have said in the future. We'll look to it as a guide. If we decided we wanted to do something like that in the future, maybe we will. Let's look at it, I'm just leaving my options open. Right now, we're only committing the two meetings. That's it (Olson). Okay, I agree whole heartedly (Koch). Okay (Walker). So, we will be looking at \$140.00 times four (Walker). NO! (Koch). NO! NO! (Koch) We're looking at Janice, okay now I'm...(Koch). Not Janice, this is the service (Olson) Oh you're looking at the service, Oh I disagree...sorry (Koch. Okay, well...(Walker) I'm, I don't have the minutes, I'm bringing the issue to you...it's a Board decision (Walker), Yeah (Koch)...and uh, and so I'm, I'm hunting a little bit here okay...uh, I uh, I really feel...So let's call the motion (Olson) All... (Hsu). Actually, Janice can do it (Walker) but, but, it's difficult (Walker). Alright, um, motion made and seconded, comments, discussion – if not, all in favor say Aye all opposed.

MOTION PASSED.: Aye (4 votes), Nay (1 Vote (Koch)

- c.) **NRCS CONSERVATION PLANS** (if presented) – Les Bachelor
There were none. Bachelor not present.

- d.) **LANDOWNER ASSISTANCE PROGRAM/COVER CROP PAYMENT REQUESTS** – Chair Hsu
Keppinger advised they have a page in their packets. (Requests by: Mark Anderson/ Waste Storage Facility-#313 - Up to \$7,499; Brentano Farms, Inc/Sprinkler Irrigation-#442 - \$7,500; Craig Rawie/Irrigation Water Management- #449 - \$1,700.00).

MOTION:

Olson moved to approve payments to the three landowners requesting payment. Krahmer 2nd the motion.

DISCUSSION:

This is the LAP Program, right? (Walker) or also the Cover-Crop (Walker)...the motion? (Walker). He just did the LAP (Krahmer). Oh, Okay (Walker). Okay, um, okay so just the LAP (Hsu) um, so all in favor say Aye, Opposed?

MOTION PASSED. (5-Ayes, 0-Nays):

2ND MOTION: Olson motioned that the Board approve all three requests for payment under the Cover Crop Program. (**Valley Hop Farms, Inc. – Barley, \$5,625.00; Coleman Agriculture, Inc. White Clover, \$5,625.00; Coleman Ranch, Inc. – Barley, \$4,050.00**). Krahmer 2nd the Motion.

DISCUSSION:

So, this is the 75% payment? (Walker) but do we know the seed is in the ground? Do we have receipts and everything? (Walker) Yes, and we have everything (Bishop). Okay, okay I was just making sure (Walker). Okay, fine. (Walker). All right (Hsu) All in favor say Aye, Opposed? Okay motion carries.

MOTION PASSED. (Aye- 5 Votes. Nay-0 Votes)

- e.) **PROJECT SUPPORT & GRANT APPLICATION TO CITY OF SALEM FOR UPLAND KNOTWEED**
Keppinger advised if you have questions, I will call Jenny, if you don't think you have questions, I will not call Jenny.

MOTION:

Hsu motioned that the Board accept the project support and grant application to City of Salem for the upland knotweed survey treatment project. Olson 2nd the motion. Comments.

DISCUSSION:

Walker asked, this is about giving staff time to work on the project, but not dollars, well it's dollars too...but not grant money. Now this looks like quite a bit of time, do we have this amount of time right now? (Olson). Keppinger advised it is in conjunction with the work we are already doing with the City of Salem. In partnership with the City of Salem, we will file for a grant to hire a contractor that will work on the upland part with the City

to potentially spray and or treat knotweed in the upper end of the creek. Not down lower, where we were before (Keppinger). It was confirmed with Walker- in an area that is not part of the City (Keppinger).

MOTION PASSED. (5-Aye Votes. 0 Nays).

f.) MOU BENTON SWCD-Willamette Focused Investment Partnership -Chair Hsu

MOTION:

Olson motioned for the Board to approve the MOU with Benton County SWCD. 2nd by Krahmer.

DISCUSSION:

There was none.

MOTION PASSED. (Aye – 5 Votes. Nay – 0 Votes)

g.) ANNUAL MEETING – Finalize Details of Location, Date/Time, Speaker – Chair Hsu

Calkins advised the Board that when searching for a venue large enough to accommodate the number of guests anticipated (100 or more), the only location available during the times/dates needed was the Keizer Community Center. She reminded them that this facility was where the District had held Water Rights Boot Camp earlier in 2019, and if they could recall the facility and location was quite nice. Keizer offers 3 rooms, she said, but strongly suggested they rent two adjoining rooms at the Keizer Center which would provide ample space for guests, banquet tables, and tables for awards, donations and information materials as well. The two- room size was more in-line with the spaces used over the past 6-7 years (Creekside Golf Course, Salem KROC Center, and more recently Macleay Conference and Retreat Center). She also recommended that they choose to have a dinner, saying both she and staff had talked to numerous partners/landowners/farmers who had inquired when the Annual Meeting would be held this year. When told Lunch and or Dinner were being considered right now, a majority responded that they were sorry, but a day-time event would be near impossible for them to attend because of work or farm responsibilities. Calkins had also consulted with three different caterers this year: Sassy Onion, Elegant Catering, and That Food Guy Catering & Alcohol Service for both meals of interest: lunch and dinner. To make the Director's selections easier, the handout they were provided had noted not only menus and costs, but two options which took the Caterer's total bid and included the cost of a one-room rental (Option 1) or a two-room rental (Option 2). Calkins recommended that That Food Guy Catering be used this year, on the basis that his business received high reviews, his bid/quote was the least expensive, his menu looks great, and it might be nice to give someone new the District's business, and that they choose Option 2: two rooms, giving a total cost of \$2,700.00 for the event. She added, but this is only an estimate of course. She also pointed out that That Food Guy Catering's menu included two meat options and indicated the caterer had said if a guest returned for a second helping, and there was food remaining, he/she was welcome to try another entrée. This seems to be a new trend having two meat selections available she advised. You can see the quote from Elegant Catering also includes two meats. I have included Elegant Catering in my bids each year as their food and services are excellent, however their prices have always been on the higher end. You will note you have two dates to select from for the facility use: Tuesday, February 18th or Wednesday, February 26th, we can do lunch or dinner. She again encouraged them to select the dinner option saying she felt public attendance would be greater.

MOTION, DISCUSSION, MOTION:

Walker motioned for the Board to go with Calkins suggestions, to get two (2) rooms and have an evening meal.

Hsu had a follow-up question, he said. Then said, I'm willing to 2nd the motion. Olson asked if they wished to place a date on the motion. Walker asked Calkins if she had a date preference. She responded no, that's for all of you to decide. Hsu then asked the Board members present, were they all available on those two days? Yes, was the response. Does everyone want to do an evening meal? Hsu asked. Yes, was the response. Okay, Hsu said. Is there a preference, Tuesday or Wednesday? Hsu asked. Wednesday said Olson. Adding that Wednesday's were Board Meeting days. The consensus was Wednesday. We can accept Walker's motion. But with the insertion of Wednesday, February 26th Krahmer asked? Yes, we accept Walker's motion with the insertion of Wednesday, February 26th, Hsu said. For Dinner (Hsu). Olson again 2nd the motion. Krahmer said Thank you.

MOTION PASSED. (Aye – 5 Votes. Nay – 0)

h. ANNUAL MEETING RESOLUTION – Chair Hsu

Keppinger advised a resolution was now needed. Olson asked, we failed to give Janice a cost total. Calkins replied, I did give a cost for That Good Guy Catering. The estimated cost total was \$2,700.00 (Option 2 which includes a two-room rental). Walker asked how that cost compared to last year. Keppinger and Calkins both responded, about half the cost. Calkins also said, last year's total was \$5,100.00 which included meal and facility. Walker replied, half is good! Krahmer advised that a Resolution was a requirement to be done each year, which establishes the time of the Marion Soil and Water Conservation District's Annual Meeting and all the where as'es. The Resolution number is 10.10820 he said, then proceeded to read off the official document, adding in the meeting will be held February 26, 2020, at 6:00 pm at Keizer City Hall and Keizer Community Center in Keizer, Oregon. This document authorizes the District Manager and Staff to organize, plan and execute the meeting.

MOTION:

Krahmer said, so moved. 2nd by Olson. There was no further discussion.

MOTION PASSED. (Aye-5 votes. Nay – 0 votes).

i. REVISED GRANT LIMITATION POLICY – Chair Hsu

It had been decided earlier, this item would be held until to the next Board meeting.

j. PREVENTION OF WORKPLACE DISCRIMINATION, HARRASSMENT & RETALIATION POLICY – Chair Hsu

MOTION:

Olson moved to adopt the Prevention of Workplace Discrimination, Harassment & Retaliation Policy. 2nd by Krahmer. There was no further discussion.

MOTION PASSED. (Aye – 5 Votes. Nay – 0 Votes).

k. DISCUSS ADDITIONAL LANGUAGE/REVISIONS TO DIRECTOR TRAVEL POLICY – Chair Hsu

MOTION:

Olson moved to accept and approve the revisions made to the Director's Travel Policy. 2nd by Koch.

DISCUSSION:

Budeau said he was curious, looking under the Travel Guidelines bulleted items, fourth item down where it speaks of Directors being allowed to attend MSWCD sponsored events.... He questioned, are Associates allowed to attend also? Koch voiced concern, saying I thought we talked about having Associates included on this. Keppinger responded, in the past the terminology Directors has often-times included Associated

Directors. Koch asked, should we make a policy that says Associates are included. Keppinger added, then if it is your intention to have them, then they are included. Walker said, another change we were looking to happen was to change the wording from sponsored to ...ah what the Education Committee Staff members had suggested, to be hosted. Instead of sponsored. We give money to a variety of things/kinds of meetings and I, I totally appreciate what this person is saying. You were there, what do you recall from that conversation? (Walker). Mark Fields responded, I recall that hosted and sponsored are two different things. You can sponsor an event along with somebody else or two or three other groups. Hosting would be one put on totally by the District (Fields). There was a review of past events (Bishop and Walker). Fields then added, they are both of different classifications. Walker said, Jenny had mentioned, just because the District had helped to fund/sponsor an event that did not give us the right to attend the event for free. That is what she was driving at, I think (Walker). Koch agreed it needed to also say "Hosted", and that it also needs to say: "Associate Directors". I know you said that it applies, but I would rather have it written down (Koch). Olson said, we might decide to have a booth at the State Fair, and we might also be sponsors. I don't feel we (Directors) should not have to pay to go in (Olson). Discussions to pros cons continued. Hsu said, it says organized or sponsored, I do not agree. I feel it is acceptable as it is. Koch asked, why not just add it in (hosted). Hsu said he was okay with adding in the word hosted, if that what everyone wanted. Keppinger and Hsu agreed, change to hosted, sponsored, organized. Olson added, and Directors/Associates. Yes – both, Koch and Hsu said. Please (Koch).

MOTION:

Olson wished to amend his motion to add in the words "hosted" and "Associate Directors" as discussed. Koch asked if the Board could pre-approve it. Olson responded yes. Hsu 2nd the motion.

DISCUSSION:

Walker asked to reread the motion. Koch said the motion is to approve the Director Travel Policy by adding in "SWCD's sponsored/hosted/or organized trainings", and to add in "approve Directors/Associate Directors"...to be amended.

MOTION:

Hsu restated, motion has been moved and 2nd any further discussion? There was none.

MOTION PASSED. (Aye-5 Votes. Nay-O Votes).

- I. **SPECIAL DISTRICTS INSURANCE SERVICE LONGEVITY RATE LOCK AGREEMENT**- Chair Hsu Keppinger advised, we get money back if we say we will continue participating in their programs. Oh, they're bribing us (Koch).

MOTION:

Walker moved that they accept the Special District's Insurance Service Longevity Rate Lock Agreement. 2nd of Olson.

DISCUSSION:

Koch asked Is there any reason we should not do this Jane? Keppinger responded no. Koch said, that's the discussion I have, so there.

MOTION PASSED. (Aye – 5 Votes. Nay – 0 Votes.)

- m. **REVIEW OF MARION SWCD CURRENT POLICIES** – Chair Hsu

- 1) **904.2C Organizational Structure**

Walker said he would change the structure shown somewhat, partly based on the opinion voiced by Special District's guy we had at that meeting. And he made- the-observation that having the Board share ___with the Manager is uncommon based upon the entire Boards functions, in that regard. So, there is issue/ concern of the entire board – which made sense to me. that ...number one, it takes a lot

of pressure off the Chair. I mean there are other things to be doing...(Walker). Hsu said, honestly it puzzles me as how I become the Direct Supervisor when ultimately, I have to get approval from the Board to do everything. That puzzles me (Hsu). Olson did not feel the Manager should have seven or six other people calling...they could ask questions, but it needs to go through one person (Olson). Walker voiced, if I have a question, whatever, I'll call the Manager – okay? Olson – then if you still don't like the answer, then you go to the Chair and the Chair brings it before the Board. Hsu replied, yes, I'm the conduit by I don't know that I, I don't have the power to be the direct supervisor. At least that's how I see it. I don't know what that means exactly (Hsu). Krahmer – I agree with Darin, I don't see seven Board members as being her (Manager's) direct supervisors as a workable... Well I mean, like as I say, to be the conduit of information to the Board - to bring it to the board, sure (Hsu)...That's basically what it is (Krahmer). Walker asked, if you call, you want something done, you have a concern you wouldn't have to be supervisor- right Doug? Correct (Krahmer). Okay (Walker). So- I'm not exactly sure what it means...(Walker). It doesn't explicitly define what it means (Hsu). So, if the Board directs the Manager to do something, the Chair has to direct the Manager to do something (Walker). Hardy interjected, look at it from the other direction. If Jane has a problem or an issue, she's not going to go talk to six or seven Board members. She's going to go to the Chair and explain, this is the situation. Of course, of course – Hsu responded. Koch addressed Keppinger, Jane when this was approved back in 2008 what was the intent? Were you happy with it? Did you have concern with the fact then? What was the environment? Jane responded, the intent when you look at the other policy *The Delegation of Authority* it eludes to the fact that that's the supervision of the Manager's position. It was due to the fact that having seven boxes, and all may want different things and don't agree on stuff, and whatever there was the ability for her/Manager to have a person that she (Manager) would be able to go through and work with who also represented the Board and if it were necessary for them to come back to the Board instead of her (Manager) trying to resolve issues. Examples have been seen at other Districts where opposing instructions were given the Manager by multiple Directors with each having differing opinions. This was made to create clearer communication, to improve function and resolve issues quickly (Krahmer). Walker voiced that a couple of years ago, when they were discussing Manager evaluation and the reply from the Chair at that time, was that he replied, well I evaluate her (Manager). I do, not the Board- as I am her direct supervisor - Walker said. And that information was not received with pleasure (Walker). So, if one is a Chair, he is the direct supervisor over the manager, and he does the evaluation? (Walker). No, Olson responded. There is policy that states the whole Board is required to do the review – a yearly review (Olson). Keppinger directed all to read page 3 under the Delegation of Authority (policy) under E. – participates in the Manager's evaluation – and that is the authority given to the Chair. Okay, so that's the reason. (shuffling of paper....) I'm not seeing/finding this Jane, where did you say Jane? (Hsu) Page 3 (Keppinger) Oh (Hsu) The Board grants... Okay, I see (Koch). Under E, participates in periodic reviews of the District Manager (Keppinger). You know, I'm going to make a suggestion... (Hsu). as this is a complicated subject (Walker) Yeah (Hsu). ...and its 8:35pm now, do we want to get into this at this point? Maybe we can continue this another time, next meeting? (Walker). Um, that seems like a (Hsu)...just an observation (Walker)

2) **904.2B**

This is ...904.2B is a significant document, Hsu said. Yes (Walker). It isn't anything to snap...(Hsu) Keppinger interjected, I'm just going by page...Yeah (Hsu)....and by oldest... Yeah (Hsu). so, these came up next (Keppinger). But these also tend to go together, so I knew that you guys were not going to resolve, but again if we are going to review policies you guys...so to continue the process, and if you find we need to make changes we can make changes to it, to what the Board would like to see (Keppinger).

DISCUSSION (Back to **Organizational Chart**):

Olson interjected, I've been looking at this Organizational Chart, this has been an issue. The sub-Committees actually have, a lot of power here. I mean, they are over or at least equal to the Manager of the District. And I feel the Manager needs to know what is going on. Because how this is, yeah, flows to the District Manager, but there is still...technically how this looks, is they have...they supersede almost like little Chairs. And I think, that is something we should address. Of how functions of the District work between the Board members, the Committees, and the Staff (Olson). Yes, I think you have a good point (Budeau ?). Yeah (Hsu). Committees have Staff as members...(Budeau ?). Right (Hsu) and Associates that vote (Hsu). Kraher pointed out, under Delegation of Authority, it could be spelled out in words rather than pictures. But pictures are nice (both Olson and Hsu responded)...and this picture could be updated (Hsu). Board grants authority to the Program Committee, and to the Administrative Committee, and so on and so forth (Kraher). So, it is quite a bit of power each Committee has (Olson). Yes (Kraher). They have to - have more than the Manager (Olson). Or technically, you can read this as that (Olson). In reality- you do what the Board tells you to do. As you are a function of the Board and not a function of the Manager (Keppinger). I agree, yet ... (Olson) we still need to work with the Manager and make sure the Manager is involved with what...(Olson). That's true, and that's the difference in the functionality, Walker said. As I said, this is complicated, and we've had a long work session (Walker). Yeah, (Hsu) let's save this...let's table this 'til next month (Hsu). But this is important, what if next month is just as long as this...I think me must go through this (Koch). This is too much I think, and we must consider what all the ramifications are of making decisions on all three of these documents are. I think we should ...(Hsu). Olson interjected, I think we should make a suggestion that Jane can you look through these and make any suggestions that you see, that just pop out...maybe you can make those for us, and that at least gets us started for next month in the conversation (Olson). Koch added one suggestion – periodic what is periodic she asked. That is... includes a motion that we must do it yearly (Olson). But it says here periodic (Koch). A motion would pre-trump this wouldn't it? Olson asked. Cause a motion was done after this (Olson). Yeah, but... (Walker). But it's not like we couldn't discuss this...(Koch) Yeah (Hsu) Okay (Hsu).

Keppinger reminded there is housekeeping to be done, as Staff titles and duties have changed. There are things we can go through that would be easy to say this isn't what it is now and all that type of stuff. Like you say, the longer discussion is defining the fact if you have an Organizational Chart will the Chair keep the role of being a Supervisor or does the whole board now step in? Those are the types of things that will probably need to be worked on later (Keppinger). I mean (Hsu) Yeah, yes you can make suggestions about the low-hanging fruit on this, we also have an Attorney we can discuss this with (Hsu). Right, Right (Keppinger), Um huh (Koch). This is perfect (Hsu). Thank you for deeming off to moving to discuss this (Hsu). Uh huh, its great (Koch). Okay (Hsu) Alright(Hsu).

- n. **MANAGER EVALUATION PROCESS UPDATE** (New n, Moved from Discussion Item: 7a) – Chair Hsu Rochelle and I have been in discussion with Dee Rubinoff regarding the 360-Review and developing, being able to evaluate and being able to properly review Jane for an evaluation (Hsu). And for-future reviews going forward (Olson). And for future reviews going forward and outline. that is correct (Hsu). Dee is preparing a document regarding the 360-Review and it's been a little bit a challenge getting all the information from HR Answers, but we finally did, like say 2-days ago (Hsu). Dee is going to prepare a document that sort-of summarizes her findings and I would like to schedule a Special Meeting to discuss that document (Hsu). With Dee? (Koch). With Dee, yeah (Hsu). Well? Uh I thought we were just going to discuss the document (). You want to discuss it with Dee? (Hsu). Well, she was planning on coming (Koch). Okay, with Dee then (Hsu). Then as I understand it, what we were asking you to do was to come up with a framework of how to do this. Is that what you are doing? Kraher, asked. Or...(Kraher) We are doing, developing a framework as well as looking at the information we have which is this 360-Review that we were going to try to do an evaluation with (Hsu). Just so you remember, there is at least two of us, Tim and I, we have problems with how that 360...(Kraher) We understand (Hsu) and we... (Hsu) and how it was handled (Kraher) you know (Hsu) its, I think a lot of us Dee included, have some issues with that 360-Review so you have company (Hsu). Okay (Kraher). But if you're coming up with some kind-of- document that's other than an outline on how we're

going to evaluate her and you are basing it on whatever information you are scouring out of the 360-Review I'm not sure we're going to ...(Krahmer). I understand what you are saying (Olson) ... be comfortable with that (Krahmer). But let us present the information to the Board, accept that document or reject it at that time (Olson). That's a good point (Krahmer). I think we need to move forward with Dee's experience, and she knows what she is doing. We have all been frustrated with HR... (Koch) Answers (Hsu). Answers. It's been very frustrating (Koch). And I think we're taking the right steps (Koch). Okay (Hsu). If we don't like it, we don't need to move forward (Koch). One other thing, last month we asked for an additional \$2,500.00 for working with an Attorney, and we just got an invoice of something like \$2,000.00. So, I should probably ask for additional money to have further discussions with her (Hsu). Especially since she might be coming in to do any sort of presentation for us. Olson asked, Will this money pay for that outline, or just this one subject? Just this one subject, Hsu replied. But based on this, I think we will be developing So you need a motion? asked Walker, to increase the authorization? . How much do you need? Probably \$5,000.00 (Hsu). Let's raise it to five. That's a large jump (sigh) (Walker).

MOTION:

Walker motioned that the Board increase the authorization to HR Answers contract to \$5,000.00. 2nd by Olson with a question. So, Olson asked, we are going from \$2,500.00 to \$5,000 total? Or are we going from \$2,500.00 plus \$5,000.00? (Olson). Koch was not sure. Jane responded she was figuring \$5,000.00 total. Hsu concurred.

DISCUSSION:

The only reason I am uncomfortable with it, is because it sounds like we are doing something other than coming up with that ...umm....template, to evaluate Jane on and instead, we're using HR Answers to come up with some kind of review that I'd don't think I will have the ability to support. And I don't think I want to support this motion, if that's what she is spending her time on (Krahmer). Hsu agreed there was need to develop a process on how we are going to do reviews in the future. That is clear? Right? At the same time, we also have a document which we have had generated by HR Answers and we have input by people, and we do need to perform a review. And it has been lingering for a long time (Hsu). More discussion. To summarize, it was felt information could be gleaned from the review findings, presented and then the Board can decide to accept or reject it. The authorization would also be increased to assure a template is also created, as Olson suggested have the attorney present her findings within a template (that she will have to created) that can be used again for future reviews. Walker questioned if they stopped at the \$2,500.00 what would they have? Hsu responded, perhaps a document that described her (the Attorney's) findings. But she would not be able to appear before the Board to provide explanations and answer questions. And actually- perhaps she wouldn't be able to complete the document at this point. Koch felt the Attorney needed to monitor the meeting. Hsu agreed saying, yes, she does. Krahmer again asked for an assurance a temple would be obtained through this. Hsu then countered he was not sure how long that would take for the Attorney to do. To be safe let's raise the authorization another \$2,500.00, putting a cap of \$7,500.00 in place.

MOTION:

Walker amended the motion to increase the authorization to HR Answers to \$7,500.00 – Hsu, interrupted saying to the Attorney, her name is Pat Rubinoff. Ok, amend to increase the authorization to the Attorney to \$7,500.00 with the understanding we (the District) will have a template that we can use, for future evaluations, Walker said. 2nd by Olson. There was no further discussion.

MOTION PASSED. (Aye – 5 Votes. . Nay-0 Votes.)

o. AGENDA ITEMS FOR FEBRUARY BOARD MEETING

Koch, we need to hold a special meeting. Hsu agreed. Yes, we do need to hold a special meeting with Dee Rubinoff. Schedules were reviewed, and Keppinger eventually suggested to consider again, holding the meeting an hour before the next Board meeting? It was agreed that would be a good solution. Keppinger also said, Catherine from Straub wants some time at the next meeting to conduct another review and to make a new sponsorship request.

h.) **BOARD MEMBER OR STAFF REPORTS/MEETINGS/UPDATES** – Directors/Staff

Hsu reported that he had attended the Mid-Willamette Valley Council of Governments orientation meeting. It was an interesting meeting, and he found they do all kinds of things. Interestingly, Sean O'Day just resigned as Executive Director and they are now looking for someone to replace him. There is also an upcoming training: Governments 101 (Hsu). Koch then indicated she was going to address that training course herself. Hsu responded how Dee Rubinoff (Attorney) had recommended the training saying she thought it would be helpful for any/all board members to attend. It will cover: How to be a good director, how to be on boards, how to be more effective; and how to keep organizations out of trouble. The date of training: January 16th or 22nd, 6 to 8pm, which includes dinner, Koch reported. (Walker, Hsu and Koch will all try to attend the meeting of the 22nd).

Budeau questioned about electronic mailings of Board packet information. Several responded with enthusiasm saying it would be great! Keppinger explained how former Board members opted to return to using hardcopy versus electronic mailings. Budeau then asked, could there be a mix? (electronic and hardcopy) Yes, Keppinger responded, she would look further into best options available.

Walker reported he had attended a First Friday event, pond maintenance / dams. It was well attended, and he felt it to be a good program, and a credit to the District. Hardy added, he would say the same thing about the December meeting.

MEETING WAS ADJOURNED BY CHAIR HSU AT 8:55 PM.

Minutes submitted by Janice Calkins, Office Coordinator. Handouts and audio available by request.

Upcoming Meeting Dates:

Special Board Meetings: **February 5, 2020, beginning at 6:00 PM**
Location: Marion SWCD Multnomah Falls Conference Room
338 Hawthorne Ave NE, Salem, OR 97301

Next Regular Board Meeting: **February 5, 2020 beginning at 7:00 PM**
Location: Marion SWCD Multnomah Falls Conference Room
338 Hawthorne Ave NE, Salem, OR 97301

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