

**Marion Soil and Water Conservation District  
BOARD MEETING  
03/11/2020**

Location: Marion SWCD Conference Room  
338 Hawthorne Ave. NE, Salem, OR 97301  
Date: Wednesday March 11, 2020  
Time: 6:32 PM to 9:13 PM

**APPROVED MEETING MINUTES:**  
Recorder: Janice Calkins  
Chair: Terry Hsu

**ATTENDANCE:**

<u>DIRECTORS</u>	<u>ASSOCIATES</u>	<u>STAFF</u>	<u>GUESTS</u>
Krahmer, Doug	Fields, Mark	Keppinger, Jane	Bachelor, Les (NRCS)
Koch, Rochelle	Budeau, Dave	Calkins, Janice	Alexander, Catherine (Straub Outdoors)
Hsu, Terry	Bishop, Brandon		Hancock, Terry (Hancock Realty)
Walker, Scott			Dettwyler, Brendan (Hancock Realty)
Olson, Darin (telephone)			Arthur, Curt (SVN Commercial Advisors)
Bielenberg, Tim			Fulgaro, Mike (SVN Commercial Advisors)
			Frederick, Ward (John L. Scott Real Estate)
			Silva, William P. (Griffen Swinerton Builders)

1. **CALL TO ORDER:** Chair Hsu called the meeting to order at 6:32 PM.
2. **ANNOUNCEMENTS:** Chair Hsu asked if there were any announcements. There were none.
3. **PUBLIC COMMENTS:**

No comments made. Director Walker on behalf of Building Committee, requested that the Realtors who were present be allowed to speak now. Hsu agreed this would be allowed, but before the presentations began, he wished that each Director would rank the Realtors' responses (both written and in the evening's presentations) to the six questions asked by the MSWCD Board. Each question was worth 10 points he said, and this would be the scoring mechanism used in selecting a Realtor.

  - 1) **HANCOCK REALTY: TERRY HANCOCK, BRENDAN DETTWYLER**

Terry Hancock introduced himself and his team-player, Brendan Dettwyler explaining there are six brokers in his firm and how they all work together as a team for the client. Dettwyler he added, would likely be the District's first point of contact if their group was selected for the job

    - Hancock Realty does not work off-of commissions, each team-member receives a salary
    - Terry Hancock's first meeting with the District was as a consultant, not as a realtor
    - Experience includes bare ground, design builds; existing space buy/lease agreements
    - Hancock enjoys working with lead-certified projects
    - Realtor fees on commercial transactions typically 6%, with sellers often willing to pay ½ of fee
    - If a new build, realtor fee based on real estate (the dirt) purchase only
    - Hancock Realty will work on behalf of the District to secure the best deal with lender group(s)
    - Hancock (owner) personally supports the District's Mission, as does his team - and they will work hard to find whatever property/and or building (new or existing) that meets the District's wants/needs
    - Has worked in Portland, Seattle, San Francisco and other locations

Time: 6:43 PM

2) **SVN COMMERCIAL ADVISORS: MIKE FULGARO AND CURT ARTHUR**

Introductions were made and Mike Fulgaro thanked the Board for the invitation.

- SVN is a major real estate firm in the area
- SVN Commercial Advisors provides leads to business and transactions. May be ground up.
- Experience working with governments and quasi-governments and companies with Boards of Directors

Director Walker asked for an example of how SVN overcame a hurdle while working with a government agency. Arthur cited a current project as his example. Working with the Oregon Department of Higher Education, with regards to a large office space say 30,000 to 50,000 sq. ft. A project of this size would typically take up to 18 months to complete, and to work with the State this can easily extend the period out to an additional six months. But our client wanted it to be done within thirty-one days. It took our full attention working nearly full-time on this project alone and orchestrating the work with/for all agencies involved (City, County and Utility Companies). It appears a lease contract will be signed on Monday of next week-and we are within eight days of our deadline, our goal will be met.

Time: 6:53PM – Ward Frederick, John L. Scott Realty entered the Board room.

- Clients goals and desires are assessed and made a priority
- Each have experience working with, as well as on Boards
  
- Guidance provided to help minimize costs
- Whatever the need: land purchase, new design build, or existing building -purchase or lease-they can help
- Experience working in multiple different counties and states
- If there are obstacles to overcome, we are the team to choose

Time: 7:00 PM

3) **JOHN L. SCOTT REAL ESTATE – WARD FREDERICK**

- Meeting his client's goals, wishes and desires are his top priority
- Expert Guidance and advice on how to keep costs minimized provided
- Regardless of need determined: Property/new build or existing/ purchase or lease - he can do them all
- Unlike others before him, he is not strictly commercial real estate – therefore he can work outside the box
- Experience, skilled and knowledgeable being buyer, designer and builder (for the restaurant industry), and as a professional Real Estate broker
- Experience working with farmers and acreage purchases – which opens-up possibilities that may elude other realtors

4) **GRIFFEN SWINERTON BUILDERS – WILLIAM P. SILVA**

Silva set-up a power-point presentation then introduced himself, provided some personal background information then said he was part of senior management and that the company is:

- 132-years old, is based out of Portland and has been serving Oregon now for 46 years.
- 100% employee owned
- A large company that size-wise is ranked 20<sup>th</sup> in the nation
- Locally considered more as a mid-size general contractor
- Ranked 4<sup>th</sup> as largest green builder in the US (they built the first green roof back in 1971).
- Green build is built into their DNA/company structure
- Valued at 5.2 billion dollars
- Headquarters are in San Francisco, CA

- Proud of its safety record, where average is 1.0, they ranked .46  
Several different delivery structures can be used when building a building Silva advised, and he provided a brief overview of the following:
  - 1) A hard-bid process – base-line approach
  - 2) CMGC build, engages designer/contractual agreement. (CMGC) and helps keep the contractor on schedule and budget
  - 3) Progressive Design Build is a contractual agreement, where the design build team is under the general contractor
  - 4) Design-Build Finance provides greater flexibility, greater number of variables to meet your objectives
- Experienced in Net-Zero Energy Builds
- Three basic considerations:
  - 1) How to build it
  - 2) How to finance
  - 3) How to maintain

Discussions ensued on processes, cost-saving measures, finance options, and questions from Board were all addressed. Silva explained that standard Government processes (whereby an RFQ is issued, proposals solicited, contracts with designers and builders are secured) will typically take up to 4 to 5 years to complete. If speed is wanted, to build and to occupy quickly, a Design-Build might be a better option – as it reduces risk he said. If land is secured, you lease land to the builder and they in-turn lease it back to you once construction is done Silva was very knowledgeable in all processes and provided insight and lengthy details about options available. A copy of Silva's slide presentation will be given the District.

- Assistance provided in formulating questions to ascertain the right partner to work with and the best process to be used

End of presentation: 7:31 PM

4. **AGENDA APPROVAL / CHANGES:**

Walker wished to have an update on the Local Work Group Meeting added as a Discussion item. Agreed item to follow report by Les Bachelor, NRCS.

5. **AGENCY / COMMITTEE REPORTS:**

- **NRCS**

Les Bachelor advised they had a good Local Work Group meeting, acknowledged that Jane Keppinger, Brandon Bishop, Scott Walker and Dave Budeau (MSWCD representatives) were all in attendance. Keppinger brought up a natural resource concern that the District considers important: Weed-Control, and NRCS will look at that in the future he said. They have the Mid-Willamette in for the next five years (that's everything West of I-5 to the Willamette River) for Irrigation Improvement and the new Animal Feeding Operations program which is also good for the next 5 years. And Erosion Control in Orchards, which partnerships well with MSWCD's Cover Crop program, and Forest Diversity. We are continuing to manage the High Tunnel and Organic Programs as well, Bachelor advised.

**Walker voiced a concern he had:** When Brandon Bishop spoke during the **Local Work Group meeting** about the District's **Cover Crop Program**, he may have created an expectation that this program will continue indefinitely, when in fact it is only a Pilot Program. Bachelor interjected that NRCS's program is only for 5-years. Hsu acknowledged yes, the Board is still evaluating the program however, it is an existing program right now.

Bachelor indicated he had good news to share. I nominated your District to receive this year's Partnership Award. Though you offer many programs deserving of the award, like LAP, I submitted the request for your innovative/unique First Friday's program. The award has been approved and will be presented your attending Staff

members at Connect during the banquet. Be prepared, as I will likely be nominating your District again next year for this award he said. He ended saying, there were no conservation plans for review/approval and that April 17, 2020 is the deadline date for EQUIP sign-ups.

Bachelor exited the meeting room at 7:39 PM

- **AD-HOC BUILDING** – Rochelle Koch – Committee Chair:  
Nothing to add or report.
- **EDUCATION**- Scott Walker, Committee Chair  
Walker indicated he was not present during the last Committee meeting. He pointed out to Director Olson that the next meeting for the Committee was not as correctly stated in the minutes, it would be held on March 17, 2020 at 11:30am. Walker was interested in input from the Board about the CLEAR grant program. Do we wish to expand our reach of the education effort? Over the last five to six years, there has been increasing interest in global warming things, green issues, and wildlife. Would the Board move to support the Education Committee into looking into expanding the District's vision and explore new vistas? Drum up some ideas some eventualities to be reviewed by the Board, then have the Board direct them on what to do. Hsu said this was acceptable, restating topics like global warming, green issues, and wildlife. Olson voiced in, and agricultural use of land. Koch agreed, all tied in together.

#### **ACTION ITEMS**

Walker motioned that the Board request the Education Committee to explore new ideas then we are currently are doing, cover new vistas within relation to soil and water and the environment pertaining to global warming, nature, etc. **Motion 2<sup>nd</sup> by Hsu.**

#### **DISCUSSION:**

None.

**MOTION PASSED: 4 to 0.** Abstained from Voting 2: (Krahmer and Bielenberg)

- **PROGRAM** – Doug Krahmer, Committee Chair  
A long-time agenda item has been the Grant Limitation Policy, and It is before you again. There is *a Question and Answer Sheet* before you now. If you have any questions, we can discuss it. Bishop has provided a report on the Cover Crop Program. I feel the Board should approve and make the program permanent, Krahmer said.

#### **DISCUSSION:**

An in-depth discussion ensued pertaining to multiple entities tied to one property/land, and how one individual might be a recipient of multiple grants or be able to exceed the grant limitation figure. . As to not discriminate, several felt it wise to continue with current policy/procedures: consider individual entity names and each having separate EIN numbers in determining qualifications for maximum funding limit(s). It was also noted that down the road should it seem someone was working the system or abusing it – the Board could then come back and tighten things up.

**Walker interrupted saying** he felt there was someone in the room that might wish to speak. Catherine Alexander (Straub Outdoors) thanked him, however indicated she had no comments to make.

**LAP (LANDOWNER ASSISTANCE PROGRAM)** Lee Hardy, LAP Review Team Member & Associate Director (not present)

No report. Brandon Bishop advised that the next LAP cycle date was April 8, 2020.

6. **FINANCIAL REPORT** – Scott Walker, Secretary/Treasurer:  
Walker asked Keppinger to give the report, and to also share E once again (as in their earlier conversation today) how having a relationship with MFCOG (Mid-Willamette Valley Council of Governments) had resulted in a substantial savings for the District. Keppinger began by saying the Board has a-number of

memberships/partnerships established with other organizations like MVCOG (Mid-Willamette Valley Council of Governments). One of the reasons we originally joined "COG" was that they offered us assistance with our GIS program which was needed for our Invasives Program. COG listened to our needs and worked with us by providing resources/contacts that led to a purchase of three GIS on-line licenses through ESRI (subscriptions) for only \$1,700.00 for the year. These licenses are very expensive, and because of COG the District was able to save thousands of dollars. They also provided us help with data and how to enter data into context. This is one example as to why having memberships/partnerships with other organizations can be beneficial.

- Local Government Investment Pool (LGIP) as of 02/29/2020 was **\$2,587,279.17**
- Checking account as of 01/31/2019 (the statement for February was not yet received) was **\$124,797.62**

Walker asked Keppinger about the impending departure of staff member Tom Wilson and what steps have been taken to replace him? She replied that would occur one month up to six-weeks from now. She also advised that OACD is losing their Administrative Specialist, Anna Freitas and that Jan Lee (OACD) and she (Keppinger) are having discussions about different avenues available where both positions might be filled.

Walker asked Keppinger when Budget matters would be addressed again. She responded, next month. Walker advised the Board if they had **items relating to budgets** to be addressed, to be prepared to address them **in the next Board meeting**.

Telephone connection with Olson dropped. 7:57 PM. Reconnected 7:58 PM

***ACTION:*** Walker moved for the Board to accept and approve the February 2020 financial report as presented. 2nd by Koch.

***DISCUSSION:*** None.

***PASSED 5-1 (Olson NAY)***

Koch asked, what a about the **Budget Committee?** When will they be meeting next? Keppinger replied, sometime in the first or second week of May. Okay voiced by both Koch and Hsu.

## 7. **DISCUSSION ITEMS:**

### A. **REVIEW/DISCUSS/APPROVE LOCAL REALTOR ABOUT FUTURE OFFICE SPACE**

Chair Hsu felt it time to approve/select a realtor. Koch responded there has been no motion that the District look for property. Do we need to make a formal... Bielenberg interrupted saying, per the letter submitted by Ward Frederick, he speaks like he has been selected to be the District's realtor? Hsu replied, we told him he is not our realtor. Bielenberg replied, that is not how the letter reads. Krahmer said, Truthfully, I'm more distraught about the letter than you (Walker) making the comment about the Cover Crop program being a pilot program. I think this is a much bigger issue. Walker didn't feel the letter was an issue. Hsu indicated the property had sold, and it was a non-issue unless the property became available again and the District wished to pursue it. Koch stated, there is no contract. Koch, Hsu and Bielenberg all voiced they each had issue with how the letter was written by Ward Frederick. Keppinger added, it's a little more than that, there was a tour done of the building, there were specific questions asked. It's a matter of how things were interpreted, did he (Frederick) think he was working for us (the District). I wasn't there, I believe Susan (Ortiz) was, and Tim (Bielenberg) was and you (Walker). Walker responded, yes and Terry (Hsu) was. Hsu jumped in saying, no I wasn't there. (Hsu) No I met there with you (Walker) and him one time, but it was separate. Koch interjected that Frederick assisted Walker as a friend, it was not a business relationship. Keppinger asked if Ward had provided any obligation letter, or any packet, or anything. No, Hsu replied. Bielenberg also read that Frederick states how additional research was done. Walker responded, yes, I had asked for buildings that were available at a certain size, and that were up for sale or lease. Keppinger replied, if for some reason he is not chosen, he could technically come back on you and file a grievance, or whatever. Walker responded he

would be willing to write a letter to Frederick explaining he is not the District's realtor. Bielenberg said it (the letter) should not come from Walker but from the Chair. It was suggested a discussion was needed with a contracting lawyer. Keppinger advised the Board that the District had consulted with Contract Lawyer Aileen Eiken in years past, and she could provide Hsu with her contact information. Keppinger ended saying: He (Frederick) seems a pleasant man, but it is important we do our due diligence.

Phone disconnect with Olson 8:07 PM and he physically entered the meeting room within seconds thereafter. Again, brief discussion on motion needed, and how wording should be.

***ACTION:***

**Koch made a motion** that the District pursue a real estate company to look at possible lands, buildings, purchase that we may be interested in moving forward. **She asked Walker to clean it up** (the wording of the motion) **if needed**. Walker stated: The motion is for the Board to enter into an agreement with a real estate agent to for the potential purchase of real estate (land and/or buildings). Keppinger asked, to you want to include that they will look at all options? Properties that are bare, properties that have an existing building that you may be able to build out. Walker felt the word real estate included all options. Keppinger replied, if you hire a real estate firm what is it you want that firm to do for you? Do you want him to look at the real estate market in Marion County or within your jurisdiction, or wherever you decide - and then give them your options? Or, if you are narrowed in on finding a property you want to buy, though I didn't think you were there yet, she added. Walker again decided to reword the motion: **The motion is for the Board to hire a real estate firm for potential real estate services.** (Koch confirmed she was okay with the wording just said). Olson 2<sup>nd</sup> the motion.

***DISCUSSION:***

Krahmer said, I'm still not in favor of going out and doing that. And I'm going to vote against it. In the end, the best and cheapest option we have is staying here. I realize, we may not have explored all our options here, like we should have or could have. Olson said he understood, as he once felt that way as well. However, looking at the State Offices/Departments they have been advised by the Governor coming through the Treasury – that they should own their buildings. Saying they would save hundreds of millions of dollars by doing so. Shouldn't we follow in the same suit as them? Bielenberg replied, I don't believe so. Walker and Hsu both stated that going forward with a realtor doesn't mean we are going to buy or lease a new property – we are simply exploring possibilities.

***MOTION PASSED: 4 to 2. (Nay: Doug Krahmer, Tim Bielenberg)***

**B. SCORING OF REALTORS**

Hsu said we have three potential realtors here. I feel if we should do a scoring to make it extremely transparent as to whom we are for. We have six questions, each being worth 10 points each, with a potential of sixty points. Koch asked if the Board could talk about them. Krahmer said, we are going to have to talk about them as I never had time to complete any scoring before now. Walker agreed he was confused about the scoring and had not performed any scoring either.

***DISCUSSION:***

Walker was impressed with two candidates and felt it interesting that each had different approaches. One working as a team, the other with a partner but taking on as lead. Koch said, I was impressed with the first candidate, how a whole team goes out. I had never heard of that before and I like that idea. Hsu felt the first two candidates gave him a positive impression, not so much on the third. Reading through the applications, Hancock's seemed more tailored to our operations, perhaps due to his earlier exposure to us. The second, conveyed how we are pretty-awesome. I was more struck by the first (Hancock).

***ACTION***

Walker motioned for the Board to consider only the first two presenters. Hsu 2<sup>nd</sup> the motion.



***DISCUSSION:***

Koch stated both are strong candidates. The first one. Krahmer added, yeah, when I listened to the two of them, I understood if you have a special situation and would have a hard time - Curt and Mike would be your guys. But for the District, Hancock would be the better fit, with a caveat I still won't vote for any. Hsu felt Mike and Curt gave an impressive presentation but that their write up was less strong. Koch asked the Associates for their thoughts. Budeau stated he had never heard any of them before, but the Associates were likely not invited to the meeting, I agree with you Terry on your take that Hancock was more personable, and brought up our mission which none of the others did. And like Walker had said, he has a nice personality and didn't come across as a high-roller type. His choice leaned to Terry Hancock. The other group seemed above our needs. Fields agreed he was leaning in the same direction as was discussed, though he was concerned that Terry Hancock was deferring the work to his Associate Mr. Dettwyler, though it seems Hancock is confident of Dettwyler's abilities.

***ACTION:***

Hsu motioned for the Board to select Hancock Real Estate as the realtor to pursue any potential real estate matters for the District. 2<sup>nd</sup> by Koch.

***PASSED: 4 to 2 (Nay: Bielenberg, Krahmer)***

C. **SUGGESTED CHANGES TO CLEAR GRANT PROCESS; ETHICS COMMISSION REVIEW OF SWCD GRANT PROGRAMS** – Scott Walker, Education Committee Chair

Walker indicated he had a discussion with a member of the Ethics Commission while attending the MWCOG (Mid-Willamette Valley Council of Governments) meeting. A question was raised how we handle grants. Feelings were expressed that there might be a conflict of interests even if one excluded themselves from a vote. Though Walker did not himself feel it a problem, the way to address this would be to request that the Ethics Commission perform a review of the District's processes – to protect us.

***DISCUSSION:***

Hsu agreed a review would be acceptable, however, it would not inoculate the District but would provide it an idea on how things should be handled.

***ACTION:***

Walker motioned for the Board to inform the **Ethics Commission about our grant giving processes** to assure we are within the law. 2<sup>nd</sup> by Hsu.

Koch asked, are we going to take Staff time to submit information on processes taken? And if yes, how much time and money will it take? Krahmer asked if "Ethics" would charge us for this review? Hsu said they did not charge. Walker was not sure but thought not. Keppinger was not so sure. **Olson asked that the matter be tabled until next month**, allowing Keppinger time to research more into this and obtain answers to the questions asked. Walker responded fine, there is no big rush. **Agreed by Koch, Olson and Hsu.**

Walker then brought up a concern about the **CLEAR Grant program**, how unlike the LAP program, funding recipients are not required to provide receipts/proof of purchases for monies granted, and how he feels it should be a requirement. Olson said, the majority of these grants are issued to local schools and that even if monies are placed into an account for paper, funds would ultimately be paid out for busses. This was a non-issue. Keppinger responded, Recipients are required to submit a final report to the District. The report includes pictures and a write up of what transpired. Which substantiates they went from point A to point B. No issues have occurred to date, thank goodness she said. We generally give \$1,000.00 sometimes more (maximum up to \$3,000.00). We ask you to look at the overall risk is for someone not doing something that is not ethical or not legal with the monies we are giving them. Walker defended his stance, saying the responsibility of the Directors are to oversee programs for the safety of the District. Staff responsibilities lie in promoting programs. Hsu added we have-to place trust in our staff

to oversee the programs to assure monies are spent properly. Walker replied, as President Reagan said, "Trust but verify." Hsu responded, "You are on the Education Committee so you (Walker) can verify." Let's move on.

#### D. DISTRICT MANAGER PERFORMANCE EVALUATION

Hsu advised that Jane Keppinger had no comment to make about the draft memo, the confidential memo issued by Attorney Rubinoff to and about Keppinger. Hsu advised that Jane (Keppinger) had requested the memo be included in the meeting minutes, therefore they will be added to this month's meeting he said. He emphasized it was a signed version, then corrected himself saying it was signed electronically by Keppinger, but that legally it stands, as per Rubinoff. Olson asked if the Board should vote to accept the electronically signed memo as a formal document, not a draft? Hsu replied, that may be a good idea.

##### ***ACTION:***

Walker motioned that the Board include in the minutes the electronically signed non-draft non-confidential version of memo to Jane Keppinger, as presented last meeting, and as converted into a non-confidential final form that is electronically standing, per Jane's (Keppinger's) request. 2<sup>nd</sup> by Krahmer.

##### ***DISCUSSION:***

None.

***PASSED: 5-0, 1 – Abstained (Bielenberg)***

##### ***DISCUSSION:***

Krahmer stated, So the Board asked Attorney Dee Rubinoff to come up with a procedure to use to evaluate our District Manager. Hsu responded, and she has not done that yet, but she is working on it, yes. Okay, Krahmer said. Which reminds me, Hsu said, we need to obtain some additional money to complete that portion of it. Olson asked if there was a budget estimate? No Hsu said. Walker reminded everyone there is a contingency fund available which can cover shortages in other accounts. Krahmer replied, it will still require Board approval. Keppinger reminded Walker, there is still money available in that line item, Hsu is asking that you raise the cap limit set previously. Discussion went back and forth on amount needed.

##### ***ACTION:***

Krahmer motioned for the Board to raise the cap limit by allotting an additional \$2,500.00 for Attorney Dee Rubinoff to continue her work for the District as was already approved. Hsu 2<sup>nd</sup> the motion

##### ***DISCUSSION:***

None.

***PASSED: 6-0.***

Hsu said we have a document entitled *Job Description* and a document that reads ***Job Expectations dated June 27, 2017***. He asked if there was a signed *Job Expectations* document? Krahmer responded, he was not sure if they signed documents at that time, though both he and Keppinger agreed, the Board would have had to approve each document. **Hsu asked that they look to see if a signed document exists.** Hsu indicated a portion of the Memo included improving communications, and it outlined having a facilitator work with several members of the Board along with Jane Keppinger and have them work together to formulate a plan on how to facilitate improved communication. Dee Rubinoff suggested they work with someone named Vanessa Becker, who is situated a little bit out of Eugene, Hsu said. He reached out to her, she said she would be available, and he suggested the Board allow him, Koch and Keppinger to meet with the facilitator. Keppinger responded saying, I feel it would be more beneficial to hold a work session whereby this woman can address the entire Board. Walker agreed. Koch expressed concern, saying this would change the dynamics of the meeting, perhaps we should run this past Dee. Hsu agreed, saying, Yes, I can run this past Dee, yeah. Walker voiced he agreed with Jane, that



everyone has good heart but each of us comes with different mind-sets. Again, Koch said to Hsu, this would change the dynamics of what we wish to accomplish. Keppinger again spoke up, saying it would be beneficial for the entire Board and that Hsu and she have discussed several times the issue of open communication. I work for the entire Board and I have issue with only two people speaking for the entire Board. I have no problem discussing matters with all Board members present. Olson suggested tabling this discussion. Hsu agreed that might be best, and that he will consult with Dee Rubinoff on how to go forward. Let's move on, he said.

## 8. ACTION ITEMS

### A. NOVEMBER 14, 21, 2019, JANUARY 8, FEBRUARY 5, 2020 SPECIAL/BOARD MEETING MINUTES –

Chair Hsu

#### ***ACTION:***

*Krahmer moved that the Board accept and approve the meeting minutes as submitted, with correction to fees charged by the transcriber. 2<sup>nd</sup> of Hsu.*

#### ***DISCUSSION:***

Walker voiced a concern, saying there had been an incorrect fee amount stated, with regards to the transcriber's charges (refer to page 6 he said). The fee was \$140.00 per meeting hour, not \$140.00 per hour (January 8, 2020). Motion 2<sup>nd</sup> by Hsu. Motion to include correction on fees charged.

#### ***DISCUSSION:***

Walker asked, and motion is to include the correction on fees charged? Yes, Hsu said.

***PASSED 6-0.***

### B. NRCS CONSERVATION PLANS:

None presented

### C. APPROVE CLEAR GRANT APPLICATIONS:

Olson moved that the Board approve all CLEAR grant applications presented. 2<sup>nd</sup> by Krahmer.

#### **DISCUSSION:**

None.

***PASSED: 6-0***

### D. APPROVE REVISED GRANT CAP LIMIT POLICY:

#### ***ACTION:***

*Krahmer motioned that the Board approve the Revised Grant Cap Limit policy. 2<sup>nd</sup> by Koch.*

#### ***DISCUSSION:***

Olson would like to put a sunset, a mandatory review required in one year. Walker said he sees no need for implementing a higher limit or making changes to a program that is running smoothly, and which is being well utilized. Maintain the program as it stands, and you can continue helping a larger number of people, and more equally. Olson asked why schools are excluded as qualified entities. Keppinger indicated there was no change to the grant policy, the wording originally came from the Education Committee at the time the grant was created (2008). Olson then asked, shouldn't we ask for the entities tax ID number? Keppinger indicated that would be requested in the procedures/processes (application), of which the public would see and read. They don't necessarily look at the policy. Olson felt it might be wise to state in policy that a tax ID number is required. And he restated again, a sunset would be helpful. Krahmer replied how a review can be conducted at any time. The wording on original motion was reworded (reflected in above). Krahmer also suggested Staff be allowed to revise wording on policy to

accommodate Board's decision. Olson asked if it would have to come back to the Board for review/approval? Krahmer replied no. No one voiced an objection.

***ACTION:***

Motion again restated by Krahmer that the Board approve the *Revised Grant Cap Limit policy*, that a Tax ID number be required of each applicant, and that the *Revised Policy* be reviewed by the Board again in one year. 2<sup>nd</sup> by Olson.

***PASSED: 5-1*** (Walker, Nay)

E. **APPOINT BUDGET OFFICER FOR FISCAL YEAR 2020-2021** – Chair Hsu

***ACTION:***

Walker moved they appoint Jane Keppinger as Budget Officer for fiscal year 2020-21. 2<sup>nd</sup> by Hsu.

***DISCUSSION:***

None.

***PASSED: 6-0***

F. **APPOINT/REAPPOINT BUDGET COMMITTEE MEMBERS** – Chair Hsu

***ACTION:***

Walker moved that Bob Dettwyler and Ms. Karen Garst be appointed to the Budget Committee for Fiscal Year 2020-2021.

***DISCUSSION:***

Koch asked, who is Dettwyler? Walker responded he was an existing Committee member who wished to be reappointed, and that there was no application received. How do you know about this Koch asked? Per a discussion with Jane. Keppinger then advised Bob Dettwyler has been a Budget Committee member for some time and yes, he wishes to continue in that position. Walker asked, if a Committee member moves out of the District boundaries what happens? Keppinger responded they would be asked to resign, and another person would be recruited to fill the position. Olson asked if Hancock is hired, and we work with Dettwyler from that firm – and we also work with Bob Dettwyler on the Budget Committee, will there be a conflict of interests? Keppinger responded, we would deal with that matter when/if it came up. Walker restated that Brent Dettwyler was related to William Dettwyler. Olson and Keppinger both responded yes, of the same family.

***ACTION:***

2<sup>nd</sup> by Hsu.

***DISCUSSION:***

None.

***MOTION PASSED: 6 – 0.***

G. **PARTNERS WITH THE NORTH SANTIAM – DECIDE SWCD REPRESENTATIVE** – Chair Hsu

***DISCUSSION:***

Keppinger reminded everyone, that this Committee was comprised of mainly agencies Staff. Olson indicated he had spoken to Brent Stevenson about this matter, and Brent explained no policy was being established, and a Staff member will meet their needs fine at this point-in-time, when things become more concrete a Board Member might then become involved. Walker, however, was concerned that having a staff member act as representative would take away valuable time and energy from other important duties. Keppinger responded saying Sarah Hamilton has been involved with this Committee now for some time, in her work with North Santiam Watershed Council and acting as a facilitator. Meetings have averaged perhaps 2 to 3 hours, one maybe two days each month. It was also noted, this work was not being charged back to the District.

***ACTION:***

Hsu motioned for the Board to allow Staff to act as a representative for the District, and that Keppinger will assign Staff as appropriate. 2<sup>nd</sup> by Krahmer.

***DISCUSSION:***

No further discussion.

***PASSED: 6-0***

H. **COVER CROP, LAP, OWEB, SPG, PAYMENT/EXTENSION REQUESTS** – Chair Hsu

***ACTION:***

Hsu moved the Board accept both sides of the requests of payment (pages 1 and 2) including the requests for extensions. 2<sup>nd</sup> by Koch.

***DISCUSSION:***

None.

***PASSED: 6 – 0.***

I. **SWCD ANNUAL MEETING RECAP/DISCUSS FACILITY FOR 2021 MEETING** – Chair Hsu/SWCD Staff

Koch felt the event was incredible, extremely well organized. Hsu agreed. It was fantastic. I was proud, and totally enjoyed myself. Krahmer felt the facility was great. Both Koch and Hsu agreed. Koch stated Gayle Goschie (award winner, and fellow hiker) expressed amazement over the many programs and accomplishments the District has. Hsu also heard many favorable comments, and that Chon Kee Tan found the event very pleasant and enjoyable. Keppinger asked if **the Board would like to approve that the 2020 (49<sup>th</sup>) Annual Meeting be held at the Keizer Community Center next year**, saying booking of event halls was becoming more difficult and done now a year out. **Everyone was in favor of this.** Keppinger indicated they would try to get a day in February 2021 during the second or third week of the month, that was not in conflict with the Tulare (CA) County Fair event (which several Directors are involved with). Koch also complemented the speaker and feels it of the utmost importance to include a speaker again next year. Hsu advised that at a recent COG meeting he attended that a gentleman from the Historical Society spoke who was extremely entertaining and hilarious. Calkins asked if Hsu might obtain the man's name, and for everyone to share names and contact information of any speaker(s) they might like considered.

J. **REVIEW OF MARION SWCD CURRENT POLICIES** – Chair Hsu

1. **Review Revised/Suggestions for Delegation of Authority Policy**

Walker brought to everyone's attention that it was now after 9:00 PM and asked if this might be addressed next month and earlier in the meeting. He also proposed that everyone come prepared with notes and/or diagrams on how they felt the Delegation of Authority should be. Hsu agreed this was an important matter. He asked Keppinger if she might **provide each Director an electronic copy of the Delegation of Authority Chart that currently exists**. She replied, yes. Olson also asked Keppinger if she could include the ***Statutory Definitions that the State of Oregon has used for certain positions***. Keppinger was aware of what he was asking and would work to include those as well. Koch asked Hsu if Jane could provide copies of current job descriptions. Hsu responded they had been provided earlier. He would send Koch copies of those shortly.

9. **SWCD DIRECTORS AND PUBLIC PERCEPTION** – Chair Hsu

Hsu advised the Board that one of the Directors recently attended a meeting with one of the District's community partners and a comment made by the Director was received in a rather negative manner. The Director provided an apology. Hsu wished to remind everyone to be careful about what they do and say, as our words can be repeated by others. Hsu shared forward with each Director, copies of the letter received from the community partner, his personal response to that letter, and a written apology from the Director himself. Hsu also advised that thanks to

Susan Ortiz, a compilation of State, Federal, City and State laws and ordinances relating to discrimination and public accommodation were included. Koch questioned, is this confidential as it was not included within the Director's board packets? Hsu responded, no he simply did not wish the matter to dominate the meeting. Keppinger added, because it was shared during the Board meeting, it has now become a public document.

10. **BOARD MEMBER OR STAFF REPORTS/MEETINGS/UPDATES** – Directors/Staff  
Koch shared that Staff member Jenny Meisel has provided her farm a tour (site visit). Koch stated proudly we have cleared every bit of Ivy from the property, and that they (her family) will be doing some extensive plantings in the next two years. Meisel was great! We found we have a Yew tree on the property, and we/actually Jenny, spotted a new visitor I had never seen before (a King Fisher). Meisel was great! Keppinger reminded everyone that the District's Native Plant Sale would be held this Saturday (March 14<sup>th</sup>) 9-4 at Bauman's. Staff will do their very best to protect the public and themselves from the Corona Virus.

11. **MEETING WAS ADJOURNED BY CHAIR HSU AT 9:13 PM.**

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

**UPCOMING MEETING DATES:**

Next Regular Board Meeting:

**April 1, 2020 beginning at 6:30 PM**

Location:

Marion SWCD Multnomah Falls Conference Room  
338 Hawthorne Ave NE, Salem, OR 97301

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