







Marion Soil and Water Conservation District (MSWCD) Administrative Committee Meeting
Friday, January 19, 2024, 9:00 am to 11:00 am

HB2560 requires that all Oregon public meetings held by a governing body of a public body, excluding executive sessions, must provide to members of the public an opportunity to access and attend the meeting by telephone, video or other electronic or virtual means. This meeting will be held by video conference and by telephone.

-  **Link to Video Conference:** [\(Zoom\) Meeting Link](#) Meeting Call
-  **in Number:** 1 (253) 215 - 8782
-  **Meeting ID:** 861 6125 6285 | **Passcode:** 720019
-  **Staff Contact:** Brenda Sanchez, brenda.sanchez@marionswcd.net

Agenda

Chair: Call Meeting to Order, Agenda Changes & Approval

Item #	Topic	Presenter	Purpose	Time
1	Public Comment	Chair	Feedback	5 min.
2	Review of October and November 2023 Minutes	Chair	Procedure	10 min.
3	Continue Marion SWCD Policy Review	Sanchez	Discussion	85 min.
4	Pay Equity Analysis 2024 Report	Sanchez	Discussion	20 min.
	Meeting Adjournment	Chair		

Agenda Brief

Item #	Brief	Action
3	Continue review of MSWCD policies to determine which need revisions, minor updates, etc.; prioritize identified policies and assign to staff for updates. Include Admin team’s suggestions of new policies (e.g., access to security camera log-in, POV use, District email on accounts—see list).	Recommend policy work for Board approval
4	Review draft Pay Equity Report before submitting for legal review. Pending no significant changes, submit report to the Board in March.	Approve Pay Equity Report for legal review, then submit for Board approval in March.



Marion Soil and Water Conservation District complies with the American with Disabilities Act (ADA) and does not discriminate based on race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. If special physical, language, or other accommodations are needed for this meeting, please advise the District Manager at 503-391-9927 as soon as possible, and at least 48 hours in advance of the meeting.

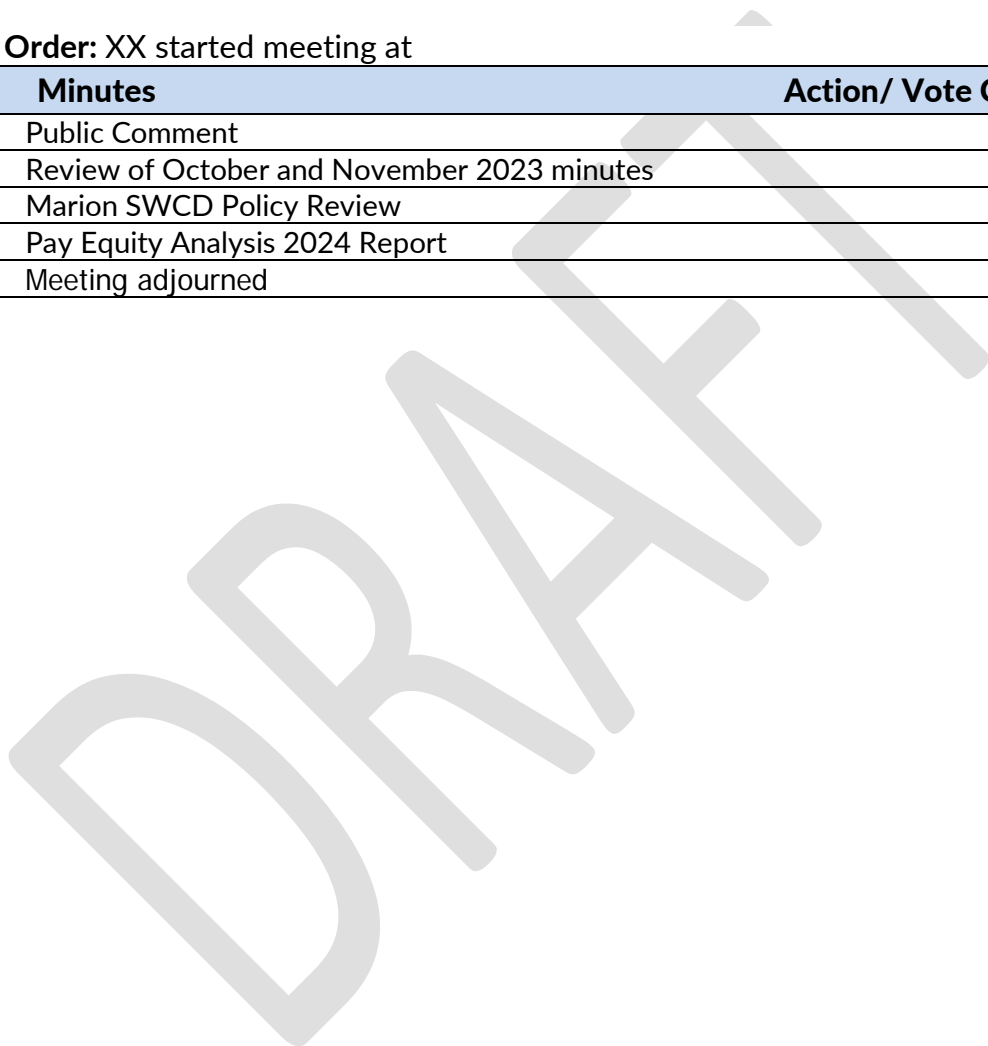
Meeting Minutes

Attendance

Committee Members	Present/Absent	Staff	Guests
Peggy Hart			
Linda Lovett			
Angela Plowhead - Chair			
Darin Olson			
Brenda Sanchez			

Call to Order: XX started meeting at




Item #	Minutes	Action/ Vote Count
1	Public Comment	
2	Review of October and November 2023 minutes	
3	Marion SWCD Policy Review	
4	Pay Equity Analysis 2024 Report	
	Meeting adjourned	





Marion Soil and Water Conservation District (MSWCD) Administrative Committee Meeting
Monday, October 16, 2023, 8:30 am to 10:00 am

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- Staff Contact:** Brenda Sanchez, brenda.sanchez@marionswcd.net


Agenda

Chair: Call Meeting to Order, Agenda Changes & Approval

Item #	Topic	Presenter	Purpose	Time
1	Public Comment	Chair	Feedback	5 min.
2	Review of July 2023 Minutes	Chair	Procedure	5 min.
3	Revised Job Descriptions	Sanchez	Discussion	10 min.
4	Marion SWCD Policy Review	Sanchez	Discussion	70 min.
	Meeting Adjournment	Chair		

Agenda Brief

Item #	Brief	Action
3	Office & Facility Coordinator and Financial Administrator Duties and Functions section of the job descriptions have been updated to reflect that currently the Office Coordinator is now part-time work and payroll duties and treasurer's report was removed from the Financial Admin.	Recommend updates for Board approval.
4	The Admin Committee will review MSWCD policies to determine, as recommendations, policies that need revisions, minor updates, etc., which policies are priority and identify needed policy.	Recommend policy work for Board approval.

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Meeting Minutes

Attendance

Committee Members	Present/Absent	Staff	Guests
Peggy Hart	Present		
Linda Lovett	Present (arr. 9:02)		
Angela Plowhead - Chair	Present		
Darin Olson	Absent		
Brenda Sanchez	Present		

Call to Order: Sanchez started meeting at 8:35

Item #	Minutes	Action/ Vote Count
1	Public Comment	None?
2	XX moved to accept July 21, 2023 minutes; XX seconded	
3	<p>Revised Job Descriptions – The Office and Facility Coordinator position title was changed to part-time Office Coordinator, reflecting the focus on District administrative operations and reduced responsibility for maintenance of the office building. The percentage of time spent on job duties/functions was adjusted to accommodate this change and the reduction to part time.</p> <p>Proposed changes to the Financial Administrator position were tabled to allow flexibility in the position in case the Financial Administrator needed to take on payroll and Treasurer’s report duties in the future, such as in the absence of the District Manager.</p> <p>xx moved to ...; xx seconded.</p>	Approved?
4	<p>Marion SWCD Policy Review – The District has about 30 policies. Sanchez noted that districts are advised to review their policies annually to ensure that they are relevant and current. However, MSWCD has not followed this practice, resulting in many out-of-date policies. Sanchez and Wilson put all existing policies into a binder and looked for what needs to be updated or archived. Once the policies needing changes are identified, they will be prioritized for review. The Admin Committee reviewed the policy binder through the Grants section and will continue from there at the next meeting. Suggestions included possibly putting some policies into a Directors’ Handbook and having the Natural Resources Committee review others. Plowhead suggested putting the date of the Admin Committee review on the policies that do not require changes. Sanchez said those dates could be added to the policy binder. The review also aims to identify new policies that</p>	<p>Policies/Resolutions identified for revision and priority level:</p> <ul style="list-style-type: none"> • Delegation of Authority (Priority) • Board Meeting Policy and Procedures (Priority) • Directors Travel (Moderate) • Ag Water Quality (Low) • City of Keizer Economic Development (Archive) • USDA Conservation Plan Review (Priority) • Disposing of Surplus Property (Low) • Financial Management (Priority) • Public Contracting Rules and Procedures • Reserve Fund – Abolish Building Fund (Archive)

need to be written, such a Wildfire Smoke policy,
which is required by OSHA.

- **Reserve Fund – Abolish Vehicle Resolution (Archive)**




Plowhead adjourned meeting at 9:32

DRAFT



Marion Soil and Water Conservation District (MSWCD) Administrative Committee Meeting
Friday, November 17, 2023, 8:30 am to 10:00 am

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1	Public Comment	Chair	Feedback	5 min.
2	Review of October 2023 Minutes	Chair	Procedure	5 min.
3	Continue Marion SWCD Policy Review	Sanchez	Discussion	70 min.
4	Salary Administration Plan updates	Sanchez	Discussion	10 min.
	Meeting Adjournment	Chair		

Agenda Brief

Item #	Brief	Action
3	The Admin Committee will review MSWCD policies to determine, as recommendations, policies that need revisions, minor updates, etc., which policies are priority and identify needed policy.	Recommend policy work for Board approval

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Meeting Minutes

Attendance

Committee Members	Present/Absent	Staff	Guests
Peggy Hart	Absent		
Linda Lovett	Present		
Angela Plowhead - Chair	Present		
Darin Olson	Present (9:22)		
Brenda Sanchez	Present		
		Tom Wilson	

Call to Order: Sanchez started meeting at 8:39

Item #	Minutes	Action/ Vote Count
1	Public Comment	None
2	Review of October 2023 minutes	Deferred to January meeting
3	<p>Marion SWCD Policy Review – Committee picked up from October meeting at Grants section of policy binder. Discussed need to align when we have policies vs. resolutions: some topics have a policy and a resolution adopting them while others have a policy and no resolution or vice versa. Plowhead also noted that some resolutions are tied to an OAR with a particular date, and those OARs have been revised since our policies/resolutions were written. She suggested revising policies to reference the OAR, but without a specific date.</p> <p>Some policies are now in the Personnel Handbook, so they will be removed from the binder and archived (e.g., Bereavement Leave, Harassment and Retaliation, Exit Interview). Donated Leave will stay as is for now but go in the next revision of the Personnel Handbook.</p> <p>Regarding Legal Disclaimers, Wilson raised the District’s obligation to use the NRCS civil rights protocol on all documentation, such as noting EEO compliance. Sanchez noted that the disclaimers are on meeting agenda templates and email signatures. We may need to get clarification on what documents should have the language.</p> <p>District Organizational Structure was recently updated and is being approved through the Salary Administration Plan process. However, the resolution from 2009 refers to a specific structure from that time. Plowhead suggested replacing this and other resolutions tied to specific dates with more general policies, for example saying that we must have an organizational structure but not tying the policy to a specific one.</p> <p>Ended policy review with Promoting Internal Staff.</p>	<p>Policies/Resolutions identified for Priority revision:</p> <ul style="list-style-type: none"> • Grant Entity Payout Limitations • Inspection Policy • Limitation and Cap • Public Records Disclosure • Records Retention • District Organization Structure (approve current chart and draft new policy/archive resolution) • Salary Administration Plan • Exit Interview • Special Districts Group Insurance • Workers Comp for Volunteers • Exit Interview (now in Personnel Handbook) <p>Moderate/Low Priority:</p> <ul style="list-style-type: none"> • Intellectual Property Protection (wording and potential legal review) • Employee Rewards and Recognition • Interim District Manager <p>Policies/Resolutions to be Archived:</p> <ul style="list-style-type: none"> • Bereavement Leave (now in Personnel Handbook) • Harassment and Retaliation (now in Personnel Handbook) • Promoting Internal Staff

Salary Administration Plan updates – Sanchez added text from the Personnel Handbook so the Plan would have all District compensation (health care, paid time off, etc.), not just salary. She also defined the Specialist position and corrected the pay range/step so when someone moves to a Specialist position their pay will increase to the next higher range.

4

The Committee discussed potential revisions to the Annual Salary Table. Because the average increase between steps is 1.3%, the Committee recommends that an employee be moved up to the range that is at least 1.3% higher than their current pay step. Brenda will write a description and review it using the pay equity lens. The next step will be to revise the salary table.

Sanchez will put on December Board meeting agenda.

Plowhead adjourned meeting at 9:58

Marion Soil and Water Conservation District



Policy Binder
Vol. 1: 2000 - 2023

Table of Contents

Definitions

Board

Delegation of Authority (2021-12-21)

- Board members may be given authority or power to act on behalf of the board. The District's Board of Directors desires to update and revise the Delegation of Authority to address changes in the law and to clarify certain procedures.

Meeting Policy and Procedure (2005-03-02)

- Adopting ORS 192.620 as Policy. It is the intent of ORS 192.620 to 192.690 that the decisions of governing bodies are arrived at openly.

Travel Policy (2020-01-08-A)

- The purpose of this policy is to establish uniform standards for travel by all District Directors.

External Communications

Ag Water Quality Concern (2019-12-04)

- Neither the Marion SWCD staff, nor the Board of Directors will attempt to "seek out" violations of the rules while working in or representing the District.

City of Keizer Economic Development (2011-11-02)

- The Marion Soil and Water Conservation District Board hereby concurs with the proposed Urban Renewal Plan Amendment which will Increase the maximum indebtedness beyond the limits of ORS 457.220(4) and cause the Agency to notify the County Assessor to divide the tax revenues collected on the value in the Area according to the Urban Renewal Plan Amendment and this Resolution each tax year until the debt incurred under the Plan, as amended, is repaid.

Liaisons to Watershed Councils (2005-06-01)

- Staff of the Marion Soil and Water Conservation District (SWCD) can provide assistance to the watershed councils within Marion SWCD District boundaries. For natural resources projects that watershed councils plan to complete, Marion SWCD can provide technical advice, resources, information, and conservation planning services, as staff time is available.

USDA Conservation Plan Review (2004-01-20)

- Oregon's Soil and Water Conservation Districts are invited to provide input and take board action on conservation plans provided by the Natural Resources Conservation Service (NRCS). The Marion Soil and Water Conservation District (SWCD) shall use the following procedures and criteria to evaluate conservation plans for USDA Programs.

Financial

Check Writing (2002-09-04)

- Unless otherwise required by the Board of Directors, either for a specific expense or a class/type of expense, the signature of a single authorized check-signer is sufficient to execute District checks less than \$3,000 in payment of authorized District expenses, subject to adopted delegation of authority by the board.

Credit Card (2007-07-11)

- Sets credit card procedures

Disposing of Surplus Property (2005-05-04)

- To determine by what prescribing rules the SWCD will use to dispose of surplus property owned by or under the control of the SWCD according to ORS 279A.065(5) Public Contracting Rules and Prescribing Rules of Procedure for Public Contracting.

Financial Management (2006-07-06)

- Provide efficient use of capital through prudent banking and cash management. Control receipts and disbursements. Maintain good working relations with financial institutions. Ensure all financial systems, functions and controls meet generally accepted audit standards. Provide adequate protection for employees and board members.

Permanent Tax Rate (2000-09-07)

- Sets a permanent tax rate

Public Contracting (2021-11-03)

- ORS 279A.065 and 279A.070 authorize public contracting agencies to adopt local rules for public contracting and the District's Board of Directors, acting both as the governing body of the District and as the Local Contract Review Board ("LCRB"), adopts the Contracting Rules as shown in Attachment A to this Resolution.

Registered Office Agent (2022-05-04)

- The district desires to change its Registered Agent in accordance with Oregon Revised Statute 198.340.

Reserve Fund : Building Abolish (2012-03-12)

- District established a Building Reserve Fund, Resolution Number 060601, m June 2001, in accordance with Oregon's local budget law; and WHEREAS, the District has determined that it is no longer necessary to maintain the Building Reserve Fund.

Reserve Fund : Building Establish (2020-06-10)

- District desires to establish a Building Reserve Fund in accordance with ORS 294.346

Reserve Fund: Multipurpose Establish (2012-03-07)

- District desires to establish a Multipurpose Reserve Fund in accordance with ORS 294.346

Reserve Fund: Vehicle Abolish (2021-04-07)

- District desires to abolish their Vehicle Reserve Fund in accordance with ORS 294.346

Grants

Inspection Policy (2009-11-02)

- Landowner Assistance Program requires [that following project completion] yearly status reviews be conducted for the first 2 years, and that telephone check-ins l follow-up calls be made in the following 3 years, and that Staff perform a randomly selected audit on 5% of the plans that remain.

Limitation and Cap (2020-03-11)

- Board of Directors has established a Grant Limitation Policy (2008-05-07) to cap the total combined payout from all Marion SWCD grant funds that an entity can receive during a fiscal year and during a rolling five (5) fiscal year time period

Legal

Intellectual Property Protection (2009-04-01)

- The District has invested public funds to develop and produce information and programs, and holds that all information that has been authored or designed by an employee or employees of the District for the District is intellectual property of the District. The District may utilize legal means to protect the intellectual property of the District, including but not limited to copyrights and patents, to the extent allowed under state and federal law.

Public Records Disclosure (2005-02-03)

- To create a public records disclosure policy.

Records Retention (2006-01-04)

- The purpose of this resolution is to determine by what administrative rules the Marion Soil & Water Conservation District (SWCD) will use to retain and archive all records according to Oregon's Administrative Rules (OAR) Chapter 166 Division 150 covering County and Special District Retention Schedules published by the Oregon Secretary of State Archives Division in November 2004.

Use of Legal Disclaimers (2009-04-01)

- The district will utilize legal disclaimers in order to specify and delimit the scope of rights and obligations that may be exercised and enforced by the public in association with information, assistance, and programs provided by the district.

Personnel

Bereavement Leave (2002-09-04-C)

- In addition to the use of sick leave, the District will authorize up to 24 hours of Bereavement Leave per fiscal year. Bereavement leave is meant to provide employees with time away from work to pay respect, mourn and tend to necessary arrangements or gatherings upon the death of family members, friends and acquaintances.

Cost of Living Adjustment (2023-01-11)

- This policy provides a clear, transparent, and consistent process with respect to the annual implementation of a cost-of-living adjustment.

District Organization Structure (2005-05-04)

- WHEREAS the number of staff working on behalf of the Marion SWCD has substantially increased, with diverse responsibilities in support of the District's programs and operations; and, the Board of Directors of the Marion SWCD also has established Board Committees to assist the District in carrying out its programs, administrative activities, and budget; and, the Board of Directors of the Marion SWCD desires to effectively describe lines of organizational and reporting authority; now, therefore the Marion SWCD Board of Directors hereby adopts the attached organization chart as its official description of organizational structure, in conjunction with its adopted delegations of authority.

Donated Leave (2002-09-04-2)

- In special circumstances involving individual medical or family hardship, the District Manager may authorize District employee(s) to donate accrued annual leave (vacation) to another District employee to use as sick leave.

Employee Rewards (2005-09-07)

- This policy provides basic guidelines for the administration of Marion SWCD's Employee Rewards and Recognition Program. The guidelines are applicable to all regular employees of Marion SWCD. The policy is designed to encourage employees to make a performance difference either individually or through teams. The policy recognizes achievements that

contribute to the overall mission and goals of the Marion SWCD.

Exit Interview (2005-12-07)

- An exit interview will be requested of any employee that is leaving the District. The employee has a right to refuse to answer the questions, but should be reassured that if they choose to answer the questions, the answers they give may be utilized to improve the District's operations and policies. The employee is under no obligation to divulge personal information such as views on colleagues or any personal enmity they have with the District.

Harassment and Retaliation (2020-01-08)

- Marion Soil and Water Conservation District has developed this policy to ensure that all its employees can work in an environment free from unlawful harassment, discrimination and retaliation. Marion Soil and Water Conservation District will make every reasonable effort to ensure that all concerned are familiar with these policies and are aware that any complaint in violation of these policies will be investigated and resolved appropriately.

Interim District Manager (2021-07-07)

- In the event that a Board member is requested by the Board to fill in the vacant manager position temporarily as Interim Manager.

Personnel Policy Guidebook (2023-08-02)

- Policy on file at Marion SWCD Office

Promoting Internal Staff (2005-03-02)

- The purpose of this resolution is to promote existing SWCD employees and to appoint those employees who have been filling in temporarily as the "interim managers" of the Marion Soil and Water Conservation District (SWCD) to fill the vacant District manager position; and to raise their salaries according to the increased management responsibilities as defined by the Board and in their new job descriptions.

Safety Policy Guidebook

- Policy on file at Marion SWCD Office

Salary Administration Plan (2002-09-04-1)

- SWCD desires to establish a salary schedule that fairly compensates its staff within the context of its financial resources, priorities, standing as a public entity receiving tax-based revenue, and in comparison, with other comparable employers

Special Districts Group Ins. (2002-04-03)

- This Resolution must be adopted by each Special District governing body as a prerequisite to becoming a participant of the Special Districts Workers Compensation Self Insured group.

Workers Comp for Volunteers (2007-05-02)

- Pursuant to ORS 656.031. workers' compensation coverage will be provided to the classes of volunteer workers as indicated below (checked "Applicable") and listed on the attached Volunteer Election Form(s).

Website (2010-05-05)

- The purpose of this policy is to define for the Marion Soil and Water Conservation District employees and directors, the intended objectives of the District's website.

Appendix

Definitions

Resolution:

- Memorializes decisions of the board
- Adopts policies and procedures
- Clarifies ambiguous terms in the governing documents
- Adopted by the board
- May not contradict anything in the governing documents

A resolution is a formal expression of intention, made by voting. It defines the problem and assigns an action to fix the problem. A resolution is a method of formalizing a decision. It should contain the following:

- Authority. The section of the governing documents that gives the board authority to adopt resolutions
- Purpose. Why the resolution is needed or being adopted
- Scope and Intent. Who will be affected, the reach, range and extent
- Specifications. A clear and complete statement on what those bound by the rule are expected to do

Policy:

- Is a law, regulation, administrative action, incentive, or voluntary practice
- Sets forth a process and procedure
- Adopted by the board by resolution
- May not contradict anything in the governing documents

Policy: This is the process that will be done to fix the problem stated in the resolution. Each policy should be adopted by resolution as it documents the board vote, as well as making any changes to policy well documented at a public meeting and easily trackable.

Rules, Regulations or Guidelines:

- Defines expected behaviors
- Identifies limitations of actions
- Adopted by the board
- May not contradict anything in the governing documents

See next page below for Resolution Template:



Marion Soil and Water Conservation District Resolution Adopting Policy

Resolution #:

Subject: Adopting / Amending / Superseding

Policy Name:

Category:

Effective Date:

Date Amended or Superseded:

Amended or Superseded by Resolution #:

Attachments: A (Policy)

WHEREAS,

State the current problem (this needs to be accomplished in one brief sentence); and

WHEREAS,

Describe the scope of the problem cited in the first whereas clause (this clause needs to flow logically from the first) and the inherent need for a solution; and

WHEREAS, Explain the impact and harms perpetuated by the current problem (once again, the clause needs to flow in a logical sequence); and

WHEREAS,

Use additional "whereas" clauses to elaborate rationale for the problem that needs to be solved; now,

THEREFORE, BE IT RESOLVED,

That the Marion SWCD Board of Directors makes the following recommendation for solution (Adopt Policy); and, be it

FURTHER RESOLVED,

That (this is an optional additional recommendation; if not used, end the previous "resolved" clause with a period).

This Resolution to approve the _____ policy was adopted by a vote of XX to XX of the Marion SWCD Board of Directors on Month, Day, Year.

Board Chair Signature

Board of Directors



Delegation Of Authority Resolution # 2021-12-01

WHEREAS, Marion Soil and Water Conservation District ("District") is an Oregon special district which is subject to Oregon's Chapter 568; Soil and Water Conservation; and

WHEREAS, ORS Chapter 568 authorizes the board to grant individual board members may be given authority or power to act on behalf of the board. Power is granted through board action and must be recorded in the minutes; and

WHEREAS, on December 1, 2021, the District's Board of Directors ("Board") reviewed the previously adopted Delegation of Authority dated October 2, 2002; and

WHEREAS, the District's Board of Directors desires to update and revise the Delegation of Authority to address changes in the law and to clarify certain procedures;

NOW, **THEREFORE**, BE IT RESOLVED, that the District's Board of Directors, acting both as the governing body of the District, adopts the Delegation of Authority as shown in Attachment A to this Resolution.

The Delegation of Authority shown in [Exhibit A \(See Appendix 1\)](#) shall supersede and **replace all prior local contracting rules** adopted by the District.

Approved and adopted on December 1, 2021

No Vote Recorded on scanned image

Signed by Terry Hsu, Chair



Board Meeting Policy and Procedures Resolution #2005-03-02-A

ORS 192.620 Policy: The Oregon form of government requires that an informed public be made aware of the deliberations and decisions of governing bodies and the information upon which such decisions were made. It is the intent of ORS 192.620 to 192.690 that the decisions of governing bodies are arrived at openly.

Meeting Procedures

Generally, agenda items will be taken in the order as written. However, in certain circumstances, the District Chair, Presiding Officer or Board Member may elect to take an item out of order. To accommodate the scheduling needs of interested parties and the public, the District Chair or Presiding Officer may also designate a specific time at which an item will be heard. Any such times are indicated on the agenda.

Please be aware that topics not listed on the agenda may be introduced during the Directors, Staff or Agency Reports, the Public Comment period, under Other Items or at other times during the meeting.

Control of Meetings

The District Board has the authority to control the meetings, regulate the length of public testimony or comments, or ask any person who is disruptive or fails to comply with the rules of the meetings to leave.

Cameras, tape recorders, and microphones must be allowed in public meetings but the chair or presiding officer may regulate their use to the extent of keeping them from disrupting the meeting. Members of the public will be allowed to tape record public meetings.

Public Comment

The District's Board of Directors encourages public comment on any agenda item.

The District board will hear comments relating to a specific agenda item as each agenda item is considered. Comments on other topics may be made during the public comment period.

Every attempt will be made to share with the District's Board of Directors written comments that are delivered to the District Office in advance of the meeting date. Early delivery of written comments is encouraged. To submit written comments directly to the District Directors, please bring at least ten (10) copies to the meeting.

Executive Session

The District Board may also convene in a confidential executive session where, by law under ORS 192.660, only members of the District board, press and when necessary, District Staff may attend. Others will be asked to leave the room during these discussions. Before convening such a session, the District Chair or Presiding Officer will make a public announcement and explain necessary procedures. Questions? If you have any questions regarding the District's board meeting procedures, please call the District office at 503-391-9927.

If special physical, language or other accommodation is needed for a meeting, please advise the District's Administrative Coordinator at the phone number mentioned above as soon as possible but at least 72 hours in advance of any meeting.

This policy was adopted by a unanimous vote of the Board of Directors at its regularly scheduled meeting on March 2, 2005.

Signed by Douglas Kramer, Chair



Director's Travel Resolution #2020-01-08-A w/ Exhibits A & B

[Text of Policy \(see Appendix 2\)](#)

[Exhibits \(see Appendix 2\)](#)

- A (Non-reimbursable travel expenses)
- B (Procedures)

External Communications



Agricultural Water Quality Resolution #2019-12-04 Amends #2005-11-02

The mission of the Marion Soil and Water Conservation District is to protect, conserve and improve the quality of soil and water through planning, technical assistance and education.

Marion SWCD is a Local Management Agency for the Molalla-Pudding-French Prairie North Santiam Sub basin Agricultural Water Quality Management Area Plan (Plan). The Plan identifies strategies to reduce water pollution from agricultural and rural lands through a combination of educational programs, best management practices, and monitoring.

Marion SWCD works with partner agencies and groups to implement strategies in the Plan, as resources allow. Some of Marion SWCD's activities may include helping land managers implement voluntary water quality improvement projects, hosting workshops or tours of successful water quality improvements, working with land managers to secure cost-share funding for projects and distributing educational materials about agriculture and water quality. Marion SWCD does not take a regulatory role in the enforcement of the local Agricultural Water Quality Management Area Rules.

Procedures

Marion SWCD offers voluntary technical assistance and other services to land managers with water quality concerns. Staff members regularly discuss the Plan and rules with land manager in order to increase awareness and education about water quality and compliance. If a land manager the staff is working with has a water quality related concern, that staff member will work with the land manager to adopt an appropriate conservation practice in order to resolve the situation. If the land manager is unwilling to work toward a problem resolution, the district will not work on other issues until the water quality issue is resolved.

Neither the Marion SWCD staff, or the Board of Directors will attempt to "seek out" violations of the rules while working in or representing the District.

If a water quality problem is clearly occurring on a property the staff are currently working with, that staff member will attempt to educate the land manager and offer assistance to fix the situation, or plan for a future project. If the land manager is unwilling to work toward a problem resolution, the district staff may request direction from the board on a case-by-case basis. If there is a clear water quality problem on a property that is not a Marion SWCD client, the staff has the option to contact the land manager and offer Marion SWCD services.

If a land manager is found by a regulatory agency to be out of compliance with the ODA rules or other regulations, they are not eligible for Marion SWCD funds until they are deemed compliant by the regulatory agency. Technical service may be provided to land managers who request assistance from Marion SWCD.

This policy was adopted by a unanimous Vote of the Board of Directors at its

regularly scheduled meeting on December 4, 2019.

Signed by Terry Hsu, Chair



**Keizer Urban Renewal
Resolution #2011-02-11**

WHEREAS, the City of Keizer, Oregon is considering a substantial amendment to the Keizer North River Road Economic Development Area Urban Renewal Plan (Plan) to increase its maximum indebtedness from \$45,890,384 to \$51,653,891(Urban Renewal Plan Amendment); and

WHEREAS, this increase is anticipated to be greater than 20 percent of the initial maximum indebtedness of the Plan as adjusted pursuant to ORS 457.220(4) and

WHEREAS, the proposed increase in maximum indebtedness stated in the Urban Renewal Plan Amendment requires the written concurrence of those taxing districts imposing at least 75 percent of the amount of taxes imposed under permanent rate limits in the North River Road Economic Development Urban Renewal Area (Area); and

WHEREAS, the repayment of the debt incurred by the Keizer Urban Renewal Agency (Agency) for the Plan, as amended, requires that the Agency apply 34% of the tax increment revenues it receives for repayment of Agency debt (and associated costs) and stipulates that the remaining 66% be allocated to the taxing jurisdictions, which allocation requires the written concurrence of those taxing districts imposing at least 75 percent of the amount of taxes imposed under permanent rate limits in the Area; and

WHEREAS, the City of Keizer is pledging to pay the portion of the revenues foregone by the taxing jurisdictions up to the amount received from any future foreclosure or collection of the defaulting Local Improvement District participant after reimbursement of the City's fees and administrative expenses for this debt collection, and

WHEREAS, the Marion Soil and Water Conservation District imposes permanent rate property taxes in the Area; and

WHEREAS, the Agency representatives have consulted and conferred with the affected taxing jurisdictions and has proposed a time frame for extension of the Area of four years; and

WHEREAS, concurrence under ORS 457.470(7) of the Marion Soil and Water Conservation District is required for the Agency to approve the Urban Renewal Plan Amendment To protect, conserve and improve the quality of soil and water in Marion County through planning, technical assistance and education.

NOW THEREFORE The Marion Soil and Water Conservation District RESOLVES:

The Marion Soil and Water Conservation District Board hereby concurs with the proposed Urban Renewal Plan Amendment which will:

- Increase the maximum indebtedness beyond the limits of ORS 457.220(4) and
- Cause the Agency to notify the County Assessor to divide the tax revenues collected on the value in the Area according to the Urban Renewal Plan Amendment and this Resolution each tax year until the debt incurred under the Plan, as amended, is repaid.

This resolution was adopted by a unanimous vote of the Board of Directors at its regularly scheduled meeting on November 2, 2011.

Signed by Darin Olson, Chair



Role of Marion SWCD Staff as Liaisons to Watershed Councils
Resolution #2005-06-01
Amends #2005-02-03

Staff of the Marion Soil and Water Conservation District (SWCD) can provide assistance to the watershed councils within Marion SWCD District boundaries. For natural resources projects that watershed councils plan to complete, Marion SWCD can provide technical advice, resources, information, and conservation planning services, as staff time is available.

Some general categories in which watershed councils may request assistance from Marion SWCD to be helpful include the following:

- Invasive Weed Removal
- Native Plantings
- Erosion Control
- Riparian Restoration
- Water Quality
- Water Quantity

Additionally, the SWCD staff will, when requested, provide technical advice about issues that arise at meetings and can provide the District's point of view. Staff can also assist with some grant-related activities, including grant review.

For involvement on projects that may take a considerable percentage of overall work time, the staff will obtain approval from the District Manager or the District Board as appropriate for involvement.

To ensure sound risk management practices, the District prefers not to be involved in contract development. District staff can assist watershed councils by directing them to appropriate sources of assistance with contracting, if necessary.

This policy was adopted by a unanimous vote of the Board of Directors at its regularly scheduled meeting on February 3, 2005.

Signed by Douglas Krahmer, Chair

Adopted: February 3, 2005

Amended: June 1, 2005





USDA Conservation Plan Review Resolution #2009-09-03 w/ Exhibit A - Procedures


Purpose

Oregon's Soil and Water Conservation Districts are invited to provide input and take board action on conservation plans provided by the Natural Resources Conservation Service (NRCS).

The Marion Soil and Water Conservation District (SWCD) shall use the following procedures and criteria to evaluate conservation plans for USDA Programs including but not limited to:

- Conservation Reserve Program (CRP) General and Continuous
- Conservation Reserve Enhancement Program (CREP)
- Environmental Quality Incentive Program (EQIP)
-  Grassland Reserve Program (GRP)
-  Wetland Reserve Program (WRP)
- Wildlife Habitat Incentives Program (WHIP)

The Directors shall follow the procedures and criteria as listed below.

1. Conservation plans shall be reviewed and acted upon according to procedures in 2(a) and 2(b) below at a sanctioned SWCD board meeting. When necessary, the board may also choose to use procedure 2(c).
2.  e conservation plan will be reviewed in one of three ways:
 - a) Open Session. This method is strongly preferred by the Directors based on public review for public funds expended. In order to review a plan in open session, an individual must provide written permission stating that he or she has given the Directors authorization to review and discuss certain details of their plan. An individual is encouraged to attend the open session but is not required to do so.
 - b) Closed Executive Session. An Executive Session may be held to discuss aspects of the plan that an individual did not give his or her permission to discuss in open session. The Directors may find it necessary to review and discuss this information in order to help them make a decision regarding the plan in open session. The Directors shall determine who will be permitted to attend the executive session. All others will be asked to leave temporarily until the board resumes the open session. Once the board reconvenes the open session, the Directors must have written permission from the individual to state at the least the name used on the conservation plan in order for the board to take any official action. Official action by the board may include either approving, not approving, recommending or not recommending to write a letter of support based on what USDA program the plan falls under.
 - c) No Written Permission. If an individual does not give the board written permission to disclose any information about his or her plan in open session, then the board may delegate the authority to a director or directors to review and sign the plan on behalf of the board.

3.  Conservation Plan shall be evaluated on the following criteria:

- a) The plan meets the individual's conservation, environmental and economic objectives.
 - b) The plan meets one or more of the District's resource concerns as stated its Business Plan.
 - c) The practices are necessary and will treat the identified problem(s).
 - d) The practices are feasible.
 - e) All necessary permits, land rights, water rights, and other assurances are expected to be obtained with minimal difficulty or already have been obtained.
 - f) The project does not have any direct off-site negative impacts to neighboring properties.
 - g) Other special districts, i.e. a water control district, in the project area has been contacted and proof of contact has been submitted to the Marion Soil and Water Conservation District prior to the board reviewing the plan.
4. The District Chair shall be authorized to sign conservation plan revisions, if the District Manager and the Chair in consultation with NRCS determines that the revisions are minor and limited in scope.
5. This policy can be amended at any time at a regularly sanctioned District meeting.

This policy was adopted unanimously by the Board of Directors at its regularly scheduled meeting on September 3, 2003.

Signed by Ralph Fisher, Chair

[See Appendix 3](#) for Exhibit A - USDA Conservation Plan Review Procedures

Financial



Check Writing Resolution #2002-09-04

Unless otherwise required by the Board of Directors, either for a specific expense or a class/type of expense, the signature of a single authorized check-signer is sufficient to execute District checks less than \$3,000 in payment of authorized District expenses, subject to adopted delegation of authority by the board.

This policy was adopted by a five to two vote of the Board of Directors at its regularly scheduled meeting on September 4, 2002.

Daniel L. Goffin, Chair



**Credit Card
Resolution #2007-11-01
Amends #2007-07-11**

1. The District Manager will be issued a single credit card, not a debit card. The credit card shall have a maximum limit of \$10,000.
2. The credit card shall be issued in the name of the District and the District Manager.
3. No cash withdrawals shall be permitted on a District credit card.
4. The District Manager shall give to a Board authorized individual(s) all receipts of charges and documentation for the purpose of each charge. The authorized individual(s) shall then match the receipt(s) against the credit card statement when it arrives, prior to authorizing payment on the credit card account.
5. The District Manager may use the District credit card to pay expenditures identified within the budget categories and within budgeted amounts.
6. The District Manager may use a District credit card to pay budgeted office expenses within the budgeted category, in lieu of petty cash funds.
7. All other District employees needing to purchase work related items, that require the use of a credit card, must notify the District Manager in writing by using the Credit Card Purchase Request Form. The District Manager shall then review the request in a timely manner, authorize or deny the purchase(s), and notify the employee that their request was either approved or denied. If authorized, the District Manager will order the item(s).
8. Unless the Board provides express authorization for use of the District credit card, the District credit card shall not be used for expenses incurred while serving on a board, council or committee independent of the District.
9. A lost or stolen credit card shall be reported immediately to the issuing Credit Card Company and Chair of the District's Board of Directors or any other Board appointed individual.
10. Legal action may be taken against the District Manager for any unauthorized charges on a District credit card, and the Board may take disciplinary action as necessary.
11. When not in use the District's credit card shall be kept in the locked fireproof file cabinet located in the District Manager's office.
12. Upon receipt of the credit card statement and after verification of all expenses by a Board authorized individual (s), the charges shall be paid in full prior to the statement due date. The District Manager shall not sign the expense check.

13. The credit card shall not be used for securing lodging reservations or for any other open ended purchase where the final amount is unknown at the time of the transaction.

These revised procedures were adopted by a unanimous vote of the Board of Directors at its regularly scheduled meeting on November 1, 2007.

First Adopted: July 11, 2007

Revision Adopted: November 1, 2007

Signed Douglas Krahmer, Chair



Surplus Property Disposal Resolution #2005-05-04-A

Purpose

The purpose of this resolution is to determine by what prescribing rules the Marion Soil & Water Conservation District (SWCD) will use to dispose of surplus property owned by or under the control of the SWCD according to [ORS 279A.065\(5\)](#) Public Contracting Rules and Prescribing Rules of Procedure for Public Contracting.

Resolution

WHEREAS the Marion SWCD is an Oregon Special District that is subject to Oregon's Public Contracting Rules; and,

WHEREAS surplus property owned by or under the control of the Marion SWCD shall be disposed of pursuant to [ORS 279A.185\(2\)](#); and,

WHEREAS surplus property owned by or under the control of the Marion SWCD that was purchased for under \$1,000 and is still usable or in working condition shall be donated to a local nonprofit or charitable entity ~~such as Goodwill or the Salvation Army or any other non-profit or charitable organization~~ that the SWCD deems appropriate; or if the surplus property is no longer usable it shall then be properly disposed of by either recycling or placed in the garbage; and,

WHEREAS surplus property owned by or under the control of the Marion SWCD that was purchased for over \$1,000 shall be disposed of either ~~through (1) State Surplus through an agreement with the Department of Administrative Services,~~ (2) the printing of a legal (public) notice and advertising to sell to the public, obtain sealed bids or hold an auction, or (3) Donate to a local non-profit or charitable entity ~~such as Goodwill or the Salvation Army or any other non-profit or charitable organization~~ that the SWCD deems appropriate; now, therefore

BE IT RESOLVED that the Marion SWCD Board of Directors hereby adopts to dispose of surplus property owned or under the control of the SWCD by the prescribed rules stated above effective as of the date of adoption by the Board.

This resolution was adopted by a unanimous vote of the Board of Directors at its regularly scheduled meeting on May 4, 2005.

Signed by: Douglas Krahmer, Chair



Financial Management Resolution #2006-07-06

Objectives

1. Provide efficient use of capital through prudent banking and cash management.
2. Control receipts and disbursements.
3. Maintain good working relations with financial institutions.
4. Ensure all financial systems, functions and controls meet generally accepted audit standards.
5. Provide adequate protection for employees and board members.

Requirements

The accounting system will include the use of QuickBooks, follow applicable District policy and procedures and be maintained in compliance applicable with Federal and State law. The accounting system will encourage good financial management and produce the following:

1. Data necessary for the preparation of financial statements.
2. Efficient functioning of financial affairs of the District.
3. Encouragement of sound financial management policies and procedures.
4. Documentation will be maintained in neat, orderly files.

In implementing a sound financial management system, the District must complete the following:

1. Assure the **Annual work** plan be developed in accordance with the annual budget priorities.
2. Manage funds with fiduciary responsibility.
3. Ensure that all funds in bank accounts are covered under FDIC. The District will secure a Certificate of Collateralization for any account in excess of the FDIC limit.
4. Maintain accurate and complete financial records and reports, including but not limited to:
 - a. Annual District budget and work plan
 - b. Revenues and expenditures
 - c. Property and assets
 - d. Cash deposits, investments, and other financial holdings
 - e. Monthly financial reports approved by the Board
 - f. Reports to appropriate local, state and federal agencies
 - g. Annual audited statements
 - h. Any special report requested by the Board, state, and federal agencies or
 - i. financial institution.
5. Oversight of risk management insurance.
6. Review and acceptance of annual audit report, prepared by a licensed CPA.
7. Whenever possible refrain from borrowing money or mortgaging District property.

8. Adhere to the Government Standards and Practices laws regarding gifts and potential conflicts of interest.
9. Adhere to state records retention laws.
10. Annually review financial policies and procedures that provide clear delegations of responsibilities. Refer to Resolution No. 090402B (#2002-09-04-B) "In the Matter of Delegating Authority of the Board of Directors"
11. Follow fund accounting practices for budgeting, bookkeeping and financial reporting.
12. **Annually a member of the Board or their appointed or contracted designee shall perform an unannounced internal financial management review.**
13. Have an independent bookkeeper regularly audit and assist with review of District financial record.
14. All employees handling funds will have passed an extensive background check.

The revision of this policy was adopted by a unanimous vote of the Board of Directors at its regularly scheduled meeting on July 5, 2006.

Signed by Douglas A. Krahmer, Chair



Permanent Rate Limit Resolution # 2000-09-07

A resolution proposing a permanent rate limit in the amount of \$.05 per \$1,000 of assessed value, beginning fiscal year 2001-2002 to be placed on the November 7, 2000, ballot to provide permanent stable funding for the operation of Marion Soil and Water Conservation District.

WHEREAS, the Marion Soil & Water Conservation District has determined the public demand for technical assistance has reached the point where additional personnel is required;

WHEREAS, the Marion Soil & Water Conservation District has identified a need for a stable funding source;

WHEREAS, State of Oregon Ballot Measures 47 and 50 provide the frame work for voter approved local taxes;

WHEREAS, the Marion Soil & Water Conservation District has determined that \$.05 per \$1,000 of assessed value is within State of Oregon Ballot Measures 47 and 50, which is available to the District; and,

WHEREAS; it is the Marion Soil & Water Conservation District intent to submit a ballot measure at the next November General Election for a permanent rate limit to the registered voters of the Marion Soil & Water Conservation District for approval;

NOW THEREFORE, the Marion Soil & Water Conservation District does ordain as follows:

For the purpose fiscal stability to the Marion Soil & Water Conservation District's General Fund, ensuring funding for technical assistance to address water quality issues in the Clean Water Act, Senate Bill 1010 Water Management Plan and Endangered Species Act at service demand levels of residents, a permanent rate

limit proposal of \$.05 per \$1000 assessed value, beginning fiscal year 2001-2002.

This measure shall be submitted to the electors of the Marion Soil & Water Conservation District, for their approval or rejection, at the State General Election held November 7, 2000.

Signed Jeanne Fromm , Chair
September 7, 2000

[See Appendix 4 for Exhibit A – Ballot Measure](#)



**Public Contracting Rules And Procedures
Resolution #2021-11-03
Amends #030205C & #2014-02-20**

WHEREAS, Marion Soil and Water Conservation District ("District") is an Oregon special district which is subject to Oregon's public contracting laws [ORS chapters 279A, 279B, and 279C]; and

WHEREAS, ORS 279A.065 and 279A.070 authorize public contracting agencies to adopt local rules for public contracting; and

WHEREAS, on March 2, 2005, the District's Board of Directors ("Board") adopted Resolution No. 030205C, Adopting Public Contracting Rules and Prescribing Procedural Rules for Public Contracting ("Contracting Rules"); and amended such Contracting Rules on February 20, 2014;and

WHEREAS, the District's Board of Directors desires to update and revise the Contracting Rules to address changes in the law and to clarify certain procedures;

NOW, THEREFORE, BE IT RESOLVED, that the District's Board of Directors, acting both as the governing body of the District and as the Local Contract Review Board ("LCRB"), adopts the Contracting Rules as shown in Attachment A to this Resolution.

The Contracting Rules shown in Attachment A shall supersede and replace all prior local contracting rules adopted by the District.

Approved and adopted on November 3, 2021
Signed by Terry Hsu, Chair

[See Appendix 5 for Exhibit A – Contracting Rules](#)



**Registered Agent
Resolution # 2022-05-04
Amends # 080614**

WHEREAS, Marion Soil and Water Conservation District ("District") is an Oregon special district which is subject to Oregon Revised Statutes regarding Special Districts generally, under ORS 198 et seq.; and

WHEREAS, the District desires to change its Registered Agent in accordance with

Oregon Revised Statute 198.340;

NOW, THEREFORE, BE IT RESOLVED:

1. That the registered agent of the Marion Soil and Water Conservation District is hereby changed to Brenda Sanchez.
2. That the address of the principal office and of the registered agent of the Marion Soil and Water Conservation District are the same.

Approved and adopted: August 6, 2014

Revised and adopted: May 4, 2022

Signed Darin Olson, Chair



Reserve Fund - Abolish Building Resolution #2012-03-07-A

WHEREAS, Marion Soil and Water Conservation District ("District") is an Oregon special district which is subject to Oregon's Local Budget Law (ORS 294.305 et seq.); and

WHEREAS, the District established a Building Reserve Fund, Resolution Number #060601 (June 06, 2001), in accordance with Oregon's local budget law; and

WHEREAS, the District has determined that it is no longer necessary to maintain the Building Reserve Fund; and

WHEREAS, the District desires to abolish Building Reserve Fund and transfer those funds to the General Fund, in accordance with ORS 294.346 and ORS 294.353.

NOW, THEREFORE, BE IT RESOLVED:

1. That the balance of the Building Reserve Fund shall be transferred to the General Fund on July 1, 2012, or the first regular business day thereafter.
2. That as a result of these actions, the Building Reserve Fund shall be abolished.

Approved and adopted on March 7 , 2012.

No Vote Recorded

Signed by Darin Olson Chair



Reserve Fund - Adopt Building Resolution #2020-06-10-A

For the purpose of purchasing land, constructing a building or purchasing and/or remodeling an existing building to house District operations and employees.

WHEREAS, Marion Soil and Water Conservation District ("District") is an Oregon special district which is subject to Oregon's Local Budget Law (ORS 294.305 et

seq.); and

WHEREAS, the District desires to establish a Building Reserve Fund in accordance with ORS 294.346;

NOW, THEREFORE, BE IT RESOLVED:

1. That money shall be transferred from the General Fund in order to establish a beginning balance for this fund of \$750,000 in fiscal year 2020-2021.
2. That the Fund will be reviewed on a yearly basis and each year the District Board of Directors and Budget Committee shall discuss and/or to determine how much funding to appropriate for the next fiscal year.
3. That revenue for this Fund is primarily from interest earned on the money and may be expended if approved and appropriated; revenue may also be derived from the General Fund in excess of its expenditures in the previous year.
4. That instruction will be provided to the budget officer each year to potentially allocate any additional funds if needed for a specific dollar amount.
5. Pursuant to ORS 280.050 for fiscal year 2020-2021, no greater than \$750,000 of the Building Fund may be used for purchasing land, constructing a building, purchase and/or remodel an existing building to house District operations and employees.
6. That in no event shall greater than 100% of the monies in the Fund be appropriated in any fiscal year.
7. That in the event that it is necessary to alter the appropriation of monies in the fund, outside of the regular budget process, the District will adhere to Oregon's Local Budget Law, which specifies the conditions under which a local government may appropriate necessary monies.
8. That all expenditures from the Fund must be approved in advance by the District Board of Directors.
9. If the Fund fulfills its purpose and is deemed no longer necessary, then any remaining funds shall be transferred to the General Fund; and the Fund may then be dissolved.

Approved and adopted on June 10, 2020.

No Vote Recorded

Signed Terry Hsu, Board Chair



**Reserve Fund - Adopt Multipurpose
Resolution #2017-05-03
Amends #2014-02-20**

For the purpose of Unanticipated Projects and Catastrophic Loss

WHEREAS, Marion Soil and Water Conservation District ("District") is an Oregon special district which is subject to Oregon's Local Budget Law (ORS 294.305 et seq.); and

WHEREAS, the District desires to establish a Multipurpose Reserve Fund in accordance with ORS 294.346

NOW, THEREFORE, BE IT RESOLVED:

1. That money shall be transferred from the General Fund in order to establish a beginning balance for this fund.
2. That the Fund will be reviewed on a yearly basis, each year the board and budget committee shall determine how much to appropriate for the next fiscal year.
3. That revenue for this fund is primarily from interest earned on the funds; revenue may also be derived from the General Fund in excess of expenditures in the previous year. Should the fund exceed the budget limit, excess funds shall be transferred to the General Fund.
4. That instruction will be provided to the budget officer to allocate the fund each year to a specific dollar amount, based upon the guidelines herein, for each of the three activities: Unanticipated Projects, and Catastrophic Loss.
5. That allocations are:
 - No greater than 50% of the Fund may be used for Unanticipated Projects. These are projects which had not been anticipated in the current year's operating budget. Expenditures for uses for Unanticipated Projects shall be repaid to the Fund as soon as practical, and in all cases within the following three budget years.
 - No less than 50% and no greater than 100% of the Fund shall be set aside for a Catastrophic Loss Reserve incurred by the District, and the Fund may be used if necessary for the District to recover from a catastrophic loss or emergency.
 - A. Catastrophic loss includes, but is not limited to natural disasters, accidental losses (i.e. fire, water damage, theft, etc.), and other events that would require very large but non-budgeted expenditures simply to continue operating the District.
 - B. Emergency (as defined by ORS 279A.010) means circumstances that:
 - 1) Could not have been reasonably foreseen;
 - 2) Create a substantial risk of loss, damage or interruption of services or a substantial threat to property, public health, welfare or safety;
 - 3) Require prompt execution of a contract to remedy the condition.

6. That in no event shall greater than 100% of the monies in the Fund be allocated in any fiscal year.
7. That all expenditures from the Fund must be approved in advance by the District Board of Directors.
8. That in the event that it is necessary to alter the appropriation of monies in the fund, outside of the regular budget process, the District will adhere to Oregon's Local Budget Law, which specifies the conditions under which a local government may appropriate necessary monies.

Approved and adopted on May 3, 2017

No Vote Recorded

Signed Tim Bielenberg, Chair



Reserve Fund - Abolish Vehicle Resolution #2021-07-21-A

WHEREAS, Marion Soil and Water Conservation District ("District") is an Oregon special district which is subject to Oregon's Local Budget Law (ORS 294.305 et seq.); and

WHEREAS, the District desires to abolish their Vehicle Reserve Fund in accordance with ORS 294.346.

NOW, THEREFORE, BE IT RESOLVED:

1. That the District transfer the balance of the funds from the Vehicle Reserve Fund to the General Fund in the amount of \$52,877 in fiscal year 2020-2021.
2. That the Fund fulfilled its purpose and is deemed no longer necessary,
3. Therefore, the Vehicle Reserve Fund is hereby abolished.

APPROVED AND ADOPTED on April 7, 2021.

No Signature on scanned image

No Vote Recorded

Grants



LAP Inspection Resolution # 2009-11-02

Background

Regular check-ups of Landowner Assistance Program projects are important for maintaining quality control.

Previously the District required annual follow-ups/ status checks on every LAP project implemented, and do so over a 5 year period. As the program has grown, so

have the number of projects requiring follow-up/ annual status checks, resulting time / management problems. The solution to easing the burdensome work load would be to modify the policy and reduce the number of required follow-ups (site visits) and/or phone calls needed each year.

Policy

Landowner Assistance Program, requires [that following project completion] yearly status reviews be conducted for the first 2 years, and that telephone check-ins I follow-up calls be made in the following 3 years, and that Staff perform a randomly selected audit on 5% of the plans that remain.

This policy was adopted by a unanimous vote of the Board of Directors at its regularly scheduled meeting on November 2, 2009.

Signed Douglas Krahmer, Chair



Grant Entity Payout Limitations

Resolution #2020-03-11

Adopted: May 7, 2008

Amended: February 1, 2012

Amended: February 20, 2014

Amended: March 11, 2020

Background

Marion Soil & Water Conservation District (Marion SWCD) currently manages four grant programs. Those programs are as follows:

- Conservation Learning Education And Resource (CLEAR)
- Landowner Assistance Program (LAP)
- Cover Crop Program
- Special Project Grant (SPG)

The Board of Directors has final approval authority for all grant program applications.

Purpose

While each grant has a different intention and purpose, the Marion SWCD seeks to afford the availability of grant funds to a broader range of entities. Therefore, the Board of Directors has established a Grant Limitation Policy to cap the total combined payout from all Marion SWCD grant funds that an entity can receive during a fiscal year and during a rolling five (5) fiscal year time period. Payout limitations are reviewed on an as needed basis to ensure the needs of the grant programs are being met.

Definition

For purposes of this policy, an entity may be defined as:

- Corporation, Limited Liability Company (LLC), or Partnership
- Farm Corporations
- Horticultural Nurseries
- Other Corporate or LLC organization

- Individual Landowner or Land Manager
- Educational Institution (Not a School Grade or a School Classroom)
- Government Agency
- Native American Tribe
- Nonprofit Organization or group – 501 (c) (3) status is not required
- Neighborhood Association
- Community Organization

Policy

A maximum of \$7,500.00 in grant funds from all Marion SWCD grant programs will be permitted **per entity during each fiscal year.**

Example: If an individual landowner has received LAP funds in the amount of \$4,100.00, that individual would qualify for \$3,400.00 more in grant funds through a CLEAR grant or SPG Grant for a total of \$7,500.

Exception: The District may allow an entity with a Large Project to request grant funds of \$22,500.00, the maximum amount available to the applicant. Large Projects are defined as projects with a total cost in excess of \$45,000.00, effective July 1, 2020.

Policy

A maximum of \$22,500 in grant funds from all Marion SWCD grant programs will be permitted **per entity during any five consecutive fiscal year period.**

Accountability

In order to maintain record of the amount of grant funds that have been received by an entity and ensure that \$7,500.00 or \$22,500.00 limit is not exceeded, grant tracking shall be maintained by the Marion SWCD.

The amended policy was adopted by a 5-1 of the Board of Directors at its regularly scheduled meeting on March 11, 2020.

Signed Terry Hsu, Chair

Adopted: May 7, 2008

Amended: July 6, 2011

Amended: February 1, 2012

Amended: February 20, 2014

Amended: March 11, 2020

Legal



Intellectual Property Protection Resolution #2009-04-01-A

Purpose

The Marion Soil and Water Conservation District adheres to the fundamental

philosophy, to the extent of state and federal law, that all persons are entitled to full and complete information regarding the affairs of government and the official acts and policies of those who represent them as public officials and public employees. On the other hand, the access to this information is not intended to be used to violate individual privacy, nor the purpose of furthering a commercial enterprise, or to disrupt the duly-undertaken work of any public body independent of the fulfillment of any of the rights of the people to access to information.

The District has invested public funds to develop and produce information and programs, and holds that all information that has been authored or designed by an employee or employees of the District for the District is intellectual property of the District.

The mission of the District is to protect, conserve, and improve the quality of soil and water through planning, technical and financial assistance, and education. In accomplishing this mission, the District creates and designs programs, conservation plans, and other reference materials to assist the public. The intent of this policy is to make the services, publications, and other materials available to as many people as possible with the assurance that the intellectual property of the District will not be comprised.

Any use of District programs, conservation plans, and other reference materials should be used to meet or address the mission and/or vision of Marion Soil and Water Conservation District and shall not be used for personal or financial gain or for political purposes.

Policy

The District may utilize legal means to protect the intellectual property of the District, including but not limited to copyrights and patents, to the extent allowed under state and federal law.

This policy was adopted by a unanimous vote of the Board of Directors at its regularly scheduled meeting on April 1, 2009.

Signed by Douglas A. Krahmer, Chair



Public Records Disclosure Resolution #2005-02-03

All requests for information made under the Public Records Law must be in Writing, using the Request for Information Form (see attachment A) and approved by the appropriate District Manager or the Board of Directors.

If a person requesting information chooses to remain anonymous, they must pay a deposit in the amount detailed on the Request for Information form upon making the request.

When a request is received, it shall be in-dated and forwarded to the District Manager or Board of Directors. The District Manager or Board of Directors shall make a determination of whether the information is releasable under the provisions of the Public Records Law.

When necessary, legal counsel will be sought to interpret Public Records Law relative to the given request. If the information release is approved, the District Manager, or other designee, shall contact, in writing, the person making the request to inform them of the copying cost for said information, and the time frame in which the request can be completed.

Upon written notification by the person making the request that they are willing to incur the cost of copying, the District shall begin making said copies for release. NRCS records and data shall only be released by NRCS staff in accordance with their policies.

This policy was adopted by a unanimous vote of the Board of Directors at its regularly scheduled meeting on February 3, 2005.

Signed by Douglas A. Krahmer, Chair

[See Appendix 6 for attachment A – Record Request Form](#)



Record Retention Resolution #2006-01-04

In the Matter pertaining to the establishment and use of a Records Retention Policy or Policies as required by the State of Oregon under the County and Special District Retention Schedules by the Marion Soil & Water Conservation District

Purpose

The purpose of this resolution is to determine by what administrative rules the Marion Soil & Water Conservation District (SWCD) will use to retain and archive all records according to [Oregon's Administrative Rules \(OAR\) Chapter 166 Division 150](#) covering County and Special District Retention Schedules published by the Oregon Secretary of State Archives Division in November 2004.

Resolution

WHEREAS the Marion Soil & Water Conservation District is an Oregon Special District that is required to follow state law; and,

WHEREAS the Oregon Secretary of State Archives Division has published administrative rules covering County and Special District Retention Schedules in Oregon Administrative Rules (OAR) Chapter 166 Division 150; therefore

BE IT RESOLVED that the Marion Soil & Water Conservation District Board of Directors hereby adopts to use those rules that are appropriate under Oregon's Administrative Rules (OAR) Chapter 166 Division 150 covering County and Special District Retention Schedules published by the Oregon Secretary of State Archives Division in November 2004 and shall further establish policy or polices that follow those appropriate rules and any future revisions to those rules.

This resolution was adopted by a 7-0 vote of the Board of Directors at its regularly scheduled meeting on January 4, 2006.

Signed by: Douglas Krahmer, Chair

[See Appendix 7 for Exhibit A – OAR from 2004](#)

[See Appendix 7 for Exhibit B – Established Policies for updating rules](#)



Legal Disclaimers Resolution #2009-04-01-B

Purpose

The mission of the Marion Soil and Water Conservation District is to protect, conserve, and improve the quality of soil and water through planning, technical and financial assistance, and education. In accomplishing this mission, the District provides information and assistance to the public through programs, conservation plans, and reference materials.

The District makes an effort to ensure that information provided to the public is the most current, correct, and clearly expressed information possible. The District makes an effort to ensure that all assistance provided to the public is safe and legal. Nevertheless, inadvertent errors and accidents may occur.

The use of legal disclaimers allows the District to specify or delimit the scope of rights and obligations associated with the information and programs provided to the public. The intent of this policy is to protect the District from unexpected liabilities and/or responsibilities associated with the information, assistance, and programs provided to the public.

Policy

The District shall utilize legal disclaimers in order to specify or delimit the scope of rights and obligations that may be exercised and enforced by the public in association with information, assistance, and programs provided by the District.

This policy was adopted by a unanimous vote of the Board of Directors at its regularly scheduled meeting on April 1, 2009.

Signed by Douglas Krahmer, Chair

Personnel



Bereavement Leave Resolution #2002-09-04C

Policy

Bereavement leave is meant to provide employees with time away from work to pay respect, mourn, and tend to necessary arrangements or gatherings upon the death of family members, friends, and acquaintances.

Employees may use accrued sick leave to attend the funeral of any person. Sick

leave also may be used for bereavement and/or tending to necessary arrangements or family gatherings upon the death of any family member, as that term is defined in the District's sick leave policy.

Additional leave

In addition to the use of sick leave, the District will authorize up to 24 hours of Bereavement Leave per fiscal year for the purposes described above. This leave is non-accruable from fiscal year to fiscal year and any unused leave is not "paid off" when a person leaves District employment.

This policy was adopted by a unanimous vote of the Board of Directors at its regularly scheduled meeting on September 4, 2002.

Daniel L. Goffin, Chair



Cost of Living Adjustments Resolution # 2023-01-11

Purpose

This policy provides a clear, transparent, and consistent process with respect to the annual implementation of a cost-of-living adjustment.

Definitions

- Cost-of-Living Adjustment (COLA) is an increase in wages, salaries, or benefits to counteract inflation. COLAs are typically equal to the percentage increase in the Consumer Price Index for a specific period.
- Consumer Price Index (CPI) (U.S. Bureau of Labor Statistics) is based on an objective measure that estimates how much additional money a typical person or household needs to maintain their standard of living over time. CPI determines the rate of inflation and is compared yearly. When consumer prices, or if inflation, has not been high enough to substantiate a COLA increase there is no COLA increase.
- Seasonal Adjustment removes the effects of recurring seasonal influences from many economic series, including consumer prices. The adjustment process quantifies seasonal patterns and then factors them out of the series to permit analysis of non-seasonal price movements; This allows data users to focus on changes that are not typical for the time of year. The unadjusted data are of primary interest to consumers concerned about the prices they pay.

Policy Requirements

Annually the Marion Soil and Water Conservation District (Marion SWCD) will calculate a cost of living adjustment rate for wages and salaries and applies to all staff.

- By July 1, the Financial Administrator compiles information to determine the COLA rate. Regional CPI (Census Region-West) data is to be considered over national data. Information for determination:
 - The CPI (not seasonally adjusted) will be compared to the previous year, considering any shifts in the CPI over the past year, to determine a COLA;
 - Additional information will be a reviewed such as federal and state COLA calculations or projections and Marion County property tax revenue projections to support the proposed COLA rate;
 - And any other information necessary such as cost of food, healthcare, transportation, and energy.
- The District Manager works with the Financial Administrator to calculate the COLA.
- The District Manager submits the proposed COLA rate to the Board of Directors for review.
- Approved COLA rates apply July 1 at the start of the next fiscal year budget.

This policy was adopted by a 4 to 1 vote of the Board of Directors on January 11, 2023.

Signed by Darin Olson, Chair



**District Organizational Structure
Resolution #2009-04-02-B with Exhibit A**

Purpose

The purpose of this resolution is to adopt an organization structure for the Marion Soil and Water Conservation District (SWCD).

Resolution

WHEREAS the number of staff working on behalf of the Marion SWCD has substantially increased, with diverse responsibilities in support of the District's programs and operations; and,

WHEREAS the Board of Directors of the Marion SWCD also has established Board Committees to assist the District in carrying out its programs, administrative activities, and budget; and,

WHEREAS the Board of Directors of the Marion SWCD desires to effectively describe lines of organizational and reporting authority; now, therefore

BE IT RESOLVED that the Marion SWCD Board of Directors hereby adopts the attached organization chart as its official description of organizational structure, in conjunction with its adopted delegations of authority.

This resolution was adopted by a Unanimous vote of the Board of Directors at its regularly scheduled meeting on September 4, 2002.

Certified on this 4th day of September 2002

Signed by Daniel Goffin, Chair

[See Appendix 8 for Exhibit A – 2023 District Structure](#)



**Salary Administration Plan
Resolution # 2002-09-04-A (090402A)**

Purpose

The purpose of this resolution is to adopt a Salary Administration Plan on behalf of the Marion Soil and Water Conservation District (SWCD).

Resolution

WHEREAS the Marion SWCD has grown in staff with resulting diversity in job responsibilities, skill requirements and salary levels; and,

WHEREAS the Board of Directors of the Marion SWCD desires to establish consistent guidelines and policies in the setting and administration of staff salaries; and,

WHEREAS the Board of Directors of the Marion SWCD desires to establish a salary schedule that fairly compensates its staff within the context of its financial resources, priorities, standing as a public entity receiving tax-based revenue, and in comparison, with other comparable employers; now, therefore

BE IT RESOLVED that the Marion SWCD Board of Directors hereby adopts the attached Salary Administration Plan as official policy of the District, to be followed and administered as provided therein, effective as of the date of adoption by the Board; and, further

BE IT RESOLVED that the Marion SWCD will review the Salary Administration Plan no later than March of 2003 and then annually thereafter.

This resolution was adopted by a unanimous vote of the Board of Directors at its regularly scheduled meeting on September 4, 2002.

Signed Daniel Goffin, Chair

[See Appendix 9 for Exhibit A – Salary Administration Plan](#)



Donated Leave Resolution #2002-09-04-E

Policy

In special circumstances involving individual medical or family hardship, the District Manager may authorize District employee(s) to donate accrued annual leave (vacation) to another District employee to use as sick leave.

In approving an employee to receive donated leave, the Manager shall consider, in addition to the specific circumstances of the request, the employee's length of service with the District, past use of leave and work performance.

Requests for donated leave, along with the basis for approval or denial, must be documented in writing.

Procedure

1. An employee wishing to be approved for receiving donated leave must submit a written request to the District Manager, explaining the situation and need for donated leave.
2. The District Manager shall consider the request and either approve or deny the request in writing, describing the reason(s) for the decision.
3. If the request is approved, the Administrative Coordinator will notify District employees and administer the donation process.
4. District employees wishing to donate leave on behalf of the approved employee shall notify the Administrative Coordinator in writing of the number of hours they wish to donate. The Administrative Coordinator shall inform the recipient employee of the amount of donated leave that is accumulated.

Limitations

1. Leave is donated on an hour-for-hour basis in order to minimize the amount of accounting and administration involved.
2. Employees may donate only accrued annual leave (vacation), up to a maximum of 40 hours per occurrence. Donations may be made in increments.
3. Donated leave is converted to sick leave for the recipient employee. A maximum of 160 hours of donated leave may be received per occurrence.
4. A recipient employee must exhaust all their own accrued leave, including vacation, sick leave and comp time, before using any donated leave.
5. Donated leave is permanently transferred and stays with the recipient employee until otherwise used or the employee leaves District employment.
6. In special instances, the Board may approve an exception to the limits in #3.

This policy was adopted by a unanimous vote of the Board of Directors at its regularly scheduled meeting on September 4, 2002.

Signed by Daniel L. Goffin, Chair



Employee Rewards and Recognition **Resolution #2005-09-07**

Purpose

This policy provides basic guidelines for the administration of Marion SWCD's Employee Rewards and Recognition Program. The guidelines are applicable to all regular employees of Marion SWCD.

The policy is designed to encourage employees to make a performance difference either individually or through teams. The policy recognizes achievements that contribute to the overall mission and goals of the Marion SWCD. Marion SWCD managers may recommend regular employees monetary and non-monetary awards of up to \$500.00 per fiscal year. Any monetary award(s) to employees shall be approved by the Board of Directors; other types of awards may be authorized by District's managers.

This program is supplemental to the District's Annual Meeting awards program for non-employees, where individual recognition awards are given to directors, associates, partner agencies, and cooperators of the Marion SWCD.

Criteria

There are numerous reasons for recognizing employees. They include, but are not limited to, the following:

- Providing exceptional customer service
- Outstanding support of the SWCD's mission or goals
- Being innovative/creative
- Performing a special service above normal duties
- Accomplishment of a difficult task
- Identifying a process improvement
- Initiating productivity enhancements
- Identifying monetary savings
- Excellence in safe work practices

Guidelines for Giving Rewards

Every employee deserves some form of appreciation throughout the year, even if only a verbal thank you or thank you note from a manager or co-worker. In order for the recognition to be meaningful, it must be linked to a desired behavior and be given in a timely manner.

Recognition of any type must be fairly spread throughout the organization and it should never be an expected compensation. The recognition should be commensurate with the reason it is being given.

Every employee has a responsibility to ensure that actions which merit recognition are brought to the attention of the manager(s).

Employees, managers, and board members can nominate an employee for an award by submitting the Award Nomination Form ([see Exhibit A](#)). The form should be completely filled out and submitted to the employee's supervisor. The form lists general categories for awards and also gives the nominating individual the option to name an award that is not listed. Listed award categories are:

- Outstanding Employee of the Year Award
- Employee of the Month Award
- Customer Service Award
- Innovation Award
- Safety Award

The individual type of recognition will be determined by the manager(s) or Board of Directors. Informal types of recognition (i.e. passing along compliments from others, thank you notes, verbal recognition at board or staff meetings, etc.) will not require completion of the Award Nomination Form.

Examples of Rewards and Recognition for Employees

There are a variety of ways to recognize employees. Some examples of rewards include, but are not limited to, the following:

- Article in District newsletter
- Lunch with Manager
- Balloons
- Memo to Board Chair on performance
- Cash bonuses
- Movie or video certificates
- Certificates
- Mugs
- Discounts/gift certificates to local merchants
- Note pads, pens, calendars, etc
- Employee of the Month Award
- Outstanding Employee of the Year Award
- Employee of the Month parking space
- Plaques
- Employee of the Month recognition plaque
- Recognition at staff or board meetings
- Employee Photo Wall
- Represent the District at special events
- Extended lunch
- Special celebrations
- Flowers or potted plant
- Special projects
- Free breakfast / lunch / dinner certificates
- Thank you notes
- Holiday turkey or ham
- T-shirts

- Lunch with Board Chair
- Time off coupons

This policy was adopted by a six to one vote of the Board of Directors at its regularly scheduled meeting on September 7, 2005.

Signed by Douglas A. Krahmer, Chair

[See Appendix 10 for Exhibit A - Employee Award Nomination Form](#)



Exit Interviews Resolution #2005-12-07

Background

An exit interview will be requested of any employee that is leaving the District. The employee has a right to refuse to answer the questions, but should be reassured that if they choose to answer the questions, the answers they give may be utilized to improve the District's operations and policies. The employee is under no obligation to divulge personal information such as views on colleagues or any personal enmity they have with the District.

Policy and Procedures

The interview questions are to be answered by the employee that is leaving the District, either in writing or in a meeting with either the District's managers or 2 Board Directors.

In the case that the employee does not feel comfortable answering all of the questions, the employee may choose which questions they want to answer. The answers that are given to the questions will be kept in the employee's personnel file.

The exit interview is to be scheduled at the end of the day on the employee's last day of work. If the employee would prefer to submit written answers to the interview questions, the employee should let their manager know prior to their last day so that the questions can be prepared and distributed to the employee.

This policy was adopted by a 5 -1 vote of the Board of Directors at its regularly scheduled meeting on December 7, 2005.

Signed by Douglas A. Krahmer, Chair



Harassment and Retaliation Free Environment Resolution #2020-01-08

Table of Contents:

- Equal employment opportunity
- Retaliation
- Sexual harassment

- Harassment
- Reporting an incident of harassment, discrimination or retaliation
- Internal complaint procedure
- External complaint procedures
- Employment agreements
- Additional employee support services

Marion Soil and Water Conservation District has developed this policy to ensure that all its employees can work in an environment free from unlawful harassment, discrimination and retaliation. Discrimination, harassment and retaliation are not acceptable. Any employee who has questions or concerns about these policies should talk with our primary contact District Manager as an alternative you may reach Board Chair.

[See Appendix 11 for Exhibit A – Full Text of Harassment and Retaliation Policy.](#)



Interim Manager Position Filled by Board Member Resolution #2021-07-07

Purpose

In the event that a Board member is requested by the Board to fill in the vacant manager position temporarily as Interim Manager.

Guidelines

A board member cannot hold any officer position, or the responsibilities associated with that officer position during the temporary employment. Any board member who takes on the interim manager position agrees to suspend his/her board duties. At the conclusion of the interim manager term, the individual will resume board and officer duties. A board member stepping into the Interim Manager role cannot sign checks.

A board member who is acting as Interim Manager will be considered an outside consultant. No benefits will be allotted. Insurance, cell phones, computers are not part of compensation. Mileage and other work-related expenses are considered expenses that may be reimbursed with appropriate documentation such as a trip log or receipts.

No financial dealings between a former Interim Manager and the Marion SWCD may occur for a period of 120 calendar days following the conclusion of services as Interim Manager.

Duties

- Duties are as determined by the Board.
- Employment hours and pay rate will be determined by the Board.
- The term, up to 60 days, is determined by the Board.

This policy was adopted by a 5-0 vote of the Board of Directors at its regularly

scheduled meeting on July 7, 2021.

Signed by Rochelle Koch, Vice-Chair



**Promoting Staff to District Manager
Resolution #2005-03-02-B (030205B)**

Purpose

The purpose of this resolution is to promote existing SWCD employees and to appoint those employees who have been filling in temporarily as the "interim managers" of the Marion Soil and Water Conservation District (SWCD) to fill the vacant District Manager position; and to raise their salaries according to the increased management responsibilities as defined by the Board and in their new job descriptions.

Resolution

WHEREAS the Marion SWCD appointed two existing employees as the "interim managers" to temporarily fill the vacant District Manager position while seeking to hire a replacement; and,

WHEREAS the Marion SWCD advertised for one month for a District Manager and only received a limited number of applications; and,

WHEREAS the Board of Directors of the Marion SWCD reviewed the applications and determined that none of the applicants' qualifications meet their needs; now, therefore

BE IT RESOLVED that the Marion SWCD Board of Directors hereby adopts to promote existing SWCD employees and appoint the two "interim managers" to fill the vacant District Manager position; and to raise their salaries in accordance to their increased management responsibilities as defined by the Board and in their new job descriptions, effective as of the date of adoption by the Board.

This resolution was adopted by a six to one vote of the Board of Directors at its regularly scheduled meeting on March 2, 2005.

Signed by Douglas Krahmer, Chair



**Group Self Insurance
Resolution # 2002-04-03-B (40302B)**

WHEREAS, As required by the State of Oregon Workers Compensation Department this Resolution must be adopted by each Special District governing body as a prerequisite to becoming a participant of the Special Districts Workers Compensation Self Insured group.

BE IT RESOLVED, Marion SWCD (hereinafter called "the district") agrees to be liable for the payment of any compensation due subject workers of the district or other amounts due to the Oregon Workers Compensation Department under ORS Chapter 656 incurred by the district.

FURTHERMORE, the district understands and agrees that should the district terminate from the group that the district will continue to be liable for the payment of any compensation due its subject workers and other amounts due the Workers Compensation Department when such compensation and other amounts arise out of a period when the district was a member of the group.

Effective date of coverage shall be March 1, 2002, signature dates notwithstanding.

Signed by Danial Goff, Chair on April 03, 2002



Volunteer Workers Comp Resolution #2007-05-02

WHEREAS, Marion Soil & Water Conservation District elects the following:
Pursuant to ORS 656.031, workers' compensation coverage will be provided to the classes of volunteer workers as indicated below (checked "Applicable") and listed on the attached Volunteer Election Form(s).

Board Members **Applicable** Not Applicable

Public Officials on unpaid boards will be covered only for administrative and clerical functions while performing their authorized duties as elected officials.

Public Safety Volunteers **Applicable** Not Applicable

Public Safety Volunteers are covered at the assumed monthly wage indicated on the attached Volunteer Election Form (s).

Other Volunteers **Applicable** Not Applicable

Non-public safety volunteers and board members volunteering for duties other than administration and clerical functions will use the attached Volunteer Election Form(s) to keep track of their hours and have their assumed payroll reported in the correct Class Code for all their types of work using Oregon minimum wage.

A roster of active board members and volunteers will be kept monthly for reporting purposes and submitted to SDAO quarterly or more frequently upon request.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Marion Soil & Water Conservation District to provide workers' compensation coverage as indicated above.

ADOPTED by the Board of Directors of Marion Soil & Water Conservation District this 2nd day of May 2007.

No Signature by Douglas Krahmer, Chair



Web Site Objectives Resolution #2010-05-05

Purpose

The purpose of this policy is to define for the Marion Soil and Water Conservation District employees and directors, the intended objectives of the District's website.

Scope

This policy applies to all the Marion Soil and Water Conservation District employees, directors (both elected and appointed), agents, contractors and volunteers.

Background

The Marion Soil and Water Conservation District has developed and operates the following web site, www.marionswcd.net with the following objectives:

- To provide general information on the Marion SWCD.
- To use technology as a tool to educate and enhance the availability of information relating to natural resources and conservation to the public.
- To utilize technology in communicating with the public.

Policy

All material on the Marion Soil and Water Conservation District Web page must conform to the appropriate policies and support the Mission and Vision of the District.

Access to, and maintenance of, the Marion Soil and Water Conservation District web site (adding and deleting information) will be done by the District's Web Master, who is an employee of the District, unless the District Manager or District Board of Directors appoints and/or contracts with an individual or business to fulfill the position.

It will be the responsibility of the District's Web Master or District Manager to review material before it is posted. In view of users' need for timely information, review of submitted information should take place, if possible, within a week of submission.

District Board Members and Employees are encouraged to submit material on a regular basis promoting both the activities and information relating to natural resources and conservation from the District as well as from outside groups, organizations, or agencies that support the mission and vision of the District.

The Web page may contain links to other Web sites of interest relating to natural resources or conservation. Although policy will not allow inclusion of links to any page devoted principally to the promotion of a political candidate, party or ballot measure, information may be placed on the web page to explain items such as a ballot measure as long as the information is factual and takes no position.

If the District's Web Master and the District Manager are not unanimous on the appropriateness of a link or information being provided by others, the question may be referred to one of the District's committees, Board Chair or the entire Board of

Directors.

The District's Web Master and/or District Manager reserves the right to remove any information found to be inappropriate within the Marion Soil and Water Conservation District web site without prior notice and in a manner consistent with the policies adopted by the Marion Soil and Water Conservation District.

The District's Web page should be operated in a professional manner consistent with all appropriate Federal, State and Local laws, including the Digital Millennium Copyright Act (DMCA).

The District's Web page shall have posted appropriate disclaimers and notices regarding the content, accuracy, ownership of materials, and any other legal notification regarding use and control of the web site that arise at any time.

This policy was adopted by a unanimous vote of the Board of Directors at its regularly scheduled meeting on May 5, 2010.

Signed by Darin Olson, Chair

Appendix

[Click Here to Open Attachments](#)

1. Delegation of Authority - Exhibit A
2. Director's Travel Policy - Exhibits A, B & C
 - A. Complete Text
 - B. Non-reimbursable
 - C. Procedure
3. USDA Conservation Plan Review Procedures – Exhibit A
4. Permanent Tax Rate Ballot Measure – Exhibit A
5. Public Contracting Rules and Procedures – Exhibit A
6. Public Record Request Form - Exhibit A
 - Brenda is making this.
7. Record Retention – Exhibits A & B
 - A. OAR from 2004
 - B. Established Policies for updating rules (these do not exist).
8. District Organizational Structure – Exhibit A
9. Salary Administration Plan – Exhibit A
10. Award Nomination Form – Exhibit A
11. Harassment and Retaliation Policy (Complete Text) – Exhibit A

Policies with Review Notes

ID#	Policy#	Revisions	Minor Updates	Archive Remove from Binder	Abolish	Priority Work	Admin Comm Notes
1	#2021-12-01 Delegation of Authority	Yes				✓	
2	#2005-03-02-A Board Meeting Policy and Procedures	Yes				✓	Abolished, replaced with a handbook or update current policy?
3	#2020-01-04 Directors Travel	Yes		✓		Moderate	Abolished, replaced with a handbook or update current policy?
4	#2019-12-04 Ag Water Quality Concern		Yes			✓	
5	#2011-11-02 City of Keizer Economic Development			Yes		NA	
6	#2005-06-01 Liaisons to Watershed Councils	No	No			NA	
7	#2003-09-03 USDA Conservation Plan Review	Yes	Yes		Has been suggested	✓	review plan and recommend for efficiency, have tech or NR comm review prior to board
8	#2002-09-04 Check Writing	No	No			NA	
9	#2007-11-01 Credit Card	No	No			NA	
10	#2005-05-04-A Disposing of Surplus Property		Yes			Low	
11	#2006-07-06 Financial Management-		Maybe			✓	
12	#2000-09-07 Permanent Tax Rate	No	No			NA	
13	#2021-11-03 Public Contracting Rules and Procedures	Yes				✓	
14	# 2022-05-04 Registered Office Agent	No	No			NA	
15	#2012-03-12 Reserve Fund: Building Abolish			Yes		NA	
16	#2020-06-10 Reserve Fund: Building Establish	No	No			NA	
17	#2012-03-07 Reserve Fund: Multipurpose Establish	No	No			NA	
18	#2021-04-07 Reserve Fund: Vehicle Abolish			Yes		NA	
19	#2009-11-02 Inspection Policy		Yes			✓	
20	#2020-03-11 Limitation and Cap		Yes			✓	
21	#2009-04-01 Intellectual Property Protection	No	Yes			Moderate	wordsmithing potential legal review
22	#2005-02-03 Public Records Disclosure	Yes				✓	
23	#2006-01-04 Records Retention		Yes			✓	need to draft a policy; destruction and disposal; archive
24	#2009-04-01 Use of Legal Disclaimers	No	No			NA	civil rights NRCS statement where does it need to be used
25	#2002-09-04-C Bereavement Leave			Yes		NA	
26	#2023-01-11 Cost of Living Adjustment	No	No			NA	
27	#2005-05-04 District Organization Structure	No	Board	yes		✓	make into policy need to have the chart approved
28	#2002-09-04-2 Donated Leave	No	No			NA	
29	#2005-09-07 Employee Rewards	Yes				Moderate	equal pay on cash bonuses
30	#2005-12-07 Exit Interview	Yes				✓	board exit interview first option, then manager
31	#2020-01-08 Harassment and Retaliation			yes		✓	
32	#2021-07-07 Interim District Manager		Potentially			Low	
33	#2023-08-02 Personnel Policy Handbook	Annually Planned				next review November 2024	
34	#2005-03-02 Promoting Internal Staff			Yes		NA	
35	Safety Policy Handbook	Currently being Updated				✓	
36	#2002-09-04-1 Salary Administration Plan	Annual Review				✓	

37	#2002-04-03 Special Districts Group Ins	Yes		✓
38	#2007-05-02 Workers Comp for Volunteers	Yes		✓
39	#2010-05-05 Website	No	No	NA

Proposed Policy

Security Camera Access

Vehicle Use

Advocacy

District Email address-Use of District Email address

District Accounts

Entry Private property/Landowner Permission

Wildfire Smoke

District Grant Program Process and Policy Manual

conflict of interest policy/ form



Marion Soil and Water Conservation District Administrative Committee – Agenda Item Brief

Title: Pay Equity Analysis 2024 Report

Date: 01/19/24

Agenda Item #: 2

Time Required: 20 minutes

Submitted By: District Manager

Requested Action: Recommend the Pay Equity Report 2024 for legal review and pending no significant changes submit report to the Board of Directors at the March 2024 monthly Board meeting.

Consultation: HR Answers Pay Equity Toolkit

Summary: Each organization must put together a system, policy, and processes that provide for the comparison of similar jobs and the ongoing administration of pay in accordance with the groupings of comparable work within acceptable (exceptions) differences.

Rationale: Equal Pay for Equal Work. Every worker must get equal pay for equal work regardless of their gender, race, age, or other protected characteristics.

- The employer must pay the same amount as other people doing comparable work (including wages, bonuses, benefits, and more).
- It is illegal for your employer to pay less than someone else because of your race, color, religion, sex, sexual orientation, national origin, marital status, veteran status, disability, or age.
- Your employer cannot give someone a pay cut to make their pay equal with other employees.

Compliance: Oregon Pay Equity Law

Admin Committee Packet Attachment/s: Marion SWCD Pay Equity Analysis 2024 DRAFT Report



Marion Soil and Water Conservation District

Pay Equity Analysis Report January 2024

DRAFT

March 2024

Completed by Brenda Sanchez
Marion Soil and Water Conservation District Manager
with procedures outlined in the HR Answers Pay Equity Toolkit

Reviewed by:
Administration Committee January 2024
XX Legal Consultation

Prepared for and presented to the Marion SWCD Board of Directors March 2024

DRAFT

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Appendix A: Oregon Law References (pg. 15)

Appendix B: Key Definitions (pg. 15)

Pay Equity Analysis Report

1.0 Executive Summary

Equal Pay for Equal Work

Every worker must get equal pay for equal work regardless of their gender, race, age, or other protected characteristics.

- The employer must pay the same amount as other people doing comparable work (including wages, bonuses, benefits, and more).
- It is illegal for your employer to pay less than someone else because of your race, color, religion, sex, sexual orientation, national origin, marital status, veteran status, disability, or age.
- Your employer cannot give someone a pay cut to make their pay equal with other employees.

Each organization must put together systems, policies, and processes that provide for the comparison of similar jobs and the ongoing administration of pay in accordance with the groupings of comparable work within acceptable (exceptions) differences.

The Pay Equity Analysis entails reviewing job descriptions and analyzing comparable characteristics using the Comparable Characteristics Factor and Scale Key (Table 2). Once each position has been designated a comparable grouping identifier (A through E), each position in the same group are then compared by base pay and paid bonuses (Table 4). The results of the comparison are evaluated for discrepancies and any differences within comparable groups are indicated. Next would be to gather information related to the allowable exceptions and identify if corrective actions should be taken (Table 7).

Next is to compare benefits for disparities among employees who perform work of comparable character (Tables 5 and 6). The results of the comparison are evaluated for discrepancies and identify if corrective actions should be taken (Table 7).

Results and Corrective Actions

Analysis of the 2023 dataset demonstrates that there is equal pay for the same job (Table 4). Pay differences are due to seniority and merit (Table 7) and there are no pay corrective actions recommended.

The leave benefit assessment shows that there is one discrepancy (Table 5), not in comparable groups but across all employees. Other exceptions in leave benefits (Table 8) are attributed to seniority, for that reason no other corrective actions are necessary.

Analysis of insurance and retirement offerings illustrated that there are equal offerings to all employees and within the comparable groups and there are no corrective actions concerning insurance and retirement offerings.

Pay Equity Analysis Report

1.1 History of Pay Equity

The United States Congress passed the Equal Pay Act in 1963 as an amendment to the Fair Labor Standards Act of 1938. In its final form, the Equal Pay Act mandates that employers cannot award unequal wages or benefits to men or women working jobs that require “equal skill, effort, and responsibility, and which are performed under similar working conditions.” The law also includes guidelines for when unequal pay is permitted, specifically based on merit, seniority, worker’s quality or quantity of production, and other factors not determined by gender.

1.2 Oregon Pay Equity

The Oregon Equal Pay Act of 2017 is the first of its kind. Oregon requires every employer (except the Federal Government) to have systems in place that equalize total compensation (wages and benefits) for all protected classes based on substantially similar work.

Protected Classes: a group of persons distinguished by race, color, religion, sex, sexual orientation, national origin, marital status, veteran status, disability, or age.

Equal Pay for Equal Work

Every worker must get equal pay for equal work regardless of their gender, race, age, or other protected characteristics.

- The employer must pay the same amount as other people doing comparable work (including wages, bonuses, benefits, and more).
- It is illegal for your employer to pay less than someone else because of your race, color, religion, sex, sexual orientation, national origin, marital status, veteran status, disability, or age.
- Your employer cannot give someone a pay cut to make their pay equal with other employees.

While existing Oregon law prohibits paying one gender less than another gender for “work of comparable character,” the new law expressly defines this standard as work that requires “substantially similar knowledge, skill, effort, responsibility and working conditions in the performance of work, regardless of job description or job title.”

The law does provide exceptions for one employee earning more than another of comparable character. The difference must be based on a bona fide system(s)/factor(s) that are job-related. These factors include:

- A seniority system
- A merit system
- A system that measures earnings by quantity or quality of production, including piece-rate work
- Workplace locations
- Travel, if travel is necessary and regular for the employee
- Education
- Training
- Experience, or
- a combination of factors.

Further, Oregon law prohibits employers from screening applicants based on salary. Employers cannot rely on salary history in setting compensation, except for when determining pay for a current employee during a transfer, move, or promotion to a new position with the same employer.

For more information regarding pay equity visit the Oregon Bureau of Labor and Industries Equal Pay webpage: www.oregon.gov/boli/workers/pages/equal-pay.aspx.

If you have questions or think your employer may be violating this law, please contact boli_help@boli.oregon.gov, call 971-245-3844, or file a complaint here: www.oregon.gov/boli/workers/Pages/complaint.aspx

1.3 Marion Soil and Water Conservation District Salary Administration

Employee compensation depends on factors that are consistent with federal and state pay equity laws. These factors may include a merit system; seniority system; working conditions; education, knowledge, and experience applicable to the job position; and level of responsibility within the organization. The Marion Soil and Water Conservation District (Marion SWCD or District) Salary Administration Plan (Amended 2023) describes in detail the District’s policy on pay and benefits.

The Board of Directors (Board), in consultation with the District Manager, periodically review employee compensation levels and may grant cost-of-living increases and step increases as deemed appropriate. The Board must approve any compensation increases and promotions recommended by the District Manager. The Administrative Committee and Board review the Salary Administration Plan annually.

Table 1: Positions and Salary Ranges

The listed job descriptions (revised and approved by the Board in March 2023) and associated salary ranges are determined using the District’s Annual Ten-Step Salary Table (Box 1).

Positions	Salary Range
Administrative Assistant	Range 3
Communication and Education Specialist	Range 5 through Range 7
Conservation Planner-Livestock Pasture	Range 5 through Range 6
Conservation Planner-Natural Areas	Range 5 through Range 6
Conservation Planner-Soil Croplands	Range 5 through Range 6
Conservation Planner-Urban	Range 5 through Range 6
District Manager	Range 9 through Range 10
Financial Administrator	Range 5 through Range 6
Grants Coordinator	Range 5 through Range 6
Native and Invasive Plants Specialist	Range 5 through Range 7
Office Coordinator	Range 3 through Range 5

Box 1: Annual Ten-Step Salary Table

An Annual Ten-Step Salary Table (Salary Table) is a matrix of ranges and steps reflecting the minimum and maximum salaries that the District pays for a job position. The Salary Table is used to establish the salary ranges and steps of each job based on the level of difficulty, responsibility, and qualifications required. All positions and their descriptions (including revisions) and associated salary ranges (or changes to) must be approved by the MSWCD Board of Directors

- Range: The Salary Table has twelve [12] pay Ranges. Range 1 (lowest) to Range 12 (highest). The pay increase moving up each range averages 9-10 percent.
- Step: Each Range has ten [10] step rates. Step 1 (lowest) to Step 10 (highest). The pay increase moving up each step averages 1.5 percent.

Salary increases for “meets expectations” or higher rating on an employee’s performance evaluation can be managed by elevating an employee a step up in a Range or by promoting to the next level Range. Most positions are assigned to multiple salary ranges to provide additional incentive and advancement in recognition of professional performance, experience, skill, and education.

The Salary Table is included in the District’s Salary Administration Plan and is updated when salary levels change such as cost-of-living increases.

1.4 Pay Equity Analysis Methodology

[ORS 652.210 (4): An evaluation process to assess and correct wage disparities among employees who perform work of comparable character.]

Each organization must put together systems, policies, and processes that provide for the comparison of similar jobs and the ongoing administration of pay in accordance with the groupings of comparable work within acceptable (exceptions) differences.

The Pay Equity Analysis entails reviewing job descriptions and analyzing comparable characteristics using the Comparable Characteristics Factor and Scale Key (Table 2) supplied by HR Answers to determine the “comparable grouping identifier” for each position (Table 3). The factors and scale provided were reviewed and then tailored where needed to truly represent the nature of the work at the District’s as recommended in the tool kit. Once each position has been designated a comparable grouping identifier (A through E), each position in the same group are then compared by base pay and paid bonuses (Table 4). The results of the comparison are evaluated for discrepancies and any differences within comparable groups are indicated. Next would be to gather information related to the allowable exceptions and identify if corrective actions should be taken (Table 7). An exception should only be used if there is verifiable evidence of its application to the employees’ pay.

Next is to compare leave benefits, health, dental, vision, life insurance, and retirement benefits for disparities among employees who perform work of comparable character (Tables 5 and 6). The results of the comparison are evaluated for discrepancies and identify if corrective actions should be taken (Table 7).

Table 2: Comparable Characteristics Factor and Scale Key

Factors	Scale
Knowledge – Requirement to know and understand data, facts, processes, and ways to apply information and methodology. Familiarity, awareness, understanding, or learning gained through experience or study. Levels	Knowledge
Fifteen+ years	6
Ten+ years	5
Six - Nine years	4
Three - Five years	3
One - Two years	2
No education or experience	1
Effort - The requirements to consider alternate points of view, make decisions without sufficient information, determine course of action to achieve desired results, develop conceptual explanations, and remain rational during times of significant pressure and urgency.	Effort
Determine and lead the direction of the organization.	6
Continually develop and recommend new opportunities and operations.	5
Maintain ongoing operations and integration with current ideas.	4
Complete work within parameters and self-prioritize.	3
Complete work within defined parameters and defined priority.	2
Complete routine tasks with well-defined instruction and guidance.	1
Responsibility – The state, quality, or fact of being responsible; something for which the job is responsible; a duty, task, obligation, or burden.	Responsibility
Overall Organization	6
Management Unit	5
Specialist	4
Own work with review as needed	3
Own work with review	2
Own work with review at each step	1
Skill - The ability or degree to which application of learned information is required; the ability to do something well or with expertise.	Skill
Advanced	5
Proficient	4
Intermediate	3
Entry	2
Basic	1
Working Conditions – The work environment with consideration for travel.	Working Condition
Mostly travel	3
Office Environment and Travel	2
Standard Office Environment	1

Box 2: Job Descriptions

To analyze the Comparable Characteristics (Table X), a standardized document inclusive of the characteristics should be used. A job description is the typical place for an organization to capture this type of information. When properly developed, job descriptions have the potential for a wide variety of administrative and compliance applications. Detailed job descriptions should include:

- Percentage of time spent
- Essential duties
- Clearly defined knowledge
- Clearly defined skill
- Clearly defined effort
- Clearly defined responsibility
- Clearly defined working conditions “includes work environment, hours, time of day, physical surroundings and potential hazards encountered by an employee.”

1.5 Pay Equity Analysis Results

Tables 3 and 4 illustrate the results of the classification of groups by comparable character and the comparison of base pay and bonus by group.

Table 3: Classification of Groups by Comparable Characteristics

Job Title	Comparable Characteristics					Characteristic Grouping
	Knowl edge	Respon sibility	Effort	Skill	Work Cond	
Administrative Assistant	3	2	2	2	1	A
Office Coordinator	3	2	2	2	1	A
Financial Administrator	3	3	3	3	1	B
Grants Coordinator	3	3	3	3	1	B
Conservation Planner	3	3	3	3	2	C
Conservation Planner	3	3	3	3	2	C
Conservation Planner	3	3	3	3	2	C
Conservation Planner	3	3	3	3	2	C
Comm and Education Specialist	4	4	4	4	2	D
Native and Invasive Specialist	4	4	4	4	2	D
District Manager	4	6	6	5	1	E

Table 4: Groups Compared by Annual Base Pay and Bonus (Differences in Bold)

Employee Unique ID	Characteristic Grouping	Annual Base Compensation	Annual Bonus 2023
01	A	\$47,817	\$175.00
02	A	\$54,921	\$175.00
03	B	\$66,756	\$350.00
04	B	\$66,756	\$350.00
05	C	\$62,025	\$350.00
06	C	\$65,574	\$350.00
07	C	\$63,206	\$350.00
08	C	\$62,025	\$175.00
09	D	\$69,124	\$350.00
10	D	\$69,124	\$350.00
11	E	\$101,686	\$350.00

1.6 Benefits Equity Analysis Results

Tables 5 and 6 illustrate the comparison of leave, insurance, and retirement benefit offerings by group.

Table 5: Groups Compared by Leave Benefits (Differences in Bold)

Employee Unique ID	Characteristic Grouping	Annual Leave (hrs./year)	Sick Leave (hrs./year)	1-10 years 8 hrs. annual leave on hire date	Floating Holidays	Paid Holidays
01	A	72	48	8	2	10
02	A	60	48	0	2	10
03	B	96	96	8	2	10
04	B	144	96	0	2	10
05	C	96	96	8	2	10
06	C	96	96	8	2	10
07	C	96	96	8	2	10
08	C	96	96	8	2	10
09	D	96	96	8	2	10
10	D	120	96	8	2	10
11	E	96	96	8	2	10

Table 6: Groups Compared by Insurance and Retirement Benefit Offerings

Employee Unique ID	Characteristic Grouping	Retirement Offerings	Dental Insurance Offering	Medical Insurance Offering	Vision Insurance Offering	Life Insurance Offering
01	A	Yes	Yes	Yes	Yes	Yes
02	A	Yes	Yes	Yes	Yes	Yes
03	B	Yes	Yes	Yes	Yes	Yes
04	B	Yes	Yes	Yes	Yes	Yes
05	C	Yes	Yes	Yes	Yes	Yes
06	C	Yes	Yes	Yes	Yes	Yes
07	C	Yes	Yes	Yes	Yes	Yes
08	C	Yes	Yes	Yes	Yes	Yes
09	D	Yes	Yes	Yes	Yes	Yes
10	D	Yes	Yes	Yes	Yes	Yes
11	E	Yes	Yes	Yes	Yes	Yes

1.7 Discussion of Results, Recommendations, and Corrective Actions

Results and Corrective Actions

Analysis of the 2023 dataset demonstrates that there is equal pay for the same job (Table 4). Pay differences are due to seniority and merit (Table 7) and there are no pay corrective actions recommended.

The leave benefit assessment shows that there is one discrepancy (Table 5), not in comparable groups but across all employees. Every year on an employee’s annual hire date an employee receives eight [8] hours of annual/vacation leave every year up to their tenth anniversary and then the benefit ends. Two employees who have worked with the District over ten years do not receive the benefit. It is recommended that the District take corrective action (Table 8) and amend the leave benefit by removing the ten-year cap and allowing the benefit for the entire length of employment with the District so everyone receives the benefit annually.

Other exceptions in leave benefits (Table 8) are attributed to seniority, for that reason no other corrective actions are necessary.

Analysis of insurance and retirement offerings illustrated that there are equal offerings to all employees and within the comparable groups and there are no corrective actions concerning insurance and retirement offerings.

Recommendations

It is recommended that the Annual Ten-Step Salary Table (Box 2) should be assessed during the next review of the Salary Administration Plan and any differences in salary structure between ranges and between steps should be identified and corrective actions should be taken to mediate any differences in salary structure to ensure compliance with pay equity, when establishing job descriptions and promoting employees.

Table 7: Pay Exceptions Within Groups with Corrective Actions

Seniority Exception Pay				
Unique ID	Characteristic Grouping	Seniority (Years)	Annual Rate of Pay	Corrective Action
01	Group A	8.5	\$47,817	None
02	Group A	17.5	\$54,921	None
Seniority Exception Pay				
Unique ID	Characteristic Grouping	Seniority (Years)	Annual Rate of Pay	Corrective Action
05	Group C	1	\$62,025	None
06	Group C	2	\$65,574	None
07	Group C	1	\$63,206	None
08	Group C	0.5	\$62,025	None
Annual Bonus Exception				
Unique ID	Characteristic Grouping	Annual Bonus	Exceptions	Corrective Action
05	Group C	\$350.00	Greater than six months	None
06	Group C	\$350.00	Greater than six months	None
07	Group C	\$350.00	Greater than six months	None
08	Group C	\$175.00	Less than six months	None

Table 8: Benefit Exceptions with Corrective Actions

Annual Leave on Hire Date Exception				
Unique ID	Characteristic Grouping	Annual Leave on Hire Date	Exceptions	Corrective Action
02	A	0	Employed over 10 years	Remove 10-year cap
04	B	0	Employed over 10 years	Remove 10-year cap
Seniority Exception for Annual Leave				
Unique ID	Characteristic Grouping	Annual Leave (hrs./year)	Exceptions	Corrective Action
01	A	60	8.5 years	None
02	A	72	17.5 years	None
03	B	96	1.5 Years	None
04	B	144	15.0 Years	None
09	D	96	2.0 years	None
10	D	120	5.5 years	None

Appendix A – Oregon Law References

- ✦ [ORS 652.210 - 652.235 Chapter 652 – Hours; Wages; Wage Claims; Records](#)
- ✦ [ORS 659A.357 – Restricting Salary History Inquiries](#)
- ✦ [OAR 839-008 – Chapter 839 Division 8 Pay Equity](#)

Appendix B – Key Definitions

- **Benefits:** The rate of contribution, beyond what is required by federal, state, or local law, that an employer makes irrevocably to a trustee or to a third person under a plan, fund, or program.
- **Bonus:** An amount that is paid or something of monetary or quantifiable value that is given to an employee by an employer in addition to the employee's regular rate of pay, typically as a means of encouragement or in recognition of superior performance.
- **Comparable Characteristics** (Table X) [Oregon Administrative Rule 652.210 (16)]
Comparable character means work that requires substantially similar knowledge, skill, effort, responsibility, and working conditions in the performance, regardless of job description or job title. The law requires each job in the organization to be evaluated against five (5) comparable characteristics.
- **Compensation:** Includes wages, salary, bonuses, benefits, fringe benefits and equity-based compensation. Compensation does not include tips or reimbursement for any actual costs incurred including, but not limited to, relocation reimbursements, mileage, and out-of-pocket expenses.
- **Education:** The act or process of acquiring knowledge through systematic instruction, especially through an accredited academic institution. Education considerations may include but are not limited to substantive knowledge acquired through relevant coursework, as well as any completed certificate or degree programs.
- **Merit System:** An orderly progression of an employee's pay from the established minimum to maximum rate of a salary range based on documented performance. May include salary adjustments resulting from promotions, special merit increases or other personnel actions. A merit system provides for variations in pay based upon employee performance as measured through job-related criteria, for example, a written performance evaluation plan or policy that measures employee performance using a set numerical or other established rating scale, such as from "unsatisfactory" to "exceeds expectations," and takes employees' ratings into account in determining employee pay rates.
- **Rate:** with reference to wages:
 - The basis of compensation for services by an employee for an employer.
 - Compensation based on the time spent on the performance of the services, on the number of operations accomplished or on the quantity produced or handled.
- **Salary:** A predetermined amount constituting all or part of the employee's compensation paid for each pay period of one week or longer (but not to exceed one month).
- **Training:** The process by which someone is taught the skills needed for a job. Training considerations may include, but are not limited to, on-the-job training acquired in current or past positions as well as training acquired through a formal training program.

- **Wages:** All compensation for performance of service by an employee for an employer, whether paid by the employer or another person or paid in cash or any medium other than cash.
- **Working Conditions:** Includes work environment, hours, time of day, physical surroundings and potential hazards encountered by an employee, as those terms are defined in OAR 839-008-0010.