

Harney Soil & Water Conservation District

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July 25, 2019

USDA Service Center, Hines, OR

3:30 pm to 5:45 pm

# BOARD MEETING MINUTES

Board members present: Chairman Carol Dunten, Vice Chairman Louie Molt, Scott Franklin, Jeff Hussey

Board member present via teleconference: Pat Sharp

Board member absent: Rod Hoagland

Staff members present: Admin Assistant Barbara Pearson

Guests present: NRCS District Conservationist Zola Ryan; Representatives from Oster Professional Group Janae Trindle and Kari Ott; Harney County Cooperative Weed Management Area Kenny McLean and Jim Campbell; Oregon Department of Agriculture Eric Nusbaum

Chairman Dunten called the meeting to order at 3:31 pm.

In the public comment portion of the meeting Chairman Dunten read an email submitted by former District Manager (DM) Marty Suter-Goold expressing concern and a request for clarification on the agenda item that includes Oster Professional Group being requested to “clean up the SWCD financials”; an offer to lead staff training for scope of work in exchange for COBRA; and a reminder that the board will need to remove her name as the contracting officer and list the newly hired DM Shannon Brubaker. Members present received a copy of the email and a copy is also included with the meeting minutes.

District Conservationist (DC) Zola Ryan next spoke and indicated her comments could either be decided at this point of the meeting or later. There are funds available for newly hired Range Technicians Taylor Crafts and Jesse Short to obtain a laptop, but with the recent change in staff felt that was not needed. There are two laptops available for their use now. She instead requested the board consider purchasing a tablet with Avenza map apps instead. The tablets would be handy and helpful. While Avenza offers a free map app the professional version provides unlimited maps for a $40 subscription. The techs will also need a density frame. The previous one was made with PVC pipe and broke. DC Ryan recommended one fabricated of metal (it could be made locally at Alan’s Repair). It needs to be one half meter square.

Member Franklin asked if the funds were available and was told money was there for the laptops. We would need to check on the density frame. Member Sharp said the existing grant through OWEB could be modified to request purchase of tablets and map subscription. She suggested we contact Eric Hartstein from OWEB, who could guide us through the grant modification.

DC Ryan asked who would contact OWEB. The board requested Admin Assist (AA) Pearson.

Member Franklin moved that the board authorize purchase of the items, to contact OWEB for the grant modification, and to authorize the building of the density frame. Member Hussey seconded and the motion passed unanimously.

DC Ryan’s second item for the board was an update on the Cultural Resource (CR) monitor position mentioned at the July 15, 2019 meeting. She has heard from Klamath Falls’ Cultural Resource Specialist Rachel Gebauer, who provided suggestions on a job description, scope of work, and request for contractor bids. DC Ryan provided these examples to board members present and copies are also included in the meeting minutes. Ms. Gebauer agreed it would be great for the board to contract the surveys and report and suggested an IDIQ contract. DC Ryan suggested the board review the paperwork and then move forward with a plan.

At 3:45 pm Member Louie Molt joined the meeting.

Member Franklin asked when the CR should come on. DC Ryan said it would be best as soon as possible. Discussion followed, including who would write the contract. DC Ryan said that surveys could be conducted from now until the first snow falls. During winter months the CR could be in the office writing reports. The discussion was tabled until DM Brubaker comes on board as members felt it important she should have input.

At 3:50 pm minutes from the previous three meetings were presented for approval. The first was the annual meeting held June 27, 2019. Member Sharp asked if minutes had been mailed out. Board members present were given copies to read. Chairman Dunten said no and apologized. She said she had just received the minutes today. She corrected the former DM’s name on the minutes (AA Pearson had added them prior to printing). There were no other additions or corrections. Member Franklin moved the minutes be approved; Member Molt seconded. The minutes were accepted with the four members present (Chairman Dunten and members Franklin, Molt, and Hussey) voting aye; Member Sharp abstained as she had not been able to read them. AA Pearson will email her a copy.

The minutes for a meeting July 2, 2019 were presented. A name was added as to who seconded a motion. There were no other additions or corrections. Member Franklin motioned the minutes be approved; Member Molt seconded. The vote in favor was unanimous.

The minutes for meeting July 15, 2019 were presented. Member Sharp said she had read an auditor’s report but it wasn’t recorded fully due to the discussion at the time. She said she would provide a copy of the report so her concerns could be accurately noted. Approving these minutes was tabled until the addition could be made.

Guests Janae Trindle and Kari Ott of Oster Professional Group (OPG) were next. Currently Ms. Trindle assists Harney SWCD with payroll, taxes and reports, and accounts payable. OPG has been asked to develop a proposal with costs to expand its service to include bookkeeping, data input, and bank reconciliation. The proposed contract to include this service would be $3600 a year, $900 per quarter. AA Pearson would provide OPG invoices with account codes and make deposits. OPG would reconcile.

The term “clean up” was explained. It did not mean the finances were incorrect but would involve reviewing spreadsheets being used to track grants to be sure that they had an accurate beginning year balances and were reconciled with QuickBooks. It would also include a review of the chart of accounts in QuickBooks to identify and implement opportunities to simplify and make tracking and reporting easier. This would be provided as an optional, one time service (separate from the contract that was offered by OGP) to match the grant balances to the account the beginning of the fiscal year. Ms. Ott explained grant carry overs, pluses and minuses. Ms. Trindle also said that often when a grant is first being expended it may fund one particular part only for the funds to be moved to align it with what the grant originally intended. The quote for this service was $50 per hour with the cost to not exceed $2000.

Member Sharp asked if this service could be done now or later. Ms. Ott agreed it could be done later. Copies of the contract were made and distributed to board member present.

Member Franklin asked if OGP would work with DM Brubaker and was told yes. Member Molt felt it best to wait until the new manager was onboard and in place to decide if this is something she would like. Member Sharp said a contract provision was in place where either party could terminate at any time. The DM could begin discussion with Ms. Trindle of OPG to learn the grants and allocations (Ms. Trindle said currently former DM Suter or Board Chairman Dunten assist with allocations). OPG is already doing a similar service to other OWEB grant recipients in the county.

Member Franklin asked what HSWCD is currently paying OPG and Ms. Trindle said $600 per quarter. She works two times a month and provides no financial reports. Member Franklin opined that for $300 more per month the board would receive a lot more. Ms. Ott said the board would continue to sign checks. The proposed additional service would mean “at least two people touching everything.” The goal would be internal controls; every action would be reviewed.

Chairman Dunten said we have a Fiscal Committee (Jeff Hussey, Pat Sharp and Rod Hoagland) who will make recommendations on policies for the district. The board has a policy in place and it should be reviewed before going further. Chairman Dunten felt OPG’s offer was reasonable but also wanted to obtain another proposal. She asked if the updated financial policy would be in place for the next meeting. Member Sharp said she wanted to review other policies, preferably from a district with similarities to ours.

Guest Eric Nusbaum of ODA suggested the board contact Jackson SWCD. They have a financial policy that is simple and yet effective.

A decision regarding the proposals is to be an action item for next months’ meeting. OPG representatives Trindle and Ott left the meeting with the board’s thanks.

Other guests Kenny McLean and Jim Campbell arrived.

Mr. Nusbaum said his visit to the board was to address three items:

1. Appointment to Zone 5
2. To discuss if Harney SWCD has bylaws
3. Who can call a board meeting

The meeting to appoint a member to Zone 5 ended with a tie vote. Oregon statute assigns ODA Director Alexis Taylor to make the appointment. She is taking a guarded approach due to increased scrutiny the department encountered related to another appointment in Multnomah County recently being accused of having a lack of diversity with an appointment. Prior to making a selection she wants to see if anyone else would be interested in serving and after that to appoint someone as quick as possible

Member Molt asked if a timeline could be provided. Mr. Nusbaum said he expected a position in less than a month, but couldn’t guarantee it.

When asked how ODA would seek additional interest in this appointment, Mr. Nusbaum said he thought the director would contact county commissioners, the farm bureau and asking board members of others who might be interested. Member Sharp said Ms. Taylor has been to Harney County several times in her tenure and is familiar with the area.

The subject of bylaws comes up often with districts Mr. Nusbaum said. Watersheds have bylaws, private sector groups have bylaws. The Soil and Water Conservation District Is mandated by statutes and does not have bylaws. Anything that is referred to as a bylaw is often a previous policy.

Who can call a board meeting was discussed. Mr. Nusbaum said to look at policy. If a quorum of board members get together and decide to have a meeting it is an illegal meeting. Member Sharp asked what if one person calls a meeting. Mr. Nusbaum said to determine who has the authority to call a meeting could be ascertained by reading the job description of officers. What are the duties—the Chair usually calls a meeting and in his/her absence the Vice Chair. He suggested the board may want to work on meeting policies and suggested a district guide book that has a flow chart.

Discussion followed as to if the board has job descriptions and a policy guide. Member Sharp suggested it may be helpful to the new DM to review policies. Maybe the board should review and update two per meeting.

Member Hussey asked why policies differ from board to board. Mr. Nusbaum said every board wants to do things differently, even if board borrow policies from other boards. For instance the statute only requires a board Chairman and Treasurer, but many include a Vice Chairman and a Secretary. Policies do change—he gave an employee handbook as an example. New laws come into effect that necessitate updates. There have been recent laws enacted on obtaining public records and working with contractors. He said most districts have a meeting policy and suggested HSWCD also have one. He said he would be glad to review and provide suggestions.

More discussion followed regarding the new DM’s role and policy review. Mr.Nusbaum said there are a few districts with binders for every board member that never leave the office. The binders have minutes that cover a fiscal year and the policies. It makes for easy reference instead of wasting time looking for a particular policy and policies are continuously reviewed.

It was suggested AA Pearson undertake a similar task. Mr. Nusbaum said he planned to visit Ontario next month and offered to stop off in Hines on this way through. He left the meeting.

Kenny McLean and Jim Campbell were introduced. Mr. Campbell is the Weed Supervisor for Harney County. He said that last year former employee Stephanie Bonson put together a grant through OWEB for weed control. There is a huge Medusahead weed infestation that needs coordination and a project recently came up for bid. The county requires a bid tour to ensure bidders are aware of the area and have sufficient equipment for the task.

Bidding for the project ended today and only one bid was submitted. The grant allowed $19.50 per acre loaded (this includes herbicide and other features). The bidder Nick Schott bid $25.19 per acre ($5.69 over).

Much discussion followed as to the motivation for the overbid, where the solicitation for bids was publicized, if additional funds could be located and put toward the bid, acreage of spraying, number of times an area needed to be sprayed to eliminate Medusahead, the impact on the landowner, and any further steps to that could be taken by the board. Because of the dollar amount of the project, Mr. Campbell cannot solicit contractors. Member Franklin said he did not want the board to set a precedent in paying a rate higher than the market rate. He said he would like to keep the business local but the board could look elsewhere if necessary.

Because of the spraying timeline Member Molt made a two part motion: He first moved that Member Franklin contact Nick, let him know his bid was too high and ask if he wanted to reconsider bidding at $19.50 per acre. If Nick is agreeable, to award the contract to him. If he does not want to change his bid, to wait until DM Brubaker arrives, check the contracting policy and see if direct solicitation of bids is allowed, and then either solicit or readvertise as appropriate. Member Sharp seconded and the motion passed unanimously.

Shannon Brubaker has accepted the position of District Manager. Her signed agreement letter is included with the minutes. Member Molt moved to have former DM Suter removed as SWDC contracting officer and have Ms. Brubaker’s name installed on August 5, 2019. Contracts pending and in process were discussed. Member Hussey seconded the motion, which was passed unanimously.

Member Sharp moved that AA Pearson and DM Brubaker be allowed $200 limit on office supply purchasing. Member Molt seconded and the motion passed unanimously.

Chairman Dunten said that new Range Technician Taylor Crafts has requested an unpaid leave of absence for August 8, 2019 to address a college obligation. The board consensus was to allow her the day off. AA Pearson to inform Crafts. DC Ryan also updated the board on the orientation for Crafts and Short.

The last item of business was presented by Chairman Dunten. Former DM Marty Suter has offered to train new DM and AA, for forty hours in exchange for COBRA. Chairman Dunten felt the training would be crucial. Member Sharp emphasized that it needed to be very specific what Marty would be doing and what the training would cover. Chairman Dunten agreed and said it was specifically listed. Member Sharp said she wanted Ms. Suter to walk Ms. Brubaker through grants, how funds are allocated, contacting OWEB and how to access the systems.

Member Molt moved that former DM Suter be allowed to train new hires for 40 hours in exchange for COBRA, beginning August 5th. Chairman Dunten seconded. Member Sharp wanted the motion to include the addendum that Ms. Suter’s work be limited only to what was listed on the agenda and in a training capacity. Member Molt amended the motion and it passed.

Member Sharp then asked Chairman Dunten how we are announcing Ms. Brubaker’s arrival to the board’s partners: Bureau of Land Management, Easter Oregon Agricultural Research Center, the county court, etc. Member Molt suggested updating the board’s website. Member Sharp also said she would be happy to send out an announcement. Webmaster Mary Driscoll to be contacted to access web page.

Member Molt moved that the meeting be adjourned. Member Franklin seconded. All were in favor. The meeting adjourned at 5:45 pm

Respectfully submitted, Admin Assist Barbara Pearson

Approved by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_