

**WHEELER SOIL AND WATER CONSERVATION DISTRICT  
BOARD OF DIRECTORS MEETING MINUTES**

November 17, 2020

The board meeting was called to order by Chairman Holmes at 6:16 p.m. by his wrist watch.

**Directors**

Jeremiah Holmes  
Wayne Lindquist  
Kale Haberman  
David Hunt  
Jim Bob Collins  
Jason Davis  
Rusty Rutherford

**Assoc. Directors**

Rob Wade

**Employees**

Chase Schultz  
Cassandra Newton  
Brooke Moore  
Bodie Brown

**Others Present**

Gabe Williams, RSI

**AGENCY REPORTS**

**RSI, Gabe Williams:** No report.

**Mid John Day – Bridge Creek Watershed Council, Debbi Bunch:** Debbi was absent, but she provided a written report that Cassi handed out at the meeting.

Director Lindquist asked if an updated P&L Statement was provided. Cassi advised she did not receive the financial update in time from Judy to be able to update the P&L.

**DISTRICT STAFF REPORTS**

**District Manager:** Chase advised that he did not get a report completed for the board, so he provided the following update.

- Two requests for funds have been submitted; \$34,826 for Upper Pine Hollow Restoration and just shy of \$10,000 for the CREP TA.
- Two more requests drafted for the Butte Creek Designs for just under \$10,000 and Terry Long's Juniper Removal for \$16,905.
- Six projects are closing the end of December for SWCD and the WC has one.
- Completed a project review with OWEB for Pine Hollow Upland Restoration and Henry Creek Forest Restoration. Missed the reviews for King Creek project, Rock Creek project, and Pine Hollow Culverts project due to being out sick.
- Updated three projects into the FIP tracker: Butte Creek BDA Designs, Kinzua Culvert Designs and Butte Creek Riverscape Restoration. The review team meetings are scheduled for December 2<sup>nd</sup> for those projects.

**Field Tech II:** Bodie stated his report is current.

**Field Tech I:** Brooke stated her report is current.

**MONTHLY BUSINESS**

**Minutes:** The October 28, 2020 minutes were presented for review. Director Collins **moved that the minutes from October 28, 2020 be approved**, Director Hunt seconded the motion. The **motion carried unanimously**.

**Budget Expense Report:** The budget report dated November 12, 2020 was reviewed. Vice Chairman Lindquist **moved that the budget report dated November 12, 2020 be approved**, Director Davis seconded the motion. The **motion carried unanimously**.

**Bills:** The check register dated November 1, 2020 to November 16, 2020 was presented for review. Vice Chairman Lindquist **moved that the check registers dated November 1, 2020 to November 16, 2020 be approved**, Director Haberman seconded the motion. **The motion carried unanimously.**

### OLD BUSINESS

**ANNUAL MEETING PLANNING:** Due to the executive order issued by Oregon governor that will take affect November 18, 2020, the Board discussed the options for postponing the Annual Meeting and remaining in compliance with the requirement of presenting the Annual and Audit Reports. The board requested that Cassi reach out to ODA to determine the options for alternatives to holding the meeting in the normal manner and when the deadline is for holding the Annual Meeting. The board requested that instead of sending the RSVP postcards and newspaper advertisement, that we do the same to provide notice of postponement, since the Fall Newsletter already went out with the information about December 9<sup>th</sup>. Director Collins **moved that the postponing the December 9<sup>th</sup> Annual Meeting, and that Cassi sends out postcards and newspaper advertisement in the same manner as the normal meeting notice be approved**, Director Hunt seconded the motion. **The motion carried unanimously.**

Since the Annual Meeting voted to be postponed, Cassi presented Chairman Holmes with a certificate that was scheduled to be presented at the Annual Meeting. Cassi read the following nomination summary:

*Jeremiah is an individual who goes beyond basic requirements of a Director and Board Chairman. He demonstrates a strong passion for advancing the principles of good governance and he has the ability to objectively solve the most difficult boardroom challenges. He has the proven experience to offer independent, sound guidance when the District faces hurdles and opportunities; and, he strives to maintain regulation and compliance. Jeremiah effectively leads the Board in its interactions with the District staff, landowners, partners, and other agencies. As a ranch manager and being a rancher, himself, Jeremiah brings to the District a wealth of knowledge within the realm of conservation and management of natural resources. He provides experience based leadership that serves to uphold the District's mission. Jeremiah's leadership far exceeds that of his role with the District and Board of Directors. As the remainder of this nomination shows, he serves a vital role to the success of Wheeler County.*

**LAC / SIA:** Cassi drafted the opening paragraph of the letter the board discussed last meeting. She included a bulleted list of what should be discussed within the body of the letter based from what was discussed.

Chairman Holmes stated that we should include a clause that we understand what ODA is trying to accomplish, but believe our work is achieving above and beyond what their focus is.

Director Collins suggested being stern with the discussion pertaining to a SWCD representative being involved in all landowner contacts pertaining to the SIA. He advised that we word it in a manner that tells ODA that we are not against them, but we do not want to be turning in landowners. Instead, we want to be working with them to promote the work we do. Chairman Holmes agreed and stated we should also be stern in regard to how being an enforcing agency will cause the focus of the work to become narrow due to the landowners sole focus being directed at the compliance issue instead of the whole project potential.

Cassi advised that through researching, she believes ODA holds biannual board meetings in January and July. She stated that she read through a great deal of their meeting minutes and discovered that the SIA work is addressed at each meeting. She felt they had a strong force regarding SIAs in their meeting minutes, so the discussion is likely pretty substantial. Cassi stated that since the meetings will likely be virtual, she plans to attend the July 2021 ODA board meeting, as the SIAs planned for January 2022 will likely be discussed and that will include the Middle John Day area.

Director Collins advised that the letter should be sent no later than May 2021 to allow for ODA personnel to review the letter prior to the July board meeting that will likely hold a discussion pertaining to the 2022 SIA list, which they have the Mid John Day service area listed on.

Chairman Holmes recapped what was discussed at the last meeting in regard to the SWCD not jeopardizing the relationship with any landowner by directing ODA to an area.

**LONG RANGE BUSINESS PLAN:** Chairman Holmes requested that Cassi send all directors a PDF version of both the 2015-2020 Long Range Business Plan and the revised one that needs adopted in January. He also suggested that she send a reminder part way through December. Due to the Annual Meeting being postponed, the Board intends to review the Long Range Business Plan at the December meeting.

### NEW BUSINESS

**COVID19 POLICY:** Cassi advised that on November 6th, Oregon OSHA issued final temporary rules related to COVID-19. The rules took effect on November 16th, 2020 and will remain in effect until May 4th 2021, unless revised or repealed before. There are multiple action items for employers to complete to reach compliance, which the District needs to adopt in policy and OSHA and OHA gave staggered deadlines for the various compliance items.

The compliance points and deadlines are:

- Building Operations, 11.23.2020
- Ventilation, 01.26.2020
- Exposure Risk Assessment, 12.07.2020
- Infection Control Plan, 12.07.2020
- All Employee Training, 12.21.2020

The Exposure Risk Assessment and Infection Control Plan are not required to be in writing for employers with less than ten employees. However, Chase and Cassi chose to put these policies into writing in consideration of the Board of Directors since the District is required to impose these standards in any facility it controls.

Since food is served at the Board meeting, the Infection Control Plan has an additional section pertaining to Appendix A-1 of the temporary rule. This also requires that the District review and revise the policy as often as deemed necessary.

The directors discussed meeting room capacity and options for virtual meetings to remain in compliance. Their concern was in regard to allowing public attendance, if the Board is able to still meeting in person with restrictions in place. Chairman Holmes requested that Cassi reach out to ODA to get advice of what options the District has for holding meetings and remaining in compliance.

Director Davis **moved that the Exposure Risk Assessment and Infection Control Plan be approved and adopted**, Director Collins seconded the motion. The **motion carried unanimously**.

### OTHER BUSINESS NOT LISTED

**WHEELER COUNTY WEED BOARD:** Cassi advised that the Weed Board postponed the county court presentation. Due to the sudden COVID restrictions and everything else occurring, Cassi and Bodie did not have adequate time to prepare the necessary items.

Director Haberman provided the other directors with a brief overview of what was discussed at the November 10<sup>th</sup> meeting. He outlined the budget and the funding being requested from the county. Director Haberman requested on

behalf of the Weed Board that a lease or agreement be established with the SWCD for use of the pickup. He explained that this will be a short-term need until the Weed Board can stability in the next couple of years.

The directors discussed various ways to implement tracking of the Weed Board's use. Chairman Holmes suggested that the District Manager holds authority to prioritize who uses the pickup and when. Director Lindquist asked how prioritization will be done between SWCD and Weed Board tasks. Cassi and Chase explained that prioritization what tasks are done through time management between the various funding sources/agencies.

Director Hunt **moved that a one year agreement with option for renewal be established for the Wheeler County Weed Board to use the SWCD pickup based on scheduling authorized by the District Manager**, Director Lindquist seconded the motion. **Directors Haberman, Davis, and Collins abstained from voting, as members of the WCWB. The motion carried unanimously.**

**TELEWORK EQUIPMENT:** Cassi explained that the District had been approached by FEMA in March for Coronavirus relief funding. She and Chase met with FEMA representatives a handful of times and there was no expenses that met their requirements for being reimbursed. SDAO has provided regular updates pertaining to Oregon Coronavirus Relief Funding (CRF) and up to this date, the District has not incurred any substantial expenses that meet the requirements to be reimbursed.

During the Stay Home executive order in the beginning days of the pandemic, District staff was required to telework. However, none of the staff have adequate equipment issued by the District to efficiently telework. Chase and Cassi discussed the potential of the state enforcing another mandate to require staff to work from home and how the District could provide equipment for the staff to do so efficiently.

Through further research of the Oregon CRF, Cassi learned that *telework capabilities to ensure efficient workload* is listed as an expense that is eligible for reimbursement. In September, SDAO announced that \$20 million had been specifically earmarked for special districts outside Multnomah and Washington Counties, and more than 80 percent of those specified districts had not applied for any funding. The maximum reimbursement amount for a single district is currently \$250,000 and round 7 of 8 disbursements is available for application from December 11<sup>th</sup>-14<sup>th</sup>. Any expenses incurred from March 1-December 11, 2020 can be included on the application. Cassi stated this is not guaranteed reimbursement, but is possibly available. Cassi advised that the 2020-2021 adopted budget has \$4,000 allocated to computer equipment.

Chase and Cassi asked that the Board review the possibility of purchasing three laptops and four external hard drives for the District staff to use for teleworking. One laptop was recently purchased through BPA funds and is currently utilized by the Field Technician II for CREP duties, but he will need an external hard drive. Chase advised that the cost of that laptop was approximately \$1,200.

It was asked who the three laptops will be issued to and Chase advised the District Manager, Field Technician I, and Administrative Assistant, while Field Technician II utilizes the new one purchased by BPA. It was clarified that the Watershed Technician will need to approach the Watershed Council's Board to purchase equipment through the Watershed's funds.

The directors all agreed that a mandate to telework can be implemented at any time given the current restrictions being implemented and the ability to efficiently telework is a concern. Director Lindquist asked how the concern for personal expenses, such as internet service will be address if staff are concerned. Cassi advised that would have to be outlined in a policy, which Chase and she have spoken briefly about implementing a temporary telecommuting policy to include terms of COVID requirements.

Chairman Holmes advised that the 2020-21 adopted budget has line item for computer software and upgrades \$3,400 and under capital outlay is a line item for computer equipment \$4,000. After discussion amongst the directors and

Chase of costs for laptops and external hard drives, Director Davis suggested that the requested items should be able to be purchased with a \$4,500 budget.

Director Lindquist **moved that the Board approves the purchase of three laptops with appropriate software and four external hard drives per procurement policy**, Director Collins seconded the motion. The **motion carried unanimously**.

Chase asked if he needed to surplus the laptops that will not be used after this purchase. Chairman Holmes advised that the Board will address that matter at the next meeting following the newly purchased laptops are set up and issued.

**NEXT MEETING DATE:** The next meeting date will be on **December 21, 2020** at 6:00 pm. This meeting will be in person, at the Big Sarvice Corral Meeting Room, unless otherwise determined.

**RECESS:** The Board took a 5-minute recess at 7:54 p.m. prior to entering executive session.

### **EXECUTIVE SESSION**

The executive session was called to order by Chairman Holmes at 7:52 p.m.

*ORS 192.660(8) To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.*

The executive session was adjourned by Vice Chairman Lindquist at 8:38 p.m.

Chairman Holmes was called for work duty during the executive session and had to leave the meeting.

The Board reconvened the regular meeting at 8:44 p.m.

### **OTHER BUSINESS NOT LISTED, continued**

**RSI UPDATE:** Gabe stated that he noticed the budget did not show the \$10,000 being received for administration on the 839 Grant. He explained that Papé is writing all the checks, the District will submit all the information and send Papé a check; this will happen two or three times and should be done completed in the next couple of months to help increase the general fund.

He advised that he has been working with Chase and Bodie on some project work on Antone that will be really beneficial to the District. Chase advised that OWEB is hopeful for a March award. Gabe stated that Baker region has already heard back on their grant applications, so this region should hear back soon. He stated that due to the large amount of in-kind match being included from the landowner, the District should be able to complete 2-3 large grants per year, as well maintain CREP for at least 4 years. He stated that Papé is handling the bill for a fish screen to be installed, which the District can likely put through an OWEB grant and gain project management and administration fees off of the project.

Gabe stated these types of projects will gain the District project management and administration fees, which he feels that the District is currently light on those fees because they intentionally slowed the amount of project applications when Judy exited the District Manager role due of the backlog of work. He advised that he feels they have done a successful job of cleaning up the backlog and he suggests the District start ramping back up to get to where the District used to be. He stated that he reviewed the budget and it looks good, but he stated that it was at \$4.3 million at one time, which he feels is obtainable again if we take advantage of the projects that bring money to the District. He advised that he believes the District needs to be higher than \$2.5-3 million to support staff costs.

Gabe suggested taking advantage of the work the landowners are already implementing and approaching them with the proposition to go through the SWCD to obtain more funding, which will allow the District to implement CREP and other programs, as well.

Director Lindquist asked what RSI work remained on the current RCPP. Gabe provided a brief overview of the work and stated that there was additional work added to the designs by NRCS, which was unpaid. He stated that between RSI and the District there are hundreds of hours that were unable to be billed.

Director Lindquist requested that Gabe provide the District with regular updates on the status of work, any issues that arise, and other pertinent information. Gabe stated that he will make the effort to provide monthly reports, as well as attend meetings when his schedule permits.

**ADJOURNMENT:** There being no further business, the meeting was adjourned by Vice Chairman Lindquist at 8:55 p.m.

*Respectfully submitted by Cassandra Newton*



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Jeremiah Holmes, Chair



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Chase Schultz, District Manager