

**Ash Creek Water Control District
Board of Directors
REGULAR MEETING**

**Thursday, October 6, 2022
7:00 A.M.**

MEETING NOTICE & AGENDA

1. Call to order
2. Roll Call
3. Approval of previous meeting minutes: September 1, 2022
4. Audience Comments
5. Director Comments
6. Reports
 - A. Finance
 - a. Monthly Report
 - B. Phone
 - C. Nutria
 - D. Engineer's Report
 - E. Subcommittee Report: Outreach
 - a. Activity Log
7. Unfinished Business
 - A. Legislative Advocacy
8. New Business
 - A.
9. Miscellaneous Business/Information Items
 - A. Correspondence
 - B. Task Log
10. Adjourn

Notice of Regular Meeting

The Board of Directors of Ash Creek Water Control District will hold a Regular Meeting at 7:00 a.m. on Thursday, October 6, 2022. The meeting will be conducted via video conference. To provide comments in advance or to get videoconference attendance information, email the District Secretary at DistSec@ashcreekwcd.com, no later than 5:00 pm, October 5, 2022.

**Ash Creek Water Control District
Board of Directors
REGULAR MEETING**

Thursday, September 1, 2022

1. Call to order. The meeting was called to order via videoconference at 7:03 am by Chair Dan Farnworth.

2. Roll Call.

Board Present: Dan, Andrea, Madeline, Roger, Donna, Tom, Mancil

Board Absent: Ed (excused)

Others Present: Karin Johnson, Todd Whitaker

3. Approval of previous meeting minutes. The minutes of August 4, 2022 were submitted in the agenda packet. Madeline noted a grammar error under item E. Roger moved, Mancil seconded to approve the minutes as submitted, with the grammar correction. Motion passed by all present.

4. Audience Comments. None.

5. Director Comments

A. Madeline. 0" precipitation in August, and had .06" last August. She is in discussions with the agency that holds her easement – they will hold an ivy pull on Oct 13th from 1-4 pm. They will also try to find someone to help identify the emerald ash borer. She shared proposed details of the day, and will keep all informed.

B. Andrea – LWC volunteers came to her property, looking for beaver. Did not get results, but she hasn't seen any. Nor has Donna, but she has seen coyotes. Tom said Kristen will send a summary to Andrea. Madeline hasn't seen either.

C. Roger reported the garbage can on F Street was overflowed, reported it on Indy Works. It was emptied when he walked by the next day.

D. Tom noted that regarding the Marion S&WCD, there was a report in the newspaper that one of the board is under investigation from State Ethics regarding a contract with the district.

6. Reports

A. Finance.

- a. The Monthly Report was summarized by Andrea. (Attachment #1). She also reported on the mini-grant application from Michelle Haney for a bench on the creek; she has a \$500 check written for this.

Cash in Bank: LGIP \$356,775.41; PTB \$6908.82.

b. Karin reported on the submitted year end reports:

- a. Report in Lieu of Audit, 2022. Tom suggested doing a formal audit. Discussion. Dan suggested a review; Tom also suggested getting Gloria on board. Tom will check to see if/when a formal audit needs to be done.

Action: Roger moved, Tom seconded to approve the Report in Lieu of Audit for FYE 06-30-2022. Motion passed by all present.

Reports included in packet:

- i. Budget V. Actual, 2020-22
- ii. Cash Schedule, FYE 06/30/2022

B. Phone. Mancil reported getting a few phone calls asking questions, which he is able to return. It seems that the outreach is working. One of the questions is do we spray for tansy? Todd said it is not targeted by us; he doesn't know if sprayers do it while there. Tom suggested Mancil could refer callers to LWC or SWCD.

C. Nutria. No report. Tom noted 4 caught south of Independence.

D. Engineer's Report.

Madeline asked how willow stakes were doing; Todd reported that there is approximately a 90% survival rate so far. No growth first year, 2-4' after that. Dan asked about the washout at the north end of Riverview Park; Todd thinks the city will be moving the path. Discussion of old drainage area and if it could affect moving the path and drainage to the creek.

E. Subcommittee Report: Outreach. Tom reported the committee reviewed outreach campaign effectiveness. They have been successful in getting the board name out, not so much in board recruitment. Suggesting to do another mailer – cost of approximately \$1500 – to get out the vote and looking for directors. Talked about a garbage can, work w/Rotary. Will get a new sign made for the meet & greets with an updated map. Also looking at getting a table runner with the district name, website address. Using emails that we have gotten at outreach. Our website is set up to send out information; he would like to send out a newsletter. Also talked about an activity log – tracking things the district does; similar to a task log. Donna asked about the Hop festival. They won't be having community tables this year. Mancil was going to make contact with other water control districts, see what kind of outreach they do.

- Tom will begin collecting emails for contact database, to provide info re: ACWCD.
- Discussion of garbage can location.

Dan – actions:

- Discussion of director recruitment mailer. Consensus to send a postcard seeking interest in the board.

ACTION:

Tom moved to authorize up to \$1500 to send a mailing asking for directors and their vision for the district; Mancil seconded. Motion passed unanimously.

Todd noted the ORS 297.435 criteria for exemption. And then was excused from meeting.

- Garbage cans. Donna suggested contacting the city prior to purchase of cans, to ensure they are ok with additional cans. This would be in parking lot at Inspiration Gardens. Mancil will visit with Master Gardeners about the location. Once the preferred location is determined, Donna will contact the city for approval. Consensus to move forward.
- Activity log. Tom would like to have something to log and quantify district activity. Directors to think about this; Tom will bring a proposed template to at next meeting.

7. Unfinished Business

A. Mini grants. Andrea reported we have one application, another potential. Michelle Haney's class is for an installation near the creek where people walk that students design. Tom would like to have our logo on it. Discussion; Andrea noted it is on the proposal.

ACTION: Tom moved to approve the \$500 grant; Mancil seconded. Motion passed unanimously.

8. New Business

A. Birdwalk. Donna reported LWC is suggesting a birdwalk along the creek; she was approached by Suzanne Teller of LWC about doing something together. Looking at 2 events; one walk in fall and another in the spring. Cost estimate up to \$400. Discussion. Questions: where would they hold it; timing; and is it within our mission. Dan suggested September would be too soon, spring would be better. Also that would like Hispanic outreach, have it bilingual. Mancil suggested this would be education/outreach. Discussion; Tom will be the point person.

B. SDAO Request – Legislative Advocacy. Dan – the American Rescue Plan gave funding to counties and cities, none to special districts, due to lack of contact w/legislators (not knowing funds would be wanted/needed). SDAO would like to have advocacy program for districts and is asking for approval of resolution. A model policy/resolution was provided and included in agenda packet. Dan would like board to review; this would relinquish some decision making from board as whole, and give to single designated person. Discussion. Board will review and discuss at next meeting.

9. Miscellaneous Business/Information Items

A. Correspondence. No report; she will email board if there is action required.

B. Task Log. Karin will update it and have it in the next packet.

C. Mancil has a key to the storage unit. Discussion; he will keep it.

D. Tom suggested considering an 'associate director'. This would be a non-voting director; considered a director for insurance purposes – outreach work, etc. and explained how it worked at another district. He will bring more information to a future meeting.

10. Adjourn. With no further business, Tom moved to adjourn; Mancil seconded. Motion approved unanimously.

Meeting adjourned 8:35 am.

Karin Johnson, Clerk

Ash Creek Water Control District Outreach Activity Log

Date	Activity	Type	Numbers	Type	Notes
14-May	Indy Farmers Market	Tabling	25	Emails	
			20	Clippers	
			2	Site Visit	
16-Jul	Indy Farmers Market	Tabling		Emails	
				Clippers	
			0	Site Visit	

Call to Action: Pass a Legislative Advocacy Policy or Resolution

From: Frank Stratton, SDAO Executive Director

By now, I'm sure you are well aware of the failure of special districts to obtain a share of the American Rescue Plan funding for COVID relief, while Oregon cities and counties received \$1.5 billion. We have had a chance to reflect and investigate what we collectively could have done differently to achieve a better result from the Oregon Legislature. One of the things we have heard from many legislators is that they didn't think about special districts or didn't believe special districts needed funds because they didn't hear from them. They heard directly from nearly every city and county, but less than 100 out of almost 1,000 special districts made contacts with their legislators.

When SDAO sent out our *Call to Action* legislative alerts, asking members to contact legislators, we were always under a short timeline. Things move very rapidly during the legislative session requiring swift action and an ability to quickly adjust strategy. When we followed up with members that didn't reach out to their legislators, we heard one overarching common theme. Members felt they needed to get board action before they could take a position, and they were unable to respond under such a compressed timeline because their boards only meet once a month.

We believe we have a solution to this problem that has been successfully implemented by our fellow special district associations in other states. We have developed a customizable model resolution, reviewed by legal counsel, that will give either the district's general manager/fire chief or board chair the ability to take legislative positions on certain topics recommended by SDAO without full board approval. This sample policy/resolution can be found in the new [SDAO Legislative Action Toolkit](#) under the Taking Positions on Legislation heading or by [clicking this link](#) to download the Microsoft Word document.

Please consider passing such a resolution using this template!! It is extremely important that we get a better response when reaching out to legislators on issues of importance to special districts. Even if an issue doesn't directly impact your district, through collective action we can support each other for the benefit of all. Collectively we have more members and elected officials by far than any other type of local government. Together we can make an impact, but the legislature must hear from us on mass!

New Legislative Action Toolkit

This sample policy/resolution is part of our new [Legislative Action Toolkit](#) that we developed to assist Oregon's special districts in making their voices heard. We have put together several resources to help you promote and advocate for your district.

Our goal in designing this toolkit is to make it easy for all our members to reach out to create or further develop relationships with legislators. We understand that this may be intimidating at first. However, it is critical that our state's decisionmakers know who special districts are, what they do, and their value to Oregon communities.

I encourage you to look at all the available resources in this toolkit. Our team has created a variety of sample letters for you to use in your advocacy efforts with legislators, as well as tips and tricks for meeting with elected officials, state senate and representative directory links, and sample letters to send to your local paper.

Do you already have a relationship with your state representative and/or senator? Be sure to fill out our [grassroots mobilization survey](#) found under the Grassroots Mobilization heading in the toolkit.

Future Legislative Alerts

To ensure you receive future legislative alerts, make sure that SDAO has your correct email address on file by calling us at 800-285-5461 or emailing sdao@sdao.com. We also encourage you to whitelist the sdao.com domain through your email provider to avoid messages inadvertently going to your spam or junk folder.

POLICY OR RESOLUTION TITLE: Legislative Advocacy Policy

POLICY OR RESOLUTION NUMBER: []

Purpose

The purpose of the policy is to guide [DISTRICT] officials and staff in considering legislative or regulatory proposals that are likely to have an impact on [DISTRICT], and to allow for a timely response to important legislative issues.

The purpose for identifying Legislative Advocacy Procedures is to provide clear direction to [DISTRICT] staff and Board of Commissioners with regard to monitoring and acting upon bills during state and federal legislative sessions. Adherence to Legislative Advocacy Procedures will ensure that legislative inquiries and responses will be administered consistently with “one voice” as to the identified Advocacy Priorities adopted by the Board of Commissioners. The Legislative Advocacy Procedures and Advocacy Priorities will provide the [DISTRICT] General Manager, Board President, or other designee, discretion to advocate in [DISTRICT]’s best interests in a manner consistent with the goals and priorities adopted by the Board of Commissioners.

Policy Principles

This policy provides [DISTRICT]’s General Manager, Board President, or other designee, the flexibility to adopt positions on legislation in a timely manner, while allowing the Board of Commissioners to set Advocacy Priorities to provide policy guidance. The Board of Commissioners shall establish various Advocacy Priorities and, so long as the position fits within the Advocacy Priorities, staff is authorized to take a position without board approval.

Whenever an applicable Advocacy Priority does not exist pertaining to legislation affecting the [DISTRICT], the matter shall be brought before the Board of Commissioners for formal direction from the Board of Commissioners.

Generally, the [DISTRICT] will not address matters that are not pertinent to the district’s local government services, such as social issues or international relations issues.

Legislative Advocacy Procedures

It is the policy of [DISTRICT] to proactively monitor and advocate for legislation as directed by the Advocacy Priorities and by the specific direction of the Board of Commissioners. This process involves interaction with local, state, and federal government entities both in regard to specific items of legislation and to promote positive intergovernmental relationships. Accordingly, involvement and participation in regional, state, and national organizations is encouraged and supported by the [DISTRICT].

Monitoring legislation is a shared function of the Board of Commissioners and General Manager or designated staff. The Legislative Advocacy Procedures are the process by which staff will track and respond to legislative issues in a timely and consistent manner. The General Manager, or other designee, will act on legislation utilizing the following procedures:

1. The General Manager, Board President or other designee shall review requests that the [DISTRICT] take a position on legislative issues to determine if the legislation aligns with the district's current approved Advocacy Priorities.
2. The General Manager, Board President or other designee will conduct a review of positions and analysis completed by the Special Districts Association of Oregon and other local government associations when formulating positions.

If the matter aligns with the approved priorities, [DISTRICT] response shall be supplied in the form of correspondence to the legislative body reviewing the bill or measure. Advocacy methods utilized on behalf of the district, including but not limited to letters, phone calls, emails, and prepared forms, will be communicated through the General Manager, Board President, or designee.

3. All draft legislative position correspondence initiated by the General Manager, Board President or designee shall state whether the district is requesting "support", "support if amended", "oppose", or "oppose unless amended" action on the issue and shall include adequate justification for the recommended action.
 - a. Support – legislation in this area advances the district's goals and priorities.
 - b. Oppose – legislation in this area could potentially harm, negatively impact or undo positive momentum for the district, or does not advance the district's goals and priorities.
4. The General Manager or Board President may also provide correspondence of concern or interest regarding a legislative issue without taking a formal position on a piece of legislation.
5. When correspondence is sent to a state or federal legislative body, the appropriate federal or state legislators representing the [DISTRICT] shall be included as a copy or "cc" on the correspondence. The appropriate contacts at the Special Districts Association of Oregon and other local government associations, if applicable, shall be included as a cc on legislative correspondence.
6. A position may be adopted by the General Manager, Board President or designee if any of the following criteria is met:
 - a. The position is consistent with the adopted Advocacy Priorities;
 - b. The position is consistent with that of organizations to which the district is a member, such as the Special Districts Association of Oregon; or
 - c. The position is approved by a committee created by the Board of Commissioners.
7. All legislative positions adopted via a process outside of a regularly scheduled Board Meeting shall be communicated to the Board of Commissioners at the next regularly scheduled Board Meeting. When appropriate, the General Manager, Board President or other designee will submit a report (either written or verbal) summarizing activity on legislative measures to the Board of Commissioners.

Advocacy Priorities

Revenue, Finances, and Taxation

Ensure adequate funding for special districts' safe and reliable core local service delivery. Protect special districts' resources from the shift or diversion of revenues without the consent of the affected districts.

Promote the financial independence of special districts and afford them access to revenue opportunities equal to that of other types of local agencies. Protect and preserve special districts' property tax allocations and local flexibility with revenue and diversify local revenue sources.

Support opportunities that allow the district to compete for its fair share of regional, state, and federal funding, and that maintain funding streams. Opportunities may include competitive grant and funding programs.

Opportunities may also include dedicated funding streams at the regional, state, or federal levels that allow the district to maximize local revenues, offset and leverage capital expenditures, and maintain district goals and standards.

Governance and Accountability

Enhance special districts' ability to govern as independent, local government bodies in an open and accessible manner. Encourage best practices that avoid burdensome, costly, redundant or one-size-fits-all approaches.

Protect meaningful public participation in local agency formations, dissolutions, and reorganizations, and ensure local services meet the unique needs, priorities, and preferences of each community.

Oppose additional public meeting and records requirements that unnecessarily increase the burden on public resources without effectively fostering public engagement and enhancing accountability of government agencies.

Promote local-level solutions, decision-making, and management concerning service delivery and governance structures while upholding voter control and maintaining district control over local government jurisdictional reorganizations and/or consolidations.

Oppose legislation that weakens the liability protections of special districts and their public officials granted under the Oregon Tort Claims Act or similar federal legislation.

Human Resources and Personnel

Promote policies related to hiring, management, benefits and retirement that afford flexibility, contain costs, and enhance the ability to recruit and retain highly qualified, career-minded employees to public service. As public agency employers, support policies that foster productive relationships between management and employees.

Maintain special districts' ability to exercise local flexibility by minimizing state mandated contract requirements. Oppose any measure that would hinder the ability of special districts to maximize local

resources and efficiencies through the use of contracted services.

Infrastructure, Innovation, and Investment

Encourage prudent planning for investment and maintenance of innovative long-term infrastructure. Support the contracting flexibility and fiscal tools and incentives needed to help special districts meet Oregon's changing demands. Promote the efficient, effective, and sustainable delivery of core local services.

Prevent restrictive one-size-fits-all public works requirements that increase costs to taxpayers and reduce local flexibility.

[Add Additional Priorities Relevant to Your District]

ACWCD Board of Directors Tracking Log 2021-22

Project	Assigned	Person Assigned	Status		Comments
			Pending	Completed	
Buy laptop	05/07/2020	Karin	x		Purchase laptop & Office 365
Policy binder to Tom	11/04/2021	Karin		x	emailed
Website, records	11/04/2021	Karin/Tom/Andrea			Go to storage unit/Karin to put agenda packets & minutes on website
Topics of Board importance	11/04/2021	Board			bring ideas to Dec meeting
Take old laptop to Tom	11/04/2021	Karin			
Geo engineer report	12/2/2021	Todd			
Outreach	-12/2/2021 1/6/2022	-Andrea/Board -Tom/Ed/Donna		x	-Farmer's Market booth; mailings; car in parade -Subcommittee formed
Grants update	12/2/2021			x	
Vegetation survey	12/2/2021				
Update Policy Manual	01/06/2022	Board			Ongoing
Mercury/TMDL letter from DEQ	02/03/2022	Todd		x	
Ash Creek scouring at Riverview Park	02/03/2022	Todd		x	Visit with Independence PW - done
Outreach subcommittee	06/02/2022	committee	x		meet for further outreach planning / ONGOING
Sign resolution	06/02/2022	Dan		x	
Sign contract	06/02/2022	Dan			
Flyers to Mancil	07/07/2022	Karin		x	
File budget notices, w/County Assesso	06/30/2022	Karin		x	File no later than July 15th (filed 7/12)
File budget document w/Co. Clerk	6/30/2022	Karin		x	File no later than Sept 30th (filed 9/22)
File Report in Lieu of Audit	9/1/2022	Karin		x	File no later than Sept 30th
Create Outreach Comm. Activity Log	9/1/2022	Tom	x		