



TCD Board of Supervisors
Special Board Meeting Minutes Transcription_Abbreviated
Tuesday, November 21, 2017 (1:00 pm)

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Present at Meeting:

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| Eric Johnson, TCD Board Chair | Samantha Fleischner, TCD Board |
| Richard Mankamy, TCD Board Auditor | Linda Powell, TCD Board Vice-Chair |
| Doug Rushton, TCD Board (phone) | Rich Doengnes, Dept of Ecology |
| Patrick Dunn, CNLM | Amy Franks, TCD Staff |
| Joe Hanna, Public | Joel Hansen, TCD Associate Supervisor |
| Amy Hatch-Winecka, TCD Staff | Ron Holtcamp, Citizen |
| Shana Joy, WSCC (phone) | Ashley McBee, TCD Staff |
| Sarah Moorehead, Acting Executive Director | Steven Morrison, Citizen |
| Jane Mountjoy-Venning, TC Env. Health | Allison Osterberg, TC Shellfish Protection Dist |
| Armand Resto-Spotts, Phillips Burgess, PLLC | Mick Phillips, Phillips Burgess, PLLC |
| Chris Stearns, Thurston P.U.D. | Scott Steltzner, Squaxin Island Tribe |
| Jeff Swotek, NRCS | Stu Trefry, WSCC |
| Jerilyn Walley, SPSSEG | |

Eric Johnson called the meeting to order at 1:00pm. There was a quorum.

Discussion centered around cancelling meeting. A vote was conducted regarding holding the meeting. The Board decided to hold the meeting.

- Chair called for motion regarding Board Supervisor proxy or telephone voting; Board, Staff, and Legal representation discussed statute, precedence, and lack of TCD policy and procedure allowing Board Supervisors to participate and/or vote in meetings via phone; No motion came forth; Chair tabled any Board Supervisor proxy or telephone voting until legal counsel review and advisement and/or development of TCD Policy & Procedure allowing such

1. Welcome, Introductions, Audio Recording Announcement, and Pledge of Allegiance

- Chair announced start of meeting at 1:20pm
- Welcome, Introductions, & Pledge of Allegiance conducted

2. Public Comment

- See *Public Comment Addendum*
- Chair invited any other public comment to be submitted in writing

3. Agenda Review, All

- Discussion on removing Agenda Action Items #11: Delegation of Authority to AED and District Treasurer; Board decision to keep on Agenda

4. Partner Reports

- A. NRCS, Jeff Swotek**
 - Environmental Quality Incentive Program (EQIP) Update: 39 applications in Round one; Round two applications due March 16th
- B. WSCC, Shana Joy**

- 48 ▪ Shared concern about open public meeting act due to appearance three Board Supervisors
49 appear to have decide how today’s meeting will go, to exclusion of other two Board
50 Supervisors; Continues to be concerned, as stated in 11.1.17 letter
51 ▪ Stu Trefry: Never seen an environment like this in a conservation district board; On the
52 record stating, Board should be ashamed of themselves and hopes that as we move forward
53 you can figure out how to cooperate with each other, protect this district, keep your eyes on
54 the district, and what the district is authorized to do.

55 **C. NACD/WACD, Doug Rushton**

- 56 ▪ NACD: Annual Meeting January 27-31 in Nashville, sign up for that; WACD: Annual
57 Meeting November 27-29 in Kennewick; Welcomed and invited comments from new
58 WACD Executive Director (ED), Patricia Hickey
59 ▪ Patricia Hickey: Worked with conservation districts her whole life; Believes in districts as
60 community builders and local institutions; Thurston CD is her district, as a homeowner;
61 Hopes we can work through issues; Open-door policy to help and be supportive; Working
62 closely with WSCC, NRCS, and other partners and hopeful for productive future
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64 **5. Executive Session: To Evaluate a Complaint/Charge with Potential for Litigation**

- 65 ▪ Executive Session commenced at 1:50pm for 30 minutes, with Board Supervisors and legal
66 counsel (Mick Phillips) in attendance
67 ▪ Board exited Executive Session and returned to public meeting at 2:00pm and announced
68 no decisions were made
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70 **6. Executive Session: To review the Performance of a Public Employee**

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72 **Chair moved to get rid of Executive Session to review performance of a public employee.**
73 **Linda seconded. No Discussion. Vote: All in favor. Doug noted on record as unable to vote**
74 **via phone. Motion passed.**
75

- 76 ▪ Board and legal counsel discussion and decision to skip and come back to upcoming Action
77 Items on Agenda for remainder of time scheduled for Executive Session
78

79 **7. Board Meeting Minutes Review, All – *Action Item***

80 **A. September 26, 2017, Regular Meeting minutes**

- 81 ▪ Skipped due to removal of Executive Session from Agenda

82 **B. November 1, 2017 Regular Meeting minutes**

- 83 ▪ Skipped due to removal of Executive Session from Agenda
84

85 **8. Financial Report, Amy Franks**

86 **A. Monthly Financial Report**

- 87 ▪ Chair requested to see Visa statement as part of financial report

88 **B. November Check Register – *Action Item***

- 89 ▪ Skipped due to Executive Session removal from Agenda

90 **C. 2018 Budget Discussion**

- 91 ▪ Board and Staff discussed loss of Rates & Charges (R&C) funding, impacts on District
92 finances and Staffing, and Staff recommendation to research re-instating a TCD line of
93 credit to make up for the budget deficit; No Board decision on path forward
94 ▪ Staff will provide a timeline for the R&C process in 2018

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9. 2018 Election Process & Timeline

- Staff provided draft resolution for establishing election time, location, election supervisor, etc.; Recommended Board decision now to put election resolution on next meeting agenda, to allow required advertising to occur prior
- Board decision for Staff to move forward working with Thurston County Auditor’s Office on preparing an interlocal agreement and elections resolution for next Board meeting, inclusive of electronic option for accessing absentee ballots

10. Legal Services RFP Discussion, All

- Staff provided draft RFP, unchanged since last round of Board/Staff edits on October 19th; Seeking Board direction on how to proceed; Board and Staff discussed lack of TCD funding/legal counsel currently set aside drawing from the deficit budget; No Board decisions made

11. Delegation of Authority to Acting Executive Director & Treasurer Discussion, All –

Action Items

- Board discussed TCD policy changes/new policy development being a process inclusive of full Board, AED, legal counsel review, and Enduris review; Board discussed Procedures for updating/creating new TCD policies and this currently being a delegated authority to the AED, with Board support; Staff input that having clear procedures for the proposed policy changes is helpful for Staff and for district operations to continue
- Samantha Fleischner: On the record, stating she is opposed to how proposed policies were distributed.
- Board decision for Supervisors to provide comments/feedback on proposed policy changes, and submit to AED for compiling; Discussed whether or not to allow Staff comments/feedback on policies; No clear consensus reached
- Board and Staff briefly discussed public comment letter received from RCO; Chair affirmed Board can provide a requested response by December 20th

12. Discussion on WSCC Policy Initiatives, All

- Stu Trefry reviewed the existing five policy initiatives and provided updates on their status; Encouraged Board to access them on WSCC website and provide comment by December 15th

13. 2018 Shellfish Work Program

- Staff provided update: due to loss of R&C/Assessment funding, no new funds in SWP for 2018; Current SWP account balance is approx. \$150k; Total 2018 SWP request approx. \$298k; Staff sent SWP update to TCD Board, Thurston County, and Shellfish Advisory Stakeholder group for comment and creative solutions for moving forward
- Staff reviewed funding and partnership structure of SWP; Partners present clarified SWP funding is directed at outreach and incentive programs, with little to no administrative funding
- Chair requested ensuring time allotted in future years’ SWP process, for TCD Board comment, prior to Board of County Commissioner’s approval

- Staff will communicate with all partners to see if proposals can be scaled back and project budgets reduced, to utilize existing funding and if any ideas for fully funding SWP can be put forth

14. TCD Relocation Discussion and Path Forward, All

- Board discussed keeping as standing agenda item; Decision to keep standing through 2017 and revisit beginning of 2018
- Board discussed current facility location rental fees and researching other facility locations to save funding
- Linda and Richard on the Relocation Sub-Committee with Staff; Board Supervisors will bring facility options back to full Board; If facility is workable, Staff will research legal and financial feasibility

15. Easement Subcommittee Discussion

- Staff provided NRCS easement program information; Working with NRCS to see what materials/process-oriented documents they can share
- Next step is applying for targeted grants for development of a conservation easement program at TCD, and a Staff person to administer the program
- Chair suggested Conservation Futures (CF) and Sentinel Land Trust (SLT) for funding conservation easements; Staff clarified TCD needs to increase base funding, to be able to apply for grants required as match for CF and SLT

Board Meeting Minutes Review

February 28th Minutes

- Shana Joy advised not to add a note to the minutes stating the vote for the January check register was inaudible on the audio recording; Does not constitute clear public record of all district proceedings; Recommended readdressing the January check register

A. September 26, 2017, Regular Meeting Minutes

- Skipped previously due to removal of Executive Session from Agenda

Samantha moved to approve the September 26, 2017 Monthly Board meeting minutes.

Linda seconded. Discussion: Richard and Eric have not reviewed them yet. Vote: Linda & Samantha in favor. Richard & Eric Opposed. Doug noted on record as unable to vote via phone. Motion failed.

B. November 1, 2017 Regular Meeting minutes

- Tabled by Chair

Financial Report

B. November Check Register

- Skipped previously due to removal of Executive Session from Agenda
- Board requested clarification on the purpose of several checks

Chair moved to approve check #s19400-19436 totaling \$111,115.56, no voided checks.

Linda seconded, and it looks like no voided checks? Okay, I just need a second. Discussion: Clarified Board Auditor can vote on finance-based motions but cannot make the motion. Vote: Eric, Samantha, Linda, & Richard in favor. Doug noted on record as unable to vote via phone. Motion passed.

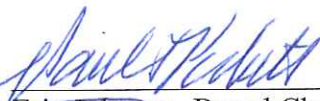
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- Board discussed updates to AED and Treasurer Delegations of Authority: Richard providing editable document for comment/feedback, timeline for feedback, which meeting Board will discuss proposed policies at, and need for legal, WSCC, MRSC, Enduris review
- Richard Mankamy: On the record stating, under the current Delegation of Authority to the District Treasurer, as the auditor, there is not a whole lot he can do; Does not feel comfortable signing checks under the current Delegation of Authority to District Treasurer; Board and Staff discussed how to continue to work together to provide Richard with resources, update policies, and ensure checks are signed to cover District bills
- Board decision to have all comments on the two proposed Delegation of Authority policies submitted to Sarah by December 18th; Sarah will compile and share with Board for discussion at their December 19th WSCC meeting; Board decision to move December Board meeting from December 12th to December 20th; Board Chair will come in
- Action Item Summary: Creating draft policy for board members to participate in meetings via phone; Providing draft MOU and resolution for 2018 election and doing the appropriate advertising; Chair and AED will finalize December 20th Board Meeting Agenda week of December 11th; Staff will reach out to other District's re: Policies on telephonic meeting participation
- Board decision for Chair to sign district checks on behalf of the District Auditor next week.
- ED Report highlights: TCD Legislative Conservation Tour on December 15th; Lack funding to continue Natural Resource Technician hiring process; Kathleen Whalen, Executive Director, retired as of last Friday and will be planning celebration of her 22-year career at TCD; Provided letter to Board in response to letter from WSCC; Summarizes steps implemented at Staff level to fold into Action Plan WSCC is requesting

16. Adjourn, All

Richard moved to adjourn. Chair seconded. No Discussion. Vote: All in Favor. Doug noted on record as unable to vote via phone. Motion passed.

Respectfully Submitted,



Eric Johnson, Board Chair



