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**Scappoose Drainage Improvement Company**  
**Organizational Assessment**  
**November 2020**

Prepared by  
Special Districts Association of Oregon  
Consulting Services Program

Teri Dresler, SDAO Senior Consultant

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November 4, 2020

Geoff Wenker, Board President  
Scappoose Drainage District Company  
53466 E. Honeyman Rd.  
Scappoose, OR 97056

Dear Geoff,

Special Districts Association of Oregon is pleased to present this snapshot assessment of Scappoose Drainage Improvement Company as requested by the District's Board of Directors. I have reviewed the SDIC organizational structure, the policies and procedures, and at the conclusion of the report, I have made recommendations for short and long-range goals. The Board sub-committee has reviewed and recommended edits to the report. This report reflects that work, including my ongoing work with the Board to hire for the vacant Operations Manager.

Please express my sincere appreciation to the Board sub-committee, I could not have completed this work without all of your feedback and support.

Best regards,

*Teri Dresler*

Teri Dresler, Senior Consultant  
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## **Purpose of this Organizational Assessment Report**

This organizational assessment of the Scappoose Drainage Improvement Company (SDIC) has been conducted by the Special Districts of Oregon (SDAO) at the request of the SDIC Board of Directors. The Board established a sub-committee to work with SDAO comprised of Geoff Wenker, SDIC Board President, Karen Kessi, SDIC Board Director, and Laurie Mapes, SDIC part-time staff. The assessment was envisioned to evaluate the SDIC organizational structure, to set long-range goals, and to assist the Board in hiring for the vacant Operations Manager position.

The most recent Operations Manager, who resigned in August 2020, was the fifth manager following a long-term manager's (1984 to 2012) retirement. The position has evolved and become more complex over time and the Board is interested in evaluating the current position description and organizational needs, to ensure that the next hire fits the current requirements of the SDIC. There are a number of outside influences that have impacted the traditional roles the SDIC Board and staff have performed. This has added increased complexity to management of the SDIC beyond operating and maintaining the levee system.

A partial list of impacts that have added complexity to the work of the SDIC Board and staff are:

- Increased regulatory requirements for the United States Army Corps of Engineers (USACE) certification post Katrina which took effect in 2007;
- USACE 408 permits;
- USACE periodic inspections;
- Federal Emergency Management Association (FEMA) accreditation;
- City of Scappoose development and associated stormwater management;
- City of Scappoose Storm Water Master Plan update, currently underway;
- Planning strategically for long-term operational and financial needs of the SDIC.

As part of this organizational assessment, SDAO evaluated the governance and organizational structure of the SDIC. Included in the report are recommendations of best practices for the Board to consider implementing.

## **Methodology**

Special Districts Association of Oregon Senior Consultant, Teri Dresler met with SDIC Board President Geoff Wenker and toured the district. A dozen stakeholder interviews, including the Board of Directors and the former Operations Manager, were conducted over the telephone between August 27, 2020 and October 7, 2020. Interviews were handled confidentially with a commitment that this report would be written without

attributing any comments to specific individuals. The report represents a synthesis of those interviews, observations from Zoom Board meetings, and a review of district records. It is SDAO's intent that these recommendations are realistic to undertake, and genuinely beneficial in improving the organizational effectiveness and operational performance of the Scappoose Drainage Improvement Company.

## **Report Elements**

This report is arranged by the five review elements shown below:

- Organizational Overview
- Management Processes
- Financial Controls
- Personnel Management
- Staffing

### ***Organizational Overview***

The Scappoose Drainage Improvement Company provides flood control and drainage for approximately 5,700 acres largely of farm land, but also industrial and commercial properties, gravel mines, and residential subdivisions including a significant portion of the City of Scappoose. This is accomplished through a levee system and a series of drainage canals and pumping systems. Oregon Revised Statutes (ORS) 554 articulates the responsibilities and authorities of the Scappoose Drainage Improvement Company, a public corporation. SDIC is a successor corporation to the Scappoose Drainage District which was formed under ORS 547. As described in ORS 554, the purpose of the corporation is to provide flood control, drainage and irrigation water as permitted by corporation regulations for particular lands. Additionally, SDIC has the authority to impose assessments on landowners in the district to pay debts and obligations, as well as cover ongoing operational costs of the SDIC.

The SDIC is guided by a Board of Directors comprised of five elected members whose primary duty and function is to govern, establish and enforce policies, and appoint staff who manage day-to-day activities of the SDIC.

Historically the Board has delegated the day-to-day operations activities to the Operations Manager. As the work of the SDIC has evolved, Board members have absorbed the more complex management responsibilities. The Operations Manager has been the lone full-time staff position. There is one part-time administrative staff member and one part-time administrative contractor who handle mostly accounting functions and provide Board support. For a number of years, the Board President has

been working a minimum of 20 hours per week managing the higher-level administrative duties. Other Board members are contributing a significant number of hours to support projects and contracts, or to supervise individuals hired to fill-in during staff vacancies. This is an unsustainable model for a volunteer board. It does not allow the Board to focus their efforts on important long-range planning and policy development for the SDIC.

Stakeholder interviews reflect a need to hire capable staff who can take on the complex issues including; representing the Board with regulatory agencies, working on legal issues, and proactively developing important relationships. Stakeholders also commented on the importance of hiring staff with the skill to prepare in-depth reports for timely Board decision and policy-making. The question about Board training and other educational resources that may be available came up as a suggestion to advance the Board's knowledge of public policy making. There was a suggestion that the Board consider the establishment of Board Committees; members assigned to act as liaisons with designated staff, reporting to the full Board on recommended actions. And a few stakeholders expressed concerns that the Board uses Executive Session authority too frequently, creating a sense of secrecy which is concerning to those not on the Board.

#### **Recommendations:**

- **Budget for and schedule annual educational opportunities and training for Board members – see SDAO Board Leadership Academy @ [www.sdao.com](http://www.sdao.com).**
- **Strictly adhere to Executive Session rules defined in ORS 237 – see attached text.**
- **Consider establishing Board Committees with reporting responsibility to the Board.**

#### ***Management Processes***

The SDIC has a clear mission defined by ORS 554 to provide flood control and drainage water to the landowners of the district. While there is no formal vision or strategic plan in place the Board is appropriately focused on managing those priorities. When appropriate staff are in place and trained, the Board will have the bandwidth to spend time working on long-range strategic planning.

The SDIC Operation and Maintenance Manual, Flood Control Works 2018; describes the proper operation of the SDIC flood control equipment, is designed to assist in carrying out Federal regulations for operation and maintenance of flood control works, and provides information for the United States Army Corps of Engineers Rehabilitation and Inspection Program. The Board should formally adopt this O & M Manual by resolution.

It will also be important for the Board to work with staff on establishing a proper file organization system as well as records retention policies and procedures related to public records that comply with ORS 192. The current Board President has made significant progress in this area especially as it relates to financial and Board files and documents. These processes need to be formally adopted as Board policies with documented procedures.

#### **Recommendations:**

- **Adopt policies by Board Resolution to formalize the management and operations structure.**
- **Create a consistent format for policies– see attached policy format example.**
- **Create a file system and records retention policy – see link to Secretary of State website attached.**
- **Undertake a strategic planning process that identifies strengths, weaknesses, opportunities, and threats in addition to long-range operational and financial needs of the SDIC.**

#### ***Financial Controls***

Generally, the financial processes in place are sufficient for the business needs of the SDIC. The budgeting process, accounting processes and internal controls are in line with best practices. The SDIC is specifically excluded from the State of Oregon budget requirements per ORS 294.316. The Board currently uses a process, and structures the budget, in a format that aligns with best practices. The Board is presented with monthly financial and accounting records, including month-to-date budget information, at each monthly Board meeting. The Board ensures that those documents are readily available to the public.

Procurement and contracting are two areas where policies and documented procedures are needed. Defining purchasing limits and levels of authority with clear procedures will ensure clear communication with potential contractors and vendors, and consistency in contracting. It is also important to have a policy detailing a practical method for obtaining bids and proposals in an environment where there frequently are not three vendors available to submit bids or proposals.

In a review of the tax return history for the years 2015 – 2019, the following observations were made:

- Total revenues over the review period remained consistent, varying due to the receipt of grant funding or loans, and investment income;

- Total expenses over the review period varied from year-to-year due to significant expenditures in professional contract services related to USACE or FEMA requirements and staffing/contract employees;
- Overall, expenses are within what would be expected year over year with recertification requirements, irregular large purchases or repair of equipment, and land maintenance.

The subject of audits was discussed and it is not clear if an annual audit is required. It is not apparent that as a public corporation under ORS 554, this requirement still applies. SDAO recommends that SDIC seek guidance on the requirement for an annual audit.

Audit citation:

*ORS 547.125 .... (3) The board of supervisors shall audit or have audited the books of the treasurer each year and make report thereof to the landowners at the annual meeting and publish a statement within 30 days thereafter, showing the amount of money received, the amount paid out during the year, and the amount in the treasury at the beginning and end of the year.*

SDAO recommends that the SDIC Board and staff develop of a set of financial policies addressing the following: internal controls, accounting, budgeting process, and a procurement policy which clearly defines purchasing and contracting authority.

Creating a reserve account, or set of reserve accounts, with clear policies defining how and when those funds are to be expended, would provide an opportunity for the SDIC to budget for their long-range capital needs. Planning cycles for large capital purchases and projects often span multiple years, a reserve account would facilitate multi-year budget planning to cover the full cycle of those project expenditures.

As I mentioned earlier, there has been a lot of work already done to organize the current systems and follow best practices for accounting, budgeting and financial reporting. The existing budget, monthly financial reports, and 2020-03-03 SDIC Accounting Schedule, attached, are all good examples of current procedures that have been developed to standardize financial processes.

**Recommendations:**

- **Seek guidance on the requirement for an annual audit.**
- **Develop and adopt financial policies including internal controls, accounting, budget process, cash reserves, procurement and contracting with defined authority – see link to Port of Newport Financial Policy as an example.**

## ***Personnel Management***

With a very small staff, the SDIC has not developed a Personnel Manual or Handbook that describes policies, rules, regulations, and expectations of staff. HR Answers indicated in our recent meeting regarding compensation that they have a Personnel Manual template available at no cost to SDAO members. It is essential to have a Personnel Manual to provide staff with the information necessary to be successful in their work.

A set of safety and health policies is needed to ensure proper safety measures are in place for staff working around equipment, drainage ditches, and the levee. The absence of these policies, poses a potential liability for the SDIC. At a minimum, policies that address a confined spaces program, lockout/tagout, vehicle safety, fall protection, a personal protective equipment program, and a hazard communication program are recommended. There are safety procedures written for confined spaces, lockout/tagout, and fall protection. These should be reviewed for updates and included in the overall policy addressing employee safety and health. These policies are often incorporated into Personnel Manuals.

There are Oregon Bureau of Labor and Industry (BoLI) laws and notice requirements for all Oregon employers that the Board needs to be aware of and ensure staff has access to. These are readily available on the Bureau of Labor and Industry website.

As I discussed with the Board sub-committee, my interpretation of the Public Employee Retirement System (PERS) rules indicates that the SDIC is considered a public agency.

PERS citation:

*237.410 Definitions for ORS 237.420 to 237.515. As used in ORS 237.420 to 237.515, unless the context requires otherwise:*

*(1) "Public agency" or "political subdivision" means the State of Oregon, any city, county, municipal or public corporation.....*

As such, SDIC would have responsibility for providing Oregon Public Service Retirement Plan (OPSRP) benefits, or benefits greater than or equal to OPSRP, for any employee who works more than 600 hours in a given fiscal year. SDAO recommends that SDIC receive a legal opinion on this question to limit any potential liability.

## **Recommendations:**

- **Work with HR Answers to develop an SDIC Personnel Manual.**
- **Develop/update health and safety policies to be included in the Personnel Manual.**



- **Provide Oregon Bureau of Labor and Industries workplace posters and materials regarding employee rights and protections for staff – see printable examples @ [www.oregon.gov/boli/employers](http://www.oregon.gov/boli/employers).**
- **Seek legal advice on the PERS/OPSRP question for employees.**

### ***Staffing***

As part of this organizational assessment, a great deal of time was spent determining what staffing structure would best serve the needs of the SDIC. SDAO is recommending the addition of a part-time General Manager capable of taking responsibility for higher-level administrative duties. Additionally, SDAO recommends that the former Operations Manager position be reclassified as Field Operations Technician with responsibility for day-to-day maintenance and operations of the system. The third staff position recommended is an Office Administrator. This position would undertake general office duties, including payroll and accounting functions, and Board support including Board meeting preparation, and recording and publishing meeting minutes. These recommend positions would take the place of the vacant Operations Manager position and the work of the part time individuals who are currently performing the administrative duties mentioned above.

The Board also has discussed an interest in the possibility of a combination of SDIC staff and contracted services to accomplish the body of work essential to the management and operations of the SDIC. There was agreement among the Board that as an option to hiring staff, the possibility of contracting with a private company, or a mixture of contracted work and staff could be an acceptable solution.

As part of the development of new position descriptions, HR Answers was brought in to assist with compensation and classification advice. HR Answers conducted a compensation and classification study to ensure the wages were established at a level equal to the market, and to advise SDIC on how to appropriately classifying the three positions. The three new position descriptions and position posting announcements were developed incorporating this information with the Board sub-committee and approved by the full Board. All three positions are currently in recruitment.

The Board agreed that with a new staffing structure it would be important to evaluate the General Manager and Field Operations Technician positions six-months after hire and then the at the one-year mark. The intent of this is to determine if the duties and part time hours have been allocated appropriately to meet the work. Adjustments may be needed to ensure the positions as described accomplish the needs of the SDIC.

Annual performance reviews, goal setting and work plan development are necessary steps to ensure the new work group is successful. The Board is responsible for conducting an annual performance evaluation of the General Manager. In addition, the Board will need to set goals and a work plan for the GM, part of which should be that

the GM conduct annual performance evaluations of staff. A consistent program of performance evaluation and follow up will benefit the Board and the staff.

Historically, the Operations Manager was required as a condition of employment, to live in the SDIC owned residence located adjacent to the SDIC office and main pump station. The house is in need of remodeling, which the Board is currently planning. The requirement that staff live in the house has been a point of discussion due to the resistance past potential candidates have had to living there. Conversely, there is tremendous value to the SDIC to have staff on site in the event of a mechanical failure or flood emergency. Past practice has been to include the house and paid utilities as part of compensation. The Board has agreed that living in the Company owned residence will be optional, but encouraged with applicants for the Field Operations Technician and/or General Manager positions.

#### **Recommendations:**

- **Adopt position descriptions for the following part-time positions: General Manager, Field Operations Technician, and Office Administrator – *completed September 2020.***
- **Recruit and hire the new positions – *currently underway.***
- **New employee training, 6 – 12 months with varying levels of Board involvement.**
- **Establish a structured annual performance evaluation for employees including goal setting and work plan development – see attached example.**

### **Report Summary**

This report summarizes my observations and provides recommendations intended to assist the SDIC Boards' understanding of areas where organizational improvements and formalized processes could increase operational effectiveness, and ensure compliance with rules and laws pertaining to public corporations. SDIS has a Board of Directors Best Practices program in place to assist districts with implementing best practices to mitigate risk in areas of high exposure. The 2020 program offers each district up to a 10% credit on 2020 general liability, auto liability, and property insurance contributions by completing requirements in five credit categories. I have included the link below for your reference.

The list of recommendations below is overwhelming without the staff in place to execute much of the work for the Board. As such, I propose the Board consider the

recommendations in phases. My suggestions on a phased approach to implementation of the report recommendations are:

Phase one -

- **Adopt position descriptions for the following part-time positions: General Manager, Field Operations Technician, and Office Administrator – *completed September 2020.***
- **Recruit and hire the new positions – *currently underway.***
- **New employee training, 6 – 12 months with varying levels of Board involvement.**
- **Establish a structured annual performance evaluation for employees including goal setting and work plan development – see attached example.**
- **Provide Oregon Bureau of Labor and Industries workplace posters and materials regarding employee rights and protections for staff – see BOLI link attached.**
- **Seek legal advice on the PERS/OPSRP question for employees.**
- **Seek guidance on the requirement for an annual audit.**
- **Strictly adhere to Executive Session rules defined in ORS 237 – see attached text.**

Phase two -

- **Work with HR Answers to develop an SDIC Personnel Manual.**
- **Develop/update health and safety policies to be included in the Personnel Manual.**
- **Budget for and schedule annual educational opportunities and training for Board members – see SDAO Board Leadership Academy @ [www.sdao.com](http://www.sdao.com).**
- **Consider establishing Board Committees with reporting responsibility to the Board.**

Phase three –

- **Create a consistent format for policies– see attached policy format example.**
- **Adopt policies by Board Resolution to formalize the management and operations structure. – see attached resolution format example.**
- **Create a file system and records retention policy – see link to Secretary of State website attached.**

Phase four -

- **Develop and adopt financial policies including internal controls, accounting, budget process, cash reserves, procurement and contracting with defined authority – see link to Port of Newport Financial Policy example.**

Phase five -

- **Undertake a strategic planning process that identifies strengths, weaknesses, opportunities, and threats including the long-term operational and financial needs of the SDIC – SWOT Analysis outline attached, this is a preliminary step to conducting a strategic planning process.**

Phase six –

- **Board and staff can shift focus to long term goals of strategic improvements to SDIC with completion of USACE Certification (Dec 2019) & FEMA Accreditation (by Q2 2021)**
- **Potential list of improvements to consider in strategic planning:**
  - a) **Backup power and/or pumping**
  - b) **More pumping capacity needed**
  - c) **Replace Jackson Creek Diversion**
  - d) **Rip rap repairs**

## **Links -**

Oregon Bureau of Labor and Industries

<https://www.oregon.gov/boli/employers/Pages/default.aspx>

Special Districts Records Retention Schedule

<https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=589>

Port of Newport Fiscal Management Policy

<https://www.portofnewport.com/internal-policies> (select Fiscal Management Policies)

SDIS Best Practices Program

<https://www.sdao.com/best-practices-program>

Oregon Public Meeting Law – Executive Sessions

[https://www.oregonlegislature.gov/bills\\_laws/ors/ors192.html](https://www.oregonlegislature.gov/bills_laws/ors/ors192.html)

## **Attachments –**

Attachment A – SDIC Performance Evaluation Process Examples

Attachment B – SDIC Resolution and Policy Format Examples

Attachment C – SDIC SWOT Worksheet

Attachment D – Relevant Oregon Revised Statutes

Attachment E – 2020-03-03 Accounting Schedule

## **PERFORMANCE EVALUATION PROCESS**

Meaningful performance assessments require both the supervisor and the employee's valuation of the employee's performance.

### **The Supervisor**

The employee's immediate supervisor is responsible for timely completion of the official evaluation report. In cases where the immediate supervisor does not have ample opportunities to judge the employee's performance, the lead worker (or others in a position to observe performance) should be consulted in completing the evaluation. A draft form should be completed initially in pencil, and after discussion with the employee and the reviewer (if needed), the final evaluation will be typed or written neatly in ink.

### **Common Errors to Avoid in Evaluating an Employee**

No matter how well designed, a performance appraisal program can fail if the supervisors doing the appraisal are not adequately trained and informed. The following guidelines describe some frequent errors to avoid.

- Avoid rating most employees at the high end of the scale. Experience shows that "excellent" and "very good" ratings are used more frequently than competent or adequate. This is too often a reflection of supervisor's lack of confidence in the supervisor's own ability than the employee's performance. A rating of "competent" or "adequate" is not adverse and can generate suggestions for improvement needed to merit a higher rating. Descriptions of excellence should be reserved for those whose performance is truly superior.
- Avoid the "Halo Effect." Raters tend to rate an individual consistently high, average, or low on all factors based on an overall impression. A dependable, conscientious employee does not necessarily produce high-quality work. Consider each factor separately and indicate strong and weak points. Don't hesitate to use the entire scale in your ratings. If the evaluations are to provide meaningful information, they must take advantage of the entire scale.
- Avoid labels. Describe exact behavior. For example, telling an employee of a "bad attitude" does not offer an alternative for improvement or provide the employee with understandable examples of the behavior.
- Avoid not using a standard evaluation form. Use the same approved form for all employees evaluated by the District for better consistency and fairness.

### **Briefly Review General Background Information**

The more you know about an employee, the easier it is for you to understand and discuss work performance and behavior. Some time prior to the appraisal discussion, you should review the employee's past history, work experience, education, and previous performance appraisals.

### **Arrange for the Interview**

Set a time and place for the discussion and avoid postponement. Arrange for appropriate privacy and time for the discussion. It is important to prevent interruption if at all possible. A private office or conference room creates a setting in which you and the employee can communicate effectively.

### **The Employee Self-Evaluation**

The employee shall complete the form for self-evaluation prior to formally discussing past performance with the supervisor. Employees should be notified in writing in advance that an interview is planned. Employees will actively participate in the performance review interview and will be given advance notice of the review date.

### **Department or Division Review**

Individual divisions or departments may review the evaluations. Each should establish procedures and standards for review. The reviewer should normally be the evaluator's immediate supervisor. Only one person within that department or division should be the reviewer. The reviewer may want to review the performance evaluation completed by each evaluator under his/her responsibility before the evaluation is discussed with the employee. The reviewer should consider each evaluator's fairness, objectivity, thoroughness, and consistency in evaluating employees under the reviewer's supervision. In some circumstances to assure consistency, the reviewer should compare one supervisor's evaluations with another's, particularly within the same classification and work assignments.

### **Conduct the Interview**

Approach evaluations as a helper, not a judge. Too often performance appraisal discussions are viewed as a time when the supervisor is the "judge". This is a difficult role which often prevents positive discussion. This is a time when you and the employee can look at job performance and find and discuss ways to improve it.

"Rating" performance involves judgments. However, in the discussion you should focus on specific ways to improve performance, in the role of a helpful teacher.

### **Structure and Format of the Evaluation**

The interview should have some structure to it, varying with individual circumstances.

- Create a relaxed climate by indicating overall satisfaction and honest appreciation of job performance.

- Outline the purpose and objectives of the review. Explain the benefits of positive two-way communications about performance - a clear idea of how the employee is doing and potential steps to improve performance.
- Follow a comfortable sequence during the discussion, for example:
  - Past performance - on each relevant job performance factor;
  - Major strong points and weak points needing greater effort;
  - Specify developmental steps to be taken to improve performance; and
  - Goals and the role of the District.
- Encourage the employee to participate. The more an employee discusses performance, the better the review. Listen and gather information. Active listening is very important.
  - Use open-ended questions (who, what, when, why, and how) which encourage discussion rather than simple "yes/no" responses;
  - Tell the employee you are receiving information, not judging; and
  - Use restatement or reflection. This is a clarification process and feeds back what you are hearing to the employee.
- Discuss areas of good performance first. This is easier if you have required the employee to appraise performance as preparation for the review.
- Focus on areas of performance the employee identifies as not fully satisfactory. Determine what corrective action should be taken, and by whom. Collaborate on the action steps. Do you agree on areas of strengths and weaknesses? The more the employee participates in the plans for improvement, the greater will be the commitment to those plans. Offer useable criticism tactfully and constructively in the context of a discussion of strengths.
- Use specific and realistic improvement targets. Don't try to eliminate all areas of weakness in one session. Concentrate on the most important ones. A development plan with two or three steps is often accomplished. One with eight or nine may cause the employee to give up.
- Discuss personal goals and interest.
- Close the discussion by summarizing what has been covered and reviewing the specific steps to be taken by supervisors and the employee. If appropriate, set a follow-up date to discuss



progress towards performance improvement.

**Follow-Up**

During the review, specific steps to improve performance were identified. If action needs to be taken by you, take it. If specific training has been recommended, it is important that it be undertaken. If parts of the job description have become obsolete, it should be rewritten.

**PERFORMANCE REVIEW MANAGER**

For the period beginning \_\_\_\_\_ and ending \_\_\_\_\_

Rating

U = Unsatisfactory

ME = Meets Expectations

O = Outstanding

NI = Needs

Improvement EE =

Exceeds Expectations

PUBLIC RELATIONS	U	NI	ME	EE	O
Maintains a proactive image of district programs in the community through effective utilization					
Ensures that a public perception of service by the District is with courtesy and professionalism					
Remains accessible to the community					
Effectively handles citizen complaints/inquires					

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

ADMINISTRATION	U	NI	ME	EE	O
Plans and organizes implementation of programs and policies approved or adopted by the Board of Directors					
Provides a clear, concise budget document that funds District services					
Administers the adopted budget within approved revenue and expenditure allocations					
Plans and organizes the maintenance of District-owned facilities, buildings, and equipment to ensure maximum and safe utilization					
Plans for future staffing needs to meet District established service levels					
Plans and organizes programs to maintain quality staff					
Manages general District operations, including supervision of District staff					

Attachment A

COMMENTS: \_\_\_\_\_

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RELATIONSHIP WITH BOARD OF DIRECTORS	U	NI	ME	EE	O
Maintains effective communications with the Board of Directors					
Plans and organizes materials to present comprehensive information to the Board that assist in decision making					

COMMENTS: \_\_\_\_\_

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PERSONAL / PROFESSIONAL DEVELOPMENT	U	NI	ME	EE	O
Maintains relationships with professional associations and colleagues					
Attends conferences and seminars to remain aware of developments in the field of communication					

COMMENTS: \_\_\_\_\_

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PUBLIC RELATIONS	u	NI	ME	EE	O
Maintains a proactive image of the District programs in the community through effective utilization					
Ensure that a public perception of service by the District is with courtesy and professionalism					

Attachment A

Remains accessible to the community					
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COMMENTS: \_\_\_\_\_

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ACCOMPLISHMENTS AND ACHIEVEMENT OF GOALS

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FUTURE GOALS (Mutually Agreed Upon for Next Review Period)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Manager

\_\_\_\_\_  
Date

\_\_\_\_\_  
President, Board of Directors

\_\_\_\_\_  
Date

Attachment A

Employee Name:

Position:

Supervisor Name:

Department:

Review Period:

Date:

**Instructions:** Rate the employee's performance during the review period by checking the most appropriate numerical value in each section. To determine the overall performance rating, add the numerical values together and divide by eight (or 11 if the supervisor section was completed). Prior to the performance discussion with the employee, a detailed plan to address areas rated "needs improvement" or "unacceptable" must be submitted to the department head and human resources for review.

**Rating scale:**

- 5 Excellent (consistently exceeds standards)
- 4 Outstanding (frequently exceeds standards)
- 3 Satisfactory (generally meets standards)
- 2 Needs improvement (frequently fails to meet standards)
- 1 Unacceptable (fails to meet standards)

	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>
<p><b>Job knowledge</b></p> <p>Knowledge of products, policies and procedures; OR knowledge of techniques, skills, equipment, procedures, and materials.</p>					
<p><b>Quality of work</b></p> <p>Freedom from errors and mistakes. Accuracy, quality of work in general.</p>					

Attachment A

<b>Quantity of work</b> Productivity of the employee.					
<b>Reliability</b> The extent to which the employee can be depended upon to be available for work, to complete work properly, and complete work on time. The degree to which the employee is reliable, trustworthy, and persistent.					
<b>Initiative and creativity</b> The ability to plan work and to proceed with a task without being told every detail and the ability to make constructive suggestions.					
<b>Judgment</b> The extent to which the employee makes decisions that are sound. The ability to base decisions on fact rather than emotion.					
<b>Cooperation</b> Willingness to work harmoniously with others in getting a job done. Readiness to respond positively to instructions and procedures.					
<b>Attendance</b> Consistency in coming to work daily and conforming to scheduled work hours.					

**Complete this section for employees with supervisory responsibilities:**

	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>
<p><b>Planning and organizing</b></p> <p>The ability to analyze work, set goals, develop plans of action, utilize time. Consider amount of supervision required and extent to which you can trust employee to carry out assignments conscientiously.</p>					
<p><b>Directing and controlling</b></p> <p>The ability to create a motivating climate, achieve teamwork, train and develop, measure work in progress, take corrective action.</p>					
<p><b>Decision-making</b></p> <p>The ability to make decisions and the quality and timeliness of those decisions.</p>					

Noteworthy accomplishments during this review period:

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Areas requiring improvement in job performance (attach the performance improvement plan for any areas rated needs improvement or unacceptable):

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Attachment A

Actions taken to improve performance from the previous review:

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Professional development goals:

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*Add all numerical values from each category then divide by 8 (or 11 if supervisor section was completed).*

**Overall performance rating:** \_\_\_\_\_

Employee comments:

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\_\_\_\_\_  
Employee Signature / Date

\_\_\_\_\_  
Manager Signature / Date



## RESOLUTION ADOPTING PUBLIC CONTRACTING RULES

WHEREAS, \_\_\_\_\_ District ("District") is an Oregon special district which is subject to Oregon's public contracting rules; and

WHEREAS, the District is required to adopt public contracting rules consistent with the Public Contracting Code; and

WHEREAS, ORS 279A.065(5) provides that a local contracting agency may adopt its own rules of procedure for public contract that:

(A) Specifically, state that the model rules adopted by the Attorney General do not apply to the contracting agency; and

(B) Prescribe the rules of procedure that the contracting agency will use for public contracts, which may include portions of the model rules adopted by the Attorney General;

### **NOW, THEREFORE, BE IT RESOLVED:**

That, except as otherwise provided herein, the District hereby adopts the provisions of ORS 279A, 279B, and 279C, and the Oregon Attorney General's Model Public Contracting Rules ("Model Rules") as the contracting rules for the District, as such Model Rules now exist or are later modified.

That the District affirmatively adopts the public contracting rules described in Exhibit A, which is attached to this Resolution and incorporated herein by reference. The Rules described in Exhibit A shall be in addition to, and shall supersede any conflicting provisions in, the Model Rules.

That the District shall regularly review changes in the Public Contracting Code and the Model Rules to ensure that the Rules adopted in Exhibit A are consistent with current law.

**APPROVED AND ADOPTED** on \_\_\_\_\_ 20\_\_.

\_\_\_\_\_  
Board President

\_\_\_\_\_  
Board Secretary

## **PUBLIC CONTRACTING RULES AND PROCEDURES POLICY**

The \_\_\_\_\_ Contract Review Board has adopted as its public contracting rules ORS 279, A, B and C and the Attorney General's Model Public Contracting Rules, OAR Chapter 137, Division 46 (General Provisions Related to Public Contracting), Division 47 {Public Procurements For Goods or Services}, Division 48 {Consultant Selection: Architectural, Engineering, Photogrammetric Mapping, Transportation Planning or Land Surveying Services}, Division 49 (General Provisions Related to Public Contracts for Construction Services), subject to the exceptions provided in this document.

### **Definitions**

"Award" means the selection of a person to provide goods, services or public improvements for a specified price or prices.

"Bid" means a binding, sealed, written offer to provide goods, services or public improvements for a specified price or prices.

"Bidder" means a person that submits a bid in response to an invitation to bid.

"Contracting agency," means a public body authorized by law to conduct procurement.

"Contract Review Board" means the Board of Directors for \_\_\_\_\_

"Days" means calendar days.

"District" means the \_\_\_\_\_ a political subdivision of the State of Oregon.

"Exemptions" mean exemptions from the formal competitive selection procedures for **public improvement** contracts and **personal service** contracts for architects, engineers, land surveyors, and related services, as well as contracts and classes of contracts designated as "special procurements" under ORS 279B.085.

"Person" means a natural person capable of being legally bound, a sole proprietorship, a

corporation, a partnership, a limited liability company or partnership, a for profit or nonprofit unincorporated association, a business trust, two or more persons having a joint or common economic interest, any other person with legal capacity to contract or a public body.

"Personal Services" means services described as follows:

- A. Personal services shall mean services that call for specialized skills, knowledge and resources in the application of highly technical or scientific expertise or the exercise of professional, artistic or management discretion or judgment. Qualifications and performance history, expertise, knowledge and creativity and the ability to exercise sound professional judgment are typically the primary considerations when selecting a personal services contractor, with price being secondary. In addition to the general description of personal service contracts, the following classes of contracts are personal service contracts: Contracts for services performed as an independent contractor in a professional capacity, including but not limited to: the services of an accountant, attorney, architect, architectural or land use planning consultant, construction manager, information technology consultant, registered professional engineer, financial/investment/insurance advisor, underwriter, appraiser or surveyor, data processing consultant.
- B. Personal Services Contracts Do Not Include: Contracts primarily for equipment, supplies or materials. For example, a contract to supply all hardware and standard software is not a Personal Services Contract, but a contract with a technology consultant to design or develop a new computer system is a Personal Services Contract.

"Public Improvement" means projects for construction, reconstruction, or major renovation on real property by or for the District. "Public Improvements include emergency work, minor alteration, ordinary repair, maintenance necessary in order to preserve a public improvement.

"Public Contract" means any purchase, lease, or sale by the District of personal property, public improvements, or services other than agreements, which are for personal and professional services.

"Proposal" means a binding offer to provide goods, services or public improvements with the understanding that acceptance will depend on evaluation of factors other than, or in addition to, price. A proposal may be made in response to a request for proposals or an informal solicitation.

"Quote" means a price offer made in response to an informal solicitation to provide goods, services or public improvements.

"Request for Proposal" (RFP) means the solicitation of written competitive proposals, or offers, to be used as a basis for making an acquisition, or entering into a contract when specifications and price will not necessarily be predominant award criteria.

#### 1) **Personal Services.**

2) **Definition.** "Personal Services" shall be defined to include those services that require specialized technical, creative, professional or communication skills or talents, unique and specialized knowledge, or the exercise of discretionary judgment, and for which the quality of the service depends on attributes that are unique to the service provider. Such services shall include, but are not limited to: architects; engineers; surveyors, attorneys; accountants; auditors; agent of record; computer programmers; proper managers; artists; designers; performers; and consultants. The Board Chairman or designee shall have the authority to determine whether a particular service is a "personal service" under this definition.

A) **Contracts for Personal Services under \$25,000.** Except as provided in Paragraph D, below, non-exempt personal services contracts, including contracts, including contracts for Architectural, Engineering, Photogrammetric Mapping,

B) Transportation

C) Planning or Land Surveying Services, for a contract amount of less than \$25,000 may be awarded from proposals that are solicited

D) informally, either orally or in writing. If it is practicable, proposals shall be solicited from a sufficient number of qualified prospective proposers to ensure that no fewer than three (3) qualified proposers submit proposals. If fewer than three (3) qualified proposes submit proposals, the efforts made to solicit proposals shall be

documented in the District's files. The Selection may be based on criteria including but not limited to, each proposer's:

- (A) Particular capability to perform the services required;
- (B) Experienced staff available to perform the services required, including each proposer's recent, current and projected workloads;
- (C) Performance history;
- (D) Approach and philosophy used in providing services;
- (E) Fees or costs; and
- (F) Geographic proximity to the project or the area where the services are to be performed.

Price may be considered, but not be the determining factor. Proposals may Also be solicited in using a written request for proposal, at the District's discretion.

- C) **Contracts for Personal Services of \$25,000 and over.** Except as provided in Paragraph D, below, non-exempt personal services contracts, for a contract amount of \$25,000 or greater shall be awarded according to the procedures described in ORS 2798.060 and OAR 137-047-0260.
- D) **Contracts for Architectural, Engineering, Photogrammetric Mapping, Transportation Planning or Land Surveying Services.** Contracts for Architectural, Engineering and Surveying Services, and Related Services, shall be awarded in accordance with the procedures described in ORS 279C. 110 and OAR 137-048.
- E) **Exempt Personal Services Contracts.** Personal Services contracts existing on the effective date of these Rules are exempt and hereby extended by direct appointment. Contracts for accounting, legal, underwriting, and investments, financial and insurance advising services are exempt.

## 2) **Delegation.**

- A) Except as otherwise provided in these rules, the powers and duties of the Local Contract Review Board under the Public Contracting Code must be exercised and performed by the Board of Directors.
- B) Unless expressly limited by the Local Contract Review Board or these rules, all powers and duties given or assigned to contract agencies by the Public

Contracting Code may be exercised or performed by the Board Chairman or the Chairmen's designee, including the authority to enter into emergency contracts pursuant to ORS 279B.080.

- C) All public contracts estimated to cost \$150,000 or more in a calendar year must be approved by the Board of Directors.
- D) All public contracts estimated to cost less than \$150,000 in a calendar year may be entered into by the Board Chairman or designee without Board approval. However, either the Board or the Board Chairman may enter into emergency contracts or designee pursuant to Paragraph 7 of these Rules, regardless of dollar limits, subject to ORS 294.481.

**3) Special Procurements and Exemptions.**

- A) The Local Contract Review Board may exempt from competitive bidding certain contracts or classes of contracts for procurement of goods and services according to the procedures described in ORS 279B.085.
- B) The Local Contract Review Board may exempt certain contracts or classes of contracts for public improvements from competitive bidding according to the procedures described in ORS 279C.335. When exempting a public improvement from competitive bidding, the Local Contract Review Board may authorize the contract to be awarded using a Request for Proposal process for public improvements, according to the processes described in OAR 137-049-0640 through 137-049-0690.

**4) Small Procurements (Under \$10,000).**

- A) Public contracts under \$10,000 are not subject to competitive bidding requirements. The Board Chairman or designee shall make a reasonable effort to obtain competitive quotes in order to ensure the best value for the District.
- B) The District may amend a public contract awarded as a small procurement beyond the \$10,000 limit in accordance with OAR 137-047-0800

**5) Intermediate Procurements.**

- A) A contract for procurement of goods and services estimated to cost between \$10,000 and \$150,000 in a calendar year, or a public improvement that is estimated to cost between \$10,000 and \$150,000 in a calendar year, may be awarded according to the processes for intermediate procurements described in ORS 279B.070.
- B) The District may amend a public contract awarded as an intermediate procurement beyond the stated limitations in accordance with OAR 137-047-0800, provided the cumulative amendments shall not increase the total contract price to a sum that is greater than 25% of the original contract price.

6) **Electronic Advertising.**

- A) Pursuant to ORS 279C.360 and ORS 279B.055C(4c), electronic advertisement of public contracts in lieu of newspaper publication is authorized when it is cost-effective to do so. The Board Chairman or designee shall have the authority determine when electronic publication is appropriate, and consistent with the District's public contracting policies (OAR 137-47-0270(3)).

7) **Emergency Contracts.**

- A) Emergency shall be defined as follows: "Circumstances that (a) could not have reasonably been foreseen; (b) create a substantial risk of loss, damage, or interruption of services or a substantial threat to property, public health, welfare or safety; and (c) require prompt execution of a contract to remedy the condition."
- B) The Board Chair, or designee shall have authority to determine when emergency conditions exist sufficient to warrant an emergency contract. The nature of the emergency and the method used for the selection of the contractor shall be documented.
- C) Emergency contract may be awarded as follows:
  - I) Good and Services. Emergency contracts for procurement of goods and services may be awarded pursuant to ORS 279B.080 and Paragraph 2, "Delegation" of these Rules.
  - II) Public improvements. The District hereby adopts OAR 137-049-0150 as its contracting rules for awarding a public improvement contract under



emergency conditions.

**8) Disposal of Surplus Property.**

- A) "Surplus Property" is defined as any personal property of the District that has been determined by the Board Chairman as being of no value to the District.
- B) The Board Chairman may dispose or surplus property as follows:
  - 1) For surplus property deemed to have an estimated salvage value of \$50,000 or less, the Board Chairman may authorize the property to be sold, donated or to be destroyed.
  - 2) For surplus property deemed to have an estimated salvage value of more than \$50,000, the Board of Directors may authorize the Board Chairman to dispose of the property in any appropriate manner.
    - a. Surplus property may be disposed of in the manner that is most advantageous to the District or the community at large, including, but not limited to, the following:
      - I. Public Auction. Auctions must be sufficiently advertised in the manner that is most likely to obtain a competitive bidding pool for the property. Employees of the District may purchase surplus property from the District only at an advertised auction, and only if the employee submits the highest bid for such property.
      - II. Donations. Surplus property may be donated or sold to any non- profit organization, any other local government, or any state or federal program created to dispose of surplus property.
      - III. Disposal. Surplus property determined to be of insufficient value to merit auction or donation may be disposed of in any appropriate manner.

**9) Appeals of Prequalification Decisions and Debarment Decisions.**

- A) Review of the District's prequalification and debarment decisions shall be as set forth in ORS 279B.425. The following additions procedures shall apply to hearing on such decisions by the LCRB:

- I) Notice shall be submitted in writing to the Board Chairman. Appeals filed after the filing period stated in ORS 279B.425 shall not be heard.
- II) Upon opening the hearing, District staff shall explain the District's decision being appealed and the justification thereof. The Appellant shall then be heard. Time for the appellant's testimony shall be established by the Board Chair. The appellant may submit any testimony or evidence relevant to the decision or the appeal. Any party requesting time to testify in support of the appeal shall then be heard, subject to time limits established by the Board Chair.
- III) Once all testimony and evidence in support of the appeal is heard, any party requesting time to testify in support of the District's decision shall be provided time to be heard, with time limits established by the Board Chair. Any party testifying in opposition to the appeal may submit any testimony or evidence relevant to the decision or the appeal. Once all testimony in opposition to the appeal has been heard, the appellant may request time to provide rebuttal testimony. At the conclusion of the rebuttal testimony, if any, the Board Chair shall close the hearing.
- IV) When issued in writing according to the requirements of ORS 279B.425, the LCRB's decision and order shall be final.

**10) Purchases from Federal Catalogs.**

- A. Subject to applicable Board approval requirements stated in the District's Contracting Rules, the District may purchase goods from federal catalogues without competitive bidding when the procurement is pursuant to 10 USC 381, the Electronic Government Act of 2002 (Public Law 107-347). Purchases under other federal laws will be permitted upon a finding by the Local Contract Review Board that the law is similar to such Act in effectuating or promoting transfers of property to contracting agencies.

<u>Type of Procurement</u>	<u>Oregon Statues</u>
<p>Direct Selection (Small Procurements): Procurements of Products, services or supplies Are exempt from competitive bidding when their value is less than a specified amount.</p>	<p>Exempt when less than \$10,000 ORS 279B.065 OAR 137.047.0265</p>
<p><u>Informal Competitive Quotes</u> (Intermediate Procurement):</p>	<p>Required for procurements between \$10,000 and \$150,000 ORS 279B.070 OAR 137.047.0270</p>
<p><u>Formal Competitive Sealed Bids:</u> Procurement of products, services or supplies requires formal written competitive proposals when their value exceeds a specified amount.</p>	<p>Required when value exceeds \$150,000. Local Contract Board sets amount based on upper limits established for Informal Quotes ORS 279B.055 &amp; .060 OAR 137.047.0260-0263</p>
<p><u>Sole Source:</u> Allows agencies to award a contract for goods or services without competition.</p>	<p>If value is \$50,000 or less, approval may be given by Board Chair. Written findings and public notice required for sole source purchases greater than \$50,000. Requires Board to determine its own rules. ORS 279B.075 OAR 137.047.0275</p>

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**Type of Procurement****Oregon Statutes**

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Emergency Procurement:

May enter into public contracts without competitive bid under emergency situations.

Allows head of agency or designee to authorize a defined emergency procurement in writing.

ORS 279B.080

OAR 137.047.0280

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Disposal of surplus and abandoned property

Requires Board to determine its own procedure.

ORS 279A.280

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Personal Services

Contracts

Requires agencies to define "personal services" and establish procedures for contracting.

ORS 279A.070

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Architectural, Engineering, Photogrammetric Mapping, Transportation Planning or Land Surveying and Related Services

Must adopt procedures for screening and selection. Requires selection be determined based on qualifications for the type of professional service.

279C.105

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Notice of Intent to Award a Contract

Requires notice to be given seven (7) days before the award of a public improvement contract to each bidder or proposer.

ORS 279C.375

Pre-Qualification Process

Agency may require Pre-Qualification for contracts to provide particular types of goods and services.

ORS 279B.120

OAR 137.047.0550 ORS 279C.430

OAR 137.049.0220

## **Strengths, Weaknesses, Opportunities, and Threats**

### **Strengths**

It is important for any organization to identify their strengths in order to assure they are capable of providing the services requested by customers/members, and to ensure that strengths are consistent with the issues they face. Often, the identification of strengths leads to the channeling of an organization's efforts toward the member needs that match those strengths. Programs that do not match organizational strengths, or the primary function of the agency, should be reviewed to evaluate the rate of return on precious staff time.

#### ***Strengths of Scappoose Drainage Improvement Company***

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## **Weaknesses**

Performance or lack thereof, within an organization depends greatly on the identification of weaknesses and how they are confronted. While it is not unusual for these issues to be at the heart of the organization's overall problems, it is unusual for an organization to be able to identify and deal with these issues effectively on its own.

For any organization to either begin, or continue, to move progressively forward, it must be able to identify its strengths, as well as those areas where it does not function well. The areas needing improvement are not the same as threats, which will be identified later, but rather those day-to-day issues and concerns that may slow or inhibit progress.

### ***Weaknesses of Scappoose Drainage Improvement Company***

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## **Opportunities**

The identification of opportunities for the organization follows the assessment of strengths and weaknesses. These opportunities are not solely focused on existing services, but on expanding and developing new possibilities both inside and beyond the traditional service area.

### ***Opportunities for Scappoose Drainage Improvement Company***





## **Threats**

There are conditions in the internal and external environment that are not under an organization's control. However, by being aware of them, the organization can develop plans and programs to either mitigate or respond when a threat becomes reality. By recognizing possible threats, an organization can greatly reduce the potential for loss.

### ***Threats to Scappoose Drainage Improvement Company***

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## Relevant Oregon Revised Statutes

### **PERS definition of Public Agency:**

**237.410 Definitions for ORS 237.420 to 237.515.** As used in ORS 237.420 to 237.515, unless the context requires otherwise:

(1) “Public agency” or “political subdivision” means the State of Oregon, any city, county, municipal or public corporation.....

### **Executive Sessions:**

**192.660 Executive sessions permitted on certain matters; procedures; news media representatives’ attendance; limits.** (1) ORS 192.610 to 192.690 do not prevent the governing body of a public body from holding executive session during a regular, special or emergency meeting, after the presiding officer has identified the authorization under ORS 192.610 to 192.690 for holding the executive session.

(2) The governing body of a public body may hold an executive session:

(a) To consider the employment of a public officer, employee, staff member or individual agent.

(b) To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing.

(c) To consider matters pertaining to the function of the medical staff of a public hospital licensed pursuant to ORS 441.015 to 441.087 including, but not limited to, all clinical committees, executive, credentials, utilization review, peer review committees and all other matters relating to medical competency in the hospital.

(d) To conduct deliberations with persons designated by the governing body to carry on labor negotiations.

(e) To conduct deliberations with persons designated by the governing body to negotiate real property transactions.

(f) To consider information or records that are exempt by law from public inspection.

(g) To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.

(h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

(i) 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.

(j) To carry on negotiations under ORS chapter 293 with private persons or businesses regarding proposed acquisition, exchange or liquidation of public investments.

(k) To consider matters relating to school safety or a plan that responds to safety threats made toward a school.

(L) If the governing body is a health professional regulatory board, to consider information obtained as part of an investigation of licensee or applicant conduct.

(m) If the governing body is the State Landscape Architect Board, or an advisory committee to the board, to consider information obtained as part of an investigation of registrant or applicant conduct.

(n) To discuss information about review or approval of programs relating to the security of any of the following:

(A) A nuclear-powered thermal power plant or nuclear installation.

(B) Transportation of radioactive material derived from or destined for a nuclear-fueled thermal power plant or nuclear installation.

(C) Generation, storage or conveyance of:

(i) Electricity;

(ii) Gas in liquefied or gaseous form;

(iii) Hazardous substances as defined in ORS 453.005 (7)(a), (b) and (d);

(iv) Petroleum products;

(v) Sewage; or

(vi) Water.

(D) Telecommunication systems, including cellular, wireless or radio systems.

(E) Data transmissions by whatever means provided.

(3) Labor negotiations shall be conducted in open meetings unless negotiators for both sides request that negotiations be conducted in executive session. Labor negotiations conducted in executive session are not subject to the notification requirements of ORS 192.640.

(4) Representatives of the news media shall be allowed to attend executive sessions other than those held under subsection (2)(d) of this section relating to labor negotiations or executive session held pursuant to ORS 332.061 (2) but the governing body may require that specified information be undisclosed.

(5) When a governing body convenes an executive session under subsection (2)(h) of this section relating to conferring with counsel on current litigation or litigation likely to be filed, the governing body shall bar any member of the news media from attending the executive session if the member of the news media is a party to the litigation or is an employee, agent or contractor of a news media organization that is a party to the litigation.

(6) No executive session may be held for the purpose of taking any final action or making any final decision.

(7) The exception granted by subsection (2)(a) of this section does not apply to:

(a) The filling of a vacancy in an elective office.

(b) The filling of a vacancy on any public committee, commission or other advisory group.

(c) The consideration of general employment policies.

(d) The employment of the chief executive officer, other public officers, employees and staff members of a public body unless:

(A) The public body has advertised the vacancy;

(B) The public body has adopted regular hiring procedures;

(C) In the case of an officer, the public has had the opportunity to comment on the employment of the officer; and

(D) In the case of a chief executive officer, the governing body has adopted hiring standards, criteria and policy directives in meetings open to the public in which the public has had the opportunity to comment on the standards, criteria and policy directives.

(8) A governing body may not use an executive session for purposes of evaluating a chief executive officer or other officer, employee or staff member to conduct a general evaluation of an agency goal, objective or operation or any directive to personnel concerning agency goals, objectives, operations or programs.

(9) Notwithstanding subsections (2) and (6) of this section and ORS 192.650:

(a) ORS 676.175 governs the public disclosure of minutes, transcripts or recordings relating to the substance and disposition of licensee or applicant conduct investigated by a health professional regulatory board.

(b) ORS 671.338 governs the public disclosure of minutes, transcripts or recordings relating to the substance and disposition of registrant or applicant conduct investigated by the State Landscape Architect Board or an advisory committee to the board.

(10) Notwithstanding ORS 244.290, the Oregon Government Ethics Commission may not adopt rules that establish what entities are considered representatives of the news media that are entitled to attend executive sessions under subsection (4) of this section. [1973 c.172 §6; 1975 c.664 §2; 1979 c.644 §5; 1981 c.302 §1; 1983 c.453 §1; 1985 c.657 §2; 1995 c.779 §1; 1997 c.173 §1; 1997 c.594 §1; 1997 c.791 §9; 2001 c.950 §10; 2003 c.524 §4; 2005 c.22 §134; 2007 c.602 §11; 2009 c.792 §32; 2015 c.421 §2; 2015 c.666 §3; 2018 c.50 §11]

### **Audits of Drainage Districts:**

#### **547.125 Secretary as treasurer; duties; audit of books and report to landowners;**

**compensation.** (1) The secretary of the board of supervisors in any drainage district shall hold the office of treasurer of the district, except as otherwise provided in this chapter.

(2) The treasurer shall receipt for all moneys received by the treasurer and shall keep all funds received by the treasurer from any source deposited at all times in some insured institution or trust company, as those terms are defined in ORS 706.008, that is designated by the board of supervisors. All interest accruing on such funds shall, when paid, be credited to the district.

(3) The board of supervisors shall audit or have audited the books of the treasurer each year and make report thereof to the landowners at the annual meeting and publish a statement within 30 days thereafter, showing the amount of money received, the amount paid out during the year, and the amount in the treasury at the beginning and end of the year.

(4) The treasurer shall pay out funds of the district only on warrants signed by the president of the board and attested by the signature of the secretary and treasurer.

(5) The secretary shall receive as compensation for performing the duties of secretary-treasurer such salary as may be fixed and directed to be paid by resolution of the board. [Amended by 1969 c.345 §14; 1997 c.631 §489]

### **Budget law exclusion:**

**294.316 Exclusions from scope.** The provisions of ORS 294.305 to 294.565 do not apply to the following municipal corporations and entities:

- (1) Drainage districts organized under ORS chapter 547;
- (2) District improvement companies organized under ORS chapter 554;
- (3) Highway lighting districts organized under ORS chapter 372;
- (4) Irrigation districts organized under ORS chapter 545;
- (5) Road districts organized under ORS chapter 371;
- (6) Soil and water conservation districts organized under ORS chapter 568 that will not levy an ad valorem tax during the ensuing year or ensuing budget period;
- (7) Municipal public utilities operating under separate boards or commissions, authorized under ORS chapter 225 and city charters, and people's utility districts organized under ORS

chapter 261, both operating without ad valorem tax support during the ensuing year or ensuing budget period;

(8) Housing authorities created under ORS 456.055 to 456.235 that are not carrying out urban renewal activities using a division of ad valorem taxes under ORS 457.440 during the ensuing year or ensuing budget period;

(9) Water control districts organized under ORS chapter 553 that will not levy an ad valorem tax during the ensuing year or ensuing budget period;

(10) Hospital financing authorities organized under ORS 441.525 to 441.595;

(11) Export trading corporations organized under ORS 777.755 to 777.800;

(12) Diking districts organized under ORS chapter 551;

(13) Health districts organized under ORS 440.315 to 440.410;

(14) Intergovernmental entities created under ORS 190.010, including councils of governments described in ORS 294.900 to 294.930, except that an intergovernmental entity or a council of governments that proposes to impose ad valorem property taxes for the ensuing year or budget period is subject to ORS 294.305 to 294.565 for the budget prepared for that year or period; and

(15) Historic ghost towns as defined in ORS 221.862. [1963 c.576 §35; 1965 c.451 §1; 1979 c.621 §8a; 1979 c.686 §9; 1981 c.918 §5; 1983 c.200 §18; 1985 c.361 §1; 1999 c.632 §2; 2001 c.135 §4; 2001 c.251 §3; 2003 c.235 §2; 2017 c.26 §4]

## Attachment E

November 4, 2020

### **SDIC accounting to do List:**

- 1) Routine bill processing:
  - a) Enter VISA charges as needed
  - b) Enter Invoices as needed
  - c) Log into US Bank & State Pool to make sure nothing missing
- 2) 2<sup>nd</sup> Thursday Board Meeting
  - a) Print checks to be signed
  - b) Print transaction report & check register for Board review & approval
  - c) Print financial reports if not sent earlier or changes significantly
- 3) Monthly processing:
  - a) 1<sup>st</sup> of month reconcile US Bank checking and State Pool
  - b) Financial report PDF's created & saved in upcoming meeting folder
  - c) 22<sup>nd</sup> of month reconcile US Bank VISA
  - d) 5<sup>th</sup> to 9<sup>th</sup> PUD bill available to download
  - e) last day of month Jack salary paid
- 4) Quarterly processing:
  - a) Payroll reports
  - b) State & Federal deposits
- 5) Annual Items
  - a) Annual Assessment
    - i) April 1<sup>st</sup> get assessment data from County assessor
    - ii) Get GSI Inc. to update the assessment table & compare to County data
    - iii) July 15 send SDIC assessment amounts to County

January 16, 2015

RE: SDIC FEMA Accreditation

- b) June 30 end of fiscal year
  
- c) Tax return
  - i) July 10<sup>th</sup> review QB data for errors & resolve
  - ii) August 1<sup>st</sup> send info to CPA for tax return preparation
  - iii) September 1<sup>st</sup> review & approve CPA general Journal entries (if any)
  - iv) Nov 15 IRS form 990 returns for non-profits are due
  
- d) Calendar year end
  - i) Jan 31<sup>st</sup> 1099's due to vendors
  - ii) Jan 31<sup>st</sup> W-2's

Respectfully,  
Scappoose Drainage Improvement Company  
[Geoff Wenker](#)  
President  
503-913-9113 cell  
[geoff.wenker@gmail.com](mailto:geoff.wenker@gmail.com)

cc: [SDIC Board & Manager](#)  
File