

**WHATCOM CONSERVATION DISTRICT
Board of Supervisor Regular Meeting**

9:00 AM
March 31, 2020

Conference Room
6975 Hannegan Rd

MEETING SUMMARY

CALL TO ORDER

Chair Christianson called the meeting to order at 9:00 AM.

BOARD AND ADMINISTRATIVE STAFF PRESENT

Board Members

- X Heather Christianson, Chair
- X Suzzi Snyder, Vice-Chair
- X Larry Davis, Secretary/Treasurer
- X Alan Chapman

- X Valeri Wade

Administrative Staff & Others in Attendance

- X George Boggs, Executive Director
- X Dawn Bekenyi, District Clerk/Auditor
- X Jean Fike, WSCC
Frank Corey, Riparian Restoration
Coordinator
- X Aneka Sweeney, Outreach Coordinator

NRCS Report.
None.

PUBLIC HEARINGS
None.

OPEN SESSION (In person or written)

CONSENT AGENDA

IT WAS MOVED BY SNYDAR AND SECONDED BY DAVIS TO APPROVE THE FOLLOWING CONSENT AGENDA ITEMS. MOTION CARRIED (5-0).

1. Request approval of Meeting Summaries for February 24, 2020 meetings of the Board.

REGULAR BUSINESS AGENDA

OTHER ITEMS

1. Given the Governor’s Order Declaring a state of emergency, business practices need to be adapted accordingly. The following resolutions are presented for discussed and as a placeholder for action.

- a) Emergency Resolution 20-01 designating as successor to the current Executive Director should he be unable to fulfil his duties and responsibilities.

George related that he is responsible for oversight of all day-to-day activities of the District. Since team leaders are 90% or more grant funded they did not have time to undertake executive director responsibilities. Also, one person had to be in charge to make decisions. Because of his experience, education and training, Frank was best suited to step into the position.

Minutes approved as presented at the April 27, 2020 Board meeting.

Discussed consideration including pay increase for acting executive director, what upcoming activities would need attention, who should make the determination of incapacity and how long the acting position should be.

IT WAS MOVED BY SNYDAR AND SECONDED BY DAVIS TO APPROVE and ADOPT THE EXECUTIVE DIRECTOR SUCCESSION RESOLUTION. MOTION CARRIED (5-0).

- b) Emergency Resolution 20-02 delegating authority to identified Board members and staff to do certain acts required of the Board by RCW 89.08. ([See here](#))

The question presented was how to do those things required by the Board in the event the illness, technology breakdown or an Act of God prevented a meeting of three members of the Board. The RCW set forth certain activities, such as approving contracts that were in the exclusive purview of a Board. It also provides that the Board could delegate such powers as necessary to accomplish this. So, it was agreed that the Chair and Executive Director would have the authority and powers to do such acts if it was impossible to convene a quorum of Supervisors. The line of succession from Chair down was discussed and also made subject of the resolution.

IT WAS MOVED BY DAVIS AND SECONDED BY CHAPMAN TO APPROVE AND ADOPT THE RESOLUTION DELEGATING AUTHORITY TO THE CHAIR AND EXECUTIVE DIRECTOR TO DO THOSE THINGS DESCRIBED IN RCW IF CERTAIN EVENTS PREVENT A QUORUM. MOTION CARRIED (5-0)

- c) Emergency Resolution 20-03 closing the office to the public, designating “Essential Non-essential business activities”

The Board discussed the need to close the office, maintaining one person in the office during normal days and hours of business to protect the premises and property, gather mail etc. and follow health guidelines to maintain social distancing. Any staff person performing these activities needed a letter to show law enforcement to avoid a penalty for violating the Governor’s order.

The need for two signatures on checks was discussed. A protocol was identified to afford protection to staff and the Board members signing the checks.

IT WAS MOVED BY WADE AND SECONDED BY SNYDAR TO APPROVE AND ADOPT THE CLOSING THE OFFICE TO PUBLIC AND DESIGNATING “ESSENTIAL NON-BUSINESS “ACTIVITIES. MOTION CARRIED (5-0)

- d) Emergency Resolution 20-04 authorizing the signing of timecards and vouchers by password protected, electronic signature.

A history was provided as to why timecards and vouchers required physical signatures. This was waived to afford social distancing so long as a protocol could be established to ensure that electronic signatures were the functional equivalent. George reviewed signature policy and including the provision of a declaration by each employee certifying a sample electronic signature as theirs, that it was password protected and that it would be protected from use by others.

Minutes approved as presented at the April 27, 2020 Board meeting.

IT WAS MOVED BY DAVIS AND SECONDED BY SNYDAR TO APPROVE AND ADOPT ELECTRONIC SIGNATURES RESOLUTION. MOTION CARRIED (5-0)

- e) Emergency Resolution 20-05 revising the schedule for making bank deposits.

Under current guidance all cash and checks must be deposited on the same day as received regardless of the amount. Since the District no longer maintains a petty cash fund, does not accept receive cash and receives few physical checks of a large amount, and has adopted a protocol for anticipating when checks are to arrive and documenting their receipt, there is a very low risk of suffering any substantial loss were they held for a limited amount of time.

IT WAS MOVED BY SNYDAR AND SECONDED BY WADE TO APPROVE MAKING DEPOSITS NO MORE FREQUENTLY THAN ONCE A MONTH OR EARLIER IF THE AMOUNT REACHES OR EXCEEDS \$5,000). MOTION CARRIED (5-0)

- f) Emergency Resolution 20-06 identifying Essential Business Activities and Critical Infrastructure Workers.

The District engages in what are described as Essential Business Activities in support of Critical infrastructure. Employees who are performing these functions are described as Critical Infrastructure Workers meaning that they are exempt from the Governor's current stay at home orders. Since the lists are fairly general, it was recommended that the list be presented to the Dept. of Commerce to ensure compliance. If not, then the list is to be revised accordingly.

IT WAS MOVED BY DAVIS AND SECONDED BY SNYDAR TO APPROVE THE LISTED ESSENTIAL BUSINESS ACTIVITIES AND DESIGNATE STAFF CONDUCTING THOSE ACTIVITEIS AS ESSENTIAL CRITICAL WORKERS RESOLUTION. MOTION CARRIED (5-0)

- g) Emergency Resolution 20-07 maintaining health care benefits though an employee may go from Regular Full-time to Regular Part-time status.

This was originally included with the subject of the next resolution. The Board parsed it out for simplicity and though related, were sufficiently different to warrant separate treatment. Provisions of the personnel manual relating to benefits were presented to the Board by way of history. When an employee moved from regular full-time (40 hrs.) to regular part-time (>20 hrs. but <40 hrs.) then health benefits were provided to the employee only. After discussion, the Board concluded that at least for the months of April and May 2020 each employee shall receive the same health care benefits package that they were entitled to in March 2020.

IT WAS MOVED BY CHAPMAN AND SECONDED BY DAVIS TO APPROVE AND AUTHORIZE THAT EMPLOYEES SHALL BE ELIGIBLE TO RECIEVE THE SAME HEALTH CARE BENEFITS PACKAGE FOR APRIL AND MAY 2020 THAT THEY WERE ENTITLED TO IN MARCH. MOTION CARRIED (5-0)

- g) Emergency Resolution 20-8. Use of Leave, Application of FFRCA and Documenting Use of Leave as COVID-19 impact.

Minutes approved as presented at the April 27, 2020 Board meeting.

Personnel manual provisions relating to the use of leave including what happens at the termination of the employment relationship was discussed. Staff may want to exercise their options as they exist. The stay at home order could be extended many weeks. The District was not in a position to continue employment if unsupported by grants or contracts. At the same time new provisions regarding the provision of sick and family leave had been adopted with uncertain applicability to the District. Finally, if leave is being used to maintain employment status as a result of the COVID-19 pandemic, this needed to be captured. It might be that this could be recouped from a federal or state stimulus package

IT WAS MOVED BY DAVIS AND SECONDED BY SNYDAR TO APPROVE THE LEAVE USE RESOLUTION. MOTION PASSED. (4-0) - lost Allan.

2. Discussion about potential inability to complete grant/contract activities with implication on staffing.

George related that some grant/contract deliverables could not be completed. Given that this is pursuant to the Governor's orders, it would not present a breach of contract. Would be asking to revise the scopes of work to cover alternative activities and/or extend the term.

3. Discussion of Rates & Charges... what if any are the next steps? [See here](#) for responses to date.

Aneka discuss the rates and charges. Board agreeable to continue on reaching out to groups and getting feedback and drafting annual plan or work and long range plan of work. George would assemble the documents needed to submit to the County Council should the Board decide in July.

4. Documenting COVID-19 Impacts. Request by Supervisor Chapman to hear what is being done to document real time changes from regular business practices that constitute a financial loss to the District, employee time not able to be spent on projects associated with the COVID 19 situation and Emergency Orders

George reviewed the steps taking in time keeping and expenditures to track that an expense was caused by COVID-19. This is in case there is an opportunity for reimbursement in the future.

INTRODUCTION ITEMS

None.

COMMITTEE REPORTS, OTHER ITEMS AND BOARD MEMBER UPDATES

Board member reports provided before meeting.

Record of Board Actions.

- 20-06 IT WAS MOVED BY SNYDAR AND SECONDED BY DAVIS TO APPROVE THE FOLLOWING CONSENT AGENDA ITEMS. MOTION CARRIED (5-0).**

1. Request approval of Meeting Summaries for February 24, 2020 meetings of the Board.

Minutes approved as presented at the April 27, 2020 Board meeting.

- 20-07 IT WAS MOVED BY SNYDAR AND SECONDED BY DAVIS TO APPROVE and ADOPT THE EXECUTIVE DIRECTOR SUCCESSION RESOLUTION. MOTION CARRIED (5-0).**
- 20-08 IT WAS MOVED BY DAVIS AND SECONDED BY CHAPMAN TO APPROVE AND ADOPT THE RESOLUTION DELEGATING AUTHORITY TO THE CHAIR AND EXECUTIVE DIRECTOR TO DO THOSE THINGS DESCRIBED IN RCW IF CERTAIN EVENTS PREVENT A QUORUM. MOTION CARRIED (5-0)**
- 20-09 IT WAS MOVED BY WADE AND SECONDED BY SNYDAR TO APPROVE AND ADOPT THE CLOSING THE OFFICE TO PUBLIC AND DESIGNATING “ESSENTIAL NON-BUSINESS “ACTIVITIES. MOTION CARRIED (5-0)**
- 20-10 IT WAS MOVED BY DAVIS AND SECONDED BY SNYDAR TO APPROVE AND ADOPT ELECTRONIC SIGNATURES RESOLUTION. MOTION CARRIED (5-0)**
- 20-11 IT WAS MOVED BY SNYDAR AND SECONDED BY WADE TO APPROVE MAKING DEPOSITS NO MORE FREQUENTLY THAN ONCE A MONTH OR EARLIER IF THE AMOUNT REACHES OR EXCEEDS \$5,000). MOTION CARRIED (5-0)**
- 20-12 IT WAS MOVED BY DAVIS AND SECONDED BY SNYDAR TO APPROVE THE LISTED ESSENTIAL BUSINESS ACTIVITIES AND DESIGNATE STAFF CONDUCTING THOSE ACTIVITEIS AS ESSENTIAL CRITICAL WORKERS RESOLUTION. MOTION CARRIED (5-0)**
- 20-13 IT WAS MOVED BY CHAPMAN AND SECONDED BY DAVIS TO APPROVE AND AUTHORIZE THAT EMPLOYEES SHALL BE ELIGIBLE TO RECIEVE THE SAME HEALTH CARE BENEFITS PACKAGE FOR APRIL AND MAY 2020 THAT THEY WERE ENTITLED TO IN MARCH. MOTION CARRIED (5-0)**
- 20-14 IT WAS MOVED BY DAVIS AND SECONDED BY SNYDAR TO APPROVE THE LEAVE USE RESOLUTION. MOTION PASSED. (4-0) - lost Allan.**

Adjournment.

**IT WAS MOVED BY DAVIS. SECONDED BY SNYDAR:
to adjourn the meeting at 11:45 am.
MOTION CARRIED. (5-0)**

There being no further business before the meeting, adjourned the meeting at 11:45 a.m.

Dawn Bekenyi, District Auditor