

LPRD Board Meeting Agenda

July 14, 2015

LPCC Offices

Work session:

1. Examine the packet
2. Les Berg from Bend Metal Detecting Club
3. Other?

General Session:

1. Call to Order
2. Quorum established with Roll Call:
 - a. Robert Ray
 - b. Arlo Fertig
 - c. Joel Brader
 - d. John Wurst
 - e. Sharon Walling
 - f. Gary Gordon
 - g. Toby Wilson
 - h. Staff: Karen Miller, Teri Myers and Mary Thorson
 - i. Guests
3. Pledge of Allegiance
4. Acknowledgement of Agenda- Public Comments-
5. Swearing-in of the entire board Oath of office
 - a. Elect the chair for the board- review procedures of SDAO- There is a proposal for change to consider time factor
 - b. Meeting procedures for the new board order of the evening and minutes
6. Minutes: June 9th meeting
7. Financial Report: Mary Thorson
8. Ed Report:
 - a. Karen
9. Committee Reports:

- a. Chamber-
- b. Adult Ed- Chad Carpenter
- c. Skate Park- Sharon Walling
- d. Student Advisory- Volunteering for South County Boil

10. Old Business:

- a. Teri will write a synopsis of the three grant proposals *** to approve the resolutions

11. New Business:

- a. Official adoption of Board Priority List from the retreat (attached)
- b. Resolutions for grants from April
- c. Adopt policy about copying cost of B&W Copies, Color and poster sized double sided, etc.
- d. Adopt policy about cost of staff time. Formerly set at \$30.00 per hour for clean up, etc. in rental policy now
- e. LPRF South County Boil
- f. Media Plan and outreach plan- consider a PIO to work with Karen about LPRD Events grounds

12. Adjournment. Next meeting set for August 11, 2015

LPRD Board Meeting Minutes

June 9, 2015

LPCC Offices

Worksession:

1. Budget document action item
2. Rick Allen explained the SDC Program and how it could be used for getting money for the district. He gave a handout that showed a comparison between Central Oregon Towns. Rick explained that SDCs are a tool. We will need to work directly with COBA to endorse the process. Generally it is only for residences and it is built around a specific budgeted item, with a ten-to fifteen year amortization. He explained that whatever is decided must be fair and equitable for the system and th4e people who will pay for it. You go through certain steps and work out an IGA with the county/State. He said think about a list of things we want to accomplish and the SDCs must match the value of the list, then we pass an ordinance to set it up. District Attorney must be involved. When people apply to build it will be part of the building permit process.
3. Review of Budget committee recommendations
4. The Grant resolutions will be postponed until July Meeting and include a summary sheet with each
5. The FFF Cohort 3 presented the materials about the fountain in the park and are ready to turn it over to the District.

General Session:

1. Call to Order at 7:20 PM
2. Quorum established with Roll Call:
 - a. Robert Ray
 - b. Arlo Fertig- absent
 - c. Joel Brader
 - d. John Wurst
 - e. Sharon Walling
 - f. Staff: Karen Miller, Teri Myers and Mary Thorson
 - g. Guests: Rick Allen, Toby Wilson, Gary Gordon, Ashley Williams Cohort 3, Vicki Russell, Kathy DeBone, Debbie Grinols
3. Pledge of Allegiance
4. Acknowledgement of Agenda- Public Comments- none
5. Minutes: Joel moved and John seconded the approval of Minutes from April 21st Meeting- There was no meeting in May due to non-attendance.

6. Financial Report: Mary Thorson Note: the account balance is \$62,234.82 with a possible carryover of close to \$57K. Before the vote over the budget, there was a typo correction in the vision statement on page 1 and a correction to page 15 to clarify the assessment figure and average household value for the tax base.
7. Executive Session to discuss a personnel matter
8. Ed Report:
 - a. Karen pointed out her new rack card and described the summer programs. See hand out
9. Committee Reports:
 - a. Chamber- nothing
 - b. Adult Ed- chad absent. Has schedules out and meeting is Thursday the 11th.
 - c. Skate Park- there will be a booth at the Rhubarb Fest and raffle for the donated SPREE
 - d. Student Advisory- there will be a few of the volunteers who graduate or move away and the student advisors are seeking new folks to fill in.
 - e. Events lands, John rec'd a letter to say that the events lands are free of wetlands and the letter is good for five years. The letter copies have been forwarded to the county and state lands and we need to send one to the army corps of engineers.
10. Old Business:
 - a. Recap of Annual Dinner- Made \$2K and 70 people came and enjoyed the evening.
 - b. The LPRF is having the South County Boil on August 22 at Caldera Springs.
 - c. Recap of Grant submissions- Teri will write a synopsis of the three grant proposals for the July meeting so the board can approve the resolutions.
11. New Business
 - a. Action Items : Approval of resolutions for grant submissions to OPRD was postponed until July
 - b. Budget Approval ** ACTION ITEM John moved and Joel seconded the approval of the FY 2015-2016 Budget Resolution. Vote was unanimous. Passed.
 - c. Ashley Williams Cohort 3. The Ford Family Foundation Cohort 3 had turned over the fountain to the District. ** John moved and Joel Seconded that the District accept the gift of the fountain. It is now part of the District officially. Motion Carried unanimously.
12. Adjournment was at 8:30 PM: Next meeting set for July 14, 2015 Our Thanks to outgoing board members, Robert Ray and John Wurst for their years of service. A big welcome to new board members Tobias Wilson and Gary Gordon as board members elect. Terms start on July first for the new members.

Recording Secretary,

Teri Myers

ED Report for July 14, 2015

From: Karen Miller

1. Summer Activities- LPRD
 - Relay for life
 - Frontier Days
 - Summer Adventure Days
 - Upcoming- Soccer Camp/Football, Movie Nights
 - Chamber Breakfast – July 17
2. After School Program in Three Rivers
3. Completed Annual Review of Staff
4. Fountain- Working on transfer from Co-Hort 3
5. Kitchen – July 20th projected date
6. Grants- 10 in progress
7. Adopt Priority List from Board Retreat on June 6 - New business
8. Develop Policy for coping for the public -New business
9. Donations: High Lakes Car Club 50/50 Raffle- \$598.50 (Auto Parts Mart – donated the engine to raffle), \$500.00 YA YA's

LPRD Overview/Priorities

2015 and Beyond!

LPRD Board Priorities

1. La Pine Community Center “ Finish the Dream”
 - Kitchen-Electric/Plumbing/Phone
 - Entry Way- Fix/weatherproof
 - Sidewalk-Fix
 - Floors/Window coverings- non-skid tile
 - Storage Shelving/Washer & Dryer (Donation-Sharon)
 - Parking Lot-Sports courts/ADA/Maintenance
 - Signage for the District- Front of the Building/Reader Board-Partner with other organizations
 - Exterior Painting of the Building
 - Interior Stage, Lights & Sound

2. Finley Butte Community Park in Phases
 - Water- City/Foundation Support
 - Ball Fields/Dugouts/Bleachers
 - Parking lot/ Court Sports/Maintenance
 - Revamp Buildings
 - Signage-Front/ HWY 97
 - Skate Park- Need Chairperson replacement/ Plans/Grants/Fundraising

3. Rosland Campground- Grant Search
 - ADA Parking/Camping
 - Signage- Open/Closed
 - Finish Electric and water to other sites
 - Maintenance/Finish Design Shelter
 - Picnic shelter finish Grill/Prep Table
 - Revamp Rosland Ranger Station

4. LPRD System Parks
 - Leona- River Trail System/Bathroom/Parking/Trail System/Soft Landing/Bridge/River Bank Protection/Solar Lighting/Picnic area

 - Audia-

Trails system North/River Trail System/Parking/Picnic area

5. The La Pine Event Grounds
 - Plan and Develop- Grant Search
 - Long Term Project

6. Create Status Report for the Public
 - Create Public Information Officer/Media Plan

7. JCJ Building
 - Use for Storage
 - Re-Roof Building in 2016???????

8. Expand the District
 - Community Outreach-Outside the District
 - Newberry Country Relevance
 - Expand Existing Programs

9. Stabilize Funding
 - SDC's- Development fee
 - Levy- Year or two down the road?
 - Bonds ?

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NOTICE OF PROPOSED AMENDMENT TO RESOLUTION 90-002

PLEASE TAKE NOTICE that on July 14, 2015 Director Gary Gordon will move to amend a portion of Resolution 90-002, adopted by the district Board on June 13, 1990.

Resolution 90-002 is entitled "Provisions Governing Functions of the La Pine Park and Recreation District. Said Resolution has not been repealed.

The language in the paragraph to be amended currently reads as follows:

"At the first board meeting in July of each year, the board shall select a chairman, vice chairman and secretary of the board. Each officer elected shall take office immediately and shall serve until the first board meeting of the following July, or until his successor is elected and qualified to serve. In order for a member of the board to be eligible for the office of chairman or vice chairman, he/she shall have served one previous year on the board of directors."

The proposed amendment would delete the last sentence:

"In order for a member of the board to be eligible for the office of chairman or vice chairman, he/she shall have served one previous year on the board of directors."

Discussion

The current requirements of the applicable ORS law are as follows:

§ 266.370 Board as governing power

- President and secretary
- Meetings

(1) The park and recreation board is the governing power of the district and shall exercise all powers of the district.

(2) At its first meeting or as soon thereafter as may be practicable, the board shall choose one of its members as president and shall appoint a secretary who need not be a member of the board. In case of the absence, or inability to act, of the president or secretary, the board shall, by order entered upon the minutes, choose a president pro tempore, or secretary pro tempore, or both, as the case may be.

(3) The board shall hold meetings either in the day or evening, as may be necessary.

(4) The board shall fill any vacancy on the board as provided in ORS 198.320 (Filling of vacancies on boards of certain districts). [Amended by 1983 c.350 §119; 2011 c.292 §1]

Please note that there is no requirement that any board member must have served a year on the Board before being selected to be president of the Board.

The sentence to be eliminated by this amendment is inconsistent with the language of ORS section 266.370 by adding an additional requirement before the member can be elected. Said another way, ORS section 266.370 does not require a one year eligibility. The statute is to be read given its plain meaning. **The plain meaning is that every board member is eligible.**

In Resolution 90-002, under the heading “Rules and Regulations,” the following is set forth:

“In the event that any part, or parts, of these rules and regulations are found to be in conflict with the Oregon statutes, then only such part, or parts, so found shall be null and void and the remainder thereof shall remain in effect.”

Adding an additional requirement for election is a conflict with Oregon law. As such, the language

“In order for a member of the board to be eligible for the office of chairman or vice chairman, he/she shall have served one previous year on the board of directors.” is null and void.

I searched all of the District records, and found no resolution that made the changes to conform to Oregon law. What I did find is that the resolution has not been followed. While the records are generally far from precise, it appears that, for example Sharon Walling was selected as vice chair after being sworn in on August 9, 2013 without having the 1 year on the Board. Her term ended September 16, 2014. I note also that the requirement for a prior 1 year term for the vice chair position was not required in what appears to be the current version of the “Board of Directors Operations, Procedures, Training, and Orientation Manual.” However, there is no record of that amendment to Resolution 90-002.

There are two ways to deal with this.

The first is to simply recognize it for what it is – null and void.

The second would be to amend Resolution 90-002 to remove the sentence in conflict. That requires only a majority of the Board’s vote (3 votes) after 48 hours’ written notice of the proposed amendment. Who sends the notice is not specified.

Amending resolution 90-002 is, to my view, a better procedure as it will produce a better record of the Board’s action.

It is requested that this Proposed Amendment be on the July 14, 2015 Agenda in a position before the Agenda item to select a Board Chair and Vice Chair.

Respectfully submitted, July 1, 2015

Gary S. Gordon, Director, Position 4