

**MINUTES**  
LANE REGIONAL AIR PROTECTION AGENCY  
BOARD OF DIRECTORS MEETING  
THURSDAY APRIL 13, 2023  
MEETING VIA ZOOM / SPRINGFIELD CITY HALL

ATTENDANCE

Board: Bryan Cutchen; Chair; Howard Saxion; Vice Chair; Joe Pishioneri, Mike Fleck, Jeannine Parisi, Matt Keating. David Loveall.

Absent: None.

Staff: Steve Dietrich, Colleen Wagstaff, Max Huefle, Lance Giles, Robbye Robinson, Jonathan Wright, Katie Eagleson, Amanda Atkins, Aaron Speck, Susannah Sbragia, Derek Bowen, Chris Coulter, Cassandra Jackson, Beth Erickson, Kelly Conlon, Chantelle Green.

Others: Jim Daniels.

**1. Call to Order**

**Chair Cutchen** called the meeting of the Lane Regional Air Protection Agency (LRAPA) Board of Director's (BOD) to order at 12:45 AM. Roll was called, and a quorum was established.

**2. Executive Session**

The Executive Session part of the meeting was closed to the public. Oregon law allows Executive Sessions for specific purposes. Chair Cutchen stated that under the advice of an LRAPA attorney, the citation for going into Executive Session was changed as stated in ORS 192.6602I. The Executive Session finished at 1:20 PM.

**3. Adjustments to Agenda**

**Mr. Saxion** made an adjustment to agenda item number nine. He requested a discussion regarding the process for the Executive Director's performance review.

**4. Public Participation**

**A. Comments on an Item on Today's Agenda**

No comments were made.

**B. Comments on a Topic Not Included on Today's Agenda**

No comments were made.

**C. Comments from Board Members**

No comments were made.

## **ACTION ITEMS:**

### **5. Consent Calendar**

**Chair Cutchen** noted the reason that expense reports for March 2023 were not available until May 2023 was to ensure the entire report could be reconciled correctly.

#### **A. Approval of Minutes from March 09, Board of Director's Meeting**

#### **B. Note: Expense Reports for March 2023 Will be Available in May 2023.**

**MOTION: Mr. Pishioneri** moved, and **Mr. Saxion** seconded the approval of the Consent Calendar. The motion passed unanimously.

## **REPORTS:**

### **6. Citizen's Advisory Committee (CAC)**

**Mr. Daniels** stated that at the last CAC meeting, the main topic of discussion was the design of a public survey.

There were no other comments or questions.

### **7. Director's Report, Agency Activities – March 2023**

**Mr. Dietrich** stated that regarding the Waybright Case, the hearing took place, both parties agreed, and a settlement was in progress.

**Mr. Pishioneri** said LRAPA needed to ensure they were in contact with the person who had legal control of the property involved in this case.

**Mr. Dietrich** said he would double check that.

There were no other comments or questions.

## **DISCUSSION:**

### **8. Old Business**

#### **A. Board Meeting Time Options and Discussion**

**Mr. Keating** stated that LRAPA meetings took place during the middle of his workday and proposed evening meetings or even a rotating meeting schedule that alternates between daytimes and evenings.

**Mr. Fleck** said he was not opposed to changing the meeting time, because he already attends several meetings in the evening.

**Mr. Pishioneri** said he was opposed to changing the meeting time because most of his evenings were already consumed with other meetings and he did not want to give up any more of his family time.

**Ms. Parisi** stated that since she did not have much time left as a LRAPA board member, she did not want to weigh in on the matter.

**Mr. Loveall** stated that his preference was to have the meetings during the day.

**Mr. Saxion** stated that his schedule was flexible, and he did not really have a preference.

**Mr. Fleck** said he did not want to have alternate times because he needed a fixed meeting.

**Mr. Keating** thanked everyone for their input. He proposed re-visiting this topic later, and the possibility of daytime meetings for the first half of the year and evening meetings for the remaining portion of the year. He noted that there was barely any public participation at LRAPA meetings, and speculated the reason could be because members of the public cannot attend during working hours.

**Chair Cutchen** asked **Mr. Dietrich** to bring this discussion back to the table when the new board members were selected.

**Mr. Fleck** clarified that the BOD would need replacements for **Ms. Parisi** and a representative from The City of Springfield.

**Mr. Saxion** added that of The City of Eugene's appointments, all the citizen members' terms would be ending at the end of June 2023, including his. The City Council was in the process of recruitment that ended at the end of March 2023, and they were in the evaluation stage. The three citizen members for The City of Eugene were based on the mayor's recommendation for appointees, which would be voted on by the City Council in June 2023.

**Mr. Keating** left the meeting at 1:30 PM.

**Mr. Pishioneri** suggested that when people apply for public office or committee positions, that they understand meetings time may be inconvenient.

## **B. Status Update: Work Session Subcommittee**

**Mr. Dietrich** stated that the subcommittee had been told to postpone working on LRAPA bylaws due to other agency obligations and a lack of time. A facilitator company by the name of Jensen and an attorney had been consulted to help get this project underway. He recommended that the board consider approving the use of Jensen and an attorney for this task.

**Mr. Saxion** asked how much money was allotted for those costs in the budget, and what the timeframe would be to perform the scope of work.

**Mr. Dietrich** said the scope of work had been requested from Jensen earlier in the week. Regarding the timeline, he hoped that LRAPA could adopt new bylaws by the end of the calendar year, which would be in line with the appointment of new LRAPA BOD and other Committee members. The estimated cost for Jensen was roughly \$20,000.00.

**Mr. Saxion** stated that the cost for Jensen was higher than he thought it would be and asked if it would be appropriate for LRAPA to send out a request for proposal (RFP) for this work.

**Ms. Sbragia** said she asked the auditor if that was required and determined it was not.

**Mr. Saxion** asked what the dollar threshold was if an RFP was not required.

**Ms. Sbragia** replied that she thought it was \$35,000.00 and noted that the \$20,000.00 estimate was not a formal bid.

**Mr. Saxion** said he would prefer selecting a company based on experience and qualifications as opposed to bids and proposed that the BOD approve that preference.

**Mr. Pishioneri** said he would assume if they released an RFP, there would be an evaluation process based on the best experience and qualifications.

**Mr. Saxion** said he was interested in having transparency regarding who was selected for this work.

**Ms. Parisi** stated a \$30,000.00 service contract did not require an RFP. She did not think anyone was suggesting the release of an RFP for a \$30,000.00 job. That would entail a lot of process work and review for a small amount of money. We could release a Request for Quote (RFQ) and list requirements to prove qualifications in that RFQ. That would satisfy what **Mr. Saxion** was asking for and allow price shopping. She suggested that everyone get in agreement that nobody was asking for an RFP. She acknowledged the value in getting some support to jumpstart the bylaws process.

**Mr. Fleck** said he had reviewed bylaws many times. The problem with the subcommittee was not that they couldn't do the work, it was a lack of being able to organize a meeting time. He would prefer it if the subcommittee went forward with the bylaws and had **Mary Bridget Smith** review their work.

**Mr. Pishioneri** retracted his previous comments about an RFP. He did not support releasing an RFP but did agree there should be a vetting process. He noted that attorney time could be expensive and suggested if an attorney was used, it should be for a high-level review.

**Mr. Saxion** was not opposed to spending money if a facilitator could get them through this process quickly. He wanted to make sure the bylaws would be thorough.

**Ms. Sbragia** stated that the financial team met with an attorney who helped them develop the scope of work for this project. The team then met with Jensen and explained the project. Jensen understood the scope of the work and was in the process of writing their proposal.

**Mr. Saxion** said he would have appreciated it if the BOD had been notified about that.

**Mr. Cutchen** suggested that the BOD review the scope of work at their next meeting. He agreed with **Mr. Fleck** in that the subcommittee should move forward instead of hiring a facilitator.

**Mr. Dietrich** proposed making the switch from **Mary Bridget Smith**, to avoid the occasional conflict of interest, and go entirely with **Kristen Denmark** for tasks that were not related to human resources. Legal assistance was a service he would like to maintain. He proposed that the topic of moving forward with Jensen and an attorney should be on the agenda for the May 2023 BOD meeting.

**Mr. Pishioneri** said he would not want to shift entirely to one attorney and noted that **Ms. Denmark's** services were not cheap.

**Mr. Dietrich** said he would bring all the information on pricing to the BOD during the May 2023 meeting.

There were no other comments or questions.

## 9. New Business

### A. Board Meeting Hybrid Format and Location

**Mr. Dietrich** stated that the hybrid approach for meetings was something that LRAPA would continue to do. He was hopeful that meetings could begin to take place at the LRAPA office. Going forward, in the not-too-distant future, LRAPA would be making some capital investments on the LRAPA building and parking lot, which may force a virtual meeting, or a hybrid meeting somewhere else during that time. The BOD will receive information about proposed renovations and costs soon.

### B. Board Vacancies

**Mr. Dietrich** stated that most of the vacancies within the BOD had been identified earlier in this meeting. There were two positions vacant at the time of this meeting, one in The City of Eugene, and one in The City of Springfield. At the end of June 2023, **Mr. Saxion** and **Ms. Parisi's** positions would become available.

**Mr. Saxion** stated that he had applied to get re-appointed.

**Mr. Dietrich** asked what his role was to try to find candidates for those positions.

**Mr. Fleck** replied if someone from The City of Eugene inquired about open positions, **Mr. Dietrich** could direct them to the appropriate department within the city, but he was not obligated to find candidates.

**Mr. Saxion** noted all the boards and commissions, open seats, and the application process were listed on the City of Eugene's website in January 2023.

**Mr. Pishioneri** said The City of Springfield did not list that information on their website unless there was a dire need for candidates.

**Mr. Saxion** approached the topic of Executive Director's performance review. He said it would be appropriate to have one mid-year and at the end of the year. He noted mid-year was approaching.

**Mr. Pishioneri** said historically, performance reviews were done annually.

**Mr. Fleck** noted annual reviews were tied to employment anniversary dates.

**Mr. Saxion** said he was not sure if a process was in place for getting confidential, and anonymous staff feedback as part of the performance review.

**Ms. Parisi** said in the past, staff were asked for feedback for employee reviews. There was a questionnaire that was used in the past, which could be emailed or mailed anonymously. The participation rate was roughly 50 percent. Things were a bit different now that most people were working remotely. There may be an online survey that could be used. It would not be difficult to initiate, but the BOD would need to make time to decide the best way to get employee feedback.

**Mr. Pishioneri** agreed that a confidential survey was a good idea.

**Mr. Fleck** said that the BOD would need to approve the performance evaluation form, and noted that typically, the Director does their own review of themselves as well.

**Mr. Dietrich** stated the last Director's performance review was done in July of 2022. His plan was to have his own performance review ready for the board in May 2023. This would include his goals and accomplishments.

**Ms. Parisi** said she would be willing to work with another board member to come up with a performance evaluation form.

**Mr. Pishioneri** agreed to assist her in that task.

## **10. Adjournment**

**Chair Cutchen** adjourned the meeting at 2:07 PM.

*(Minutes recorded by Diana Pamir Tisdale)*