

**GOVERNING BOARD MEETING
OREGON DEPARTMENT OF GEOLOGY AND MINERAL INDUSTRIES**

**Mt Bachelor Village
Summer Twilight Conference Room
19717 Mount Bachelor Drive
Bend, OR
July 24, 2015
8:30 am-12:30 pm**

- 1) **Call to Order:** (Larry Givens, Board Chair)
Chair Larry Givens called the meeting to order at 8:32 a.m.

- 2) **Introductions:** (Larry Givens, Board Chair and staff)
Chair Givens, Vice Chair Lisa Phipps, and Board Members Dennis Luke and Laura Maffei were in attendance.

DOGAMI Staff in attendance:

Ian Madin, Interim State Geologist
Traci Cooper, Interim Assistant Director
Richard Riggs, Assistant Director for the Mineral Land Regulation & Reclamation Program
Ali Ryan, Earth Science Information Officer
Jonathan Allan, Coastal Geomorphologist and Staff Representative (via phone)
Alyssa Pratt, Office Specialist

Others in attendance:

Lauri Aunan, Governor's Office
Vicki Jorgensen, DOGAMI Human Resources
Larry Knudsen, Assistant Attorney General
Enrique Sama, Department of Administrative Services (via phone)
Rich Angstrom, President of Oregon Concrete & Aggregate Producers Association Resources (OCAPA)
Cathleen Connolly, DAS Chief Financial Office
Hillary Borrud, Eastern Oregonian Media Group (via phone)

- 1) **3) Approval of Minutes of June 12, 2015 Teleconference Meeting:** (Board) *Action Item*
2) **Motion: Luke moved to approve the minutes as written. Phipps seconded. Motion**
3) **carried.**

- 4) **2015-2017 Budget:** (Ian Madin, Interim Director; Traci Cooper, Interim Assistant
5) Director)
6)

7 **a. Overview of 2015-2017 budget and budget notes:** *Update Item*

8 Madin summarized the 2015-17 Agency budget, which included:

- 9 • An overall substantial increase in general fund.
- 10 • One time fund of \$770,000 as match lidar collection through the USGS
- 11 3DEP program.
- 12 • About \$500,000 in new permanent general fund to support existing staff
- 13 in the flood, landslide and earthquake programs. The additional funds
- 14 provide more stability to those programs.
- 15 • Funding to support the Policy Option Packages.
- 16 • \$800,000 backfill for the 2013-2015 budget. The Agency is required to
- 17 return any backfill funds not used.

18 The budget included a number of staffing changes, among them removal of

19 three business office positions and direction to contract with DAS shared

20 services for business operations. Funding was provided to cover the cost of the

21 contract. The Agency was also directed to close the Nature of the Northwest

22 Information Center; the store manager position was also removed. Two business

23 office staff and the store manager have stayed on in limited duration positions

24 for the next two months to assist with transition.

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26 Staff hopes to have projections for the current biennium and more certainty of

27 the Agency's current standing by the next Board meeting.

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29 **b., c. d. Strategies for compliance with Budget Notes:** *Information items*

30 *and action item*

31 Madin said the Agency views the budget notes as instructions rather than

32 suggestions and will comply with all.

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- 34 • **Budget Note 3:** With the closing of the store, the Agency is now
- 35 preparing to put all publications online, including all published materials
- 36 on mineral resources. This will satisfy the Budget note. Additionally, the
- 37 Agency plans to digitize the library and place all information that is
- 38 unique and specific to Oregon online, which will provide greater public
- 39 access to material.

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41 The Agency's core and cutting collection relocation project, a

42 collaboration with state and federal agencies and Oregon State University

43 and University of Oregon, will also provide access to core and cutting

44 collection. OSU will take the core portion of the collection and store it in

45 their core facility. Presumably they will eventually curate the collection,

46 making it more available to the public and researchers. Discussion is

47 ongoing with USGS to take the cutting collection; staff is determining

48 logistics and resources.

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The Agency is required by statutory or regulatory requirement to keep newly drilled oil and gas cores for a period of time. This may always require the Agency to have the capacity to store some material for a couple of years at least. Knudsen will look rule or statute requirements and consult with Riggs. The Albany warehouse lease is until February 2017, which does provide storage for the cuttings collection and any new cores.

- **Budget Note 2:** The Agency will work with the office of the Chief Information Office (CIO) to do a comprehensive review of the Agency's IT systems and procedures, which will then be reported on to the LFO in December of 2015. The Agency has already contacted the office of the CIO and is negotiating for a date in early August for the initial kick-off meeting for this review process. Madin anticipates no issues with complying with the budget note.

- **Budget Note 1:** The note requires DOGAMI to report to the Legislature in February 2016 on the progress in improving Agency business practices. It specifies that the Agency describe steps taken to address:
 1. Reorganization of budget and accounting structures, with new, separate structures for lidar.
 2. Update of outdated accounting procedures
 3. Review of the current business and organizational infrastructure
 4. Review of core operations, program priorities and funding sources
 5. Review of cash flow management and indirect rates
 6. Review of MLRR fee structures.

- Madin reported items 1, 2 and 5 revolve around rebuilding the financial structure and business practices of the Agency. Currently that is in motion with the transition of the Agency's business operations to DAS shared services, which will resolve those issues.

- Item 6 will require the review of the MLRR fee structure and fee revenue. Reporting on revenue will be complicated, as the Agency will not know impacts of HB 3563 on aggregate revenue by February and will not be able to perform full analysis. However, by February the Agency will have 14 months of data on MLRR expenditures by program, and will be able to analyze that data. This will provide an opportunity to see what programs are costing the Agency and explore a potential fee increase. The Governor's Office and DAS are interested in keeping the fee bill discussion open next legislative session.

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- Madin said items 3 and 4 are an opportunity the Agency to recommend organization, structure and priorities. This can be accomplished by using the existing Agency Strategic Framework to develop a strategic plan, which would allow setting of goals, making of purposeful choices and consideration of stakeholder input.

The Board expressed concern with the possibility of the framework going one direction and what the Agency decided to do, in another direction. The process needs to be coordinated and kept efficient; it could lead to the possibility of changing the framework.

Also discussed was the direction from LFO to request approval before applying for federal grants; Madin clarified that there is a mechanism to do this even when Legislature is not in session. Cooper will provide a letter from LFO that states the requirements.

Madin and the Board discussed the proposed Timeline and Report Outline provided in the packet, which moves forward the concept of preparing a prioritized strategic plan from the goals and objective outlined in the 2015-2021 Strategic Framework. Madin’s goal is to report to the legislature about success and completion, as opposed to just progress. Discussion included:

- The Board reviewed the timeline provided and found it reasonable.
- Lauri Aunan from the Governor’s Office shared the Governor’s point of view. Aunan said Chair Givens met with Governor Brown several weeks ago and Governor Brown’s focus was on strong and capable leadership, especially given the recent budget situation. A good Director recruitment that prioritizes leadership experience, filling the Governing Board vacancies with great new members, and having the Agency be open to the best solutions for delivering programs and services to Oregonians were noted as important. The take away is not to just get it done, but do it well.
- The Board said that all options to best provide services to Oregonians will need to be considered, including the possibility of consolidating the Agency. This needs to occur, regardless of what option is chosen, to provide the reasoning and justification of the decision.
- Madin said the Agency does not currently have defined services it is providing but rather a long list of what it could do. Setting expectations of what the Agency should get done is part of this discussion. Once through the February session, the Agency will know its funding and new organization, then the Board and staff can revisit the strategic plan.
- Aunan noted interest in earthquakes and natural hazards is high, for the Governor and Legislators. The Governor has emphasized leadership for

136 the Agency, and would expect that Agency to lead in the areas that it is
137 mandated by the statutes.

- 138 • Madin pointed out that the Cascadia Subduction Zone is a perfect
139 example of the fundamental problem. Resources currently devoted to
140 earthquake and Cascadia science are minimal, though this is one of the
141 most important issues.
- 142 • Phipps commented on the topic of Agency leadership. The Agency is
143 currently tasked with many obligations but not given the authority to
144 follow through with the tasked responsibilities. Without defined priorities
145 and limited authority, meeting those expectations is challenging. The
146 Agency needs to be given the power to truly be the leader. Aunan said
147 that the Governor's focus is on having a strong administrative approach
148 dealing with the current issues, and setting up for future success. A lot
149 will come February 2016, but more will follow with setting up for the
150 2017-2019 budget.
- 151 • Madin expressed his confidence in the reorganization of the Agency
152 because what needs to be done is known; it's straightforward but a lot of
153 work. He believes that in February the reorganization of the Agency will
154 be completed and then hopefully the discussion will be shifted to what
155 the Agency priorities, focus and purpose.
- 156 • The Board discussed the lack of power of the Agency. Aunan commented
157 on the discussion, stating that one of the reasons why there continues to
158 be conversation about consolidating the Agency, is because Department
159 of Land Conservation and Development (DLCD) are responsible for similar
160 tasks. This is why an alternative analysis needs to be researched to
161 discover the most efficient system to deliver services to Oregonians.

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163 **Phipps moved to approve the Proposed Timeline and Report Outline for**
164 **Organizational Infrastructure and Program Priorities Review in general,**
165 **including the flexibility of adjustments depending on staff time, and also to**
166 **have the Board play and active role as appropriate. Luke seconded. Motion**
167 **carried.**
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170 **5) Business Restructuring:** (Board; Ian Madin, Interim Director; Traci Cooper, Interim
171 Assistant Director)

172 a. **Review of changes to Agency financial systems:** *Information and*
173 *possible Action Item*

174 Madin and Cooper walked through the 2015-2017 Budget Structure and the
175 Fund Description (dated 7/23/15) handouts.

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177 Fund Description Handout:

178 • The fund description handout showed all the accounts the Agency has
179 with Treasury. Each account provided overdraft protection for the

180 other. It was explained that one of the reasons why the Agency had
181 problems with reporting was that even though most of the accounts
182 were in the red, because of the overdraft protection and some
183 accounts having funds, it appeared if the Agency had money.
184 Madin explained a mechanism in the antiquated accounting system
185 that allows various funds at the lowest level to be linked and pooled
186 together for operational flexibility. This is not uncommon in most
187 state agencies. Previous monitoring and tracking was occurring at a
188 much higher level.
189 All the accounts had been maintained within that fund structure and
190 remained intact. Now the fund restructure is separating out the MLRR
191 components by unlinking those funds from any linking and pooling.
192 This would remove some of the flexibility in the Agency.

- 193 • Overall, the Agency has a cash flow issue. Being heavily federal
194 funded and there is an outflow of expenditures before the Agency
195 can draw down federal funds. This really puts an emphasis on the
196 process to make sure that the Agency is timely on the federal draws.
- 197 • What the handout is representing is the lowest level of funds. But
198 there are many other reporting methods to show the Board how
199 projects, grants, and contracts are being drawn out. Madin informed
200 the Board this is what was not being seen before. Madin also pointed
201 out that the Agency now receives this type of report every morning
202 because it is tracking this day-to-day. What the Board can expect
203 from the Agency in the future is a comprehensive report by fund type
204 and program.
205 The Board and Cooper discussed how they would like to review
206 reports and modifications to meet their needs. Chair Givens would
207 like to see a report stating what the Agency has to spend, and not an
208 expected grant proposals that we have not received the monies yet.
- 209 • Madin's goal is to perform forecasting throughout the biennium that
210 looks at all the current projects, all the staff, all expenditures. The
211 underlying principle that Madin would like to adopt is not take on
212 anymore expenditures unless the Agency can see to the end of the
213 biennium and know that they can be paid.
- 214 • Cooper noted that for the reorganization of the Agency, MLRR
215 operations and the bond funds have been separated out. The Bond
216 funds are intact and there will be in in-depth analysis to review all
217 records, as per the budget bills requirements.

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219 2015-2017 Budget Structure handout:

- 220 • Madin explained the Agency's budget structure of two primary
221 programs, one for geological survey and services and one for mine
222 land regulation and reclamation.

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- The next level, as seen on the handout, is subdividing the primary programs into elements, also known as the program structure. From a budget and an accounting aspect this is for reporting and tracking. This level of information will be provided to the legislature.
 - Cooper explained that the LFO-approved budget will be placed within the budget structure; there will be a line item level that will also be a part of this structure that will be seen on the reports. The Governing Board will receive executive level reports. There will also be a period of time that the Board can provide feedback to find the appropriate style of reports.
 - Currently Cooper and the Agency are working on developing the hierarchy and coding for the budget structure. Also to align it with the new accounting structure. This is what will be reported to Ways and Means in February 2016.

238 Madin informed the Board of other changes and activities of the Agency,
239 including signing agreements with DAS for financial services, transitioning
240 accounts payable to DAS shared services, transitioning timesheets to
241 electronic submission, and providing training to staff on travel and state-
242 issued credit cards.

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- Signed agreements with DAS for the financial services. Reviewing the agreement for the payroll services that will be signed in the near future.
 - Transitioned the accounts payable to DAS Shared Services. Still discovering a process and mechanism to effectively get those to Salem.
 - Transitioning timesheets. Paper timesheets for the months of July and August. Hoping to go to electronic timesheets in September.
 - There will be training provided to staff for the SPOTS card program and Travel.
 - The Agency has been having a part time Program Analysis, assist in the transition. She will be formally brought on soon (please visit agenda item 6d for additional information). This individual is an expert on indirects and will be working with federal grants.

258 **b. Review of disposition of and replacement for Nature of the**
259 **Northwest store: *Information and possible Action Item***

260 The budget required the Agency to close its store, Nature of the Northwest.
261 Madin shared how this was completed:

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- As a courtesy for customers, had a 40% off one day closing sale. The store sold \$12,000 of merchandise out of the \$75,000 of inventory.

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- Don Haines is currently looking for buyers who will purchase the remaining inventory. Goal is to have the stock out of the store within a week or two, then surplus the furniture.
 - Staff is currently working to get all the Agency's existing publications online, with the goal of having the entire collection available to the public by the end of August 2015. The lidar collection is also anticipated to be available online.
 - After the store is closed and the publications are online, Don Haines will be working on the DOGAMI library. Goal is to have the library completed by the end of the year. This will reduce the Agency's footprint in the Portland office.
 - The Agency is negotiating with DAS about reducing the Portland office space, potentially by half. This would only bring savings this biennium; Madin would like this to occur as soon as possible. The Board discussed relocating and space sharing.
 - Cooper stated that when the Board convenes again, there will be a cost benefit analysis provided.
 - Madin and Cooper met with Carol Goodwin, who is a change management specialist through DAS. They will be working with her in the future to try and make all the transition go as smoothly as possible.
 - Madin thanked DAS for their support. DAS has provided Cooper for this transition period until March 2016, and paying for her services.

287 **Break**

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- 289 **6) Recruitment:** (Board; Lauri Aunan, GNRO; Vicki Jorgensen, DOGAMI Human
- 290 Resources; Enrique Samas, DAS Executive Recruitment; Ian Madin,
- 291 Interim Director)
- 292 a. **Review of the revised position description for the State**
- 293 **Geologist/Executive Director of DOGAMI, the hiring standards,**
- 294 **the desired attributes/ preferred qualifications to be included in**
- 295 **job posting and the recruitment process and timeline: *Update***
- 296 ***Item***

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298 Madin excused himself from the agenda item and left the room.

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300 Discussion included:

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- Aunan provided an overview of the role of the Governor in the process: The appointment is made by the Board in consultation with the Governor. Governor Brown will be looking for leadership in running an organization, as well as management and financial experience. Additionally, the Governor requests the Board engage with the Natural Resource Office during the hiring process and that she meet with

307 candidates before the Board makes its decision. Aunan will be involved in
308 the recruitment process and a representative from the Governor's Office
309 will sit on the interview panel.

310 • Review of the statutory requirements for the State Geologist position by
311 Assistant Attorney General Larry Knudsen: Knudsen reviewed the statute
312 and determined Oregon Revised Statutes (ORS) 516 is clear that the State
313 Geologist has to be the Director of the department and that the State
314 Geologist has to be either a trained geologist, engineer or other technical
315 specialty. However, they are not required to be a registered geologist.

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317 But anyone practicing geology as a public service needs to be a registered
318 geologist. Aspects of the Agency do fall into the category of public
319 practice. This is where coordination to make sure those requirements will
320 be met is important. While the Director of the Agency does not have to
321 be a registered geologist, someone within the Agency would then need
322 to be an acting deputy who is a registered geologist responsible for
323 actions for which registration is required.

324 • Registered geologist discussion: The Board said that the Director should
325 ideally be a registered geologist or has the capability to become
326 registered within a year. Sama was directed to:

- 327 ○ Copy the language of the statute that the State Geologist must
328 have a strong technical background as a geologist, engineer or
329 other technical specialist with a broad background of practical
330 experience to the minimum qualifications.
- 331 ○ Place preference for a registered geologist, or someone who can
332 become registered, in the desired attribute section of the job
333 listing.

334 • Review of the hiring documents, including position description, minimum
335 qualifications, and timeline. Specific issues discussed included levels of
336 management experience desired, potential for internal candidates, edits
337 to the timeline to accommodate schedules of the Board and the
338 Governor, desire to have opportunity for staff and stakeholders to be
339 involved in the process, and that finding candidates with strong technical
340 backgrounds as well as management experience may be a challenge.

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342 b. **Public testimony regarding State Geologist recruitment:** *(three*
343 *minutes limit per person unless otherwise specified at the meeting*
344 *by the Chair)*

345 Chair Givens opened the meeting to public comment.

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347 Ali Ryan provided the Board with a handout of the written comments received,
348 which included:

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- A letter from Christine Valentine, OSBGE Board Administrator, dated Monday July 20th, recommending that ORS 672 and OAR 809 be added to the position description.
 - Chair Givens said he was aware of the content of the letter and that was why he had Knudsen research into the statutory requirements.
 - Maffei asked in regards to “Per ORS 672, the State Geologist serves as an Ex Officio member of the OSGBE as one of its 5 registrant members.” What does that mean? Knudsen said the statute requires the appointed members of the OSGBE to be registered geologist, and not Ex Officio member to be registered geologist.
 - Phipps discussed the comment submitted by Bill Burns, and noted that the candidate should have a general awareness how federal funding and processes work. That is not stated in the qualifications piece on the job bulletin, but it is stated within the position description.

366 **Rich Angstrom**, President of Oregon Concrete & Aggregate Producers
367 Association (OCAPA), provided public comment from the industry prospective.
368 Points included:

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- There are competing interests involved in this position: technical background, administrative skills, and politician. To recruit an individual with all three skills will be a challenge. The big part that this person needs to be able to do is look out for mining interest, what is going on in landslides and hazards, and to have the technical skills to be able to guide the state in those issues. Angstrom emphasized the need for someone with technical skills and that can move around the capital; accountability and open communication with the industry is also desired, as well as ability to manage staff. Angstrom stated that industry agrees with the Governor, that the candidate should have administrative skills and the skills to manage the budget. But the Agency needs to find someone with the technical skills and follow the statute.
 - Angstrom suggested that DAS should spend some time and define the “other technical specialist” from ORS 516 requirements. He asked the Board to at least make the request, to get a better understanding of the third category. He also asked the Board not to rush the recruitment process and get the right person.
 - OCAPA would like to have stakeholders; including industry, counties, environmental groups, land use watch groups, be a part of the review process and to have an opportunity to engage in discussions with the finalist. Providing the opportunity to have stakeholder input on their perceptions is also desired.

- 392 • The Board and Angstrom discussed past interview processes that they
393 have experienced and what positives they would like to see occur
394 during this recruitment process.
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396 **Jonathan Allan**, DOGAMI Staff Representative, provided comments on the
397 behalf of DOGAMI staff, including:

- 398 • There is consensus among staff that new Director should have a
399 strong background in the geosciences.
400 • The position should not be limited to candidates who are registered
401 geologist in the state of Oregon. Staff supports the Board in listing a
402 preference for individuals who are registered or can become
403 registered.
404 • Staff would like to interact with the finalists and be involved with the
405 interview process.
406 • Staff wants to make sure that a correct individual is placed in the
407 State Geologist role and one that will be the right leader for the
408 Agency. Do not rush the process.
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410 c. **Board action on State Geologist recruitment materials, if any:**
411 *Action Item*

412 Additional comments:

- 413 • The final date for the Governing Board to meet for the recruitment
414 timeline will have to be determined after working with the Governor’s
415 office.
416 • Phipps stated that staff should have an opportunity to meet the top
417 finalist. Discussion about how the staff could meet the finalist, informal
418 vs. formal settings was discussed. Sama cautioned the Board on adding
419 additional steps to the interview process and to keep it as efficient as
420 possible. Knudsen suggested that DAS should pull out records of what
421 occurred for former Director McConnell’s hiring to use as an example
422 how the candidate and staff interaction took place.
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424 The Board agreed that they would want the three finalists to give a
425 presentation to staff and have a time period after the presentation for a
426 Q&A with staff while rotating candidates from the Board interviews. Then
427 staff can provide feedback to the Board for their executive session. This
428 will be an added step on the timeline, which will occur on the same day
429 as the DOGAMI Board final interviews.
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431 **Luke motions to have staff and state staff move forward on things the Board**
432 **verbally agreed to during their discussion on recruitment, including the**
433 **timeline as a suggested to fit the Governors schedule.**

434 **This includes:**

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1. Copy the language of the statue that the State Geologist “must have a strong technical background as a geologist, engineer or other technical specialist with a broad background of practical experience” to the minimum qualifications.
 2. Place preference for a registered geologist, or someone who can become registered within a year, to be listed in the desired attributes section of the job bulletin.
 3. Change the screening panel in-person interview with candidates to September 21st.
 4. Move the screening panel and Executive Recruiters teleconference meeting to review resumes and determine those candidates to be interviewed two weeks prior to Sept 21st.
 5. Work with Anun and the Governor’s schedule to add the Governor’s interview, after the September 21st interviews are held.
 6. Final 3 candidates are to make a presentation to staff, followed by a Q&A period. This is to be added to the recruitment timeline, an additional step on the same day of the DOGAMI Board finalist interviews.

453 **Maffei Seconds.**

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455 **Discussion of the motion:**

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- Anun asked for clarification: Chair Givens had stated that a registered geologist being a minimum qualification. Anun believed that the Chair had meant something different and would like that to be clear and on the record.

460 Sama answered by reviewing what he had noted as edits based on what the
461 Board had asked:

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- Move up the Governing Board language to the first paragraph from the fourth paragraph of the State Geologist description page. This is what Luke had commented on.
 - Under minimum qualifications, will add the specific and direct language of the statue of the State Geologist. Citing exactly how it is written, what the statue is, about the technical background.
 - Under desired attributes, will add that the Board has a preference for a registered geologist or technical engineer, so on.
 - The Board clarified that the preference is for a registered geologist, OR be able to become a registered geologist within a year.

473 **Motion carried.**

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475 Chair Givens suggested a working lunch since the meeting was running long. The
476 Board agreed.

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478 Chair Givens called a brief recess.

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Break

7) Regulatory Issues: (Richard Riggs, Assistant Director for Mineral Land Regulation and Reclamation): *Update Item*

a. Update on the contested case hearing: *Update Item*

Riggs said settlement talks are ongoing with Knudsen and the permittee's attorney. Resolution may occur by the end of the month.

c. Update on Calico Resources permitting: *Update Item*

Calico Resources filed an amended notice of intent, included in the board packet. The primary change was to move their proposed mill site to Bureau of Land Management (BLM) land that is adjacent to the mine land claim. MLRR has initiated the public notice process. Riggs anticipates revisions to baseline data may be forthcoming, which would trigger another review by the Project Coordinating Committee as well as additional public information processes, including a public meeting. He noted questions regarding issues with the permitting process between Calico and BLM had been resolved, though some work is continuing on staffing, relationship issues.

b. Proposed rule making for exclusion certificates required by HB 3563: *Information Item*

The OCAPA fee bill is still on the Governor's desk waiting for signature. The bill will take effect within 30 days after reaching her desk whether it is signed or not. Riggs estimated the 30 day timeline to be August 2nd. Phipps asked why the Governor wouldn't sign the bill. Aunan said that it was recommended that the Governor sign and typically the Governor follows the recommendations. It is understood that if the Governor does not sign and the bill goes into law it is not a political statement.

This bill raises the base fee and production fees on the aggregate producers, which will require rule making to take place. The bill also requires operations of less than five acres of total disturbance that are exempt from MLRR regulations to register for an exclusion certificate. There is a registration fee that is currently \$400. The Board has the ability to adjust the registration fee amount. The annual renewal is a set fee at the amount \$150. Riggs is concerned how the miners will respond to the new fee since they were not involved with the process of this OCAPA-sponsored bill. Much will remain to be seen how this bill will be received.

Riggs and Knudsen have already started to draft rules on this issue and plan to bring action items to the Board in October that allow MLRR do rulemaking. Madin mentioned that Board meeting timeline will be impacted by the HB 3563

523 rulemaking timeline.

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525 Luke asked about a mining site that is currently in a dispute with Deschutes
526 County because DOGAMI rules are different than county rules. Riggs stated that
527 they are aware of the dispute and Riggs has asked his staff to review that permit
528 file in great detail. Luke commented that he was involved in the original decision
529 as a county commissioner. If it comes to a contested case hearing he may have
530 to be excused.

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532 **6) Recruitment:**

533 **d. Additional staffing changes: *Update Item***

534 Chair Givens returned to the skipped agenda item 6d.

535

536 Madin said the Agency is currently operating with many vacancies, including two
537 GIS positions, the executive support specialist, chief scientist, GS&S assistant
538 director, operations manager, MLRR office manager, and GS&S fiscal analyst.

539

540 Although the Agency is getting by, there is a lot of strain on staff. It is time to
541 start filling in those positions, while at the same time being very cautious about
542 bringing staff on until the Agency can be certain that there will be enough funds
543 to the end of the biennium. Priority needs include:

544 Filling the fiscal analyst position. This person will need to be the internal point of
545 contact for DAS shared services. The Agency will start recruitment for that in the
546 beginning of August. It still had not been decided if the position will be limited
547 duration or permanent.

548

549 Traci Cooper was originally placed in the Assistant Director position but has
550 focused on the financial side of things. She is actually the Agency's acting CFO
551 while Madin is supervising all twenty-seven GS&S staff. In considering the
552 assignments that need to be completed for February reporting and managing
553 staff, at least one management position needs to be filled. There are two options
554 to consider:

555 • Option 1: Have one of the Agency's existing staff to step into the Operations
556 Manager position. This is a lower level management position that several
557 staff members meet the minimum qualifications for, and three have
558 expressed interest. Familiarity with the agency would be beneficial, and this
559 individual would be doing the project-level coordination which would relieve
560 pressure off Madin.

561 • Option 2: DAS has been negotiating with a very experienced state manager
562 on the behalf of the Agency.

563 Both these options would be limited duration appointments.

564

565 The Agency is currently in the process of bringing on Kim Riddell, Fiscal Analysis
566 for Oregon Health Authority (OHA), as a half time employee. She will manage

567 federal grants and indirects. This would not be a full time position but it will
568 provided immediate expertise during this transition period. Later the Agency
569 can look into filling that position permanently.

570

571 Madin stated that the Agency has been receiving a lot of help from other
572 agencies and expressed optimism with the additional management capability
573 that the Agency can continue to meet the required tasks set before it.

574

575

576 **8) Legislative update:** (Ian Madin, Interim Director; Richard Riggs, Assistant Director for
577 MLRR): *Update Item*

578 **a. Final Status of bills of interest to the Agency:** *Update Item*

579 Madin provided an update on HB 3089, sharing a handout on the tasks. \$25,000
580 funding was provided for the work, which will focus on the potential of mining to
581 generate jobs in southern and eastern Oregon, and how to most effectively
582 invest in resource assessments that will lead to increased employment through
583 mining. Determining what barriers to mining are and eliminating barriers will be
584 another focus. The real question is how to get mines operating again: safely,
585 economically, and environmentally responsibly.

586

587

588 **9) Additional Public Comment:** (three minutes limit per person unless otherwise
589 specified at the meeting by the Chair)

590 Rich Angstrom, OCAPA, commented that:

- 591 • The reason HB 3563 placed a fee on the exempt folks is to capture the evasion
592 problem that has been happening with the 5,000 threshold. There will be
593 rulemaking.
- 594 • OCAPA believes that there is a clear separation between DSL, DEQ and DOGAMI
595 jurisdiction, being the high water line.
- 596 • Glad that Interim Director Ian Madin attended the recent mining jobs
597 symposium and discussed the things covered in this meeting with industry folks.
598 He is doing a great job. OCAPA will be doing symposiums around the state and
599 one of the things is trying to do legislatively is to get the Agency focused on
600 promote mining opportunities around the state. This will have to be done in a
601 way that separates out the regulatory functions vs. promotion functions so that
602 there is a clear distinction.
- 603 • Angstrom is to meet next week with Oregon Business and will be sending out
604 representatives to the various mining symposiums nationally, to try and attract
605 mining companies into the state of Oregon. We are open for business and there
606 are mining opportunities in southwest and eastern Oregon.

607

608 **10) Set time and place of next meeting**

609 Chair Givens shared that if Board moves the meeting start time to later in the day, those
610 who travel long distances can fly, based on his research. This would be cheaper than

611 driving and would not require the need to have a hotel. This would accommodate Chair
612 Givens and Dennis Luke the most. The Board appreciated the suggestion.

613

614 The next meeting will be August 21st from 8:30 a.m.-12:30 p.m. at DOGAMI's Portland
615 office.

616

617

618 **11) Adjourn**

619 Chair Givens adjourned the meeting at 1:02pm

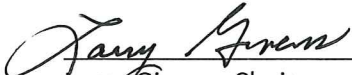
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621


622 **Action Items:**

- 623 1. Knudsen: Review if it is either by statutory or regulatory requirement that the
624 Agency is to keep newly drilled oil and gas cores.
- 625 2. Cooper: Provide the Board with the letter from the LFO analysis, clarifying only
626 federal grants that would require additional state match would require approval.
- 627 3. Madin and staff: Start working on the tasks listed on the approved "Proposed
628 Timeline and Report Outline for Organizational Infrastructure and Program
629 Priorities," and includes the Board when appropriate.
- 630 4. Sama:
 - 631 4.1. Copy the language of the statute that the State Geologist must have a strong
632 technical background as a geologist, engineer or other technical specialist with a
633 broad background of practical experience to the minimum qualifications.
 - 634 4.2. Place preference for a registered geologist, or someone who can become
635 registered within a year, to be listed in the desired attribute section of the job
636 bulletin.
 - 637 4.3. Sama noted that he had Aunan's comment and will have to add the candidate
638 meeting with the Governor to the timeline
 - 639 4.4. Change the screening panel in-person interview with candidates to September
640 21st.
 - 641 4.5. Move the screening panel and Executive Recruiters teleconference meeting to
642 review resumes and determine those candidates to be interviewed two weeks
643 prior to Sept 21st.
 - 644 4.6. Work with Aunan and the Governor's schedule to add the Governor's interview,
645 after the September 21st interviews are held.
 - 646 4.7. The public presentation of the finalist with a staff Q& A period. This is to be
647 added to the recruitment timeline, an additional step on the same day of the
648 DOGAMI Board finalist interviews.
 - 649 4.8. Provide the Board with a revised recruitment timeline
 - 650 4.9. Move the language about working with the Governing Board to the first
651 paragraph from the fourth paragraph of the State Geologist description page
- 652 5. The Board: Select the members of the screening panel
- 653 6. Knudsen: Review the record of Director McConnell's hiring for find an example for
654 the candidate and staff interaction step.

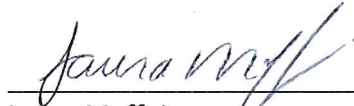
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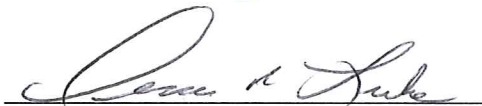
Larry Givens, Chair



Lisa Phipps, Vice Chair



Laura Maffei



Dennis Luke