

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

Friday, April 8, 2016

8:30 a.m.

*Portland, Oregon*

**1) Call to Order:** (Lisa Phipps, Board Chair)

Chair Lisa Phipps called the meeting to order at 8:36 a.m.

**2) Introductions:** (Lisa Phipps, Board Chair and staff)

Chair Phipps, Vice Chair Laura Maffei, and Board Members Scott Ashford, Dennis Luke and Larry Givens were in attendance.

Department of Geology and Mineral Industries (DOGAMI) Staff in attendance:

Brad Avy, Director/State Geologist

Lori Calarruda, Recording Secretary/Executive Assistant

Holly Mercer, Assistant Director of Geological Survey and Services (GS&S)

Kim Riddell, Chief Financial Officer (CFO)

Ali Ryan Hansen, Communications Director

Ian Madin, Chief Scientist

Jon Allan, Coastal Geomorphologist

Others in attendance:

Bill Montgomery, CEMEX

Steve Mote, Knife River

Bill McCall, Windsor Rock Products

Lloyd Town, Meisel Rock Products

Todd Baker, Baker Rock Resources

Kevin Culligan, Peterson Cat

Diane Lloyd, Department of Justice (DOJ)

John Terpening, Legislative Fiscal Office (LFO)

**1 3) Review Minutes of December 28, 2015 and January 11, 2016:**

2 Phipps asked if there were any changes to the minutes as presented. No changes.

3  
4 Board Action: **Luke moved to approve the minutes of December 28, 2015 and January 11, 2016 as**  
5 **submitted. Ashford seconded. Motion carried.**

6  
7 **4) HB 3563 Rulemaking Update:**

8 Holly Mercer, Assistant Director, presented on behalf of Richard Riggs. Currently the Agency is in the  
9 rule making process. Public comment will be accepted between April 1<sup>st</sup> and April 29<sup>th</sup>. Richard Riggs  
10 will conduct the hearings scheduled for April 12, 2016 in Albany April 19, 2016 in Baker City. The  
11 rules will be brought back to the Board in June with a final report and the rules will be ready for

12 adoption by the Board if they so decide. Phipps asked Mercer to tell the public how they can provide  
13 public comment, since there are more opportunities than just the hearings. Mercer stated the public  
14 can submit written comments, those will be summarized by the hearing officer, Richard Riggs and  
15 they can appear in person if they want to testify at either of the two hearings scheduled. Ashford  
16 asked if they can provide public comment at the next regular Board meeting. Mercer said no, the  
17 public comment period will be closed by then. The hearing officer will report to the Board at the next  
18 meeting, but the Board can take into account the comments when they vote.

19  
20 Briefing: **No Board Action Required.**

21  
22  
23 **5) MLRR Legislative Concepts (LCs):**

24 Holly Mercer, Assistant Director, presented on behalf of Richard Riggs. Mercer explained that the  
25 legislative concepts were proposed as placeholders until staff and the Board could more fully vet the  
26 concepts. Givens had questions about the legislative concept regarding security for delinquent  
27 invoices. He specifically questioned why Calico was so far in arrears. Mercer responded that the  
28 Agency had delayed in issuing invoices and then Calico delayed in paying the invoices. Luke asked if  
29 the Agency is considering deposits, bonding or a letter of credit. Mercer responded that although  
30 those solutions had been discussed, upon further analysis staff felt that it may be advisable to focus  
31 on timelier invoicing and monitoring the situation rather than going forward with a legislative  
32 solution.

33  
34 Regarding the concept related to increasing permitting fees for the Mineral Land Regulation &  
35 Reclamation (MLRR) program, Mercer indicated that she and Director Brad Avy met with the Oregon  
36 Concrete and Aggregate Producers Association representatives Rich Angstrom and Todd Baker the  
37 day before the board meeting. The discussion focused on the change in the accounting structures  
38 and whether the Agency could establish a trend line relating to fees. Since the new fee structure  
39 began in January 2016, there has been insufficient time to clearly establish the impact of the recently  
40 implemented fee structure. Director Avy and Mercer suggested to the Board that further  
41 consideration and review be conducted. Ashford inquired about the timeline for submitting the  
42 legislative concepts. Cathy Connolly, DOGAMI'S Budget and Management analyst indicated that the  
43 deadline to submit additional placeholder information to the Department of Administrative Services  
44 is June 24, 2016.

45  
46 Board Action: **Givens moved to instruct staff to move ahead in exploring moving these different**  
47 **proposals forward with further research for the June meeting. Luke seconded. Motion carried.**

48  
49 Mercer asked that throughout the discussions of the Board meeting for people to identify  
50 themselves, particularly Board members themselves, because DOGAMI has committed to OCAPA to  
51 provide digital copies of the Board meeting and speakers identifying themselves will help listeners  
52 know who is talking.

53  
54 **6) Public Comments:**

55 Chair Phipps requested late arrivals to introduce themselves.  
56 Cathy Connolly, Office of the Chief Financial Officer/Department of Administrative Services  
57 (CFO/DAS)

58 Rich Angstrom, Oregon Concrete and Aggregate Producers Assn (OCAPA) & Oregon Mining Assn  
59 (OMA)

60 Karen Tarnow of DEQ, Water Quality Division (SR WQ Policy Analyst)

61

62 Phipps asked for public comment.

63

64 Rich Angstrom, OCAPA, thanked Director Avy for giving him a “heads up” about the recently  
65 announced reorganization. Angstrom indicated that there were concerns about removing the  
66 Assistant Director position for MLRR. He stated that the position needs to be qualified in geology and  
67 thoroughly understand the mining industry. In addition, he indicated that he had great concerns  
68 about moving the Albany staff to Portland and ensuring that the funds for MLRR are not utilized for  
69 the Geological Survey & Services Program (GS&S). Angstrom emphasized the importance of  
70 transparency in both the program and budget areas. He was particularly concerned with the indirect  
71 costs assessed and wants to continue to work with the Agency in analyzing those indirect costs. Luke  
72 inquired about the location of most of the mines and Angstrom responded that most of the mines  
73 are in the south and east portion of the state. Angstrom mentioned the success of mining in Nevada  
74 and he feels that Oregon could greatly enhance its mining resources.

75

76 Phipps stated that the Agency is one agency and she would welcome a strong working relationship  
77 with OCAPA. Angstrom stated that OCAPA appreciated Richard Riggs’ strong management skills and  
78 they wanted to make sure that MLRR continued with similarly strong management skills.

79

80 Karen Tarnow, Department of Environmental Quality (DEQ) stated that she has been working on the  
81 placer mining issues since 2013 and she feels the agencies can work together to come up with  
82 solutions. Givens stated that he would like to see better coordination of the natural resources  
83 agencies so that we are all working together.

84

85 Todd Baker, Baker Rock, stated that he had concerns about moving the Albany office to Portland  
86 because recruiting in Portland would garner a different type of professional staff than if the Agency  
87 recruited for the Albany location. He indicated that he agreed with Director Avy’s proposal to build  
88 leadership within the Agency and recruit from within the agency. Baker reiterated that the industry  
89 has benefited from the status of an assistant director and feels that Avy has some good ideas about  
90 building leadership. Luke stated that Deschutes County put their management staff through  
91 leadership training and it was very successful.

92

93 Mercer stated that the agency had received a two-page letter from Kuper Consulting and the letter  
94 would become part of the public comment.

95

96 No further comments, move into the next agenda item Department of Justice.

97

98 **7) Department of Justice (DOJ) Summary relating to SB 379 Tsunami Inundation Line:**

99 Diane Lloyd, Assistant Attorney General, Natural Resources Section, Department of Justice, presented  
100 a memorandum (attached) relating to the Tsunami Inundation Line. Lloyd stated that DOGAMI staff  
101 establishes parameters of the tsunami inundation zone that is based on scientific evidence which  
102 may include geologic field data and tsunami modeling. The Board and the staff shall be guided by the  
103 principle of best available science. The statute provides that the DOGAMI Governing Board will  
104 establish the zone through rule but the Board shall adopt the zone as determined by the Department.

105 Modifications to the zone must be by rule. The rules also state that the Board will consider revisions  
106 to the zone based upon scientific evidence supplied by the public and interested governmental  
107 entities.

108  
109 Lloyd described the exception process and stated that the Board must hold a public hearing and  
110 consider four factors as described in the memorandum. The Board would make a decision within 60  
111 days and the decision can be appealed to circuit court. Givens asked if there could be a "takings"  
112 argument and Lloyd indicated it was unlikely but she had not specifically looked at that issue.

113  
114 Luke inquired about the counties' obligation to comply with the state law. Lloyd stated that the  
115 counties would need to comply with the law. Luke indicated that he would like to receive further  
116 clarification about the takings issue and the counties' obligation to follow the established tsunami  
117 line.

118  
119 Maffei further inquired about the process and wanted to know if an applicant for an exception goes  
120 through local government, does the local jurisdiction determine if applicants consult with DOGAMI or  
121 if it happens automatically. Lloyd said that for certain structures the applicant is required to consult.  
122 Ian Madin, DOGAMI Chief Scientist, indicated that certain structures are entirely prohibited from  
123 building in the tsunami zone and if they want to build in the zone then they are required to file an  
124 exception. Madin also explained there are certain high occupancy buildings that may come to the  
125 staff for consultation. Madin indicated that in the past 20 years, DOGAMI has only had 7 requests for  
126 exceptions. Ashford clarified that the Department develops a draft line for public comment and then  
127 the Board may either adopt the line or not adopt the line. Lloyd said that is correct.

128  
129 Mercer stated that in her discussion with Lloyd and Larry Knudsen about the process going forward  
130 there was a question about whether an individual community through public comment could impact  
131 the placement of the line. For example, if a community was willing to accept a greater risk, could the  
132 Board then determine that the line would be different than the line established by the Department.  
133 Madin indicated that the Department had in essence developed five levels of risk in assigning the five  
134 different lines. Ashford asked if the five lines are based on science, but the selection of the "L" line is  
135 based on the risk the department has established as acceptable, so while the science is the same  
136 between all those lines, which line was adopted is the opinion of the Department. Lloyd said that is  
137 correct but there is a gap in statute because there is no recognition that the decision is based on risk.  
138 Madin indicated there were huge qualitative differences between how the line was developed in  
139 1995 and how it is being developed now. The models today are explicit computer models based on  
140 detailed lidar mapping.

141  
142 Gabriela Goldfarb, Governor's Natural Resource Policy Advisor, stated that DOGAMI is the  
143 undisputed source of the science but the implementation of establishing the line within the  
144 communities is spread among a number of different state and local entities. She recommended a  
145 team approach to the issue. Goldfarb also indicated that the American Society of Civil Engineers  
146 (ASCE) has developed a tsunami inundation line and the Building Codes Division at the Department of  
147 Consumer and Building Services determines whether to adopt the ASCE line.

148  
149 Ashford asked for clarity as to the current status of the line. Phipps replied that the Board has  
150 adopted the "L" line and the Board instructed staff to begin the community engagement with the  
151 local jurisdictions, but the rules have not been developed. Ashford stated that for the "L" line, it is  
152 really more about public education rather than public comment for the rulemaking process. Phipps

153 specifically noted the importance of getting feedback during the summer months when owners of  
154 summer homes are able to comment. She feels that this component of the community is often  
155 overlooked and not represented. Phipps emphasized that the community needs to understand what  
156 the science means and what the risk is if the community chooses something different.

157  
158 Jon Allan, DOGAMI staff, stated that the coastal office is starting to hear more discussion about the  
159 tsunami line. He stated that there is a discussion about a new fire station being proposed for Yachats  
160 and a proposed amphitheater in Waldport being located in an area where the high school previously  
161 relocated because it was in the tsunami zone. Hansen asked for clarification as to whether the fire  
162 station and the amphitheater were within the tsunami zone. Allan stated that the fire station is  
163 outside of the existing inundation line and the amphitheater would be within the tsunami inundation  
164 line.

165  
166 Ashford reiterated his concern about a clear message to the coastal communities regarding their  
167 input, and the changes between the old line, new line, and the potential ASCE line. Phipps suggested  
168 that ASCE be engaged up front so that the processes could be more congruent. Goldfarb indicated  
169 that Director Avy and Madin will be involved in the conversations and could keep the Board apprised  
170 of the discussions.

171  
172 Briefing: **No Board Action Required.**

173  
174 **Break**

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176 **8) Community Engagement Strategy:**

177 Ali Ryan Hansen, Communications Director, introduced a new initiative to increase awareness of and  
178 engagement in the work the DOGAMI does. DOGAMI works extensively with partners and  
179 communities throughout the year, but we tend to wait until projects are complete, or problems arise,  
180 before we share what's happening with a wider audience. The new initiative would develop and  
181 implement an integrated engagement and participation strategy that is:

- 182  
183 - Flexible and scalable – work for everything we do, and fit the needs of the project or issue it's  
184 applied to  
185 - But also clearly defined – both the expectation that it'll be used, and how to use it  
186 - And practical – work with what we're already doing to plan and complete projects  
187 - And open – invite people into our day-to-day work, and give them genuine opportunities to  
188 participate in what's happening

189  
190 The initiative is just beginning, Hansen said. She gave an example of a Geological Survey & Services  
191 project, and the key points where partner and public engagement could factor in. Staff will be testing  
192 out ideas on a few current projects that are beginning, and figuring out how to put engagement and  
193 participation into everything we do, and work in those elements from project beginning to end. She  
194 will report back as the plan moves into full implementation.

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196 Avy noted that including outreach and engagement from the project proposal stage could result in  
197 having these components supported by outside funding

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199 Board feedback included:

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- The board was supportive of additional efforts to engage the public
- This could be an opportunity to hold board meetings or other engagement events in more locations around the state
- Hansen should look to other agencies for advice on best practices for outreach and engagement

Briefing: **No Board Action Required.**

**9) Financial Report:**

Kimberly Riddell, DOGAMI Chief Financial Officer, provided a copy of the financial report as of February 29, 2016. Givens stated that he wanted to publically thank Riddell for the new format of the report. Riddell discussed the report and noted a few revisions. Phipps requested clarification regarding specific project costs. Mercer indicated that the staff has been trained using the “Smartsheet” project template and each project will have financial tracking. Phipps indicated that she would like to see more detail about the projects. Ashford stated he is concerned that the department is funding projects through General Funds. Mercer replied that the project staff code their time using a work code for the projects. If a project extends past the period of performance, however, the project costs may be coded under General Funds.

Ashford inquired about the Calico invoices. Riddell stated Calico has paid their invoices, but the payment was received after the report was developed. Riddell indicated that she would provide more detail about Calico’s invoices at the next board meeting. Ashford and Phipps reiterated the need to be transparent about how revenues are spent. Riddell indicated that she would provide more detail at the next board meeting.

Board Action: **Luke moved to accept the Financial Statement Report as presented. Maffei seconded. Motion carried.**

**10) Director’s Report:**

Director Avy presented his Director’s Report on the following:

Legislative session and budget note response: Avy reviewed the budget note presentation and stated that the department still had work to do around the business model analysis. He stated that the team had worked very hard under a difficult situation and he acknowledged the work of Traci, Kim, Ali, Ian, Holly, Rich and Deb for developing the report and the presentation materials. Avy noted that one highlight during the presentation before the Natural Resources Subcommittee of the Joint Ways and Means Committee was a greater awareness that the department needs a higher level of General Fund to have the department work more effectively.

IT Assessment Report: Avy indicated that the IT Assessment was received in January causing a great deal of concern about being out of compliance with state policies for IT security, backups, processes in general and syncing up with the state system. The DOGAMI staff has been working with the State Chief Information Officer and his staff and will present a proposal at the May Emergency Board. Luke asked if DOGAMI has had any feedback from the legislature. Avy indicated that he believes the legislature will support DOGAMI’s efforts because they want DOGAMI to be successful and they also plan to conduct similar assessments for other agencies.

247 Secretary of State Audit: Avy updated the Board regarding the Secretary of State audit. He told the  
248 Board that he specifically asked for a detailed audit by the Secretary of State so that the department  
249 could have a full accounting of its financial status. Avy also indicated that it is anticipated that FEMA  
250 will conduct a separate audit after the completion of the Secretary of State's audit.

251  
252 Perspective and Vision on the Agency Culture and Leadership Preparedness: Avy commented that  
253 one of the challenges for small organizations is developing leadership among the front line and  
254 technical staff. Avy's vision is to provide the opportunities to grow leadership and supervisory  
255 capacity from within and to help staff learn the supervisory management side of a position within a  
256 department. He believes those skills get built over time so they are prepared if a position opens up  
257 later. Avy noted that he has received great comments about individual staff members working in the  
258 community, but there is a different picture on some of the broader Agency reputation at the  
259 management level.

260  
261 Reorganization and Albany Lease: Avy discussed his rationale for reducing staff from two assistant  
262 directors to one assistant director. He indicated that he looked at the Agency from a holistic view  
263 and his desire to create a more unified culture. He reiterated the need to build leadership and  
264 supervisory capacity within the Agency and to create a meaningful succession plan. Prior to making a  
265 final decision, he discussed his rationale with the Governor's Office, Legislative Fiscal Office,  
266 Department of Administrative Services Budget and Management, the Board Chair, members of the  
267 management team, and human resources. Immediately after the decision, he spoke with key  
268 senators and representatives. Luke and Maffei indicated that they agreed that the decision to  
269 reorganize is within the purview of the Director, but they would like to have a broader discussion  
270 about the Albany lease.

271  
272 Avy discussed his exploration of moving the Albany staff to Portland. He indicated that given the  
273 impact on staff and the potential of losing staff, it would take a compelling standard to move the  
274 office. Avy stated he would take a look at the numbers and do an analysis but if there is not a  
275 compelling reason to move the office, he would not do so. Maffei clarified that unless there is  
276 something compelling then the office will not be moved but understanding the analysis needs to be  
277 completed. Avy said that is correct.

278  
279 Registered Geologist Protocols: As an ex-officio member of the Oregon State Board of Geologist  
280 Examiners (OSBGE), Avy provided an update regarding the issue of department staff consistency with  
281 registered geologist protocols. Avy indicated that the geologist board is concerned that they hold  
282 private sector geologists and state agency geologists to the same standards. He will keep the Board  
283 updated with any changes.

284  
285 Board Action: Givens moved to accept the Director's Report as presented. Ashford seconded.  
286 Motion carried.

287  
288 **Break**

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290 Phipps asked how the Board wants to be notified if topics arise that may need Board discussion. The  
291 Board stated that an email would be preferred. Mercer also stated that Director Avy and she could  
292 call the Chair and Vice Chair to gauge whether a public meeting needs to be scheduled.

293  
294 **11) Working Lunch - Key Performance Measures (KPM):**

295 Mercer stated that the current KPMs have been in place for over ten years and the staff would like to  
296 suggest revisions based on current work. Ashford asked if KPMs are required by all state agencies  
297 and Mercer replied that she believed they were. The Board and the Agency may develop new or  
298 revised KPMs but the governance and customer services KPMs are mandatory. Mercer stated that  
299 the staff would like to receive board feedback about the proposed Geologic Survey & Services  
300 program KPMs at the current board meeting and then receive feedback about the Mineral Land  
301 Regulation & Reclamation program KPMs at the June meeting. Mercer stated that Ian Madin, Chief  
302 Scientist, would summarize the recommendations to the board.

303

304 Current KPMs and Recommendations:

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306 1 – Earthquake and Landslide Map Completion: Recommendation is to delete and replace with new  
307 KPM.

308

309 2 – Tsunami Evacuation Map Completion: Recommendation is to delete because it is at 100%  
310 complete.

311

312 3 – Coastal Erosion Map Completion: Recommendation is to delete and replace with new KPM.  
313 There is complete coastal erosion mapping for the counties and portions of the coast for which it is  
314 most needed.

315

316 5 – Reclamation: Recommendation is to delete. The KPM is easy to quantify but the Department has  
317 absolutely no control over the outcome.

318

319 6 – Detailed Geologic Map Completion: Recommendation is to retain with revised calculation.  
320 Madin indicated that the numbers need to be recalculated but this KPM should be retained.

321

322 7 – Regional Geologic Map Completion: Recommendation is to delete. Madin indicated that this  
323 KPM has been stagnant for the last 2 – 3 biennium and it is no longer meaningful.

324

325 8 – Mine Sites Inspected Annually: Recommendation is to delete and replace with new KPM. Mercer  
326 stated that she would discuss this KPM with MLRR staff and bring it back to the June board meeting.

327

328 9 – Tsunami Inundation Map Completion: Recommendation is to delete because it is 100% complete.

329

330 10 – Customer Service: Recommendation is to retain. This is a required KPM.

331

332 11- Governance: Recommendation is to retain. This is a required KPM.

333

334 12 – Geologic Hazard Preparedness: Recommendation is to delete and replace with new KPM.  
335 Madin indicated that the formula was extremely complicated and the information did not have much  
336 meaning in dealing with hazard preparedness.

337

338 Phipps asked how are we going to make sure reclamation is taking place if we remove the KPM  
339 relating to reclamation. Madin stated that KPMs should relate to outcomes we actually can  
340 influence. He continued that DOGAMI has a statutory obligation to ensure reclamation takes place  
341 and we do so by working through the operators.

342



343 Proposed KPMs:

344

345 1- Hazard Risk Assessments Completion: Percent of population residing in Oregon Urban Growth  
346 Boundaries (UGBs) that have hazard risk assessments that meet criteria to initiate Department of  
347 Land Conservation and Development Goal 7 planning for earthquake, landslide, tsunami, coastal  
348 erosion, and flooding. Target: 100% of Population residing in Oregon UGBs

349

350 Data:

351 Population in UGBs that have received hazard risk assessments

352 Divided by 2010 population census of UGBs

353 Times the proportion of hazards with completed assessments

354

355 Phipps asked why this was focused on UGBs and Madin said most cities require hazard risk  
356 assessments for multiple hazards earthquake, landslide, flooding as a base and for coastal  
357 communities include coastal erosion and tsunami information. The Department wants to provide  
358 cities with a uniform consistent set of hazard and risk studies that we have developed technology and  
359 routines for. UGBs were trying to bite off something they can manage with foreseeable funding over  
360 the next 5 biennia.

361

362 2 – Lidar Data Completion: Percent of Oregon (sq. miles) with lidar data at USGS quality level 2 or  
363 better. Total: 100% of Oregon

364

365 Data:

366 Total Oregon sq. miles with lidar data

367 Divided by total sq. miles of Oregon

368

369 This proposed KPM focuses on lidar because both the collection and use of the data is critical for  
370 many of the projects undertaken by the Department. Madin indicated that the Department has lidar  
371 data for about 40% of the state. Phipps commented that she felt this was a great opportunity for  
372 other agencies to use the information.

373

374 3 – Detailed Geologic Map Completion: Percent of Oregon where geologic data in the form of high  
375 resolution maps have been completed to be used for local problem solving. Target: TBD

376

377 Data:

378 Total sq. miles of Oregon in Nominal Inhabited Area (NIA) with high resolution geologic maps

379 Divided by total sq. miles of NIA

380

381 It is the same as the old just updated.

382

383 4 – Accessibility of DOGAMI Information: Percent of DOGAMI Information that is current and  
384 accessible by ensuring legacy data is digitized, indexed, and catalogued, the website is redesigned  
385 according to state parameters, and the databases are current, discoverable, and recoverable. Target:  
386 100%

387

388 Data:

389 Department reports on % toward target progress on an annual basis

390

391 Madin stated that there are three areas this KPM will focus on: legacy data, website, and updating  
392 existing databases. Madin also indicated that the Agency has a team working on standardizing  
393 metadata.

394  
395 5 – Timely Processing of MLRR Permit and Exclusion Certificate Applications: Percent of all new  
396 completed permits, completed permit amendments or transfers, and completed exclusion certificate  
397 applications within statutory timeframes. Target: 100% for all categories.

398  
399 Data:

400 Total number of applications for permits, amendments, transfers and exclusion certificates  
401 completed in statutory timeframe

402 Divided by the Total number of applications for permits, amendments, transfers and exclusion  
403 certificates received.

404  
405 Mercer stated it should be a completed application. Ashford had questions on existing backlog and  
406 does the Agency have anything to do with the application not being completed – even if it’s the  
407 Agency not getting back to them to tell them it is not complete. Mercer stated that we would work  
408 with the Albany staff to determine if a backlog exists. Ashford commented that is a great KPM if the  
409 Agency can make it more specific.

410  
411 6 – Active Mine Sites Inspected Biennially: Percent of active mine sites inspected biennially. Target:  
412 TBD

413  
414 Data

415 Total number of active mine sites inspected between June 1, 2017 and July 1, 2018 and between July  
416 1, 2018 and July 1, 2019

417 Divided by the total number of active mine sites as of July 1, two years

418  
419 Mercer said if we keep this KPM, it may cause an increase in workload. Givens commented that he  
420 was not comfortable with the way the KPM was written since it seems to be competing with KPM 5  
421 for staff resources. Luke suggested picking a percentage of the active mine sites each year – like  
422 30%. Ashford suggested contacting another state to see how they do these.

423  
424 7- Customer Service: Percent of customers rating their satisfaction with the Agency’s customer  
425 service as “good” or “excellent”: overall customer service, timeliness, accuracy, helpfulness, expertise  
426 and availability of information.

427  
428 8 – Governance: Percent of yes responses by the Governing Board members to the set of best  
429 practices.

430  
431 The customer service and governance KPMs are mandated. Phipps stated that she wanted to be very  
432 transparent with these KPMs.

433  
434 **Break**

435  
436 **13) Board Recognition:**

437 Phipps presented Commissioner Givens a plaque in recognition of his hard work, his 8 years on the  
438 Governing Board and the last two as Chair. Givens thanked everyone very much and said he's really  
439 enjoyed it. He also stated it's been great working with Phipps. Phipps mentioned the Board would  
440 like to thank all the staff that has helped them over the past year. She appreciated their team effort.  
441 Phipps also asked if there was something we can do to let the staff know they are appreciated. Both  
442 Avy and Mercer said that employee recognition could be arranged for the next meeting.  
443

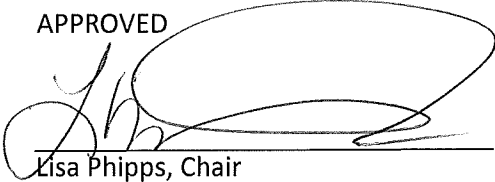
444 **14) Public Comments:**

445 Phipps asked for public comment. No public comment at this time. Next meeting is June 10<sup>th</sup> at 8:30  
446 a.m. in this building in Portland. Ashford will not be in attendance due to graduation activities at  
447 Oregon State University (OSU). Luke reminded Ashford of his offer to host a board meeting and a  
448 field trip to the tsunami lab at OSU. This could possibly take place for the September Board meeting.  
449

450 **15) Board Adjourn:**

451 At the conclusion of the public comment period, Chair Phipps adjourned the meeting at 2:35 p.m.  
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453  
454 APPROVED

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458 Lisa Phipps, Chair  
459