



Salem Area Mass Transit District  
 Board of Directors  
 ~ **VIRTUAL WORK SESSION** ~  
 February 25, 2021

*Pursuant to Governor Brown’s Executive Order 20-16 issued in response to the COVID-19 pandemic, this meeting was held electronically via Google Meet.*

ZoomGov Meeting:

<https://cherriots-org.zoomgov.com/j/1608361530?pwd=MHNSRGZ3a1FiTE5XSHIGdzYvRWpuUT09>

Meeting ID: **160 836 1530**

Passcode: **864458**

By Phone: **+1 669 254 5252**

Courthouse Square – Senator Hearing Room  
 555 Court Street NE, Salem, Oregon 97301

**PRESENT:**

- Board President Ian Davidson; Directors Charles Richards, Chi Nguyen, Colleen Busch, Sadie Carney, Maria Hinojos Pressey, and Robert Krebs
- Staff Allan Pollock, General Manager; David Trimble, Deputy General Manager; Patricia Feeny, Director of Communication; Tom Dietz, Director of Operations; Paula Dixon, Director of Human Resources & Labor Relations; Steve Dickey, Director of Technology & Program Management; Scott Kirkland, Network Administrator; Melissa Kidd, Customer Service Manager; Gregg Thompson, Maintenance Manager; Jeremy Jorstad, Transit Planner II; Linda Galeazzi, Executive Assistant; and Kathryn Pawlick, SAMTD Legal Counsel
- Guests Joel Donham, Lead Engineering Consultant, and Cynthia Gibson, Managing Consultant from Center for Transportation & the Environment; Jean Sherbeck, Special Transportation Fund Advisory Committee

**MINUTES**

- 1. CALL TO ORDER 5:00 PM**  
 President Ian Davidson called the work session to order at 5:00 p.m. A quorum was present. Mr. Pollock shared a Safety Moment. There were no announcements.
- 2. PRESENTATION – None**
- 3. DISCUSSION**
  - a. Cherriots Low-No Grant Funded Zero Emissions Bus Project
    - Staff report: PowerPoint Presentation
    - Presenters: Joel Donham, Lead Engineering Consultant, and Cynthia Gibson, Managing Consultant from Center for Transportation & the Environment (CTE)

The project team from CTE was introduced, as well as Jeremy Jorstad, Transit Planner II Melissa Kidd, Customer Service Manager, and Gregg Thompson, Maintenance Manager from the District who partnered with CTE to refine the grant application for the Low-No grant program. They were successful in 2020 by focusing on regional policy support, targeting Route 11/Lancaster Road for the implementation of Battery Electric Buses (BEB), and using battery lease payments as the local match.

CTE consultants used a PowerPoint presentation to feature what is different with battery electric buses, and the District's choice of a bus by Gillig with an electric powertrain by Cummins. Progress was reported in detail on Tasks 1, 2, and 3 of the project using charts to show the outcomes of required analysis on the route modeling process, route and block feasibility, charging requirements, a deployment strategy, and energy cost estimates.

Follow-up:

b. Discussion on Potential Board Compensation Policy

Staff report: Pages 5-8 of the agenda and applicable laws - ORS 198.190 *Compensation and expenses of governing body members*; ORS 244.040 *Prohibited use of official position or office; exceptions; other prohibited actions*; ORS 244.120(2)(a) *Methods of handling conflicts; Legislative Assembly; judges; appointed officials; other elected officials or members of boards*.

Presenter: President Ian Davidson  
Allan Pollock, General Manager

Mr. Pollock began the discussion with the Board to consider whether or not there should be compensation for their service on the board. The last time this topic was discussed on February 27, 2020, staff was asked to do some research on it, and then the Covid pandemic hit which closed down access to the research. The District's legal counsel was eventually able to do some research and found there were provisions for a stipend program based on *ORS 198.190* authorizing compensation for governing boards of special districts in an amount not to exceed \$50 per day or a portion thereof for services performed as a member of the governing body. In this scenario, for each qualifying event which the Board would designate in a policy, Board members would be eligible for \$50 of pay for that day. There is another option for a fixed amount per month for board activities whether it be for one activity or many activities.

As a result, the Board has three options. The first option is to do nothing; and leave it as is. The second option is to develop a compensation policy consistent with ORS 198.190 that provides a stipend for a qualifying meeting or event with no more than \$50 per day; or, under the same ORS, structures it in a way to compensate for multi-level events. Mr. Pollock provided a table listing the three options with the pros and cons of each option. He asked that the Board engage in some discussion and then provide guidance to staff on next steps, if any.

Mr. Pollock indicated from the opinions of the Oregon Government Ethics Commission (OGEC) for *ORS 244.040*, that there did not appear to be a conflict of interest if a Board voted to receive compensation and/or created a board policy that authorized compensation. The fixed amount and type of compensation were set by statute. Directors would not be using their official positions to obtain financial gain that would not otherwise be available. Conflicts of interest would apply if a Board wanted to change the compensation policy in a way that resulted in each director's financial gain or detriment; unless the amendment only applied to future directors. In that circumstance, Directors eligible for another term on the Board would have a potential conflict of interest, and would need to follow procedures outlined in *ORS 244.120(2)(a)*.

There was time for questions and answers as the Directors reviewed the pros and cons of the three options to provide guidance to staff on next steps.

In response to the question about a qualifying events in Option Two, Mr. Pollock explained that qualifying events or days might be a Board meeting or a Salem Keizer Area Transportation Study (SKATS) meeting that would be identified in a policy. Compensation might be capped at no more than \$50 per day or event, and not more than X amount per month.

For a question about the ability of a Director to yield their compensation to a "kitty" or "coffer" for an agreed upon purpose, President Davidson did not think the Board should be responsible for the exchange of public monies. Mr. Pollock advised that transferring a stipend could not be done. Directors will also be required to report their stipends on the Statement of Economic Interest form each year; and if it is more than \$600, there would also be reportable taxes.

Director Hinojos Pressey advocated for Option Three to allow for a more demonstrated democracy by alleviating a person's choice of participating or working to put food on the table.

Director Nguyen and Director Carney favored Option Three.

Director Krebs said he favored a monthly stipend. Directors would be better able to budget for the needs mentioned. The stipend opens that door so that some of those expenses would be covered; and it would help to get younger people on the Board.

President Davidson favored settling on an amount under Option Three that was ethical and publically accountable according to the Consumer Price Index (CPI) formula. Director Krebs agreed.

Director Busch stated that Option Three gives the full board equal compensation. It serves the equity piece better. Right now the Board equally gets no compensation. The CPI

would level the amount and the people they serve would affect that amount, which also levels the playing field.

Director Richards said he has never expected to be paid for volunteering; or thought about a dollar amount for working on the Board. Of the options presented, he favored Option Two.

Follow-up: Staff will provide the Board with more information on policy development for these options.

#### **4. GENERAL MANAGER COMMENTS**

Staff report: Pages 9-12 of the agenda

Presenter: Allan Pollock, General Manager

Mr. Pollock reviewed the upcoming board's meetings in April. He announced that there would be an executive session, work session and board meeting on April 22nd. Also in May or June, the Board will be asked to take action on an MOU for police services with the City of Salem. He reminded the Board that April 15<sup>th</sup> was the last day to file their Statement of Economic Income Report to the Oregon Government Ethics Commission.

#### **5. WORK SESSION ADJOURNED**

**6:23 PM**

Submitted by: Linda Galeazzi, CMC  
Executive Assistant/Clerk of the Board