

Southern Willamette Valley Groundwater Management Area Committee

DRAFT Ground Rules

January 25, 2005

NOTE: Legislative format shows changes agreed upon by the Committee at the November 4, 2004 meeting. Added language is shown in double underline, deletions are shown in ~~strikethrough~~. Staff proposed the change to the Meetings Law reference on page 3, first bullet under Participation, to clarify the reference. Staff also proposed a change to specify decision by simple majority when electing officers, refer to the fifth bullet under the Membership and Officers section.

Committee Members agree to the following ground rules.

Committee Purpose

The purpose of the Southern Willamette Valley Groundwater Management Area Committee, hereafter referred to as the Committee, is to provide guidance and input from stakeholders in determining voluntary ways nitrate could be reduced in the groundwater in the Southern Willamette Valley Groundwater Management Area (GWMA).

The Committee is charged with the following responsibilities:

- Make recommendations to the Department of Environmental Quality regarding
 - Strategies to reduce nitrate in the groundwater from multiple land use groups
 - Specific actions to implement strategies
 - Identification of who is responsible for implementing the strategies
 - Identification of how strategies will be measured for success
- Solicit and consider input from all groups and citizens concerned with, interested in, and/or affected by GWMA plans or programs.
- Ensure involvement of the public throughout the GWMA process.
- Disseminate information about the GWMA Action Plan or decisions to all interested, affected, and/or concerned groups and citizens.
- Serve as a liaison between the Committee and organizations to which the Committee member belongs. Committee members will keep their respective organizations and interests informed about the work of the Committee and will bring their concerns to the Committee.

Membership and Officers

- The Department of Environmental Quality is responsible for appointing members of the Committee.

- The Department of Environmental Quality is responsible for appointing a facilitator to conduct meetings until election of a Chair and, thereafter, to conduct specific agenda items to help members reach consensus. The facilitator works with staff and the Chair to design a group process to discuss and resolve issues; help ensure full participation of members; give all members an equal voice; help members stay on track; and establish a safe climate for the Committee to operate in. The facilitator's role is to stay neutral and be positive.
- The officers shall consist of a Chair and a Vice-Chair. The term of office shall begin at the first meeting after election and extend for two years. Officers may serve consecutive terms.
- Nominations for the Chair and Vice-Chair shall be taken from the floor at the third meeting. An election shall be held at the third or fourth meeting, at the discretion of the Committee.
- Election of officers shall be by simple majority vote of those present. The Committee may choose to use a voice vote or a show of hands.
- The Chair shall: preside at meetings; work with staff to set the agenda for meetings, identify agenda items to be conducted by a facilitator, and design a group process for decision items; provide leadership and set the tone for Committee discussion and consensus; represent the Committee before other bodies and committees as requested by the Department of Environmental Quality; and serve as a spokesperson for the Committee to the media.
- The Vice-Chair shall perform all the duties of the Chair in his/her absence. In the event of the absence of both the Chair and Vice-Chair, the Committee shall select a member to perform the duties of the Chair.

Committee Decision-Making

- The Committee is advisory to the Department of Environmental Quality, the lead agency that has decision making authority regarding proposed management strategies to address nitrate issues in the GWMA. The Committee makes decisions on which strategies to recommend to the Department of Environmental Quality.
- The Committee will use a consensus decision-making process and may choose to vote by super-majority on a decision if the Committee is unable to reach consensus. A separate bullet in the Committee Decision-Making section of the ground rules provides detail on switching to a majority decision-making process. The fifth bullet in the Membership and Officers section of the ground rules specifies a decision by simple majority when electing officers.
- A consensus decision is made with the support of all participants. Consensus is reached when all members agree on a single alternative or action. Each member, at a minimum, "can live with" the decision. No one feels that he or she cannot

participate in the decision or must work to block it. This does not mean that all members will be equally enthusiastic about a solution.

- The Committee shall use the following when determining consensus:
 - *Yes, I agree with the decision because:*
 - I believe other members understand my point of view;
 - I believe I understand other members' points of view; and
 - Regardless of whether I prefer this decision, I support it because it was arrived at openly and fairly, and it is the best solution for us at this time.
 - *No, I cannot participate in the decision and will work to block it.*
- If reaching consensus seems unlikely, the Committee may decide to delay discussion of the item to a later date.
- ~~If the Committee is unable to reach consensus on a decision, any member of the Committee may call for a vote to close discussion and switch from consensus decision making to majority decision making. The vote on whether to decide the issue by vote shall be by super-majority (70% or more) of those present to choose whether to decide the issue by super-majority vote or to table the decision. In the event of a vote to table the discussion, the discussion shall be summarized and reported along with the Committee's recommendations.~~
- If the Committee is unable to reach consensus on a decision, any member of the Committee may call for a vote to close discussion and switch from consensus decision making to majority decision making using the following process:
 - (1) The Committee shall vote on whether to make the decision by majority vote. If the vote passes by a super-majority (70 per cent or more) of those present, the Committee shall make the decision by a super-majority vote.
 - (2) If the vote on whether to use super-majority to decide does not pass by a super-majority of those present, the item shall be continued to the next meeting for additional information, discussion, and decision. The Committee may choose to have an interim meeting to resolve the issue or communicate about the issue through the list serve in the interim between meetings.
 - (3) At the second meeting the item is under discussion, the Committee again will try to reach consensus on the decision. If the Committee is unable to reach consensus within the time allotted on the agenda at the second meeting, the Committee will make the decision by simple majority vote of those present. The Committee may agree by consensus to extend the agenda time allotted to the item. In the event of a vote by majority, the discussion shall be summarized and reported along with the Committee's recommendations.

- Each member shall be entitled to cast one vote on each issue voted on by the Committee.

Participation

- The Committee will follow the provisions of the Oregon's Public Open Meetings Law. Time will be set aside at the beginning of each meeting for public comment. The Chair may choose to limit the time for public comment.
- A majority of Committee members must be present to hold a Committee meeting.
- A partner who believes he/she has legal decision making responsibility on an issue being discussed by the Committee may choose to abstain from indicating consensus. Abstention for this reason will not affect the ability of the committee to reach consensus.
- When one or more members are absent from a meeting, the members present will determine if they feel comfortable making a decision or deferring it to a later date.
- Members absent from a meeting in which a consensus decision has been made will have an opportunity to discuss the decision at the next meeting are responsible for coming up to speed before the next meeting, such as by using the list serve or contacting another member.
- Members will make every effort to attend all Committee meetings and, if they are unable to do so, will not send an alternate.
- Members will notify the Department of Environmental Quality GWMA Coordinator or the Chair if he/she will be unable to attend a Committee meeting.
- Members will notify the Department of Environmental Quality GWMA Coordinator or the Chair if he/she must vacate his/her position.

Behavior

- Members will be on time and actively participate in Committee discussions.
- Members will give each other an equal opportunity to talk about each issue.
- Members will listen to and try to understand one another's views.
- Members will stick to the agenda in terms of both topic and time.
- If the process is not working, members will raise the issue with the Committee, facilitator, Chair, or GWMA Coordinator of the Department of Environmental Quality.
- Members will strive to adhere to the ground rules and share responsibility for their enforcement.

Amendments

- A member may propose amendments to the ground rules at any time. Amendments will become effective at the time proposed if all Committee members are present and approve. Otherwise, amendments will become effective at the meeting following the proposal upon consensus of all present.

*LCOG: L:\NATURALRESOURCES\WATER\GROUNDWATER\UPPER WILLAMETTE PROJECT\GWMA COMMITTEE\GROUND RULES 012505.DOC
Last Saved: January 25, 2005*

DRAFT