

**Memorandum of Understanding Between
Lower Rogue Watershed Council
And
Curry County Soil and Water Conservation District**

This Memorandum of Understanding (MOU) defines the roles and working relationships between the Lower Rogue Watershed Council (hereinafter **LRWC**) and the Curry County Soil and Water Conservation District (hereinafter **CURRY SWCD**) as they work collaboratively to support watershed improvement activities in the Lower Rogue Watershed.

Background and Authorities

Watershed council authorities are contained in ORS 541.910. Watershed councils are voluntary, local organizations recognized by county or city governments to address the goal of sustaining natural resources, watershed protection and enhancement within a watershed.

Authorities for the formation of watershed councils were adopted in 1993 under HB 2251, and were expanded and updated through the Oregon Plan for Salmon and Watersheds (1997 – HB 3441; 5042; 5044; 3700, and HB 3225 in 1999.).

The **LRWC** was formally chartered and recognized by the Curry County Commissioners and the Governor's Watershed Enhancement Board in 1994. Watershed Councils are intended to be the backbone of the Oregon Plan for Salmon and Watersheds (Oregon Coastal Salmon Restoration Initiative; Chapter 17A Watershed Councils).

The Curry County Soil and Water Conservation District was formed and chartered by the State of Oregon in 1953. The **CURRY SWCD** is a legal subdivision of state government led by an elected Board of Directors, formed under the authority as defined in ORS190.420 and ORS568.225. The **CURRY SWCD** has the authority and responsibility to assist landowners and agencies with resource problems through planning and on-the-ground implementation of conservation projects. Curry County and the **CURRY SWCD** signed an MOU outlining this authority in 1993.

Roles and Responsibilities

Both the **LRWC** and **CURRY SWCD** act independently to develop and implement their own bylaws, policies and work plans. Typically, we share common interests in the improvement of natural resource conditions on privately owned lands within the Lower Rogue Watershed through voluntary, non-regulatory approaches to watershed restoration activities. In order to successfully complete its mission, the **LRWC** needs a fiscal sponsor and an employer of record for the Council coordinator. Depending on the granting agency, the **LRWC** also needs a legal business entity to serve as grantee. Therefore, the **LRWC** and **CURRY SWCD** agree to work together in the manner outlined as follows to advance their shared interests:

The **LRWC** will:

1. Actively seek funding and other resources to support **LRWC** work plans and Council objectives.
2. The **LRWC** shall be responsible for all reporting, correspondence and monitoring on all **LRWC** grants and projects.
3. Partner with the District Manager to provide joint managerial oversight for the **LRWC** coordinator, including recruiting, hiring, assigning duties for, evaluating, promoting, and disciplining said **Curry SWCD** employee. Authority to terminate shall reside with the District Manager.
4. Provide **CURRY SWCD** with project invoices and bills in a timely and efficient manner.
5. Provide **CURRY SWCD** compensation for indirect costs associated with serving as fiscal sponsor, grantee, and employer of record, which shall be included in each applicable grant and be calculated, unless otherwise negotiated, at the District's current indirect rate at time of grant application.
6. Provide the **CURRY SWCD** use of materials and equipment purchased by the **LRWC**.

7. Have the **LRWC** coordinator and/or **LRWC** member attend monthly **CURRY SWCD** board meetings to inform the board members of council/coordinator activities and opportunities/needs to coordinate on projects.
8. Have the **LRWC** coordinator and/or **LRWC** member report annually to the Curry County Board of Commissioners per Oregon Revised Statute 541.388.

The **CURRY SWCD** will:

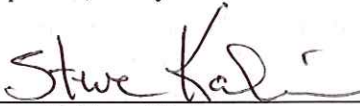
1. Serve as the Employer of Record for the **LRWC**, providing staffing for the **LRWC** coordinator position and other **LRWC** projects, and will submit billings for the associated wages and employer costs to the grant funds obtained for said purpose by the **LRWC**.
2. Serve jointly with **LRWC** in all decisions regarding hiring, performance evaluations, assignment of duties, and discipline of **CURRY SWCD** employees working on **LRWC** projects. Authority to terminate said employees shall reside with the District Manager.
3. Maintain workers' compensation insurance and liability coverage through Special Districts Insurance Services for **CURRY SWCD** employees working on **LRWC** projects.
4. Serve as grantee, fiscal sponsor and contracting agent for restoration projects and grants that are awarded to the **LRWC**. **CURRY SWCD** shall sign as grantee and fiscal sponsor on all grants as needed unless there is a disagreement of the **CURRY SWCD** board.
5. Use and maintain an accounting system that satisfies requirements of state law, regular audits and financial review and their resulting recommendations.
6. Provide to the **LRWC** monthly reports regarding **LRWC** finances, including expenses to date and balance of monies on hand, with regard to any and all grants pertaining to **LRWC** projects.
7. Provide the **LRWC** office space and use of office supplies, and the use of tools and supplies owned and maintained by the **CURRY SWCD**.
8. Receive from each applicable grant compensation for indirect costs, which, unless otherwise negotiated, shall be calculated based on the District's approved indirect rate at time of grant application.

Both parties together will:

1. Use approved methods and best science for carrying out watershed restoration activities in the Lower Rogue Watershed.
2. Meet together at the request of either party, with sufficient notice.
3. Strive to maintain a working environment that is diverse and collaborative

Duration


This MOU becomes effective upon signature by all parties, with an approved motion from the **CURRY SWCD** Board of Directors and the consensus of the **LRWC**. This agreement may be amended, if agreed to in writing by all parties, at any time.



 Steve Kalina, Chair
 Curry County Soil and Water Conservation District

July 28-2015


 Date



 Kelly Timchak, Coordinator
 Lower Rogue Watershed Council

7/21/15

 Date



 Ron Ray, Chair
 Lower Rogue Watershed Council

7-21-15

 Date

