

**CORBETT WATER DISTRICT
REGULAR MONTHLY WATER BOARD MEETING**

Chairman Ed Kalberg called the meeting to order at 7:00 p.m. Board members, Ken Blanc, Steve Wilson, Jeff Grover and Henry Schwartz were present. Also present were Superintendent Randy Stark and District Clerk Kathie Cicerich.

Community members present were Gordon Fulks, Rick Weaver, Doug Geller, Barb Giddeon, Barb Adams, Renee' Jimenez, Bob Colclessor, Rick Mysinger and Jim Leckron.

APPROVAL OF MINUTES

Mr. Wilson wants it noted that he didn't agree in the January 8, 2002 minutes where it states the Board came to a consensus to build a pre-stressed tank. He would like a conventional reinforced tank. Mr. Kalberg thought that employee Marc Caldwell should be named under guests and not as an employee in the minutes. Mr. Kalberg said since Marc Caldwell was not requested to attend the meeting by the Board or Superintendent Randy Stark that he should be listed as a guest. Mr. Wilson questioned why the term "guest " was used. Mr. Grover suggested using community members in place of guests. The board unofficially agreed to use community members in future minutes. Mr. Blanc asked Jeff Grover what he was referring to in the minutes where he mentioned that people in the community have cost the District money through legal fees because of misinterpretations of what was going on in the Board meetings. Mr. Blanc also asked how much money this cost the District. Mr. Grover said the District spent \$400.00 to the State, which doesn't include the legal fees the District incurred. Mr. Blanc said Bob Colclessor's name was spelled with an "or" and should be "er". Mr. Blanc moved to accept the minutes with the above corrections. Board members, Steve Wilson, Ed Kalberg, Jeff Grover, Henry Schwartz and Ken Blanc voted for the motion. Motion passed unanimously.

FINANCIAL REPORT

Kathie Cicerich briefed the Board on the January 2002 monthly financial report.

JIM LECKRON - VOLUNTEER'S

Jim Leckron, 532 NE Curtis Drive, Corbett, Oregon. Mr. Leckron raised some concerns regarding the volunteers. The Board should ask for volunteers if they determine there is a need. It shouldn't be the volunteers who decide to be volunteers. If the District does have volunteers, the Board should check to see if they have an agenda or history with the District and what that is. Mr. Leckron has a concern that the whole volunteer process could undermine the Boards authority and the employees of the District. The Board is elected by the citizens of the community and is bound to represent the whole community, not a minority who is vocal and persistent. There hasn't been any determination that the volunteers represent the

community, and Mr. Leckron stated they do not represent him. Mr. Blanc said the volunteers are a group of people who volunteer information and the Board has not asked them to be volunteers. Mr. Leckron wants to be sure that the volunteers are not given more authority and do not undermine the authority of the Board. They contend to steer direction by their actions whether appropriate or not. Mr. Grover said Mr. Leckron does make a good point and the Board should consider what he has said. There was some Board discussion.

AUDIENCE COMMENTS RELATING TO ITEMS NOT ON THE AGENDA

Barb Gideon raised a question regarding chemicals used by the District.

APPOINT TWO BUDGET COMMITTEE MEMBERS

Mr. Stark went over the procedure for voting in Budget Committee members. Bob Colclessor, Gordon Fulks, Barb Gideon, Renee Jimenez and David Mysinger all submitted letters of interest. Bob Colclessor withdrew his name. The four remaining individuals each stated why they want to be on the Budget Committee and any experience that relates to budgeting. Henry Schwartz and Jeff Grover voted for Renee Jimenez and David Mysinger. Steve Wilson voted for Gordon Fulks and Renee Jimenez. Ken Blanc voted for Gordon Fulks and David Mysinger. Ed Kalberg voted for Barb Gideon and Renee Jimenez. Renee Jimenez had four votes, Dave Mysinger had three votes, Gordon Fulks had 2 votes and Barb Gideon had 1 vote. Renee Jimenez and Dave Mysinger are the two people who will be on the Budget Committee for the next three years.

DISCUSSION WITH DISTRICT ATTORNEY REGARDING HOW PUBLIC MEETING LAWS APPLY TO THE SELECTION COMMITTEE. - MR KALBERG

Mr. Kalberg talked to the District Attorney Tom McPherson on January 24, 2002. Mr. McPherson's and one of his associate's opinions is that the way the sub-committee is structured it does come under the public meeting laws. It is Mr. Kalberg's opinion that the sub committee meeting be conducted according to the public meeting laws. Mr. Wilson said he has been subjected to many selection processes in his career and never have they been a public process and or public meetings. Where the committee makes a recommendation to the Board and the Board makes the makes the final decision, Mr. Wilson said the attorney is absolutely wrong. Mr. Wilson said it would make it tuff to stick to the timeline schedule if the Board decides to adhere to the public meeting laws and doesn't see what purpose it serves. Mr. Grover thinks the Board should go with what the District's attorney says because his experience has been, if the people on the committee are not employee's of the government agency, the meeting has always been conducted under the public meeting laws. If the Board avoids the District's attorneys opinion regarding public meeting laws, Mr. Grover said it leaves the District open to legal issues. Under public comments, Mr. Fulks said he has experience with open meeting laws. Mr. Geller said based on his experience the Board doesn't need to be concerned with the public meeting laws. Mr. Weaver agreed with Mr. Geller based also on his experience. After some discussion Mr. Blanc made motion to continue with the Selection Committee and to have the meetings closed to any person outside the Selection Committee. Mr. Wilson said the selection

committee would go through a ranking process using a scoring system, looking at qualifications, experience, and other various items. The committee will then select the top three scoring firms to get requests for proposals from. The scores will be made available to the Board. Mr. Wilson said he would talk to any of the firms that were not in the top three to let them know where their perceived shortcomings were. Mr. Grover suggested minutes be taken at the selection committee meeting. Mr. Wilson said he would write the minutes, which will include who was in attendance, discussions, results of the scoring system and recommendations and pass them out to the Board members at the March 12, 2001 meeting. Board members voting for the motion were Henry Schwartz, Jeff Grover, Ed Kalberg, Steve Wilson and Ken Blanc. Motion passed unanimously.

UPDATE ON WATER RIGHTS CERTIFICATION

Mr. Stark sent out requests for proposals (RFP) twice. The four proposals received range from a low of \$2,000 to \$6,500. The \$2,000 proposal did not have enough experience and didn't compare favorably to the other proposals received. Mr. Stark selected Lee Engineering based on experience and price with the cost estimated at \$3,868. Lee Engineering did our previous master plan; they have the District's mapping and have much information already on file.

Mr. Stark also talked with Bill Fujii with the Oregon Water Resource Department (OWRD), who suggested that in certifying the District's water rights, application be made to change from domestic to municipal on both rights. It gives the District more flexibility on how water can be used in the future. Mr. Wilson moved to accept Mr. Stark's recommendation to hire Lee Engineering to handle the water rights certification and to change from domestic from municipal in regards to water rights. Board members voting for the motion were Henry Schwartz, Jeff Grover, Ed Kalberg, Steve Wilson and Ken Blanc. Motion passed unanimously. Chairman Ed Kalberg signed the "Acceptance of Agreement" for Lee Engineering.

SCOPE OF WORK FOR MASTER PLAN UPDATE

Mr. Stark and Mr. Wilson each generated a scope of work for the master plan update. Mr. Wilson suggested deferring the scope of work until the selection committee meets. He recommended combining the best features of both scope of works to develop a final one. Mr. Stark reminded the Board it is Budget time and felt it necessary to withdraw from this project due to time constraints. Mr. Wilson asked Mr. Stark if he could at least attend the selection committee meeting to review the statements of qualification. Mr. Wilson said reviewing the qualifications takes little time where as reviewing the proposals is more time consuming. After some discussion it was decided Mr. Stark would attend the meeting to review the statements of qualifications. After reviewing the project timeline table for the master plan update, the board came to a consensus to push all but the first entry out one month.

MATTERS RELATING TO RESERVOIR

Mr. Kalberg summarized the issues the Board has settled as of the January 2002 Board meeting. The maximum cost to the ratepayer would be \$10.00 per month, the funding would be

provided through rate increases and not taxes. The size of the reservoir would be less than or equal to 1 mg's and the location would be at the water treatment plant. Also, the December 2001 project timeline was agreed upon. Mr. Blanc raised some concerns with regards to the reservoir section of the timeline schedule. He said in following the timeline, it allows for errors because of the shortness of the time allowed. He would rather take more time on the process if needed than to make errors on the way. Mr. Kalberg said the project timeline is to keep the Board on track and could always be extended out if the need arises.

Mr. Wilson developed a Request for Proposal, (RFP) for a design build reservoir. Mr. Wilson's RFP is based on another municipality which includes adjustments to fit the District's needs. The RFP includes a primary bid item for a 1.0 MG pre-stressed concrete reservoir and three alternate bid items that are a 0.5 MG pre-stressed concrete reservoir, a 1.0 and 0.5 MG conventional reinforced concrete reservoir. With a pre-stressed concrete tank, excavation needs to be 10' away from the tank and with a conventional reinforced tank only three feet of excavation needs to occur which would lower the cost. The contractor is responsible for obtaining the permits needed but the owner has to apply for the building permit. Mr. Wilson said most of the responsibility is put on the contractor. The selection committee will look over the RFP and put together a final draft to present to the Board. Steve Wilson said he would contact the District's attorney to get his opinion on the RFP. Mr. Stark's understanding was that the selection committee was formed for the master plan, not the reservoir. Mr. Kalberg and Mr. Wilson said the committee was formed for both projects. There was some discussion amongst the Board.

Community member, Rick Weaver asked if soil studies were going to be done to see if the ground could withstand a reservoir. Mr. Wilson said the contractor would need to guarantee the work performance. Mr. Weaver asked if the Board would be doing pre-qualifications. Mr. Wilson said not necessarily but is still open for discussion. After reviewing Mr. Wilson's RFP, Mr. Stark said some key elements were missing; for example, baffling in the reservoir, backup chlorination, raw water turbidity monitoring and other specific items. After some discussion Mr. Stark asked Mr. Wilson if he builds water reservoirs and draws up RFP's for a living. Mr. Wilson said his company does, but he specifically doesn't. Mr. Stark asked if it was unreasonable or offensive if the District hired an Engineer to review his RFP before next months Board meeting. Mr. Wilson said he didn't have a problem with Mr. Stark's suggestion as long as the Engineer is familiar with design build tank. Mr. Stark suggested engineer Pat Curran, Mr. Wilson had no objection.

Under audience comments, Mr. Fulks made comments pertaining to the above paragraph.

EMPLOYEE EVALUATION POINT SYSTEM

After some discussion the Board decided to put this aside until after the Budget for 2002-2003 is completed. One of the tasks is to develop the objectives in the five areas of job responsibility for the District Superintendent.

AUDITOR

The District received three audit proposals. The three quotes ranged from \$2,925 to 5,000 for the first year. After reviewing the proposals, the staff recommended the proposal from Dennis Conner based on level of experience and price. Mr. Wilson made motion to accept the staff's recommendation to hire Dennis Conner to be the District's auditor. Board members voting for the motion were Ken Blanc, Steve Wilson, Ed Kalberg, Jeff Grover and Henry Schwartz. Motion passed unanimously.

APPOINT BUDGET OFFICE

Jeff Grover made motion to appoint Randy Stark to be the 2002-2003 budget officer. Board members voting for the motion were Ken Blanc, Steve Wilson, Ed Kalberg, Jeff Grover and Henry Schwartz. Motion passed unanimously.

WAGE SCALE COMPARISON

Mr. Stark presented the new Wage and Step Scale for the 2002/2003-budget year. There is an increase of 2.7% over last year's wage scale. The increase is based on the Portland Consumer Price Index. The scale keeps the District current with inflation and competitive with other Water Districts. Pager pay has not been updated since it was implemented in 1996. Mr. Stark recommends changing the on-call pager pay from \$100 per week to \$160 a week. The pager increase is comparable with other Water Districts. Mr. Stark read aloud Resolution 2002.02.01, which concerns the wage scale. After some discussion Mr. Blanc moved to adopt resolution 2002.02.01. Under audience comments Barb Adams questioned cost of living increases. Board members voting for the motion to adopt resolution 2002.02.01 were Ken Blanc, Steve Wilson, Ed Kalberg, Jeff Grover and Henry Schwartz. Motion passed unanimously.

Jeff Grover made motion to adjust pager pay as recommended and to be effective 7/1/02. Board members voting against the motion were Ken Blanc and Steve Wilson. Board members voting for the motion were Ed Kalberg, Jeff Grover and Henry Schwartz. Motion passed.

Under audience comments, Bob Colclessor said listen to the debates and look for solutions. Mr. Fulks suggested to Chairperson Ed Kalberg to state what the agenda for the next Board meeting might include so various people can feed him information between now and the next Board meeting. Mr. Kalberg said the next Board meeting would include the selection committee presenting to the Board the top three scoring firms recommended to do the Master Plan Update. Also an independent engineer will be involved with the "Request for Proposal" regarding the reservoir. An application for the reservoir loan will be submitted to the Board for review and signed at the next Board meeting.

Ken Blanc moved to adjourn the meeting at 9:53 p.m.