

CORBETT WATER DISTRICT

APPROVED MINUTES

Regular Meeting 7:00 p.m.

Tuesday, February 15, 2005
Corbett, Oregon

Commissioners Present: Bob Colclessor, Lee Wyatt, Malcolm Freund, Ken Blanc, and Robert Gaughan.

Also present were District Manager Frank Sterzinar and District Clerk Jamie Simms.

Audience Members Present: Janet Helus, Sue Fry, Torey Redfern, Donna Colclessor, Gordon Fulks, Dick & Sharon Wand, Judy Dufresne, David Davis, Dan Graff, Marion Kirkham, Barb Adams, Al Kimbley, Dave Mysinger, Tom Layton and Woody Davis.

Chairman Colclessor called the meeting to order at 7:00 p.m. at the Corbett Fire Hall.

Review / Approve Agenda.

Chairman Colclessor added the SDAO conference report to the agenda. Commissioner Blanc added the resolution on public records and shutoff notices.

Commissioner Blanc moved to approve the agenda as amended. Commissioner Gaughan seconded the motion. Motion passed unanimously.

Approval of the Minutes.

Commissioner Wyatt wanted to add a couple of items to the January 18th minutes. Page 4, paragraph 5, "Commissioner Wyatt said she felt good about what the Board had been offering" [add: prior to the union negotiations]. Page 4, paragraph 8, "Commissioner Wyatt said that Richard was an attorney and that no request for him to submit his files [add: to a new firm] had been made."

Commissioner Freund moved to accept the January 18th minutes as corrected. Motion seconded by Commissioner Blanc. Motion passed unanimously.

Financial Report.

The District Clerk stated the financials included a list of all approved purchase orders and 'Transaction List by Vendor' reports. There was also discussion of the 'Budget vs. Actual' and late notices & shutoff letters sent out.

Commissioner Blanc asked about the amount under 'Insurance & Bonds.' The Clerk responded that a check had recently been issued for just over \$13,000 to cover the yearly liability insurance.

Commissioner Blanc would like more details on expenditures for Lee Engineering's general services.

Utility Crew / District Manager Work Report.

Treatment Plant: Everything has been working smoothly. Equipment manuals have been updated and the Standard Operating Procedures (SOP) manual Phase I has been completed.

Distribution & Leaks: The fire hydrant on Rickert has been repaired. Reservoir's No. 1 & 3 have leaks and are in the process of being repaired.

Projects: The PRV station servicing is 65% complete. Mile marker one PRV station is complete along with the hydrant flushing program. Neilsen Rd/Yoshida project is in the planning and permitting phase.

Frank Sterzinar said that according to the 25 year master plan, the Neilsen road to Dabney State Park project was number four on the list. Currently the pipe along Neilsen to Dabney is a four inch pipe and he would like to replace it with eight inch.

Commissioner Blanc asked about the Yoshida line extension. Frank replied that Yoshida would have to pay for the line extension from Dabney to his property across the Stark Street bridge. He said that currently the District could provide domestic water service to Yoshida but not fire protection. The current CWD rules would allow us to service someone outside of the District as long as the customer paid for it. However, Frank does have concerns running a pipe under the Stark Street bridge.

Commissioner Blanc questioned why Yoshida would not want to use the existing 12 inch line that Troutdale has supplied. Gordon Fulks asked if Yoshida intended to purchase water, because fire protection would not generate new revenue for the District. Frank replied that the service would be for domestic and fire service and that some modifications would be required. Torey Redfern asked about Yoshida's tax revenue. Frank replied that the CWD would have to approve the annexation.

SDAO Conference Report.

Commissioner Wyatt felt that the SDAO conference had been well run and worthwhile to attend. She appreciated the financial support of the District to allow Board members to attend the conference. She felt the information given was incredibly accurate.

Chairman Colclessor spoke about risk management and that the District could eliminate known risks. He also felt that the conference was informative.

Commissioner Freund felt that the Board member tune-up should be mandatory for all Board members. He believed that it would help the Board learn how to better protect the District.

Commissioner Gaughan commented on other Boards having some of the same problems.

Financial Statements, Year End June 30, 2004.

Commissioner Freund said that the comments from the previous meeting had been resolved.

Commissioner Freund moved to accept the June 30, 2004 audit. Motion seconded by Commissioner Blanc. Motion passed unanimously.

Commissioner Blanc asked about seeking bids for next year's audit contract. Frank said he would like to get bids and then have the Board or a committee review them.

Commissioner Blanc moved to obtain bids for the audit report for the Board's approval. Motion seconded by Commissioner Wyatt. Motion passed unanimously.

Budget Committee Appointments.

Frank Sterzinar announced that the first budget committee meeting would be March first. He said that the public was invited to attend, but comments would not be heard until the March 15th committee meeting. There was some discussion of the amount of time involved for committee meetings. Gordon Fulks commented on the purpose of the budget committee.

Commissioner Freund nominated Dave Mysinger and Sue Fry for the two vacant budget committee positions. With no other nominations they were both unanimously voted as budget committee members.

Lee Engineering Contracts.

Direct Responsible Charge (DRC) Contract: Frank Sterzinar said that he would like to eliminate the DRC contract and add it into the general services agreement, because all projects performed by the District require an engineer's approval. He said that adding the DRC to general services would allow for flexibility. The DRC is only needed until May, because he would then have his certification.

Commissioner Wyatt believed there needed to be changes made to the termination agreement clause. She voted for Lee Engineering to be the DRC on a temporary basis. She wanted no termination cost.

Commissioner Blanc wanted to keep the DRC as its own category until Frank had his certification in-hand to satisfy the Drinking Water Program.

Commissioner Freund questioned if the general services contract amount need to be increased to reflect Frank's proposal. Frank replied that the fees vary, and this was an estimate for budgeting purposes.

Commissioner Wyatt said the District was fortunate to have Lee Engineering as the DRC, but she did not see this cost as a part of general engineering services. She asked if the engineering stamp required on projects was a part of the DRC position. Frank replied no.

Commissioner Wyatt wanted the contract modified to reflect the following items: termination language modified, four to eight thousand, for four to six months and she wanted to see it continued as a separate agreement. Commissioner Blanc agreed. Frank will check with Brian Lee to make these modifications.

General Services Contract:

Chairman Colclessor said that this contract would amend and extend the original contract dated 9/15/03. Frank Sterzinar said this would be used for smaller projects the District performs that require an engineer's approval.

Commissioner Wyatt asked how the \$22,000 was generated. Frank replied that it was based on past history. Commissioner Blanc said the contract was for minor daily repairs. There was some discussion of the definition of a minor repair. Gordon Fulks spoke about Lee Engineering being the engineer of record for the District.

Frank spoke about the difficulties of receiving project quotes from Lee Engineering. Sharon Wand asked about receiving a written request for a quote.

Commissioner Wyatt wanted to consider waiting to see what the budget committee felt was an appropriate amount for engineering. Instead of viewing a contract, she would have liked to have seen a letter to the budget committee.

Engineering Services for Hydraulic Model & PRV Upgrades Contract:

Frank Sterzinar said this project would make corrections to the District's mapping system. This system would determine where the weak points of the distribution system are.

Commissioner Blanc would like for Frank to inform the Board of projects he'd like to start, so there could be a consensus/vote. Commissioner Wyatt asked about Frank's time frame for beginning the project. Frank replied that it would be a tight fit for this budget year.

Janet Helus asked why her packet of information had not included Lee Engineering's contracts. Frank referred her to ORS 192.420 (2)(a), "If a person who is a party to a civil judicial proceeding to which a public body is a party, or who has filed a notice under ORS 30.275 (5)(a), asks to inspect or to receive a copy of a public record that the person knows relates to the proceeding or notice, the person must submit the request in writing to the custodian and, at the same time, to the attorney for the public body." He said that it had been the advice from the District's attorney.

Gordon Fulks asked if the hydraulic model would be flexible. Frank replied that the model would not be dependent on Lee Engineering.

Dick Wand asked if this contract had gone out to bid. Frank replied that Lee Engineering had the most knowledge. Sharon Wand & Dan Graff commented on advantages of going out to bid.

Update From the Contract Inventory Board Committee.

Commissioner Freund said the committee had looked at the records and categorized them by project, with the next step being to put each project into chronological order. Information dated back to 1962.

Update From the Policy & Procedures Board Committee.

Barb Adams said the manual contained 14 sections. Sections 1-3 were previously given to the Board for review and sections 4-5 should be completed by the March 22nd meeting.

Janet Helus asked when the public would be allowed to review the draft. Commissioner Wyatt said that the committee meetings were open to the public. Commissioner Gaughan said that they were trying to have a full draft by the end of May. Commissioner Freund spoke about the possibility of scheduling a workshop with the Board and committee members to discuss the draft.

Commissioner Gaughan and Barb Adams both expressed their gratitude for the work Deb Simon has put into the policy.

Release of Public Records Resolution.

Commissioner Blanc spoke about Janet Helus not receiving a full Board packet. He said that Board information was sent via email for free. He asked what had changed with the signed agreement for Janet to receive Board packets. He questioned why the District's attorney had sent Janet a letter. Frank Sterzinar referred him back to ORS 192.420 (2)(a).

Commissioner Wyatt said that legal advice should be discussed in executive session, and she would support Commissioner Blanc if he wanted to hold an executive session. There was some discussion of holding an executive session.

Janet Helus said that if the purpose of the executive session was to discuss her letter she waived her right to have it discussed in executive session. She questioned why she could no longer have the information for Board meetings ahead of time. Commissioner Wyatt said that if the answer was something the Board could not discuss in public, then they had to ask the attorney in executive session. Janet asked the Board to investigate this matter and get back to her.

Chairman Colclessor said that the Board had reduced the price of paper copies from \$.50 to \$.25, but there had been no cost established for receiving information through email.

Torey Redfern, Barb Adams, Janet Helus and Al Kimbley all commented on this topic.

Shutoff Notices.

Commissioner Blanc said that shutting off a customer to receive payment was per 'rules and regulations'. He questioned a letter from the District's attorney for a customer to appear in court for non-payment. Commissioner Wyatt said that it was not a shutoff but a collection issue. Commissioner Freund said that the customer had not paid their bill since last December. The water had not been shutoff because more than one customer had been using the same meter.

Commissioner Blanc asked if the new meter installed at Crown Point Towing had been paid for. Frank replied that it had been billed, but not paid.

Commissioner Wyatt gave the following hypothetical situation: Instead of CWD being a mediator with multiple parties, she would rather have the parties come to an agreement amongst themselves.

Chairman Colclessor said this matter had previously been discussed in a Board meeting.

Public Input NOT on the Agenda.

Commissioner Wyatt spoke about the upcoming blood drive and about the national bone marrow bank.

Dick Wand thanked the Board for going over the engineering contracts. He also commented on the need to obtain a red stamp of approval from the engineer. He asked about a previous request for a copy of the general services agreement the CWD has with Lee Engineering. Commissioner Wyatt said that his request had started the need for the Committee.

Woody Davis asked about Doug Geller's request for 'per diem' pay. Frank replied that he was waiting for legal interpretation. Woody asked about Frank's schooling. Frank replied he had a test scheduled for May 10th, and that he was going to challenge further testing to fulfill his contract as the District Manager.

Janet Helus asked about shoring. Frank replied the District uses Sunbelt rentals and in an emergency he could make temporary panels. He also has an agreement with Fairview to use their shoring.

Torey Redfern asked about the post's installed in front of the hydrant on Rickert. Based on his past experience he thought that the insurance company would want them removed.

Sharon Wand spoke about foamy stuff in her water on February 8th. Frank replied that the reservoir could have dropped creating air bubbles, but it would have cleared up. There was some discussion of obtaining a sample of her water.

Commissioner Blanc announced the resignation of Utility Worker I, Gene Hubbard as of February 25th.

Commissioner Blanc moved to adjourn. Motion seconded by Commissioner Gaughan. Motion passed unanimously.

Meeting adjourned at 10:10 p.m.