

CORBETT WATER DISTRICT MINUTES

Special Meeting

Tuesday, July 1, 2003
Corbett, Oregon

Vice-Chairman Ken Blanc and Commissioner Steve Wilson were the only official Board members to convene the meeting because the terms of the other three had expired. Consequently, the first order of business was to swear-in the new Commissioners and organize the new Board.

Community members present were Barb Adams, Sue Fry, Kathy Freund, Linda Wilson, Chief Tom Layton (Fire District 14), Jeff Grover, Henry Schwartz, Sharon Nesbit (Outlook Newspaper), Bob and Donna Colclessor, Ed Kalberg, Marc Caldwell (Treatment Plant Operator), Torey Redfern (District staff), and others who were not identified. One man videotaped the meeting and refused to give his name.

Barb Adams from the audience volunteered to take notes for the meeting in addition to the usual tape recording.

Commissioner Ken Blanc called the meeting to order at 7 p.m. He immediately proceeded with the swearing-in ceremony for the three new commissioners elected May 20, 2003. Dr. Gordon Fulks, position #1; Mr. Doug Geller, position #3 and Mr. Malcolm Freund position #5 all recited the oath of office individually and signed the corresponding paperwork.

Nominations were opened for chairman. Commissioners Blanc and Fulks were nominated. Commissioners Freund, Fulks, and Geller voted for Commissioner Fulks. Commissioners Blanc and Wilson voted for Commissioner Blanc.

As the new chairman, Commissioner Fulks then presided over the remainder of the meeting.

Vice-Chairman nominations were Commissioners Blanc and Geller. Commissioners Freund, Fulks, and Geller voted for Commissioner Geller. Commissioners Blanc and Wilson voted for Commissioner Blanc.

Treasurer-Secretary nominations were Commissioner Blanc (declined), Commissioner Wilson, and Commissioner Freund. Commissioners Blanc and Geller voted for Commissioner Wilson. Commissioners Freund, Fulks, and Wilson voted for Commissioner Freund.

As a first order of business, Commissioner Geller explained that the entire office staff (consisting of Randy Stark (Superintendent), Kathie Cicerich (Clerk), and Jan Leckron (Office Assistant)) had submitted resignations effective immediately to the previous Board Chairman, Ed

Kalberg at 4:15 pm the previous day. Consequently, the District had no manager or clerk in attendance.

This required a large number of additional Agenda items which Commissioner Fulks distributed as a handout. These were added to the end of the Agenda.

It was agreed unanimously that starting in August the Regular Meeting will be on the third Tuesday of the month with any spillover going to a Special Meeting on the first Tuesday of the following month. In July the regular meeting will be July 8 and a Special Meeting with a Rate Hearing will be on July 15.

At 7:25 p.m. the board went into executive session in the parking lot to consider hiring a new attorney and to discuss potential litigation with him. At 7:40 they returned to open session and voted on the new attorney, Richard Weill of Corbett (Office in Troutdale). Commissioners Blanc, Freund, Fulks, and Geller voted to hire Richard Weill as the attorney of record for the District (and thereby dismiss the previous attorney for the District.) Commissioner Wilson voted 'NO'. (Sharon Nesbit (Gresham Outlook) attended the executive session.

In order to have at least some Commissioners informed on particular District topics before they come up at Regular or Special Meetings and thereby facilitate coordination with staff and facilitate meeting decisions, Commissioner Fulks explained the plan to assign liaison roles to one or two Commissioners. These people would be responsible for working with staff to bring actionable items to the Board. The example used was the purchase of new equipment like a pickup truck. Questions of need, brand, and specific equipment desired would be brought to the Board for discussion by staff and the liaison. This will enable Commissioners to make an informed decision. Using the liaison approach, certain Commissioners would specialize in certain areas (suited to their backgrounds).

Commissioner Wilson said that he was opposed to the idea of the Board getting involved in managing the District.

The following liaison roles were suggested and voted on:

1. *Vehicles, equipment, maintenance.* Commissioners Blanc and Freund volunteered. Commissioners Blanc, Freund, Fulks, and Geller voted 'AYE'. Wilson voted 'NO'.
2. *Engineering.* Commissioners Fulks and Geller volunteered. Commissioners Freund, Fulks, and Geller voted 'AYE'. Commissioner Wilson voted 'NO' and Commissioner Blanc abstained. Commissioner Wilson offered to help with engineering.
3. *Newsletter.* Commissioners Fulks and Geller volunteered. Commissioners Freund, Fulks, and Geller voted 'AYE'. Commissioner Wilson voted 'NO', and Commissioner Blanc abstained.
4. *Legal.* The attorney reports directly to Board officers. Commissioners Freund, Fulks, and

Geller voted 'AYE'. Commissioner Wilson voted 'NO', and Commissioner Blanc abstained.

The Board then discussed new Management Controls. Because of the assignment of Commissioners to topics such as *Equipment*, *Engineering*, and *Newsletter* effectively accomplished the desired coordination and control, no further discussion was deemed necessary on these items.

Discussion on the requirement for a Board signature on all checks was deferred to later in the Agenda where it came up in a different context. Discussion on eliminating present penalties and shut-offs without Board approval was postponed indefinitely because the penalties and shut-offs were effectively on hold due to the departure of three staff members.

The Board discussed a motion for a 'Stop Work' order for all Lee Engineering projects except the New Reservoir Project. Commissioner Fulks explained that this was desirable for the Treatment Plant Upgrades to give us time to determine how much money we would have left over from the construction of the New Reservoir. He said that Duane Lee of Lee Engineering supported holding off for now.

Much more discussion occurred about the 'Stop Work' order as it applied to the repainting of Reservoir #4. Commissioner Fulks said that there were so many serious questions about both the wisdom of proceeding with the present plan and the present schedule that he wanted a thorough review with Duane Lee before they spent any more of our money on the engineering. Commissioners Blanc and Wilson thought that the new Board should not hold up a decision made by the previous Board. Commissioner Fulks thought that one of the serious failings of the present plan was the loss of most fire-fighting water for Corbett should Reservoir #4 be taken out of service before the New Reservoir was brought on line. He was especially worried about the coming dry months when fire danger is high and the original plan called for pulling Reservoir #4 out of service. He indicated that there were many better alternatives even including painting the interior of the reservoir in the middle of winter when the outside could not be done. Proper temperature and humidity can be maintained inside with propane heaters according to information provided by Lee Engineering. Fire District 14 Chief Tom Layton said that no one had talked with him or his Board about the reservoir project and the possible impact on fire protection.

Commissioners Freund, Fulks, and Geller voted 'AYE' on the 'Stop Work' order for Lee Engineering. Commissioners Blanc and Wilson voted 'NO'.

Former Commissioner Ed Kalberg suggested we add a liaison for personnel matters such as pay, insurance and other issues. Commissioner Fulks said that more such assignments were probable.

Additional agenda items were considered due to the resignation and departure of the District Superintendent and two office people the previous day.

The Board appointed Marc Caldwell as 'Interim Manager' until further notice. This was

approved unanimously.

The Board authorized Commissioners Freund and Fulks to man the front office through July 8 to keep it running and to become familiar with office computers and software. This was approved unanimously. Commissioner Wilson suggested we call the Special Districts Association (SDAO) to get their assistance.

The Board authorized Marc Caldwell or Torey Redfern to sign checks for the District and the Board Treasurer (presently Commissioner Freund) or Board Chairman (presently Commissioner Fulks) to countersign the checks, (i.e. one staff and one board signature for each check). No other signatures are authorized. This was approved unanimously.

On the suggestion of former Commissioner Ed Kalberg, the Board decided not to proceed with a special audit of the District to address concerns stemming from the abrupt departure of three staff members on June 30th. Mr. Kalberg agreed that such an audit was appropriate but would be expensive. He suggested an alternative that the Board readily accepted: just go ahead with the regular audit already planned for this time of year. Mr. Kalberg said he would talk with the regular auditor to see if he could speed up certain aspects that could be appropriate to the current situation, including especially controls. This was approved unanimously.

The Board authorized Commissioners Freund and Fulks to work with former Commissioner Ed Kalberg to investigate checks that went out recently and stop payment as appropriate. This was approved unanimously.

The Board authorized Interim Manager Marc Caldwell to hire temporary help for field work such as the cleaning of filter #2 at the Treatment Plant. This was approved unanimously.

The Board authorized Commissioners Freund and Fulks to hire temporary help for the front office with the assistance of staff members Marc Caldwell and Torey Redfern. This was approved unanimously.

The Board authorized Commissioners Freund and Geller to come up with a job description for a new regular clerk and report to the Board. This was approved unanimously. Commissioner Wilson wants the board to review the resumes of applicants as part of the selection process.

The Board instructed the staff to change the locks on major District properties like the office. This was approved unanimously.

Commissioner Fulks explained that the access situation to District facilities and the general level of cooperation from the staff have markedly improved. So, the Board declined to take up the last Agenda item requiring staff to provide full access to the District for all Commissioners.

The meeting was adjourned about 9:30 pm.
(These minutes were prepared by Barbara Adams and Commissioner Gordon Fulks.)