

# CORBETT WATER DISTRICT

## APPROVED MINUTES

Regular Meeting 6:00 p.m.

Tuesday, July 20, 2004  
Corbett, Oregon

**Commissioners Present:** Bob Colclessner, Malcolm Freund, Ken Blanc and Lee Wyatt.

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

Two Multnomah County Sheriff's Deputies were also present throughout the meeting.

**Audience Members Present:** About 40 people were present.

Vice-Chairman Colclessner called the meeting to order and moved to executive (Closed) session (Pursuant to ORS 192.660(1)(h)(d)) to consult with legal counsel concerning the legal rights and duties of current litigation and/or litigation likely to be filed and to conduct labor deliberations with persons you have designated to carry on labor negotiations. Present at this time were Commissioners Colclessner, Freund, Blanc and Wyatt. Also present were the District's Attorney Richard Weill, Union Negotiator Barbara Bloom and Andrew Jordan from SDAO. Jerrod Hill (*The Outlook*) was present during litigation discussion.

The regular meeting was reconvened at 7:10 p.m. by Vice-Chairman Colclessner. There was no discussion of the executive session.

### **Acceptance of the Recall of Chairman Gordon Fulks.**

Commissioner Colclessner read the election results. Commissioner Blanc moved to accept the official recall election results. Motion seconded by Commissioner Freund. Motion passed unanimously.

### **Approval of Agenda.**

Commissioner Colclessner removed legal action against former employees and the complaint policy from the agenda.

Commissioner Wyatt made a motion to approve the agenda. Motion seconded by Commissioner Freund. Motion passed unanimously.

### **Review / Approve Minutes.**

Commissioner Freund moved to accept the August 19<sup>th</sup>, September 16<sup>th</sup>, February 17<sup>th</sup>, April 28<sup>th</sup>, and May 18<sup>th</sup> minutes as printed. Motion seconded by Commissioner Blanc. Motion passed unanimously.

### **Financial Report.**

The District Clerk stated the financials included a list of all approved purchase orders, 'Transaction List by Vendor' and a 'Budget vs. Actual.' Discussion followed.

### **Utility Crew Work Report and the District Managers Report.**

See attached report.

### **Board Vacancy Policy.**

The Board discussed policy versus procedure. Commissioner Blanc would like to see a Board vacancy policy added to the manual. He read the Board Vacancy Policy to the Board. Commissioner Colclessler announced that there would be no audience comments pertaining to action items. Discussion followed.

Commissioner Colclessler appointed Commissioner Wyatt in charge of ORS 164.205, which delegate's the authority to issue warnings and to ask audience members to leave.

Commissioner Blanc made a motion to approve the first reading of the policy. Motion seconded by Commissioner Wyatt. Motion passed unanimously.

Commissioner Colclessler said that next month when the board voted on the 2<sup>nd</sup> reading audience comments would be taken at that time.

### **Ratification of Prior Board Decisions.**

Commissioner Colclessler read Resolution 2004.07.01 to the Board.

Each Board member stated their reasoning for voting the way they originally had, for all Resolutions passed on June 8<sup>th</sup>.

Commissioner Freund moved to adopt Resolution 2004.07.01. Motion seconded by Commissioner Wyatt. Voting for the motion were Commissioners Colclessler, Freund and Wyatt. Voting against the motion was Commissioner Blanc.

### **Amended Budget Resolution.**

The District Clerk said that the original budget resolution had not included the \$20,000 for 'Unappropriated Ending Fund Balance.'

Commissioner Blanc made a motion to accept Resolution 2004.06.08 as amended. Motion seconded by Commissioner Freund. Motion passed unanimously.

### **Approve Amended Contract with Dennis Conner, CPA.**

Frank Sterzinar read Dennis Conner's letter to the Board. Discussion followed.

Commissioner Freund made a motion to approve the amended contract with Dennis Conner. Motion seconded by Commissioner Blanc. Motion passed unanimously.

### **Annual Election of Board Officers.**

Commissioner Freund wanted to wait until a full Board was in place before new officers were elected.

Commissioner Blanc moved to elect new Board Officers. With no second the motion died. Discussion followed.

Commissioner Blanc commented on the content of the Board Policy manual. Discussion followed.

Commissioner Freund said that the policy had been written in 1995 and had not been updated. He said that the policy should be updated every three years. Discussion followed.

Frank Sterzinar said that currently the District Clerk was working on organizing and cataloging the past Resolutions and policies. Discussion continued.

### **Public Input NOT on the Agenda.**

Janet Helus said that she had offered copies of past Resolutions to the District Clerk. Discussion followed.

Dick Wand commented on Lee Engineering's (LEI) General Service Agreement and other contracts.

Richard Weill said that he has a file from the previous District's Attorney that may contain LEI contracts.

Torey Redfern asked who the Department of Human Services had on file as the DRC for the District. Frank Sterzinar said that it was Tom Hatchel and Phil Beverly from LEI.

Dale Burkholder also commented on LEI. Lee Wyatt referred to ORS 279.058.

Barb Adams commented on the sterling reputation of LEI.

Ed Kalberg thanked the Board and manager for the Water Quality Report and expressed concern for the lack of financial accountability of the Board over the years. He also commented on the \$85,000 rate reduction. .

Tom Layton commented that the rules for public comment had changed continuously over the last few meetings. He also commented on the two Multnomah County Sheriff Deputies present. Discussion continued.

Commissioner Freund moved to adjourn. Motion seconded by Commissioner Wyatt. Motion passed unanimously.

Meeting adjourned at 9:10 p.m.