

**CORBETT WATER DISTRICT
REGULAR MEETING OF THE BOARD
Written Summary
August 19, 2014**

Board members present: Jeff Hargens, Robert Gaughan, Sonny Boyd, Robert Churnside, Kevin Wilhelm.

Staff present: James Jans, Shanti Burns.

Audience members present: Robert Colclessor, Brian Lee, Debbie Churnside, Carnetta Boyd, Matthew Degner, Andrew Degner, Ashley Suter, Patrick Oldright (arrived at 6:42pm), Nicholas Ray (arrived at 6:48pm), Gordon Fulks (arrived at 6:50pm)

Chairman **Jeff Hargens** called the meeting to order at 6:30 p.m.

APPROVAL OF THE AGENDA

Brian Lee would like to add easement agreements and filter ponds to the agenda. **Jeff Hargens** said they will be listed as item 6a and 6b. **Robert Gaughan** made a motion to approve the agenda as modified, **Sonny Boyd** seconded, passed unanimously.

ELECT OFFICERS

Chairman: **Robert Churnside** made a motion to elect Jeff Hargens as the chairman of the board, **Sonny Boyd** seconded, passed unanimously.

Vice Chairman: **Jeff Hargens** made a motion to elect Robert Gaughan as the vice chairman of the board, **Kevin Wilhelm** seconded, passed unanimously.

Secretary/Treasurer: **Jeff Hargens** made a motion to elect Sonny Boyd as the secretary/treasurer of the board, **Robert Churnside** seconded, passed unanimously.

APPROVAL OF THE MINUTES

Robert Churnside said that during the manager's report, it reads "*corrcet* permits", and should be changed to read to "*correct* permits". **Jeff Hargens** made a motion to approve the minutes as modified, **Robert Gaughan** seconded, passed unanimously.

SOUTH FORK

Brian Lee said the contractor is scheduled to finish the South Fork demolition on Tuesday. The boulders will be placed on Wednesday and Friday, and the stream will be re-graded. The Oregon Department of Fish and Wildlife (ODFW) removed the fish from the stream. Greg Apke and John Zauner from ODFW are satisfied with the work that has been done. **Jeff Hargens** would like ODFW to state in writing that the District has met their obligations. **Brian Lee** said North Fork was triggered by the hydro project, and ODFW is requesting a 6' drop off instead of the 20' drop off that is currently there.

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EASEMENT AGREEMENTS

Brian Lee distributed packets to the Board showing the scope of work for easements. He said there are 20 separate parcels within 4 water lines. **James Jans** said out of the 35 people he has spoken with, only 2 people had issues, one of which said they would sign after the neighbors did. **Brian Lee** said he is trying to complete the easements with most priority first, and that the next group of easements should cost less as surveys will not be required. **Brian Lee** assumes 80 out of 100 parcels will require surveys. **Jeff Hargens** would like the Board to receive a map showing all the water lines that need easements. He said there is no rush to get all the easement agreements at once, however it does need to be cleaned up. **Robert Churnside** would like the customers that are opposed to the easement agreement to attend a Board meeting. **Jeff Hargens** would like to discuss this more at the next Board meeting when they receive more information and have had time to review the maps.

FILTER PONDS

Brian Lee distributed a cost estimate and timeline for the filter pond project to the members of the Board. He said it would save the District money if some of the work is done in house. **Gordon Fulks** asked if we would be subject to BOLI wage rates if we did the work in house. **Jeff Hargens** said there are laws on how much work can be done in house before we are required to pay BOLI wage rates, and we would need to find out if we can list them as separate projects since we plan on doing the work in phases over a couple of years. **Jeff Hargens** said a discussion took place at the last Board meeting regarding building a dam across filter pond 1 while the new pond is being built. This would allow the use of all three filter ponds while the new one is under construction. He would like James Jans to report to the Board next month on if the District can use the funds it currently has for the project, or if we will need to go out for a bond. **Sonny Boyd** said we need to look at both the filter pond cost and the cost of the easements to determine what funds can be spent on these projects. **Jeff Hargens** said that we may need to consider a rate increase. **Robert Colclessor** suggested implementing a surcharge. **Shanti Burns** informed the Board that when the last surcharge was issued there were numerous angry customers that voiced their opinions for years, however when the rates increased the office did not receive any negative feedback from the customers. She also said that if a surcharge was to be issued, then by the time it was to be removed the rates would need to be raised due to inflation anyways. She feels that a rate increase would be the best option.

MULTNOMAH COUNTY PERMITS

James Jans said the pre-hearing conference with Multnomah County was rescheduled. **Sonny Boyd** would like to know when the pre-hearing conference will be so he may attend.

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WAGE SCALE REVIEW

Sonny Boyd was informed that the wage scale change may have been done during a budget meeting. He would like to review the budget meeting minutes from 2004-2006 prior to approving the new wage scale. **Jeff Hargens** said the discussion will be postponed until the next regular Board meeting.

SPECIAL DISTRICTS INSURANCE SERVICES (SDIS)

Shanti Burns said the Special District Insurance Services (SDIS) will issue a 2% discount on our insurance if the checklist they provided is reviewed by our Board members. She said in prior years, the District would receive discounts for each item that was marked yes, however they have changed it to allow Districts to receive the full discount regardless of the answer as long the checklist is reviewed by the Board. The checklist was reviewed by all Board members and signed by the chairman of the Board.

MONTHLY REPORTS

Secretary/Treasurer Financial Reports: **Sonny Boyd** made a motion to accept the financial reports as presented, **Kevin Wilhelm** seconded, passed unanimously.

Manager's Report: District Manager **James Jans** read as follows:

Distribution: Fire hydrant #82 was installed at the intersection of E. Historic Columbia River Highway and Knieriem Road. I spent many hours dealing with the Multnomah County planning department, as well as the road right of way department, in order to gain a road right of way permit. We are waiting for them to decipher the color and correct permits for a hydrant that will be installed at 2201 Corbett Hill Road. We are continuing to work very closely with Phil Dearixion, the Fire Chief from Multnomah County Fire Station #14, in determining the location of each fire hydrant in order to fulfill the ISO requirements.

We have finished installing the wood deck on our old 1990 F350 truck and the new F450 has been ordered.

We had a leak on Mershon Road that has now been repaired.

South Fork: The cement dam and gabions have been removed from South Fork and the new rock vanes have been installed. The ODFW crew was very impressed with the work that was done. The Farmers Screen will go in later this week.

Office: The audit has been completed and the books looked very good. Shanti did a great job in providing the auditors the data and keeping the accounts in order.

Treatment Plant: We have been monitoring the overflow from the treatment plant and it has always been < .20 mg/L, well below the .40 mg/L action level set by the Department of Environmental Quality (DEQ). We are also following the decision matrix for the disposal of chlorine water per DEQ. Filter pond #1 has been ripened and is ready for the summer season.

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MONTHLY REPORTS - Manager's Report (Cont.)

Last week we had some problems with the plant shutting down. At first we thought it was due to the lightning storms, but we later figured out that our PLC unit was malfunctioning. Taurus Controls installed a back up PLC unit today and the plant is back online.

Hydro: The power bill from PGE at the treatment plant for July should be zero. We shut down the hydro for a couple of days earlier in the month to maintain the levels in the filter pond and clear well in order to supply the needed flows during the heat wave we have experienced.

PUBLIC COMMENTS ON ITEMS NOT LISTED ON THE AGENDA

Gordon Fulks asked why the District needs an additional vehicle. **James Jans** said there are more employees than there are vehicles, so there have been times when not every employee has access to a work vehicle. We also needed a flatbed in order to carry larger equipment.

Robert Colclessor feels that the Farmers Screen will help the District.

EXECUTIVE SESSION ORS 192.660(2)(b): TO CONSIDER DISMISSAL OR DISCIPLINE OF, OR TO HEAR CHARGES OR COMPLAINTS AGAINST AN OFFICER, EMPLOYEE, STAFF MEMBER OR AGENT

Matthew Degner requested the executive session to remain open to the public. He said that on August 7, 2014 he was wrongly terminated. He said the complaints listed on the termination letter were simply due to lack of practice, and he feels that the real reason he was terminated was because he questioned illegal practices. He states Jim would insult his intelligence, as well as the intelligence of the Board, staff, and community members. He said Jim told him that college math was not used in the industry and that Jim would often guess at answers instead of using math. **Matthew Degner** said that Jim compromised the employees' safety, and he has pictures of these violations. He states that if he does not get rehired he will pursue this matter in a court of law. **James Jans** said that Matthew was still in his probationary period and was not a good fit for the District. He said Jeff Busto was the one that worked closely with Matthew and reported that instructions were not being followed. **Matthew Degner** said he has pictures of meg a lugs that were not put together right, and said he was instructed to go to the creek to get FAC samples. He feels that he was terminated after he reported his concerns to the Oregon Department of Fish and Wildlife. **Jeff Hargens** said he will interview Jeff Busto and Hans Rathjen regarding the performance of Matthew. He would like to have the executive session placed on next month's regular Board meeting. He asked if another Board member would be willing to attend the interview with him. **Robert Churnside** offered to attend the interviews. **Sonny Boyd** said he does not feel comfortable with Robert Churnside and Jeff Hargens conducting the interviews together. He asked if another Board member would be willing to attend. **Kevin Wilhelm** offered to attend the interviews. **Sonny Boyd** made a motion to have Jeff Hargens and Kevin Wilhelm conduct interviews with the Corbett Water District employees regarding the cause of Matthew Degner's termination of employment, **Robert Gaughan** seconded, passed unanimously.

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Meeting adjourned to go into executive session at 8:20 p.m.

**EXECUTIVE SESSION: ORS 192.660(2)(i): TO REVIEW AND EVALUATE THE
EMPLOYMENT RELATED PERFORMANCE OF THE DISTRICT MANAGER**

Meeting was reconvened at 9:00 p.m.

No decision was made in executive session.

UNFINISHED ITEMS FOR BOARD CONSIDERATION

Brian Lee said the South Fork administrative costs were estimated to be \$5,000. To date, it has cost approximately \$3,500, and he assumes it will total between \$5,000-\$6,000 by the end of the project.

Gordon Fulks thanked Jeff Hargens and Sonny Boyd for thoroughly reviewing employee compensation. He said it is important to review other District's wage scales as well.

Jeff Hargens made a motion to adjourn the meeting, **Robert Churnside** seconded, passed unanimously. Meeting adjourned at 9:05 p.m.