

## CORBETT WATER DISTRICT

### BOARD OF COMMISSIONERS REGULAR MONTHLY BOARD MEETING HYBRID MEETING: IN-PERSON ~ VIRTUAL MEETING VIA ZOOM

Tuesday, June 20, 2023, 7:00 p.m. ~ Corbett Fire Hall 36930 E Hist. Col. Riv. Hwy

**BOARD MEMBERS PRESENT: In-Person: Dan Graff, Jeff Hargens, Kelly Piper and Fred Sanchez.**

**BOARD MEMBERS ABSENT: Sara Grigsby**

**STAFF MEMBERS PRESENT: District Manager Ana Linden, District Clerk Heather McGivney, DRC David Jacob**

**COMMUNITY MEMBERS PRESENT: Michael Arion, Jack Garrison, Roland Beebe, Richard Andrews, Malcolm Freund**

**COMMUNITY MEMBERS PRESENT VIA ZOOM: Angie Kimpo, Cloudy Sears, Alivia Pence**

#### AGENDA

- 1. Call to Order** – Board President Jeff Hargens called the meeting to order at 7:00pm.
- 2. Roll Call** – Dan Graff, Jeff Hargens, Kelly Piper, and Fred Sanchez were present. Sara Grigsby was absent.
- 3. Approval of the Agenda** – Kelly Piper moved to approve the agenda, with the alteration of moving number five, Branding and Logo to next month. Fred Sanchez seconded. (*motion passed 4 yes votes: D. Graff, J. Hargens, K. Piper, F. Sanchez; 0 no votes*)
- 4. Approval of the Minutes** – Jeff Hargens moved to approve 05/16/23 Fee Hearing Minutes. Dan Graff seconded. (*motion passed 4 yes votes: D. Graff, J. Hargens, K. Piper, F. Sanchez; 0 no votes*) Dan Graff moved to approve the 05/16/23 Regular Meeting minutes, seconded by Jeff Hargens. (*motion passed 4 yes votes: D. Graff, J. Hargens, K. Piper, F. Sanchez; 0 no votes*) Jeff Hargens moved to approve 05/17/23 Special Board Meeting Minutes. Dan Graff seconded. (*motion passed 4 yes votes: D. Graff, J. Hargens, K. Piper, F. Sanchez; 0 no votes*)
- 5. Treasurer's Report** – Sara Grigsby provided notes for the presentation of the May 2023 Treasurer's Report, which Heather read aloud. LGIP balance at the end of the month was approximately \$478,000.00. Total cash receipts in May was \$161,180.57, which was above projections. Total expenses for May was \$59,718. Compared to last year, total income was up \$81,805.71. Total expenses compared to last year were up 7.66%, and net income was up 9.3%. Large expenses in May were for vehicle repair, and fire hydrant cost sharing with Corbett Fire. On the income side, we got a large deposit for the service connection at the Viewpoint Inn, which was \$50,000. We are expecting to finish the Viewpoint Inn connection in late summer. The income for new service connections were above budget expectations for the year. Kelly Piper moved to accept the Treasurer's Report as presented, Dan Graff seconded. (*motion passed 4 yes votes: D. Graff, J. Hargens, K. Piper, F. Sanchez; 0 no votes*)
- 6. Manager's Report** – Ana Linden reported that just before Memorial Day, there were several calls about low pressure from customers on Evans Road. The high flow line at the PRV was not functioning properly, and whenever the school turned on all of their sprinklers at the same time, customers downstream were affected. Until the PRV was fixed, we asked the school to change their watering schedule to night time. The repair was made in early June, and the response from customers was that pressure is better than ever. Filter pond 3 was cleaned in late may, and filter pond 2 cleaned in early

**THIS WAS A PUBLIC MEETING**

June. We are in a good position for summer as all filter ponds have now been cleaned and are back in service. DRC David Jacob is working on getting a waiver to use non-NSF sand as replacement for our filter ponds. In the office, we're preparing our annual newsletter, with reference to our Consumer Confidence Report. The mailing, which will go out at the end of the month, will include the June bill, the newsletter, and the Cross Connection survey. We are moving forward on phase one of the locker room remodel. We hired a temporary field worker for the summer. Her name is Alivia Pence.

Kelly Piper asked whether the school can use their sprinklers now, and Ana answered that everything seems to be fine. The PRV repair has exacerbated the persistent leak on Evans, and Ana said that this repair should be done as soon as we can arrange flaggers. Jack Garrison asked about the status of the fire hydrant on Corbett Hill. Ana answered that the problem likely isn't with the hydrant, but with the PRV at the top of the hill. Michael Arion asked if the leak at the school field was fixed and Ana answered that they shut off that line, and then noticed that the fields weren't green anymore, hence their use of sprinklers.

## **OLD BUSINESS**

**1. Building Update** – Kelly reported that the plans from volunteer Roland Beebe have been delivered in such a way that a contractor should now be able to use them.

## **NEW BUSINESS**

**1. Multnomah County Canvass of Election Results** – Heather reported that Multnomah County has sent us a letter certifying the election results. They will be sending official certificates for the winners. Jeff Hargens moved to accept Multnomah County's election results. Kelly Piper seconded. *(motion passed 4 yes votes: D. Graff, J. Hargens, K. Piper, F. Sanchez; 0 no votes)*

**2. Easement for Corbett Hill property** – Ana presented a timeline for the property. In 1979, the current owner purchased the property and acknowledged an easement for a water pipe going across the property. In 1993, Cascade Utilities and PGE obtained right of way easements. In 1997 PGE obtained an underground distribution easement. In 2014 a culvert on the property became plugged, and homeowner requested help from Corbett Water, but was refused as it wasn't the fault of the Water District. In 2019 PGE got a utility easement. In 2021, Corbett Water replaced the hydrant at the corner of the driveway due to damage of the previous hydrant. There was an investigation as the homeowner and field crew had disagreements about the work. In 2023 we received an email from the homeowner in response to our turning off their water for non-payment: "the district has water lines on my property without an easement, the district placed a hydrant shut off in the middle of my driveway without input on location, the district blocked my only access to and from my house for an entire day with no prior notification, the district shut off my water supply without proper notification." The customer expressed dissatisfaction with the attitude of the water district workers in recent years, calling it an attitude of entitlement, without respect for property owners. In response, Ana met with the customer. He showed her around the property and asked for free water as a remedy to his complaints. Ana advised him that he would need to attend a board meeting, as she doesn't have the authority to make a deal for free water. He additionally requested that the late fee and shut off fee be credited to his account.

Kelly asked if we found an easement. Ana found one from years ago, but it was unsigned and hadn't been submitted to the County. Ana received an email from our lawyer, who advised that, if the water lines have been in the ground for over 10 years, then the district has an easement by prescription, and

**THIS WAS A PUBLIC MEETING**

the homeowner can't prevent maintenance on the lines. His advice continued that a lifetime of free water was unfair to other homeowners, and might set a bad precedent; a period of free water might be seen as a good-will gesture; send a letter promising that any work on the land would be done in such a manner that would restore the land to as good or better condition than it was found; if the letter isn't successful, then sue for a quit title in a prescriptive easement for supply and distribution lines to other properties.

Kelly Piper asked the homeowner if the problem stemmed from workers not leaving the property in good condition. The homeowner responded that they were digging up the property without permission, and with no warning. He only has one way to get in and out of the house, and he has been blocked before. The hydrant shut off is in the middle of his driveway. He also disagreed that the pipes have been in the ground for more than 10 years. He believes that there were two lines installed in 2017. The new lines were installed in the same ditch that PGE used. Discussion ensued about where the lines were located through the homeowner's property, and who the lines service downstream.

Jeff Hargens agreed that communications with the homeowner can be improved when work is going to happen, but he doesn't think that free water is appropriate. Kelly Piper reiterated that she wants to make sure that the property should be left as it was, or better, after any work that occurs. David Jacobs believes that the hydrant valve is probably in the right-of-way, rather than on the customer's private property. Kelly asked if Ana can prepare an easement that follows the PGE easement. Jack Garrison had a copy of a 2015 easement template that was approved by the Board. The homeowner was still disappointed in the lack of communication before his water was shut off. Ana said that we are implementing policies to try to contact customers via phone or email before shutoff.

**3. Aged Receivables Report** – Heather reported that there are 10 customers with balances over 90 days past due. Many of them are customers that didn't pay their final bill, or where the property is for sale. There are a few who are on payment plans due to large leaks. And a customer who has had a large past due balance for a long time has contacted our insurance company to begin the process of filing a claim.

**4. Board Policy Manual** – The policies have been overhauled to update them, and to remove some policies that didn't seem to apply to our district. We want to send this updated manual to an attorney for vetting. Ultimately, we will pass an ordinance to update the customer policies, board policies, and employee handbook once all changes have been made and approved by the attorney. Jeff Hargens moved to send the updated board policy manual to an attorney for approval. Dan Graff seconded.

*(motion passed 4 yes votes: D. Graff, J. Hargens, K. Piper, F. Sanchez; 0 no votes)*

**5. Branding and Logo** – This item has been delayed until the July Regular Board meeting.

**6. Cost of Living Adjustment for employees** – These changes were in the budget. The adjustment will be 6.3% and is tied to the inflation rate for the Consumer Price Index - West. An updated wage scale was presented. Jeff Hargens and Fred Sanchez both commented that the new wage scale seemed appropriate. Jeff Hargens moved to approve the new wage scale, which is increased by 6.3%. Dan Graff seconded. *(motion passed 4 yes votes: D. Graff, J. Hargens, K. Piper, F. Sanchez; 0 no votes)*

**7. Consumer Confidence Report and Backflow Surveys** – The yearly consumer confidence report has been submitted to the state. A snippet of the report will be included with our newsletter at the end of the month, along with the Cross Connection/Backflow surveys.

**ITEMS NOT ON THE AGENDA** – None.

**THIS WAS A PUBLIC MEETING**

**SUGGESTIONS FOR FUTURE AGENDA ITEMS** – None.

**PUBLIC COMMENTS** – Malcolm Freund brought up the problem of the lack of maintenance on our PRVs. He wanted to know if anyone was going to be trained in PRV repair. Ana answered that it was a lot more complicated than it might seem. Our PRVs aren't standardized, which makes learning (or even hiring someone) more difficult. Malcolm asked about the Evans leak. Ana answered that the newest showing of the leak is fairly obvious, so we are all hopeful that it will be fixed. Jeff Hargens had some parting words as a board member: he wants Corbett Water to watch the Personnel Services figures. It has doubled in the last three years. He is not a fan of rate studies, and would rather have a stated purpose for a rate increase. He urges us to find a second water source with all speed. Finally, he thinks that Ana has been doing a good job as a District Manager, so Corbett should hire her permanently when her review comes up.

**ADJOURNMENT OF MEETING** – Jeff Hargens made a motion to adjourn the meeting at approximately 8:11pm, Kelly Piper seconded. (*motion passed 4 yes votes: D. Graff, J. Hargens, K. Piper, F. Sanchez; 0 no votes*)

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