

**ROCKWOOD WATER P.U.D.**  
**MINUTES, REGULAR MEETING OF THE BOARD**  
**April 25, 2007**  
**Rockwood Water Boardroom**

---

---

**Board members present:** Stephen McElroy, Sandra Ramaker, Herb Brown, Larry Dixon, Don McCarthy

**Staff present:** Harvey Barnes, District Manager (DM); Mike Baker, District Superintendent (DS); Kerry Aden, Administrative Secretary (AS)

**Guests present:** Fran Hyson, Pat Brown, Brenda Daggett, Tom Lewis, Andy Crocker

**President Sandra Ramaker** called the meeting to order at 7 p.m.

**APPROVAL OF THE AGENDA**

**President Ramaker** asked if there were any changes or additions to the agenda.

**Don McCarthy** moved to approve the agenda. **Stephen McElroy** seconded the motion. The motion was approved; none opposed.

**APPROVAL OF THE CONSENT AGENDA**

**Herb Brown** moved to approve the consent agenda. **Don McCarthy** seconded the motion. The motioned was approved; none opposed.

**APPROVAL OF MINUTES**

**Herb Brown** moved to approve the minutes from the March 28, 2007 regular meeting. **Stephen McElroy** seconded the motion. The motion was approved; none opposed.

**APPROVAL OF THE BILLS**

**Larry Dixon** referred to page 6, line 51, Job 245 Trackhoe Rental and asked where we were using it. **DS Baker** responded it was used for the job at Wasco and Multnomah for a main replacement project. **Mr. Dixon** asked if it was too big a project to use our own backhoe. **DS Baker** said the trackhoe is quicker and helps production.

**Don McCarthy** moved to approve the bills. **Herb Brown** seconded the motion. The motion was approved; none opposed.

**PUBLIC COMMENT ON NON-AGENDA ITEMS**

**Pat Brown** stated it would be nice if the Board sent a letter of apology to **Maxine Wilkins** for the miscommunication regarding the March 28 Board meeting when the Budget Committee was appointed. **Ms. Brown** spoke to Ms. Wilkins, and she would have attended the March 28 Board meeting to be appointed to the Budget Committee had it been listed as a required attendance date. **Sandra Ramaker** stated her not being here was not a factor; her name was still in the running, she just wasn't voted for. **Pat Brown** stated it was a consideration.

**Fran Hyson** made the following statement:

I have just two issues that I just need to talk on, and that was one of them. First of all, I will start out with questions in response from last month's meeting. I just wasn't quite satisfied with Manager Harvey Barnes' explanation on a conflict of interest on a class action of abstaining from voting on a class action issue; and then I imagine you all read the article that Robin Franzen put in *The Oregonian*. I was very pleased with that. I believe I was vindicated from my comments that I stated because I think everybody probably thought I was pretty harsh, but I just gave my response and my opinions about how the funds of the District was handled and also Larry Dixon. We were the only two that felt that this was wrong. *The Oregonian's* information on the employees' bonuses; my questions after I read that was why at the last minute, I wasn't at that meeting in February 28, and why was it at the last minute added and was Harvey Barnes' the Manager's recommendations to the Board, and I wondered why the Board did not table this to discuss it and to search in looking to find more information if this was appropriate, talk to other agencies, as it was quoted into the article about all these others they were just flabbergasted. This was just so rare and what was going on here. I believe that the Board has done in the past, when they come up with something that has been added at the last minute, would table it and discuss it or look into the matter to see if it's appropriate or before they decided to vote and approve it. I believe that this is a PUD, and I know a lot of it isn't operating on the same as other agencies because it is a People's Utility District, correct, and to rush then too to approve it and then to immediately approve and disburse it immediately, and it just doesn't ring true. I mean if you really read it and look at it I believe the Board failed in their duty to not check for other information before they went ahead with this, and I still feel it should be rescinded. It wasn't an emergency issue. I always thought emergency issues when you do things like that; if it's added and immediately, but this to me doesn't seem like it was an emergency issue, and would it hurt you then to find out if it was appropriate to do a situation like this issue? I don't believe that it was politics, I believe it was improperly, and as *The Oregonian* to me, they didn't give you a flattering complimentary decision what you did, and your judgment, was just, I guess surprised everybody. It was just, I mean really, inappropriate. And I believe too it was stated the employees also got an additional bonus because those that live in the District also got a \$10 rebate didn't they? On their water bill? So I believe, in my opinion, that this is not politics or the use of the funds distributing in the type real manner that has to spend the funds. I believe it's abuse of power and I believe you're all adults and you should act and make your decisions on adults opinions and decisions. I intend to file a complaint with the ethics division because I feel that there is something just not being truthful.

My second issue is, it was brought up about I brought it up as I did at the last meeting when the Budget Committee came and people didn't show up and people didn't attend when they put their applications in and again it was the same thing at this one. I was so sure, I don't have time to go check back, this

was supposed to be a regular thing that was supposed to be noted that you have to attend the meetings, you have to be required to attend the meetings and be here in person, and the same thing came up again and as Pat Brown stated that she thought it was unnecessary to be discussed, but I disagree. This issue for budget members is put their name in on an application and they should know that it needs to be an understanding that it's a rule that they have to be present. Their attendance it required because what are you working on as a budget member? You are working on the funds of a big District. And I believe you should be there to make the decisions, and approve, and to discuss the disbursement of the District's funds. I can't see why that's such a problem. When you sign up for something, you think that's not serious? I do. When it comes to money I believe that that's a very serious situation. It's not just hey, sign up so when ever I pass out a resume or something for a job, well I was a member of a budget committee or I was this and that, but I never attended the meetings. They don't put that down; and if you can't attend these meetings, and how many meetings are there? Two, three? If they can't show up for it they shouldn't apply for it; and that's my beef about it. I believe that this should be said whether it's on the application or not. What is a Budget Committee member? Don't they understand what position they're applying for? You're applying for to work and make disbursing of the funds of a District; and it's just plain and simple, and I think there shouldn't be any qualms about it. It should be, well, when ever you interview them, and if they don't show up, well then cross their name off. If you didn't show up I can't interview you to see if you're going to attend the meetings because this is very important. I consider funds of a District or even your own funds, your budget, you're just not going to sluff off and, well, I'll do it the old way and what the outcome is it will be. I can't understand why this Board can't make this an understanding requirement that you have to attend these meetings because it does apply to the funds of the District and it is a serious matter. Thank you.

**Sandra Ramaker** responded to **Fran Hyson's** question about voting and what a class action is. **Ms. Ramaker** read the corresponding section from the *Oregon Government Standards and Practices Laws, A Guide for Public Officials*.

Number 8 "What is a "class" exception to the statues relating to potential and actual conflicts of interest?" The law has identified certain circumstances creating what is called a "class exception" from the definitions of actual and potential conflicts of interest. Sometimes an official may take action that would have a financial effect on that official, a relative or a business with which the official or the official's relative is associated. But when other people are also "affected to the same degree" by that action, the official may be exempt from conflict of interest on the basis of a class exemption.

**Fran Hyson** stated "I believe Harvey stated that, but is still doesn't make sense to me. For some reason I can't get a satisfactory feeling about it."

**Sandra Ramaker** passed the gavel to **Vice President Herb Brown**, and **Ms. Ramaker** made the following public comment.

My comments are mostly directed to Fran Hyson's statement on March 28, 2007. As a Board member and patron I object to the comments that have been made that we are not making wise and careful decisions and that we are not managing District funds to the patron's best interest. The statement that we never have new people attending our meetings is not true. We do, just not very often, and maybe that says more than words do. As for the Board paying for spouses, friends, or children to attend conferences, it is not true. If someone travels with a Board member or employee, it has been at that person's expense, never the District's. When employees do attend conferences, it is for learning and getting credits to continue their licensing. I agree that people are hired to do a job and to do it well and this was a one-time bonus given to recognize all the extra work, the jobs well done, above and beyond, that saved the patrons a large amount of money, and I just can't understand where you would even come with making a statement calling this an ill-gotten gain. It was not lied for, stolen, or any other ill-mannered received or given. As for the 53,000 plus patrons that are not attending our meeting, it may be because they feel we are doing a good job, and when they have issues, they have attended, and we have taken the needed action. This Board has done a good job for patrons, and we have made good, sound decisions that make it possible to give the patrons the best service at the lowest rates. The decision was made to give a \$10 rebate to the patrons with some of the extra money to help lower their bill, and many have called and thanked us, and they have also appreciated the fact that they have not had their rates raised in years. This is how the patrons get their pay. I welcome your comments and always listen and show you respect. In fact, so much so that back on the 28<sup>th</sup> of June, 2006, Fran, you made a comment asking if the Board will consider giving the rate payer a refund of some kind since the District is doing well financially at this time. You became upset and said that she is disappointed that the Board will not give the rate payers even a 1% or 2% refund. Well, a 1% refund on an average \$30 bill would have been 30¢, 90¢? A 10% would have been \$3, so I believe that the \$10 was more than just a recognition and that we actually tried to do what was asked of us. I think that we have done the job that we were elected to do and that we keep the best interest of Rockwood PUD's and patron's in mind at all times.

**Herb Brown** asked if there were any other comments. **Herb Brown** made the following statement.

I believe what **Sandra Ramaker** has said is true. We were elected to serve the people of this District and I think that we have. I think that the fact of no rate increases and a reduction on rate is very good evidence of that and of management and the staff; some of which have worked here over 20 years. I think they have done an excellent job and deserved the bonus. It's not every year, but I think on this occasion where they saved the District over \$1.5 million in a couple of years it was worth the bonus.

**Vice President Herb Brown** passed the gavel back to **President Sandra Ramaker**.

## **PROJECT UPDATE**

**DM Barnes** stated we continue to test the 30” pipeline. The pump station works very well. The City of Gresham is on groundwater now and can pump it when they need it. We are planning a pump station at the Glendoveer pump zone.

## **FOR THE GOOD OF THE ORDER**

**DM Barnes** stated the bonus was received very well from the employees. They were excited the Board took time to notice their work and their dedication to the District. We have received some comments from the public and they have all been positive.

**DS Baker** mentioned the flood on 178<sup>th</sup>. A car hit a fire hydrant and took it off the main. He also mentioned we were just about finished with the project at Wasco and Multnomah.

**Herb Brown** stated the District is doing very well, and the water rates speak for themselves.

**AS Aden** mentioned Thursday, May 17, 2007 we will be holding the Spring Water Festival.

**Larry Dixon** mentioned the front parking lot could use some re-striping along with the wheel chair designations. **DM Barnes** stated we will take care of that as soon as weather allows.

**Don McCarthy** mentioned the tapping contest event and that we had won the competition. **DM Barnes** stated we had a record number of people attend the event, about 160 plus people. We also won a communications award and will pick that up at the Pacific Northwest Section (PNWS)/American Water Works Association Annual Conference next week.

**Sandra Ramaker** mentioned in May three employees will be reaching 5 years employment with the District, Jeremy Charpentier, Kristina McNeil, and Andy Crocker. **Ms. Ramaker** mentioned the PNWS Annual Conference is next week and our tapping team will be competing.

**President Ramaker** reminded everyone the next meeting will be on Wednesday, May 23, 2007, at 7:00 p.m. We will have a Budget Committee meeting tonight, and the next Budget Committee meeting will be May 9, 2007.

**Herb Brown** mentioned 4 employees will be reaching 30 years employment with the District next year and that’s exceptional.

**Fran Hyson** asked what time the May 9, 2007 Budget meeting would be. **Sandra Ramaker** responded 7:00 p.m.

## **ADJOURNMENT**

**Herb Brown** moved to adjourn the meeting. **Don McCarthy** seconded the motion. **The motion was approved; none opposed.**

The meeting was adjourned at 7:28 p.m.

---

Secretary