

ROCKWOOD WATER P.U.D.
MINUTES, REGULAR MEETING OF THE BOARD
21, OCTOBER 2003
Rockwood Water Boardroom

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

Staff present: Harvey Barnes, District Manager (DM); Mike Baker, District Superintendent (DS); Chris Shaw, Administrative Secretary (AS).

Guests present: Richard Scariano, Fran Hyson, Jeanne Orcutt, Pat Brown, Clark Balfour.

President **Sandra Ramaker** called the meeting to order at 7:01 p.m.

APPROVAL OF THE AGENDA

DM Barnes stated that Sandra Ramaker asked to add Liaison for Clackamas River Water; it was suggested as item 7a.

Herb Brown moved to approve the agenda as amended. Larry Dixon seconded the motion. The motion was approved; none opposed.

APPOINT NEW BOARD MEMBER

DM Barnes reported that the vacancy was advertised in local newspapers, in the District newsletter and on the District's website. One candidate applied: Don McCarthy. **DM Barnes** noted that McCarthy previously served on the District's budget committee and recently retired as an employee of Powell Valley Road Water District. **Sandra Ramaker** invited McCarthy to make a statement. McCarthy read his statement and thanked the staff and board for considering his application.

Herb Brown moved to appoint Don McCarthy to the vacant Subdistrict 2 position until the end of 2004. Larry Dixon seconded the motion. The motion was approved; none opposed.

Attorney **Clark Balfour** administered the oath of office to Mr. McCarthy.

CONSENT AGENDA

Larry Dixon moved to approve the consent agenda. Herb Brown seconded the motion. The motion was approved; none opposed.

APPROVAL OF MINUTES

Sandra Ramaker asked for public comment. No comments were made.

Herb Brown moved to approve the minutes. Stephen McElroy seconded the motion. The motion was approved; none opposed.

APPROVAL OF BILLS

Sandra Ramaker asked about the Consortium AWWA award payment to the City of Portland and employee drug screens. **DM Barnes** explained each.

Herb Brown asked about window cleaning being included in the District's janitorial contract. **DM Barnes** explained that it is typically separate.

Jeanne Orcutt commented and asked questions regarding the following expenses: new tills; auditing charges; SR AWWA Regis-Chicago; August video copies; safety boots; and raingear. **DM Barnes** explained each in detail with the exception of the new tills which he will research.

Fran Hyson commented that she's glad to see that the Board took her suggestion to ask questions on packet expenditures. **Sandra Ramaker** responded that the Board has always asked questions, just not always at the meeting.

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

PUBLIC COMMENT ON NON AGENDA ITEMS

Fran Hyson stated that she returned the videotape of the August board meeting noting that it was hard to understand or hear everyone at the meeting. She added that there was a reminder at the end of the next meeting, but no such reminder was provided at the July meeting regarding the August meeting change. She commented on the video coverage of the meeting. **Ms. Hyson** expressed her concern that she did not receive an agenda by mail per her August 15 request noting that other agencies provide this.

Sandra Ramaker replied that she doesn't think that anyone is against it adding that DM Barnes did mention at the last meeting that the issue would be discussed tonight; current policy does not include mailing of packets. Ramaker stated that they don't always remember to do so but it should be regular practice to provide a meeting reminder. She noted that a phone call was not made as the August meeting was not an emergency meeting and was scheduled in January. **Ms. Hyson** commented further on the meeting change and O.R.S. regarding notification requests.

Herb Brown commented that state law does not require that an agenda be mailed. **Jeanne Orcutt** commented that it is always been how the law is interpreted that if requested by mail it is sent. She agreed with Ramaker's suggestion to include a meeting reminder at the end of each meeting.

RECOGNITION OF SERVICE

Sandra Ramaker asked former board member Richard Scariano to come forward. She presented him with a plaque and thanked him for his years of service. **Scariano** thanked the Board for his award and expressed his appreciation for the opportunity to work with the board and staff.

CRW LIAISON

DM Barnes explained that per Sandra Ramaker's discussion with a Clackamas River Water (CRW) board member at the AWWA Summit, it was suggested that each district appoint a board member to attend the other's board meetings. **Sandra Ramaker** explained that there have been a number of changes at CRW and expressed support for improving communication between boards. She added that the board member who previously attended District meetings no longer serves on the CRW board. Following discussion, it was agreed that attendance of CRW meetings be voluntary.

Ramaker asked for public comment. **Jeanne Orcutt** commented that board members are paid \$50 for every meeting attended. She stated that board members should not be paid for attending CRW meetings and added that they can receive minutes to see what's going on.

Fran Hyson asked for clarification on the issue. **DM Barnes** explained that having a board member attend each other's meetings is an attempt to better communicate with each other as partners. It is on the agenda tonight to determine if there is interest in appointing a particular person to attend. **Ms. Hyson** commented that board members could request a meeting packet to determine if there is an item of interest. She stressed that it should not be a paid meeting and stated that they can refer to the minutes.

MEET AS CONTRACT REVIEW BOARD – PURCHASE GENERATOR

DM Barnes explained that he wants the board to meet as a contract review board under the state attorney general rules to exclude a generator purchase from the bid process. Discussion followed.

Sandra Ramaker asked for public comment. **Jeanne Orcutt** asked doesn't the law state you can exclude things under a certain dollar amount? **DM Barnes** explained that the Board, meeting as a contract review board, can by law exclude any item regardless of price if in the best interest of the District.

Herb Brown moved to exclude the generator from the bid process. **Larry Dixon** seconded the motion. The motion was approved; none opposed.

REQUEST FOR WATER BILL REDUCTION – BUTLER

DM Barnes explained that the customer's water bill was much higher than normal; no leak was detected and the next bill was back to normal. The customer is asking that the bill be reduced even though a leak was not found. Discussion followed.

Fran Hyson asked if it's possible that the meter just didn't work right. **DS Baker** explained that the meter was inspected and was working properly.

Following further discussion, **Larry Dixon** moved that the original bill be presented back to the customer with the option of payment arrangements. **Herb Brown** seconded the motion. The motion was approved; none opposed.

LEAK ADJUSTMENT APPEAL – GREENWOOD VILLAGE APTS/GUARDIAN MANAGEMENT

DM Barnes explained that per the District's leak adjustment policy a customer can appeal the leak adjustment given if not satisfied. Discussion followed.

Herb Brown moved to let the original bill reduction stand and if the manager sees fit offer payment arrangements. **Larry Dixon** seconded the motion. The motion was approved; none opposed.

POLICY DISCUSSION

DM Barnes referred to the budget policy included in the packet. He explained that he doesn't want it to be too restrictive, but it would be helpful to have some guidelines in the policy on how budget meetings will be handled. He suggested aiming for three meetings with at least one meeting

allowing for public comment. He added that a minimum number of meetings could be set but more could be held if desired. It was clarified that the proposed three meetings does not include the public hearing typically held in June. **DM Barnes** noted that the policy also lacks any mention of how meetings will be conducted, disputes resolved, etc. Discussion followed.

Larry Dixon commented on citizen reluctance to committing to a three year-term and suggested that it be two. **DM Barnes** replied that the current policy could be amended to adopt a term other than what state budget law outlines. **Herb Brown** expressed support for addressing meeting conduct in the policy. **Sandra Ramaker** expressed support for DM Barnes' suggestions and referred to the handout of budget policy suggestions.

Jeanne Orcutt commented that in the past the Board has always agreed to follow Oregon budget law adding that public comment cannot be restricted to one meeting. **Ramaker** explained that it is not the intent to eliminate public comment, but to keep it to one public discussion per item presented. **Ms. Orcutt** stressed that citizens should be able to comment at each budget meeting on what is discussed.

Fran Hyson commented that a three-year term is a problem and suggested a one-year term. She stated that she also feels that public testimony at one meeting is wrong. In the past, the chairperson would ask for public testimony following every discussion adding that's how it should be.

Herb Brown stated that the purpose of having a five-member citizen budget committee is to hear from the public and you have an open budget hearing; you can attend any budget meetings. He asked how many meetings they think the District should have.

Jeanne Orcutt stated that if the board decides on something like this, it doesn't really want to hear from the citizens. She then commented on budget law and past budget process mistakes.

Fran Hyson clarified that her comment was on public testimony at one committee meeting and at the public hearing. She wants it be as it has been – allowing comment along the way throughout the budget process.

DM Barnes indicated that he was simply setting a minimum number of meetings that the public would be allowed to comment; state budget law requires that citizens be able to comment at one public meeting. He noted that he has never suggested at a budget committee meeting, with the exception of presenting the budget message, that the public not be able to comment. Generally it is at the discretion of the budget committee chair to set the agenda and conduct of the meeting.

Jeanne Orcutt suggested that the Board attend Gresham's budget committee meetings to see that public comment is allowed at every meeting. Further discussion followed regarding public input. **Sandra Ramaker** explained that the purpose of the discussion is to come up with basic guidelines. **Fran Hyson** commended budget committee Chair Robert Paine for doing a good job of allowing public comment. **Sandra Ramaker** asked that DM Barnes provide copies of the budget law and suggested tabling discussion on the budget policy until the next meeting.

DM Barnes referred to the Directors Education & Travel Expense policy. He explained that it has been suggested that the policy be amended to not allow the District to purchase tickets for guests or family members and then be reimbursed by board members. He suggested that this also be

considered for employees. The District would only cover the cost of the employee or board member. Guest arrangements could be coordinated, but the employee or board member would have to pay guest expenses immediately. Discussion followed. It was agreed that policy should address both board members and employees.

DM Barnes attempted to confirm items of agreement: guest expenses must be prepaid by employees or board members; the district will continue to prepay employee or board member travel expenses. Upon return, an expense report would be submitted and any room charges, etc. that do not meet policy guidelines would require reimbursement to the District.

Fran Hyson commented that she thought the District was only paying expenses for board members or employees and expressed her concern. It sounds like any employee can attend. **Sandra Ramaker** attempted to clarify the policy suggestions. **Fran Hyson** asked that she be allowed to finish her comments. She commented on credit card use, specific board member and employee attendance of training, coverage of guest expenses and reporting on training.

DM Barnes explained that his suggestion was not to send all employees to any conference. Employees often attend required training. The suggestion was that when the District sends employees to conferences or training that any appropriate reimbursements to the employee or the District happen in a timely manner. The second suggestion was that if any employee or board member guest goes along, guest expenses must be paid in advance. **DM Barnes** noted that not everyone has a credit card or has a high enough available credit line to cover travel expenses. In the past, he charged travel expenses for others on his personal credit card; he doesn't feel it's his responsibility to do this. He explained that the District now has one credit card for business use that requires District Manager authorization for any charges.

Fran Hyson commented that DM Barnes is wrong to use his personal credit card to finance these trips; if they don't have the money they shouldn't go. She added that too many people go on these trips. **DM Barnes** replied that employees don't always have a choice about attending training; we should not require employees to front money for training they are required to attend. **Ms. Hyson** commented that if it is training that the District sends an employee to, it's the District's responsibility to pay for it. If others want to go or for things like the Bull Run tour, the District shouldn't be paying for it.

Jeanne Orcutt expressed resentment that any board member can choose to attend an AWWA conference and added that it's often turned into a vacation at the District's expense. She stated that it appears that they have been violating this policy for some time by not reimbursing the District immediately.

The following proposed policy amendments were agreed upon: delete statement regarding prepayment of guest travel expenses; include a 7-day deadline for submitting expense reports and any reimbursements due the District; add a statement that guest expenses must be paid by board members or employees at the time travel arrangements are made; and consider changing the name and content of the policy to include employees. **DM Barnes** explained the formal process for amending policy.

DM Barnes then referred to the policy Program of Meetings and Reporting of Meetings Proceedings. He explained that the current policy does not say that the District has to maintain a

mailing list of those wanting to receive agendas by mail. If the Board wants that to happen the policy needs to be changed. He added that he can understand phone calls for emergency meetings due to short notice. He doesn't suggest sending the entire board meeting packet out as it can be quite large and expensive to mail.

Sandra Ramaker suggested accepting a list for sending agendas, sending agendas the same day the packets are available at the office and using the same mailing list for phone call notification of emergency meetings. **Herb Brown** commented that he agrees with mailing agendas, but not phone call notification. What happens when you are not able to reach a person after several tries? **DM Barnes** commented on phone notification and mail service issues; we can't guarantee that the agendas will be received prior to the board meeting. It was noted that the list would be for all citizens, not just those within the District.

It was agreed that the District establish a mailing list for board meeting agendas only. Discussion followed regarding methods for providing agendas: snail mail, e-mail, website, fax, etc. Those who request an agenda could indicate a preferred method for receiving it.

Fran Hyson commented on faxing and e-mailing agendas. She stated that Gresham usually sends out an agenda approximately seven days prior to the meeting. The District could do the same and asked why the District couldn't also mail a packet to her and Jeanne as they regularly attend meetings. She wants an agenda by mail so that she receives notification of all meetings.

Sandra Ramaker noted that per District policy the agenda is prepared five days prior to the meeting. Board members have until the Wednesday before the board meeting to add items to the agenda; packets are available on the Thursday prior to the meeting. **DM Barnes** added that it might be cumbersome to change the timeframe for preparing the agenda. His preference is to keep the same timeframe. **Pat Brown** noted that in January she marked the scheduled meeting dates on her calendar. She suggested that at the Board meeting following meeting scheduling, a list be provided to the public with all the meetings dates for the year. **DM Barnes** suggested including the next month's meeting date at the bottom of each agenda.

Jeanne Orcutt commented on the policy stating that a permanent agenda will be prepared on the morning of the meeting and noted that this hasn't been done for a while. Discussion followed regarding agenda changes made at the board meeting. **Sandra Ramaker** suggested striking the line that states that a permanent agenda will be prepared the morning of the meeting. It was agreed that the agenda will become permanent once approved at the board meeting.

DM Barnes referred to Appendix IV (e), Disclosure of Records and Records Fee Schedule. He explained that a few items need to be addressed. Discussion followed. It was agreed that: the per page photocopying charge is for a double-sided page; delete the option of audio tapes as meetings are now recorded on compact disc (CD); include option to purchase CD recordings at the rate of \$2.00 (the District will provide the CD); delete current information under the videotape section and add that video tape recordings of board meetings are available for purchase from Multnomah County Television (MCTV) or a District owned copy can be checked out at the District office; and delete that requester must provide new or audio video tape.

Discussion followed regarding research time charges. **Fran Hyson** asked if charges apply to her phone requests. **DM Barnes** explained that it depends on the request; if it requires research beyond 30 minutes then there would be a charge. He noted that any charges would be explained in advance.

EASTSIDE WATER PROVIDER PARTNERSHIP OPPORTUNITIES

DM Barnes reported that he has been discussing some issues with the City of Gresham and Sunrise Water Authority about the opportunities available - mostly with the City of Gresham. He stated that a well could be drilled down the street for the City of Gresham; costs would be shared for facilities here and a pipeline to get the water across the District into our big reservoirs. He explained that the District could utilize some of its water rights (at 185th and Sandy Blvd.) and add a point of diversion to allow us to pump water at another location. A groundwater survey has been completed but only a draft report has been received; he has not yet reviewed it in detail. **DM Barnes** stated that he would like to move forward with the amendment process for our water rights permit to add a point of diversion. Discussion followed regarding water rights utilization and potential cost savings for building the pipeline, retrofitting the reservoir, and building the chlorinator building.

Fran Hyson asked if the water rights are permanent or have to be updated. **DM Barnes** explained that they have to be updated and outlined the water rights extension process. Further discussion followed regarding application for a point of diversion and awaiting the final version of the groundwater study for this area to determine whether another well in the area would have an adverse impact on our water supply out back. Early indications are that there will be no adverse impact. Discussion then followed regarding water rights and the risks involved in drilling a well.

Herb Brown moved to allow for a diversion of water rights. Larry Dixon seconded the motion. The motion was approved; none opposed.

PROPERTY DONATION UPDATE – SPECHT PROPERTIES

DM Barnes reported that he received a preliminary bargain and sale deed via fax this afternoon. He will review the document tomorrow; if everything looks good the property will be transferred to the District in the next week or so

WELL PROJECT UPDATE

DM Barnes reported that the drilling crew worked late tonight to install the casing. The 22-inch casing is down to about 470 feet. They are ready to pump grout tomorrow and will concrete the casing into the ground. They will then get ready to drill the lower borehole; the lower borehole is where the water is. Ground conditions are very similar to the other well. The lower rock has been running about 15 feet deeper in Cascade 4. We're expecting to find lots of water in the lower bore hole and intend to pump around 4500 gallons per minute.

DM Barnes stated that we have a bid on the street for the reservoir retrofit; the inlet was too small and needs to be changed to accommodate more water. He explained how the reservoir will also be seismically retrofitted. In addition, groundwater here has a little radon gas in it – very close to the new limit - so an elevated splash apron will be added to the reservoir to dissipate the radon. The chlorinator building is very close to being bid.

FOR THE GOOD OF THE ORDER

DM Barnes noted that employee Craig Nichols will receive an award for 25 years of service at tomorrow morning's staff meeting.

Herb Brown stated that things are going very well and commented on working together with Fran Hyson and Jeanne Orcutt in the past.

Larry Dixon welcomed Don McCarthy to the board.

Stephen McElroy asked about the \$150,000 budgeted to build a secure storage building for vehicles. **DM Barnes** explained that we are currently looking at new site design and remodeling existing shop property. For the back office remodel some specific rules have to be followed per the vulnerability assessment.

Sandra Ramaker asked how the safety policy is coming. **DM Barnes** replied that we finally have a version that OSHA will accept after removing ourselves from the SHARPS where we try to exceed OSHA requirements. He stated that he hopes to have a draft available in November. **Ramaker** reported on her attendance at the AWWA Summit and outlined regulatory issues and other topics addressed. She expressed appreciation for the opportunity to attend.

She noted that the next meeting is scheduled for November 18 and welcomed Don McCarthy to the Board.

ADJOURNMENT

Herb Brown moved that the meeting be adjourned. **Larry Dixon** seconded the motion. **The motion was approved; none opposed.**

The meeting was adjourned at 9:44 p.m.

Secretary