

**Rivergrove Water District  
Minutes-Regular Board Meeting  
March 20<sup>th</sup>, 2017**

Chair DeVries called the Rivergrove Water District regular board meeting to order at 7:31 AM at 17661 Pilkington Rd, Lake Oswego. Commissioners DeVries, Patterson, Johnson, McDowell and Roth were present. Manager DJ Ezell and Finance Manager Dan Zimmerman were also present.

**Public Comments: None**

**CONSENT AGENDA**

**TAB 1: Minutes-February 27<sup>th</sup>, 2017 Regular Board Mtg.**

DJ noted that on the disclosure at the end of the minutes she read through it again and it said that the tape recorder malfunctioned for part of the meeting and that the minutes were done by notes. She has to look back on when this was put in because it only happened at one meeting and hasn't been a problem since. She asked for permission to correct past Board minutes to be reflected correctly that the taping was always done with the exception of one meeting. She has to go back to review when the problem with the tape recorder happened and then correct all minutes forward. February's minutes have been corrected.

Board consensus was for her to correct them and replace the word tape with audio.

*Commissioner Roth moved that we approve the February 27<sup>th</sup>, 2017 minutes as presented. Commissioner Patterson seconded. Motion passed. Commissioners Patterson, McDowell and DeVries voted aye. Commissioner Johnson and Roth abstained. Nays-None.*

**UNFINISHED BUSINESS**

**TAB 2-Status update on Safe Drinking Water Loan LOI**

DJ stated the application is ready to go in. The last item to be done was to have Shon's signature and that has been done and sent to Jim who will forward the finished application to the State.

**Project Status-**DJ noted that the project is finally starting on Pilkington. Commissioners noted that the crews patch job was pretty bad. DJ continued that the project will be overseen by Brian while she and Rick are gone. A construction meeting was held in the field with the Contractor, Jim, Rick and Brian attending. Plans and how they are to install the water line was gone through in detail and Jim will be available to help Brian on any issues.

**Generator-**Project for the electrical upgrades has been started. They have changed over the shop electrical to the new upgrades but will work out there until the 22<sup>nd</sup> and then come back to finish the project on April 10<sup>th</sup> after DJ/Rick returns. Electrical inspections have been done-only one write up but nothing that the new crew did.

DJ noted that the neighbors complained about mud, and loud music playing with Ms. Nelson coming in to the office for 20 minutes. She will not believe that LO will not let us pave the frontage and wants us to send her the information about who said that. And she wants us to revisit that because the neighbors do not want aggregate put there. DJ has noted that in talking with a planner who discussed it with the LO road engineer he will allow No Parking signs but no pavement in front.

**TAB 3: Update Customer's Request for Discount-Fran Wilson**

DJ gave the Board the latest correspondence from Mrs. Wilson. In this one she is blaming the District for not shutting her water off at the District shut off. Chair DeVries had questions. First she had said it was ok that we turn off the sprinklers, and then when we told her we couldn't, now she is saying we should have turned the water off at the meter so he asked DJ when this came in if she has said that before? DJ noted that this is her first mention of the fact that we should have shut the water off at the district meter shut off rather than the sprinklers shut off.

Dan noted this is after the fact. The neighbors said it was on Thursday and called the District on Friday morning and said hey it was on overnight. Dan called emergency dispatch on Friday morning. Dan noted on her correspondence that she said the email he sent her allowed her only an hour to an hour and a half to respond to it. This is not true because his email shows that he sent it at 11 am and she had 5 hours to

respond to it. The only way that we have to contact her by email he sent it as soon as he could and she responded on Saturday afternoon and obviously we were gone for the weekend. He got it Monday and the daughter had already turned the water off. Anything that she told us in that email was after the fact. Chair DeVries said that she is not only saying that there was a power outage here but also a power outage at the Coast so she didn't receive her email.

Dan stated that DJ confirmed from PGE that there wasn't a power outage here but we can't confirm one at the Coast because we don't know where her vacation place at the Beach is and Pacific Power seems to be much bigger than PGE and couldn't give us any idea since we didn't know the location.

Chair DeVries noted that most of the cellphones have batteries and can still receive email if they are in right location.

Dan stated that finally this is like the third or fourth communication and she finally gave us a number for her daughter.

Commissioner Patterson noted that it introduces a new issue. DJ asked what is the new issue?

Commissioner Patterson noted Fran's comments about seeking legal counsel. Board consensus was that it was a threat.

Commissioner Johnson noted that what he didn't understand was how long did the water run before it was shut off? Dan stated that the neighbors called so it was on Thursday and ran until Saturday afternoon.

Commissioner Johnson stated so then for 2 days of water the water bill is over \$800? He felt it should have been running a lot longer than 2 days. Commissioner Johnson felt that it ran a lot more than just 2 days DJ did calculations on a 3/4" meter running at full capacity for the amount of usage that was on Fran's bill of 293 HCF. She came up with a total of 5 days of continuous running.

Chair DeVries stated he felt that we have beat this horse dead and the Board has not changed their position even though Ms. Wilson has seemed to change her facts but our facts haven't changed.

Commissioner Johnson stated we can't change because there will be a next time some of this happens and a next time and a next time.

Chair DeVries stated that it is unfortunate that she is on a fixed income but rules are rules we did everything that we could do for her. He did see one payment plan which she said was too high.

Dan said he proposed one payment plan but he said that if she wanted to make changes that she could propose something back to him and the District would review it. But we wanted to offer something that would work.

Chair DeVries felt that even though she was on social security she could look into other organizations for help or her family. He asked Dan if he looked in to organizations. Dan said he looked in to the reverse 211 and it says that what it is is a social services hotline that help people that are struggling with finances. Chair DeVries asked Dan to send her one more correspondence listing the help organizations and suggesting that if she sends in the payment plan that will defer the District doing anything. Dan said he would.

Chair DeVries asked when the shut off dates would be? Dan said he would mail out the shut off notices the week that DJ is gone and then the shutoffs will be done on April 5<sup>th</sup> after her and Rick return. He really didn't want to field any legal issues that would come his way without help.

Chair DeVries asked for a Board consensus if that would be the direction that they want to go. Board consensus was yes.

Commissioner Roth pointed out in the bills that a check amount did not match the bill amount. Dan reprinted additional checks to match the correct amount.

DJ asked if we should refute her inaccurate facts or wait. Board consensus was to wait.

Commissioner Patterson stated that staff has already spent a lot of time on this and there were easier ways for her to come in or call to solve this. Staff has made a magnanimous effort to deal with this.

DJ felt that if Fran is not happy with the decision that she made she would offer to have her appeal to the Board personally at the next Board meeting.

Chair DeVries asked to for Dan to A: send one last letter B: with resources for her to call and C: if she wants to come back with a different payment plan. Dan will send it out today. At that time she should get it

for about 8 or 9 days before the shut off notices will go out. If we hear nothing then we have to proceed with sending out the shut off notices.

## FINANCIAL REPORT

### **TAB 4: Financial Report-Deposits Reconciliations and Board Report Checklist Beginning Fiscal 7/1/16**

Dan stated that we have started the budget notebook and doing our projections and contacting the budget members to see if they are going to serve again.

DJ stated we are short one person does anyone have a neighbor or friend that would or could be lassoed into being on the committee.

Commissioner McDowell stated that he will call Gary today to ask him.

Chair DeVries mentioned that we should bump up the numbers for PPE as we seem to go over this every year. Staff agreed.

DJ noted that she had contacted Deb Galardi just to see how much it would take to catch us up to where we are now with the rate increases. She quoted DJ a figure of \$5,000 to bring us up to date. We do have the rate increases already approved and they will be in effect for 2017 and 2018.

Chair DeVries asked can we ask her a simpler question to see what she says. The question that is in their minds is what do we use to calculate operating contingency and how do we know when we have 90 days operating contingency. What do we use to calculate surplus and how do we know when it is 90 days? It should be a simple question we just need to know how to calculate it and it is based on what.

Dan stated that the reconciliations are still in line accounts and deposits.

**TAB 5: February 2017 Bank Statements and Reconciliations** Dan stated we are still tracking the transfers and we did the final budgeted transfer to the Capital Improvement Fund. That \$12,500 to the limit of the budgeted amount. We could transfer other money to the non-restricted account at the LGIP.

We are anticipating more clarity with the new report that was suggested by the Auditor that separates by class. DJ noted that we are also trying to condense a few line items that haven't been used in the last couple years. We are trying to match up to the figures and groups that the Auditor does so it will be easier during Audit time.

Dan noted that the NSF line item will also get condensed into the Delinquent and restoration fees. When you apply an NSF fee to a customer's account the billing software records into the Delinquent and restoration fee so we will just combined the line items and not keep them separate.

DJ noted that she also found out when doing this that the Source Water Protection Grant (which she was going to apply for again) applications have been being accepted since February and the closing date will be March 31<sup>st</sup>. So by the end of Friday she had assembled another Grant application to the State for Source water protection. Hopefully it gets approved and we can do septic rebates and a workshop or two again.

### **TAB 6: Fiscal year 2016-2017-Budget vs. Actual**

Dan stated that is pretty much it. You can see on page 6 that we are capped out on the transfers to Capital Improvement, Unemployment, and Truck Fund.

Chair DeVries asked if \$2,000 was enough for the truck fund? DJ said no we are going to bump it up because the latest on the Chevy is that the emergency flashers don't work. These though can probably be transferred to a new vehicle if purchased. We talked about \$7,000.

Dan noted that expense line 6125 is for truck maintenance and the Chevy has been in the shop two or three times. We will probably bump up the truck maintenance fund also due to the ages of the vehicles. The truck fund is for purchasing a new pickup and the current balance in the truck fund is \$6,019.

### **Approve Financials/Pay Bills, Profit and loss by Class**

*Commissioner McDowell moved that we approve the financial report. Commissioner Patterson seconded. Motion passed. Commissioners Patterson, McDowell, Roth, Johnson, and DeVries voted aye. Nays-none*

*Commissioner McDowell moved that we pay the bills and approve the bank statements. Commissioner Roth seconded. Motion passed. Commissioners Roth, Patterson, Johnson, McDowell, and DeVries voted aye. Nays-none*

All Board members present reviewed and signed the “Approval of Payment Form and Approval of reconciliations between CUSI and QuickBooks for Water Sales, Penalties and Water Deposits (including attached supporting documents)” And all Board members present reviewed and signed the form entitled Rivergrove Water District-Bank & LGIP Statements.” Commissioner McDowell completed the “Financial report check list” for this meeting.

**TAB 7: Pump Reads-Completion of District Report**

DJ commented on the budget calendar. We do need to set a date for the budget meeting. All commissioners are in agreement-Chair DeVries may have conflict due to baseball games but he is unsure at this time. Budget meeting is scheduled for May 17<sup>th</sup>.

**Budget progress:** Next meeting DJ will have on the agenda her personnel recommendations.

**Commissioner/Staff Comments:** Commissioner Patterson requested the as-builts from Canal Road pipe installation. DJ stated that the District does not have any plans or as built for that pipe line. Jim and the boys from Salem installed the main on Canal Rd. and the Board at the time did not want to spend money on plans or as-builts they just said go do it. The reason she wanted it was because they wanted to know the relationship as to where our water main is located from the Natural Gas Line. She wanted to see if the gas company would put a seismic gas shut off valve installed in Childs Rd in case of an earthquake. It could help stabilize the Natural Gas line which would keep our water main. She felt that it could help in preventing slumping. She was going to request support from City of Rivergrove, Tualatin valley fire District, Lake Corporation, and also City of Lake Oswego.

DJ said all she could offer is that we had the line located because of a locate request and she would look up the pictures and can send them to her.

Commissioner Patterson said that might help.

Commissioner McDowell asked who “we” is? Answer: Dan said Fire Board.

**Non-agenda items-**Commissioner Roth mentioned that the CPO got a request to review the proposal for the house on the corner of Tree and Pilkington. They want to cut down 13 trees.

Commissioner Johnson asked if they were going to divide the lot. Commissioner Roth said no just replace the house. He felt that was not reason enough to cut down so many trees. That is what zoning is all about.

Commissioner Roth stated that some of the trees are 32 inch diameter fir trees.

They discussed the changes to the lot on corner of Jean and Pilkington. Neighborhood meeting in May.

**Commissioner to sign checks for the month:** Commissioner Roth will sign checks for March-April.

**Agenda Consensus for the April 24<sup>th</sup>, 2017 Meeting**

Manager Personnel Recommendations

**Chair DeVries adjourned the meeting at 8:24 AM.**

Respectfully submitted,

DJ Ezell,  
Manager  
Rivergrove Water District

These minutes are not verbatim and the meeting was audio recorded. **ORS 192.650 Recording or written minutes required; content; fees.** (1) The governing body of a public body shall provide for the sound, video or digital recording or the taking of written minutes of all its meetings. Neither a full transcript nor a full recording of the meeting is required, except as otherwise provided by law, but the written minutes or recording must give a true reflection of the matters discussed at the meeting and the views of the participants. All minutes or recordings shall be available to the public within a reasonable time after the meeting, and shall include at least the following information:

- (a) All members of the governing body present;
- (b) All motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition;
- (c) The results of all votes and, except for public bodies consisting of more than 25 members unless requested by a member of that body, the vote of each member by name;
- (d) The substance of any discussion on any matter; and
- (e) Subject to ORS 192.410 to 192.505 relating to public records, a reference to any document discussed at the meeting.