

**Rivergrove Water District
Minutes-Regular Board Meeting
September 24th, 2018**

Chair DeVries called the Rivergrove Water District regular board meeting to order at 7:32 AM at 17661 Pilkington Rd, Lake Oswego. Commissioners DeVries, Roth, Johnson, McDowell and Patterson were present. District Manager DJ Ezell and Finance Specialist Eelia Bean were also present. Larry Magura, PE, water district customer was present.

CONSENT AGENDA

Public Comment: Larry Magura present. He thought that Kyle was going to be here and had a couple of questions for him.

TAB 1: Minutes-August 27th, 2018 Regular Board Meeting

Commissioner Roth moved we accept the minutes as presented. Commissioner McDowell seconded. Motion passed. Commissioners Roth, DeVries, McDowell, Johnson and Patterson voted aye. Nays none.

FINANCIAL REPORT

TAB 3- Financial Report-Deposits Reconciliations and Board Report Checklist

Eelia noted nothing exciting. We did do transfers this month but they won't be showing up until next month's report as they were done after August 31st. She did send the reconciliations to Commissioner McDowell as requested. He did note it was good to have all the reports and he did discover just then the email Eelia sent him.

DJ noted that on the reconciliation report of CUSI and Quickbooks that on the first page Eelia did not put in the numbers that correspond with the amounts she has listed. DJ got the directions out on how to do the report and came up with the figures but there was a discrepancy of \$10 on the Fees.

Eelia will look at it. Commissioner McDowell asked when she found the \$10 that she let him know.

TAB 4- August 2018 Bank Statements and Reconciliations

Bank statements are reconciling.

TAB 5: Financial Report-Fiscal year 2018-2019 -Pay Bills

Chair DeVries stated that in Budget to Actual it looks like we pretty much on track. DJ stated that there were some things on the report that she wants to discuss but will do that will Eelia after the meeting.

Commissioner McDowell asked that we hear the update on the computer issues. DJ stated the last thing is that the Quickbooks file is on Eelia's computer and that the fix for hosting on the server has still not been resolved. Eelia was shown by the last computer person that came in to go over the issues we are having, how to back the file up daily on a USB and also on the public/Financial/QB backup folder/2018 on the server. DJ has to find out what exactly what is being backed up on the server but it should be everything. Commissioner McDowell felt he was not thrilled about the USB someone could snag it. DJ noted that unless she is doing a backup it is kept in the lateral fire files which is locked up. Chair DeVries discussed the archiving rules and how much we should keep. DJ will research. Commissioner McDowell asked if we needed a new IT consultant? DJ

said we are in contract with them she would have to research what it would cost to do that. Commissioner McDowell requested we create another user and have Eelia use that and see if it happens. Then they should look at the networking card. They should have already done of that stuff.

Commissioner McDowell moved that the Financial report be approved. Commissioner Patterson seconded. Motion passed. Commissioners Roth, Patterson, Johnson, McDowell, and DeVries voted aye. Nays-None.

Commissioner McDowell moved that we pay the bills. 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 all Board members present reviewed and signed the form entitled Rivergrove Water District-Bank & LGIP Statements.” Commissioner McDowell signed the check list the “Financial report check list” for this meeting.

UNFINISHED BUSINESS

TAB 2: Water Service Ordinance Update procedure:

Chair DeVries asked how they want to prioritize the discussion-he suggested just going through section by section. DJ felt the number of the Ordinance should be 19-01 because of time needed to update the ordinance publish it and then adopt that it will be in 2019 and it will be noted that 10-01 will be repealed with the approval of 19-01.

Board discussion points:

Page 1-No changes.

Page 2-

- Definitions: Chair DeVries asked if it is a DCA or a DCDA? DJ responded both. It was suggested that a search for all the definitions listed and make sure that they are somewhere within the document.

Page 3-

- Discontinuance of service-Chair DeVries questioned how often that happens. DJ stated a lot that’s starts/finals. “It says when a customer moves from a District served residence.” Shouldn’t we add and terminates water service? DJ stated no you don’t want to use the word terminates here that is totally different. Maybe add the wording “the voluntary end of service, customer account is closed and sent a final bill as described in Section 9.”
- “Health hazard vs. non-health hazard” Chair DeVries is unclear on definition. Should non-health hazard define what is meant by the aesthetic qualities of water. DJ stated that these are EPA definitions. Suggestion on adding after aesthetic wording as “such as or for example, included or not limited to taste and order.” Or refer to EPA definitions.
- “Extraordinary” circumstances: How do we come up with a definition for this? DJ stated it is related to a variance and the criteria that is extraordinary. Commissioner Johnson stated that he felt that variance should not be in the

definitions but have a separate section and place it before the appeal section. Variance make it Section 34 which would be the definition listed. And have the appeal section 35. Another consideration is to have each defined term bolded or in quotes within the document doing a find and replace move to do that. Also, the definitions should be alphabetical and numbered. At the beginning of the definitions section explain that when these definitions are used in the document they will be in **bold** text. Do we still need a definition for “Extraordinary circumstances”? Commissioner Johnson stated he had never seen one in Ordinances because it is usually on a case by case basis that the Board is determining what those circumstances are but he will research. Chair DeVries noted maybe “a circumstance which in the Board’s sole interpretation is out of the ordinary.” DJ stated that at the end of the draft review we will have the Attorney do his critique on the final draft anyway.

Page 4 to end of definitions:

- Chair DeVries felt that both the terms Extraordinary Circumstances and Variance need to remain in definitions. Commissioner Johnson stated he agrees but feels that what is currently listed in the variance section is not a definition but needs to be in a separate section. Variance definition example “a request to or decision by the Board to vary or alter any requirements of this Ordinance”. Commissioner Johnson stated is there any thing in the Ordinance that we do not want to apply a variance to in it? DJ stated the one thing that she would not want to see a variance to is granting service to extraterritorial properties such as the issue with our neighbor Mr. Buford to the District. And there is a section on Prohibited Conduct in the Ordinance. Chair DeVries noted that we since we have the section on “extraterritorial service” we can receive a request for a variance but it doesn’t mean it will be approved by the Board. We don’t want to limit the ability for someone to ask for a variance but it may not be granted. Commissioner Johnson stated that there has to be an extraordinary circumstance and being outside the District is not extraordinary there’s a lot of people out of our District. Chair DeVries noted that we need to add into our extraterritorial service the wording that notes that these will be taken on a case by case basis. Commissioner McDowell noted that we could add to the Ordinance that “extraterritorial customers would not be added to the District after a certain date such as December 31st 2018.” Commissioner Patterson stated that may not serve our risk exposure issue in the future. Commissioner McDowell “Rivergrove Water does not provide extraterritorial water to properties outside of our District Boundary.” This does not preclude them from annexing into the District and that the District would serve them if water is available with unassisted fire flow (no pumps) and adequate capacity and fire flows are available. And you could add that annexation is at the discretion of the Board or general election. Chair DeVries read the exterritorial section and felt that the wording that notes we can discontinue service if there is not surplus water is somewhat arbitrary and needs to be changed.

- “District Manager” was defined but changed and redefined as “Water District Manager” Consensus was to keep in the current definition for “District Manager” and just rename it “Water District Manager.”
- Section 3 & 4 no changes

Page 5

- Section 5 #3 Delete this section as per recommendation of Engineer and consensus of the Board.
- Section 6-no changes
- Section 7-no changes

Page 6

- Section 8 #4 (h) What is the minimum information that we need to provide water? Kyle just noted that there should just be a slight rewording to help improve clarity. Suggestions? Under (J) clarify what is the required minimum contact information needed for emergency contacts for customers account? Emergency contact name, phone, email, address and relationship to customer?
- #6 After word “information” add the words “unless prohibited by ORS.....”

Ended at Page 7-starting on Section 9

Larry asked when we would have the design services proposal back from the Engineer. DJ thought it should be next meeting. Larry is interested in seeing the information.

TAB 6: District Report: DJ noted nothing in addition to what was discussed previously

TAB 7: Shake Alert-No further information on this at this time. She feels that we can discuss with Kyle since RH2 is quite involved in it to see if we want to include it in the project.

TAB 8: Pump Reads-Nothing out of the ordinary.

Commissioner and Staff Comments: Commissioner Patterson asked about making sure that all of the Commissioners are eligible to serve on the Board. She inquired of Chair DeVries if he is currently living within the boundary of the District. He responded that he is not but currently owns property in the District. And he said in his previous disclosure to the Board they all responded that they were okay with that. Commissioner Patterson agreed and said she was just making sure that they are all legal eagles. Commissioner McDowell responded to the angry email from the customer that was shut off with all the notifications and had to wait 14 hours before getting water. Commissioners were in consensus that everything was followed by staff under our Ordinance and that we appreciated his volunteering to help change it and he is welcome to discuss it at a meeting. However, the Board’s ultimate consensus was that nothing would have changed what happened unless the customer had paid his water bill prior to being gone on vacation and allowing it to become past due. DJ stated one other thing: Jeff has gone back to school and he is an excellent worker. DJ has made him an offer to work part time while he is finishing his school this term. She

would like to offer him a full time position for the Utility one after that. She will look over the budget to see what would fit into this fiscal year budget to do that and then make him an offer for Utility 1 position. He is currently having interviews and on the short list with the City of Portland for a water treatment operator position -starting at \$26.82 and we probably can't compete with their salary schedule but we can make it a decent offer and see what happens. Board consensus was for DJ to go ahead and make the offer.

Commissioner Volunteer to sign checks this month: Chair DeVries volunteered to sign checks and he said mornings are good for him.

Non-agenda items: None

Agenda Consensus for October 22nd, 2018 Meeting

Ordinance review and update

Reservoir #3 Design Task

Chair DeVries adjourned the regular Board meeting at 8:48 AM.

Respectfully submitted,



DJ Ezell,
Water District Manager
Rivergrove Water District

These minutes are not verbatim and the meeting was tape 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.