

PACIFIC CITY JWSA BOARD OF DIRECTORS
BUSINESS MEETING MINUTES

March 5, 2019

Chair McVicker called the March 5, 2019, business meeting to order at 5:00 PM in the Authority meeting room.

Directors Present: Carolyn McVicker, Cameron Gogas, Anne Price, Sean Lambert, and Sean Carlton.

Guests Present: Dave Baxter, Russ Hughes, Jessica Kliever, and Tim Hirsch.

Staff Present: Tony Owen, Rachele DeLoe, Michelle Hughes, Leonard Whiteman, and Ray Browning.

MINUTES

A. 02/05/19 Business Meeting Minutes

Director Carlton noted on the managers report that he was not worried about the lack of interest in the Assistant Manager position and would like the statement changed to not surprised rather than not worried.

Chair McVicker said regarding an abstention made at the last meeting, she had done some research regarding abstentions. Chair McVicker said that within the Attorney Generals Public Records and Meetings Manual, it stated that members of boards, commissions, and councils are appointed to make decisions, to abstain was to fail to perform a most important function given to a board member. Chair McVicker continued that absent compelling circumstances, for example, a conflict of interest problem, board members should not abstain from voting. Chair McVicker said it was echoed in the SDAO information but had not been clarified in the board responsibilities but felt that the board should adhere to that guideline and put it into writing in the board duties and responsibilities. Director Carlton clarified that in the past, board members had abstained if they had not been present for a meeting. Chair McVicker asked if the board had any questions. Director Carlton said he would like to have time to read through the manual. Director Carlton continued that he understood the philosophy and the reasoning for voting yes or no, but did not completely agree. Director Price asked if the subject of abstaining in Roberts Rules of Order was pertaining to conduct of meetings. Chair McVicker responded that Roberts Rules of Order addresses majority vote and using an abstention to force a yes or no. Chair McVicker said there were clear clarifications regarding quorums and majority votes. Chair McVicker stated that it was their fiduciary responsibility as a board to vote yes or no and make a choice, and that was why

abstentions were discouraged. Discussion ensued regarding specifics and the difference between discourage and disallow.

Motion

Director Price moved to approve the minutes as corrected of the 02/05/19 Business Meeting. Director Carlton seconded, and the motion carried with four ayes and one abstention.

FINANCIAL REPORT

A. Accounts Payable: 2/5, 2/15 & 2/28/19

Motion

Director Price moved to approve the accounts payable for 2/5/19, 2/15/19 and 2/28/19. Director Carlton seconded, and the motion carried unanimously.

B. Fiscal Year 18/19

Director Carlton asked if there was a concern that the SDC's were lower than expected. Mr. Owen said that he had reported on the managers report that there were only three SDC's, when actually there were five. Mr. Owen continued that he had heard from Ms. Hughes and Ms. DeLoe that several people had contacted the office regarding water and sewer services. Ms. Hughes clarified that money was not being spent out of the 004 and 005 funds because they were not working on any major projects, so the monies being collected in those funds would be still available. Ms. Hughes continued that she saw no need for concern with the low amount of SDC's. Director Gogas asked how many SDC's were expected for next fiscal year. Mr. Owen replied that they had not completed the next fiscal year budget and had not done research regarding that.

MANAGERS REPORT

Mr. Owen reported that DEQ had toured the WWTP upgrade last month. Mr. Owen continued that the reason for the visit was to make sure that everything was being built as designed.

Mr. Owen reported that they had done another round of disinfectant byproducts testing and would see results in a few weeks. Mr. Owen continued it was important to remember even if that round of testing was under the maximum contaminant level, the running annual average may still be above level and they would still need to issue a violation notice. Director Gogas asked if they tested in the same areas every time. Mr. Owen replied in the affirmative and added that they had been flushing this specific line more regularly to determine if there was a water quality impairment issue. Director Gogas said he had been told that after the lines were flushed the customers notice the water was dark and/or dirty. Director Gogas continued that he had recommended the customer install a filter system between the meter and the house. Director Gogas suggested they put out a notice to let customers know they can install a filtration system. Chair McVicker said as board members they could mention that to customers but were not allowed to make recommendations. Director Price added that talking with a plumber about their options would also be a good suggestion.

Mr. Owen reported that they had received two bids for the office remodel project. Mr. Owen said that the lowest bid was from Pacific City Homes and would like to move forward with the project. Director Carlton asked for a summary as to why they were doing a remodel. Ms. Hughes said the carpet was over twenty years old and they would like to replace that with a vinyl plank that would better meet their needs. Ms. Hughes continued that they would be cutting the counter area back, as they do not have enough customers coming in to validate that much space and freeing up space for a third desk to be used by either the staff or a future Assistant Manager. Ms. Hughes said the MCC electrical area was going to be renovated and used for storage. Ms. Hughes continued that one of the biggest problems was Mr. Owens office, and when customers or salesman came in and could see Mr. Owen in his office they immediately started to talk to him when he may be busy at that time. Ms. Hughes said that they planned to move Mr. Owens door and rework his office to give him more privacy. Director Price asked why they had two companies with remodel and flooring bids and one company with just a flooring bid. Ms. Hughes replied that they had originally just wanted to do the flooring and had only talked to flooring companies. Ms. Hughes said after seeing how much flooring was going to cost they had decided to look into doing the remodel as well so that down the road when the remodel would occur they would not need to fix the flooring as well. Ms. Hughes said they would prefer to not have one company doing the remodel project and one doing the flooring and trying to coordinate with each other. Director Gogas asked how long this project might take. Mr. Baxter said he foresaw it taking around three weeks. Discussion ensued regarding where the office would be during that time and how best to operate during the remodel.

Motion

Director Price moved to accept the Pacific City Homes low bid of \$32,170 for the office remodel. Director Carlton seconded, and the motion carried with four ayes and one nay.

Mr. Owen reported that he was in the process of getting quotes for the split rail fencing around the dune wells as part of the management plan for the R&PP lease.

Mr. Owen reported that the trail on the BLM property that was also part of the R&PP management plan was almost complete. Mr. Owen continued Carolyn McVicker with PC Pathways, TORTA, and Josh Venti of Bros & Hoes had been working hard to complete the project.

UNFINISHED BUSINESS

A. WWTP Improvement Project

Mr. Owen reported they were starting up the new UV, filter holding tank, and aerobic digesters that week.

B. Community Engagement

Chair McVicker said she had received an email but was unable to forward the newest information to the board and Mr. Owen but would get that to them as soon as possible. Chair McVicker wanted

to make clear they were doing community engagement and outreach and not hiring a PR firm to do PR work.

GUEST QUESTIONS AND COMMENTS

No questions were asked.

CHAIRMAN/DIRECTOR COMMENTS

Director Gogas asked about an email he had received on his board email about a sludge filter. The rest of the board and Mr. Owen all commented that they had received similar emails. Director Price said it seemed someone had just searched for all of their emails.

Director Gogas asked about the small claims case against the Authority. Mr. Owen replied that a customer had asked for reimbursement of a refrigerator water filter and claimed the high chlorine content had destroyed the original filter. Mr. Owen continued the request was brought to the board, which the board denied and subsequently the customer had filed a small claims case in regards to the water filter and doctor visits. Mr. Owen said he had opposed that claim on behalf of the Authority and had a court date scheduled for March 21, 2019. Director Gogas asked if there had ever been a small claims case brought against the Authority before. Mr. Owen replied there had not.

Director Carlton said he had reviewed the consultant timeline for the performance evaluation and was hoping to hear from Mr. Fleming soon, as it said they would begin March 1st. Chair McVicker said she had received an email that afternoon that she would review and share with the board soon.

Director Carlton wanted to suggest that the Authority do the asbestos sampling once a year rather than once every nine years. Director Carlton said doing the sampling more often may give the public peace of mind. Chair McVicker discussed some research she had done regarding asbestos and water sampling. Chair McVicker gave examples from three articles she found on PubMed that showed no correlation with asbestos fibers being harmful in drinking water. Director Price said she would assume the agency that determines the frequency of testing would be well aware of the dangers of AC water pipe and would require more frequent testing if it were overly dangerous. Director Lambert asked what it would cost to test more often. Mr. Owen said he would need to look into it. Chair McVicker said in all the testing the Authority has done regarding asbestos, it had never been detected. Mr. Owen wanted to add any voluntary sampling and testing results must go to the Drinking Water Program. Discussion ensued regarding reasons districts may or may not want to do extra testing and the extra testing that the Authority already does in regards to coliform.

Chair McVicker addressed an email the board had received from a member of the community.

Chair McVicker stated she wanted to clear up any misinformation for the board and community.

Questions/Comments are immediately followed by the corresponding answers:

- Community Member or Director
Chair Carolyn McVicker

- We asked about the master plan many times, and never were given a straight answer.

The Master Plans have been discussed in many public meetings. A copy of the plans are at the Library. Toward the end of the plans is a list of future capital projects/replacements/upgrades all with estimated costs as of the year that the plans were developed. (Master Plans: 1999 water, 2005, 2009 Update.)

- Hiring a PR firm is just another example of a waste of money, as is hiring an assistant manager now and a full-time office assistant.

PCJWSA currently has 9 employees.

A comparison of PCJWSA to the City of Tillamook is not an equal comparison (planning, HR, legal, financial, administrative-web, public records request). A city's administrative support is significant.

Tillamook Utilities Personnel

WATER DIVISION: 1/3 Director, 1/3 Asst Director, 1/3 Engineer, 2.75 Tech, Plant Supervisor, 1/3 field supervisor.

SEWER: 1/3 Director, 1/3 Asst Director, 1/3 Engineer, 4.75 Tech, .75 Tech III, 1/3 field supervisor.

Total for Tillamook Water & Sewer: 2/3 Director, 2/3 Asst Mgr, 2/3 Engineer, 7.5 Tech, .75 Tech III, 2/3 field supervisor, 2 utility clerks, for a total of 15 employees.

Unincorporated Tillamook County

Netarts Oceanside Sewer District has 8 employees (1 manager, 1 lead operator, 4 operators, & 3 office staff).

The Oceanside Water District

The District has 1 manager, 2 operators, & 1 office manager.

Netarts Water District

No web page or information about staff.

Combination of Netarts Oceanside Sewer District and Netarts Water District equals 12 employees

- Considering the fact you recently raised our rates for two new positions and hired two PR firms.

PCJWSA has not hired two PR firms. An HR consultant has been hired to assist with revisions of the Authority Manager review process and bring the Authority to the best practices level. The Board did meet with a public relations specialist to discuss the options and process of a Community Outreach Plan focused on education and the sharing of information. The Board will be reviewing a proposal for such work.

- I compared the salaries for our manager and office manager statewide and nationwide, and they get well-above the upper salaries for those in large municipalities(manager with a 4 year degree), and why I expect that when I ask for information I am not charged for their time.

Portland Water Utility Director in 2013 made \$186,542.

Portland Water Group Manager in 2013 made \$131,244

Portland Wastewater Operations Manager in 2013 made \$130,707

PCJWSA's Authority Manager salary in 2013 was \$89,300.

A request for public information from PCJWSA conforms to Oregon law and the policies of other water and sewer districts. Guidelines from SDAO were followed in developing PCJWSA's policy.

- We only have Tony and Leonard Whiteman with a level 2 in water. For your information, this is public information on the DEQ and Drinking Water websites. For collection and treatment we have three employees- one with a 1/1, 1 with a 2 /3 and Tony with a level 3 /4. As you know, there are 4 levels. The other 6 employees have NO certifications.

Chair McVicker gave several examples comparing employees from Tillamook with PCJWSA employees, which showed PCJWSA had more than or was equal to the certifications of Tillamook. Chair McVicker added that the Authority did not hire employees based on certifications, employees were allowed to get on the job training to help prepare them for certifications and evaluations were merit based.

- Our manager was asked at a board meeting about whether the asbestos pipes along the river were in the master plan to be replaced.

Asbestos pipe is mentioned in the Water Master Plan with regards to linear feet, diameter, location, water monitoring.

"Asbestos cement pipelines are no longer a desirable pipeline material choice because of the potential for health related safety issues. These are not so much asbestos getting into the potable water, but problems with utility workers may have related to exposure to the asbestos during repair of the pipeline."

Chair McVicker stated that at the end of the email there were a number of citations with regards to chemicals and water. Chair McVicker continued that the citations appeared to all

come from a single .RTF file and were non-scientific. Chair McVicker said of the one scientific article that was cited, published in 1984, the information was taken out of context and showed no direct connections and encouraged further research.

Chair McVicker added that there was a website link for Filterwater.com, a retail company with no scientific backing for their statements.

Chairman McVicker adjourned the meeting at 5:54 PM.

The PCJWSA Board of Directors approved these minutes on April 2, 2019, by the following votes:

Aye _____ Nay _____ Abstain _____ Absent _____

ATTEST:

Carolyn McVicker, Chair

Tony Owen, Authority Manager