

OTTER ROCK WATER DISTRICT DRAFT MEETING MINUTES

(Pending Board Approval on June 11 , 2019)

Board Meeting - May 14, 2019

A . Call to Order: A Board Meeting of the Otter Rock Water District was held on May 14, 2019. The meeting convened at 6:00 p.m., with Commissioner Rod Zawalski, Water Board President, presiding.

B. Roll Call:

Members In Attendance: Commissioners Anderson, Bradley, Gleason (by phone) and Zawalski were present. Commissioner Boston was absent.

Staff Members Present: Water Superintendent Osburn and Office Manager/ Bookkeeper and Secretary Erskine were present.

Public Attendance: Richard Appicello, Pat Anderson, Gary and Wendy Bowman, Joknee DeMott, Cheryl and Steven Hall.

C. Consent Agenda:

Approval of Minutes: Commissioner Anderson moved to approve the minutes of the April 9, 2019 meeting with one correction: Under his final comments of the meeting, the question about the cost of chlorination was raised by Commissioner Anderson, not Pat Anderson. The motion was seconded by Commissioner Gleason. **Motion carried.**

D. Resolutions: None

E. Special Order Business:

1. Ordinance 2018-04: Board Attorney Appicello stated the need review November and/or December minutes to note the commissioner's votes, to resign the official ordinance and then formally file the ordinance with Lincoln Country. Commissioners Bradley and Zawalski will sign, and Board Secretary Erskine will file it with the county.

ACTION ITEM: Bradley/Zawalski to sign ordinance; Erskine to file with Lincoln County.

2. Water Service Discussion: The owner of the Wilcox Estate is behind on the payment of past water service bills on his rental property. There have been multiple attempts, through phone calls and written correspondence, to contact the renters, the property manager and the owner of the property. Based on the ORWD water service ordinance, ORWD could shut off the water to the

property or bring an action against the owner for the amount for which he is responsible. Since the current renters have been paying the water bills regularly, shutting off the water would unfairly punish the renters. Therefore, it was recommended that the ORWD use a collection agency.

Commissioner Zawalski moved to direct Attorney Appicello to pursue the most cost-efficient method of obtaining payment by the homeowner. Commissioner Bradley seconded the motion.

Motion carried.

ACTION ITEM: Erskine to give details to Attorney Appicello, who will pursue most cost-efficient method of obtaining payment.

3. Second Street Easement. Community members, Gary Bowman, Wendy Bowman, Cheryl Hall and Steve Hall, asked the Board for help concerning the plans of a building property owner to develop a two-lane road for public access on vacated property in which ORWD water lines and personal property lines are currently laid. The neighbors in the affected area are concerned that delivery trucks and public traffic will break the water lines.

- Mr. Bowman described the actions that have been taken by the homeowners to stop the road from being built and used by the public.

- Attorney Appicello has a copy of the ORWD easement, which states that ORWD must have the ability to access the water mains and property water lines.

- Superintendent Osburn stated that the vacated area might not be traffic-rated to sufficiently protect lines from being broken by traffic weight. Research will need to be done.

- The planned parking lot behind the building is on an active landslide zone and an erosion zone. To address the liability and safety issues associated with clearing the area near the bluff and allowing traffic on the bluff, Attorney Appicello recommended that the affected community members engage the services of a private land use attorney.

- Attorney Appicello volunteered to write a letter to the new property owners, fully describing the ORWD easement rights, along with the requirement that the ORWD must see the plans before any road construction takes place. The Board agreed to direct Attorney Appicello to write the letter, and Commissioner Zawalski will sign it.

- Attorney Appicello will also make a records request with Lincoln Country to identify all actions taken by the new property owners. ORWD will pay any required costs.

ACTION ITEMS:

- Attorney Appicello will write a letter to Dale and Rebecca Lutz, new property owners, outlining ORWD easement rights, along with the requirement to show plans prior to any road construction.

- Attorney Appicello will make a records request with the County to identify all of actions taken by the new property owners. ORWD will pay any required costs for the information.

F. Reports and Announcements:

1. Treasurer's Report:

- Commissioner Bradley read accounts payable. A motion was made to approve by Commissioner Anderson and seconded by Commissioner Zawalski. **Motion carried.**

- The monthly budget was reviewed. Commissioner Anderson moved to accept the budget statement, and Commissioner Zawalski seconded. **Motion carried.**

- Next month, materials for Budget Committee will be available. He needs people for a budget committee and will first ask those community members who served last year. The budget meeting will take place immediately after the Board's June, 2019 meeting, and the adoption will take place two weeks later.

2. Water Superintendent's Report: A hard copy is on file.

- Water usage continues to be down, compared to previous years.

- Next month, Superintendent Osburn will be conducting long-term water testing, e.g.5-year and 7-year, so there will be a larger bill for water testing supplies.

- The Spring 1 project has begun. The spring is not yet online, and when connection is complete, the pipe will be flushed and the water will be tested. Photographs of the project will be placed on the website. Funds for the Spring 1 Project will be paid for from the contingency budget.

ACTION ITEM: Place construction photos on website. DeMott and Gleason.

- One meter was installed last month, bringing the total number of meters installed to 30.

- Superintendent Osburn also removed a log at the spring and did some weed-eating around district.

- When asphaltting the driveway of a home on Ellie Street, a paving contractor asphalted over the homeowner's water shut-off valve. Superintendent Osburn was asked to find the valve. He

was unable to find the shut-off with a metal detector, and he could not use an excavator. After several hours of hand-digging, he found the valve at 7 feet below ground. The entire project took 16 hours of time, and Mr. Osburn has not yet charged the district. The homeowners told Superintendent Osburn that they would cover the costs, and ORWD will send an itemized bill, with hours spent.

ACTION ITEM: Commissioner Bradley and Superintendent Osburn will send a bill to the homeowner on Ellie St. for the work completed.

- Commissioner Anderson reviewed the meter installation figures. Thirty water meters have now been installed. Commissioner Zawalski recommended that installations should continue until all monies budgeted for meters have been spent.

- Superintendent Osburn reported that Jim Howry has many of the parts needed for the Spring 1 Project, and he will sell them to ORWD very inexpensively. This will allow Mr. Osburn to return a number of parts to Ferguson. Commissioner Anderson moved to allow the purchase of these extra parts, and Commissioner Bradley seconded the motion. **Motion Carried.**

3. Office Management/Secretary's Report:

- More customers have chosen billing via email.

- OM/B/S Erskine reviewed the calendar list she created of the larger bills ORWD can expect to pay and when. The list included taxes, insurance, expansive water testing every three years, etc. This list will be in board member packets to be provided to new commissioners in July. Packets will also include the board's calendar, as well as contact information for board members.

- All billing, accounts receivable and customer communications were normal this past month.

- OM/B/S Erskine was asked to complete the Ordinance list in three columns: Date Approved; Ordinance/Resolution #; and Ordinance/Resolution Title.

ACTION ITEM: Ms. Erskine will create the Ordinance list by providing the following information: Date Approved; Ordinance/Resolution #; and Ordinance/Resolution Title.

- Commissioner Gleason moved to approve the OM/B/S's report. Commissioner Anderson seconded. **Motion passed.**

G. Executive Session: None.

H. Action Items Checklist Review:

- Dan & Joknee: Buck still isn't getting emails to his orwdcom4@gmail.com (ongoing)
- Commissioner Zawalski called the Newport Water Department and received a positive report about Liquivision. (closed)
- Attorney Appicello has completed a rough draft of the master list of ORWD ordinances. (ongoing)
- Commissioner Gleason will report to the board on the tracking of website visitors at the June, 2019 board meeting. (ongoing)

I. Announcements or Comments by Commission Members:

- Gleason- None.
- Zawalski - None.
- Anderson - Would like to send Commissioner Boston a card from the board to wish him well, as he recovers from his accident. Board agreed unanimously.
- Bradley - The State Park is currently being charged for the water used in two bathrooms and an outdoor shower. The shower, however, is still turned off. Commissioner Zawalski notified the State Park a month ago that the shower can be turned on, but he will call them again.

ACTION ITEM: Commissioner Zawalski will contact the State Park to have them turn on the shower at the park.

- Osburn- Would like to clarify that the costs for the Spring 1 Project include excavation (no greater than \$10,000), parts already billed, and Mr. Osburn's hours. This is correct.

- Erskine- none

• Appicello: It is unclear whether the 2017-O4 ordinance was adopted in November or December. Mr. Appicello will review the board's minutes to determine if it was adopted as an emergency and therefore, needs an ad to go with the ordinance. The ordinance, if not already filed, will need to be signed again.

J. Adjournment:

The 2019-2020 Annual ORWD Budget meeting is scheduled for June 11, 2019, at 6:00 pm in the Otter Rock Community Center. The regular monthly board meeting will immediately follow.

The meeting was adjourned at 7:17 p.m.

Respectfully Submitted by Whitney Erskine, OM/B/S

Date of Approval: June 11, 2019

Date Approved Minutes were placed on website: June 14, 2019