**CLACKAMAS RIVER WATER BOARD OF COMMISSIONERS**

**REGULAR BOARD MEETING**

**BOARD INDEX OF AUDIOTAPE**

**March 12, 2015**

|  |  |  |
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| **COMMISSIONERS PRESENT:** | **STAFF PRESENT:** | |
| Larry Sowa, President | Lee Moore, General Manager |
| Ken Humberston, Secretary | Carol Bryck, Chief Financial Officer | |
| Hugh Kalani | Erin Skinner, Exec Asst./Legal Coordinator | |
| David Mc Neel |  | | |
| *Absent: Grafton Sterling* |  | | |
|  | CRW Employees: Donn Bunyard, Bob George, Kham Keobounnam | |

**VISITORS:** Warren Mitchell, Bill Schulenberg, Mona Kalani

**Call to Order**

The meeting was called to order at **6:00 pm** by President Sowa. The pledge of allegiance was recited.

**MOTION:** Ken Humberston moved to approve the agenda, Hugh Kalani seconded the motion.

**MOTION CARRIED 4:0**

**Ayes:** Humberston, Kalani, Mc Neel, Sowa

**Nays:**

**Abstentions:** None

**Public Comment**

None

**Closed Session Report-**

February 12, 2015 Topics Discussed:

1. Case involving former Commissioner Warren Mitchell
2. Federal case filed by former Commissioner Holloway
3. Carver Bridge and the potential for litigation
4. Commissioner reimbursement issues
5. Union negotiations

**Agenda Item 1.0: Second Reading of Resolution 08-2015, by title only – Compensation for Services & Reimbursement of Expenses** *– Lee E. Moore, Sr*

**MOTION:** Ken Humberston deferred this motion to another Board Member.

David McNeelmoved that the Board approve Resolution 08-2015 amending Board Policy Section 1.6 Compensation for Services and Reimbursement of Expenses to be read by title only. Hugh Kalani seconded the motion.

Ken Humberston asked the General Manager to describe the procedures to be followed. Mr. Moore also reviewed the chronology of revisions on this topic.

Ken Humberston excluded himself from the vote. Each remaining Commissioner separately declared their conflicts and voted without deliberation.

**MOTION CARRIED 3-0**

**Ayes:** Kalani, McNeel, Sowa

**Nays:**

**Abstentions:**

**Agenda Item 2.0: Resolution 13-2015- Update to fees and charges due to increased hydrant permit fees, increased NSF fees and tampering fees** *– Carol Bryck, CFO*

**MOTION:** Ken Humberston moved that the Board adopt Resolution No. 13-2015 amending Miscellaneous Fees & Charges. Hugh Kalani seconded the motion

Carol Bryck presented the changes to the fees and charges in the following five areas:

* + - * Broken/tampered lock fee
      * Non-sufficient funds (NSF) fee
      * Oregon City Right of Way Usage fee
      * Equipment listing
      * Fire Hydrant Water Usage Permit fees

**MOTION CARRIED 3:1**

**Ayes:** Humberston, Kalani, McNeel

**Nays:** Sowa

**Abstentions:**

**Agenda Item 3.0: Resolution 14-2015- Update SDC charges based on Seattle Engineering News Record (ENR) construction cost index** *-**Carol Bryck, CFO*

**MOTION:** Ken Humberston moved that the Board adopt Resolution No. 14-2015 SDC rate adjustment, Hugh Kalani seconded the motion

**MOTION CARRIED 3:1**

**Ayes:** Humberston, Kalani, McNeel

**Nays:** Sowa

**Abstentions:**

**Consent Agenda**

CA-1: Gross Payroll and Account Paid for January 2015

CA-2: Cash Position and Transfers January 2015

**MOTION:** Ken Humberston moved the Board approve the Consent Agenda as presented. Hugh Kalani seconded the motion.

**MOTION CARRIED 4:0**

**Ayes:** Humberston, Kalani, McNeel, Sowa

**Nays:**

**Abstentions:**

**Agenda Item 4.0: General Managers Report** *– Lee E. Moore, Sr.*

-Purchase of a service truck, after researching the original hydro vacuum truck the District was interested in purchasing, it was determined that it make more sense to continue leasing the truck due to the cost (more than $300k) and the amount of time the truck would be used. Instead, staff has chosen to place an order for the equivalent of an F-750 truck which is a large service vehicle that will alleviate challenges the District has been facing with overweight trucks. The older trucks will be looked at to see if they can be repurposed for lighter duty use. This is an informational item because we have not received these items.

Commissioner Humberston asked how many times the leased Hydro Vacuum truck is used per year, and what the cost is per use. Carol Bryck reported that so far this year the System Operations group has spent approximately $19,000 in equipment rentals.

Commissioner Sowa inquired about the legal expenses outside of the retainer and who authorized those overages. Mr. Moore commented that many of the expenses outside of the retainer are incurred by requests that the Board has made during Executive Session. Mr. Moore intends to bring the legal contracting issue up with the Board next month.

-CRW & SWA has continued with integration meetings. The meetings have been very productive, particularly around the staffing issues associated with the 190. Positive contact has also been made with Oregon City in regards to the joint engineering study.

-CRW Board Work Session, Dr. Delorenzo gave us an update on the ASR storage and water issues in our service area. Mr. Moore says that this year we are no longer at 9% of normal but now up to 12% of normal.

-South Fork Water Board will be holding a dinner work session meeting on March 25th. Any Board Members interested in attending should let us know so that we may RSVP.

- Special District Board Election filing date is March 19th at 5pm.

* All information technology equipment for CRW and SWA now resides at CRW.
* Confined space training has been completed.
* CRW’s Emergency Manager recently attended statewide earthquake training.

**Agenda Item 5.0: Public Comment**

Warren Mitchell claimed the Board was being put in a position of a conflict of interest and potential ethics violation in regards to Agenda Item 1 – Commissioner Reimbursements.

He also requested a report from Executive Session regarding his case.

Ken Humberston reported that the Judge waived fees at a circuit level and the fees have been deferred at the appellate court level.

Commissioner Humberston also explained that he had asked the General Manager to look into the Commissioner Reimbursement Policy. He assured Mr. Mitchell that the Board was well aware of the history on this topic and the Board intends to be as compliant as possible.

**Agenda Item 6.0: Commissioner Business**

Commissioner Humberston presented the Government Finance Officers Association award to CRW for the comprehensive annual financial report for the fiscal year ending June 2014 and commended Carol Bryck on a job well done

**Meeting adjourned at 7:01 pm**