

PACIFIC CITY JWSA BOARD OF DIRECTORS  
BUSINESS MEETING MINUTES

September 3, 2019

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

Guests Present: Mike Dill, Robin Kostrikin, Tim Hirsch, and Sue Delaney.

Staff Present: Michelle Hughes, Ray Browning, Rachelle DeLoe, and Ross Johnston.

**MINUTES**

A. 08/06/19 Business Meeting Minutes

**Motion**

Director Price moved to approve the minutes of the 08/06/19 Business Meeting. Director Carlton seconded, and the motion carried unanimously.

**FINANCIAL REPORT**

A. Accounts Payable: 8/6, 8/15, & 8/31/19

Director Donohue asked about a payment to Olympic Foundry. Ms. Hughes responded that the payment was for freight of parts the Authority had received. Director Donohue asked about the payment to Coyote Gardens. Ms. Hughes responded that it was for the continued restoration project at the Horn Creek Water Treatment Plant. Director Donohue asked about the payment made to Hawkins, Delafield, & Wood LLP. Ms. Hughes responded that the payment was for bond council regarding the Wastewater Treatment Plant Improvement Project bond with USDA. Director Donohue asked about the payment to Pall Corporation. Ms. Hughes responded that it was an annual fee for 24/7 IT assistance if there were to be a problem at the waste water treatment plant.

**Motion**

Director Price moved to approve the accounts payable for 8/6/19, 8/15/19, and 8/31/19. Director Carlton seconded, and the motion carried unanimously.

B. Fiscal Year 19/20

Director Donohue asked about the Grant Proceeds line item in 002. Director Donohue wanted to know where the \$1 million was coming from. Ms. Hughes replied that the grant was from USDA. Ms. Hughes gave a further summary of details regarding the grant and its progress.

Director Donohue asked if the interest earned was from CIC funds. Ms. Hughes responded in the affirmative and added that SDC funds were included as well.

## **MANAGERS REPORT**

Ms. Hughes reported that there had not been any violations for the month of August 2019.

Ms. Hughes reported that a 2" main had been repaired on S Brooten Rd. the previous month. Director Gogas clarified that there had been a break there previously. Ms. Hughes responded that the line had been repaired many times and replacement would be a large project for the future. Director Gogas asked what would need replaced. Ms. Hughes replied that it would be the whole loop from Brooten Rd. around Stephens Ave., Rogers Ave. and back to Brooten Rd. Director Donohue asked if that main was AC pipe. Ms. Hughes replied that it was not. Director Gogas clarified that they had planned to put a hydrant in there when it was replaced. Ms. Hughes replied in the affirmative.

Ms. Hughes reported that there were two SDC's and they had had inquiries for two more in the last week.

Director Gogas asked how much overtime had been spent to repair the main around S Brooten Rd. and Stephens Ave. Ms. Hughes said she could not give an exact number without some research but it had been quite a bit. Director Gogas suggested that they could make it a priority. Ms. Hughes said that would be a board decision.

Chair McVicker asked why the rags and hours had risen. Ms. Hughes replied that it was due to it being the summer months. Chair McVicker asked if there was a particular location that was worse than others. Ms. Hughes replied that Ella Lift Station was the most frequent. Chair McVicker commented that a few years previous it had been Madrona Lift Station. Ms. Hughes added that the Authority had replaced pumps and electrical panels at Ella Lift Station to see if that would help.

## **UNFINISHED BUSINESS**

### **A. WWTP Improvement Project**

Chair McVicker referred to confidential information that was provided to the board members in the board packet. Ms. Hughes reported that there still was not a substantial completion date.

### **B. Community Engagement**

Chair McVicker referred to the workshop from August 9<sup>th</sup> with ART. Chair McVicker said the Communications Policy should have been titled Community Engagement and Communications Policy and would need to be corrected. Chair McVicker asked if the board was comfortable with

the policy and if they would like to move ahead with the adoption. Director Donohue referred to a line on the document that stated “All PCJWSA board meeting agendas will be posted for the public prior to the meeting, and all board meetings will be open and adhere to Oregon State open meeting laws.” Director Donohue asked if there should be language added to include executive sessions. Chair McVicker stated that the Oregon State open meeting laws covered executive sessions. Chair McVicker said they could add more detail and exceptions but it would be difficult to edit. Director Donohue suggested they simply put “with the exception of executive sessions”. Director Carlton suggested that they remove the words “open and”, changing the statement to all board meetings will adhere to Oregon State open meeting laws. Members of the board agreed that that would cover it. Director Donohue clarified that they would remove “be open and” to create the statement they desired. Discussion ensued regarding how to adopt and that they could amend the policy at a later date.

### **Motion**

Director Price moved to adopt the Communications Policy with the edits discussed. Director Carlton seconded, and the motion carried unanimously.

Ms. Hughes updated the board on the revision and expansion proposal of the PCJWSA website. Ms. Hughes said Oregon Coast Creative had proposed a 20 page website with a private section for board members that would be login secured, to include meeting agendas, resolutions, and board packets. Ms. Hughes gave examples of pages that they had discussed and proposed. Ms. Hughes referred to the FAQ page on the Oregon Governors website and said it flowed very well and was easy to read, and something similar would make a great addition to the PCJWSA website. Director Price said another advantage was that Ms. Hughes and Ms. DeLoe would be able to update the website as well. Ms. Hughes agreed and added that they would take a class to learn how to add minutes, MP3’s, and the meeting agendas right away. Director Donohue asked about a customer notice request for things such as water outage. Director Donohue continued that it could be an email list that the Authority could also use to send out a monthly managers note to customers.

Chair McVicker stated that because the proposal was \$2400, it did not require board approval, but being that the board seemed to be in a consensus, the staff would move forward with the website update.

Discussion ensued regarding the next steps in the community engagement process.

Chair McVicker stated that the board had received a copy of the PCJWSA Pipeline at the August 2019 meeting. Chair McVicker had concerns that it would appear that it had come from the Authority and wanted to clarify that it did not. Chair McVicker said at the workshop the board had discussed asking legal counsel regarding the issue. Chair McVicker said legal counsel had encouraged them to move forward with the writing of a letter to the editor to be published in the PC Sun to inform customers that it was not something the board or Authority had published. Chair McVicker continued that there were two other options. Chair McVicker said the first was to draft a cease and desist letter, not usually the best option for a small community, because it could cause more problems and would cost around \$1,000. Chair McVicker continued that the second option was regarding soft IP and trademarks, keeping other entities from using an acronym. Chair

McVicker said the cost of that would be \$120,000-\$750,000. Chair McVicker continued that they would never want to spend the ratepayer's money on something like that. Chair McVicker said legal counsel's recommendation was to keep an eye on things and encourage the authors to change the title. Director Carlton clarified that they had written the letter to the editor prior to getting a reply from legal counsel.

### C. Public Records Request Policy

Chair McVicker referred to Resolution 19-06 in the board packet. Director Carlton said the governor's office policies regarding public records requests were well written. Director Carlton would like to incorporate more of their policy into the Authority's. Director Carlton would prefer to take out the whereas stating that the Authority would receive a discount on their insurance. Director Carlton believed the motivation for the resolution should be linked to public transparency rather than an insurance discount. Director Carlton's concern was that it seemed the Authority did not care about public records requests until they were offered an insurance discount. Discussion ensued regarding specifics of the wording and requirements by SDAO.

Chair McVicker suggested they make a motion to approve the resolution as they were on a time crunch and could be later amended with updated language. Chair McVicker said that in the past they had had resolutions that were not always straight forward and clear. Chair McVicker suggested on the updated website to have a short comment under each resolution giving an easy to read summary about it. Director Donohue asked how much of a discount the Authority would receive. Ms. Hughes stated that the previous year they had received 6%. Chair McVicker said now that they had the new waste water treatment plant, that 6% would be a significant amount of money. Director Carlton said it was his understanding they had until November 1<sup>st</sup> to adopt the resolution. Chair McVicker said her email stated it would need to be passed during that meeting. Ms. DeLoe said it was possibly because Mr. Owen was not going to be at the October 1<sup>st</sup> business meeting. Director Carlton said he would be in agreement to adopting the resolution as long as the board agreed to improve the resolution as soon as possible. Chair McVicker said they would come back with changes at the November business meeting.

Director Donohue did not want to adopt the resolution at that time without a change to the whereas statement regarding the Authorities priority for transparency. Director Donohue believed that it would be simple to just change the wording and go with it. Director Price expressed that she did not feel comfortable with changing the resolution at that time as it was a legal document.

### **Motion**

Director Price moved to adopt Resolution 19-06. Director Carlton seconded, and the motion carried with three ayes and two nays.

### D. New Authority Manager Search Update

Chair McVicker stated that there were 6 applicants that had applied for the position of Authority Manager and Prothman was currently in the process of prescreening the applicants. Chair McVicker stated they would be meeting on September 6<sup>th</sup> to review applications and discuss the interview process. Chair McVicker said there was a revised meeting announcement in the

Headlight Herald for September 4<sup>th</sup> stating the purpose of the workshop was to review applications for the Authority Manager position with Prothman recruitment services and members of the PCJWSA advisory and budget committees. This review of applications would be conducted in executive session and was closed to the public. The public was invited to attend the workshop prior to the executive session to ask relevant questions of the Board regarding the review and hiring process. Director Carlton asked if the notice had gone out to the board. Chair McVicker said she believed so but she would forward it to the board as well. Chair McVicker said because of the strict rules regarding employment law and questions that can and cannot be asked the Authority had decided to not do a public meet and greet with the candidates. Chair McVicker continued that once a candidate had been hired for the Authority Manager position they would decide how to introduce them to the community. Director Carlton added that many candidates may not apply if they did not feel there would be complete confidentiality. Chair McVicker agreed and added that they wanted to protect their privacy as well. Discussion ensued regarding the rules for inviting public comment on the hiring process and job description.

#### E. Master Plans Update Proposal

Ms. Hughes said they were still waiting for updates.

### **GUEST QUESTIONS AND COMMENTS**

Mike Dill referred to the PCJWSA Pipeline newsletter and mentioned they had intentions of changing the name so there would not be confusion. Mr. Dill continued that he would like it to be a communication between the Authority and themselves. Mr. Dill said he was looking for feedback regarding the water issues. Mr. Dill continued that he was talking to many people including the Neskowin Watershed. Mr. Dill said because he hadn't been elected to the board he wanted to donate the same amount of time to the newsletter and become a liaison for the community similar to Director Carltons liaison role for science. Mr. Dill said that they planned to have questions to the board in every month's newsletter.

Robin Kostrikin said she had talked to Marge, the coordinator of the South County Emergency Preparedness. Ms. Kostrikin said Marge had asked Robin to ask the board to send a representative to their emergency preparedness meetings. Director Carlton asked if they had requested PCJWSA. Chair McVicker said that they had not formally requested a representative. Ms. Kostrikin said she would send the board Marge's contact information. Ms. Kostrikin referred to a document she had given the board with six questions regarding emergency preparedness. Ms. Kostrikin said if the board could not answer the questions right away, emailing the answers later would be fine. Ms. Hughes stated that the Authority had a plan and it was not available to the public due to security reasons. Ms. Hughes said she would give the questions to Mr. Owen and let him answer them. Discussion ensued regarding what resources are available in an emergency from the Drinking Water Program and boil water notices.

### **CHAIRMAN/DIRECTOR COMMENTS**

Director Carlton wanted to make it clear that he was not a liaison for the public. Director Carlton stated that he had volunteered to meet with the Citizens Advisory Committee and hear their concerns.

Chair McVicker referred to an email that was sent to the board from Ms. Kostrikin. Chair McVicker wanted to correct some discrepancies. Chair McVicker referred to a statement that said it wasn't until Ray Cloud left PCJWSA that Mr. Owen got his water certification. Chair McVicker asked what her source was. Ms. Kostrikin said her resource had been Mr. Cloud himself. Chair McVicker stated that Mr. Owen had had his certification since the 80s'. Ms. Kostirkin said Doug Kellow, a former board member, had told Mr. Owen during a board meeting that he needed to get his certification in water because he didn't have certification after Ray had left. Ms. Kostrikin said it was in the board minutes. Chair McVicker said there may have been a misunderstanding because Mr. Owen had had his certification since the mid-80s'. Chair McVicker added that there were different levels of certification and Mr. Owen did receive another certification in 2011 when Horn Creek was established. Chair McVicker said Mr. Cloud had left in 2013 so Mr. Owens certification came two years prior. Chair McVicker continued that the staff at PCJWSA had more certification than was required by law for the size of the facility.

Chair McVicker said it seemed in the email that Ms. Kostrikin believed developers did not contribute to new infrastructure, which was untrue. Chair McVicker continued that the developers paid for everything that would be required for their development including pipe, pumps, and other infrastructure to the standard of the Authority.

Chair McVicker wanted to clarify that CIC's were reviewed annually during the budget review process. Chair McVicker continued that CIC's were annual and did not cover a twenty-year period unlike the Master Plans. Chair McVicker said SDC's were changed after new and upgraded infrastructure was put into place.

Chair McVicker adjourned the meeting at 6:11 PM.

The PCJWSA Board of Directors approved these minutes on October 1, 2019, by the following votes:

Aye\_\_\_\_\_ Nay\_\_\_\_\_ Abstain\_\_\_\_\_ Absent\_\_\_\_\_

ATTEST:

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Carolyn McVicker, Chair

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Tony Owen, Authority Manager