



**SOUTHWEST LINCOLN COUNTY WATER PEOPLE'S UTILITY DISTRICT
(SWLCPUD)**

7740 HIGHWAY 101 NORTH, YACHATS, OR // PO Box 368 Waldport, OR

www.swlcpud.org

541-547-3315



**BOARD OF DIRECTORS MEETING AGENDA
21 December 2022 – 10:15 AM**

The regular meeting will be held at the District Office, 7740 Hwy. 101 North, Yachats, OR

- 1. REGULAR MEETING CALL TO ORDER**
 - a. Determine Quorum Present
 - b. Conflict of Interest Declarations
 - c. Agenda Changes and Agenda Approval – Action Item
 - d. Note Guests Present
 - e. Review and Approval of November Minutes – Action Item
- 2. PUBLIC INPUT – Public Input (limited to 5 minutes per speaker)**
- 3. TREASURER'S REPORT**
 - a. Review and Approval of Disbursements – Action Item
 - b. Monthly Financial Report – Action Item
 - c. Treasurer Report/Update
- 4. DISTRICT MANAGER'S REPORT**
 - a. Valve Project funding update
 - b. SDC Review
 - c. Sanitary Survey
 - d. Operator Certifications
- 5. OTHER NEW BUSINESS for BOARD CONSIDERATION**
 - a. Audit draft
 - b. Budget Amendment
 - c. Paid Leave Oregon
 - d. Safe Drinking Water Revolving Loan Fund: Water Infrastructure Improvement
 - e. Leak Forgiveness
 - f. DM Performance Evaluation
- 6. Other Old Business for Board Consideration**
 - a. Vacation Rentals
- 7. CORRESPONDENCE AND REPORTS**
- 8. OTHER ITEMS OF INTEREST**
- 9. ADJOURNMENT**

December 14, 2022

SOUTHWEST LINCOLN COUNTY WATER PUD (SWLCWPUD)
7740 HIGHWAY 101 NORTH, YACHATS, OR - PO BOX 368, WALDPORT, OR 97394-0368

www.swlcwpud.org

541-547-3315

BOARD OF DIRECTORS MEETING

21 Dec 2022 – 10:15 AM

1. REGULAR MEETING CALL TO ORDER	President Cuellar called the meeting to order at 10:30 AM.
a. Determine Quorum Present	President Cuellar deemed that a quorum was present: President Cuellar, Vice President Anthony, Director Tucker, Director Turner and Director Sherkow.
b. Conflict of Interest Declarations	None
c. Agenda Changes and Agenda Approval – Action Item	Items #4a, #4b, and #5d were moved up on the agenda so that guests could have input in a timely manner. Director Tucker wished to add the Mutual Aid Agreement, and Yachats Rural Fire Protection District Storage Agreement. Director Sherkow said that he would bring up several items under new business.
d. Note Guests Present	Pete Gintner (Board Legal Counsel), and Keven Shreeve and James Parmeter (Civil West Engineering).
e. Review and Approval of November Minutes – Action Item	Director Tucker noted a correction for Item #1a: “Direct” should be changed to “Director” in the last line. Vice President Anthony moved the approval of the November 2022 Board Minutes as corrected. Director Tucker seconded the motion. Motion passed unanimously.
2. PUBLIC INPUT – Public Input (limited to 5 minutes per speaker)	None
3. TREASURER’S REPORT	
a. Review and Approval of Disbursements – Action Item	After several questions were addressed by DM Anderson, Director Sherkow moved, and Vice President Anthony seconded a motion to approve the Disbursements for November 2022. Motion passed unanimously.
b. Monthly Financial Report – Action Item	After some discussion concerning water sales revenue and loan payment issues, Director Sherkow moved, and Director Tucker seconded a motion to approve the Financial Report for November 2022. Motion passed unanimously.
c. Treasurer Report/Update	None
4. DISTRICT MANAGER’S REPORT	
a. Valve Project funding update	DM Anderson stated that BizOR had recently provided a copy of the prospective agreement and associated checklist for the project. Civil West would draft a bid document for his review, and that \$26,000 in charges associated with emergency work by a contractor during the time of the incident (June and forward) would be eligible for reimbursement under the agreement. Also eligible for funding would be work on the project by Civil West. After some discussion about the possible timeline for the project’s construction phase, Director Sherkow asked DM Anderson to work with Mr. Gintner (Board Legal Counsel) and Civil West staff to shorten the time frame as much as possible and work up a schedule between the three parties.

<p>RESOLUTION No. 23-03</p>	<p>Insomuch as BizOR required a Board Resolution from the PUD in order to summarize the project funding and authorization from the PUD to enter into the agreement, BizOR had provided a draft resolution. After some discussion by the DM and Board members, Director Sherkow moved that the PUD adopt Resolution No. 23-02 (draft as provided by BizOR), including \$500,000 of funding, half of which would be a grant and half would be a loan at 1% interest rate), and other details. Vice President Anthony seconded the motion. Motion passed unanimously.</p>
<p>b. SDC Review</p>	<p>President Cuellar opened the discussion about the need for a formal SDC process and rates, and that it should be as clean as possible. DM Anderson also noted the possibility of having some thought given to possible facilities associated with additional water treatment and distribution to Yachats. Director Sherkow inquired about the possibility of a zonal SDC structure in that facilities needed at the north end of the PUD (including the Waldport Industrial Park) would be significant (Dick's Fork Tank replacement) and should not, in his opinion, spread to all customers.</p> <p>DM Anderson will work with Civil West on background documents and draft rates.</p>
<p>c. Sanitary Survey</p>	<p>DM Anderson said that the OHA survey went well and that there were no problems noted.</p>
<p>d. Operator Certifications</p>	<p>DM Anderson said that he would soon apply for the Treatment Plant Operator certificate, and that other staff members would apply for certificates for Backflow, Operator Level 1, and Treatment Plant Level 1.</p>
<p>5. OTHER NEW BUSINESS for BOARD CONSIDERATION</p>	
<p>a. Audit draft</p>	<p>The draft audit for the PUD for the year ending June 30, 2022 done by Signe Grimstad, had been previously distributed. DM Anderson summarized the findings and noted that there were no problems. This audit is a requirement by the State and had been provided to the State. No further action was required. President Cuellar noted that on page 21 was a description of the PERS liability as it may relate to the financial statement and budget.</p>
<p>b. Budget Amendment</p>	<p>Carried over until the January 2023 meeting.</p>
<p>c. Paid Leave Oregon</p>	<p>A booklet was distributed to the Board entitled "Employer Guidebook – Paid Leave – Oregon." Mr. Gintner and DM Anderson summarized the new requirements. They noted that this would require changes to the PUD's Employee Handbook. They also noted that certain provisions do not require participation by organizations with fewer than 25 employees. Employees would contribute to the Paid Leave fund, regardless. These contributions would begin in January 2023 in the form of deductions from the employees' pay. However, benefits would start Sept. 3, 2023. More detail will be provided as they become available.</p>
<p>d. Safe Drinking Water Revolving Loan Fund: Water Infrastructure Improvement</p>	<p>DM Anderson stated that BizOR has invited the PUD to apply for \$5,984,000 in new funding, half of which would be a grant and half would be a loan over 30 years (interest rate to be determined). This generally coincides with project development work done by Civil West for the following projects: Seabrook Lane Waterline, SW Wakonda Beach Waterline, SW Tara Lane to SW Forest Lane, Pressure Reducing Vaults (PRVs) Improvements – SW Wakonda Beach PRV and SW Seabrook Lane PRV, NE Forest Hill to NE Starr Creek Drive, West Side of HWY 101-From Fernwood Drive South to Wakeetum Street, East Side of HWY 101-From Fernwood Drive North to SW Whitecap Drive, Camp One Road line, and NE California Street line. The final elements are still to be determined and may modify this list.</p>

	<p>Director Sherkow noted that a new version of Budget Builder had been generated after discussions between DM Anderson and himself. It made certain assumptions about the length of time to complete the work, the process to begin the loan repayment, and the interest rate. He asked Mr. Shreeve (Civil West) if the start of the repayment process could be extended to begin four years from now. Mr. Shreeve said that this would be problematic from the State’s standpoint. A period of three years might be more realistic for the repayment initiation.</p> <p>This would mean that there would be one year overlap between the new loan from BizOR and the existing USDA loan. Some discussion resulted regarding how, if necessary, this one year would be handled either through a bridge-loan or other mechanisms in order to keep from having a spike in water rates.</p> <p>Director Tucker moved that the PUD proceed with application filing with BizOR, as outlined in Dec. 2, 2022 email from Tracy Loomis, BizOR to DM Anderson. Vice President Anthony seconded the motion. Motion passed unanimously.</p> <p>DM Anderson and Civil West were thanked for their efforts in securing this funding.</p>
e. Leak Forgiveness	<p>Mr. Jack Cvar, representing the property at 3255 SW Pacific Coast Hwy, Waldport sent a letter requesting that a reduction in the water billed amount be considered. The previous owner (Gene Cvar) died in a fire that destroyed the house at that location in Dec. 2020. No request was received to shut-off the service, therefore, water bills continued. After a brief discussion, Director Sherkow moved and Director Tucker seconded a motion for the billed amount from Jan. 2021 to the present be forgiven. Motion passes unanimously.</p>
f. DM Performance Evaluation	<p>Director Sherkow noted that this was the time of year to conduct the DM Annual Evaluation. He asked if there was any reason to not move forward. None was heard. He said that he would email the Job Description and Evaluation Form in the near future. Director Tucker asked if there were any changes to the Job Description. Director Sherkow said that the last changes had to do with the elimination of the requirement for the DM to live within 30 minutes of the district. Director Sherkow said that he would proceed with the process.</p>
6. OTHER OLD BUSINESS for BOARD CONSIDERATION	
a. Vacation Rentals	<p>DM Anderson asked how the Board wanted to proceed with this issue. Director Sherkow said that the Board had stated its desire to use the Sheriff’s Short-term Rental List as a starting point and give the owners an opportunity to state if they were using the property as their primary residence (which could eliminate them from a possible commercial designation for water rate purposes). There was general agreement to have DM Anderson draft a prospective letter to owners on the SO List. President Cuellar was to review and edit the letter before it was to be sent.</p>
b. Storage Agreement with Yachats Rural Fire Protection District	<p>DM Anderson stated that both parties had executed the agreement.</p>
c. Mutual Aid	<p>Director Tucker wanted to know how these discussions were proceeding. A general discussion among Board members and the DM began concerning the water issues for the near-term and ultimate relations between the PUD and neighboring cities. No action was taken.</p>

<p>7. CORRESPONDENCE AND REPORTS</p>	<p>Director Sherkow asked that the PUD take a closer look at the following issues for further action:</p> <ol style="list-style-type: none"> 1. Renewable energy – what next? - President Cuellar asked Director Sherkow to bring forth a recommendation. 2. Planning activities – are we doing these things? Do we want to? When? Who? <ol style="list-style-type: none"> a. FEMA (possible projects)? – What is the status of the application that we made? b. EPA Line Inventory (mandatory) – Who will do this? When? c. Water Conservation Plan – Who will do this? When? d. Emergency Response Plan (Operations and Capital Investments) – Who will do this? When? e. Development Build-Out and Water Demand Plan - President Cuellar said that much of this would be part of the SDC background analysis. f. Stream Monitoring Plan (Operations and Capital Investments) – DM Anderson said that this might not be necessary. g. DEQ Drinking Water Protection Plan (Yachats rec'd a grant for this last year) 3. Congressional projects applied for last year – Status? 4. Suggestion: Use Blodgett Maintenance Facility as an evacuation point and shelter during emergencies.
<p>8. OTHER ITEMS OF INTEREST</p>	<p>None</p>
<p>9. ADJOURNMENT</p>	<p>President Cuellar adjourned the meeting at 12:27 PM.</p>

Roxie Cuellar, Board President
 Roxie Cuellar, Director Subdivision 1
 Date 1/18/23

Franklin Sherkow, Board Secretary
 Franklin Sherkow, Director Subdivision 4
 Date 1/18/23