

**Minutes of Nov. 21, 2017 Molalla Aquatic District Board Meeting, 6:30 p.m.
Molalla Aquatic Center, Molalla, Oregon, Approved 11/28/17**

Chair Paula Beck opened the meeting at 6:31 p.m. Present also were Board members Teresa Steinbock, Neal Lucht, Marilyn Bloch. Member Claire Ferlan was absent. Community member: Melissa Georgesen. Adjustments to Agenda: 3.4 was changed to Whistleblower Policy—Steinbock.

2) Public Comment

Melissa Georgesen, MRSD Swim Team Coach, announced the first home swim meet: Dec. 1 at 4:15 with Silverton, 90 members. (Molalla's team comprises about 30.) The team is practicing every day. MRSD is cleaning the bathrooms and vacuuming. Georgesen has approached the Facilities Coordinator, Tony Tiano, several times about replacing the lights in the parking lot, both the overhead and the post ones. Tony is shorthanded; it's on his list; he'll get to it as soon as possible. Lucht proposed that MAD pay for an electrician to do that job, and offered to get an appointment with a local person. Board members approved. Lucht will contact Tiano to cross it off his list.

3) Consent Calendar, Minutes

3.1 Chair Beck asked for consideration of the MAD Board Minutes of 11/14/17. The Minutes were approved with a motion from Steinbock and a second from Lucht, all in favor, 4-0.

3.2 Resolution Establishing a Free, Reduced, and Modified Policy—Beck. (Appendix 1). Chair Beck read the resolution.

Resolution 17-08 Establishing a Free, Reduced, and Modified Program Policy was approved with a motion from Steinbock and second from Lucht, All in favor, 4-0.

3.3 Resolution Establishing a Lifejacket Policy—Beck. (Appendix 2). Chair Beck read the resolution.

Resolution 17-09 Establishing a Lifejacket Policy was approved with a motion from Bloch and a second from Lucht, All in favor, 4-0.

3.4 Resolution Establishing a Whistleblower Policy—Beck. (Appendix 3). Chair Beck read the resolution.

Resolution 17-10 Establishing a Whistleblower Policy was approved with a motion from Lucht and second from Bloch, All in favor, 4-0.

4) Old Business

4.1 Review of Aquatic Director applicants—Steinbock. We need to have community members participating in the hiring process, to involve the community in the operations of Molalla Aquatic Center.. Board directed Steinbock to post a request for community members to apply to join the interview process by November 28, at 6:30 p.m. on our website, molallapool.com, submitted to the Friends of Molalla Pool (FOMP) facebook page and Molalla Area Chamber of Commerce,, with a message that the MAD board has an aggressive timeline for hiring, so community members applying need to have a flexible schedule available. Lucht volunteered to send the board his company's general list of interview questions, and suggested Board members do research via Google on-line. The Board will be setting up an interview schedule at next week's Board meeting.

4.2 Discussion of Capital Assets Policy—Ferlan. Postponed.

4.2 SDIS Cyber Security Survey—Bloch. SDIS offered a Cyber Security Survey which, if completed

by 11/17/17 (last Friday), would result in a discount on next year's Liability Insurance Policy cost. Bloch took the survey; we now have a 4% reduction in our January 1, 2018 Liability Insurance cost. Survey was distributed; there are several policies MAD needs to adopt to improve our cyber security. 4.3 Action Plan—Bloch. Lucht advised we don't need to hire a payroll service until a week before we expect to hire, approximately Dec. 13.

5) *New Business*

Credit card service—Steinbock. She viewed Canby Pool's credit card service. She was impressed. It includes scheduling, all for a 3% plus a per-transaction fee.

6) *Committee Reports and Updates*

6.1 Negotiation Team—Lucht and Steinbock. The latest Intergovernmental Agreement came back from MRSD negotiation team with change requests. MAD Board agreed to send the draft back to our attorney with a request that, if she has a fundamental disagreement with any of the changes, to give her Mr. Gill's phone number at MRSD.

6.2 Treasurer's Report—Bloch. As of Nov. 16, MAD has received from Clackamas County \$125,286.43 from tax revenues.

7) *Written Communication.*

See above—6.2

8) *Directors' Remarks.*

Bloch asked FOMP to consider proposing some of their short-term fixes for making the Aquatic Center more visible.

Lucht revised the month-by-month budget slightly with a somewhat lower amount for health insurance. He will send a digital copy to board members.

9) *President's Remarks, Review Action Items, Items for Next Meeting's Agenda*

Action items:

Lucht—sending advice for legal and helpful hiring practice, the newest revised month-by-month budget

Steinbock—posting the notice for citizen members of the hiring committee on MAD's website, FOMP's facebook page and with the Chamber of Commerce, presenting policies for Public Notice and Safety Inspection

Beck-- will appoint the citizens review committee on 11/28/17.

10) *Adjournment*

Steinbock moved to adjourn and Lucht seconded. All in favor. Meeting adjourned at 8:15 p.m.

Appendix 1 Molalla Aquatic District Resolution 17-08: Establishing a Free, Reduced, and Modified Program

RESOLUTION NO. 17-08

**A RESOLUTION ESTABLISHING A
FREE, REDUCED, AND MODIFIED PROGRAM POLICY**

WHEREAS, the Molalla Aquatic District (“District”) is an Oregon special district formed under Oregon Revised Statutes (“ORS”) Chapter 198 and authorized under ORS Chapter 266;

WHEREAS, the District desires to offer free, reduced, and modified programs to patrons; and

NOW, THEREFORE, the District’s Board of Directors hereby resolves as follows:

1. Policy Adoption. The Board of Directors hereby adopts the Free, Reduced, and Modified Program Policy as attached.
2. Effective Date. This resolution shall become effective on _____.

APPROVED AND ADOPTED on _____.

Board President

ATTEST:

District Secretary

**Molalla Aquatic District
Free, Reduced, and Modified Program Policy**

1. Free or reduced lessons may be granted by the MAD Aquatic Director.
2. The Aquatic Director may grant free or reduced lessons based on written documentation from a school administrator, school counselor, or medical personnel.
3. MAD will comply with state and federal ADA codes. In addition, the Aquatic Director may modify a program granting special accommodations to pool patrons based on a recommendation by school administrator, school counselor, or medical personnel.
4. The written request must identify:
 - Recipient’s name
 - Suggested services
 - Reason services are suggested
 - The length of services suggested
 - Any financial barriers to paying for lessons
 - Requestors name, title and contact information
5. A written request does not guarantee an individual free lessons, reduced lessons, or modified programs.
6. Free, reduced, and modified programs are only available to in-district patrons.
7. Individuals may receive free or reduced services for lessons until the individual has successfully accomplished Level 6.

• Appendix 2 Resolution 17-09: Establishing a Lifejacket Policy

- A RESOLUTION ESTABLISHING A
 - LIFE JACKET POLICY

RESOLUTION NO. 17-09

**A RESOLUTION ESTABLISHING A
LIFE JACKET POLICY**

WHEREAS, the Molalla Aquatic District (“District”) is an Oregon special district formed under Oregon Revised Statutes (“ORS”) Chapter 198 and authorized under ORS Chapter 266;

WHEREAS, the District desires establish a Lifejacket policy.

NOW, THEREFORE, the District’s Board of Directors hereby resolves as follows:

3. Policy Adoption. The Board of Directors hereby adopts the Lifejacket Policy as attached.
4. Effective Date. This resolution shall become effective on _____

APPROVED AND ADOPTED on _____.

Board President

ATTEST:

District Secretary

Lifejacket Policy

1. Lifejackets may only be used during Public Swim, Family Swim, or during a class as deemed necessary by a Certified Instructor.
2. Lifejackets must be in good repair and show a current U.S. Coast Guard stamp approval.
3. Lifejackets must properly fit the wearer and be worn properly. (i.e. Individuals weighing 90 lbs and under may not wear an adult jacket.)
4. Persons wearing a lifejacket are considered non-swimmers and will be treated as a non-swimmer.
5. Each individual wearing a lifejacket must have someone over the age of 18 accompany them in the water. The accompanying adult must be within arm's reach of the individual wearing the lifejacket at all times when in the pool.
6. Water wings, flotation suits, "floaties" and other such blow-up devices are not considered lifejackets and are not permitted in the pools.
7. Aquatic District staff is authorized to decline a patron use of the pool, if they do not adhere to this policy.

Appendix 3 Molalla Aquatic District Resolution 17-10: Whistleblower Policy RESOLUTION NO. 17-10

A RESOLUTION ESTABLISHING A WHISTLEBLOWER POLICY

WHEREAS, the Molalla Aquatic District ("District") is an Oregon special district formed under Oregon Revised Statutes ("ORS") Chapter 198 and authorized under ORS Chapter 266;

WHEREAS, the District desires to establish a Whistleblower policy.

NOW, THEREFORE, the District's Board of Directors hereby resolves as follows:

5. Policy Adoption: The Board of Directors hereby adopts the Whistleblower Policy as attached.
6. Effective Date. This resolution shall become effective on _____.

APPROVED AND ADOPTED on _____.

Board President

ATTEST:

District Secretary

Whistleblower Policy

Purpose

8. To provide reporting procedures should a District employee become aware of improper government action.
9. To advise employees of their rights and remedies in accordance with Oregon Revised Statutes (ORS) 659A.200 to 659A.224 (Whistleblower Law).

I. The District encourages any employee to report to the Aquatic Director any District activity that a) violates law; b) reflects mismanagement; c) represents a gross waste of funds or an abuse of authority; or d) poses a substantial and specific danger to public health and safety. The employee may also report such information to a) a member of the District Board of Directors or another District manager; b) a state or federal regulatory agency; c) a law enforcement agency; and d) an attorney representing the employee consistent with Whistleblower Law requirements.

II. It is an unlawful employment practice for the District to prohibit an employee from making a report described in Section I, above, or to require an employee to give notice before making such a report. An employee claiming to be aggrieved by an unlawful employment practice may file a civil action in Oregon circuit court. Remedies available to an aggrieved employee may include, but are not limited to, reinstatement and back pay. The Whistleblower Law protects employees, acting in good faith upon an objectively reasonable belief, from civil and criminal charges related to Whistleblower Law disclosures.

III. The District will investigate reports to the District in a timely manner to determine fault and institute any appropriate corrective measures.

IV. If the information disclosed by the employee is known by the employee to be false; if the employee discloses the information with reckless disregard for its truth or falsity; or if the information disclosed related to the employee's own wrongdoing, the employee is subject to disciplinary action by the District.

V. Whistleblower protections provide for confidentiality and prohibit retaliation. The District will not disclose the identity of an individual making a report of a District Activity described in the first sentence of Section I, above, without that individual's written consent. The District may request, but will not require, this consent to allow for the conduct of a thorough investigation and to provide accused individuals due process. The District will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as

termination, compensation decreases, poor work assignments, and threats of physical harm. Any whistleblower who believes he/she is being retaliated against may contact the Aquatic Director or the District Board President.

Submitted, Marilyn Bloch, Molalla Aquatic District Board secretary