

**SOUTHWEST LINCOLN COUNTY WATER PEOPLE'S
UTILITY DISTRICT
(SWLCWPUD)**
7740 HIGHWAY 101 NORTH, YACHATS, OR
PO BOX 368, WALDPOR, OR 97394-0368
www.swlcwpud.org
541-547-3315



**BOARD OF DIRECTORS MEETING
AGENDA
18 August 2021 – 10:00 AM**

The regular meeting will be held at 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 June and July 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
 - i. Transfer \$30,632.96 from LGIP to Columbia Bank for meters on 7/29/2021
 - ii. Transfer \$9,431.50 from LGIP to Columbia Bank for meters on 8/6/2021
- 4) RESOLUTIONS**
 - a) Leak forgiveness Policy
 - b) Covid-19 Vaccination Requirement
- 5) DISTRICT MANAGER'S REPORT**
 - a) Staffing Update
 - b) Water Resources and Drought preparation
 - c) Water Emergency Mutual Aid Agreement
 - d) Water Rights Status
 - e) Forest Service Request Draft Letter
 - f) Board Tour of Facilities
 - g) Updates from Engineer
- 6) OTHER OLD BUSINESS for BOARD CONSIDERATION**
 - a) Employee Handbook
 - b) Capital Improvement Program
 - c) Swearing in of Director Anthony
 - d) Selection of Treasurer
- 7) OTHER NEW BUSINESS for BOARD CONSIDERATION**
- 8) CORRESPONDENCE AND REPORTS**
- 9) OTHER ITEMS OF INTEREST**
- 10) ADJOURNMENT**

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BOARD OF DIRECTORS MEETING
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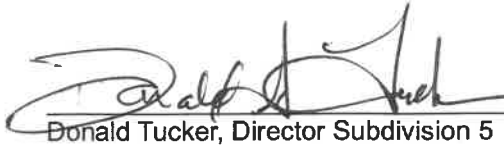
1) REGULAR MEETING CALL TO ORDER	President Tucker called the meeting to order on 10:01 AM
a) Determine Quorum Present	President Tucker deemed that a quorum was present: President Tucker, Vice President Cuellar, Director Anthony, Director Turner, and Director Sherkow
b) Conflict of Interest Declarations	None reported
c) Agenda Changes and Agenda Approval – Action Item	Resolution 21-06 – Cost of Living Adjustment; and Executive Session were added; and Election of Office was to replace Item #6d
d) Note Guests Present	None
e) Review and Approval of June Special Mtg. and July Minutes – Action Item	Vice President Cuellar moved that both meeting minutes be approved. Director Anthony 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 a brief review of the disbursements list, Director Sherkow and Vice President Cuellar second a motion to approved the disbursement list for July 2021. Motion passed unanimously.
b) Monthly Financial Report – Action Item	<p>Vice President Cuellar noted the buildup of money in the Columbia Bank checking account and said that the money not needed for immediate operations should be swept into the State’s Local Government Investment Pool (LGIP) in order to receive some interest from these funds even though the rate is very low (0.55% for July). President Tucker noted the amount collected for Water Sales, and noted that it should be higher, in his opinion. District Manager (DM) Anderson noted that, for the first time, the financial statement has separated the “Water Sales” line item from the “Bond Surcharge” figure. Thus, the Water Sales figure appeared to be less than expected. The DM was also looking at ways to have the billing system recognize the Water Sales revenue as early as possible during each month.</p> <p>Referring to System Development Charges (SDC), Vice President Cuellar said that the County should collect such charges when a builder applies for the building permit. DM Anderson said that past due SDC is collected when a new water application is submitted. DM Anderson and Vice President Cuellar volunteered to work together to look into SDC and Bond Surcharge payments.</p> <p>Motion by Director Sherkow, seconded by Director Anthony to approved the Monthly Financial Report. Motion passed unanimously.</p>

c) Treasurer Report/Update	
i. Transfer \$30,632.96 from LGIP to Columbia Bank for meters on 7/29/2021	noted
ii. Transfer \$9,431.50 from LGIP to Columbia Bank for meters on 8/6/2021	noted
4) RESOLUTIONS	Resolution #21-06 related to the annual Cost of Living Adjustment (COLA) was presented. <i>[The COLA was approved during the July 2021 meeting.]</i> Director Sherkow moved and Vice President Cuellar seconded a motion to approve the Resolution. Motion passed unanimously.
a) Leak forgiveness Policy	<p>DM Anderson briefed the Board and said that a policy similar to this one was standard practice for water utilities. Several cases were discussed. President Tucker opposed the policy as a “solution looking for a problem.” He commented that on average the PUD had about one issue like this a year, as he recalled, and they were resolved by working out a payment plan. He added that most of these events had been owners of property who rent short term as vacation homes, and it may be best to determine the circumstances and make a decision at that time. Bill Turner agreed with President Tucker.</p> <p>President Tucker asked DM Anderson to determine what other water districts of a similar size had such a policy in place and to bring this info to a future Board meeting. Director Sherkow and Vice President Cuellar spoke in favor of such a policy. Director Sherkow said that such “forgiveness” should apply to those that take steps to fix their pipes and equipment, and that such a policy should apply to the first month’s bill where an unusual amount was charged. DM Anderson is to return to the Board in September with a modified draft policy and further information.</p>
EXECUTIVE SESSION	<p>Motion by Director Sherkow, seconded by Vice President Cuellar to go into Executive Session. Motion passed with President Tucker voting “no.” The Board went in to Executive Session to discuss Covid mask policies by staff and issues related to vaccination of one employee.</p> <p>The Board came out of the Executive Session with no proposed action.</p>
b) Covid-19 Vaccination Requirement	<p>After a brief opening discussion, Vice President Cuellar spoke against such a policy as being burdensome. Director Sherkow spoke in favor stating that the staff was too lean to sustain a loss of key staff members to the disease and the possibility of passing the disease to customers and other staff members. President Tucker spoke in favor stating that the PUD could not afford to have key staff quarantined for 10 days or more. He said that staff should be vaccinated or be giving an option to be tested regularly. DM was directed to talk with two affected employees about their specific situations (i.e., mask wearing and vaccination) as soon as possible. The possibility of an employees working remotely which might include the use of a PUD-financed “hotspot.” Director Turner asked if more information was available from the State.</p>


	The Board consensus was that all employees should be vaccinated by the next meeting (Sept. 15). If this hadn't happened by that date, the Board might take up a new policy which might include testing. The Board wanted the DM to strongly encourage all employees to get a vaccination.
5) DISTRICT MANAGER'S REPORT	
a) Staffing Update	One new office associate and one field associate had been added to the staff. The office associate is to replace a staff member resigning due to an upcoming child birth.
b) Water Resources and Drought preparation	DM Anderson briefed the Board on current conditions. Streams are low, but are at acceptable levels. This might result in running the treatment plant longer and/or at a slower pace.
c) Water Emergency Mutual Aid Agreement	The City of Yachats is reviewing the draft agreement. DM Anderson said that one change to the draft could include that the rate charge to the other party would be at the highest "out-of-district" rate charged by either party, and that this was for treated water. Further discussions were foreseen.
d) Water Rights Status	DM said that no public comments had been received to date by the Water Resources Department related to the Vingie Creek permit application. DM Anderson had also checked on the existing conditions at the Vingie Creek intake and said that it was in good shape. President Tucker asked if the easement across private property at the Vingie Creek intake was in acceptable legal condition. DM Anderson said that he would look at it and it would part of the GIS mapping process that he was working on.
e) Forest Service Request Draft Letter	DM Anderson asked if there were any additional concerns or comments about the draft letter. After some discussion, the Board direction to the DM was to eliminate the 2 nd sentence in the last paragraph and add language related to improving road maintenance of major access points.
f) Board Tour of Facilities	To be scheduled.
g) Updates from Engineer	DM Anderson briefed the Board about progress being made, including possible FEMA money for AC pipe replacement, Dick's Fork tank replacement, replace valves, etc. In addition, the engineer is working on advancing select projects and amending the Master Plan about plant capacity. The DM is also working on possible area build-out capacity through several scenarios.
6) OTHER OLD BUSINESS for BOARD CONSIDERATION	
a) Employee Handbook	After some discussion, the issue of jury duty compensation for employees and then deducting that amount from the employee's pay. The point was made that this process would be more costly and complicated than it would be worth. Director Turner suggested that the Board direct the DM to change the Handbook in order to allow the employee on jury duty to keep the compensation in addition to their regular pay. Director Sherkow moved and Director Turner seconded a motion to approve the most recent changes to the Handbook, as distributed, with the change as suggested by Director Turner regarding the jury duty compensation. Motion passed unanimously. Copies will be distributed to Board members and employees.

b) Capital Improvement Program (CIP)	Director Sherkow had copies of the draft CIP distributed for discussion. He, DM Anderson, and Mike had met and sorted through active projects, the Master Plan, and additional ideas. Projects were then sorted and cost estimates, possible funding sources, implementation responsibilities, and timing. He noted that this was only a first rough draft and that more work was needed on the CIP. When completed it would feed into next year's budget process, and that the first four priority projects were fairly solid, but others needed additional assessment. It was likely that it would take several months to finalize this first CIP. There were some discussion and questions by Board members.
c) Swearing in of Director Anthony	Carried over until next month (certificate should be present).
d) Election of Officers	<p>President Tucker introduced the process and asked for nominations.</p> <p>Director Turner nominated Don Tucker as Board President, seconded by Vice President Cuellar. Motion approved unanimously.</p> <p>Director Sherkow nominated Roxie Cuellar as Vice President, seconded by Director Turner. Motion approved unanimously.</p> <p>Director Anthony nominated Bill Turner as Treasurer, seconded by President Tucker. Motion approved unanimously.</p> <p>Vice President Cuellar nominated Frank Sherkow as Secretary, seconded by Director Anthony. Motion approved unanimously.</p>
7) OTHER NEW BUSINESS for BOARD CONSIDERATION	
a) Salary Structure	DM Anderson advised the Board that he was concerned about the salaries for some staff positions and would be examining the matter further with recommendations to the Board. President Tucker and DM Anderson will work together on this matter.
b) District Energy Source and Usage	Director Sherkow handed out a one-page summary of potential use of renewal energy sources by the PUD. This included solar, fuel-cells, wind and water turbine. Directors Sherkow and Turner and DM Anderson will work together on the matter.
8) CORRESPONDENCE AND REPORTS	
	President Tucker directed the DM to send the Board meeting agendas, as they are finalized, to Yachats News.com.
9) OTHER ITEMS OF INTEREST	
	Director Turner suggested that the Board might consider a general policy, with exceptions, to discuss topics at one meeting and vote on the matter at the following meeting. He also stated his concerns about email interaction between a majority of Board members that might be construed as a de-facto meeting.
10) ADJOURNMENT	
	Motion by Director Sherkow, seconded by Director Anthony to adjourn the meeting at 12:37 PM. Motion approved unanimously.

BOARD OF DIRECTORS MEETING
18 August 2021 – 10:00 AM

 Board President
Donald Tucker, Director Subdivision 5

Date 20 Oct 2021

 Board Secretary
Franklin Sherkow, Director Subdivision 4

Date 9/16/21