



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

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

www.swlcwpud.org

541-547-3315



**BOARD OF DIRECTORS MEETING AGENDA
26 April 2023 – 10:00 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 March 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
 - b. Waterline Improvement Project funding update
 - c. Staff Certification
 - d. Newsletter
- 5. OTHER NEW BUSINESS for BOARD CONSIDERATION**
 - a. Upcoming Fiscal Year: Budget, Rate Increases, etc.
 - b. Leak Forgiveness
- 6. Other Old Business for Board Consideration**
 - a. Redistricting Ordinance
 - b. City of Yachats Water
- 7. CORRESPONDENCE AND REPORTS**
- 8. OTHER ITEMS OF INTEREST**
- 9. ADJOURNMENT**

April 26, 2023

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

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541-547-3315

BOARD OF DIRECTORS MEETING
26 April 2023 – 10:00 AM


1. REGULAR MEETING CALL TO ORDER	President Cuellar called the meeting to order at 10:00 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	President Cuellar stated that, in light of the Legal Counsel’s time, Item #6a and #6b would be moved up in the meeting to follow Item #1. Director Sherkow asked that an item on EPA rules (“Forever Chemicals”) be added as Item #4e. He also asked that an item concerning Hydrant Fire Pressure be added as Item #4f. DM Anderson asked that an item related to finalizing his Annual Evaluation and Salary Adjustment be added as Item #6c.
d. Note Guests Present	Pete Gintner (Board Legal Counsel) – departed at 10:58 AM
e. Review and Approval of March Minutes – Action Item	Vice President Anthony moved and Director Turner seconded the motion to approve the March Board Meeting minutes. 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	Director Sherkow moved that the March Disbursements be approved. Vice President Anthony seconded the motion. Motion passed unanimously.
b. Monthly Financial Report – Action Item	Director Turner briefed the Board about the Cash Flow Projection for the end of the current fiscal year. The current projection showed approximately \$113,000 in cash reserves by the end of the fiscal year. DM Anderson mentioned that he wanted to have Civil West Engineering undertake an analysis about engineering matters related to the prospective negotiations with the City of Yachats and their desire to purchase water. Director Sherkow suggested that the DM secure an estimate of the scope, schedule and budget for such work and return to the Board with that information. Director Sherkow moved that the March Financial Report be approved. Vice President Anthony seconded the motion. Motion passed unanimously.
c. Treasurer Report/Update	Director Sherkow said that given the SV Bank failure recently and the possibility of further such events, he moved that the following policies be instituted for the PUD: <ol style="list-style-type: none"> 1. Never have more than \$250,000 in money (all accounts) at any one bank at any given time. 2. Establish a nominal checking account at a different bank than 1st Security (say \$1,000). 3. Enable the new account to have the ability to make transfers to and from the State Pool in case we need to use that account if something happens at 1st Security. 4. We build our cash balance in the next two FYs to the \$300,000 level previously discussed.

	<p>After some discussion about the speed at which a new bank account could be opened or the FDIC would resolve such an event, Director Sherkow amended his motion to adopt items #1 and #4 now (with the understanding that #4 could be achieved over several years), and that DM Anderson check with the State about having a “backup” bank or bank account for the purposes of transfers. DM would report back to the Board. Director Tucker seconded the motion. Motion passed unanimously.</p>
<p>4. DISTRICT MANAGER’S REPORT</p> <ul style="list-style-type: none"> - Vacation Rentals - Bringing Past Due Accounts Current 	<p>DM Anderson reported that 89 customers were identified as Vacation Rentals and would be billed as commercial establishments.</p> <p>He also reported that approximately \$14,000 had been brought in from past due accounts through overdue payments, late fees, and the door-hanger processing.</p>
a. Valve Project	<p>DM Anderson reported that the PUD did not receive any bids for the Bolt Replacement project. Through consultations with the State staff and Board Legal Counsel, it was concluded that the DM could negotiate with a contractor of the PUD’s selection. Vice President Anthony moved that the Board authorize the DM to negotiate with a suitable contractor for the Bolt Replacement Project. The DM would return to the Board with his recommendations about the contractor and contract amount. Director Tucker seconded the motion. Motion passed unanimously.</p>
b. Waterline Improvement Project funding update	<p>President Cuellar reported on the testimony given at the April 5th meeting of the Infrastructure Finance Authority (IFA) in Salem to consider this project. All went well, and on April 13th, BizOR sent a letter to the PUD summarizing the funding amount and special terms and conditions of the award. The President will sign the agreement with the State, and work will proceed.</p>
c. Staff Certification	<p>Mike W. has passed his Water Distribution certificate test. DM Anderson and another staff person will take the test for Water Treatment Operator.</p> <p>There was also a brief discussion about salaries and an incentive for employees to gain various certificates related to their present or future employment positions. Director Tucker also suggested that there be a bonus process for “outstanding performance”. DM Anderson was directed to bring back to the Board ideas about salary levels and grade, as well as any incentive bonus concepts.</p>
d. Newsletter	<p>DM Anderson distributed a revised draft of a newsletter featuring the new projects and funding. Board members were asked to get their suggested newsletter revisions to the DM as soon as possible.</p>
e. EPA Rules – Forever Chemicals	<p>Director Sherkow expressed concerns about the cost and frequency of testing related to the new Federal rules. DM Anderson said that OHA would interpret the rule as they pertain to Oregon water systems.</p>
f. Hydrant Fire Pressure	<p>DM Anderson reported that they are still working toward the testing at hydrants. Director Sherkow asked that the item be kept on the Board Meeting agenda until it was resolved.</p>
<p>5. OTHER NEW BUSINESS for BOARD CONSIDERATION</p>	
a. Upcoming Fiscal Year: Budget, Rate Increases, etc.	<p>DM Anderson distributed a draft budget and budget message. The Budget Committee meeting was set for May 3, 2023 at 10:15 AM.</p>

b. Leak Forgiveness	After a lengthy discussion about the specific case of Wade Kolar (renter) living at 277 NE Crabapple Drive, Director Tucker suggested that many of these leak cases were very similar and asked how staff was handling it at the point of first contact. After some additional discussion, Director Tucker moved and Director Turner seconded a motion that the normal leak case be treated as the “leak month” amount minus the average of the preceding 12 months (if appropriate and available) and then divided to 2 as the offered amount to settle the bill, and that the process be delegated to the DM to handle, with an appeal process at the Board level, if necessary. Motion passed unanimously.
6. OTHER OLD BUSINESS FOR BOARD CONSIDERATION	
a. Redistricting Ordinance	Director Tucker moved and Director Turner seconded a motion to approve Ordinance 2 related to defining subdivision boundaries for election purposes. Motion passed unanimously. It was deemed that there was no requirement to publish the Ordinance in a local newspaper of record. Director Tucker asked that the Ordinance be posted on the PUD’s website.
b. City of Yachats Water	<p>President Cuellar briefed the Board about her meeting with the Mayor of Yachats. She noted her request that the City and PUD have an initial meeting for the purposes of having a common understanding of the City’s desire to purchase water from the PUD. She also expressed her recommendation that Mr. Gintner (Board Legal Counsel) be the lead negotiator to represent the PUD for this matter. The City Council previously approved that the Mayor meet with the PUD to introduce the issue.</p> <p>Mr. Gintner said that the PUD customers will also have the priority in the process and that if facilities had to be upgraded, then the City should pay for that. Director Sherkow expressed his desire to see the SDC Study as it related to the water demand at the point of development “build-out.” DM Anderson also mentioned that the Water Conservation Plan would have trigger-points if water levels were down to identified levels, and that this would have to be recognized in any agreement with the City. Director Sherkow also mentioned the possibility of future water rights as part of the potential agreement.</p> <p>DM Anderson said that he thought that the City wanted a long-term agreement that supplemented water supplies to the City especially for the end-of-summer dry periods. President Cuellar said that the City might need more water storage capacity. A possible Special PUD Board meeting would be scheduled for Wed., May 3, 2023 at 9:30 AM, if the Mayor was available.</p>
- Possible Special Board Meeting	
c. DM Annual Evaluation and Salary Adjustment	Director Sherkow moved and Vice President Anthony seconded a motion to approve the DM annual evaluation and adjustment to the DM’s salary by an increase of 5%. Motion passed unanimously. It was noted that a further evaluation would be done at the completion of the Bolt Replacement Project.
7. CORRESPONDENCE AND REPORTS	
	A brief discussion was undertaken concerning line breaks.
8. OTHER ITEMS OF INTEREST	
	Director Sherkow noted that there was no news on the Renewable Energy Grant Application.
9. ADJOURNMENT	
	President Cuellar adjourned the meeting at 12:00 PM.

_____, Board President
Roxie Cuellar, Director Subdivision 1

Date _____

 _____, Board Secretary
Franklin Sherkow, Director Subdivision 4

Date 5/31/23