

**ARCH CAPE DOMESTIC WATER SUPPLY DISTRICT
BOARD OF COMMISSIONERS MEETING**

Thursday March 21, 2024. 6:00 PM

In-Person at the Firehouse and Zoom

<https://us02web.zoom.us/j/87369759588?pwd=RFFDRjlzdFgrZFZOaFlxNlZxSndwQT09>

The Board Meeting adheres to a 1.25 hour meeting rule. Meeting discussion will conclude sharply at that time to allow for the last 3 agenda items. Any uncompleted or remaining business will be rolled over until the next monthly Board Meeting.

Domestic Water Supply District Meeting

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|--|------|
| I. Call to Order | Bill |
| II. Conflict of Interest Declarations | Bill |
| III. Public Comments | Bill |
| IV. Agenda Approval (Action) | Bill |
| V. Approve February 15th and 27th Minutes (Action) – Pg. 2-4 | Bill |
| VI. Financial & Administrative Reporting | |
| A. Accept February Budget & Balance Sheet - Pg. 5-7 | Bill |
| B. Accept Arch Cape Forest-Watershed Accounting Worksheet - Pg. 8 | Bill |
| C. Accept February Payment of Accounts - Pg. 9 | Bill |
| D. Accept Correspondence Requiring No Action | Bill |
| E. Treasurer's Report | Sam |
| F. 2023-2024 Audit Update | Bill |
|
 | |
| Executive Session: To consider information or records that are exempt by law from public inspection ORS 192.660(2)(f) | |
| VII. Current Budget Consideration – Paid Leave - (Action) | Bill |
| VIII. On-Call Policy and Compensation (Action) - Pg. 10-16 | Bill |
| IX. Budget – Pg. 17-20 | Bill |
| A. Appoint Budget Committee Members (Action) | Bill |
| B. Schedule of Events (Information) | Bill |
| C. Preview of Proposed Revisions from prior years (Information) | Bill |
| X. Reports | |
| A. Staff Report and Correspondence for Action - Pg. 21 | Matt |
| B. Board Members' Comments and Reports | All |
| XI: Forest-Watershed – Update on “Least Managed Path” (Information) | Bill |
| XII. April Meeting | Bill |
| XIII. Public Comments | Bill |
| XIV. Adjournment | |

Arch Cape Domestic Water District Board Meeting Minutes

February 15, 2024

Pursuant to notice posted, a regular meeting of the Board of Directors was held via Zoom Arch Cape Fire Hall in Arch Cape, Oregon.

Present: Bill Campbell, Chair, Directors: Bob Cerelli, Chris Mastrandrea [Excused], Tevis Dooley, Sam Garrison; Staff: Matt Gardner, District Manager and Teri Fladstol, Administrative Assistant. Public: Joe Sherman, J Bettis, John Mersereau

Call to Order at 6:47 pm by Bill Campbell

Conflict of Interest Declarations: None

Public Comments: None

Agenda Approval: Motion made by Bob Cerelli to accept agenda as presented; Second by Sam Garrison; Motion Carried.

Accept January Minutes: Motion made by Tevis Dooley to accept minutes as presented; Second by Sam Garrison; Motion Carried.

Financial & Administrative Reporting: Formatting of reports is continuing; A more final format is expected by March. No questions or comments. Forest Accounting Worksheet was reviewed denoting details of January transactions.

Treasurer's Report: Reconciliation was done.

Audits Update & Implementing Board: Tom Mattia has been on this with the auditors and has gotten the FY 2022 done in draft form, that includes the ARPA required federal audit, and we are ready to look at those drafts now. We will sign the necessary documents to keep things moving forward.

Amend Polices & Rules (Action):

Personnel Policy amendment for 1) OR Victim of Bias law that took effect on January 1, 2024, 2) Time record keeping, and 3) Bereavement policy.

Public Hearing on Personnel Policies Opened 6:55 / Closed with no comments 6:56.

Motion from Board to accept recommended amendments to Personnel Policies & Procedures #14-02WD by Tevis Dooley; Second by Bob Cerelli; Discussion and clarification to the policy was reviewed in the Board Packet, with 'strike-out' being the items removed; red print being the items added. Motion Carried.

Call to order a joint meeting of the District Board of Directors and Local Contract Review Board at 7:00 pm.

Public Hearing regarding Resolution #24-0216 WD opened at 7:01 / closed at 7:02.

Sam Garrison moved to adopt Resolution #24-0216 WD on behalf of Arch Cape Domestic Water Supply District and on behalf of the District's Local Contract Review Board. Second by Bob Cerelli; Motion Carried

Adjournment of the joint meeting at 7:05 pm

Upcoming Events in March: March 2nd Community Forum, Calendar of events reviewed.

Budget Committee members – Mike Wodtke [non-voting resident]; Chris Anderson to replace [Darr Tindall will visit with Chris to confirm].

Staff Report & Correspondence for Action:

Matt Gardner asked for questions on the Staff Report – no further comments.

Tevis: Received email from Richard Gibson stating that they are not going to pursue the interconnect at this point due to no funding.

Bob: None

Sam: None

Bill: Community Forum via Zoom was well received. Appears to be an understanding of how the District got to where we are and the direction the District is headed. Tevis stated there were new people in the meeting, which was nice and there was a general consensus leaning toward the use of a local option levy to allow the community to decide how the on-going operations costs of the Forest-Watershed will be paid. Matt mentioned that most participants engaged and asked a lot of questions, clarified issues – it was a great session. Next Community Forum is March 2nd, 10:00 am at the Firehall.

The contract with Vincent Brothers Construction to do the roadwork have been finalized. They will like start the work soon and it is expected to be done over a two-year period with an end date of August 2026 at the latest. This includes road maintenance and decommissioning.

Mark Morgan is now under contract as the Consulting Forester and will be taking Ben Hayes' place.

Adopt Governance Section of Multi-Resource Management Plan, Public Comment open related to the amended governance section; there being no comments, Tevis Dooley motioned to adopt the proposed amendment to replace the Governance section of the Multi-Resource Resource Management Plan. Second by Sam Garrison. Motion carried.

March Meeting:

Community Forum on March 2nd and we will discuss exploring local option levy for November ballot.

Other Items

Public Comments: None

There being no further business, Motion by Sam Garrison to adjourn the meeting. Second by Bob Cerelli, Motion Carried. Meeting adjourned at 7:17 pm.

Respectfully Submitted

Attest:

Teri Fladstol, Secretary



Bill Campbell, President

Arch Cape Domestic Water District
Board Meeting Minutes
February 27, 2024

Pursuant to notice posted, a special meeting of the Water District Board of Directors, in conjunction with the Sanitary District Board of Directors was held via Zoom

Present: Bill Campbell, Chair, Directors: Bob Cerelli, Chris Mastrandrea, Tevis Dooley, Sam Garrison
Call to Order at 5:30 pm by Bill Campbell

Public Comments: None

Executive Session: The Board considered information or records that are exempt by law from public inspection under ORS 192.660(2)(f).

Open Session: The Board agreed to table adoption of policy revisions to the District's on-call policy until the next regular board meeting.

The Board deliberated and motioned to offer payment for on-call time to the current and former District Operators. Tevis Dooley motioned to offer payment of \$1,148.13 plus appropriate contributions to PERS to the current District Operator and to offer payment of \$41,471.47 plus appropriate contributions to PERS to the former operator, who is currently employed as the District Manager. The motion was seconded by Bob Cerelli. Bill, Chris, Tevis and Bob were all in favor of the motion. Sam Garrison had left before the vote. The motion passed

The meeting was adjourned at 7:02 PM

Respectfully Submitted

Attest:

Matt Mainsheimer, District's Attorney

Bill Campbell, President

ARCH CAPE DOMESTIC WATER DISTRICT - BUDGET VS ACTUAL GENERAL FUND
FISCAL YEAR July 1, 23 to June 30, 24

RESOURCES							
	Budget	1st Qtr	2nd Qtr	Jan-24	Feb-24	Spent	% Left
Beginning Balance	\$ 105,837	\$105,837	\$105,837	\$105,837	\$105,837	\$105,837	
REVENUE							
Base Rate Meter Sales	\$ 201,703	\$ 56,794	\$ 48,910	\$ 28,887	\$ 3,559	138,150	68%
Overage/Excess Usage	\$ 17,000	\$ 7,148	\$ 7,981	\$ 1,330	\$ 123	16,581	98%
Debt Service	\$ 20,740	\$ 5,270	\$ 4,732	\$ 2,668	\$ 336	13,006	63%
IGA Income (Sanitary District)	\$ 157,500	\$ 9,106	\$ 45,962		\$ 19,075	74,143	47%
Meter Hook-Up Fee	\$ 1,400	\$ 1,400			\$ 700	2,100	150%
Cannon View Park Services	\$ 800	\$ 1,313				1,313	164%
Miscellaneous Income	\$ -		\$ 4,851			4,851	
LGIP - Interest	\$ 1,000	\$ 2,645	\$ 3,080	\$ 854		6,580	658%
TOTAL REVENUE	\$ 400,143	\$ 83,677	\$115,516	\$ 33,737	\$ 23,793	\$256,723	
TOTAL RESOURCES	\$ 505,980	\$189,514	\$221,353	\$139,574	\$129,630	\$362,560	
REQUIREMENTS							
EXPENDITURES							
MATERIALS & SERVICES							
Wage - District Manager	\$ 80,000	\$ 20,000	\$ 20,000	\$ 6,667	\$ 6,667	53,334	67%
Wages - Operator	\$ 55,000	\$ 12,813	\$ 13,016	\$ 4,645	\$ 4,140	34,613	63%
Employer Payroll Taxes	\$ 12,500	\$ 3,075	\$ 2,823	\$ 1,048	\$ 951	7,897	63%
PERS Retirement	\$ 35,250	\$ 2,087	\$ 1,793	\$ 1,753	\$ 2,337	7,970	23%
Medical Insurance	\$ 40,000	\$ 2,355	\$ 3,206	\$ 523	\$ 684	6,767	17%
Worker's Compensation Insurance	\$ 3,400	\$ -	\$ (356)			(356)	
TOTAL PERSONNEL SERVICES	\$ 226,150	\$ 40,329	\$ 40,483	\$ 14,635	\$ 14,779	\$ 110,225	
Administrative Services	\$ 44,400	\$ 6,450	\$ 12,800	\$ 3,200	\$ 3,200	25,650	58%
Temporary Help	\$ 10,000	\$ 150				150	2%
Clothing Allowance	\$ 1,000	\$ -	\$ 156	\$ 248		404	40%
Education	\$ 2,700	\$ 414		\$ 361	\$ 688	1,463	54%
Travel	\$ 1,000	\$ 225			\$ 744	969	97%
Office Supplies	\$ 2,300	\$ 417	\$ 401	\$ 1,916	\$ 95	2,829	123%
Postage	\$ 2,500	\$ 27	\$ 844	\$ 344	\$ 27	1,242	50%
Vehicle	\$ 4,000	\$ 790	\$ 2,904	\$ 851	\$ 380	4,925	123%
TOTAL IGA	\$ 67,900	\$ 8,473	\$ 17,105	\$ 6,920	\$ 5,134	\$ 37,632	
TOTAL PERSONNEL SERVICES & IGA	\$ 294,050	\$ 48,803	\$ 57,587	\$ 21,555	\$ 19,913	\$ 147,858	

	Budget	1st Qtr	2nd Qtr	Jan-24	Feb-24	Spent	% Left
Facilities Use (Santiary)	\$ 3,750					-	
Payroll Administration Service	\$ 500	\$ 120	\$ 137	\$ 40	\$ 40	337	67%
Liability & Property Insurance	\$ 12,000		\$ 9	\$ 9,471		9,480	79%
Licenses	\$ 2,000					-	
Dues & Taxes	\$ 1,450	\$ 3,190	\$ (1,574)	\$ 567		2,184	151%
Professional Services	\$ 5,000					-	
Auditing Service	\$ 25,000					-	
Legal Services	\$ 9,500		\$ 400	\$ 750		1,150	12%
Notices	\$ 700	\$ 138				138	20%
Utilities	\$ 12,000	\$ 2,157	\$ 3,523	\$ 656	\$ 743	7,078	59%
Maintenance	65,000	\$ 6,163	\$ 11,262	\$ 3,791	\$ 2,300	23,517	36%
Chemicals	\$ 6,500	\$ 3,467			\$ 2,279	5,746	88%
TOTAL MATERIALS & SERVICES	\$ 143,400	\$ 15,234	\$ 13,757	\$ 15,276	\$ 5,362	\$ 49,629	
DEBT SERVICE & SURCHARGES							
Debt Serv-IFA Water Plant Upgrade [P]	\$ 17,023		\$ 17,194			17,194	101%
Debt Serv-IFA Water Plant Upgrade [I]	\$ 3,749		\$ 3,578			3,578	95%
TOTAL DEBT SERVICE	\$ 20,772	\$ -	\$ 20,772	\$ -	\$ -	\$ 20,772	
TOTAL EXPENDITURES	\$ 458,222	\$ 64,037	\$ 92,116	\$ 36,830	\$ 25,275	\$ 218,258	
CONTINGENCY & UNAPPROPRIATED BALANCE							
Meter Replacement	\$ -						
Access Road to WWTP	\$ 2,000	\$ -	\$ -	\$ -	\$ -		
Contingency	\$ 62,843						
Unappropriated Balance	\$ 3,416						
TOTAL CONTINGENCY & UNAPPROPRIATED BALANCE	\$ 68,259	\$ -	\$ -	\$ -	\$ -		
TOTAL REQUIREMENTS:	\$526,481	\$0	\$0	\$0	\$0		
CAPITAL FUND							
	Budget	1st Qtr	2nd Qtr	Jan-24	Feb-24	Spent	% Left
RESOURCES							
Beginning Balance	\$75,828	\$75,828	\$75,828	\$75,828	\$75,828	75,828	100%
REVENUE							
SDC Revenue	\$13,163	\$12,971			\$6,582	\$19,553	149%
TOTAL REVENUE	\$13,163	\$12,971	\$0	\$0	\$6,582	\$19,553	
TOTAL RESOURCES	\$88,991	\$88,799	\$75,828	\$75,828	\$82,410	\$95,381	93%

REQUIREMENTS							
	Budget	1st Qtr	2nd Qtr	Jan-24	Feb-24	Spent	% Left
EXPENDITURES							
Webb Lift Station							
TOTAL EXPENDITURES		0	0	0	0		
CONTINGENCY & UNAPPROPRIATED BALANCE							
Contingency	\$88,990						
Unappropriated Balance	\$0						
TOTAL CONTINGENCY & UNAPPROPRIATED BALANCE	\$ 88,990						
TOTAL REQUIREMENTS:	\$88,990	\$0	\$0	\$0	\$0		

FOREST (WATERSHED) FUND							
	Budget	1st Qtr	2nd Qtr	Jan-24	Feb-24	Spent	% Left
RESOURCES							
Beginning Balance	\$409,103					409,103	
REVENUE							
Business OR - ARPA	\$776,626	219,574	112,957	33,568		366,099	47%
Safe Drinking Water (U22010)	\$30,000						0%
Hollis Foundation							
Private Donations		800	625	20,300		21,725	
LGIP - Interest	\$14,625	2,069	3,225	1,530	1,422	8,247	56%
TOTAL REVENUE	\$ 821,251	\$ 222,443	\$ 116,807	\$ 55,398	\$ 1,422	\$ 396,071	48%
TOTAL RESOURCES	\$1,230,354	\$222,443	\$116,807	\$55,398	\$1,422	\$805,174	

REQUIREMENTS							
EXPENDITURES							
Audit							
ODF Fire Protection	\$2,335						
Legal Fees			\$ 2,430	\$ 990	\$ 240	3,660	
Project Management Services	\$98,969	\$ 27,533	\$ 6,125			33,658	34%
Project Management - District Staff						-	
Forestry Services	\$48,258	\$ 28,699	\$ 22,480	\$ 20,647		71,825	149%
Finance Management		\$ 1,000	\$ 2,000	\$ 500	\$ 500	4,000	
Hollis Foundation						-	
Construction	\$638,899	\$ 40,845	\$ 43,432			84,277	13%
Land Maintenance Repair		\$ 32,924	\$ 12,148			45,072	
TOTAL EXPENDITURES	\$ 788,461	\$ 131,001	\$ 88,614	\$ 22,137	\$ 740	\$ 242,492	0%

ARCH CAPE FOREST-WATERSHED ACCOUNTING WORKSHEET				
ARPA Activity	Approved Budget	Through Disbursement DR9	Current Request (DR10)	Remaining
Project Mgmt	\$ 94,119	\$ (53,554)	\$ (33,578)	\$ 6,988
Finance Mgmt	\$ 28,400	\$ (9,000)	\$ (1,000)	\$ 18,400
Construction	\$ 650,329	\$ (75,329)		\$ 575,000
Legal Fees	\$ 12,430	\$ (2,430)	\$ (990)	\$ 9,010
Forestry Consultant	\$ 182,431	\$ (97,431)	\$ (2,118)	\$ 82,882
Land Acquisition	\$ 940,000	\$ (940,000)		\$ -
Land Maint + Repair (PCT)	\$ 86,441	\$ (86,441)		\$ -
Conservation Planning	\$ 5,850	\$ (5,850)	\$ -	\$ -
Total	\$ 2,000,000	\$ (1,270,035)	\$ (37,686)	\$ 692,280
Clean Drinking Water Activity				
Clean Drinking Water Activity	Approved Budget	Disbursements	Current Request	Remaining
Rock in DWSA	\$ 30,000.00			\$ 30,000.00
Hollis Activity				
Hollis Activity	Approved Budget	Disbursements	Current Request	Remaining
	\$ 90,000.00	\$ (12,148)		\$ 77,852.25
Fund Activity				
Fund Activity	FY Budget	YTD Disbursements		Remaining
ODF Patrol Fee Assessment	\$ 2,335	\$ (2,550)		\$ (215)
Property Management	\$ -	\$ (76)		\$ (76)
Legal	\$ -	\$ (400)		\$ (400)
Audit	\$ 10,000			\$ 10,000
Local Option Levy				\$ -
Admin				\$ -
Materials / Supplies	\$ -	\$ (164)		\$ (164)
Total	\$ 12,335	\$ (3,190)		\$ 9,145
Itemized Expenses				
Jigsaw - January & February	ARPA #10	\$ (1,000.00)		
Springboard - January	ARPA #10	\$ (20,646.75)		
Legal	ARPA #10	\$ (990.00)		
Springboard - Feb	ARPA #10	\$ (12,931.09)		
Morgans - February	ARPA #10	\$ (2,117.88)		
TOTAL		\$ (37,685.72)		

Type	Num	Date	Name	Account	Paid Amount
Check	EFT	2/14/2024	Sure Payroll	01-5001 · Payroll Wages	-5792.54
Check	EFT	2/28/2024	Sure Payroll	01-5001 · Payroll Wages	-5446.22
Check	EFT	2/12/2024	Oregon PERS	01-5004 · PERS Retirement	-2337.32
Check	2200	2/7/2024	SDIS	01-5005 · Medical Insurance	-54.85
Check	EFT	2/29/2024	MODA Health	01-5005 · Medical Insurance	-629.18
Check	2212	2/29/2024	Jigsaw Consulting Services	01-6001 · Administrative Services	-3200
Check	EFT	2/1/2024	OAWU	01-6004 · Education	-390
Check	EFT	2/24/2024	CCC Enrollments	01-6004 · Education	-298
Check	EFT	2/1/2024	Sunriver	01-6005 · Travel	-159.99
Check	EFT	2/13/2024	Sunriver Resort	01-6005 · Travel	-584.37
Check	EFT	2/17/2024	Amazon.com	01-6006 · Office Supplies	-94.88
Check	EFT	2/23/2024	USPS	01-6007 · Postage	-27.2
Check	2204	2/7/2024	Jackson Oil	01-6008 · Vehicle	-772.8
Check	EFT	2/12/2024	Sure Payroll	01-6102 · Payroll Administration Service	-39.99
Check	2202	2/7/2024	Pacific Power	01-6110 · Utilities	-405.25
Check	2205	2/7/2024	CenturyLink	01-6110 · Utilities	-162.2
Check	2207	2/15/2024	Pacific Power	01-6110 · Utilities	-76.73
Check	2209	2/22/2024	AT&T Mobility	01-6110 · Utilities	-98.36
Check	EFT	2/2/2024	Starlink	01-6200 · Maintenance	-769
Check	2203	2/7/2024	USA BlueBook	01-6200 · Maintenance	-187.46
Check	EFT	2/24/2024	Starlink	01-6200 · Maintenance	-120
Check	EFT	2/27/2024	Starlink	01-6200 · Maintenance	-17.77
Check	2210	2/29/2024	USA BlueBook	01-6200 · Maintenance	-255.33
Check	2211	2/29/2024	H.D. Fowler	01-6200 · Maintenance	-396.65
Check	EFT	2/29/2024	CS&S	01-6200 · Maintenance	-790
Check	2208	2/15/2024	Cascade Columbia Distribution	01-6201 · Chemicals	-2279.06
Check	2213	2/29/2024	Jigsaw Consulting Services	03-7800 · Business OR - ARPA	-500
Check	2206	2/15/2024	Blair Henningsgarrad Attorney at Law	03-7805 · Legal Fees	-240

On-Call - Topic Description
March 21, 2024

Action / Information: Action

Background

The Districts have had an on-call policy where a District staff member is expected to be on-call to respond to emergency alarms and other after-hours issues. While employees were compensated for time responding to calls, they were not compensated for time waiting for such calls.

The District intends to formalize an on-call policy and to compensate employees for previous time spent in on-call status waiting for calls.

Attached: Proposed On-Call Policy, Resolution, Settlement Agreements

Board Objective - Action

Proposed Motion 1:

That Resolution 24-03 WD be approved which adopts the proposed On-Call Policy and develop an On-Call Escalation Policy within 45 days to address situations where the District Operator is unable to respond to a call.

Proposed Motion 2:

That the Arch Cape Sanitary and Water District pay the District Manager, Matt Gardner, \$41,471.47 plus appropriate PERS contributions from the Districts' reserve funds in exchange for a settlement and release of claims for on-call time while the District Manager was employed as the District Operator.

Proposed Motion 3:

That the Arch Cape Sanitary and Water District pay the District Operator, Logan Alexander, \$1,148.13 plus appropriate PERS contributions from the Districts' reserve funds in exchange for a settlement and release of claims for on-call time from his start date through the present.

Proposed Motion 4:

That Payment for back pay and legal expenses will be split 50% - 50% between the Districts.

Arch Cape Water District and Sanitary District – On Call Policy

On call duty is necessary to meet the needs of the District residents as issues with the water and sanitary system can arise outside of ordinary work hours. Accordingly, the Districts have adopted the following on-call policy.

General Terms – On-call duties will be traded between the District Manager and the District Operator, with the expectation that each will take six months' on-call duty per year. The District Manager shall be responsible for scheduling on-call duty in consultation with the District Operator, with the intent that the On-Call person will be available and willing to respond to calls during their on-call duty. The expectation is that on-call duty will be shared equally. The employee who is on call will be considered in on-call duty status for all hours outside of their ordinary work hours.

The District Manager's Duties – During the District Manager's on-call duty, the District Manager must be: 1) available to respond to any situation as it arises and must respond to a call within 30 minutes, and 2) must remain physically and mentally capable of responding to a call. In other words, the District Manager may not be intoxicated or otherwise incapable of responding. During the District Operator's on-call status, the District Manager must cover for the District Operator when the District Operator cannot respond to a call. If the District Manager cannot respond to a call, the District Manager will follow the On-Call Escalation Procedure.

The District Operator's Duties – During the District Operator's on-call duty, the District Operator must be available to respond to any situation as it arises and must respond via phone to a call as soon as possible. If the call requires being on site, the District Operator is expected to be able to respond within 30 minutes. During the District Operator's on-call duty, the District Operator must remain physically and mentally capable of responding to a call. In other words, the District Operator may not be intoxicated or otherwise incapable of responding.

When serving on-call duty, the District Operator is expected to be able to contact and respond telephonically to the District Manager within 30 minutes of receiving any call. If the District Operator is unable to respond to a call or responds to a call and is unable to appropriately address it, the District Operator must immediately notify the District Manager, who will take responsibility for the call by either responding to the call or follow the On-Call Escalation Policy. The District Operator may not respond to a call if he or she is not physically and mentally capable of doing so, but must notify the District Manager of such. If the District Manager is unavailable, the District Operator must follow the on-call escalation policy. If the call requires two people to address, the District Operator shall inform the District Manager of the amount of time necessary to respond and shall respond to the call as quickly as possible.

On-Call Compensation:

District Manager: Because of the increased responsibility assumed by the District Manager, the District Manager will receive on-call compensation of 10% of base salary.

District Operator: The District Operator will be compensated for on-call duty at the rate of 5% of hourly rate for every hour they are on On-Call Duty. Any time spent by the District Operator responding on-site to a call, including travel time, will be paid at time and a half, for either two hours or the actual amount of time spent responding, whichever is greater.

RESOLUTION # 24-0321 WD

RESOLUTION OF THE BOARD OF DIRECTORS OF THE ARCH CAPE DOMESTIC WATER SUPPLY DISTRICT AMENDING RESOLUTION 14-02 WD TO ADD A PROVISION TO PERSONNEL POLICIES ESTABLISHING AN ON-CALL POLICY FOR DISTRICT EMPLOYEES

WHEREAS, The Arch Cape Domestic Water Supply District (the District) Board of Directors (the Board) has an adopted set of Personnel Policies as contained in Resolution # 14—02 and subsequent amendments; and

WHEREAS, the Board has determined it is proper to include an On-Call Policy in its Personnel Policies to provide a framework for reporting and compensation practices for employees when they are on call after regular duty hours; and

WHEREAS, an On-Call Policy has been drafted for Board consideration.

NOW THEREFORE, it is resolved as follows:

The Board adopts the On-Call Policy attached as Exhibit A, amending Resolution # 14-02, to be included in the District’s Personnel Policies in the section headed “PAYROLL, SCHEDULING, AND OVERTIME PRACTICES.”

DATED this _____ day of _____, 2024.

President, Board of Directors

ATTEST:

Secretary, Board of Directors

SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS

This Settlement Agreement and Release of Claims (“Agreement”) is entered into between Matt Gardner (“Gardner”) and Arch Cape Water and Sanitary Districts (the “Districts”) (collectively, the “Parties”). The Parties agree as follows:

AGREEMENT

In consideration of the promises set forth below, the Parties agree as follows:

- 1. Payment.** In total, the Districts will pay the gross amount of \$41,471.47 plus appropriate contributions to Gardner’s PERS, less applicable withholdings and deductions, for which the Districts will issue Gardner an IRS Form W-2, within ten (10) business days of the Effective Date of this Agreement.
- 2. No Fault.** By entering into this Agreement, no party admits any liability to the other, other than the liabilities arising directly from this Agreement.
- 3. Release of Claims.** In consideration for the payment described in Paragraph 1, Gardner expressly waives and releases all claims, whether known or unknown, against the Districts, their respective officers, directors, managers, employees, agents and other representatives, and their successors and assigns, for salary, wages, and other compensation and benefits payable for on-call time arising under any legal theory, including, but not limited to, tort, contract, federal, state, or other governmental statute, executive order, or ordinance. This Agreement does not waive or release any rights or claims that may arise after the date this Agreement is signed or that cannot legally be waived or released.
- 4. Entire Agreement.** This Agreement sets forth the entire agreement between Gardner and the Districts and supersedes all prior Agreements or understandings (whether or not in writing) pertaining to Gardner’s salary, wages, and other compensation and benefits payable for on-call time while he was employed as the District Operator.
- 5. Governing Law and Forum Selection.** The laws of Oregon shall govern this Agreement and the performance by the Parties of their respective obligations. Any suit, action, or proceeding arising out of or relating to this Agreement shall be brought in the Clatsop County Circuit Court.
- 6. Modification.** This Agreement may only be changed in writing signed by the Parties.
- 7. Signatures in Counterpart.** This Agreement may be executed in counterparts.

IN WITNESS WHEREOF, the Parties have executed this Agreement intending to be bound by

it:

The Arch Cape Sanitary District

Matt Gardner

Dated: _____

By: Casey Short, President

Dated: _____

The Arch Cape Water District

By: Bill Campbell, President

Dated: _____

SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS

This Settlement Agreement and Release of Claims (“Agreement”) is entered into between Logan Alexander (“Alexander”) and Arch Cape Water and Sanitary Districts (the “Districts”) (collectively, the “Parties”). The Parties agree as follows:

AGREEMENT

In consideration of the promises set forth below, the Parties agree as follows:

1. **Payment.** In total, the Districts will pay the gross amount of \$1,148.13 plus appropriate contributions to Alexander’s PERS, less applicable withholdings and deductions, for which the Districts will issue Alexander an IRS Form W-2, within ten (10) business days of the Effective Date of this Agreement.
2. **No Fault.** By entering into this Agreement, no party admits any liability to the other, other than the liabilities arising directly from this Agreement.
3. **Release of Claims.** In consideration for the payment described in Paragraph 1, Alexander expressly waives and releases all claims, whether known or unknown, against the Districts, their respective officers, directors, managers, employees, agents and other representatives, and their successors and assigns, for salary, wages, and other compensation and benefits payable for on-call time arising under any legal theory, including, but not limited to, tort, contract, federal, state, or other governmental statute, executive order, or ordinance. This Agreement does not waive or release any rights or claims that may arise after the date this Agreement is signed or that cannot legally be waived or released.
4. **Entire Agreement.** This Agreement sets forth the entire agreement between Alexander and the Districts and supersedes all prior Agreements or understandings (whether or not in writing) pertaining to Alexander’s salary, wages, and other compensation and benefits payable for on-call time while he was employed as the District Operator.
5. **Governing Law and Forum Selection.** The laws of Oregon shall govern this Agreement and the performance by the Parties of their respective obligations. Any suit, action, or proceeding arising out of or relating to this Agreement shall be brought in the Clatsop County Circuit Court.
6. **Modification.** This Agreement may only be changed in writing signed by the Parties.
7. **Signatures in Counterpart.** This Agreement may be executed in counterparts.

IN WITNESS WHEREOF, the Parties have executed this Agreement intending to be bound by

it:

The Arch Cape Sanitary District

Logan Alexander

Dated: _____

By: Casey Short, President

Dated: _____

The Arch Cape Water District

By: Bill Campbell, President

Dated: _____

Budget - Topic Description
March 21, 2024

Action / Information: Action & Information

A. Appoint Budget Committee Members (Action)

Board	Community	Term
1. Bill Campbell		
2. Tevis Dooley III		
3. Chris Mastrandrea		
4. Bob Cerelli		
5. Sam Garrison		
	1. Mike Wodtke	2023-2025
	2. Dale Mosby	2023-2025
	3. Lauren Ahlgren	2022-2024
	4. Joe Sherman	2022-2024
	5. Jeff Slemaker	2024-2026

Board Objective - Action

Proposed Motion:

That

- Dale Mosby be appointed to fill the vacant position with the term ending in 2025
- Joe Sherman be appointed to fill the vacant position with the term ending this year in 2024
- Jeff Slemaker be appointed to fill the open 3-year position that ends in 2026

B. Schedule of Events (Information)

Month	Day / Time	Event	Focus / Intent
March	March 21st	Board Meeting	Determine intent to put a local option levy on November 2024 Ballot
	March 26 th 4:00 Zoom	Budget Meeting In person with Zoom	1 st meeting - District Manager presents budget and first round of discussion
April	April 18 th 4:00 Zoom	Budget Meeting In person with Zoom	2 nd meeting – Refinement of Budget
	April 18 th	Board Meeting	Distribute forms for District Manager Performance Evaluation
May	May 1 st 4:00 Zoom	Joint Personnel Committee	Executive Session: Performance Evaluation and Merit Increase Recommendation of District Manager; Recommend COLA Amount for Both Staff.

Month	Day / Time	Event	Focus / Intent
	May 9 th 4:00 Zoom	Budget Meeting In person with Zoom	3 rd Meeting – Final refinement and approval of Budget
	May 16 th	Board Meeting	Approve Budget

C. Preview of Proposed Revisions from prior years (Information)

The below are budget items that Matt is including in the proposed budget for discussion and deliberation by the Budget Committee. The objective of discussion at this Board meeting is to give the Board a heads-up and to provide any background / clarifying information.

1. Forest – Watershed Budget:

- A placeholder has been added to the budget for cell-tower income in case there is a decision to allow that to happen in FY2025. Having such a placeholder does not commit the District in any way.

2. Utilities – Operating Budget

a. Expense:

Additional monies have been added to the budget to cover staffing resources (whether W2, 1099 or IGA) to augment Matt & Logan to undertake projects that may be recommended by the budget committee.

b. Revenue:

- A placeholder has been added to the budget for sale of surplus water income in case there is a decision to allow that to happen in FY2025. Having such a placeholder does not commit the District in any way.
- An increase in usage fees has been added to the budget to pay for the addition staffing resources.

3. Recommendation to move to actual usage-based fee to augment rates.

<<See Attached>>

Analysis, Findings & Recommendation
to change from “Excess-Usage Tier” Pricing to “Usage-Level” Pricing

Analysis

- The methodology that was used for determining and proposing usage-level pricing was analysis of 18 months of UBmax historical data for 321 properties with a water hook-up in the Arch Cape Water District
- The 12 months comparison was based on the actual water usage by 293 properties, that used at least 1000 gallons total, over the last 12 months.

Note: One property has 2 meters and 28 properties didn't have usage of at least 1000 gallons total

Findings

- The Current “excess usage tier system” was adopted in 2011 and has never been adjusted even though expenditures required for plant, equipment and staff continued to increase. Billing from tier calculations are complicated and require explanation.
- *Excess* is “an amount of something that is more than necessary, permitted, or desirable”. In Arch Cape, using over 5000 gallons per month has become the norm. 136 / 293 properties have exceeded the 5000 gallons per month level and 45 of them do so regularly. 19 properties use 20% of the water.

Recommendation

1. Bring pricing current – last update was 14 years ago. a) To keep up with expenditures, adopt usage-level pricing as proposed below. b) To meet budget shortfalls increase the prices at some or all levels, considering that some high volume usage costs are being passed on to non-arch cape residents. c) If a District principle is to encourage water conservation, the pricing by usage level could be set even higher.
2. To use this pricing model for FY2025, a decision will need to be made in time to allow 30 days for a public comment period and to have vendor implement billing changes.
3. Annually, review rates and usage levels as part of budget process (as does Portland) and adjust as needed.

AVERAGE PRICE PER GALLON USED

Analysis of Arch Cape Usage	Arch Cape – Current Last 12 months’ rates + current “excess usage” tier prices	Arch Cape – Minimum Proposed Rate = \$167 / quarter + “usage-level” prices	Portland – for Comparison Rate = \$ 169 / quarter + usage-based prices
1 property uses over 1.8% of the water	.9 cent	1.8 cents	2.0 cents
8 properties use over 10.5% of the water	1.2 cents Range: .7 – 2.3 cents	2.0 cents Range: 1.3 – 3.4 cents	1.8 cents Range: 1.6 – 2 cents
19 properties use over 20% of the water	1.2 cents Range: 1.1 – 2.5 cents	2.0 cents Range: 1.2 – 8.1 cents	1.9 cents Range: 1.6 – 2.1 cents
45 properties have exceeded 5000 / gallons per months for more than 3 months. (They use 37% of the water.)	1.4 cents Range: .9 – 4.4 cents	1.9 cents Range: 1.2 – 8.1 cents	2.2 cents Range: 1.6 – 2.9 cents
91 properties have exceeded 5000 gallons per month for 1-3 months (They use 38 % of the water)	2.5 cents Range: 1.4 – 6.2 cents	2.7 cents Range: 1.4 – 8.4 cents	3.3 cents Range: 2.4 – 7.2 cents
157 properties have never exceeded 5000 for any month (They use 24 % of the water)	1.1 cents Range: 1.2 cents - \$39	1.1 cents Range: 1.2 cents - \$39	1.2 cents Range: 2.4 – 6 cents
REVENUE	\$ 224, 585	\$ 249,717	\$297, 610

Proposed: Usage-Level Prices

Actual gallons used per month over - 5,000	Price per gallon used
5001- 5,500	1.5 cents
5001- 8,000	3 cents
5501- 12,000	4 cents
5001- 16,000	5 cents
5001- 25,000	7 cents
5001- 100,000	18 cents

Current Excess-Usage Tier Prices**Excess usage charges apply after 5,000 gallons per month:**

	Usage	Price per 100 gallons
Tier 1	5,001 - 8,000 gallons	\$ 0.25
Tier 2	8,001 - 12,000 gallons	\$ 0.75
Tier 3	12,001 - 16,000 gallons	\$ 5.00
Tier 4	16,001 - 25,000 gallons	\$ 9.00
Tier 5	25,000 gallons and up	\$15.00

March 2024 Staff Report

Major Accomplishments:

1. Deep physical cleaning of membrane bio reactor 2. Multi agency and contractor participation to complete this large and complex project successfully and safely. We were able to successfully remove 4000 gallons of built-up sludge and sand from the bottom of the unit that impedes aeration and treatment. The basin is performing with great improvement post this exercise. Thank you to all involved.
2. Attended annual Oregon Association of Water Utilities continuing education training in Sunriver Oregon. Classes were beneficial and I earned enough credits required to maintain my state certifications to operate the plants.
3. An abundance of time was spent with Casey Short after hours and on weekends continuing to build the upcoming water and wastewater budgets. Casey and I spent considerable time and effort to really make the most out of the rate payer dollars and project needs. You will see significant changes and updates this year. Remind you all that this is in addition to the investment in time Casey is putting into me to teach me how to properly write municipal budgets. This is a lot.
4. STARLINK – has been successfully installed at the water plant. Thank you, Bob Cerelli, for donating a late Friday and Saturday to install the hardware portion of the unit onto and into the water plant. We are 100% operational and have far superior internet service, speed, and reliability and at a lower monthly cost than Century Link has ever provided.
5. The project to re-light the entire wastewater facilities outside grounds has been completed! We have lights and what a difference it makes. This was paid for with a 50% matching grant and we also upgraded to all LED and automatic sensors that turn the lights on and off as daylight and darkness set in.
6. 5 support beams that were rotted and are responsible for holding up the overhang canopy outside the water plant building have been replaced. Sean Lounsbury, a local contractor, did an amazing job.
7. Tevis finished the rot repair / replacement project on the sanitary buildings siding. Tevis replaced the rotted sections and improved areas of weakness that water was penetrating. Thank you to Tevis for a very quality job done.