

ARCH CAPE SANITARY DISTRICT DRAFT MINUTES

17 February 2017

A quorum was present.

Sanitary Board: Darr Tindall, President
Ron Schiffman, Vice-President
Debra Birkby, Treasurer
Virginia Birkby
Casey Short

Water Board: Dan Seifer (non-voting)

Public: David Stockton

Staff: Phil Chick, District Manager
Steve Hill, Secretary

Ms. Darr Tindall called the meeting to order at 6:00 pm.

Public Comment: It was mentioned that the road adjacent to the newly developed property on Cedar needed to be repaved. Road repair was indicated as being a condition of the county in issuing a building permit.

It was stated that the Ecotrust property management plan would need to be completed prior to any timber harvesting.

Agenda: Banking and Savings Account Practices to be added to new business. Ms. Debra Birkby moved acceptance of the agenda as amended which was seconded by Mr. Short. All in favor (AIF).

Consent Agenda: Pull the minutes. Mr. Short moved adoption of the consent agenda as amended which was seconded by Ms. Debra Birkby. AIF.

January 20, 2017 Minutes: Delete one 'i' in the typo error of Mr. Dan Seifer's name in the attending section and add 'Forest Management' just following the listing of Ms. Amrita Vatsal of Ecotrust in the same section.

Ms. Virginia Birkby moved acceptance of the January 20th minutes as amended which was seconded by Ms. Debra Birkby. AIF.

Old Business:

Audit Review – Sanitary District : Mr. Short reported that items he had previously noted as communicated to Patrick Carney had been corrected.

Board Member Duties and Responsibilities: Discussion of the draft policy (attached) took place for further revision and subsequent review at the next meeting. Mr. Seifer will gather suggested revisions by directors and issue a revised draft. No action taken by the Board.

Budget Schedule: Ms. Virginia Birkby moved for the adoption of the proposed budget timeline (attached) which was seconded by Ms. Debra Birkby. AIF.

Sanitary Excess Usage Charges Policy: Discussion of the excess usage study and preliminary top user analysis (attached) provided by Mr. Hill took place. Mr. Chick provided additional information on Waste Water Treatment Plant influent totals from 2009 – 2016 (attached) to the Board. ~~No Board action taken.~~

The Board determined to take no further action.

Irrigation and Dwelling Leak Policy – Related Charges and Policy Revision Recommendation: Not applicable to the Sanitary District with discussion and possible action deferred to the Water District meeting.

New Business:

Elections: Mr. Chick reported that Ms. Tindall, Ms. Virginia Birkby and Mr. Schiffman were up for re-election this June 30th for the Sanitary District and Ms. Virginia Birkby and Ms. Debra Birkby for the Water District. He indicated he held packets for each candidate and the last day to file was March 16th.

Banking and Savings Account Practices: Ms. Debra Birkby presented a position paper (attached) for a bank and savings accounts administrative policy. Ms. Debra Birkby and Mr. Hill are to provide a draft for consideration.

Reports:

Accounts Receivable: Account receivables were reported to be all performing accounts except for two.

District Manager’s Report: (attached)

Treasurer’s Report: The Columbia Bank checking account balance at month end was reported to be \$88,297 and the LGIP balance to be \$258K. Accounts for December and January are balanced.

Board Comments: Mr. Schiffman expressed his appreciation for the comments that the District Manager submitted to Oregon DEQ for the District's draft NPDES permit renewal, some of which relate to savings for the Sanitary District.

March Agenda Items: Board members responsibilities, Banking policy draft, Budget Committee Members Appointment, I & I discussion with Mr. Chick to provide input during the budget process.

Public Comment: The difference between 9M gallons of water delivered versus an approximate 45M gallons of waste water treated was commented upon and what could be done to narrow this gap.

The meeting was adjourned by Ms. Tindall at 8:02 pm.

Respectfully submitted,



Steve Hill

Attest 
Ms. Darr Tindall, President

BOARD OF DIRECTORS POLICIES

Qualifications

No person elected or appointed to the board shall be sworn in unless such person meets the qualifications for office set forth by law. No person shall be eligible to be a board member who is not at the time of election or appointment a resident or property owner in the district. If questions exist regarding the eligibility of any candidate, the board shall obtain an opinion from legal counsel prior to swearing in such person.

Oath of Office

Each newly elected or appointed board member shall take an oath of office at a board meeting prior to assuming the duties of the position.

Vacancies

Vacancies on the board shall be filled by appointment by a majority of the remaining members of the board. If a majority of the membership of the board is vacant, or if a majority cannot agree, the vacancies shall be filled promptly by the Circuit Court of Clatsop County. The period of service of a person appointed to fill a vacancy shall expire on June 30 after the next regular district election at which a successor is elected. The successor shall be elected to serve the remainder, if any, of the term of the position for which the appointment was made. If the term for which the appointment was made expires June 30 after election of the successor, the successor shall be elected to a full term. In either case, the successor shall take office July 1 following his or her election.

Meeting the Needs of the District

It is the policy of the board of directors to exercise those powers granted to it, and to carry out those duties assigned to it by law, in such a way as to best meet the needs of the district.

Formulation and Interpretation of District Policy

Board members only have the right and responsibility to participate in board meetings and vote on district matters as part of the board. The board shall establish policy, reserving to itself all authority and responsibility not directly assigned to other district officers and personnel.

Management and Communication between Board and Staff

The primary responsibility of the Board is to make policy level decisions for the district. Management of the daily operations and staff is the responsibility of the district manager. Unless otherwise authorized by a quorum of the board, no individual board member may direct or order a staff member on any matter that relates to the daily operations or administrative activities of the district. Moreover, unless otherwise authorized by the board, no individual board member may order, direct, or conduct any review of personnel records of any staff member or any other record that is exempt under Public Records Law.

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Deleted: <#>Positions and Terms (Does not apply to all districts, check your district's ORS for guidelines).¶ The board of directors of the district shall consist of [number] members serving [number] year [staggered] terms. No person shall be eligible to be a board member who is not at the time of election or appointment a resident or property owner in the district.

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¶ All board members shall [serve at large] [or] [be nominated and elected from sub-districts.]¶

Election of Board Members¶ The election of board members ... [1]

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Board Members Authorized By Official Board Action Only

Board members have no individual powers separate from the powers of the board and have no authority to act individually without delegation of authority from a quorum of the board. Likewise, no individual board member may speak for or on behalf of the board or district, except as authorized to do so by official board action as recorded in the official minutes or policies of the district.

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Ethical Standards

Board members act as representatives of the citizens of the district. Therefore, board members shall adhere to the highest ethical standards in the conduct of district business.

Board Member Education

In order to effectively carry out their duties, board members must be adequately informed. Members are encouraged to attend such conferences and other training programs as the board may authorize.

Board Responsibilities:

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SAMPLE BOARD RESPONSIBILITIES
POLICY¶
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Communications

- Develop regular channels of communication with board members and staff.
- Encourage participation of staff members on appropriate committees.
- Bring staff opinions and recommendations to the board, as well as board opinions and decisions to the staff.
- Invite non-board members, other local governments, and groups to board or committee meetings or other types of board sponsored assemblies to explore and develop approaches to common concerns.
- Recognize that certain information obtained at board meetings may be non-public and confidential making disclosure a breach of trust.
- Respect the opinion of other members and accept the principle of majority rule in board decisions.

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Financial

- Approve the annual budget.
- Monitor district finances and the budget, setting policy or taking action to ensure the fiscal integrity of the organization.

Policies, Objectives, and Plans

- Abide by and become familiar with all laws and policies governing the operation of the district.
- Approve strategic plans, plans of operations and plans of action.

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- Approve policies for the organization.
- Recognize that the district manager should have full administrative authority for properly discharging the duties of managing the operation within the limits of the established board policy.
- Develop and approve long-range plan of growth and development for the district.
- Approve specific important projects.
- Approve any significant departure from established plans or policy.
- Receive and pass on committee or other planning body recommendations.

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- Where applicable, bring other local governments or community groups into the planning and decision-making process.
- Approve contracts binding the district.
- Approve major changes in the district's organization or structure.

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- Pass district resolutions, or adopt ordinances.

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Management

- Select the district president and other officers.
- Hire the district manager.
- Define the duties and responsibilities for the president, district manager, officers, and major committee chairpersons [as set forth in policy.](#)
- Select legal counsel and consultants for the board.
- Approve contracts for professional services required by and for the board [and the district.](#)
- Authorize officers or board agents to enter into contracts or to sign other written instruments and to take financial actions.

- Approve the plan, form, and amount of management compensation, that is, salaries, bonuses, vacation, travel, and so on.
- Evaluate the performance of the district manager annually.
- Approve the form and amount of reimbursement for board members, [if any](#).
- Approve programs for management development.
- Provide advice and consultation to management on matters within the purview of the board's responsibilities.

Employee Relations

- Approve any employee benefit plans.
- Insist that personnel complaints go through a proper chain of command. If not resolved, only then should the board get involved.
- Approve contracts with and between any unions involved with the district.
- Do not allow personnel problems, other than problems with the district manager, to be brought into board considerations.

Control

- Identify types of information needed by the board to analyze effectively the district's directions and achievement. Create a process for collecting and analyzing information.
- Realize that the citizens within the boundaries of the district are the true "owners" of the district.
- Review and assess the organization's performance against objectives, resources, plans, policies, and services rendered.
- Analyze major "shortfalls" in achievement.
- Identify obstacles, sense changing needs, and propose new directions or goals.
- Ensure that the district is in compliance with all federal, state, and local laws.

Board of Directors

- Motivate board members to accept positions of leadership and responsibility.
- Appoint, change, or abolish committees of the board.
- Define powers and responsibilities of committees of the board.

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Recognize that an individual board member has no legal status to act for the entire board and may not make commitments on any matter that should come before the board as a whole.

- Realize that if a quorum of the board meets to make a decision or to deliberate, then the meeting is considered a public meeting and must comply with all of the requirements of the Oregon Public Meetings Laws.
- Discussions on matters of overall policy outside of regular board meetings can violate the open meetings law.

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Public Accountability

- Keep the public informed on all district matters.
- Make decisions based on the wishes and needs of the public.
- Spend the district's money with prudence and trust.
- Place the needs of the public above the ambitions of the board or the district.

Cooperation with Board Candidates

The board, through its staff, shall cooperate impartially with candidates for the board and provide them with information about board policies, administrative regulations, and other aspects of the operation of the district.

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Sample Board Member Orientation Policy¶
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Orienting New Board Members

The board and its staff shall assist each new member-elect and appointee to understand the board's functions, policies, and procedures before he/she takes office. The following methods shall be employed:

- New members shall be invited to attend and participate in public board meetings prior to being sworn in.
- The district manager shall provide material pertinent to district meetings and respond to questions regarding such material.
- New members shall be invited to meet with the district manager and other district personnel to discuss the services each performs for the district.
- The district manager shall make available to each new board member:
 - An updated copy of the district's policies and procedures.
 - A copy of the Attorney General's "Public Records and Meetings Manual."
 - Copies of the minutes of all board meetings, except for executive sessions, for the preceding twelve (12) months.

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- Copies of the district's last five (5) budgets.
- Copies of the district's insurance policies.
- Copies of all such documents as the attorney[s] for the district may recommend with respect to any pending claims or lawsuits.
- A list of all district personnel by position.
- Such other materials as the board may direct or the district manager deems appropriate.

Reimbursement Documentation

Board members incurring reimbursable expenses shall submit proper documentation of such expenses to the district manager or such other designee for reimbursement by the district.

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Board Member Compensation and Reimbursement¶

Pursuant to ORS 198.190, board members may receive daily compensation not to exceed \$50.00 for their services on the board. Such compensation shall be set by majority vote of the board. Board compensation will be reported and the appropriate taxes will be withheld. Board members shall also be reimbursed for their actual and reasonable travel and other expenses incurred in the performance of official district duties.¶

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Duties of the President¶

The president of the board shall preside at meetings of the board of directors. The president shall perform all of the duties prescribed by the Oregon Revised Statutes.¶

¶ The president shall consult with the clerk of the board regarding the preparation of each board meeting agenda.¶

¶ The president shall have the same right as other members of the board to discuss and to vote on questions before the board.¶

¶ The president may call special meetings of the board as described by the Oregon Public Meetings Law.¶

¶ The president of the board shall sign official district documents on behalf of the board when authorized to do so by a majority of the board.¶

Duties of the Vice-President¶

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Election of Board Members

The election of board members shall be conducted as provided by [the district's organic act] and ORS Chapter 255.

Term of Office – Starting Date

Except where the board or the [county court] [or] [county commission] is filling a vacancy on the board, terms of office shall start on [date].

SAMPLE POWERS AND DUTIES OF THE BOARD POLICY

The most important activity of the board in performing this responsibility is the formulation and interpretation of district policies. To this end, t

Any communications relative to district business must be directed to the board chair, who will then communicate the question, request or concern to the district manager.

Sample Board Officer Duties Policy

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The president of the board shall sign official district documents on behalf of the board when authorized to do so by a majority of the board.

Duties of the Vice-President

In the president's absence, or during any disability of the president, the vice-president shall have the powers and duties of the president of the board as prescribed by district policy. The vice-president shall have such other powers and duties as a majority of the board may from time to time determine.

Duties of the Secretary-Treasurer

The secretary-treasurer of the board shall cause accurate minutes of each board meeting to be taken, transcribed, and distributed to each board member in a timely manner for review prior to approval. The secretary-treasurer shall maintain properly authenticated official minutes in chronological order. Any of the foregoing responsibilities may be delegated to staff members under the supervision of the secretary-treasurer.

The secretary-treasurer of the board shall assure that accurate accounting and financial records are maintained by the district.

The secretary-treasurer shall annually review the district's financial audit with district personnel prior to submitting the audit to the balance of the board. The secretary-treasurer shall send copies of the audit to state or local agencies requiring its submission.

Duties of the Clerk

The clerk of the board shall be the district manger or such other person as may be designated by the board. The duties of the clerk of the board are:

Respond directly to routine correspondence.

Handle correspondence of special interest to the board as follows:

Draft replies in advance, when possible, for board consideration.

Seek instruction for reply when necessary.

Prepare correspondence as the board directs.

Prepare for board meetings.

Prepare the agenda with the advice of the president.

Maintain a calendar for the board's unfinished business.

Call to the board's attention legal requirements and those matters for which the district is responsible.

Draft policy motions at the request of any board member.

Board meeting duties:

Attend all board meetings or designate an alternate.

Make physical arrangements for board meetings.

Provide notice of board meetings in accordance with the Public Meetings Law.

Maintain and update the district's policy and procedure manual.

Proposed Budget Schedule for 2017-18 Budget Committee Meetings
Arch Cape Water and Sanitary Districts

Regular Board Meetings March 17th:

Appointment of Committee members
Determination of Terms

April 21 4pm: Budget Committee:

Election of Budget Officer
Appoint Budget Officer
Publishing of Budget Message
Review updated LRFP's
Review Proposed Budget & determine if the committee is likely to recommend rate changes

May 5th 4pm: Budget Committee:

Continue Budget review and development

May 5th 6pm: WD & SD Reg Mtgs

Hold a Public Hearing & Read into the record a Proposed Ordinance w/ rate changes
if the budget committee determines it is likely to recommend such changes to the Board

May 19th 4pm: Budget Committee:

Establish budget approval from budget committee.
Hold Budget Hearing and submit budget to District Boards at regular meeting.

May 19th 6pm: WD & SD Reg Mtgs

Boards hold Public Hearing for Budget appropriation, and approve budget by Board Resolution.
Hold a Public Hearing and enact a Proposed Ordinance w/ rate changes effective July 1, 2017 if
the Board determines such changes to be advisable.

ARCH CAPE SANITARY DISTRICT EXCESS USAGE CHARGES

February 15, 2017

I've been doing some work on the options for excess usage charges and want to summarize for the board what I'm finding out. The idea is to modify those charges to more closely reflect the impact of excess usage on the costs of operating the sewer system, or at least to have charges that encourage prudent use of water (and resulting wastewater treatment costs).

First, some numbers. In FY 2015-16 we budgeted \$24,000 in revenue from excess usage charges and received \$32,000. For the current fiscal year, we again budgeted \$24,000 and have so far received just under \$16,000. We don't have excess usage revenue data for prior years. For reference, if we eliminated excess usage charges that would translate to a 10% increase in rates, so we'd be looking at about \$236 per quarter next year based on this year's budget.

We've been discussing maintaining the first two tiers and adjusting anything above that. Those lower tier rates are \$0.25/100 gallons for the first 3,000 gallons above the 5,000 gallon base rate and \$0.75 for the next 4,000 gallons. We billed \$3,000 in the past four quarters for these first two tiers. The rates jump to \$5, \$9, and \$15 for the next three tiers.

You will see in the packet for this Friday's meeting a one-page sheet, "Leak Credit Policy Calculations" which calculates that the actual cost of treating 100 gallons is \$0.51 (this doesn't include debt service). This figure is less than the tier two rate and 10% of the current tier three rate. If we were to use this rate for tier three, or go to a two-tier rate of \$0.25 for tier one and \$0.51 above that, there would be a significant reduction in our revenue from excess usage charges which we'd have to make up with higher base rates.

Confused yet? Me too. One more pair of numbers to ponder: the Water District delivered 9 million gallons of water in 2015 while the Sanitary District treated 45 million gallons – five times the water that came through customers' meters. Where does it all come from?

I'm not advocating any particular resolution to this question, which we will be discussing on Friday. But I wanted to put some of the numbers out there for us to be able to look at while we're talking about it. See you Friday.

Casey

Arch Cape Water Sanitary Districts

Top 10 User Report : 2016 (Preliminary)

	Expense Actuals												Total 2016 Act
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
WD	18,897	11,166	12,481	71,823	18,346	26,990	22,812	18,606	28,779	16,760	39,857	26,967	\$ 313,486
SD	157,036	10,607	10,718	19,600	21,852	13,574	17,546	18,662	17,905	24,366	64,233	27,778	\$ 403,878

Total WD Accounts	286	Total WD\$ per Total 2016 Gallon Used	\$ 0.04
Total 2016 Metered Gallons	8.673M	Total SD\$ per Total 2016 Gallon Used	\$ 0.05

Average Gallons per Month : All WD Accounts	2,553	Qrtly Charge per 5,000 Gal Mthly Usage Account	
Number of Accounts w/ Ave Mthly Usage < 5,000 Gal	248	WD	\$ 542.17
Number of Accounts w/ Ave Mthly Usage < 2,000 Gal	152	SD	\$ 698.51
Number of Accounts w/ Ave Mthly Usage < 1,000 Gal	89	Qrtly Charge per 2,000 Gal Mthly Usage Account	

Top 10 Accounts or 3.5% of all accounts use 13.3% of district resources

WD	\$ 216.87
SD	\$ 279.40

2016 Gallons Metered Use		
1	180,550	2.1%
2	145,080	1.7%
3	122,650	1.4%
4	106,850	1.2%
5	104,880	1.2%
6	102,120	1.2%
7	101,440	1.2%
8	99,150	1.1%
9	97,160	1.1%
10	96,790	1.1%

Arch Cape Water & Sanitary Districts

Excess Usage Charges : Possible Billed vs. Actual Collected : 2016 (Revised)

Possible Billed	WD					SD						
	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5		
Jan - Mar Q1 2016	470.05	749.48	2,698.50	4,226.40	1,873.50	\$10,017.93	235.03	374.74	2,698.50	4,226.40	1,873.50	\$ 9,408.16
Apr - Jun Q2 2016	233.75	365.78	1,402.50	2,990.70	6,771.00	11,763.73	116.88	182.89	1,402.50	2,990.70	6,771.00	11,463.96
Jul - Sep Q3 2016	446.75	478.20	1,009.50	973.80	4,407.00	7,315.25	223.38	239.10	1,009.50	973.80	4,407.00	6,852.78
Oct - Dec Q4 2016	1,251.25	2,135.85	5,579.00	7,623.00	2,964.00	19,553.10	625.63	1,067.93	5,579.00	7,623.00	2,964.00	17,859.55
Total 2016	2,401.80	3,729.30	10,689.50	15,813.90	16,015.50	\$48,650.00	1,200.90	1,864.65	10,689.50	15,813.90	16,015.50	\$45,584.45

Actual Collected	Water						Sanitary					
	Jan	Feb	Mar	Apr	May	Jun	Jan	Feb	Mar	Apr	May	Jun
Jan - Jun 2016	2933.72	511.44	814.42	784.42	432.07	681.68	2777.38	133.96	611.95	531.11	58.24	895.21
			4259.58			1898.17			3523.29			1484.56
Jul - Dec 2016	718.6	473.95	3219.76	10427.35	2440.25	1903.98	131.10	122.08	2697.76	3916.17	5803.15	2251.75
			4412.31			14771.58			2950.94			11971.07

Water	Actual Collected	Possible Billed
Jan - Mar Q1 2016	\$ 4,259.58	\$ 10,017.93
Apr - Jun Q2 2016	1,898.17	11,763.73
Jul - Sep Q3 2016	4,412.31	7,315.25
Oct - Dec Q4 2016	14,771.58	19,553.10
Total 2016	\$ 25,341.64	\$ 48,650.00

Sanitary	Actual Collected	Possible Billed
Jan - Mar Q1 2016	\$ 3,523.29	\$ 9,408.16
Apr - Jun Q2 2016	1,484.56	11,463.96
Jul - Sep Q3 2016	2,950.94	6,852.78
Oct - Dec Q4 2016	11,971.07	17,859.55
Total 2016	\$ 19,929.86	\$ 45,584.45

Usage	Price per 100 gallons	Amount	Cumulative
Tier 1 5,001 - 8,000 gallons	\$0.25	\$7.50	\$7.50
Tier 2 8,001 - 12,000 gallons	\$0.75	\$30.00	\$37.50
Tier 3 12,001 - 16,000 gallons	\$5.00	\$200.00	\$237.50
Tier 4 16,001 - 25,000 gallons	\$9.00	\$810.00	\$1,047.50
Tier 5 25,000 and up	\$15.00		

Sanitary Excess Usage charges are one half (1/2) of the calculated water excess charges for Tiers 1 & 2 and one hundred (100%) percent on Tiers 3 thru 5

Note: 'Possible Billed' will in certain instances be above actual billed if there are known meter functioning issues at time of invoicing. Billing practice is to invoice for metered water recorded and then to issue credit memos based upon district policy regarding leak credits processed. Actual excess charges collected and reflected in the Business versus Actual monthly financial statements will show a time shift from quarterly invoicing to user payments booked.

(Revised) release corrects for a prior miss posting of Water District Jul - Dec actual collected into the same period for the Sanitary District

WWTP Influent Totals MG

YEAR	MG	Rainfall	Electric \$	COMMENTS
2009	49.05	72.92"		New WWTP went online April 2009
2010	56.74	86.97"		
2011	51.58	81.81"		
2012	55.73	99.36"		
2013	46.21	67.6"		
2014	48.62	79.6"		
2015	44.36	91.90"		
2016	49.32	118.35"		

Resolution

The District Manager shall be established as the primary contact for the State of Oregon Local Government Investment Pool (LGIP) and will be the Water District's agent to request all transfers between and from said account.

Two signatures are required for signage at Columbia Bank. The elected Board Treasurer and District Manager shall be the signers on Columbia Bank checking account. In the absence of either the District Manager and Treasurer, the Board President shall supply the second signature required. These signers shall be the only persons to have direct access to banking information without appropriate use of a Public Information Request presented to the Board of Commissioners.

No online access to either State LGIP or Columbia Bank checking account is deemed necessary and shall not be allowed.

Bank Statements, when received in the Districts mail shall to opened by the Board Treasurer and thereupon noted with Treasurers mark and date of opening. The Board Treasurer will balance those Columbia Bank statements and reconcile with the Districts QuickBooks software.

Manager Report February 17, 2017

Sanitary:

I have mailed information to the residents in Cannon View Park with back flow devices regarding the Sanitary District's recently passed Irrigation System Leak Policy.

Biosolids work has started. Drying beds will be cleared out and filled before Spring break next month. The annual Biosolids report has been submitted to DEQ

We were contacted by Oregon DEQ regarding our permit renewal. They will honor our request to have our nutrient monitoring frequency monitoring reduced, and kept at our permit's current requirement of once per year. They ask that over the course of the permit we conduct this testing at different times of the year. There are no changes to the conditions of our current permit.

Matt was away last week for a Collections System training course focusing on pumps and motors, safety, operational math, and system components, and utility mapping. We will be submitting an application to DEQ for him to test for his wastewater treatment and collection certifications for some time in April or early May. His efforts in training and study have put him on track to do well.