

ARCH CAPE DOMESTIC WATER SUPPLY DISTRICT DRAFT MINUTES

8 April 2016

A quorum was present.

Water Board: Virginia Birkby, President
Debra Birkby, Treasurer
Ron Schiffman
Dan Seifer

Sanitary Board: Casey Short (non-voting)

Public: Mark Hendrickson
George Cerelli
David & Jeannie Stockton

Staff: Phil Chick, District Manager
Steve Hill, Secretary

Ms. Virginia Birkby called the meeting to order at 6:00pm.

Public Comments: None.

Agenda: Old business item A for Mr. Mark Hendrickson regarding excess usage billing, pull item H and add consideration of a new budget committee member. Ms. Debra Birkby moved acceptance of the modified agenda which was seconded by Mr. Schiffman. All in favor.

Consent Agenda: March minutes pulled. Mr. Seifer moved acceptance of the consent agenda as amended which was seconded by Ms. Debra Birkby. All in favor.

Old Business:

Excess Usage Billing Appeal: Mr. Mark Hendrickson outlined the problem experienced by his long term renter not following established procedure in completely closing the main water valve which resulted in excess water usage at his rental property on Gelinsky. There was a general discussion of the situation and concern expressed about the precedent it would set were relief granted in similar situations with short term rentals. No billing adjustment was approved.

Plant Operator Contract Approval: Mr. Seifer moved to execute the agreement which was seconded by Ms. Debra Birkby. All in favor.

Board Position #2: A recruiting poster was reviewed (attached) for the open director position. Changes to be made were to take applications through June 16th at 6:00pm. Ms. Debra Birkby moved advertising for the position with the changes made in date and time for filling of the position at the June 17th meeting which was seconded by Mr. Seifer. All in favor. Mr. Rick Gardner's resignation e-mail to be included in the minutes (attached).

Water Hookup Allocation: It was expressed that there were two large land parcels for sale in Arch Cape the development of which could exhaust available hookups. Mr. Curt McLeod provided written input to the board on this issue (attached). There was a general feeling of comfort with the way a potential build out would potentially occur.

Investment Account: The district is presently using the local government investment pool administered by the Oregon State Treasurer. It was established that we do not have a requirement to use this pool but may go where ever we want. It was expressed that if were to make a change that it should be with a local bank with Cannon Beach preferred over Seaside. Mr. Short suggested that a review of our investment policy would be a good idea and that the first priority be preservation of principal over interest income. Ms. Debra Birkby to make a recommendation.

Water Tank Loan Payoff: Mr. Seifer moved a disbursement of \$51,319.00 to pay off the existing water tank loan which was seconded by Ms. Debra Birkby. Ms. Virginia Birkby, Ms. Debra Birkby and Mr. Seifer voted yes. Mr. Schiffman voted no. Motion passed.

Emergency Preparedness: On April 14th there is to be a unit demo by Global Pure Water for those wishing to attend.

Watershed Update: The projected cut plan was reviewed (attached). Mr. Schiffman said that there was a proposal under consideration to shift the ‘mass’ of the cut to the south side of the creek to help retain the quality of the water as a balance to expected wind fall.

March Minutes: Ms. Debra Birkby moved the addition of the budget committee members with the minutes which was seconded by Mr. Seifer. All in favor.

New Business:

Administrative Scope of Work Progress: Ms. Virginia Birkby indicated that she would be in contact with the board for input.

Vice-President: Mr. Seifer moved the nomination of Mr. Ron Schiffman as the water district vice-president which was seconded by Ms. Debra Birkby. All in favor.

Reports:

Accounts Receivable: Mr. Hill reported receivables to be good condition.

District Managers Report: (attached) Mr. Chick was directed to speak to Mrs. Dudley concerning her request for relief on recent excess charges for the Brevig account and to communicate to her that the water district charges would stand and that the sanitary excess charges were still under consideration. Mr. Hill was to be in touch with her regarding a possible payment over time of these charges.

Mr. Matt Gardner was reported to be looking forward to beginning work on April 11th.

Mr. Chick said to let him know if anyone wished to see the April 14th demo by Global Pure Water.

Treasurer's Report: The LGIP account was reported to be at \$42,022 as of last month.

Board of Directors' Comments and Reports: It was requested that the document reflecting the annexation of the district into the Fire District be placed into the minutes (attached).

May Agenda Items: Treasurers report, issue of paying SDC's over time, policies, application for the open board position, Global Pure Water demo report, & Matt Gardner invited to the meeting for an official welcome.

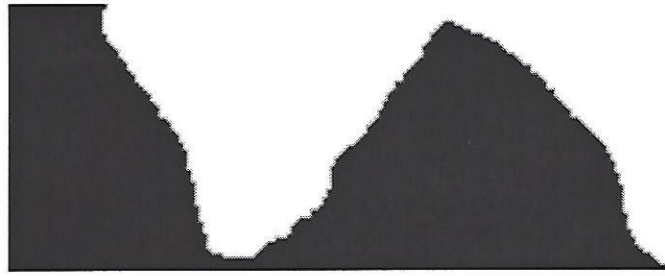
Public Comment: None.

Ms. Virginia Birkby adjourned the meeting at 7:20pm.

Respectfully submitted,

Steve Hill

Attest _____
Ms. Virginia Birkby, President



The Arch Cape Domestic Water Supply District
is seeking applicants for the following
board position

DOMESTIC WATER SUPPLY DISTRICT • POSITION 2

The unexpired term will end June 30, 2017.

•

Arch Cape registered voters are eligible.

The Water Board will appoint a resident to fill the position at
the regular Domestic Water Supply District Board meeting 5:00
PM, Friday, June 10. Arch Cape Fire Hall.

**Application Forms are available
and will be received through 4:00 PM, Friday, May 26.**

**Arch Cape Domestic Water Supply District
32065 E. Shingle Mill Lane
Arch Cape, OR 97102
503-436-2790
acutil@gmail.com
<http://archcape.com>**

Subject: Resignation

From: Arch Cape Water and Sewer Districts <acsdposition2.1@gmail.com>

Date: 4/3/2016 9:00 AM

To: Virginia Birkby <VirginiaBirkbyACUtil@gmail.com>, Debra Birkby <debrabirkbyacutil@gmail.com>, Ron Schiffman <ronschiffmanacutil@gmail.com>, Dan Seifer <danseiferacutil@gmail.com>, Darr Tindall <darrtindallacutil@gmail.com>, Casey Short <caseyshortacutil@gmail.com>

CC: Phil Chick <PhilChickACUtil@gmail.com>, Steve Hill <stevehillacutil@gmail.com>

Dear Board members,

As I mentioned at the March Board meeting, I felt that in light of my son being hired by the District as the plant operator it would be inappropriate for me to remain on the Board of the Water District. Having spent the last few weeks reflecting further on this issue I have concluded that my initial instinct was correct. Therefore, effective immediately I am resigning from the Arch Cape Water District Board.

I had mentioned that I might consider offering to fill an open position on the Sanitary Board should it arise. Upon further consideration I feel that this also would be problematic. Even though the plant operator is an employee only of the Water District and therefore would not constitute a conflict of interest, perception by some in the community may differ. In my business experience I have learned to recognize that "perception is reality". Thus, not wishing to cause any problems for the current Board members, I will not entertain serving on the Sanitary Board at this time.

I want to thank you all for your support & camaraderie. I am very proud of the work we have done to improve the Districts and I have thoroughly enjoyed working with each & everyone of you.

Thanks,

Rick Gardner

AC hook-ups

Curt McLeod <cjm@curran-mcleod.comcastbiz.net>
To: Ron Schiffman <ron.schiffman@gmail.com>

Mon, Mar 14, 2016 at 2:18 PM

Hi Ron,

1. By design, developers should not push the District to a service limit, but rather the District should expand as you start to approach the limits. The SDC in theory is designed to provide a portion of the funds to pay for an expansion when needed. There should not be a big concern about too rapid of development because the housing market should naturally regulate that. I would think it is highly unlikely the District will see developments that amount to hundreds of lots anytime because of the high investment costs that a developer would have to sit on until the market would absorb the number of houses involved.

2. Typically all public agencies work on a first come first served basis. If the District did not want to serve an area, that question should be addressed at the development approval stage. Once the development is approved and built, withholding connections for individual homes is not an option. Likely to result in legal battles, especially if the cost of any of the District's improvements have been funded with GO bond revenues, where vacant lots have been paying a portion into the funds.

3. Beyond the local improvements a developer is required to make, such as the streets, water & sewer lines and the private utilities, the only other obligation is the SDC. The SDC would not typically be paid by the developer, but rather by whoever builds the home. If the developer also builds all the houses than he would also pay the SDCs when he secures a building permit, but that would be long after approval of the development.

The limitations on development were arbitrarily established by the District. The actual number of buildable lots in the District was estimated at 750. If the District limits connections or stops allowing connections after 485 for sewer and 430 for water I would anticipate it would result in a legal battle, especially is any tax revenues are used for the District.

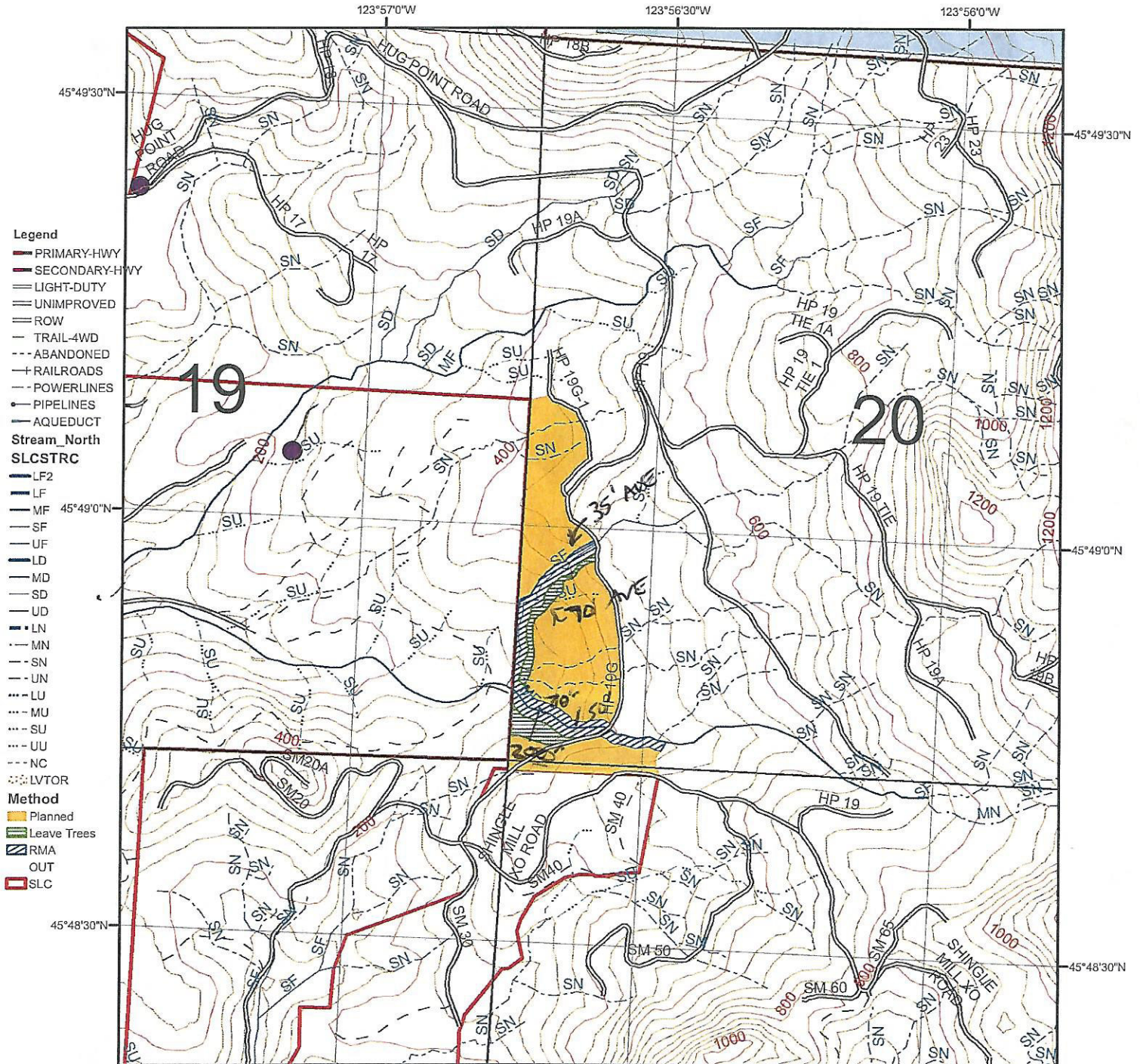
Curt McLeod P.E.
CURRAN-McLEOD, INC.
6655 S.W. Hampton Street, Suite 210
Portland, Oregon 97223
T: (503) 684-3478
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C: (503) 475-0431
email: cjm@curran-mcleod.com

State: OR
 County: CLATSOP
 Project: WEYCO4
 Tract: ONIONPK

NOTUS

Planned Harvest Unit Map (1646 - C)

Township: 4N
 Range: 10W
 Section: 20
 Date: 3/28/2016



Gross Acres: 38.33 ac.
 Cable: 14.10 ac.
 Ground: 15.00 ac.
 RMA: 5.88 ac.
 Leave Trees: 2.67 ac.
 Road Buffer: 1.68 ac.
 Net Acres: 29.10 ac.

1:12,000

Special Concerns:
 ACSD water supply



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123°57'0"W

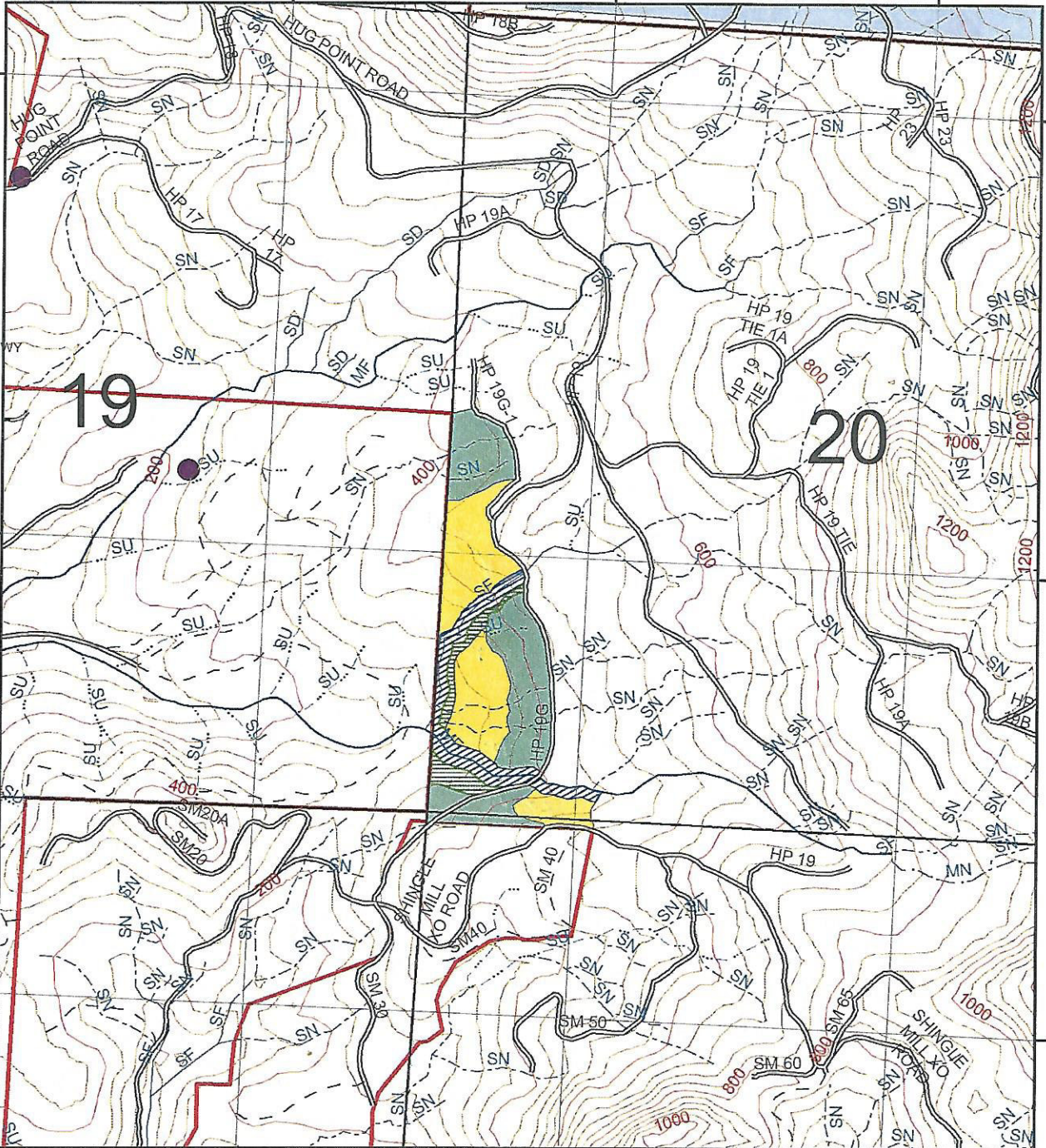
123°56'30"W

123°56'0"W

45°49'30"N

45°49'30"N

- Legend**
- PRIMARY-HWY
 - SECONDARY-HWY
 - LIGHT-DUTY
 - UNIMPROVED
 - ROW
 - TRAIL-4WD
 - ABANDONED
 - RAILROADS
 - POWERLINES
 - PIPELINES
 - AQUEDUCT
 - Stream
 - SLCSTRC**
 - LF2
 - LF
 - MF
 - SF
 - UF
 - LD
 - MD
 - SD
 - UD
 - LN
 - MN
 - SN
 - UN
 - LU
 - MU
 - SU
 - UU
 - NC
 - LVTOR
 - OUT
 - SLC



45°48'30"N

123°57'0"W

123°56'30"W

123°56'0"W

45°48'30"N

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2016 Arch Cape Domestic Water Supply District Budget Committee		
Board	Community	Term
1. Debra Birkby		
2. Virginia Birkby		
3. Open Position		
4. Ron Schiffman		
5. Dan Seifer		
	1. Richard Donofrio	2016
	2. George Cerelli	2013-2016
	3. Mike Wood	2014-2017
	4. Diane Matson	2013-2016
	5. Catherine Donofrio	2015-2018

2016 Arch Cape Sanitary District Budget Committee		
Board	Community	Term
1. Debra Birkby		
2. Virginia Birkby		
3. Ron Schiffman		
4. Casey Short		
5. Darr Tindall		
	1. George Cerelli	2013-2016
	2. Catherine Donofrio	2015-2018
	3. Diane Matson	2014-2017
	4. Dan Seifer	2013-2016
	5. Mike Wood	2014-2017

Manager Report April 8, 2016

WATER:

I recently had a recovery scoping meeting with representatives from FEMA for assistance with damage from the December storms. Slide removal near the water intake, and removal of sediment deposited in the water impoundment area was discussed. They mainly went over paperwork and explained Federal requirements necessary to receive funding assistance. I will be providing some permit documentation to them and having a visit scheduled by their site representative in the future. Work in the stream will not be completed until September.

We've received word from Oregon Water Resources Department that our application for extension of time for development of the Asbury Creek Permit, filed in 2003, is now being processed. This cannot be finalized until the Water Management and Conservation Plan is approved by OWRD. Once the plan is approved, the District will be able to file a claim of beneficial use for the Asbury Creek Permit, and have the water right certificated. This will then cap off the long, and sometimes confusing, process that this has been.

Plant Operator, Matt Gardner, is expected to start work on April 11th. We are looking forward to him coming aboard!

The annual cross connection report has been submitted to the Oregon Health Authority.

Global Pure Water will be here April 14th to demonstrate its portable water filtration system.

MONTHLY LOG : ARCH CAPE WATER & SANITARY DISTRICTS

March 2016

Total Hours	186.00	85.00	101.00
Percentage Split		46%	54%
Total Accounts	614	282	332
Percentage Split		46%	54%

Notice to Taxing Districts

ORS 308.225



Cadastral Information Systems Unit
PO Box 14380
Salem, OR 97309-5075
fax 503-945-8737
boundary.changes@oregon.gov

Clatsop Co. Board of Commissioners
Clatsop County Courthouse
800 Exchange St. Suite 410
Astoria OR 97103-4641

Description and Map Approved
March 31, 2016
As per ORS 308.225

[X] Description [X] Map - Received from: Eileen Ystad
On: 3/29/2016, 3/30/2016

This is to notify you that your boundary change in Clatsop County for:
ANNEX into CANNON BEACH RURAL FIRE PROTECTION DISTRICT

BOCC ORDER #2015050010

has been: [X] Approved 3/31/2016
[] Disapproved

Notes: Approved with the following notes.
Dept. of Revenue approved the highlighted and corrected copy of Survey map CS B-8069
received 3/30/2016.
Typo-- Maps in the Final packet did not have Attachment 3 label as stated in the BOCC Order.

Department of Revenue File Number: 4-196-2016
Reviewed by: Elise Bruch, 503-302-8353
Boundary: [X] Change [] Proposed Change

The change is for:
[] Formation of a new district
[X] Annexation of a territory to a district
[] Withdrawal of a territory from a district
[] Dissolution of a district

If you have not already done so, the approved
version of the map(s), legal descriptions(s) and
signed ordinance must also be filed with the
County Assessor and Secretary of State

[] Transfer
[] Merge
[] Establishment of Tax Zone