**CLACKAMAS RIVER WATER BOARD OF COMMISSIONERS**

**REGULAR BOARD MEETING**

 **BOARD INDEX OF AUDIOTAPE**

 **February 12, 2015**

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| **COMMISSIONERS PRESENT:** | **STAFF PRESENT:** |
| Larry Sowa, President | Lee Moore, General Manager |
| Ken Humberston, Secretary | Karen Sype, Sr. Finance & Accounting Specialist |
| Hugh Kalani | Bob George, District Engineer |
| Dave Mc Neel | Adam Bjornstedt, Engineering Manager |
| *Absent: Grafton Sterling* | Karin Holzgang, Exec Asst./Legal Coordinator |
|  | CRW Employees: Donn Bunyard |

**VISITORS:** Warren Mitchell (citizen), Keith Miller (SWA), Paul Arro (citizen); Nick Thiel (citizen)

**Call to Order**

The meeting was called to order at **6:00 pm** by President Sowa. The pledge of allegiance was recited.

**MOTION:** Ken Humberston moved to approve the agenda with adding a report from Closed Session and tabling AG-1 Resolution 08-2015. Hugh Kalani seconded the motion.

 **MOTION CARRIED 4:0**

 **Ayes:** Humberston, Kalani, McNeel, Sowa

 **Nays:**

 **Abstentions:** None

**Public Comment**

 None

**Closed Session Report-** There was discussion of current litigation with Legal Counsel Dean Phillips involving former commissioners Ms. Holloway and Mr. Mitchell.

**Agenda Item 2.0: Second Reading of Resolution 09-2015, by title only – Amending Board Policy Section 3.2 Budget Committee** *– Lee E. Moore, Sr*

**MOTION:** Ken Humberston moved the Board approve the Resolution 09-2015 Amending Board Policy Section 3.2 Budget Committee- Membership and Responsibilities by title only. Dave McNeel seconded the motion.

 **MOTION CARRIED 4-0**

 **Ayes:** Humberston, Kalani, McNeel, Sowa

 **Nays:**

 **Abstentions:**

**Agenda Item 3.0: Second Reading of Ordinance 01-2015, to adopt revised Cross Connection Control ordinance** *– Adam Bjornstedt, Principal Engineer*

 **MOTION:** Ken Humberston moved that the Board approve Ordinance 01-2015 amending Cross-Connection Control Ordinance to include the words “up to” and “continued”. Hugh Kalani seconded the motion.

 Commissioner McNeel asked why a customer would not have their service turned off if they do not comply with having back-flow devises on their service. Mr. Moore shared that by advice of counsel is why we have this ordinance and now staff will continue with creating procedures. Commissioner Humberston asked if CRW and SWA have similar ordinances pertaining to Cross-Connection.

 **MOTION CARRIED 4:0**

 **Ayes:** Humberston, Kalani, McNeel, Sowa

 **Nays:**

 **Abstentions:**

**Agenda Item 4.0: Leland Road Service Area Concept Agreement- Proposal of transfer of potable water services from CRW to City of Oregon City along the South Leland Road corridor***– Bob George, Chief Engineer*

 **MOTION:** Ken Humberston move that the Board approve in concept the proposed water service transfer plan as outlined in the City’s letter dated 1-2-15. Hugh Kalani seconded the motion.

 Chief Engineer, Bob George (pp presentation) presented the transfer of potable water service from CRW to City of Oregon City along Leland Road. CRW will continue to service our customers in the area outside of the annexed area and Oregon City will continue to service their current customers. Those customers in the annexed area will be transferred to Oregon City. Oregon City is building a new 12” line that will begin to service the CRW customers that after approval will be transferred to Oregon City. The Leland road water line that is outside of the UGB will need to be upgraded and will be on future CIP project lists. Commissioner Humberston asked if this current letter of agreement is similar to the agreement that was made prior with Oregon City it is different but will be less costly to CRW to proceed with this than the alternative of retaining the waterline and making the necessary upgrades and repairs. Mr. Moore suggested that at a future board work session the Board discuss all the little “island” area that need to be transferred to Oregon City so they can be looked

 **MOTION CARRIED 3:1**

 **Ayes:** Humberston, Kalani, McNeel

 **Nays:** Sowa

 **Abstentions:**

**Agenda Item 5.0: Second Reading of Resolution 12-2015, by title only Appointing Budget Committee members for the Biennium 2015-2017***– Karen Sype, Sr. Finance and Accounting Specialist*

 **MOTION:** Ken Humberston moved that the CRW Board adopt resolution 12-2015 appointing the Budget Committee citizen members for Biennium 2015-2017. Hugh Kalani seconded the motion.

Karen Sype presented the two citizen applications for appointment to the Budget Committee for a 4 year term.

**MOTION CARRIED 4:0**

 **Ayes:**  Humberston, Kalani, McNeel, Sowa

 **Nays:**

 **Abstentions:**

**Agenda Item 6.0: Accept Budget Calendar by motion –***Karen Sype Sr. Finance and Accounting Specialist*

 **MOTION:** Ken Humberston moved to acknowledge the proposed budget calendar as agreed upon for the BN 2015-2017 Budget. Hugh Kalani seconded the motion.

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Karen Sype presented the proposed calendar of budget meetings in addition to the budget hearing being held on June 11, 2015 at the regular Board Meeting.

 **MOTION CARRIED 4:0**

 **Ayes:** Humberston, Kalani, McNeel, Sowa

 **Nays:**

 **Abstentions:**

**Consent Agenda**

 CA-1: Gross Payroll and Account Paid for January 2015

 CA-2: Cash Position and Transfers January 2015

**MOTION:** Ken Humberston moved the Board approve the Consent Agenda as presented. Hugh Kalani seconded the motion.

Commissioner Humberston asked about the sample testing that CRW sends to our Vendor Grants Pass for Giardia samples. It is cost prohibitive to do this testing in-house.

**MOTION CARRIED 4:0**

 **Ayes:** Humberston, Kalani, McNeel, Sowa

 **Nays:**

 **Abstentions:**

**Agenda Item 7.0: Quarterly Report –** *Karen Sype, Sr. Finance and Accounting Specialist*

Karen Sype shared the 2nd quarter line item review for revenue and CRW is 1.8% behind where we were last year. Personnel service is just under 50% of budget. It is anticipated that personnel services will be under budget at year end.

**Agenda Item 8.0: General Managers Report –** *Lee E. Moore, Sr.*

-Water Watch v. Water Resources case: There were seven issues raised and the court dismissed all but 1 issue regarding fish habitat on the Clackamas River. The February work session will address the hydrology study as it pertains to the river and flows.

- January Board Work Session was held to discuss the Evergreen Development in Beaver Creek to get a consensus on what would be shared at the Beaver Creek Hamlet meeting

-Labor Law forum was attended by the GM, he shared that the non-union employees and being given the same standing as union employees in the eyes of the NLRB. Employees are being given more latitude in their use of their public sector employer’s equipment

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-Hydrology analysis, this will be a topic of the February work session where Dr. DeLorenzo will present the finding of this study. The study looked at stream flows and water temperature.

-Contracting for the CRWSC Commission, CRW requested that Legal Counsel Dean Phillips meet with both CRW and SWA staff regarding the status of contracting for each agency as well as for the joint commission.

**Agenda Item 9.0: Public Comment**

Warren Mitchell, asked about the current litigation of his case and asked why it was not discussed in the GM report. Commissioner Sowa stated that the Board would be discussing the litigation during Executive Session

**Agenda Item 10.0: Commissioner Business**

Commissioner McNeel thanked Mr. Moore and Mr. George for attending the Beaver Creek Hamlet meeting.

**Meeting adjourned at 6:52 pm**