

SOUTH FORK WATER BOARD
MINUTES OF BOARD MEETING
May 14, 2009

Board Members Present: Patti Galle, West Linn Mayor, Chair
Alice Norris, Oregon City Mayor, Vice-Chair
Jody Carson, West Linn Councilor
Daphne Wuest, Oregon City Commissioner
Rocky Smith, Oregon City Councilor
Scott Burgess, West Linn Councilor

Board Members Absent: None

Staff Present: John Collins, SFWB General Manager

Others Present: Laura A. Schroeder, SFWB Attorney
Alice Richmond
Janelle Sisson

General Board Meeting

(1) **Call to Order**

Chair Galle called the meeting of the South Fork Water Board to order at 6:08 p.m.

(2) **Public Comments**

No public comments.

(3) **Consent Agenda** - Approval of minutes of the March 12, 2009 Board Meeting.

Vice-Chair Norris corrected page 1 to reflect that she had called the March 12, 2009 meeting to order.

Board Member Wuest moved to approve the March 12, 2009 Board meeting minutes as corrected. Board Member Smith seconded the motion. MOTION CARRIED 5-0. Ayes: Galle, Norris, Wuest, Carson, Smith; Nays: None.

(4) **Shared Property Boundary with Willamette Falls Hospital**

John Collins, General Manager, explained that discrepancies had been discovered regarding the property boundary between South Fork's 16th and Division St property and Willamette Falls Hospital. He displayed a couple pictures taken of the property line in question and invited further comment from the hospital's representative.

Kelly Hossaini, Miller Nash explained that when the Clackamas County Children's Center wanted to redevelop its property currently being leased to Willamette Falls Hospital, the

surveyor discovered discrepancies in the survey reports of the last 130 years. She reviewed the different surveyor marker placements that were recorded, indicating large differences in the property line's placement. According to one surveyor, the hospital's property line would extend five to six feet onto South Fork's property.

- The present surveyor placed the boundary according to the last, most recent survey and where the live-to lines were located, making the property boundary where everyone had essentially believed it to be located. She noted that the stake shown in Mr. Collin's picture indicated the hospital's property line, which was between two fences that were about 18-inches apart, one being South Fork's fence that was built just off its property line, leaving room for maintenance, etc.
- The hospital wanted to enter into a boundary line agreement where South Fork and the hospital both agreed to the boundary line's placement and then to ensure it was quick claimed to avoid any similar issues in the future.
- She confirmed that no money was to be exchanged. The quick claim deed assured that both parties agreed to the current provided boundary and that neither party could further contest its placement, nor could future owners of the properties should they change hands.

Vice Chair Norris moved to adopt the shared property boundary with Willamette Falls Hospital. Board Member Burgess seconded the motion. MOTION CARRIED 6-0. Ayes: Galle, Norris, Wuest, Burgess, Carson, Smith; Nays: None.

**(5) Public Hearing – RESOLUTION 09-02
Adoption of Fiscal Year 2009/10 Approved Budget**

Chair Galle opened the public hearing for Resolution 09-02 at 6:12 p.m. and called for public testimony. Seeing none, she closed the public hearing.

Vice Chair Norris moved to adopt Resolution 09-02, approving the Fiscal Year 2009/10 Approved Budget. Board Member Carson seconded.

Board Member Burgess questioned the Capital Outlay of \$75,000 as indicated in Exhibit A because he recalled South Fork would be replacing a line.

John Collins, General Manager, explained that the line would only be replaced if federal stimulus money were received; otherwise the project would not be done.

MOTION CARRIED 6-0. Ayes: Galle, Norris, Wuest, Burgess, Carson, Smith; Nays: None.

(6) Grove, Mueller & Swank, P.C. Auditing Services For South Fork Water Board

John Collins, General Manager, explained this item regarded a three-year contract extension with Grove, Mueller & Swank, P.C., the firm who had been performing South Fork's auditing services for the last five years. The City of Oregon City was moving forward with a three-year extension and South Fork was basically piggy-backing onto the City's contract.

- He confirmed South Fork's three-year extension contract was dated the same as the City's, adding that if the City terminated the contract for any reason, South Fork would automatically terminate its contract also. He clarified that only regular internal changes had occurred within the auditing firm throughout its service to South Fork.

Board Member Burgess moved that South Fork continue using auditing services in partnership with the City of Oregon City through the City's three-year contract extension with Grove, Mueller & Swank, P.C. effective fiscal year ending June 30, 2009. Board Member Wuest seconded the motion. MOTION CARRIED 5-0. Ayes: Galle, Norris, Wuest, Burgess, Carson, Smith; Nays: None.

(7) Business from the Manager

1) Reservoir Update

John Collins, General Manager, announced this would be his last reservoir update. The project was done, having completed a formal walk-through with Oregon City's inspectors and South Fork's contractors, consultants and staff. A few final documents were being finalized to ensure permitting was accurately done with Oregon City. South Fork would be releasing the final payment. He highlighted that even with the parking lot improvements, the project was \$30,000 under the base bid.

2) Proposed worksession ahead of June SFWB meeting

John Collins, General Manager recommended holding a June worksession at 6 p.m. for an informal update regarding the upcoming South Fork Master Plan. The regularly scheduled SFWB meeting would be held at 6:30 p.m.

- South Fork had just begun the master planning process and he wanted to provide an opportunity for the Board to get an idea of where the project was headed and also offer input and direction about the Master Plan. No consultants would be present at the June worksession, which would not replace any strategic meetings. The process involved plenty of meetings for which there was still ample time.

Vice Chair Norris appreciated that the Board's worksession would be at the front end of the public process and would enable the Board to discuss its issues freely.

Board Member Burgess suggested it would be useful for the Board to receive some information ahead of time, especially if the meeting was only a half hour.

Mr. Collins stated he had not seen the proposed Master Plan yet, but because this was such a critical master plan, he wanted the Board to be involved early in the process. He agreed to provide a one-page summary that identified issues and highlighted key items at this point in the process.

3) General Manager's annual performance evaluation

John Collins, General Manager stated he had received approval from Chair Galle to email an electronic evaluation form and a list of his accomplishments this year to Board members next week with directions to return the completed forms to Chair Galle. His face-to-face evaluation would be conducted at the June 11, 2009 SFWB meeting.

- He clarified that no meetings would be held in July or August. The Board generally did not meet in those summer months due to a busy production schedule.

(8) Business from the Board

Board Member Wuest stated that at Oregon City's City Council meeting, Commissioner Neeley asked that Oregon City study conservation programs in greater depth. He was concerned whether enough was being done and whether rates might encourage more conservation. She believed Mr. Collins might be requested to discuss the topic at a work session.

John Collins, General Manager noted that as part of the Master Plan process, South Fork would be revisiting its Water Management and Conservation Plan. Meetings were scheduled for him and the Master Plan consultants to present information at both City Councils about what South Fork was doing at a city-wide level.

Board Member Burgess also suggested talking to Chris Jordan, West Linn City Manager. The rate study would likely show that West Linn would need to exceed the 5% increase limit, which requiring a vote; even a tiered rate might result in more than 5% for someone, which again would force a vote.

(9) Adjourn Meeting

The March 12, 2009 meeting of the South Fork Water Board adjourned at 6:30 p.m.

(10) Executive Session –Adjourn regular meeting and convene Executive Session.

- (A) To consider information or records that are exempt by law from public inspection pursuant to ORS 192.660 (2)(f).
- (B) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed pursuant to ORS 192.660 (2)(h).

Respectfully Submitted,

By Paula Pinyerd, ABC Transcription Services, Inc.
for John Collins, SFWB General Manager