

SOUTH FORK WATER BOARD  
MINUTES OF BOARD MEETING  
**February 12, 2015**

Board Members Present:           John Kovash, West Linn Mayor, Chair  
  Jenni Tan, West Linn Councilor  
  Brian Shaw, Oregon City Commissioner  
  Thomas Frank, West Linn Councilor  
  Rocky Smith, Oregon City Commissioner

Board Members Excused:         Dan Holladay, Oregon City Mayor, Vice Chair

Staff Present:                     John Collins, SFWB General Manager  
  Wyatt Parno, OC/SFWB Finance Director  
  Mark Cage, Senior Plant Operator, SFWB  
  Kim Brown, Technical Writer, SFWB

Others Present:                   Alice Richmond, West Linn Resident

**General Board Meeting**

(1)    **Call to Order**

**Chair Kovash** called the meeting of the South Fork Water Board to order at 6:06 pm.

(2)    **Public Comments**

**Alice Richmond** said very concerned after reading the article in *The Tidings*, dated January 15, 2015, about the lawsuit. She had to distribute it to many electeds throughout the county because not everyone had seen the article. She asked how the lawsuit might affect West Linn's water draw down limits.

**John Collins, General Manager**, explained that Water Watch of Oregon had protested the water rights South Fork was granted. While South Fork prevailed in court, Water Watch appealed eight issues to the Court of Appeals, which agreed with the lower court, the Department of Justice (DOJ), and the Water Resources Department on seven issues. One issue regarding temporary withdrawals from the river was remanded back to the court. The DOJ had not determined how to deal with that remanding because there is no rule book for remanding. South Fork was not in any danger as ample water supply exists for years to come. This particular issue would be resolved in the next two to three years. West Linn's water rights are owned by the SFWB equally with Oregon City. SFWB would not have to give any water to Lake Oswego, or any other entity. South Fork's job was to protect only West Linn and Oregon City and provide them water. There was no obligation from the City of West Linn in the intertie agreement to supply water, unless there is an emergency situation and a surplus of water exists.

(3)    **Consent Agenda**

(A)    Approval of the Minutes of the January 15, 2015 Board Meeting.

**Board Member Shaw moved to approve the Consent Agenda. Board Member Tan seconded the motion, which passed unanimously.**

(4) **Appointment of Budget Officer**

**John Collins, General Manager**, noted that SFWB adheres to Oregon Budget Law. Historically, the general manager has been the budget officer and it was his responsibility to prepare and justify the annual budget, working with the Oregon City/SFWB staff and finance director.

**Board Member Tan moved to appoint John Collins as the 2015/17 Budget Officer for the SFWB. Board member Smith seconded the motion, which passed unanimously.**

(5) **Appoint Citizen Representatives to the South Fork Budget Committee**

**John Collins, General Manager**, reminded that in addition to the SFWB Board, South Fork's Budget Committee includes six additional representatives, three from each city. Traditionally, each mayor makes recommendations for the appointments. This year, Mayor Kovash recommended Ed Keonjian, and Mayor Holladay recommended Betty Mumm. Each appointee's background information was included in the Board's packet.

**Board Member Smith moved to appoint Ed Keonjian and Betty Mumm to the 2015/17 South Fork Budget Committee. The motion was seconded by Board Member Tan and passed unanimously.**

(6) **Approval of Fiscal Year 2015/17 Budget Schedule**

**John Collins, General Manager**, said that adhering to Oregon Budget Law also requires approving a budget schedule. He distributed an amended budget schedule, reflecting the changed meeting dates. The schedule was compliant with Oregon Law related to posting budgets. Typically, the budget was approved at the first meeting, which would be Wednesday, May 27<sup>th</sup>, but a contingency meeting was planned for June. However, SFWB has never needed second budget meeting.

**Board Member Frank moved to approve the amended 2015/17 Budget Schedule. Board Member Tan seconded the motion, which passed unanimously.**

(7) **Business from the Manager**

1) Water rights work session March 25, 2015

**John Collins, General Manager**, stated Staff had confirmed there were no pressing agenda issues in March, so he recommended holding a work session on water rights in lieu of the meeting. He had contacted former SFWB Attorney Laura Schroeder, who is a water rights expert and had represented South Fork during the water rights hearings. Ms. Schroeder agreed to do a Water Rights 101 type presentation on that date. The work session would be a beneficial training, especially for the new members of the South Fork Board, and the new members of other water boards would also be invited.

The Board consented to hold the work session in lieu of a regular meeting on March 25, 2015.

2) Board Member participation for ACE 2015 – June 7<sup>th</sup> through 10<sup>th</sup> in Anaheim, CA

**John Collins, General Manager**, stated the American Water Works Association (AWWA) holds several different conferences, but the ACE conference was a management conference with specific classes for electeds. Funds were included

SFWB budget to allow two Board members to attend the ACE conference. He would like to confirm which Board members would be attending by March 15<sup>th</sup> in order to meet the early bird registration deadline. Reservations had already been secured at the conference hotel. He noted Mayor Holladay was unable to attend, and explained that typically, a Board member from each city attended. He asked Board Members Smith, Frank, and Shaw to check their schedules and get back to him to see who was able to go, adding that Ms. Swan would email the link showing the conference program.

3) Upcoming SFWB negotiations for 2015-17 employee contract

**John Collins, General Manager**, stated the employee agreement was renewed every three years, but he asked the Board to consider moving to a five-year contract, which he had also talked about with the employees. In all his years at SFWB, he could not recall any major changes being made to the employee agreement; the employees were happy and well compensated. The SFWB employees' contract was on par with Oregon City and West Linn's current contract. Having a five-year contract would be less time consuming and, after his retirement in December 2018, the new general manager would have a year to get to know Staff.

4) SDAO safety grant

**John Collins, General Manager**, stated SFWB has been very successful in being awarded Special Districts Association of Oregon (SDAO) safety grants. This year, Mark Cage and Kim Brown submitted a grant application for funding to improve external lighting at all three SFWB properties, and SFWB was awarded the \$3,000 matching grant. Being a lighting project, Staff was researching whether additional incentives were available through PGE or Oregon Energy Trust, such as installing energy efficient lights. The lighting project would be in the upcoming budget, earmarked for \$6,000 to \$9,000 depending on what opportunities might be available. New lighting would be installed and existing lighting upgraded to provide more secure pathways. He commended Mr. Cage and Ms. Brown for designing the project and securing the grant.

(8) **Business from the Board**

**John Collins, General Manager**, announced this was Chair Kovash's last SFWB meeting, noting he had been great to work with and had served with a lot of dignity and respect.

**Chair Kovash** said he really enjoyed being on the Board, adding Mr. Collins ran a wonderful plant and very efficient meetings.

**Mr. Collins** explained that Vice Chair Holladay would assume the role of Chair until the Board determined whether he should continue as Chair or West Linn's mayor should assume the role since the Chair position rotated each year.

(9) **Executive Session –Adjourn regular meeting and convene Executive Session if needed.**

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).

No Executive Session was held.

**Chair Kovash** adjourned the regular meeting of the SFWB at 6:23 p.m.

Respectfully Submitted,

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