

Scappoose Drainage Improvement Company
Board of Directors Monthly Meeting Minutes – December 15, 2021

Present via Zoom video/teleconference:

Jeff Mapes, President	Geoff Wenker, Landowner
Gary Wheeler, Vice President	Marie Gadotti, Landowner
Amanda Hoyt, Secretary/Treasurer	Rob Hostettler, CalPortland
Len Waggoner, Director	Debbie Murphy, CalPortland Attorney
Karen Kessi, Director	Tate Justesen, Western Resources Legal Center
Chase Christensen, General Manager	Bob Short, CalPortland
Laurie Mapes, Staff	Steve Miles, Springlake Community
Jeff Condit, SDIC Attorney	Sen. Betsy Johnson
bruceestok per Zoom ID	Shane Bonanno, CalPortland
Tim Berge	Teri Dresler, SDAO (joined 6:25 p.m.)
DMinoggie per Zoom ID	

President Mapes called the meeting to order at 6:05 p.m. through the Zoom virtual meeting platform. Introductions were made. Minutes below associate with Agenda items.

Public Comment

Sen. Betsy Johnson stated that a 12/13/2021 e-mail from Geoff Wenker to Caroline Lobdell of Western Resources Legal Center appears to have been sent of Mr. Wenker's own volition and asked for confirmation that the board has not adopted his e-mail as a board position. President Mapes confirmed that this is correct. Director Kessi added that there was no conversation about the e-mail prior to it.

Marie Gadotti questioned whether duplicate payments to Waste Management on the transaction list, dated 11/19 and 11/21, were a misprint or whether Waste Management was paid twice. GM Christensen stated that he will look into it.

Debbie Murphy commented that she saw the revised proposed amendments to the bylaws and was surprised because she had offered to be on a committee to work on the amendments and that she perceived things that will need minor correction.

Steve Miles, maintenance chair at Springlake, stated that he is not a landowner but joined the meeting to learn about the SDIC.

Agenda Approval

President Mapes noted that Teri Dresler from Special Districts Association of Oregon has been conscientious in conserving time spent on SDIC work and plans to log in to the meeting at 6:30, the expected time for discussing the financial policy she drafted for SDIC.

Meeting Minutes Approval

President Mapes made a motion to approve the minutes of the November 11, 2021 board meeting. Director Kessi seconded the motion, and all directors voted in favor of it.

President's Message

President Mapes reported that he expects to meet tomorrow with Paul Vogel of the Columbia Economic Team.

Scappoose Drainage Improvement Company
Board of Directors Monthly Meeting Minutes – December 15, 2021

Company Financial Review & Expenditure Approvals

GM Christensen noted that SDIC received a refund of \$2,717 from the PUD for the power upgrade at the Smith pump. President Mapes made a motion to approve the transactions dated from December 1 through December 31, 2021. Director Kessi seconded the motion, and all directors voted in favor of it.

Financial Best Practices Policy

President Mapes thanked Teri Dresler, Senior Consultant with SDAO, for her conscientious work on the financial policy. Ms. Dresler explained that the proposed policy is intended to meet the goals of being streamlined and straightforward. She noted that many of the points already were in practice by board and staff members. Because of the size of SDIC's budget, there is an exemption from the requirement for an annual audit, but there are requirements that financial statements be submitted annually to the Secretary of State and that there be either bonding or a crime policy in place. President Mapes noted that he asked SDIS the appropriate amount of bonding last week and has not heard back. Ms. Dresler offered to obtain more information about the appropriate bonding amount.

President Mapes made a motion to adopt Resolution No. 2021-3 to adopt the proposed financial policy. Director Kessi seconded the motion. All directors voted in favor of the motion. Ms. Dresler then left the meeting, at 6:40 p.m.

Amendments to Bylaws

Attorney Jeff Condit noted that the committee idea was not pursued because the board decided to address only housekeeping amendments. Mr. Condit explained that the amendments (1) regard legal entities appointing a representative eligible to serve on the SDIC board and include Ms. Murphy's recommendation to attach the document to be used to make such an appointment and (2) clarify that any member or group of members can appoint a proxy for purposes of voting, for any period of time, by filing something with the board, including by e-mail.

Mr. Condit explained that the amendments to section 6.8 regarding meetings of the board are designed to make the bylaws consistent with state statutes, which require 24 hours of notice of regular meetings and allow for emergency meetings. The amendments also allow the board to set regular board meeting times and dates. The amendments include a provision that proposed amendments to the bylaws must be mailed to the membership.

Mr. Condit added that the board is not required to approve or vote on proposed bylaws amendments before they are considered by the landowners but recommended that the board have a motion to refer them to the membership at the annual meeting.

President Mapes asked for public comment. Ms. Murphy stated that she appreciates the revisions and expects to make comments to Mr. Condit after reviewing the proposed amendments more carefully.

Ms. Gadotti noted her expectation that there would be a committee but acknowledged that there will be time to look at the proposed amendments. Mr. Wenker asked whether the annual meeting

Scappoose Drainage Improvement Company
Board of Directors Monthly Meeting Minutes – December 15, 2021

notice could request comments by a certain date. Mr. Condit noted that revisions to the amendments can be made up until they are adopted, including at the annual meeting where they are discussed and voted on.

Mr. Condit noted that, if he receives comments on the proposed amendments, he will address them before the board's January meeting.

FEMA Hazard Mitigation Plan, SDIC Annex Review

GM Christensen noted that the intent of the mitigation plan is to make SDIC eligible for funding when there is a natural hazard, not only for help from FEMA but also for "build back better." The plan also could make SDIC eligible for pre-disaster funding if deficiencies in the system are identified. The end of the annex identifies some vulnerable infrastructure and possible measures to become more resilient, for example a power generator. The expectation is that the plans are reviewed every five years.

Director Kessi noted that GM Christensen had confirmed for her that he believes the plan is still current. Ms. Gadotti stated her hope that, if the board votes to adopt the annex, the board will keep moving forward with the plan. President Mapes thanked Ms. Gadotti for the time she put into the plan and noted that, at a previous SDIC board meeting, Columbia County Commissioner Margaret Magruder stated that adoption of the plan does not commit SDIC to accomplish the plan or spend money on efforts to do so. Director Kessi made a motion to approve Resolution No. 2021-4 adopting the Hazard Mitigation Plan Annex. President Mapes seconded the motion, and all directors voted in favor of it.

Manager's Report

Infrastructure: GM Christensen reviewed his Manager's Report, adding that the sump for Evans pump No. 2 was dewatered so that parts could be cleaned. The pitting on the bell and the propeller have been repaired. It appears that the entire North No. 2 pump will need to be pulled in order to determine if the impellers need adjustment in order to improve pumping capacity. The problem with the syphon breakers at the North pumps causes water to flow back into the district. New syphon breakers have to be forged, which takes about six weeks. At the Evans station, tarps are in place to prevent water damage from the leaking roof. The Honeyman pump is off at the request of the landowner. Although the new cameras have arrived, the old cameras are in place until the new ones are fully set up and working.

President Mapes noted that GM Christensen had solicited three bids for replacement of the Evans station roof. Mr. Condit noted that, for a public improvement projects between \$10,000 and \$100,000, three bids are sufficient, and the district may select the bid that best serves the interests of the entity. Prevailing wage concerns only apply to contracts over \$50,000.

GM Christensen reviewed the bids received and responded to questions about them from the board. Director Kessi made a motion to authorize GM Christensen to enter into a contract with RA Construction Inc. for repair of the Evans roof. Director Hoyt seconded the motion. Mr. Wenker questioned whether one of the three contract forms previously provided by the Miller Nash law firm would be appropriate to use. Mr. Condit responded that Miller Nash's forms

Scappoose Drainage Improvement Company
Board of Directors Monthly Meeting Minutes – December 15, 2021

contain provisions appropriate for public contracting. All directors then voted in favor of the motion.

Personnel: Director Kessi noted that review of the Field Operations Technician will take place next month and that GM Christensen is working on BOLI posters. Directors Hoyt and Wheeler volunteered to participate in the review of the Field Operations Technician.

408s: GM Christensen noted that Cadman Materials was able to use the download links for the model sharing. Cadman's 30% design has been submitted to USACE; USACE staff expects to review it by the end of January. GM Christensen will be looking at the submission over the coming weeks. There was discussion of the need for professional assistance to interpret and understand the impacts of the proposed project, which is documented in a voluminous submission to USACE; it was noted that a reimbursement agreement with Cadman is in place, which Mr. Condit noted includes peer review of Cadman's submissions. President Mapes stated that GM Christensen should not be put in a position of reviewing technical design; Directors Waggoner and Wheeler stated their agreement that outside review by a professional consultant is appropriate. GM Christensen concurred and suggested that he take an initial review to determine what questions need to be addressed and what consultant(s) might answer them. Mr. Condit noted that these questions could lead to a "scope of work." Mr. Condit explained that, for engineering contracts under \$150,000, three proposals must be sought, and they can be informal. He suggested that calls to engineers could be made to ask how they would approach the project, before asking for proposals. There was discussion of whether Cadman's USACE submission is public record or not; Mr. Condit suggested Cadman be contacted to ask their position on whether the submission is confidential or can be shared. He noted that, even if the submission is proprietary from a public records standpoint, it still can be shared with a consultant for review.

Tim Berge, who identified himself as an engineer working for USACE in Hawaii, said that, as a resident of SDIC, he would be happy to look at anything as a public service. Mr. Wenker suggested that the board or GM should be able to look at the basic design and noted that Mead & Hunt was SDIC's consultant when the Ellis property mining proposal was from CEMEX.

Shane Bonanno of CalPortland reported that repair of the vision berm along Honeyman Road that failed is still in process. More material needs to be replaced before the berm can be reconstructed. The additional material is expected next week, and the vision berm should be done shortly after that, he said. Ms. Murphy was asked whether there are provisions or requirements regarding repair of similar failures that might occur after mining is complete. Ms. Murphy responded that there are bonding requirements until reclamation is complete.

Accreditation/LOMR: President Mapes reported that he contacted city staff regarding status of the LOMR and has not heard back. GM Christensen reported he spoke with City Engineer Chris Negelspach recently, and both share a concern about staff turnover at the county and lack of clarity on who is the "point person" there. Assistance through a Business Oregon grant that is being sought to pay for additional WEST Consultants work involves the county. Director Waggoner added that the county Land Services office is moving its location and may have difficulty locating files for the next couple of weeks.

Scappoose Drainage Improvement Company
Board of Directors Monthly Meeting Minutes – December 15, 2021

Best Practices: President Mapes reported that SDIC is working with Streamline to take over web hosting. GM Christensen noted that SDIC has solicited a CPA firm for audits and that board and staff are switching to SDIC-specific e-mail addresses as well as OneDrive for more document storage capacity. President Mapes thanked Mr. Wenker for volunteering many hours to assist with technology upgrades.

Scappoose Storm Water Master Plan: Director Waggoner reported that there will be an economic development meeting tomorrow at which he hopes to get an update.

Rental Home: Director Kessi reported that the property manager relayed the renter's report that the base trim had started to pull away from the walls. The remodel contractor was asked to work with the renter, and the problem, which was improper adhesive, has been fixed.

Legal: President Mapes asked Mr. Condit about the status of considering hiring Mr. Wenker. Mr. Condit reported that request for an opinion was submitted on December 1 to the ethics commissioner, attaching Caroline Lobdell's e-mail. He added that the commissioner typically take 4-6 weeks to respond, and there may be delays for the holidays. President Mapes asked Mr. Condit to send a copy of the request to Ms. Lobdell.

Mercury TMDL: GM Christensen reported that the water conveyance structure map he made was submitted on November 30 to the local DEQ liaison, who acknowledged receipt. He also reached out to the City of Scappoose. Parts of the plan require outreach, and Columbia Soil and Water Conservation District may step into the community outreach role.

At 8:42 p.m. after taking a short meeting break, President Mapes called an executive session under ORS 192.660(2)(i) to conduct a performance review of the General Manager.

The board returned to open session at 9:37 p.m. President Mapes stated that the board would discuss compensation, and he reviewed the policy adopted for compensation increases. The board first discussed the cost-of-living adjustment (COLA) to be consistent across the General Manager and Field Operations Technician positions. President Mapes noted the 6.2% annualized COLA the federal government (CPI-U) had recognized over the twelve months ending October 2021. Director Kessi suggested that the resource selected for the COLA now should be used again in the future and that, for budgeting purposes, it might be better to have a fixed amount for COLAs that reflects the ebbs and flows of the CPI. Director Wheeler proposed that the COLA reflect what is actually happening in the world. The board then reviewed the updated CPI-U adjusted through November 2021, which was 6.8%.

There was discussion of the difficulty of assessing a bonus and what it would be tied to. There was discussion of a wage increase of 2-5%.

President Mapes proposed that the COLA be 6.8%, that GM Christensen receive a wage increase of 5%, and that GM Christensen be paid a bonus of \$1,000 based on his exceptional performance over the past year. There was discussion and acknowledgment, including by GM Christensen, that a wage increase this year would not be precedent for future increases. President Mapes made a motion that GM Christensen's compensation be increased with a COLA of 6.8%

Scappoose Drainage Improvement Company
Board of Directors Monthly Meeting Minutes – December 15, 2021

reflecting the current CPI-U for the last twelve months, that his step increase in wage be 5%, and that a bonus of \$1,000 be paid to GM Christensen. Director Waggoner seconded the motion. There was discussion of the impact on the budget. All directors then voted in favor of the motion.

GM Christensen noted the trapper has billed \$3,920 and that the budget of \$5,000 might be exceeded before the next meeting; Director Waggoner noted that the GM's spending discretion would cover the excess. GM Christensen suggested that an ATV would be more efficient for checking pumps. Director Hoyt noted that there is not a direct route between the Sternberg and Hovan pumps and that it might be faster to go back to the road, although, for other pumps, it would be faster to go cross-country. By consensus, further discussion was postponed. GM Christensen will look into various considerations on this issue.

Schedule Upcoming Meetings

The next SDIC board monthly meeting will be January 13, 2022 at 6 p.m.

Review of Action Items

The following to-do list was reviewed: Mr. Condit will write questions to be asked of the engineers that are contacted regarding the Cadman project, finalize proposed bylaws amendments with input from interested parties, get copies of updated bylaws amendments back to SDIC, and send GM Christensen contract forms that may be used for the Evans roofing project; Mr. Condit noted he already had forwarded the ethics commission inquiry to Ms. Lobdell during the meeting. President Mapes will sign resolutions, and the GM will add them to the book of records. GM Christensen will call Cadman about confidentiality of the submission it made to USACE, get the response in writing, and include Jon Archibald and Cornforth among the engineers to be contacted about the project. Mr. Wenker will share names of engineer contacts in SDIC records. The Office Administrator will be informed of the GM's wage increase. Director Kessi will add comments to the formal GM evaluation form, which the GM will need to sign before it is placed in his personnel file. GM Christensen will check on the two Waste Management bills. Teri Dresler will investigate appropriate bonding amounts. Preparation for review of the Field Operations Technician needs to be completed. Director Kessi noted that a date for the annual meeting will need to be discussed soon. Checks at the office need to be signed.

President Mapes thanked everyone for staying through a long meeting.

Adjournment

Director Waggoner made a motion to adjourn. President Mapes seconded the motion. All directors voted in favor of the motion. The meeting adjourned at 10:38 p.m.

Associated documents:

- Meeting Agenda
- SDIC Monthly Manager's Report 12/15/2021
- 20211215 Balance Sheet
- 20211215 P&L Budget vs Actual

Scappoose Drainage Improvement Company
Board of Directors Monthly Meeting Minutes – December 15, 2021

- 20211215 P&L This vs Last
- 20211215 Check Register
- 20211215 Credit Card Register
- 20211215 Transaction List
- 21-12-9 SDIC Financial Best Practices and Policies
- SDIC Hazard Mitigation Plan Annex
- SDIC Proposed Third Amendments to Bylaws
- Resolution No. 2021-3
- Resolution No. 2021-4

Approved by the Board of Directors on : Jan. 13, 2022

Laurie Mapes
Signature

Laurie Mapes, Staff
Printed Name and Title