

Scappoose Drainage Improvement Company
Board of Directors Monthly Meeting Minutes – January 14, 2021

Present via Zoom video/teleconference:

Geoff Wenker, President	Kyle Hoyt, Landowner
Gary Wheeler, Vice President	Marie Gadotti, Landowner
Jeff Mapes, Secretary/Treasurer	Dave McAuley, CalPortland
Len Waggoner, Director	Robert Hostettler, CalPortland
Karen Kessi, Director	Tate Justesen (per name on Zoom
Chase Christensen, General Manager	account; attendee(s) did not
Laurie Mapes, Staff	self-identify, left by 5:19 p.m.)
Jeff Condit, SDIC Attorney (left by 5:19)	

President Wenker called the meeting to order at 4:05 p.m. through the Zoom virtual meeting platform. Minutes below associate with Agenda items.

Public Comment

Dave McAuley announced he is no longer part of Oregon materials for CalPortland and will be working in Seattle. Robert Hostettler is taking his position. President Wenker reported that a records request from Western Resources Legal Center was received by mail today. Another copy that had been mailed to City Hall has been forwarded. Marie Gadotti asked the status of the staff search and job titles.

Consent Agenda

Karen Kessi made a motion to approve the meeting minutes of December 10, 2020. Jeff Mapes seconded the motion, and all voted in favor of it. Jeff Mapes recused himself from the meeting for discussion of item 6(c) on the consent agenda. Karen Kessi moved to approve item 6(c), Laurie Mapes's bill for fourth quarter 2020 employee hours. Gary Wheeler seconded the motion, and all directors but Jeff Mapes voted in favor of it. Jeff Mapes announced he was re-joining discussions. Gary Wheeler moved to approve item 6(d), a bill from AM Contracting for cleaning Smith and Honeyman ditches. Jeff Mapes seconded the motion, and all voted in favor of it except President Wenker, who had recused himself from matter 6(d). Karen Kessi moved to approve the transaction list. Jeff Mapes seconded the motion, and all voted in favor.

Smith Pump Building Foundation Replacement

President Wenker reported that a proposal from BCI Contracting, Inc. was received today for work at the Smith pump station. The proposal indicates a cost of \$133,900 for isolation and dewatering, construction of the concrete pump basin in accordance with the design by PACE Engineers, and metal work for a catwalk and handrails but not construction of the pumphouse. President Wenker stated that water is six feet deep near the pump station and that 200-plus acres of farmland are flooded following recent heavy rains. He noted that Kyle Hoyt breached the road between Santosh Slough and this area to help drainage, because the water level on the land was higher than in the Santosh. Attorney Jeff Condit noted that projects over \$100,000 require competitive bidding according to state statutes regarding public improvements. There was discussion that replacement of the pump station structure and re-installation of the pumps needs to be accomplished quickly in order to restore the flooded land to a farmable condition in time for the upcoming season. Mr. Condit explained the state statute and process for prompt execution of a contract in an emergency, when circumstances that could not reasonably have been foreseen occur that create a substantial risk of loss, damage or threat to property. He stated

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that SDIC likely faces such an emergency in light of the need to get the project done by the time farming starts. Karen Kessi made a motion to declare an emergency as defined in ORS 279A.010(1)(f) and to authorize staff to institute direct negotiation with a contractor to complete the facility replacement. Len Waggoner seconded the motion. Discussion followed. It was noted that the subcommittee has not been able to find another contractor interested in taking on a dewatering process of this magnitude. The subcommittee is not aware of another company able to perform the work. The vote was called, and all directors other than President Wenker, who had recused himself, voted in favor of the motion.

Item 4(c) Western Resources Legal Center Public Records Request

Attorney Condit stated that the records requested are non-exempt and that SDIC's responsibility is to respond to the request with a timeline for production of the records and notice regarding whether SDIC will charge for providing the records. He stated that statutes allow charging for the actual cost for staff to produce the records, but other public bodies often waive the charges if they are not significant. He recommended President Wenker respond by e-mail and then SDIC work on producing the records. It was noted that clarification from WRLC is needed on what "corporate acts" means in the records request.

At 5:01 p.m., the board entered executive session under ORS 192.660(2)(a) to consider the employment of a staff member. The board returned to public session at 5:19 p.m.

Staff Issues

Board members thanked Chase Christensen for his work, reports, and helpful contributions to meetings since he was hired recently.

Manager's Report

Chase Christensen gave the attached Manager's Report and the following updates. Three pumps had to be run at Evans most of the morning two days ago because of the heavy rains. Number 2 pump at Evans is down, and the amperage on Number 3 is running high. Chase tried to turn on Honeyman pump today and discovered there was no power. Chase got CRPUD to fix the problem. The Hovan pump tripped a breaker today while Chase was there, but the pump is back up and running. Chase installed a borrowed game camera that sends pictures to his phone about every hour from Evans to monitor the water level. Jackson Creek Diversion boards have developed rotting at the edges, and one failed during the January 3 rain event. The boards are rough-sawn, true 2" x 8" boards. Chase was able to replace some boards with stock in the shop. The tide gates are functioning well. Bob Deahl has been checking the Cherry and North pumps. JR Shadley has been operating Evans pumps. A Christmas tree was sucked into an Evans intake bay and caused cavitation; the tree has been removed. The water level at Evans is 4.05 feet at this moment during the meeting, according to the photo sent to Chase's phone.

House & Office Renovation

Jeff Mapes and Karen Kessi reported on the status of the contractor's work. The interior painting is done and the house flooring is almost done. President Wenker made a motion that the house/office renovation subcommittee be authorized to purchase two chairs and two desks for up to \$1,500, for the district office. Gary Wheeler seconded the motion, and all voted in favor of it.

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FEMA Accreditation Submittal

President Wenker reported that the City of Scappoose has gotten updated LiDAR data, which has been passed along to WEST Consultants. He also reported that Laurie Oliver Joseph, City of Scappoose, stated that she expects within the next week or so to receive a written report of informal review by FEMA of the draft flood maps. WEST will not update the maps with the new LiDAR data until the feedback from FEMA has been received. Then GSI will help identify which lots have been affected by flood map changes.

Annual Landowner Meeting

The board discussed the challenges of holding the annual landowner meeting virtually, including voting on a virtual platform. The board reviewed Section 4.1.1 of the SDIC Bylaws, which provides: “The first annual meeting of the members shall be held in the month of October 1996 and subsequent annual meetings in the month of February of every year thereafter at the principal office of the corporation or at such other time or place as may be determined by the Board of Directors.” Jeff Mapes made a motion to postpone the February landowner meeting after first contacting Jeff Condit regarding whether that is appropriate in view of Covid and the challenges of Zoom and how best to notice the postponement of the meeting and whether notice needs to be sent. Karen Kessi seconded the motion, and all voted in favor of it.

Jackson Creek Diversion

Chase Christensen reported that he has been unable to find true 2x8 boards and that they probably will have to be milled.

Executive Session

At 6:44 p.m., the board went into executive session under ORS 192.660(2)(a) regarding staffing issues. The board returned to public session at 8:12 p.m.

Upcoming Meetings and Adjournment

The next regular monthly meeting is scheduled for February 11, 2021 at 6:00 p.m. Jeff Mapes made a motion to adjourn. President Wenker seconded the motion, and all voted in favor of it except Len Waggoner, who had left the meeting. The meeting adjourned at 8:12 p.m.

Geoff Wenker, President

Len Waggoner, Director

Gary Wheeler, Vice President

Karen Kessi, Director

Jeff Mapes, Secretary/Treasurer

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Exhibits attached to Minutes and/or in Dropbox:

- Meeting Agenda
- Manager's Report