

BEVERLY BEACH WATER DISTRICT MINUTES

NOVEMBER 15, 2017

IN ATTENDANCE: Board President Jack Barbay, Board Members Gene Hogan, Tim Gross, Leon Nelson, and Kendra Holloway; Water Operator Ted LePine; Guests Brian Thompson (ODOT Region 2 Utility Specialist), Jon Barnard (ODOT Transportation Maintenance Manager for the Coastal Area), and Steve Hodge (Lincoln County Engineer).

Kendra Holloway passed out copies of the minutes from the previous meeting (October 18, 2017). Jack passed out an agenda for tonight's meeting, as well as (2) "Beverly Beach Water District Profit & Loss Budget vs. Actual Reports," one for October 2017, and the other for July through October 2017. Brian Thompson passed out documents detailing ODOT's plans for water diversion along Beverly Drive, in particular a 1"= 50' diagram of expected renovations.

The meeting was called to order by President Barbay at 7:00 p.m.

ODOT DRAINAGE PROJECT: Representatives from ODOT had met earlier in the day with Ted LePine and Tim Gross to do a physical tour of the proposed renovations by ODOT to the drainage problem on Beverly Drive and Highway 101. The meeting began discussing concerns with this project in order to accommodate guests. Mr. Thompson referred to the 1"=50' drawing which clearly shows the county's right-of-way. He noted that the waterline they would construct at "W1" on the drawing would be between 3-5 feet deep. The district's water line is 2 feet deep at this point. He stated that they may be able to lower their line another 2 more feet.

At waterline 3 ("W3") their line would be beneath the district's water line. At waterline 2 (W2") he stated they could possibly drop their line 2 more feet.

Mr. Thompson explained that the bid date on the project would be May 10, 2018. He thought the write-up for the project would be completed by February 2018. He stated that it shouldn't take over a day at each "W" site.

He stated that a culvert 42" to 24" would be rammed or drilled under the highway to vacate water from the pond. There will be 10 feet of soil between our water line and the ramming (horizontal jacking) that would occur. Soil will be pushed up towards the water line during this process according to Tim, and it was his estimation that the PVC pipe would not tolerate the pressure. It was mentioned that this is a 42" diameter opening that will have a grate with a trash trap at the intake. It was discussed that (1) they needed to modify the design, (2) there needs to be someone from the district on-site during this process, and (3) the state needs to modify how the culvert is put in.

Tim stated that the district needed a contingency plan to prepare for any potential line breakages because we can't shut down our whole system because of a break in the lines at this point. He said we should have the parts ready for an immediate repair, and Ted assured him the parts were on-site at the district already.

The water level of the pond after completion of the project is estimated to be 18 feet below the surface of the road. There will also be contour grading.

Tim mentioned that there was originally chain link fence 70'-80' along the edge of the road on the pond side that the state had removed. He stated that the district wanted it replaced.

Discussion ensued regarding the district's frustrations in the past with its numerous attempts to make contact with the state over what was being done with the pond. Phone calls, e-mails, and even letters were never answered after numerous attempts by the district. It progressed to the point that the district asked its attorney, Dennis Bartoldus, to intervene legally. Mr. Thompson said the whole process took so long, and hence the pond was continually drained, because they had to get the correct design for the project. He stated that he thought the state would have no objection to replacing the fencing. Jon stated that a good contact at the state level was Christine Hildebrand. Gene disagreed and said that she was the worst at not responding. Gene explained the district's concern over low water levels in the pond during a very dry summer because that is a source of water for fire emergencies. The district had asked Jack how much water we wanted to be retained in the pond at the least, then turned around and pumped below that level. Gene also expressed his displeasure at the letter which had been sent to the district on November 14, 2017 by Brian Thompson. Gene stated that he thought the letter was very impersonable and demanding it terms of ultimatums that the district had to accomplish under certain time frames. He thought that was ironic considering the fact that the district had tried on so many occasions to work with the state and gotten no response. Mr. Thompson's response was that the letter may have seemed that way because it is basically a form letter that is sent out. Gene also expressed concern over the fact that the pond is a thriving area for wildlife, and that by drawing the water levels down as low as is being proposed, the state will ultimately be destroying habitat for many waterfowl species as well as other species.

It was proposed that the district contact the fire department regarding how much water storage we would require in the pond for emergency fire protection.

State personnel stated that the culvert had to be 18 feet below the roadbed because the saturation of the bank and seepage to the land across the road from it would be detrimental to the highway. Gene asked about a concrete lining surrounding the culvert and the entire bank on that side of the pond. State personnel were not very receptive to this idea.

Movement of the overflow drain at the base of 121st St. was discussed in order to facilitate construction.

Kendra asked who would pay for fixing any broken lines or other damages to district equipment by a contractor. The answer was that the state would not release the bid bond if we petition a contractor for damages.

Gene asked what the expected completion date of the project was. Mr. Thompson responded approximately two months, and that the construction would occur roughly June-September 2018. He explained that we will have only one lane of traffic up and down Beverly Drive. The lanes will be blocked due to equipment and interrupted power lines. Jack asked about public notification of the construction. Mr. Thompson stated he would let Christine Hildebrand do that.

Jack asked about the demands made to the district in the letter that was sent, and what the district was compelled to do. Mr. Thompson seemed to imply that we still had to make engineering plans to relocate our lines if necessary. Mr. Hodge said that we would have to "foot the bill" for a county project such as this, but that usually districts are helped financially where possible.

The contractor doing the construction is required to give two weeks notice before work starts to allow for our employee to make plans to be on site for inspection. Questions arose as to who pays those wages for our employee due to the fact that this was necessitated by other than us.

Jack had concerns about the staging of heavy equipment on Finisteere's soon to be paved access road.

Mr. Thompson asked that a copy of the minutes from this meeting be made available to Christine Hildebrand. He was told she could download it from our website once the minutes had been approved at our next meeting and posted to the web site.

[AT THIS POINT, 8:00 P.M., MR. THOMPSON AND MR. BARNARD LEFT THE MEETING]

Tim said that their tune had changed. He stated that during the meetings he and Ted had with the state employees during the day they were curt and pretty much demanding that we were going to have to dig up our water lines to accommodate the project. He stated the county should have to be the one to move stuff on their right of way. Tim mentioned he had asked Steve Hodge to show up and he came to give Ted support.

Kendra suggested that we write down what we "think" transpired at the meeting with the state representatives, and what they said, and then ask them, "Is this, in fact, what everyone understands the situation to be at this point?" Did we agree that: (1) relocation of "W1" would be possible to avoid interference with our water lines, (2) relocation of "W2" would be possible to avoid interference with our water lines, and (3) that there would be no ramming with a hydraulic jack to make way for the culvert, and that drilling would be utilized instead.

Gene reiterated his major concerns with the fact that the pond would be changed substantially upon drawing the water levels down so low, and that in essence it constituted habitat destruction for a myriad of animal species, in particular, waterfowl. Aren't there state laws precluding such habitat destruction, and/or compensation for it by putting aside other lands to replace what's lost?

Tim said he had called the watermaster for this region. He asked Jack if we had a water right for the pond, because it would seem that ODOT has no right to drain it down (it is called "No Name Creek"). Jack said we have a water right for Spencer Creek, one for Wade Creek, and one for "Un-named" Creek.

Tim suggested we might want to file a claim or objection.

PAST MEETING MINUTES: The board was instructed to read the minutes from last month's meeting. Gene mentioned to Ted that there is still a leak on 115th St. near his house. He said he was aware of it. Ted mentioned that he is taking the course to become a Level 1 and Level 2 water operator. Ted mentioned that the bars that were made by Harvey at NW Radiator to put on the windows at the plant for security reasons were just paid for to make them, not for the installation. Gene thanked Kendra for agreeing to be Acting Secretary last month while he was gone, and for doing last month's minutes.

Gene made a motion that we accept the minutes for last month's meeting (October 18, 2017), and Leon seconded the motion. In Favor: Jack, Gene, Tim, Leon, and Kendra. Opposed: None. The motion passed un-opposed.

WATER OPERATOR'S REPORT:

Tim said that he had had some brown water in his lines recently, but that it went away after 60 seconds. Ted said of the status of the plant, that it was working well. He mentioned that the gate is up on the creek with our recent rain event, but that we survived well; the water levels in the creek did not rise to detrimental heights. He said we had a power failure, and that the plant shut down around midnight.

He said the tank level is in the high 30's and that he is trying to keep it down around 35 feet for better chlorine residuals. We are currently experiencing about 1 ½ feet per day in water use. Tim asked if we have enough turnover in the tank. Ted said we have to keep 25 feet of water in the tank to meet requirements for fire protection. Ted said that sometimes he has to add chlorine manually to the tank to bring up the chlorine residual. Tim said we should install a chlorine injector.

Ted said there is a leak at 11528 NE Benton. He doesn't think it's the main.

Tim mentioned that last night he had seen a great set of hydrophones that the Seal Rock Water District has. Tim wondered if maybe we could borrow them.

It was mentioned that American Leak Detector could pick up the service line on the places on Avery. Tim also said that the City of Newport has new locators. He will ask if we can use them.

Agenda Item 3d: We have no new service connects or disconnects.

Agenda Item 3e: We have a pallet of soda ash that just came in. Ted is working on the PAC. Right now he is running the plant 3 times/week. Like he stated earlier, he is going to bring the tank level down from the high 30's to mid 30's.

As far as Ted's coursework for water credentials, he said he is sending in the application on Monday to take the test. He will have to go to a proctored test. He should be done before the end of the year, and there are instant results from the exam. He thinks you are certified immediately too once the results of your test are known.

Gene asked if Ted had had to turn off Tracy Goudy's water, and he said no, because she had paid her bill in full. No one is beyond 90 days in unpaid bills at this point.

[TED LEFT THE MEETING AT THIS POINT, 8:27 P.M.- NO MORE WATER ISSUES WERE TO BE DISCUSSED]

TREASURER'S REPORT:

Jack said that all the numbers look great on all the financials sheets.

Apparently a woman has asked to revert back to residential rates from commercial rates. It was discussed that we would need documentation from the county that she is no longer a Vacation Rental Entity in order to exclude her from commercial rates.

Jack mentioned to Lurlyn that we need to transfer SDC monies from accounts, and that only \$1200 should remain in the SDC account.

Grimstad Accounting has asked us for information needed to complete our audit. Jack said they did not even send us a letter asking if we wanted them to do an audit for us, and what the cost would be. They sent us the review and a bill. Jack asked that in the future we get notified of the anticipated cost. We have received a bill for \$1500 for a work in progress. Last year we paid them \$2100 Total.

Gene made a motion to approve paying the Grimstad bill of \$1500. Leon seconded the motion. In Favor: Jack, Gene, Tim, Leon, and Kendra. Opposed: None. The motion passed unanimously.

Jack will write them a letter that the cost should not exceed \$2100 (the same as last year).

Jack asked if the board had any more concerns with the budget, to which they replied there were none.

Tim mentioned that he likes the new layout for the invoice for water bills.

Jack said we had received a bill from SDAO for \$269.03. Part of that was for their preparation of our Water Quality Report this year, but the rest is for membership dues. Jack said he would inform Lurlyn to go ahead and pay the bill.

Lurlyn sent us a paper on taxes that were levied.

NEW BUSINESS:

An announcement was made about the upcoming "Districts Information Sharing Meeting" that the county was hosting in case anyone was interested in attending.

Jack said we had received a Financial Statistics Survey from the U.S. Department of Commerce, U.S. Census Bureau. He said it takes 1.5-6 hours to complete online. The board agreed that it seemed to be optional, and agreed to pass on completing this.

VACATION RENTALS:

There was no new information by the board to offer on this topic. Leon said he knows of four addresses on Avery Street that are definitely vacation rentals and should be charged the commercial water rate.

Leon said there are four companies that are managing vacation rentals: Vacasa, BRBO, Meredith Lodging, and one other one he could not remember the name of. Jack said he had looked at the first two companies. This topic was postponed for discussion at the next meeting.

Gene made a motion to adjourn the meeting, which Leon seconded. In Favor: Jack, Gene, Tim, Leon, and Kendra. Opposed: None. The motion passed un-opposed, and the meeting was adjourned at 8:46 p.m.

Signed and respectfully submitted _____
Gene Hogan, Sec. Beverly Beach Water District- November 16, 2017

