

**SEAL ROCK WATER DISTRICT
MINUTES OF THE
Regular Board Meeting
by Zoom Conference Call and In Person
February 15, 2024**

Introduction to Remote Meeting:

SRWD held this meeting through Zoom video conferencing. Due to the limited capacity for in-person meetings, the public was encouraged to attend the meeting electronically.

Present:

Commissioner Saundra Mies-Grantham and Commissioner Karen Otta were present on the Zoom Conference Call. Present in person in the board room were Commissioner Rob Mills, Board President; Commissioner Paul Highfill, Member; and Attorney Jeff Hollen, Legal Counsel. Staff: Adam Denlinger, General Manager; Joy King-Cortes, Office/Finance Manager; Trish Karlsen, Bookkeeper; and Brad Wynn, Lead Operator

Excused Absences: Commissioner Glen Morris

Call Regular Meeting to Order:

President Rob Mills called the regular board meeting to order 4:00 p.m., Thursday, February 15, 2024, and introduced the commissioners and staff present in the board room. No member of the public was in attendance in person. Present on Zoom was John French.

Announcements/Public Comments:

President Rob Mills asked if there were any announcements. Commissioner Karen Otta had no announcement; Commissioner Saundra Mies-Grantham had no announcement; Commissioner Paul Highfill had no announcement; General Manager, Adam Denlinger had no announcement; Joy King-Cortes, Office/Finance Manager announced that an office employee, Brendi Hoch is on Paid Leave Oregon for fourteen weeks. Trish Karlsen, Bookkeeper had no announcement; Attorney Jeff Hollen had no announcement; President Rob Mills had no announcement.

Public Comments:

President Rob Mills asked John French who attended through Zoom if he had a comment and he responded that he had no comment.

Consent Calendar:

Items on the consent calendar are the January/February 2024 Invoices List for approval; the January 11 Regular Board Meeting minutes; the January/February 2024 Financial Report; USDA Project Monitoring Report No. 41; and the General Manager's Monthly Report. President Rob Mills asked if each commissioner reviewed the consent calendar items. Commissioner Karen Otta answered YES; Commissioner Saundra Mies-Grantham answered YES; Commissioner Paul Highfill answered YES. Commissioner Paul Highfill motioned to approve the consent calendar. Commissioner Karen Otta seconded the motion. The motion passed 4 - 0.

Discussion and Information Items:

Primary Source Water Project Update:

The WTP operators continue working with Jacobs Engineers and WesTech consultants to resolve technical performance issues related to programming. WesTech and Jacobs Engineers are collaborating to fine-tune the WTP system. Water Treatment Plant operators were successful at installing new heater rods to one of the three heater elements used in the Clean in Place (CIP) process. However, during installation, the electrician discovered that the other two elements are operating at/or about 30% capacity and are in various stages of failure. Two replacement heater rods have been ordered and are expected to arrive the week of February 19th. The installation of the new heating element improved the clean-in-place (CIP) process, and it is shorter than it used to be. It used to take 6 to 8 hours to heat the chemicals to clean the skids, now it only takes 2 hours. While improvements made by WesTech to the operating system and the WTP seem to be performing much better in the past few weeks, Jacobs Engineers are concerned with how unresponsive some of the programming is. At times operators struggle with operational programming conditions that require constant oversight and limit the district's ability to perform remote operations. Due to the recent reloading of system software due to past server issues, Jacobs Engineering is recommending that WesTech visit the site to perform testing and re-verification of all components. A team of technicians and consultants will be on-site at the WTP the week of February 19th to verify operational conditions and make corrections in real time during plant operation.

Draft Personnel Policy and Paid Leave Oregon:

The Revised District's Personnel Policy was included in the meeting packet for the board's review. The new Paid Leave Oregon (PLO) became effective in September 2023. It provides 12 to 14 weeks of paid leave for Family Leave to care for the employee's family during the birth of a child, bonding with a child after birth, through adoption, and foster care; Medical

66 Leave for employees caring for themselves when an employee has a serious health condition; and Safe Leave for
67 survivors of sexual assault, domestic violence, harassment, and stalking. The employees' contribution to the insurance
68 premium is .006 of the employee's gross wages and the employer's contribution is .004 of the employee's gross wages.
69 Employers with less than 25 employees are exempt from the employer paying the employer contribution but may choose
70 to contribute and be eligible for a \$3,000 grant annually. Employers are required to have a PLO policy and as a member
71 of SDAO, the district was able to obtain a sample Paid Leave Oregon Policy Pack from HR Answers Consultants.
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73 **Decision Items:**

74 **Appointing Budget Committee Members:**

75 The staff received two Budget Committee Member Applications and one application is from a patron who owns a second
76 home within the district's boundary but is not a registered voter in Lincoln County. The Budget Officer, Adam Denlinger
77 will notify the applicant for not meeting the requirement to be appointed. The second applicant is Larry Silverthorn who
78 has lived in the district for 45 years and served as a member of the Seal Rock Fire District and served as a member of the
79 SRWD Board of Commissioners in the 1980's. Commissioner Karen Otta motioned to appoint Larry Silverthorn as a Seal
80 Rock Water District Budget Committee member. The motion was seconded by Commissioner Sandra Mies-Grantham.
81 The motion was passed 4 – 0.
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83 **Reports, Comments, Correspondence:**

84 The district office will be closed on Monday, February 19th in honor of the Presidents Day Holiday. The General Manager
85 will be attending the OAWU Management Conference on the week of March 4th. The GM Performance Review is
86 scheduled for July 2024. The implementation of the salary survey changed the anniversary date of most employees.
87 SDAO Annual Conference Highlights:

- 88 • Copy of the SRWD Paid Leave Oregon (PLO) Policy.
- 89 • Public Meeting Policy/Training. In order to receive the 2% credit, your district must have adopted or have a
90 current policy regarding public meetings. This policy must meet the new legislative requirements that went into
91 effect on January 1, 2024. A sample policy will be available from the SDAO Resource Library at
92 www.sdaoresourcelibrary.com in the spring.
- 93 • ALL members of the Board of Directors of the district must complete the public meeting training offered through
94 SDAO. The training will be available towards the end of spring 2024. Notifications will be sent out once the
95 training is live on the Vector Solutions/Safe Personnel training sites. This training will be located in the course
96 library under the SDIS custom course tab.
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98 **Legislative Bills:**

- 99 • HB4006: Bonds for Retainage... will require contracts to accept surety bonds in place of retainage.
- 100 • HB4049: PFAS (Forever Chemicals)... This Act directs OSU to study the fate of PFAS in biosolids that are spread
101 on farm fields and to submit a report by Dec. 15, 2025.
- 102 • HB4099: Housing and SDCs... The Act makes OHCS guarantee a local government's collection of a fee to be
103 paid by a home builder on a delayed schedule.
- 104 • HB4128: Water Infrastructure... Requires the Oregon Department of Administrative Services to study water
105 infrastructure needs in this state and submit a report to the Legislative Assembly no later than September 15,
106 2025. Sunsets January 2, 2026.
- 107 • HB4155: Infrastructure Financing Study... The Act would require a study of how the state can help lower
108 infrastructure and housing costs. The Act would require the agency doing the study to submit a report to the
109 legislature by mid-September. (Flesch Readability Score: 60.6). Directs the Oregon Business Development
110 Department to study infrastructure financing in Oregon by considering and evaluating tools the state may use to
111 have a positive effect on infrastructure and housing costs in Oregon. Requires the department to submit a report
112 of the findings of the study to the Legislative Assembly. Declares an emergency, effective on passage.
- 113 • SB1566: County Right of Way Fee... Allows a county to charge a permit fee to build, move, or change a line,
114 fixture, or facility that is in the right of way of a county public road. There are exceptions. Sunsets on January 1,
115 2031. Authorizes a county governing body to charge a fee for the administration and issuance of a permit to
116 construct, alter, relocate, maintain, or repair a water, gas, electric, or communication service line, fixture, or facility
117 within the right of way of a public road under the jurisdiction of the county, subject to specified exceptions.
118 Sunsets January 1, 2031. Declares an emergency, effective on passage.
- 119 • Lead & Copper Rule Revisions / Lead & Copper Rule Improvements
 - 120 ○ Proceeding with the customer service line inventory part of the rule.
 - 121 ○ The deadline for the first inventory is October 16, 2024.
 - 122 ○ Finally have two technical assistance contracts in place (HBH Engineers for systems in the north ½ of
123 Oregon, OAWU in the south ½) but likely these contracts come as too little too late for systems to fully
124 take advantage of the service.
 - 125 ○ Additional contract with 120Water to help small systems compile an inventory and use their portal to
126 submit the inventory to EPA.
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- PFAs
 - With DEQ, the State performed a state-wide sampling of water sources looking for PFAs. Only very isolated and very low-level detection samples were found.
 - Unsure of what next steps this round of sampling leads to as OHA is not pursuing a state PFA standard but waiting and seeing what EPA will issue as a final PFAs standard / MCL (Note: Most water utilities in the US are still amid UCMR 5 monitoring which is aimed at assessing nationwide occurrence of PFAs (so why would EPA release a proposed PFAs MCL before UCMR 5's completion before November 2024?)).
- Final Best Management Practices for Water Main Repair and Loss of Pressure Event
 - Both BMPs were designed as a road map to follow when utilities repair a main break or when an area experiences a loss of positive pressure
 - Designed as BMPs to avert situations where OHA would need to follow up with a health-related investigation.
 - The utility version was "amended" by OHA to look more like a rule than a BMP whereby the utility sub-committee backed away and would not endorse the revision.
 - Now, DWAC is asking the sub-committee to bring back the utility version for DWAC review.
 - Utility version was successfully implemented and followed during a large water main break in West Slope in August 2022.
- Cyber Security & Sanitary Surveys
 - OHA backed away from wanting to include cyber security assessments in public-facing sanitary survey reports when USEPA withdrew its new rule based on an interpretation of a section of the 2018 AWIA legislation. Secretaries of State from 3 states filed suit against the EPA in federal court – AWWA joined the lawsuit representing all their utility members – and the EPA withdrew before the case was heard.

Recessed Regular Session to go into Executive Session:

President Rob Mills recessed the regular session at 4:45 p.m. to go into Executive Session, pursuant to ORS 192.660(2)(h); To consult with legal counsel concerning the legal rights and duties of a public body regarding current litigation or litigation likely to be filed. Representatives of the news media and designated staff shall be allowed to attend the executive session. All other members of the audience were asked to leave the room and sign off from Zoom. Representatives of the news media are specifically directed not to report on any of the deliberations. No final decisions shall be made in the Executive Session.

Adjourned the executive session/Reconvened regular board meeting:

President Rob Mills adjourned the executive session and reconvened the regular board meeting at 5:15 p.m.

Adjournment: Commissioner Karen Otta motioned to adjourn the meeting. Commissioner Paul Highfill seconded the motion. President Rob Mills adjourned the meeting at 5:17 p.m.

Next Board Meeting: March 14, 2024, at 4:00 p.m. Regular Board Meeting.

Approved by Board President

Date: