

ARCH CAPE SANITARY DISTRICT MINUTES

17 January 2020

A quorum was present.

Sanitary Board: Darr Tindall, President
Debra Birkby, Vice-President & Treasurer
Chris Anderson
Bill Campbell

Excused Absent: Carl Matson

Public: David Stockton
Jeannie Stockton

Staff: Phil Chick, District Manager
Steve Hill

Ms. Darr Tindall called the meeting to order at 7:03 pm.

Public Comment: None.

Agenda: Add an executive session and pull Treasurers report. Ms. Birkby moved acceptance of the agenda as amended which was seconded by Mr. Campbell. All in favor. Motion carried.

Consent Agenda: Ms. Birkby moved and Mr. Campbell seconded approval of the consent agenda. All in favor. Motion carried.

The Board entered into Executive Session to conduct deliberations with persons designated to negotiate real property transactions provided for by ORS 192.660 (2)(e) and to consider information or records that are exempt from disclosure by law, including written attorney advice provided for by ORS 192.660 (2)(f) at 7:07pm and ended the executive session at 7:38pm

Old Business:

Membrane Replacement: (Information) Mr. Chick reported that the membrane replacement went well and was under budget. We still need to install the mixer which will require a modification to the anoxic basin by Sopko Welding. Mr. Chick said that Mr. Matt Gardner did a fantastic job throughout the replacement process.

Biosolids Processing Plan: (Information) Mr. Chick said that the November test run went well and that we would be going again on January 28th with Ed's Septic for approximately \$1,700. The charge with Seaside is \$0.17 per gallon or approximately \$2,100. We should still be able to use our old site a limited number of times per year with the rest handled by Ed's Septic and the City of Seaside.

A question was raised about using Seaside for all processing and Mr. Chick said that he would look into it.

Natural Hazard Mitigation Plan (NHMP), SDAO Conference, and Access Road Easement: Agenda items pulled.

New Business:

Northwest Local Government Legal Advisors Agreement – Eileen Eakins: (Action) Mr. Anderson moved execution of the agreement with Eileen Eakins which was seconded by Ms. Birkby. All in favor. Motion carried.

Columbia Bank ACH Positive Pay Filter Service: (Action) Columbia Bank’s ACH Positive Pay Filter Service was approved by common assent.

Reports:

Accounts Receivable: Receivables were reported to be in good shape.

District Manager’s Report: (attached) Mr. Chick reported that Salishan Resort will be touring the district. With the high rainfall recently received we had a sewer overflow on December 19th and 20th. The DEQ was notified. We had an Airflow Actuator failure which has been sent to the manufacturer for repair. The spare actuator was installed in its place.

Board Comments: Mr. Campbell expressed his appreciation for Mr. Phil Chicks patience.

February Agenda Items: Road Easement, Biosolids Processing, and SDAO conference report,

Public Comment: None.

The meeting was adjourned by Ms. Darr Tindall at 8:02 pm.

Respectfully submitted,


Steve Hill

Attest 
Ms. Darr Tindall, President



ACKNOWLEDGEMENT AND ACCEPTANCE
OF TERMS

Arch Cape Sanitary District
Client Name

Phil Chick
Primary Contact

32065 East Shingle Mill Ln. Arch Cape, OR 97102
Address

503 436-2790 philchickacutil@gmail.com
Phone Number and Email

I, Darr Tindall, am authorized to approve agreements on behalf of the entity listed above. I hereby acknowledge receipt of an engagement letter for legal services from Northwest Local Government Legal Advisors, LLC, dated December 6, 2019.

On behalf of the entity I represent, I acknowledge and agree to the following:

- The entity has an agreement for legal services with the Law Offices of Eileen Eakins, LLC;
- The Law Offices of Eileen Eakins, LLC, will dissolve effective December 31, 2019;
- Eileen Eakins is authorized to continue her legal representation under the firm name of Northwest Local Government Legal Advisors, LLC, effective January 1, 2020;
- All records and communications retained by the Law Offices of Eileen Eakins, LLC, may be transferred to Northwest Local Government Legal Advisors, LLC, as part of Ms. Eakins continued representation;
- I accept the terms described in the Engagement Letter and authorize Eileen G. Eakins to continue to provide legal services to the entity through the firm of Northwest Local Government Legal Advisors, LLC.

Darr Tindall, President
Name and Title
Darr Tindall
Signature

Please email signed form to eileen@eakinslaw.com, or mail as follows:

Before December 31, 2019: Law Offices of Eileen Eakins, LLC, 7455 SW Bridgeport Road, Suite 205, Tigard, OR 97224

After December 31, 2019: Northwest Local Government Legal Advisors, LLC, 5285 Meadows Road, Suite 400, Lake Oswego, OR 97035



December 6, 2019

BY GROUP BLIND EMAIL

Valued Client:

Thank you for selecting this firm to continue to provide legal services. This letter defines the terms of our engagement.

The scope of services we will provide includes general legal advice and services upon request. This is a non-exclusive agreement that either of us may terminate at any time.

Eileen Eakins' hourly rate is \$250 per hour (including travel time) billed in minimum increments of two-tenths (.2) of an hour, plus any expenses incurred, such as filing fees, deposition charges, copying costs, postage, mileage, and related expenses. The hourly rate for junior-level attorneys is \$220. The firm does not charge for administrative staff, including paralegals and legal assistants. Attorney letters requested as part of an annual audit are billed at a minimum of one hour.

We will bill you approximately monthly, depending on the amount of work done on your file during that period of time. We will also advise you before doing any work that will substantially increase the amount of fees. No fee and cost deposit will be required at this time. However, if a legal matter arises that is likely to incur substantial legal fees and costs, such as a litigation matter, we may ask for a deposit before proceeding with that matter.

Payment is due within thirty (30) days of the date of invoice. Late payments may be subject to assessment of simple interest. Continued delinquencies may result in termination of legal services.

Enclosed with this letter is a form for you to sign and return, indicating your acceptance of the terms described in this engagement letter. Please contact us at the address and phone number listed below at any time. We look forward to working with you.

Sincerely,

A handwritten signature in black ink, appearing to read "Eileen Eakins".

Eileen G. Eakins, Managing Member
Enc.

5285 Meadows Road, Suite 400, Lake Oswego, OR 97035
(503) 607-0517

Manager Report January 17, 2020

Sanitary:

We received 4" of rainfall in November and the wastewater plant received 2.7 Million gallons of influent. December recorded 11.5" of rainfall and 4.2 Million gallons of influent to the plant.

We received nearly 7" of rainfall from December 19th to December 20th resulting in an overflow at Manhole A-11 on Shingle Mill Lane. Approximately 3,000 gallons of wastewater was discharged to the creek. Signs were posted and Oregon DEQ was notified. All documentation was sent to our permit compliance person.

Staff and Cannon Beach Electric replaced the Airflow Actuator valve on MBR 1 with a spare that we keep on hand. The actuator valves have been a weak link in our system in the past, but have been performing well since changing an operational process back in 2015. The old valve will be sent in to the manufacturer for diagnosis/repair and kept on hand.

Borland Electric ran conduit and installed 2 trickle charging drop cords in the shop building for the portable generators. The charging cords drop down from the ceiling now, and are off of the floor. I also requested a quote to repair the old light fixture above the Anoxic Tank, which has not been operable for several years.