

ARCH CAPE SANITARY DISTRICT MINUTES

16 February 2018

A quorum was present.

Sanitary Board: Ron Schiffman, President
 Virginia Birkby, Vice-President
 Debra Birkby, Treasurer
 Darr Tindall
 Casey Short

Public: David and Jeannie Stockton

Staff: Phil Chick, District Manager
 Steve Hill, Secretary

Mr. Ron Schiffman called the meeting to order at 9:05 pm.

Public Comment: None.

Agenda: Ms. Virginia Birkby moved acceptance of the agenda which was seconded by Mr. Short. All in favor. Motion carried.

Consent Agenda: Pull minutes. Ms. Virginia Birkby moved acceptance of the consent agenda as amended which was seconded by Ms. Tindall. All in favor. Motion carried.

January 19th Minutes: (Action) Mr. Short moved acceptance of the minutes which was seconded by Ms. Tindall. Ms. Virginia Birkby, Mr. Schiffman, Ms. Tindall and Mr. Short voted yes. Ms. Debra Birkby abstained. Motion carried.

Old Business:

Truck Purchase – Intergovernmental Agreement (IGA) Amendment: (Information) Add to next month's agenda.

Resolution 18-01 SD Multiple Commercial Connections: (Action) Mr. Short moved the adoption of Resolution 18-01 SD Multiple Commercial Connections (attached) to include the spelling out of the first use of 'ACSD', and 'ACDWSD'; as well as the addition of the word 'be' after the words, "...customer must ..." in the last paragraph on page two; additional language was added to the end of the first paragraph on page two adding 'ACDWSD' approval and,' The motion was seconded by Ms. Virginia Birkby. All in favor. Motion carried.

New Business:

Budget Schedule & Budget Committee Roster: (Information) (attached) Appointment of Diane Matson to another full term and an invitation to Heather Newman and Chris Anderson as discussed in the prior meeting of the water district.

Starfish LLC Billing Appeal: (Action) Ms. Virginia Birkby moved to deny their appeal (attached) which was seconded by Mr. Short. All in favor. Motion carried.

Mr. Chick was directed to include the district's denial in the same communication as for the water district.

Authorized Bank Account Signatories: (Action) Ms. Virginia Birkby moved that the President, Mr. Ron Schiffman, the Vice-President, Ms. Virginia Birkby, the Treasurer, Ms. Debra Birkby and the District Manager, Mr. Phil Chick be approved as signatories on the district's Columbia Bank checking account. The motion was seconded by Ms. Tindall. All in favor. Motion carried.

Auditor Search: (Information) (attached) Mr. Hill will report to the board with available options.

Reports:

Accounts Receivable: Mr. Hill reported that a new owner for the troubled account had not been identified by the sheriff's office under the sale of property redemption period but that he would begin collection of past monies due as soon as a new deed was filed with the Clatsop County Tax Assessors office. The remaining receivables were performing accounts.

District Manager's Report: (attached) Ms. Debra Birkby moved that the board notify the county clerk that the board was not in support of special districts election pamphlet based upon cost which was seconded by Ms. Virginia Birkby. All in favor. Motion carried.

Ms. Virginia Birkby moved to not participate in the SDIS's best practices review program offer for an additional discount which was seconded by Ms. Tindall. All in favor. Motion carried.

Treasurer's Report: None.

Board Comments: Mr. Short said that he would speak separately with Mr. Hill and Mr. Chick regarding overspending our budget in the prior year.

March Agenda Items: Truck purchase, Insurance, Budget committee, and auditor update.

Public Comment: None.

The meeting was adjourned by Mr. Ron Schiffman at 9:30 pm.

Respectfully submitted,


Steve Hill

Attest 
Mr. Ron Schiffman, President

**ARCH CAPE DOMESTIC SANITARY DISTRICT
RESOLUTION 18-01 SD
MULTIPLE SERVICE CONNECTIONS TO
ACSD COMMERCIAL CUSTOMERS**

Whereas, the ACDWSD has provided for a base rate use of five thousand (5,000) gallons of water per month before excess water usage charges are assessed, which base use represents the monthly water demand of a single family residential unit, known as an Equivalent Dwelling Unit (EDU) [See: ACDWSD Resolution 18-01 WD]; and,

Whereas, ACSD policies are intended to be consistent with those of the ACDWSD when appropriate; and,

Whereas, the ACSD recognizes that commercial water and sanitary connections might have infrastructure needs that are different from residential use; and,

Whereas, the ACSD further stipulates that:

- (1) It has available both three-quarter (3/4") meter connections and one (1") inch meter connections at the then existing System Development Charge (SDC) established and adjusted from time to time by the ACSD, for the specific connection size; and,
- (2) The water flow through a one (1") inch meter connection is approximately two and one-half (2.5) times that of a three-quarter (3/4") inch connection; and
- (3) The ACSD determines SDC fees based on water meter size and excess charges based on water usage;
- (4) Sanitary rates are established, reviewed, and adjusted from time to time by the ACSD.

NOW, THEREFORE, be it resolved by the Arch Cape Sanitary District:

THAT, it is within the sole power of the ACSD to grant or deny the purchase of multiple commercial connections, based upon its judgment about various relevant factors including, but not limited to, waste water treatment capacity and projected customer growth; and,

THAT, ACSD commercial customers wanting to upgrade all of their existing water connections from three quarter (3/4") inch to one (1") inch may apply to the ACSD to do so, and if approved, by paying the District the difference in SDC charges then existing between a one (1") inch connection and a three quarter (3/4") inch connection, in addition to any new service connections; and

THAT, any and all ACSD connections serving a commercial customer must the same size, including but not limited to situations where a commercial customer has multiple tenants or waste water treatment users.

Adopted and signed this ____ day of _____ 2018.

Virginia Birkby, President

Attest _____

2018 Arch Cape Domestic Water Supply District Budget Committee		
Board	Community	Term
1. Debra Birkby		
2. Virginia Birkby		
3. Ron Schiffman		
4. Dan Seifer		
5. Linda Murray		
OPEN POSITION	1.	2016-2019
	2. Richard D'Onofrio	2017-2020
OPEN/EXPIRED POSITION	3.	2014-2017
EXPIRED	4. Diane Matson	2014-2017
	5. Catherine D'Onofrio	2015-2018

2018 Arch Cape Sanitary District Budget Committee		
Board	Community	Term
1. Debra Birkby		
2. Virginia Birkby		
3. Ron Schiffman		
4. Casey Short		
5. Darr Tindall		
	1. Richard D'Onofrio	2017-2020
	2. Catherine D'Onofrio	2015-2018
EXPIRED	3. Diane Matson	2014-2017
OPEN POSITION	4.	2016-2019
OPEN/EXPIRED POSITION	5.	2014-2017

Appeal Request Form

Arch Cape Water and Sanitary Districts
32065 East Shingle Mill Lane
Arch Cape, OR 97102
503-436-2790

NOTE: Dwelling Leak, Irrigation Leak, and Billing Appeal Policies for the Water and Sanitary Districts may be found at www.archcape.com 'Utility Districts' page

Name: Starfish LLC c/o Robert Sacks

Mailing Address: 1532 SW Morrison St. # 1000 Portland, OR 97205

Property Address: 79988 Pacific Arch Cape, OR. 97102

Contact Info (phone/email) bobsacks@aol.com 503-975-6923

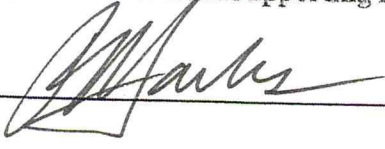
Date(s) of charge you are appealing: Sept - Nov. 2017

Please describe in detail the reason for your appeal:

SEE ATTACHED

Sewer

REMINDER: Please Attach Supporting Documents (plumbing repair receipts, etc.)

Signature:  Date: 1-17-18

There was HUGE water consumption shown on this account between October 1-6, 2017. I believe that this was a meter glitch and not actual consumption. I am attaching an email from our rental manager detailing that the house was cleaned and inspected on October first and second and again on October sixth. NO water was being used other than for typical housecleaning on those dates, and NO leaks or running fixtures were noted. Between those dates the house was unoccupied. No relevant repair was performed. A faucet handle was tightened in August and other than that no plumbing repairs were done. Nevertheless consumption, according to the meter, returned to normal after the 6th. This just does not make sense.

I have owned this home for twenty-five years and have been a faithful customer. I always pay water/sewer bills in full and on time. I would VERY much appreciate a waiver of the excess charges as I honestly believe that there was no excess usage during the relevant period of time.

From: Phil Chick <philchickacutil@gmail.com>

To: bobsacks <bobsacks@aol.com>

Subject: appeal process for October 2017 Water Usage

Date: Fri, Jan 5, 2018 3:52 pm

Attachments: Billing Appeal Request Form.pdf (361K), POLICY_16-04_SD_Billing_Appeal.pdf (927K), POLICY_16-06_WD_Billing_Appeal.pdf (951K), POLICY_17-02_SD_Dwelling Leak.pdf (486K), POLICY_17-02_WD_Dwelling Leak.pdf (680K)

Hello Bob,

I have attached several documents for your reference. Our next Board of Directors meeting is Friday January 19th at 6pm.

If you are disputing both your water and sanitary bill, please fill out separate appeal forms for each district.

In answer to your question: No, you need not pay the portion of the bill being disputed -- only the standard charges for now.

I will talk to you next week.

Thank you
Phil

--

Phil Chick
District Manager
Arch Cape Water and Sanitary Districts
32065 East Shingle Mill Ln.
Arch Cape, OR 97102
503-436-2790

From: Eli Anderson <eli.anderson@vacasa.com>
To: Robert Sacks <bobsacks@aol.com>
Subject: Re: WATER!!!!!!!!!!!!
Date: Wed, Dec 13, 2017 12:35 pm

Hello Robert,

I just spoke to Phil at Arch Cape Water District. Their data shows usage at 4 gallons / minute from October 1st - 6th. Guest checked out on 10/1 and our housekeeper was there at 11 a.m. on 10/1 and 10/2. Then we inspected the home prior to "owner hold" 10/6. Neither team members noticed or reported anything during the vacant period. I looked at the guest reservation notes and nothing came via any of the post stay surveys.

Phil did mention that the meter is digital and that he "could of possibly sent you a notice that their was a leak?"

The only faucet repair was the handle in the green bathroom. I don't think that was a leak though.

Let me know how I can help?

On Wed, Dec 13, 2017 at 11:22 AM, Robert Sacks <bobsacks@aol.com> wrote:

We just received a water/sewer bill for \$5,000!!!!!!! This is about 10X normal. Can you arrange a plumber or other right away to see if there is some kind of leak. Thanks.....The high usage was WAY up in Oct. Did you have any leaks fixed or anything?

Sent from Mail for Windows 10

From: Eli Anderson
Sent: Thursday, November 30, 2017 10:46 AM
To: robert sacks
Subject: Re: FIREWOOD

To me.

On Nov 30, 2017 10:38 AM, "Robert Sacks" <bobsacks@aol.com> wrote:

M & F Plumbing, LLC
 770 Ave A
 Seaside, OR 97138
 (503) 738-8966
 CCB# 156840

Invoice

Date Invoice
 8/4/2017 29654

Please reference invoice number with payment.

Vacasa Properties
 E-Mail Only

TERMS: DUE UPON RECEIPT
 9% APR interest charged after 30 days.
 We accept Visa, MasterCard and American Express

<u>Technician(s)</u>		<u>Date(s) of Service</u>	<u>Job Site Address</u>	
Scott		8/4/2017	79988 Pacific Road, Arch Cape	
Item	Qty	Description	Rate	Amount
Scott	2.5	Hour(s) - Apprentice Plumber Tightened kitchen spout and replaced screw on lav, cold.	90.00	225.00

*Thank for using M & F Plumbing, LLC.
 Have a nice day.*

mfplumbingsam@theoregonshore.com

Total	\$225.00
Payments/Credits	\$0.00
BALANCE DUE	\$225.00

ARCH CAPE SANITARY DISTRICT

Invoice

32065 East Shingle Mill Lane
Arch Cape, OR 97102

INVOICE DATE	DUE DATE	DELINQUENT	INVOICE #
12/10/2017	2/10/2018	3/3/2018	37524

BILL TO
Starfish LLC c/o Robert Sacks 1532 SW Morrison # 1000 Portland, OR 97205 Acct. # 2040

THANK YOU for providing the INVOICE #
on your check or reference portion of
your online banking bill pay disbursement

Arch Cape Service Address	Account #
79988 Pacific	2040

QUARTERLY SEWER BILL		AMOUNT
Quarterly Bill Base Charges: Jan - Mar 2018		174.00
Excess Usage: September 2017 thru November 2017		2,277.88
Debt Service: Irrigation Site Land \$12, Facility Engineering \$15, I&I, & Salley's Alley \$14, Loan Surcharge		41.00
Sanitary bills are due 60 days past invoice date and accounts do not become delinquent and subject to service shut off for 80 days.		
Monthly service charge on all late bills which are 90 days past the invoice date is 2% of the outstanding balance or \$5.00, whichever is greater.		
Please remit separate checks for Sanitary and Water Districts. For sewer bills, make checks payable to Arch Cape Sanitary District.		
Sanitary and Water checks can be mailed in one envelope to: Arch Cape Water and Sanitary Districts 32065 East Shingle Mill Lane Arch Cape, OR 97102		
Usage	Price per 100 gallons	Amount
Tier 1 5,001 - 8,000 gallons	\$0.25	\$7.50
Tier 2 8,001 - 12,000 gallons	\$0.75	\$30.00
Tier 3 12,001 - 16,000 gallons	\$5.00	\$200.00
Tier 4 16,001 - 25,000 gallons	\$9.00	\$810.00
Tier 5 25,000 and up	\$15.00	\$1,047.50
Sanitary Excess Usage charges are one half (1/2) of the calculated water excess charges for Tiers 1 & 2 and one hundred (100%) percent on Tiers 3 thru 5		
Go to www.archcape.com for additional Sanitary District information. Questions? Please call 503-436-8565 or e-mail archcapebilling@gmail.com .		
The Public is invited to attend Regular Board of Director Meetings taking place every 3rd Friday of each month - 6:00pm at the Arch Cape Fire Hall - 79279 Hwy 101		Total \$2,492.88

PATRICK G. CARNEY, CPA, P.C.
CERTIFIED PUBLIC ACCOUNTANT

Phone: (503) 624-9204
Fax : (503) 624-9275

14535 Westlake Drive, Suite A-1
Lake Oswego, OR 97035

January 21, 2018

Arch Cape Sanitary District
32065 East Shingle Mill Lane
Arch Cape, OR 97102

Re: Auditor change for the 2017-2018 fiscal year

Dear Board of Directors:

For every year since 1985 I have worked on performing municipal audits of Special Districts in the State of Oregon. In 1994, I started my own public accounting practice as a sole practitioner CPA involved with income tax preparation and performing municipal audits which was similar to the work I did previously as an employee of a CPA firm from 1985 to 1994.

The number of deadlines involved in both the income tax and municipal audit areas has become burdensome. Extended corporation income tax returns are due September 15th and extended individual income tax returns are due October 15th. As a sole practitioner, my time has been committed to meeting the income tax return deadlines and the municipal audit work is dealt with once the income tax return deadlines have been met. Once I am past the October 15th extended income tax return deadline, I have 2 ½ months to complete my municipal audit engagements before the December 31st audit deadline. My increasing volume of tax return engagements has compressed the amount of time I have available for municipal audit work. It has become increasingly difficult to complete my audit engagements prior to the December 31st State deadline and also to avoid having the municipal audit work spilling over into the income tax return preparation season workload.

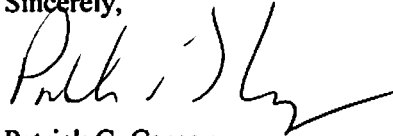
This year was made more difficult, prior to Christmas, Congress passed the new tax act which generated a lot of questions from my tax clients. As I was focused on completing municipal audit engagements prior to the December 31 deadline, I had additional demands on my time from tax clients prior to December 31st. The number of deadlines involved with the preparation of income tax returns and the municipal audits has combined to create a very busy season that currently extends from September to April. This extended busy season is onerous for a sole practitioner CPA and I can no longer do both tax and audit work.

The Oregon Board of Accountancy and myself have entered into a Settlement Agreement and Stipulated Final Order. While the Findings of Fact contains some erroneous information, that I have agreed to, I am in favor of the stipulated final order and I desire to shorten the length of my busy season. The result is that I will be a tax CPA and no longer a municipal auditor.

As result of this timely information you may want to consider going out for a request for proposal for your 2017-2018 audit engagement before you get too far along in the upcoming year's budget process. I can provide you with a list of municipal auditors who may offer you a proposal for municipal audit services in order to facilitate a smooth transition to a successor auditor.

I appreciate the privilege you have offered me over the years and I thank you for the opportunity to have been of service to the District.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick G. Carney", with a long horizontal flourish extending to the right.

Patrick G. Carney

Manager Report February 16, 2018

SANITARY

The wastewater plant treated 5.3 Million Gallons of wastewater in January and received 14.36" of rainfall.

Work at the irrigation site will be beginning soon, focusing on winter storm cleanup. So far, it has been a fairly mild winter for wind storms and tree blow down.

The combination of the heavy surf and high tide last month brought seawater, sand, and debris halfway up Leech Street toward Highway 101. Both manholes on Leech have sealers installed, so no seawater intrusion entered the collection system. Asbury Creek Lift Station received no damage.

I have been gathering a quote to make an upgrade to the Headworks fine screening, reducing the 2mm bars to 1mm. This is where all the wastewater enters the plant and debris, hair, and anything not organic is attempted to be removed from entering the treatment plant. We do see some pass through of material that can be problematic when it combines within the basins. I will have a better idea of cost at budget planning time this spring.