

## **Arch Cape Domestic Water District Board Meeting Minutes**

December 15, 2022

Pursuant to notice posted, a regular meeting Board of Directors was held at the Arch Cape Fire Hall in Arch Cape, Oregon.

Present: Vice President Nadia Gardner, Director Dan Seifer, Director Linda Murray; Staff: Teri Fladstol, Administrative Assistant, Phil Chick, District Manager. Public: Benjamin Hayes, Daniel Wear, Tevis Dooley, Bob Cerelli, Bill Campbell, Jay Blake, Anne Dove, Eeva Lantela, Zoom name: Shoe, Chris Mastrandrea, John Mersereau, Eric Fast, Vito Cerelli

Call to Order at 6:00 pm by Nadia Gardner, Vice-President.

Public Comments: Eric Fast comment regarding surplus tax lots; Bob Cerelli regarding previous costs of development was paid by the developer, not by the rate payers; Carl Matson regarding burden on system and how it will affect rate payers with development; Tevis Dooley regarding clarification on the management plan process. Chris Mastrandrea expressed concern that certain actions that the Water District could take would help enable the proposed workforce housing project on Clatsop County owned land; Eric Shoemaker letter attached to minutes.

Agenda Approval – Motion made by Dan Seifer to accept the agenda with addition of billing appeals sent to the Board; Second by Linda Murray; Motion Carried.

Consent Agenda - Motion made by Dan Seifer, Second by Linda Murray, Motion Carried.

### Old Business:

Arch Cape Forest Management Plan, Release for Public Comment, presentation made by Benjamin Hayes: We added a change regarding forest management specifically in thinning, maintenance, etc. ArchCapeForest.org inventory is shown now, and final change has been tense of ownership. The only change made was removal of public access, but stewardship and maintenance access are in the plan. Ben Hayes clarified that this is a forest multi-resource management plan focused on forest stewardship. The recreation component is not discussed in this plan and for now, it is to be continued in the same pattern as used by the previous owner. It would reference if there was a separate recreational access plan, and a summary would be included in section 4 of this plan. Consensus was to allow Ben to move forward with the draft plan and put it out for public comment as well as getting a second review from our agency partners to meet our requirements. Opened for public comment: thank you for clarification of items regarding access and what thinning/harvesting, diversity, resilience of the forest and treatments would entail. Amended draft with changes on page 54 be posted and open for public comment open 12/19/22 to 1/11/2023 on this plan only.

Forest Management Committee – met for the first time today. Pat Noonan will chair, Daniel Wear will be secretary. Approval to move forward for a 1-year budget period. A draft budget will be given to them in January and will address work to be done and how that fits within the ARPA grant funds. Scope of work and recommendations will be made to the Board when that is ready. Property is getting regular visits, checking gates and looking for items that need to be addressed in supplemental plans. Discussion

Project Manager Report made by Daniel Wear – we have met with all committees as we transition into public comment and move forward; review of upcoming meetings and grant reports, requirements with Business Oregon. Communications are updated on the website regularly and will be available for people to monitor what is going on. Impacts of social media and website are seen by the number of clicks (800).

Resignation of 7 Member Advisory Committee Meeting was retracted; member is staying on.

UBMax Report by Teri Fladstol, GWorks staff ran two reports verifying information, we compared our records to that, and we appear to have it dialed in. We sent out 22 letters and a detail letter showing the usage and fees for

those accounts went out. Example of new billing card with changes we asked them to program in for us will show on the March billing.

Payroll Service Change – proposed to move to internal payroll through Sure Payroll that would allow us to take our individual systems and integrate them into one system. Consensus by Board to pursue this option and enter into agreement with 3<sup>rd</sup> Party company.

Potential Well Source – update on what this provides to the District and to the homeowner [32121 Buena Vista wants to connect to water and that might give us access to the well on that site]. Well generates 28 gallons a minute which is pretty good for a home; will need to work with OR Water Resources to get that turned over into the District's name. We would still need to do some treatment and will work with Curran-McLeod to connect it to the distribution system, we can put a small chlorinated box over the connection and treat it there. Power failure would be a concern so what steps would be taken, a generator?

New Business:

Phil Chick reported on Low-Income Household Water Assistance Program that would allow residents that qualify for assistance to have their bills paid on their behalf. We would need to provide information regarding the amounts owed and the bill to the Action team. Discussion on how to notify the community, website, billing card, etc. Motion made by Dan Seifer; Second by Linda Murray; Motion Carried.

Paid Oregon Leave report by Phil Chick, which takes effect on January 1<sup>st</sup> and benefits can be applied for in September. Employers (District) is not required to pay in, but the employees are required to pay [according to Oregon paid leave website: *The contribution rate has been set for 2023 at 1%. Employees pay 60% of the set contribution rate, while employers with 25 or more employees pay 40%*]. It will be withheld from employee wages per State Law.

UO Seismic Monitoring System by Phil Chick. We were able to work with Sierra M – installation to monitor that will transmit data back to their system to garner information on seismic activity. Sierra took measurements to take back, if they will bring it back to us if they would like to proceed.

Access to District Consultants – some of our Consultants are being contacted directly by the public. The consultants work for the District and there are costs associated with their services. Discussion on how we interact with Consultants and the need to run through the Board and District Manager. Because contractors have fees that need to be managed and information that might not be public yet, discretion is required. Staff is going to communicate that to our consultants.

Board Vacancy Position 3 has been posted and applications are available on the website or by contacting the District Manager. Position closes on January 5, 2023. This position has an appointment through June 30, 2023 and then will be on the ballot for the new fiscal year.

Billing Appeals – discussion on the two appeals brought before the Board by Catherine Donofrio and John Piatt. Motion by Dan Seifer to assess the cost to treat for production of water (\$0.72 cents for Water / \$0.51 cents for Sanitary) and will be based on their usage history and give a credit as appropriate; 2<sup>nd</sup> by Linda Murray on both appeals; Motion carried.

Account Receivable Report – Teri Fladstol, Jigsaw Consulting Services report – good.

District Manager Report – report included in packet. New water meters are here and we will start install in January. We will need to have a tablet to be able to read these antennas. We expect to get 2-4 new connections and correspondence is attached from NCLC on their support for donations.



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December 15, 2022

Dear Arch Cape Community:

This letter is public comment on the Arch Cape Community Forest ("ACCF") access planning process. As background, my wife and I live in Cannon Beach and we are active users of the both the Arch Cape and Ecola watersheds (~ 75 trips per year). Our family has continually accessed this land (hiking, biking, foraging, hunting, etc.) for four generations.

Given our deep connection to this place, we consider ourselves major stakeholders in both the process and result of the new ACCF management plan. We have followed the evolution (Stimson > EMF > NCLC x ACCF) of this combined project over the last 10 years with guarded optimism and enthusiastic support. More recently, I have been a keen, albeit intermittent, participant in the public planning meetings for the ACCF.

Throughout this more recent ACCF process, we have mostly listened. Our conclusion from this exercise is that we are in danger of compromising not only this specific effort, but also future projects of similar scope across the state. This land was purchased with ~\$6MM of public money from a variety of sources. Contained within these public sources are conditions that specific classes of users cannot be excluded from the forest. Rational and tailored access restrictions for water quality and sensitive habitat are allowed, but such distinctions cannot be drawn broadly according to class of user.

Exactly one year ago, I offered public comment about specifically negative "anti-hunting" language in the draft management plan (August 2021). To paraphrase, this language highlighted hunting, specifically and before all other forms of recreational use, as a potential point source water quality issue. While this language has been moderated in the latest version (the word "careless" has been removed to describe hunters), the agenda is consistent. Earlier this week, two versions of the same draft were circulating (12Dec22 and 13Dec22), the earlier of which proscribed hunting as an allowed use on Page 54. From what smoke-filled room did this draft emerge and why was it so quickly backpedaled one day later? Have we already made management decisions before even identifying, let alone engaging, stakeholders?

Increased recreational use by all user groups is a potentially valid water quality concern. However, specifically highlighting hunting as a potential point source is not supported by science, moves the dialogue incrementally towards actual violations of the access conditions within our public funding, and is patently discriminatory. Applying such logic broadly, we might be better served by politely asking all Arch Cape wildlife to please avoid dying near source water.

We absolutely share valid local concern regarding over-use in all forms. None of us want to see this land broadcast indiscriminately on the internet or in print. If Shingle Mill Rd. becomes the next Short Sands parking lot, we will have failed as good neighbors and good stewards. Therefore, it would be a major procedural failure to see a very public conflict resulting from attempted access restrictions based on class of user.

The desired result seems simple to us: i) manage this land for clean, reliable, and affordable water for ratepayers, ii) restore native ecosystem diversity and functionality whenever possible, iii) harvest timber sustainably to offset ratepayer and restoration costs, and iv) foster a culture of inclusive place-based community stewardship among *all of us* who use this forest. We need not advertise to be inclusive, but we must respect all historic uses and all user groups.

We appreciate this opportunity to share our perspective and welcome further dialogue. The ACCF can be a truly remarkable project – resulting in one of those rare win/win/wins of which we can all be proud, but the public engagement process appears in need of recalibration to realize this goal.

Respectfully Submitted,



Eric R. Shoemaker