

**ARCH CAPE DOMESTIC WATER SUPPLY DISTRICT  
BOARD OF COMMISSIONERS MEETING**

Thursday April 18, 2024. after Sanitary District Meeting which starts at 6:00 PM  
In-Person at the Firehouse and Zoom

<https://us02web.zoom.us/j/87369759588?pwd=RFFDRjlzdFgrZFZOaFlxNlZxSndwQT09>

The Board Meeting adheres to a 1.25 hour meeting rule. Meeting discussion will conclude sharply at that time to allow for the last 3 agenda items. Any uncompleted or remaining business will be rolled over until the next monthly Board Meeting.

**Domestic Water Supply District Meeting**

- |   |              |
|---|--------------|
| <b>I. Call to Order</b>   | Bill         |
| <b>II. Conflict of Interest Declarations</b>  | Bill         |
| <b>III. Public Comments</b>   | Bill         |
| <b>IV. Agenda Approval (Action)</b>   | Bill         |
| <b>V. Approve March 21st Minutes (Action) – Pg. 2-3</b>   | Bill         |
| <b>VI. Financial &amp; Administrative Reporting</b>   |              |
| <b>A. Accept March Budget vs Actual Report - Pg. 4-6</b>  | Bill         |
| <b>B. Accept Arch Cape Forest-Watershed Accounting Worksheet - Pg. 7</b>                            | Bill         |
| <b>C. Accept March Payment of Accounts - Pg. 8</b>  | Bill         |
| <b>D. Accept Correspondence Requiring No Action</b>   | Bill         |
| <b>E. Treasurer’s Report</b>  | Sam          |
| <b>F. 2023-2024 Audit Update</b>  | Bill         |
| <b>VII. Legal Assistance for Local Option Levy on November Ballot (Action) – Pg. 9-12</b>           | Bill         |
| <b>VIII. Schedule of Events (Information) – Pg 13-22</b>  | Bill         |
| <b>IX. Reports</b>  |              |
| <b>A. Staff Report and Correspondence for Action - Pg. 23-24</b>                                    | Matt         |
| <b>B. Board Members’ Comments and Reports</b>   | All          |
| <b>X. Forest-Watershed</b>  |              |
| <b>A. Open Checking Account (Action) – Pg. 25</b>   | Bill         |
| <b>B. Easement Holder Notification of Road Decommissioning (Information) – Pg<br/>        26-27</b> | Bill<br>Bill |
| <b>XI. May Meeting</b>  | Bill         |
| <b>XII. Public Comments</b>   | Bill         |
| <b>XIII. Adjournment</b>  |              |

**Arch Cape Domestic Water District**  
**Board Meeting Minutes**  
March 21, 2024

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

Present: Bill Campbell, Chair, Directors: Bob Cerelli, Chris Mastrandrea [Excused], Tevis Dooley, Sam Garrison; Staff: Matt Gardner, District Manager and Teri Fladstol, Administrative Assistant. Public: Joe Sherman

Call to Order at 6:00 pm by Bill Campbell

Conflict of Interest Declarations: None

Public Comments: None

EXECUTIVE SESSION: Meeting closed to public per Agenda. Session ended and back in meeting at 6:10 pm.

Agenda Approval: Motion made by Bob Cerelli to accept agenda as presented; Second by Tevis Dooley; Motion Carried.

Accept February Minutes: Motion made by Bob Cerelli to accept minutes as presented; Second by Sam Garrison; Motion Carried.

Financial & Administrative Reporting: Accept February Budget & Balance Sheet, Accept Arch-Cape Forest-Watershed Accounting Worksheet; Accept February payment of accounts. Treasurer's Report: Status is good.

Audits Update & Implementing Board: Audit for 2021-22 is finished and they are starting the 2022-23 audit and are working toward draft at end of April.

Current Budget Consideration – Chair will entertain a motion to approve paid leave for the District Operator through the end of the fiscal year in an amount not to exceed \$15,250 as to promote retention and loyalty particularly due to the narrow pool of qualified individuals. So moved by Tevis Dooley, second by Sam Garrison; Motion Carried.

Proposed On-Call Policy, Resolution, Settlement Agreements for a formal On-Call Policy.

Motion from Board to accept recommended amendments to Proposed On-Call Policy as follows:

Motion 1 – that Resolution 24-03 WD be approved which adopts the proposed On-Call Policy and develops an On-Call escalation Policy within 45 days to address situations where the District Operator is unable to respond to a call. So moved by Tevis Dooley, second by Sam Garrison; Motion carried.

Motion 2 – That the Arch Cape Sanitary and Water District pay the District Manager, Matt Gardner, \$41,471.47 plus appropriate PERS contributions from the Districts' reserve funds in exchange for a settlement and release of claims on-call time with the District Manager was employed as the District Operator. So moved by Bob Cerelli, second by Sam Garrison; Motion carried.

Motion 3 – That the Arch Cape Sanitary and Water District pay the District Operator, Logan Alexander, \$1,148.13 plus appropriate PERS contributions from the Districts' reserve funds in exchange for a settlement and release of claims on-call time from his start date through the present. So moved by Tevis Dooley, second by Sam Garrison; Motion carried

Motion 4 – That payment for back pay and legal expenses will be split 50%-50% between the Districts. So moved by Bob Cerelli, second by Tevis Dooley; Motion carried.

**Budget – Appoint Committee Members, Schedule and Proposed Revisions**

Motion by Bob Cerelli to appoint Dale Mosby to fill the vacant position thru the term ending in June 2025, to appoint Joe Sherman to fill the vacant position with the term ending in 2024 and to appoint Jeff Slemaker to the open 3-year position that ends in 2026; second by Sam Garrison; Motion carried. Review of schedule and contact will be made to all Budget Committee members.

Bill highlighted some new budget line items that will be included in the proposed budget

1. Forest – Watershed Budget:

A placeholder has been added to the budget for cell-tower income in case there is a decision to allow that to happen in FY2025. Having such a placeholder does not commit the District in any way.

2. Utilities – Operating Budget

a. Expense:

Additional monies have been added to the budget to cover staffing resources (whether W2, 1099 or IGA) to augment Matt & Logan to undertake projects that may be recommended by the budget committee.

b. Revenue:

A placeholder has been added to the budget for sale of surplus water income in case there is a decision to allow that to happen in FY2025. Having such a placeholder does not commit the District in any way.

An increase in usage fees has been added to the budget to pay for the addition staffing resources.

**Reports – Staff & Board Members**

Matt Gardner asked for questions on the Staff Report – no further comments.

Tevis: None

Bob: None

Sam: None

Bill: review of Forest-Watershed – Update on “Least Managed Path”

April Meeting

Public Comments: None

There being no further business, Motion by Bob Cerelli to adjourn the meeting. Second by Tevis Dooley, Motion Carried. Meeting adjourned at 7:30 pm.

Respectfully Submitted

Attest:

Teri Fladstol, Secretary

\_\_\_\_\_  
Bill Campbell, President

**ARCH CAPE DOMESTIC WATER DISTRICT - BUDGET VS ACTUAL GENERAL FUND**  
**FISCAL YEAR July 1, 23 to June 30, 24**

<b>RESOURCES</b>								
	<b>Budget</b>	<b>1st Qtr</b>	<b>2nd Qtr</b>	<b>Jan-24</b>	<b>Feb-24</b>	<b>Mar-24</b>	<b>Spent</b>	<b>% Left</b>
Beginning Balance	\$ 105,837	\$105,837	\$105,837	\$105,837	\$105,837	\$105,837	\$105,837	
<b>REVENUE</b>								
Base Rate Meter Sales	\$ 201,703	\$ 56,794	\$ 48,910	\$ 28,887	\$ 3,559	\$ 17,467	155,617	23%
Overage/Excess Usage	\$ 17,000	\$ 7,148	\$ 7,981	\$ 1,330	\$ 123	\$ 1,683	18,263	-7%
Debt Service	\$ 20,740	\$ 5,270	\$ 4,732	\$ 2,668	\$ 336	\$ 488	13,494	35%
IGA Income (Sanitary District)	\$ 157,500	\$ 9,106	\$ 45,962		\$ 19,075	\$ 10,357	84,500	46%
Meter Hook-Up Fee	\$ 1,400	\$ 1,400			\$ 700	\$ 700	2,800	-100%
Cannon View Park Services	\$ 800	\$ 1,313					1,313	-64%
Miscellaneous Income	\$ -		\$ 4,851				4,851	
LGIP - Interest	\$ 1,000	\$ 2,645	\$ 3,080	\$ 854		\$ 1,907	8,486	
<b>TOTAL REVENUE</b>	<b>\$ 400,143</b>	<b>\$ 83,677</b>	<b>\$115,516</b>	<b>\$ 33,737</b>	<b>\$ 23,793</b>	<b>\$ 32,601</b>	<b>\$289,324</b>	<b>28%</b>
<b>TOTAL RESOURCES</b>	<b>\$ 505,980</b>	<b>\$189,514</b>	<b>\$221,353</b>	<b>\$139,574</b>	<b>\$129,630</b>	<b>\$138,438</b>	<b>\$395,161</b>	<b>22%</b>
<b>REQUIREMENTS</b>								
<b>EXPENDITURES</b>								
<b>MATERIALS &amp; SERVICES</b>								
Wage - District Manager	\$ 80,000	\$ 20,000	\$ 20,000	\$ 6,667	\$ 6,667	\$ 6,667	60,001	25%
Wages - Operator	\$ 55,000	\$ 12,813	\$ 13,016	\$ 4,645	\$ 4,140	\$ 4,379	38,992	29%
Employer Payroll Taxes	\$ 12,500	\$ 3,075	\$ 2,823	\$ 1,048	\$ 951	\$ 941	8,838	29%
PERS Retirement	\$ 35,250	\$ 2,087	\$ 1,793	\$ 1,753	\$ 2,337	\$ -	7,970	77%
Medical Insurance	\$ 40,000	\$ 2,355	\$ 3,206	\$ 523	\$ 684	\$ 684	7,451	81%
Worker's Compensation Insurance	\$ 3,400	\$ -	\$ (356)				(356)	110%
<b>TOTAL PERSONNEL SERVICES</b>	<b>\$ 226,150</b>	<b>\$ 40,329</b>	<b>\$ 40,483</b>	<b>\$ 14,635</b>	<b>\$ 14,779</b>	<b>\$ 12,672</b>	<b>\$ 122,897</b>	<b>46%</b>
Administrative Services	\$ 44,400	\$ 6,450	\$ 12,800	\$ 3,200	\$ 3,200	\$ 3,200	28,850	35%
Temporary Help	\$ 10,000	\$ 150					150	99%
Clothing Allowance	\$ 1,000	\$ -	\$ 156	\$ 248		\$ 505	908	9%
Education	\$ 2,700	\$ 414		\$ 361	\$ 688		1,463	46%
Travel	\$ 1,000	\$ 225			\$ 744	\$ 676	1,645	-65%
Office Supplies	\$ 2,300	\$ 417	\$ 401	\$ 1,916	\$ 95	\$ 175	3,004	-31%
Postage	\$ 2,500	\$ 27	\$ 844	\$ 344	\$ 27	\$ 227	1,469	41%
Vehicle	\$ 4,000	\$ 790	\$ 2,904	\$ 851	\$ 380	\$ 234	5,159	-29%
<b>TOTAL IGA</b>	<b>\$ 67,900</b>	<b>\$ 8,473</b>	<b>\$ 17,105</b>	<b>\$ 6,920</b>	<b>\$ 5,134</b>	<b>\$ 5,017</b>	<b>\$ 42,649</b>	<b>37%</b>
<b>TOTAL PERSONNEL SERVICES &amp; IGA</b>	<b>\$ 294,050</b>	<b>\$ 48,803</b>	<b>\$ 57,587</b>	<b>\$ 21,555</b>	<b>\$ 19,913</b>	<b>\$ 17,688</b>	<b>\$ 165,546</b>	<b>44%</b>

	Budget	1st Qtr	2nd Qtr	Jan-24	Feb-24	Mar-24	Spent	% Left
Facilities Use (Santiary)	\$ 3,750					\$ 3,750	3,750	0%
Payroll Administration Service	\$ 500	\$ 120	\$ 137	\$ 40	\$ 40	\$ 40	377	25%
Liability & Property Insurance	\$ 12,000		\$ 9	\$ 9,471			9,480	21%
Licenses	\$ 2,000						-	100%
Dues & Taxes	\$ 1,450	\$ 3,190	\$ (1,574)	\$ 567			2,184	-51%
Professional Services	\$ 5,000						-	100%
Auditing Service	\$ 25,000					\$ 10,800	10,800	57%
Legal Services	\$ 9,500		\$ 400	\$ 750		\$ 11,352	12,502	-32%
Notices	\$ 700	\$ 138					138	80%
Utilities	\$ 12,000	\$ 2,157	\$ 3,523	\$ 656	\$ 743	\$ 583	7,661	36%
Maintenance	65,000	\$ 6,163	\$ 11,262	\$ 3,791	\$ 2,300	\$ 4,177	27,694	57%
Chemicals	\$ 6,500	\$ 3,467			\$ 2,279		5,746	12%
<b>TOTAL MATERIALS &amp; SERVICES</b>	<b>\$ 143,400</b>	<b>\$ 15,234</b>	<b>\$ 13,757</b>	<b>\$ 15,276</b>	<b>\$ 5,362</b>	<b>\$ 30,702</b>	<b>\$ 80,331</b>	<b>44%</b>
<b>DEBT SERVICE &amp; SURCHARGES</b>								
Debt Serv-IFA Water Plant Upgrade [P]	\$ 17,023		\$ 17,194				17,194	-1%
Debt Serv-IFA Water Plant Upgrade [I]	\$ 3,749		\$ 3,578				3,578	5%
<b>TOTAL DEBT SERVICE</b>	<b>\$ 20,772</b>	<b>\$ -</b>	<b>\$ 20,772</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 20,772</b>	
<b>TOTAL EXPENDITURES</b>	<b>\$ 458,222</b>	<b>\$ 64,037</b>	<b>\$ 92,116</b>	<b>\$ 36,830</b>	<b>\$ 25,275</b>	<b>\$ 48,390</b>	<b>\$ 266,648</b>	<b>42%</b>
<b>CONTINGENCY &amp; UNAPPROPRIATED BALANCE</b>								
Meter Replacement	\$ -							
Access Road to WWTP	\$ 2,000	\$ -	\$ -	\$ -	\$ -	\$ -		
Contingency	\$ 62,843							
Unappropriated Balance	\$ 3,416							
<b>TOTAL CONTINGENCY &amp; UNAPPROPRIATED BALANCE</b>	<b>\$ 68,259</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>		
<b>TOTAL REQUIREMENTS:</b>	<b>\$526,481</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>		
<b>CAPITAL FUND</b>								
	<b>Budget</b>	<b>1st Qtr</b>	<b>2nd Qtr</b>	<b>Jan-24</b>	<b>Feb-24</b>	<b>Mar-24</b>	<b>Spent</b>	<b>% Left</b>
<b>RESOURCES</b>								
Beginning Balance	\$75,828	\$75,828	\$75,828	\$75,828	\$75,828	\$75,828	75,828	100%
<b>REVENUE</b>								
SDC Revenue	\$13,163	\$12,971			\$6,582	\$6,581	\$26,134	-99%
<b>TOTAL REVENUE</b>	<b>\$13,163</b>	<b>\$12,971</b>	<b>\$0</b>	<b>\$0</b>	<b>\$6,582</b>	<b>\$6,581</b>	<b>\$19,553</b>	<b>-49%</b>
<b>TOTAL RESOURCES</b>	<b>\$88,991</b>	<b>\$88,799</b>	<b>\$75,828</b>	<b>\$75,828</b>	<b>\$82,410</b>	<b>\$82,409</b>	<b>\$101,962</b>	<b>-15%</b>

REQUIREMENTS								
	Budget	1st Qtr	2nd Qtr	Jan-24	Feb-24	Mar-24	Spent	% Left
EXPENDITURES								
							\$0	
TOTAL EXPENDITURES		0	0	0	0	0		
CONTINGENCY & UNAPPROPRIATED BALANCE								
Contingency	\$88,990							
Unappropriated Balance	\$0							
TOTAL CONTINGENCY & UNAPPROPRIATED BALANCE	\$ 88,990							
TOTAL REQUIREMENTS:	\$88,990	\$0	\$0	\$0	\$0	\$0		

FOREST (WATERSHED) FUND								
	Budget	1st Qtr	2nd Qtr	Jan-24	Feb-24	Mar-24	Spent	% Left
RESOURCES								
Beginning Balance	\$409,103						409,103	
REVENUE								
Business OR - ARPA	\$776,626	219,574	112,957	33,568		37,686	403,785	48%
Safe Drinking Water (U22010)	\$30,000						-	100%
Hollis Foundation							-	
Private Donations		800	625	20,300			21,725	
LGIP - Interest	\$14,625	2,069	3,225	1,530	1,422	1,514	9,761	33%
TOTAL REVENUE	\$ 821,251	\$ 222,443	\$ 116,807	\$ 55,398	\$ 1,422	\$ 39,200	\$ 435,271	47%
TOTAL RESOURCES	\$1,230,354	\$222,443	\$116,807	\$55,398	\$1,422	\$39,200	\$844,374	31%

REQUIREMENTS								
EXPENDITURES								
Audit						\$ 2,700	2,700	
ODF Fire Protection	\$2,335						-	100%
Legal Fees			\$ 2,430	\$ 990	\$ 240	\$ 840	4,500	
Project Management Services	\$98,969	\$ 27,533	\$ 6,125			\$ 12,931	46,589	53%
Project Management - District Staff							-	
Forestry Services	\$48,258	\$ 28,699	\$ 22,480	\$ 20,647		\$ 2,430	74,255	-54%
Finance Management		\$ 1,000	\$ 2,000	\$ 500	\$ 500	\$ 500	4,500	
Hollis Foundation							-	
Construction	\$638,899	\$ 40,845	\$ 43,432				84,277	87%
Land Maintenance Repair		\$ 32,924	\$ 12,148				45,072	
TOTAL EXPENDITURES	\$ 788,461	\$ 131,001	\$ 88,614	\$ 22,137	\$ 740	\$ 19,401	\$ 261,894	67%

### FY2023-2024 BUDGET VS ACTUAL

EXPENSES	Budget	Prior Expenses	March Expenses	Remain
ODF - Fire Protection	\$ 2,550	\$ (2,550)		\$ (0)
Legal/ Land Use	\$ 6,430	\$ (3,420)		\$ 3,010
Finance Mgmt	\$ 6,000	\$ (4,000)	(\$500)	\$ 1,500
Project Management	\$ 42,190	\$ (39,703)		\$ 2,487
Road Management Consulting	\$ 10,000	\$ (2,118)	(\$1,813)	\$ 6,070
Forest Management Consulting	\$ 44,912	\$ (42,412)	(\$698)	\$ 1,802
Road Maintenance Supplies - Rock	\$ 12,148	\$ (12,148)		\$ -
Other Road Maintenance/Services	\$ 70,000			\$ 70,000
Land Restoration				\$ -
Pre-Commercial Thinning	\$ 39,892	\$ (39,892)		\$ -
Miscellaneous	\$ 222	\$ (222)		\$ -
<b>TOTAL MATERIALS &amp; SERVICES</b>	<b>\$ 234,344</b>	<b>\$ (146,465)</b>	<b>(\$3,010)</b>	<b>\$ 84,868</b>
Road Construction	\$ 52,666	\$ (52,666)		\$ -
Road Decommissioning	\$ 35,000			\$ 35,000
<b>TOTAL CAPITAL OUTLAY</b>	<b>\$ 87,666</b>	<b>\$ (52,666)</b>	<b>\$ -</b>	<b>\$ 35,000</b>
Transfer to General Fund (Audit)	\$ 2,800		(\$2,700)	\$ 100
Transfer to General Fund (staff time for property mgmt.)	\$ 750	TBD		
<b>TOTAL TRANSFERS TO GENERAL FUND</b>	<b>\$ 3,550</b>	<b>\$ -</b>	<b>\$ (2,700)</b>	<b>\$ 3,550</b>
<b>TOTAL</b>	<b>\$ 322,010</b>	<b>\$ (199,131)</b>	<b>\$ (3,010)</b>	<b>\$ 119,868</b>

# Arch Cape Domestic Water District

## Check Detail

### March 2024

008

Type	Num	Date	Name	Account	Amount
Check	EFT	03/04/2024	Sunriver Resort	01-6005 · Travel	-186.09
Bill Pmt -Check	2227	03/11/2024	SDIS	01-5005 · Medical Insurance	-54.85
Bill Pmt -Check	2228	03/11/2024	Matt R Gardner	01-6005 · Travel	-361.80
Bill Pmt -Check	2224	03/11/2024	Jigsaw Consulting Services	01-6007 · Postage	-159.00
Check	EFT	03/11/2024	Sure Payroll	01-6102 · Payroll Administration Service	-39.99
Bill Pmt -Check	2221	03/11/2024	Accuity, LLC	01-6107 · Auditing Service	10,800.00
Bill Pmt -Check	2225	03/11/2024	Local Government Law Group, PC	01-6108 · Legal Services	-101.94
Bill Pmt -Check	2217	03/11/2024	Pacific Power	01-6110 · Utilities	-322.24
Bill Pmt -Check	2216	03/11/2024	Ferguson Waterworks	01-6200 · Maintenance	-351.19
Bill Pmt -Check	2218	03/11/2024	H.D. Fowler	01-6200 · Maintenance	-396.65
Bill Pmt -Check	2226	03/11/2024	Laurelwood Farm	01-6200 · Maintenance	-90.00
Bill Pmt -Check	2214	03/11/2024	Sean Loundsbury	Building R&M	-2,558.32
Bill Pmt -Check	2219	03/11/2024	Jackson Oil	Fuel	-233.87
Bill Pmt -Check	2220	03/11/2024	CenturyLink	Telephone	-162.20
Check	EFT	03/14/2024	Sure Payroll	Payroll	-5,557.37
Check	EFT	03/18/2024	Amazon.com	01-6006 · Office Supplies	-14.99
Check	2229	03/21/2024	Arch Cape Sanitary	01-6101 · Facilities Use (Sanitary)	-3,750.00
Check	2233	03/21/2024	Haglund Kelley LLP	01-6108 · Legal Services	-11,250.00
Check	2236	03/21/2024	AT&T Mobility	01-6110 · Utilities	-98.36
Check	2231	03/21/2024	Ferguson Waterworks	01-6200 · Maintenance	-54.48
Check	2232	03/21/2024	Utility Services Associates	01-6200 · Maintenance	-500.00
Check	2235	03/21/2024	USA BlueBook	01-6200 · Maintenance	-133.76
Check	2234	03/21/2024	Matt R Gardner	00-1000 · #1196 Main Checking	-128.10
Check	EFT	03/22/2024	M & N Clothing Astoria	01-6003 · Clothing Allowance	-504.80
Check	2237	03/22/2024	Ferguson Waterworks	01-6200 · Maintenance	-83.00
Check	EFT	03/25/2024	Zoom	01-6006 · Office Supplies	-159.90
Check	EFT	03/28/2024	Sure Payroll	Payroll	-5,611.07
Check	EFT	03/29/2024	MODA Health	01-5005 · Medical Insurance	-629.18
Check	EFT	03/29/2024	1st Security Bank	01-6200 · Maintenance	-10.00
Check	2244	03/31/2024	Jigsaw Consulting Services	01-6001 · Administrative Services	3,200.00
Check	2244	03/31/2024	Jigsaw Consulting Services	01-6007 · Postage	34.00
Check	2244	03/31/2024	Jigsaw Consulting Services	01-6007 · Postage	34.00
Bill Pmt -Check	2221	03/11/2024	Accuity, LLC	03-6107 · Auditing Service	2,700.00
Bill Pmt -Check	2215	03/11/2024	Blair Henningsgarrad Attorney at Law	03-7800 · Business OR - ARPA	-840.00
Bill Pmt -Check	2223	03/11/2024	Springboard Forestry	03-7800 · Business OR - ARPA	-12,931.09
Check	2244	03/31/2024	Jigsaw Consulting Services	03-7800 · Business OR - ARPA	500.00
Bill Pmt -Check	2222	03/11/2024	Morgans Resource Management	03-7802 · Forestry Services	-2,117.88
Check	2230	03/21/2024	Springboard Forestry	03-7802 · Forestry Services	-312.50



**Legal Assistance for Local Option Levy - Topic Description  
April 18, 2024**

Action / Information: Action

Background

Two topics are being discussed by the Budget Committee, one or both will require a Local Option Levy.

- 1) Forest-Watershed: The Long-Range Plan for operating the Forest-Watershed through 2035 will require additional funding through rate increases, taxes or logging. Outreach via Community Forums indicated the community's preference is for the community rather than the Board to make decision about the funding source. This decision-making process will require a Local Option Levy to be placed on the November 2024 ballot. That ballot measure will propose a tax levy that will cover all operational costs through 2033. If that ballot measure fails, another measure would be put on the November 2025 ballot that proposes a tax levy that would cover some of the operational costs with logging only outside of the Drinking Water Source Area (DWSA) to cover the remaining costs. If that ballot measure fails, the funding source would be logging inside and outside of the DWSA.
- 2) Additional full-time staff – Augmenting District staff with a 3<sup>rd</sup> resource to be funded with taxes rather than rates.

Two parallel efforts are necessary to put a tax measures on the November 5<sup>th</sup> Election ballot.

- 1) Legal assistance in preparing and submitting the ballot measure:
  - Ballot title for publication of notice; August 16<sup>th</sup>
  - Form SEL 803 Notice of Measure Election – District; September 5th
- 2) Outreach to the community to notify / educate them about the ballot measure: Completed by Nov 5
 

“Board can talk up plans for the ballot measure, but they can't use any public funds to do so, including asking employees to assist with preparing documents, posting things, mailing things, etc. Public employees, while on the job, can't participate at all in anything relating to a ballot measure or campaign for the entity they represent.” – Eileen Eakins

*Attached:* Proposed engagement letter from Eileen Eakins

Board Objective - Action

Proposed Motion:

To authorize the Board President to sign the engagement letter with Eileen Eakins.



5285 Meadows Road  
Suite 400  
Lake Oswego, OR 97035  
(503) 607-0517  
eileen@lgl-advisors.com

April 4, 2024

**BY EMAIL**

Board of Commissioners  
Arch Cape Water District  
31976 E. Ocean Street  
Arch Cape, OR 97102

**RE: ENGAGEMENT FOR LEGAL SERVICES**

Dear Board:

Thank you for engaging this firm to provide legal services for the Arch Cape Water District. This letter sets out the terms of our engagement.

This is a non-exclusive agreement that either of us may terminate at any time. The scope of services we will provide includes general legal services relating to seeking voter approval of a local option levy, including getting background on the proposed measure, preparing a written timeline (working backwards from election day) to lay out procedural requirements and filing deadlines for the ballot and the voter's pamphlet, drafting a measure that complies with statutory and constitutional requirements for the board's review and approval, and interfacing with the board to provide guidance and answer questions. This scope of services may be modified or expanded upon our mutual agreement.

Fees. Eileen Eakins' current hourly rate is \$285 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. Attorney certifications for the District's annual audit are billed at a one-hour minimum.

For work specific to the local option levy, the cost will depend on how much attorney time is required, which can vary widely depending on how much can be done by the board and how much back-and-forth is needed between my office and the board. A fair estimate is between 10 and 20 hours, which at Eileen Eakins' hourly rate would be between \$3,000 and \$6,000.

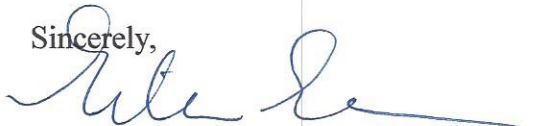
Billing. We will bill you approximately monthly for the amount of work done on your file during the prior month. We will also advise you before doing any work that will substantially increase the amount of fees. No fee or cost deposit will be required at this time. However, if a legal matter

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 Terms. Payment is due within thirty (30) days of the date of invoice. Late payments may be subject to assessment of compound interest. Continued delinquencies may result in termination of legal services and/or commencement of a collection action.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Eileen G. Eakins", with a long horizontal flourish extending to the right.

Eileen G. Eakins

Enc.

**ACKNOWLEDGEMENT AND ACCEPTANCE OF TERMS**



Arch Cape Water District

*Client Name*

Board of Commissioners  
Arch Cape Water District  
31976 E. Ocean Street  
Arch Cape, OR 97102

*Mailing Address*

\_\_\_\_\_  
*Phone Number and Email*

By signing below, I attest that I am authorized to enter into agreements on behalf of the Arch Cape Water District ("the District").

Furthermore, on behalf of the District, I hereby agree to the terms described in the ENGAGEMENT FOR LEGAL SERVICES with Northwest Local Government Legal Advisors, LLC, dated April 3, 2024.

\_\_\_\_\_  
Bill Campbell, Board Chair

**PLEASE MAIL OR EMAIL SIGNED FORM TO:**

Northwest Local Government Legal Advisors, LLC  
5285 Meadows Road, Suite 400  
Lake Oswego, OR 97035  
*eileen@lgl-advisors.com*

**Schedule of Events - Topic Description**  
**April 18, 2024**

Action / Information: Information

<b>Month</b>	<b>Day / Time</b>	<b>Event</b>	<b>Focus / Intent</b>
April	April 18 <sup>th</sup> 4:00 Zoom	Budget Meeting In person with Zoom	2 <sup>nd</sup> meeting – Refinement of Budget
	April 18 <sup>th</sup>	Board Meeting	Distribute forms for District Manager Performance Evaluation
May	May 1 <sup>st</sup> 4:00 Zoom	Joint Personnel Committee	Executive Session: Performance Evaluation and Merit Increase Recommendation of District Manager; Recommend COLA Amount for Both Staff.
	May 9 <sup>th</sup> 4:00 Zoom	Budget Meeting In person with Zoom	3 <sup>rd</sup> Meeting – Final refinement and approval of Budget
	May 16 <sup>th</sup>	Board Meeting	

A fourth Budget Committee meeting may be scheduled for late May or very early June

Attached: Performance Evaluation Form



## Performance Review Form

Name:

Position Title:

Department:

Prepared by:

Date:

The purpose of the Performance Review process is to provide managers and employees a formal check-in with one another, where they can review past performance and plan for future performance. It is to be carried out with mutual respect and understanding that differences of opinion may occur and perceptions of expectations may need to be clarified. It is, in reality, an assessment of how the performance partnership is doing, and a thoughtful discussion of how future success can be achieved. It is intended to be a highly interactive conversation!

### PERFORMANCE REVIEW

#### Essential Job Functions

Name:  Date:

1. Essential Function:

Performance Standard:

Performance Level (check one):  4  3  2  1

Reviewer Comments:



2. Essential Function:

Performance Standard:

Performance Level (check one):  4  3  2  1

Reviewer Comments:



3. Essential Function:

Performance Standard:

Performance Level (check one):  4  3  2  1

Reviewer Comments:



4. Essential Function:

Performance Standard:

Key to Performance Levels: 4 = Exceeds Performance Standards      3 = Meets Performance Standards  
2 = Work Approaches Standards      1 = Does Not Meet Standards

Performance Level (check one):  4  3  2  1

Reviewer Comments:

5. Essential Function:

Performance Standard:

Performance Level (check one):  4  3  2  1

Reviewer Comments:

6. Essential Function:

Performance Standard:

Performance Level (check one):  4  3  2  1

Reviewer Comments:

7. Essential Function:

Performance Standard:

Performance Level (check one):  4  3  2  1

Reviewer Comments:

**SUMMARY OF PERFORMANCE RELATIVE TO ESSENTIAL JOB FUNCTIONS:**

Key to Performance Levels: 4 = Exceeds Performance Standards  
3 = Meets Performance Standards  
2 = Work Approaches Standards  
1 = Does Not Meet Standards















## Arch Cape Forest

### Activities Update for: March

Submitted by: Mark R Morgans-Consulting Forester

#### Roads:

##### Maintenance

- Vinson Bros Construction (VBC) moved excavator into the Shingle Mill Road (SM) system and staged equipment for work pending suitable weather. Minor ditch/culvert clean out accomplished.
- VCB repaired SM road access gate back to full functionality and safety.

##### Decommissioning

- Began decommissioning on the SM 50 road located outside the DSWA during periods of favorable weather (orange circle on map). Spread weed-free straw over exposed soil.

##### Administration

- Supported efforts to investigate and review road easements that represent benefits or burdens to the ACF. Communications with neighboring easement holders regarding pending road maintenance/decom.
- Supported efforts to review and refine the ACF operating budget with particular focus on roads projects and baseline forest management.

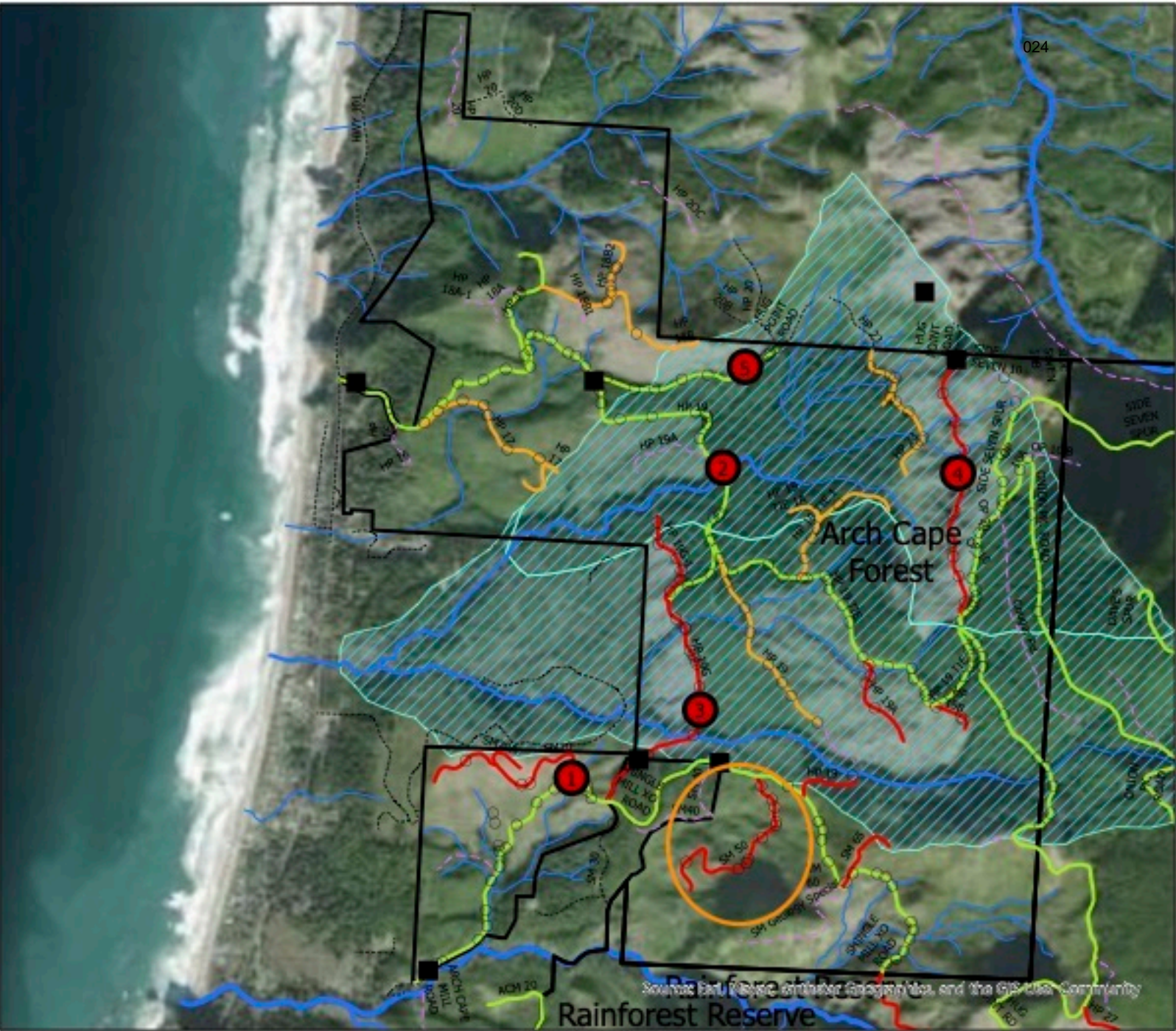
#### Forest Management:

##### Forestry

- Participated in Forest Management committee meeting and supported efforts to review future project activities and budgets.

##### Property Management

- Advised Chair on communication tower site leases and attended site review with tower siting scout of potential location on the SM 20 spur.



# Arch Cape Forest : Road Maint. Plan



- ACF\_Culverts
- Gates
- ▨ DWSA
- ▭ Property Boundary
- Fpa Size
- Large
- Medium
- Small
- Unknown
- <all other values>
- Maintenance Class
- ..... Abandon
- Decommission
- Decommission 2
- Maintain
- <all other values>
- ▭ RainforestReserve
- Road Projects

GN





**Open Forest-Watershed Checking Account - Topic Description**  
**April 18, 2024**

Action / Information: Action

Background:

Currently for the Water District, there is an investment account (LGIP) for the water general operating fund / capital fund and a separate LGIP for the Forest-Watershed fund. A single checking account serves both of these LGIP accounts

To more separately and clearly account for transactions in the two different funds and to further support the Forest-Watershed being administered as a separate business unit, two checking accounts would be useful.

**Board Objective** - Action

Proposed Motion:

To authorize the Board Secretary to open a separate Water District checking account for the Forest-Watershed with the same permissions and check signers as our existing checking account.

**Easement Holder Notification - Topic Description**  
**April 18, 2024**

Action / Information: Information

Background

Work is underway to complete road projects and decommissioning as outlined in the Ecological Road Assessment which has been approved by Oregon Department of Forestry and ARPA funding has been approved by Business Oregon.

Vinson Brothers Construction has been contracted for this work, with oversight by Morgans Resource Management.

A number of roads are planned for decommissioning across which neighboring land owners have an easement. With legal guidance through APRA funding, the attached letter template is being / will be sent to appropriate land owners.

*Attached:* Notice of Road Closure – Pending Decommissioning Letter Template



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

Date

Neighboring Land Owner  
 Address

Re: NOTICE OF ROAD CLOSURE and Pending Decommissioning

Hello Name,

In 2022, the Arch Cape Water Domestic Water Supply District (District) purchased the majority of its drinking water source area and adjacent forestland consisting of approximately 1,441 acres east of the Arch Cape community. The property contains many logging roads as shown on the map included with this letter. ***Your company is the owner of easements allowing its use of some or all these roads.***

The District is managing its source water area and forestland for the protection and production of clean, safe drinking water. The District has completed a comprehensive road assessment and developed a decommissioning and core road infrastructure maintenance plan. Many of the roads shown on the enclosed map are not necessary for District operations and create environmental risks and maintenance expense challenges. The District is now beginning the process of scheduling the road decommissioning's which should be completed over the next two years. The District will notify you if/as other roads across which you have an easement are identified to be decommissioned.

This letter is sent to let you know of the ***District's plan to decommission the roads marked as project #4 and HP 18B1 on the enclosed map. As of June 1, 2024, the District will cease maintenance, barricade, and sign these two roads to indicate that they are no longer open for vehicular travel. The decommissioning process itself will follow.***

If your company has any objection to this action or if it has a need for the use of these two roads, please let the District know immediately. The District will provide reasonable alternative access to meet your needs including amending legal easements if applicable.

Contact: Mark Morgans, Consulting Forester [mrmforestry@gmail.com](mailto:mrmforestry@gmail.com)

Sincerely;

Bill Campbell, President, Arch Cape Domestic Water Supply District Board