

# Tualatin Valley Water District



BOARD OF COMMISSIONERS  
1850 SW 170th AVENUE  
REGULAR MEETING MINUTES  
JANUARY 18, 2012

Present: Commissioners: President Dick Schmidt, Richard Burke, Jim Doane, Jim Duggan, and Marilyn McWilliams

Management

Staff: Todd Heidgerken, Patty Rupp, Mark Knudson, Brenda Lennox, Paul Matthews, and Dale Fishback

Legal Counsel: Clark Balfour

Staff: Scott Fortman, Tod Burton

Public: Bill Osmunson, Charlie White

Note: Unless otherwise indicated the term “Motion carried” means the action of the Board of Commissioners was unanimous.

\*\*\*\*\*

President Schmidt called the Regular Meeting to order at 7:00 p.m.

## REPORTS BY CHIEF EXECUTIVE OFFICER AND MANAGEMENT STAFF

Manager of the Office of Community and Intergovernmental Relations, Todd Heidgerken, provided the Management Report as Acting in Capacity for Chief Executive Officer, Greg DiLoreto.

Mr. Heidgerken reported that Manager of Customer Services, Brenda Lennox, has been elected as the American Water Works Association, Pacific Northwest Section (AWWA/ PNWS) Association Director. The position is currently held by Chief Engineer, Mark Knudson. The transition will take place in 2013.

The AWWA/PNWS annual conference is open for registration. Mr. Heidgerken asked that Board members contact Patty Rupp if they wish to attend. The conference is scheduled May 2-4 in Yakima.

There will not be a work session in February.

Mr. Heidgerken proposed moving the March Work Session one week later to Tuesday, March 13 in order to accommodate schedules. The topic would be the Tualatin Valley Water District (TVWD) Rate Study. Commissioner Doane will not be available; however he can be briefed at a later date.

The Tualatin Hills Park and Recreation District and TVWD staff will be holding a joint community meeting to discuss activities associated with the Fanno Creek Trail in the area of SW 90<sup>th</sup> and SW 92<sup>nd</sup>. The meeting is to be held Thursday, February 2 at 6:30 p.m. at the Garden Home Recreation Center.

Departmental Report: The Operations Department provided the departmental report. Scott Fortman with the Valve Crew provided a presentation on the District's efforts with GIS.

#### REPORTS OF MEETINGS ATTENDED AND COMMISSIONER TOPICS

A report was given by each Board member of meetings they attended for the month.

#### PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Bill Osmunson, DDS MPH – 25977 Canyon Creek, Wilsonville, OR

Dr. Osmunson came before the Board to express his concerns with fluoridated water, and his opinion on the negative effects on children, in particular those who are nursing.

Charlie White – 11965 NW Kearney St., Portland, OR

Mrs. White came before the Board to express her concern with fluoride. She mentioned that she is a health advocate. She said that it was up to the Board to investigate fluoride concerns. She asked the Board to take responsibility of informing customers about fluoride. Mr. White indicated that she had spoken with Washington County and indicated that she has decided to proceed with an elective measure. Ms. White described the process as extensive and overwhelming for one person. She suggested that the Board take on the process as a public responsibility.

Commissioner Burke pointed out that even though the vote to fluoridate was years ago, the District has conducted customer attitude surveys that have indicated that the public is still in favor of fluoridation. Commissioner Burke stressed that the initiative process would need to be citizen drive.

President Schmidt pointed out that the issue at hand is not open for debate.

The Board members agreed that it is not the place of the TVWD Board to begin an initiative process on any issue. Commissioner Duggan described the City of Beaverton's experience with the issue around ten years ago.

Commissioner Burke suggested to Ms. White that they discuss the initiative process at a later date.

#### CONSENT AGENDA

It was moved by Commissioner Burke and seconded by Commissioner McWilliams to approve the consent agenda consisting of the Work Session minutes of December 6, and the Regular meeting minutes of December 21, 2012. The motion carried.

RESOLUTION 02-12 AMENDING SYSTEM DEVELOPMENT CHARGES, AND  
DECLARING AN EFFECTIVE DATE

Section 4 of the District's System Development Charge (SDC) requires annual indexing of the charge between revisions to the District's capital improvement plan. The most recent SDC update was completed four years ago with the District's Water Master Plan Update.

Chief Financial Officer, Paul Matthews provided the staff report. Mr. Matthews reported that the proposed increase of 4% is based on the change in the Seattle Construction Cost Index, as published in the Engineering News Record. The recommended change will increase the SDC on a 5/8" x 3/4" meter by \$221, with an effective date of March 1, 2012.

It was moved by Commissioner Doane and seconded by Commissioner Burke to adopt Resolution 02-12, amending the SDC charge and declaring the effective date of March 1, 2012. The motion carried.

RESOLUTION 03-12 AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO EXECUTE  
VARIOUS AGREEMENTS FOR THE EFFICIENT INVESTMENT, HANDLING AND  
SAFEKEEPING OF DISTRICT FUNDS

Mr. Matthews provided the staff report. This item supersedes Resolution 03-03 authorizing the Chief Executive Officer (CEO) to establish as needed, investment related accounts, and execute custodial agreements, safekeeping arrangements, and funds transfer arrangements required for managing the District's investment portfolio. Mr. Matthews pointed out that the proposed Resolution 03-12 is substantially the same as 03-03 however, it is good business practice to update the resolution from time-to-time.

Hearing no discussion, President Schmidt then called for a vote. It was moved by Commissioner Burke and seconded by Commissioner McWilliams to adopt Resolution 03-12, authorizing the CEO to execute various agreements for the efficient investment, handling and safekeeping of District funds. The motion carried.

RESOLUTION 04-12 ADOPTING THE INVESTMENT POLICY

Mr. Matthews provided the staff report. He explained that the Oregon Revised Statutes (ORS) 294.135 requires the District's Investment Policy be adopted on an annual basis by the Board seeing that it allows the purchase of investments with maturities exceeding 18 months. He pointed out that staff is not recommending any changes be made to the Investment Policy. Approval of Resolution 04-12 provides compliance with the statutory requirement.

Hearing no discussion, President Schmidt then called for a vote. It was moved by Commissioner Doane and seconded by Commissioner Duggan to adopt Resolution 04-12, adopting the investment policy. The motion carried.

AMENDMENT TO THE TVWD ADMINISTRATIVE RULES, ARTICLE 1.10.120,  
PROCEDURE DURING BOARD MEETINGS (FINAL READING AND ADOPTION)

Mr. Heidgerken provided the staff report. He pointed out that this was the final reading of the amendment according to the Administrative Rules. The first reading took place at the Regular Board meeting of December 21, 2011. At that meeting the Board did not provide comments to the amendment.

Legal Counsel, Clark Balfour, provided clarification of the amendment.

It was moved by Commissioner Burke and seconded by Commissioner Doane to adopt the amendment to the Administrative Rules, Article 1.10.120, procedure during Board meetings. The motion carried.

ADJOURNMENT

There being no further business, President Schmidt adjourned the Regular Meeting at 7:55 p.m. The motion carried.

BOARD OF COMMISSIONERS  
TUALATIN VALLEY WATER DISTRICT

BY \_\_\_\_\_ BY \_\_\_\_\_  
President, Dick Schmidt Secretary, James Duggan

Date Approved: February 15, 2012