

# Tualatin Valley Water District



BOARD OF COMMISSIONERS  
1850 SW 170th AVENUE  
REGULAR MEETING MINUTES  
JUNE 20, 2012

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

## Management

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

Legal Counsel: Clark Balfour

Staff: Tod Burton

Public: Charlie White, Bill Osmunson, Kim Kaminsky

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

\*\*\*\*\*

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

## REPORTS BY CHIEF EXECUTIVE OFFICER AND MANAGEMENT STAFF

Chief Executive Officer, Greg DiLoreto, announced that the Tualatin Valley Water District’s annual Consumer Confidence Report would be mailed shortly to each customer within the District. Additional information has been included regarding fluoride.

CEO DiLoreto indicated that the TVWD Summer Picnic is scheduled to take place on July 25 at TVWD. This event is held every other year.

There will be a Work Session on July 10 at 6:00 p.m. This would be a continuation of the discussions in terms of water supply options.

Manager of Operations, Dale Fishback provided the department report.

## 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 - 25977 Canyon Creek, Wilsonville, OR

Mr. Osmunson came before the Board and expressed his concerns regarding fluoride. He indicated that he is an opponent.

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

Ms. White read from various documents regarding the potential risk to infants who drink formulas reconstituted with fluoridated water. She offered language from a sample brochure to the used by TVWD.

Kimberly Kaminski – P.O. Box 13307, Portland, OR

Ms. Kaminski explained that she is the executive director of Oregon Citizens for Safe Drinking Water. She indicated that the organization opposes water fluoridation because of concerns as to its effects on infants and the elderly populations.

### CONSENT AGENDA

It was moved by Commissioner Doane and seconded by Commissioner Burke approving the Work Session minutes of May 8, as well as the Regular Board meeting minutes of May 16, 2012. The motion carried.

### RESOLUTION 08-12 ENDORSING ANNEXATION OF PARCEL 1N1 15CC 004000N, NW JACOBSON ROAD

Chief Engineer, Mark Knudson, explained that this item consists of a proposed annexation of one property north of NW Jacobson Road into the TVWD service area. This proposed annexation includes one parcel located generally north of NW Jacobson Road, south of NW Schaaf Road and east of NW Helvetia Road. The purpose of the annexation is to facilitate connection to the TVWD water system. Previously the dwelling on this lot received water from the adjacent trailer park's well system. That source is no longer an option.

It was moved by Commissioner Duggan and seconded by Commissioner McWilliams to adopt Resolution 08-12 endorsing annexation of the above-described parcel, and as shown in Exhibit A. The motion carried.

### EXEMPT LEAVE AND VACATION SCHEDULE

HR Director, Amy Heinlen, provided the staff report. She explained that the purpose of changing the vacation schedule would result in having only one vacation chart for all employees.

The exempt leave benefit will allow newly classified exempt employees the opportunity to be awarded additional leave in lieu of receiving overtime.

There is potentially a budget impact of approximately \$4,800 to the current budget if the reclassified exempt employees request that their compensatory banks be paid out. To comply with accounting requirements, the District recorded the labor expense for the \$4,800 at the time the employee accrued the overtime. This expense is recorded as a liability on the District's books and this change in exemptions will not change the total expenses to the District.

After Ms. Heinlen answered general questions of the Board, it was moved by Commissioner Duggan and seconded by Commissioner Burke to approve the revised vacation leave schedule and the additional exempt schedule. The motion carried.

ORDINANCE 01-12, AMENDING AND RESTATING SYSTEM DEVELOPMENT CHARGES – FIRST READING, READ BY TITLE ONLY – PUBLIC HEARING

Chief Financial Officer, Paul Matthews indicated that the District routinely reviews its system development charges (SDCs) to ensure these charges are fair to all customers. There are two elements of the SDC that are reviewed, the first being the methodology. The methodology is specifically identified in Oregon law and describes the technical basis for calculation of the SDC. The second being review of related ordinances and resolutions. The ordinances and resolutions provide the legal structure under which the SDC is applied and managed.

Mr. Matthews explained that it is important to note that staff is not recommending changing the amount of the SDC or the methodology under which the SDC is calculated. Staff is only recommending an updated ordinance that will set forth how the SDC is applied and managed.

The basis for the SDCs dates back to a resolution (01-91) adopted by the Board in 1991. Mr. Matthews explained that there have been numerous legal changes that suggest a newer ordinance would benefit the District.

Commissioner Duggan indicated that the term “tax lot” may not represent a full legal lot. Legal Counsel, Clark Balfour, advised to use the word “parcel” for clarity, of which would be carried throughout the document. Commissioner McWilliams asked that the word “fixture” be defined as well.

Commissioner Burke moved and Commissioner Duggan seconded to read Ordinance 01-12 by title only. The motion carried.

President Schmidt closed the Public Hearing.

Executive Assistant, Patty Rupp, then read Ordinance 01-12 by title.

ADJOURNMENT

There being no further business, it was moved by Commissioner McWilliams and seconded by Commissioner Duggan to adjourn the Regular Meeting at 7:50 p.m. The motion carried.

BOARD OF COMMISSIONERS  
TUALATIN VALLEY WATER DISTRICT

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

Date Approved: July 18, 2012