

SOUTH FORK WATER BOARD
MINUTES OF BOARD MEETING
March 11, 2010

Board Members Present: Patti Galle, West Linn Mayor, Vice-Chair
Daphne Wuest, Oregon City Commissioner
Scott Burgess, West Linn Councilor
Rocky Smith, Oregon City Commissioner
Jody Carson, West Linn Councilor

Board Members Absent: Alice Norris, Oregon City Mayor, Chair

Staff Present: John Collins, SFWB General Manager

Others Present: Laura Schroeder, South Fork Attorney, Schroeder Law Offices
Alice Richmond, West Linn Resident
Janelle Sisson, Gladstone Resident
Doug Neeley, Oregon City Commissioner

General Board Meeting

(1) Call to Order

Vice Chair Galle called the South Fork Water Board (SFWB) meeting to order at 6:09 p.m.

(2) Public Comments

No public comments.

(3) Consent Agenda

(A) Approval of the Minutes of the February 11, 2010 Board Meeting

Board Member Smith moved to approve the Consent Agenda. Board Member Burgess seconded the motion, which passed unanimously.

(4) EXECUTION SESSION—Recess Regular Meeting and Convene Executive Session.

Vice Chair Galle recessed the regular meeting to convene the Executive Session at 6:10 p.m.

(A) To consider information or records that are exempt by law from public inspection pursuant to ORS 192.660 (2)(f)

(B) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed pursuant to ORS 192.660 (2)(h).

(5) Reconvene Regular meeting to take any action necessary as determined in Executive Session.

Vice Chair Galle reconvened the regular meeting at 7:43 p.m.

(6) **Business from the Manager**

1) Treatment Plant Soda Ash Feeder Rebuild

John Collins, SFWB General Manager, announced that South Fork Plant Operator, Doug Crawford and Paul McFarland, who was on the Return to Work Program, had totally rebuilt South Fork's 1950s mechanical Soda Ash Feeder for less than \$2,000. Previously, \$40,000 was going to be included in the 2010/2011 fiscal budget to replace the equipment. Now, South Fork had a new, modern piece of equipment, as well as an interchangeable replacement if it broke down.

2) Prescription Drug Turn-In Event

John Collins, General Manager encouraged Board Members to participate at the free Prescription Drug Turn-In Event to be held Saturday at the former City Hall of Oregon City. The flyer distributed to the Board was created in partnership with the Clackamas River Basin Council. He was not certain whether the announcement was published in the newspaper, only that South Fork had passed the information on through its channels after received it.

3) Resolution 10-01

John Collins, General Manager explained that the resolution would enable the General Manager to meet with the Cities of Oregon City and West Linn and do a presentation about facilitating a possible loan for approximately \$2.4 million to defease SFWB's bonds. Approval of the resolution would indicate the Board's support of Mr. Collin's to return. The figures provided to the Board included those from SFWB Finance Director David Wimmer about the advantages of refinancing the bonds. South Fork's 1998 bonds had more than \$500,000 in interest left to paid, but could be paid off without penalty. Refinancing this 5% bond to a 2.5% interest loan would realize a substantial savings for South Fork. Because the State pool was at about .5%, the city loaning the money would make about a good return on their investment. He intended to present to the City of Oregon City at its March 17 Council Meeting and to the City of West Linn on Monday, March 22. He would provide a status report at the next SFWB meeting in April.

Board Member Jody Carson moved to approve Resolution 10-01. Board Member Daphne Wuest seconded the motion, which passed unanimously.

4) Update on Water Rights Legal Proceedings

Laura Schroeder, SFWB Attorney updated the Board on the legal proceedings regarding South Fork's water rights. The first stage of the contested case hearing was completed the first week in March, concluding the testimony portion. She received notice that the common hearings would be transcribed and she had waived the transcript for South Fork's hearing, and the other parties would also. Once the closing briefs were completed and turned in, the Administrative Law Judge would make decisions, which would go to the Oregon Water Resources Commission who would make the final decision to either approve or deny the grant of South Fork's water rights extensions. Any appeal to the Commission's decision would occur 30 days later, but the extensions would still be in force.

(7) **Business from the Board**

There was none.

(8) **Executive Session –Adjourn regular meeting and convene Executive Session.**

The March 11, 2010 regular meeting of the South Fork Water Board adjourned at 7:50 p.m.
No further Executive Session was held.

(A) To consider information or records that are exempt by law from public inspection pursuant to ORS 192.660 (2)(f)

(B) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed pursuant to ORS 192.660 (2)(h).

Respectfully Submitted,

By Paula Pinyerd, ABC Transcription Services, Inc.
for John Collins, SFWB General Manager