

Scappoose Drainage Improvement Company
Board of Directors Monthly Meeting Minutes – February 10, 2022

Present via Zoom video/teleconference:

Jeff Mapes, President	Geoff Wenker, Landowner
Gary Wheeler, Vice President	Marie Gadotti, Landowner
Amanda Hoyt, Secretary/Treasurer	Tim Berge, Landowner
Len Waggoner, Director	Debbie Murphey, CalPortland Attorney
Karen Kessi, Director	TJustesen per Zoom ID
Chase Christensen, General Manager	Christy McDonough, Cadman
Laurie Mapes, Staff	Bob Short, CalPortland
Jeff Condit, SDIC Attorney	JRM per Zoom ID
	bruceestok per Zoom ID

President Mapes called the meeting to order at 6:02 p.m. through the Zoom virtual meeting platform. Board members introduced themselves. Minutes below associate with Agenda items.

Public Comment

Marie Gadotti stated that, because she is calling in to the meeting, it is hard to know who is in the meeting unless everyone introduces themselves. She reported that a Cottonwood tree fell across the Santosh and proposed to show GM Christensen where it is. She also reported a plug at the Jackson Creek diversion structure that is a problem in high water.

Agenda Approval

There were no adjustments to the proposed agenda.

Meeting Minutes Approval

Director Kessi noted that the January 13, 2022 minutes state the website will be the way SDIC communicates with the public in the future. She asked if SDIC still will utilize an e-mail distribution list. GM Christensen reported that he did for this meeting, and will continue to in the future, send meeting notices to the e-mail distribution list along with the agenda; supporting documents now are on the website. Director Kessi made a motion to approve the January 13, 2022 meeting minutes as presented. Director Hoyt seconded the motion, and all directors voted in favor of it.

President's Message

President Mapes announced that, in open session during this meeting, the board will discuss whether SDIC will send a representative to the City of Scappoose's 50-year planning effort, review two proposals for technical assistance on review of the Cadman 408 submission to USACE, and consider hiring a computer consultant. President Mapes reported that he and GM Christensen had a Zoom meeting with WEST Consultants. WEST will put together an estimate for their staff to look back at the interior drainage analysis, consider what they know about SDIC's system, and make suggestions for improving the drainage system. If the board is interested in that project after WEST's proposal is received, advice from attorney Jeff Condit will be sought on how to proceed in light of public contracting rules. President Mapes also noted that financial documents for tonight's board meeting are available on the SDIC website.

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Company Financial Review & Expenditure Approvals

GM Christensen noted in the Transaction List that payment from Cadman Materials for model sharing was received and that large expenses on the list relate to repair of the Evans No. 2 pump. He reported that transfer of \$5,000 from the state pool account is needed to cover anticipated bills, including a bill for \$4,024.80 from Miller Nash just received. President Mapes noted that there is a payment to Laurie Mapes on the transaction list and stated that he would recuse himself from voting on approval of expenses. Attorney Jeff Condit noted that authority for payroll was delegated to the General Manager, that a vote to approve the bills therefore is not a vote to approve payment to Laurie Mapes and that it is not necessary for President Mapes to recuse himself. Director Hoyt noted that she already reviewed the transactions with GM Christensen. Director Hoyt made a motion to approve the financials as presented. Director Kessi seconded the motion, and all directors voted in favor of it.

Directors Hoyt and Waggoner volunteered to sign checks.

Director Kessi made a motion to transfer \$5,000 from the state pool. President Mapes seconded the motion. Director Hoyt stated the end-of-January state pool balance was \$471,992.37. All directors voted in favor of the motion to transfer \$5,000 from the state pool account to the checking account, which Director Hoyt volunteered to do.

Amendments to Bylaws Review

Mr. Condit reported that he sent the proposed bylaws amendments to people who expressed interest in commenting on them at the last annual meeting. CalPortland's attorney made good suggestions he has included. He has not heard from anyone else he contacted. Mr. Condit suggested that he go ahead and make the revisions he has received so far and that they be posted on the website, after which he will again ask the people he contacted for comment.

SDIC Representative for City of Scappoose 50-year Plan as “Agency Partner”

President Mapes reported that he was asked to participate in the city's development of a 50-year plan, which will include reviewing lands for possible rezoning and UGB expansion. He responded that he considered it a request to SDIC rather than him personally. Director Waggoner reported that he expects the plan to take into consideration expansion of the city that Director Waggoner does not expect will extend into SDIC boundaries. President Mapes noted that city staff expect SDIC is an entity that will be affected by the city's growth. The consensus of the board was that the SDIC should be represented in the planning effort. Director Waggoner volunteered to participate on SDIC's behalf.

Cadman Materials 408 technical review RFPs

The board and GM Christensen discussed the only two proposals received for technical assistance on SDIC review of the Cadman Materials 408 submission to USACE, one from Cornforth Consultants and one from PACE Engineers. GM Christensen noted that he sent a request for proposals to seven firms and made follow-up calls to verify receipt. Mr. Condit noted that SDIC may follow an informal selection process because the cost is expected to be under \$250,000. The qualifications of the two firms and their experience/history with the SDIC and knowledge of the district were discussed. It was noted that the Cornforth Consultants' proposal provides that Cornforth will partner with WEST Consultants.

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President Mapes made a motion that Cornforth Consultants be selected. Director Hoyt seconded the motion. Director Waggoner questioned who would pay for GSI services if they were needed regarding seepage. Mr. Condit noted that, if Cornforth was retained and needed additional services, it would be their obligation under the contract to secure them. President Mapes noted that Cornforth's proposal indicates they would secure other consultants if needed.

Geoff Wenker stated that the consultant hired will just look at what has been submitted to USACE and identify concerns and that hiring GSI for a seepage study is not part of that process.

All directors voted in favor of the motion except Director Waggoner, who abstained from voting.

Manager's Report

Infrastructure: GM Christensen reviewed his Manager's Report, noting that re-installation of the Evans pump No. 2 went more smoothly than he expected. He spoke with Tim Berge (landowner) regarding the syphon breakers at the North pumps. Only one company manufactures them and has not been responsive to inquiries, so the parts may need to be machined. Director Wheeler noted that GM Christensen has done an excellent job of planning, coordinating and implementing the process of pulling the Evans pump, getting it repaired and replacing it, and other board members agreed.

Personnel: Director Kessi noted that the annual reviews are done and paperwork completed.

408s: President Mapes reported that SDIC received a public records request for the Cadman submission to USACE. Mr. Condit was contacted and confirmed that the submission is a public record, and the request has been fulfilled. President Mapes reported that he participated by Zoom in a pre-application conference conducted by Columbia County Land Development Services and including various public bodies regarding Cadman's interest in re-zoning Ellis property for surface mining. President Mapes reported that he made brief comments that levee stability and maintenance are primary concerns of SDIC but that another primary concern is the introduction of new water into the district, its potential effect on the 100-year flood level, and the effect on day-to-day operations, noting that SDIC currently pumps the Ellis property to a level below the water level across Honeyman Road in the CalPortland pit. He also noted the CalPortland pit wall had caved in next to Honeyman Road and questioned who would be responsible for similar problems in perpetuity. GM Christensen noted that the county road department expressed concern about potential damage to Honeyman Road.

Accreditation/LOMR: President Mapes reported that Paul Vogel of Columbia Economic Team let him know there has been little movement and that funding is still being sought for WEST Consultants to add data to the flood mapping process.

Best Practices: President Mapes noted that the website has a place to submit questions or comments. The board discussed whether individual board members' e-mail addresses should be posted to the website. Mr. Condit noted that, if a single board member receives an e-mail that should be distributed to the rest of the board and the director does not distribute it, there could be some liability. GM Christensen explained that the "Contact Us" link on the website delivers the

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message to multiple e-mail addresses. The consensus of the board was to have GM Christensen add each board member's e-mail address to the list of e-mail addresses to which contacts made through the website are forwarded.

President Mapes explained that Todd Graham, who has a master's degree in Computer Science, is available for technology assistance at a cost of \$50/hour. He can provide individual training to board members and assist GM Christensen with technology matters. President Mapes made a motion to award a personal services contract to Todd Graham at \$50/hour in an amount not to exceed \$10,000. Director Kessi seconded the motion, and all directors voted in favor of it. Director Kessi suggested that the training count as the board's training for the year, and other board members concurred.

Director Kessi noted that the National Levee Safety Program is presenting virtual webinars this month put on by USACE and FEMA. GM Christensen stated he plans to watch one.

Scappoose Storm Water Master Plan: Director Waggoner reported that he met with Chris Negelspach, Scappoose city engineer, and talked about the relationship between the city and SDIC. Matters discussed included Director Waggoner's suggestion that stormwater funds raised by the city from the airport development should go directly to the SDIC, and Fred Meyer and Havlik subdivision stormwater drainage into Springlake. Director Waggoner stated his assessment that the meeting opened a doorway for discussing a budgetary relationship with the city in perpetuity and in a certain amount, similar to the funding Multnomah County Drainage District (MCDD) receives from the City of Portland. Mr. Condit was asked about the process by which MCDD entered into an intergovernmental agreement (IGA) with Portland. He noted that the IGA provides for sharing some of the costs for stormwater conveyancing, particularly from city streets. There is a formula for the amount. Mr. Condit added that one of the motivations for the IGA was that most of MCDD is inside the City of Portland, so there was double assessment.

There was discussion of asking Mr. Condit to prepare, for SDIC to share with the city, a summary of MCDD's agreement with the City of Portland together with a suggestion that a similar relationship between the SDIC and the City of Scappoose would be a good topic of discussion. The consensus of the board was to ask Mr. Condit to prepare such a summary.

Rental Home: Director Kessi reported that there was an electrical issue that has been resolved and that the January rent was received.

Legal: There was no report.

Mercury TMDL: GM Christensen reported that there is no news on this topic.

Schedule Upcoming Meetings

The next SDIC board monthly meeting will be March 10, 2022 at 6 p.m.

Regarding the annual meeting, Director Hoyt reported that she contacted Scappoose High School and learned that the auditorium can be rented for \$200. There was discussion of the new state law requiring a virtual option for attending public meetings. Mr. Condit reported that the law

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requires people to be able to both attend and participate virtually. He added SDIC might ask people to appoint proxies who will physically attend the annual meeting, but the statute may require SDIC to provide for virtual voting. Mr. Condit will research whether the statute requires offering a virtual option for voting and how to handle submission of proxies and certificates of authority by people not physically present at the annual meeting, for example whether SDIC can require the documents to be submitted by a deadline earlier than the start of the meeting.

By consensus, the board plans to hold the annual meeting in June 2022.

Marie Gadotti noted that, if there are elections and more than one person runs, SDIC has voted by ballot in the past.

Review of Action Items

Directors Hoyt and Waggoner will sign checks. Director Hoyt will transfer \$5,000 from the state pool to the checking account. Mr. Condit will revise the proposed bylaws amendments according to suggestions made from CalPortland’s attorney Debbie Murphey, solicit additional comments, research issues related to allowing virtual participation in the annual meeting (including voting and submitting proxies and certificates of authority), and draft a summary of the MCDD IGA history for the City of Scappoose to open discussion of a similar arrangement between SDIC and the city. Director Kessi will contact Todd Graham regarding assistance with technology matters.

Adjournment

Director Waggoner made a motion to adjourn. Director Kessi seconded the motion. All directors voted in favor of the motion. The meeting adjourned at 7:45 p.m.

Associated documents:

- Meeting Agenda
- SDIC Monthly Manager’s Report 2/10/2022
- 20220210 Balance Sheet
- 20220210 P&L Budget vs Actual
- 20220210 P&L This vs Last
- 20220210 Check Register
- 20220210 Credit Card Register
- 20220210 Transaction List

Approved by the Board of Directors on : _____

Signature

Printed Name and Title