

**SEAL ROCK WATER DISTRICT
MINUTES OF THE
Regular Board Meeting
by Zoom Conference Call and In Person
August 10, 2023**

Introduction to Remote Meeting:

Denlinger, General Manager, explained that this board meeting is being conducted remotely and in person. Due to the limited capacity for in-person meetings, the public is invited to attend this meeting electronically. He further explained that the Board President will call each name to confirm those who are present via Zoom conference. After each person hears their name, they need to reply. For each decision item on the agenda that needs to be approved, after discussion and deliberation, the Board President will call each name of the commissioner for their vote. After the commissioners hear their names, he or she will give a vote in the affirmative by saying YES or negative by saying NO.

Call Regular Meeting to Order:

President Rob Mills called the regular board meeting to order at 4:00 p.m., Thursday, August 10, 2023.

Present:

President Rob Mills confirmed that all commissioners present can hear each other by doing a roll call. Present on Zoom Conference Call was Commissioner Saundra-Mies Grantham, Secretary. Present in person in the Board room were Commissioner Rob Mills, Board President; Commissioner Karen Otta, Treasurer; Commissioner Glen Morris, Member; and Commissioner Paul Highfill, Member. Attorney Jeff Hollen, Legal Counsel. Staff: Adam Denlinger, General Manager; Joy King-Cortes, Office Manager.

Excused Absences: None

Announcements/Public Comments:

President Rob Mills asked if there were any announcements.

Commissioner Karen Otta announced she would not be able to attend the September Board meeting; Commissioner Saundra-Mies Grantham announced she would not be able to attend the September Board meeting; Commissioner Glen Morris had no announcement; Commissioner Paul Highfill had no announcement; Joy King-Cortes, Office Manager had no announcement; General Manager, Adam Denlinger had no announcement; Attorney Jeff Hollen had no announcement; President Rob Mills had no announcement.

Public Comments: Kenneth Lipp, Lincoln County Public Information Officer, attended the meeting through Zoom.

Consent Calendar:

Items on the consent calendar are July/August 2023 Invoices List for approval; July 13, 2023, Regular Board Meeting minutes; July/August 2023 Financial Report; USDA PMR Phase IV No. 36; and General Manager's Monthly Report. President Rob Mills asked if each commissioner reviewed the consent calendar items. Commissioner Karen Otta answered YES; Commissioner Saundra Mies-Grantham answered YES; Commissioner Glen Morris answered YES; and Commissioner Paul Highfill answered YES. Commissioner Karen Otta motioned to approve the consent calendar not including the May 11, 2023, Board Meeting Minutes. Commissioner Glen Morris seconded the motion. The motion passed 5 – 0. The May 11, 2023 board meeting minutes were passed by 3 YES vote by Commissioner Glen Morris, Paul Highfill, and President Rob Mills. Commissioners Karen Otta and Saundra Mies-Grantham abstained from voting since they were not present at the May 11, 2023 Board meeting.

Reports, Comments, and Correspondence:

On August 2, 2023, the Oregon Department of Forestry (ODF) received the Notification of Operations/Permit for Aerial Application of Pesticides submitted by Tyrol Forfar as the contractor for ANE Forests of Oregon C/O HFI Consultants. The aerial application of pesticides is in the Beaver Creek watershed where the timbers were harvested to prepare the timberland for replanting. The location of the aerial spray is above the SRWD raw water intake. The window start date to do aerial spraying using pesticides with glyphosate is September 2 and the window end date is November 30. Staff submitted comments online in FERNs expressing concerns about the effect it will have on the district's raw water intake. This is a new condition the district needs to learn how the pesticide application could affect the water quality. The NOAP mentions maintaining buffers during aerial pesticide spraying but how effective it is to stop the pesticide from getting into the water tributaries to Beaver Creek. District staff are concerned and so are customers and members of the community. Staff have been responding to various emails, and contacting different agencies and stakeholders for information and guidance. Adam Denlinger has been trying to engage the timberland owner, the contractor, the community, and stakeholders for a discussion on how to mitigate the risk. ODF can not stop aerial spraying as long as the contractor follows the steps and conditions of the permit and follows the chemical manufacturer's label instructions. Staff had learned

64 from DEQ that there are timber companies who do pay for the testing before and after the aerial spraying. Staff would like
65 to have a dialogue with the timberland owner to do the same.
66 District staff have been working with several state agencies including ODF, DEQ, DOA, and OHA in response to this
67 issue. The district is working with State agencies to coordinate a meeting with landowners, applicators, and the
68 community to exchange information and provide an opportunity to inform the landowner regarding concerns with respect
69 to aerial spraying. The district will need to develop countermeasure protocols in response to this issue of aerial application
70 of pesticides in the Beaver Creek watershed. DEQ is assisting with recommendations and guidance for managing risks to
71 source water. Some of the recommendations are suspending pumping while spraying activities are in process and
72 sampling the creek before and after spraying and immediately after the first major rain event. Kenneth Lipp, Lincoln
73 County Public Information Officer will update the county commissioners regarding this issue and he supports Adam in
74 bringing together the community by facilitating a meeting for a dialogue regarding the issue.
75

76 **Discussion and Information Items:**

77 **Primary Source Water Project Update:** On the weekend of August 4, 2023, the WTP lost the use of the server for the
78 third time. Jacobs engineer came to support the Dell technician who came on Monday, August 7, 2023, and replaced the
79 card to bring the server back in working condition.

80 The district WTP Operators have been having difficulty in cleaning the skids and making water. Jacobs Lead Membrane
81 Engineer was on site in July to evaluate individual membrane modules to determine how to effectively clean the filtration
82 units for best performance and to maintain the health of the membranes. While we wait for a comprehensive report, the
83 engineers did make some recommendations for adjusting cleaning protocols, which have been beneficial in extending the
84 length of time between cleanings. It was discovered that the programs for cleaning the skids and the process of making
85 water need to be corrected by WesTech.
86

87 **Decision Items:** None
88

89 **Reports, Comments, Correspondence:**

90 August 2, 2023, Lincoln County Commissioners approved the Declaration of Drought Emergency. Staff is working with the
91 Mid-Coast Water Consortium in drafting a letter for a Public Service Announcement (PSA) to be mailed to customers and
92 released to the media.
93

94 August 1, 2023, the office staff received a letter from the Oregon Secretary of State Audit Division welcoming newly
95 elected commissioners and reminding them of their responsibilities as fiduciaries of the local government. The annual
96 audit filing fee will increase from \$250 to \$300 beginning Jan 1, 2024.
97

98 August 4, 2023, SRWD Beaver Creek Hazardous Algae Bloom (HAB's) Results:

99 Due to raw water quality issues and an increase in organics, operators took steps to engage the State (DEQ) to have raw
100 water on Beaver Creek tested for the presence of Hazardous Algae Bloom (HAB). Raw Water Analysis provided by DEQ
101 includes testing for Cyanotoxins to include Cylindrospermopsin and Microcystins. The district provided two raw water
102 samples which were both analyzed, and the results were negative, or non-detect (ND). Testing provided by DEQ is free of
103 charge. However, if future testing includes a positive result the district would be subject to the state HAB's regulations.
104 Results of testing are included in the board packet and will be provided in future CCR reporting.
105

106 **Recessed Regular Board Meeting:** President Rob Mills recessed the Regular Board Meeting at 4:53 p.m. to go into an
107 Executive Session.
108

109 **Executive Session: according to ORS 192.660(2), Concerning:**

110 The SRWD Board may meet in Executive Session, pursuant to ORS 192.660(2)(h); To consult with legal counsel
111 concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.
112 Representatives of the news media and designated staff shall be allowed to attend the executive session. All other
113 members of the audience are asked to leave the room. Representatives of the news media are specifically directed not to
114 report on any of the deliberations. No final decisions shall be made in the Executive Session.
115

116 **Reconvened Regular Board Meeting:** President Rob Mills adjourned the Executive Session and reconvened the
117 Regular Board Meeting at 5:40 p.m.
118

119 **Adjournment:** Motioned by Commissioner Karen Otta to adjourn the meeting. The motion was seconded by
120 Commissioner Saundra Mies-Grantham. The meeting was adjourned at 5:42 p.m.
121

122 **Next Board Meeting:** September 14, 2023, at 4:00 p.m. Regular Board Meeting.
123
124
125
126

127 Approved by Board President

Date: