

EUGENE WATER & ELECTRIC BOARD  
WORK SESSION  
VIDA COMMUNITY CENTER  
90377 THOMSON LANE  
VIDA, OREGON  
FEBRUARY 7, 2006  
5:30 P.M.

Commissioners present: Sandra Bishop, Mel Menegat, John Simpson, and Ron Farmer. Commissioner Patrick Lanning was excused.

Others present: Randy Berggren, Dick Helgeson, Marty Douglass, Jim Origliosso, Debra Smith, Roseanna McArthur, Jim Wiley, Brad Taylor, Deborah Brewer, Ken Beeson, Tom Buckhouse, Karl Morgenstern, and Krista Hince of the EWEB staff; Ruth Atcherson, City of Eugene minutes recorder.

President Bishop convened the Work Session of the Eugene Water & Electric Board (EWEB).

**BOARD GOVERNANCE – GOVERNANCE STATUS UPDATE AND TIME LIMITS ON BOARD RESPONSE TO PUBLIC INPUT**

Assistant to the General Manager Debra Smith reviewed the items to be discussed. She noted that she had included a copy of the American Public Power Association (APPA) Governance Survey for the Commissioners to review.

The Commissioners decided to discuss time limits on Board response to public input first.

Vice President Menegat said some nights the Board received public input on a number of items and currently a Commissioner could choose to comment for three to five minutes on each item. He expressed a preference for placement of a three minutes time limit on Board response. He also wished to include in the preamble to the public input given by the President a clarification that a lack of response on the part of a Commissioner was in no way tacit agreement with what had been said.

Commissioner Simpson commented that he had not observed a single case of a Commissioner taking too much time with comments. He was uncertain as to Commissioner Lanning's impetus for bringing this issue up for discussion. He indicated that he was comfortable putting this into policy, but he did not know what was driving it.

Commissioner Farmer remarked that he had experienced a couple of instances in which he had felt Commissioners had spoken too long. He did not want to take up much meeting time with Commissioner responses to input, though he thought there was value in allowing for a brief response. He noted that historically the Commissioners had long held the practice of not responding at all. He said he would lean toward having no Commissioner response or limiting the response time.

President Bishop called the notion that Commissioner responses should be curtailed “absurd.” She did not think it had ever been a problem. She opined that the only time it was a problem was when one Commissioner wanted to “get out of a meeting early.” She agreed that there should be a disclaimer in the preamble to the Public Input that clarified that a lack of response was not an indication of one’s point of view.

In response to a question from Ms. Smith, President Bishop recommended that the preamble indicate that the Commissioners had individual points of view on issues.

Commissioner Simpson supported having a standard statement. He suggested that a note be included on the sign-up sheets as well.

Commissioner Farmer commented that his concern lay in that he did not wish to turn public input into Commissioner input.

Ms. Smith said she would ask Public Affairs Manager Marty Douglass to draft such a statement with the intention of bringing it forward to the next meeting.

President Bishop moved the discussion on to a general update on Board Governance work.

Ms. Smith directed the Commissioners to peruse the list of policies that still required modification or detailed review before approval. She recommended that the Commissioners work with Human Resource Manager Jean Meyers on the three policies, **BL3** through **BL5**, having to do with the Board’s relationship with the General Manager.

President Bishop asked whether the Board should hold a retreat to discuss the items. Ms. Smith responded that she did not think that was necessary. She only wished to point out that she should not be part of the discussion on the items related to the General Manager.

President Bishop asked Vice President Menegat and Commissioner Simpson if they would be willing to work on those governance items with Ms. Meyers as part of the General Manager Compensation Subcommittee work and then bring a recommendation to the Board. The Commissioners indicated their willingness to do so.

Vice President Menegat commented that he was uncertain how much time Ms. Meyers would have available given her current schedule. General Manager Randy Berggren pointed out that the items would not need to be completed prior to the General Manager recruitment process.

Ms. Smith suggested the Commissioners work on **BL2** and **BL3** first. She felt Ms. Meyers would be more focused on the latter two. She recommended that the Commissioners review **GP3** and **GP13** before the end of the summer. She noted that the Commissioners had discussed **EL1**, having to do with financial controls, a “couple of times.” She felt the Commissioners were mid-way through the discussion and should attempt to finish it by June 2006.

Commissioner Simpson asked what the **Legacy Prioritization** was. Ms. Smith explained that Mr. Berggren had suggested the Board undergo this prioritization exercise. Mr. Berggren added that this work wrapped into an item of concern that Commissioner Farmer had brought forward.

Commissioner Farmer explained that at the last APPA conference he had attended a class at which it had been suggested that Boards should evaluate themselves in regard to whether they were addressing the overriding issues important to the utility. He related that the general thinking was that the Commissioners should hold a work session or retreat to determine whether it was meeting this responsibility. The recommendation had been to do so in an informal conversation.

President Bishop remarked that all EWEB meetings were public.

Commissioner Farmer reported that it was also recommended that the Board look for an outside evaluation of its work, with the suggestion that the General Manager could fill that role. He noted that there was some risk in doing that for both the Board and management. He averred that whether the Board undertook the evaluation process through this retreat or through another meeting, the evaluation should be included in the Board's process.

Mr. Berggren thought this could be included as part of the discussion at the March planning retreat. He felt the discussion could have relevance to **GP3**, which had to do with Board Strategic Plan Development.

Commissioner Farmer said ideally if the Commissioners went through the evaluation process and saw the areas in need of improvement, it would set part of the agenda for the rest of the year.

Vice President Menegat supported the idea of spending some of the March retreat time on Board self-evaluation.

President Bishop observed that some of the governance items on the list were housekeeping in nature and wondered how they should be prioritized. Mr. Berggren pointed to the footnote that indicated he and President Bishop would establish the priority.

The Commissioners discussed various options for a Board retreat. It was decided that the retreat would be held on a weekday and the larger portion of the day would be spent on governance with two hours spent on self-evaluation in the afternoon.

## **DRINKING WATER SOURCE PROTECTION PROGRAM STATUS**

Drinking Water Source Protection Coordinator Karl Morgenstern provided a power point presentation and four attachments:

- *FACT SHEET: McKenzie Watershed Emergency Response System (MWERS); An Interagency Spill Response Tool*
- *Detailed Outline of Eugene Water & Electric Board's Drinking Water Source Protection Program*
- *Eugene Water & Electric Board McKenzie Agriculture & Water Management System*
- *Non-point Sources of Pollution Assessment Project; Drinking Water Source Protection Program*

Mr. Morgenstern explained that the goal of the MWERS lay in threat assessment. He said 86 percent of the chemicals stored, transferred or used around in the watershed were petroleum-related, followed by fertilizers and pesticides. He stated that a Geographic Information System (GIS) based response system had been formulated, first for response to petroleum contamination based on the threat assessment. He reported that \$420,000 in grants had been attained in order to fill equipment gaps. A Weyerhaeuser helicopter had mapped all of the locations that could feasibly be used to mitigate contamination to the river. He reviewed the incident response, point by point, as referred to in the *Fact Sheet*.

In response to a question from Commissioner Simpson, Mr. Morgenstern explained that whoever arrived first on the scene, whether fire or police crews, would assess the situation. He said 16 different agencies had laptops with the MWERS system on them. He stated that they had designed a system using fast river boom deployment to contain spills.

Commissioner Simpson asked if any chemicals were prohibited from transport on the McKenzie River Highway. Mr. Morgenstern replied that only radioactive materials were prohibited entirely from being transported.

Commissioner Farmer noted that volunteer fire departments had a higher turnover. He wondered if training was being conducted often enough to keep volunteer firefighters abreast of the MWERS. Mr. Morgenstern responded that five trainings had been conducted in the last 18 months.

In response to another question from Commissioner Farmer, Mr. Morgenstern stated that the system mostly relied upon the Upper McKenzie Fire Department, Mohawk Fire Department, and the Springfield Fire Department among others for response, but the Lane County Sheriff's Office was the primary responder.

Commissioner Simpson asked if EWEB filtered chemicals used for agricultural purposes. Mr. Morgenstern replied that it did not. He noted that there had only been one small detection of such a chemical in the river.

Commissioner Simpson asked if all chemicals applied to a field ended up in the river. Mr. Morgenstern responded that the group was setting up a model to work through some "what if" scenarios and part of the goal for this exercise was to determine where potential problems might be.

In response to a follow-up question from Commissioner Simpson, Mr. Morgenstern replied that a lot of the pesticides broke down into more toxic chemicals.

In response to a question from Commissioner Farmer, Mr. Morgenstern stated that there was no sewage treatment facilities located above the Hayden Bridge intake facility. He added that residences were served by septic systems.

Commissioner Farmer asked if there were any significant industrial polluters. Mr. Morgenstern replied that there were some that were looked upon as potential polluters but they did not have actual data to support this at this time. He listed several potential polluters, adding that there were not a lot of them. He assured Commissioner Farmer, in response to a follow-up question, that staff was working to determine whether measurable quantities of pollutants could be found in the water. He added that they monitored downstream from Monaco Coach and he felt that it was more of a potential than an actual threat of pollution.

In response to a question from President Bishop, Mr. Morgenstern stated that the system was inventoried annually.

President Bishop asked if there were any Superfund Sites in the area. Mr. Morgenstern replied that there were some in Springfield, but none in the McKenzie Watershed.

President Bishop asked who had jurisdiction over illegal boat landings. Mr. Morgenstern responded that the Department of State Lands governed such activities.

President Bishop applauded Mr. Morgenstern for the grants he had gained for the system.

Commissioner Farmer asked if a grant writer would pay for him or herself. Mr. Morgenstern stated that EWEB had base level funding. He related that he had utilized Lane Council of Governments (LCOG) grant writers but had experienced less success in obtaining the grants. Since then he had written the grant proposals himself and had an 85 to 90 percent success rate. He suggested that he would benefit more from a person undertaking the more administrative tasks associated with his position for times when he was writing grants.

President Bishop adjourned the Work Session at 7:24 p.m.

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Assistant Secretary

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President