

COOS BAY-NORTH BEND WATER BOARD
P O BOX 539 – 2305 Ocean Boulevard
Coos Bay, Oregon 97420

Minutes
Regular Board Meeting

March 31, 2021
7:00 a.m.

Coos Bay-North Bend Water Board met in open session in the Board Room at the above address, date, and time with Chair Greg Solarz presiding. Other Board members present: Dr. Charles Sharps, Bob Dillard and Melissa Cribbins. Board members absent: None. Water Board staff present: Ivan D. Thomas, General Manager; Matt Whitty, Engineering Manager; and Karen Parker, Administrative Assistant. Board Legal Counsel Jim Coffey was present. Media present: None. Chair Solarz opened the meeting at 7:00 a.m. and asked Ms. Cribbins to lead the Board and assembly in the Pledge of Allegiance.

Chair Solarz asked if there were any corrections or additions to the March 18, 2021, Regular Board meeting minutes. Dr. Sharps moved the minutes be approved as written. The motion was seconded by Ms. Cribbins and passed unanimously.

Chair Solarz asked if there were any public comments, and there were none.

Regarding the proposed updates to the utility's Personnel Policies and Procedures Manual, Section XI. Performance and Discipline, and proposed Resolution No. 388, Mr. Thomas stated staff has implemented this procedure however there is no policy to cite when issuing a disciplinary/administrative leave letter to an employee. This will clean up the policy which instills what the current practices are.

Dr. Sharps asked if this needed to be approved by the Union. Mr. Thomas stated this is not part of the Union Contract. The Board's Personnel Policies states there are procedures for union and non-union. Mr. Dillard inquired if verbal counseling is documented. Mr. Thomas confirmed any verbal counseling is documented. Mr. Dillard asked when an employee is suspended, what determines if they are suspended with or without pay. Mr. Thomas stated usually if a suspension is done it is without pay. After a brief discussion, motion was made by Mr. Dillard to approve the recommended policy update and adopt Resolution No. 388 allowing staff to update the utility's Personnel Policies Section XI. - Performance and Discipline, Administrative Investigatory Leave. The motion was seconded by Ms. Cribbins and passed unanimously. The resolution read as follows:

RESOLUTION NO. 388

**A RESOLUTION ADOPTING REVISIONS TO THE COOS BAY-NORTH BEND WATER BOARD'S
PERSONNEL POLICIES AND PROCEDURES MANUAL
SECTION XI. – PERFORMANCE AND DISCIPLINE**

WHEREAS, the Coos Bay – North Bend Water Board (hereinafter "Water Board") is a joint instrumentality of the Cities of Coos Bay and North Bend, Oregon, organized and operated under the authority granted by the City Charters of Coos Bay and North Bend and ORS 225.050; and

WHEREAS, the Board of Directors of Water Board has the authority to adopt resolutions; and

WHEREAS, the Water Board now finds it necessary to adopt amendments to Section XI – Performance and Discipline of the Water Board’s Personnel Policies and Procedures manual; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE COOS BAY – NORTH BEND WATER BOARD AS FOLLOWS:

1. The Water Board’s Personnel Policies and Procedures Manual, is hereby revised and amended as identified in Exhibit “A”, attached hereto and incorporated herein by this reference, and is hereby adopted as the revised “Performance and Discipline” section.
2. It is the policy of the Board of Directors of the Water Board that the Personnel Policies and Procedures Manual is to be considered a document which is to be continually updated, to keep current with changes made to Oregon law and to provide a coherent framework for teamwork and success oriented attitudes of Water Board employees.

EXHIBIT “A”

5. Administrative Investigatory Leave

- a. The General Manager, or the General Manager’s designee, may place an employee on administrative investigatory leave with or without prior notice. The purpose of placing an employee on Administrative Investigatory Leave is to permit the Water Board time to review and/or investigate employee conduct that may include, but is not limited to dishonesty, theft or misappropriation of company funds or property, violence on the job, gross safety negligence or acts endangering others, insubordination, or any other conduct that warrants temporarily removing the employee from the worksite until a further investigation can be conducted.
- b. An employee who is placed on Administrative Investigatory Leave will received written confirmation of the Water Board’s action no later than three working days after the leave commences. The written confirmation of this Leave must 1) explain the reasons for the investigatory leave, 2) state the anticipated length of the leave, 3) state that the leave may be extended, if necessary, in the sole discretion of Water Board management and 4) direct that the employee shall remain available during the time period of the Administrative Investigatory Leave to participate in any investigative interview scheduled by the General Manager or the General Manager’s designee.
- c. The General Manager, in consultation with the Division Head, will conduct, or appoint a person to conduct, a prompt and thorough investigation of the allegations or charges.
- d. Administrative Investigatory Leave shall terminate upon the conclusion of the investigation conducted by the Water Board.
- e. Following the conclusion of the Administrative Investigatory Leave, the employee on leave may be disciplined as provided in Section XI C. 1 through 4, above.
- f. During the time an employee is placed on Administrative Investigatory Leave, the employee shall be entitled to receive the employee’s regular pay.

Regarding the proposed Ferguson Avenue 2-inch main replacement project, Engineering Manager Matt Whitty stated staff proposes the replacement of 171 feet of 2" diameter Galvanized Iron pipe with 245 feet of 2" diameter PVC pipe on Ferguson Avenue between South 11th Street and 12th Court in Coos Bay.

The existing water main is in the planter strip behind the curb, a space it shares with three very large maple trees. The roots of the trees have caused extensive damage to the sidewalk and curb. In 2017 there was a leak next to the largest tree and there were difficulties with the repair due to the large tree roots next to the pipe.

A portion of the existing water main was disconnected and retired in 2019 during a project on 12th Court. Staff proposes utilizing in-house personnel and equipment for replacement of the main. This project is included in the current fiscal year's budget in the amount of \$38,400.

After a brief discussion, Dr. Sharps moved to authorize replacement of 171 feet of 2" diameter Galvanized Iron pipe with 245 feet of 2" diameter PVC on Ferguson Avenue in Coos Bay at an estimated cost of \$38,400. The motion was seconded by Ms. Cribbins and passed unanimously.

The Board's next regular meeting was set for Thursday, April 15, 2021, at 7:00 a.m.

Updates were given as follows:

- Tank Maintenance – SUEZ is in the process of sandblasting off the internal coating of Radar tank. They will enclose the reservoir when sandblasting the outside of the tank to keep the dust from spreading.
- Brussels Water Main Replacement – A public service announcement was made that explained a 6-inch water main would be installed on Brussels. Saw cutting will begin tomorrow. Traffic will be detoured.
- 2019 Timber Sale – Log prices are increasing so the timber sale will be advertised this week.

At 7:22 a.m. Chair Solarz directed they go into executive session for the purpose of discussing potential litigation pursuant to ORS 192.660(2)(h). They returned to open session at 7:59a.m. Motion was made by Dr. Sharps instructing the appellate attorneys to drop the cross-appeal in the Court of Appeals case regarding reimbursement of attorney fees. The motion was seconded by Mr. Dillard and passed unanimously. There being no other business to come before the Board, Chair Solarz adjourned the meeting at 8:00 a.m.

Approved: _____, 2021

By: _____
Chair Greg Solarz

ATTEST: _____