



Board of Commissioners Monthly Meeting
Monday, November 21, 2022, 4:30 PM
17661 Pilkington Road, Lake Oswego OR

AGENDA ITEMS

- | | | |
|-------|---|---------|
| I. | Call to Order | 4:30 PM |
| II. | Public Comment (2 Minute Limit) | 4:31 PM |
| III. | Review and Approval of Minutes <ul style="list-style-type: none">October 24, 2022 Regular Board Meeting | 4:35 PM |
| IV. | General Manager's Report | 4:40 PM |
| V. | Unfinished Business <ul style="list-style-type: none">Board Relations (Tabled until 1/23/23) | 4:50 PM |
| VI. | New Business <ul style="list-style-type: none">None | 4:51 PM |
| VII. | Chair Report
Ethics Complaint of General Manager – ORS 192.660(2)(b) | 4:52 PM |
| VIII. | Adjournment | 5:10 PM |

Upcoming Meeting

Regular Board Meeting: Monday, December 19, 2022 at 4:30 P.M.

The public is welcome to attend the meeting in person or by calling in at 971-517-3083.

**Rivergrove Water District
Board of Commissioners Regular Meeting Minutes
Monday, October 24, 2022**

A regular meeting of the Board of Commissioners was held this day at 17661 Pilkington Road, Lake Oswego. Chair Roth presided over the meeting and other attendees included: Commissioners Johnson, Patterson, and Howell as well as the General Manager. Commissioner Magura was not in attendance and excused.

1. **Call to Order:** The meeting was called to order at 4:34 p.m.
2. **Public Comment:** No public attended.
3. **Review and Approval of Minutes:** The September 26, 2022 regular Board meeting minutes were approved by a motion from *Commissioner Johnson, seconded by Commissioner Howell, and passed unanimously.*
4. **Monthly District Report:** See attached.
5. **Unfinished Business:** Discussion on Board relations was tabled due to the upcoming holidays and tabled until the January 2023 meeting.
6. **New Business:** None
7. **Chair Report:** Chair Roth updated the Board on an accident claim that the District was entered into in January 2022 due to a lawsuit filed against the property owner. Before discussion ensued, Chair Roth asked Commissioner Patterson to recuse herself, as advised by the District's legal counsel, and Commissioner Patterson declined. Chair Roth stated that although the District was not included in the actual lawsuit, the District was tendered into the suit by the property owner's attorney and insurance carrier. A settlement was reached and a payment in the amount of \$37,500 was paid to the Plaintiff from the District's insurance coverage.
8. **Adjournment:** The meeting was adjourned at 5:00 p.m. The next regular meeting will be held on Monday, December 19, at 4:30 p.m.

James W. Johnson, Secretary

Date

Christine K. Roth, Chair

Date

- Total Backflows Removed: 494
- Total Backflows Remaining: 186
- Project Completion Percentage: 72.6%

- **Water Meter Box Maintenance**

- District statistics are as follows:
 - Total Meter Boxes: 1,383
 - Total Meter Boxes Maintenance Performed: 275
 - Total Meter Boxes Requiring Maintenance: 1,108
 - Project Completion Percentage: 20%

- **Customer Assistance Requests & On Call Duty**

- Site visit requests: 38
- Emergency callouts: 1 (Mardee Ave - Leak in meter box)

Finance/Administrative/HR

- **ACH Limit Increase**

- Permanent ACH limit increase to \$100,000 was applied for by the District and approved by the Treasury Management Department at Banner Bank
 - Required for increased revenue resulting from rate increase
 - Limit should satisfy District needs for 3 years and will be reevaluated in 2025

- **Shut-off Notices**

- Notices delivered to delinquent account holders 11/14/22
 - Shut-offs scheduled **11/30/22**
 - 36 accounts identified: 2.6% delinquent shut-off rate

- **Employee Training Completed**

- Managing Work Expectations vs Reality (GM)
- Utility Locator Training (Utility 1)
- Water Distribution Basics (Utility 1)
- Water Distribution Operations Level 2 (Utility 2)
- Caught-in-Between Hazards, Safety Gloves, Daylight Savings Time (All employees)



Dear Customer,

On _____ we will be removing the backflow device the District installed several years ago **inside the meter box**. This device was purchased and maintained by the District under a Premise Isolation Program that was terminated in October 2020 due to financial constraints.

If you have an irrigation system or certain water features, you will still be required to have the backflow that was originally installed with this feature annually tested to meet State regulations. Since the early 1990s, all contractors were required to install a backflow device for irrigation, swimming pools, and other water features. Remember, this is a separate backflow device and should not be confused with the District's backflow in the meter box.

When removing the backflow, water service may be shut off for a period up to 4 hours. We will make every effort to minimize this inconvenience and hope the removal only takes 1-2 hours.

Once the backflow is removed, you may notice air in the line and a slight discoloration of your water. This is normal and there are no associated health hazards. To remedy these effects, simply run your cold tap water for 2-3 minutes.

Our water operators will be in your area from 8 am – 3 pm to remove the backflow at the meter box. No work will be started past 3 pm to ensure water service is available by 4 pm.

Please call us at 503-635-6041 if you have any questions.

Thank you,

Rivergrove Water District

Monthly Reconciliation Summary October 2022

**Reviewed & Approved by Commissioners
Board Meeting: November 21, 2022**

Bank	QB's	Bank	Beginning	Statement	QuickBooks	
Account	Account	Statement	QuickBooks	Ending	Ending	Uncleared
Name	Number	Date	Balance	Balance	Balance	Balance
Banner Bank (Checking Act)	1015	10/31/2022	\$319,372.69	\$342,947.82	\$337,309.09	\$5,638.73
Banner Bank (Deposit Act)	1085	10/31/2022	\$52,734.97	\$53,126.53	\$53,126.53	\$0.00
LGIP (SDC)	1106	10/31/2022	\$420,186.25	\$420,931.86	\$420,931.86	\$0.00
LGIP (Capital Improvement)	1107	10/31/2022	\$969,428.55	\$971,163.83	\$971,163.83	\$0.00
LGIP (Unemployment)	1108	10/31/2022	\$31,858.86	\$31,915.89	\$31,915.89	\$0.00
LGIP (Truck)	1109	10/31/2022	\$25,991.55	\$26,038.07	\$26,038.07	\$0.00
LGIP (Non-Restricted)	1110	10/31/2022	\$246,200.99	\$246,641.69	\$246,641.69	\$0.00

Checks issued this period 9695 - 9713 from Banner Bank Act 1015
Checks voided this period: None

RIVERGROVE WATER DISTRICT
Balance Sheet
As of October 31, 2022

	<u>Oct 31, 22</u>
ASSETS	
Current Assets	
Checking/Savings	
1015 · Checking - Banner Bank	337,309.09
1085 · Water Deposit-Banner Bank	53,126.53
1100 · LGIP	
1101 · Restricted	
1106 · System Development Account	420,931.86
1107 · Capital Improvement Account	971,163.83
1108 · Unemployment Account	31,915.89
1109 · Truck & Equipment Account	26,038.07
Total 1101 · Restricted	1,450,049.65
1110 · Non-Restricted	246,641.69
Total 1100 · LGIP	1,696,691.34
Total Checking/Savings	2,087,126.96
Total Current Assets	2,087,126.96
TOTAL ASSETS	2,087,126.96
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
2100 · Payroll Liabilities	
2110 · Federal Withholding	1,618.73
2120 · FICA Social Security	1,133.65
2140 · Medicare	265.13
2150 · State Withholding	1,024.73
2165 · Oregon State Transit Tax	16.95
2170 · WBF Assessment	5.65
Total 2100 · Payroll Liabilities	4,064.84
Total Other Current Liabilities	4,064.84
Total Current Liabilities	4,064.84
Total Liabilities	4,064.84
Equity	
32000 · All Fund Balances	1,918,744.03
Net Income	164,318.09
Total Equity	2,083,062.12
TOTAL LIABILITIES & EQUITY	2,087,126.96

Accounts Receivable Summary

From 10/10/2022 Through 11/18/2022

OPEN BALANCE									<u>Balance</u>
									3,639.61
BI-MONTHLY-Adjustment	Amount	Usage	Count						
WATER-RESIDENTIAL	-202.14		6						3,437.47
Totals	-202.14	0.00	6						
WAT.Penalty-RESIDENTIAL	45.00		8						
WAT.Penalty-HOA IRRIGATION	210.00		6						
Totals	255.00	0.00	14						3,692.47
***Total Adjustment	52.86	0.00	20						
BI-MONTHLY-Charge	Minimum	Overage	Usage	Count	Total				
WATER-RESIDENTIAL	69,737.42	159,450.50	44,929.00	1,379	229,187.92				
WATER-COMMERCIAL	183.20	511.20	144.00	3	694.40				
WATER-PUBLIC AUTHORITY	965.62	3,028.15	853.00	5	3,993.77				
WATER-HOA IRRIGATION	592.98	2,269.92	640.00	9	2,862.90				
WATER-ADULT CARE FACILITIES	139.09	209.45	59.00	2	348.54				
WATER-CHURCH	94.98	21.30	6.00	1	116.28				
Totals	71,713.29	165,490.52	46,631.00	1,399	237,203.81				240,896.28
***Total Charge	71,713.29	165,490.52	46,631.00	1,399	237,203.81				
BI-MONTHLY-Penalty	Amount	Usage	Count						
WATER-RESIDENTIAL	2,250.00		150						
WATER-COMMERCIAL	15.00		1						
WATER-HOA IRRIGATION	75.00		5						
Totals	2,340.00		156						243,236.28
***Total Penalty	2,340.00		156						
BI-MONTHLY-Miscellaneous	Amount	Usage	Count						
WATER Miscellaneous-RESIDENTIAL	450.00		17						
Totals	450.00		17						243,686.28

450.00

***Total Miscellaneous

<u>BI-MONTHLY-Payment</u>	<u>Amount</u>
WATER-RESIDENTIAL	-216,491.20
WATER-COMMERCIAL	-547.34
WATER-PUBLIC AUTHORITY	-3,993.77
WATER-HOA IRRIGATION	-2,832.90
WATER-ADULT CARE FACILITIES	-348.54
WATER-CHURCH	-116.28
Totals	-224,330.03

WATER Miscellaneous-RESIDENTIAL	-555.00
Totals	-555.00

WAT.Penalty-RESIDENTIAL	-1,410.00
WAT.Penalty-HOA IRRIGATION	-74.75
Totals	-1,484.75

***Total Payments -226,369.78

<u>BI-MONTHLY-Return Check</u>	<u>Amount</u>
WATER-RESIDENTIAL	219.23
Totals	219.23

***Total Return Check 219.23

<u>BI-MONTHLY-Deposit Applied</u>	<u>Amount</u>
WATER-RESIDENTIAL	-270.00
Totals	-270.00

WAT.Penalty-RESIDENTIAL	-30.00
Totals	-30.00

***Total Deposit Applied -300.00

17

<u>Count</u>	<u>Balance</u>
1,348	
2	
5	
9	
2	
1	
1,367	19,356.25

1	
1	
18,801.25	

2	
1	
3	
17,316.50	

1,371

<u>Count</u>	<u>Balance</u>
1	
1	
17,535.73	

1

<u>Count</u>	<u>Balance</u>
6	
6	
17,265.73	

6

Closing Balance 17,235.73

RIVERGROVE WATER DISTRICT

Check Register

October 1-31, 2022

7:52 AM
11/18/22
Accrual Basis

Type	Date	Num	Name	Memo	Amount	Balance
Check	10/01/2022	ACH	AFLAC	Monthly Health Premium September 2022 Invoice 828698	-310.99	317,439.69
Deposit	10/03/2022		Deposit		385.78	317,128.70
Deposit	10/03/2022		Deposit		73.31	317,514.48
Deposit	10/03/2022		Deposit		37.78	317,587.79
Deposit	10/03/2022		Deposit		65.00	317,625.57
Deposit	10/04/2022		Deposit		289.84	317,690.57
Check	10/04/2022	ACH	VANCO Payment Solutions	Monthly Service Fee September 2022 Invoice 00012895070	-58.50	317,980.41
Check	10/04/2022	ACH	WATER ENVIRONMENT SERVICES	18810 Hill Top Rd Surface Water 9/1/22-10/1/22 Act 10-12691-01	-14.85	317,921.91
General Journal	10/04/2022	jc	Customer Refund		50.00	317,907.06
General Journal	10/04/2022	jc	Customer Refund		50.00	317,957.06
General Journal	10/04/2022	PR 10/01/22	Payroll 09/18/22-10/01/22	Deferred Comp Payroll 09/18/22-10/01/22	-415.38	318,007.06
General Journal	10/04/2022	PR 10/01/22	Payroll 09/18/22-10/01/22	Deferred Comp Payroll - Employer - 09/18/22-10/01/22	-249.60	317,591.68
Check	10/04/2022	ACH	PAYCHEX	Payroll 09/18/22-10/01/22 Invoice 2022100401	-63.31	317,342.08
General Journal	10/04/2022	PR 10/01/22	Payroll 09/18/22-10/01/22	Payroll 09/18/22-10/01/22	-6,684.70	317,278.77
General Journal	10/04/2022	PR 10/01/22	Payroll 09/18/22-10/01/22	Payroll 09/18/22-10/01/22	-2,940.58	310,594.07
Deposit	10/04/2022		Deposit		50.00	307,653.49
General Journal	10/04/2022	jc	Customer Deposit	Customer Deposit	-100.00	307,703.49
Deposit	10/05/2022		Deposit		1,011.99	307,603.49
Deposit	10/05/2022		Deposit		947.03	308,615.48
Deposit	10/06/2022		Deposit		417.11	309,562.51
General Journal	10/06/2022	mlm	Customer Deposit	Customer Deposit	-50.00	309,979.62
Check	10/06/2022	ACH	PGE	Monthly Electric Fees 8/31/22-9/30/22 Invoice: Multiple	-3,989.21	309,929.62
Deposit	10/06/2022		Deposit		120.00	305,940.41
General Journal	10/07/2022	jc	Customer Refund	Customer Refund	50.00	306,060.41
Deposit	10/07/2022		Deposit		103.34	306,110.41
Deposit	10/07/2022		Deposit		784.59	306,213.75
Deposit	10/07/2022		Deposit		219.83	306,998.34
Deposit	10/07/2022		Deposit		92.00	307,218.17
Deposit	10/10/2022		Deposit		222.71	307,310.17
General Journal	10/10/2022	jc	Customer Deposit	Customer Deposit	-50.00	307,532.88
Deposit	10/10/2022		Deposit		98.16	307,482.88
Deposit	10/10/2022		Deposit		83.82	307,581.04
						307,664.86

RIVERGROVE WATER DISTRICT
Check Register

October 1-31, 2022

Check	Date	Type	Description	Amount	Balance
Check	10/10/2022	ACH	METERREADERS, LLC Invoice 10462	-952.89	306,711.97
Deposit	10/11/2022		Deposit	205.21	306,917.18
General Journal	10/11/2022	jc	Customer Refund	50.00	306,967.18
General Journal	10/11/2022	jc	Customer Deposit	-50.00	306,917.18
General Journal	10/11/2022	jc	Customer Deposit	-50.00	306,867.18
Check	10/12/2022	ACH	Monthly Service 9/2/21-10/1/22 Invoice 9917068939	-382.35	306,484.83
Check	10/12/2022	ACH	Monthly Copier/Server Fee 9/26/22-10/26/22 Invoice 483744850	-688.05	305,796.78
Deposit	10/12/2022		Deposit	502.32	306,299.10
Deposit	10/12/2022		Deposit	161.38	306,460.48
Deposit	10/13/2022		Deposit	572.71	307,033.19
Deposit	10/13/2022		Deposit	100.00	307,133.19
Deposit	10/13/2022		Deposit	492.05	307,625.24
Check	10/13/2022	ACH	October 2022 Billing Invoice 132519	-1,078.88	306,546.36
Deposit	10/13/2022		Deposit	1,274.22	307,820.58
Check	10/13/2022	ACH	Monthly Health Premium 11/1/22-11/30/22 Group 08580-AA-10 Invoice 00160	-4,851.07	302,969.51
Check	10/14/2022	ACH	Monthly Copier Service 10/14/2022-11/13/2022 Invoice 5021889128	-426.97	302,542.54
Check	10/14/2022		Service Charge	-201.78	302,340.76
Deposit	10/17/2022		Deposit	392.65	302,733.41
Deposit	10/17/2022		Deposit	198.27	302,931.68
Deposit	10/17/2022		Deposit	492.60	303,424.28
Deposit	10/17/2022		Deposit	3,235.70	306,659.98
General Journal	10/18/2022	jc	Customer Refund	50.00	306,709.98
General Journal	10/18/2022	jc	Customer Deposit	-50.00	306,659.98
Deposit	10/18/2022		Deposit	2,436.53	309,096.51
Deposit	10/18/2022		Deposit	6,708.54	315,805.05
Deposit	10/18/2022		Deposit	7,268.26	323,073.31
General Journal	10/18/2022	PR	Deferred Comp Payroll 10/02/22-10/15/22	-415.38	322,657.93
General Journal	10/18/2022	PR	Deferred Comp Payroll - Employer - 10/02/22-10/15/22	-253.03	322,404.90
General Journal	10/18/2022	PR	Payroll 10/02/22-10/15/22	-6,201.85	316,203.05
General Journal	10/18/2022	PR	Payroll 10/02/22-10/15/22	-2,673.82	313,529.23
Deposit	10/18/2022		Deposit	490.31	314,019.54
Check	10/19/2022	ACH	Payroll 10/2/2022-10/15/2022 Invoice 2022101801	-63.31	313,956.23
Deposit	10/19/2022		Deposit	111.56	314,067.79
Deposit	10/19/2022		Deposit	3,497.05	317,564.84

RIVERGROVE WATER DISTRICT
Check Register
October 1-31, 2022

Deposit	10/19/2022		Deposit	3,961.80	321,526.64
Check	10/20/2022	9695	THOMAS GREGOIRE Rent November 2022 & Utilities	-1,512.94	320,013.70
Check	10/20/2022	9696	Customer Refund	-35.18	319,978.52
Check	10/20/2022	9697	GOVERNMENT ETHICS COMMISSION Annual Fee 2022/2023 Invoice AIE16922	-548.82	319,429.70
Check	10/20/2022	9698	Oregon Utility Notification Center Locator Training Class	-100.00	319,329.70
Check	10/20/2022	9699	SOUND TELECOM Act 123-4850-521 Answering Service Monthly Fee 9/1/22-10/31/22	-269.65	319,060.05
Check	10/20/2022	9700	Cascade Columbia Dist Inc Sodium Hypochlorite Invoice 848242	-239.00	318,821.05
Check	10/20/2022	9701	GUARDIAN SYSTEMS NW, INC Security Monitoring - District Office & Shop Security System Invoice 00824	-134.70	318,686.35
Check	10/20/2022	9702	OAWU Operator of Record (DRC) October 22 Contract Fee Invoice 33789	-950.00	317,736.35
Check	10/20/2022	9703	Employee Safety Allowance PPE/Safety Equipment- Work Part Allowance	-200.00	317,536.35
Check	10/20/2022	9704	Employee Safety Allowance PPE/Safety Equipment- Work Part Allowance	-200.00	317,336.35
Check	10/20/2022	9705	FERGUSON WATERWORKS Saddle & Parts: Sycamore Ave Leak Invoice 1142492	-48.22	317,288.13
Check	10/20/2022	9706	Core & Main Curb Stop Replacement Parts Invoice R525639 & R545238	-143.73	317,144.40
Check	10/20/2022	ACH	Banner Bank (MASTERCARD) Act 6660 Casey - Monthly Charges 8/7/22-9/2/22	-2,209.90	314,934.50
Deposit	10/20/2022		Deposit	191.17	315,125.67
Deposit	10/20/2022		Deposit	4,200.00	319,325.67
Deposit	10/20/2022		Deposit	750.00	320,075.67
Deposit	10/20/2022		Deposit	203.00	320,278.67
Deposit	10/20/2022		Deposit	750.00	321,028.67
Check	10/20/2022	9707	PRIVATE UTILITY LOCATING, LLC Locates Invoice Multiple	-1,190.00	319,838.67
Check	10/20/2022	9708	CONTINENTAL UTILITY SOLUTIONS ACH Activation Fee Invoice R12098	-10.50	319,828.17
Deposit	10/20/2022		Deposit	1,423.43	321,251.60
Check	10/20/2022	9709	RH2 Engineering, Inc. Project Services CIP Deemar Way & Tamara Ave Invoice 87993	-1,412.50	319,839.10
Check	10/20/2022	9710	RH2 Engineering, Inc. Project - Well 1 Generator September 22 Invoice 87990	-1,391.50	318,447.60
Check	10/20/2022	9711	AWWA Annual Membership Term 01/01/2023-12/31/2023 Invoice SO6519	-400.00	318,047.60
Check	10/20/2022	9712	RH2 Engineering, Inc. Grant & Loan Application Assistance Invoice 87997	-1,849.50	316,198.10
Check	10/20/2022	9713	RH2 Engineering, Inc. Engineering Services September 22 Invoice 88004	-2,084.50	314,113.60
Deposit	10/20/2022		Deposit	259.39	314,372.99
Deposit	10/21/2022		Deposit	4,584.36	318,957.35
Deposit	10/21/2022		Deposit	1,183.65	320,141.00
Check	10/21/2022	ACH	CHEVRON & TEXACO CARD SERVICES Monthly Fuel Charges 9/24/22-10/23/22 Invoice 84462614	-372.61	319,768.39
Deposit	10/24/2022		Deposit	466.03	320,234.42
Deposit	10/24/2022		Deposit	532.47	320,766.89
Deposit	10/24/2022		Deposit	72.51	320,839.40

RIVERGROVE WATER DISTRICT
Check Register

October 1-31, 2022

Deposit	10/24/2022	Deposit	1,149.07	321,988.47
Deposit	10/24/2022	Deposit	8,666.86	330,655.33
Check	10/24/2022	ACH Microsoft Corporation	-1,500.00	329,155.33
Deposit	10/25/2022	Deposit	150.00	329,305.33
Deposit	10/25/2022	Deposit	1,333.80	330,639.13
Deposit	10/26/2022	Deposit	582.74	331,221.87
Deposit	10/26/2022	Deposit	701.28	331,923.15
Deposit	10/26/2022	Deposit	1,882.93	333,806.08
Deposit	10/27/2022	Deposit	278.10	334,084.18
Deposit	10/27/2022	Deposit	292.71	334,376.89
Deposit	10/28/2022	Deposit	79.61	334,456.50
Deposit	10/28/2022	Deposit	1,757.20	336,213.70
Deposit	10/31/2022	Deposit	104.46	336,318.16
General Journal	10/31/2022	Customer Refund	50.00	336,368.16
Check	10/31/2022	METERADERS, LLC	-400.00	335,968.16
Deposit	10/31/2022	Deposit	1,340.93	337,309.09
			<u>19,869.40</u>	<u>337,309.09</u>
			<u>19,869.40</u>	<u>337,309.09</u>

RIVERGROVE WATER DISTRICT

Revenue & Expense Budget vs. Actual

July 2022 through June 2023

	Jul '22 - Jun 23	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
4000 · Income				
4005 · Water Sales & Charges	513,160.17	1,007,500.00	-494,339.83	50.93%
4010 · Water Deposit Fee	2,300.00	6,800.00	-4,500.00	33.82%
4015 · New Service Fee	150.00	200.00	-50.00	75.0%
4020 · Installation Fee	550.00	2,000.00	-1,450.00	27.5%
4024 · Pre-Application Meeting Fee	0.00	1,000.00	-1,000.00	0.0%
4026 · Development Security Deposit	4,100.00	10,000.00	-5,900.00	41.0%
4030 · Delinquent & Restoration Fee	7,265.25	10,000.00	-2,734.75	72.65%
4035 · SDC Chgs-SDC Restricted CI Fund	7,660.00	51,000.00	-43,340.00	15.02%
4056 · Bank Interest/LGIP Interest				
4058 · Banner - Water Dep Interest Ear	319.62	300.00	19.62	106.54%
4059 · LGIP - Non Restrict Int Earn	1,419.73	1,200.00	219.73	118.31%
4064 · SDC Interest-LGIP CI Fund	2,392.58	1,800.00	592.58	132.92%
4065 · CI Interest -LGIP CI Fund	5,496.03	3,600.00	1,896.03	152.67%
4066 · LGIP-Int Earn Unemployment Fund	179.33	150.00	29.33	119.55%
4067 · LGIP-Int Earn Truck&Equip Fund	146.31	100.00	46.31	146.31%
Total 4056 · Bank Interest/LGIP Interest	9,953.60	7,150.00	2,803.60	139.21%
4090 · Miscellaneous Income	3,011.59	5,000.00	-1,988.41	60.23%
Total 4000 · Income	548,150.61	1,100,650.00	-552,499.39	49.8%
Total Income	548,150.61	1,100,650.00	-552,499.39	49.8%
Gross Profit	548,150.61	1,100,650.00	-552,499.39	49.8%
Expense				
5000 · Personnel Services				
5001 · Compensation				
5020 · Administrative Wages	46,019.60	145,000.00	-98,980.40	31.74%
5040 · Operator Wages	39,105.48	130,000.00	-90,894.52	30.08%
5090 · Deferred Compensation	7,116.33	30,000.00	-22,883.67	23.72%
Total 5001 · Compensation	92,241.41	305,000.00	-212,758.59	30.24%
5100 · Payroll Tax Expense	16,200.28	35,000.00	-18,799.72	46.29%
5200 · Payroll Benefits				
5210 · Workers' Compensation	2,053.97	3,000.00	-946.03	68.47%
5220 · Health Benefits	13,307.05	60,000.00	-46,692.95	22.18%
5240 · Wellness Benefit	0.00	600.00	-600.00	0.0%
Total 5200 · Payroll Benefits	15,361.02	63,600.00	-48,238.98	24.15%
Total 5000 · Personnel Services	123,802.71	403,600.00	-279,797.29	30.68%
6000 · Material Services				
6001 · Administration/Billing/Overhead				
6005 · Property/Liability Insurance	0.00	28,000.00	-28,000.00	0.0%
6006 · Furn & Office Equipment - Admin	0.00	2,000.00	-2,000.00	0.0%
6007 · Bank Service Charges				
6008 · Banner - Check Bank Charges	749.09	1,999.00	-1,249.91	37.47%
6010 · Vanco Service Charges	334.50	1,000.00	-665.50	33.45%

RIVERGROVE WATER DISTRICT
Revenue & Expense Budget vs. Actual
 July 2022 through June 2023

	<u>Jul '22 - Jun 23</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
6012 · LGIP-SDC Ser Charges-CI Fund	0.00	1.00	-1.00	0.0%
6013 · LGIP-CI Ser Chg-CI Fund	0.05	1.00	-0.95	5.0%
Total 6007 · Bank Service Charges	1,083.64	3,001.00	-1,917.36	36.11%
6018 · Meeting/Food Expense	0.00	1,000.00	-1,000.00	0.0%
6019 · Office Supplies, Equip, Repair	765.92	2,500.00	-1,734.08	30.64%
6020 · Postage & Shipping	6.75	2,000.00	-1,993.25	0.34%
6025 · Printing & Duplicating	165.42	1,500.00	-1,334.58	11.03%
6030 · Publications & Elections	472.70	2,000.00	-1,527.30	23.64%
6035 · Rent	5,444.00	18,000.00	-12,556.00	30.24%
6040 · Janitorial	0.00	2,000.00	-2,000.00	0.0%
6045 · Telephone - Admin	4,304.10	13,000.00	-8,695.90	33.11%
6050 · Mileage Expenses	0.00	500.00	-500.00	0.0%
6060 · Continued Education	1,069.00	5,300.00	-4,231.00	20.17%
6065 · Dues & Subscriptions	3,879.89	7,000.00	-3,120.11	55.43%
6070 · Fees, License, & Permits	56,683.60	5,000.00	51,683.60	1,133.67%
6075 · Water Deposit Refunds	1,882.15	7,000.00	-5,117.85	26.89%
6076 · Unclaimed Property	0.00	200.00	-200.00	0.0%
6080 · Water Sales Overpay	236.11	2,000.00	-1,763.89	11.81%
6090 · Meter Reading	1,905.78	6,000.00	-4,094.22	31.76%
6095 · Utilities/Office	582.06	2,500.00	-1,917.94	23.28%
6096 · Development Review Deposit Ref	0.00	10,000.00	-10,000.00	0.0%
6099 · Contracted Services - Admin				
6099-0 · Billing	2,406.17	7,000.00	-4,593.83	34.37%
6099-1 · Copier IT	5,575.10	15,000.00	-9,424.90	37.17%
6099-2 · Personnel	0.00	5,000.00	-5,000.00	0.0%
6099-3 · Website	500.00	1,500.00	-1,000.00	33.33%
Total 6099 · Contracted Services - Admin	8,481.27	28,500.00	-20,018.73	29.76%
Total 6001 · Administration/Billing/Overhead	86,962.39	149,001.00	-62,038.61	58.36%
6101 · Operation & Maintenance				
6100 · General Repair & Maintenance	7,037.42	40,000.00	-32,962.58	17.59%
6105 · Utilities	19,004.08	38,000.00	-18,995.92	50.01%
6110 · Small Tools & Equipment	999.06	2,500.00	-1,500.94	39.96%
6120 · Water Testing	0.00	4,000.00	-4,000.00	0.0%
6125 · Truck Maintenance	270.75	3,000.00	-2,729.25	9.03%
6130 · Gas & Oil	1,262.28	3,500.00	-2,237.72	36.07%
6135 · Telemetry/Scada	6,450.60	10,000.00	-3,549.40	64.51%
6155 · Chemicals	239.00	5,000.00	-4,761.00	4.78%
6160 · Contracted Services-Operations	14,822.27	22,000.00	-7,177.73	67.37%
6165 · PPE/Safety Equipment	722.56	2,000.00	-1,277.44	36.13%
6170 · Mobile Radio Phone/Pager Operat	1,912.43	5,500.00	-3,587.57	34.77%
6185 · Operations -Computer/Equipment	0.00	1,000.00	-1,000.00	0.0%
6190 · Cross Connect Program Supplies	1,005.79	15,000.00	-13,994.21	6.71%
6195 · Meters	2,286.00	4,000.00	-1,714.00	57.15%
Total 6101 · Operation & Maintenance	56,012.24	155,500.00	-99,487.76	36.02%

RIVERGROVE WATER DISTRICT
Revenue & Expense Budget vs. Actual
 July 2022 through June 2023

	<u>Jul '22 - Jun 23</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
6202 · Professional Services				
6208 · Auditor	6,310.00	10,000.00	-3,690.00	63.1%
6209 · Consultants	720.00	4,000.00	-3,280.00	18.0%
6210 · Engineering (Non-Reimbursable)	31,337.25	185,000.00	-153,662.75	16.94%
6215 · Legal Fees (Non-Reimbursable)	0.00	5,000.00	-5,000.00	0.0%
Total 6202 · Professional Services	38,367.25	204,000.00	-165,632.75	18.81%
Total 6000 · Material Services	181,341.88	508,501.00	-327,159.12	35.66%
7000 · Operating Capital Outlay				
7010 · Tool/Equip/Vehicles/Safety-CO	0.00	5,000.00	-5,000.00	0.0%
7040 · Fire Protection & Fire Flows-CO	8,521.14	35,000.00	-26,478.86	24.35%
7060 · AMR Meter Program CO	0.00	15,000.00	-15,000.00	0.0%
Total 7000 · Operating Capital Outlay	8,521.14	55,000.00	-46,478.86	15.49%
8000 · Debt Recov./Capital Improvement				
8451 · CI-Standby Power CI Fund	0.00	30,000.00	-30,000.00	0.0%
8454 · SDWL#1 Install Pmt CI-CI Fund	0.00	13,352.00	-13,352.00	0.0%
8455 · SDWL #2 Install Pmt CI-CI Fund	0.00	14,500.00	-14,500.00	0.0%
8457 · CI Dist.Main Projects	0.00	200,000.00	-200,000.00	0.0%
8461 · SDC -Standby Power-CI Fund	0.00	4,000.00	-4,000.00	0.0%
8464 · SDWL#1 Install Pmt SDC-CIF	0.00	40,062.00	-40,062.00	0.0%
8465 · SDWL #2 Install Pmt SDC-CIF	0.00	118,520.00	-118,520.00	0.0%
8467 · Water Main Replacement Projects	0.00	283,200.00	-283,200.00	0.0%
Total 8000 · Debt Recov./Capital Improvement	0.00	703,634.00	-703,634.00	0.0%
Total Expense	313,665.73	1,670,735.00	-1,357,069.27	18.77%
Net Ordinary Income	234,484.88	-570,085.00	804,569.88	-41.13%
Other Income/Expense				
Other Income				
9100 · Other Income				
9115 · Transfer In - Capital Improve	0.00	200,000.00	-200,000.00	0.0%
9120 · Transfer In - Unemployment	0.00	3,000.00	-3,000.00	0.0%
9125 · Transfer In - Truck & Equipment	0.00	5,000.00	-5,000.00	0.0%
Total 9100 · Other Income	0.00	208,000.00	-208,000.00	0.0%
Total Other Income	0.00	208,000.00	-208,000.00	0.0%
Net Other Income	0.00	208,000.00	-208,000.00	0.0%
Net Income	234,484.88	-362,085.00	596,569.88	-64.76%



Oregon

Kate Brown, Governor

Government Ethics Commission

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November 7, 2022

Rivergrove Water District
17661 Pilkington Road
Lake Oswego, Oregon 97035

Re: Janine Casey – Case No. 22-065ESM

Dear Sir or Madam:

As required by ORS 244.270(2), this letter is to notify your public body that the above-named Respondent agreed and the Oregon Government Ethics Commission (Commission) accepted the terms and conditions set out in the enclosed stipulated final order which is the final disposition of the matter.

Respondent reached an agreement to settle the matter prior to completion of the investigative review phase. The Commission accepted the terms of the settlement on November 4, 2022. Respondent received a \$200 civil penalty, as authorized by ORS 244.350(1) in order to settle and compromise the matter. The stipulated final order has been signed by all parties and the matter will be closed.

Contact Investigator Monica J. Walker (monica.walker@ogec.oregon.gov or 503-378-2011) for assistance if you need any information that was developed during the course of this matter. Please do not hesitate to contact this office if you have questions or would like clarification.

Sincerely,

Ronald A. Bersin
Executive Director

Enclosures: Copy of the Signed Stipulated Final Order



BEFORE THE OREGON GOVERNMENT ETHICS COMMISSION

In the Matter of)

Janine Casey)

) STIPULATED FINAL ORDER

) CASE NO. 22-065ESM

1. PURPOSE: The purpose of this stipulated final order is to release, settle and compromise any and all claims, allegations and charges that have been asserted by the Oregon Government Ethics Commission (Commission) in the above-referenced case against Janine Casey.

2. JURISDICTION: At all material times, Janine Casey was the General Manager for the Rivergrove Water District (District). As a District employee, Janine Casey was a public official subject to the jurisdiction of the Commission pursuant to ORS Chapter 244.

3. STIPULATED FACTS:

A. From February 1, 2022, to July 15, 2022, Jorie Casey, Janine Casey's daughter, served as a temporary administrative assistant for the District. This was a new position at the District. In that role, Jorie Casey performed various duties including re-structuring the District website, answering telephone calls, taking messages, handling the daily mail, filing, and making copies.

B. At the District, Jorie Casey worked 20 hours a week and was paid \$18.50 per hour. The total gross earnings paid to Jorie Casey during her tenure at the District came to \$6,686.36.

- C. ORS 244.020(16)(a) defines a "relative" as a public official's, spouse, parent, stepparent, child, sibling, stepsibling, son-in-law, or daughter-in-law.
- D. Jorie Casey is Janine Casey's daughter. Therefore, Jorie Casey qualifies as Janine Casey's relative.
- E. ORS 244.177(1)(b) prohibits a public official from participating in any interview, discussion, or debate regarding the appointment, employment, or promotion of a relative or member of the household to a position with the public body that the public official serves or over which the public official exercises jurisdiction or control.
- F. Janine Casey initially raised the possibility of the District employing her daughter, Jorie Casey, with members of the District Board of Directors. She discussed the possibility of employing her daughter with the District's Board Chair, Christine Roth, on at least two occasions. By participating in discussions relating to the employment of her relative, Janine Casey violated ORS 244.177(1)(b).
- G. ORS 244.179 prohibits a public official, acting in an official capacity, from directly supervising a person who is a relative or member of the household. A public body may, however, adopt a policy that specifies when a public official acting in an official capacity may directly supervise a person who is a relative or member of the household. [ORS 244.179(1) & (4)]
- H. OAR 199-008-0008 provides guidance in creating and formally adopting a written policy that identifies the specific circumstances in which a public official can directly supervise a relative or member of their household. The District has not adopted a formal written policy that outlines specific circumstances in which a District employee would be allowed to directly supervise their relatives or household members.

- I. The District offices are small and generally Janine Casey and Jorie Casey were the only employees in the office. Because of that, and in her role as General Manager, Janine Casey, provided some direct supervision of her daughter, Jorie. This supervision included the onboarding process, providing direction/training in and the review of the handling of routine and complex customer inquiries, and reviewing other District processes. It also included in-putting Jorie's timesheets into PayChex after Board Chair Roth reviewed and initialed Jorie's timesheets. By providing this direct supervision of Jorie, Janine Casey violated ORS 244.179(1).
- J. ORS 244.020(1) and (13) define a conflict of interest as any action, decision or recommendation taken by a public official that would or could financially impact that public official, their relative, or a business with which the official or their relative is associated. If the official action would result in a certain financial impact, it would be an actual conflict of interest, per ORS 244.020(1). If the official action could result in a financial impact, it would be a potential conflict of interest, per ORS 244.020(13).
- K. ORS 244.120(1)(c) requires an appointed public official, when met with an actual or potential conflict of interest, to provide written notice to their appointing authority of the nature of the conflict and request that authority dispose of the matter giving rise to the actual or potential conflict of interest. The appointing authority must then either designate an alternate to dispose of the matter or direct the public official to dispose of it in a specified manner.
- L. Because her actions would have a certain financial impact on her relative, Janine Casey was met with an actual conflict of interest when participating in any discussion, debate of or taking action relating to the hiring of her daughter. Janine Casey did not submit a written conflict of interest disclosure to her appointing authority prior to taking the actions described in paragraph (3)(F). Therefore, Janine Casey violated ORS 244.120(1)(c).

- M. ORS 244.040(1) prohibits a public official from using or attempting to use their official position or office to obtain a financial gain or avoid a financial detriment for themselves, their relatives or household members, or any business with which they or their relatives or household members are associated, if the financial gain or avoidance of financial detriment would not otherwise be available but for the public official's holding their official position or office.
- N. The position of temporary administrative assistant at the District did not exist until Janine Casey raised the possibility of the District's hiring her daughter with members of the Board of Directors. By so doing, Ms. Casey used her position to create the opportunity for her daughter, Jorie Casey, to be hired for the position, which provided Jorie Casey with a financial gain. Thus, Janine Casey violated ORS 244.040(1) by using her position to obtain a financial gain for her relative that would not otherwise have been available but for her holding her position as the District General Manager.
- O. The actions described in paragraph 3(F) constitute one violation of ORS 244.177(1)(b). The actions described in paragraph 3(I) constitute one violation of ORS 244.179(1). The actions described in paragraph 3(L) constitute one violation of ORS 244.120(1)(c). The actions described in paragraph 3(N) constitute one violation of ORS 244.040(1).
- P. ORS 244.350 authorizes the Commission to assess civil penalties of up to \$5,000 per violation for each of the four violations identified in paragraph 3(O) above.
- Q. ORS 244.360 authorizes the Commission to order, in addition to the civil penalty imposed under ORS 244.350, that Janine Casey pay a civil penalty in the amount of \$13,372.72, equal to twice the amount Jorie Casey realized as a result of these violations.

- R. The results of the Commission investigation, if submitted through exhibits and testimony at a contested case hearing, would establish a preponderance of evidence in support of a post-hearing order to find one violation of ORS 244.177(1)(b), one violation of ORS 244.179(1), one violation of ORS 244.120(1)(c), and one violation of ORS 244.040(1), for a total of four (4) violations.

4. TERMS OF SETTLEMENT:

The parties agree as follows:

- A. On July 8, 2022, the Commission considered information in the preliminary review phase of Case No. 22-065ESM and acted to find cause to initiate an investigation into the matter. Janine Casey has indicated that she wishes to conclude the matter by agreeing to the terms and conditions in this order without completing the investigative phase.
- B. Janine Casey will pay a civil penalty, as authorized by ORS 244.350, in the amount of \$200 in order to settle and compromise this matter.
- C. By entering into this Stipulated Final Order, Janine Casey will not pay an additional civil penalty equal to twice the financial benefit realized by Jorie Casey, as authorized by ORS 244.360.
- D. The Commission releases, settles and compromises any and all claims, allegations and charges that have been asserted by the Commission in the above-referenced case against Janine Casey.
- E. Janine Casey will initiate no claims, litigation, or other action against the Commission as a result of these proceedings.

5. REVIEW BY COUNSEL:

All of the parties hereto acknowledge that this agreement has been entered into by their own free will and with full understanding of the contents herein. Each of the parties further acknowledges that each has had the opportunity to seek the advice of counsel in reviewing and entering into this agreement.

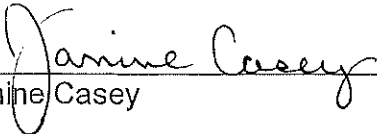
6. EFFECT:

This agreement is subject to the final approval of the Commission. Once approved, this agreement shall be the final disposition of the matter and shall be binding upon all parties.

By signing this agreement, Janine Casey agrees to waive her right to a contested case hearing as provided in ORS Chapter 183 and ORS 244.370. This order shall be the final order and all information in the Commission files on this matter shall become part of the record.

By signing this agreement, Janine Casey agrees to waive her right to obtain judicial review of this order as provided in ORS 183.482.

IN WITNESS WHEREOF, the parties have entered into and signed this stipulated final order on the dates set forth below.



Janine Casey

10/21/22

Date



David M. Fiskum, Chairperson
Oregon Government Ethics Commission

11/04/2022

Date

ethicsCC1

Statement to the Rivergrove Water District Board

On March 28, 2022, I was notified by the Oregon Government Ethics Commission (“OGEC”) that a complaint had been filed against me by Commissioner Grant Howell. Director Howell alleged that I violated ORS chapter 244. Director Howell alleged three (3) violations:

1. That I have an actual conflict of interest;
2. That I failed to disclose the actual conflict of interest; and,
3. That I hired my daughter as an employee of the District.

On April 11, 2022, I filed my response to the complaint with the OGEC. My attorney, Ron Guerra, assisted me in preparing my response and representation before the OGEC. With the receipt of my response, the OGEC conducted a Preliminary Review and found that “there appears to be a substantial objective basis to believe that Janine Casey may have violated OGEC law.” OGEC staff recommended to the OGEC Board that the OGEC “should move to investigate whether Janine Casey may have violated ORS 244.177, 244.179, 244.040, and 244.120.”

I was notified of the OGEC Board meeting scheduled for July 8, 2022 and was offered the opportunity to appear before the Board as they considered the OGEC staff recommendation. I did appear before the Board, which voted to move the complaint to a full investigation.

As part of the investigation, I was interviewed by two investigators from the OGEC office. This interview was conducted through electronic means. During this interview I made it known that if the investigation found a violation had occurred, that I wanted to enter into a settlement agreement without the need for further litigation before the OGEC. As a 22-year Air Force veteran, I am trained to lead by setting an example and following the rules. All the rules . . . you can’t pick and choose which rules you will follow. Likewise, I strongly believe that ignorance of the rules or laws is never an excuse. I accept full responsibility for my actions.

On October 20, 2022, through my attorney, I received a letter and a Stipulated Final Order (“SFO”) document to settle the OGEC complaint. The purpose of the SFO was “to release, settle and compromise any and all claims, allegations and charges that have been asserted by the OGEC against” me. In the SFO the stipulated findings of fact found that I had violated:

1. ORS 244.177(1)(b), by participating in the employment of my daughter.
2. ORS 244.179(1), by exercising any supervisory authority over my daughter.
3. ORS 244.120(1)(c), by failing to declare a conflict of interest to my appointing authority (the RGWD Board).
4. ORS 244.040(1), by using her position to obtain a financial gain for my daughter.

Each of the above was counted as one violation of each of the statutory sections set forth. While the OGEC had the authority to assess civil penalties of up to \$5,000 per each of the four violations, the OGEC did not assess such a penalty. The OGEC also had the authority to assess a civil penalty of \$13,372.72, an amount equal to two times the amount my daughter was paid by

the District, but the OGEC did not assess such a penalty. However, the OGEC as part of the terms of the settlement did assess a \$200.00 penalty pursuant to ORS 244.350. With the signing of the SFO I also submitted my check for \$200.00 in full payment of the assessed penalty.

On November 4, 2022, the OGEC Board met to consider my SFO. I appeared at that hearing and made a statement thanking OGEC for their courteous and professional conduct of the investigation. I took full responsibility for my actions and apologized to the OGEC and personally thanked each OGEC Board member for their time and attention given to my case.

Prior to voting on whether to accept or reject the SFO, a Board member asked and received permission from the Board chair to address me personally. She then proceeded to thank me for my cooperation, my attitude expressed throughout the process, and for my accepting responsibility for my actions. Thereupon, the Board voted 8-0 to approve the SFO. At the conclusion of the vote, the Board chair then addressed me and expressed the same sentiments of the other Board member regarding my participation in the process.

As I expressed to the OGEC Board, I will continue to attend training sessions offered by the SDAO and build on the knowledge I have gained through this experience. Education is a never-ending process and class is always in session.

I now apologize to you Board members for my mistake. I take full responsibility and assert that this will not happen again.

I am proud of the District's progress during my tenure as the General Manager. I count as major successes the following:

1. Receipt of the Outstanding Performer designation by the Oregon Health Authority based on the November 2021 inspection of the District water distribution system.
2. The excellent audit report for FY 2021/2022, that found the financial accounting in good order thus receiving a clean and unmodified opinion. As a result of the District's accounting processes no adjusting entries were necessary. In fact, the auditor, CPA Russell Ries, stated that he wished all small water districts would learn and follow our financial procedures.
3. And perhaps our biggest success is in our water conservation and unaccounted water loss improvement in the past two years. Just in the past two years we have reduced unaccounted water loss by 54% (3,810,600 gallons). From a high-water loss level of 29%, we now sit at a 6.5% water loss level.

I look forward to continuing these types of successes for the District as the General Manager in the coming years.

A handwritten signature in cursive script that reads "Janine Casey". The signature is written in black ink and is positioned at the bottom left of the page.