



**MINUTES
DEVILS LAKE WATER IMPROVEMENT DISTRICT
REGULAR MEETING**

**LINCOLN CITY COUNCIL CHAMBERS
March 5, 2015
6:00 P.M.**

PRESENT: Brian Green, chairman
David Skirvin
Kip Ward
Randy Weldon
Kent Norris

ABSENT: None

PUBLIC SPEAKERS:

STAFF: Paul Robertson, Lake Manager

Chairman Brian Green convened the meeting at 6:03 p.m. and noted that this month's meeting is a week earlier than usual because of a scheduling conflict. **(Video: 0:24)**

I. ROLL CALL

Four directors are present. Kip Ward is absent at the start.

II. CONSENT AGENDA

David Skirvin moved to approve the consent agenda, including the minutes and financial report of the February 2015 meeting. Kent Norris seconded. Unanimous vote in favor.

III. COMMENTS from CITIZENS on NON-AGENDA ITEMS

Green outlined the public comment policy. Comments were limited to 5 minutes apiece.

(Video: 1:14)

JOHN FORSE, 1829 West Devils Lake Road, Lincoln City: Asked about plans for Devils Lake Revival (July 18), proposed bringing SUP [Stand Up Paddling] pro from Hood River to do demonstration and clinic before a possible modified 2-mile race. Would need a couple of hundred dollars to bring an SUP expert from Hood River. Said SUP is currently the fastest growing sport.

GREEN: Suggested contacting a pro to determine cost and let the Lake Manager know.

FORSE: Could promote an event later in the season, possibly a modified SUP contest at East Devils Lake Park.

MARK CHRISTIE, 3018 NE Loop Drive, Otis: Noted that the Devils Lake Neighborhood Association sponsored last year's 4th of July Boat Parade, which was the biggest in years, and also a fireworks display. Secured Friday July 3rd as date for second annual extravaganza. Invited the board. Will make a presentation in May. Asked for board to sponsor. Hundreds of boats participated last year.

IV. UNFINISHED BUSINESS

(Video: 8:30)

a. The Devils Lake Plan

i. Septic/Sewer

SEE STAFF REPORT re: Lake Manager speaking in favor of project at City Council, history of project, Voyage LID public hearing on March 9, 2015 (Lake Manager will comment and write a letter of support).

GREEN: Invited board members to comment at hearing. Expects Council to act on LID. City staff is recommending extensive action from Council to approve the formation of LID, including a method of assessment, a reimbursement district so future property owners will reimburse original property owners, amend municipal code to allow financing of development charges.

[Kip Ward arrived at 6:13 p.m.]

GREEN : Council will have to apply for a community loan program from the Oregon Department of Environmental Quality to provide financing for property hookups over three years. Council will have to pass ordinance allowing gravel street upgrade, change in road dimension standard (40-foot road now required would harm neighborhood); staff would develop a maintenance agreement for property owners, allowing city to maintain pumps at houses if property owner grants permission (probably no charge for maintenance), city wants uniform maintenance: if there's a charge for maintenance, property owner might do it himself or pay someone else and city doesn't want that. Ordinance for mandatory connection triggers upon sale of home. If system fails, must hookup to new system under 15-year hookup

requirement. Green asking for hookup to be 15 years or 25 years from date of new septic system, whichever is longer. Said it's a fair complaint if system is newer.

WARD: When do property owners start paying?

GREEN Initial assessment for paving and installation of main line, about \$4,000 each, will require an assessment ordinance. Payments will start soon after. Costs can be financed over 20 years; estimated cost is about \$55-\$60 per month. About half of the sites are occupied by houses; all of the bare lots will have to hook up when homes are built.

ii. Save our Shoreline (SOS)

(Video: 19:50)

SEE STAFF REPORT: re: plants provided to one property owner, project on city land at pump station, more plants available if anyone wants, now is a good time to plant.

iii. Vegetation Management

SEE STAFF REPORT re: no update on grass carp application.

b. Communications Report

(Video: 21:28)

SEE STAFF REPORT re: strategies for public outreach (Internet, Channel 4, social media (YouTube, Facebook), AM radio 1610 broadcasts, radio interviews, Clearwater E-Newsletter, 100 Years on the Lake presentations, Know Your Lake column ad in News Guard).

ROBERTSON: No nominations were received for the Lake Steward award.

GREEN Nominated Randy Weldon for his work on dam issue, life jacket station.

ROBERTSON: Nominated the Tigersharks program run by Skye Anderson and Keith Galbraith. Program provides a lot of great outreach to teach young people about the lake and water safety.

WELDON: Promoted Galbraith's activity with youth. Noted that his dam and life jacket programs are still in progress.

SKIRVIN: Suggested recognizing Tigersharks

Board voted 4 for Keith and Skye and 1 for Weldon.

Keith Galbraith and Skye Anderson, the organizers of Tigersharks, were named recipients of the 2015 Lake Steward Award to be awarded at Community Days.

ROBERTSON: Noted that July 18, 2015, has been reserved for the Devils Lake Revival. The Bay Area Merchants Association (BAMA) was not able to commit to organizing the event this year. Skirvin suggested hiring a temp agency for help. Asked Lake Manager to provide a proposal in April or May.

c. Safety Report

(Video: 31:20)

SEE STAFF REPORT re: no incidents or updates.

d. MidCoast TMDL

SEE STAFF REPORT re: beach water quality data.

e. East Devils Lake Road

SEE STAFF REPORT re: no update – but Robertson talked to county road supervisor, who confirmed that a project is planned this summer to upgrade road with culverts to reduce flooding at a cost of about \$250,000.

f. Policy Updates

SEE STAFF REPORT re: updated personnel policy.

Skirvin moved to adopt the personnel policy as drafted. Weldon seconded. Unanimous vote in favor.

g. Harmful Algal Blooms

(Video: 33:15)

SEE STAFF REPORT re: Lake Manager recommending moving forward with the direct appointment of an engineer, as allowed under Oregon law; engineer would act as a consultant; proposal would scale back desired outcomes to make the project more practical; as an example, the chlorophyll standard could be relaxed since harmless green algae has chlorophyll, too; success of aeration in a shallow lake cannot be guaranteed; Lake Manager asked board to authorize him to make direct appointment.

Board discussed the concept of a direct appointment, generally speaking in favor of simplifying the proposal in order to attract vendors and generate discussion.

GREEN: Suggested dropping specific measurable results in an effort to get more bids and attract the most qualified person. Bidders can say what they think they can achieve. Parameters are scaring people off. We're asking for a reduction in HABs and toxins.

ROBERTSON: Also suggested removing from RFP the physical siting of compressors and other hardware.

SKIRVIN: Noted that project requires two types of engineers, one to site equipment and another to address the effect on the lake.

ROBERTSON: Noted that Oregon law allows direct appointment if the cost is below \$100,000; you're not supposed to break up project elements so that the cost appears low, but since no responses were received to the original RFP, the law permits appointment.

GREEN: Noted that a civil engineer would not have enough information to design a project until a limnologist first establishes guidelines.

Norris moved to approve spending \$30,000 for a direct appointment. Skirvin seconded.

GREEN: Suggested authorizing Lake Manager to make a recommendation for a direct appointment so board can vote on the choice. Noted that a special meeting could be held to expedite appointment, if needed.

Norris withdrew his motion.

Green moved to authorize the Lake Manager to proceed with making a recommendation for a direct appointment for a person to develop an engineering plan and general report for an aeration and oxidation project for Devils Lake. Skirvin seconded. Unanimous vote in favor.

h. Replacement of the Water Impoundment Device (The Dam) (Video: 52:52)

SEE Staff report re: public hearing during the next regular board meeting on April 9, 2015, on proposal to remove dam and on the overall managed use and continuance of the district's Water Right Certificate.

Skirvin asked about engineering report. Lake Manager said the report is not back yet, but should be available at least a week before April 9. Engineering report is associated with the technology required for impoundment during the summer.

i. Oregon and California Land Grant Act of 2015 (S.1784) (Video: 55:15)

SEE STAFF REPORT for Lake Manager's draft letter to Senator Ron Wyden objecting to the transfer of U.S. Forest Service Lands to the U.S. Bureau of Land Management.

Skirvin moved to send the letter as drafted. Green seconded.

WELDON: Noted that he had looked at maps of other timber areas and saw that most of them are pretty small, so he felt that retaining the land as is should not effect other communities in a meaningful way, and that it's more important to protect the Devils Lake watershed.

Call for vote. Unanimous vote in favor.

Lake Manager will send copies of the letter to Senator Merkley and Representative Schrader as well.

V. NEW BUSINESS

None.

VI. NON-AGENDA ITEMS

None.

VII. ADDITIONAL COMMENTS from CITIZENS on NON-AGENDA ITEMS

None.

VIII. BOARD COMMENTS AND ANNOUNCEMENTS

a. Devils Lake Family Fishing Frenzy –March 28, 2015

ROBERTSON: Promoted the Fishing Frenzy, which will be the second Saturday of Spring Break.

Noted that the life jacket loaner station is almost complete at Regatta Grounds. Will have a ribbon cutting at 3 p.m. Friday, March 20, 2015, with help from the Lincoln City Chamber Ambassadors. Thanked Randy Weldon for his work on setting up the life jacket station.

IX. ADJOURNMENT

Green adjourned the meeting at 7:03 p.m.

The next regularly scheduled board meeting will be April 9, 2015, at 6:00 p.m.

| Respectfully submitted,
Rick Mark