

**POLICIES  
OF  
HECETA WATER PEOPLE’S UTILITY DISTRICT**

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## **Section One - Definitions**

**Elements** – The elements of the water system are part of the Plant and include but are not limited to: water source, pump stations, reservoirs, piping, lines, valves, hydrants, meters, meter boxes, and supporting equipment such as trucks, trenching or grading equipment and tools required for operation of the Plant. Meters and meter boxes may be located on private property. Piping may be on land of public domain (dedicated roads, etc.) All other elements of the plant must be on land owned by Heceta Water People’s Utility District, also known as HWPUD or District, or on service or other easements obtained by the District and recorded in Lane County records.

**Plant** – The water works plant, consisting of all real property, easements, water rights, and all elements of the water system known as HWPUD.

**Water Supply Source** – Clear Lake, located north of Florence, Lane County, Oregon.

**Water User/Customer** – A HWPUD water user also known as a water customer, is an owner or owner’s agent of a property located inside the boundaries of the District and served by the District’s water system through a metered service connection. For purposes of this definition, “owner’s agent” shall also refer to any tenant or otherwise authorized occupant of owner’s property. “Water customer” means an applicant who has been accepted under the terms of these rules and regulations and received water service from HWPUD.

## **Section Two - Policies**

### **Unlawful Activities**

It shall be unlawful for any person to trespass on access roads that are not accessible to the public and that are gated with posted signage indicating “no trespassing” or other areas not accessible to the public without HWPUD’s consent or to point firearms at Plant Elements, water source pumping facilities, reservoirs, or any other property of HWPUD.

It shall be unlawful for any person to throw, place, or deposit any article or substance in or near the water supply source which could cause an obstruction to the flow or contaminate in any way the water supply or water supply source. Such areas are to be posted with proper signage, but lack of posting signage will not affect the prohibited activities.

Opening or closing water valves belonging to the District, tampering with or causing injury or damage to the Plant Elements is prohibited. Violators will be prosecuted to the full extent of the law.

### **Water Service Connections**

The water service system, including all water mains, valves, fittings, hydrants, meters, meter boxes, service connections and all other appurtenances, except customer service lines are the property of HWPUD. Removal of, tampering with, or modification of this system will result in the disconnection of water service. Once disconnected, the water service will remain disconnected until repairs have been made and inspected by HWPUD.

Until water service connection is established, no water from the District’s water system is to be turned on or off through the meter or any other means by anyone other than District personnel or authorized agents.

All water pumping through the water service system outside or inside buildings and residences is to be maintained in good condition to prevent waste through leaks.

Water service may be temporarily interrupted in whole or part of the system by the District to facilitate repairs, maintenance, or other necessary purposes. On such occasions, every effort will

be made to inform the water user when and for what period the service will be off. The District will not be responsible for damages resulting from the interruption or resumption of service, or damages resulting from the lack of service during such period.

### **Agreement for Connection, Water Service Applications and Fees**

An Agreement for Connection form for new water meters are available at the District office. All applications must be accompanied by payment in full of the fee for the size of service required and all connection fees.

For established water meters, the new water user must complete a Water Service Application and submit to the District prior to water service connection.

All fee and rate schedules will be adjusted from time to time, by resolution of the Board of Directors, and will be available for inspection at the District office or may be obtained from the District's website at [www.hwpud.com](http://www.hwpud.com).

If water service has been terminated for any reason and unauthorized persons turn the water on, the District may remove the meter and require submission of a renewal application and additional fees and charges be paid prior to reconnection.

### **Extension of Lines**

Any plot or property or subdivision receiving County approval for development after July 13, 1966, will be required to advance 100% of the total cost (material, labor, engineering, legal fees, etc.) to HWPUD for the extension of District water lines nearest to their property.

The extended water lines must be located on land owned by HWPUD or over property whereby HWPUD has been granted an easement for location of the water lines. The applicant will be responsible for obtaining and paying for all rights of way or easements necessary to extend water lines. All easements and rights of way will be reviewed and approved by the District's legal counsel before recording. The applicant will be responsible for obtaining and paying for all necessary legal fees incurred by the District, recording fees, and costs, etc. associated with the extension of the lines and easements to the District.

A property owner may elect to install the lines, but the lines will be installed to District specifications, and will require inspection and approval of the General Manager prior to connection to the District Plant or nearest District water line. In all cases, hydrant tees and valves are to be included as recommended by the insurance rating bureau.

### **Private Water Sources**

Private water sources such as wells and springs will not be allowed to be connected in any way to the District's Plant. Access for inspection and approval by HWPUD's Cross Connection Specialist of private water systems shall be granted by the owner prior to connection to the District's Plant. Connection to the District's Plant shall be deemed implied consent by the Water User for periodic inspections of private water source piping and water by the Cross Connection Specialist.

### **Hazardous Locations**

The District maintains a cross connection program for hazardous locations. Backflow protections are required at these locations. These devices must be tested annually by a certified tester, and the test report will be filed at the District office. Additional information on this program is available at the District office.

### **Private Service Lines**

Private service lines are to be buried a minimum of twelve inches (12"), and are to be protected from freezing, breaks or leaks in compliance with the Oregon State Plumbing Code.

**Water Resale**

No water provided by the District shall be resold or transmitted through pipes from one private premise to another.

**Complaints**

The Water User may file any complaint or dissatisfaction with the water service or District management to the Board of Directors.

**Section Three – Water Service****Billing**

Meters will be read and customers billed on the basis of the meter reading, according to the rate structure approved by the Board. Billing for water services shall be on a monthly basis, and payment is due on or before the 25<sup>th</sup> of each month for the previous period. Delinquent payments may be cause for termination of water service.

If a meter fails to register the amount of water used for any period, the charge for that period will be calculated from the average quantity of water used in the previous billing period. Any water user may request a meter check if the water usage records appear unreasonable. If the readings appear unreasonable to the General Manager, he will assist in determining the cause for the readings.

**Rates and fees are outlined below or listed under Appendix A on the last page.**

**Tampering**

If a water service is turned off, either manually or through a lock, for non-payment reasons and is turned on or the lock is broken by the customer without arrangements being made through the District office, a fee of \$100.00 will be charged for tampering with the water service along with a charge for any locks or parts of the water service that are broken. The tampering fee and any lock replacements costs will be paid along with all amounts due and owing on the account before service is restored.

**Administration**

If a water service is turned off for non-payment reasons and any part of the water service is damaged by tampering, repairs will be made by the District and all costs will be charged to the customer at a rate of cost of materials and labor plus a 15% administration fee plus all amounts due and owing on the account shall be paid by the customer before water service is restored.

**After Hours**

If a water service has been turned off for non-payment reasons and the customer is requesting that service be restored after regular business hours or on weekends, an After Hours fee along with the turn-on also known as delinquent fee will be charged plus all amounts due and owing on the account will be paid at the time of turn-on before service is restored. HWPUD complies with all applicable bankruptcy laws.

**Returned Payments**

If a payment is returned a delinquent fee will be charged and the customer will be required to pay the returned payment fee when the past due amounts are paid.

**Late Fees**

If a payment is not received by the first business day after the 25<sup>th</sup>, a late charge fee will be charged. A reminder notice is mailed detailing the past due amount plus the late fee,

explaining if payment is not received water will be disconnected on third Wednesday of the following month.

### **Turn-offs**

If service is turned-off for past due amount a delinquent fee will be charged plus all amounts due and owing on the account will be paid at the time of turn-on before service is restored. HWPUD complies with all applicable bankruptcy laws.

### **Non-payment**

If past due balance remains for a consecutive 60 calendar days, the District will consider the meter abandoned and the meter will be removed from service and will not be returned to service until all past bills and fees are paid in full.

### **Collection**

If no payment has been made for 120 calendar days, the District will send a final notice stating the water user be referred to the District's legal and Collection Agency if payment is not received within fifteen (15) calendar days from the date of the notice. A collection fee charged by current collection agency will be added to the past due bills.

### **Request for Removal**

In the event a property owner requests to discontinue service without further billing, a written request shall be submitted to the District requesting the meter be removed. Upon request to reinstate service by the current property owner, all averted base rate fees plus associated meter costs shall be paid in full up to the cost of new service before the service is reinstated.

### **Termination of Service**

In addition to any conditions set forth above, the District may terminate water service to a Water User under any of the following conditions:

1. Violation of any Water Service Connection, as defined above;
2. Non-payment of monthly billing;
3. Non-payment of required fees;

Whenever the District uses its authority to terminate service due to the failure of the Water User to comply with the Rules and District Policies, the Water User will be charged a fee or fees and a possible additional charge (to be set by the Board) before renewal application for service will be accepted.

## **Section Four - Public Records**

The purpose of this section is to assure that all records of HWPUD, with some exceptions, are available for inspection and copying by the public. Every person has a right to inspect any non-exempt public records of a public body in the state. Unless otherwise indicated under the Oregon Public Records laws, the intent, identity, motivations, or need of the person requesting the records are irrelevant.

### **Compliance**

The HWPUD shall fully comply with the Oregon Public Records Law, ORS 192.311 to ORS 192.478.

### **Location of Records**

All original signed documents relating to Board decisions such as Meeting Minutes, Ordinances, Resolutions, etc., shall be stored at the District Office or in a secure storage facility.

*HWPUD Policies adopted by the Board of Directors: January 19, 2022 - Revised December 2021*



**Point of Contact**

To request public records from HWPUD, by email or mail send written request to:

Email: customer-service@hwpud.com

Mail: Heceta Water PUD  
87845 Hwy 101  
Florence, OR 97439

**Custodian of Records**

The acting custodian for HWPUD will be the Administrative Assistant, who shall acknowledge all requests within five (5) business days after receiving a written request (either paper or email) for specific records. As soon as reasonably possible but not later than ten (10) business days after acknowledging receipt of request, the custodian will complete the response to the public records request. If needed, they will "provide a written statement that HWPUD is still processing the request and a reasonable estimated date by which HWPUD expects to complete its response based on the information currently available." ORS 192.329(5)(b)

**Specificity of Request**

In order to facilitate the public's access to records in the District's possession, and to avoid unnecessary expenditure of staff time, persons requesting access to public records for inspection or copying, must submit written requests for copies of public records, and shall specify the records requested with particularity, furnishing the dates, subject matter and such other detail as may be necessary to enable District personnel to readily locate the records sought.

**Access**

The District shall permit inspection and examination of its non-exempt public records during regular business hours in the District's office, or such other locations as the General Manager may reasonably designate from time to time. Copies of non-exempt public records maintained in machine readable or electronic form shall be furnished, if available, in the form requested. If not available in the form requested, such records shall be made available in the form in which they are maintained. ORS 192.440(3).

**Copies**

Copies of non-exempt public records shall be furnished upon written request, and receipt of payment thereof.

**Fees for Public Records**

Fees must be limited to no more than \$25.00 unless the requestor is provided with a written notification of the estimated amount of the fee and the requestor confirms that he/she wants the public body to proceed. ORS 192.324(4)(c)

In order to recover its costs for responding to public records requests, the following fee schedule is adopted by the District: ORS 192.324(7)

**Copies of Public Records**

Copies of public records shall be \$0.10 per photocopied page for standard letter size copies.

**Copies of Sound Recordings**

Copies of sound recordings of meetings shall be \$10.00 per copy.

### **Copies of Maps and Other Nonstandard Documents**

Charges for copying maps or other nonstandard size documents shall be charged in accordance with the actual costs incurred by the District.

### **Research Fees**

If a request for records requires District personnel to spend more than 30 minutes searching or reviewing records prior to their review or release for copying, the minimum fee shall be \$25.00 per hour and additional charges shall be in one-quarter hour increments. The District shall estimate the total amount of time required responding to the records request, and the person making the request shall make payment for the estimated cost of the search and copying of the records in advance. If the actual time and costs are less than estimated, the excess money shall be refunded to the person requesting the records. If the actual costs and time are in excess of the estimated time, the difference shall be paid by the person requesting the records at the time the records are produced.

### **Additional Charges**

If a request is of such magnitude and nature that compliance would disrupt the District's normal operation, the District may impose such additional charges as are necessary to reimburse the District for its actual costs of producing the records.

### **Reduced Fee or Free Copies**

Whenever the District determines that furnishing copies of public records in its possession at a reduced fee or without costs would be in the public interest, the Board or General Manager may so authorize. ORS 192.440(5).

### **Authorization Required for Removal of Original Records**

At no time shall an original record of the District be removed from the District's files or the place at which the record is regularly maintained, except upon authorization of the Board of Directors or the General Manager of the District.

### **On-site Review of Original Records**

If a request to review original records is made, the District shall permit such a review provided that search fees are paid in advance in accordance with the Fees for Public Records section, above. A representative shall be present at any time original records are reviewed and the charges for standing by while the records are reviewed shall be the same as the charges for searching or reviewing records.

### **Unauthorized Alteration, Removal, or Destruction of Records**

If any person attempts to alter, remove or destroy any District record, the District representative shall immediately terminate such person's review, and notify the attorney for the District.

### **Requests for Information**

Any requests for written information or creation of reports, analyses, compilations, summaries, etc. will be made by the President of the Board. This policy is intended to prevent duplication of effort and preservation of District resources. This policy is not intended in any manner to restrict or interfere with any individual board member's right to request public information as provided by Oregon state laws.

## **Section Five – Financial Information Review**

The General Manager and Secretary of Record will continue to closely supervise and review the day to day financial affairs of the District. Per HWPUD Rules, individual board members may review individual bills and invoices at the office of the Secretary of Record, at a mutually convenient time, outside regular board meeting times, each month. The General Manager will continue to provide a monthly summary, as provided by the Secretary of Record, in each board packet for information purposes.

### **District Expenditures**

The Board acknowledges the General Manager's authority to make expenditures within the limitations set out in the duly adopted budget. A monthly summary of expenditures is provided at each Board meeting for informational purposes. As a courtesy, the General Manager will report expenditures of District funds in excess of \$10,000 to the Board during the next regular monthly meeting.

### **Investment Policy Statement**

The HWPUD is a special district formed under Oregon statutes to supply potable water within Lane County, Oregon. It exists and exercises legal authority under ORS Chapter 261. As an Oregon local government, HWPUD is a tax-exempt entity and complies with all applicable state and federal laws.

HWPUD serves an area north of the City of Florence and is funded by the Districts customers.

HWPUD is committed to use the services of local qualified depository institutions for all financial matters. All funds in deposit shall be collateralized in accordance with current and future laws and regulations. The District is also committed to use the services of local investment manager(s) whenever appropriate and in the best interest of the District.

HWPUD will review, or have reviewed by a qualified individual or firm, the financial statements of the institutions where its funds are on deposit on no less than an annual basis.

### **Public Contracting Rules**

The purpose of this policy is to encourage public contracting competition that supports openness and impartiality to the maximum extent possible, and to insure compliance with Oregon Revised Statutes Chapters 279, 279A, 279B and 279C, as applicable to District activities.

#### **a. Public Contracts**

Public contracts shall be let by the District according to the State of Oregon Public Contracting Code, Oregon Revised Statutes Chapter 279, 279A, 279B, and 279C, including the associated Model Rules adopted by the Oregon Attorney General as they now exist and as they may be amended in the future.

#### **b. Local Contract Review Board**

The Board of Directors of HWPUD is designated as the 'Local Contract Review Board' under the State of Oregon Public Contracting Code. The Contract Review Board may, from time to time, delegate its powers and responsibilities consistent with the Oregon Public Contracting Code or the Model Rules.

#### **c. Contracting Agency**

The Board may authorize the General Manager as the appointed District's 'Contracting Agency' for purposes of contracting powers and duties assigned to the District under the State of Oregon Public Contracting Code or the Model Rules.

### **Reimbursement for Board Member Expenses**

Board members will receive reimbursement for attending out of town meetings (attended in capacity of HWPUD board member) for lodging, meals, and mileage at the same rates allowed in the Personnel Policy. Other incidental expenses will be reimbursed only if preapproved by the Board. The current practice of distribution of Board meeting materials via email was adopted as a cost-cutting measure by the board. In recognition of the possible need by individual Board members for paper copies of HWPUD meeting materials, the District staff will provide printed versions, upon request, at no charge to the Board member.

### **Section Six – Public Meetings**

The purpose of this section is to assure that meetings of the HWPUD Board of Directors, including any advisory body, subcommittee, task force, or other official group that has authority to make recommendations to the Board of Directors, are open to the public so the public will know of the activities and actions of its public officials.

#### **Preparation for Board Meetings**

The Agenda, Manager’s Staff Report, and Statement of Bills shall be made available to each member of the Board prior to any regularly scheduled Board meeting.

#### **Distribution of Agenda to the Public**

The proposed Agenda will simultaneously be distributed to:

- Siuslaw News
- KCST radio station
- Any other media that has requested notice
- Agenda posted on door of the District’s office

#### **Board Meeting Agenda**

The General Manager shall draft the Agenda after conferring with the President. The following general order shall be observed:

- |                        |  |
|------------------------|--|
| 1. Call to Order       | 8. Unfinished Business                     |
| 2. Roll Call           | 9. New Business                            |
| 3. Public Comment      | 10. Items not on agenda                    |
| 4. Approval of Minutes | 11. Agenda suggestions for future meetings |
| 5. President’s Report  | 12. Executive Session (when needed)        |
| 6. Financial Report    | 13. Adjournment                            |
| 7. Staff Report        |  |

#### **Notice and Location of Meetings**

This policy applies to all meetings of the Board of Directors of the HWPUD, and to any meetings of subcommittees, or advisory groups appointed by the Board if such subcommittees or advisory groups normally have a quorum requirement, take votes, and form recommendations as a body for presentation to the Board of Directors.

#### **Compliance with Law**

All meetings shall be conducted in accordance with the Oregon Public Meetings Law, ORS 192.610 through ORS 192.710, and ORS 192.990.

#### **Location of Meetings**

All meetings shall be held within the geographic boundaries of the District, except for training sessions that are not considered “public meetings” under state law. No meeting shall be held in any place where discrimination on the basis of race, creed, color, sex, age, national origin,

disability, or any other protected status is practiced. All meetings shall be accessible to those with disabilities.

### **Meetings Held by Telephone**

Meetings held by telephone or other electronic communication is subject to the Public Meetings Law if they otherwise qualify by virtue of their deliberative purpose and the presence of a quorum. ORS 192.670(1). Notice and opportunity for public access shall be provided when meetings are conducted by electronic means and may be listened to by members of the public. ORS 192.670(2).

### **Regular Meetings**

The Board shall hold regular monthly meeting on the third Tuesday of each month. Such meeting shall be held at 87845 Hwy 101, Florence, Oregon at 4:00 pm, or at such other places and times as the Board may designate.

### **Special Meetings**

The Board shall hold special meetings at the request of the President or any member of the Board. No special meeting shall be held upon less than 24 hours public notice. A brief statement of the objective or objectives of such special meeting shall be included in the notice.

### **Emergency Meetings**

Emergency meetings may be held at the request of persons entitled to call special meetings, upon less than 24 hours' notice in situations where a true emergency exists.

An emergency exists where there are objective circumstances which, in the judgment of the person or persons calling the meeting, create a real and substantial risk or harm to the District which would be substantially increased if the Board were to delay in order to give 24 hours' notice before conducting the meeting. The convenience of Board members is not grounds for calling an emergency meeting.

At the beginning of any emergency meeting, the Director or Directors calling such meeting shall recite the reasons for calling such meeting, and the reasons the meeting could not have been delayed in order to give at least 24 hours' notice, which reasons shall be noted in the minutes. The Board shall then determine if the reasons are sufficient to hold an emergency meeting and, if not, shall immediately adjourn such meeting. Only business related directly to the emergency shall be conducted at an emergency meeting.

### **Notice of Meetings**

Notice of time, place, and principal subjects to be considered shall be given for all meetings. For regular meetings, the notice shall be in the form of an agenda, which shall be sent to all Board members, local media (Siuslaw News and KCST radio station), and to all persons or other media representatives having requested notice in writing of every meeting. The agenda shall also be posted on the door of the District office.

Written notice shall also be sent to any person who the District knows may have a special interest in a particular action, unless such notification would be unduly burdensome or expensive.

For special meetings, notices shall be delivered, or phone calls made to local media (Siuslaw News and KCST radio station) and interested persons shall be notified by mail or telephone. For emergency meetings, the District shall contact local media (Siuslaw News and KCST radio station) and other interested persons by telephone or email to inform them of the meeting.

## **Section Seven - Board Meeting Conduct**

### **Presiding Officer**

The President shall preside at Board meetings. In the President's absence, the Vice President shall preside. If both the President and Vice President are absent, any other member of the Board may preside.

### **Authority to Conduct Meetings**

The President or other presiding officer at any Board meeting shall have full authority to conduct the meeting. Meetings shall be conducted in such a manner as to provide a full and fair opportunity for discussion of the issues in an efficient and timely manner. Any decision is decided by a majority vote of the Board.

### **Public Participation**

If public participation is to be a part of the meeting, the presiding officer may regulate the order and length of appearances, and limit appearances to relevant points. Persons failing to comply with the reasonable rules of conduct outlined by the presiding officer or causing any disturbance may be asked or required to leave. Upon failure to leave, such persons become trespassers.

### **Electronic Equipment**

The authority to control the meetings of the HWPUD Board extends to control over equipment such as cameras, tape recorders and microphones. The presiding officer shall inform persons attending any meeting of the HWPUD Board of reasonable rules necessary to assure an orderly and safe meeting. The physical comfort and safety of members of the Board and the public attending the meeting shall be of primary concern in formulating such rules.

### **Recording of Votes**

Votes shall be recorded. Any member may request that his or her vote be changed during the meeting, if such a request is made prior to consideration of the next item on the order of business.

### **Quorum Requisites**

Three Board members shall constitute a quorum. If only a quorum is present, a unanimous vote shall be required to take final action.

### **Vote Explanations**

Members of the Board may append to the record, at the time of voting, a statement indicating either the reason for their vote or abstention.

### **Conflict of Interest/Ex Parte Contacts**

Board members shall review and observe the requirements of the State Ethics Law (ORS 244.010 to ORS 244.390) dealing with use of public office for private financial gain.

Board members shall give public notice of any conflict of interest or potential conflict of interest and the notice will be reported in the meeting minutes. In addition to matters of financial interest, Board members shall maintain the highest standards of ethical conduct and assure fair and equal treatment of all persons, claims and transactions coming before the Board. Under state law, an actual conflict of interest is defined as one that would be to the private financial benefit or detriment of the Board member, a relative or a business with which the Board member or a relative is associated. A potential conflict of interest is one that could be to the private financial

benefit or detriment of the Board member, a relative or a business with which the Board member or a relative is associated. A relative means the spouse, children, siblings or parents of the public official or public official's spouse. A Board member must publicly announce potential and actual conflicts of interest and, in the case of an actual conflict of interest, must refrain from participating in debate on the issue or from voting on the issue.

### **Smoking**

Smoking is prohibited in any public place. Because "public place" means "an enclosed area open to the public" or a "place of employment," this prohibition generally applies to public meetings and executive sessions. The prohibition extends to smoking, vaping, or aerosolizing any nicotine or cannabinoid product, or to even carrying a lit cigar, cigarette, pipe, or other smoking instrument. And smoking is prohibited not just inside the enclosed area, but also within 10 feet of any entrances, exits, windows that open, or ventilation intakes that serve an enclosed area.

### **Adjournment**

The meeting shall be adjourned by a majority vote or as a result of the loss of a quorum.

## **Section Eight - Executive Sessions**

### **Notice**

Notice for meetings called only to hold executive sessions shall be given in the same manner as notice for regular, special, and emergency meetings set forth above, except that the notice need only indicate the general subject matter to be considered at the executive sessions, but it shall also set forth the statutory basis for calling the executive session.

### **No Final Decisions**

The Board shall not make any final decisions during any executive session. This policy, however, shall not prohibit full discussion of Board members' views during executive sessions.

### **Purposes**

Executive sessions shall be held only for the following purposes:

#### **Employment of Personnel: ORS 192.660(2)(a).**

To discuss the employment of a public officer, employee, or staff member, but only if the following requirements have been met: the vacancy for the position has been advertised; regularized procedures for hiring have been adopted; there has been opportunity for public input into the employment of such employee or officer. Where employment of a General Manager is under consideration, the standards, criteria and policy directives to be used in hiring such officer must have been adopted at a meeting open to the public at which the public has had an opportunity to comment.

No executive session may be held under ORS 192.660(2)(a) for purposes of filling a vacancy in an elective office.

#### **Discipline of Public Officers and Employees: ORS 192.660(2)(b).**

To consider the dismissal or disciplining of a public officer, employee, staff member or individual agent, or to hear complaints or charges brought against such persons, unless the person complained against requests an open hearing.

#### **Consultation with Labor Negotiator: ORS 192.660(2)(d).**

To conduct deliberations with persons designated by the Board to carry on labor negotiations in its behalf. News media representatives may be excluded from executive sessions called under this section.

**Real Property Transactions: ORS 192.660(2)(e).**

To conduct deliberations with persons designated by the Board to negotiate real property transactions.

**Exempt Records: ORS 192.660(2)(f).**

To consider records which are exempt by law from public inspection. Examples of such records include medical records pertaining to personnel, confidential communications from legal counsel, employment tests or examination materials, and other material exempted from public disclosure under the Public Records Law, ORS 192.501 and 192.502.

**Trade or Commerce: ORS 192.660(2)(g).**

To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.

**Litigation/Consultation with Legal Counsel: ORS 192.660(2)(h).**

To consult with legal counsel concerning the District's legal rights and duties, as well as current litigation or litigation likely to be filed. Whenever written legal advice received from counsel is to be discussed, the Board may utilize an executive session to discuss the writing under the authority of ORS 193.660(2)(f), as well. This section authorizes an executive session to consider records which are exempt by law from public inspection.

**Performance Evaluations: ORS 192.660(2)(i).**

To review and evaluate the employment related performance of the chief executive officer, other officers, employers or staff members, pursuant to standards, criteria and policy directives adopted by the District, unless the person whose performance is being reviewed and evaluated requests an open hearing. The standards, criteria, and policy directives to be used in evaluating chief executive officers must first have been adopted by the Board in meetings open to the public in which there was an opportunity for public comment. Executive sessions called pursuant to this section may not include a general evaluation of any District goal, objective or operation and may not include any directive to the Chief Executive Officer or other District personnel concerning agency goals, objectives, operations, or programs.

**Public Investments: ORS 192.660(2)(j).**

An executive session may be called to negotiate with private persons or businesses regarding proposed acquisition, exchange or liquidation of public investments.

**Labor Negotiations: ORS 192.660(2)(d).**

Labor negotiations may be held in executive session if either side requests an executive session.

**Conduct of Executive Session**

The President or other presiding officer shall announce the statutory authority for the executive session before going into closed session. Once the executive session has been convened, the



President shall direct any representative of the news media who are present not to report certain specified information from the executive session. **Board members, staff and other persons present shall not discuss or disclose executive session proceedings outside of the executive session without prior authorization of the Board as a whole.**

## **Section Nine - Minutes of Board Meetings**

### **Written Minutes**

The Board shall keep written minutes of all its meetings in accordance with the requirements of ORS 192.650. Minutes of public meetings shall include at least the following information:

1. All members of the Board present.
2. All motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition.
3. Results of all votes, including the vote of each member by name.
4. The substance of any discussion on any matter.
5. Subject to ORS 192.311 through ORS 192.478 relating to public records, a reference to any document discussed at the meeting.

### **Minutes of Executive Session**

Minutes of executive sessions shall be kept separately from minutes of public meetings. Minutes of executive sessions may be kept either in writing, in the same manner as minutes of public sessions, or by tape recording. If minutes of an executive session are kept by tape recording, written minutes are not required, unless otherwise provided by law. ORS 192.650(2).

### **Disclosure of Executive Session Matters**

If disclosure of material in the executive session minutes would be inconsistent with the purpose for which the executive session was held, the material may be withheld from disclosure. No executive session minutes may be disclosed without prior authorization of the Board. ORS 192.650(2).

### **Retention**

Any tape recording or written minutes of public Board meetings or executive sessions shall be retained by the District until such time as their disposal is authorized by rule or specific authorization of the State Archivist pursuant to ORS 192.105. It is recommended that minutes be retained forever.

### **Availability to the Public**

Written minutes of public sessions shall be made available to the public within a reasonable time after the meeting. ORS 192.650(1)

## **Section Ten - Electronic Mail Communications**

HWPUD has established this policy with regard to the acceptable use of agency-provided electronic messaging systems, including but not limited to e-mail and instant messaging. E-mail and instant messaging are important and sensitive business tools. This policy applies to any and all electronic messages composed, sent or received by any employee or by any person using agency-provided electronic messaging resources.

**Other Conditions**

Any condition, circumstance or occurrence not provided for in these policies will be considered by the General Manager on a case by case basis, and will be presented to the Board of Directors for a vote. Their decision will be final.

President: \_\_\_\_\_

Vice President: \_\_\_\_\_

Date: \_\_\_\_\_

**Appendix A**

**Rates and Fees  
of  
Heceta Water People's Utility District  
Adopted June 15, 2021  
Effective August 1, 2021**

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The following rates and fees are set by the Board of Directors, and may be revised from time to time.

**New Meter:**

Meter (5/8 x 3/4)*	\$ 570.00
System Development Charge	<u>2,595.00</u>
	\$ 3,165.00

**Water Service Rates:**

Includes monthly base rate plus a per gallon usage rate

**\*Fee for larger meter available upon request; includes other related equipment**

**Fees:**

Service Turn-on Fee	21.00
Delinquent Fee	26.25
Late Charge Fee	5.25
After Hours Service Charge	31.50
Duplicate Billing per cycle	1.05
Backflow Test Charge	36.75
No Show Fee	31.50

**Monthly Base Rates:**

Inside District

101	Res/Comm - 5/8"	29.93
103	Res/Comm - 1"	52.24
107	Res/Comm - 2"	165.90
109	Res/Comm - 4"	543.11

Outside District

102	Res/Comm - 5/8"	44.89
106	Res/Comm - 1"	78.12
108	Res/Comm - 2"	249.11
110	Res/Comm - 4"	779.10

**Bulk Rates:**

Per 1,000 Gallons	Tiered
Up to 4,000 Gallons	2.63
4,001 to 8,000 Gallons	3.15
8,001 to 20,000 Gallons	3.94
Over 20,000 Gallons	4.99
Per Day Service Charge	10.50

**Usage Rates:**

Per 1,000 Gallons	Tiered
Up to 4,000 Gallons	2.63
4,001 to 8,000 Gallons	3.15
8,001 to 20,000 Gallons	3.94
Over 20,000 Gallons	4.99

**Rates do not include a 5% Franchise Fee for City of Florence Residence**

**Billing:**

Billing shall be on a monthly basis and payment is due by the 25th of the month for the previous period. Non-payment will be cause for termination of water service. If a meter fails to register the amount of water used for any period, the charge for that period will be calculated based on the average quantity of water used in the previous billing period. Any water user may request a meter check if the water usage records appear unreasonable. If the readings appear unreasonable to the General Manager, the General Manager will assist in determining the cause of the reading.