

ARCH CAPE SANITARY DISTRICT MINUTES

15 November 2019

A quorum was present.

Sanitary Board: Darr Tindall, President
Debra Birkby, Vice-President & Treasurer
Carl Matson
Bill Campbell

Excused Absent: Chris Anderson

Water Board: Dan Seifer (non-voting)

Public: David Stockton
Jeannie Stockton

Staff: Phil Chick, District Manager

Excused Absent: Steve Hill

Ms. Darr Tindall called the meeting to order at 7:00 pm.

Public Comment: None.

Agenda: Ms. Birkby moved acceptance of the agenda with the following changes: Striking the Website, Natural Hazard Mitigation Plan , December Board Meeting, and Check Signers as well as the Treasurers Report. The motion was seconded by Carl Matson. All in Favor. Motion carried.

Consent Agenda: Ms. Birkby moved and Mr. Campbell seconded approval of the consent agenda. All in favor. Motion carried.

Old Business:

Wastewater Plant Access Road Easement: (Information / Action) Mr. Chick reported that there was no new information to report other than that the neighboring property owner's attorney, Hathaway-Larson, had indicated to Schwabe that a response letter would be provided to the District in the near future. Mr. Campbell inquired about the timing element of this, and whether a scheduled recess in December might affect the District's response. It was agreed to wait to hear a reply and schedule a meeting accordingly, if needed.

Website: (Information) As discussed in the water district meeting. Mr. Bill Campbell moved, and Mr Carl Matson seconded to follow the decision of the Water District regarding the District website. All in Favor. Motion carried.

Natural Hazard Mitigation Plan (NHMP): (Information) Mr. Bill Campbell reported that there is a Steering Committee meeting on December 4th.

Upcoming Arch Cape Forest Meeting 11/14: (Information)

(As reported in the water meeting)

December Board Meeting Break: (Information) The Board will not meet in December, unless there is a reason to hold a special session. Mr. Chick said that he would keep in touch with the Board Chair about this.

New Business:

Biosolids Processing Plan: (Information) Mr. Chick gave a report on a change needed in the way the District deals with its Biosolids. Oregon DEQ is requiring the District to reduce its annual Nitrogen loading rates on the field from 120 to 35 Lbs/acre per year. This will limit the District to spreading biosolids on its biosolids site for only part of the year. Mr. Chick has made arrangements with the City of Seaside Treatment Plant to possibly handle Arch Cape's biosolids for part of the year. A trial run will be conducted the week of 11/18, when a vactor truck will haul 13,000 gallons from the Arch Cape Digester to Seaside. Seaside has a Biosolids Dryer which dries liquid biosolids and processes it into Class A Biosolids, suitable for agricultural re-use. Further details will be provided once the trial process is complete, including future costs and any cost savings associated with this method of biosolids processing.

Policy 19-01SD Prevention of Workplace Discrimination, Harassment, and Retaliation: (Action) Mr. Matson moved adoption of Policy 19-01 SD to be tabled until January. Ms. Birkby seconded the motion. After discussion, a vote was taken Yays: None. Opposed: All directors present. Motion failed. Mr Campbell then made a motion to adopt Policy 19-01 SD. The motion was seconded by Ms. Birkby. All in Favor. Motion carried.

Reports:

Accounts Receivable: No Report.

District Manager's Report: (attached)

Treasurer's Report: No Report

Board Comments: Mr. Matson inquired if it might be worthwhile to keep an Executive Session scheduled for December regarding the Wastewater Plant Easement, but it was determined that if the need arose the District could schedule and properly notice an Executive Session.

January Agenda Items: Road Easement, Biosolids Processing, NHMP,

Public Comment: Jeannie Stockton expressed her appreciation for the Board's timely action in meeting the legal requirements for workplace policies. David Stockton commented that biosolids disposal is a problem for many municipalities and is becoming a common issue.

The meeting was adjourned by Ms. Darr Tindall at 7:43 pm.

Respectfully submitted,


Steve Hill

Attest


Ms. Darr Tindall, President

Arch Cape Sanitary District

POLICY 19-01 SD

PREVENTION OF WORKPLACE DISCRIMINATION, HARASSMENT, AND RETALIATION

Arch Cape Sanitary District (ACSD) is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, ACSD expects that all relationships among persons will be respectful and professional, free of bias, prejudice and harassment in the workplace, at work related event, or any activity coordinated by or through the organization. This policy applies to all employees, elected officials, board or commission members, volunteers, interns and any other person we interact with in the course of accomplishing the work of the organization.

ACSD has developed this policy to ensure that all its employees can work in an environment free from unlawful harassment, discrimination and retaliation. ACSD will make every reasonable effort to ensure that all concerned are familiar with these policies and are aware that any complaint in violation of these policies will be investigated and resolved appropriately.

Discrimination, harassment and retaliation are not acceptable.

Any employee who has questions or concerns about these policies should talk with our primary contact, the District Manager, as an alternative you may reach the Board President

EQUAL EMPLOYMENT OPPORTUNITY

It is our policy to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, sex, sexual orientation, gender identity or expression, age, disability, marital status, citizenship, national origin, genetic information, or any other characteristic protected by law.

RETALIATION

We encourage reporting of all perceived incidents of discrimination or harassment. It is the policy of ACSD to promptly and thoroughly investigate such reports. We prohibit retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports.

SEXUAL HARASSMENT

Sexual harassment constitutes discrimination and is illegal under federal and state laws. For the purposes of this policy, “sexual harassment” is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or c) such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment.

Title VII of the Civil Rights Act of 1964 recognizes two types of sexual harassment: a) quid pro quo and b) hostile work environment. Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual’s body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

Oregon Law provides further protection from sexual assault defined as unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat, or intimidation.

HARASSMENT

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, sex, sexual orientation, gender identity or expression, national origin, age, disability, marital status, citizenship, genetic information, or any other characteristic protected by law, or that of his or her relatives, friends or associates, and that: a) has the purpose or effect of creating an intimidating, hostile or offensive work environment, b) has the purpose or effect of unreasonably interfering with an individual’s work performance, or c) otherwise adversely affects an individual’s employment opportunities.

Harassing conduct includes labels, insults or negative stereotyping; threatening, intimidating or hostile acts; demeaning jokes; and written or graphic material that belittles or shows hostility or dislike toward an individual or group that is placed on walls or elsewhere on the employer’s premises or circulated in the workplace, on company time

or using company equipment by e-mail, phone (including voice messages), text messages, social networking sites or other means.

REPORTING AN INCIDENT OF HARASSMENT, DISCRIMINATION OR RETALIATION

ACSD encourages reporting of all perceived incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe that they have been the victim of such conduct should discuss their concerns with the District Manager or the Board President. See the complaint procedure described below.

In addition, we encourage individuals who believe they are being subjected to such conduct to promptly advise the offender that their behavior is unwelcome and to request that it stop. Often this action alone will resolve the problem. We recognize, however, that an individual may prefer to pursue the matter through complaint procedures.

Following receipt of a complaint or concern management will follow-up every three months for one year to ensure no further concerns or retaliation are experienced. Employees should not wait for the management follow-up to share related experiences. If an employee would like the follow-up to discontinue the follow-up process a request must be submitted in writing to the District Manager or Board President.

INTERNAL COMPLAINT PROCEDURE

Individuals who believe they have been the victims of conduct prohibited by this policy or believe they have witnessed such conduct should discuss their concerns with the District Manager if you are unable to reach the primary contact please reach out to Board President. We encourage employees to document the event(s), associated date(s), and potential witnesses.

ACSD encourages the prompt reporting of complaints or concerns so that quick and helpful action can be taken before relationships become irreparably broken. Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. However, complaints and concerns may be brought forward within four years of the alleged violation. We encourage employees to document the events, associated dates, and potential witnesses.

Any reported allegations of harassment, discrimination or retaliation will be investigated quickly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the event(s) or may have other relevant knowledge.

ACSD will maintain confidentiality throughout the investigatory process to the extent possible with acceptable investigation and appropriate corrective action.

Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately. Responsive action may include, for example, training, referral to counseling or corrective action such as [Identify potential options: warning, reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay, or termination] as ACSD believes appropriate under the circumstances.

False and malicious complaints of harassment, discrimination or retaliation (as opposed to complaints that, even if erroneous, are made in good faith) may be the subject of appropriate disciplinary action.

EXTERNAL COMPLAINT PROCEDURES

We encourage employees to bring their concerns and complaints to the organization, and understand that, at times, this may not be the choice of the employee. Below is a list of the external complaint options. Please reach out to the preferred choice to determine the appropriate timelines for their processes.

- Oregon Bureau of Labor and Industries at the following web address:
https://www.oregon.gov/boli/CRD/Pages/C_Crcompl.aspx
- Civil or Criminal Action. In these circumstances, a Notice of Claim must be provided to us in accordance with ORS 30.275.

EMPLOYMENT AGREEMENTS

No employee will be required or invited to sign an agreement requiring the non-disclosure of information related to discrimination or sexual assault as a condition of employment, continued employment, promotion, compensation or the receipt of benefits. An employee may request this type of agreement and, upon request, will be provided at least seven (7) days to change their mind.

ADDITIONAL EMPLOYEE SUPPORT SERVICES

Employees may choose to use other support services throughout and following instances related to concerns and complaints. The organization provides the following for additional assistance:

- Legal Resources: Oregon Bar Association
PO Box 231935 Tigard, OR 97281-1935
503-620-0222
- Counseling and Support Services: Through MODA medical policy (current as of 11/19)

Adopted: November 15, 2019

SANITARY DISTRICT

We received 9” of rain in October, and the wastewater plant received 3.7 Million gallons of Influent.

The new membrane cassettes were delivered on October 29th in two large container trucks. All of the cassettes are being stored in indoor storage space at the plant until installation time. I am waiting for Curran-McLeod to finish design of the retrofit that will capture errant screenings at the Headworks fine screen. Once this is complete we can install the membranes, (schedule and weather dependent). This will hopefully be in December, and should be able to be completed in 3 days.

The SDAO Annual Conference will be held in Seaside this year February 6th-9th. Registration opens on December 2nd. I'll follow up with people by email to see who would like to attend.