

## Mary's River Estates Road District Meeting

**Date: February 8, 2024** Zoom meeting hosted by Joe

Meeting will be recorded for the purpose of note taking by secretary. Recording will be kept for one year on personal computer and approved written minutes will be kept on website indefinitely.

**Attendees:** Joe Chambers (President), Sandy Chapman (Secretary), (Debbie Jackson, treasurer) James Roush, Kevin Cornelius, Rick Veronen, Adam Schultz,

Yvette Spitz (joins at 7:22)

**Call to Order:** 7:01 PM by Joe

**Additions/Deletions to agenda:** None

**Review minutes/approval:** January 11, 2023: No Changes to the minutes noted. [Debbie moves we accept the minutes.](#) [Sandy seconds.](#) [Joe: All in favor? All Commissioners agree.](#)

### **Financial Report and Mail:**

**Mail:** Debbie emailed the financials out to google groups for better review prior to meeting.

Debbie screenshared: (Fiscal Year 23-24)

1) MRERD Income/Expenses by Category YTD: 07/01/2023 through 02/06/2024

#### **INCOME:**

Interest Inc	\$	3,486.52
Taxes Received	\$	<u>122,344.43</u>
<b>TOTAL INCOME</b>	<b>\$</b>	<b><u>125,241.55</u></b>

#### **BILLS:**

<b>Capital Expenditures</b>	\$	133,252.43	Chip Seal
<b>Crack Seal</b>	\$	10,500.00	
<b>Ditch Maintenance</b>	\$	1,625.00	
<b>Dues</b>	\$	291.31	
<b>Dust Control</b>	\$	0.00	
<b>Grade/Gravel Iris</b>	\$	8,650.00	
<b>Mowing</b>	\$	2,142.50	
<b>Tree trimming</b>	\$	4,800.00	
<b>Office &amp; Professional</b>	\$	1,003.63	
<b>Signs &amp; Lights</b>	\$	139.28	
<b>Snow Removal</b>	\$	450.00	
<b>Sweeping/Striping</b>	\$	<u>1,500.00</u>	
<b>TOTAL EXPENSES</b>	<b>\$</b>	<b><u>166,791.15</u></b>	
<b>NET INCOME (loss)</b>	<b>\$</b>	<b><u>(40,960.20)</u></b>	

#### **Bank Account Balances as of:** 02/06/2024

Citizens Bank Balance	\$	1,276.28
LGIP Balance	\$	<u>136,047.49</u>
<b>Total Bank Accounts</b>	<b>\$</b>	<b><u>137,323.77</u></b>

2) MRERD Transaction report 01/09/2024 through 02/06/2024

**Citizens Bank**

01/09/2024	897 Riddle Tree Service	Tree trimming Iris to Columbine	(1,600.00)
01/09/2024 Trans	LGIP	Transfer to cover checks	1,600.00
01/09/2024 Debit DJ	Citizen Bank	Office/prof. Safe deposit bx rental 2024	(30.00)
01/31/2024 Debit DJ	Wix.com	Office/prof. Website 2-yr Mar 24-26	
		Split w/ MREPOA	(564.00)
02/02/2024	898 ED Hughes INC	Snow plowing	(450.00)
02/04/2024 Debit DJ	Signs/Lights	Utilities/ Jan	( 17.41)
02/06/2024 TRANS	LGIP	to cover checks & restore balance	3,400.00
02/06/2024	899 SDAO Special District	Dues Annual membership dues	(140.00)
02/06/2024	900 Commission	Dues Annual OR gov. billing	(151.31)
	SDIS Special Districts	Annual Liability Ins.	
02/09/2024	901 Insurance services	Insurance Member #10682	(2,164.00)
02/09/2024	902 Debbie Jackson	Office/Prof Postage stamp reimbursement	(13.20)
		<b>Total</b>	<b>(129.92)</b>

**LGIP**

01/09/2024 Trans	Citizens Bank	Trans	To cover checks	(1,600.00)
01/31/2024 Dep	LGIP	Interest	Interest Income Accrual	589.40
02/01/2024 Adjust	Office/prof	Other	Transfer fee Jan 2024	(.10)
02/06/2024 Trans	Citizens Bank	Trans	To cover cks/ restore balance	3,400.00
			<b>Total</b>	<b>4,410.70</b>
			<b>OVERALL TOTAL</b>	<b>(4,450.62)</b>

Explanation regarding the payment of the website and reimbursement from POA given. MRERD pays for two years ahead and MREPOA pays MRERD back one year at a time. They are one year in arrears and per Adam Schultz POA treasurer, have budgeted to pay up to date.

Question asked about snow plowing procedure because it took a while to have the roads plowed. Discussion: MRERD has a contract with ED Hughes through '23-'24 year and call on an "as needed" basis. Joe explained that there was a discussion in the last meeting in how that would work. With the concern of what type of weather that was forecast (supposed to be an ice storm) that plowing would not do anything for us and concern for damage to the new chip seal and it would be better to let it melt than to have the plows dig it up. We would call them if it was necessary. \*See (fn1) Member says that he thought it was plowed at a good time, that when it did melt, then the roads were clear enough and not refrozen. Question about sanding so people could get out earlier?? A member stated, there is no one that sands the roads. See \*(fn2) A participant stated that he has looked into getting smaller sanding equipment and to buy it and lease it to a contractor that would dispense the sand to be able to get us reliable sanding service. See \*(fn3) Discussion continues: ED Hughes was alerted ahead of time in case we needed them to plow and the limits at which they were to plow.

\*(fn1) [As an added bit of information not stated in the meeting, it was decided to call for plowing at a time when the slush on the road was above freezing and (per pictures being sent in goggle groups email) about 5 inches thick and dangerous to all that were trying to drive. The temperature was going to go below freezing that night, making the roads more dangerous for all by the next morning and it was agreed upon to call to get the roads plowed.]

\*(fn2) [Discussion by Sandy with another road district in the area: They were asking Benton Co. for sanding of their roads and were denied. Benton Co. telling them that they do not do that for road districts.]

\*(fn3) [At the time of this meeting there has not been any discussion by the current Commissioners on this issue nor knowledge that this has been discussed.]

**Open Forum:** Discussion: There was an event where people were encouraged to get tire chains and they can be responsible for their own mobility. The local tire company has/had a program to buy chains and if not used they could be returned. There are also tire socks to get which are easier to put on than chains.

Discussion on the crack seal project that was done (9/2023) and they ran out of crack seal just past Queen Anne on Iris. The cracks beyond that are getting wider and wider there and member wanted to know if we could start at the opposite end the next time the cracks were being filled, so that if it runs out it will run out at a place that has already gotten it. Explained by Sandy that it was not that they ran out of crack seal, they ran out of the sand. The cracks had gotten too wide that when the cracks were being filled with sand, the sand ran out that was being put into the cracks prior to the crack seal being applied. The same thing is happening at Daisy. Both Daisy and Iris have areas that have to be done. With talking to the company that did the chip seal their approach is to put chip rock in those large cracks and then cover that with the crack seal. This is going to be another project that needs to be discussed and fixed. This area might fall off whether we fix it or not. As well as on Daisy. Agreement that it does look like it might fall off. Discussion turns to include Tansy and what can and needs to be done with that road that is also very cracked. Not sure what to do with Tansy, maybe crack seal won't help at all. Maybe we can save some of it with the chips put in the cracks and then crack seal. **Action Item: Suggested by Joe, Commissioner that we get someone to come and give us some guidance on what needs to be done.** He wonders whose jurisdiction Tansy is under, the County or is it ours? He is concerned with our documentation where there are sheets of paper saying this is what we think, or what we are going to do, but there are no signatures on the forms which makes it invalid. Member explains that at a meeting with the Benton County Department of Public Works and the Philomath Fire department, a presentation was made in trying to get the developer to make repairs before they signed it off and it was already signed off, at that point about 2018-19. He says there are documents from meetings that say Benton County has signed off on Tansy and we are responsible for it. **Action Item: Commissioners need to review the situation with Tansy, clarify responsibility with Benton County and come up with adequate repairs for Daisy, Iris and Tansy.**

### **Review of Action items:**

**Tree down at 34028 MRE Rd.** Was there any contact asking for a road crew or response back from insurance? Sandy, as contact, has not heard back from the property owners after they said they would contact their insurance company for information. The tree on their property is being cut up by someone. We shall have to see if they cut up the tree that is between their fence and the road. We may have to take care of that part ourselves.

**Speed Limit Signs:** An email was sent to Chris Baille at Benton County Public Works. It had a map attached with the agreed upon placements by the Commissioners of the four (4) new speed limit signs and one (1) replacement sign. One will be on Daisy after the turnoff from MRE just as you are going down the hill. One on Iris past the first turn with the curb as the road straightens out. One on Columbine after taking a left turn from Finch and one at the end of Columbine after the junction of Queen Anne. There will be a replacement sign after the crest of MRE Rd going downhill. A total of seven (7) signs. Sandy looked briefly into the flashing speed limit alert signs and not all signs were as

expensive \$3,500.00 as previously thought, but some were even under \$200.00. Some solar powered some battery, so we will have to look further into what we need and what we can get. No response yet from Benton Co. at the time of this meeting. She asked for a day or two heads-up to be available for proper placement. Member asks if we can get signs on both directions of a post placement. Discussion was that we may be able to do that. We would have to follow Oregon rules on signage. Some members think more signs will not do much good. Others agree that with more signs there is not any excuse that a speed limit sign was NOT seen. And the movable flashing alert sign will be of added benefit. **Action Item: Sandy will look into the possibility of putting double signs on posts.**

**Daisy Dr. Proposal:** No response back from K&D as yet again, after sending another email. Explanation given for clarification on the problem on Daisy. (address was looked up and is 24631 Daisy Drive) The edge of the road is being undermined because there is not an adequate shoulder at the road edge for approximately 20-30 feet. There is also a problem at the same address with a culvert that is coming under the road (approx. 2 feet by memory at this time of this writing) and dumping water onto the property and eroding down into the ground and the direction of that flow of water is toward the house. The water is flooding the front lawn and flooding the basement of the house. (After the meeting and prior to this writing up of notes, the area was looked at and the culvert is in the middle of the undermined area of the road, side to side. The redirecting of the water from the culvert needs to be done at the same time the stabilization of the bank is corrected.) It is one and the same project. Discussion continues on whether to get a fill-works contractor to come in to see if they would need an engineer workup or come up with something on their own, as there have been several places that have been fixed this way for various reasons. Another input: Depending on the extent of the problem one might get contractors out there and they may tell you to get an engineer to draw up plans because not all contractors have gone to school to be engineers. A lot of times if there is risk to life or property, a contractor goes in and "thinks this or that will work" and it fails and ruins someone's property, home or kills someone, that contractor is held liable. If there is a contract with an engineer stamp and plans approved by the county then a contractor can get on it. Then there are times that a contractor can tell you what needs to be done without engineer plans. People brought up the question of whose responsibility the problem with the culvert would be? A property owner in the past had to do diversion of water from Wren Estates by themselves 20 years ago in their case sited. Conversation with the property owner in question at 24631 Daisy said that after he bought the house that he found out about the flooding and that it was not disclosed by the previous owner. The culvert has been there under the road to begin with. Despite not knowing the scenario of events of house construction, driveway changing or other factors. As far as diverting the water, the conversation with the property owner and two commissioners Sandy and Joe and Dan the engineer from K&D was that he (the property owner) would have some responsibility in that as far as costs goes. The culvert and the bank stabilization are separate but tied in issue. Sandy is not wanting to have a contractor come and just do the job without an engineer stamp approval because it is on someone's property and it will affect it. A question was asked on the closeness of the Railroad to the problem? The house is between the railroad and the road. The railroad can be another issue and can have right of way over even ODOT. Another member added information about property of Benton Co. that was/is supposed to be a park for MRE that has access at the side of this property in question. The park is on the other side of the railroad tracks and is about 6 acres.

Another question comes up about the area at the end of Daisy Drive that is beyond chip seal or crack seal where there is collapse of the river side of road. Sandy adds, now mentioned, that K&D was supposed to give us an idea on what to do with that. Discussion on what is the cause: log trucks or water. There has not been log trucks in the last five years or more from any property at this end of Daisy. At one time there was a spring in the middle of gravel round about at the end of Daisy that a cement truck fell into several years ago that had to be repaired. Several agree that it could be

another underground water problem. And there is not much to do except patch and repair because the road district does not have that kind of money to redo the whole road.

Concern by member that the next chip seal project work needs to be carefully thought about because the chip seal on MRE Rd. is already eroding and feels the work was not done correctly.

**Covered outdoor sign case:** Costs are more than the approved amount of \$100.00. cost turns out to be \$250.00 to \$350.00 depending on the size. This is a work in progress.

**Contracting ordinance:** Debbie explains that the original document was not in WORD or PDF form to be edited and she had to rewrite the whole thing. This is a very rough draft showing red and blue changes and typos. The State of Oregon passed a change to Senate Bill 1047 increasing the thresholds for goods and services for contracting. We had adopted our ordinance in 2014 based on model rules. And since the State changed the thresholds effective January 1, 2024, we get to take advantage of those changes and update our ordinance. The changes affect Public Contracts for Goods and Services. We Commissioners decided to go ahead and change our ordinance to have it reflect to the new thresholds. Values are to be changed directly as stated in the revised SB. In the rewritten draft being shown as a screenshot, the new values are noted in red and the old are crossed out. (For better understanding, the draft has been sent out on google groups email for preview. In these written minutes, the changes will not be quoted 'change for change' as described by Debbie during the meeting.) Debbie's question is: where do we go from here in the revision? Do we need to go buy the Proforma or consult a lawyer to go through the changes that are made since the changes are according to the new laws passed. And going back to Robyn talking about the ordinance (one of the originators of the Ordinance) we have to follow those levels and the text states "acting in the interest of the district". Sandy discussed that if we bought the product "The Model Rules", those rules would possibly be across the board for all different levels of special district and we would have to pick and choose what pertains to us. Where as we already have our own ordinance that has been looked at by a lawyer and customized for our district. To put these new numbers into our already approved contracting ordinance is something it seems we can do without having to go into a whole new legal situation. Participant brings up that the ordinance does not include BOLI information and if the Model Rules have information on this it might be good to look at it. Commissioners say it includes Boli as far as the Oregon State laws that are referenced in it (the contract). Participant says it does not say when we have to get BOLI paper work presented. Commissioner says we would be in BOLI in our Public Improvement Contracts in new non-repair work, we are going to be in BOLI just because of the prices now. This contract does not replace State laws on BOLI and it was noted that to have BOLI laws incorporated in our contract ordinance would be redundant as it is already maintained in the State laws. Noted that our ordinance is only 10-years old and the updates (by the State) are made because of the increase in prices for construction. There have been some changes made that we did not pick up in the past 10 years. **Action Item: Debbie will continue to edit the document and we will review again.**

**Contact Benton Co. about trespass homelessness and safety issues and need for signage or barrier on end of Tansy Drive:** Contact not done yet and will be done.

**Cost of speed-o-meter signs:** see comment talked about under section for Speed Limit Signs

### **New Business:**

**Community Volunteers for FY 24-25 Budget Committee:** Kevin and Rick volunteer, but Commissioners want to send out invitation on Google groups email for others to be invited to participate in the budget process. Discussed that it is not required to have a budget committee (added people from the community). Commissioners agree that they like the added people in the

committee. It was useful with the experience that they brought. More hands in the process make less work for a few. Debbie makes a motion that we convene a budget committee and solicit input by email and signage for members for the budget committee and for needs and wants for the road district projects. Sandy Seconds. Joe: all in favor? All commissioners agree.

8:28 Meeting adjourns