NEAHKAHNIE WATER DISTRICT

RESOLUTION 2026 - 9

A RESOLUTION AMENDING THE 2025 REVISED POLICY MANUAL

FOR THE NEAHKAHNIE WATER DISTRICT

WHEREAS, the Neahkahnie Water District has the authority under ORS 198 to adopt policies and procedures to govern its operation; and

WHEREAS, the District Policy Manual provides the general guidelines for the District's governance, contracting procedures, personnel policies, and certain operations; and

WHEREAS, the Neahkahnie Water District Board of Commissioners desires to amend certain provisions of the Policy Manual as set forth in Exhibit A to this document; and

WHEREAS, the Neahkahnie Water District Board of Commissioners has reviewed and considered the proposed amendments to the Policy Manual at its regular meeting on June 16, 2026;

BE IT RESOLVED THAT:

The amended provisions of the Policy Manual set forth in Exhibit A are hereby adopted and made part of the Policy Manual effective on June 16, 2026.

Board President _____

David Boone

Board Secretary_____

Barbara Rippey

EXHIBIT A

These specified provisions of the Neahkahnie Water District Policy Manual are amended to read as follows:

ARTICLE 8.6

C. DIRECT RESPONSIBLE IN CHARGE (DRC)

1. The DRC is a role required by the Oregon Health Authority. The District follows all requirements for this role, whether an employee or contractor. The District must submit a DRC designation form to the Oregon Health Authority (OHA) within 30 days of any change.

2. The DRC is responsible for the safe delivery of water to the District's customers. The DRC is required to appropriately monitor the District's water treatment and distribution system (System) and answer any questions an operator may have in the DRC's absence. The District requires current Water Distribution1 and Water Treatment 1 certificates for a party to be designated as the DRC. An Intertie certification is preferred.

DRC manages the day-to-day operations of the System, maintains the System, and performs all tasks necessary for the operation and maintenance of the System. DRC must operate and maintain the System according to Oregon State and EPA rules, regulations, codes, and policies.

3. DRC will be available on call 24 hours a day and able to respond within 1 hour of an emergency, as required by the state. The requirement is the ability to respond, which may be in person, by text or by phone. This is a decision-making role to ensure emergencies are handled and resolved to ensure the best possible outcomes for the District and its' customers.

4. DRC will maintain (their) Oregon drinking water DRC certification through continuing education and provide copies of new or renewal certifications to the Business Office Manager who will provide those to the appropriate Oregon State agency.

5. DRC is solely responsible for safely conducting all operation to avoid the risk of endangerment to health, bodily harm to persons, and damage to property. DRC will inspect all equipment, materials, and services to discover any condition that might involve risks and for correcting any of those conditions. DRC will immediately notify the District of any known activity, problem or circumstance that threatens or affects the drinking water supply or health, safety, or welfare of the users of the drinking water.

DRC will undertake remediation in accordance with governmental requirements and make its best reasonable efforts to mitigate problems and implement any applicable emergency plan.

6. DRC must maintain records and accounts concerning the operation, maintenance, repair, and equipping of the facility as required by State agencies. The District will have reasonable and legally permissible access to all documents, records, and reports from the DRC to the State drinking water program. All records must be maintained as specified by Oregon State retention schedules. DRC will have all signatory authority for said reports and other documents, as required under Oregon State drinking water rules.

EXHIBIT A

7. Serving as the DRC for the District is the designated job responsibility for the certified System Operator. When hired as an employee directly into this role there is no additional compensation for serving as the DRC. If a new System Operator is in process of gaining certifications, there may or may not be incentive pay for certifications (becoming eligible for DRC) and consequently becoming designated the DRC.

ARTICLE 8.6

D. ON-CALL

1. All people employed or contracted for on-call duty must reside within a 30-minute travel radius to the District. Responding to emergencies (including at night) within 30 minutes is required for on-call. Being scheduled on-call is a requirement for a District System Operator.

2. The on-call duties require dealing with issues that might arise after-hours and on weekends in connection with the operation of the District's water delivery system. Having the SCADA system (Mission) on their phone is required for receiving SCADA system alerts. If preferred, a District cell phone with the SCADA system will be provided. The on-call individual may also receive a District phone for emergency purposes.

3. In the event the person scheduled for on call needs to be out of the 30-minute response area for a few hours in an evening due to a special event, the person can request the Business Operations Manager, a Board member, or other appropriate party to cover those few hours without changing the on-call status/rate of pay for that period. This is not to be a consistent occurrence, but the District recognizes that occasionally this may happen.

On the rare occasion when the on-call party unexpectedly (family medical emergency) needs to be out of the 30-minute response window for more than 1 hour, they should immediately contact the Business Operations Manager (BOM) either by call or text. If they are unable to speak with the BOM or do not promptly receive a text back, a Board member should be contacted.

4. In recognition of the "on-call" duties, the person will be compensated at the rate of two (2) hours of regular pay per day, for all hours on-call. On call assignment hours are weekdays from either the end of the person's shift or 4pm, whichever is later, until 8am the next day; and weekends (Saturday and Sunday) and Holidays from 8am to 8am the next day. (This is different from the designated workday and work week.)

The 2 hours of on-call pay per day, regardless of the day it occurs, is separate from and in addition to the employees' regularly scheduled hours and rate of pay. The two hours of on-call duty is considered work time for purposes of calculating overtime. Time worked in response to issues and emergencies during the on-call period is considered work time and paid at the employee's regular rate of pay and such time is included in the calculation of overtime. For example, if an employee works 32 hours during the week and is scheduled for 5 days of on-call, the on-call pay would be 8 hours of regular pay and 2 hours at the overtime rate (1.5 times the regular hourly rate).

If an employee responds to a system alert or emergency notice/call after regular work hours, compensation will be a minimum of 2 hours of pay at overtime rate (1.5 times regular hourly rate).

EXHIBIT A

Any time worked over two hours will be compensated at overtime rate for the additional time worked.

5. When on vacation or other times specifically designated as time off and when a substitute Operator is on-call, the System Operator will attempt to be available to answer questions that any replacement Operator might have about the water system. If the System Operator does respond to any such inquiry, the System Operator will be compensated at the rate of one hour of overtime pay for any portion of the first hour and a prorated amount for time spent exceeding one hour. For example, if the System Operator needed to spend 1.5 hours responding to such an inquiry, the System Operator would be compensated at the rate of 1.5 hours of overtime pay.

ARTICLE 8.6

E. OVERTIME

1. An employee may occasionally be required to work overtime during the official work week. For the purposes of overtime, the work week begins at 12:01 am on Sunday and ends at midnight on Saturday. Overtime hours will be paid to non-exempt employees at one and one-half times the regular rate of pay for all hours worked in excess of forty (40) in the official workweek, or as otherwise required by state and federal laws. Paid time off will not be considered when computing overtime.

2. Anticipated overtime hours must be approved by the General Manager or President in advance or, if required due to unanticipated circumstances, must collectively comply with the District's budget.

3. On-call time is counted towards the calculation of overtime during the official work week. For example, if the System Operator physically worked 30 hours between Monday and Friday, then worked one hour on each of Saturday and Sunday during the official work week, they would receive 32 hours of regular hourly pay plus on-call time of 2 hours per day of on-call at regular pay up to a total hours worked plus on-call of 40 hours. If they were on-call an additional day, the 2 hours of on-call pay would be at 1.5 times regular pay. If the System Operator physically worked in the office or in the field, those hours physically worked over 40 would be at time and a half the hourly rate and any on-call time would also be at 1.5 times the regular hourly rate. For example, if the System Operator worked 38 hours between Monday and Friday and then physically worked 2 hours on each of Saturday and Sunday, the System Operator would receive 40 hours of regular pay and two hours of overtime pay, i.e. two hours at one and one-half times the regular hourly rate and, if they were on-call for 4 hours during that week, the on-call time would be paid at 1.5 times the regular hourly rate.