

CANBY UTILITY
REGULAR BOARD MEETING
OCTOBER 14, 2025
7:00 P.M.

AGENDA

- I. CALL TO ORDER
- II. AGENDA
 - Additions, Deletions, or Corrections to the Meeting Agenda
- III. CONSENT AGENDA
 - Approval of Agenda
 - Approval of Special Board Meeting of August 6, 2025 and September 16, 2025. (pp. 1-4)
 - Approval of Payment of Water and Electric Bills
- IV. CITIZEN INPUT ON NON-AGENDA ITEMS *Citizens wanting to speak virtually, please email or call the Board Secretary-Clerk by 4:30 p.m. on October 14, 2025, with your name, the topic you would like to speak on, and contact information: bbenson@canbyutility.org or 503-263-4312.*
- V. RESOLUTION NO. 336 Approving the Bonneville Power Administration Power Sales Agreement for Provider of Choice for 2028-2044 - Barbara Benson, Interim General Manager (pp. 5-7, plus Separate item)
- VI. PRESENTATION Canby Water Supply Project Update – Andrew Nishihara, Stantec (pp. 8-10)
- VII. RESOLUTION NO. 333 Adopting an Official Compensation Policy for Board Chair Thompson - Barbara Benson, Interim General Manager (pp. 11-14)
- VIII. RESOLUTION NO. 334 Adopting an Official Compensation Policy for Board Members Hill and Molamphy - Barbara Benson, Interim General Manager (pp. 15-16)
- IX. RESOLUTION NO. 335 Adopting an Official Compensation Policy for Board Members Westcott and Pendleton - Barbara Benson, Interim General Manager (pp. 16-17)
- X. RECOMMENDATION Clackamas County Fairgrounds Refund – Cindy Dittmar, Customer Service Supervisor (pg. 19)
- XI. DISCUSSION Setting Goals for New General Manager – Chair Thompson

XII. BOARD REPORT

- Chair Comments
- Board Member Comments

XIII. STAFF REPORTS

Operations Manager

- Quarterly Reliability Report (pp. 20-21)

Interim General Manager

XIV. ADJOURN

CANBY UTILITY SPECIAL BOARD MEETING MINUTES AUGUST 6, 2025

Board Present: Chair Thompson; Members Molamphy, Pendleton, Hill, and Westcott

Staff Present: Barbara Benson, Board Secretary

Others Present: Ashley Driscoll, Board Attorney

Chair Thompson called the Special Board Meeting to order at 6:30 p.m. The purpose of the meeting was to discuss and provide direction on compensation expectations for the new General Manager position.

Board Attorney Ashley Driscoll provided background on the purpose of the meeting. The Board previously authorized Chair Thompson to negotiate compensation with the candidate selected to serve as Canby Utility's next General Manager. This meeting provided an opportunity for Board members to share input on salary expectations and other elements of the employment agreement, such as vacation benefits.

Driscoll outlined the process, noting that Chair Thompson will gather feedback from Board members, negotiate the contract terms with the chosen candidate, and then bring the final agreement to the Board for consideration and ratification. She also said that, in accordance with recent guidance from the Oregon Government Ethics Commission regarding serial public meetings, these discussions are being held in an open public meeting out of an abundance of caution.

The Board discussed Chair Thompson's role in negotiating the contract. Driscoll suggested that Chair Thompson could utilize staff to help evaluate how the Board has treated other candidates entering the role with a commensurate level of experience, and make an offer akin to that. The agreement would be brought to the Board for approval. In the event negotiations differ from what was discussed, any such changes could be brought back to the Board for further consideration.

The Board discussed several salary options within the adopted range and shared perspectives on vacation accruals. Chair Thompson also suggested including goal-setting for the General Manager as a future agenda item to establish clear performance expectations.

Following the discussion, the Board reached consensus to direct Chair Thompson to negotiate a salary starting between \$220,000 and \$238,000, with a maximum cap of \$250,000.

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Chair Thompson noted that Ms. Kari Duncan expressed enthusiasm about joining Canby Utility and shared that she felt honored to be selected.

Driscoll added that all other aspects of the employment contract would remain consistent with previous agreements for someone who was similarly situated.

The Board briefly discussed having an internal announcement to staff regarding the Board's selection of a candidate for the General Manager position.

Member Westcott made the *MOTION to adjourn the special meeting. Member Molamphy seconded, and the motion passed 5-0.

The meeting adjourned at 7:15 p.m.

Melody Thompson, Chair

John Molamphy, Member

Jake Hill, Member

Jack Pendleton, Member

Robert Westcott, Member

Barbara Benson, Board Secretary

CANBY UTILITY SPECIAL BOARD MEETING MINUTES SEPTEMBER 16, 2025

Board Present: Chair Thompson; Members Molamphy, Pendleton, Hill, and Westcott

Staff Present: Barbara Benson, Board Secretary

Chair Thompson called the Special Board Meeting to order at 7:00 p.m. The purpose of the meeting was to consider approval of the employment agreement for Kari Duncan as General Manager.

Chair Thompson distributed background materials comparing key provisions of prior General Manager employment agreements, including salary, vacation, and severance terms. She then summarized the negotiation process with Duncan, highlighting the main components of the proposed agreement.

The negotiated annual salary of \$250,000 was not adjusted by the July 3.3% cost-of-living adjustment (COLA) that was recently applied to the management team's wages, but it did adjust the general manager's salary range. With the recently adjusted range, the starting salary is just below the new midpoint of \$253,545. The proposed contract provides three weeks of vacation annually, which is consistent with other management employees who have reached four years of service. Duncan will receive all standard management benefits, including health insurance, four days of compensatory time, and employer-paid contributions to the Oregon PERS retirement system.

The agreement also establishes a three-year term and includes provisions outlining the process for contract extension. A six-month performance review is required, although no additional compensation is obligated as a result of that review. A COLA adjustment will apply beginning in 2026. Other negotiated items include a severance clause of up to four months' salary for termination not for cause, due-process provisions for termination with cause, and some language changes.

Chair Thompson noted that Duncan is pleased with the terms of the agreement and believes it to be fair and equitable for both parties. She will confirm Duncan's official start date.

Member Hill made the *MOTION to approve the employment agreement for Kari Duncan as presented. Member Molamphy seconded, and the motion passed unanimously, 5-0.

Chair Thompson noted that Duncan has requested to schedule individual meetings with the Board and staff to facilitate a smooth transition.

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Member Molamphy made the *MOTION to adjourn the special meeting. Member Pendleton seconded, and the motion passed unanimously, 5-0.

The meeting adjourned at 7:29 p.m.

Melody Thompson, Chair

John Molamphy, Member

Jake Hill, Member

Jack Pendleton, Member

Robert Westcott, Member

Barbara Benson, Board Secretary



MEMORANDUM

To: Chair Thompson, Members Molamphy, Pendleton, Hill, and Westcott
From: Barbara Benson, Interim General Manager
Date: September 25, 2025
Subject: BPA Provider of Choice Contract for Electric Power

Suggested Motion: Move to adopt Resolution No. 336, a resolution adopting wholesale power sales agreement Contract No. 26PS-25008 between the Canby Utility Board and the Bonneville Power Administration, and authorizing the Board Chairperson to sign the agreement.

Background:

Canby Utility purchases all of its power supply from the Bonneville Power Administration (BPA) under its 20-year power sales contract, referred to as the Regional Dialogue contract (Contract No. 09PB-13012), which expires on September 30, 2028.

BPA has offered Canby Utility a new power sales agreement, referred to as the Provider of Choice (POC) contract, that will ensure continued firm power supply beginning October 1, 2028, through September 30, 2044. The POC contract is standardized for BPA customers based on their selected power product. Canby Utility purchases a "Load Following" product from BPA, which is essentially a full-service product that provides firm power service to meet Canby's actual total retail load. The Board has little, if any, discretion to negotiate this agreement, and has been reviewed by legal counsel with Beery Elsner & Hammond and Cable Huston, who recommend signing the contract.

According to BPA Account Executive Marcus Perry, the contract exhibits will be populated over the next three years. For example, the Contract High Water Mark (CHWM), which is a cap that determines the maximum amount of power Canby Utility can purchase from BPA at the lower Priority Firm Tier 1 rate, will be calculated in 2026 and inserted into the contract exhibits.

Other utilities and trade organizations, including the Oregon Municipal Electric Utilities (OMEU), Public Power Council (PCC), and the Northwest Requirements Utilities (NRU), have similarly advised utilities to sign their POC contracts without delay to reserve their BPA power allocation and secure their contractual rights, noting concerns that any unreserved power could be reallocated for other purposes. Based on this guidance, staff has moved this item from the November to the October Board meeting for review and approval.

Ashleigh Dougill and Marcus Perry will be attending the meeting. Mr. Perry has offered to help answer the board's questions.

RESOLUTION NO. 336

A RESOLUTION ADOPTING WHOLESALE POWER SALES AGREEMENT CONTRACT NO. 26PS-25008 (“AGREEMENT”) BETWEEN THE CANBY UTILITY BOARD AND THE BONNEVILLE POWER ADMINISTRATION, AND AUTHORIZING THE BOARD CHAIRPERSON TO SIGN THE AGREEMENT.

WHEREAS, the Canby Utility Board (Board) is an Oregon municipal utility operating in accordance with the Canby City Charter and ORS Chapter 225;

WHEREAS, the Board is wholly responsible for the management and operation of the electric system, which must purchase wholesale power to provide service to its customers within the City; and

WHEREAS, on the 9th day of December, 2008, the Board and the Bonneville Power Administration (BPA) entered into the Power Sales Agreement, Contract No. 09PB-13012; and

WHEREAS, the Power Sales Agreement Contract No. 09PB-13012 terminates on September 30, 2028; and

WHEREAS, it is in the interest of the Board to accept the offer of a new Power Sales Agreement with BPA for the purchase of wholesale power for the City’s electric utility operations.

NOW, THEREFORE, THE CANBY UTILITY BOARD RESOLVED AS FOLLOWS:

Section 1. The Board hereby approves the Power Sales Agreement, Contract No. 26PS-25008, between Canby Utility Board and the Bonneville Power Administration, effective October 1, 2028, through September 30, 2044 (Exhibit A).

Section 2. The Board Chairperson is hereby authorized to execute the agreement on behalf of the Canby Utility Board.

Section 3. This resolution is effective immediately upon its enactment by the Board of Directors.

Approved on this _____th Day of _____, 2025.

Melody Thompson, Chair

John Molamphy, Member

Jake Hill, Member

Jack Pendleton, Member

Robert Westcott, Member

Barbara Benson, Board Secretary



Department of Energy

Bonneville Power Administration
PO Box 3621
Portland, OR 97208-3621

POWER SERVICES

September 23, 2025

In reply refer to: PSW-6

Ms. Barbara Benson
Interim General Manager/HR/Admin Manager/Board Secretary
Canby Utility Board
PO Box 1070
Canby, OR 97013

RE: Provider of Choice Contract Offer

Dear Ms. Benson:

Attached for your consideration is an original electronic copy of Canby Utility Board's (Canby) Power Sales Agreement, Contract No. 26PS-25008 (Agreement), between the Bonneville Power Administration (BPA) and Canby. This new Agreement provides for the purchase of the Load Following product for the power delivery period of October 1, 2028 through September 30, 2044.

If you find the Agreement acceptable, please electronically sign and date the Agreement and return it to me by e-mail no later than 4:30 p.m. PST, December 5, 2025. Upon receipt, I will sign the Agreement and provide you with a fully executed electronic copy of the Agreement for your records. Please contact me if you need an arrangement different than an electronic offer and execution.

If BPA does not receive Canby's signed Agreement by the deadline above, BPA's offer will become null and void.

If you have any questions please contact me at (503) 230-3412.

Sincerely,

Marcus Perry
Account Executive

Enclosure



MEMORANDUM

To: Chair Thompson, Member Molamphy, Member Pendleton, Member Hill, and Member Westcott

Copy to: Jason Berning, Barb Benson

From: Mike Schelske, Finance Manager

Date: October 14, 2025

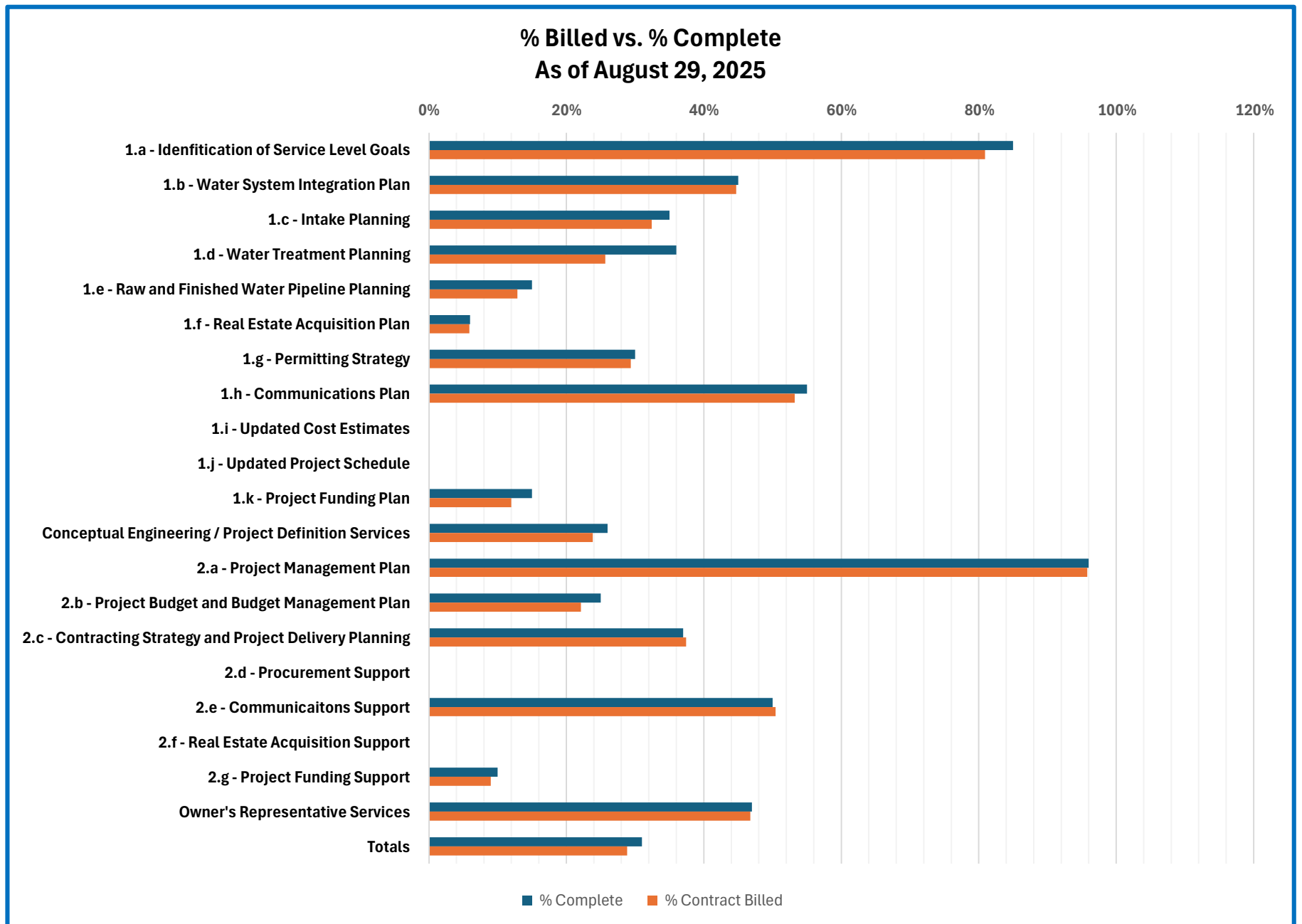
Subject: CWSP Budget Report as of August 29, 2025

Attached is a report outlining CWSP expenditures through August 29, 2025, for each task, alongside the corresponding budget allocations. The report also includes a chart comparing the percentage of each task billed to its percentage of completion, providing a snapshot of progress and financial alignment.

Stantec staff will be available to address any questions or provide further clarification as needed.

CWSP Budget Report
As of August 29, 2025

Task	Contract Amount	Amount this Invoice	Amount Previously Billed	Amount Billed to Date	% Billed of Contract	Contract Amount Remaining	Physical Percent Complete	Earned Value
1.a - Identification of Service Level Goals	\$ 34,532	\$ 3,721	\$ 24,222	\$ 27,943	80.9%	\$ 6,589	85.0%	\$ 29,352
1.b - Water System Integration Plan	98,091	9,851	34,016	43,867	44.7%	54,224	45.0%	44,141
1.c - Intake Planning	194,816	11,098	52,051	63,149	32.4%	131,667	35.0%	68,186
1.d - Water Treatment Planning	163,777	6,464	35,546	42,009	25.7%	121,768	36.0%	58,960
1.e - Raw and Finished Water Pipeline Planning	84,656	4,839	6,071	10,909	12.9%	73,747	15.0%	12,698
1.f - Real Estate Acquisition Plan	52,712	261	2,851	3,112	5.9%	49,600	6.0%	3,163
1.g - Permitting Strategy	420,671	15,520	108,047	123,566	29.4%	297,104	30.0%	126,201
1.h - Communications Plan	44,035	787	22,654	23,441	53.2%	20,594	55.0%	24,219
1.i - Updated Cost Estimates	191,329	-	-	-	0.0%	191,329	0.0%	-
1.j - Updated Project Schedule	69,560	-	-	-	0.0%	69,560	0.0%	-
1.k - Project Funding Plan	127,805	2,575	12,746	15,322	12.0%	112,484	15.0%	19,171
Conceptual Engineering / Project Definition Services	1,481,983	55,114	298,202	353,317	23.8%	1,128,666	26.0%	386,091
2.a - Project Management Plan	106,106	281	101,368	101,648	95.8%	4,457	96.0%	101,861
2.b - Project Budget and Budget Management Plan	47,481	4,549	5,958	10,507	22.1%	36,974	25.0%	11,870
2.c - Contracting Strategy and Project Delivery Planning	63,053	2,417	21,188	23,605	37.4%	39,448	37.0%	23,330
2.d - Procurement Support	30,891	-	-	-	0.0%	30,891	0.0%	-
2.e - Communicaitons Support	109,272	5,171	49,934	55,105	50.4%	54,167	50.0%	54,636
2.f - Real Estate Acquisition Support	24,914	-	-	-	0.0%	24,914	0.0%	-
2.g - Project Funding Support	32,673	1,326	1,612	2,938	9.0%	29,735	10.0%	3,267
Owner's Representative Services	414,390	13,743	180,059	193,802	46.8%	220,588	47.0%	194,964
Totals	\$ 1,896,373	\$ 68,858	\$ 478,261	\$ 547,119	28.9%	\$ 1,349,254	31.0%	\$ 581,055





MEMORANDUM

To: Chair Thompson, Members Molamphy, Pendleton, Hill, and Westcott
From: Barbara Benson, Interim General Manager
Date: September 25, 2025
Subject: Official Compensation Package for Appointed Officials

Background: Earlier this year, the Oregon Government Ethics Commission (OGEC) issued an opinion interpreting ORS 244.040 to prohibit the provision of any food and beverages by a public body to elected or appointed officials and employees unless such provisions are part of their official compensation package. In response, legal counsel advised the Board to formalize these practices through adoption of official compensation policies. It is also not clear when the current monthly compensation and meeting/conference compensation policies were adopted if those adoptions complied with state law.

You may recall from previous discussion when the Board adopted the Official Compensation policy for employees in June, the common examples that are now prohibited unless policies are updated include:

- Meals during governing body meetings held over lunch/dinner
- Appreciation events
- Team-building gatherings with food
- Holiday potlucks or retirement receptions

Legal counsel emphasized that under ORS 244.040, public officials must avoid actions that could be seen as using their position for personal financial gain. Appointed officials must also disclose conflicts of interest and refrain from participating in decisions where they have an actual conflict. Since meals and beverages provided to Board members are considered a form of pecuniary benefit and are directly tied to Board service, they constitute an “actual conflict of interest” for all appointed officials.

As a result, three resolutions will be presented to you whereby an official food, beverage and compensation package is proposed that covers the monthly stipends officials receive (\$100 for the Chair and \$80 for Board members), the meeting, conference and training compensation official receive (\$50 for the Chair and \$40 for the Board members) and other food, beverage and compensation that the Board might receive.

Recommended Motion Procedure: Board members cannot vote on resolutions that establish compensation policies directly affecting themselves, their relatives, or household members. Accordingly, a single resolution covering all members would be impermissible. Therefore, to comply with ethics laws, Beery Elsner & Hammond advised that adoption should occur through

separate resolutions, each applying to specific board members. This structure prevents members from voting on policies that would create direct conflicts.

To follow is a general outline of how these resolutions are recommended to be considered:

Chair Thompson will introduce Resolution No. 333, which will apply to the Chair and any successors and ask for any conflict-of-interest declarations:

- Chair Thompson will declare an actual conflict of interest and recuse themselves because the resolution will impact their official compensation package and then pass the gavel to Member Molamphy, who will chair the remainder of this agenda item.
- All of the remaining Board members will declare a potential conflict of interest and then consider and vote on Resolution No. 333.
- Once the consideration of Resolution No. 333 is complete, the gavel will be passed back to the Chair.

Chair Thompson will introduce Resolution No. 334, which will apply to Board members Hill and Molamphy and their successors, and will ask for any conflict-of-interest declarations:

- Board members Hill and Molamphy will declare actual conflicts of interest because the resolution will impact their official compensation package, and will recuse themselves; and
- Chair Thompson and Board members Westcott and Pendleton will consider and vote on Resolution No. 334.

Chair Thompson will introduce Resolution No. 335, which will apply to Board members Westcott and Pendleton and their successors, and will ask for any conflict-of-interest declarations:

- Board members Westcott and Pendleton will declare actual conflicts of interest because the resolution will impact their official compensation package, and will recuse themselves; and
- Chair Thompson and Board members Hill and Molamphy will consider and vote on Resolution No. 335.

I will answer any questions the Board has during the meeting.

RESOLUTION NO. 333

A RESOLUTION ADOPTING AN OFFICIAL COMPENSATION POLICY FOR APPOINTED OFFICIALS.

WHEREAS, the Oregon Government Ethics Commission recently issued a Letter Opinion addressing public agencies providing food, beverages, and other compensation to certain public officials as a result of performing their official duties for the governmental entity they are affiliated with; and

WHEREAS, the Canby Utility Board (Board) currently receives a monthly compensation of \$100 for the Board Chair and \$80 for each board member when they attend at least one Canby Utility Board meeting that month which policy has not been formally adopted by the Board; and

WHEREAS, the Board also currently receives additional compensation when attending trainings and conferences of \$50 per day for the Board Chair and \$40 for the Board Member which policy has not been formally adopted by the Board. This provision also applies to attending outside meetings such as trade and affiliated organizations - that involve about four hours of time in preparing for, participating in, and traveling to and from the meeting; and

WHEREAS, the Board adopts this policy to address any issues that might arise from providing food, beverages, and other compensation to members of the Board of Directors and to ensure compliance with OGE rules and regulations; and

WHEREAS, This policy applies for all covered officials which is all “public officials” as that term is defined under ORS 244.020(15) serving Canby Utility, EXCEPT: (1) employees of Canby Utility who are covered by any applicable policies in the Canby Utility Employee Handbook/Personnel Policies or (2) any other “public official” with a separate official compensation package as adopted by the Board; and

WHEREAS, the Board will adopt three separate resolutions to ensure the vote on these policies comports with Oregon ethics laws.

NOW, THEREFORE, THE CANBY UTILITY BOARD RESOLVES AS FOLLOWS:

Section 1. The Board adopts the following policy for Board Chair Thompson and any and all successors appointed to the Board Chair position: As part of their official compensation package as that term is used under ORS 244.040(2)(a), said covered officials may receive the following from Canby Utility:

- (1) When they attend at least one Canby Utility Board meeting during that month, the Board Chair shall receive a monthly stipend/compensation of \$100.
- (2) When attending trainings and conferences, the Board Chair shall receive \$50 per day. This provision also applies to attending outside meetings such as trade and affiliated

organizations - that involve about four hours of time in preparing for, participating in, and traveling to and from the meeting.

- (3) Food, beverage, and other related items provided by the Canby Utility to covered officials including any of their relatives or household members who are accompanying them during a Canby Utility-related event such as, but not limited to meetings, team building activities, potlucks, volunteer appreciation dinner, retirement parties, retreats, and conferences.
- (4) Items with the Canby Utility logo provided to them in their role as a covered official such as clothing, water bottles, pens, paper, etc.
- (5) This policy does not apply to:
 - (a) Food, lodging, transportation and other related costs reimbursed by Canby Utility and covered under existing Canby Utility reimbursement policies.
 - (b) Food, beverage, and other related items provided by Canby Utility to covered officials that are also available to the public at large.
 - (c) Items that are considered “gifts” under ORS 244.020(7).
- (6) Compensation provided as part of an official compensation package may be subject to income tax per the IRS rules on taxable fringe benefits.

Examples: To follow are examples of when this policy would apply:

- (1) At its regular meetings, Canby Utility provides meals and beverages for the Board of Directors. Those meals would be considered part of the official compensation package.
- (2) After being appointed, all Board members receive a Canby Utility-logo water bottle. This water bottle would be considered part of the official compensation package.
- (3) A Board member is provided with a meal by an outside third party. This is not considered part of the official compensation package and must be analyzed under the ORS 244.
- (4) A Board member is provided dinner and a prize while attending a recognition dinner. Dinner and prize would be considered part of the official compensation package.

Section 2. Effective Date. This Resolution shall be effective immediately following its approval and adoption.

Approved on this 14th Day of October 2025.

John Molamphy, Chair

Jack Pendleton, Member

Robert Westcott, Member

Barbara Benson, Board Secretary

RESOLUTION NO. 334

A RESOLUTION ADOPTING AN OFFICIAL COMPENSATION POLICY FOR APPOINTED OFFICIALS.

WHEREAS, the Oregon Government Ethics Commission recently issued a Letter Opinion addressing public agencies providing food, beverages, and other compensation to certain public officials as a result of performing their official duties for the governmental entity they are affiliated with; and

WHEREAS, the Canby Utility Board (Board) currently receives a monthly compensation of \$100 for the Board Chair and \$80 for each board member when they attend at least one Canby Utility Board meeting that month which policy has not been formally adopted by the Board; and

WHEREAS, the Board also currently receives additional compensation when attending trainings and conferences of \$50 per day for the Board Chair and \$40 for the Board Member which policy has not been formally adopted by the Board. This provision also applies to attending outside meetings such as trade and affiliated organizations - that involve about four hours of time in preparing for, participating in, and traveling to and from the meeting; and

WHEREAS, the Board adopts this policy to address any issues that might arise from providing food, beverages, and other compensation to members of the Board of Directors and to ensure compliance with OGE rules and regulations; and

WHEREAS, This policy applies for all covered officials which is all “public officials” as that term is defined under ORS 244.020(15) serving Canby Utility, EXCEPT: (1) employees of Canby Utility who are covered by any applicable policies in the Canby Utility Employee Handbook/Personnel Policies or (2) any other “public official” with a separate official compensation package as adopted by the Board; and

WHEREAS, the Board will adopt three separate resolutions to ensure the vote on these policies comports with Oregon ethics laws.

NOW, THEREFORE, THE CANBY UTILITY BOARD RESOLVES AS FOLLOWS:

Section 1. The Board adopts the following policy for Board members Hill and Molamphy and any and all successors appointed to both Board member’s positions: As part of their official compensation package as that term is used under ORS 244.040(2)(a), said covered officials may receive the following from Canby Utility:

- (1) When they attend at least one Canby Utility Board meeting during that month, each Board member shall receive a monthly stipend/compensation of \$80.
- (2) When attending trainings and conferences, the Board members shall receive \$40 per day. This provision also applies to attending outside meetings such as trade and affiliated

organizations - that involve about four hours of time in preparing for, participating in, and traveling to and from the meeting.

- (3) Food, beverage, and other related items provided by the Canby Utility to covered officials including any of their relatives or household members who are accompanying them during a Canby Utility-related event such as, but not limited to meetings, team building activities, potlucks, volunteer appreciation dinner, retirement parties, retreats, and conferences.
- (4) Items with the Canby Utility logo provided to them in their role as a covered official such as clothing, water bottles, pens, paper, etc.
- (5) This policy does not apply to:
 - (a) Food, lodging, transportation and other related costs reimbursed by Canby Utility and covered under existing Canby Utility reimbursement policies.
 - (b) Food, beverage, and other related items provided by Canby Utility to covered officials that are also available to the public at large.
 - (c) Items that are considered “gifts” under ORS 244.020(7).
- (6) Compensation provided as part of an official compensation package may be subject to income tax per the IRS rules on taxable fringe benefits.

Examples: To follow are examples of when this policy would apply:

- (1) At its regular meetings, Canby Utility provides meals and beverages for the Board of Directors. Those meals would be considered part of the official compensation package.
- (2) After being appointed, all Board members receive a Canby Utility-logo water bottle. This water bottle would be considered part of the official compensation package.
- (3) A Board member is provided with a meal by an outside third party. This is not considered part of the official compensation package and must be analyzed under the ORS 244.
- (4) A Board member is provided dinner and a prize while attending a recognition dinner. Dinner and prize would be considered part of the official compensation package.

Section 2. Effective Date. This Resolution shall be effective immediately following its approval and adoption.

Approved on this 14th Day of October 2025.

Melody Thompson, Chair

Jack Pendleton, Member

Robert Westcott, Member

Barbara Benson, Board Secretary

RESOLUTION NO. 334

A RESOLUTION ADOPTING AN OFFICIAL COMPENSATION POLICY FOR APPOINTED OFFICIALS.

WHEREAS, the Oregon Government Ethics Commission recently issued a Letter Opinion addressing public agencies providing food, beverages, and other compensation to certain public officials as a result of performing their official duties for the governmental entity they are affiliated with; and

WHEREAS, the Canby Utility Board (Board) currently receives a monthly compensation of \$100 for the Board Chair and \$80 for each board member when they attend at least one Canby Utility Board meeting that month which policy has not been formally adopted by the Board; and

WHEREAS, the Board also currently receives additional compensation when attending trainings and conferences of \$50 per day for the Board Chair and \$40 for the Board Member which policy has not been formally adopted by the Board. This provision also applies to attending outside meetings such as trade and affiliated organizations - that involve about four hours of time in preparing for, participating in, and traveling to and from the meeting; and

WHEREAS, the Board adopts this policy to address any issues that might arise from providing food, beverages, and other compensation to members of the Board of Directors and to ensure compliance with OGE rules and regulations; and

WHEREAS, This policy applies for all covered officials which is all “public officials” as that term is defined under ORS 244.020(15) serving Canby Utility, EXCEPT: (1) employees of Canby Utility who are covered by any applicable policies in the Canby Utility Employee Handbook/Personnel Policies or (2) any other “public official” with a separate official compensation package as adopted by the Board; and

WHEREAS, the Board will adopt three separate resolutions to ensure the vote on these policies comports with Oregon ethics laws.

NOW, THEREFORE, THE CANBY UTILITY BOARD RESOLVES AS FOLLOWS:

Section 1. The Board adopts the following policy for Board members Westcott and Pendleton and any and all successors appointed to both Board member’s positions: As part of their official compensation package as that term is used under ORS 244.040(2)(a), said covered officials may receive the following from Canby Utility:

- (1) When they attend at least one Canby Utility Board meeting during that month, each Board member shall receive a monthly stipend/compensation of \$80.
- (2) When attending trainings and conferences, the Board members shall receive \$40 per day. This provision also applies to attending outside meetings such as trade and affiliated

organizations - that involve about four hours of time in preparing for, participating in, and traveling to and from the meeting.

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- (6) Compensation provided as part of an official compensation package may be subject to income tax per the IRS rules on taxable fringe benefits.

Examples: To follow are examples of when this policy would apply:

- (1) At its regular meetings, Canby Utility provides meals and beverages for the Board of Directors. Those meals would be considered part of the official compensation package.
- (2) After being appointed, all Board members receive a Canby Utility-logo water bottle. This water bottle would be considered part of the official compensation package.
- (3) A Board member is provided with a meal by an outside third party. This is not considered part of the official compensation package and must be analyzed under the ORS 244.
- (4) A Board member is provided dinner and a prize while attending a recognition dinner. Dinner and prize would be considered part of the official compensation package.

Section 2. Effective Date. This Resolution shall be effective immediately following its approval and adoption.

Approved on this 14th Day of October 2025.

Melody Thompson, Chair

Jake Hill, Member

John Molamphy, Member

Barbara Benson, Board Secretary



MEMORANDUM

October 1, 2025

TO: Chair Thompson, Member Molamphy, Member Pendleton, Member Hill, and
Member Westcott

FROM: Cindy Dittmar, Customer Service Supervisor

SUBJECT: Clackamas County Fairgrounds Refund

Recommended Motion: Motion to approve the refund of \$5,998.76 to Clackamas County Fairgrounds for overbilled kilowatt (KW) charges incurred between September 2018 and July 2022.

Background: Canby Utility's Customer Service Policies and Procedures related to adjustments to utility bills is as follows: "When an under-billing or over-billing occurs, CU shall provide the customer with notice of the circumstances, period of time, and amount of adjustment. If the date of error can be established, the under-charge or over-charge may be computed back to such date. If no date can be established, CU may refund or re-bill for six months of usage. In no event, shall an under-billing or over-billing be adjusted for a period of more than three (3) years usage."

The Clackamas County Fairgrounds has requested an exception to our policy regarding the billing discrepancy dating back to 2011. Upon review, it is clear that this was a billing error on our part.

In the interest of maintaining a positive relationship with the Fairgrounds and acknowledging our responsibility for the oversight, we recommend that this exception be approved.

I will be available at the meeting to answer any questions the Board may have.

OUTAGE AVERAGES Oct 2024 THROUGH Sep 2025

MONTH	YEAR	NUMBER OF OUTAGES	NUMBER OF CUSTOMERS AFFECTED	TOTAL CUSTOMER MINUTES OFF	MONTHLY NUMBER OF CUSTOMERS IN THE SYSTEM	NUMBER OF MOMENTARY INTERRUPTIONS
Oct	2024	0	0	0	8372	1
Nov	2024	1	42	5082	8375	2
Dec	2024	1	6	1260	8393	3
Jan	2025	0	0	0	8404	2
Feb	2025	0	0	0	8402	0
March	2025	0	0	0	8412	0
April	2025	0	0	0	8423	0
May	2025	1	482	130140	8432	1
June	2025	0	0	0	8434	0
July	2025	0	0	0	8437	1
Aug	2025	0	0	0	8449	1
Sep	2025	3	22	10350	8449	1
12 MONTH TOTALS		6	552	146,832	100,982	12
12 MONTH AVERAGE		0.50	46	12,236	8,415	1.0

			C.U.	Industry Typical Value
SAIDI =	$\frac{\text{Sum of all customer interruption minutes}}{\text{Total number of customers}}$	$= \frac{146,832}{8,415}$	$= 17.4485$	87.0
SAIFI =	$\frac{\text{Total number of customer interruptions}}{\text{Total number of customers}}$	$= \frac{552}{8,415}$	$= 0.07$	0.93
MAIFI=	$\frac{\text{Total number of cust. momentary interruptions}}{\text{Total number of customers}}$	$= \frac{12}{8,415}$	$= 0.001$	0.96
CAIDI =	$\frac{\text{Total interruption minutes for 12 months}}{\text{Total number of interruptions}}$	$= \frac{266}{6}$	$= 44$	107.25

System Average Interruption Duration Index (SAIDI)

SAIDI indicates the total sustained interruption duration for the average customer during a predefined period of time. It is commonly measured in minutes or hours of interruption.

System Average Interruption Frequency Index (SAIFI)

SAIFI indicates how often the average customer experiences a sustained interruption during a predefined period of time.

Momentary Average Interruption Frequency Index (MAIFI)

MAIFI is a reliability indicator used by electric power utilities. MAIFI is the average number of momentary interruptions that a customer would experience during a given period (typically a year).

Customer Average Interruption Duration Index (CAIDI)

CAIDI gives the average outage duration that any given customer would experience. CAIDI can also be viewed as the average restoration time.