

**MINUTES OF REGULAR MEETING  
OF THE BOARD OF COMMISSIONERS OF  
COAL CREEK UTILITY DISTRICT  
OF KING COUNTY, WASHINGTON**

**Held November 12, 2014**

A regular meeting of the Board of Commissioners of Coal Creek Utility District was held at the District Office, 6801 – 132<sup>nd</sup> Place SE, Newcastle, Washington, on November 12, 2014. Commissioner Anderson called the meeting to order at 5:00 p.m. Commissioners Martin and Kunkel were present. District Staff Robert Russell, Todd Hynek and Pam Nelson were present. John Milne, General Counsel, was also present.

**CONSENT AGENDA**

Approval of minutes - Regular Board Meeting of October 22, 2014.

Cottington Water and Sewer Developer Extension Agreement – Final Acceptance

Newcastle Way Apartments Developer Extension Agreement – Water and Sewer Design  
Approval

Kunkel made the motion to approve the consent agenda. Martin seconded the motion, which carried unanimously.

**CITIZENS' COMMENTS AND CONCERNS**

There were no comments from the citizens in attendance.

**BOARD MEETING AGENDA PREPARATION – REVISED DRAFT**

Russell provided the Commissioners with a revised draft of the process to prepare and approve Board meeting agendas which had been discussed at the October 22, 2014, Board meeting. Following discussion, as the revised draft of the procedures was acceptable to the Commissioners, Martin made the motion to approve the procedures. Kunkel seconded the motion, which carried unanimously. Staff will now prepare a resolution formally adopting the procedures which will be placed on the consent agenda for the next Board meeting for approval.

## **WATER & SEWER RISK MANAGEMENT POOL – 2014/2015 PREMIUM**

Russell provided the Commissioners with a letter dated October 29, 2014, from the Executive Director of the Water and Sewer Risk Management Pool, the insurance pool which provides liability and casualty insurance for the District, providing the District's 2015 membership premium of \$77,960. Noting the premium has decreased from prior years, Martin made the motion to approve the payment of the premium. Kunkel seconded the motion, which carried unanimously.

## **MRSC ROSTERS CONTRACT RENEWAL**

Russell advised the Municipal Research Services Center had recently added a vendor roster to its bidding service, in addition to the small works roster and consulting services roster MRSC presently maintains for its member cities and special purpose districts. The District must approve a new contract to use the MRSC vendor roster, in addition to the other rosters, by December 1, 2014. Russell recommended the District utilize the new vendor roster, and approve the MRSC contract by resolution. Following discussion, Kunkel made the motion to approve the MRSC contract, which will include access to the new vendor roster, by Resolution No. 1802. Martin seconded the motion, which carried unanimously. Russell was then authorized and directed to execute the new contract on the District's behalf and to return the contract to MRSC before the deadline.

## **ATTORNEY'S COMMENTS**

Milne requested an adjustment to his hourly rates for legal services provided to the District as addressed in a memo dated November 12, 2014. He advised he had not adjusted his rates for more than three years and health care and other business costs had increased during that period. Following discussion, Martin made the motion to approve the rates as proposed by Milne

for the years 2015-2016. Kunkel seconded the motion, which carried unanimously. Milne thanked the Board for the adjustment.

Milne advised he had been invited to speak at the State Association Commissioner Workshop which is scheduled for January 31, 2014.

#### **OFFICE MANAGER'S COMMENTS**

Nelson advised representatives from the State Auditor's Office had commenced the audit of the District for the year 2013. She advised the auditors had been conducting staff interviews as part of a risk assessment and had requested a commissioner be available for an interview. Following discussion, the Board authorized Commissioner Martin to interview with the auditors at a time convenient to her.

#### **OPERATIONS MANAGER'S COMMENTS**

Hynek reported the consultant awarded the District SCADA/Telemetry Upgrade Project had signed the agreement for consulting services and the project work would soon commence.

#### **GENERAL MANAGER'S COMMENTS**

Russell advised a representative of the Lightcycle program, a program which provided for the recycling of fluorescent lighting, had reviewed the District's facilities to see if there was a suitable location for a collection site. The representative had determined the District's facility was not a suitable location because the stairs to the second floor created potential risk and the site had to be secure so could not be located outside the District's facility. However, the representative had advised that local events conducted in the community during the year may provide the opportunity for community outreach to collect the lighting at those events.

Russell requested Board direction regarding the next regular Board meeting scheduled for November 26, 2014. Following discussion, the Board determined to cancel that meeting but advised a special Board meeting could be scheduled if necessary at another time.

## **COMMISSIONERS' COMMENTS**

Martin reported on her attendance at the most recent State Association Board of Directors meeting.

Kunkel reported on his attendance at the recent Newcastle Chamber of Commerce Board meeting. He advised the Chamber had scheduled a function to be held at the Newcastle Golf Club on November 20, 2014, to make community business awards that he planned to attend.

## **ADDITIONAL CITIZENS' COMMENTS AND CONCERNS**

Gordon Bissett, a member of the City of Newcastle City Council, reported that a former City Council member had recently addressed the Council contending the agreement between the District and the City wherein the District would convey the District's former operations center to the City for \$250,000 was illegal, that the Council did not have the authority to agree not to attempt to assume the District for an agreed period, and that the District could not sell the former operations center to the City for less than its appraised value.

Russell advised the District had recently received a public records request from the same individual who addressed the City Council and was now working with counsel to respond to the request.

## **APPROVAL OF VOUCHERS**

The Board approved for payment Water/Sewer Maintenance Fund Voucher Nos. 043136 through 043189 in the amount of \$346,807.75.

The Board approved for payment Water/Sewer Maintenance Fund Voucher Nos. 010444 through 010467 in the amount of \$121,292.16.

The Board approved for payment Water/Sewer Maintenance Fund Voucher Nos. 010468 through 010479 in the amount of \$11,850.00.

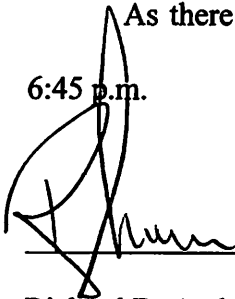
**EXECUTIVE SESSION – COLLECTIVE BARGAINING – RCW 42.30.140(4)(b)**

Russell requested an executive session to discuss the status of collective bargaining on a new collective bargaining agreement with the union representing the field employees. Following discussion, pursuant to RCW 42.30.140, Martin so moved. Before convening the executive session at 5:40 p.m., Anderson advised the executive session would conclude at 5:55 p.m. The Commissioners, Russell, Hynek, Nelson and Milne then attended the executive session. At 5:55 p.m., the executive session was extended to 6:40 p.m., which was publically announced. At 6:40 p.m., the executive session concluded and open public meeting reconvened.

**OTHER DISTRICT BUSINESS**

As there was no further business or persons to be heard, the meeting was concluded at

6:45 p.m.



Richard D. Anderson, Commissioner

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Douglas C. Kunkel, Commissioner



Pamela A. Martin, Commissioner