

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

**Held December 2, 2015**

A special 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 December 2, 2015.

Commissioner Martin called the meeting to order at 5:00 p.m. Commissioners Anderson and Kunkel were present. District Staff Robert Russell and Todd Hynek were present. John Milne, General Counsel, was also present.

**MANAGEMENT CONTRACTS**

The purpose of the special meeting was to review the performance of Russell, the District's General Manager, and to discuss with the General Manager his review of the performance of Hynek, the Operations/Finance Manager. Their employment contracts with the District will expire on December 31, 2015. It was the Board's intent to extend or renew their contracts for the year 2016 and to consider the adjustment of their compensation based on their respective performance reviews.

Russell and Hynek advised that Hynek recently determined to accept employment in the private sector but that Hynek was willing to continue his District employment through June, 2016, to allow him to complete several pending projects and to allow him to vest with the State pension system in May, 2016, for twenty years of service with the District.

Milne advised that the Board had the authority to contract with Hynek for the term of January 1, 2016, through June 30, 2015, if that was the Board's inclination. Compensation and benefits for Hynek during that period could also be as determined by the Board, if acceptable to Hynek.

Following discussion, Kunkel made the motion to convene an executive session to review Hynek's performance pursuant to RCW 42.30.110(1)(g). Anderson seconded the motion, which carried unanimously. Before convening the executive session at 5:20 p.m., Martin advised the executive session would be concluded at approximately 5:40 p.m. The Commissioners, Russell and Milne then attended the executive session. At 5:40 p.m., the executive session was extended to 5:50 p.m., which was publicly announced. At 5:50 p.m., the executive session was extended to 6:30 p.m., which was publicly announced. Hynek joined the executive session from 5:50 p.m. to 6:10 p.m. At 6:30 p.m., the executive session was extended to 6:40 p.m., which was publicly announced. Hynek joined the executive session from 6:30 p.m. to 6:40 p.m. At 6:40 p.m., the executive session concluded and open public meeting reconvened.

Following discussion, Anderson made a motion to authorize an employment contract with Hynek to continue as the District's Operations/Finance Manager for the term of January 1, 2016, through June 30, 2016, with the same terms, conditions and benefits as set forth in his current District contract with an increase in his current base salary on an annualized basis of ten (10) percent effective January 1, 2016. Kunkel seconded the motion, which carried unanimously. The Board then authorized and directed Russell and Milne to prepare an employment agreement for that term for Hynek for consideration by the Board at the December 9, 2015, Board meeting. The employment contract will include and incorporate the performance goals as provided by Russell to the commissioners.

Milne then left the meeting at 6:50 p.m.

Following discussion, Kunkel made the motion to convene an executive session to review Russell's performance pursuant to RCW 42.30.110(1)(g). Anderson seconded the motion, which carried unanimously. Before convening the executive session at 6:50 p.m., Martin advised the

executive session would be concluded at approximately 7:00 p.m. The Commissioners and Russell then attended the executive session. At 7:00 p.m., the executive session concluded and open public meeting reconvened.

Following discussion, Anderson made a motion to authorize an employment contract with Russell to continue as the District's General Manager for the term of January 1, 2016, through December 31, with the same terms, conditions and benefits as set forth in his current District contract with an increase in his current base salary on an annualized basis of eight (8) percent effective January 1, 2016. Kunkel seconded the motion, which carried unanimously. The Board then authorized and directed Milne to prepare an employment agreement for that term for Russell for consideration by the Board at the December 9, 2015, Board meeting.

#### **APPROVAL OF VOUCHERS**

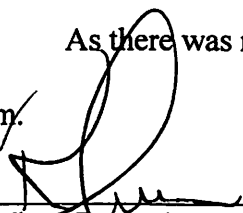
The Board approved for payment Water/Sewer Maintenance Fund Voucher Nos. 044037 through 044069 in the amount of \$139,430.92.

The Board approved for payment Water/Sewer Maintenance Fund Voucher Nos. 010897 through 010919 in the amount of \$103,218.40.


#### **OTHER DISTRICT BUSINESS**

As there was no further business or persons to be heard, the meeting concluded at 7:10

p.m.

  
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Richard D. Anderson, Commissioner

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Douglas C. Kunkel, Commissioner

  
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Pamela A. Martin, Commissioner