

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

Held on January 11, 2023

A regular meeting of the Board of Commissioners of Coal Creek Utility District was held in-person and by remote means at the District Office, 6801 – 132nd Place SE, Newcastle, Washington, on January 11, 2023. Commissioner Suzi O’Byrne, Board President, attended in person and called the meeting to order at 2:02 p.m. Commissioner Doug Kunkel, Board Vice-President, attended in person. Commissioner Pamela Martin, Board Secretary, attended by telephone, and joined the meeting at 2:10 p.m. District staff Robert Russell, General Manager, Patrick Martin, Operations Manager, and Jamie Crookston, Finance Manager, and Rosemary Larson, legal counsel, attended in person. Sam Chapman, District Engineer, attended by Zoom.

The District provided the public with ability to attend the meeting by Zoom or conference call, and provided notice of the call-in and remote access information to the public and a speaker in the meeting room which allowed all persons attending to hear each other at the same time.

APPROVAL OF AGENDA; ADDITIONS OR DELETIONS

Mr. Russell informed the Commissioners that the City of Newcastle Reimbursement Request should be added to the agenda as Item 11A.

Commissioner Kunkel made a motion to approve the agenda, with the addition of “Item 11A – City of Newcastle Reimbursement Request.” Commissioner O’Byrne seconded the motion, which passed unanimously.

CONSENT AGENDA

Approval of Minutes -- Regular Meeting of December 14, 2022

Approval of Minutes – Special Meeting of December 22, 2022

Commissioner Kunkel made a motion to approve the consent agenda. Commissioner O'Byrne seconded the motion, which passed unanimously.

APPROVAL OF VOUCHERS

The Commissioners approved the following Vouchers:

Water/Sewer Maintenance Fund – Accounts Payable - Voucher Nos. 4254 to 4278 in the amount of \$165,709.74.

Water/Sewer Maintenance Fund – Accounts Payable - Voucher Nos. 4279 to 4316 in the amount of \$446,624.00.

Water/Sewer Maintenance Fund – Accounts Payable - Voucher Nos. 4317 to 4325 in the amount of \$41,216.77.

Water/Sewer Maintenance Fund – Payroll in the amount of \$73,158.92.

Water/Sewer Maintenance Fund – EFT in the amount of \$25,729.98.

Water/Sewer Maintenance Fund – EFT in the amount of \$73,872.30.

CITIZENS' COMMENTS AND CONCERNS

There were no citizens in attendance.

PLEASANT COVE CHANGE ORDERS

Mr. Martin informed the Commissioners that the contractor for the Pleasant Cove Lift Station Project has requested four Change Orders. The proposed Change Orders and supporting documentation are in the agenda materials. The Change Orders were all discussed and described at the December 14, 2022 Board meeting. In response to a question from Commissioner Kunkel, Mr. Martin stated that Change Order No. 2 relates to the cabinet portion of the Project, and addresses the subcontractor's supply chain issues and increased labor costs.

After discussion, Commissioner Kunkel made a motion to approve the following Pleasant Cove Lift Station Project Change Orders: (1) Change Order No. 1 in the amount of \$22,802.43, including sales tax, and for the addition of two working days; (2) Change Order No. 2 in the amount of \$5,804.17, including sales tax; (3) Change Order No. 3 in the amount of 6,200.22, including sales tax; and (4) Change Order No. 4 in the amount of \$4,422.50, including sales tax; all of which bring the total contract amount to \$458,941.53. Commissioner O'Byrne seconded the motion, which passed unanimously.

Commissioner Martin joined the meeting by telephone at 2:10 p.m.

ELECTION OF OFFICERS

After discussion, the Board consensus was to follow the Board's normal rotation of offices for the election of officers for 2023.

In accordance with the Board consensus, Commissioner Kunkel moved that the following Board officers be elected to serve for 2023 until the first Board meeting in 2024:

Board President – Commissioner Kunkel

Board Vice President – Commissioner Martin

Board Secretary – Commissioner O'Byrne

Commissioner O'Byrne seconded the motion, which passed unanimously.

Newly elected Board President Kunkel assumed the chair of the meeting.

DRAFT AT&T LEASE

Mr. Martin stated that this Item relates to AT&T's request to lease a portion of the District's 1060 Reservoir property for a telecommunications facility site, which was discussed at the December 14, 2022 meeting. The District's attorney reviewed the lease proposed by AT&T, and it is drafted significantly in AT&T's favor. If the Board is interested in pursuing this arrangement,

the District's attorney should prepare a lease that is based on the District's form. Mr. Martin also reported that issues exist regarding the easement which provides access to the District's property, which is located on land now owned by King County. In addition, the Board should consider whether the District should request that AT&T pay for the District's consultants' additional work on this matter.

After discussion, the Commissioners' consensus was that staff should work with the District's attorney to prepare a letter, requesting that AT&T contact King County regarding AT&T's use of the easement, before spending additional District resources on the proposed lease.

SURPLUS EQUIPMENT

Mr. Martin informed the Commissioners of the need to surplus two cut-off saws, which are over twenty years old and not needed for District business. Resolution No. 1919 is in the meeting agenda materials, and accomplishes this purpose in accordance with law.

Commissioner O'Byrne made a motion to approve Resolution No. 1919, declaring certain District personal property surplus and declaring the District's intention to sell the personal property at private or public sale. Commissioner Martin seconded the motion, which passed unanimously.

580 RESERVOIR IMPROVEMENTS PROJECT – FINAL ACCEPTANCE

Mr. Martin reported that the work on this Project is complete, and the District has received all of the paperwork from the State necessary to grant final acceptance of this Project. PACE has recommended that the Board grant the Project final acceptance.

After discussion, Commissioner O'Byrne made a motion to approve the final acceptance of the 580 Reservoir Improvements Project. Commissioner Kunkel seconded the motion, which passed unanimously.

CITY OF NEWCASTLE REIMBURSEMENT REQUEST

Mr. Martin informed the Commissioners that the City of Newcastle included bid items in its 2022 Paving Project, for the District's benefit, such as adjusting the District's valves. The City is requesting that the District reimburse the City for this work now, in accordance with the contract, in the amount of \$96,519.82. Staff has reviewed the City's documentation for the requested cost reimbursement, and it is supported.

Commissioner O'Byrne made a motion to approve payment of the City of Newcastle's cost reimbursement request in the total amount of \$96,519.82. Commissioner Martin seconded the motion, which passed unanimously.

ATTORNEY'S COMMENTS

Ms. Larson had no other comments.

ENGINEER'S COMMENTS

Mr. Chapman had no other comments.

MANAGERS' COMMENTS

Ms. Crookston thanked the Commissioners for attending the Employee Recognition Event. Staff appreciated seeing them at the Event. Ms. Crookston reported that the Audit is almost complete, and no issues were found. The exit interview will occur at the January 25, 2023 meeting.

Mr. Martin reported that the District has an open Water/Sewer Technician position, and requested that the Commissioners approve advertising and filling that open position.

Commissioner O'Byrne made a motion to approve advertising and filling the open Water/Sewer Technician position. Commissioner Martin seconded the motion, which passed unanimously.

Mr. Russell had no further comments.

COMMISSIONERS' COMMENTS

Commissioner O'Byrne commented that the Employee Recognition Event was fun for all who attended. The venue was a good choice.

Commissioner Martin also enjoyed the Employee Recognition Event.

Commissioner Kunkel commended staff for organizing the Employee Recognition Event. It was good to talk to staff and get to know them. He looks forward to working with everyone in 2023.

OTHER DISTRICT BUSINESS

None.

ADDITIONAL CITIZENS' COMMENTS

There were no citizens present.

ADJOURNMENT

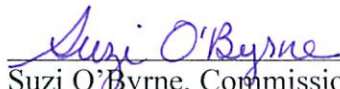
As there was no further business or persons to be heard, the meeting concluded at 2:40 p.m.

BOARD OF COMMISSIONERS



Douglas Kunkel, Commissioner

Pam Martin, Commissioner



Suzi O'Byrne, Commissioner