

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

Held on March 9, 2022

A regular meeting of the Board of Commissioners of Coal Creek Utility District was held by remote means and in-person at the District Office, 6801 – 132nd Place SE, Newcastle, Washington, on March 9, 2022, pursuant to the Washington State Governor’s Proclamation No. 20-28, as extended. Commissioner Suzi O’Byrne, Board President, attended in-person and called the meeting to order at 5:00 p.m. Commissioner Doug Kunkel, Board Vice-President, and Commissioner Pam Martin, Board Secretary, attended in-person. District staff Robert Russell, General Manager, Patrick Martin, Operations Manager, and Jamie Crookston, Finance Manager, and Rosemary Larson, legal counsel, and Bill Reynolds, District Engineer, attended in-person.

In compliance with Proclamation No. 20-28, as extended, the District provided the public with the ability to attend the meeting by telephone conference, provided notice of the call-in number and information to the public, and provided a speaker phone in the Board meeting room which allowed all persons attending the meeting to hear each other at the same time.

APPROVAL OF AGENDA

Commissioner Kunkel made a motion to approve the agenda. Commissioner Martin seconded the motion, which passed unanimously.

CONSENT AGENDA

Approval of Minutes – Regular Board Meeting of February 23, 2022

DEA Final Acceptance – Moorman Newcastle – Water/Sewer

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

CITIZENS' COMMENTS AND CONCERNS

One citizen attended, but wished to speak during the Parking Lot Use agenda item.

PARKING LOT USE

Mr. Russell introduced Ross Murray, who is the new owner of the Retail Shops at Newcastle Commons. Mr. Murray informed the Commissioners that he wishes to renew the request to use the District's parking lot for employee parking during evening hours. Prior to Covid, the prior owner and the District were negotiating an agreement for the parking lot use, and that he would like to resume those discussions.

Commissioner Kunkel confirmed that he no longer has an ownership interest in the pertinent property or the entity that is the new owner of the property.

District staff, the Commissioners, Ms. Larson and Mr. Murray discussed aspects of the proposed parking lot use, including liability issues, the number of spaces needed, the parking lot use hours, using placards to ensure only authorized persons use the parking spaces, and an initial one-year term, so the parties can determine if the arrangement works. The Commissioners' consensus was to move forward with drafting an agreement for consideration.

T. BAILEY – 580 RESERVOIR SITE TREE DAMAGE

Mr. Russell reported that when the tree fell at the 580 Reservoir Site, the tree hit one tank, damaged the District's fence, and damaged equipment owned by a subcontractor. T. Bailey has submitted a change order, in the agenda materials, for the cost of damage to the subcontractor's equipment, damage to certain ducts, for debris removal labor, and for labor and material to repair the gauge board and handrail on the tank. Mr. Reynolds opined that the contractor's insurance should cover the damage to the subcontractor's equipment. Commissioner Kunkel spoke in favor of reimbursing the contractor for the debris removal costs, which benefited the District. District

staff, Mr. Reynolds, the Commissioners and Ms. Larson discussed the need to review the contract provisions regarding the allocation of risk for the other change order items.

ATTORNEY'S COMMENTS

Ms. Larson had no additional comments.

ENGINEER'S COMMENTS

Mr. Reynolds had no additional comments.

APPROVAL OF VOUCHERS

The Commissioners approved the following Vouchers:

Water/Sewer Maintenance Fund – Accounts Payable - Voucher Nos. 3485 to 3498 in the amount of \$47,305.04.

Water/Sewer Maintenance Fund – Accounts Payable - Voucher Nos. 3499 to 3523 in the amount of \$333,471.41.

Water/Sewer Maintenance Fund – Payroll in the amount of \$58,967.64.

Water/Sewer Maintenance Fund – EFT in the amount of \$29,635.59.

Water/Sewer Maintenance Fund – EFT in the amount of \$32,637.55.

MANAGERS' COMMENTS

Ms. Crookston provided information on customer payment service providers. Paymentus, the current on-line payment service provider, is significantly less expensive than other alternatives that charge on a percentage basis rather than a flat fee, but in some cases Paymentus is not user friendly. The Commissioners and staff discussed pros and cons of switching to another provider, and Paymentus's response to issues that have arisen with their service. The Commissioners' consensus was to stay with Paymentus for now, if Paymentus can make its system secure.

Mr. Martin reported on the status of the installation of the new main on the former Androtti property. The project should be complete next week. Mr. Martin also reported that the Carport Electrical Project is complete.

Mr. Russell reported that he and Commissioner O'Byrne have been attending meetings regarding the proposed amendments to the SPU contract. The Board previously approved a cost-sharing arrangement with other interested districts. The consultants are expected to begin work on issues relating to the impacts of the proposed amendments. The current draft of the proposed amendments is available if any Commissioner would like a copy.

Mr. Russell also reported on various meetings and workshops that he attended last week.

COMMISSIONERS' COMMENTS

Commissioner Kunkel had no additional comments.

Commissioner Martin had no additional comments.

Commissioner O'Byrne reported that she attended several meetings with Mr. Russell.

OTHER BUSINESS

None.


ADJOURNMENT

As there was no further business or persons to be heard, the meeting concluded at 5:41 p.m.

BOARD OF COMMISSIONERS



Suzi O'Byrne, Commissioner



Douglas Kunkel, Commissioner

Pam Martin, Commissioner