

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

**Held on April 27, 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 – 132<sup>nd</sup> Place SE, Newcastle, Washington, on April 27, 2022, pursuant to the Washington State Governor’s Proclamation No. 20-28, as extended. Commissioner Suzi O’Byrne, Board President, attended via Zoom and called the meeting to order at 5:00 p.m. Commissioner Doug Kunkel, Board Vice-President, and Commissioner Pam Martin, Board Secretary, also attended by Zoom. District staff Robert Russell, General Manager, Patrick Martin, Operations Manager, and Jamie Crookston, Finance Manager, and Rosemary Larson, legal counsel, 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 Zoom or conference call, provided notice of the call-in and remote access information to the public, and provided a speaker 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 O’Byrne seconded the motion, which passed unanimously.

**CONSENT AGENDA**

Approval of Minutes – Regular Board Meeting of April 13, 2022

Design Approval – Canopy Water Extension

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

## **CITIZENS' COMMENTS AND CONCERNS**

There were no citizens in attendance.

## **PARKING LOT USE - DISCUSSION**

Robert Russell informed the Commissioners that a private group has requested to use the District's parking lot on weekend hours for a swap meet. The email request is in the agenda packet. This request differs from another parking lot use request, as the District would have less ability to control who attends and uses the District's property, creating additional liability for the District. For that reason, staff is not in favor of allowing the swap meet use of the District's property. Mr. Russell also reported that the Avalon property owner informed him that the owner's tenants may have comments or revisions to the draft parking lot use agreement that is under consideration. Mr. Russell noted that the Commissioners and staff could consider whether that use request is in the District's best interests after receiving the comments.

The Commissioners, staff and Ms. Larson discussed potential liability, compensation, enforcement concerns, and other issues related to allowing various private uses of the District's parking lot. The consensus was that the additional liability associated with the proposed swap meet use outweighed any benefit from receiving market value parking or use fees for that use, and that the Commissioners would review the request to use the District's parking lot for employee parking after receipt of comments on the proposed agreement from Avalon.

## **ATTORNEY'S COMMENTS**

Ms. Larson informed the Commissioners that she will not be at the first meeting in May. Kathy Weber of Inslee Best will attend in her place.

## **ENGINEER'S COMMENTS**

Mr. Reynolds was not present.

## **APPROVAL OF VOUCHERS**

Commissioner Kunkel made a motion to approve the following Vouchers, which was seconded by Commissioner O'Byrne, and passed unanimously:

Water/Sewer Maintenance Fund – Accounts Payable - Voucher Nos. 3625 to 3637 in the amount of \$45,763.18.

Water/Sewer Maintenance Fund – Accounts Payable - Voucher Nos. 3638 to 3639 in the amount of \$568,687.99.

Water/Sewer Maintenance Fund – Accounts Payable - Voucher Nos. 3640 to 3656 in the amount of \$9,863.04.

Water/Sewer Maintenance Fund – Payroll in the amount of \$22,650.00.

Water/Sewer Maintenance Fund – EFT in the amount of \$21,169.91.

## **MANAGERS' COMMENTS**

Mr. Martin had no additional comments.

Ms. Crookston reported that staff provided the District's financial records to the Auditor this week; however, the audit is not expected to be scheduled until September.

Mr. Russell informed the Commissioners that FSC Group's summary of the District's fire protection services charge is in the meeting packet. This charge will be an offset against King County's right-of-way use fee. The District's charge is in line with other districts' fire protection charge. The District's counsel has provided this information to the County.

Mr. Russell reported that the District received an inquiry from AT&T regarding placing a cell facility on the District's 1060 Reservoir site. Mr. Russell noted that the District has a similar lease agreement with T-Mobile, which provides income to the District with little impact on the

District's facilities. The Commissioners' consensus was that the District should consider a lease proposal from AT&T.

Mr. Russell also reported that the District and other MWPAAC members received a copy of a letter from the King County Executive, which states that King County's sewer rates and capacity charges may double over the next five to ten years.

**COMMISSIONERS' COMMENTS**

Commissioner Martin had no additional comments.

Commissioner Kunkel commented that he appreciates staff's efforts to make the Zoom meeting attendance option available. The Zoom system worked well today; it is a good step in the District's technological progression.

Commissioner O'Byrne agreed with Commissioner Kunkel. She also appreciates having Zoom meeting capability.

**OTHER BUSINESS**

None.

**ADJOURNMENT**

As there was no further business or persons to be heard, the meeting concluded at 5:25 p.m.

**BOARD OF COMMISSIONERS**

  
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Suzi O'Byrne, Commissioner

  
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Douglas Kunkel, Commissioner

  
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Pam Martin, Commissioner