

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

**Held on May 8, 2019**

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 May 8, 2019. Commissioner Kunkel, Board President, called the meeting to order at 5:00 p.m. Commissioner Ric Anderson, Board Vice-President, and Commissioner Pam Martin, Board Secretary, was also in attendance. District staff Robert Russell, General Manager, Patrick Martin, Operations Manager, and Anne Paige, Finance Manager, were present. Bill Reynolds, consulting engineer, and John Milne, District legal counsel, were also present.

**APPROVAL OF AGENDA**

Commissioner Martin made a motion to approve the agenda. Commissioner Anderson seconded the motion, which carried unanimously.

**CONSENT AGENDA**

Approval of Minutes – Regular Board Meeting of April 24, 2019.

Commissioner Martin made a motion to approve the consent agenda. Commissioner Anderson seconded the motion, which carried unanimously.

**CITIZENS' COMMENTS/CONCERNS**

There were no citizens in attendance.

**CONSULTING AGREEMENT – C.P. MCAULIFFE, CPA, PS**

Russell requested authorization to engage the services of C.P. McAuliffe, CPA, PS, at a cost not to exceed \$30,000 to prepare the District's financial statements for the year ending 2018.

Following discussion and confirmation of modest changes in the consultant's hourly rates and charges, Commissioner Anderson made the motion to approve the consultant proposal and to authorize the General Manager to sign the proposal on the District's behalf. Commissioner Martin seconded the motion, which carried unanimously.

### **2019 CITY OF NEWCASTLE – PAVEMENT OVERLAY**

Mr. Martin reported the City of Newcastle had included a bid item in its 2019 pavement overlay project for the cost to adjust District facilities such as valves and manholes that will be impacted by the City's work. The City would have its project contractor perform the District's work, and the District would then reimburse the City for the cost to have the District's work performed. Milne suggested preparing a written agreement between the City and the District to confirm the terms and conditions of reimbursement. District staff will keep the Board further advised.

### **ATTORNEY'S COMMENTS**

Milne reported on the status of the King County right-of-way rental charge litigation. He reported that the Supreme Court had granted direct review and that the appeal hearing may be scheduled for the Court's fall term. The district appellants' brief in response to King County's brief would be filed by May 15, 2019. He also reported that several other entities and associations planned to file amicus briefs with the Supreme Court in support of the districts' appeal. He will keep the Board further advised.

Milne reported on the status of the appeal by several water-sewer districts of a City of Federal Way excise tax on the districts' revenues. He was hopeful the Supreme Court would grant direct review and also schedule an appeal hearing during the Court's fall term. He will keep the Board further advised.

Milne reported on several bills recently enacted by the State Legislature which will affect public works projects.

**ENGINEER'S COMMENTS**

Reynolds reported on the status of various District engineering projects.

**APPROVAL OF VOUCHERS**

The Board approved the Water/Sewer Maintenance Fund Voucher Nos. 801 to 837 – Accounts Payable in the amount of \$271,448.74.

The Board approved Water/Sewer Maintenance Fund – EFT in the amount of \$63,763.55.

The Board approved Water/Sewer Maintenance Fund – Payroll in the amount of \$67,347.54.

**FINANCE MANAGER'S COMMENTS**

Paige reported she has provided the audit documentation to the District's accountant for the preparation of the District's 2018 financial statement.

Paige reported that she and Russell were considering the purchase of a new credit card scanner.

**OPERATIONS MANAGER'S COMMENTS**

Mr. Martin reported a proposed agreement for the District to provide interim sewer service to the Christelle Ridge project had been provided to City of Renton staff for approval and signature.

Mr. Martin will keep the Board further advised.

**GENERAL MANAGER'S COMMENTS**

Russell reported on the Retro meeting he attended on May 7, 2019. Committee elections had been held with four positions up for re-election, Russell was re-elected to a 2 year term, and

the committee chair had been re-elected. The Retro refund for 2015, 2016, ad 2017 is \$397,807, to be proportionally allocated among the members.

Russell reported the City of Newcastle had invited the District to sponsor various events, including Newcastle Days, throughout the year in consideration of a monetary contribution. The District and its programs would be promoted through various City events. He reported the District had previously been advised by the State Auditor's Office that the District could not make a monetary contribution to the program, but had not provided explanation for the SAO position. Following discussion, the Board directed Russell to check with the Auditor's office to see if the District could participate in the sponsorship program, and if the SAO position was that the District could not participate, to obtain an explanation for that position and report back to the Board.

Russell reported the District was celebrating its 60<sup>th</sup> anniversary in 2019, and requested authorization to work with a District vendor to have a 60<sup>th</sup> anniversary logo prepared for the District to include in District mailings, on the web site and in other forums. The Board authorized Russell to proceed.

### **COMMISSIONERS' COMMENTS**

Commissioner Martin reported she planned to attend the SPU Operating Board the following day.

Commissioner Anderson reported he planned to attend the WASWD Government Relations committee meeting the following day.

### **OTHER DISTRICT BUSINESS**

There was no further District business.


### **ADDITIONAL CITIZEN'S COMMENTS**

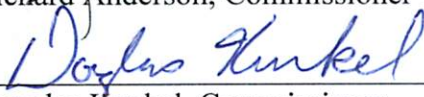
There were no comments from the citizen in attendance.

**ADJOURNMENT**

As there was no further business or persons to be heard, the meeting concluded at 6:00 p.m.

**BOARD OF COMMISSIONERS**

  
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Richard Anderson, Commissioner

  
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Douglas Kunkel, Commissioner

  
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Pam Martin, Commissioner