

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

Held on May 26, 2021

A regular meeting of the Board of Commissioners of Coal Creek Utility District was held by remote means and with certain staff only at the District Office, 6801 – 132nd Place SE, Newcastle, Washington, on May 26, 2021. Pursuant to the Washington State Governor’s Proclamation No. 20-28, as extended, the meeting was not conducted in-person. Commissioner Pam Martin, Board President, attended via telephone conference call, and called the meeting to order at 5:00 p.m. Commissioner Suzi O’Byrne, Board Vice-President, and Commissioner Doug Kunkel, Board Secretary, also attended via telephone conference call. District staff Robert Russell, General Manager, Patrick Martin, Operations Manager, and Jamie Crookston, Finance Manager, attended at the District’s office and were in compliance with CDC social distancing guidelines. Rosemary Larson, legal counsel, and Bill Reynolds, District engineer, attended via telephone conference call.

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 O’Byrne seconded the motion, which passed unanimously.

CONSENT AGENDA

Approval of Minutes – Regular Board Meeting of May 12, 2021

Windtree VI – Water/Sewer – DEA Approval

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’ comments.

AKTIVOV UPDATES

Mr. Martin informed the Board that the Aktivov proposal is in the agenda materials. Staff is interested in two new Aktivov modules: the large video module and the buildings, facilities and treatment plant module. The Commissioners and staff discussed the wording of the proposal and invoice. The Commissioners expressed concern regarding the phrase “pandemic assistance discount” and the implication that the maintenance fee would be waived for the entire year 2021, when the modules would not be purchased until June. The Board requested that staff discuss the proposal with Aktivov, and bring a revised proposal to a future meeting.

KING COUNTY FRANCHISE ORDINANCE

Ms. Larson informed the Board that a proposed Fifth Amendment to Legal Services Agreement is in the meeting agenda materials. The Fifth Amendment would increase the Legal Services budget for the King County Franchise Ordinance litigation by \$7500, making the Agreement’s total amount not to exceed \$32,800. The additional amount is for Phase IV of the litigation, including actions such as additional discovery, motions, and trial preparation.

Commissioner Kunkel spoke in favor of the District’s continued participation in the litigation. Commissioner Kunkel made a motion to approve the Fifth Amendment to the Legal

Services Agreement and to authorize the General Manager to sign the Fifth Amendment. Commissioner O'Byrne seconded the motion, which passed unanimously.

ATTORNEY'S COMMENTS

Ms. Larson had no additional comments.

ENGINEER'S COMMENTS

Mr. Reynolds noted that he provided an Engineer's Project Status Report for the Board's review. The 580 Reservoir Project has resumed work. Regarding the Carport Project, the District is still working with the City of Newcastle to obtain the permit for the Project.

Regarding the 440 and 1060 Tank Maintenance Project, Coastal Services is the low bidder on the Project, with a bid of \$47,893.50, including sales tax. This is below the engineer's estimate for the Project. The Engineer performed a background check on Coastal Services, and there was no disqualifying information. The Engineer recommends that the Project contract be awarded to Coastal Services.

After discussion, Commissioner O'Byrne made a motion to award the 440 and 1060 Tank Maintenance Project contract to Coastal Services, Inc, for an amount not to exceed \$47,893.50, including Washington sales tax. Commissioner Kunkel seconded the motion, which passed unanimously.

APPROVAL OF VOUCHERS

Commissioner O'Byrne made a motion to approve the following Vouchers:

Water/Sewer Maintenance Fund – Accounts Payable - Voucher Nos. 2711 to 2723 in the amount of \$17,678.05.

Water/Sewer Maintenance Fund – Accounts Payable - Voucher Nos. 2724 to 2743 in the amount of \$74,287.22.

Water/Sewer Maintenance Fund – Payroll in the amount of \$21,750.00.

Water/Sewer Maintenance Fund – EFT in the amount of \$19,588.53.

MANAGER’S COMMENTS

Ms. Crookston commented she has been working with the financial consultant to complete the District’s financial reports, which should be filed with the Auditor’s Office tomorrow. She reported that based on comments she has heard at financial meetings of SPU and other groups, the District is fortunate to have fewer customers in arrears than other utility providers.

Mr. Martin had no additional comments.

Mr. Russell requested that the Board approve an Employee Recognition Event (a socially distanced lunch) to recognize an employee who is retiring from the District at the end of the month. The Board’s consensus was to approve this Event.

COMMISSIONERS’ COMMENTS

Commissioner Kunkel had no additional comments.

Commissioner O’Byrne had no additional comments.

Commissioner Martin had no additional comments.

OTHER BUSINESS

None.

EXECUTIVE SESSION – RCW 42.30.110(1)(g) – Review the performance of a public employee

Mr. Russell requested an executive session under RCW 42.30.110(1)(g) to review the performance of a District employee, and advised that the executive session would be for 15 minutes. Mr. Reynolds was excused from the meeting, and the one citizen in attendance also left the meeting.

Commissioner Martin convened the executive session at 5:40 p.m., with the Commissioners, Mr. Russell, Mr. Martin, Ms. Crookston and Ms. Larson attending. At 5:55 p.m., the executive session was concluded, and the open public meeting was reconvened.

Mr. Russell recommended that Daniel Gravelle be promoted to the position of Water/Sewer Lead, at a wage of \$44.70 per hour, for a six month probationary period, with the salary to be reviewed at the end of the probationary period.

Commissioner Kunkel made a motion to appoint Daniel Gravelle to the position of Water/Sewer Lead, at a wage of \$44.70 per hour, for six month probationary period, with the salary to be reviewed at the end of the probationary period. Commissioner O'Byrne seconded the motion, which passed unanimously.

ADJOURNMENT

As there was no further business or persons to be heard, the meeting concluded at 6:05 p.m.

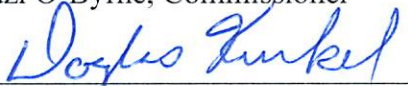
BOARD OF COMMISSIONERS



Pam Martin, Commissioner



Suzi O'Byrne, Commissioner



Douglas Kunkel, Commissioner