

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

Held on August 24, 2022

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 August 24, 2022. Commissioner Suzi O’Byrne, Board President, attended in-person and called the meeting to order at 5:06 p.m. Commissioner Doug Kunkel, Board Vice-President, and Commissioner Pamela Martin, Board Secretary, attended remotely. District staff Robert Russell, General Manager, and Patrick Martin, Operations Manager, and Rosemary Larson, legal counsel, and Bill Reynolds, District Engineer, attended in-person.

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 meeting room which allowed all persons attending 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 August 10, 2022

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

CITIZENS’ COMMENTS AND CONCERNS

There were no citizens in attendance.

MOORMAN 6 REIMBURSEMENT AGREEMENT

Mr. Russell described the Moorman 6 Reimbursement Agreement, a copy of which is in the agenda materials. Mr. Russell noted that this Agreement was discussed at previous meetings. The developer has signed the Agreement. In response to Commissioner Kunkel's inquiry, Ms. Larson stated that the Agreement is the District's standard form Reimbursement Agreement.

After discussion, Commissioner Kunkel made a motion to approve the Moorman 6 Reimbursement Agreement, and to authorize the General Manager to execute the Agreement on behalf of the District. Commissioner Martin seconded the motion, which passed unanimously.

SE 116TH STREET EMERGENCY SEWER LINE REPAIR – CONTRACTOR REQUEST

Mr. Martin informed the Commissioners that the private contractor that damaged the District's sewer line in SE 116th Street has acknowledged responsibility for the cost of the emergency repairs, and requested a payment plan for the repair costs in accordance with the term sheet that is included in the agenda packet. Under the proposed terms, the contractor will pay the full amount of the repair costs by the end of the year, with interest, and will also pay the District's attorneys' fees incurred to prepare an agreement stating the terms of the payment plan. Ms. Larson indicated that the District has authority to enter into this type of agreement, to settle the District's claim against the contractor.

After discussion, Commissioner Kunkel made a motion to authorize District staff to work with the District's attorney to prepare a settlement and installment payment agreement to resolve this matter. Commissioner O'Byrne seconded the motion, which passed unanimously.

PUBLIC RECORDS PROCEDURES -- RESOLUTION

Mr. Russell presented Resolution No. 1917, a copy of which is in the agenda materials. The Resolution amends the District's procedures and policies for processing public records

requests. Ms. Larson informed the Commissioners that the District's public records procedures have not been updated since 2014, and there have been several changes in the law related to public records since that time. Ms. Larson described the revised provisions in the proposed Resolution.

After discussion, Commissioner Kunkel made a motion to approve Resolution No. 1917, relating to the District's rules and procedures for processing requests for inspection and copying of public records. Commissioner Martin seconded the motion, which passed unanimously.

ATTORNEY'S COMMENTS

Ms. Larson had no additional comments..

ENGINEER'S COMMENTS

Mr. Reynolds reported that he provided the Engineer's Project Status Report for the Commissioners' review. The 580 Reservoir Project is wrapping up. The site paving is complete. The Engineer and staff will perform the final inspections and prepare the punch list for the Project. The smaller tank will be back in service in a few weeks. Mr. Russell presented photographs of the completed work on the Project.

Mr. Reynolds informed the Commissioners that he is working with staff to prepare a scope and budget for the 2023 Sewer Rehabilitation Project.

APPROVAL OF VOUCHERS

The following Vouchers were approved:

Water/Sewer Maintenance Fund – Accounts Payable - Voucher Nos. 3948 to 3951 in the amount of \$5,526.13.

Water/Sewer Maintenance Fund – Accounts Payable - Voucher Nos. 3952 to 3975 in the amount of \$49,702.09.

Water/Sewer Maintenance Fund – Payroll in the amount of \$23,150.00.

Water/Sewer Maintenance Fund – EFT in the amount of \$24,351.88.

MANAGERS' COMMENTS

Mr. Martin reported that as part of the ongoing maintenance of the District's facilities, the District will be replacing certain PRV's as an in-house project. District staff have received a quote from a supplier to provide the materials and equipment. Mr. Martin wanted the Commissioners to be aware of this purchase, which will occur in the near future due to supply chain issues. The Commissioners' consensus was that these materials should be purchased quickly.

Mr. Russell informed the Commissioners that the WASWD Fall Conference will be held on September 28 to September 30 in Kennewick. Mr. Russell and the Commissioners discussed who will be attending the Conference.

Mr. Russell also reported that the District received a letter regarding the Retro Program refund. The District will receive a refund in the amount of approximately \$13,736, which covers 99% of the District's WASWD membership dues for 2022.

COMMISSIONERS' COMMENTS

Commissioner Martin commented that she is grateful for the ability to attend meetings remotely.

Commissioner Kunkel also thanked staff for providing the ability to attend meetings remotely.

Commissioner O'Byrne had no additional comments.

OTHER BUSINESS

None.

ADJOURNMENT

As there was no further business or persons to be heard, the meeting concluded at 5:29 p.m.

BOARD OF COMMISSIONERS

Suzi O'Byrne, Commissioner



Douglas Kunkel, Commissioner



Pam Martin, Commissioner