

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

**Held on October 25, 2023**

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 – 132<sup>nd</sup> Place SE, Newcastle, Washington, on October 25, 2023. Commissioner Doug Kunkel, Board President, attended by Zoom, and called the meeting to order at 2:00 p.m. Commission Suzi O’Byrne, Board Secretary, attended in person. District staff Robert Russell, General Manager, and Patrick Martin, Operations Manager, and Rosemary Larson, legal counsel, attended in person. Bill Reynolds, District Engineer, attended by Zoom.

The District provided the public with ability to attend the meeting by Zoom or conference call, and provided notice of the call-in and remote access information to the public and a speaker in the meeting room which allowed all persons attending to hear each other at the same time.

**APPROVAL OF AGENDA**

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

**CONSENT AGENDA**

Approval of Minutes -- Regular Meeting of October 11, 2023

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

**APPROVAL OF VOUCHERS**

Commissioner O’Byrne made a motion to approve the following Vouchers. Commissioner Kunkel seconded the motion, which passed unanimously:

Water/Sewer Maintenance Fund – Accounts Payable - Voucher Nos. 5015 to 5034 in the amount of \$73,947.23.

Water/Sewer Maintenance Fund – Accounts Payable - Voucher No. 5035 in the amount of \$36,752.83.

Water/Sewer Maintenance Fund – Accounts Payable - Voucher Nos. 5036 to 5050 in the amount of \$43,776.19.

Water/Sewer Maintenance Fund – Payroll in the amount of \$21,650.00.

Water/Sewer Maintenance Fund – EFT in the amount of \$0.00.

### **CITIZENS' COMMENTS AND CONCERNS**

There were no citizens in attendance.

### **COLLECTIVE BARGAINING AGREEMENT**

Mr. Russell informed the Commissioners that the current term of the Collective Bargaining Agreement will end in December. The Union representative contacted District staff and indicated they are ready to begin negotiations on the new contract. Mr. Russell inquired as to which Board member will assist in the negotiations. Commissioner Kunkel commented that Commissioner O'Byrne has the necessary experience for this task. After discussion, the Commissioners' consensus was that Commissioner O'Byrne will assist District staff in negotiating the new Collective Bargaining Agreement.

### **WATER & SEWER RISK MANAGEMENT POOL (WSMRP) MEMBERSHIP**

Mr. Russell stated that the agenda materials contain a letter from the WSMRP regarding an increase in membership dues. The District's charge for 2024 will be \$153,484, which is slightly less than the projected amount but is higher than last year's charge. Commissioner Kunkel commented that some increase is to be expected, given the current high inflation rate.

After discussion, Commissioner O'Byrne made a motion to approve the renewal of the District's membership in the Water & Sewer Risk Management Pool, and payment of the fee in the amount of \$153,484. Commissioner Kunkel seconded the motion, which passed unanimously.

**ATTORNEY'S COMMENTS**

Ms. Larson had no additional comments.

**ENGINEER'S COMMENTS**

Mr. Reynolds reported that the Sewer Rehabilitation Project is out for bids, which will be opened on November 8. The District is waiting for the test results required by DOE for the permitting for the Decant Facility Project. Regarding the Wind Tree project, District staff are reviewing the 90 percent plans for the Project, which should be ready to be advertised for bids in early 2024.

**MANAGERS' COMMENTS**

Mr. Martin reported that the Roof/HVAC Project is approximately 40 percent complete. The upper roof work is complete, although there are some issues which the contractor must address. They are now scheduling the mechanical side of the Project.

Mr. Russell reported that he informed the District's insurer of the Arts Commissioner's request that the District allow District fire hydrants to be used for art. The insurer had many of the same concerns that were already discussed by the Commissioners and staff at prior meetings, and which are summarized in the agenda materials. Because the insurer expressed the same concerns, staff's position that District facilities should not be used as fire hydrant art has not changed. Mr. Martin commented that he spoke with Bellevue, and that water purveyor has four authorized fire hydrant colors, and does not allow deviations. After discussion, the Commissioners' consensus

was that their position remains the same; the District should not allow its fire hydrants to be used as art work.

**COMMISSIONERS' COMMENTS**

Commissioner O'Byrne had no additional comments.

Commissioner Kunkel had no additional comments.

**OTHER DISTRICT BUSINESS**

None.

**EXECUTIVE SESSION - RCW 42.30.110(1)(g) - To 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 public employee, and announced that the executive session would be for fifteen minutes. Mr. Reynolds departed the meeting. Commissioner Kunkel convened the executive session at 2:23 p.m., with the Commissioners, Mr. Russell, Mr. Martin, and Ms. Larson attending.

At 2:38 p.m., Mr. Russell announced that the executive session was extended for an additional five minutes. At 2:43, the executive session was concluded and the open public meeting reconvened. No action was taken.

**ADJOURNMENT**

As there was no further business or persons to be heard, the meeting concluded at 2:44 p.m.

**BOARD OF COMMISSIONERS**

*Douglas Kunkel*  
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Douglas Kunkel, Commissioner

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Pam Martin, Commissioner

*Suzi O'Byrne*  
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Suzi O'Byrne, Commissioner