

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

**Held on December 9, 2020**

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 – 132<sup>nd</sup> Place SE, Newcastle, Washington, on December 9, 2020. Pursuant to the Washington State Governor’s Proclamation No. 20-28, as extended, the meeting was not conducted in-person. Commissioner Douglas Kunkel, Board President, attended via telephone conference call, and called the meeting to order at 5:00 p.m. Commissioner Pam Martin, Board Vice-President, and Commissioner Suzi O’Byrne, 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 – ADDITIONS OR DELETIONS**

Mr. Russell stated that an executive session for the purpose of reviewing the performance of employees under RCW 42.30.110(1)(g) was added to the agenda.

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

**CONSENT AGENDA**

Approval of Minutes – Special Board Meeting of November 18, 2020

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

**CITIZENS’ COMMENTS**

Mr. Dan Wu was in attendance via telephone and introduced himself to the Board. Mr. Russell noted that Mr. Wu’s request was a separate agenda item. There were no other citizen comments.

**CUSTOMER REQUESTS**

Mr. Dan Wu reported that he owns a rental property which receives utility service from the District. Recently, his tenants broke their lease, damaged the residence, and left a water bill in the amount of \$432 unpaid. Mr. Wu acknowledged that the bill is ultimately his responsibility as the property owner. However, based on the circumstances, he requested that the District waive the delinquent amount or provide him with a payment plan.

Commissioner Kunkel stated that the District has sympathy for Mr. Wu’s circumstances but the damage to his rental property is not relevant to his obligation to pay the utility bill owed to the District. Commissioner Kunkel asked whether the District has authority to enter into a payment plan. Ms. Larson noted that pursuant to the Governor’s Customer Support Assistance Proclamations, the District has authority to enter into payment plans with persons adversely impacted by the COVID-19 pandemic, among other things. District staff, Ms. Larson and the Commissioners discussed the possibility of a payment plan. The District took the request under

advisement, so that staff and Ms. Larson could further discuss the matter. Staff will contact Mr. Wu within one week.

Ms. Crookston presented a second customer request, which is in the Board's meeting agenda packet. While the customer was out of town to address a COVID-19 related situation, a leak occurred in the customer's residence. When the customer discovered the situation, the customer was able to correct the leak without the services of a repairman or purchasing materials. However, the customer provided photographs and other information to document the leak's correction. The customer requested to apply the District's "Leak Repair Credit Policy" to the water bill.

Ms. Crookston noted that if the Policy was applied to the customer's leak, the District could grant a credit in the amount of \$309.94. Ms. Larson commented that the Policy, as written, could apply to this situation. Commissioner Kunkel recalled that the District had previously granted a leak credit under the Policy in a situation where a formal repair was not required.

After discussion, Commissioner O'Byrne made a motion to approve the customer's request for a Leak Repair Credit under the Policy and grant a credit in the amount of \$309.94. Commissioner Martin seconded the motion, which passed unanimously.

### **PFMLA POLICY**

Mr. Russell presented information on the PFMLA Policy included in the meeting agenda materials. Staff worked with the District's attorney to prepare the Policy, which follows and implements the State Paid Family and Medical Leave Act.

After discussion, Commissioner Martin made a motion to adopt Resolution No. 1901, adopting a Paid Family and Medical Leave Act Policy. Commissioner O'Byrne seconded the motion, which passed unanimously.

### **WASWD DUES**

Mr. Russell provided information on the WASWD dues for calendar year 2021. Ms. Crookston noted that there is an increase of 3% from last year's dues.

Commissioner Martin made a motion to approve payment of the WASWD annual dues for 2021. Commissioner O'Byrne seconded the motion, which passed unanimously.

### **ATTORNEY'S COMMENTS**

Ms. Larson reported on the Governor's recent Covid-19 Proclamations regarding the Open Public Meetings Act.

### **ENGINEER'S COMMENTS**

Mr. Reynolds reported that the contract for the 580 Reservoir Project has been awarded to T. Bailey. The contractor is in the process of providing the required bonds and other documents. Construction should begin in January.

Mr. Reynolds also reported that the I-405 Water Main Relocation Project is underway. The pre-construction meeting was held with the contractor and a site visit was performed. In addition, several Developer Extension projects are moving forward.

### **APPROVAL OF VOUCHERS**

The Board approved the Water/Sewer Maintenance Fund – Accounts Payable - Voucher Nos. 2294 to 2305 in the amount of \$114,688.23.

The Board approved the Water/Sewer Maintenance Fund – Accounts Payable - Voucher Nos. 2306 to 2317 in the amount of \$149,642.87.

The Board approved Water/Sewer Maintenance Fund – Payroll in the amount of \$20,600.00.

The Board approved Water/Sewer Maintenance Fund – Payroll in the amount of \$61,552.14.

The Board approved Water/Sewer Maintenance Fund – EFT in the amount of \$30,362.39.

The Board approved Water/Sewer Maintenance Fund – EFT in the amount of \$62,438.95.

### **MANAGER'S COMMENTS**

Ms. Crookston had no additional comments.

Mr. Martin reported that in connection with the I-405 Water Main Relocation Project, District staff are considering replacing another line to improve the system's performance. Staff will be coming back to the Board with information regarding pricing and a potential change order.

Mr. Russell reported that the Employee Recognition Lunch will be held on December 23. Due to Covid, the District cannot conduct a traditional gathering. Mr. Russell proposed that the District provide box lunches, along with a small token of recognition, and close the District office at 2:00 p.m. in lieu of the normal Employee Recognition Event. The Board's unanimous consensus was to approve this event.

Mr. Russell also noted that he sent a draft newsletter to the Commissioners for review.

### **COMMISSIONERS' COMMENTS**

Commissioner O'Byrne commented that she is glad that there will be employee recognition and stated that it has been a pleasure working with everyone at the District this year.

Commissioner Martin had no further comments.

Commissioner Kunkel congratulated Ms. Crookston on receiving her five-year award this year and noted that the commissioners look forward to many more years of working with her.

## **OTHER BUSINESS**

There was no other business.

## **EXECUTIVE SESSION – RCW 42.30.140(4)(b) Collective Bargaining and RCW 42.30.110(1)(g) Review the Performance of Employees**

Mr. Reynolds was excused from the meeting.

Mr. Russell requested an executive session under RCW 42.30.140(4) to discuss collective bargaining positions and negotiations. Before convening the executive session at 5:40 p.m., Mr. Russell advised this executive session would be for 15 minutes. The Commissioners, Mr. Russell, Mr. Martin, Ms. Crookston and Ms. Larson attended the executive session. At 5:55 p.m., the executive session was extended for an additional ten minutes, which was publicly announced. At 6:05 p.m., the executive session was extended for an additional five minutes, which was publicly announced. The open public meeting reconvened at 6:10 p.m. No action was taken.

Mr. Martin and Ms. Crookston were excused from the meeting.

Mr. Russell requested a second executive session under RCW 42.30.110(1)(g) for the purpose of reviewing the performance of certain employees. Before convening the second executive session at 6:13 p.m., Mr. Russell advised this executive session would be for 20 minutes. The Commissioners, Mr. Russell, and Ms. Larson attended the executive session. At 6:33 p.m., the executive session was extended for an additional 20 minutes, which was publicly announced. At 6:53 p.m., Mr. Russell was excused from the executive session and the executive session was extended for an additional ten minutes, which was publicly announced, with the Commissioners and Ms. Larson attending. At 7:03 p.m., the executive session was extended for an additional ten minutes, which was publicly announced.

The open public meeting reconvened at 7:13 p.m. Mr. Russell returned to the meeting.

After discussion, based on employee performance, Commissioner O'Byrne made a motion to approve an increase in salary for Calvin Megiveron to consist of a five percent (5%) merit raise plus the District's standard Cost of Living Adjustment. Commissioner Martin seconded the motion, which passed unanimously.

Commissioner Martin made a motion, based on employee performance, to approve an increase in salary for Jamie Crookston, to consist of a five percent (5%) merit raise plus the District's standard Cost of Living Adjustment. Commissioner O'Byrne seconded the motion, which passed unanimously.

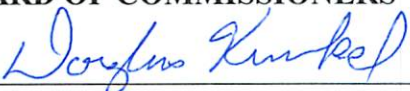
Commissioner Martin made a motion, based on employee performance, to approve an increase in salary for Patrick Martin, to consist of a two and one-half percent (2.5 %) merit raise plus the District's standard Cost of Living Adjustment. Commissioner O'Byrne seconded the motion, which passed unanimously.

Commissioner O'Byrne made a motion, based on employee performance, to approve an increase in salary for Robert Russell, to consist of a one and one-half percent (1.5%) merit raise plus the District's standard Cost of Living Adjustment. Commissioner Martin seconded the motion, which passed unanimously.

**ADJOURNMENT**

As there was no further business or persons to be heard, the meeting concluded at 7:25 p.m.

**BOARD OF COMMISSIONERS**

  
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Douglas Kunkel, Commissioner

  
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Pam Martin, Commissioner

  
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Suzi O'Byrne, Commissioner