

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

Held on August 22, 2018

A regular meeting of the Board of Commissioners of Coal Creek Utility District was held at the District Office, 6801 – 132nd Place SE, Newcastle, Washington, on August 22, 2018. Commissioner Pam Martin, Board President, called the meeting to order at 5:00 p.m. Commissioner Doug Kunkel, Board Vice President, and Commissioner Ric Anderson, Board Secretary, were also in attendance. District Staff Robert Russell, General Manager, Anne Paige, Finance Manager, and Patrick Martin, Operations Manager, were present. John Milne, District counsel, and Dave Hutley, District engineer, were also present.

APPROVAL OF AGENDA

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

CONSENT AGENDA

Approval of Minutes – Special Board meeting – August 15, 2018

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

CITIZENS' COMMENTS / CONCERNS

There were no citizens in attendance.

RESERVOIR SEISMIC ANALYSIS

Hutley presented a draft report dated July 27, 2018 entitled “Reservoir Seismic Analysis Program” (Report) reporting on an analysis of the District’s five existing reservoirs for potential vulnerability to earthquake (seismic) loads. The purpose of the report was to evaluate the structural

elements in the primary load path of each tank, identify potential seismic vulnerabilities, and prepare recommendations and cost estimates for improvements needed to bring the tanks up to current seismic and structural codes. Russell concurred that geotechnical work proceed to establish soil bearing capacity for the 580a and 580b tanks, and that anchoring thereafter be installed for each tank. He also concurred geotechnical work should proceed on the 1060 tank, and that the tank shell materials also be performed to verify steel strength. He also felt the 700 tank should be further reviewed and possibly replaced with a steel tank.

Following discussion, Commissioner Anderson made the motion to authorize work to proceed on Items 1, 2, 3, 4, 5, and 6 as identified on page 14 of the Report. Commissioner Kunkel seconded the motion, which carried unanimously.

Hutley will now finalize and issue the Report. District staff will keep the Board further advised.

580 RESERVOIR VANDALISM

Russell reported on the status of the 580 Reservoir vandalism matter. He advised that two individuals had been charged for the property damage inflicted at the site and that the District had recently received letters from the King County Prosecuting Attorney's Office inviting the District to submit a victim impact statement. The letter also addressed restorative justice such as restitution. Russell reported the District had incurred significant expense in time and materials to repair the damage to the site due to the vandalism.

Following discussion, Commissioner Kunkel made the motion to authorize and direct staff to pursue full restitution of the District's costs incurred due to the vandalism and to submit a victim impact statement. Commissioner Anderson seconded the motion, which carried unanimously. Staff will keep the Board further advised.

ALTERNATE FUEL REQUIREMENT

Russell and Milne reported a new statute became effective June 1, 2018, which required the District to the extent practicable to satisfy one hundred percent of the District's fuel requirements from electricity or biofuel. The Washington State Department of Commerce had also adopted rules to implement the alternate fuel requirement. However, the rules adopted by DOC provided for local governments like the District to exempt vehicles used for emergency response, and existing vehicles were not required to be replaced with alternate fuel vehicles before the end of their useful life.

Russell stated he felt that all of the District's vehicles had the potential to be used for emergency response given the nature of the District's duties and responsibilities to operate and maintain the District's water and sewer systems. Further, biofuel was not available within the District nor, to his knowledge, were there any electrical charging stations. He also stated the District probably used less than 10,000 gallons of fuel a year, but would confirm that. Therefore, he recommended the District adopt a policy addressing the alternate fuel requirements, but exempt all District vehicles as exempt due to their availability and use for emergency response purposes.

Following discussion, the Board authorized and directed staff and counsel to prepare and present a policy to comply with the new biofuel requirements by resolution for consideration by the Board at the next regular meeting.

ATTORNEY'S COMMENTS

Milne reported on the status of the litigation regarding the King County right-of-way compensation/rental matter. He reported that cross-motions for summary judgment on the legal issues involved in the litigation had been held on July 27, 2018, and that the Superior Court judge had ruled in favor of the districts in a conference call on August 1. His office had prepared an order

ruling in the districts' favor for presentation to the judge. The draft order had been provided to King County, but if the draft was not acceptable to King County, a hearing on the order for presentment had been scheduled for August 30, 2018. Once the order is entered with the Court, King County will have 30 days to appeal. He will keep the Board further advised.

ENGINEER'S COMMENTS

The engineer had no further report.

APPROVAL OF VOUCHERS

Russell reported the amount for voucher numbers approved at the Board's July 25, 2018, meeting for Water/Sewer Maintenance Fund Voucher Nos. 2538 through 2573 had been duplicated and should have been a total of \$84,275.16. The minutes for the July 25, 2018, Board meeting will be corrected accordingly.

The Board approved Water/Sewer Maintenance Fund Voucher Nos. 2594 through 2619 in the amount of \$473,692.11.

The Board approved Water/Sewer Maintenance Fund – Direct Deposit – Payroll in the amount of \$20,000.00.

FINANCE MANAGER'S COMMENTS

Ms. Paige reported she planned to implement the time-tracking application on September 4 and run parallel systems until the end of December, 2018.

Ms. Paige reported the auditor from the Washington State Auditor's Office was on-site to conduct a District audit.

Ms. Paige requested authorization to attend a webinar sponsored by AWC on recent changes in family leave. Following discussion, the Board authorized her to attend the webinar.

OPERATIONS MANAGER'S COMMENTS

The Operations Manager reported he had worked with City of Newcastle staff for approval to remove certain trees within the buffer along the north end of the District's administration/operations site which were threatening District fencing. City staff had issued a letter report dated August 17, 2018, authorizing the tree removal.

GENERAL MANAGER'S COMMENTS

Mr. Russell reported he would be absent from the September 12, 2018, Board meeting due to a vacation.

COMMISSIONERS' COMMENTS

Commissioner Anderson reported he planned to attend the August 27, 2018 WASWD Board of Directors meeting.

Commissioner Anderson reported on his attendance at the most recent meeting of the WASWD Emergency Preparedness Committee meeting. He reported a WARN exercise had been scheduled for September 25, 2018.

Commissioner Anderson reported the August meeting of the WASWD Technology Committee had been cancelled.

Commissioner Kunkel reminded the commissioners he would be absent from the September 12, 2018 Board meeting.

Commissioner Martin reported on her attendance at the August 14, 2018, SPU Conservation Technical Forum meeting by Skype.

Commissioner Martin reported on her participation in interviews of candidates for the vacant WASWD Executive Director position. She reported the WASWD Board of Directors will

consider the selection of a candidate at the August 27, 2018 Board meeting. She will keep the Board further advised.

ADDITIONAL CITIZEN'S COMMENTS

There were no citizens in attendance.

OTHER DISTRICT BUSINESS

As there was no further business or persons to be heard, the meeting concluded at 6:15 p.m.

BOARD OF COMMISSIONERS



Richard D. Anderson, Commissioner

Douglas C. Kunkel, Commissioner



Pamela A. Martin, Commissioner