

Lake Whatcom Water and Sewer District  
Special Meeting of the Board of Commissioners  
December 23, 2013

Board President Leslie Mc Roberts called the Special Meeting to order at 8:00 a.m. Other District representatives present included Commissioners Todd Citron, Deborah Lambert and John W. Millar, General Manager Patrick Sorensen, Legal Counsel Brian Hansen, Consulting Engineer Melanie Mankamy, District Engineer Bill Hunter, Finance Manager Debi Hill, and Recording Secretary Lyn Edwards. Commissioner Weide was excused from the meeting. There were no members of the public present.

- Consent Agenda

- Action Taken

- Millar moved, Lambert seconded, approval of:

- Accounts Payable Vouchers totaling \$77,177.97
    - Minutes for the December 11, 2013 Meeting

- Motion passed.

- Master Fees and Charges Schedule Update – Resolution #798

Sorensen reported that, in conjunction with updating the District's Administrative Code a new section entitled "Violations of Administrative Code" has been added to the Master Fees and Charges Schedule. Staff has also adjusted the Equipment Rental and Hourly Labor Rates to reflect current costs and deleted outdated Information Reproduction Fees. A duplicate billing fee has also been added to the Schedule. The Board reviewed and discussed the updated Master Fees and Charges Schedule and requested that the title of the "Equipment Rental" section be changed to "Equipment Charge".

- Action Taken

- Lambert moved, Citron seconded, to adopt Resolution 798 Master Fees and Charges Schedule #21 as amended. Motion passed.

- Administrative Code Update – Resolution #799

Sorensen presented Resolution 799 amending the District's Administrative Code regarding administrative penalties for violations of the code, adopting a dispute resolution procedure, amending provisions for bonded contractor suspension and expanding the use of the Small Works Roster for public works projects. The Board discussed the Administrative Code update.

- Action Taken

- Lambert moved, Citron seconded, to adopt Resolution 799 updating the District's Administrative Code as presented. Motion passed.

- Disposal of Surplus Items

The Board reviewed a list of miscellaneous surplus items that the District no longer needs dated December 2013.

- Action Taken

- Citron moved, Lambert seconded, to declare the presented list of items dated December 2013 as surplus and authorize the General Manager to dispose of them in a manner consistent with state law. Motion passed.

• WRIA 1 Whatcom Water District's Caucus Procedural Agreement

The Board reviewed and discussed the WRIA 1 Whatcom Water District's Caucus Procedural Agreement. No action was taken.

• Interim Legal Counsel Service Agreements

Sorensen presented two agreements for legal services explaining that District Legal Counsel Brian Hansen will be closing his office on December 31<sup>st</sup> in preparation for his upcoming retirement in July of 2014. Staff will be soliciting proposals/qualifications for new legal counsel in the spring of 2014. However, in the interim, Hansen will be working out of the offices of Barron, Smith and Daugert. Staff is proposing to enter into a letter of engagement with Hansen to provide general legal services for the District until his formal retirement. The District has also used the services of two other attorneys from Hansen's office; legal counsel Sara Hall for human resource issues and Tom Fryer as back-up when Hansen is unavailable. As of January 1, 2014 they will both be working out of the law offices of Grochmal and Fryer, P.C. The two agreements state the hourly rates for all legal services that will be provided under the two agreements. Discussion followed.

**Action Taken**

**Citron moved, Lambert seconded, to authorize the General Manager to enter into legal service agreements with Brian Hansen and the law offices of Grochmal and Fryer, P.C. Motion passed**

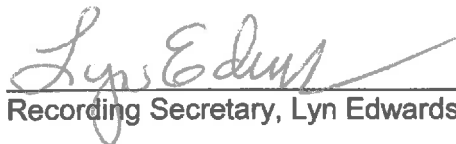
• Manager's Report

Sorensen reported on upcoming meetings including the next Lake Whatcom Policy Group Meeting, WASWD Section Three Meeting, Whatcom Water Districts Caucus Meeting and the WRIA 1 Planning unit meeting.

• Contract Negotiations/Potential Litigation (Executive Session per RCW 42.30.110(i))

Mc Roberts recessed the Regular Session to Executive Session at 8:20 a.m. It was estimated that the Executive Session would take about thirty minutes. The purpose of the Executive Session was to discuss Contract Negotiations and Potential Litigation. Mc Roberts recessed the Executive Session and reconvened the Regular Session at 8:50 a.m.

With no further business, Mc Roberts adjourned the Special Meeting 8:50 a.m.

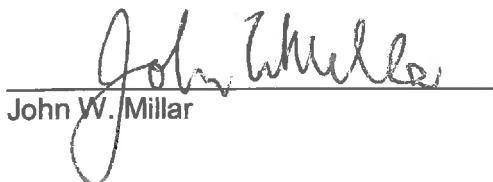
  
Recording Secretary, Lyn Edwards

1-8-2014  
Date Minutes Approved

  
Leslie Mc Roberts

  
Deborah Lambert

  
Todd Citron

  
John W. Millar