



LAKE WHATCOM WATER AND SEWER DISTRICT  
1220 Lakeway Drive  
Bellingham, WA 98229

## REGULAR SESSION OF THE BOARD OF COMMISSIONERS Minutes

*December 12, 2018*

Board President Laura Weide called the Regular Session to order at 6:30 p.m.

**Attendees:** Commissioner Laura Weide  
Commissioner John Carter  
Commissioner Todd Citron  
Commissioner Bruce Ford  
General Manager Justin Clary  
Operations & Maintenance Manager Brent Winters  
Recording Secretary Rachael Hope  
District Legal Counsel Bob Carmichael  
Consulting Engineer Melanie Mankamyer

**Excused Absences:** Commissioner Leslie McRoberts  
Assistant General Manager/District Engineer Bill Hunter  
Finance Manager/Treasurer Debi Denton

No public were in attendance.

### Consent Agenda

#### Action Taken

Ford moved, Carter seconded, approval of:

- Meeting Notes from the 11/30/2018 Board Meeting
- Payroll for Pay Period #25 (11/17/2018 through 11/30/2018) totaling \$46,495.56.
- Payroll Benefits for Pay Period #25 totaling \$51,002.51.
- Accounts Payable Vouchers totaling \$131,060.20.

Motion passed.

### Resolution No. 852 – 2019 Meeting Schedule

Clary recounted that the Board annually establishes by resolution the dates and times of regular meetings of the Board for the upcoming year. In recent years, regular board meetings have been held at 6:30 p.m. on the second Wednesday and at 8:00 a.m. on the last Wednesday of each month. Discussion followed, including consideration of codifying the regular meeting schedule to the District's Administrative Code.

#### Action Taken

Citron moved, Carter seconded, to adopt Resolution No. 852 as presented. Motion passed.

### **2019 Wilson Engineering Rates**

Clary summarized that Wilson Engineering provides on-call engineering services to the District through a professional services agreement executed on August 8, 2016. Per Section 7.4 of the agreement, Wilson Engineering may annually request revision to the approved rates to accommodate inflation and market conditions. Staff recommended that the Board approve the Wilson Engineering-proposed 2019 rate and fee schedule. Discussion followed.

#### **Action Taken**

**Carter moved, Ford seconded, to approve rates and fees to be effective January 1, 2019, for professional services performed by Wilson Engineering under the existing on-call professional services contract with the District, as presented in the November 21, 2018 letter from Wilson Engineering. Motion passed.**

### **Paid Family & Medical Leave Act Program Summary**

Clary explained that Washington State's Paid Family & Medical Leave Act (PFMLA) was authorized by the Washington State Legislature in 2017. The program will allow workers to take off up to 12 weeks, as needed, when a qualifying family or medical event occurs. Initial premiums are required to be deducted from employee paychecks beginning January 1, 2019. The employee-required contribution is 0.253% of gross wages. The employer contribution is 0.147% of gross wages, for a total of 0.4%.

Remittance of the employer portion of the premium is optional for employers with fewer than 50 employees. The financial impact to the District of opting in would be approximately \$4,000 in 2019. Staff recommended that the District opt out of paying the 0.147% of the PFMLA premium based on the uncertainty associated with award of grants that may offset the employer-related costs, and because future rates are unknown and subject to an annual adjustment by the Employment Security Department. Discussion followed, and no action was taken.

### **2019 Non-represented Staff Salary Cost-of-Living Adjustment**

Clary communicated that, with exception to the General Manager, District non-represented staff are considered at-will employees with no employment contract with the District. With no employment agreement stipulating annual cost-of-living adjustments (COLAs) to salaries, the Board of Commissioners has historically approved a COLA for non-represented positions consistent with that of represented (union) employees. However, the current contract with represented employees is set to expire on December 31 and does not stipulate a COLA for 2019.

As non-represented employees should not be subject to delays in receiving an annual COLA due to ongoing contract negotiations with the union, staff proposed a temporary 2.5% COLA for non-represented employees. This COLA is equal to 80% of the most recent Consumer Price Index (CPI-U) for the Seattle metropolitan area, the closest region to which the District is located.

To avoid impact to the District's salary matrix, the COLA is proposed as temporary, to be effective from January 1 until a contract is executed with the represented employees that results in a COLA to all positions in the District's salary matrix.

#### **Action Taken**

**Citron moved, Ford seconded, to approve a temporary salary adjustment for all non-represented District staff that is equal to an increase of 2.5% and effective January 1, 2019, through the District's approval of a contract with represented staff, at which time non-represented staff will be afforded a salary adjustment consistent with that of represented staff. Motion passed.**

**2019 District Initiatives**

Clary recalled that at the November 28, 2018 Board meeting he introduced proposed District Initiatives for 2019 to the Board. He presented the Board with an updated memorandum outlining the proposed Initiatives, including the incorporation of Board comments receiving during that meeting. Clary briefly highlighted the changes and additions since first presented, and the Board noted that Initiatives are listed in no particular order, with none being of higher importance. Discussion followed.

**Action Taken**

**Citron moved, Carter seconded, to approve the 2019 Initiatives, as presented in the general manager’s memorandum dated December 4, 2018. Motion passed.**

**Disposal of Surplus Property**

Clary presented to the Board a list of miscellaneous surplus items that the District no longer needs and of which staff recommended the Board authorize disposal.

**Action Taken**

**Citron moved, Ford seconded, to declare the property defined in the list dated December 2018, as surplus and authorize staff to dispose of each item in a manner that is most beneficial to the District and consistent with state law. Motion passed.**

**Par Sanitary Sewer Lift Station Renovation Project Closeout**

Clary informed the Board that Award Construction, Inc. has completed all contract requirements and that Staff recommends accepting the Par Sewer Pump Station Improvement Project as complete.

**Action Taken**

**Citron moved, Carter seconded, to accept the Par Sewer Pump Station Improvement Project as complete and authorize staff to close out the public works project. Motion passed.**



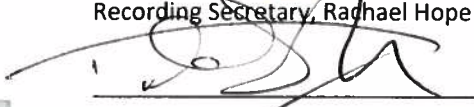
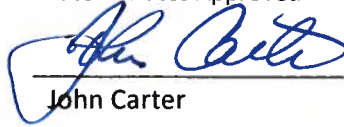
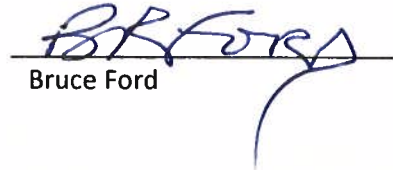
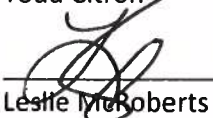
**General Manager’s Report**

Clary highlighted the recent voluntary State Department of Labor & Industries consultation visit, crew activity, the upcoming 50th Anniversary celebration and District annual banquet in January, and recent Lake Whatcom Management Program activity. Discussion followed.

**Executive Session Per RCW 42.30.140 (4)(a): Collective Bargaining - 10 Minutes**

Weide recessed the Regular Session to Executive Session at 7:41 p.m. It was estimated that the Executive Session would take about 10 minutes. The purpose of the Executive Session was for considering issues related to collective bargaining with a labor union. Weide recessed the Executive Session and reconvened the Regular Session at 7:50 p.m.

With no further business, Weide adjourned the Regular Session at 7:50 p.m.

 _____ Recording Secretary, Radhael Hope	12.26.18 _____ Date Minutes Approved	 _____ Laura Weide
 _____ Todd Citron	 _____ John Carter	 _____ Bruce Ford
 _____ Leslie M. Roberts		

