



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

REGULAR SESSION OF THE BOARD OF COMMISSIONERS  
**Minutes**  
*May 08, 2019*

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

**Attendees:** Commissioner Laura Abele  
Commissioner Todd Citron  
Commissioner John Carter  
Commissioner Bruce Ford  
Commissioner Leslie McRoberts  
General Manager Justin Clary  
Assistant General Manager/District Engineer Bill Hunter  
Finance Manager/Treasurer Debi Denton  
Operations & Maintenance Manager Brent Winters  
Recording Secretary Rachael Hope  
District Legal Counsel Bob Carmichael  
Consulting Engineer Melanie Mankamyer

Gary Stoyka, Whatcom County Public Works Natural Resources Manager, was also in attendance.

**Consent Agenda**

**Action Taken**

McRoberts moved, Citron seconded, approval of:

- Meeting Notes from the April 24, 2019 Board Meeting
- Payroll for Pay Period #09 (04/06/2019 through 04/19/2019) totaling \$42,718.00
- Payroll Benefits for Pay Period #09 totaling \$45,433.92
- Payroll Taxes for Q1 2019 totaling \$9,076.46
- Payroll for Pay Period #10 (04/20/2019 through 05/03/2019) totaling \$41,827.21
- Payroll Benefits for Pay Period #10 totaling \$49,735.36
- Accounts Payable Vouchers totaling \$161,742.26

Motion passed.

**Lake Whatcom Stormwater Utility Update**

Clary reminded the Board that in December 2017, the Whatcom County Council established the Lake Whatcom Stormwater Utility Service Area. The Service Area includes the entire unincorporated portion of the Lake Whatcom Watershed. The purpose of the new stormwater utility is to provide additional funding for efforts to clean up and protect Lake Whatcom water quality. Gary Stoyka, Natural Resources Program

Manager for Whatcom County, gave a presentation to provide a better understanding of anticipated utility structure and fees that will be applied to District-owned impervious surfaces. Discussion followed.

**Resolution No. 859 – Policy for Remote Participation in Board Meetings**

Clary recalled that during its regularly scheduled meeting on March 27, 2019, the Board of Commissioners approved a revision to the District’s Commissioner Protocol Manual, which documents accepted practices and clarifies expectations of the Board. During its deliberation on the revisions to the manual, the Board included a provision for attendance of board meetings remotely. To ensure compliance with state statute, including compensation of commissioners for meeting attendance regardless of whether it is in person or remotely, District counsel recommended adoption of a formal policy via resolution.

**Action Taken**

**Ford moved, Citron seconded, to adopt Resolution Number 859 as presented. Motion passed.**

**Country Club Horizontal Directional Drill Gravity Sewer Main AE Agreement Amendment for Services During Construction**

Hunter explained that the construction contract for removal of the existing Country Club sanitary sewer lift station and installation of approximately 700 lineal feet of sewer main by horizontal directional drilling has been executed. Staff requested the design engineer, BHC Consultants, prepare a scope of work and fee for services during construction to assist District staff with tasks as outlined in the amendment. The 2019 budget allocates \$80,000 for services during construction. Proposed Amendment 5 – Services during Construction for \$79,738 - is within District budget.

**Action Taken**

**Citron moved, Ford seconded, to authorize the General Manager to execute A/E Agreement Amendment #5 for Services during Construction with BHC Consultants for time and materials not to exceed \$79,938 as presented. Motion passed.**

**Geneva Sewer Pump Station AE Agreement Amendment for Services During Construction**

Hunter stated that the construction contract has been executed for the Geneva Sewer Pump Station improvement project. Staff requested the design engineer, RH2 Engineering Inc., prepare a scope of work and fee for services during construction to assist District staff with tasks as outlined in the amendment. Staff will also coordinate on-site observations with the consultant to ensure inspections are performed throughout construction. The 2019 budget allocates \$70,000 for services during construction. Proposed Amendment 5 – Services during Construction for \$69,664 is within District budget.

**Action Taken**

**Citron moved, Ford seconded, to authorize the General Manager to execute A/E Agreement Amendment #5 for Services during Construction with RH2 Engineering, Inc. for time and materials not to exceed \$69,644 as presented. Motion passed.**

**Disposal of Surplus Property**

Winters recommended that the Board declare the property in the presented list as surplus and authorize staff to dispose of each.

**Action Taken**

**Citron moved, Ford seconded, to declare the property defined in the list dated May 1, 2019, 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.**

**General Manager's Report**

Clary updated the Board on several topics, including the arrival of the District's new backhoe, the completion of the District Investment Committee's quarterly meeting, and an update on the Whatcom Water Alliance. Discussion followed.

Clary also recognized District Maintenance Lead Jason Dahlstrom for his recent work during an on-call shift when there was a system communication failure at one of the District's lift stations. Largely because of recent training Dahlstrom took the initiative to attend, he was able to perform diagnostics and repairs in house to rectify the problem.

**Executive Session – 30 Minutes**

Abele recessed the Regular Session to Executive Session at 8:25 p.m. It was estimated that the Executive Session would take about 30 minutes. There were multiple purposes for this Executive Session:

- *Executive Session Per RCW 42.30.110(1)(i)(i): Discuss with legal counsel "potential litigation."*
- *Executive Session Per RCW 42.30.110(1)(f): To evaluate complaints brought against a public employee.*

Abele recessed the Executive Session and reconvened the Regular Session at 8:55 p.m.

**Executive Session – 10 Minutes**

Abele recessed the Regular Session to Executive Session at 8:55 p.m. It was estimated that the Executive Session would take about 10 minutes. There were multiple purposes for this Executive Session:

- *Executive Session Per RCW 42.30.110(1)(i)(i): Discuss with legal counsel "potential litigation."*
- *Executive Session Per RCW 42.30.110(1)(f): To evaluate complaints brought against a public employee.*

Abele recessed the Executive Session and reconvened the Regular Session at 9:05 p.m.

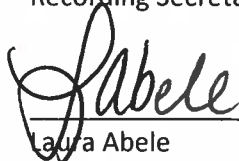
With no further business, Abele adjourned the Regular Session at 9:05 p.m.



Recording Secretary, Rachael Hope

*May 29, 2019*

Date Minutes Approved

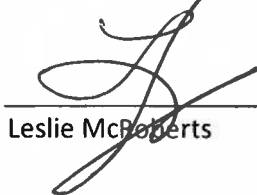


Laura Abele

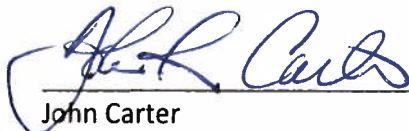


Todd Citron

Bruce R. Ford



Leslie McRoberts



John Carter





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**MEETING SIGN-IN SHEET**  
(SUBJECT TO PUBLIC DISCLOSURE)

MEETING DATE: 5-8-19

NAME	ADDRESS/ BUSINESS
Gary Stojka	Whatcom <sup>Co.</sup> Public Works



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