



LAKE WHATCOM WATER AND SEWER DISTRICT

1220 Lakeway Drive
Bellingham, WA 98229

REGULAR SESSION OF THE BOARD OF COMMISSIONERS

Minutes

January 08, 2020

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

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

No public were in attendance.

Oath of Office

Denton administered the Oaths of Office for re-elected Commissioners Bruce Ford (Position 3) and Leslie McRoberts (Position 4).

Consent Agenda

Action Taken

McRoberts moved, Citron seconded, approval of:

- Payroll for Pay Period #26 (12/14/2019 through 12/27/2019) totaling \$44,408.18
- Payroll Benefits for Pay Period #26 totaling \$52,149.85
- Accounts Payable Vouchers totaling \$283.17
- Accounts Payable Vouchers totaling \$153,675.50

Motion passed.

Election of Board Officers

Clary explained that the District operates under the authority of Revised Code of Washington (RCW) Title 57, Water-Sewer Districts. Under RCW 57.12.10, Commissioners-President and Secretary- Compensation, "the board shall annually elect one of its members as president and another as secretary."

Action Taken

McRoberts moved, Citron seconded, to appoint Commissioner Abele to serve as District Board president for the 2020 calendar year. Motion passed.

Abele moved, McRoberts seconded, to appoint Commissioner Citron to serve as District Board secretary for the 2020 calendar year. Motion passed.

Appointment of Board Representatives to the District's Investment Committee

Clary recalled that Chapter 2.14 of the District's administrative code establishes an Investment Committee, which is comprised of the finance manager/treasurer, general manager, and two commissioners. Duties of the committee include, at a minimum, quarterly review of the District's investment portfolio and rate structure (Chapter 2.4) and annual review of the District's investment policy (Chapter 2.14).

Action Taken

McRoberts moved, Ford seconded, to appoint Commissioner Carter and Commissioner Citron to serve as the Board's representatives on the District's Investment Committee for the 2020 calendar year. Motion passed.

Appointment of Board Representatives to the Whatcom County Council of Governments and the Lake Whatcom Management Program Policy Group

The District annually appoints a representative to serve on the Whatcom County Council of Governments and a representative to serve on the Lake Whatcom Management Program Policy Group.

Action Taken

Citron moved, McRoberts seconded, to appoint Commissioner Carter to serve as the District's representative on the Whatcom County Council of Governments for the 2020 calendar year. Motion passed.

Citron moved, Carter seconded, to appoint Commissioner Ford to serve as the District's representative to the Lake Whatcom Management Program Policy Group for the 2020 calendar year. Motion passed.

Approval of Personal Services Agreement for On-Site Sewage Impact Assessment

Clary detailed that following a 2017 assessment completed by Herrera Environmental Consultants, Inc. (Herrera), several data gaps were identified by City and County staff. In order to collect additional data to better understand the impact of on-site sewage systems, a scope of work for a second round of monitoring was jointly developed by City, County, and District staff, and an interlocal agreement between the District and County was executed on November 20, 2019 to allocate funding requirements of the assessment.

The District issued a request for proposals from qualified consultants in November 2019. Herrera was selected to perform the assessment, and a meeting of City, County, District, and Herrera staff was conducted on December 19 to finalize the scope of work. Staff presented the Board with the proposed scope of work and associated fee in the form of a personal services agreement. Discussion followed.

Action Taken

Ford moved, McRoberts seconded, to authorize the General Manager to execute a personal services agreement for the Lake Whatcom On-site Sewage System Impact Assessment with Herrera Environmental, Inc. for time and materials not to exceed \$97,514.00 for Tasks 1 through 3 of the associated scope of work, with Task 4 approval contingent upon receipt of a Washington State Department of Health Source Water Protection grant. Motion passed.

General Manager's Report

Clary updated the Board on several topics, including report of no lost-time injuries in 2019, completed septic abandonment and connection to sewer of a property on North Shore Road, and recent social media activity from District constituents. Discussion followed.

The Board commended District staff on their excellent safety record, and attention to creating a safe work environment.

Other Business: Commissioner Insurance Discussion

Commissioner Citron requested the addition of one item of other business regarding the ongoing conversation on commissioner insurance coverage. Discussion followed, and the Board agreed to suspend discussion of providing commissioner insurance for the time being.

Executive Session Per RCW 42.30.110(1)(i)(ii) To Discuss Potential Litigation – 15 Minutes

Abele recessed the Regular Session to Executive Session at 7:35 p.m. It was estimated that the Executive Session would take 15 minutes. The purpose of the Executive Session was to discuss potential litigation with legal counsel. Abele recessed the Executive Session and reconvened the Regular Session at 7:46 p.m.

Executive Session Per RCW 42.30.110(1)(g) General Manager Performance Evaluation – 30 Minutes

Abele recessed the Regular Session to Executive Session at 7:46 p.m. It was estimated that the Executive Session would take 30 minutes. The purpose of the Executive Session was to discuss the General Manager's Performance Evaluation. Abele recessed the Executive Session and reconvened the Regular Session at 8:15 p.m.

Executive Session Per RCW 42.30.110(1)(g) General Manager Performance Evaluation – 30 Minutes

Abele recessed the Regular Session to Executive Session at 8:15 p.m. It was estimated that the Executive Session would take 20 minutes. The purpose of the Executive Session was to discuss the General Manager's Performance Evaluation. Abele recessed the Executive Session and reconvened the Regular Session at 8:37 p.m.

Action Taken

Carter moved, McRoberts seconded, to increase General Manager Justin Clary's annual salary by \$3,000.00 effective January 1, 2020. Motion passed.

With no further business, Abele adjourned the Regular Session at 8:37 p.m.



Recording Secretary, Rachael Hope



Laura Abele

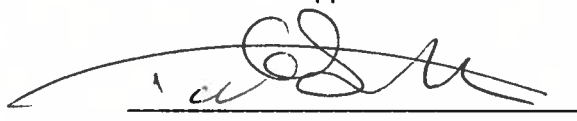
Bruce R. Ford




John Carter

Jan 29, 2020

Date Minutes Approved



Todd Citron



Leslie McRoberts

