



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

REGULAR SESSION OF THE BOARD OF COMMISSIONERS

Minutes

March 31, 2021

Board Secretary Todd Citron called the Regular Session to order at 8:00 a.m.

Attendees: Commissioner Todd Citron General Manager Justin Clary
 Commissioner John Carter District Engineer/Assistant GM Bill Hunter
 Commissioner Bruce Ford Operations Manager Brent Winters
 Commissioner Leslie McRoberts Recording Secretary Rachael Hope

Excused Absences: Commissioner Laura Abele

All attendees participated remotely by phone or video conferencing. No public were in attendance.

Roll Call

General Manager Justin Clary performed a roll call to identify those in attendance, and then verbally confirmed that the meeting was noticed in accordance with Resolution No. 859 allowing remote meeting attendance as well as in compliance with current statutory requirements. It was confirmed that all participants were able to be heard and hear each other clearly.

Consent Agenda

Action Taken

McRoberts moved, Carter seconded, approval of:

- Minutes for the February 10, 2021 Work Session
- Corrected Minutes from the February 24, 2021 Regular Board Meeting
- Minutes from the March 10, 2021 Regular Board Meeting
- Payroll for Pay Period #06 (03/06/2020 through 03/19/2021) totaling \$46,445.49
- Payroll Benefits for Pay Period #06 totaling \$52,368.86
- Accounts Payable Vouchers totaling \$303,345.88

Motion passed.

Petition to Waive or Adjust Connection Requirements 2377 North Shore Road Single Family Residence

Hunter explained that Ali Taysi with AVT Consulting submitted a petition to waive or reduce connection requirements regarding the extension of approximately 80-feet of water main across the lot frontage of 2377 North Shore Road. The subject property is a sewer-only customer that draws drinking water directly from Lake Whatcom.

In 2009 the property adjacent (2373 North Shore Road) to Mr. Chang's property was required to extend approximately 281-feet of 8-inch diameter ductile iron water main at total cost of \$33,430 as documented in a Latecomer's Agreement recorded on August 25, 2009. This 2009 extension brought the 8-inch water main to Mr. Chang's northwest property corner. District staff has had occasional correspondence with Mr. Chang, and his consultants, beginning around 2012. In accordance with the District's Administrative Code, it has been conveyed that a public water main extension is required as a condition of connection to District water.

Applicable Administrative Code Section 3.4.2.B, Water Service Inside or Outside UGA or LAMIRD states:

B. Sufficient Water System within 200-feet of Property. Connection to the District water system is required. Owner extends and/or replaces main past and/or through property and connects to the sufficient main by Developer Extension Agreement and in accordance with current District Standards.

Hunter presented research compiled by District staff, with the recommendation that the Board maintain the District's Administrative Code requirements to construct a public water main extension past and/or through parcel as a condition of water service. Discussion followed.

Action Taken

McRoberts moved, Ford seconded, to deny the petition and maintain the District's Administrative Code development requirements that require a public water main extension past and/or through the parcel located at 2377 North Shore Road as a condition of water service. Motion passed.

Petition to Waive or Adjust Connection Requirements 1834 Lake Louise Road 3 Lot Short Plat

Mr. Luke Pinnow is subdividing a 17-acre parcel located at 1834 Lake Louise Road into three (3) lots. There is one existing single family residence on the parcel that is served by the District's public water system and a private on-site sewage system. Mr. Pinnow is petitioning the Board for a waiver to the requirement of extending a water main past and/or through the property as a condition of short plat development. He is requesting that the Board allow two additional water service connections to the LID #5 Booster Pump Station, which was originally designed to serve eight single-family homes. Currently there are five connections on the system.

Hunter highlighted new information and comments made referencing the Board's previous discussion at the March 10 Regular Board Meeting. He presented 5 options for responding to the petition and explained staff's recommendation that the Board deny the petition and require water main extension past Mr. Pinnow's property along Lake Louise Rd. Discussion followed.

Action Taken

Carter moved, McRoberts seconded, to decline the petition and maintain the District's Administrative Code development requirements that require a public water main extension past and/or through the parcel located at 1834 Lake Louise Road; and, that as a condition of water service, the developer extend the existing public water main in Lake Louise Road past the subject property's right-of-way frontage shown schematically in Option #2. Motion passed.

Geneva & Division 22 Reservoir Impressed Current Cathodic Protection Systems Contract Close-Out

Hunter recalled that this project includes installation of impressed current cathodic protection systems at both the Geneva Reservoir and original of the two Division 22 Reservoirs. The Board of Commissioners approved the contract award of the Geneva & Division 22 Reservoir Impressed Current Cathodic Protection Systems construction contract (District Capital Project #C2013) to Norton Corrosion Limited, LLC on October 14, 2020.

Norton Corrosion Limited, LLC has completed all contract requirements; therefore staff recommended accepting the Geneva & Division 22 Reservoir Impressed Current Cathodic Protection Systems construction contract as complete.

Action Taken

McRoberts moved, Ford seconded, to accept the Geneva & Division 22 Reservoir Impressed Current Cathodic Protection Systems construction contract as complete and authorize staff to close out the public works project. Motion passed.

Families First Coronavirus Response Act Benefits Extension

Clary summarized that at the outset of the COVID-19 pandemic, President Trump signed the Families First Coronavirus Response Act (FFCRA) relief bill into law. The FFCRA requires private employers with less than 500 employees and certain public employers (which includes the District) to provide employees with 80 hours of paid leave for specified reasons related to COVID-19 and up to 10 weeks of paid, job-protected leave for employees who are unable to work due to the need to care for a son or daughter whose school is closed or the unavailability of a child care provider due to COVID-19. The FFCRA expired December 31, 2020.

On December 21, 2020, Congress decided not to extend the FFCRA, but instead allow employers to decide whether or not to continue to provide paid leave relief relative to the pandemic through March 31, 2021. District Board of Commissioners, at its regularly scheduled meeting held on December 30, 2021, adopted a motion extending the FFCRA benefits to District employees through March 31, 2021.

On March 11, 2021, President Biden signed the American Rescue Plan Act of 2021 (ARPA) into law. ARPA includes a provision that allows for employers the option of again extending paid leave relief relative to the pandemic, this time through September 30, 2021. Staff recommended that the Board extend the potential for relief to District employees impacted by the COVID-19 pandemic through September 30, 2021.

Action Taken

Carter moved, McRoberts seconded, to extend the paid leave relief provisions provided under the Families First Coronavirus Relief Act to District employees, as eligible, through September 30, 2021. Motion passed.

COVID-19 Vaccination Program Policy Discussion

Clary communicated that as an essential service provider, ensuring continuity of services throughout the COVID-19 pandemic has been a critical focus of the District's operations over the past year. With COVID-19 vaccines becoming more readily available, the Board indicated a desire at the March 10, 2021 Regular Board Meeting to discuss formal adoption of a vaccination policy for staff. Clary presented the Board with a memorandum developed by staff in order to facilitate this discussion, which included information on vaccine distribution in Washington State, the legality of mandatory vaccination programs, and a summary and examples of other Water/Sewer District policies regarding the COVID-19 vaccine. Discussion followed.

General Manager's Report

Clary updated the Board on several topics, including the District's continued response to the COVID-19 pandemic, District participation in regular 5-year review of the Whatcom County Natural Hazards Mitigation Plan, update of all District Job Descriptions, and the status of hiring for the open Finance Manager position. Discussion followed.

Engineering Department Report

Hunter highlighted several areas, including anticipated arrival of equipment at the Agate Heights Water Treatment Plant in mid-April, improvements underway at the Beaver and Flatcar pump stations, and network improvements being made on the District’s SCADA network. Discussion followed.

Finance Department Report

Clary briefly highlighted costs and revenue tracking on the report provided, as well as touching on the status of accounts 60 or more days in arrears.

Operations & Maintenance Department Report

Winters gave a brief report on field crew operations, including update on staff work under COVID conditions, normalization of production rates at both water treatment plants following repair of transmission lines, as well as providing information regarding a break in at the Division 32 booster pump station. Discussion followed.

With no further business, Citron adjourned the Regular Session 9:58 a.m.



Board President, Laura Abele

Attest: 

Recording Secretary, Rachael Hope

Minutes approved by motion at Regular Special Board Meeting on April 14, 2021
Date Minutes Approved