



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

## REGULAR SESSION OF THE BOARD OF COMMISSIONERS

### Minutes

*September 29, 2021*

Board President Laura Abele called the Regular Session to order at 8:02 a.m.

**Attendees:** Commissioner Laura Abele  
Commissioner Todd Citron  
Commissioner John Carter  
Commissioner Bruce Ford  
Commissioner Leslie McRoberts  
General Manager Justin Clary  
District Engineer/Assistant GM Bill Hunter  
Current Finance Manager/Treasurer Jenny Signs  
Operations Manager Brent Winters  
Recording Secretary Rachael Hope  
Bob Carmichael, District Legal Counsel  
Keith Stewart, Gray & Osborne  
Kristin Hemenway, District Staff  
Melanie Mankamy, Wilson Engineering  
Brian Smith, Wilson Engineering  
Jason Dahlstrom, District Staff

All attendees participated remotely by phone or video conferencing.

#### 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, excluding one anonymous attendee who followed District procedure for attending as an observer only.

#### Changes to Agenda

Commissioner Citron suggested that Item 7D be moved to immediately after the Consent Agenda in order to release attending staff back to regular duties in a timely manner. The Board agreed.

#### Consent Agenda

##### Action Taken

Ford moved, McRoberts seconded, approval of:

- Minutes for the September 8, 2021 Work Session
- Minutes for the September 8, 2021 Regular Board Meeting
- Payroll for Pay Period #19 (09/04/2021 through 09/17/2021) totaling \$48,860.34
- Payroll Benefits for Pay Period #19 totaling \$52,677.15
- Accounts Payable Vouchers totaling \$635,298.15

Motion passed.

### **Mandatory Vaccination of District Staff Policy Discussion**

On August 9, 2021, Governor Inslee issued Proclamation No. 21.14, mandating that all State employees become fully vaccinated from COVID-19 by October 18, unless they qualify for a bona fide medical or religious exemption. Following the initial proclamation, a few local governments have also implemented mandatory vaccination policy for their staff, and many more are beginning to consider such a policy. During the board's August 25 meeting, Commissioner Ford raised this issue, and the Board requested inclusion of discussion of adopting a mandatory vaccination policy on a future meeting agenda. At the September 8 regular board meeting, discussion of multiple topics and considerations took place. The Board explored topics such as staffing redundancy, exemptions, and current and available protective measures; as well as hearing input from several District employees.

Clary introduced the topic for further discussion, including the presentation of a potential draft resolution mandating vaccination for District employees. District employees were invited to contribute to the discussion. The dialogue elicited several questions from the Board, who requested that District staff return with further information at the October 13, 2021 regular meeting, with a goal of making a final decision on that date.

### **Customer Appeal – Request for Extension of Voluntary Billing Suspension Period**

Clary explained that the District has historically provided as a service to its customers the ability to voluntarily suspend water and/or sewer services, subject to payment of an administrative fee (Administrative Code Section 2.10.5). Until recently, an account under voluntary billing suspension could remain so indefinitely. With the adoption of Resolution No. 874 by the board during its regularly scheduled meeting on April 28, 2021, the Administrative Code was amended to cap voluntary billing suspension of service to no more than four consecutive months, nor more than four total months per calendar year. Since adoption of Resolution No. 874, District staff have notified those accounts under voluntary billing suspension of the pending resumption of service.

The District was contacted by Therese Kozak during the week of September 6 regarding a request for extension of voluntary billing suspension due to her inability to cross the U.S.-Canada border; District staff informed Ms. Kozak of the service suspension cap provided under the Administrative Code. Ms. Kozak again contacted District staff on September 16 regarding the issue, and was informed again of the cap and that here sole recourse was to appeal her situation to the board. The District received an email from Ms. Kozak on September 21, 2021 requesting consideration of extension of the voluntary billing suspension associated with her account.

#### **Action Taken**

**Citron moved, Ford seconded, to uphold the District Administrative Code as written and implemented by the General Manager, and decline Ms. Kozak's appeal for extension of voluntary billing suspension associated with her account. Motion passed.**

### **Sudden Valley Water Treatment Plant Master Plan Alternatives Discussion**

Hunter recalled that at the August 11, 2021 Board work session, a set of preferred alternatives was presented by Gray & Osborne (G&O) and District staff for the Sudden Valley Water Treatment Plan (SVWTP) 20-year facility improvement plan. Various alternatives and configurations were measured against six goals developed during the year-long alternatives analyses process.

At the August 25 Board meeting G&O, District staff, and the Board discussed three basic configurations and associate project cost estimates. They have been referred to as the Minimum, Medium, and Maximum Configurations, relating the cost of each configuration. There was some general consensus that the Medium Configuration could be the preferred solution. The Board requested G&O and District staff look closer at the

Medium Configuration to determine if costs could be reduced any further while still achieving roughly the same number of project goals.

Staff presented the Board with worksheets summarizing the component costs for each of the three configurations as well as a narrative for each configuration to facilitate discussion.

**Long-range Operations and Capital Improvement Program Policy Discussion**

Clary recounted that in early 2021, the District embarked on completion of a rate study that will allow for creation of its next 5- year rate program. While an initial revision of the rate study was developed using recent operational cost trends, known debt service obligations, and policy-defined system reinvestment allocations, it was also recognized that there are a number of other large-scale and long-range policy and capital considerations at play that will have a direct impact on the rate study.

To-date, due to magnitude and complexity of discussion, considerations have been presented individually to the Board due to meeting/work session time constraints. However, all of these also have direct implications on District finances, and must be considered in concert, with Board policy set on which should be prioritized based upon acceptable rate impacts. Discussion followed, including preliminary plans for a future work session retreat for Staff to gain overall direction on Board priorities to be built into the rate study and future operating budgets.

**General Manager’s Report**

Clary updated the Board on several topics, including the District’s continued response to the COVID-19 pandemic, a recent trespass at the District 22 reservoir, and the District’s receipt as a 20 year recipient of the DOH’s Treatment Optimization Program (TOP) Award. Discussion followed.

**Engineering Department Report**

Hunter highlighted several areas, including supply chain issues affecting the closeout of several district projects, a request for interested commissioners to participate on the review committee for Division 7 Seismic Upgrade Requests for Qualifications, and progress on a Hazard Mitigation Grant the District has applied for. Discussion followed.

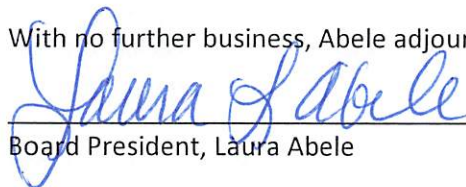
**Finance Department Report**

Signs reported that as of August 31, 67% of the fiscal year has passed and expenditures are tracking consistent with expectations. Revenues are coming in ahead of schedule largely due to permit purchases.

**Operations & Maintenance Department Report**

Winters gave a brief report on field crew operations, including ongoing safety training, recent service line leaks, and lots of development activity leading into the busiest month of inspections and installation of new water services. Discussion followed.

With no further business, Abele adjourned the Regular Session 10:19 a.m.

  
Board President, Laura Abele

Attest:   
Recording Secretary, Rachael Hope

Minutes approved by motion at  Regular  Special  
Board Meeting on Oct. 13, 2021  
Date Minutes Approved