



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

## REGULAR SESSION OF THE BOARD OF COMMISSIONERS

### Minutes

*November 10, 2021*

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  
Recording Secretary Rachael Hope  
General Manager Justin Clary  
District Engineer/Assistant GM Bill Hunter  
Finance Manager/Treasurer Jenny Signs  
Operations Manager Brent Winters

Also in attendance was Catherine Moore of Carmichael Clark. 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.

#### Consent Agenda

##### Action Taken

Citron moved, Ford seconded, approval of:

- Minutes for the October 13, 2021 Regular Board Meeting
- Minutes for the October 25, 2021 Special Work Session
- Minutes for the October 27, 2021 Regular Board Meeting
- Payroll Taxes for 3rd Quarter 2021 totaling \$8,044.72
- Payroll for Pay Period #22 (10/16/2021 through 10/29/2021) totaling \$45,246.21
- Payroll Benefits for Pay Period #22 totaling \$50,623.16
- Accounts Payable Vouchers totaling \$262,072.18

Motion passed.

#### Resolution No. 878 Whatcom County Natural Hazards Mitigation Plan

Clary explained that the District, in partnership with Whatcom County and a number of other local governments in the county, first developed a county-specific natural hazard mitigation plan in 2005, which has

been updated every five years since in accordance with FEMA review requirements. The COVID-19 pandemic delayed the County's initiation of the most recent update until earlier this year. Since that time, the County and participating agencies, with the assistance of the Western Washington University Resilience Institute, has gone through a systematic process of reviewing and updating the plan.

On October 20, 2021, FEMA granted Plan Approvable Pending Adoption status to the updated plan. With receipt of FEMA's Plan Approvable Pending Adoption status, the next step in the plan finalization process is the adoption of the plan by each of the participating agencies. Discussion followed, including recognition by Commissioner Citron of the District's staff for improvement and progress in relation to hazard mitigation and emergency response planning over the last decade.

#### **Action Taken**

**Citron moved, Carter seconded, to adopt Resolution No. 878 as presented. Motion passed.**

#### **Rate Study Discussion**

Clary recalled that earlier this year embarked on completion of a rate study that would 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.

Following the October 25 Board retreat, the Investment Committee met with Jim Nelson of DA Davidson to discuss alternatives for bond debt service structuring associated with the Post Point WWTP project that would mitigate rate impacts. Additionally, the management team identified means of paring back the cost impacts of the Six-year Strategic Business Plan and the impacts of planning for the Minimum alternative for the SVWTP, which were incorporated into the rate model by FCS Group, and presented to the Board for consideration of integration into the draft 2022 Budget and the District's Master Fees and Charges Schedule during a future Board meeting. Discussion followed.

#### **Draft 2022 Budget Presentation**

Signs introduced the most recent draft of the District's 2022 Budget, with the goal of review and approval by the Board of Commissioners prior to the end of December in advance of the budget year. Using projected revenues based upon rate increases recommended in the preliminary rate study (6% and 5% water and sewer rates, respectively), actual 2021 operating expenses and projects defined in the District's water and sewer capital improvement plans, District staff presented the draft budget for Board discussion. Discussion followed.

#### **General Manager's Report**

Clary updated the Board on several topics, including the District's continued response to the COVID-19 pandemic as well as staff efforts pertaining to delinquent accounts, correspondence with Whatcom County Council Member Byrd pertaining to the American Rescue Plan Act, and a request for interest from any commissioners who would like to attend virtual meetings with legislators in December. Discussion followed.

#### **Executive Session Per RCW 42.30.140(4)(a) Collective Bargaining – 30 Minutes**

Abele recessed the Regular Session to Executive Session at 7:45 p.m. It was estimated that the Executive Session would take 30 minutes, and action was anticipated. The purpose of the Executive Session was to consider issues related to collective bargaining with a labor union. Abele recessed the Executive Session and reconvened the Regular Session at 8:12 p.m.


Action Taken

Ford moved, Citron seconded, to authorize the general manager to execute the memorandum of understanding with AFSCME Council 2 Local 114WD associated with accommodating represented employee impacts from receiving the COVID-19 vaccination, as presented. Motion passed.

Executive Session Per RCW 42.30.110(1)(g) Reviewing the Performance of a Public Employee – 5 Minutes

Abele recessed the Regular Session to Executive Session at 8:15 p.m. It was estimated that the Executive Session would take 5 minutes. The purpose of the Executive Session was to discuss the General Manager's annual performance appraisal by the Board. Abele recessed the Executive Session and reconvened the Regular Session at 8:20 p.m. No action was taken.

With no further business, Abele adjourned the Regular Session 8:30 p.m.

  
Board President, Laura Abele

Attest:   
Recording Secretary, Rachael Hope

Minutes approved by motion at  Regular  Special Board Meeting on Dec 8, 2021  
Date Minutes Approved