



LAKE WHATCOM WATER AND SEWER DISTRICT

1220 Lakeway Drive
Bellingham, WA 98229

REGULAR SESSION OF THE BOARD OF COMMISSIONERS

Minutes

June 29, 2022

Board President Laura Abele called the Regular Session to order at 8:00 a.m.

Attendees:

Commissioner Laura Abele	General Manager Justin Clary
Commissioner Todd Citron	District Engineer/Assistant GM Bill Hunter
Commissioner John Carter	Finance Manager/Treasurer Jenny Signs
Commissioner Bruce Ford	Operations & Maintenance Manager Brent Winters
Commissioner Leslie McRoberts	Recording Secretary Rachael Hope

Also in attendance were:

- Catherine Moore, Carmichael Clark
- Nilo Camden & Jenny England, public
- Tim Holland, public
- Carol Holland, public
- Carolyn Taylor, public
- Deena Lowe-Davidson, public
- Alvin Hill, public
- Two observation only attendees

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.

Additions & Changes to Agenda

Clary stated that Commissioner McRoberts requested time after the second public comment period, item 10, to make a statement. The Board agreed.

Consent Agenda

Action Taken

Citron moved, Ford seconded, approval of:

- Minutes for the June 08, 2022 Regular Board Meeting
- Payroll for Pay Period #12 (05/28/2022 through 06/10/2022) totaling \$51,807.28
- Payroll Benefits for Pay Period #12 totaling \$55,095.87
- Payroll for Pay Period #13 (06/11/2022 through 06/24/2022) totaling \$52,513.34

- **Payroll Benefits for Pay Period #13 totaling \$31,064.47**
- **Special Check for Missed Hours totaling \$138.71**
- **Accounts Payable Vouchers totaling \$185,586.71**

Motion passed.

Commissioner Protocol Manual Revision

Clary explained that since its adoption by the Board of Commissioners in 2011, the Commissioner Protocol Manual has undergone two revisions. The manual documents accepted practices and clarifies expectations of the board, both holistically and as individual commissioners.

During its 2022 session, the Washington State Legislature adopted ESHB 1329, revising Chapter 42.30 RCW, the Open Public Meetings Act. Staff proposed revisions to the Commissioner Protocol Manual to incorporate the requirement for a physical location be provided for the public to observe and participate in public meetings, even if all commissioners are attending via phone/video technology (except when operating under a declared emergency, in which case the agency may require the meeting to be entirely virtual). This revision also incorporated minor clerical changes as well as adding a specification on time limits on public comments during board meetings to three minutes per individual, not to exceed 45 minutes total per public comment period, of which there are two per regular meeting. Discussion followed.

Action Taken

Ford moved, Citron seconded to amend page 27; section 7.05 to clarify that the 45 minute time limit applied to each public comment agenda item; not to the combined total for public comment during one meeting. Motion passed.

Citron moved, McRoberts seconded, to approve the Lake Whatcom Water and Sewer District Commissioner Protocol Manual, as amended. Motion passed.

Biennial Budget Analysis Discussion

Signs explained that Resolution No. 767, adopted by the Board of Commissioners on November 24, 2010, set District policy for the annual development and adoption of budgets. This policy is codified in Section 2.2.1 of the District Administrative Code. Since its implementation, the annual budget process has proven to be an effective means of managing the District's finances. With an effective six-year capital improvement program and forecastable revenues and expenditures, staff recommended conversion to a biennial budget process to help create long-term workload efficiencies. The purpose of this agenda item was to facilitate Board discussion regarding consideration of transition to the biennial budget process. Discussion followed.

General Manager's Report

Clary updated the Board on several topics including a chlorine release during the annual chlorinator switch-out at the Sudden Valley Water Treatment Plant, an upcoming meeting with the City of Bellingham and various consultants regarding the Post Point Water Treatment Plant Resource Recovery Project, and a refund of some Department of Labor and Industries (L&I) fees from 2021 the District will receive as a benefit of participation in the Washington Association of Sewer & Water Districts performance pool retro program. Discussion followed.

Engineering Department Report

Hunter highlighted several ongoing projects, including the Division 7 Reservoir Replacement Project and an upcoming community information meeting on July 12 and progress on the Rocky Ridge & Lakewood Sewer Pump Stations project. Discussion followed.

Finance Department Report

Signs reported that water fund revenues are exceeding projections, expenditures are under budget by 10% with the last of the capital projects for 2022 still to begin, as well as giving a short update on the District’s investments.

Operations & Maintenance Department Report

Winters gave a report on field crew operations, including new pumps at the North Point Pump Station, Cartegraph asset management system training, and an increase in development activity in Sudden Valley. Discussion followed.

Public Comment

Commissioner Abele opened the public comment period, limiting individual comments to 3 minutes. Public comment was received from District constituents Deena Lowe-Davidson, Lauri Hill, Carolyn Taylor, Nilo Camden, Tim Holland, Carol Holland, and Deborah DeWees regarding the Dish Wireless cell tower lease.

General Manager Justin Clary shared a brief update on the status of the District’s potential lease with Dish Wireless.

Commissioner Resignation

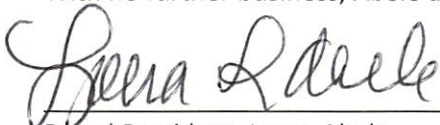
Commissioner McRoberts tendered her resignation from the Board of Commissioners effective immediately, as she is relocating outside the District and will no longer be eligible to serve. President Abele expressed gratitude to Commissioner McRoberts for her service and leadership during her multiple years of service.

Executive Session Per RCW 42.30.110(1)(i)(iii): Legal Risks/Potential Litigation – 30 Minutes

Abele recessed the Regular Session to Executive Session at 9:31 a.m. It was estimated that the Executive Session would take 30 minutes. The purpose of the Executive Session was to discuss matters related to litigation or legal risks of a proposed action or current practice that the agency has identified when public discussion of the litigation or legal risks is likely to result in an adverse legal or financial consequence to the agency.

Abele recessed the Executive Session and reconvened the Regular Session at 10:00 a.m. No action was taken.

With no further business, Abele adjourned the Regular Session at 10:01 a.m.



Board President, Laura Abele

Attest: 

Recording Secretary, Rachael Hope

Minutes approved by motion at Regular Special Board Meeting on July 27, 2022
Date Minutes Approved