

**CLARK REGIONAL WASTEWATER DISTRICT  
BOARD OF COMMISSIONERS  
MINUTES  
REGULAR MEETING  
January 22, 2008**

The second meeting for the month of January was held at the District Conference Room, 8000 NE 52<sup>nd</sup> Court, Vancouver, Washington. Commissioner Kiggins called the meeting to order at 3:00 PM.

Those in attendance were: Commissioners Neil Kimsey, Denny Kiggins and Norm Harker.

District staff: Chuck McDonald, Ken Andrews, Steve Bacon, John Peterson, Hugh Findlay, Rick Nelson and Kim Thur. District Legal Counsel Rod Kaseguma.

Visitors Present for Work Session: Brian Carlson, Pat McDonnell and Royce Pollard with the City of Vancouver; Rob Charles with the City of Battle Ground; Andrew Young with MacKay; & Sposito and Bill Owen.

Visitors Present for Regular Meeting: Andrew Young with MacKay & Sposito; John Meier, Matt Harrell and Skip Holman with AKS Engineering & Forestry; Bill Owen; Dean Anderson and Jeffrey Bivens with Alhadeff Bivens LLP.

Visitors Present for North Park Phase 4 Latecomer/Reimbursement Area Public Hearing: None.

Visitors Present for Proposed Annexation #03-07: Phil Schnabel; Richard Covell; Jack Bowner and Jaysiah Ferguson.

**ADDITIONS & DELETIONS TO AGENDA:** None.

**SPECIAL PRESENTATIONS:** None.

**WORK SESSION:** A work session was held with the City of Vancouver to review the possibility of coordinated services. The Board concurred with the District and City staff developing some guidelines for review and discussion.

**CONSENT AGENDA:** Commissioner Harker moved to approve the Consent Agenda and authorize the recommended action, approving the January 8, 2008 continued meeting minutes; January 9, 2008 continued meeting minutes; January 15, 2008 continued meeting minutes; claim vouchers #s

35652-35731 in the amount of \$186,509.99 from the Maintenance Fund and \$0.00 from the Capital Projects fund; and payroll warrant # 7556 in the amount of \$593.47.

Commissioner Kimsey seconded the motion, and it passed unanimously.

**COMMUNICATIONS: Items from the Audience** – No one present wished to speak.

**REPORTS: Board Members:** Commissioner Harker reported on his recent activities.

**Interim General Manager/Engineer: Engineering Project Status Report & Interim General Manager/Engineer Activities Report (General Manager Interviews; Clark County – Clark Regional Wastewater District Discussion; Team 99 Meeting; District Engineer Interviews; Wastewater Management Advisory Board Meeting; Meeting with Pete Capell; Meeting with Brian Carlson; WSU Meeting; Notice of Small Works Roster; & Notice of Engineering Services)** – Chuck McDonald briefly reviewed each item.

**Finance Director: Finance Director's Report (2003-2006 Washington Excise Tax Audit; Finance Supervisor; Past Due Reports – Fourth Quarter 2007; ACH Payments – Fourth Quarter 2007)** – Ken Andrews briefly reviewed each item.

**District Legal Counsel:** No report.

The Board decided to discuss Agenda Bill #08-008 at this time.

**AB #08-008 – Interim Pump Station Request – Basin 56 – NE 109 Street – Quadrant Homes – Falcon's Nest** – Steve Bacon briefly reviewed the agenda bill. The developer of the Falcon's Nest subdivision located off of NE 140 Avenue at approximately NE 104 Street is requesting District participation in the installation of an offsite sewer trunkline to serve their development through the Interim Pump Station policy. The request complies with our policy, as it is over 1,500 feet to the connection point, and the cost estimates provided are over \$350,000.

The developer is also requesting reimbursement for the additional depth attributable to the difference in pipe slopes from 8 inches to 15 inches.

Staff recommends the District participate with the developer on a 50/50 cost participation to install

the offsite sanitary sewer line in compliance with the District's Interim Pump Station policy. Also, based on current District policy regarding overdepth reimbursement, staff recommends denying the request.

John Meier, AKS Engineering & Forestry, 12011 NE 99 Street, Suite 1530, Vancouver, Washington, asked the Board to consider paying for overdepth reimbursement with the project.

Discussion occurred on the District's overdepth policy.

Commissioner Kimsey moved to authorize the District to participate with the developer on a 50/50 basis to install the offsite sanitary sewer line in compliance with the Interim Pump Station Policy; considering the depth of the line, it seems prudent to take advantage of development in the area to get the sanitary sewer lines installed in the most cost effective way possible.

Commissioner Harker seconded the motion, and it passed unanimously.

Commissioner Harker suggested that the Board not address the overdepth reimbursement at this time. However, Commissioner Harker was interested in having staff review the overdepth policy with the Board and, if any changes are made, then make it retroactive to this project.

Attorney Kaseguma suggested not making a decision on the overdepth action at this time.

The Board directed staff to hold a work session on February 26 to review the overdepth policy.

**UNFINISHED BUSINESS: AB #08-006 – Glenwood Pump Station – Pump Station Upgrade – Design Consultant Selection** – Commissioner Harker moved to direct staff to proceed with negotiating a contract with CH2M HILL for the project.

Commissioner Kimsey seconded the motion, and it passed unanimously.

**AB #08-007 – Mill Creek Trunkline Extension – District Project Request** – Steve Bacon briefly reviewed the agenda bill. Staff recommends moving forward with the permitting and construction of the extension of the Mill Creek Trunkline as a District project. This would include hiring an environmental consultant to complete the necessary permitting and possibly an Engineering Consultant to finalize the plans in order to construct the project during the 2008 construction window allowed in the permits. It is anticipated that the project would be built in August and September of 2008 at a cost of approximately \$170,000. Funding would be from the General Facilities Charge and Repair & Replacement accounts.

Commissioner Harker moved to authorize staff to move forward with the permitting and construction of the Mill Creek Trunkline extension and to authorize staff to request proposals from consultants as necessary to complete the project.

Commissioner Kimsey seconded the motion, and it passed unanimously.

Chuck McDonald reported that District staff has received recent email correspondence from the Mill Creek Homeowners Association in regards to the settlement on the trail, asking the District to fix the issue, as they feel the District caused the problem. In addition, they would like the fence fixed. District staff does not feel this is our responsibility and will be sending a letter to the Homeowners Association informing them that the District will not be taking care of the settlement of the trail. However, the District will be taking care of the fence repair. The Board concurred with staff.

**NEW BUSINESS: AB #08-009 – Columbia Gardens III – Proposed Local Facilities Charge Extension** – Chuck McDonald briefly reviewed the agenda bill. A property owner in the vicinity of NW 35 Avenue and NW 120 Street has requested that the District extend sewer to their property. The owner has signed a Local Facilities Contract with the District, as well as paid their required down payment. There are three parcels involved in the proposed LFC, with one participant.

Discussion occurred on reducing the boundaries of the LFC. The Board decided to move forward with the hearing with the proposed area as presented by staff.

Commissioner Kimsey moved to proceed with the Columbia Gardens III LFC project and authorize the scheduling of a hearing for the Columbia Gardens III LFC on February 12, 2008 at 5:00 PM or as soon thereafter as possible.

Commissioner Harker seconded the motion, and it passed unanimously.

**AB #08-010 – La Center Request for Services Reimbursable Contract** – Rick Nelson briefly reviewed the agenda bill. The City of La Center has contacted Rick Nelson about the District performing sewer maintenance work on their behalf. Staff anticipates approximately three working weeks to perform the work requested and believe that the additional work will have minimal impacts to the normal internal District scheduled maintenance programs.

Commissioner Harker moved to authorize the Assistant Manager to enter into an agreement with the City of La Center for reimbursable services.

Commissioner Kimsey seconded the motion, and it passed unanimously.

**AB #08-011 – Change Position Classification & Reorganization Within Finance Department**

– Hugh Findlay briefly reviewed the agenda bill. Staff recommends approval of the change in the Finance Department from a Finance Accountant to a Finance Supervisor with the change to grade 12 as described in the position description and the reorganization of the Finance Department as defined in the District Organization Chart dated January 22, 2008.

Commissioner Kimsey moved to approve the changed position of the Finance Supervisor at pay grade 12 and the reorganization of the Finance Department as defined in the District Organization Chart dated January 22, 2008.

Commissioner Harker seconded the motion, and it passed unanimously.

At 4:50 PM, Commissioner Kiggins recessed the meeting for 10 minutes.

At 5:00 PM, Commissioner Kiggins reconvened the meeting.

**HEARINGS: 5:00 PM PUBLIC HEARING – AB #08-004 – North Park Phase 4**

**Latecomer/Reimbursement Area** – Commissioner Kiggins opened the hearing on the establishment of a latecomer/reimbursement area and the amount for the sanitary sewer facilities constructed in NE 88 Street and NE 57 Avenue.

He then asked District staff to explain the latecomer reimbursement requirements and process and to describe the sanitary sewer facilities and their cost. Steve Bacon provided the requested information.

Commissioner Kiggins then asked if anyone present wished to provide testimony on the sanitary sewer facilities and the latecomer reimbursement.

No one present wished to provide testimony.

Commissioner Harker moved to close the public hearing.

Commissioner Kimsey seconded the motion, and it passed unanimously.

Commissioner Kimsey stated that he believes the proposed reimbursement area and cost is appropriate and meets the requirements of RCW Chapter 57.22. He then moved to adopt the reimbursement area and cost as proposed by District staff and to approve the Assistant Manager's signature and execution of the Sewer Service Latecomer Contract included in Agenda Bill #08-004 and to ratify and confirm any acts consistent with this motion.

Commissioner Harker seconded the motion, and it passed unanimously.

Commissioner Kimsey moved to adopt Resolution #1445, establishing a latecomer charge for the offsite sewer lines constructed in conjunction with the North Park Phase 4 developer extension.

Commissioner Harker seconded the motion, and it passed unanimously.

Commissioner Kiggins thanked everyone for attending the hearing.

**5:00 PM PUBLIC HEARING – AB #08-005 – Proposed Annexation #03-07 –** Commissioner

Kiggins opened the hearing on the new proposed annexation of properties located within the new urban growth area in the general area between NE 119 Street and NE 129 Street from NE 68 Avenue to NE 81 Avenue to the District by the 60% petition method under RCW 57.24.060-57.24.100.

He then asked District staff to explain the area proposed for annexation, the history of the petition filing and the process for annexation. Steve Bacon provided the requested information.

Commissioner Kiggins then asked if anyone present wished to provide testimony on the sanitary sewer facilities and the latecomer reimbursement.

No one present wished to provide testimony.

Commissioner Harker moved to close the public hearing.

Commissioner Kimsey seconded the motion, and it passed unanimously.

Commissioner Kimsey moved to adopt Resolution #1446, concurring with and approving of a petition for annexation (#03-07) of real property to the District, subject to final approval by the Clark County Board of Commissioners.

Commissioner Harker seconded the motion, and it passed unanimously.

Commissioner Kiggins thanked everyone for attending the hearing.

District staff asked for clarification on the outcome of this afternoon's work session with the City of Vancouver.

The Board concurred with having the City of Vancouver and Clark Regional Wastewater District work together in developing the agreement with the City in regards to the shared vision of the entities.

Chuck McDonald briefly reviewed his memo to the Board regarding appointing John Peterson as the Interim General Manager effective March 1.

Commissioner Harker moved to direct staff to develop the appropriate paperwork for implementing the January 17, 2008 memo regarding appointing John Peterson as the Interim General Manager.

Commissioner Kimsey seconded the motion, and it passed unanimously.

John Peterson reviewed the North County sub-planning efforts (with the Cities of Ridgefield, La Center and Battle Ground and the District). The Board requested Mr. Peterson to request a letter from the cities asking the District to act as the coordinating agency for a North County planning effort.

Commissioner Kimsey moved to adjourn the meeting.

Commissioner Harker seconded the motion, and it passed unanimously.

At 5:40 PM, Commissioner Kiggins adjourned the meeting.

Respectfully submitted,

Secretary