

**CLARK REGIONAL WASTEWATER DISTRICT
BOARD OF COMMISSIONERS
MINUTES
REGULAR MEETING
February 26, 2008**

The second meeting for the month of February was held at the District Conference Room, 8000 NE 52nd Court, Vancouver, Washington. Commissioner Harker called the meeting to order at 3:00 PM.

Those in attendance were: Commissioners Denny Kiggins (arrived at 5:50 PM), Neil Kimsey and Norm Harker.

Commissioner Harker announced that Commissioner Kiggins would be late, as he was attending a meeting in Olympia on behalf of the District.

District staff: Chuck McDonald, Shawn Moore, Ken Andrews, Steve Bacon, John Peterson (arrived at 5:50 PM), Hugh Findlay, Rick Nelson and Kim Thur. District legal counsel Rod Kaseguma.

Visitors Present for Work Sessions: Andrew Young with MacKay & Sposito; Scot Walstra; Nancy Rudberg and Kathy Vasquez.

Visitors Present for Regular Meeting: Rick Pauker; Andrew Young with MacKay & Sposito; and Scot Walstra.

Visitors Present for Covington Village Townhomes Latecomer/Reimbursement Area: None.

ADDITIONS & DELETIONS TO AGENDA: Chuck McDonald stated that staff would be requesting two additional executive sessions this meeting: pending litigation and to discuss the qualifications of applicants.

SPECIAL PRESENTATIONS: Rick Nelson introduced Rick Pauker, the new Maintenance Specialist I, to the Board. The Board welcomed Mr. Pauker.

WORK SESSION: Septic Elimination Program – A work session was held to discuss the implementation of a Septic Elimination Program. The Board concurred with moving forward with the program. The 2008 initial project will be the north 26 lots of the Sunnyside development. The District will begin the program with an initial budget of approximately \$500,000/year. Over the next 2-3 years,

District staff will track and update budget impacts based on that level of commitment. For the initial Sunnyside project, the District is considering \$5,000/lot as a subsidy. In addition, the District is also reviewing having 0% interest loans through the District for a 5-year term. The Board also directed staff to obtain public input on the Sunnyside project. District staff will continue to develop this program and provide further information to the Board at an upcoming Board meeting.

Overdepth Policy Review – A work session was held to review the District's overdepth reimbursement policy. Following the discussion, the Board concurred with reimbursing for overdepth on trunklines only and including the costs in the General Facilities Charge calculation. District staff will prepare the necessary resolution for the Board's review and adoption at an upcoming Board meeting.

CONSENT AGENDA: Commissioner Kimsey moved to approve the Consent Agenda and authorize the recommended action, approving the February 12, 2008 regular meeting minutes; February 19, 2008 continued meeting minutes; February 20, 2008 continued meeting minutes; claim vouchers #s 35801-35857 in the amount of \$92,156.80 from the Maintenance Fund and \$98,238.88 from the Capital Projects fund; authorization to schedule the Sorenson Park Subdivision latecomer/reimbursement hearing on March 11, 2008 at 5:00 PM or as soon thereafter as possible; authorization to schedule the Falcon's Rest Subdivision latecomer/reimbursement hearing on March 11, 2008 at 5:00 PM or as soon thereafter as possible; and authorization for the Interim General Manager to negotiate and sign the contract with HR Answers for a not to exceed amount of \$14,000.

Commissioner Harker seconded the motion, and it passed.

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

REPORTS: Board Members: Commissioner Kimsey reported on his recent activities.

Commissioner Harker reported on his recent activities.

Interim General Manager: Interim General Manager/Engineer Activities Report (General Manager Interviews; Pete Capell Meeting; Battle Ground State of the City Address; Hazel Dell/Salmon Creek Business Association Meeting; Board Meeting; Meeting with Brian Carlson; Compensation Committee Meeting; NUCA Meeting; Team 99 Meeting; Annual Pretreatment

Report; Annual I&I Report; I-5 Planting Meeting; Ridgefield Sewer Work Session; Red Cross Breakfast; Senator Zarelli Meeting; WSU Rate Discussion; North County (Ridgefield Pipeline) MOU Meeting; & Three Creeks Planning Council) – Chuck McDonald briefly reviewed each item.

Chuck McDonald reported that Commissioner Kiggins has been appointed to the Three Creeks planning council.

Memo re: APWA Re-Accreditation – Chuck McDonald briefly reviewed the memo. The Board concurred with moving forward with the APWA re-accreditation.

HEARINGS: 5:00 PM PUBLIC HEARING – AB #08-022 – Covington Village Townhomes Latecomer/Reimbursement Area – Commissioner Harker opened the hearing on the establishment of a latecomer reimbursement area and the amount for the sanitary sewer facilities constructed in NE 72 Street and NE 94 Avenue in the public right-of-way for the project. He then asked District staff to explain the latecomer reimbursement requirements and process and describe the sanitary sewer facilities and their cost. Steve Bacon provided the required information.

Commissioner Harker asked if anyone present would like to provide testimony.

There being no one present, Commissioner Kimsey moved to close the public hearing.

Commissioner Harker seconded the motion, and it passed.

Commissioner Harker stated the public hearing was closed and asked the Board how they wished to proceed.

Commissioner Kimsey stated that he believed 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 Interim General Manager's signature and execution of the Sewer Service Latecomer Contract included in Agenda Bill #08-022 and to ratify and confirm any acts consistent with this motion.

Commissioner Harker seconded the motion, and it passed.

Commissioner Kimsey moved to adopt Resolution #1451, establishing a latecomer charge for the sewer lines constructed in conjunction with the Covington Village Townhomes developer extension.

Commissioner Harker seconded the motion, and it passed.

District Engineer: Engineering Project Status Report & District Engineer Activities Report (February 12, 2008 – Team 99; February 13, 2008 – Hazel Dell/Salmon Creek Business Association Meeting; February 15, 2008 – North County MOU (Ridgefield Pipeline); February 20, 2008 – General Manager Interviews; February 22, 2008 – Red Cross “Real Heroes” Breakfast; & February 22, 2008 – Team 99 I-5/78 Street Interchange) – Shawn Moore briefly reviewed each item.

Shawn Moore reported that he and Steve Bacon would be meeting with Washington Department of Transportation to discuss the Salmon Creek interchange project.

Finance Director: Finance Director’s Report (2003-2006 Washington Excise Tax Audit; General Facilities Charge (GFC) Calculation; State of the Port of Vancouver, USA Address; General Manager Interviews; Compensation Committee – 2nd Meeting; & Collections Contract Renewal – Discovery Financial Services) – Ken Andrews briefly reviewed each item.

December 2007 Financial Report – Ken Andrews briefly reviewed the report. The Board had no issues or concerns with the financial report.

Low-Income Senior Discount Update & Revision – Ken Andrews briefly reviewed the proposed changes to the program. The Board was interested in increasing the discount to low-income senior citizens. The Board directed staff to change the proposed discounts for tier 1 to 35% and for tier 2 to 20%. Mr. Andrews will prepare the revisions to present the items for adoption at the next Board meeting.

The Board requested additional time to review the proposed low-income permanently disabled persons discount program. Ken Andrews will present additional information on the proposed program at the next Board meeting.

Attorney Rod Kaseguma: Rod Kaseguma thanked Chuck McDonald for his years of service to the District.

UNFINISHED BUSINESS: AB #08-023 – NE 88 Street (2001) Local Facilities Charge

Extension – Approve Final Cost & Pro Rata Share of Facilities – Shawn Moore briefly reviewed the agenda bill. Staff recommends approving the final cost of the construction and engineering/administration costs and the final pro-rata share.

Commissioner Kimsey moved to adopt Resolution #1452, approving the final cost and pro rata share of District installed local facilities to NE 88 Street (2001) Local Facilities extension.

Commissioner Harker seconded the motion, and it passed.

AB #08-024 – Rejection of Bids for Meadows Terrace Pump Station Removal & Green Meadows Trunkline – Commissioner Kimsey moved to reject all bids for the Meadows Terrace Pump Station Removal and Green Meadows Trunkline project.

Commissioner Harker seconded the motion, and it passed.

NEW BUSINESS: AB #08-025 – NW 11 Avenue Short Plat District Lateral Reimbursement Request – Commissioner Kimsey moved to adopt Resolution #1453, approving the final cost and pro rata share of District installed lateral for NW 11 Avenue Short Plat.

Commissioner Harker seconded the motion, and it passed.

AB #08-026 – Moongate Subdivision District Lateral Reimbursement Request – Commissioner Kimsey moved to adopt Resolution #1454, approving the final cost and pro rata share of District installed laterals for Moongate Subdivision.

Commissioner Harker seconded the motion, and it passed.

AB #08-027 – Vilhauer Infill Short Plat District Laterals Reimbursement Request – Commissioner Kimsey moved to adopt Resolution #1455, approving the final cost and pro rata share of District installed lateral for Vilhauer Infill Short Plat.

Commissioner Harker seconded the motion, and it passed.

AB #08-028 – Authorization for Credits/Charges to Schools for Overbillings/Underbillings – February 2005 to Present – Commissioner Kimsey moved to authorize the Finance staff to issue credits for overbillings to the affected schools listed in the “March 2004-June 2007 Middle School Credits/September 2007-January 2008 High School Back Bill” document due to misapplying changes to

the District Code related to schools and to authorize issuing a back bill to the one affected school.

Commissioner Harker seconded the motion, and it passed.

AB #08-029 – Upsizing of Kline Line Trunkline – Chuck McDonald briefly reviewed the agenda bill. Staff recommends approving the District moving forward with the full North County upsizing and direct staff to have the consultant complete design revisions and transmit to Clark County for inclusion into the Kline Line Bridge replacement project.

At 5:50 PM, Commissioner Kiggins arrived at the meeting.

Commissioner Kimsey moved to approve the District proceeding with the full North County upsizing and direct staff to have the consultant complete design revisions and transmit to Clark County for inclusion into the Kline Line Bridge replacement project.

Commissioner Kiggins seconded the motion, and it passed unanimously.

Chuck McDonald requested an Executive Session to discuss the following topics for approximately 30 minutes: evaluate the performance of an employee pursuant to RCW 42.30.110(1)(g); to discuss the qualifications of an applicant pursuant to RCW 42.30.110(1)(g); and to discuss pending litigation with legal counsel pursuant to RCW 42.30.110(1)(j).

At 5:56 PM, Commissioner Harker recessed the meeting into Executive Session.

At 6:30 PM, Commissioner Harker reconvened the meeting.

The Board directed staff to provide the full bonus in accordance with the contract for the Interim General Manager, Chuck McDonald.

John Peterson reviewed the multi-jurisdictional meeting in Olympia today with Senator Zarelli. The meeting was to discuss the \$4 million that Senator Zarelli has approved for providing sewer to north Clark County.

Commissioner Kiggins moved to adjourn the meeting.

Commissioner Kimsey seconded the motion, and it passed unanimously.

At 6:40 PM, Commissioner Harker adjourned the meeting.

Respectfully submitted,

Secretary

Approved