

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

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

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

District staff: John Peterson, Shawn Moore, Ken Andrews, Hugh Findlay, Rick Nelson and Kim Thur. District Legal Counsel Rod Kaseguma.

Visitors Present for Work Session: Brian Carlson with the City of Vancouver.

Visitors Present for Regular Meeting: Andrew Young with MacKay & Sposito.

ADDITIONS & DELETIONS TO AGENDA: John Peterson reminded the Board to continue today's meeting until Friday at 2 PM for the tour.

SPECIAL PRESENTATIONS: None.

WORK SESSION: City of Vancouver Coordination of Services – A work session was held with Brian Carlson, City of Vancouver Public Works Director, to continue discussions of developing an agreement for coordination of the District and City services.

At the end of the work session, it was suggested to hold an additional work session to discuss this matter further on May 27.

CONSENT AGENDA: Commissioner Kimsey moved to approve the Consent Agenda and authorize the recommended action, approving the April 8, 2008 regular meeting; April 15, 2008 continued meeting; claim vouchers #s 36049-36099 in the amount of \$104,551.08 from the Maintenance Fund and \$11,522.61 from the Capital Projects fund; and payroll warrant #7568 in the amount of \$600.00.

Commissioner Harker seconded the motion, and it passed unanimously.

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

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

Commissioner Kiggins reported on his recent activities.

Interim General Manager: Interim General Manager/Engineer Activities Report (Regional Sewer Planning; North County Regional Wastewater Pipeline; Clark County Regular Coordination Meeting; City of Vancouver Regular Coordination Meeting; Kline Pump Station Project; Salmon Creek Treatment Plant – Phase 4 Expansion Project; Salmon Creek Management Team; Consultant Project Management; Phase 4 Financing Coordinator; Hazel Dell Salmon Creek Business Association Regular Meeting; and District Operations Center Tour) – John Peterson briefly reviewed each item.

John Peterson reported that it appears that Pacific Lifestyle Homes is planning a 120-lot subdivision, which will be overlooking the Salmon Creek Treatment Plant in the future.

District Engineer: Engineering Project Status Report (Kline Trunkline Bid Results Memo) & District Engineer Activities Report (April 17, 2008 – Salmon Creek Treatment Plant Management Team; April 16, 2008 – Meadowglade/City of Battle Ground; April 15, 2008 – Building Industry Association of Clark County; April 15, 2008 – Washington State Department of Transportation; April 9, 10, 11, 2008 – Hazel Dell Salmon Creek Business Association; & April 8, 2008 – Team 99) – Shawn Moore briefly reviewed each item.

04/14/08 Memo re: Restaurant Connection Fee Update – Shawn Moore briefly reviewed the memo. After discussing the “quality” restaurants proposal with District legal counsel, staff believes there is justification for the proposed reduction. It is reasonable to assume a direct correlation between a reduction in trip generation and a reduction in water consumption or wastewater generation. As identified in the International Traffic Engineers Manual and as promoted by Clark County, a “quality” restaurant generates 31% fewer vehicle trips than a “high-turnover” restaurant of the same size. If there are fewer trips generated, it would follow that there are fewer customers served. A reduction in the number of customers served equates to fewer meals served. If there are fewer meals served, there should be less water consumed and, therefore, less wastewater generated.

Commissioner Harker asked for District Legal Counsel Rod Kaseguma's opinion.

Rod Kaseguma stated that he believes that using traffic count for determining the discount is a very reasonable justification. In addition, the District is coordinating their restaurant definitions with Clark County.

The Board concurred with the proposed change and directed staff to prepare the necessary resolution for adoption at the next Board meeting, amending District Code section 5.28.020 to include "quality" restaurants.

Finance Director: Finance Director's Report (2007 Comprehensive Annual Financial Report and State Auditor's Office Audit & Equivalent Residential Units Through March 2008) – Ken Andrews briefly reviewed each item.

Maintenance Manager: Contract Maintenance Work for the City of Woodland – Rick Nelson briefly reviewed the memo. Initially, staff presented a cost breakdown for performing maintenance work at the Board meeting on April 8, 2008. At the April 15, 2008 Board meeting, Commissioner Kimsey requested an additional analysis of the estimate of \$125/hour, as he believed the District was not recovering its costs. As a result, District staff has prepared a new analysis, which staff believes reflects the true costs. Following discussion, the Board directed staff to set the rate at \$150/hour.

Rick Nelson reported that it appears that Woodland has issues with the liability language within our standard contract. Mr. Nelson reviewed the issue with the Board. The Board directed Mr. Nelson to inform Woodland that the new rate is \$150/hour and the District would not waive the liability language in the contract.

Attorney Rod Kaseguma: No report.

UNFINISHED BUSINESS: AB #08-040 – Wedgewood Subdivision Latecomer Reimbursement Area – Final Action – Shawn Moore briefly reviewed the agenda bill. During the public hearing held on April 8, 2008, Mr. John Walker testified against the inclusion of the pavement replacement cost since it is part of the developer's requirements. Upon review of the County requirements for road frontage improvement; it was found that the developer was required by the County

to perform complete road improvements up to the centerline of NW 109th Street. Hence the pavement restoration cost is not included in the revised latecomer reimbursement calculation. Mr. Walker also testified that the sewer lateral for his parcel was not installed. The District has confirmed that the lateral was not installed and that the developer had not received reimbursement from the District for the lateral installation. Therefore, there is now no “district lateral” reimbursement amount shown on the attached exhibits for Mr. Walker’s parcel.

Commissioner Harker 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, approve the Interim General Manager’s signature and execution of the Sewer Service Latecomer Contract included in Agenda Bill No. 08-040 and to ratify and confirm any acts consistent with this motion.

Commissioner Kimsey seconded the motion, and it passed unanimously.

Commissioner Kimsey moved to adopt Resolution #1462, establishing a latecomer charge for sewer lines constructed in conjunction with the Wedgewood Subdivision developer extension.

Commissioner Harker seconded the motion, and it passed unanimously.

AB #08-041 – Green Prairie Interim Pump Station – NE 108 Avenue Trunkline Easement Acquisition – Commissioner Harker moved to authorize District staff to obtain quotes for appraisal services from the District’s Consultant Roster, authorize the Interim General Manager to sign a contract with the chosen consultant in an amount not to exceed \$6,000 for appraisal services and further authorize the Interim General Manager to sign supplemental amendments not to exceed 10 percent of the original contracted amount.

Commissioner Kimsey seconded the motion, and it passed unanimously.

NEW BUSINESS: AB #042 – Resolution Amending District Compensation Plan – Hugh Findlay briefly reviewed the agenda bill. When the District adopted its Compensation Plan in 2004, we included the Salary Ranges & Positions Table and Organization Chart, as well as an “Implementation” section. The Compensation Plan is the policy explaining how the District will pay its employees. Per

Legal Counsel's recommendation, we should adopt the two schedules under separate resolution; and remove the Implementation section of the current Compensation Plan to eliminate confusion.

Commissioner Harker moved to adopt Resolution #1463, amending the Clark Regional Wastewater District Compensation Plan and repealing Resolution #1282.

Commissioner Kimsey seconded the motion, and it passed unanimously.

AB #08-043 – Resolution Adopting Official District Organization Chart/Salary Schedule –

Hugh Findlay briefly reviewed the agenda bill. Staff recommends that the Board approve the positions and title reorganization of the Engineering Department; the reclassification of the Maintenance Office Assistant 2 position to an Office Assistant 3 position; and adding the Development/Planning Engineer and Finance Supervisor positions to the new documents.

Commissioner Kimsey moved to adopt Resolution #1464, adopting the Clark Regional Wastewater District Classification Ranges & Positions Table and Organization Chart.

Commissioner Harker seconded the motion, and it passed unanimously.

Commissioner Kimsey moved to continue the meeting until April 25 at 2:00 PM at the District office for the tour of the Salmon Creek Treatment Plant Phase 4 expansion construction projects.

Commissioner Harker seconded the motion, and it passed unanimously.

At 5:15 PM, Commissioner Kiggins continued the meeting.

Respectfully submitted,

Secretary