

**CLARK REGIONAL WASTEWATER DISTRICT  
BOARD OF COMMISSIONERS  
MINUTES  
REGULAR MEETING  
February 28, 2023**

The third regular meeting of the month of February 2023 was held at the District Board Room with a Remote GoToMeeting attendance option, 8000 NE 52<sup>nd</sup> Court, Vancouver, Washington on February 28, 2023. Commissioner Kiggins called the meeting to order at 3:00 PM.

Those in attendance were Commissioners Norm Harker (remote attendance), Denny Kiggins, and Neil Kimsey.

District Staff: John Peterson, Heath Henderson, Les MacDonald, David Logan, Matt Jenkins, Vanessa Johnson, Kim Thur, and Leanne Mattos.

Visitors Present for Regular Meeting: None.

Visitors Present for Special Presentations: Linda Bauer.

**ADDITIONS & DELETIONS TO AGENDA:**

Staff requested to remove Agenda Bill #23-015 from the Consent Agenda, as the item is still under development.

Staff requested to add an item under New Business, Agenda Bill #23-018, to ratify & confirm declaration of emergency work located at NE 179<sup>th</sup> Street Manhole 1-451, in vicinity of NE 179<sup>th</sup> Street Apartments.

**SPECIAL PRESENTATIONS: 30 Years of Service Award: Linda Bauer, Administrative Assistant 3** – The Board presented Linda Bauer, Administrative Assistant 3, with her 30 years of service award and thanked her for her ongoing contributions to the District.

**WORK SESSION:** None.

Commissioner Kimsey moved to remove Agenda Bill #23-015 from the Consent Agenda for staff to make corrections and then add to a future meeting for consideration.

Commissioner Kiggins seconded the motion, and it passed unanimously.

**CONSENT AGENDA:** Commissioner Kimsey moved to approve the Consent Agenda as amended, approving February 14, 2023 regular meeting minutes and February 21, 2023 regular meeting minutes; ratifying and confirming previous payments issued, including Electronic Payments Dated 02/15/23 and 02/22/23 in the amount of \$1,967,975.77; Voucher #s 58960-59007 Dated 02/22/23 in the amount of \$803,525.75; Payroll Benefits Warrant #s 10492-10505 Dated 02/13/23 and 02/16/23 in the amount of \$336,522.18; Agenda Bill #23-016, adopting Resolution #1870, amending the Clark Regional Wastewater District Employee Handbook; authorizing the General Manager to make certain changes to the Employee Handbook; authorizing an effective

date of March 1, 2023; and repealing Resolution #1842.

Commissioner Harker seconded the motion, and it passed unanimously.

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

**REPORTS: Board Members:** Each Commissioner reported on their recent activities.

**General Manager: General Manager Activities Report (Agency Coordination; District and Professional Organization Functions; 2023 Legislative Session Update and Discovery Clean Water Alliance Update)** – John Peterson briefly reviewed his report.

**Business Services Director: Business Services Director Activities Report (Human Resources)** – Kim Thur briefly reviewed her report.

**Engineering Director: Engineering Director (District Engineer) Activities Report (Capital Program – Bid and Award; Capital Project Reports; Development Program)** – Heath Henderson briefly reviewed his report, including:

a) Updated monthly reports reflecting 2022 year-end spending for the following active projects: Curtin Creek Phase 1 Septic Elimination Project, NE 99th Street CRP, Glenwood PS ARV Replacement, NE 20th Avenue Trunk, Whipple Creek North Pump Station Upgrade, South Junction Trunk Sewer Upgrade, NE 99th Street Trenchless Sewer, and the Discovery Corridor Wastewater Transmission System (DCWTS) Phase 2.

b) Memo re: 124th Street Subdivision Latecomer Reimbursement – The Board concurred with staff's recommendation to apply the Latecomer assessment using the ERU method. Staff will move forward with notifying the affected property owners and preparing a Latecomer Reimbursement Agreement for the developer's signature. The reimbursement will be presented at future Board meetings, including a public hearing.

**Finance Director/Treasurer: Finance Director/Treasurer Activities Report (Risk Management)** – David Logan briefly reviewed his report.

**Operations Manager: Operations Manager Activities Report (Alliance Operations Program Update; Alliance Engineering Program Update; Alliance Pretreatment Program Update)** – Matt Jenkins briefly reviewed his report.

**Legal Counsel:** Not present.

**Board Clerk: Board Calendar of Events (March 2023)** – Leanne Mattos briefly reviewed the calendar with the Board.

**UNFINISHED BUSINESS:** None.

**NEW BUSINESS:**

**AB #23-017 – Whipple Creek North Pump Station Upgrade Construction Contract Award** – Heath Henderson briefly reviewed the agenda bill. The project was advertised on January

19, and bids opened on February 16. Six (6) bids were received ranging from \$1,297,660.00 to \$2,542,806.00. Nutter Corp. submitted the lowest responsive bid of \$1,297,660.00, which is 3.9% less than the project estimate of \$1,349,784.49. District legal counsel has reviewed the contract. Staff has reviewed the bids and recommends awarding the contract.

Commissioner Kimsey moved to award the construction contract as advertised for the Whipple Creek North Pump Station Upgrade Project to Nutter Corp., authorize the General Manager to sign a contract with Nutter Corp. for the bid amount of \$1,297,660.00 (including sales tax), and further authorize the General Manager, or written designee, to sign supplemental amendments not to exceed fifteen (15) percent of the original contracted amount.

Commissioner Harker seconded the motion, and it passed unanimously.

**AB #23-018 – Ratify and Confirm Declaration of Emergency Work – NE 179th Street Manhole 1-451, in Vicinity of NE 179th Street Apartments** – Heath Henderson briefly reviewed the agenda bill explaining that he declared an emergency related to Manhole 1-451 on NE 179<sup>th</sup> Street near the NE 179<sup>th</sup> Street Apartments on February 22, 2023, in accordance with District Code Section 2.36.020. An explanation of the findings and recommendation was provided in the attachments. Commissioner Kimsey moved to ratify and confirm the emergency located in the vicinity of NE 179<sup>th</sup> Street and the 179<sup>th</sup> Street Apartments at Manhole 1-451, which required the District Engineer to declare an emergency and proceed with executing a construction contract with a contractor to complete the repair work.

Commissioner Harker seconded the motion, and it passed unanimously.

**Curtin Creek North Pump Station Upgrade Construction Contract Award** – Heath Henderson reported that bids for this project were opened today, and staff is requesting a special Board meeting to award the contract prior to the next regular meeting.

Commissioner Kimsey moved to schedule a special District Board meeting on Tuesday, March 7, 2023 at 4:00 PM.

Commissioner Harker seconded the motion, and it passed unanimously.

**HEARINGS:** None.

With no further business to discuss, Commissioner Kiggins adjourned the meeting at 3:44 PM.

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Secretary