

**CLARK REGIONAL WASTEWATER DISTRICT  
BOARD OF COMMISSIONERS  
MINUTES  
REGULAR MEETING  
January 23, 2024**

The second regular meeting of the month of January 2024 was held at the District Board Meeting Room, with the option to attend remotely via GoToMeeting, 8000 NE 52<sup>nd</sup> Court, Vancouver, Washington on January 23, 2024. Commissioner Kimsey called the meeting to order at 3:00 PM.

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

District Staff: John Peterson, Heath Henderson, David Logan, Les MacDonald, Vanessa Johnson (virtual attendance), and Kim Thur.

Visitors Present for Regular Meeting: Interested Citizens: Dan Clark.

Visitors Present for Special Presentations: Melissa Armstrong, Kyle Smith, Leanne Mattos, Kelly Solomon, Maria Webster, and Laine Keniston.

**ADDITIONS & DELETIONS TO AGENDA:** John Peterson requested to add two agenda bills to new Business: AB #24-003, Ratify and Confirm Declaration of Emergency Work – NE 10<sup>th</sup> Avenue Bridge Force Main, Vicinity of NE 154<sup>th</sup> Street and AB #24-004, Salmon Creek Treatment Plant Biosolids Land Application – Payment to Denali Water Solutions LLC. The Board concurred with adding the two agenda bills to the agenda.

**SPECIAL PRESENTATIONS: Introduction: Kyle Smith, Control Systems Administrator** – Melissa Armstrong introduced Kyle Smith, the new Control Systems Administrator, to the Board.

**30 Years of Service Award: Kelly Solomon, Administrative Assistant 2** – Leanne Mattos and the Board recognized Kelly Solomon for 30 years of service.

**WORK SESSION:** None.

**CONSENT AGENDA:** Commissioner Harker moved to approve the Consent Agenda, approving the January 9, 2024 regular meeting minutes; ratifying and confirming previous payments issued, including Electronic Payments dated 01/17/24 in the amount of \$443,327.52; Voucher #s 59853-59901 dated 01/17/24 in the amount of \$1,236,181.47; and Payroll Direct Deposit Authorizations dated 01/10/24 in the amount of \$255,049.33.

Commissioner Kiggins seconded the motion, and it passed unanimously.

**COMMUNICATIONS: Items from the Audience:** None.

**REPORTS: Board Members:** Commissioners Kiggins and Kimsey reported on their recent activities.

**General Manager (Agency Coordination, District and Professional Organization Functions, & Discovery Clean Water Alliance Update)** – John Peterson briefly reviewed the report.

Mr. Peterson provided the Washington Association of Sewer and Water Districts Legislative Update and reviewed the document with the Board. In addition, Mr. Peterson provided final comments on the 2023 General Manager/Organization Goals.

**Business Services Manager/Board Clerk: Board Calendar of Events (February 2024)** – Kim Thur briefly reviewed the calendar with the Board.

Ms. Thur provided the Board with a copy of *The Columbian's* article on the District's achievement of receiving its fifth American Publics Works Association (APWA) Accreditation. She then presented a video from APWA Board President Gary Losier, recognizing the District for its achievement.

**Collection Infrastructure Director: Collection Infrastructure Director (Engineering Director) Activities Report (Capital Program and Development Program)** – Heath Henderson briefly reviewed the report, including two attachments:

Attachment A – NW 11<sup>th</sup> Avenue Trunk Trails at Whipple Creek Latecomer Reimbursement. The Board concurred with the proposed Latecomer assessments using a hybrid method of 50% Area Method and 50% ERU Method to assess the cost of the sewer due to the significant variation in size of the parcels and maximum density of the two zones. Staff will move forward with holding a public meeting in late February with the affected property owners to provide them with additional information and address any questions. The Latecomer Reimbursement will then be presented at a future Board meeting, including a public hearing.

Attachment B – NW 11<sup>th</sup> Avenue Trunk Local Facilities Charge. The Board concurred with the proposed LFC assessments using a hybrid method of 50% Area Method and 50% ERU Method to assess the cost of the sewer due to the significant variation in size of the parcels and maximum density of the two zones. Staff will move forward with holding a public meeting in late February with the affected property owners to provide them with additional information and address any questions. The Latecomer Reimbursement will then be presented at a future Board meeting for approval.

**Finance Director/Treasurer: Finance Director/Treasurer Activities Report (Customer Service)** – David Logan reviewed his report, including providing an update on a severely past due utility billing account where staff is moving forward with ordering a litigation title search.

**Treatment Operations Manager: Treatment Operations Manager Activities Report (Discovery Clean Water Alliance (Alliance) Operations Program Update; Alliance Engineering Program Update; & Alliance Regulatory Program Update)** – Matt Jenkins briefly reviewed the report.

**District Legal Counsel:** No report.

**UNFINISHED BUSINESS:** None.

**NEW BUSINESS:** AB #24-003 – Ratify & Confirm Declaration of Emergency Work – NE

**10<sup>th</sup> Avenue Bridge Force Main, Vicinity of NE 154<sup>th</sup> Street** – Mr. Henderson briefly reviewed the agenda bill. Beginning around the weekend of January 13/14, 2024, the region experienced an extended duration of unseasonably cold weather with temperatures in the teens. During this time, the NE 10th Avenue Pump Station began experiencing issues pumping, suggesting a possible clogged force main. This Pump Station currently experiences relatively low flows, which means sewage sits in the force main between periods of pumping (typically only 1 to 3 times per day). Following attempts to unclog the force main, on January 19, Operations crews performed a visual inspection of the portion of the NE 10th Avenue force main, which is suspended under the NE 10th Avenue Bridge structure over Whipple Creek. Staff suspected that water may have frozen inside the pipe. Upon visual inspection, staff found cracks in the pipe that were clearly leaking. Staff immediately notified management of the situation and notified Ecology of the Sanitary Sewer Overflow (SSO) in the vicinity of Whipple Creek. At this time, there is no evidence of flow directly into the creek.

This situation meets the definition of an emergency which states, in part, that the District is dealing with unforeseen circumstances beyond its direct control and a situation that presents an immediate threat to the proper performance of an essential function. A pipe failure at this location has the potential to cause sewage discharge into Whipple Creek.

Over the coming days and weeks, staff will work with internal and external resources to identify temporary and/or permanent repair options. A time and materials construction contract will follow, as needed.

In accordance with District Code Section 2.36.020, the Board shall make and enter a written finding of the existence of the emergency within fourteen days of the date of the award of the construction contract.

Commissioner Kiggins moved to ratify and confirm the emergency associated with the NE 10th Avenue Bridge Force Main in the vicinity of NE 154th Street, which required the Collection Infrastructure Director (Engineering Director) to declare an emergency and proceed with executing any necessary contracts to complete the repair work.

Commissioner Harker seconded the motion, and it passed unanimously.

**AB #24-004 – Salmon Creek Treatment Plant Biosolids Land Application – Payment to Denali Water Solutions LLC** – Mr. Jenkins briefly reviewed the agenda bill. Denali expressed to SCTP staff that it was facing staffing challenges and an unanticipated loss of access and approval to land-apply biosolids at its previously permitted BUF in the Woodland area. To meet contract requirements during a relatively short timeframe for the local land application season, Denali sought out additional permitted sites to land apply SCTP biosolids. Approximately 67 dry tons of SCTP biosolids were hauled by Denali and land applied at permitted BUFs operated by Fire Mountain Farms in Lewis County.

Upon review of the District's contracts with Denali, SCTP staff/legal counsel concluded that land application services are permitted only at sites owned or operated by Denali, and, as such, the hauling to and application at the Fire Mountain Farms BUF was not authorized under the contracts. Upon advice from District legal counsel, Denali was directed by SCTP staff to cease application at the Fire Mountain Farms. The cost of hauling and application to the Fire Mountain Farms BUF is reflected in the attached invoices. Because the work was performed by Denali in a good faith effort to meet the District's operational needs, and upon advice of legal counsel, staff is requesting Board approval for payment of the invoices.

Commissioner Harker moved to authorize staff to pay Denali Water Solutions LLC \$6,400.00 for Invoice #INV709524 for biosolids hauling and \$11,226.99 for Invoice #INV714220 for biosolids land application. Commissioner Kiggins seconded the motion, and it passed unanimously.

**HEARINGS:** None.

With no further business to discuss, Commissioner Kimsey adjourned the meeting at 3:45 PM.

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Secretary