

**CLARK REGIONAL WASTEWATER DISTRICT
BOARD OF COMMISSIONERS
MINUTES
REGULAR MEETING
September 10, 2024**

The first regular meeting of September 2024 was held at the District Board Meeting Room, with the option to attend via GoToMeeting, 8000 NE 52nd Court, Vancouver, Washington on September 10, 2024. Commissioner Kimsey called the meeting to order at 4:00 PM.

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

District Staff: John Peterson, Heath Henderson, David Logan, and Kim Thur. District legal counsel Eric Frimodt.

Visitors Present for Regular Meeting: City of Ridgefield: Councilor Judy Chipman. Interested Citizens: Leah Lothspeich (virtual) and Dan Clark.

Visitors Present for Special Presentations: Bryce Granberg.

ADDITIONS & DELETIONS TO AGENDA: John Peterson requested the Board consider holding an Executive Session for 15 minutes with District legal counsel for the purpose of considering potential litigation under RCW 42.30.110 section 1(i). The Board added the item to the agenda.

SPECIAL PRESENTATIONS: 5 Years of Service Award: Bob Sanguinetti, Construction Program Manager – Bob Sanguinetti was recognized for his 5 years of service.

Introduction: Bryce Granberg, Engineering Intern – Bryce Granberg was introduced to the Board.

WORK SESSION: None.

CONSENT AGENDA: Commissioner Harker moved to approve the Consent Agenda, approving the August 13, 2024 regular meeting minutes; August 27, 2024 regular meeting minutes; ratifying and confirming previous payments issued, including Electronic Payments dated 09/04/24 in the amount of \$1,500,667.64; Voucher #s 60484-60516 dated 08/30/24 and 09/04/24 in the amount of \$1,769,919.20; Payroll Direct Deposit Authorizations dated 08/23/24 in the amount of \$275,278.91; Agenda Bill #24-055, authorizing the Board President and Secretary to sign the Interlocal Agreement Between the Discovery Clean Water Alliance and Clark Regional Wastewater District as Administrative Lead Regarding Delegation of Compliance Responsibility for the Salmon Creek Wastewater Treatment Plant Upgrades Project Funded by the Consolidated Appropriations Act of 2024; Agenda Bill #24-056, authorizing the General Manager to sign the Developer Extension, Reimbursement, and Service Agreement with the developer for 50% of the costs of constructing the Curtin Creek Trunk in an amount not to exceed \$390,110.00 and further authorizing the General Manager, or written designee, to sign supplemental amendments not to exceed ten (10) percent of

the original Developer Extension, Reimbursement, and Service Agreement amount for the Curtin Creek Trunk Project; Agenda Bill #24-057, authorizing staff to schedule a public hearing for the NE 159th St Short Plat Latecomer Reimbursement on October 8, 2024 at 5:00 PM or as soon thereafter as possible; and Agenda Bill #24-058, adopting Resolution #1907, relating to waivers of System Development Charges for affordable housing projects when such charges will be reimbursed by other non-utility funding sources; and providing for severability.

Commissioner Kiggins seconded the motion, and it passed unanimously.

COMMUNICATIONS: Items from the Audience: None.

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

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

Business Services Manager/Board Clerk: Board Confirmation of Events (August 2024) – The Board signed the confirmation sheet.

Board Calendar of Events (September 2024) – Kim Thur briefly reviewed the calendar.

Collection Infrastructure Director: Collection Infrastructure Director (Engineering Director) Activities Report (Emergency Project; & Development Program) – Heath Henderson briefly reviewed the report, including:

a) Draft agenda bill re: NE 179th Street Trunk Construction – Ridgefield Middle School Developer Reimbursement. The Board concurred with the proposed agenda bill and requested staff to include the item on a future Consent Agenda for action.

Treatment Operations Manager: Not present.

District Legal Counsel: Eric Frimodt reported on a recent Washington Supreme Court ruling regarding an Administrative Procedures Act challenge for Ecology actions related to nutrient issues in Puget Sound.

At 4:20 PM, Commissioner Kimsey recessed the meeting into an Executive Session for approximately 15 minutes with District legal counsel and District staff for the purpose of considering potential litigation under RCW 42.30.110 section 1(i). No action will be taken.

At 4:34 PM, Commissioner Kimsey reconvened the meeting.

At 4:35 PM, Commissioner Kimsey recessed the meeting until 5:00 PM for the hearings.

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

HEARINGS: 5:00 PM – AB #24-059 – Trails at Whipple Creek Latecomer Reimbursement – Commissioner Kimsey opened the hearing on the establishment of a Latecomer Reimbursement area for the Trails at Whipple Creek and the amount for the sanitary sewer facilities constructed in the vicinity of NW 11th Avenue and NW 164th Street within public right-of-way of the project.

Heath Henderson provided the background information on the project.

Commissioner Kimsey then asked if anyone attending remotely or in person wished to provide testimony on the sanitary sewer facilities and the Latecomer reimbursement. No one provided testimony.

Commissioner Kiggins moved to close the public hearing.

Commissioner Harker seconded the motion, and it passed unanimously.

Commissioner Kimsey announced the public hearing was closed.

Commissioner Kiggins 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 direct staff to prepare a resolution for approval and adoption of the Trails at Whipple Creek Latecomer Reimbursement that includes the properties and proposed assessments as shown in the Final Assessments Table at a future Board meeting.

Commissioner Harker seconded the motion, and it passed unanimously.

Commissioner Kimsey thanked everyone for attending the hearing.

5:00 PM – AB #24-060 – NE 50th Avenue Subdivision & Cottages Latecomer Reimbursement – Commissioner Kimsey opened the hearing on the establishment of a Latecomer Reimbursement area for the NE 50th Avenue Subdivision & Cottages and the amount for the sanitary sewer facilities constructed in the vicinity of NE 50th Avenue and NE 114th Street within public right-of-way of the project.

Heath Henderson provided the background information on the project.

Commissioner Kimsey then asked if anyone attending remotely or in person wished to provide testimony on the sanitary sewer facilities and the Latecomer reimbursement. No one provided testimony.

Commissioner Kiggins moved to close the public hearing.

Commissioner Harker seconded the motion, and it passed unanimously.

Commissioner Kimsey announced the public hearing was closed.

Commissioner Kiggins 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 direct staff to prepare a resolution for approval and adoption of the NE 50th Avenue Subdivision & Cottages Latecomer Reimbursement that includes the properties and proposed assessments as shown in the Final Assessments Table at a future Board meeting.

Commissioner Harker seconded the motion, and it passed unanimously.

Commissioner Kimsey thanked everyone for attending the hearing.

UNFINISHED BUSINESS: None.

NEW BUSINESS: None.

With no further business to discuss, Commissioner Kimsey adjourned the meeting at 5:08 PM.

Secretary

Approved 09/23/24