

LAKEHAVEN UTILITY DISTRICT
King County, Washington

REGULAR BUSINESS MEETING
April 13, 2006

A regular meeting of the Board of Commissioners of the Lakehaven Utility District, King County, Washington, was held on April 13, 2006 at Lakehaven Center, 31531 First Avenue South, Federal Way, Washington, 98003.

President Tweddle opened the meeting at 6:00 p.m. and asked Commissioner Stewart to lead in the flag salute. Members/officials present were as follows:

Beverly Tweddle	President of the Board
Don Miller	Vice President of the Board
Tom Jovanovich	Secretary of the Board
Dick Mayer	Commissioner
Ed Stewart	Commissioner
Don Perry	General Manager
Bert Ross	Engineering Manager
Steve Pritchett	General Counsel
Morgan Dennis	Director of Finance/Information System

APPROVAL OF MINUTES

Upon motion of Commissioner Miller, which was duly seconded by Commissioner Stewart, the Board unanimously **adopted** the minutes of the March 23, 2006 Board meeting as presented.

APPROVAL OF AGENDA

Upon motion of Commissioner Mayer, which was duly seconded by Commissioner Stewart, the Board unanimously **approved** the evening's agenda as submitted.

CONSENT ITEMS

1. Accounts Payable Vouchers and Payroll Transactions with the warrant dates of 3/17/06, 3/31/06, 4/7/06 and 4/12/06, 4/13/06 and 4/14/06.
2. Pacific Highway South Water Main Relocations-Phase III – Pay Request #2
3. Rate Resolution Amendment, Resolution No. 2006-1064

Upon motion of Commissioner Miller, which was duly seconded by Commissioner Mayer, the Board unanimously **approved** the Consent Items as presented.

ACTION ITEMS

#34, Travel Authorization – 2006 Annual Pacific Northwest Clean Water Associations (PNCWA-WEF) Conference

#35, Travel Authorization – 2006 Washington State Association of Municipal Attorneys (WSAMA) Fall Conference

#36, Travel Authorization – 2006 Annual Water Environment Federation (WEF) Conference

Upon motion of Commissioner Mayer, which was duly seconded by Commissioner Jovanovich, the Board unanimously **approved** Action Items 34, 35 and 36 together for any Board member or the General Manager and/or General Counsel to attend any of the conferences addressed in the items.

INFORMATION ITEMS

#1, 16TH Avenue Property Sale - Auction: Mr. Pritchett reviewed the history of the prior attempts to sell this particular piece of surplus property and added there was interest shown in the property once again. He reviewed the disposal process which the District had previously followed concerning this property and suggested the Board consider an auction, if they determined it would still be in the best interests of the District to sell the property. After discussion, it was the consensus of the Board to consider this item at this meeting.

Upon motion of Commissioner Mayer, which was duly seconded by Commissioner Jovanovich, the Board unanimously **approved** amending the agenda to add **Action Item #037, 16th Avenue Property Sale – Auction Approval.**

Action Item #037, 16th Avenue Property Sale – Auction Approval: Upon motion of Commissioner Mayer, which was duly seconded by Commissioner Stewart, the Board unanimously **approved** the auction process for the 16th Avenue Property owned by the District, subject to conditions that are established by the District's General Counsel.

Information Item #2, Jovita Heights/West Hill Plat (Cornerstone) – Corporate Annexation; Staff noted that the suggested date of the public hearing for this proposed annexation to be May 11th at 7:00 p.m. Subsequent to the discussion, it was the consensus of the Board to consider this item at this meeting.

Upon motion of Commissioner Mayer, which was duly seconded by Commissioner Jovanovich, the Board unanimously **approved** amending the agenda to add **Action Item #038, Jovita Heights/West Hill Plat (Cornerstone) – Corporate Annexation; Set Public Hearing – Resolution No. 2006-1065.**

Action Item #038, Jovita Heights/West Hill Plat (Cornerstone) – Corporate Annexation; Set Public Hearing – Resolution No. 2006-1065: Upon motion of Commissioner Mayer, which was duly seconded by Commissioner Jovanovich, the Board unanimously **adopted**

Resolution #2006-1065, providing for a public hearing May 11, 2006 on petitions to annex a certain area contiguous to the District, known as “Jovita Heights/West Hill Plat (Cornerstone) – Corporate Annexation”.

Information Item #3, Komline Sanderson Change Order #2: This change order was requested to cover the expense to relocate control panels as recommended by Brown and Caldwell, the engineering firm retained for the design of this project, to meet equipment arrangement and code requirements. The cost of this work is \$7,580 and adds no increase in the timeline for the project. Subsequent to the discussion, it was the consensus of the Board to address the item at this meeting.

Upon motion of Commissioner Mayer, which was duly seconded by Commissioner Miller, the Board unanimously approved amending the agenda to add **Action Item #039, Komline Sanderson Change Order #2 Approval.**

Action Item #039, Komline Sanderson Change Order #2 Approval: Upon motion of Commissioner Mayer, which was duly seconded by Commissioner Jovanovich, the Board unanimously **approved** Change Order #2 in the amount of \$7,580 for the Lakota Sludge Dryer project.

COMMITTEE REPORTS/COMMISSIONER COMMENTS

Commissioner Mayer announced he was resigning from his Board position effective May 1, 2006 as he was moving to eastern Washington. He thanked the Board and staff for their time and efforts during his tenure. Members of the Board thanked Commissioner Mayer for his efforts, told him that he would be sorely missed and wished him luck in his future endeavors. Commissioner Miller then reported on recent Safety and EMAC meetings he had attended and reviewed the topics that were discussed; a discussion about the Avian flu pandemic followed and Mr. Perry reviewed the plans that staff will put in place in order to be prepared should this event occur in the area and affect the District. During the discussion Mr. Perry offered to make a presentation for the Board to provide them with more information on this topic.

STAFF REPORTS

GENERAL COUNSEL: Mr. Pritchett began his report by thanking Commissioner Mayer for all of his contributions on behalf of the Administration staff. He then reported he would be meeting the next week with the engineer who has been retained by the interested residents to work on a sewer design with the property owners in the Adelaide Beach area. There is a property owner in that area that is very reluctant to grant an easement that is relevant to the project.

DIRECTOR OF FINANCE AND INFORMATION SYSTEMS: Mr. Dennis also thanked Commissioner Mayer and added he would be missed at the District.

ENGINEERING MANAGER: Mr. Ross also extended his appreciation to Commissioner Mayer for his service to Lakehaven. In turn, Commissioner Mayer wished Mr. Ross good luck in his future retirement.

GENERAL MANAGER: Mr. Perry echoed Mr. Ross's statements and thanked Commissioner Mayer on behalf of Operations. He went on to report that Development Services staff continued to be unsuccessful in convincing developers of new projects to schedule a review of their projects with staff. He asked that staff not spend time on developments that have not paid the District for these services and stated that staff would continue to participate in the joint Development Review Committee meetings at the City; however, the developer would also be informed that they must pay for the District's services prior to the service being provided to them. District staff would then address the developer's needs as they relate to the District's development requirements to obtain water and/or sewer service. Mr. Perry indicated his interest in discussing this issue at the next Government Liaison Committee meeting and asked for Board guidance; subsequent to the discussion, it was the consensus of the Board to direct Mr. Perry to discuss this item at the next Liaison Committee meeting.

EXECUTIVE SESSION/CLOSED SESSION

At approximately 7:00 p.m., the regular meeting was recessed in order to conduct an Executive Session to discuss two items of Potential Litigation as well as a Closed Session for the purpose of addressing Step IV of a grievance. It was noted that the Board intended to take action after the end of the Closed Session. The estimated time it would take to discuss all of these issues was approximately 30 minutes. At approximately 7:30 p.m., it was stated that the closed session would be extended for fifteen minutes and would continue until approximately 7:45 p.m.

At approximately 7:45 p.m., the Closed Session was adjourned and the regular meeting was reconvened.

Upon motion of Commissioner Mayer, which was duly seconded by Commissioner Stewart, the Board unanimously **approved** amending the agenda to add **Action Item #40: Step IV, Grievance Number 2006-RUSIM-0203-08; Board Response.**

Action Item #04: Step IV – Employee Grievance Number 2006-RUSIM-0203-08; Board Response: Upon motion of Commissioner Mayer, which was duly seconded by Commissioner Stewart, the Board unanimously **denied** Step IV of Grievance Number **2006-RUSIM-0203-08** submitted by the IUOE Union, Local #286 and Radovan Rusimovic.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at approximately 7:47 p.m.

_____ President Tweddle	_____ Yea	_____ Nay	_____ Abstain
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ATTEST:

_____ Vice President Miller	_____ Yea	_____ Nay	_____ Abstain
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_____ Secretary Jovanovich	_____ Yea	_____ Nay	_____ Abstain
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_____ Commissioner Mayer	_____ Yea	_____ Nay	_____ Abstain
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_____ Commissioner Stewart	_____ Yea	_____ Nay	_____ Abstain
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