

LAKEHAVEN UTILITY DISTRICT
King County, Washington

REGULAR BUSINESS MEETING
March 22, 2007

A regular meeting of the Board of Commissioners of the Lakehaven Utility District, King County, Washington, was held on March 22, 2007 at Lakehaven Center, 31531 First Avenue South, Federal Way, Washington, 98003.

President Miller called the meeting to order at 6:00 p.m. and asked Commissioner Gibson to lead the flag salute. Members/officials present were as follows:

Don Miller	President of the Board
Ron Nowicki	Vice President of the Board
Chuck Gibson	Secretary of the Board
Ed Stewart	Commissioner
Beverly Tweddle	Commissioner
Don Perry	General Manager
Steve Pritchett	General Counsel

It was noted that Mr. Dennis and Mr. Bowman were not in attendance.

APPROVAL OF AGENDA

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

CITIZENS COMMENTS

Mr. Raymond Dapp of 3112 SW 300th Place had sent the Board a letter and was in the audience to speak to his issue. Mr. Dapp's property in question is located within the Lakota Beach area where a low-pressure sewer main system had been installed the previous year, based on a favorable vote of the majority of the residents residing in the area. Mr. Dapp was requesting relief from the charges for one of his properties and he went on to explain his issue. A discussion followed and it was noted there are several areas to be considered very carefully before the Board considers Mr. Dapp's request. Subsequent to the discussion, the Board directed staff to study this issue and report back to them. They then thanked Mr. Dapp for coming to the Board.

Gary Martindale, a representative of the Steadfast Corporation, the owner of the Commons Shopping Mall in Federal Way, was also in the audience to discuss ERU allocations for the property. He read a letter from Lance Emery, Assistant Project Manager of the Steadfast Corporation, and a discussion followed regarding this issue. Mr. Pritchett explained the situation in terms of the existing resolution that regulates this topic. A discussion followed with the parcel that is affected by the wording of the resolution. Subsequent to the discussion, it was the

consensus of the Board to direct staff to investigate this matter further and bring their finding to the next regularly scheduled Board meeting. They then thanked Mr. Martindale for bringing his issue to them.

CONSENT ITEMS

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

1. Accounts Payable Vouchers and Payroll Transactions with the warrant dates of 3/13/07, 3/14/07, 3/15/07 and 3/23/07
Maintenance Fund No. 11-333-0510
3/13/07, voucher nos. 7983-7985, total amount of \$1,953.48;
3/14/07, voucher nos. 7986-8101, total amount of \$260,795.59.
Construction Fund No. 11-333-3510
3/15/07 voucher nos. 8102-8105, total amount of \$6,919.00.
PWTF Wellsite & Emerg Power Fund No. 11-333-6020
3/15/07 voucher no. 8106-8111, total amount of \$128,333.42.

<u>Payroll – Fund No. 11-333-0530 03/23/07</u>	
Warrants:	\$ 0,879.37
Direct Deposits:	\$ 167,834.47
Benefit Warrants:	\$ 51,863.03
	(Voucher nos.8112-8126)
<u>Withholding/FICA</u>	<u>\$ 77,053.68</u>
Total Amount of:	\$ 307,630.55

2. Budget Amendment; Resolution Number 2007-1084
3. Sewer Service Area Jurisdiction Litigation with Pierce County

INFORMATION ITEMS

#1, Lakota Wastewater Treatment Plant Outfall Pipe; Discussion: Mr. Perry introduced Fran McNair from the Department of Natural Resources (DNR) and James Pendowski from the Department of Ecology (DOE) and Manager of the Toxics Cleanup Program. He and Ms. McNair had provided information for the agenda packets so the Board would have a better understanding of this item. Mr. Pendowski began the presentation by stating that the Governor has placed an interest in the restoration of Puget Sound. His agency works extensively with DNR on the clean up of aquatic land sites and they had developed a listing of six areas that fit the criteria for the program. The Dumas Bay area was one of the areas on the list. The Lakota outfall is located within the Dumas Bay; therefore, the purpose of their presentation was to provide information about the project and to hopefully encourage the Board

to consider partnering with them to move the outfall to deeper water so that the shellfish beds in the area could be reopened.

Ms. McNair expressed her excitement with the possible opportunity of a collaborative effort to enable the shellfish bed in the current outfall area to be opened up by extending the length of the outfall pipe. A discussion followed and both Ms. McNair and Mr. Pendowski explained the project and the different areas that would be benefited by the clean-up effort. The proposal included funding that would be provided to the District by the Department of Ecology for the project's pre-design work. Funds have been set aside should the District be interested in the partnership program. The discussion then continued as to the next steps that would follow. If, at the end of the process, it is determined to move forward with the project, 50% of the funds would be given to the community in the form of programs and grants. Different ideas were discussed for the different programs that could be implemented with the funding, should the District decide to move forward. Mr. Pendowski noted that the greater project would move forward and encouraged the Board and staff to consider taking the first step. It was noted that other projects and/or issues could develop during the time frame for this proposed project, which could potentially be addressed concurrent with the project being addressed. Subsequent to the lengthy discussion and question and answer session, it was the consensus of the Board to direct staff to move forward with this project and negotiate the contract with a targeted completion date of four months for the contract to be brought back to the Board. Once the contract has been drafted, staff will come to the Board for review and consideration.

COMMITTEE REPORTS/COMMISSIONER COMMENTS

Commissioner Tweddle reported she has been working with Linda Mogensen by screening applicants for the Administrative Assistant/Board Clerk position. Commissioner Nowicki told the Board about an upcoming local conference that proposes different ways to market your public agency, and he encouraged others to consider attending. Mr. Pritchett noted that Jean Gardiner, the District's Customer Service Manager, would be attending this conference.

STAFF REPORTS

General Counsel: Mr. Pritchett reported he had received two new arbitration demands earlier in the day relating to the last "Step Four" decisions the Board made relating to the overtime allocations. He added he had met with the business agent of the IUOE bargaining unit recently and selected arbitrators for the first three grievances. The first arbitration is scheduled for June 21 and the new ones should be held around the same time. Mr. Pritchett then provided each Board member with a copy of their recent billing histories for water and sewer charges in preparation for the rate discussion. Lastly, he reported interviews for the Administrative Assistant/Board Clerk position had been scheduled for the next week.

General Manager: Mr. Perry reported that the District had not been receiving Second Supply Pipeline water for the last ten days due to the high turbidity levels. He added he had

reviewed 90 applications for the Office Assistant III position in Development Engineering and reduced the number to 16 for further review. In addition, the applications for the Engineering Technician/Pre-Treatment position had also been reviewed and forwarded to Development Engineering as well. He stated that he felt the discussion with Ms. McNair and Mr. Pendowski had been very beneficial relating to the outfall pipe at the Lakota Wastewater Treatment Plant and added this partnership could be of benefit to the District if and when we request low interest loans.

Commissioner Miller expressed his desire for a tour of the Howard Hanson Dam. He added that this would also be beneficial to the newer commissioners.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at approximately 7:50 p.m.

 _____ President Miller	<input checked="" type="checkbox"/> _____ Yea	_____ Nay	_____ Abstain
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ATTEST:

 _____ Vice President Nowicki	<input checked="" type="checkbox"/> _____ Yea	_____ Nay	_____ Abstain
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_____ Secretary Gibson	_____ Yea	_____ Nay	_____ Abstain
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 _____ Commissioner Stewart	<input checked="" type="checkbox"/> _____ Yea	_____ Nay	_____ Abstain
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 _____ Commissioner Tweddle	<input checked="" type="checkbox"/> _____ Yea	_____ Nay	_____ Abstain
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