CLARK REGIONAL WASTEWATER DISTRICT
BOARD OF COMMISSIONERS
MINUTES
REGULAR MEETING
July 23, 2013

The third regular meeting for the month of July was held at the District Board meeting room, 8000 NE 52nd Court, Vancouver, Washington on July 23, 2013. Commissioner Harker called the meeting to order at 3:00 PM.

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

District Staff: John Peterson, Shawn Moore, Robin Krause, Ken Andrews, Steve Bacon, Tom Burns, Heidi Rosenberg, Hugh Findlay and Kim Thur. District legal counsel Rod Kaseguma.

Visitors Present for Work Session: Lisa Nisenfeld.

Visitors Present for Regular Meeting: Betty Teunessen and Dan Clark.

Visitors Present for Public Hearing: None.

ADDITIONS & DELETIONS TO AGENDA: John Peterson reported that staff is requesting to add AB #13-051, Emergency Lateral Repair at 3500 NW 129th Street, Family of Christ Lutheran Church, to today's agenda under New Business.

SPECIAL PRESENTATIONS: Shawn Spain, Maintenance Specialist II – 5 Years of Service Award - The Board presented Shawn Spain with his 5 years of service award and thanked him for his ongoing service.

WORK SESSION: **Columbia River Economic Development Council Update** – Lisa Nisenfeld, Executive Director of Columbia River Economic Development Council, presented the work session, which provided an overview of the current initiatives for the Columbia River Economic Development Council.

CONSENT AGENDA: Commissioner Kiggins moved to approve the Consent Agenda, approving July 9, 2013 regular meeting minutes; July 16, 2013 regular meeting minutes; claim voucher warrant #s 43770-43836 in the amount of $459,903.94 from the Maintenance Fund and $2,203.72 from Capital Projects; Agenda Bill #13-040, authorizing the General Manager to sign the First Amendment to Agreement to Transfer Temporarily Allocated Capacity of Wastewater Between Clark County, the City of Battle Ground and Clark Regional Wastewater District for

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Treatment of City of Ridgefield Wastewater Solids and the First Amendment to Agreement Regarding Treatment and Beneficial Reuse of City of Ridgefield Domestic Wastewater Solids; Agenda Bill #13-044, adopting Resolution #1593, relating to adopting an extended vacancy credit program; amending section 4.04.010 of the Clark Regional Wastewater District Code and adding new section 4.16.030 to the Clark Regional Wastewater Code; Agenda Bill #13-045, adopting Resolution #1594, amending the Clark Regional Wastewater District Classifications Table and Organization Chart; and repealing Resolution No. 1582; Agenda Bill #13-046 – adopting Resolution #1595, approving the final cost and pro rata share of District installed local facilities to Covington Crossings District Installed Infrastructure project, District Project #27-2012-0003; Agenda Bill #13-047, authorizing staff to schedule a public hearing for the NE 88th Street East County Road Project Local Facilities Charge project on Tuesday, August 13, 2013 at 5:00 PM or as soon thereafter as possible; and Agenda Bill #13-048, authorizing staff to schedule a public hearing for the NE 72nd Avenue District Installed Infrastructure Local Facilities Charge project on Tuesday, August 27, 2013 at 5:00 PM or as soon thereafter as possible.

Commissioner Kimsey seconded the motion, and it passed unanimously.

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

Board Members: Each Commissioner reported on their recent activities.

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

Assistant Manager: Assistant Manager Activities Report (Agency Coordination: City of Battle Ground – Meadowglade Service Area; & Vacant Parcels with Past Due Utility Bills) – Shawn Moore reviewed his report.

Discussion occurred with District legal counsel on the vacant parcels with past due utility bills policy brief.

The Board directed staff to develop a policy for further consideration that would suspend billing and consider a service disconnected when a building is demolished without properly disconnecting from the public sewer and after substantial notice to the property owner is given.

District Engineer: District Engineer Activities Report (Discovery Corridor Wastewater Transmission System; Recruitment – Pretreatment Coordinator; Local Agency Coordination; Discovery Clean Water Alliance Support; 2013 Capital Program –

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2nd Quarter Update; Capital Program – Payne PUD Pump Station; & Development Activity – 2nd Quarter Update – Robin Krause reviewed his report.

Mr. Krause then reported that staff is moving forward with hiring a temporary employee for a 6-8 week period to assist with entering Ridgefield collection system information into the GIS database.

Finance Director: Finance Director Activities Report (Discovery Clean Water Alliance; Ridgefield Collection System Transfer; Low Income Senior Citizen Discount Rates – Code Section 4.16.020; 2014 Budget; ERU Report – Second Quarter 2013; & District and Professional Organization Functions/Training) – Ken Andrews reviewed his report.

Mr. Andrews reviewed the draft resolution attached to his report, a revision to District Code Section 4.16.020. Discussion occurred on the proposed amendment to District Code. The Board requested staff to bring the matter back for further discussion and review at a future Board meeting.

Executive Assistant: Memo re: District Code Revision to Section 5.36.030 – Developer Extension Agreement Form – Adoption by Reference – Kim Thur reviewed the memo. The Board concurred with the proposed Code amendment and directed staff to prepare an agenda bill and resolution for adoption on the August 13 Consent Agenda.

District Legal Counsel: No report.

UNFINISHED BUSINESS: No items to discuss.

NEW BUSINESS: AB #13-050 – City of Ridgefield/District Franchise Agreement – Heidi Rosenberg briefly reviewed the agenda bill. At the June 25th Board meeting, the Board adopted the Ridgefield Wastewater Collection System Transfer Agreement. The final agreement for the Board's adoption is the Franchise Agreement. The Franchise Agreement allows the District to construct, operate and maintain the wastewater utility system within the rights-of-way of the City of Ridgefield for a 30-year period, with two 5-year automatic renewal terms. Several work sessions have been held by both agencies confirming and finalizing the Franchise Agreement.

Ridgefield City Council approved the Franchise Agreement at the July 11, 2013 City Council meeting.

Commissioner Kimsey moved <u>to adopt Resolution #1596, accepting a franchise to</u>

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construct, operate and maintain wastewater facilities in City of Ridgefield rights-of-way.

Commissioner Kiggins seconded the motion, and it passed unanimously.

AB #13-051 – Emergency Lateral Repair at 3500 NW 129th Street, Family of Christ Lutheran Church – Robin Krause briefly reviewed the agenda bill. On July 15, 2013, the District received and investigated a complaint regarding an apparent discharge of sanitary sewer from a cleanout located at 3500 NW 129th Street, Family of Christ Lutheran Church. Maintenance staff discovered that the lateral serving the parcel had been connected to an apparently abandoned stormwater system. This lateral serves only a small portion of the church campus, which was under high use during Vacation Bible School. Maintenance staff notified the District Engineer to mobilize a contractor to expose and repair the lateral properly.

The District Engineer declared this an emergency in accordance with District Code Section 2.36.020 and selected an available contractor from the Small Works Roster. The work was completed on July 17 and 18, 2013. Staff will report the final costs as soon as they are available.

Commissioner Kimsey moved to ratify and confirm an emergency situation located at 3500 NW 129th Street, Family of Christ Lutheran Church, which required the District Engineer to declare an emergency, execute a contract and complete the work.

Commissioner Kiggins seconded the motion, and it passed unanimously.

HEARINGS: 5:00 PM – AB #13-049 – NE 25th Avenue District Installed Infrastructure – Local Facilities Charge Project – Commissioner Harker opened the hearing on the establishment of the final cost and pro rata share of the local facilities project NE 25th Avenue District Installed Infrastructure project area and cost for the sanitary sewer facilities installed along NE 25th Avenue from NE 96th Street to NE 99th Street. He then asked District staff to explain the Local Facilities Charge reimbursement requirements and process and to describe the sanitary sewer facilities and their cost.

Steve Bacon explained the NE 25th Avenue project is a District Installed Infrastructure (DII) project, which installed sanitary sewer service to 8 parcels along NE 25th Avenue from NE 96th Street to NE 99th Street. The project was completed in advance of a Clark County surface treatment project. The project has been constructed and accepted by the District.

Staff completed the calculation of assessments for the project. In April 2013, staff held an open house at the District office to provide property owners an opportunity to discuss the local

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facilities charge. Staff advised the affected property owners of the public hearing by mailed notice and publication of a hearing notice in *The Columbian* newspaper.

The Local Facilities Charges were calculated using the ERU method. The ERU method was chosen due to the varied size and zoning of the adjacent properties.

Commissioner Harker then asked if anyone present wished to provide testimony on the sanitary sewer facilities and the local facilities charge reimbursement.

There was no one present for the hearing.

Commissioner Kiggins moved to close the public hearing.

Commissioner Kimsey seconded the motion, and it passed unanimously.

Commissioner Harker 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 District Code Chapter 5.38. He then moved to direct staff to prepare a resolution for approval and adoption of the NE 25th Avenue District Installed Infrastructure Local Facilities Charge project that includes the properties and proposed assessments as shown in the Final Assessments Table at a future Board meeting.

Commissioner Kimsey seconded the motion, and it passed unanimously.

Commissioner Harker thanked everyone for attending the hearing.

Commissioner Kimsey moved to adjourn the meeting.

Commissioner Kiggins seconded the motion, and it passed unanimously.

At 5:08 PM, Commissioner Harker adjourned the meeting.

Respectfully submitted,

Secretary

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