

**MINUTES OF THE MEETING  
OF COMMISSIONERS OF THE  
SILVER LAKE WATER AND SEWER DISTRICT**

September 26, 2019

The regular meeting of the Board of Commissioners of the Silver Lake Water and Sewer District was held on September 26, 2019, beginning at 5:30 p.m., at the District Administration Building. Attending were Commissioners Bill Anderson, Rod Keppler, and Anne Backstrom. Also present were General Manager Curt Brees, District Engineer Scott Smith, O&M Manager Ron Berger, and Finance Manager Brad Nelson; Eric Delfel with Gray & Osborne, Inc., Consulting Engineer for the District, and John Milne with Inslee, Best, Dozier, Ryder, P. S. One member of the public was also in attendance at the meeting.

**1.) CALL TO ORDER:**

Commissioner Keppler called the meeting to order at 5:30 p.m.

**2.) APPROVAL OF MINUTES:**

The Minutes of the regular meeting of September 12, 2019 were unanimously approved as circulated.

**3.) PUBLIC COMMENT:**

There were no comments from the public in attendance.

**4.) FINANCIAL MATTERS:**

**a.) Vouchers and Check(s) Approval**

Following discussion of various matters, vouchers and revolving fund checks were unanimously approved and signed as follows:

<b>Fund</b>	<b>Code</b>	<b>Number</b>	<b>Amount</b>
Water Maintenance	743 5408666	.09-048 -.09-095	\$84,590.95
Sewer Maintenance	743 5418666	.09-011 -.09-023	191,001.93
Sewer Capital Improve.	743 5448666	.09-005 -.09-005	87,624.48
Water Capital Improve.	743 5468666	.09-004 -.09-005	1,975.34
Revolving Check Fund		6724 - 6762	15,228.42
<b>Total Warrants</b>			<b>\$380,421.12</b>

**5.) CAPITAL IMPROVEMENT PROJECT(S):**

**a.) Update – 131<sup>st</sup> Water Main Replacement Project**

Mr. Smith and Mr. Delfel provided an update to the Board of Commissioners regarding the 131<sup>st</sup> Water Main Replacement Project. The Pre-construction meeting for this project was held on Tuesday, September 24, 2019.

Right-of-way Permits have been issued by Snohomish County for the majority of project work. A permit from the City of Mill Creek is pending, for work in the shoulder at one location. The contractor, D&G Backhoe, is scheduled to begin work on October 14, 2019.

**b.) Update – Waldenwood Lift Station Replacement Project**

Mr. Smith and Mr. Delfel provided an update to the Board of Commissioners regarding the Waldenwood Lift Station Replacement Project. No physical work of significance is underway on the project as the Contractor has proposed a shoring plan that differs significantly from the plans and permits prepared for the project. The contractor has proposed more of an open pit construction method. And while this will reduce some complexity compared to the installation of shoring, an offsite construction easement and approval by Snohomish County is required. District staff has provided preliminary approval that this alternate method may be allowed provided the contractor can obtain the temporary construction easements, permit approval from Snohomish County, and assurance to the District to maintain operation of the existing station during construction.

**6.) MAINTENANCE AND OPERATION REPORT(S):**

**a.) Surplus Equipment**

Mr. Berger and Mr. Brees provided a verbal summary to the Board of Commissioners regarding Surplus Equipment. Mr. Brees provided draft Resolution No. 781 with Attachment “A” and “B”, for the Board’s review and consideration. Attachment “A” consists of a commercial refrigerator, and Attachment “B” included two surplus vehicles, a 2000 Ford F250 and a 2008 Chevy Colorado.

Following discussion, by motion made, seconded, and passed unanimously, the Board of Commissioners adopted and executed Resolution No. 781, declaring certain District Personal Property to be Surplus and detailed the terms of sale or disposal of such Property.

**b.) Update – Reservoir No. 3 Operations**

Mr. Berger provided an update to the Board of Commissioners on Reservoir No. 3 operations. Mr. Berger reported that the Reservoir has now been in operation for several weeks following the removal of the Tideflex mixing system. Staff is continuing to monitor and sample for VOCs believed to be from the paint coating that was applied to the Tideflex system. District staff is assembling additional costs that have been incurred as a result of this warranty issue.

**c.) Discussion – Next Steps on Surplus for District Properties**

Mr. Brees opened discussion with the Board of Commissioners regarding their next steps to surplus the District Property located at 2210 132<sup>nd</sup> Street SE, Mill Creek. In 2015, the District was in negotiations with the City of Mill Creek to purchase the property. He reported that the City is again interested in acquiring the site for use as a Public Works Operations Facility. The District has provided access to the site on several occasions to City staff, as many are new to the City, since the prior discussions in 2015. The General Manager suggested that the District update the real estate appraisal for the site to facilitate the City’s review and to prepare the property for sale. The Board of Commissioners concurred and directed the General Manager to obtain a proposal for a Professional

Services Agreement to appraise the property and to permit the City to evaluate the site until the end of the year. Mr. Brees was also directed to advise the City that, if a sale of the property to the City was not under contract by the end of 2019, the District would then move forward with a public sale of the property.

## 7.) INTER-AGENCY REPORTS

### a.) CWSA Meeting Update

Mr. Brees provided an update to the Board of Commissioners on the CWSA Meeting held on Wednesday, September 25, 2019. As of August 31, 2019, monetary assets for CWSA totaled \$676,653.82 and the vouchers approved at the meeting totaled \$610,424.95. AWWD staff updated the group on operational issues at the City of Everett related to wholesale facilities, including the replacement of the collapsed roof at the filtration plant and a pending inspection of the City's Reservoir No. 3. The next meeting of CWSA is scheduled for Wednesday, October 16, 2019, at 3:00 p.m., at the Alderwood Water & Wastewater District.

## 8.) STAFF REPORTS

### a.) District Engineer:

Mr. Smith provided an update to the Board of Commissioners on process improvements that he is coordinating related to the developer extension process. This will include electronic review of plans and the development of a new GIS layer to display the current developer projects in a map view with project information linked. Mr. Smith also reported that District staff has recently met with the Developer of the Bakerview Plat to discuss lift station design requirements

### b.) Finance Manager:

Mr. Nelson recently attended a WFOA Conference representing the District. He summarized some of the relevant topics discussed at the training, including GASBY 87 which relates to leases and utility rate affordability. Mr. Nelson also outlined the process to adopt the 2020 Financial Plan, detailing the schedule of presentation topics to the Board of Commissioners.

### c.) Attorney

Mr. Milne reviewed the recent Washington Supreme Court hearing on King County's attempt to charge rent to utilities to use County Right-of-Way. Mr. Milne noted that it was a very active Court that posed numerous questions to both sides, providing no clear indication of how the Court may rule. It is likely that there will not be a ruling for two to six months. Mr. Milne also reported that the Supreme Court hearing on the Federal Way excise tax matter has yet to be scheduled.

### d.) General Manager:

Mr. Brees reported that the District had received a Public Records Request that may include a large volume of email records. The requester has been unwilling to provide clarification that the District has requested to help identify the specific records the requester is seeking. It is anticipated that responding to the request will require extensive staff time to review

and redact the private exempt information of District customers in records that may be responsive to the request.

Mr. Brees reported he had held an administrative hearing with Mr. Salameh on September 16, 2019, regarding the effective starting date to provide utility service to his property. He will keep the Board further advised.

Mr. Brees also discussed the upcoming schedule of meetings in the month of November as the regular meeting is currently scheduled for Thanksgiving Day.

Following discussion, by motion made, seconded, and passed unanimously, the Board of Commissioners canceled the regular Board of Commissioners Meeting scheduled for November 28, 2019, and scheduled a special meeting for November 26, 2019.

**This ends the Minutes of the September 26, 2019 regular meeting. The following signature page is a scanned image of the original signature page of the Minutes and certifies these are the approved Minutes by the Secretary of the Board.**

## Minute Certification

I, the undersigned, Secretary of the Board Commissioners of Silver Lake Water and Sewer District, Snohomish County, Washington (the "District"), hereby certify as follows:

1. The attached copy of the Minutes of the Meeting of Commissioners (the "Minutes") is a full, true and correct copy of the Minutes of the September 26, 2019 regular meeting of Commissioners, duly adopted at a regular meeting of the Board of Commissioners of the District, held at the regular meeting place thereof on October 10, 2019, as these Minutes appear on the Minute book of the District; and;

2. A quorum of the members of the Board of Commissioners was present throughout the meeting and a majority of those members present voted in the proper manner for the approval of these Minutes.

IN WITNESS WHEREOF, I have hereunto set my hand this 10<sup>th</sup> day of October, 2019.

**SILVER LAKE WATER AND SEWER DISTRICT  
SNOHOMISH COUNTY, WASHINGTON**

  
Bill Anderson, Secretary