

PUBLIC UTILITY DISTRICT NO. 1  
OF ASOTIN COUNTY, WASHINGTON  
MEETING MINUTES  
November 21, 2016

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President Don Nuxoll presiding, the Public Utility District No. 1 of Asotin County Meeting was called to order at 5:30 p.m. at the PUD Office at 1500 Scenic Way.

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ROLL CALL: PRESENT      Commissioners: Don Nuxoll, Judy Ridge and Greg McCall.

PUD Staff: General Manager Tim Simpson and Treasurer Bob Sischo. Legal Counsel Scott Broyles.

City of Clarkston Mayor Monika Lawrence.

Members of the public.

MINUTES OF MEETING AND VOUCHER APPROVAL

**MOTION** by Commissioner Judy Ridge and seconded by Commissioner Greg McCall to approve the consent agenda approving the minutes of the November 7, 2016 Regular Meeting and payment of the Transaction Vouchers covering vouchers #1880 through #1883 and vouchers #4120EFT through #4136EFT in the amount of \$42,644.47 and Blanket Transaction Voucher Approval Document covering vouchers #36399 through #36447 and Electronic Transaction Vouchers #16111802 and #16111803 in the amount of \$122,242.80. The question was called for on the motion. The motion passed 3-0.

OLD BUSINESS

There were no items presented under Old Business.

NEW BUSINESS

General Legal Counsel Engagement Letter

The manager presented an Engagement Letter from Attorney Joe Brogan with Foster Pepper which provides for interim General Legal Counsel. The Letter is effective January 1, 2017 providing the PUD access to counsel after Scott Broyles' last day on December 31, 2016. The manager stated that having interim counsel will allow the Board time to discuss the path forward regarding legal counsel after Mr. Broyles' departure. The engagement is open-ended and will terminate with Board appointment of legal counsel.

**MOTION** by Commissioner Greg McCall and seconded by Commissioner Judy Ridge to approve the General Legal Counsel Engagement Letter with Foster Pepper authorizing the General Manager to sign the letter. The question was called for on the motion. The motion passed 3-0.

Award Bid for Backhoe

The manager presented a bid received from Western States Equipment for a Caterpillar (CAT) 420F Backhoe. He stated that the 2017 Budget designated \$100,000 for the purchase of a new backhoe. For the bid process, the manager stated that staff utilized the Washington State Department of Enterprise Services (DES) Master Contracts Usage Agreement (MCUA). This cooperative purchasing through state contracts bid by DES provides organizations with an MCUA the opportunity to purchase goods and services.

The manager stated that to ensure a proper bidding process, he contacted the State Auditor's office. Debbie Pennick, Program Manager for our region stated that contracts available at DES are formally, competitively procured. She stated that RCW 43.19.005 allows local governments to use DES's contracts. They would just confirm that the PUD has an agreement with DES to use the MCUA.

The manager stated that our PUD has an MCUA with the state therefore we are qualified to purchase goods and services through this agreement. Searching the current DES contracts, staff found a bid contract for the backhoe we are looking for. The backhoe is a Caterpillar (CAT) 420F and Western States Equipment in Lewiston is a CAT dealer and a supplier under the state contract.

Western supplied a bid for the CAT 420F Backhoe in the amount of \$95,215.00. They have offered \$14,000.00 for the trade-in of our CAT 416C Backhoe. The Commission discussed the option of selling current PUD backhoe to the highest bidder to see if we could receive more money for it. The Board stated their willingness to approve the bid for the new backhoe so it can be ordered, due to the 3 to 4 month delivery time, but reserving the right to decide at a later date whether to trade-in our current backhoe or sell it to the highest bidder. The manager will research market value of the used backhoe.

**MOTION** by Commissioner Judy Ridge and seconded by Commissioner Greg McCall to award the bid for a Caterpillar Backhoe to Western States Equipment in the amount of \$95,215.00. The question was called for on the motion. The motion passed 3-0.

Change the December Commission Meeting Dates

The manager requested changing the December Commission meeting dates from Tuesday, December 13 and 27, 2016 to Tuesday, December 6 and 20, 2016 due to the holidays.

**MOTION** by Commissioner Greg McCall and seconded by Commissioner Judy Ridge to approve changing the Tuesday, December 13 and 27, 2016 Commission Meetings to Tuesday, December 6 and 20, 2016 at 5:30 pm. The question was called for on the motion. The motion passed 3-0.

### MANAGER'S REPORT

MA DeAtley Water Main Extension – The manager reported that discussions with DeAtley regarding the water main extension to their facility on Evans Road continue. Brian Andrews with DeAtley stated that the project would not be completed until the fall of 2017. DeAtley was informed of DOH's position regarding the water main extension and their potential designation as a Group B System. DOH considers the facility a Group B System because of the number of transient workers and the fact that are using water from a private well. A meeting with DeAtley, the PUD and DOH is schedule for December 5 to further discuss the potential designation.

Financial Report – The manager reported that through mid-October revenue stands at approximately \$4.28 million and expenses are at \$4.10 million. The Operating Fund balance is \$2.31 million.

### COMMISSIONER'S REPORT

Commissioner Ridge and Commissioner McCall attended the U.S. Army Corps of Engineers, Bureau of Reclamation and the Bonneville Power Administration public National Environmental Policy Act scoping meetings held in Lewiston, Idaho at the Red Lion on November 16, 2016. The meetings were for the development of an environmental impact statement (EIS) on the Columbia River System operations. Commissioner Ridge stated that the information provided was good and the meeting was well attended. Comments on the EIS are due January 17, 2017. The manager stated that he would develop a EIs comments for board review and approval.

Commissioner Ridge and Commissioner McCall will be attending the Washington PUD Association Annual Conference in Vancouver, Washington November 30 to December 2.

### ADJOURNMENT

There being no further business the meeting was adjourned at 6:15 p.m.