

PUBLIC UTILITY DISTRICT NO. 1  
OF ASOTIN COUNTY, WASHINGTON  
MEETING MINUTES  
December 8, 2009

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President Gary Hicks 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: Gary Hicks, Don Nuxoll and Judy Ridge.

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

Joel Ristau, Asotin County Public Works Director

Members of the public were present.

MINUTES OF MEETING AND VOUCHER APPROVAL:

**MOTION** by Commissioner Judy Ridge and seconded by Commissioner Don Nuxoll to approve the consent agenda giving approval of the minutes of the November 24, 2009 Regular Meeting and approval of the minutes of the November 30, 2009 Special Meeting payment of the Transaction Vouchers covering vouchers #1520EFT through #1533EFT and vouchers #1675 and #1676 in the amount of \$25,143.14 and Blanket Transaction Voucher Approval Document covering vouchers #27471 through #27530, and Electronic Transaction Voucher #09113001, #09120201, #09120202, #09120401, #09120402 and #09120403 in the amount of \$701,044.24. The question was called for on the motion. The motion passed 3-0.

OLD BUSINESS

Port of Wilma Operations and Maintenance Agreement Suspension Notice

The manager presented a letter from the Port of Whitman County Executive Director Joe Poire dated November 23, 2009. In the letter the Port provided a 30 day notice suspending the operations and maintenance agreement with the PUD for operations and maintenance the water system at the Port of Wilma. The manager stated that operations and maintenance for the Port of Wilma water system will be terminated at midnight on December 31, 2009. In addition, the PUD will remove their name as the Operator of Record for the Port of Wilma water system. The Water Sales Contract between the Port of Whitman County and the PUD will remain in force. The manager reported that in his letter, Mr. Poire stated that he wants to continue discussion regarding transfer of the Port of Wilma water system to the PUD.

NEW BUSINESS

Resolution 09-346 – Approving the Sewer System Transfer Agreement

The manager presented Resolution 09-346 providing for approval of the Sewer Transfer Agreement and allowing for the transfer of ownership of the Asotin County Sanitary Sewer System to the PUD. The manager reported that the County Board of Commissioners approved the transfer agreement at their meeting on Monday, December 7, 2009. The manager stated that the resolution has been reviewed and approved by counsel.

The manager stated that with approval of the transfer much work remains to be accomplished to ensure the transition is complete. He stated that although the transfer will occur on January 1, 2010, a lot of items will need to be completed in January and possibly February. The manager and treasurer met with County staff to coordinate mailing of letters to customers regarding their sewer account. The PUD will be sending a letter at the end of the week announcing approval of the transfer of the sewer system and highlighting what customers can expect. The County will follow in a couple of weeks with letters regarding credit balances, auto pay accounts and lien balances. The PUD will follow with letters in January addressing customer service issues. The manager stated that because of the early investment of working on customer information and billing issues, the PUD is prepared to bill on a monthly basis beginning February for service provided in January. The manager stated that remaining reserves will not be provided to the PUD until the County has met all obligations and liabilities. Transfer of the fund reserves will likely happen in late January or early February. The goal is to ensure all aspects of transfer meets with the state auditor's approval.

The manager reported that both County sewer employees have decided to stay with the County. The manager stated that a contract with the County for their services will need to be approved for any work, training or assistance the County will provide beginning January 1, 2010. A meeting has been scheduled with County staff for a tour of the system and initial training. Other details regarding call outs for maintenance will need to be worked out with the County. The manager stated that current PUD staff will provide operations and maintenance for the time being. This will allow us to determine whether we need an additional employee to assist with operations.

**MOTION** by Commissioner Judy Ridge and seconded by Commissioner Don Nuxoll approving Resolution 09-346 and authorizing the execution of the Sanitary Sewer System Transfer Agreement between Asotin County and the PUD. The question was called for on the motion. The motion passed 3-0.

Resolution 09-347 – Establishing a Sewer Administrative Code

The manager presented Resolution 09-347 providing for the establishment of a Sewer Administrative Code setting policies and procedures for the effective operation and management of the sanitary sewer system. The manager stated that the Code is similar to what the County has been working on through their process to update their ordinances. The Code also takes ideas from the City of Asotin's sewer ordinance. The manager stated that it has been added to and modified to fit the PUDs needs. The manager reported that he and counsel worked through the afternoon to amend language in Sections 2.3 and 2.4 that dealt with the permit and inspection process. The manager worked with the County building department director Karst Riggers to ensure the language was acceptable and conveyed the County's role in permitting and inspecting new sewer connections.

**MOTION** by Commissioner Judy Ridge and seconded by Commissioner Don Nuxoll approving Resolution 09-347 establishing a Sewer Administrative Code setting policies and procedures for the effective operation and management of the sanitary sewer system. The question was called for on the motion. The motion passed 3-0.

Resolution 09-348 – Establishing a Septic Tank Effluent Pump (STEP) System Policy

The manager presented Resolution 09-348 providing for the establishment of a Septic Tank Effluent (STEP) System Specifications and Policy manual setting policies and procedures for the effective installation, operation and management of STEP systems connected to the sanitary sewer system. Joel Ristau, Asotin County Public Works Director, provided information regarding the number of connections and other items pertaining to STEP systems. Mr. Ristau stated that one unfinished item was a late comer's agreement with Verl Long who installed the current STEP system on Dove Drive and 27<sup>th</sup> Street. Mr. Ristau stated that when Mr. Long approaches the PUD Board of Commissioners seeking the agreement that he would assist in this process. The PUD is responsible for approving STEP systems connecting to the sewer system.

**MOTION** by Commissioner Don Nuxoll and seconded by Commissioner Judy Ridge approving Resolution 09-348 establishing a Septic Tank Effluent (STEP) System Specifications and Policy Manual setting policies and procedures for the effective installation, operation and management of STEP systems connected to the sanitary sewer system. The question was called for on the motion. The motion passed 3-0.

Resolution 09-349 – Establishing Sewer Service Rates Charges and Fees

The manager presented Resolution 09-349 providing for the establishment of sewer service rates, charges and fees. The manager stated the rates, charges and fees proposed for adoption are the same as what Asotin County currently charges its customers. He stated that the base rate for both residential and qualified seniors and disabled persons was reduced by the amount of Washington State utility tax on sewer because the PUD

shows utility tax as a separate line item on a customer's billing statement. The manager stated that STEP systems are required to pay an additional \$10.00 per month to cover the cost of the pump and maintenance of it. Commissioner Nuxoll questioned how a four-plex would be charged. Mr. Ristau stated that the County requires that if there are four units then four connections will be made. Each unit would then be charged separately. The manager stated that the rates, charges and fees have an effective date of January 1, 2010 to coincide with the PUD assumption of the sanitary sewer system.

**MOTION** by Commissioner Judy Ridge and seconded by Commissioner Don Nuxoll approving Resolution 09-349 establishing Sewer System Rates, Charges and Fees with an effective date of January 1, 2010. The question was called for on the motion. The motion passed 3-0.

#### City of Clarkston Sewage Treatment and Disposal Contract Assignment

The manager stated that the City of Clarkston is currently working on our request that the current treatment and disposal agreement with the County be assigned to the PUD. The city's attorney is developing the addendum and should have it ready for review by our counsel toward the end of the week. The plan is to present the addendum to the City Council for adoption at their meeting on Monday December 14<sup>th</sup>. The manager stated that because our last meeting will be at the end of the year and he wants to be under contract with the city before January 1, 2010, he is requesting authorization to execute the addendum to the agreement once it is adopted by the city and approved as to form by PUD counsel. The manager stated that the city would prefer a six-month addendum through June 30, 2010. This will allow time to review the contract and discuss issues such as inflows, cost calculations and other items related to the operation of the city's wastewater treatment plant. This time frame will also allow the PUD to assess the study that is currently being performed on the city's wastewater treatment plant and modify the agreement based upon the outcome of the study.

**MOTION** by Commissioner Judy Ridge and seconded by Commissioner Don Nuxoll approving execution by the General Manager of the Agreement for Wastewater Treatment and Disposal with the City of Clarkston upon approval as to form by PUD Counsel, Scott Broyles. The question was called for on the motion. The motion passed 3-0.

#### Watershed Planning Director Employment Agreement

The manager presented the 2010 Watershed Planning Director Employment Agreement. The Agreement sets forth the terms and conditions of Mr. Johnson's employment as the WRIA 35-Middle Snake Watershed Planning Director. The current Agreement expires

on December 31, 2009. The manager stated changes were made to Exhibit 2 - WRIA 35 Integration/Coordination Snake River Salmon Recovery Board. The language was brought in line with our current funding agreement. Based upon the current funding provided by the Department of Ecology and the Snake River Salmon Recovery Board, adequate resources are available to meet the compensation and benefits provided for in the Employment Agreement with Mr. Johnson. The term of the Agreement is January 1, 2010 to December 31, 2010.

**MOTION** by Commissioner Judy Ridge and seconded by Commissioner Don Nuxoll approving the Watershed Planning Director Employment Agreement and authorizing the General Manager to execute the agreement. The question was called for on the motion. The motion passed 3-0.

#### PUD Counsel Legal Services Agreement

The manager presented the Legal Services Agreement between Attorney Scott Broyles and the PUD. The manager stated that the only change in the Agreement is the term. The term of the Legal Services Agreement is for January 1, 2010 through December 31, 2011.

**MOTION** by Commissioner Judy Ridge and seconded by Commissioner Don Nuxoll approving and authorizing execution of the Legal Services Agreement between Attorney Scott Broyles and the PUD for the calendar years 2010 and 2011. The question was called for on the motion. The motion passed 3-0.

#### Change December 22, 2009 Meeting Date to December 29, 2009

The manager stated that due to a scheduling conflict with one commissioner the regular Board of Commissioners meeting scheduled for Tuesday, December 22, 2009 will need to be changed to Tuesday, December 29, 2009.

**MOTION** by Commissioner Don Nuxoll and seconded by Commissioner Judy Ridge to change the Board of Commissioner meeting date from Tuesday, December 22, 2009 to Tuesday, December 29, 2009 beginning at 5:30 pm. The question was called for on the motion. The motion passed 3-0.

#### MANAGER'S REPORT

Vineland Cemetery – The manager reported that he received a call from Vineland Cemetery Association member Steve Rynearson in which he stated that replacement of the Cemetery sprinkler system is 100% complete.

Roberta Tilden – The manager reported that customer service staff Roberta Tilden is working part-time for the City of Asotin to assist them after the departure of one of their staff. The manager stated that we are working with the City to accommodate them regarding PUD and the City work schedules for Ms. Tilden.

Solar – The manager stated that due to illness Tom Anderson from Advanced Solar Energy wasn't able to make the trip for today's meeting to provide a presentation and discuss options for installing a solar demonstration project on the PUD office building. Mr. Anderson has tentatively agreed to attend the January 12, 2009 commission meeting.

Food Bank Donation – The manager reported that customer service staff Sue Reed and Joy Welch setup a food donation drop off location in our customer service area during the month of November. As a result, 50 pounds of food was donated to the local food bank.

Xeriscape Water Efficient Landscaping – The manager stated that he met with Don Brigham a local landscape architect to discuss a cost estimate for his services in designing a water use efficient Xeriscape landscape demonstration project, a water feature and a PUD sign. The manager stated that he and counsel will review a consultant agreement for Mr. Brigham's services and present it at the next regular meeting.

Port of Clarkston Industrial Park Meeting – The manager reported that he met with the Port of Clarkston last week to discuss work toward meeting goals and deadlines for the Port's Community Economic Revitalization Board grant and loan for the development of Phase 1 of the proposed industrial park.

Automated Meter Reading – The manager reported that the hard work toward installation of automated radio read meters has paid off. He stated that the entire Clarkston Heights area is totally automated. The meter reader was able to read approximately 3,200 meters in 9 hours with the PUD vehicle radio read system.

#### COMMISSIONER'S REPORT

Commissioner Ridge and Commissioner Hicks attended the Washington PUD Association Annual Meeting in Grand Mound Washington on December 2-4, 2009. Commissioner Hicks stated that Pend Oreille PUD Commissioner Dan Peterson has stated that he wants to be considered for the Associations' Executive Director's position.

Commissioner Nuxoll will be attending a Watershed Planning Unit meeting on Wednesday, December 9<sup>th</sup> at the PUD office.

#### ADJOURNMENT

There being no further business the meeting was adjourned at 6:30 pm.