

**MUKILTEO WATER AND WASTEWATER DISTRICT
BOARD OF COMMISSIONERS MEETING**

Minutes of June 2, 2010

The June 2, 2010 Regular Meeting of the Board of Commissioners was called to order at 7:00 PM in the District office.

PRESENT

Commissioners -- Ed Caine, Mike Johnson, Thomas McGrath,
Thomas Rainville and Joan Thomasson
Attorney -- John Milne
Engineer -- Eric Delfel
Staff -- Dan Hammer and Mary Merriam
Audience -- Ms. Janet Carroll

***APPROVAL OF
AGENDA***

Commissioner McGrath made a motion to approve the Agenda as presented. Commissioner Johnson seconded the motion. The motion passed unanimously.

***MINUTES
APPROVED***

Commissioner Caine made a motion to approve the Minutes from the May 19, 2010 Board Meeting. Commissioner Johnson seconded the motion. The motion passed unanimously.

CONSENT AGENDA

After review of the Consent Agenda Items, Commissioner Johnson made a motion to approve the items listed. Commissioner Thomasson seconded the motion. The motion passed unanimously.

Vouchers

Water Maintenance Fund (741-5408666)
Beginning with 2075 through 2081 in the amount of \$23,464.18.

Water Maintenance Fund (741-5408666)
Beginning with 2084 through 2112 in the amount of \$65,884.00.

Water Capital Improvement Fund (741-5458666)
Beginning with 2082 through 2083 in the amount of \$32,000.05.

Wastewater PWTF Fund (741-58558666)
Beginning with 1841 through 1842 in the amount of \$29,397.75.

Wastewater Maintenance Fund (741-58408666)
Beginning with 1859 through 1874 in the amount of \$20,891.56.

Wastewater Capital Improvement Fund (741-58468666)
Beginning with 1839 through 1840 in the amount of \$34,778.77.

East Wastewater Maintenance Fund (741-59418666)
Beginning with 0272 through 0274 in the amount of \$13,101.13.

Regular Payroll

Regular Payroll for May 2010 in the amount of \$138,754.24 was approved.

Delinquent Accounts

The Board reviewed the accounts listed as being delinquent and authorized staff to collect, disconnect or file a lien on accounts listed as delinquent in accordance with the District's policy.

Authorize Staff to Surplus Four Vehicles

RESOLUTION 152-10

Staff requested authorization to surplus four (4) vehicles that are no longer needed by the District. James G Murphy Auction House will be holding an auction on June 12, 2010. The vehicles to be sold are as follows:

	Vin #	Mileage
1999 Ford Ranger	1FTZR15VXXTA68421	53,500
1999 Chevrolet 1/2 Ton	1GCEK19VOXZ176573	124,700
2000 Ford Ranger	1FTZR15XOYPB07013	44,200
2000 Chevrolet 1500	1GCEK19VXYE312314	90,800

The vehicles will be sold with no minimum or reserved price to the highest bidder with a 10% commission paid to the auction house. The Board signed Resolution 152-10 declaring certain property to be surplus and authorizing the General Manager to surplus the vehicles as listed.

BUSINESS ITEMS

***BIG GULCH 52ND
STREET ACCESS***

***MS. CARROLL'S
CONCERNS***

At the May 5, 2010 Mukilteo Water and Wastewater District's Board of Commissioners Meeting Ms. Carroll was present to express concerns she has related to the District's Big Gulch Sewer Replacement Project and the 2010 Close-Out Project. The Commissioners requested the General Manager and Mr. Milne review Ms. Janet Carroll's concerns and report back the findings at the June 2, 2010 Meeting. After researching the issues their report to the Board was as follows:

In Response to Concern #1: The District has the right to use heavy trucks and large equipment on the easement and paved driveway. The easements provide the District and its agents a perpetual right to:

“its successors and assigns and its contractors, agents, permittees and licensees, a perpetual easement with the right to erect, construct, install and lay, and thereafter use and operate a sewer line for conducting sewerage, under the following-described Easement Property owned by the Grantors in Snohomish County, Washington, together with the perpetual right, privilege and authority of ingress and egress over, under, through, across, in and upon the Easement Property for the purposes of inspecting, constructing, reconstructing, altering, improving, repairing, renewing, changing, patrolling, operating, maintaining, replacing and removing its sewer and storm water lines, pipes and appurtenances, located upon the Easement Property and other properties; TOGETHER WITH the perpetual right to transport such equipment and materials across the Easement Property as may be required for such purposes.”

In Response to Concern #2: HCWL was contacted to provide pre-construction photos of the driveway prior to construction which shows the road surface before repaving was severely alligatored in several locations. Mr. Milne and Mr. Hammer reviewed the current condition of the asphalt and do not believe at this time it warrants a new overlay. At the completion of construction in the fall of 2010 the asphalt conditions will be reviewed again to determine if it should be repaved again.

In Response to Concern #3: The Big Gulch Close-Out Project will install twenty (20) new plants on the easement to replace previously damaged plants.

In Response to Concern #4: The District acquired two easements that provide access into Big Gulch from 52nd Avenue West. One of the easements is a six party document that is 20-foot wide that includes the paved driveway. The other easement from Ms. Carroll is a triangle shape easement 20-feet in width; 10-feet on each side of the centerline of the sewer main. At the 52nd Street right-of-way the easement is 20.19-foot wide. At the easterly edge of the six-party easement, the two easements combine to be about 40-foot wide. Ms. Carroll has reviewed the easement and has indicated that the easement appears to be 20-foot wide which means the property off the paved road can be driven on.

Mr. Hammer also reported:

- HCWL did have documentation that complaints had been received from Ms. Carroll regarding damage to a pot-bellied stove and wall cracks.
- Damage to the McCabe driveway was apparently done by a Verizon Fiber Contractor.
- KLB has been contacted and they will contact Ms. Carroll to try and resolve her issues.

Ms. Carroll requested that the easement area be surveyed and marked prior to the Close-Out Project starting. Mr. Hammer stated that funds had not been appropriated in the 2010 Budget for another survey. After discussion, it was decided that the contractor would be responsible to install orange construction fence to keep vehicles within the designated area.

The Board authorized the General Manager to work with Ms. Carroll to determine the locations and plants that will be planted.

***SEGMENT III HDD
CLOSE-OUT STATUS***

Based on the authority granted by the Board at the last meeting, Mr. Hammer advised that he had approved Change Order #6 with HDD Company to stabilize the slide and settle the differing site condition claim. The Change Order description includes:

- Resolution of the contractor's differing site condition claim
- Releases the District's claim for liquidated damages against HDD
- Extending the existing wall by installing tieback cables to put the wall in tension

BOARD OF COMMISSIONERS MEETING

June 2, 2010

Page 4

- Backfilling the wall with 500-600 yards of quarry spalls, installing drains, covers, rocks and 18-inches to 2-feet of dirt over the quarry spall rocks
- Grade-scapes
- The District has reserved its rights related to the sags and bellies in a portion of the line

The Change Order total was \$503,700.00. (\$460,000 plus tax of \$43,700.)

TV INSPECTION OF SEGMENT #3

The upper half of the 20-inch HDD line was TV'd on May 21, 2010 and the lower half today, June 2, 2010. The pipe does not appear to be collecting sediment. Mr. Hammer reported that the lens of the camera is about 8-9 inches off the bottom of the pipe and not quite center. The sags appear to be larger with flow in the pipe. The flow may be changing how the sags look but the pipe appears to be functioning at this time.

CLOSE-OUT PROJECT

The District is waiting for the City of Mukilteo staff to complete their review of the contract document and issue the grading permit before the project goes to bid.

WWTP HEADWORKS

Gray & Osborne provided a Scope of Work to design the new Headworks. Mr. Hammer and Mr. Bridges met with the engineer regarding the Scope of Work, nutrient removal and modeling the operation of the plant to try to create different operation methods to use as plant inflow conditions change. It appears the pre-design report identifies a proper size selector and headworks. The best way to optimize nutrient removal, nitrogen and ammonia is through operation of the oxidation ditch that will be identified with computer modeling as a part of the Headworks Design Scope of Work.

Mr. Hammer will ask Mr. John Wilson from Gray & Osborne to attend the next meeting to discuss modeling the project for nutrient removal.

MANAGEMENT REPORTS

Mr. Hammer reported that Benson McLaughlin will be attending the next meeting to discuss the 2009 Financial Statement.

Ms. Kathy Weber, from Inslee Best, may attend the next meeting to discuss the draft Employee Handbook.

COMMISSIONER REPORTS

Commissioner McGrath stated he was very thankful that he had the opportunity to work with employee Darin Janda regarding the WASWD Emergency Plan. He was very impressed and pleased that Mr. Janda took such initiative to prepare a power point presentation that will be part of the package he will take to WASWD.

Commissioner Caine reported on the WASWD Bylaws and Finance Committee meetings he attended.

BOARD OF COMMISSIONERS MEETING

June 2, 2010

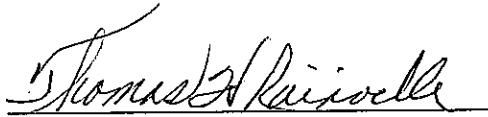
Page 5

LEGAL REPORTS

Mr. Milne reported he will prepare a draft resolution regarding reducing greenhouse gas emissions that local governments need to adopt by June 30, 2010 to be eligible for PWTf loans.

CONCLUDED

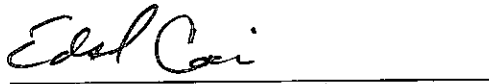
There being no further business the President of the Board concluded the meeting at 8:57 PM.



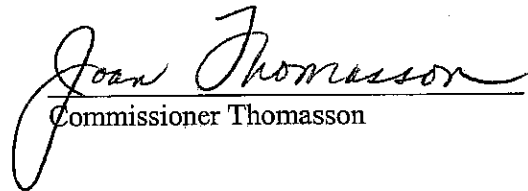
President/Commissioner Rainville



Commissioner Johnson



Vice-President/Commissioner Caine



Commissioner Thomasson



Secretary/Commissioner McGrath