

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

Minutes of December 2, 2009

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The December 2, 2009 Regular Meeting of the Board of Commissioners was called to order at 7:00 PM in the District office.

***PRESENT***

Commissioners -- Dick Andrews, Ed Caine, Mike Johnson, Thomas Rainville and Joan Thomasson

Attorney – John Milne

Engineer – Mike Jauhola

Staff -- Dan Hammer, Sue Parks, Gil Bridges and Mary Merriam

Commissioner Thomasson made a motion to excuse Commissioner McGrath's absence as he advised the Board and requested his absence be excused at the previous Board Meeting. Commissioner Caine seconded the motion. The motion passed unanimously.

***APPROVAL OF  
AGENDA***

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

***MINUTES  
APPROVED***

Commissioner Caine made a motion to accept the Minutes from the November 4, 2009 Board Meetings. Commissioner Thomasson seconded the motion. The motion passed unanimously. The November 18, 2009 Minutes will be presented at the next meeting.

***CONSENT AGENDA***

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

***Vouchers***

Water Maintenance Fund (741-5408666)

Beginning with 001 through 028 in the amount of \$ 44,792.36.

Water Capital Improvement Fund (741-5458666)

Beginning with 001 through 001 in the amount of \$ 2,300.00.

Wastewater PWTF Fund (741-58558666)

Beginning with 001 through 001 in the amount of \$225.00.

Wastewater Maintenance Fund (741-58408666)

Beginning with 001 through 009 in the amount of \$56,867.36.

Wastewater Capital Improvement Fund (741-58468666)

Beginning with 001 through 007 in the amount of \$16,271.90.

East Wastewater Maintenance Fund (741-59418666)

Beginning with 001 through 007 in the amount of \$73,843.04.

East Wastewater Capital Improvement Fund (741-59528666)

Beginning with 001 through 001 in the amount of \$713.10.

**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.

**Approve Change Order #3 – Big Gulch Segment #3**

Mr. Hammer reported that he had the engineer authorize HDD Company to order the materials to perform the work in Change Order #3 for the Big Gulch Sewer Emergency Repair, Segment #3. The contractor is working to close out the project. The Change Order includes the following:

- 48-inch diameter manhole riser with plastic liner plate at Staging Area #1
- Two additional pipe anchors for the 8-inch HDPE and additional work associated with installing the new sewer main to connect the Matiko sewer system to the new main line sewer.

This Change Order increases the contract agreement by \$3,710.40 and added two (2) additional work days to the contract.

The Board ratified the General Managers decision to authorize Change Order #3 for the Big Gulch Segment #3 Project with HDD Company at a cost not to exceed \$3,710.40, including sales tax.

**Approve Change Order #2 – WWTP Aeration Ditch "B" Project**

Since early October the contractor, Gray & Osborne and the District have discussed the need for Change Order #2 and costs associated with each element of the work on the WWTP Aeration Ditch "B" Project. Mr. Hammer stated he had verbally agreed to Change Order #2 at Construction Meeting #7 on November 12, 2009. Change Order #2 included additional work as follows:

- Four (4) additional sections of handrail around the removed rotors and a relocated walkway
- Expansion of the electrical panel canopy
- Addition of a sheet metal drop for the roof fan control damper
- Modified removable roof panels (cost credit)

The Change Order increased the contract amount by \$11,794 and added ten (10) working days. Gray & Osborne spent time negotiating with the contractor to reduce the price of the Change Order to a price they could recommend to the District.

The Board ratified the General Managers decision to approve Change Order #2 for the Aeration Ditch "B" Project at a cost not to exceed \$11,794, including sales tax.

**BUSINESS ITEMS**

***BIG GULCH  
UPDATE***

Mr. Hammer reviewed Mr. Camp Fuller's November 25, 2009 Big Gulch Segment #3 Update and provided an oral report on the project. Items since the last update include:

- The wastewater flows have all been transferred to the new sewer mains installed by HDD.
- The contractor is continuing to close-out construction activities for this phase of the project.
- 101<sup>st</sup> Street sewer main installation patches have been partially paved in the cul-de-sac.
- East of Staging Area #1, two new sink holes were discovered. A letter was sent to the contractor asking them to develop a plan to repair the sink holes.
- On November 23, 2009 a land slide above Staging Area #1 was discovered and the slide has started moving. The contractor back-filled the staging area before Thanksgiving. A letter was sent to the contractor asking them to cover the slope with plastic and develop a plan to stabilize the slope.
- On November 24, 2009 the District received a letter from HDD Company claiming new sink holes were caused by differing site conditions. They will seek reimbursement for all costs to repair the sink holes.
- Many chum salmon have been spotted in the stream.
- HDD submitted expenses they believe were caused by the differing site conditions totaling \$1,030,000.
- A meeting is scheduled for December 10, 2009 at 10:00 AM with HDD Company to discuss the claim.

Discussion was held. Mr. Milne suggested the Board consider an executive session at the next meeting to discuss the issues.

Mr. Hammer stated he has the draft plans for Segment #4 but has not had an opportunity to review them. He requested Gray & Osborne review the draft plans so the project can go to bid shortly after the first of the year. Ken Enns is reviewing the plans.

**ACCEPT PAINE  
FIELD PROJECT  
AS COMPLETE**

The contractor, BDZ, has completed the Paine Field Water and Sewer Project and the engineer and staff recommended the District accept the project and start the 45-day retention period.

**RESOLUTION 130-09**

Mr. Hammer stated two change orders were approved for the project at a cost of \$40,461, with tax. Snohomish County Airport staff had requested conduits be installed along the sewer main alignment that served Fairmont Elementary School which accounts for \$28,151 of the change order expense. The total cost of the projects is \$420,433.

Commissioner Johnson made a motion to accept the 2009 Paine Field Water and Sewer Project as complete, approve Resolution 130-09 accepting the project and starting the 45-day retention period.

Commissioner Andrews seconded the motion. The motion passed with four yea votes. Commissioner Caine abstained.

**APPROVE  
PAYROLL  
IN-HOUSE**

Ms. Parks explained that changes made in the Snohomish County payroll processing has increased the amount of work the District does and decreases the County's work to the point that they only issue the monthly checks and W-2's at the end of the year. Earlier this year staff began processing payroll through the Springbrook system and also created reports for the County to issue checks. Staff requested authorization to process payroll completely in-house effective January 1, 2010. Ms. Parks has notified the State Auditor's office and the County of the District's interest in doing payroll in-house and they have no problem with the change.

**RESOLUTION 131-09**

The cutoff date for the new payroll process would be the 23<sup>rd</sup> of each month, with paydays remaining on the last working day of the month. For the month of January only, this will cause a short in net pay on paychecks of about 25%. Staff recommended allowing employees to choose a one-time only cash out option that is consistent with the District's current policy on the cash-out of certain unused leave time, such as unused sick leave. Discussion was held.

Commissioner Andrews made a motion to approve Resolution 131-09 authorizing in-house processing of District payroll and establishing a payroll account at the District's depository bank. Commissioner Caine seconded the motion. The motion passed unanimously.

Commissioner Andrews made a motion to allow employees to choose, at their option, a one-time cash out of a sufficient number of comp, sick leave or vacation hours to bring their net pay back up to a full month's pay for January 2010. Commissioner Caine seconded the motion. The motion passed with four yea votes. Commissioner Thomasson voted nay.

***MWWD COMP  
PLAN APPROVAL***

Mr. Hammer reported that on November 30, 2009 the Snohomish County Council approved the District's Water Comprehensive Plan. Mr. Eric Delfel will contact the City of Everett and the City of Mukilteo as they have not yet commented on the plan. The DOH had questions about the draft plan that will be responded to by the end of the month.

***2010  
CONFERENCES***

For budgeting purposes, the 2010 Conference Schedule was provided to the Board of Commissioners choose the conferences they may want to attend. Each Commissioner will fill out the form and return it to Ms. Parks.

***2010 BUDGET***

The proposed 2010 Capital, and Operation and Maintenance Budget were presented to the Board. Mr. Hammer thanked staff for their effort and work on the budget. The Board will review the Budget and bring it back for discussion at the December 16, 2009 Meeting. Recommendations for salary adjustments and health care benefits will be provided at that time.

***JOB  
DESCRIPTIONS***

Mr. Hammer provided revised Job Descriptions for the General Manager, the Operations Supervisor and the WWTP Manager to the Board for review as models with less detail than the previous descriptions.

The Board approved the basic layout and had some comments. They would like employees to review their description to see if they believe it depicts their position. After staff has reviewed the documents the job descriptions are to be sent to the human resource attorney for review.

***LEGAL REPORTS***

Mr. John Milne stated he will be speaking at the Commissioners Workshop in January regarding open public meetings.

***ENGINEERING REPORTS***

At the previous meeting there was discussion regarding the SEPA process for the Lift Station #5 Access Project. Mr. Mike Jauhola researched the SEPA requirements with Harry Sellers at Gray & Osborne and with Ms. Patricia Love at the City of Mukilteo. Since the site is in a sensitive area it falls within the code of the SEPA. Mr. Hammer stated the District prefers to be the lead agency and following the SEPA process protects the District from legal problems later if an area is questionable.

**MANAGEMENT REPORTS**

Mr. Hammer will be on vacation December 3, 2009 through December 9, 2009.

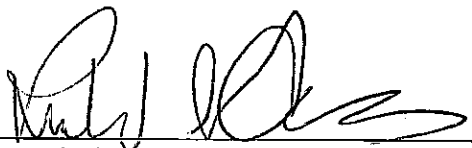
**COMMISSIONER REPORTS**

Commissioner Rainville asked the other Board members to submit their comments for the General Managers annual review.

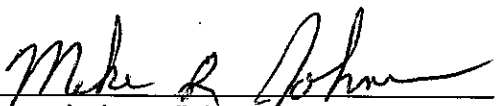
**ADJOURN**


There being no further business the President of the Board adjourned the meeting at 8:10 PM.


  
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President/Commissioner Rainville

  
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Commissioner Andrews

  
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Vice-President/Commissioner Caine

  
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Commissioner Johnson

  
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Secretary/Commissioner McGrath

  
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