

**MINUTES OF A REGULAR MEETING
OF THE BOARD OF COMMISSIONERS OF
NORTHSHORE UTILITY DISTRICT**

September 21, 2009

A regular meeting of the Board of Commissioners of the Northshore Utility District was held at the District office and called to order by Commissioner Wiggins at 5:32 p.m. on September 21, 2009. Commissioners Bruce Gardiner, Robert Peterson, and Trudy Rolla were present. Also present were Fanny Yee, General Manager; Dave Kaiser, Engineering Director; Al Nelson, Operations Director; Russ Porter Engineering Consultant, and Kelly Boswell, Executive Assistant. Don Ellis was away on District business. Alycien Cockbain, Human Resources Director arrived at 5:55 p.m.

(1). CHANGE TO AGENDA

Add 4i - Employee Handbook

Table 4e - Contract 2008-03 Emergency Generator Proj. Screening for Lift Station No. 1

(2). PUBLIC

Raelyn Hulquest with Westgate Business Services representing Horizon Bank in the Himmelman short plat addressed the Board. The Plat was approved by staff as a 13-lot development with our water and sewer facilities to be located in public right-of-way. After the construction work was completed, we were made aware that the road is not public, but is now a private road and we have not been issued easements for our facilities.

The bank has reported that they are close to a sale and would like have the issue resolved as soon as possible. The District will provide service with one of following conditions. 1) City to accept the right-of-way as it is now or 2) the District will accept the project with a deposit which will be reimbursed when the right-of-way is accepted by the City.

(3). CONSENT AGENDA

Commissioner Gardiner moved to approve the consent agenda consisting of the following:

(a). Minutes: Minutes of the August 17, 2009 Regular Board Meeting
Minutes of the August 28, 2009 Special Board Meeting

(b). Vouchers of September 14, 2009

| | |
|---------------|---------------------------|
| Fund: | Maintenance and Operation |
| Fund Number: | 11-406-0010 |
| Voucher Nos.: | 165119 - 165202 |

Disbursement Amount: \$1,054,884.96

Fund: Construction (Sewer) Fund
Fund Number: 11-406-3010
Voucher Nos.: 165203 - 165207
Disbursement Amount: \$276,535.29

Fund: Construction (Water) Fund
Fund Number: 11-406-3510
Voucher Nos.: 165208 – 165210
Disbursement Amount: \$14,311.81

(c). Electronic Transfers

Mid-month Payroll \$51,550.00

(d). Vouchers of September 21, 2009

Fund: Maintenance and Operation - Payroll
Fund Number: 11-406-0010
Voucher Nos: 104974 – 104982
Disbursement Amount: \$93,993.42

Fund: Maintenance and Operation
Fund Number: 11-406-0010
Voucher Nos.: 165211 - 165273
Disbursement Amount: \$812,978.32

Fund: Construction (Sewer) Fund
Fund Number: 11-406-3010
Voucher Nos.: 165274 - 165277
Disbursement Amount: \$22,817.95

Fund: Construction (Water) Fund
Fund Number: 11-406-3510
Voucher Nos.: 165278 - 165285
Disbursement Amount: \$512,219.75

(e). Electronic Transfers

| | |
|----------------------|--------------|
| End of Month Payroll | \$159,656.08 |
| Payroll Taxes | \$70,458.71 |

- (f). Board Acceptance of Developer Extension Projects and Transfer of Bill of Sale

Resolution 2009-09-01

A RESOLUTION of the Northshore Utility District Board of Commissioners to accept the Developer Extension Agreement and construction of certain sewer system improvements for the Clark Residence Extension development project that have been installed by Lewis & Alma Clark, in the vicinity of NE 110 PI / 83 PI NE as complete; and to accept the transfer of ownership of these improvements from the developer to Northshore Utility District by Bill Of Sale in the amount of \$67,583.88.

Resolution 2009-09-02

A RESOLUTION of the Northshore Utility District Board of Commissioners to accept the Developer Extension Agreement and construction of certain water system improvements for the Bothell High School Phase III development project that were installed by Northshore School District #417 in the vicinity of NE 180 St / 92 Ave NE as complete; and to accept the transfer of ownership of these improvements from the developer to Northshore Utility District by Bill Of Sale in the amount of \$100,258.19.

Commissioner Rolla seconded the motion. The motion passed unanimously.

4). NEW BUSINESS

- (a). Small Works Roster – 2009-02 Sewer (C845)

Commissioner Gardiner moved to authorize district staff to bid project C845 under the Small Works Roster procedure. Commissioner Rolla seconded the motion. The motion passed unanimously.

- (b). Contact 2008-01 Water & Sewer Improvements 134/108 Sewer Trench Repair & Asphalt Overlay (C819)

Commissioner Gardiner motioned to authorize a change order to Buno Construction in the amount of \$25,716.39 for Contract 2008-01. Commissioner Rolla seconded the motion. The motion passed unanimously.

- (c). 160/112 Sewer Extension (C842)

Commissioner Peterson motioned to authorize an amendment to Gray & Osborne's contract in the amount not to exceed \$18,000 to complete the design and permitting for the 160/112 Sewer Extension Project. Commissioner Gardiner seconded the motion. The motion passed unanimously.

(d). Sewer ULID 66 Bypass (C818D)

Commissioner Rolla moved to authorize a contract amendment to BHC Consultant's in the amount of \$24,783 to complete the alternative alignment analysis and the preliminary design for the sewer ULID 66 Bypass. Commissioner Gardiner seconded the motion. The motion passed unanimously.

(e). Contract 2008-03 Emergency Generator Project Screening for Lift Station No. 1

Tabled until next meeting on October 5, 2005, more information needed.

(f). Project Acceptance; Small Works Roster – Contract 2009-05-2009 Water Main Replacement Project – Phase 1 Schedule B & C (C863) – Resolution 2009-09-03

Commissioner Rolla moved to accept Resolution 2009-09-03 accepting Small Works Roster Contract 2009-05-2009 Water Main Replacement Project – Phase 1 Schedule B & C (C863) as complete. Commissioner Peterson seconded the motion. The motion passed unanimously.

(g). Project Acceptance; Small Works Project; 2009 CIPP Sewer Rehabilitation – Resolution 2009-09-04

Commissioner Rolla moved to accept Resolution 2009-09-04 accepting Small Works Roster Project 2009 CIPP Sewer Rehabilitation as complete. Commissioner Peterson seconded the motion. The motion passed unanimously.

(h). Small Works Roster- 2009-07 Water Main Replacement Project (C873)

Commissioner Peterson moved to authorize district staff to bid project 2009-07 Water Main Replacement (C873) under the Small Works Roster procedures. Commissioner Rolla seconded the motion. The motion passed unanimously.

(i). Employee Handbook Update

Commissioner Peterson moved the updated employee handbook to a second reading at the meeting of October 5, 2009. Commissioner Rolla seconded the motion. The motion passed unanimously.

(5). OLD BUSINESS

Uninhabitable Properties Policy – Third Reading

Commissioner Wiggins moved to pass the new policy. Commissioner Rolla seconded the motion. The motion passed unanimously.

(6). INFORMATION ITEM

Hiring of New Attorney to Represent the District in the Singh Case

Staff informed the Board that the District had to hire a new Attorney to represent them in the Singh encroachment case.

(7). STAFF REPORTS

(a). Engineering Report

Dave Kaiser presented the Engineering Report to the Board.

(b). Operation Report

Al Nelson presented the Operations Report to the Board as well as a report on the FOG (Fats, Oils & Grease) Program.

(8). REGULAR SESSION - suspended

At 6:25 p.m., the regular session was suspended, at which time Russ Porter left the meeting.

(9). EXECUTIVE SESSION

Litigation Matters

At 6:48 p.m., the Board moved into Executive Session for twenty-four (24) minutes to discuss legal matters pursuant to *RCW 42.30.110(1)(i)*.

(10). REGULAR SESSION – resumed

The meeting was adjourned at 7:12 p.m.

D.A. Ellis

D. Bruce Gardiner

Robert Peterson

Trudy C. Rolla

Margaret R. Wiggins