



Southwest Suburban Sewer District Commissioner's Meeting

Dedicated to preserve the purity of your environment."

Commissioners:

Scott Hilsen– President (*Absent*)
Susan Genzale– Vice President
William Tracy – Secretary

Consulting Attorney:

Eric C. Frimodt

Consulting Engineers:

Ken Nilsen (*Absent*)
Cameron Ochiltree (*Absent*)

General Manager:

Ron Hall

March 3rd, 2020

1. Call to Order:

Commissioner Genzale called the meeting to order at 6:30 p.m.

2. Also in Attendance:

No others in attendance.

3. Changes or Additions to the Agenda:

- Approve Pay Request #15 for work performed at the Salmon Creek Solids Handling Project added to the Business Agenda.
- Email from Mr. Chris Gower added to Written Communications.
- Executive Session added.

4. Written Communications:

The District received a letter from Mr. Alan Cooter petitioning the District from back-billing their ADU for the past three years of sewer service. Mr. Cooter stated that the ADU has been only used as a mother-in-law apartment for their elderly parent. After lengthy discussion, M/S/P unanimously approving the request, but the ADU will need to be billed from this point on for monthly sewer service as per District policy.

The District received a letter from Mr. William Harris requesting that the District accept the illegal private swimming pool discharge pump line into the District's manhole. Hall stated that the Harris's moved into the home in 2018 and that the illegal line was installed by the previous home owner. Because of the location of the sewer manhole being on private property, the District was unaware of the illegal connection. Hall also stated that the Harris's had contacted a contractor to

move the illegal connection, but that they were unable to pay the nearly \$6000.00 it would cost. Hall recommended an alternative corrective option that Senior Inspector, Ritch Schule recommended, that would cost the Harris's much less to correct the illegal connection for the Harris's. After brief discussion, M/S/P unanimously approving the request.

Hall provided the Board with a copy of the email sent from Chris Gower dated March 2, 2020 that was sent directly to District employee, Beverly Giddings' email address requesting that the Normandy Park police report relating to a service of process attempt on Brett Fish be included as part of the public comments. A copy of the Gower email and the Normandy Park police report was provided to the Board for review.

Attorney Frimodt provided additional background information to the Board regarding the incident described in the police report. Frimodt informed the Board that as a courtesy his office provided Brett Fish's attorney, Rick Poulin, with a copy of the supplemental proceedings pleadings on November 5, 2019 and asked whether Mr. Poulin would accept service on behalf of Brett Fish. Mr. Poulin was advised that if he would accept service on behalf of Mr. Fish that the District would cancel the service of process request. However, no response was received from Mr. Poulin. As a result, the District began the process of attempting to serve the supplemental proceedings pleadings on Mr. Fish who was likely aware that the District would be attempting to serve him. Attorney Frimodt advised the Board that the process service company initially hired by his firm made 12 service attempts at a SeaTac location and 13 service attempts at the house located in Normandy Park. The process server also performed stakeouts attempting to serve Mr. Fish. None of those service attempts were successful. Attorney Frimodt further advised the Board that his law firm arranged for additional service attempts to be made by the King County Sheriff's Office. Five separate service attempts were made by a King County Sheriff without success. Because it appeared to the District that Mr. Fish was avoiding service, another process server / private investigator was retained to see if he could get Mr. Fish served with the supplemental proceedings pleadings, which is what led to the incident described in the police report. Attorney Frimodt confirmed that his office had advised the new process server of the difficulties the District had in serving Mr. Fish. Frimodt acknowledged that he provided information to the process server regarding possible service options, including a statement that indicated that if the process server acted suspicious that Mr. Fish might be drawn out of the house. Frimodt provided this information since he was aware the Mr. Fish would likely be monitoring his cameras. However, Attorney Frimodt advised the Board that neither he nor his office instructed the process server to undertake any of the actions described in the police report, a fact which is noted in the police report. Frimodt further reported that he and attorney Curtis Chambers had spoken with the Normandy Park Police Chief on the Monday following the incident. Frimodt indicated that during the telephone call he apologized to the Chief that the service attempt resulted in the described incident. A general discussion of this matter followed. Attorney Frimodt, the District Manager and the Board acknowledged that this was an unfortunate incident, and all were relieved that no one was hurt in connection with the latest service attempt.

Attorney Frimodt indicated that he would like to continue a discussion of the pending Fish litigation and supplemental proceedings matter in executive session later in the meeting.

5. Public Comment

No public comment.

6. Consent Agenda:

- Approval of the Minutes for the February 18th, 2020 Board meeting.
- Approval and Signing of the Accounts Payable Vouchers & Payroll.
- Vouchers audited and certified by the Auditing Officer as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.090, have been recorded on listings that have been made available to the Board. Vouchers are included in the attached lists, and further described as follows:
 - Maintenance voucher numbers 20.0201 through 20.0262 in the total amount of \$195,697.07.
 - Construction voucher numbers 20.0014 through 20.0018 in the total amount of \$796,283.02.
 - Review monthly Income Report.

A motion to approve the consent agenda was made by Commissioner Genzale, seconded by Commissioner Tracy and unanimously approved.

7. Business Agenda:

Hall requested approval for Pay Estimate #15 for work performed by Prospect Construction for the Salmon Creek Solids Handling Project in the amount of \$702,581.00. After brief discussion, M/S/P unanimously approving the request.

Hall requested to purchase a FKC – Rotating Screen Thickener in the amount of \$110,000.00 to be used at the Miller Creek Wastewater Treatment Plant. Hall stated that this was a demo model only used by the District last summer, and purchasing this unit would save the District approximately \$100,000.00 if a new unit was purchased. After brief discussion, Attorney Eric Frimodt recommended preparing a resolution for the purchase and that he would prepare the resolution for the next scheduled Board meeting.

Hall requested to purchase a KSB pump and related installation components in the amount of \$20,606.65, plus WSST, for Pump Station #7. After brief discussion, M/S/P unanimously approving the request.

Hall requested for the District to financially support the 2020 Consulting Services for WASWD Section IV, in support of the RWQC, MWPAAC and GMPC. After brief discussion, the Board decided to table the matter until the next scheduled Commissioners meeting.

8. Manager's Comments or Reports:

Hall reported on his attendance at the WEF/AWWA Utilities Management Conference;

9. Attorney's Comments and Reports:

No Attorney Comments or Reports.

10. Commissioner's Comments or Reports:

Commissioner Tracy commented on his last RWQC meeting and the issues facing wastewater treatment plants that discharge into Puget Sound.

11. Executive Session:

At 7:26 p.m. the Executive Session was called to order to discuss potential litigation pursuant to RCW 42.30.110(1)(i) and to review the performance of public employees pursuant to RCW 42.30.110(1)(g). The announced time for length of an Executive Session was 35 minutes. At 8:00 p.m., the Executive Session was extended for an additional 10 minutes. The Executive Session ended at 8:10 pm.

12. Set the next Public Meeting, Dates and Times:

Commissioner's Meetings	-	March 17 th , 2020 @ 6:30 p.m.
		April 7 th , 2020 @ 6:30 p.m.
		April 21 st , 2020 @ 6:30 p.m.
		May 5 th , 2020 @ 6:30 p.m.
		May 19 th , 2020 @ 6:30 p.m.

