

#



#

Southwest Suburban Sewer District Commissioner's Meeting

#

Dedicated to preserve the purity of your environment."

Commissioners:

Susan Genzale– President
William Tracy – Vice President
Scott Hilsen – Secretary

General Manager:

Ron Hall

Consulting Attorney:

Eric C. Frimodt

Consulting Engineers:

Ken Nilsen
Cameron Ochiltree

February 16th, 2021

1. **Call to Order:**

6: 30 p.m.

Due to the COVID-19 virus epidemic the Board of Commissioner meeting was held via teleconference only.

2. **Also in Attendance:**

Jason Richardson and Christina Jaeger.

3. **Changes or Additions to the Agenda:**

No Changes or Additions.

4. **Written Communications:**

No Written Communications.

5. **Public Comment:**

No Public Comment.

6. **Consent Agenda:**

- Approval of the Minutes for the February 2nd, 2021 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 21.0149 through 21.0200 in the total amount of \$465,302.24.
- Review monthly Income Report.

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

7. Business Agenda:

Cameron Ochiltree updated the Board on BHC's status of the Salmon Creek Solids Handling Project and the General sewer plan.

Ken Nilsen updated the Board on PACE's status on providing the District with information on the retrofit of existing lift stations #18, #11 & #4.

Hall presented a Temporary Sewer Service Connection Agreement submitted by Lisa Hadley Colmenares and Angel Colmenares for a new construction at 807 SW 207th Place. Hall stated, although there are no other apparent or affordable options in providing sewer service to the property, Hall is concerned with installing an E-1 pump system, with a discharge that is over 1,000 feet in length and over 50 feet in elevation. District Engineers Cameron Ochiltree and Ken Nilsen both stated that the E-1 pump will work, but that they both shared the same concern as Hall has. Commissioner Hilsen stated that he thought it would be a good idea to have District Attorney, Eric Frimodt modify the language of the Temporary Sewer Service Connection Agreement. Frimodt also recommended contacting the City of Normandy Park to find out if the home owner can own a private system within the public right-of-way. After brief discussion, M/S/P unanimously approving Frimodt modifying the language of the Temporary Sewer Service Connection Agreement for the Colmenares's.

8. Manager's Comments or Reports:

Along with Wastewater Collection & Inspection Services Supervisor, Jason Richardson and Project & Emergency Management Coordinator, Christina Jaeger, who were both present at the Board meeting, Hall shared their concerns with the Greensward Farms Developer Extension. All three shared their concerns with Millennial Builders not following the District's requirements in following and adhering to the Developer Extension Agreement. Within the ESNW Geotech reports, most observations were soils with too high of a moisture content and were not adequate for proper compaction. The ESNW representative communicated to the foreman that he recommended leaving the material undisturbed and re-evaluating at a later date. The District is not confident that the recommendations were followed and that there is not proper compaction throughout the job site.

#

9. Attorney's Comments and Reports:

Attorney Frimodt reminded the Board that the oral argument for the appeal of the trial court's decision in favor of the District in the Fish partition matter is scheduled for February 26, 2021. Frimodt advised that he would send out the link to the Court of Appeals where the Board can watch the oral argument.

Frimodt also recommended to the Board that James Tupper of Tupper Mack Wells be retained as special legal counsel in connection with the litigation against the Department of Ecology involving the Puget Sound Nutrient Permit and also to represent the District individually in connection with the permit review and negotiations relating to discharges to the Puget Sound. Frimodt advised the Board that Mr. Tupper is very experienced in these matters and he believed the District would be well-served to retain Mr. Tupper. After discussion, a motion authorizing the District to retain Mr. Tupper as special legal counsel was made, seconded and unanimously passed. The Board authorized the General Manager to sign the legal services agreements on behalf of the District.

10. Commissioner's Comments or Reports:

Commissioner Tracy inquired on King County's response to the Department Of Ecology proposed nutrient removal requirements and also inquired on the possibility of in-person meeting of the 1st Board meeting of the month.

11. Executive Session:

No executive Session.

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

March 2nd, 2021 @ 6:30 p.m.
March 16th, 2021 @ 6:30 p.m.
April 6th, 2021 @ 6:30 p.m.
April 20th, 2021 @ 6:30 p.m.

