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Southwest Suburban Sewer District Commissioner's Meeting

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Dedicated to preserve the purity of your environment."

Commissioners:

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

Consulting Attorney:

Eric C. Frimodt

Consulting Engineers:

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

General Manager:

Ron Hall

January 4th, 2022

1. Call to Order:

6:30 p.m.

2. Also in Attendance:

Tim Berge

Changes or Additions to the Agenda:

No changes or additions.

3. Written Communications:

The District received a warning letter from the Department of Ecology (Ecology) concerning partial wastewater bypassing within the Miller Creek and Salmon Creek Wastewater Treatment Plants. Both Tim Berge and Hall updated the Board on the designed process at both treatment plants during high rain events. The District's collection system has significant I&I and during heavy rain events, the flow increases to a point in which the secondary treatment portion of the plants is bypassed. This was the design in the late 80's when the plants were designed for secondary treatment upgrades. Ecology approved the design and it has been accepted within the District's, National Pollutant Discharge Elimination System (NPDES) permits for both plants for over 40 years. During the high flow events, the wastewater is still treated through primary treatment and chlorinated, then sampled for BOD's, TSS and fecal coliform before being discharged into Puget Sound. Both Hall and Berge stated that the District is not violating any of the testing parameters and limitations established by Ecology and that what is being discharged, is well within safe discharge levels. The issue that Ecology is bringing to our attention, is new to us. The District has set up a meeting with Ecology to discuss why this is now an issue, but has been approved and accepted for the past 40 years.

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4. Public Comment:

No public comment.

5. Consent Agenda:

- Approval of the Minutes for the December 21st, 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 22.0001 through 22.0028 in the total amount of \$213,608.89.
 - Review monthly Income Report.

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

6. Business Agenda:

No Business Agenda.

7. Manager's Comments or Reports:

Hall updated the Board on the following:

- Inquired from the Board if they were satisfied with the content of the District Newsletter he had prepared. The Board stated that they were fine with the articles.
- Informed the Board that he and Tim Berge will be meeting with Rick Kelly and his team from Brown & Caldwell to discuss the new nutrient reduction requirements.
- Informed the Board that he is planning on having the department heads provide their annual department reports to the Board sometime over the next few months.
- Tim Berge reported on the two feral cats he obtained to help control the rodents at the Salmon Creek Plant.

8. Attorney's Comments and Reports:

Attorney Frimodt reported on the recent press releases from Governor Inslee's office relating to the delayed implementation of the Washington Cares Act (long term care insurance program). Frimodt discussed issues relating to the stated plans for the Legislature to review the Washington Cares Act to address acknowledged problems with the program. Frimodt addressed issues relating to the obligation of employers to withhold payroll taxes from employees during the interim period as the Legislature reviews the current program. General Manager Hall confirmed that the District has previously agreed to pay the payroll tax on behalf of its employees so the delay in implementation will really not have a significant impact on the District or its employees. Attorney Frimodt also reported that Inslee Best had been retained by WASWD to file a motion to intervene in the Westwater prevailing wage administrative proceeding due to concerns about the potential impact

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on water-sewer districts. Frimodt advised the Board that the motion to intervene had been filed and a hearing on the matter was scheduled for January 6th. Frimodt stated that their hope is that WASWD and Alderwood Wastewater District will be allowed to intervene in the action which will give them the right to appeal an adverse ruling. Frimodt indicated that his office will continue to monitor this matter because of the potential impact on water-sewer districts. Finally, in response to a question by Commissioner Tracy Attorney Frimodt reported on the guidance previously provided by Inslee Best to WASWD and its district clients relating to the obligation to collect past due accounts resulting from the COVID-19 pandemic. Frimodt indicated that his general recommendation is to engage in collection efforts using payment plans and to avoid writing off these accounts due to concerns about gifting of public funds and related issues. A discussion of the status of the District's collection efforts followed.

9. Commissioner's Comments or Reports:

Commissioner Hilsen inquired on the status of the lighting on the District Office sign. Hall stated that he will make sure that it is of the highest priority to get the lighting installed.

Commissioner Tracy requested to see a copy of the District's delinquent account policy. Hall stated that he will have it for the Board's review at the next meeting.

10. Executive Session:

No executive session.

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

January 18th, 2022 @ 6:30 p.m.
February 1st, 2022 @ 6:30 p.m.
February 15th, 2022 @ 6:30 p.m.

12. Adjournment:

The meeting was ended at 7:26 p.m.

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Attest:

William Tracy Approve

President and Commissioner Oppose

Scott Hilsen Approve

Vice-President and Commissioner Oppose

Suzy Genzale Approve

Secretary and Commissioner Oppose