



Southwest Suburban Sewer District Commissioner's Meeting

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Dedicated to preserve the purity of your environment."

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Commissioners:

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

Consulting Attorney:

Eric C. Frimodt

Consulting Engineers:

Ken Nilsen
Cameron Ochiltree

General Manager:

Ron Hall

May 17th, 2022

1. Call to Order:

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

2. Also in Attendance:

Mesfin Mekonnen.

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 May 3rd, 2022 Board meetings.
- 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 22.0443 through 22.0480 in the total amount of \$522,152.57.
- Construction voucher number 22.0012 through 22.0016 in the total amount of \$16,864.86.
- Review monthly Income Report.

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

7. Business Agenda:

Ochiltree updated the Board on BHC's status of the Miller Creek Electrical Upgrades, DMMD-WSDOT Inverted Siphon project and the General Sewer Plan.

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

Mesfin Mekonnen presented and reviewed the 2021 Financial Report to the Board of Commissioners. After lengthy Q&A and discussion, M/S/P the Board unanimously approving the 2021 Financial Report.

Hall brought up for discussion and recommended updating the District's definition of an Accessory Dwelling Unit (ADU). Hall stated that it is now very common for contractors to purchase homes and add an attached ADU and a detached ADU. Hall also stated that it is uncommon for new ADU's to have a separate water and/or power meter. After lengthy discussion, the Board directed Attorney Frimodt to update Resolution 2014-14 and present it to the Board at the next scheduled meeting.

Hall stated that he has not attended a WEFTEC Conference since 2015 and thought it would be a good idea to explore and research new wastewater treatment technologies and new ideas in utility management and requested authorization to attend the October 2022 WEFTEC Conference. After brief discussion, M/S/P the Board unanimously approving the request.

Hall stated that he had received a request from a non-profit organization to rent the Board room on a monthly basis. In consideration of the still current COVID-19 pandemic, Hall recommended waiting a while until the pandemic lightens. Hall stated that staff would need to provide additional cleaning and sanitizing after each usage of the Board room. After brief discussion, M/S/P the Board unanimously decided to postpone any rental of the Board room until after the fall.

8. Manager's Comments or Reports:

Hall updated the Board on the greenhouse gas (GHG) questionnaire he received from the City of Burien. Hall handed out copies of the questionnaire to the Board and pointed out within the questionnaire that the City of Burien stated that they will insure that the City is able to manage community GHG emissions in order to address impacts of climate change within their jurisdiction. Hall stated that he responded to the City to inquire on exactly what that means to the District. Hall also stated that he will be meeting with PACE Engineers to discuss potential Public Works Trust Fund monies and potentially other small grants for the three pump station projects. Hall also stated that he tries to keep up with the Burien City Council meetings to see if any of the City's planned projects or policies affect the District and its rate payers. Hall shared his concern that at the April 25th, 2022, Eric Christensen, City Finance Director made a recommendation to the City Council to

increase the Water & Sewer Utility Tax from 8% to 10%.

9. Attorney's Comments and Reports:

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Attorney Frimodt provided a status report to the Board regarding the response filed by Southwest Suburban Sewer District, Alderwood Water & Wastewater District and Birch Bay Water & Sewer District to the Department of Ecology's motion seeking an extension of the time in which to file its appeal of the trial court's order in the Puget Sound Nutrient General Permit litigation filed in Pierce County Superior Court by the districts, City of Tacoma and Kitsap County. Frimodt had previously reported to the Board that the trial court issued an order invalidating Ecology's actions in several regards due to its failure to follow the Administrative Procedures Act and applicable state and federal law. Ecology did not become aware of the trial court's ruling until 98 days after the trial court's ruling was filed, which was after the 30-day appeal period had already expired. Ecology's motion was seeking an order allowing it to file an appeal of the trial court ruling after the 30-day appeal period had expired. At the previous meeting, the Board had authorized attorney Frimodt to work with legal counsel for the districts to file a response contesting Ecology's motion. A general discussion followed. Attorney Frimodt will provide further updates to the Board once the Court of Appeals rules on Ecology's motion.

10. Commissioner's Comments or Reports:

Commissioner Genzale reported on her attendance of the WASWD Section 4 meeting, where the focus of conversation was on Regional Earthquake Risks and Consequences, presented by Don Ballantyne, of Ballantyne Consulting LLC. Commissioner Genzale went into detail of the different types of earthquakes and she also discussed the different Washington and Puget Sound fault lines.

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

June 7th, 2022 @ 6:30 p.m.

June 21st, 2022 @ 6:30 p.m.

July 5th, 2022 @ 6:30 p.m.

July 19th, 2022 @ 6:30 p.m.

