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Mission Statement: Meeting the challenge of protecting the environment and providing quality sewer service to the community.

**MINUTES OF SPECIAL
COMMISSIONER MEETING ON
December 11, 2018 at 4:00 PM**

**UTILITY COMMITTEE
Location: Lake Stevens Sewer District
1106 Vernon Rd Suite A, Lake Stevens WA 98258**

Attendees: Commissioners Dan Lorentzen, Mariah Low and Kevin Kosche; General Manager Tonya Christoffersen, Tara Bighouse and Caitlin Hubbard.

Guests from the City of Lake Stevens: Councilmembers Kim Daughtry, Gary Petershagen, Marcus Tageant and Rauchel McDaniel, Mayor John Spencer, City Administrator Gene Brazel and Kathy Pugh.

1. **Called to Order** at 4:00 PM by Commissioner Kosche. He moved into the meeting agenda item "Utility Committee Meeting".
2. **Roll Call** – Marcus Tageant took roll call.
3. **Action Items:**
 - A. **Approval of Meeting Minutes of November 27, 2018** – Councilmember Petershagen moved to approve the November 27, 2018 minutes. John Spencer seconded the Motion. The Motion passed.
4. **Public Forum** - None
5. **Discussion Items:**
 - A. **Draft Information Sharing Protocols and Standards Comments** – Gene Brazel asked for input for him to put together, so it can be presented at the next meeting. Commissioner Kosche summarized his comments; communication protocols is reciprocal, any changes made would be best efforts and not punitive, content of the protocol would be based on transparency to capture the right things, look at the structure of the meetings, goal would be to provide staff with a calendar, proper preparation for staff and neither the District or the City will have actions for the other except where by law. Marcus asked for a deeper discussion onto that. Kevin stated giving operation on both parts are separate. All appropriate items would be capital, rates. Marcus stated he believes it's all important as it states all contracts. Kevin stated then we need to go down each item and discuss. Marcus stated defining it and if an arbitrator is needed then maybe we get one. John Spencer stated the agreement says getting an arbitrator if no agreement can be made. Marcus added he isn't interested in the flows at the plant, but would want to know about the bargaining. Dan

commented it needs to be both side reciprocating and not one sided. If we are talking contracts it all. Marcus and John didn't agree. Kevin noted the agreement states meeting at least quarterly would be a summary. John Spencer stated he doesn't believe the agreement states both sides but the City has no problem sharing, since they already share their budget. Kevin noted maybe everyone meets and we go over the agreement together. John Spencer stated he doesn't believe the District doesn't do things as the agreement was written. It's not point fingers on who doesn't do what, let's have some good communications and move forward. Marcus added move forward working by the agreement.

B. Deal Points and Press Release – John Spencer feels they have accepted the deal points. He stated one issue regarding the employees; if an employee comes into the city they would like the ability to terminate for cause. That was the only one the City had any issue with.

C. 2005 Agreement Review and Comments – Marc

D. 2019 Work Plan – John Spencer stated one by one working on it and let's get it done. It seems to him the big task is to live by the 2005 Agreement and move forward. Gene added he has started a list for the attorney and to get point by point on the items and that its been read correctly. That is his vision of the work plan for next year. One item is he believes the District is under insured and it states in the agreement the District will bring that to the City. Gene asked for any comments and he would get it put together. Mariah asked about the discussion of it being equal and 3 and 3, which is not what seen going on .John Spencer stated, yes we are a hybrid organization and setting up ULID's, Budgets, etc. Gary stepped in to answer her question, Kim Daughtry will be stepping down from the committee as of the first of the year. Commissioner Kosche added the Mayor isn't that and we can go through that. As we go through the agreement we will do chapter and verse. Gene added the goal isn't to place blame and to work through it and once it's been worked through the relationships will be built. Kevin asked how we get there. Marcus would like to get to working under the agreement and protocols in place and working with an arbitrator is needed. Gary added it stated who attends the meetings, let's start there it is clearly stated. John stated there needs to be protocols in place and if we need to table items to keep going. Kevin stated they need to go line by line on the agreement and move forward getting the 5 things and when do we go through these. He wants to know when we want to go through it. John Spencer would like it to be before the January 22nd meeting. He suggests setting up three meetings. Dan added yes we have to go through it and each side does need to have legal look at it. Giving opportunity for them to figure it out. Kevin suggested bringing in the attorney for only items that are not agreed upon. Discussion ensued and the tentative dates are January 14th and 16th from 7-9AM at the District Office Board Room.

E. Update on Former WWTP – Caitlin Hubbard showed a PowerPoint on the former WWTP. She noted the constraints with the property; there are issues with sinking, fence posts will float and the depth to ground water is shallow. The access road is very narrow with a drainage ditch on each side of the road with push back from the county when trying to improve. The in and out also causing issues with heavy trucks to come in and out. There are various lines and pipes that go through the fields. Because of all the restraints the neighbors would like to have as little done with the property and to have it closed. The water volume needed is 28.9 acres. She explained the people who did the rendering suggested the lagoon become a natural wetland and let the fields stop being a breeding ground for noxious weeds and stop trespassers from accessing the damn. Gary asked what do they

neighbors do with their properties. Mr. Heinick who has passed, his property is used for hay and there is an air strip on their property. Caitlin noted their main complaint is allowing weeds to grow and it does spread to neighboring properties. Gary asked about the Diking District. Tonya replied the District has a working relationship with them and a small fee. Reed Carlton came to Caitlin about wanting it to get the road locked up. John Spencer asked what the classification is and Caitlin replied the classification is AG 10 and changes would need to be made to allow other uses. Gary asked if it has been offered for famers to take care of to keep the species at bay. John Spencer noted if the classification could be changed it could be changed to a wetland. Caitlin explained there is a possibility, she explained she has a document that says it will cost \$2.6 Mil and the District could recoup \$2.3 Mil so there would be some loss. John Spencer added the City could use more wetland banking and it could be of use for that.

6. **Schedule the Next Meeting** – The next Utility Committee meeting is scheduled for January 22nd at 4:00 PM.
7. **Conclude** – There being no further business, Commissioner Kosche concluded the Special Meeting at 4:40 PM.

Signed at a regular open public meeting this 13th day of December 2018






Dan Lorentzen, Commissioner



Mariah Low, Secretary and Commissioner



Kevin Kosche, President and Commissioner

VISITOR SIGN-IN

If you would like to address the Board of Commissioners, it will be necessary for you to sign in. Thank you.

Print Name	Signature	Address	Phone	Purpose
Casey K. MULLINS		LSSD		
Paul Knight		LSSD		



**Utility Committee Meeting Minutes
December 11, 2018 4:00 pm**

City of Lake Stevens / Lake Stevens Sewer District
1106 Vernon Road, Suite A, Lake Stevens, Washington

1. **Called to Order:** 4:00 p.m. by Commissioner Kevin Kosche and Marcus Tageant

2. **Roll Call:**

Attendees Representing the District: Commissioners Kevin Kosche, Mariah Low and Dan Lorentzen; Staff: Tonya Christoffersen, Tara Bighouse and Caitlin Hubbard

Attendees Representing the City of Lake Stevens: Councilmembers Marcus Tageant, Kim Daughtry Gary Petershagen and Rauchel McDaniel, Mayor John Spencer, City Administrator Gene Brazel; and City Clerk Kathy Pugh

3. **Action Items:**

a. **Approval of Meeting Minutes of November 27, 2018:** Moved by Kim Daughtry, seconded by Kevin Kosche, to approve the November 27, 2018 meeting minutes. On vote the motion passed.

4. **Public Forum:** No comments.

5. **Discussion Items:**

a) **Draft Information Sharing Protocols and Standards:** Gene Brazel said this document is in draft and he would appreciate receiving comments that could be incorporated into a redline document for further discussion by the committee at the next meeting.

Kevin Kosche suggested that communications and expectations set out in the document should be reciprocal between the parties, and that any changes would be "best efforts" and not punitive, and the intent of the protocols would be about transparency and planning. He suggested that topics the committee considers should be more global, that future agenda topics should be scheduled; and that neither the District nor the City should be involved with the day-to-day operations of the other. Kevin Kosche suggested that items like

flow rates, and other operations, including union negotiations would not fall under the agreement.

Marcus Tageant disagreed and said that the 2005 agreement calls for all contracts to be considered by the committee. Kevin Kosche suggested that the committee go through the operating budget and balance it against the agreement. Discussion ensued and there was a suggestion that an arbitrator might be necessary.

Kevin Kosche said he does not want to duplicate District board meetings, and said using the Operating Budget and going through the 2005 agreement might be a way to proceed.

Dan Lorentzen commented that transparency, including with contracts has to be reciprocal because whatever is determined regarding moving forward has to be viable for the customers.

Discussion ensued with John Spencer commenting the 2005 agreement is not reciprocal and that it only requires that the Sewer District share its contracts with the City.

Kevin Kosche suggested blocking out time to go through the 2005 agreement line by line.

- b) **Deal Points and Press Release:** John Spencer commented that the deal points identified by the Sewer District are generally okay, including the benefits, but the City wants the ability to terminate employees for cause.
- c) **2005 Agreement Review and Comments:** John Spencer said that neither the Sewer District nor the City have followed the terms of the agreement, and that it's time to abide by the agreement, including having good communications.

Moving forward, both the Sewer District and City are in favor of abiding by the

- d) **2019 Work Plan:** John Spencer said the City and District need to go one-by-one through the agreement to determine where there are successes and what needs to be done. It is important to move forward and follow the spirit of the agreement.

Gene Brazel said he has gone through the 2005 Agreement point-by-point to determine what needs to be done. He has shared this with John Spencer, and tomorrow they are meeting with the City Attorney to further review and refine. One thing that has come up is that it appears the District is underinsured. The City wants to share this with the Sewer District and make sure everyone is in agreement.

There was discussion on how to move forward and it was determined to meet and go through the agreement line-by-line, and then address the protocols. Discussion ensued and there was consensus to bring the attorneys in on only things that are not agreed upon. There was agreement to meet on January

14 and 16 from 7-9 a.m. to go through the agreement. The meetings will be at the Sewer District.

Caitlin Hubbard shared a PowerPoint presentation on the Waste Water Treatment Plant, including reviewing land use designations and uses, including easements such as the petroleum pipeline and buried optics. She shared that the neighbors are concerned about trespass issues and noxious, invasive vegetation; they have requested as little as possible be done with the land. Discussion ensued as to possible uses of the land, including for wetland mitigation banking. Tonya Christoffersen said there will be a more in-depth presentation at tomorrow's Sewer Board meeting.

6. **Schedule the Next Meeting** – January 22, 2019 at 4:00 p.m.
7. **Adjourn** – Moved and seconded to adjourn the meeting at 4:47 p.m. On vote the motion carried unanimously.

2018 Utility Committee Chair:



Kevin Kosche, Commissioner
Lake Stevens Sewer District