

**MINUTES OF THE REGULAR  
MEETING OF THE COMMISSION**

**April 14, 2020**

**1. Call to Order | Pledge of Allegiance**

The regular meeting of the Board of Commissioners of Public Utility District No. 1 of Whatcom County was called to order at 8:00 a.m. by Commissioner Jeff McClure and Pledge of Allegiance recited. Said meeting was open to the public and notice thereof had been given as required by law. Those present via teleconference included Commissioner Mike Murphy, Commissioner Jeff McClure, Commissioner Atul Deshmane, and Legal Counsel Jon Sitkin. Staff attending via teleconference: Steve Jilk, General Manager, Brian Walters, Assistant General Manager; Ann Grimm, Administrative Assistant; Rebecca Schlotterback, Manager of Contracts and Regulatory Compliance; Annette Smith, Director of Finance; Aaron Peterson, IT/SCADA Technician; Mike Macomber, IT/SCADA Technician; Paul Siegmund, Manager of Automation and Technology; and Traci Irvine, Accountant I.

Public attending via teleconference:

- Rich Maricle, Citizen
- Dave Olson, Citizen
- Lauren Turner, Phillips 66
- Christine Grant, Citizen
- Joe Beaulaurier, My Ferndale News

**2. Approval of Agenda**

No changes made.

**ACTION:** Commissioner Deshmane motioned to APPROVE THE APRIL 14, 2020 AGENDA. Commissioner Murphy second the motion. Motion passed unanimously.

**3. Consent Agenda**

- a. **Approval of the Meeting Minutes of March 24, 2020 as presented;**
- b. **Approval of the Claims of April 14, 2020:**

VENDOR NAME	AMOUNT
3-D CORPORATION	252.18
BAKER SEPTIC TANK PUMPING	488.25
BELLINGHAM HERALD	787.50
BRIDGEVIEW AUTO PARTS	45.62
BRIM TRACTOR COMPANY	33.77
CARPENTER CABLE SERVICES INC	1,385.93
CENTRAL WELDING SUPPLY	122.63
CESCO NEW CONCEPT CHEMICAL PRODUCTS	239.46
CORNERSTONE MANAGEMENT, INC.	2,100.00
CULLIGAN NORTHWEST	141.13
DAY WIRELESS SYSTEMS	3,577.97
FRONTIER	1,399.13
HACH COMPANY	332.82
HARDWARE SALES, INC	2,520.75
HEALTH PROMOTIONS NORTHWEST	90.00
JOHN DEERE FINANCIAL	58.78
K ENGINEERS, INC.	1,012.50
KCDA PURCHASING COOPERATIVE	204.27
MASSMUTUAL RETIREMENT SVCS LLC	11,199.99
MORTIMER, TOM	3,355.00
NESS CRANE SERVICE, INC	1,217.44
NORTH COAST ELECTRIC COMPANY	1,228.66
NORTHWEST MOWING & GARDENING	12,527.64
PACIFIC SURVEY & ENGINEERING	850.00
PARAMOUNT SUPPLY COMPANY	500.95

PAYLOCITY	15.00
PLATT ELECTRIC SUPPLY CO	173.24
PUBLIC UTILITY RISK MANAGEMENT SERVICES	33,757.12
PUD #1 OF WHATCOM COUNTY	1,274.71
PUGET SOUND ENERGY, INC	5,797.42
REGENCE BLUE SHIELD	38,901.73
REISNER DISTRIBUTION, INC	2,000.86
RH2 ENGINEERING, INC	4,826.02
RICOH USA	285.37
SHRED-IT USA	42.70
SQUARE D/SCHNEIDER ELECTRIC	6,554.19
SSC - SANITARY SERVICE COMPANY	605.29
STEEL RIVER PIPING & FABRICATION	21,435.64
TEAMSTER LOCAL #231	508.00
THRESHOLD DOCUMENTS	29.49
TIGER CONSTRUCTION	102,220.20
TOP TO BOTTOM, INC	10,435.20
UNITED WAY OF WHATCOM COUNTY	420.00
UTILITIES UNDERGROUND LOCATION	28.38
VERIZON WIRELESS	2,323.02
WALTON TOOL & MANUFACTURING CO, INC	271.25
WASHINGTON DENTAL SERVICE	2,768.10
WASHINGTON TEAMSTERS WELFARE	11,875.15
WATERHOUSE ENVIRONMENTAL SERVICES	17,836.20
WHATCOM JANITORIAL	1,250.00
WILSON ENGINEERING, LLC	11,540.50
WONDERWARE PACWEST	23,502.14
ZEE MEDICAL SERVICE	217.40
<b>GRAND TOTAL</b>	<b>\$346,566.69</b>

**ACTION:** Commissioner Murphy motioned to APPROVE THE CONSENT AGENDA. Commissioner Deshmane second the motion. Motion passed unanimously.

**4. Old Business**

None.

**5. New Business**

**a) Approve Resolution 771 – Authorizing Payment of Claims Prior to Board Approval of Vouchers**

Background: On March 23, 2020 and on March 24, 2020, Governor Inslee issued Proclamations No. 20-25 and 20-28, respectively, which bars gatherings of individuals and in-person public meetings by public agencies. On March 26, 2020, the State Attorney General provided updated guidance related to an agency’s in-person public meetings, providing guidance that (1) in-person public meetings are prohibited; (2) a public agency may cancel public meetings; and (3) the agency may conduct a remote meeting only when (a) such a public meeting is necessary to respond to the COVID-19 pandemic, or (b) when the matter on the agenda is necessary and routine.

The District is required to approve vouchers and sign warrants in a timely manner to meet its various financial commitments and obligations. There may be circumstances where the Commission is not able to meet in compliance with the Governor’s Proclamation.

In light of this, District Legal Counsel recommends that the Commission pass Resolution 771 allowing for the General Manager and other authorized signatories to approve certain “Eligible Claims” prior to Board approval. Eligible Claims are defined in Resolution No. 771. Proposed Resolution No. 771 includes requirements that any warrant also be approved by the District’s Finance Officer, and a process to provide notice to the Board within one month that such a warrant has been approved by the authorized signatories.

Resolution No. 771 is necessary because the District is required and must be able to approve vouchers and sign warrants in a timely manner in the event that a Commission meeting is canceled and a special meeting cannot be held, and it is Routine because approval of such a delegation of authority is a matter that typically comes before the Board for approval as part of a regular procedure when necessary.

Resolution No. 771 may be terminated at any time by the Board. Commissioner Deshmane was concerned there is no expiration date on the resolution. Commissioner Murphy would like to add that the resolution should be revisited at the second meeting in June, or earlier. It was suggested that the resolution be revisited at the end of June 2020. As such, the Resolution was amended with the expiration date of June 30, 2020.

Deshmane would also like to have information available to the public on what resolutions and other measures (if any) of action or response by the PUD due to the COVID-19 pandemic. In addition to the General Manager's report on the pandemic at each board meeting, information will be published on the District's website.

There is no fiscal impact to the District.

**ACTION:** Commissioner Murphy motioned to APPROVE RESOLUTION NO. 771 – AUTHORIZING PAYMENT OF CLAIMS PRIOR TO BOARD APPROVAL OF VOUCHERS With Termination date of June 30, 2020. Commissioner Deshmane second the motion. Motion passed unanimously.

**b) Approve Resolution No. 772 – Requesting Federal Services, Equipment, Supplies, Materials, or Funds Made Available to the State of Washington and its Political Subdivisions through Major Disaster Declaration No. 4481**

Background: Governor Inslee's Proclamations No. 20-25 and 20-28, as noted above in Agenda Item 5a bars gatherings of individuals and in-person meetings at public agencies.

Pursuant to RCW 38.52.100(2), the District is allowed to receive from the State of Washington any federal services, equipment, supplies, materials, and/or funds made available under the Stafford Act to address the COVID-19 health emergency. The District has prepared a COVID-19 Plan that outlines the impacts to the District from COVID-19. The District requires additional equipment, supplies, facilities, personnel, and other resources being provided by the Federal government to address the COVID-19 public health emergency. In light of this, District Legal Counsel recommends that the Commission pass Resolution No. 772 requesting supplies, equipment, facilities, and other resources from the Federal Government to address the COVID-19 public health emergency.

Resolution No. 772 is necessary to aid the District's response to the COVID-19 pandemic, comply with potential federal requirements for such aid, and is routine as the request for federal aid and delegation of authority are matters that would routinely come before the Board for approval.

District staff is tracking all expenses related to the health emergency, right now, most relate to the purchasing of laptops to enable staff to work remotely and security updates. Expenses such as additional overtime/sick leave/loss of income are not covered.

As for our water customers, Jilk does not anticipate any significant reductions in water use, or issues with non-payments. Staff is reviewing the budget and prioritizing capital projects and large maintenance projects, and should have a good idea of which projects will move forward by the end of April.

Commissioner McClure commented on the District's response plan - he thought it was well written and most importantly, keeping our employees safe and healthy.

There is no fiscal impact should Resolution No. 772 be approved.

**ACTION:** Commissioner Deshmane motioned to APPROVE RESOLUTION NO. 772 – REQUESTING FEDERAL SERVICES, EQUIPMENT, SUPPLIES, MATERIALS, OR FUNDS MADE AVAILABLE TO THE STATE OF WASHINGTON AND ITS POLITICAL SUBDIVISIONS THROUGH MAJOR DISASTER DECLARATION NO. 4481. Commissioner Murphy second the motion. Motion passed unanimously.

**6. General Manager Report**

Jilk has been teleconferencing weekly with other PUDs in the state with the assistance from WPUA. Most of the PUDs are considering resolutions to establish waiving late charges and/or disconnects for residential customers. Jilk does have some concerns with the Grandview water system accounts; however, there has been minimal reduction in consumption (less than 10% in March).

Water and Electric Operations at the District are status quo, and staff is doing a great job with social distancing efforts, including working remotely. No interruption of any District services while keeping employees safe.

Sitkin addressed the situation on resolutions to establish waiving late fees or disconnection charges. The question is how to determine to “give relief” and protection from the Federal Government’s *Paycheck Protection Program*, which can be used for rent and utilities: To what extent can the charges be mitigated as a deferral and to pursue other resources, while equitably continue to operate. Governor Inslee is expected to amend his proclamation to establish specific guidelines on these matters.

Commissioner McClure commented on Whatcom Educational Credit Union, who has offered to extend loan terms to assist customers going through financial hardships due to the pandemic.

**7. Commissioners Report**

Commissioner Deshmane would like the District to push fiber as a higher priority. Given the challenges in Whatcom County where in many areas, citizens are still unable to connect. McClure agreed. The lack of fiber/broadband is a critical issue in this pandemic time, especially for educators and others that depend on internet access.

Jilk commented that the Legislature passed two bills relating to grants and loans for broadband infrastructure, and that the opportunity is now to make significant investment in broadband infrastructure by public agencies. The next steps are to determine what role the PUD can best play to participate with the Port of Bellingham on broadband infrastructure. Jilk is discussing these matters with the Port and will report back to the Commission.

Commissioner Murphy commented on what a great job Jilk and the staff are doing to keep things up and running smoothly. Jilk said that our entire staff has stepped up to do his or her part. All staff should be thanked for their part in responding to this.

**8. Adjourn**

There being no further business for the regular meeting, the Commission adjourned the regular meeting at 8:47 a.m.

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Jeffrey McClure, President

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Michael Murphy, Vice President

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Atul Deshmane, Secretary