

**MINUTES OF THE SPECIAL
MEETING OF THE COMMISSION**

May 19, 2020

1. Call to Order

The special meeting of the Board of Commissioners of Public Utility District No. 1 of Whatcom County was called to order at 8:02 a.m. by Commissioner Jeff McClure. 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, Legal Counsel Jon Sitkin, and Legal Counsel Tom Mortimer. Staff attending via teleconference: Steve Jilk, General Manager, Brian Walters, Assistant General Manager; and Ann Grimm, Administrative Assistant.

Public attending via teleconference:

Rich Maricle, Citizen
Lauren Turner, Phillips 66
Caryn Vande Griend, Citizen

2. Executive Session

Commission President Jeff McClure requested an Executive Session pursuant to RCW 42.30.110(1) (i) to discuss potential litigation.

The estimated time for the Executive Session was forty-five (45) minutes. The Commission President indicated that action may be taken after the adjournment of the Executive Session. Commissioner McClure adjourned the Commission into Executive Session at 8:05 a.m.

- The Commission held Executive Session on a separate Zoom webinar platform for privacy and security matters meeting open public meeting requirements.
- At 8:35 a.m., the Commission President extended the Executive Session for another thirty (30) minutes.
- At 9:05, the Commission President extended the Executive Session for another twenty minutes.

Executive Session Adjourn

There being no further business for the Executive Session, the Commission reconvened to the special meeting at 9:21 a.m. and rejoined the Special Commission Meeting webinar platform.

3. Approval of Letter to Department of Ecology Regarding Request for Adjudication

District legal counsel and the General Manager presented a draft letter for consideration by the Board of Commissioners expressing the PUD's position regarding the separate requests for Nooksack Basin water rights adjudication filed by the Lummi Nation and the Nooksack Indian Tribe and the Department of Ecology's current evaluation of potential river basins to conduct an adjudication. District general counsel outlined potential changes to the draft letter for final approval by the Commission. District general counsel recommended a Board motion of approval of the draft letter as revised as reflective of the District's position on the requests for adjudication, and authorize the Commission President to execute the letter as approved by the Commission.

ACTION: Commissioner Murphy motioned to APPROVE THE LETTER TO THE DEPARTMENT OF ECOLOGY AS PRESENTED WITH REVISIONS AS OUTLINED BY LEGAL COUNSEL.

Commissioner Deshmane second the motion. Motion passed unanimously.

The Commission further requested that the Commission President and General Manager Steve Jilk attempt to reach out to tribal leaders in advance of the letter being sent to the Department of Ecology to let them know that the letter will be arriving shortly.

4. Adjourn

There being no further business for the special meeting, the Commission adjourned the special meeting at 9:28 a.m.

APPROVED on MAY 26, 2020

Jeffrey McClure, President

Michael Murphy, Vice President

Atul Deshmane, Secretary