

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

January 11, 2022

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 Christine Grant. Said meeting was open to the public and notice thereof had been given as required by law. Those present via Zoom teleconference included Commissioner Mike Murphy, Commissioner Christine Grant, Commissioner Atul Deshmane, and Legal Counsel Jon Sitkin. Staff attending via Zoom teleconference: Steve Jilk, General Manager; Rebecca Schlotterback, Manager of Contracts and Regulatory Compliance; Brian Walters, Assistant General Manager; Annette Smith, Director of Finance; Duane Holden, Director of Utility Operations; Paul Siegmund, Manager of Automation and Technology; Aaron Peterson, IT/SCADA Technician; Mike Macomber, IT/SCADA Technician; Andrew Entrikin, Broadband Program Manager; Kurt Wank, Project Manager; and Traci Irvine, Accountant I.

Public attending via teleconference:

Dave Olson, Citizen	Jack Wellman, Puget Sound Energy
Debbie Ahl, Mt. Baker Foundation	Max and Carole Perry, Citizens
Rick Maricle, Citizen	

2. Approval of Agenda

A revised agenda was distributed to Commissioners on Friday, January 7. No other changes were made. **ACTION:** Commissioner Murphy motioned to approve the agenda of January 11, 2022. Commissioner Deshmane second the motion. Motion passed unanimously.

3. Consent Agenda

- a. Approval of Meeting Minutes of the Special Meeting, December 21, 2021 as presented
- b. Approval of the Claims of January 11, 2022

Claims of January 11:

VENDOR NAME	AMOUNT
ANIXTER, INC	149,056.00
ASSOCIATION OF WASHINGTON CITIES	500.00
BROWN & KYSAR, INC.	1,463.90
CENTRAL WELDING SUPPLY	171.84
CORNERSTONE MANAGEMENT, INC.	15,824.75
FERGUSON ENTERPRISES, INC	49.21
FERNDALE ACE HARDWARE	56.55
FERNDALE CITY OF	215.34
GRAYBAR ELECTRIC COMPANY, INC	559.62
HEALTH PROMOTIONS NORTHWEST	90.00
IVERSON EARTHWORKS	11,184.10
LITHTEX NW LLC	202.00
MALLORY SAFETY & SUPPLY LLC	168.63
MASSMUTUAL RETIREMENT SVCS LLC	11,599.99
MILLS ELECTRIC	21,420.74
MINMAX	2,700.00
MURRAYSMITH	63,231.29
NORTHWEST CASCADE, INC.	118.50
NORTHWEST FIBER DBA ZIPLY FIBER	1,381.79
NORTHWEST MOWING & GARDENING	540.76
NP INFORMATION SYSTEMS (3-D CORP)	268.14
NW INTERGOV'L ENERGY SUPPLY COOPERATIVE	15,832.00
PACIFIC NORTHWEST UTILITIES	1,000.00
PACIFIC SURVEY & ENGINEERING	1,642.50
PARAMOUNT SUPPLY COMPANY	391.40
PAYLOCITY	25.50
PLATT ELECTRIC SUPPLY CO	2,782.10
POTELCO, INC	168,482.19
PUBLIC UTILITY RISK MANAGEMENT SERVICES	10,344.74
PUD #1 OF WHATCOM COUNTY	6,514.03
PUGET SOUND ENERGY, INC	5,117.55
REGENCE BLUE SHIELD	49,741.74
REISNER DISTRIBUTION, INC	1,827.18
RH2 ENGINEERING, INC	5,736.64

RICOH USA	248.44
SSC - SANITARY SERVICE COMPANY	550.91
TEAMSTER LOCAL #231	537.00
UNITED WAY OF WHATCOM COUNTY	501.00
UTILITIES UNDERGROUND LOCATION	10.32
VALVOLINE	50.83
VERIZON WIRELESS	1,902.88
WA ST DEPT TRANSP-NW REGION	781.96
WASHINGTON DENTAL SERVICE	2,831.80
WASHINGTON TEAMSTERS WELFARE	12,213.95
WATERHOUSE ENVIRONMENTAL SERVICES CORP	37,912.32
WEG TRANSFORMERS USA, LLC	320,757.20
WHATCOM FARMERS CO-OP	8,121.21
WHATCOM JANITORIAL	1,250.00
YABSLEY, DENNIS L.	569.84
GRAND TOTAL	\$ 938,480.38

ACTION: Commissioner Murphy motioned to approve the consent agenda of January 11, 2022. Commissioner Deshmane second the motion. Motion passed unanimously.

4. Public Comment

None made.

5. Old Business

a. Broadband Program Update

Entrikin observed the City of Bellingham Broadband Group meeting. He noted that Dorian Greg from Magellan is working on a survey for city residents and has received 1300 responses so far. There are questions on whether this was a large enough response. Commissioner Grant provided contact information from Google, who is interested in our area and leasing broadband infrastructure from a public entity. Entrikin is working on a long-term solution for funding and continues with the Port and PUD broadband initiatives.

Jilk reported there are several bills introduced in this Legislature session regarding broadband funding in terms of the CERB broadband funding relating to speed and unserved areas. There is a hearing happening this morning on two of the bills introduced.

Deshmane commented on the City’s Broadband Group internet survey and whether enough input will be gathered from a wide variety of responders and how many citizens are aware of it: i.e. renters or low-income customers and the need to address coverage of the kinds of responses received. Post analysis results are also important.

Murphy commented on the grant/loans funding available and it seems like some entities are receiving funding before others, like the PUD or Port. Jilk responded that other PUDs either have shovel-ready projects or have been in the que/process for quite some time. The Port was recently turned down on a grant from a process which began many months ago. Entrikin responded that they are working on the next round of grant applications.

b. Resolution No. 812 - Public Comment Policy

The Commission indicated they would like to have a *public comment policy* that would try to encourage a more civilized dialogue, to eliminate bullying and personalized attacks from the public discourse relating to PUD work and actions. Sitkin indicated the intention is not to restrain or seek to restrain free speech, but should abusive or threatening words regarding staff or elected officials/families surface, the matter would be turned over to legal counsel for handling and would not come from the targeted individual. The draft policy was presented for Commission review.

The key points of the policy relate to the discourse element and how the PUD communicates/outreach/responds in order to set standards, goals, and boundaries. This policy is not intended to be a personnel policy, it is an aspirational goal. Jilk has reviewed the policy and suggested that the Commission take more time for final review and adopt at the January 25 meeting.

ACTION: No action taken. Postponed until the next Commission meeting.

6. General Manager’s Report

Whatcom Watershed Information Network Symposium.

Schlotterback reported the Whatcom Watershed Information Network is hosting a one-day Marine Research Symposium on February 23, 2022. This event will bring together researchers, technical staff, and managers, as well as stakeholders, decision-makers and the general public to share information about current conditions in Whatcom County area waters in order to better understand the state of our marine and nearshore ecosystems, to inform future research, and to support resource management. Special guest speakers are Tammy Cooper-Woodrich, a Nooksack Indian tribal member well known for her historical

storytelling, and Rena Priest, Lummi Nation member and current Washington State Poet Laureate.

State Auditor Exit Interview

The PUD has received another clean audit from the State Auditor's Office! One informal recommendation regarding the selection/interviewing of firms off of the Small Works Roster. We have a great symbiotic relationship with staff in the State Auditor's office. Murphy attended as well – he indicated the level of professionalism on both sides and was very appreciative of staff's efforts.

Challenging Weather and River Conditions

Water Operators were on duty 24/7 regarding frazzle ice at both intake plants, subfreezing temperatures and high northeast winds. The river froze over near Plant 1 and was able to run on normal conditions. Plant 2 was a different story and continued with frazzle ice conditions for several days. Water supply was never lost and the PUD provided continuous water to customers as usual. Jilk thanked the staff for their hard work during this trying time.

The lack of post-treatment water storage (reservoir) to have enough water for operations continues to be an issue and needs to be seriously considered at the intake diversions and/or at Cherry Point. There have been at least three studies looking for pre-treatment storage in the past where opportunities have been identified.

WPUDA January Meetings and New Legislative Session

Committee meetings start tomorrow and there are a number of bills dealing with broadband, water, and water storage projects. Commissioners should have already received information and if not to let Jilk know.

7. Commissioner Reports

Deshmane – Plans attend the WPUDA water and telecom meetings this week. Grant will join the discussion on their “General Manager Recruitment” meeting. Attended City of Bellingham Broadband Advisory Group as noted above. He is also tracking some bills that are not on WPUDA's list.

Murphy – Unable to attend this week's WPUDA Board of Director's meeting and asked Deshmane to step in for him.

Grant – Will attend the WPUDA committee meetings as well. She has been researching what other PUDs are doing on their agendas and sharing meeting recordings, either audio or video. She checked in with the Port/PUD Broadband Steering Committee Meeting and also with Chris Heimgartner (new GM) as he prepares to begin at the PUD. She would also like to discuss Strategic Planning efforts in 2022.

8. Public Comment

Carole Perry commented she called the PUD office this morning in frustration because the PUD has not opened the Commission meetings up to the public for over a year and a half. This is important, especially related to topics of water and water storage. She witnessed the presentation several years ago, and also has printed reports. The farming community is zeroing in on water storage. Deshmane asked Perry to clarify *opening meetings up to the public*. It relates to in-person meetings. Her observation is that when people are allowed to be together meetings are more effective.

Debbie Ahl commented that the Mt. Baker Foundation is interested in supporting more broadband work in rural areas. Jilk suggested that Entrikin follows up with her.

9. Executive Session

Commission President Grant requested Executive Session (No. 1) pursuant to RCW 42.30.110(1) (g) to discuss the General Manager's performance evaluation and Executive Session (No. 2) pursuant to RCW 42.30.110(1)(i) – potential litigation. The estimated time for both Executive Sessions was thirty minutes. The Commission President indicated action may be taken after the adjournment of the Executive Session.

After a short recess, the Commission adjourned to Executive Session at 9:30 a.m.

- The Commission held Executive Session on a separate Zoom webinar platform for privacy, security matters and Open Public Meeting Act requirements.

Executive Session Adjourn

There being no further business for Executive Session, the Commission rejoined the Regular Commission Meeting webinar platform at 10:05 a.m.

10. Contract Amendment for General Manager

In December, 2020, Jilk's existing contract as District General Manager was extended to June 30, 2022 as the search for a new General Manager began. This modification presented creates an *exit amendment* with Jilk as an in-house employee, supervised by the new General Manager beginning February 1, 2022, which includes payout of vacation, sick leave benefits and other items.

ACTION: Commissioner Deshmane motioned to approve THE RESTATED AND AMENDED CONTRACT FOR STEPHAN JILK AS IN-HOUSE CONSULTANT. Commissioner Murphy second the motion. Motion passed unanimously.

11. Adjourn

There being no further business for the meeting, Commissioner Grant adjourned the regular meeting at 10:12 a.m.

Christine Grant, President

Atul Deshmane, Vice President

Mike Murphy, Secretary

APPROVED: JANUARY 25, 2022

Commission Clerk Note: Video recordings of the Whatcom PUD Commission Meetings are available online at the following link on the PUD's Website: <https://www.pudwhatcom.org/the-commission/2022-agendas-packets-meeting-minutes-recordings/>