

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

March 8, 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: Chris Heimgartner, General Manager; Steve Jilk, In-House Consultant; Ann Grimm, Executive Assistant; Rebecca Schlotterback, Manager of Contracts and Regulatory Compliance; Brian Walters, Assistant General Manager; Annette Smith, Director of Finance; Kurt Wank, Project Manager; Paul Siegmund, Manager of Automation and Technology; Aaron Peterson, IT/SCADA Technician; Mike Macomber, IT/SCADA Technician; Andrew Entrikin, Broadband Program Manager; and Traci Irvine, Accountant I.

Public attending via teleconference:

Dave Olson, CMI	Jack Wellman, Puget Sound Energy
Lauren Turner, P66	Rick Maricle, Citizen
Darrell Gray, NSEA	

2. Approval of Agenda

(Recording Time on Video: 00:01:14)

Commissioner Deshmane proposed to amend agenda item 6c to be renamed to “Discuss” Climate Resilience Policy, not “Establish”.

ACTION: Commissioner Murphy motioned to amend the agenda as such. Commissioner Deshmane second the motion. Motion passed unanimously.

3. Consent Agenda

(Recording Time on Video: 00:02:09)

- a. Approval of Meeting Minutes of the Regular Meeting, February 22, 2022; and
- b. Approval of the Claims of March 8, 2022:

VENDOR NAME	AMOUNT
APPLIED DIGITAL IMAGING	\$61.75
ARBITRAGE GROUP INC.	\$2,000.00
BAKER SEPTIC TANK PUMPING	\$705.90
CENTRAL WELDING SUPPLY	\$93.50
CHMELIK SITKIN & DAVIS	\$9,143.50
CLEARING UP: NEWSDATA SERVICE	\$1,599.36
CONNER, ERIC	\$242.30
CORNERSTONE MANAGEMENT, INC.	\$1,681.00
EVERGREEN LAND TRUST ASSOCIATION	\$957.50
FERNDALE ACE HARDWARE	\$78.48
FERNDALE CITY OF	\$386.11
GATEWAY CONTROLS	\$30,664.81
HARDWARE SALES, INC	\$328.13
HEALTH PROMOTIONS NORTHWEST	\$150.00
INDUSTRIAL SUPPLY, INC	\$111.91
LEEWARD STRATEGIES LLC	\$1,500.00
LITHTEX NW LLC	\$810.16
LUMMI INDIAN BUSINESS COUNCIL	\$2,691.55
MURRAYSMITH	\$44,101.95
NOANET	\$512.50
NOOKSACK INDIAN TRIBE	\$959.27
NOOKSACK SALMON ENHANCEMENT ASSC	\$9,698.17
NORTHWEST FIBER DBA ZIPLY FIBER	\$1,372.39
NORTHWEST MOWING & GARDENING	\$562.40
NORTHWEST PUMP & EQUIPMENT	\$15,156.22
NP INFORMATION SYSTEMS (3-D CORP)	\$378.95
PACIFIC SURVEY & ENGINEERING	\$351.25
PAYLOCITY	\$247.00

PITNEY BOWES	\$151.04
PITNEY BOWES RESERVE ACCOUNT	\$500.00
PLATT ELECTRIC SUPPLY CO	\$324.46
PUD #1 OF WHATCOM COUNTY	\$5,040.17
PUGET SOUND ENERGY, INC	\$6,888.19
REGENCE BLUE SHIELD	\$47,398.24
REISNER DISTRIBUTION, INC	\$975.11
RICOH USA	\$277.29
S&P GLOBAL PLATTS	\$2,735.00
SSC - SANITARY SERVICE COMPANY	\$554.28
STAR RENTALS	\$1,705.78
TEAMSTER LOCAL #231	\$567.00
TYLER TECHNOLOGIES-INCODE	\$513.86
UNITED WAY OF WHATCOM COUNTY	\$501.00
UTILITIES UNDERGROUND LOCATION	\$16.77
VERIZON WIRELESS	\$2,001.69
WASHINGTON DENTAL SERVICE	\$2,953.80
WASHINGTON TEAMSTERS WELFARE	\$13,897.10
WATERHOUSE ENVIRONMENTAL SERVICES	\$59,184.00
WHATCOM COUNTY TREASURER	\$707.84
WHATCOM JANITORIAL	\$1,325.00
WILSON ENGINEERING, LLC	\$1,075.59
GRAND TOTAL	\$275,839.27

ACTION: Commissioner Deshmane motioned to APPROVE THE CONSENT AGENDA OF MARCH 8, 2022. Commissioner Murphy second the motion. Motion passed unanimously.

4. Public Comment *(Recording Time on Video: 00:02:40)*
 No comments made.

5. Old Business
a. Broadband Program Update *(Recording Time on Video: 00:03:24)*
 Entrikin is meeting with community members and elected city officials to learn more on their views regarding broadband policy. Two bills in the Legislature continue to move forward, SHB 1673 and SB5715. The CERB grant to fund the bulk of the PUD’s study was going to be done in-house, however due to the work load and terms of the grant, it was decided that two consultants carry out the work: Petrichor Broadband for the backbone/infrastructure of the fiber network, and NoaNet to carry out financials, electronics and conducting a feasibility study to look at setting up an internet service provider.

Heimgartner added comments.

b. Open Public Meetings Act COVID-19 Update *(Recording Time on Video: 00:36:55)*
 Sitkin reported the State’s indoor mask mandate is ending on March 12. It is still not clear what the requirements will be for government agencies, however; a hybrid-style of meeting to include a video recorded platform (remote) and in-person is being considered and recordings may be required. There is still a lot of work to do to hold in-person meetings, and the District may be ready to return to in-person/hybrid for the first meeting in April.

6. New Business
a. Nooksack Salmon Enhancement Association Presentation *(Recording Time on Video: 00:41:38)*
 Beginning in 2010, the District has been supporting fish habitat restoration projects with Nooksack Salmon Enhancement Association (NSEA). This funding request for 2022 is \$20,000. Darrell Gray, NSEA Project Manager, provided an overview of 2021 activities.

There is no fiscal impact to the District as funding has been allocated in the 2022 budget for this purpose.

ACTION: Commissioner Murphy motioned to APPROVE FUNDING IN THE AMOUNT OF \$20,000 FOR NOOKSACK SALMON ENHANCEMENT ASSOCIATION TO SUPPORT WASHINGTON CONSERVATION CREW WORK ON HABITAT RESTORATION PROJECTS FOR 2022. Commissioner Deshmane second the motion. Motion passed unanimously.

b. Approve Work Order No. 02-03-22 with Digital Boundary Group

(Recording Time on Video: 01:26:19)

District staff recommended an IT security assessment to identify vulnerabilities and other cybersecurity issues. Digital Boundary Group (DGB) will work with staff to validate the effectiveness of safeguards, perform an external penetration test and provide results, and deliver remediation strategies. There is no fiscal impact to the District as the 2022 annual budget includes sufficient funds to cover services performed by DBG under the work order.

ACTION: Commissioner Deshmane motioned to APPROVE WORK ORDER NO. 02-03-22 WITH DIGITAL BOUNDARY GROUP FOR A COST NOT TO EXCEED AMOUNT OF \$14,600 PLUS TAX AND AUTHORIZE THE DISTRICT'S GENERAL MANAGER TO EXECUTE THE DOCUMENT. Commissioner Murphy second the motion. Motion passed unanimously.

c. Discuss Climate Resilience Policy

(Recording Time on Video: 01:34:37)

Commissioner Deshmane requested discussion on the topic and the need to focus on climate resilience. The Commission discussed an approach to formalize a climate resilience policy and possibly incorporate it into the upcoming Strategic Planning discussion or as a separate agenda item at the March 22 meeting.

ACTION: No action taken or requested.

d. Legislative Action Discussion

(Recording Time on Video: 01:53:25)

Heimgartner recommended sending a letter to legislators to protest a source of funding for the Transportation bill.

ACTION: Commissioner Deshmane motioned to DIRECT THE GENERAL MANAGER TO PREPARE A LETTER SUPPORTING WPUDA'S POSITION OF NOT RAIDING THE PUBLIC WORKS ASSISTANCE FUND. Commissioner Murphy second the motion. Motion passed unanimously.

e. Appoint PUD Voting Delegate to Northwest Public Power Association

(Recording Time on Video: 02:07:47)

This item was discussed; however, additional information was requested on the responsibilities of the role. Tabled until for a future meeting.

ACTION: No action taken.

7. General Manager Report

(Recording Time on Video: 02:18:04)

Intalco and BPA discussed.

Puget Sound Energy – Met with Carryn Vande Griend to discuss PSE's climate plans and what is in store for Whatcom County and local communities. PSE would like to provide an update to the Commission, tentatively planned for the April 25th meeting.

County Executive – Will be meeting with Satpal Sidhu next week to discuss topics such as water, broadband, and securing matching funds for grant projects to garner Sidhu's support of PUD developments.

8. Commissioner Reports

(Recording Time on Video: 02:38:04)

Murphy – Met with Jim Darling to discuss Strategic Initiatives.

Deshmane – Met with Jim Darling to discuss Strategic Initiatives;
Attended the Watershed Management Team meeting;
Working with an outside group on modifying wind codes in Washington State;
Attending the County's Climate Impact Committee as private citizen;
Working with an outside group on a *Request For Information* to identify projects on expending 'green' and 'blue' hydrogen production or feasibility projects; and
Will be attending WPUDA Committee meetings and Watershed Improvement Districts meetings next week.

Grant – Met with Heimgartner with representatives from the Port of Whitman about their open access networks contracts;
Spoke with Jefferson County PUD Commissioner Jeff Randall regarding their broadband effort;
Wants to make sure the PUD and Port keep Debbie Ahl/Mt. Baker Foundation in the loop as a valuable player in broadband; and
Will be attending WPUDA Telecom and Energy Committee meetings next week.

9. Public Comment

(Recording Time on Video: 02:59:56)

None made.

10. Executive Session

(Recording Time on Video: 03:01:00)

Commission President Grant requested an Executive Session pursuant to RCW 42.30.110(1)(i) – potential litigation. The estimated time for Executive Session was 45 minutes to an hour. The Commission President indicated no action is anticipated to be taken after the adjournment of Executive Session. After a short recess, the Commission adjourned to Executive Session at 11:06 a.m.

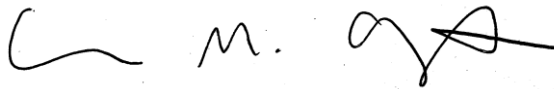
- The Commission held Executive Session on a separate Zoom webinar platform for privacy, security matters and Open Public Meeting Act requirements.

Executive Session Adjourn

There being no further business for Executive Session, the Commission rejoined the Regular Commission Meeting webinar platform at 10:38 a.m.

11. Adjourn

There being no further business for the meeting, Commissioner Grant adjourned the regular meeting at 10:39 a.m.



Christine Grant, President/Commissioner



Atul Deshmane, Vice President/Commissioner



Mike Murphy, Secretary/Commissioner

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/>