

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

January 10, 2023

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 8:01 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 included: Commissioner Christine Grant, Commissioner Jaime Arnett; Commissioner Atul Deshmane; and Legal Counsel Jon Sitkin. Staff: General Manager Chris Heimgartner; Ann Grimm, Executive Assistant; Andrew Entrikin, Broadband Program Manager; Steve Jilk, In-House Consultant; Annette Smith, Director of Finance; Rebecca Schlotterback, Manager of Contracts and Regulatory Compliance; Paul Siegmund, Manager of Automation and Technology; Aaron Peterson, IT/SCADA Technician; Mike Macomber, IT/SCADA Technician; Jake Wittmer, Automation Technician; Garrett Love-Smith, Project Manager; Traci Irvine, Accountant I; Devin Crabtree, Chief Water Operator; and Kurt Wank, Director of Utility Operations.

Public attending:

Rick Maricle, Citizen

Lauren Turner, Phillips 66

Jack Wellman, PSE

Dave Olson, Citizen

2. Approval of Agenda

Three additions to the agenda: Operations Report and Welcoming Commissioner Arnett were added after the first public comment, and general litigation matters as a second topic for Executive Session.

ACTION: Commissioner Deshmane made the motion to APPROVE THE AGENDA OF JANUARY 10, 2023 AS AMENDED. Commissioner Arnett second the motion. Motion passed unanimously.

3. Approval of Consent Agenda

- a) Approval of Meeting Minutes of the Regular Meeting, December 13, 2022;
- b) Approval of the Meeting Minutes of the Regular Meeting, December 20, 2022;
- c) Approval of the Claims of January 10, 2023:

VENDOR NAME	AMOUNT
ALUMICHEM CANADA INC	29,835.00
BELLINGHAM HERALD	844.00
BIRCH EQUIPMENT COMPANY	7,748.11
BRIDGEVIEW AUTO PARTS	104.38
CENTRAL WELDING SUPPLY	488.73
CHMELIK SITKIN & DAVIS	12,066.00
CONSOR NORTH AMERICA	50,359.09
CORNERSTONE MANAGEMENT, INC.	492.00
CRABTREE, DEVIN	93.20
FCS GROUP	5,568.75
FEDERAL EXPRESS	23.40
FERGUSON ENTERPRISES, INC	351.49
FERNDALE ACE HARDWARE	90.61
GDS ASSOCIATES, INC.	5,870.00
GENEVA CONSULTING	15,901.87
HARDWARE SALES, INC.	64.08
HEALTH PROMOTIONS NORTHWEST	150.00
HEIMGARTNER, CHRIS	988.57
MINMAX	2,835.00
NORTHWEST CASCADE, INC.	118.50
NORTHWEST FIBER DBA ZIPLY FIBER	1,462.45
NORTHWEST MOWING & GARDENING	540.76
NP INFORMATION SYSTEMS (3-D CORP)	269.82
NW PUBLIC POWER ASSOCIATION	6,305.51
PACIFIC NORTHWEST UTILITIES	1,000.00
PARAMOUNT SUPPLY COMPANY	479.41

PILOT TRAVEL CENTERS LLC	500.00
PLATT ELECTRIC SUPPLY CO	3,151.12
PUBLIC POWER COUNCIL	3,865.00
PUBLIC UTILITY RISK MANAGEMENT SERVICES	9,804.97
PUD #1 OF WHATCOM COUNTY	13.67
PUGET SOUND ENERGY, INC	5,895.52
REGENCE BLUE SHIELD	44,374.75
REISNER DISTRIBUTION, INC	1,838.57
RICOH USA	404.56
SHRED-IT USA	52.79
SMITH MECHANICAL	2,613.38
SSC - SANITARY SERVICE COMPANY	620.18
STAR RENTALS	2,418.60
TEAMSTER LOCAL #231	569.00
UNITED WAY OF WHATCOM COUNTY	742.00
UTILITIES UNDERGROUND LOCATION	14.19
VERIZON WIRELESS	1,141.11
WA ST DEPT OF HEALTH, ODW	408.00
WASHINGTON DENTAL SERVICE	2,744.35
WASHINGTON TEAMSTERS WELFARE	13,273.40
WHATCOM COUNTY COUNCIL OF GOVERNMENTS	150.00
WHATCOM FARMERS CO-OP	8,133.71
WHATCOM JANITORIAL	1,325.00
WSU - CASHIERS OFFICE	3,948.18
GRAND TOTAL	\$252,052.78

ACTION: Commissioner Deshmane made the motion to APPROVE THE CONSENT AGENDA OF JANUARY 10, 2023. Commissioner Arnett second the motion. Motion passed unanimously.

4. **Public Comment** - No comments.

5. **Welcome Commissioner Arnett – District 3**

Grant welcomed Arnett to the Commission. Arnett is proud to be serving a small and mighty team. Arnett is Executive Director for *Animals as Natural Therapy* and is looks forward to serving.

6. **Operations Report**

Heimgartner updated the Commission regarding a promotion for Kurt Wank from Project Manager to Director of Utility Operations, and introduced new employees Jake Wittmer, Automation Technician and Garrett Love-Smith, Project Manager. Wank provided video and commentary regarding the recent episode of Nooksack River ice, frazil ice, and extreme river conditions that the Water Operations crew experienced the week of December 19, especially on Christmas Eve and Christmas Day. The Water Crew came to the rescue and did an excellent job in responding.

7. **Old Business**

a) **Broadband Program Update**

The State Broadband Office gave the Notice of Funding Opportunity for broadband projects. The deadline is January 17. Grant submissions planned by the Port and PUD:

- Port is submitting a grant for \$12 million, will seek matching funding from Whatcom County;
- PUD is submitting a grant application covering Point Roberts with 1,300 customers and the potential customers below;
- Fabric Data: There is a small group of customers/home owners inside full-served census blocks that are not served. The PUD is trying to reach those;
- Entrikin and Heimgartner will be attending the County Council Meeting this afternoon to seek matching funds.

8. **New Business**

a) **Work Order No. 1 with Pacific Surveying and Engineering, Inc.**

For engineering services related to the District’s planned extension of its potable and fire water supply lines within the established Local Utility District boundaries along south of Grandview Road and east of Interstate-5.

ACTION: Commissioner Deshmane made the motion to APPROVE WORK ORDER No. 1 WITH PACIFIC SURVEY AND ENGINEERING INC. FOR A COST NOT TO EXCEED AMOUNT OF \$30,815 AND AUTHORIZE the District’s GENERAL MANAGER TO EXECUTE THE WORK ORDER. Commissioner Arnett second the motion. Motion passed unanimously.

b) Approve Amendment No. 1 to Work Order No. 2 – Murraysmith

The amendment covers an expansion of the scope of services to be provided and is related to the City of Ferndale’s plan for re-routing Ferndale Road. The re-route means the District’s 24” pipeline carrying clarified industrial water from Water Treatment Plant 1 to Cherry Point would cross under the new road twice. The District would need to construct a new pipeline and the road would have to be trenched or tunnel bored to accommodate the new pipe.

ACTION: Commissioner Deshmane made the motion to APPROVE AMENDMENT NO. 1 TO WORK ORDER NO. 2 WITH MURRAYSMITH FOR ADDITIONAL ENGINEERING SERVICES FOR AN ADDITIONAL COST NOT TO EXCEED AMOUNT OF \$285,000 AND AUTHORIZE THE DISTRICT’S GENERAL MANAGER TO EXECUTE THE AMENDMENT. Commissioner Arnett second the motion. Motion passed unanimously.

c) Elect Commission Officers for 2023

Each year the Commissioner selects officers of the Commission for the upcoming calendar year. The Commission takes action on the election of officers without recommendation from staff.

ACTION No. 1: Commissioner Deshmane motioned to NOMINATE AND ELECT COMMISSIONER ARNETT AS SECRETARY FOR 2023. Commissioner Grant second the motion. Motion passed unanimously.

ACTION No. 2: Commissioner Arnett motioned to NOMINATE AND ELECT COMMISSIONER DESHMANE AS PRESIDENT AND NOMINATE AND ELECT COMMISSIONER GRANT AS VICE PRESIDENT FOR 2023. Commissioner Grant second the motion. Motion passed unanimously.

d) Each year the Commission acts to approve Commissioners and staff representatives to agencies that the District is a member of to the following agencies (to have representatives designated by the Commission to speak on behalf of the District as appropriate):

Washington Public Utility Districts Association Committees and respective District Designees selected for 2023:

<u>Committee</u>	<u>Primary Representative</u>	<u>Alternate</u>
Board of Directors	Jaime Arnett	Christine Grant
Managers	Chris Heimgartner	Brian Walters
Government Relations	Christine Grant	Jaime Arnett
Communications	Jaime Arnett	Chris Heimgartner
Energy	Atul Deshmane	Brian Walters
Water	Christine Grant	Jaime Arnett
Telecom/Broadband*	Atul Deshmane	Jaime Arnett *Non-voting

Whatcom County Economic Development Investment (EDI) Board: Commissioner Deshmane accepted to represent this position.

Whatcom County Council of Governments (WWCOG) Associate Membership: Commissioner Grant will represent the District and Chris Heimgartner is the alternate for 2023;

Public Utility Risk Management Services (PURMS): These positions will remain the same for 2023: Elected Representative: Commissioner Deshmane as representative; and Chris Heimgartner and Annette Smith (Finance Director) as voting alternates.

Watershed Resource Inventory Area No. 1 (WRIA 1): Appoint WRIA 1 Watershed Management Board Representative and alternate; and appoint WRIA 1 Planning Unit representative and alternate:

<u>WRIA 1</u>	<u>Primary Representative</u>	<u>Alternate</u>
Watershed Management Board	Jaime Arnett	Stephan Jilk
Planning Unit	Stephan Jilk	Rebecca Schlotterback

Energy Northwest: Commissioner Grant will be District representative in 2023, and designated alternate is Atul Deshmane.

Port/PUD Broadband Advisory Committee: Chris Heimgartner will be the representative, Andrew Entrikin as staff representative.

ACTION: Commissioner Arnett motioned to SELECT DISTRICT REPRESENTATIVES TO THE FOLLOWING AGENCIES:

- JAIME ARNETT AS DISTRICT REPRESENTATIVE FOR WASHINGTON PUBLIC UTILITY DISTRICTS ASSOCIATION (WPUDA);
- WPUDA COMMITTEES

BOARD OF DIRECTORS:	PRIMARY/ARNETT	ALTERNATE/GRANT
MANAGERS COMMITTEE:	PRIMARY/HEIMGARTNER	ALTERNATE/WALTERS
GOVT RELATIONS:	PRIMARY/GRANT	ALTERNATE/ARNETT
COMMUNICATIONS:	PRIMARY/ARNETT	ALTERNATE/HEIMGARTNER
ENERGY COMMITTEE:	PRIMARY/DESHMANE	ALTERNATE/WALTERS
WATER COMMITTEE:	PRIMARY/GRANT	ALTERNATE/ARNETT
TELECOM COMMITTEE:	PRIMARY/DESHMANE	ALTERNATE/ARNETT
- DESHMANE AS REPRESENTATIVE FOR WHATCOM COUNTY EDI BOARD;
- GRANT AS REPRESENTATIVE FOR WHATCOM COUNTY COUNCIL OF GOVERNMENTS, CHRIS HEIMGARTNER AS ALTERNATE;
- DESHMANE AS REPRESENTATIVE FOR PUBLIC UTILITY RISK MANAGEMENT SERVICES, CHRIS HEIMGARTNER/ANNETTE SMITH AS VOTING ALTERNATES;
- ARNETT AS REPRESENTATIVE FOR WR1A1 WATERSHED MANGEMENT BOARD AND STEVE JILK AS ALTERNATE; PLANNING UNIT: STEVE JILK AS REPRESENTATIVE AND REBECCA SCHLOTTERBACK AS ALTERNATE;
- GRANT AS REPRESENTATIVE FOR ENERGY NORTHWEST, DESHMANE AS ALTERNATE.
- CHRIS HEIMGARTNER AS REPRESENTATIVE FOR PORT/PUD BROADBAND STEERING COMMITTEE; ANDREW ENTRIKIN AS STAFF REPRESENTATIVE.

Commissioner Deshmane second the motion. Motion passed unanimously.

9. General Manager Report

The Commission has made a request to change the start time of 2023 Regular Commission Meetings to be moved to 8:15 a.m. This will require a motion to amend the meeting time as the 2023 Regular Meeting Schedule was approved on December 13, 2022.

ACTION: Commissioner Deshmane made the motion to CHANGE THE START TIME OF THE 2023 REGULAR COMMISSION MEETINGS TO 8:15 AM. Commissioner Arnett second the motion. Motion passed unanimously.

10. Commissioner Reports

Deshmane: No report.

Arnett: In December, she was able to tour PUD facilities and meet the staff. She will be attending the WPUDA meetings this week.

Grant: Has had continuing conversations with Eric Hirst regarding water use efficiency, she would like to meet with Jilk and Hirst to further discuss.

11. Public Comment – No comments.

12. Executive Session

Commission President Grant requested an Executive Session pursuant to RCW 42.30.110(i) – Potential Litigation, relating to water rights adjudication and general litigation matters. Estimated time for Executive Session was thirty (30) minutes. The Commission President indicated no action is anticipated to be taken after the adjournment of Executives Session. After a short break, the Commission adjourned to Executive Session at 9:40 a.m.

- At 10:05 a.m. an additional twenty minutes was requested.
- At 10:40 a.m. an additional five minutes was requested.

Executive Session Adjourn

There being no further business for Executive Session, the Commission rejoined the Regular Commission Meeting at 10:45 a.m.

13. Adjourn

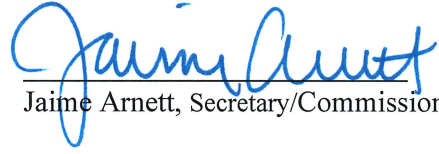
There being no further business for the regular meeting, Commissioner Grant adjourned the regular meeting at 10:47 a.m.



Atul Deshmane, President/Commissioner



Christine Grant, Vice President/Commissioner



Jaime Arnett, 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/2023-agendas-packets-meeting-minutes-recordings/>

