

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

**February 13, 2024**

**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 8:15 a.m. by Commissioner Jaime Arnett. Said meeting was open to the public and notice thereof had been given as required by law. Those present included: Commissioner Atul Deshmane, Commissioner Christine Grant, Commissioner Jaime Arnett and Legal Counsel Jon Sitkin. Staff: Chris Heimgartner, General Manager; Assistant General Manager Brian Walters; Andrew Entrikin, Broadband Program Manager; Ann Grimm, Executive Assistant; Rebecca Schlotterback, Manager of Contracts and Regulatory Compliance; Mike Macomber, IT/SCADA Technician; Aaron Peterson, IT/SCADA Technician; Paul Siegmund, Manager of Automation and Technology; Garrett Love-Smith, Project Manager; Kurt Wank, Director of Utility Operations; and Stephanie Hooper, Accountant I.

Public attending:  
Dave Olson  
Rick Maricle

**2. Approval of Agenda**

Executive Session was added: RCW 42.30.110(1)(g) To review the qualifications and/or performance of a public employee.

**ACTION:** Commissioner Grant made the motion to APPROVE THE AGENDA FEBRUARY 13, 2024 AS AMENDED. Commissioner Deshmane second the motion. Motion passed unanimously.

**3. Approval of Consent Agenda**

- a) Approval of Meeting Minutes of the Regular Meeting of January 23, 2024;
- b) Approval of the Claims of February 13, 2024:

<b>VENDOR NAME</b>	<b>AMOUNT</b>
ALUMICHEM CANADA INC (formerly WATERHOUSE ENV.)	63,204.20
ARBITRAGE GROUP INC.	500.00
AT&T MOBILITY	1,801.51
BELLINGHAM HERALD	310.90
BHAM WHATCOM CHAMBER OF COMM & INDUSTRY	356.00
BIRCH EQUIPMENT COMPANY	12,163.48
BRANOM EQUIPMENT	630.66
CENTRAL WELDING SUPPLY	101.12
CESCO NEW CONCEPT CHEMICAL PRODUCTS	113.90
CHEMTRAC, INC.	2,255.00
CHMELIK SITKIN & DAVIS	37,629.74
CORNERSTONE MANAGEMENT, INC.	756.50
CULLIGAN NORTHWEST	267.57
DIMPLEX THERMAL SOLUTIONS INC.	10,348.79
ESRI	2,617.26
FERGUSON ENTERPRISES, INC	5,603.11
FERNDALE ACE HARDWARE	120.70
FERNDALE AUTO PARTS	36.27
GATEWAY CONTROLS	1,583.04
GRANICH ENGINEERED PRODUCTS, INC.	4,362.32
GUARDIAN SECURITY SYSTEMS, INC	96.89
HARDWARE SALES, INC	156.65
HDR ENGINEERING, INC.	5,232.84
HEALTH PROMOTIONS NORTHWEST	150.00
HOOPER, STEPHANIE	56.01
IVOXY CONSULTING LLC	53,970.70
KCDA PURCHASING COOPERATIVE	366.69
LES SCHWAB TIRE CENTER	1,052.65
LITHTEX NW LLC	111.86
MILLS ELECTRIC	1,084.71
NELSON=REISNER	1,604.35
NORTH COAST ELECTRIC COMPANY	138.03
NORTHWEST CASCADE, INC.	257.00
NORTHWEST FIBER DBA ZIPLY FIBER	1,453.39
NP INFORMATION SYSTEMS (3-D CORP)	269.82
P&P EXCAVATING, LLC	29,172.89

PITNEY BOWES GLOBAL FINANCIAL SERVICES LLC	300.98
PLATT ELECTRIC SUPPLY CO	3,030.43
PORTAL WAY FARM & GARDEN	18.47
PROSCAPES INC	564.72
PUBLIC POWER COUNCIL	330.00
PUD #1 OF WHATCOM COUNTY	36.53
PUGET SOUND ENERGY, INC	7,586.81
PUMPTECH	1,122.55
REGENCE BLUE SHIELD	40,289.71
RICOH USA	272.71
SALISH VILLAGE TRAVEL CENTER	15.77
SMITH MECHANICAL	1,098.85
SSC - SANITARY SERVICE COMPANY	639.04
STAR RENTALS	1,705.78
STERICYCLE ENVIRONMENTAL SOLUTIONS	57.52
TEAMSTER LOCAL #231	616.00
TYLER TECHNOLOGIES-INCODE	19,060.98
UNITED WAY OF WHATCOM COUNTY	707.00
UTILITIES UNDERGROUND LOCATION	14.52
WA ST AUDITOR'S OFFICE	2,780.00
WASHINGTON DENTAL SERVICE	2,892.80
WASHINGTON TEAMSTERS WELFARE	13,567.40
WHATCOM FARMERS CO-OP	655.61
WHATCOM JANITORIAL	2,860.00
<b>GRAND TOTAL</b>	<b>\$340,160.73</b>

**ACTION:** Commissioner Grant made the motion to APPROVE THE CONSENT AGENDA OF FEBRUARY 13, 2023. Commissioner Deshmane second the motion. Motion passed unanimously.

**4. Public Comment** – None made.

**5. General Manager’s Report**

- There was a pump failure at Plant 1 over the weekend. Heimgartner declared an emergency so the crew could begin repairs.
- WPUDA Annual Conference is April 17 – 19 at Skamania Lodge.
- March 1<sup>st</sup> date is planned for candidates’ interviews for the Assistant General Manager position. A Special Meeting will be called:

**ACTION:** Commissioner Deshmane made the motion to hold a Special Meeting on March 1, at 11:00 a.m., located at the District Office. Commissioner Grant second the motion. Motion passed unanimously.

- Tyler Schroeder has been hired by the Port of Bellingham to replace their Economic Development Director.
- Contract has been signed with Crina Hoyer – work will begin on the Commissioner Retreat.
- Heimgartner provided information on *Aeromine Technologies* which uses aerodynamics in wind-energy technology. He suggested this might be a technology that WPUDA would want to support.

**6. Old Business**

**a) Broadband Program Update**

- Kick-off meeting is planned with Cobb Fendley regarding the Point Roberts Broadband Project;
- Whidbey Tel has received a “middle-mile” grant for the Point Roberts project and is also interested in leasing fiber from the PUD;
- Washington State Broadband Office (WSBO) has set project area boundaries as “census blocks;”
- Ziplly Fiber is working on bringing fiber to the Glacier area/east county;
- Telecom Franchise Agreement pending approval from the County Council on February 20; hearing is set for March 5.

**b) Adjudication Update**

- Sitkin discussed a reference table that has been developed which lists issues/topics for the local rules court with other local agencies, attorneys and tribes.
- Senate Bill 5828 concerning a new judge for Whatcom County looks favorable to pass both House and Senate.
- Filing of the adjudication is still scheduled for April.

**c) Geothermal Update**

- Commissioner Grant was in Olympia at the end of January and gave a quick update.

## 7. New Business

### a) Approve Professional Services Agreement with K Engineers

In September of 2019, the Commission approved the Standard Agreement for Professional Consulting Services with K Engineers to provide services to the District that involved current and/or future capital improvement and maintenance projects related to the District's electric facilities. The initial term of the Agreement extended through December 31, 2023.

If approved, the term of the new PSA would extend through December 31, 2026.

Fiscal Impact: Whatcom PUD's planned 2024 Annual Budget includes sufficient funds to cover work to be performed by K Engineers under the Agreement during this calendar year.

**ACTION:** Commissioner Deshmane made the motion to APPROVE A PROFESSIONAL CONSULTING SERVICES AGREEMENT WITH K ENGINEERS, INC. FOR ELECTRICAL CONSULTING SERVICES AND AUTHORIZE THE GENERAL MANAGER TO EXECUTE THE AGREEMENT. Commissioner Grant second the motion. Motion passed unanimously.

### b) Approve Resolution No. 845 – Cancellation and Reissue of Warrant

Warrant No. 1182400 was issued on December 27, 2023 in the amount of \$630.66 to Branom Instrument Company. Branom notified the District that the Warrant has not been received/deemed lost in the mail, and the County has verified it has not been tendered. The District notified the County that the Warrant was lost and has asked the County to cancel and disregard the Warrant. A new Warrant will be issued in the next check run. There is no fiscal impact to the District.

**ACTION:** Commissioner Deshmane made the motion to APPROVE RESOLUTION NO. 845 AUTHORIZING CANCELLATION AND REISSUE OF WARRANT FOR BRANOM INSTRUMENT COMPANY. Commissioner Grant second the motion. Motion passed unanimously.

### c) Approve Resolution No., 846 – Cancellation of Warrant

Warrant No. 1182421 was issued on December 27, 2023 in the amount of \$201.66 to Pitney Bowes Global Financial Services. The warrant was mailed to the wrong address and returned to the District. The District has notified the County that the Warrant has been returned and has asked the County to cancel and disregard the Warrant. A new Warrant will not be issued. Payment was issued by credit card to avoid late fees. There is no fiscal impact to the District.

**ACTION:** Commissioner Deshmane made the motion to APPROVE RESOLUTION NO. 846 AUTHORIZING CANCELLATION OF WARRANT FOR PITNEY BOWES GLOBAL FINANCIAL SERVICES. Commissioner Grant second the motion. Motion passed unanimously.

## 8. Operations Report – No report today.

## 9. Commissioner Reports

Deshmane:

- Noted friend and Clallam PUD Commissioner Waddell passed away.
- Discussed “virtual power plants” and “resilience hubs”;
- Requested up to two per diems for series of meetings next week with County Council members and the Mayor of Bellingham.
- Deshmane asked for approval of a particular expense.

**ACTION:** Commissioner Arnett made the motion to accept this expense receipt. Commissioner Deshmane attested it was true. Commissioner Grant second the motion. Motion passed unanimously.

Grant:

- Attended the Energy Northwest meeting and met with the lobbyist in Olympia;
- Energy Northwest is asking for \$25 million from the state legislature to get their small nuclear reactor project off the ground.,
- Discussed Energy Northwest's board of directors' members – most are PUD Commissioners; it has been recommended they branch out on this list.
- Discussed the use of artificial intelligence (AI) for the District.

Arnett:

- Will be traveling to Olympia today for the WPUDA Day on the Hill and committee meetings;
- Will be attending the next Watershed Management Board Meeting.

## 10. Public Comment – None made.

**11. Executive Session**

Commissioner Arnett requested an Executive Session pursuant to RCW 42.30.110(1)(g) to review the qualifications and/or performance of a public employee. Estimated adjournment time from Executive Session was 9:45 a.m. The Commission adjourned to Executive Session at 9:20 a.m.

- At 9:37 a.m. an additional twelve (12) minutes was requested;
- At 9:48 a.m., an additional eight (8) minutes was requested;

**Executive Session Adjourn**

There being no further business for Executive Session, the Commission rejoined the Regular Commission Meeting at 9:54 a.m.

**12. Adjourn**

There being no further business for the regular meeting, Commissioner Arnett adjourned the regular meeting at 9:55 a.m.

  
 \_\_\_\_\_  
 Jaime Arnett, President/Commissioner

\_\_\_\_\_  
 Atul Deshmane, Vice President/Commissioner

  
 \_\_\_\_\_  
 Christine Grant, 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/2024-agenda-packets-meeting-minutes-recordings/>