

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

April 9, 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: General Manager Chris Heimgartner; Andrew Entrikin, Broadband Program Manager; Ann Grimm, Executive Assistant; Rebecca Schlotterback, Manager of Contracts and Regulatory Compliance; Aaron Peterson, IT/SCADA Technician; Mike Macomber, IT/SCADA Technician; Paul Siegmund, Manager of Automation and Technology; Garrett Love-Smith, Project Manager; Kurt Wank, Director of Utility Operations; and Annette Smith, Director of Finance; Stephanie Hooper, Accountant I; Devin Crabtree, Chief Water Operator; and Jon Littlefield, Electric System Supervisor.

Public attending:

Rick Maricle Dave Olson
Jack Wellman, PSE Crina Hoyer

2. Approval of Agenda

No changes.

ACTION: Commissioner Grant made the motion to APPROVE THE AGENDA OF APRIL 9, 2024. Commissioner Deshmane second the motion. Motion passed unanimously.

3. Approval of Consent Agenda

- a) Approval of Meeting Minutes of the Regular Meeting of March 26, 2024;
- b) Approval of the Claims of April 9, 2024:

| VENDOR NAME | AMOUNT |
|---|---------------|
| ALUMICHEM CANADA INC | 31,325.20 |
| AT&T MOBILITY | 1,801.51 |
| BRIM TRACTOR COMPANY | 404.32 |
| CARL'S MOWER & SAW, INC | 74.10 |
| CENTRAL WELDING SUPPLY | 101.30 |
| CHEMTRAC, INC. | 2,000.00 |
| CIVIC GROUP | 10,000.00 |
| COBB, FENDLEY & ASSOCIATES, INC | 13,185.92 |
| CONSOR NORTH AMERICA, INC. | 127,682.41 |
| CORNERSTONE MANAGEMENT, INC. | 422.75 |
| CRINA HOYER CONSULTING | 3,803.17 |
| EDGE ANALYTICAL LABORATORIES | 25.00 |
| ELECTRICAL RELIABILITY SERVICES | 2,562.36 |
| ENVIRO-TECH DIVING, INC. | 2,606.04 |
| FERNDALE ACE HARDWARE | 83.42 |
| FERNDALE AUTO PARTS | 259.94 |
| HACKER, RONALD G | 80.64 |
| HARDWARE SALES, INC | 46.97 |
| HDR ENGINEERING, INC. | 16,626.22 |
| MANAGEMENT RECRUITERS OF BONITA SPRINGS | 43,500.00 |
| NEL/SON DISTRIBUTING DBA NELSON-REISNER | 1,529.14 |
| NESS CRANE SERVICE, INC | 4,283.28 |
| NORTH COAST ELECTRIC COMPANY | 1,155.89 |
| NORTHWEST FIBER DBA ZIPLY FIBER | 1,493.30 |
| NP INFORMATION SYSTEMS (3-D CORP) | 269.82 |
| P&P EXCAVATING, LLC | 13,752.14 |
| PLATT ELECTRIC SUPPLY CO | 465.20 |
| PROSCAPES | 565.76 |
| PUD #1 OF WHATCOM COUNTY | 1,561.79 |
| PUGET SOUND ENERGY, INC | 962.78 |
| REGENCE BLUE SHIELD | 43,005.82 |
| SSC - SANITARY SERVICE COMPANY | 629.91 |
| STERICYCLE ENVIRONMENTAL SOLUTIONS | 60.42 |
| TEAMSTER LOCAL #231 | 648.00 |
| TIGER CONSTRUCTION | 25,900.00 |
| ULINE, INC. | 794.70 |
| UNITED WAY OF WHATCOM COUNTY | 707.00 |

| | |
|--------------------------------|---------------------|
| UTILITIES UNDERGROUND LOCATION | 17.16 |
| VALVOLINE | 92.47 |
| WANK, KURT | 436.70 |
| WA ST DEPT OF TRANSPORTATION | 140.96 |
| WASHINGTON DENTAL SERVICE | 2,828.05 |
| WASHINGTON TEAMSTERS WELFARE | 13,567.40 |
| WHATCOM JANITORIAL | 1,430.00 |
| GRAND TOTAL | \$372,888.96 |

ACTION: Commissioner Grant made the motion to APPROVE THE CONSENT AGENDA OF APRIL 9, 2024. Commissioner Deshmane second the motion. Motion passed unanimously.

4. Public Comment – None made.

5. General Manager’s Report

Heimgartner discussed the change order for the fiber connection project, the County Council’s Resolution in support of expanding access to affordable and reliable internet for all residents of Whatcom County, and more.

6. Old Business

a) Broadband Program Update

Entrikin provided an update on Point Roberts, the pole attachment agreement and the Commission workshop on the broadband program will be on May 17 (notice is forthcoming) and more.

b) Adjudication Update

Sitkin provided an update.

c) Geothermal Update

A meeting with the Nooksack Tribe and the PUD. BPA transmission issues with geothermal was also discussed.

7. New Business

a) Reject All Bids for the D-Station Flow and Control Project

On March 29, 2024, the District received and publicly read aloud two (2) bids submitted for this project. The Engineer’s Estimate for the project is \$485,400.00 (tax not included). The two bids are listed below:

| Construction Bids | Bid (no tax) |
|----------------------------|---------------------|
| Award Construction..... | \$1,098,500.00 |
| Neptune Construction | \$1,210,550.00 |

Both Award Construction and Neptune’s Bid price exceeds the Engineer’s estimate by more than 15%. Therefore, District staff has determined that the bids from Award and Neptune are non-responsive.

ACTION: Commissioner Grant made the motion to REJECT ALL BIDS FOR RW-M-7 D STATION FLOW AND CONTROL PROJECT. Commissioner Deshmane second the motion. Motion passed unanimously.

b) Approve Resolution No. 847 – Cancellation of Warrant

The invoice from Gary’s Plumbing and Heating was paid by company credit card and the warrant needs to be cancelled.

ACTION: Commissioner Grant made the motion to APPROVE RESOLUTION NO. 847 AUTHORIZING CANCELLATION OF WARRANT FOR GARY’S PLUMBING AND HEATING. Commissioner Deshmane second the motion. Motion passed unanimously.

c) Approve Resolution No. 848 – Cancellation of Warrant

The invoice from Whistle Workwear and submitted by Aaron Peterson was paid by company credit card, not a personal credit card. The warrant now needs to be cancelled.

ACTION: Commissioner Grant made the motion to APPROVE RESOLUTION NO. 848 AUTHORIZING CANCELLATION OF WARRANT FOR AARON PETERSON. Commissioner Deshmane second the motion. Motion passed unanimously.

d) Call for Special Meeting

Crina Hoyer Consulting will conduct a Commission and Staff retreat at a Special Meeting on

Tuesday, April 16, 2024, at the Four Points Sheraton Hotel/Conference Center, 714 Lakeway Drive from 1:30 p.m. to 5:30 p.m. The meeting is expected to last four (4) hours. Official notice with agenda is forthcoming.

ACTION: Commissioner Deshmane made the motion to CALL FOR A SPECIAL COMMISSION MEETING ON APRIL 16, 2024, FROM 1:30 PM TO 5:30 PM, LOCATED AT THE FOUR POINTS SHERATON HOTEL AND CONFERENCE CENTER. Motion passed unanimously.

8. Operations Report

Wank reported on the new substation, the new variable frequency drive motor arrived and will be installed, and wood baffles used to slow the water clarification process will need to be replaced.

9. Commissioner Reports

Grant:

- Announced her resignation as PUD Commissioner (for District 1), effective May 1, 2024. A discussion ensued about next steps the PUD will take regarding the upcoming vacancy.

Deshmane:

- Discussed Earth Day activities;
- Inquired about the North Cascades current snowpack;
- *Markets+* versus California markets;
- Commented on the State Broadband Office's "Challenge Process".

Arnett:

- Wants to look again at the PUD's municipalization study regarding electricity;
- Discussed the "Dig Once" provisions.

10. Public Comment

Rick Maricle thanked Commissioner Grant for her years of service and wished her the best in future endeavors.

11. Executive Session

Commissioner Arnett requested an Executive Session to discuss potential litigation regarding water rights adjudication. Estimated time was 15 minutes; adjournment time for Executive Session at 10:00 a.m. No action is anticipated after Executive Session. After a short recess, the Commission adjourned to Executive Session at 9:43 a.m.

Executive Session Adjourn

There being no further business for Executive Session, the Commission rejoined the Regular Commission Meeting at 10:03 a.m.

12. Retreat Discussion

Crina Hoyer joined the meeting for a short discussion regarding the upcoming Commission and Staff Retreat.

13. Adjourn

There being no further business for the regular meeting, Commissioner Arnett adjourned the regular meeting at 10:07 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/>