

**MIDWAY SEWER DISTRICT
COMMISSIONERS MEETING
February 11, 2009**

Commissioners Hendrickson, Landon and Koester were present. Also present: Mr. Sanborn, Mr. McBee, Dr. Verraich, Mr. Griffith, Mr. Crahan, Mr. Grodt, Mr. Snure, and Mr. Kase.

The meeting was called to order by the President at 9:00 a.m.

The agenda for today's meeting was approved without modification.

M/S/C approving the minutes of the Meeting of January 28, 2009.

VOUCHERS:

M/S/C approving Maintenance vouchers #0290099 through #0290154 in the amount of \$143,163.06, including special vouchers #0290099 through #0290110 in the amount of \$34,010.18.

Capital Improvement vouchers #0293005 through #0293007 in the amount of \$25,195.34.
Board approval of payment of \$64,691.46 for 27 employees for direct deposit of February payroll.

ADDITIONS:

M/S/C approving additions to accounts receivable as presented.

ADJUSTMENTS:

M/S/C approving adjustments to accounts receivable as presented.

DR. VERRIACH'S CONNECTION CHARGE PROTEST – CONTINUATION:

The Manager reported that Dr. Verraich and George McBee had protested the connection charge for 22613 Pacific Hwy. S., specifically concerning the interest component and the special facilities charge component. A decision on this matter was tabled pending additional information concerning the facts surrounding this connection charge. The manager provided information pertaining to the connection charge history for this property. Commissioner Koester indicated that the interest charge should remain, but he is willing to consider an excuse of the special facility charge. Commissioner Hendrickson said that it is the property owners responsibility to inquire about any connection charges due and that this District has the belief that growth should pay for growth. Dr. Verraich explained that this is his first project and that he was not aware, due to his inexperience. He also wanted to make sure that the fixture count was accurate. Commissioner Landon said that because Dr. Verraich was under construction when the new special facility charge was implemented, he would be willing to waive the special facility charge but not the interest.

M/S/C excusing the special facility charge, as indicated on the Midway Sewer District connection charge quote for the property located at 22613 Pacific Highway South.

KEVIN & SUSAN HOLM CONNECTION CHARGE LIEN RELEASE:

The Manager said that the Kevin & Susan Holm Connection Charge Agreement has been fully paid and the liens filed thereon should be released.

M/S/C releasing the Kevin & Susan Holm Connection Charge lien.

RELEASE OF UNUSED SEWER EASEMENT AT SWEPT WING INN:

The Manager said that the District has an easement, in the vicinity of where the Swept Wing Inn used to be located, that has never been utilized and is not needed by the District. The easement recording number is 5722282. The property owner has requested that the District release this easement.

M/S/C authorizing the release of easement 5722282.

CHANGE TO THE REGULAR MEETING SCHEDULE / RESOLUTION 2009-01:

The Manager presented Resolution 2009-01 to the Board for their perusal. This resolution changes the regular meeting schedule for the second meeting in April and the first meeting in November, 2009.

M/S/C approving Resolution 2009-01 as presented.

CLARIFICATION ON WHEN A LIEN IS CREATED / RESOLUTION 2009-02:

The Manager presented Resolution 2009-02 to the Board for their perusal. This resolution clarifies the District policy on exactly when a lien is established against a property. When service charges are delinquent for 30 days or more, such charges shall constitute a lien against the property served, whether or not a lien has been recorded with the County.

M/S/C approving Resolution 2009-02 as presented.

KEN KASE'S MANAGER REPORT:

The Manager distributed his written report on his recent activities.

WALT CRAHAN'S COLLECTION SYSTEM SUPERVISOR REPORT:

Mr. Crahan reported that he has had two lateral launch camera demonstrations in the past weeks. Another is scheduled for next week.

JEFF GRIFFITH'S TREATMENT PLANT SUPERVISOR REPORT:

Mr. Griffith reported that on February 2, 2009, the South King County Fire and Rescue came to the treatment plant for the annual inspection. The only concern they had was with our two 100 gallon portable diesel tanks that are stored in the 500KW generator building. They weren't sure there was a problem as they are rated tanks, but were going to ask their supervisor about them. They have not gotten back to me yet with their decision.

ENGINEER'S REPORT:

Mr. Grodt reported on the following:

1. HVAC Upgrade Project, Contract 2008-02. The contract is complete and ready for acceptance.
M/S/C approving Resolution 2009-03, which provides for acceptance as complete of Contract 2008-02, the Replacement and Upgrade of the HVAC System at the Des Moines Creek Treatment Plant.
2. Eelgrass Monitoring Year 2 – The winter qualitative monitoring for year 2 is complete.
3. Influent Screens – Design is approximately 60% complete.

ATTORNEY'S REPORT:

Mr. Snure reported on the following:

Collections:

1. There are 4 delinquent customers in bankruptcy.
2. There are 5 delinquent customers in active foreclosures with 1 stayed with payments pending.
3. There are 3 delinquent customers in pending foreclosures.
4. There are 11 delinquent customers with pending Trustee sales.

The next meeting will be held on February 25, 2009, at the District office at 4:00 p.m.

The meeting adjourned at 9:48 a.m.

KEN J. KASE

ATTEST:

VINCENT H. KOESTER - SECRETARY