

**MIDWAY SEWER DISTRICT
COMMISSIONERS MEETING
MARCH 10, 2010**

Commissioners Hendrickson, Landon and Koester were present. Also present: Mr. Grodt, Mr. Griffith, Mr. Matt Everett, Mr. Jeremy Delmar, Mr. Montieth, Mr. Snure, Ms. Ford, 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 February 24, 2010.

VOUCHERS:

M/S/C approving Maintenance vouchers #300190 through #300249 in the amount of \$138,959.38, including special vouchers #300190 through #300208 and #300213 in the amount of \$34,087.45.

Capital Improvement vouchers #204005 through #204006 in the amount of \$8,377.04.

2008 Public Works Trust Fund voucher #208004 in the amount of \$5,735.00.

Board approval of payment of \$66,546.12 for 27 employees for direct deposit of March payroll.

ADDITIONS:

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

ADJUSTMENTS:

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

ENGINEERING SERVICES CONTRACT FOR 2010 SEWER MAIN REPAIRS:

The Manager presented a contract with PACE Engineers, Inc. for the provision of engineering services necessary for the preparation of bid documents, permits, and construction management and administration for the 2010 Sewer Main Repairs contract, for the Boards review.

M/S/C authorizing the execution of the contract as presented.

EXECUTIVE SESSION (Pursuant to RCW 42.30.110(1)(i)) TO DISCUSS POTENTIAL LITIGATION WITH PIVETTA BROS. CONSTRUCTION, INC.:

At 9:20 am, President Koester announced that there would be a 15 minute executive session to discuss potential litigation with Pivetta Bros. Construction, Inc., pursuant to RCW 42.30.110(1)(i). Marc Montieth, Matt Everett, Jeremy Delmar, Cordelia Ford, Brian Snure, Ken Kase, George Landon, Jack Hendrickson, and Vince Koester were in attendance. At 9:35 am it was publicly announced that the executive session would be extended by 5 minutes. At 9:40 am

it was publicly announced that the executive session would be extended by an additional 5 minutes. At 9:45 am, the executive session concluded and the regular meeting reconvened.

SELECTION OF LEGAL COUNSEL IN THE PIVETTA CONSTRUCTION CLAIM MATTER:

M/S/C authorizing the Manager to retain the services of Stanton Beck, of the Law firm Lane Powell, to represent the District in the construction claim and dispute with Pivetta Bros. Construction, Inc.

COMMISSIONERS RETREAT LOGISTICS:

The Manger presented a draft agenda for the Commissioners Retreat this coming May 1 & 2. He requested input concerning the schedule and content of the retreat. He also inquired about the room requirements and eating preferences of the attendees.

SPRING 2010 NEWSLETTER REVIEW:

The Manager presented a draft of the Spring 2010 Drain Report for the Board's perusal. He requested input on the articles, titles, and graphics. He stated that there is ample time to make changes. He would like to get the final draft to DataBar around the first part of April to ensure that circulation of the newsletter would begin in May.

COMMISSIONER LANDON'S 20TH ANNIVERSARY AS A COMMISSIONER OF THE DISTRICT IS MARCH 14, 2010:

The Manager said that as of March 14, 2010, Commissioner Landon will have been on the Board for 20 years. It was decided that he would receive his 20 year pin at a luncheon the day of the next Board meeting.

KEN KASE'S MANAGER REPORT:

The Manager distributed his written report on his recent activities.

CORDELIA FORD'S OFFICE MANAGER REPORT:

The Office Manager reported:

1. The CPA's completed the field work for the 2009 Financial Statements. The Office Manager is working on the Variance Report to complete the Financial Statements.
2. She is working with US Bank to transition our check processing system to the new bank. Good progress is being made & hopefully by the end of the month the process will be complete.
3. She announced that she will be unable to attend the Commissioner Retreat this year. She has a family commitment out of town.

JEFF GRIFFITH'S OPERATIONS SUPERVISOR REPORT:

Mr. Griffith reported at the last commissioners meeting that in order to qualify for a rebate from PSE that we would have to convert our 4 lamp fixtures to 2 lamps resulting in a 37% reduction in light output. After talking with Stu Craddock of PSE I found that what I reported was incorrect. Stu pointed out that I was looking at the wrong line on his pre approval spreadsheet. We will be able to have all four lamps in each fixture but with a lower output ballast. This will result in 10% more light. The project will cost approximately \$7100 including labor with an expected rebate of \$6650. The yearly savings will be approximately \$480.

M/S/C authorizing the District to proceed with the PSE energy conservation program at the office location.

SKIP GRODT'S ENGINEER'S REPORT:

Mr. Grodt reported on the following:

1. **“As-Builts”** – Deliver “as-builts” for the influent screens and the Marina sewer replacement projects.
2. **NPDES Permit Renewal** – The I&I draft report is complete and the draft wasteload assessment will be complete next week.
3. **Office Generator Design** - progress has slowed until several design issues are settled.

BRIAN SNURE'S ATTORNEY'S REPORT:

Mr. Snure reported on the following:

Collections:

1. There are 4 delinquent customers in bankruptcy.
2. There are 7 delinquent customers in active foreclosures.
3. There are 6 delinquent customers in pending foreclosures.
4. There are 12 delinquent customers subject to Trustee sales.

COMMISSIONERS COMMENTS:

Commissioner Hendrickson indicated that he wanted to be kept informed concerning the Pivetta Bros. Construction, Inc. claim.

The next meeting will be held on March 24, 2010, at the District office at 4:00 pm.

The meeting adjourned at 10:12 a.m.

ATTEST:

KEN J. KASE

JACK HENDRICKSON - SECRETARY