

**MIDWAY SEWER DISTRICT
COMMISSIONERS MEETING
FEBRUARY 22, 2006**

Commissioners Hendrickson, Koester and Landon were present. Also present: Mrs. Ford, Mr. Grodt, Mr. Griffith, and Mr. Kase.

The meeting was called to order by the President at 4:00 p.m.

M/S/C approving the minutes of the Meeting of February 8, 2006.

VOUCHERS:

M/S/C approving Maintenance vouchers #0260140 through #0260177 in the amount of \$55,702.78, including special vouchers #0260141 through #0260143 in the amount of \$761.66. Capital Improvement vouchers #0260005 through #0260007 in the amount of \$56,324.07. Board approval of payment of \$27,812.13 for 23 employees for direct deposit of March draw.

LIENS:

M/S/C approving the liens as presented.

RELEASE OF LIEN:

M/S/C approving the release of lien as presented.

EDUCATION REQUEST – OSHA COMPLIANCE 2006:

The Manager requested authorization to send Kim Hewlett, the District's Safety Officer, to a 2 day training seminar titled, The Essentials of OSHA Compliance 2006. This seminar is to be held April 19 & 20, 2006, in Seattle.

M/S/C approving the request.

REVIEW OF 3RD QUARTER 2005 FINANCIAL STATEMENTS:

The third quarter 2005 financial statements of the District as prepared by Benson & McLaughlin were reviewed by the Board.

**MEETING WITH DES MOINES CREEK BASIN COMMITTEE CONCERNING
DRAFT TRUNK AND OUTFALL USE AGREEMENT:**

The Manager reported that the draft Trunk and Outfall Use Agreement, which reflected the comments and conditions of the Board of Commissioners as discussed at the January 20, 2006 Workshop, had been forwarded to the Basin Committee and they had responded with their own draft agreement. On February 13, 2006, he and the Basin Committee representative, Don Monaghan met to go over the two versions of the agreement. The Basin Committee

representative indicated that they believe that in order to get a lease from the Department of Natural Resources, they must be the owners of the outfall. Mr. Monaghan also indicated that one of the Basin Committee members, WSDOT, would not sign the agreement if the section on 509 relocation costs were included in the agreement. Mr. Monaghan said that the city members of the Basin Committee objected to the non-assumption clause in the agreement. The Basin Committee also did not want to provide the District any property or liability insurance for their use of the District's facilities.

The Board instructed the Manager to find out for certain whether or not DNR would issue a lease to the Basin Committee if they did not own the outfall. They also instructed the Manager to suggest a non-assumption clause that would preclude assumption of the District by the cities for 25 years and following that, any assumption would require a vote of the people in the area to be assumed, with a majority of those voters approving any assumption, before the assumption could proceed. The Board also felt that at a minimum, liability insurance should be provided to the District by the Basin Committee members.

Board action on this Trunk and Outfall Use Agreement awaits an agreement that is satisfactory to all parties involved.

ATTENDANCE AT THE WASWD SPRING CONFERENCE:

The Manager reported that registration applications for the WASWD Spring Conference and Trade Show, to be held April 20 & 21, 2006, in Ocean Shores, have been circulated. He inquired about the Board members intentions concerning attendance at this conference.

M/S/C authorizing the attendance of one Commissioner and up to two staff at the WASWD Spring Conference.

OFFICE MANAGER'S REPORT:

Mrs. Ford had nothing to report.

PLANT SUPERVISOR'S REPORT:

Mr. Griffith reported the network server is currently being replaced by our network administrator who does not do this type of work on a regular basis. As a result she has hired a subcontractor to assist her. He is only available when his other job allows. This causes a bit of inconsistency in the project that resulted in a day when our computers did not function properly.

ENGINEER'S REPORT:

Mr. Grodt reported on the following:

1. Outfall Permits – The draft Hydraulic Project Approval permit has been issued by the State Department of Fish and Wildlife. We had some comments on the provisions of the permit. We made the appropriate comments which we hope to have incorporated into the final permit.

Still waiting to receive the Corps of Engineers permit.

2. Replace and Upgrade Automatic Transfer Switch – The project was advertised starting February 14. As of this date there is only 1 contractor that has asked for plans and specifications.
3. Zenith Pump Station Slope Stabilization – It appears that there is some failure of the recent slope stabilization. A geotechnical engineer will investigate.
4. Mixing Zone Study – The Department of Ecology has raised more questions regarding the mixing zone study. URS is in the process of answering questions.

The next meeting will be March 8, 2006, at the District office at 9:00 a.m.

The meeting adjourned at 4:35 p.m.

KEN J. KASE

ATTEST:

JACK W. HENDRICKSON -SECRETARY