

**MINUTES OF THE June 11, 2012**  
**FREELAND WATER and SEWER DISTRICT**  
**Regular Meeting 5:45 p.m.**  
Meeting Place  
Freeland Library  
5495 South Harbor Avenue  
Freeland, WA.

Present: Commissioner Hansen, Malzone and Abrahamson

Andy Campbell – Certified Operator  
Leslie Clark – Attorney

**CALL TO ORDER:** Commissioner Hansen called the meeting to order at 5:50 p.m. Followed by the Pledge of Allegiance.

**Confirmation of Quorum:** Present

**APPROVE AGENDA:** Com. Abrahamson added to New Business: Letter to Chuck Edwards; Resolution 12-07; Application for WASWD Scholarship. 2<sup>nd</sup>, passed as modified

**Approval of Minutes:** Com. Abrahamson moved approval of April & May minutes as submitted. 2<sup>nd</sup>, passed.

**Commissioner Abrahamson** report on Fiscal Policy workshop. Industry standard is to have 45 days of cash reserves set aside. Com. Hansen: FWSD needs a financial policy.

**Commissioner Hansen:** re: Bob Miller's report on the Harbor Hills capital fund. Audit done at the time acknowledged there was no error. However, there is a legitimate concern of appearance of fairness. Keep looking into the issue.

**Commissioner Malzone** report:

- 1) Public Works Trust Fund application: It was withdrawn by Com. Malzone.
- 2) Centennial Clean Water grant status: He received a draft of the final application ready for signature. Take it up at the June workshop or at the July meeting.
- 3) Tetra Tech contract expires in July 2012. They are currently on-call. His opinion there is no reason to renew. It can be taken up at the workshop on 6/28.
- 4) CAC charter runs out at end of July 2012.

**Terri Campbell** report given by Andy Campbell in Terri's absence:

Terri has not received the financial records yet from Edwards & Assoc. They should be coming soon. Terri will have her report ready for July mtg.

**Andy's Water Maintenance** Report:

Available at District Office

**Citizens Advisory Committee** Report, John Brunke & John Chaffins:

John Brunke presented CAC's PowerPoint Population Study, 20 mins.. Available on-line at FWSD website. Follow-up: ask Doug Kelly from Island County to come speak to the Board. Com. Malzone and John Brunke may give presentation to the County Planning Dept.

**Vouchers:** After reviewing the vouchers presented for payment, Commissioner Malzone moved to approve and sign the following vouchers: 2<sup>nd</sup>, approved.

FWSD Operations & Maintenance – Fund #702 (6-001 thru -010 in the amount of \$29,792.09)  
HH Operation & Maintenance – Fund 702 (6-001 thru -003 in the amount of \$8,845.08)  
SVF Operation & Maintenance – Fund 702 (6-001 thru -002 in the amount of \$81.84)  
FWSD SEWER/CONSTRUCTION – Fund 742 (6-001 thru -003 in the amount of \$4,511.54)

Total All Vouchers: \$43,270.55 presented by Whidbey Water Services

**Unfinished Business:**

- 1) Status of ICTY repayment – Resolution #12-06 – It has been signed by all 3 Commissioners
- 2) Follow-up on letters to District Engineer Candidates requesting statements on how they could benefit the district in the planning process and requesting rate sheet. Letters will be sent on June 12, 2012.
- 3) Statues of HH water rights transfer – paperwork ready for signature.
- 4) Steve Arnold 2006 recovery contract: Steve Arnold presented his view of the recovery contract for costs of putting in water lines at Whispering Firs. Will come back next month with a revised presentation. Comment from FWSD Attorney Leslie Clark: asked if he was represented by attorney. Answer: No. She requested that the original water system agreement and all other info and paperwork be included to process his request and copies be sent to her in advance of next mtg.
- 5) Com. Malzone’s motion on policy of Forming LID solely by Petition – Leslie Clark’s opinion: LID can be formed either by Petition or Resolution, RCW: 57.16.060, first paragraph. Question: does the language give the district the authority to choose one option only. Her advice to the Board: it does not. A Board can’t limit the grant of authority. Circulated Atty Gen’l opinion from May 2012 providing guidance to Counties on whether elected officials can bind their successors to a course of action? No. Recommendation: don’t take action to preclude one method of LID formation. But you can make a non-binding statement of policy. Com. Malzone will think about how to rewrite his policy statement.
- 6) How we request legal counsel, developing procedures for meetings, agendas, dealing w/ contractors. Discuss in a workshop with Leslie Clark.
- 7) Confirm date of workshop with entire CAC
- 8) Date of next workshop: June 28.

**New Business:**

- 1) Letter to Chuck Edwards – motion made to accept letter submitted by Com. Abrahamson to Chuck Edwards requiring pre-authorization for any future expenditures as of June 12, 2012. 2<sup>nd</sup>, passed. Amended by Com. Hansen to include Whidbey Water Services authority to pre-authorize expenditures. 2<sup>nd</sup>, passed. Commissioner Abrahamson will revise, sign for the Board and deliver the letter on 6/12, 2012.
- 2) Commissioner Abrahamson motioned Resolution #12-07 – Transfer \$193.28 owed back to O&M, 2<sup>nd</sup> passed.
- 3) Application for Scholarship to WASWD conference approved for Com. Abrahamson to apply and attend.

**PUBLIC COMMENT:**

Emily Malzone mentioned about having an open meeting for Public Works Trust Fund applications.

**Exective Session:** None

**Meeting Recessed at:** 7:50 pm. **and Continued** to 5:45 June 28, 2012.

Respectively Submitted

Marilynn Abrahamson  
FWSD Commissioner/Secty, Treas.

Approved:

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Commissioner: Eric Hansen

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Commissioner: Lou Malzone

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Commissioner: Marilyn Abrahamson