

**SALLAL WATER ASSOCIATION  
MINUTES FOR JULY 19, 2022 BOARD OF TRUSTEES MEETING  
(In-person and by Zoom teleconference)**

**CALL TO ORDER (QUORUM PRESENT)**

**5:30 PM**

**Board members present:** Ms. Denise Smutny (President), Ms. Daylin Baker (Vice President), Mr. Shawn McKone, Mr. Eric O'Brien, Mr. Larry Costello and Mr. Richard Formisano (Secretary).

**Consultants present:** Mr. Richard Jonson, Attorney, Mr. Mike Johnson, G&O

**Employees present:** Ms. Kristina Parker, Director of Finance & Administration, Mr. Denny Scott, Water Superintendent and Mr. Tree Bergman, Water Operator

**VISTOR COMMENTS (Limit time to 3 minutes):** None

**CONSENT AGENDA**

- Vote to approve minutes for the June 22, 2022 meeting
- Vote to approve consultant statements:
  - Jonson & Jonson - \$10,300.00
  - Gray & Osborne - \$3,516.54
  - Lawhead - \$12,786.04
  - Ahlers Cressman Sleight - \$1,470.00

**Motion 2022-057:** Motion by Ms. Baker and seconded by Mr. McKone to approve the consent agenda consisting of the Board's June 22, 2022, monthly meeting minutes and the consultant statements shown above. Motion carried.

**CONSULTANT STATEMENTS:**

- Akana - \$35,443.90, this invoice exceeds the current contract amount.

**Motion 2022-058:** Motion by Mr. Costello and seconded by Ms. Baker approve raising the limit on Akana's service contract to \$530,204.42 to and to authorize payment to Akana for invoice no. 20017-21 in the amount of \$35,443.90. Motion carried.

## REPORTS

### **ENGINEERING REPORT** *Gray & Osborne/Mike Johnson*

Having met contract requirements, Mr. Johnson recommended release of PCI's Retainage (\$89,147.56) on Well #4 and Reservoir project.

**Motion 2022-059:** Motion by Ms. Baker and seconded by Mr. McKone to approve the release of PCI's retainage in the amount of \$89,147.56 on Well #4 and Reservoir project. Motion carried.

### **ATTORNEY REPORT** *Jonson & Jonson/ Dick Jonson*

King County Franchise Fee Update. Nothing to report with respect to upcoming negotiations with King County.

### **OPERATIONS REPORT** *Mr. Scott*

Mr. Scott reported that production quantities are below last year for June. Chlorine residuals are on target. Have replaced approximately 50 meters in last 2 months. Also found 34 meters programmed to read 8 digits instead of 7 digits required for our system.

**New Member Application:** Ms. Diane Sheehan submitted application and payment for a new membership on May 5, 2022, which predates the interim moratorium. Her property has been on a private well and well has gone dry. Her situation is an emergency because this is an occupied home without potable water supply. Discussion followed.

**Motion 2022-060:** Motion by Mr. O'Brien and seconded by Mr. McKone to approve issuance of Sallal membership for Ms. Diane Sheehan. Motion passed.

### **New Office Project:** *Mr. Tree Bergman*

Mr. Bergman reported on the status of construction and two proposed change orders.

- **Change Order #21:** In response to RFI#93, it was discovered that Fan Coil Units #2 & #3 for the HVAC system require a 208 VAC, 20 amp, 2 pole circuit vice a 120VAC, 20 amp, single pole as required per drawings E7-1 & E3-1. This change order is for material and labor to rewire FC-2 & FC-3 with a 208VAC, 20amp, 2pole circuit breaker. Since both parties could not agree to additional contract time, language was added to the change order reserving the right for HiMark to pursue additional contract time under the Contract as well as both parties reserving all rights and defenses to any request by HCMI for additional contract time. Since RD is not immediately

available to approve and sign the change order and rather than wait a few weeks for RD signature, HiMark will be given assurance that Sallal will pay the monetary amount of this change order if RD decides not approve it.

**Motion 2022-061:** Motion by Mr. McKone and seconded by Ms. Baker to approve amended Change Order #21 in the amount of \$1,475.40 and authorizing Sallal to self-fund the monetary amount of this change order should RD not approve it. Motion carried.

- **Change Order #22:** Due to FAA regulations the antenna chosen to enable wireless control of the entrance gate is no longer capable of the range needed for our application. This change order is for material and labor to install a hardwired connection to control the opening & closing of the gate. As with Change Order #21 language has been added granting HiMark the right to pursue additional contract time under the contract (subject to defenses) and assurance Sallal will pay the monetary amount of this change order if RD decides not to approve it.

**Motion 2022-062:** Motion by Mr. Formisano and seconded by Ms. Baker to approve amended Change Order #22 in the amount of \$8,931.45 and authorizing Sallal to self-fund the monetary amount of this change order if RD decides to not approve and sign it. Motion carried.

- **Pay estimate #13 in the amount of \$154,107.49.**

**Motion 2022-063:** Motion by Mr. McKone and seconded by Mr. O'Brien to approve the invoice for \$154,107.49 with the exception of the CPM schedule. Motion carried.

**EXECUTIVE SESSION:** None

#### **BUSINESS REPORT Ms. Parker**

- **Business Update:** Onsite audit begins August 1st.
- **Motion 2022-064:** The Board reviewed the motion made by email on 7/11/2022, charging HMCI with liquidated damages for late performance under the Hi Mark Construction, Inc. Contract for Sallal Water Association Headquarters. Discussion followed. Motion to ratify the 7/11/22 email motion was made by Ms. Baker and seconded by Mr. Costello. Motion passed unanimously.

**UNFINISHED BUSINESS:** Nothing to report

**NEW BUSINESS:** Nothing to report

**ITEMS TO TRACK & COME BACK TO IF THERE IS ACTIVITY:** None

**COMMITTEE REPORTS**

**MEMBER ADVISORY COMMITTEE** *Ms. Parker*

Nothing to report

**CONSERVATION COMMITTEE** *Ms. Parker*

Nothing to report

**MOTION TO ADJOURN:** Motion to adjourn meeting at 6:10 pm was made by Mr. McKone and seconded by Ms. Baker. Motion carried.

**Next scheduled meeting:**

**Board & Emergency Interim Moratorium Public Meeting: Tuesday, August 16, 2022 at 6 pm**