

Consolidated Diking Improvement District No. 1

Board of Supervisors Meeting Minutes

CDID No. 1 Office, 5350 Pacific Way, Longview, Washington

March 8, 2022

The Regular Meeting of the Board of Supervisors of Consolidated Diking Improvement District No. 1 was called to order by Chair, Tim Kilmer, at 9:00 a.m., March 8, 2022.

Present:

Board of Supervisors:

Tim Kilmer, Chair
Bill Hallanger, Vice-Chair
Sherry Bean, Secretary

Staff:

Amy Blain, District Manager
Morgan Atkins, Admin. Finance Assistant
Chance Cox, Operations Foreman

Legal Counsel:

Dave Spencer

Agenda

The following item was added to the agenda:

New Business

- Advisory Committee Vacancy

A motion was made and seconded to approve the agenda as amended. Motion carried.

Minutes

On a motion made, seconded and carried the reading of the minutes of the CDID No. 1 Board of Supervisors regular meeting, held on February 22, 2022, copies of which had been submitted to the Board, was waived and the minutes were approved as if read.

Stormwater Manager's Report

Steve Haubner, City of Longview Stormwater Manager, was absent from the meeting.

Permit No. 22-01, Fence in Ditch No. 6 Right-Of-Way

Ms. Blain presented an Encroachment Permit application submitted by Bruce and Janice Stoner, 3223 Pacific Way, for installation of a fence within the Ditch No. 6 right-of-way (ROW). Ms. Blain recommended approval stating the District maintains from the opposite side of the ditch and noted the proposed fence would extend around an existing tree slightly onto District property.

Following discussion, a motion was made and seconded, to approve Permit No. 22-01, Fence in Ditch No., 6 Right-Of-Way, as submitted. Motion carried.

Permit No. 22-02, Fence in Drain No. 17 Easement

Ms. Blain presented an Encroachment Permit Application submitted by Tarrell Cline, 4400 Ohio Street, for a fence in the Drain No. 17 easement. Ms. Blain recommended approval explaining the proposed fence encroaches approximately 10 feet in the easement and the area is maintained from the opposite side of the drain and is inaccessible for District equipment.

A motion was made and seconded, to approve Permit No. 22-02, Fence in Drain No. 17 Easement, as submitted. Motion carried.

Permit No. 22-03, Fence on Ditch No. 2 Easement

Ms. Blain presented an Encroachment Permit Application submitted by Gage Brown, 3215 William Avenue, for a fence along the District's Ditch No. 2 easement. Ms. Blain explained the District has 50 feet of easement from center of the ditch on both sides, recommending the fence be allowed under the condition 22 feet remains clear between the top of ditch bank and the proposed fence for access. Ms. Blain reported Mr. Brown preemptively placed fence posts 6-7 feet from the top of ditch bank and has been contacted for removal/relocation.

Following discussion, a motion was made and seconded, to approve Permit No. 22-03, Fence on Ditch No. 2 Easement, as submitted subject to 22 feet of clearance from top of ditch bank. Motion carried.

Engineer's Report

Project No. 22-11, Coal Creek Paving: Amy Blain, District Manager, reported Carney Construction is removing additional layers of asphalt located under the layer removed by Cowlitz County Public Works. Ms. Blain reported Carney Construction placed fabric on the subgrade and compacted rock overtop to prep for paving. Ms. Blain noted a few sink holes were discovered near the adjacent concrete bridge from deteriorating piling that will be excavated, filled and compacted with rock prior to paving.

Operations Foreman Report

Chance Cox, Operations Foreman, reported on the following maintenance activities:

- Stop logs at the 48th Avenue Pump Station debris boom came loose from the anchor. Mr. Cox stated water levels allowed the District crew to repair.
- Cleaning material from the Ditch No. 6 trailhead. District staff traced the culvert and found where material is presumed to be coming from areas above Glenwood

and Lynn Place. Erosion control is being discussed to reduce the amount of material discharging.

- Mowing with the zero-turn riding lawn mower along Memorial Park Drive.

Project No. 22-13, Excavator Purchase: Summit Machinery received the Link-Belt excavator and are fabricating attachments.

Attorney's Report

New Contract with Lakeside Industries: Dave Spencer, Legal Counsel, reviewed and recommended approval of the contract with Lakeside Industries for Project No. 22-11, Coal Creek Paving.

A motion was made and seconded, to approve the contract between CDID No. 1 and Lakeside Industries as presented. Motion carried.

New Business

Participation Agreement to Accept Mitigation Payments: Ms. Blain requested the District consider a participation agreement to accept mitigation payments in lieu of stormwater detention. Ms. Blain explained there have been several developers interested in purchasing stormwater detention beyond the available capacity, or in areas not eligible for regional detention, and stated mitigation payments could be a valuable option. Ms. Blain stated the mitigation payments would need to be evaluated on a case-by-case basis but could be an opportunity to fund capacity and/or reliability improvements such as an automated raking system, generator capability, etc., as long as the District can accommodate the additional runoff. Ms. Blain reported a model for determining the fee for mitigation is still in discussion, noting regional detention calculations could be a gauge, and she's requested examples of how the City calculated fees in similar situations. The new proposed agreement is strictly information at this time and in draft form.

Stormwater Manual Update: The District recently updated the Stormwater Manual to standardize procedures for dealing with illicit discharge detection and elimination (IDDE), more specifically those who fail to act when notified multiple times of their responsibility to clean up illicit discharges. The updates establish a formal procedure for enforcement of IDDE violations with increasing urgency and diminishing deadlines. The policy is as follows, with standardized notices to document due diligence on behalf of the District and lack of compliance on behalf of the offending party:

1. Notice Letter
2. Notice and Order
3. Notice of Penalties
4. Enforcement of Penalties
5. Collection of Penalties

Supervisor Kilmer suggested reiterating the date first notice was sent in the second notice. Ms. Blain stated the date can be added to the second notice, noting the Longview Police Department (LPD) has been helpful with Revised Code of Washington (RCW) and Longview Municipal Code (LMC) research along with delivering notices to repeat illicit discharge offenders. Supervisor Hallanger suggested noting other law enforcement agencies since the District boundary extends into Kelso and parts of Cowlitz County.

Following discussion, a motion was made and seconded, to approve changes to the District's Stormwater Manual as proposed, with the addition of referencing hazardous waste and editing the second notice to include the date of the first notice. Motion carried.

Advisory Committee Vacancy: Ms. Blain reported Tom Stalick resigned from the CDID No. 1 Advisory Committee. Ms. Blain stated Mr. Stalick was appointed to the Advisory Committee by the District and recommended appointing Mimi Falcon, Nippon Dynawave, to the vacant position.

A motion was made and seconded, to appoint Mimi Falcon, Nippon Dynawave, to the CDID No. 1 Advisory Committee. Motion carried.

Mask Mandate: Washington Governor Inslee recently announced in Washington, indoor masking requirements will be lifted as of 11:59 p.m. on March 12, 2022. The Board of Supervisors authorized the District Manager to open the District Office to the public effective March 14, 2022 and hold in-person Advisory Committee Meetings in accordance with current guidance from the Washington State Governor's Office.

Old Business

CDID No. 1 Operator Applicants: Ms. Blain reported there 13 applicants applied by the February 28, 2022 deadline. Ms. Blain stated 4 applicants will be interviewed this week.

Board of Supervisors Report

The Board of Supervisors had nothing new to report.

Approval of March 8, 2022 Claim Summary

After review of District claims, a motion was made and seconded to approve and execute the March 8, 2022 Claim Summary submitted in the amount of \$34,665.55. Motion carried.

Approval of the February 2022 Board of Supervisors Time and Expenses

Upon a motion made, seconded and adopted, the Board of Supervisors' February 2022 Time and Expense were approved. Motion carried.

Ratification of February 28, 2022 Payroll and Benefits

Upon a motion made, seconded and adopted, the payroll and benefits expenditures for the pay period ending February 28, 2022 were approved in the amount of \$30,674.98. Motion carried.

Adjourn Meeting

There being no further business, the meeting adjourned at 10:00 a.m.

The next regular Board of Supervisors' meeting is scheduled for March 29, 2022.

The Advisory Committee meeting is scheduled for March 17, 2022 via Zoom.

Tim Kilmer, Chair

Sherry Bean, Secretary

Bill Hallanger, Vice-Chair