

## Consolidated Diking Improvement District No. 1

### Board of Supervisors Meeting Minutes

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

April 12, 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., April 12, 2022.

#### Present:

#### Board of Supervisors:

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

#### Staff:

Amy Blain, District Manager  
Chance Cox, Operations Foreman  
Greg Bardal, Operator

#### Legal Counsel:

Dave Spencer

#### Guests:

Steve Haubner, City of Longview  
Frank Randolph, Randolph Law Firm  
Art Carney, Carney Construction

### Agenda

#### Engineer's Report:

- ~~Project No. 22, Fishers Lane Parcels 08103, 08103-01, 08103-0300~~
- Project No. 22, Cowlitz Levee Parcels 08103, 08103-01, 08103-0300

#### Attorney's Report:

- Open Public Meeting Act Changes

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 March 29, 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, reported the following:

The City's 38<sup>th</sup> Avenue and Oak Street pump station replacement project will construct significant storm drain improvements along Oak Street and a new outfall on Drain No.

12. Mr. Haubner noted the City agreed to add a concrete approach to improve District access.

There are two prospective development projects in the pre-application stage: Olive Way/Shelly Place subdivision and expansion of J.H. Kelly. Both are interested in purchasing Regional Stormwater Detention. Mr. Haubner brought up culvert repairs discussed on Ditch No. 13 for the Olive Way/Shelly Place subdivision. Ms. Blain noted this location had a sinkhole temporarily repaired and will be investigated this summer. Ms. Blain stated the developer will have to rehabilitate the first 100 lineal feet and the District may choose to do additional repairs upon inspection. Ms. Blain noted the developer will be responsible for repair costs in addition to fees owed for the purchase of Regional Stormwater Detention.

The J.H. Kelly expansion of their facility on 3<sup>rd</sup> Avenue is preliminary and will discharge to Ditch No. 4. Mr. Haubner stated J.H. Kelly plans to purchase Regional Stormwater Detention for Ditch No. 4.

The Longview Business Park project on Alaska Street near Ditch No. 3 is nearing completion. Mr. Haubner noted their erosion control passed inspection but testing of their detention system failed inspection. The contractor is attempting to determine the best repair method using liners or pipe sealing. Mr. Haubner noted there is little expectation from the City for zero leakage into surrounding groundwater.

A reduced Earth Day Festival by the City of Longview Park and Recreation Department will be held on April 30, 2022 in conjunction with the Longview Rotary annual Fish-In at Lake Sacajawea.

### **Engineer's Report**

Amy Blain, District Manager, reported on the following:

Project No. 22-03, Ditch Maintenance Services: Carney Construction is seeing increased operating cost due to inflated fuel prices. Ms. Blain stated when the District renewed Carney Construction's agreement for 2022, diesel prices were significantly lower and Carney Construction has asked if they can amend their agreement to mitigate for fuel increases. Ms. Blain presented the following changes:

Equipment Description	Est. Fuel Efficiency (Gal./Hr.)	Base Rate (\$/Hr.)	Fuel Surcharge (\$/Hr.)	Total Rate (\$/Hr.)	Upper Threshold (\$/Hr.)
305 Mini Excavator	1.87	105.00	3.74	108.74	111.24
Excavator (15 to 20 tons)	3.75	140.00	7.50	147.50	150.00
Excavator – 40 Ft. Long Teach	3.75	202.00	7.50	209.50	212.00
D4H Cat	3.75	9800	7.50	105.50	108.00
Grader (120 Cat)	3.75	130.00	7.50	137.50	140.00
Loader	3.75	130.00	7.50	137.50	140.00
Compactor (60" Drum)	3.75	110.00	7.50	117.50	120.00
Roller (Grid)	3.75	110.00	7.50	117.50	120.00
Dump Truck	5.0	135.00	10.00	145.00	147.50
Dump Truck w/Sealed Tailgate	5.0	140.00	10.00	150.00	152.50
Truck & Trailer	5.0	195.00	10.00	205.00	207.50

2300 Gallon Water Truck	4.0	120.00	8.00	128.00	130.50
Laborer Pickup	2.5	35.00	5.00	40.00	42.50
Flagger Pickup	2.5	30.00	5.00	35.00	37.50

Ms. Blain explained the fuel charge (\$/hour) = estimated fuel efficiency (GHP) x [Average Monthly Fuel Cost (\$/gal.) – Baseline Fuel Cost (\$/gal.)] where the Baseline Fuel Cost is \$3.50/gallon and the Upper Threshold is Total Hourly Rate + \$2.50/hour. Dave Spencer, Legal Counsel, stated an increase is required to avoid penalizing Carney Construction and recommended the Board of Supervisors approve the contract amendment. Art Carney, Carney Construction, stated he is not trying to profit from fuel increases, but they have inflated enough to be taken into consideration. The fuel surcharge being requested is not retroactive.

Following discussion, a motion was made and seconded to amend the Agreement for Services of Independent Contractor with Carney Construction to raise hourly rates to reflect a fuel surcharge. Motion carried.

Project No. 22-16, Cowlitz Levee Parcels 08103, 08103-01, 08103-0300: Ms. Blain recommended purchasing parcels 08103, 08103-01, and 08103-0300 on the Cowlitz River levee along 1<sup>st</sup> Avenue, south of the old Charlie's Restaurant. Ms. Blain explained the property acquisition provides levee ownership and control, improved maintenance access, and a potential partnership with the City for a public kayak launch. Ms. Blain noted the City owns several adjacent parcels to the south, and Cowlitz County owns all but one parcel to the north. The property owner refuses to sell to the City, but has agreed to sell to the District for the assessed value of \$10,000 per parcel with escrow and recording fees at a total purchase price of \$32,239.09. Ms. Blain stated an agreement was reviewed by Legal Counsel and recommended with the Board's approval to purchase the properties.

A motion was made and seconded to approve the purchase of parcels 08103, 08103-01 and 08103-0300 at a cost of \$32,239.09. Motion carried.

### **Operations Foreman Report**

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

- Mowing complete along the Cowlitz river and most of the Columbia River levees. The zero-turn riding lawn mower was used to mow under the powerlines at 50<sup>th</sup> Avenue and Oriole Drive near the North Cutoff Slough and by the Robbins addition.
- Rocking around the discharge pipes at Reynolds Pump Station.
- Raking screens at 38<sup>th</sup> Avenue. Mr. Cox noted to flush through PH imbalance foam screens will be pulled at 38<sup>th</sup> Avenue, 36<sup>th</sup> Avenue and Ditch No. 2 for the summer to avoid complaints of smell and foam backup.
- Pre-emergent herbicide spraying weather dependent.

### **Attorney's Report**

Open Public Meeting Act Changes: Mr. Spencer stated changes have been made to the Open Public Meetings Act (OPMA) as follows:

1. Bar for posting agenda online is now much higher.
2. Public comment required at all regular meetings.
3. Strongly encouraged to provide increased public access via remote meetings and made recordings available online for six months.

Mr. Spencer stated the District follows all these guidelines, but recommended adding a provision for public comment at District meetings and to make recorded public meetings available on the District's website. Mr. Spencer stated he will amend current provisions and have them available at the next regular meeting.

### **Board of Supervisors Report**

The Board of Supervisors had nothing new to report.

### **Approval of April 12, 2022 Claim Summary**

After review of District claims, a motion was made and seconded to approve and execute the April 12, 2022 Claim Summary submitted in the amount of \$31,596.46. Motion carried.

### **Approval of the March 2022 Board of Supervisors Time and Expenses**

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

### **Ratification of March 31, 2022 Payroll and Benefits**

Upon a motion made, seconded and adopted, the payroll and benefits expenditures for the pay period ending March 31, 2022 were approved in the amount of \$63,835.55. Motion carried.

### **Adjourn Meeting**

There being no further business, the meeting adjourned at 9:50 a.m.

The next regular Board of Supervisors' meeting is scheduled for April 26, 2022.

The Advisory Committee meeting is scheduled for April 21, 2022.

\_\_\_\_\_  
Tim Kilmer, Chair

\_\_\_\_\_  
Sherry Bean, Secretary

---

Bill Hallanger, Vice-Chair