

KING CONSERVATION DISTRICT

Board of Supervisors

Meeting Minutes

August 11, 1999

1 **Supervisors Present:** Bill Niccolls, Chair, Lynn Sullivan, Vice Chair, Chris Tiffany,  
2 Secretary/Treasurer

3 **Associate Supervisors:** Max Prinsen, Pat O'Hanley

4 **Guests Present:** Brian Murray (King County for Nancy Hansen), Angie Lewis (American  
5 Rivers)

6 **Staff Present:** Sandi Krenkel, Lyle Stoltman, Elizabeth Weldin, Rick Reinlasoder

7 **NRCS Present:** Joe Henry

8 The meeting was called to order at 6:04pm. Bill Niccolls, Chair presided.

9 **Agenda Confirmation:**

10 • Add discussion of quarterly report with regards to CREP

11 • Review King County Non-competitive Grant Proposal

12 **Guest Introduction:** Angie Lewis from the Non-profit Group, American Rivers, introduced  
13 herself and Rick Reinlasoder and Elizabeth Weldin, two new employees of the District  
14 introduced themselves.

15 **Presentation by Angie Lewis of American Rivers:**

16 Bill Niccolls who invited her to speak at the District meeting introduced Ms. Lewis. He  
17 informed the Board that he welcomed the presentation as an example of how other regions in  
18 Washington State are responding to salmon recover. Ms. Lewis presented the pros and cons of  
19 partially removing four dams for the benefit of salmon recovery along the Snake River in  
20 Southeastern Washington. At the end of her talk she distributed a petition form and postcards  
21 that could be sent to individual state and federal representatives.

22 **Approval of Minutes:**

23 **M(Tiffany/S(Wallace)/P a motion to approve the July 14, 1999 minutes as presented.**

24 **Dairy Waste Injector Implementation Project Grant Budget:**

25 Sandi presented proposed Resolution No. 99-08 to amend the 1999 Budget to include the Dairy  
26 Waste Implementation Grant the District received from the King County Department of Natural  
27 Resources.

28 **M(Wallace)/S(Sullivan)/P Resolution 99-08 amending the 1999 Annual Budget and Work**  
29 **Plan to include the Dairy Waste Injector Implementation Project.** (Tiffany absent from  
30 table)

31 **Watershed Forum Non-competitive Grants:**

32 Bill Niccolls introduced a memo he had received from Nancy Hansen in reference to the motion  
33 and vote on award of Non-competitive Grants to the Watershed Forums. In the memo Hansen  
34 stated: "It has been brought to my attention that it may have been inappropriate of me to  
35 participated in a vote at the King Conservation District Board meeting on July 14, 1999  
36 regarding approval of Watershed Forum grant applications. In order to avoid any possible  
37 appearance of conflict of interest, I should have recused myself from the vote at that time. I  
38 apologize for any inconvenience this may have caused the District, and trust the Board will take  
39 any necessary steps to redo the Board action if that is warranted. I will also take care to address  
40 any possible appearance of conflict of interest in the future."

41 Niccolls suggested re-voting on the same motion as at the July 14, 1999 meeting without Hansen  
42 participating as a means to validate the award of the grants. Sullivan stated that she thought a re-  
43 vote on the motion would address any invalidation caused by Hansen's participation. Tiffany  
44 stated that in her opinion re-voting on the same motion would not void the action at the last  
45 Board meeting. Prinsen agreed with Tiffany and stated that the motion was tainted by Hansen's  
46 participation. He said that the minutes from the last meeting could not be undone by re-voting  
47 on the same motion at this meeting. O' Hanley agreed that the previous motion was tainted.  
48 Wallace asked why the Board was required to re-consider the awards. Krenkel stated that the  
49 participation on the part of Hansen in the decision to award the grants, by seconding the motion  
50 and voting on it, makes the action null and void according to state law. This interpretation had  
51 been made by a representative of the State Auditor, who is continuing to audit the District's  
52 records for Urban Resources Partnership Program, and is aware of the on-going activities of the  
53 District.

54 Tiffany suggested that the Board consider a new motion using the same language as the previous  
55 one, but add language that requires the grants be awarded through a contract with each  
56 jurisdiction. She said that this motion then becomes a new action because of the addition of the  
57 requirements for contracts. Sullivan agreed to put forward this motion and referred back to the  
58 minutes from July 14, 1999. Upon reading the motion on lines 111 through 121, she decided she  
59 could not put forward the motion with the language concerning the City of Snoqualmie and the  
60 need for them to sign an agreement with the Army Corps of Engineers that they are equally  
61 responsible for compliance with environmental regulations. She stated that she did not think  
62 there was sufficient time for an agreement to be signed between the City and the COE in order to  
63 allow the work to go forward.

64 Discussion ensued regarding the importance of requiring this agreement to be signed prior to the  
65 District signing the contract with the City of Snoqualmie. Tiffany stated that she thought it was  
66 important because, in her experience as an inspector for King County DDES, she was aware of  
67 two incidents in the past year where King County was the permittee and the COE was the agency  
68 administering the contract and environmental regulations had not been complied with. She said  
69 that King County did not have authority to shut down the projects or make the contractor comply  
70 with the permit. Krenkel stated that the dredging of the Cedar River was another example where  
71 the City of Renton held the permits and the COE administered the contract. The Cedar River  
72 had been over-excavated beyond what was allowed in the permit and approved plans. Tiffany

73 stated that she thought it was important that the District require the agreement be signed in order  
74 to allow for another layer of environmental protection. Wallace thought there was sufficient  
75 protection without the agreement and Sullivan thought it was a good idea, but did not want to  
76 delay the project. Wallace did not want to delay the project either. Prinsen thought that it was  
77 important to take a stand for additional environmental protection.

78 Two motions were put forward:

79 **M(Sullivan)/S(Wallace)/P a motion to award the non-competitive grants submitted May 28,**  
80 **1999 by the King County Department of Natural Resources, Water and Land Resources**  
81 **Division, pursuant to the recommendations made by the District Board of Supervisors**  
82 **Watershed Forum Noncompetitive Grant Sub-committee for the Cedar, Sammamish,**  
83 **Green/Duwamish Forums, subject to caveats noted in the matrix developed by the Sub-**  
84 **committee and for the Snoqualmie Forum, except for the City of Snoqualmie, with the**  
85 **caveats noted in the matrix and the additional caveats determined through Board**  
86 **discussion, namely that North Bend, Carnation and Duvall comply with the provisional**  
87 **contract agreements suggested by the Regional Water Quality Committee in their July 14,**  
88 **1999 letter to Lynn Sullivan. Additionally authorize the chair to sign contracts with**  
89 **recipients of non-competitive grant funds after a approval of the contracts by the District's**  
90 **attorney.**

91 **M(Wallace)/S(Sullivan)/P(Wallace and Sullivan (Yes) and Tiffany (No)) a motion to award**  
92 **the City of Snoqualmie with the non-competitive grant subject to the caveats noted in the**  
93 **matrix developed by the Watershed Forum Noncompetitive Grant Sub-committee for the**  
94 **Snoqualmie Forum with the caveats noted in the matrix developed by the sub-committee.**  
95 **Additionally authorize the chair to sign a contract with the City after approval of the**  
96 **contract by the District's attorney.**

97 Tiffany requested that the issue of how the Board will address Hansen's participation in the vote  
98 on July 14, 1999 be put on the agenda for the September board meeting. She suggested that the  
99 Board consider censuring Hansen.

#### 100 **Farm Plan Status Report:**

101 Krenkel informed the Board that farm plans are on track and presented a report.

#### 102 **Treasurer's Report:**

103 The Board reviewed the report and Tiffany asked if there were any questions. There was a  
104 question about why printing and binding was over budget and Krenkel explained that the cost of  
105 printing quarterly reports and budget/work plan amendments was more than predicted. Tiffany  
106 suggested that the Finance Committee meet and preliminarily approve a revised budget to allow  
107 spending to continue to occur in this category.

108 Niccolls asked how are we doing (related to budget), and Krenkel said we were in pretty good  
109 shape and that that there has been good partnerships occurring this year.

110 **M(Tiffany)/S(Wallace)/P a motion to ratify checks numbering 4968 to 5012 in the amount**  
111 **of \$53,777.85 for the period of July 16, 1999 to August 15, 1999 for payment of salaries and**  
112 **obligations of the District.**

113 Tiffany noted that as a point of clarification that the minutes from the last meeting on line 192  
114 state that the period of time is June 16, 1999 to July 25, 1999. It should read June 16, 1999 to  
115 July 15, 1999.

116 **Miscellaneous Topics:**

117 Attorney communication- Niccolls requested that if anyone needs to talk to the attorney that they  
118 should check with Sandi first so we exceed our budget on this item.

119 Dairy Nutrient Management Plan Approval- Tiffany stated that the Dairy Waste Sub-committee  
120 had made up of Chris Tiffany, Scott Wallace, and Pat O'Hanley had met prior to the Board  
121 meeting and discussed a process of approval for the Dairy Nutrient Management Plans. She  
122 informed the Board that the Conservation Commission had developed a checklist of what should  
123 be in the plan. The sub-committee had agreed to require staff to revise the checklist so it  
124 documents where the required items can be found in the file. Once the form was revised the sub-  
125 committee would review it. In the future, the staff will be required to answer yes to all of the  
126 items on the checklist in order to request Board approval of the plan. The sub-committee will  
127 spot check files on a monthly basis and approve them if all of the items are completed. Once the  
128 sub-committee approves them, then the Board chair could be authorized to sign off on them.

129 Additionally staff was asked to prepare a list of dairy farmers in King County and what is their  
130 priority and status of completing nutrient waste management plans.

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135 Three dairy farmers need approval as soon as possible in order to receive cost share funds. The  
136 sub-committee will review them as soon as the staff completes the checklist and forward them to  
137 the District Chair for signature.

138 **Water Quality Implementation/Education Project Grant Approval:**

139 Sandi presented a contract that includes a budget and work plan for the non-competitive grant  
140 from the Conservation Commission for Water Quality Implementation and Education.

141 **M(Tiffany)/S(Wallace)/P a motion to authorize the chair to sign the contract for the**  
142 **Conservation Commission 99-09-IM grant.**

143 **King County Non-competitive Grant Proposal:**

144 Sandi presented a proposal from King County Department of Natural Resources for award of  
145 King County's \$1.00 portion of the \$5.00 assessment. Discussion ensued, and it was determined  
146 that the Board would not approve the request at this time. They requested that Krenkel return the  
147 proposal and request that King County submit a more detailed work plan and budget. Also the  
148 Board requested that the signature have his or her name printed below the signature, as it is  
149 illegible.

150 **Old business:**

151 Sullivan had a question about the quarterly report, specifically about the \$50,000.00 spent for the  
152 CREP grant. .

153 Krenkel informed her that it was used for GIS, sweatshirts, CAD training, wages & benefits,  
154 AutoCAD software, printer, color printer, and postage.

155 New Business: None at this time.

156 **M(Tiffany)/S(Wallace)/P a motion to adjourn meeting.**

157 The meeting was adjourned at 9:20 PM.

158

159

160 \_\_\_\_\_

161 Authorized Signature

\_\_\_\_\_ Date

162

163

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**Index of Motions**

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