

**Skamania County Public Utility District #1**  
**Regular Meeting of the Board of Commissioners**

June 6<sup>th</sup>, 2011

A regular meeting of the Board of Commissioners was called to order by President Dennis Gale at 9:00 am at the PUD office in Carson, WA. The following persons were present: Commissioner Curt Esch; Commissioner Clyde Leach; Commissioner Dennis Gale; Manager, Bob Wittenberg; Auditor, Jasen McEathron; Attorney, Ken Woodrich; Work Order Specialist/HR Coordinator, Shonna Taylor.

Commissioner Gale opened the Public Meeting outlining his expectations for the meeting and established certain parameters for public comment given the large number of public member attendees. Commissioner Gale requested that each public member wishing to speak sign in on the roster provided, limit comments to three (3) minutes, Attorney Woodrich would be responsible for tracking the time, and respect be granted to each person speaking. Commissioner Gale did establish that Manager Wittenberg would be the first to speak and be allowed to speak without time limitation.

**MINUTES**

- Commissioner Leach made a **motion** to approve the May 16<sup>th</sup>, 2011 regular meeting minutes. Commissioner Esch **seconded** the motion and the minutes were **approved unanimously**.
- Commissioner Gale requested edits to the Public Comment section of the May 24<sup>th</sup>, 2011 special meeting minutes. Commissioner Esch made a **motion** to approve the May 24<sup>th</sup>, 2011 minutes as corrected. Commissioner Leach **seconded** the motion and the minutes were **approved unanimously**.

**PUBLIC COMMENT**

- Manager Wittenberg – Protest of Resolution No. 2374 and provided his statement in writing for the record.
- Larry Krug – Supported the dismissal of Manager Wittenberg and provided his statement in writing for the record.
- Liz Green – Supported the dismissal of Manager Wittenberg.
- Sherry Esch – Rescinded her request to speak.
- Floyd Richards – Suggested Manager Wittenberg tender his resignation.
- Chris Ford – Requested Commissioner Gale & Commissioner Esch tender their resignations, and supported the retention of Manager Wittenberg.
- Judith Lanz – Supported the retention of Manager Wittenberg.
- Mary Repar – Supported the retention of Manager Wittenberg and provided her statement in writing for the record.
- Bob Talent – Offered his views of personnel actions.
- Faye Brehm – Supported the retention of Manager Wittenberg.
- Sally Newell – Suggested Resolution No. 2374 be suspended until mediation is sought.
- Diane Henrichsen – Supported the dismissal of Manager Wittenberg.
- Lynn Weyand – Supported the retention of Manager Wittenberg.
- Tom Drach – Voiced his concerns regarding the direction of the PUD and supported a change in management.
- Gordon Carlson – Advocated for transparency in PUD operations and supported the dismissal of Manager Wittenberg.

- Brian Adams – Supported the retention of Manager Wittenberg.
- Matt Callicrate – Advocated for transparency and supported the retention of Manager Wittenberg.
- Helen Paules – Supported the dismissal of Manager Wittenberg.
- John Hardham – Supported mediation and the retention of Manager Wittenberg.
- Shawn Dickenson – Supported the retention of Manager Wittenberg.
- Cam Thomas – Supported the retention of Manager Wittenberg.
- Rebecca Stonestreat – Supported mediation and suggested voluntary mediation services.
- Commissioner Leach – Supported the retention of Manager Wittenberg and protested the resolution to dismiss Manager Wittenberg.
- Commissioner Esch – Defended his actions as a Commissioner.
- Gloria Howell – Offered her views and experiences on the public process.
- Commissioner Gale – Defended his actions as a Commissioner.

Commissioner Gale introduced Jasen McEathron as the new PUD Auditor.

Commissioner Gale announced a 10 minute break, immediately followed by a 1 hour executive session.

Break at 10:15am.

### **ATTORNEY'S REPORT**

The Commission went into Executive Session at 10:25 am to to discuss potential litigation (RCW 42.30.110 (1)(i)), consideration of candidate for public employment (RCW 42.30.110 (1)(g)), & review performance of a public employee (RCW 42.30.110 (1)(g)); for a duration of 1 hour. Executive Session attendees: Commissioner Clyde Leach; Commissioner Curt Esch; Commissioner Dennis Gale; Auditor, Jasen McEathron; and Attorney, Ken Woodrich.

Executive Session was extended for 15 minutes.

Executive Session was extended for 5 minutes.

Executive Session concluded at 11:45am.

Public Meeting reconvened at 11:47am.

Commissioner Gale stated in accordance with advice from legal counsel, there will be no public discussion of employee performance.

### **OLD BUSINESS**

- **Resolution #2374 – Removing District Manager:** Commissioner Gale opened up to the Board for discussion Resolution #2374, originally introduced at the previous regular meeting of May 16<sup>th</sup>, 2011, to remove the District Manager Robert Wittenberg effective June 6<sup>th</sup>, 2011. Discussion was held.

Commissioner Gale read Resolution #2374 to remove the District Manager Robert Wittenberg effective June 6<sup>th</sup>, 2011. Commissioner Esch made a **motion** to approve Resolution #2374, Commissioner Gale stepped down and **seconded** motion. Discussion was held. Commissioner Gale called for the vote, the **motion carried by 2 to 1 vote**. Commissioner Leach opposed stating there are other ways to negotiate the situation and there was no good reason for firing him.

- **Union Proposal – Settlement of Occupational Disability Issue:** Commissioner Gale provided an overview of the issue. Auditor McEathron & Attorney Woodrich provided a briefing of the settlement and presented a Memorandum of Understanding (MOU) signed by the Union to the Board for review. Commissioner Esch made a **motion** to allow Auditor McEathron to sign the MOU as presented on behalf of the PUD. Commissioner Leach **seconded** the motion, and the **motion was carried unanimously**. Discussion was held regarding the process for negotiating and approving future MOU's.
- **Resolution #2375 – Delegating Managerial Powers to the Auditor:** Commissioner Gale read Resolution #2375 delegating Managerial powers to the District Auditor in accordance with RCW 54.16.100. Commissioner Esch made a **motion** to approve Resolution #2375, Commissioner Leach **seconded** the motion with reservations, and the **motion was carried unanimously**.
- **REP Settlement Agreement:** Commissioner Gale provided an overview of the residential exchange settlement agreement, citing the Board had rejected the previous settlement agreement. Commissioner Esch provided further information. Discussion was held. No action was taken.
- **WECC Reliability Compliance:** Commissioner Esch provided an overview of his research into WECC Reliability Compliance.

## **NEW BUSINESS**

- **Compensatory Time:** Commissioner Esch wanted the statement of Manager Wittenberg verified that certain PUD employees have thousands of hours of comp time and whether the PUD had a liability. Auditor McEathron provided a briefing of his research into compensatory time practices at the PUD. Discussion was held. No action was taken.

Meeting recessed for lunch at 12:30pm.

Meeting reconvened at 1:25pm.

## **OLD BUSINESS**

- **Part-Time Mechanic:** Auditor McEathron provided a briefing on the status of the PUD's screening process for this position. Auditor McEathron recommended the PUD fill the part-time mechanic need in-house with the current meter reader, and fill his absence from reading meters with the hiring of a part-time meter reader. Discussion was held. The Board expressed their support for this change in direction, but asked for an analysis of the fiscal impact to the Water fund.

## **NEW BUSINESS**

- **Compensatory Time:** Commissioner Esch revisited the comp time issue and asked for all the comp time of all employees.
- **Transition Planning:** Discussion was held regarding an Interim Manager position. The Board directed Auditor McEathron to contact a candidate for Interim Manager and schedule a special meeting for the Board to interview the candidate in executive session.
- **WECC Reliability Compliance:** Commissioner Esch urged the PUD to engage with EES Consulting regarding WECC compliance.

- **Project Manager Salary Increase:** Discussion was held. Issue will be discussed at the next board meeting.

**DISCUSSION ITEMS**

- **Re-designate PUD Representative for Associations:** Discussion was held.

**AUDITOR’S REPORT**

- **Bad Debt Write Off’s:** Auditor McEathron provided a briefing, discussion was held. Commissioner Esch made a **motion** to approve bad debt write off’s of \$7,459.61, Commissioner Leach **seconded** the motion, and the **motion was carried unanimously**.
- **Cost of Service Study:** Auditor McEathron provided a briefing, discussion was held. Board gave authorization to move forward with the Cost of Service Study with EES Consulting.

**COMMISSIONER’S REPORT:**

- Commissioner Esch reported on the WPAG meeting he attended.
- Commissioner Leach reported on the NWPPA Annual Meeting he attended, all proposed resolutions passed.

**VOUCHER APPROVAL**

Vouchers were approved for payment by a **motion** made by Commissioner Esch.

<b>Voucher</b>	<b>Number</b>	<b>Amount</b>
Electric System	46377-46450	\$ 783,623.49
Carson Water	5785-5791	\$ 34,318.89
Underwood Water	3438-3439	\$ 15,661.93

Commissioner Leach **seconded**, and the **motion was carried unanimously**.

**OLD BUSINESS**

- **Attorney Healthcare:** Public comment was received from Liz Green. Board discussion was held. Dennis will approach PURMS to seek clarification on the issue and the suggestion to seek an Attorney General Opinion.

Meeting adjourned at 2:35 pm

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Dennis Gale, President

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Curt Esch, Secretary

The next regular scheduled Board of Commissioner’s Meeting will be:  
**Monday, June 20<sup>th</sup>, 2011 at 9:00 a.m.**