Fisherman Bay Sewer District

P. O. Box 86 Lopez Island, WA 98261 (360) 468-2131

Wednesday, August 24, 2022, 10:00am 295 Village Rd #201

Minutes

I. CALL TO ORDER- 10:02AM Board and Staff in attendance- Kit Ledbetter, Lauren Stephens, Tracy Faulkner, Roy Light, Justin Jones, and Rachel Nichols. One Guest Jordan Stephens. Meeting was held at the FBSD office meeting room and via Zoom.

II. REGULAR BUSINESS

A. Adjustments to Agenda- None

B. Public Comment (5min limit, speakers must identify themselves)- Jordan Stephens addressed the board regarding the Lopez Landing project.

C. Approval of Minutes of Regular meetings 6/22/2022 & 7/22/2022- Ledbetter moved to approve; Stephens Seconded. Approved.

D. Approval of Vouchers and Payroll

a. Acct 6641-Claims 7/13/2022 (\$1,683.61), 7/25/2022 (\$2,109.44), 8/1/2022 (\$1,848.80), 8/11/2022 (852.36), 8/15/2022 (5,623.51) Ledbetter moved to approve a & b; Stephens seconded. Approved.

b. Acct 6644-Claims 8/01/2022 (\$11,492.11) Final Bond Payment on '95 Bond.

- c. Payroll-July payroll total (\$15,143.20) Includes payroll taxes & Insurance. Ledbetter moved to approve; Stephens seconded. Approved
- E. Review of Correspondence-DOE-Need a Facility Coordinator (formerly Tom) Tracy will fill role.

F. Superintendent's Report-Attached

G. District Operations Technician's Report-Attached

H. Clerk's Report-None

I. Monthly Budget Report & Monthly Billing Reconciliation

a. Confirm Reconciliation- confirmed

b. Transfer funds from 6641 to 6642.- Stephens moved to approve; Ledbetter seconded. To transfer \$25,000 from 6641 to 6642 and \$50,000 in 6642 to be invested by SJC. Approved

III. UNFINISHED BUSINESS

A. Lopez Landing - Developer Extension Agreement. Stephens gave an update. Jordan Stephens -attorney for Lopez Landing said they cannot break ground till next spring.

B. Review of Personnel Policy adopting changes recommended by FBSD Attorney- Resolution #2022-08. Stephens moved to approve; Ledbetter seconded. Approved

C. Vacant Board Position Commissioner #2 Term ending 12/31/2023. Appointed Justin Jones to the unexpired term of Commissioner 2 to serve until December 31. Stephens moved to approve the appointment; Ledbetter seconded. Approved

D. Design RFP plan- Kit. Ledbetter gave an update.

- E. Rate Increase Resolution #2022-07 Stephens moved to approve; Ledbetter seconded. Approved
- F. ARPA Subrecipient Agreement (with San Juan County). Ledbetter moved to approve; Stephens seconded. Approved

IV. NEW BUSINESS

- A. Board Member Items
- B. Next Meeting Wednesday September 21, 2022, 10:00am

^{*}Personal appearances will be limited to 5 minutes. Thank you.

Approved 9/21/22
Date

Carban Mull Milled Secretary

Clerk

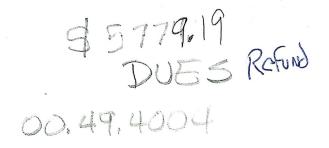
V.

CONCLUDED- Stephens moved to conclude Ledbetter seconded. Passed at 11:38AM

^{*}Personal appearances will be limited to 5 minutes. Thank you.

August 4, 2022

Board of Commissioners Fisherman Bay Sewer District P.O. Box 86 Lopez Island, WA 98261



Dear Board of Commissioners,

We are pleased to announce we are distributing the largest refund to date for the Retro program. \$1,119,379.00 in refunds are being distributed to participating districts. The full breakdown is as follows:

- For the program year of 2018-2019, the third and last adjustment resulted in a break-even year.
- For the program year 2019-2020, the second adjustment resulted in a refund of \$267,974.00 which was divided proportionally between the members enrolled in that plan year.
- For the program year of 2020-2021, the first adjustment resulted in a refund of \$851,405.00 which was divided proportionally between the members enrolled in that plan year.

Your district's refund for the three years of adjustments total: \$5,774.01. We are happy to say that these refunds amount to 873% of your 2022 WASWD membership dues. The final amount of your check is adjusted to reconcile a billing error for the administrative fee for the 2021-2022 plan year. There is either an overpayment being returned or an underpayment which is being deducted from the total refund.

The great return for the program is in part due to how well the members implement safety and back to work policies. Our Retro program contractor continues to be available to your district to assist in ensuring that your district's L&I program is not paying too much in premiums, that your injured employees are made available for work as quickly as possible, and that your safety program will prevent injuries. Please contact either the contract administrator, Tim Lundin with Archbright at (206) 664-7256 or by email at tlundin@archbright.com or our office for more information on this service.

Sincerely,

Judi Gladstone Executive Director

Judi Aladstone

Superintendent's Report

July 2022

Treatment Plan

The treatment plant continues to perform well with the increased summer loading. It looks like we will survive another summer without problems from flow or loading. The Achilles Heel in the mix is the wetland. I don't think we can meet permit if we bypass it, and it is subject to failure at any time. The most likely problem would be solids pass through pushing the accumulated biosolids out the outfall. We can't remove the solids without removing the tire chips and other media. We are continuing to monitor the situation.

We are waiting for the summer surge to end before replacing the influent line.

Laboratory

We have completed the final Performance Evaluation sample and are awaiting results.

Laboratory analysis is working well and is in control.

Technician J's Report July/August 2022

Plant/District performance for July/Aug 2022:

| Plant Performance | Monthly |
|--------------------------|----------|
| Flow average (max .053) | .021 MGD |
| CBOD5 reduction(min-85%) | 96.5% |
| Fecal (#/100ml) Max 66 | 1 |
| TSS reduction (min-56%) | 86% |
| Chlorine average(min05) | .17 |

| I/I Performance | |
|------------------------|------------|
| Systems with Tanks | 24 systems |
| to be replaced | 47 tanks |
| Percent of Total No of | 24.5% |
| said systems | 203 total |
| # Tanks Replaced | 0 |
| Last Month | |

Call outs/Alarm calls/reported overflow/odor reports:

- 1. 8/22 condo 12 clogging..
- 2. Float fail at 192 Lopez Rd 8/9
- 3. 8/22 2606 FBR clogging.

Locates

- 2 of them on center by the school.
- Weeks point way for Sewer Dist.

Project Updates: Part 1-tank replacements

- ➤ Condo 7/8 scheduled for Sep.
- Next week the tanks at the apartment bldg. on pear tree lane will get done by Dirt doc's per Lopez septic design.
- Westlund/view to the west both by Jeff King end of sept.
- > Friendly isle bldg. pricing install out. Also Jeff Clark's doing the same.
- Diane Walters is having jeff king and bill kimm install her 3 tanks at the end of oct/first of nov.
- > Buffums are now on the MRSC roster and will be doing the tanks at Grace church.

Project Updates: Part 2- New installs

- Lopez Landing- Designs done
- > FLIP- getting close
- New Lopez landing project. Corner of fish bay and weeks rd.

Plant Maintenance Activities:

Fence along south boarder is going up. (the Chain link one.) (the permanent one) Also replaced a broken 4x4 along the front fence.

Planned for next month:

 Move forward with archeology on Weeks point way. Held up by Century link locates. Now need a private locator for CenturyLink locates. Drayton is just waiting on us..

District Maintenance Activities

o one more 1500 gallon tank at COHO to be pumped.

Planned for next month

Push upgrades along.

Other Significant Items:

Emphasis: Westview Apartments. Inspected it. Brainstorming how to motivate the owner to get update installed. Any suggestions welcome.

Born Electric in Bow contacted about external J-box at Apartments... Met with him Wed. we determined that he will do what he can to bring the electrical up to code. Including intrinsically safe aspects. And replacing the control panel. He will invoice Westview apartments directly .

Update: Haven't been able to get ahold of him to confirm scheduling.

The sewer district has purchased a Drone and Tracy will be using it to document anything and everything he can.

Certificate of Appointment

| STATE OF WASHINGTON) |
|---|
| COUNTY OF SAN JUAN) ss. |
| The undersigned officers of <u>Fisherman Bay Sewer District</u> do hereby |
| (Commission, Council, or Board Making Appointment) |
| Appoint Justin Jones of (Person Appointed) 134 Eads Ln. Lopez WA 98261 (Address) |
| to the office of <u>Commissioner #2</u> . The term for this (Office and Position) |
| Position will expire on <u>December 31, 2023</u> . |
| Signed this 24 day of August, 2022 |
| Lauren Stephens, Commissioner #1 (Signature) (Printed Name, Title) |
| Christopher Ledbetter Commissioner #3 (Signature) (Printed Name, Title) |
| (Signature) (Printed Name, Title) |
| (Signature) (Printed Name, Title) |
| OATH OF OFFICE |
| STATE OF WASHINGTON)) ss. COUNTY OF SAN JUAN) |
| I <u>Justin Jones</u> , do solemnly swear that I am a citizen of the United States and the State of Washington; that I will support the Constitution and laws of the United States, the Constitution and laws of the State of Washington, and the Charter, laws and ordinances of San Juan County; and that I will faithfully and impartially perform the duties of the office of <u>Commissioner # 2 Fisherman Bay Sewer District</u> in and for the County of San Juan, State of Washington, as such duties are prescribed by law and according to the best of my ability and understanding. Signature X Printed Name |
| Subscribed and sworn before me this 12th day of September, 2022 (Signature) Sen Jeven Consty Council (Printed Name, Title of Swearing Officer) |

FISHERMAN BAY SEWER DISTRICT SAN JUAN COUNTY, WASHINGTON

RESOLUTION 2022-08

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF FISHERMAN BAY SEWER DISTRICT, SAN JUAN COUNTY, WASHINGTON, UPDATING AND APPROVING PERSONNEL POLICIES

WHEREAS, Fisherman Bay Sewer District ("District") is a special purpose district providing sewer utility services pursuant to Title 57 RCW; and

WHEREAS, District Staff have prepared a Personnel Policies Handbook, in the form attached hereto as Exhibit "A"; and have recommended that the Personnel Policies Handbook now be updated, with changes adopted by the District Board of Commissioners for implementation; and the Board of Commissioners have reviewed the document and believe it would be in the best interests of the District to approve it.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of Fisherman Bay Sewer District, San Juan County, Washington, as follows:

- 1. The Personnel Policies Handbook in the form attached are hereby approved and adopted effective the date set forth below incorporating changes made by Resolution 2022-08 on August 24, 2022.
- 2. District Staff are hereby authorized and directed to implement the Personnel Policies Handbook in accordance with its terms.
- 3. This approval shall not be construed to create an agreement of employment with any employee of the District.

ADOPTED, this 24 day of August 2022, at a meeting of the Board of Commissioners.

ATTEST:

Secretary and Commissioner

FISHERMAN BAY SEWER DISTRICT COMMISSIONERS:

Commissioner

Commissioner

FISHERMAN BAY SEWER DISTRICT SAN JUAN COUNTY, WASHINGTON

RESOLUTION 2022-08

Exhibit "A"

PERSONNEL POLICIES HANDBOOK

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|----|--|---|
| 2. | GENERAL INFORMATION ABOUT THIS HANDBOOK | • |
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| HA | NBOOK RECEIPT ACKNOWLEDGMENT FORM | a |

1. GENERAL INFORMATION ABOUT THE DISTRICT

The District is a special purpose district for a designated geographical area in San Juan County, Washington. The District's authority to operate is provided by Title 57 of the Revised Code of Washington. The District has two Utility Local Improvement Districts (ULID #1 and ULID #2) and covers an area of approximately 300 acres which is the residential and the business core of Lopez Village.

The District provides sewer service to the area residents. The sewer system is a S.T.E.P. system. The primary treatment takes place in septic tanks. Effluent is pumped from the septic tanks into District sewer mains. This effluent is processed at the treatment plant where it undergoes secondary treatment before it is sent to the marine outfall approximately one-half mile north of the entrance to Fisherman Bay.

A three-member Board of Commissioners governs the District. Each Board member is publicly elected by voters who reside within the boundaries of the District, to serve a six year term. The Board acting as a body sets the general policies for the District's operation. The day-to-day technical operations of the District are administered by the District's Superintendent who is hired and supervised by the Board and has direct supervisory authority over field personnel. The daily administrative operations of the District are administered by the District Clerk who is also hired and supervised by the Board.

The District is a municipal corporation and has similar powers to a public works department of a city. District operations and regulations are defined in our Administrative Code and Operations Manual, Resolution 2016-12. It is our goal to provide the best service and encourage employees to make their best efforts in carrying out their duties and representing the District in the eyes of the public.

The District Board has the authority to set District policy, oversee District finances, and adopt rules for the operation of the District and the conduct of its employees, provided such rules are not in conflict with applicable law.

2. GENERAL INFORMATION ABOUT THIS HANDBOOK

The District has prepared this section of the Policy Manual to help employees acquaint themselves with the District and its way of doing things. The Manual is intended as a source of information and general statement of the District's personnel policies and procedures. It summarizes some of the benefits employees receive and some of their duties and responsibilities as employees.

However, this section of the Policy Manual is not an employment contract nor does it promise employees specific treatment in specific situations. It is not intended to change the status of District employees as at-will employees. Unless a written agreement expressly approved by the Board provides otherwise employment at the District is for no definite period of time and may, regardless of the time and manner of payment of wages and salary, be terminated at will. This means that either you or the District may terminate the employment relationship at any time, with or without cause or advance notice.

The District may make exceptions to policies and procedures in individual situations. District Management is also responsible for administering matters not covered in this Manual. Suggestions as to policies or procedures needing clarification or development should be made to the District Clerk, Superintendent, or the Board of Commissioners.

No Employee Manual can anticipate every circumstance or question about District Policy. As the District continues to grow, the need may arise to change policies described in the Manual. The District, therefore, reserves the right to revise, supplement, or rescind any policies or portion of this section of the Policy Manual from time to time as it deems appropriate. Employees will be notified of such changes as they occur.

3. EMPLOYMENT CLASSIFICATIONS

3.1 Full-Time Employee

Employees who work a regularly scheduled **20** to **40**-hour work week on an annual basis with hours averaged over the month or hold a position having an annual salary shall be considered full-time employees for the purpose of this manual. We hire full-time employees on an as needed basis. A full-time employee will receive the full benefit package as determined by the Board of Commissioners and as outlined in the Employment Policies below.

3.2 Part-Time Employee

Employees who work a regularly scheduled up to **20**-hour work week on an annual basis shall be considered part-time employees for the purpose of this manual. We hire part-time employees on an as needed basis. A part-time employee will receive some benefits as determined by the Board of Commissioners and as outlined below.

3.3 Temporary Employment

We hire temporary employees on an as needed, short term basis. An employee in this category will not qualify for any benefits, except those required by law, such as State Industrial Insurance and sick pay.

3.4 Probationary Period

All new employees are subject a probationary period during the first six (6) calendar months of their employment. Employment at will remains in effect during and after probationary periods.

4. DISTRICT EMPLOYMENT POLICIES & EMPLOYEE BENEFITS

4.1 Timekeeping

Each District employee shall keep a daily time sheet setting forth a description of work performed and amount of time expended for each eight (8) hour day, or portion of a day in respect to part-time employees and which shall be turned into the District office at the end of each month signed by the employee. Time sheets shall be in such form as are approved by the Superintendent.

4.2 Pay Procedures

4.2.1 Pay Period

District payroll is processed by San Juan County. The pay period starts on the 26th of each month and runs through the 25th of the next month. Pay is by direct deposit on the last working day of the month. It is the responsibility of the employee to input their hours into the county system and provide a timesheet to the clerk per section 4.1.

Employees must notify San Juan County payroll department immediately if changes to direct deposit bank accounts are made to eliminate potential delays in receipt of paychecks.

4.2.2 Deductions

Amount of net pay will reflect an employee's mandatory and voluntary deductions. Mandatory deductions currently include Federal Income Tax, Social Security, and Medicare. Additional mandatory deductions may be added when required by law or established by the Board of Commissioners. Voluntary deductions shall be those specifically authorized in writing by the employee. You may authorize deductions, for various plans available to you, such as Public Employees Credit Union or additional insurance benefits.

4.2.3 Withholding Allowance (W-2)

Employees are required under federal law to furnish the District with an Employee Withholding Exemption Certificate (W-4) at the date of hire. You must file a new W-4 form at any time the number of entitled exemptions decreases to fewer than the number being claimed. New W-4 forms may be filed when the number of entitled exemptions increases, if desired, but is not required. You may increase withholding by claiming fewer exemptions than entitled or by requesting additional withholding if you find that insufficient tax has been withheld to meet your year-end tax liability. If you wish to report changes to your W-4, contact the District Clerk to obtain and complete a new form.

4.3 Employee Benefits

4.3.1 Work Week

A Work Week ("work week") for District employees is identified as beginning at 12:01 a.m. each Saturday and ending at 12:00 midnight each Friday.

4.3.2 Overtime

Authorized hours worked more than 40 hours per Work Week (designated as Saturday-Friday) shall be paid at one and a half times the employee's regular hourly wage. An employee's regular rate of pay for emergency calls shall apply from 5:01 p.m. to 7:59 a.m. unless subject to overtime requirements. All after hours emergency calls shall be paid at one and a half times the employee's regular hourly wage and at a minimum of two-hours.

4.3.3 Compensatory Time

In lieu of paid overtime, an employee working more than eight hours in a day may request compensatory time off in an amount equal to the number of hours worked more than eight hours if taken during the same Work Week. The employee's supervisor may grant the request but may require that such compensatory time be taken on designated days in the same pay period in which the excess hours are worked. If the employee works more than 40 hours in the same Work Week, the compensatory time off hours shall be multiplied by 1.5. Employee shall note comp time on monthly timesheet for review.

4.3.4 Holidays Observed & Compensation to Employees

The Board of Commissioners recognizes the following holidays and adopts a policy to compensate District employees for vacation time, sick leave and holidays as follows:

Holidays Observed

New Year's Day

Martin Luther King Birthday

President's Day

Memorial Day

Juneteenth

Independence Day

independence Day

Labor Day

Veterans Day

Thanksgiving Day

Day after Thanksgiving

Christmas Day

Floating Holiday (2)

Two Unpaid Holidays (per WAC 357-31-052)

Holiday/Vacation Compensation for Full-time Employees

Holiday/Vacation Compensation begins to accrue at hiring and may be used after 6 months of employment. All vacations must be approved by the employee's supervisor. Eligible employees will receive holiday/vacation compensation on as follows:

Paid vacation accrues commencing on hire date at 1 day per 140 hours worked (35x4).

Year 1-3 maximum 10 days with 5 day carry over allowed. (max 15 days)

Years 4+ maximum 15 days with 5 day carry over allowed. (max 20 days)

- Vacation must be taken in year accrued except during the first two years of employment when it can carry over to the maximum allowed.
- All unused holiday/vacation hours shall be forfeited if not used during the calendar year except for the allowed carry over unless warranted by special circumstances beyond the employee's control and which shall be subject to approval in the discretion of the Board of Commissioners.
- Holiday/Vacation Compensation for Part-time Employees (working less than 20 hours per week) shall accrue in the same manner as for full time employees.

- Employees that have completed their 6 month probationary period are eligible for two (2) floating holidays per year to be used before the end of the December pay period. Date of use shall be approved by the supervisor.
- Unpaid holidays shall be approved by the supervisor.

4.3.5 Sick Leave

- All employees shall accrue sick leave at the rate of 1 hour for every 21.5 hours of work. This benefit begins to accrue at the time of hire. When an absence from work lasts longer than three days, sick leave is subject to reasonable verification. Upon leaving District employment, all accrued and unused sick leave shall have no value.
- Employees may be notified of their paid sick leave balances each month on their pay stub/direct deposit statement, including:
- Accrued paid sick leave since the last notification;
- Used paid sick leave since the last notification; and
- Current Balance of paid sick leave available for use
- Maximum accrual 15 days.
- Maximum carry over to next year-40 hours.

Health Care/Dental Insurance

All Full-Time and Part-Time employees, working an average of **20** hours per week or more shall be eligible for medical benefits from date of hire. Medical insurance premiums for the employee shall be paid by the District and the choice of health insurance carrier and the terms and conditions of coverage, shall be in the sole discretion of the Board of Commissioners. If an eligible employee wishes to add a spouse or dependents to their medical benefits, those insurance premiums will be paid by the District.

The District reserves the right to cancel, alter, change, or renew this coverage in the sole discretion of the Board.

Sick Leave & Workers' Compensation

Safe work practices save money for both the employees and the District. All employees are covered by the State Workers' Compensation Program. This insurance covers employees in case of on-the-job injuries or job-related occupational illnesses. For qualifying cases, the Dept. Of Labor and Industries will pay Workers' Compensation to the employee for workdays lost and medical costs due to job-related injuries or illnesses.

If an employee's injuries or illness is covered by State Industrial Insurance/Workers' Compensation benefits, paid sick leave will only be made available to the extent of any difference between the industrial insurance paid, and the employee's regular rate of pay (without consideration of overtime hours).

4.3.6 Paid Family Leave Taxes

The district shall pay all Paid Family Leave Taxes for district employees.

4.3.7 Jury Duty

For each day or partial day an employee of the District is serving on jury duty in any court in the State of Washington the employee shall be compensated by the District at his or her regular rate of pay less the amount reimbursed to an employee by the court. 4.3.8 Washington Family Care Act

- Under the provisions of the Family Care Act, employees may use accrued paid leaves including sick leave, vacation, or holiday leave to care for a child with a health condition requiring treatment or supervision. The Act also applies to the use of paid leaves to care for immediate family members with a serious or emergency medical condition. Definitions are as follows:
- Child includes a minor dependent child or a child over 18 who are incapable of self-care because of mental or physical disability. This includes children who are biological, adopted, foster, stepchildren, or legal wards.
- Immediate family member includes spouse, domestic partner, parent, parent-in-law, or grandparent.
- Employees requesting use of any paid leave under this provision should notify their supervisor the Superintendent as soon as possible about the need for leave to allow for scheduling and workload issues arising from the need for leave. In addition, employees will be asked for an estimate of the time needed for such leave, again to assist with work schedules and resource planning.

4.4 Annual Review of District Employees

To achieve the District's goal to train, promote and retain the best-qualified employee for every job, the Board of Commissioners will use reasonable efforts to conduct an annual review of performance, wages, and salaries of District employees before December 31st of each year to be incorporated into the District's annual budget for the following year.

5. USE OF DISTRICT PROPERTY

5.1 District Vehicles & Personal Vehicles Used for District Purposes

5.1.1 Allowed Use

Maintenance employees may be authorized to drive the District truck to and from their residences and work so that the truck is available for emergency trips on weekends and at night. Only District employees are allowed to drive District vehicles.

5.1.2 Use Outside of District Boundaries

District motor vehicles and other equipment shall not be taken outside the District boundaries except as required for authorized District business, such as contract customers outside of District boundaries and travel required offisland.

5.1.3 Personal Use Prohibited

District motor vehicles and equipment shall not be used by District employees/personnel for personal use at any time.

5.1.4 Use of Personal Vehicles

The District recognizes that there may be times when a District vehicle will not be available for use by an employee (or Commissioner) traveling to training or conducting District business so a personal vehicle may be the only option. In such cases, the District will reimburse employees and Commissioners at the rate per mile established by the Washington State Office of Financial Management (OFM). A current copy of the employee's (or Commissioner's) proof of insurance card must be on file to be eligible for personal vehicle mileage reimbursement. However, to the extent possible, use of private vehicles for District business is strongly discouraged.

5.1.5 Insurance and Licensing

Any employee or commissioner that drives a District or non-District vehicle on behalf of the District must be duly licensed and have personal automobile insurance then in effect in at least the amount specified in RCW 46.29.090 which is quoted in part as follows: ..to a limit, exclusive of interest and costs, of not less than twenty-five thousand dollars because of bodily injury to or death of one person in any one accident and, subject to said limit for one

person, to a limit of not less than fifty thousand dollars because of bodily injury to or death of two or more persons in any one accident, and if the accident has resulted in injury to, or destruction of, property to a limit of not less than ten thousand dollars because of injury to or destruction of property of others in any one accident. All employees and Commissioners subject to this policy shall semi-annually file with the District a copy of a valid and up to date certificate of insurance evidencing at least the minimum amounts of insurance. No employee or Commissioner shall be allowed a mileage reimbursement unless he or she has a copy of such certificate on file at the District office.

5.2 District Cell Phones & Use of Personal Cell Phones for District Business

5.2.1 Allowed Use

Except as provided below, employees supplied with District owned cell phones shall only use such phones for District purposes such as maintaining contact between employees, contractors, service providers and local governments and for emergencies within the district. The District's cellular plan may be changed from time to time with the approval of the Board of Commissioners.

5.2.2 Personal Use

Employees may use their cell phones for personal use as long as it does not interfere with District business.

5.2.3 Use of Personal Cell Phones for District Business

When authorized by the Board, employees may be reimbursed for use of personal cell phones for District business at a rate determined by the Board.

5.3 Workstations

The District's facilities and workspaces, including computers, electronic and paper files, desks, and lockers are the property of the District. District equipment including vehicles and facilities are to be used for District business only.

The District may access and/or search its vehicles, workspaces, computers, electronic and paper files, desks, and lockers as determined necessary or appropriate in its discretion. In addition, the District may search personal property stored anywhere in its facilities or vehicles when there are reasonable grounds to do so.

5.4 Internet and Electronic Mail

All messages reduced to writing, whether on paper or electronic format are District records and are the property of the District. The District may read, use, and disclose any electronic email messages, including personal communications sent using District equipment. In addition, employees should be aware that any email or electronic text received and/or generated by them in the course of District business is potentially subject to the Public Records Act, RCW Chapter 42.56 and public disclosure. - Private e-mail accounts or text messaging functions on cell phones must not be used to conduct District business. If a personal device is used to make or receive a district communication, document or record, the district shall be immediately provided with a true, full and correct digital copy.

Use of the internet using District computers or cell phones is for business purposes. Employees may use District computers for personal and internet activity only during lunch hours, breaks, and outside of working hours. However the use of the District's email system is for District purposes only. Personal use of computers may not include work for the use of private business or for any purpose that violates any of the District's policies.

6. EQUAL EMPLOYMENT OPPORTUNITY STATEMENT

The District supports the belief that every employee has the right to work in surroundings which are free from all forms of unlawful discrimination. It is the policy of the District to comply with the laws against discrimination. Thus, it is the policy of the District to provide a work environment free of sexual harassment and discrimination, bullying, and racial discrimination.

Any employee who believes that they have been subjected to these or any other forms of discrimination or harassment, should report immediately to their respective supervisor (Superintendent), their supervisor's supervisor (Board of Commissioners Chair), or the Human Resources Officer (District Clerk) and be prepared to provide a written statement which should include date, time, place, and details of incident.

7. SAFETY AND HEALTH

The District has established procedures to identify existing and potential hazards and to remove or guard against these dangers and its safety and health rules are designed to reduce the risk of accidents in the workplace. Employees must comply with the Occupational Safety and Health Act (OSHA) and the Washington Industrial Safety and Health Act (WISHA) laws and regulations concerning workplace health and safety.

Using the highest standard of care and good judgment, employees must also comply with appropriate safety requirements pertaining to their job duties, including using appropriate protective clothing and equipment, attending all appropriate training sessions, and following directions of warning signs, signals, and/or directions of safety or management personnel. If you are taking medications that may impair your ability to safely perform your job you must notify the Superintendent and/or District Clerk immediately.

Employees who are aware of unrecognized or poorly identified hazards or potential hazards in their workplace must report such hazards to the Superintendent. They should be prepared to provide a written statement which should include date, time, and place of incident.

All job related accidents, however minor, must be reported. In case of an accident involving a personal injury, regardless of how serious, please notify the Superintendent and District Clerk immediately so the appropriate accident report can be filled out. If an employee is injured on the job, he or she may be entitled to benefits under the State Worker's Compensation Law. Failure to report accidents can result in a violation of legal requirements, and a waiver of rights and claims.

No employee shall enter a confined space - manhole, septic tank, etc.- without complying with applicable regulations. No employee shall place himself or another in any situation he/she perceives to be dangerous to his/her health and welfare.

8. STATEMENT OF WORK EXPECTATIONS

8.1 Expected Conduct

Employees of the District represent the District during work hours and are expected to conduct themselves professionally at all times.

The District is a small organization. To function as efficiently as possible, in addition to an employee's regularly assigned duties, the Board or supervisor may ask him/her to perform seemingly "menial" work. It is no reflection on your worth to the District, but a necessary arrangement for most small organizations. If these arrangements become necessary, we expect everyone's cooperation.

All people working together must abide by certain rules of conduct to maintain a good working relationship. Generally, no conduct that is dishonest, illegal, or disruptive to the operation will be tolerated. The following are examples of expected conduct:

- Strive for excellence in all aspects, through respectful treatment of others, cooperative exchange of information, effective and consistent performance, compliance with safe workplace practices, and increasing your technical skills and knowledge.
- Maintain high standards of professional personal conduct, act in an ethical manner, and encourage others to do so as well.
- Serve our customers, both external and internal, impartially, politely and courteously.
- Maintain regular attendance, report to work at your expected time, and perform the work assigned or requested of you. If unable to work as scheduled contact the Superintendent or designee prior to the start of your normal work hours, except in cases of emergency.
- Act in accordance with all appropriate codes, laws, regulations, and policies, regardless of whether they are set by the District or outside regulatory bodies.
- Regard the workplace with respect and attention. District records, equipment, and property are to be treated appropriately.
- Maintain a professional appearance and follow dress code and uniform requirements. Including requirements to wear the appropriate personal protective equipment (PPE) required by the work performed.
- Report suspicious, unethical or illegal conduct of coworkers, vendors or suppliers, violations of policies or

laws, misuse of District property, harassment, any threatening or potentially violent behavior, unsafe equipment or work practices, or other issues that violate the intent of these guidelines to the Superintendent or District Clerk. If an employee loses control of a situation, refer the matter to the Superintendent immediately.

9. EDUCATIONAL BENEFITS

The District encourages attendance at workshops and seminars, college or university, or other approved educational courses, which the District believes would benefit the employee's job performance and maintain Continuing Education Units (CEUs) as required by law. Permission to attend such activities with anticipated reimbursement must be authorized by the Board of Commissioners prior to application. Tuition and fees for these activities may be reimbursed subject to the approval of the Board of Commissioners and successful completion of the courses. The Board's decision whether or not to reimburse such expenses is entirely discretionary.

In order to encourage self-development, the District may financially assist the employee with the payment of tuition and fees for approved outside educational courses. Requests for benefits should be made by the employee to the Superintendent. The request is subject to approval by the Board of Commissioners based on recommendations of the Superintendent, availability of budgeted funds, and the current education policy.

10. NEWS RELEASES

All information given to the media by any employee of the District shall be first approved as a news release by the Board of Commissioners.

11. CONFIDENTIALITY OF PERSONNEL & EMPLOYEE MEDICAL RECORDS (HIPPA)

All employee records shall be kept in a locked file cabinet at the District office.

12. <u>SEPARATION FROM EMPLOYMENT</u>

12.1 SEPARATION

Separation from employment occurs when you voluntarily resign, are laid off, retire, or you are terminated from employment by the District. Employees of the District are employed at will unless a contract containing terms is in place that has been approved by Board motion or resolution. This means an employee may terminate his/her employment whenever he/she wishes for any reason or be terminated by the District with or without reason or notice for any reason not prohibited by law.

12.2 Return of District Property

Upon separation from your employment, either voluntarily or otherwise, you must return all District property in your possession. This must occur by your last day of employment. District property includes (but may not be limited to) credit cards, vehicles, keys, cell phones, tools, software, computer equipment, personal protective garments or equipment, and any other items in your possession that belong to the District.

12.3 Final Paycheck

An employee's final paycheck will be available on the next regularly scheduled payroll date. Deductions may be made from an employee's final paycheck for reasons authorized by state law or previously authorized by the employee.

12.4 State Unemployment Insurance

Depending on certain qualifications and the reason for termination, District employees may qualify for State Unemployment Compensation after separation from District employment. This benefit pays eligible employees a portion of their wage for a temporary period of time to assist them in the event of loss of employment.

Handbook Receipt Acknowledgment Form

As an employee of the Fisherman Bay Sewer District, I acknowledge the following:

I have received a copy of the Employee Handbook. I understand that the Handbook contains important information about the District's policies, work rules, and my benefits. I also understand that the Handbook outlines my responsibilities as an employee of the District.

I understand that I have the responsibility to read and understand the information in the Handbook, and to ask the Superintendent and/or District Clerk for clarification of any information I do not understand.

I understand that this Handbook is not a contract of employment or a guarantee of specific treatment in specific situations. Unless otherwise stated in a written employment contract, I understand that my employment relationship with the District is "at-will", either the District or I can terminate the relationship at any time, with or without cause, reason, or notice.

I understand that the provisions contained in the Employee Handbook are subject to modifications and exceptions without prior notice and at the District's discretion. I further understand that no one has the authority (without knowledge and concurrence of the Board) to make any written or verbal statements or representations which are inconsistent with those in the Employee Handbook.

| I acknowledge that, before signing this form, items listed on it that I did not understand. | I have asked for and received clarification on any of the |
|---|---|
| | |
| Employee Signature | Date |
| Print Employee's Name | |

FISHERMAN BAY SEWER DISTRICT SAN JUAN COUNTY, WASHINGTON

RESOLUTION NO. 2022-07

A RESOLUTION modifying the District's rate schedule by increasing the rates per attached Master Rate Schedule-14, terminating Resolution No. 2022-06, and increasing various rates.

WHEREAS, by Resolution No. 2022-07, the District adopted new rates; and the Board of Commissioners desire to amend the District's rate schedule accordingly. Now, therefore

BE IT RESOLVED that Resolution No. 2022-06, is terminated, and shall have no further force or effect; and

BE IT RESOLVED FURTHER that the foregoing changes shall take effect on September 1, 2022; and

BE IT RESOLVED FURTHER that the amended and restated Rate Schedule in the form attached hereto shall replace and supersede the existing rate schedule and is amended; accordingly, and

ADOPTED, this 24th day of August 2022 at a regular meeting of the Board of Commissioners.

| ATTEST: Allul Clark District Clerk | FISHERMAN BAY SEWER DISTRICT COMMISSIONERS Slave M Sl |
|--------------------------------------|--|
| | Commissioner |

Fisherman Bay Sewer District Master Rate Schedule-14

Effective 9/1/2022. All rates are subject to change.

1. CONNECTION CHARGES & BILLING

Initial Connection Fee, per ERU

Connection fee is due before "letter of availability" is issued (Admin Code 5.01)
and will be assessed for new buildings, building/home expansions and changes in
use and discharge amounts. Every parcel served must have at least 1 purchased ERU.
ERUs shall be assigned based on residential or commercial use tables below
listed respectively in #2, #3, and #4 and can be purchased in increments of 0.25
after the first full ERU. Fee is by board resolution setting the District's Connection Charge.
If property was previously assessed in District's utility local improvement district, Owner shall be credited with the dollar amount charged as shown on said final assessment roll.

b) Septic Tank Materials

Cost plus 15%

- c) District Labor billed at standard rates (see #11)
- d) Septic Tank Inspection Fee (see #13)
 - Failure to Connect Building Sewer
 If any connection to a public sewer is not made within the time and in the manner provided in Section 2.04 of the FBSD Administrative Code, the District reserves the right to perform and complete this work. The District's Connection Fee (see #1a) plus standard rates (see #11) shall be charged to the property owner

f) Billings are issued by the sixth (6th) of the month and are due and payable by the twenty fifth (25th). After connection to the District's Sewer system, all maintenance, service, and operation charges are due the month of billing.

g) An ERU must stay with the tax parcel it was purchased to serve. The only exception is in the case of division of a parcel. In that case the owner may assign an ERU to the newly created parcel. Once assigned, that ERU cannot be moved.

2. RESIDENTIAL CUSTOMERS

• For monthly regular service billing purposes, a "single-family home" or "single family dwelling" shall mean a property that meets both of the following requirements:

The property must be used full time exclusively as a residential home or a mobile home with less than 10,000 square feet of living space.

The property is not used for business or activities in which customers and other invitees visit the property on a regular basis.

Properties that fail to meet these requirements shall be considered Business/Retail Units (see #4a below).

- A single-family home with one to three bedrooms shall be considered an equivalent residential unit ("ERU"). Additional ERUs shall be assigned as set forth below for single family homes that have more than three bedrooms.
- Sewer service to single-family homes shall be charged a monthly fixed rate per ERU as follows. Items a-d below will also be used to assign ERUs to new residential customers on which their Initial Connection Fee will be based (see #1a):
- a) Standard Single-Family Dwelling (1 to 3 bedrooms): 1 ERU

\$ 86.00

b) Large Single-Family Dwelling: additional 0.25 ERU per bedroom in excess of 3 bedrooms dwelling:

4 bedroom dwelling: 1.25 ERU
5 bedroom dwelling: 1.50 ERU

\$107.00 \$128.00

6 bedrooms & above: 1.75 ERU

\$148.00

 Accessory Dwelling Unit: An accessory dwelling unit ("ADU") is defined as an additional residence with kitchen and bathroom within a primary residence or Add 0.5 ERU to applicable charge for an ADU:

- d) Residential Low/Fixed Income Discount: Qualifying customers will be 80% of Standard Rate and will be required to show verification of low-income status on an annual basis. See Resolution No. 2016-04 for low-income qualification standards. \$ 69.00
- e) Residential contract customers will pay all regular charges plus a 10% contract surcharge to be added to the bill each month.

3. MULTI-FAMILY PROJECTS (excluding metered customers):

"Multi-Family Projects" shall mean a building designed and/or used to house two or more families living independently of each other and including household employees of each such family; and shall also include trailer parks and trailer courts. Each apartment, separate living area, trailer, pad or stall shall be deemed a separate living unit. The following monthly sewer service charges apply whether or not a living unit is occupied:

a) Apartment buildings or duplexes: 1 ERU per living unit

\$ 86.00

\$ 86.00

b) Transient trailer parks: 1 ERU per pad or hook-up

4. INITIAL ERU ASSIGNMENT FOR COMMERCIAL CUSTOMERS

For new commercial customers, this table will be used to assign the ERUs on which their Initial Connection Fee will be based (see #1a):

- Business/Retail Unit, including vacation rentals and storage buildings and warehouses occupied by a single store, tenant, business or office:

 (assumes private bathroom facilities)
 1 ERU
- b) Business/Retail Unit, including storage buildings and warehouses, having more than one store, business, tenant or office (each referred to as a "unit")

for first unit:

1 ERU

for each additional unit:

0.25 ERU

c) Churches:

without separate reception/meeting facilities:

1 ERU

with separate reception/meeting facilities:

2 ERU

d) Laundromats (public), per washer:

2 ERU

e) Medical Clinics/Dental Offices:

2 ERU

f) Motels/Hotels, per unit:

0.5 ERU

g) Residential homes, duplexes, mobile homes and ADUs that are used at any time for short term rentals (30 days or less) will be billed as commercial customers. Initial ERU assignment is as follows:

3-bedroom dwelling:

1.00 ERU

4-bedroom dwelling:

1.25 ERU

5-bedroom dwelling:

1.50 ERU

• 6 bedrooms & above:

1.75 ERU

An ADU used at any time during the year for short term rental will be charged full commercial rates in addition to applicable main house charges. In order for a unit determined to be a commercial short term rental property to revert to residential billing FBSD will require proof of full-time residential residency over the months of June-September. This must be confirmed by both observation and documentation.

h) Public Restrooms, each toilet or shower:

1 ERU

Public Meeting Facilities:

without kitchen:

1 ERU

with kitchen:

2 ERU

Barber Shop/Salons: per hair washing sink

1 ERU

Other Commercial (not identified in above list)

To be determined by District review

COMMERCIAL CUSTOMERS: BASE RATES

In addition to the above sewer service rates, the following monthly charges apply to all classes of commercial customers, based on the number of ERUs the customer has purchased in the form of the Initial Connection Fee (see #1a):

Commercial Flat Base Fee, per month

47.00

Commercial Capacity Base Fee, per month, per ERU

51.00

NON-METERED COMMERCIAL CUSTOMERS

For customers whose usage is not metered, the District will assign a flat rate based on ERU and estimated peak usage. All future Commercial customers shall be metered.

COMMERCIAL CUSTOMERS METERED BY EFFLUENT METER

The following rates apply to this class of customers:

Volume Rate based on effluent meter, per gallon, for all Effluent Gallonage

\$0.03

Standard Effluent Gallonage definition: Standard Effluent Gallonage is 3,000 gallons per month per ERU. Amount of waste allowed is based on the number of ERUs the customer has purchased in the form of the Initial Connection Fee (see #1a).

- Excess Gallonage Charge, per gallon, in excess of-Standard Effluent Gallonage. Amount of waste discharged into the District's sewer system on a monthly basis in excess of the number of ERUs (at 3,000 gallons per ERU) that the customer has purchased in the form of the Initial Connection Fee (see #1a).
- Optional Purchase of Additional Connection Charges, per ERU: If effluent meter readings show that metered customers have exceeded the Standard Effluent Gallonage allowed based on the number of ERUs purchased in the form of the Initial Connection Fee (see #1a), customer may purchase, subject to the provisions of section 9 below, additional Connection Fees in order to avoid the Excess Gallonage Charge (#7b).

\$10,162.00

\$0.13

Contract commercial customers will pay all regular charges plus a 10% Contract surcharge to be added to the total bill each month.

COMMERCIAL CUSTOMERS METERED BY WATER METER

The following rates apply to this class of customers:

Volume Rate based on water meter readings, per gallon, for all adjusted Water Gallonage:

\$0.03

Standard Water Gallonage definition: Standard Effluent Gallonage is 3,000 gallons per month per ERU. Charges are adjusted ealculated using water meter data discounted at 85% to account for non-sewer water use and based on the Number of ERUs the customer has purchased in the form of the Initial Connection Fee (see #1a).

Excess Gallonage Charge, per gallon of metered water usage, in excess of purchased ERUs:

\$0.13

Amount of waste discharged into the District's sewer system on a monthly basis (as adjusted by water meter data discounted at 85%) in excess of the number of ERUs that the customer has purchased in the form of the

Optional Purchase of Additional ERUs- connection charges, per ERU: If water meter readings discounted at 85% show that water metered customers have exceeded the gallonage allowed based on the number of ERUs purchased in the form of the Initial Connection Fee (see #1a), customer may purchase, subject to the provisions of section 9 below, additional Connection Fees in order to avoid the Excess Gallonage Charge (#8b).

\$10,162.00

COMMERCIAL CUSTOMER ERUS

Regardless of how a commercial customer is metered, as of January 1, 2016, the District has fixed the number of ERUs attributable to each commercial customer based on the number of ERUs purchased and paid for as of that date. If the waste from a commercial customer's building decreases, the customer will not be allowed to decrease its ERUs unless it voluntarily and permanently relinquishes its excess ERUs without refund or compensation. The District will determine the amount of excess ERUs available for relinquishment, if any. If the waste from a commercial customer's building increases due to building expansion or change in occupancy uses resulting in an increase in required ERUs, then additional ERUs shall be purchased in increments of 0.25 at the connection charge rate then in effect.

10. SURCHARGE

A monthly surcharge applies to all customers based on purchased ERUs and is charged in addition to monthly sewer service rates:

Department of Ecology debt service, per month, per ERU

\$5.00

11. STANDARD RATES FOR LABOR & MISCELLANEOUS

The standard rate for non-routine work done by District personnel will be billed at the following rates:

System design and review (billed by ½ hour increments) \$82.00 Labor during regular business hours (9-5 Monday-Friday) \$82.00

Labor after hours: \$123.00

Labor charges will be charged for each FBSD employee on site to complete the job (Billed in full hour increments and after hours charges begin when employee leaves home after call.)

Equipment/Parts/Supplies:

Shipping, if necessary, will be billed at actual cost.

Cost plus 15%

12. INTEREST

Rate of Interest, on unpaid balances after 30 days (1 billing cycle):

8% per annum

Exception: No interest will be charged if the customer agrees to a short-term payment plan arranged with staff before the due date and abides by the plan.

13. SEPTIC TANK INSPECTIONS AND PUMPING

Required inspections of new septic installations, upgrades, refurbishments, and replacements will be performed by the District Superintendent or the District Operations Manager during construction at standard rates (#11). All District-provided materials, supplies, parts, or equipment used on the install as well as additional inspections will be billed at standard rates (#11). There will be a 50% surcharge for any inspections requested and performed outside of the District's normal hours of operation.

Septic tanks in the district may be pumped at FBSD expense once every 3 years. If pumping is necessary, more often it will be at customer expense each time it is pumped until 3 years after the last pump out at district expense. (Decision to pump will be based on FBSD standard practice of pumping when tank survey indicates tank solids levels at 35% of capacity.) Charges for excess pumping will be as follows: Standard hourly labor rates (per #11 of Master Rate Schedule) will be charged to the customer for the FBSD employee disassembly/assembly of tank appurtenances and assisting with pumping. The gallonage rate charged to the district by the pumping company will be passed through to the customer with no surcharge. Charges will appear on the customer bill in the month following the service and will be due and payable by the end of the

When it is necessary to pump a tank that is being decommissioned, that pumping will be at the customer expense. Charges will be calculated and billed at the same rates as excess pumping. (See # 11)

On sites with multiple tanks, charges for excess pumping (above 3-year frequency allowance) will be based on the last

date the specific tank was pumped.

14. ADDITIONAL SEPTIC TANK MAINTENANCE FEE

District rates include once per year maintenance of commercial septic tanks and once every two years for maintenance of residential septic tanks. The Superintendent or District Operations Manager will determine if septic tanks require more frequent maintenance to ensure compliance with current and site-specific standards. Additional inspections will be billed at District standard rates (see #11).

15. FAILURE TO REPAIR A BUILDING SEPTIC SYSTEM

If any repair to a septic system is not made within the time and in the manner provided in Section 2.04 of the FBSD Administrative Code, the District reserves the right to perform and complete this work and bill the property owner for the repairs at failed system rates below.

| System design and review (billed by ½ hour increments) | \$164.00 | |
|--|----------|--|
| Labor during regular business hours (9-5 Monday-Friday) | \$164.00 | |
| Labor after hours: | \$246.00 | |
| Labor charges will be charged for each FBSD employee on site to complete the job | | |
| (Billed in full hour increments and after hours charges begin when employee leaves home after call.) | | |

Equipment/Parts/Supplies:

Cost plus 15%

\$ 25.00

Shipping, if necessary, will be billed at actual cost.

a) Insufficient Funds/Check Return Fee, per transaction

16. EFFLUENT METER INSTALLATION

| a) | Standard Meter (1" bore meter) | \$ 300.00 |
|----|---|-----------|
| h) | District labor hilled at standard rates (see #11) | |

17. ADMINISTRATIVE FEES

| b) | Sewer Shut-Off Fee | \$ 50.00 |
|----|---|------------|
| c) | Sewer Turn-On Fee | \$ 50.00 |
| d) | Certificate of Delinquency Filing Fee, per document | \$ 75.00 |
| e) | Release of Certificate of Delinquency Filing Fee, per document | \$ 75.00 |
| f) | Photocopy District records, per page | \$ 0.10 |
| g) | Application fee | \$ 300.00 |
| h) | Recording fee (for recording easement/relinquishment documents | \$ 175.00 |
| | With San Juan County). Charge includes county fees plus staff time. | |
| i) | Illegal Connection penalty fee | \$1,000.00 |
| | | |