

**Water Conservancy Board of Thurston County  
Regular Meeting  
September 21, 2009**

**BOARD MEMBERS PRESENT**

Mike Rhubright, Chairman  
Jon Hare, Vice Chairman  
Tom Myrum, Treasurer  
Jerry Louthain  
Zena Hartung  
Mike Schwisow, Secretary  
Mike McGinnis (Excused)

**MEETING TIME, PLACE, AND ATTENDEES**

The meeting was called to order at 7:02 pm by Chairman Rhubright at the Board's regular meeting place: Percival Plaza Conference Room, 626 Columbia St. NW, Suite 1-IF, Olympia, Washington 98501. Guests included: Bill Clarke, attorney.

**MINUTES**

1. **Approval of Agenda:** Meeting agenda was reviewed and approved as circulated.
2. **Approval of Minutes / Correspondence / Financial Report**

**Minutes** of the July 20, 2009 regular monthly meeting were approved as amended.

**Correspondence sent/received by the Board:**

1. Two letters were received from the Office of the State Auditor requesting the Board's 2008 annual financial report. Board Treasurer Myrum will respond.
2. Letter from DOE notifying the Board that DOE had reversed and denied THUR-08-01 previously submitted by the Board.
3. Letter from DOE Conservancy Board Coordinator regarding Commissioner Hare's continuing education requirements.
4. Letter from DOE Conservancy Board Coordinator notifying the Board that Commissioner Hare had met continuing education requirements.
5. Letter from the PCHB notifying counsel for DOE and City of Yelm of the pre-conference meeting and hearing dates for the appeal of DOE action on THUR-08-01.
6. Letter from DOE notifying the Board that DOE had modified and approved THUR-09-01 previously submitted by the Board.
7. Letter from Kathy Callison, Counsel for City of Yelm notifying the Board of the City's appeal of DOE action on THUR-08-01.
8. Letter from Kathy Callison, forwarding the PCHB letter setting the schedule for the appeal of DOE actions on THUR-08-01.
9. Letter from Kathy Callison, forwarding the City's notice of appeal of DOE actions on THUR-08-01.
10. Letter from Kathy Callison providing a copy of a letter outlining the legal issues for the appeal of DOE action on THUR-08-01.
11. The Water Report – a water issues publication which included an article on the Board's processing of the Brewery water rights.

12. An email message from DOE Conservancy Board Coordinator notifying Board's of an educational opportunity – Seminar on "The Mighty Columbia".

**MOTION:** Alternate Schwisow moved and Commissioner Myrum seconded that the Board pay registration fees for any Commissioner wishing to attend the above referenced seminar. The motion was **adopted** without dissent.

13. An email message from DOE Conservancy Board Coordinator notifying Board's that DOE would not be seeking agency request legislation amending Conservancy Board statutes during the 2010 Legislative session, but that the agency would continue working on the previous draft.

**Financial Report:** The monthly bank statement for July and August 2009 showing a beginning balance on 7/1/2009 of \$22,412.27 and an ending balance on 7/31/2009 of \$21,157.97; and a beginning balance on 8/1/2009 of \$21,157.97 and an ending balance on 8/31/2009 of \$21,157.97; was circulated for review by the Commissioners.

### 3. WCB Approved Applications

#### City of Yelm (THUR-08-01)

Chairman Rhubright reported that the Department of Ecology has reversed and denied the application. Further discussion was deferred to the Executive Session.

City of Tumwater (THUR-08-13 and THUR-08-14 ) Chairman Rhubright reported that the Department of Ecology has concurred in the Board's ROE and ROD on the above cited applications.

Olympia Brewery (THUR-08-02, -03, -04, -05, -06, -07, -08, -09, -10, & -11,) Chairman Rhubright reported that the Department of Ecology has modified and approved the ROE and ROD on the above cited applications.

Pattison (THUR-09-01) Chairman Rhubright reported that the Department of Ecology has modified and approved the ROE and ROD on the previously submitted application.

### 4. Executive Session

**MOTION:** Commissioner Louthain moved and Commissioner Myrum seconded that the Board move to Executive Session for the purpose of discussing legal actions regarding City of Yelm (THUR-08-01). The motion was **adopted** without dissent and the Executive Session was convened at 7:31 pm.

The Board adjourned the Executive Session at 8:46 pm and reconvened in regular session. The Board may convene a special meeting prior to the next regular meeting.

### 5. Administrative

- a. Continuing Education – Newly appointed Commissioner Hartung indicated that DOE new Commissioner training was scheduled for early November.
- b. The Chair reported that the Board of County Commissioner briefing has been scheduled for November 18, 2009.
- c. Application Outreach – Nothing to report
- d. Bylaws Committee – Nothing to report
- e. Legislative Update – Issue previous noted in Correspondence.

6. **Reports** – Chairman Rhubright advised the Board that the Board’s annual report to DOE was due at the end of October and that he would be preparing the materials for the report.
7. **Board Expenditures/Reimbursements** - The Board reviewed invoices that had been received by the Board. **MOTION:** It was moved by Commissioner Louthain and Alternate Schwisow seconded that payment be made to Anna Geisman in the amount of \$1001.02 for administrative services rendered to the Board and for reimbursement of expense. The motion was **adopted** without dissent.

The meeting adjourned at 9:10 PM.

Minutes Approved: