

REGULAR MEETING  
OF PUBLIC UTILITY DISTRICT NO. 2 OF GRANT COUNTY

April 9, 2019

The Commission of Public Utility District No. 2 of Grant County, Washington, convened at 9:00 a.m. at Grant PUD's Main Headquarters Building, 30 C Street SW, Ephrata, Washington with the following Commissioners present: Dale Walker, President; Tom Flint, Vice-President; Larry Schaapman, Secretary; Judy Wilson, Commissioner; and Nelson Cox, Commissioner.

A round table discussion was held regarding the following topics: verbal Commission approval was granted to staff to move forward with FERC filing of Shoreline Management Plan (SMP) as was presented on March 26, 2019; employee injury report; asbestos monitoring; follow-up on pad mount transformer noise complaint; gateway protection inquiry; dock crew overview; and notice of union meeting attendance by Commissioners Cox and Wilson.

Rich Wallen, Managing Director of Power Production, provided a Power Production Performance Report.

Shannon Lowry, Lands & Recreation Manager, provided a Lands and Recreation Program Report.

The Commission recessed at 11:10 a.m.

The Commission resumed at 11:15 a.m.

Devon Williams, Enterprise Risk Management Manager, provided the Enterprise Risk Program Report.

An executive session was announced at 11:45 a.m. to last until 12:00 p.m. to discuss performance of a public employee with legal counsel present pursuant to RCW 42.30.110(1)(g). The executive session concluded at 12:00 p.m. and the regular session resumed.

The Commission recessed at 12:00 p.m.

The Commission resumed at 1:00 p.m.

The afternoon portion of the meeting was opened by reciting the Pledge of Allegiance.

Laurie Tish, Moss Adams Partner, presented the 2018 audit results.

Consent agenda motion was made by Mr. Flint and seconded Mr. Cox to approve the following consent agenda items:

Payment Numbers	90911	through	91251	\$ 7,883,926.79
Payroll Direct Deposit	138480	through	139144	\$ 1,676,725.77

Meeting minutes of March 26, 2019.

After consideration, the above consent agenda items were approved by unanimous vote of the Commission.

Motion was made by Mr. Schaapman and seconded by Mr. Cox authorizing the General Manager/CEO, on behalf of Grant PUD, to execute Change Order No. 2 to Contract 430-07424A with Gannett Fleming, Inc., increasing the not-to-exceed contract amount by \$2,250,000.00 for a new contract total of \$3,000,000.00, and resetting the delegated authority levels to the authority granted to the General Manager/CEO per Resolution No. 8609 for charges incurred as a result of Change Order No. 2. After consideration, the motion passed by unanimous vote of the Commission.

Motion was made by Mr. Flint and seconded by Mr. Schaapman approving the defense and indemnification of the individuals named as defendants in the case captioned Columbia Riverkeeper v. Grant County Public Utility District et al., in the United States District Court for the Eastern District of Washington, case no. 2:19-cv-00096-RMP, and specifically Nelson Cox who is alleged to have acted in his official capacity as Commissioner of defendant Public Utility District No. 2 of Grant County, WA. Counsel for defendant Public Utility District No. 2 of Grant County, WA, namely Van Ness Feldman, LLP, is authorized and directed to defend the individual defendant in the pending litigation referenced above in accordance with law and applicable Rules of Professional Conduct. The costs to defend said claim, suit,

and proceeding, and the costs of defense, attorney's fees, and any obligation for payment arising from such action shall be paid from the district's funds. After consideration, the motion passed by majority vote of the Commission with Commissioner Cox abstaining from the vote.

Motion was made by Mrs. Wilson and seconded by Mr. Cox approving the defense and indemnification of the individuals named as defendants in the case captioned Columbia Riverkeeper v. Grant County Public Utility District et al, in the United States District Court for the Eastern District of Washington, case no. 2:19-cv-00096-RMP, and specifically Larry Schaapman who is alleged to have acted in his official capacity as Commissioner of defendant Public Utility District No. 2 of Grant County, WA. Counsel for defendant Public Utility District No. 2 of Grant County, WA, namely Van Ness Feldman, LLP, is authorized and directed to defend the individual defendant in the pending litigation referenced above in accordance with law and applicable Rules of Professional Conduct. The costs to defend said claim, suit, and proceeding, and the costs of defense, attorney's fees, and any obligation for payment arising from such action shall be paid from the district's funds. After consideration, the motion passed by majority vote of the Commission with Commissioner Schaapman abstaining from the vote.

Motion was made by Mr. Flint and seconded by Mr. Schaapman approving the defense and indemnification of the individuals named as defendants in the case captioned Columbia Riverkeeper v. Grant County Public Utility District et al, in the United States District Court for the Eastern District of Washington, case no. 2:19-cv-00096-RMP, and specifically Dale Walker who is alleged to have acted in his official capacity as Commissioner of defendant Public Utility District No. 2 of Grant County, WA. Counsel for defendant Public Utility District No. 2 of Grant County, WA, namely Van Ness Feldman, LLP, is authorized and directed to defend the individual defendant in the pending litigation referenced above in accordance with law and applicable Rules of Professional Conduct. The costs to defend said claim, suit, and proceeding, and the costs of defense, attorney's fees, and any obligation for payment arising from such action shall be paid from the district's funds. After consideration, the motion passed by majority vote of the Commission with Commissioner Walker abstaining from the vote.

Motion was made by Mr. Cox and seconded by Mrs. Wilson approving the defense and indemnification of the individuals named as defendants in the case captioned Columbia Riverkeeper v. Grant County Public Utility District et al, in the United States District Court for the Eastern District of Washington, case no. 2:19-cv-00096-RMP, and specifically Tom Flint who is alleged to have acted in his official capacity as Commissioner of defendant Public Utility District No. 2 of Grant County, WA. Counsel for defendant Public Utility District No. 2 of Grant County, WA, namely Van Ness Feldman, LLP, is authorized and directed to defend the individual defendant in the pending litigation referenced above in accordance with law and applicable Rules of Professional Conduct. The costs to defend said claim, suit, and proceeding, and the costs of defense, attorney's fees, and any obligation for payment arising from such action shall be paid from the district's funds. After consideration, the motion passed by majority vote of the Commission with Commissioner Flint abstaining from the vote.

Motion was made by Mr. Flint and seconded by Mr. Schaapman approving the defense and indemnification of the individuals named as defendants in the case captioned Columbia Riverkeeper v. Grant County Public Utility District et al, in the United States District Court for the Eastern District of Washington, case no. 2:19-cv-00096-RMP, and specifically Judy Wilson who is alleged to have acted in her official capacity as Commissioner of defendant Public Utility District No. 2 of Grant County, WA. Counsel for defendant Public Utility District No. 2 of Grant County, WA, namely Van Ness Feldman, LLP, is authorized and directed to defend the individual defendant in the pending litigation referenced above in accordance with law and applicable Rules of Professional Conduct. The costs to defend said claim, suit, and proceeding, and the costs of defense, attorney's fees, and any obligation for payment arising from such action shall be paid from the district's funds. After consideration, the motion passed by majority vote of the Commission with Commissioner Wilson abstaining from the vote.

The Commissioners reviewed future agenda items.

The Commission calendar was reviewed.

Gene Austin, Compliance Program Manager, provided a NERC/WECC R&C Program Report.

Trade association / committee reports were reviewed.

There being no further business to discuss, the Commission adjourned at 2:25 p.m. on April 9 and reconvened on Wednesday, April 17 8:00 a.m. at the Washington PUD Headquarters Building, 212 Union Avenue SE, Suite 201, Olympia, Washington for the purpose of attending WPUA Meetings and any other business that may come before the Commission with the following Commissioners present: Dale Walker, Nelson Cox, and Judy Wilson. A copy of the notice of adjournment was posted near the door outside the Commission room.

There being no further business to discuss, the Commission adjourned at 5:00 p.m. on April 17 and reconvened on Thursday, April 18 at 8:00 a.m. at the Washington PUD Headquarters Building, 212 Union Avenue SE, Suite 201, Olympia, Washington for the purpose of attending WPUDA Meetings and any other business that may come before the Commission with the following Commissioners present: Dale Walker, Nelson Cox and Judy Wilson. A copy of the notice of adjournment was posted near the door outside the Commission room.

There being no further business to discuss, the Commission adjourned at 8:00 p.m. on April 18 and reconvened on Friday, April 19 at 8:00 a.m. at the Washington PUD Headquarters Building, 212 Union Avenue SE, Suite 201, Olympia, Washington for the purpose of attending WPUDA Meetings and any other business that may come before the Commission with the following Commissioners present: Dale Walker, Nelson Cox and Judy Wilson. A copy of the notice of adjournment was posted near the door outside the Commission room.

There being no further business to discuss, the April 9 meeting officially adjourned at 11:00 a.m. on April 19, 2019.



ATTEST:

Larry Schapman  
Larry Schapman, Secretary

Dale Walker  
Dale Walker, President

Tom Flint  
Tom Flint, Vice President

Judy Wilson  
Judy Wilson, Commissioner

Nelson Cox  
Nelson Cox, Commissioner