

**MIDWAY SEWER DISTRICT
RESOLUTION NO. 2025-02**

**ORDER ESTABLISHING THAT MIDWAY SEWER DISTRICT WILL NOT MAINTAIN
A PUBLIC RECORD INDEX**

WHEREAS, RCW 42.56.070(3) requires that Midway Sewer District maintain and make available for public inspection an index of its public records created since 1973 or adopt an order that the creation of such an index would be unduly burdensome.

WHEREAS, The Board of Commissioners has previously determined by policy that creation of such an index would be unduly burdensome but now intends to formalize that policy decision into a formal order of the Board of Commissioners that specifies the reasons why and the extent to which compliance with the record indexing requirement would unduly burden or interfere with its sewer district operations;

WHEREAS, Midway Sewer District creates and maintains a significant number of records on a regular basis in the conduct of business of the District.

WHEREAS, District staff has compiled the attached memorandum (**Exhibit 1**) identifying the volume of District records and the estimated staff time it would take to review and index the records.

WHEREAS, The sheer volume of the records and the constant creation of records on an ongoing basis makes it difficult, if not impossible, to create and maintain a useful index.

WHEREAS, Existing District staff all perform essential functions necessary to the operation of the District and adding record review and indexing job duties to the existing workload would unduly burden and interfere with the District's core operations, and

WHEREAS, Based on budgetary limitations, and the Board's desire to provide sanitary sewer services in the most cost effective manner, District staff believes it would be unduly burdensome to the District's operations and budget and would not be in the ratepayers' best interest to hire additional staff to create and maintain a record index given the above conditions.

Resolution: NOW THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Midway Sewer District approves the following Orders:

1. The District shall maintain an index of Board Resolutions as part of the Midway Sewer District Code Book, and
2. Pursuant to the Authority granted under RCW 42.56.070(4) it is hereby ordered that based on the recitals above and the recommendations of staff, Midway Sewer District shall not establish a public records index as the creation and maintenance of such an index would be unduly burdensome and would interfere with District operations.

Adoption: ADOPTED at a regular meeting of the Board of Commissioners of Midway Sewer District on the 12th day of February, 2025, the following Commissioners being present and voting:

Commissioner

Commissioner

Commissioner

Commissioner

Commissioner

Secretary



Commissioners

Vince H. Koester

Scot Sanborn

Jim Bailey

Nicholas K. Fannin

Jim Polhamus

Manager

Marc E. Montieth

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MIDWAY SEWER DISTRICT

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Public Record Index Analysis worksheet

In order to determine whether it would be unduly burdensome to create an index of records District records in accordance with the requirements in RCW 42.56.070(3), District staff has conducted a review of the volume of District records that staff believes would fall under each category of records identified by the statute.

(a) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

Not Applicable.

(b) Those statements of policy and interpretations of policy, statute, and the Constitution which have been adopted by the agency;

Midway Sewer District Code Book

Midway Sewer District Personnel Handbook

Midway Sewer District meeting minutes

Midway Sewer District Board Resolutions.

See Exhibit A

(c) Administrative staff manuals and instructions to staff that affect a member of the public;

Midway Sewer District Code Book

Midway Sewer District Personnel Handbook

Midway Sewer District meeting minutes

Midway Sewer District Board Resolutions.

See Exhibit A.

(d) Planning policies and goals, and interim and final planning decisions;

See Exhibit A.

(e) Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports, or surveys, whether conducted by public employees or others; and

See Exhibit A.

(f) Correspondence, and materials referred to therein, by and with the agency relating to any regulatory, supervisory, or enforcement responsibilities of the agency, whereby the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party.

See Exhibit A

Exhibit A

The District maintains extensive records relating to the operation of the District's collection and treatment systems and interactions with its rate payers. The District regularly engages with the public through its construction permitting process, developer agreements, connection charge agreements, billing and payment practices. The District generates substantial regulatory compliance reports and data tracking records. District staff has compiled below a general summary of the types of records that would likely fall under the statutory categories identified in RCW 42.56.070(3).

The records identified below and additional records that may fall under the statutory categories contain over 300,000 electronic files consisting of over 400 GB of data and over 3,000 cubic feet of physical records (estimated to include over 400,000 separate records based on 2,000 pieces of paper per cubic foot of storage). The sheer volume of records would require substantial staff time to review and index. Staff estimates that it would take a full time employee a minimum of 14 years (averaging review and indexing of 200 individual records per work day) to complete an index consistent with the statutory requirements.

Identified Record Types:

1. Commissioner meeting minutes
2. Commissioner Resolutions.
3. Customer billing records.
4. Customer delinquent Account collection records.
5. Staff reports and studies dating back to 1948 through the present day.
6. Factual consultant reports dating back to 1948 through the present day
7. Scientific reports dating back to 1948 through the present day.
8. Connection charge records.
9. Sewer availability letters.
10. Construction photos, reports, studies, tests,
11. ULID formation records,
12. Daily inspection reports, call outs, locates requests, permits, permit notes, permit as-builts
13. DOE DMR Testing daily with results sent in monthly. Since most 1958 equating to hundreds of thousands of records.
14. Right of way permits, easements, franchise agreements with the City , County and State dating back to the 1950s.
15. Code Enforcement Records
16. Side Sewer As-builts
17. Project as-builts

18. Sewer Availability Certificates
19. Contractor Bid Packages
20. Locate Requests
21. Inspectors Daily Reports
22. Call Outs
23. Plan Reviews
24. Bill of Sales
25. Easements
26. Technical Memorandums
27. Developer Payback Agreements
28. Easement Releases
29. Developer Extensions
30. Interlocal Agreements
31. Standard Details
32. Professional Services Contracts
33. Sewer Modeling Reports
34. Side Sewer Repairs
35. Poverty Bay reporting
36. Preconstruction Meeting Minutes
37. Construction Feasibility Reports
38. Monitoring Well Decommission Reports
39. Dewatering Assessments
40. Asbestos & Lead Reports
41. Infiltration & Inflow Evaluations
42. Arc Flash Reports
43. Permit Bonds, Bid Bonds, Performance Bonds, Maintenance Bonds, Retainage Bonds
Archaeological Reports & Surveys
44. Project Addendums
45. Traffic Control Submittals
46. ROW Permits
47. Utility Notifications
48. Utility Agreements
49. Survey & Topographic Reports

50. Discharge Reports
51. Critical Area Review Reports
52. Grading Permits
53. SEPA Review & Determinations
54. Environmental Review Reports
55. Capital Improvement Project records:
 - 55.1. Engineer's Estimates
 - 55.2. Affidavit of Publications
 - 55.3. Recommendations to Award
 - 55.4. Certified Payrolls
 - 55.5. Notice to Proceeds
 - 55.6. Geotechnical Reports
 - 55.7. Soils Testing Reports
 - 55.8. Compaction Testing Reports
 - 55.9. Force Account & Change Orders
 - 55.10. Weekly Progress Meeting Minutes
 - 55.11. Submittals
 - 55.12. Transmittals
 - 55.13. Project Acceptance Letters
 - 55.14. RFI's
 - 55.15. Payment Applications
 - 55.16. Serial Letters
 - 55.17. Baseline Schedules & weekly progress schedule updates
 - 55.18. Notice of Completions
 - 55.19. Department of Revenue Releases
 - 55.20. Employment Security Department Releases
 - 55.21. L&I Releases
56. Records generated on Stations.
 - 56.1. Daily handwritten station reports containing pump run times for 13 pump stations.
 - 56.2. Online Mission SCADA for 11 stations that provide various data points. Pump run times, pump starts, rainfall, alerts, alarms etc.
 - 56.3. Daily log sheet that outlines the jobs performed by the Station Senior and Operator that worked with them that day.

- 56.4. Daily airport metering provided on Mission SCADA. Flow rates, etc.
- 57. Records generated on the collection system.
 - 57.1. 1,000's of logged video reports of sewer mainlines.
 - 57.2. 1,000's of logged video reports of Side sewers.
 - 57.3. 10 to 20 video reports of mainlines or side sewers are generated on a daily basis
 - 57.4. 1,000's of logged completed work orders.
 - 57.5. An average of 20 work orders per month are created
 - 57.6. Daily log sheets for jobs performed by 4 collection workers created on an ongoing basis
- 58. Waste Water Treatment Plant Records
 - 58.1. Several hundred data points created daily concerning process control and operations of the treatment facility. Ranging from minimum and maximum flows, average flows, equipment temperatures, flow rates, min-max run speeds, levels, run-times and alike.
 - 58.2. Daily operations log, time-clock reports and weight scale tickets representing bio-solids hauling trailers tare, gross and net weights, multiple times weekly.
 - 58.3. The district complies with Department of Ecology's data submission requirements, in lieu of the permit responsibility we hold for the NPDES permit, general/industrial storm water permit and nutrient permit. All data points are derived from daily operations and particular values resubmitted via secure access portal to the Department of Ecology.
 - 58.4. Our district's laboratory also produces the following Documentation, with corresponding frequencies:

Laboratory Data Documentation Summary

| Category | Frequency |
|---|------------------|
| Logs | |
| Temperature Logs - BOD Water Incubator | 1x / day |
| Temperature Logs - Flammable Storage | 1x / day |
| Temperature Logs - BOD Incubator | 1x / day |
| Temperature Logs - Drying Oven | 1x / day |
| Temperature Logs - Fecal Water Bath | 1x / day |
| Temperature Logs - Influent Composite Sampler | 1x / day |
| Temperature Logs - Effluent Composite Sampler | 1x / day |
| Temperature Logs - Primary Effluent Composite Sampler | 2 x/ month |
| Control Charts | |
| Control Charts - BOD GGA | 4x/week |
| Control Charts - BOD Duplicates | 4x/week |
| Control Charts - CBOD GGA | 1x/week |
| Control Charts - CBOD Duplicates | 1x/week |
| Control Charts - Fecal Duplicates | 1x/10 days |

| | |
|--|------------------|
| Control Charts - LDO Winkler Comparison | 1x/week |
| Control Charts - pH Standard | 1x / day |
| Control Charts - TSS Standard | 4x/week |
| Control Charts - TSS Duplicates | 4x/week |
| 3rd Party Laboratory | Frequency |
| Nutrient Permit Samples | 1x/week |
| Biosolids Samples | 1x/quarter |
| Effluent Characterization Samples | 1x/quarter |
| Storm Water Samples | 1x/quarter |
| Toxicity Testing | 5x/5 years |
| Reagent Prep | Frequency |
| Fecal Coliform Broth | 2x/week |
| TSS Standard | 2x/month |
| GGA Standard | 4x/4 months |
| BOD - Phosphate Buffer | 1x/4 months |
| BOD - Calcium Chloride | 1x/4 months |
| BOD - Magnesium Sulfate | 1x/4 months |
| BOD - Magnesium Sulfate | 1x/4 months |
| BOD - Seed pH log | 4x/week |
| Accreditation | Frequency |
| Certification Renewal | 1x/year |
| Proficiency Testing | 1x/year |
| Calibrations | Frequency |
| pH Meter | 1x/day |
| BOD Meter | 5x/week |
| Thermometer Calibrations | 2x/year |
| Effluent pH Meter | 2x/month |
| Scale Calibration Verification - Analytical | 1x/day |
| Scale Calibration Verification - Top Loading | 1x/month |
| Chlorine Standard | 1x/10 days |
| Turbidity Standard | 1x/days |
| Permit | Frequency |
| DMRQA | 1x/month |
| Regular Analyses | Frequency |
| Dailies - pH, Temp, DO | 1x/ day |
| TSS - Clarifiers | 1x/day |
| TSS - Influent/Effluent | 4x/week |
| TSS - Primary Effluent | 1x/month |
| Alkalinity - Digesters | 1x/day |
| Volatile Acids - Digesters | 1x/week |
| BOD | 4x/week |
| CBOD | 1x/week |
| Total Solids - Digesters | 1x/week |

| | |
|---------------------------|------------------|
| Total Solids - Belt Press | 2x/week |
| Total Solids - Sludge | 1x/week |
| Fecal Coliforms | 1x/day |
| Effluent pH | 2x/day |
| Residual Chlorine | Varies |
| Miscellaneous | Frequency |
| Invoice - Lab Supplies | Varies |
| Invoice - Lab Analyses | Varies |

59. Correspondence relating to above records