

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS
OF BIRCH BAY WATER AND SEWER DISTRICT,
HELD September 27, 2007

Commission President Don Montfort called the meeting to order at 4:35 PM. Other persons present included Commissioners Patrick Alesse and Carl Reichhardt, General Manager Roger Brown, Attorney Robert Carmichael, ESM Dan Eisses, Treasurer Glenn Golay, Engineer Rodney Langer, and Keith Lucke from BP.

Agenda additions/changes: none

Public Input: none

Consent Agenda included: Minutes for the Regular meeting of September 13, 2007; Accounts Payable Warrants #36518-36535 paying Claims #36518-36535 for \$81,051.12, Warrants #36536-36578 paying Claims #36536-36578 for \$47,658.88; September Payroll Draw Warrants #5502-5514 for \$13,350.00. It was moved Alesse and seconded Reichhardt to approve the Consent Agenda. The motion passed unanimously.

Roger discussed the status of the water contract discussions with BP and the PUD. The preliminary outline of contract terms have just been released and there will be a meeting soon of district and BP staff to discuss.

Roger reported on the PUD meeting and staff meetings between Blaine and district staff, as well as progress on the well improvements.

Dan discussed a district fire hydrant installation program. Dan feels that the district has pretty good coverage by fire hydrants. He hasn't heard any requests from the fire district for installation of hydrants in particular locations. The water department is doing regular hydrant maintenance and Dan would like to use the capital budget item of \$5,000 for purchase of hydrant parts and equipment for regular maintenance. The commissioners agreed that that was a good use of the funds.

Drayton Harbor Road waterline replacement: The county is going ahead with the road improvement, so the waterline project needs to be done. Dan asked if a 4" line still meets with the board's approval. The project is ready for permitting and acquiring 3 quotes. Dan thinks the installation will be done by directional boring. The board agreed to go ahead as previously decided.

Dan recommended an 8" line on Shintaffer Road for the Shintaffer Farms development and the Board concurred.

Phase 2 of the telemetry upgrade was reviewed. Dan showed some pictures of the equipment installed in the first phase. He talked about the next steps in the

telemetry improvements. The generic pump station study draft is complete and staff is reviewing. The pump station design criteria will have an impact on the telemetry improvements. Dan hopes to have information for the next meeting regarding these continued improvements.

Task Order #3 for AES was reviewed. The work on 5.1 went over budget. Dan thinks the overage is reasonable and he has documentation on the work from AES. Dan would like approval to pay the additional amount. Commissioner Reichhardt recused himself from the vote because his firm was mentioned in the documentation as being directed by AES in its work for the city. Commissioner Montfort wants to make sure that the city is not running up costs without district approval. However, much of the work was because of the effort to bring 5.1 online to benefit the district's summer water supply needs. It was moved Alesse and seconded Montfort to approve the revised Task Order #3 and letter of agreement with Blaine. The motion passed 2 to 0 with Commissioner Reichhardt not voting.

Roger discussed the one property owner in Birch Bay View who has not connected to the sewer system. The district has filed suit to require connection. The owner has paid his utility charges regularly. Bob talked about the discussions he has had with property owner. Bob is still trying to communicate with him and has told him that the legal proceedings are continuing. In an effort to get the deferral agreement signed, the board is willing to waive the legal fees if the agreement is signed within 30 days. Bob will communicate that decision to the property owner.

Dan reviewed the encroachment permit that was approved by the county for the forcemain project. He brought attention to a couple of permit requirements. He also talked about his discussions with PWTF staff on this project. Dan is scheduling the work to begin October 8th. District operations staff will be doing the work. Dan is also recommending sending letters from the Board president to the tribes (Lummi and Nooksack) that the test pits project is starting. The board agreed.

Dan discussed his meeting with the Horizons developer about their irrigation policy and landscape installation. District staff and consultant met onsite with the developer and the consultant has submitted a report with some recommendations. Dan will send the report on to the developer and will continue to monitor the project.

Roger reviewed recent documents received on the study being done by DNR regarding the Cherry Point Withdrawn Area.

The commissioners went into Executive Session at 6:15 PM to discuss a personnel issued. They expect to be in session for 15 minutes with no action anticipated afterwards.

Coming out of Executive Session, there being no further business, the meeting was adjourned at 6:30 PM.

COMMISSIONER

COMMISSIONER

COMMISSIONER

THIS IS TO CERTIFY that the above is a true and correct copy of the minutes for the regular meeting of the Board of Commissioners of Birch Bay Water and Sewer District, Whatcom County, Washington, held **September 27, 2007**.

BOARD SECRETARY

(minutes taken by Glenn Golay)