

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS  
OF BIRCH BAY WATER AND SEWER DISTRICT,  
HELD June 11, 2009

Commission President Don Montfort called the meeting to order at 4:30 PM. Other persons present included Commissioners Patrick Alesse and Carl Reichhardt, General Manager Roger Brown, Engineering Services Manager Dan Eisses, Treasurer Glenn Golay, Attorney Robert Carmichael, Engineer Rodney Langer (CHS), and Pat Pollock (BP).

**Agenda additions/changes:** Glenn asked to add discussion regarding sale of the surplus equipment trailer. And Roger asked to move item #13 ahead of #11.

**Public Input:** none

**Consent Agenda included:** Minutes for the Regular meetings of May 28, 2009; Accounts Payable Warrants #38522-38566 paying Claims #38522-38566 for \$280,510.78; May Payroll Warrants #6298-6321 for \$61,942.82; May adjusting entries to UBS for \$1,264.34 charges and \$862.17 credits; May EFTPS withholding deposit made on 05/29/09 for \$21,497.92; May Financial Reports for review; Resolution #683 regarding fees and charges; and Resolution #684 regarding private meters. It was moved by Reichhardt and seconded by Alesse to approve the Consent Agenda. The motion passed unanimously.

Pat Pollock, from BP, was present to hear any discussion on BP issues. There was a brief review of current activity.

Roger talked about watershed planning issues. He also discussed his attendance at the last PUD meeting and water supply matters.

District Operations Manager Mike Sowers briefed the commissioners on his review of Optimization of the Wastewater Treatment Plant. He has made several changes to plant operations that have saved or potentially will save energy and resources. He has also made changes that would extend the use of existing equipment and infrastructure, thus avoiding purchase of new equipment or building expanded facilities. Mike would like some engineering help with his review of the impact of these changes and others he would like to consider. The commissioners were in agreement with Mike's proposals. Dan will work with Mike to get a scope and fee for that consultant help and bring a recommendation back to a future meeting.

Roger, Dan and Attorney Carmichael discussed laws and standards regarding the provision of sewer service outside UGA's, especially when there is a water quality concern. They also discussed the county's work on proposals to change the UGA's in Birch Bay and Blaine. Staff will keep the board informed about activity on these issues.

Commission President Don Montfort called to order the **Public Hearing on the Sewer Comprehensive Plan** at 6:25 PM. No one other than those listed above were in attendance. There being no public input, Commissioner Montfort closed the Public Hearing at 6:26.

Rodney Langer was present to answer questions or review information in the plan. He said there were no comments during the SEPA process. After discussion, it was moved by Reichhardt and seconded by Alesse to approve Resolution #685 and adopt the sewer comprehensive plan. The motion passed unanimously.

Roger and Bob reviewed the issues involved in the Lane vs. Seattle lawsuit and how it impacts the costs and expenditures in providing water service for fire protection.

Dan asked the commissioners for their opinion concerning whether to repair the district's 2001 Taurus, which has a blown transmission, or replace it with another vehicle. Cost to repair is estimated between \$1,600 to \$3,200. The vehicle has 113,000 miles on it and is currently scheduled to be replaced in 2011. After review, the commissioners approved repair of the current vehicle.

Treasurer Golay informed the board that an offer has been received to purchase the surplus equipment trailer. When the equipment was offered for sale earlier this year, no bids were received on the trailer. The equipment has remained advertised on the district's website as available for sale. The offer is equal to the minimum amount originally asked, plus \$1. After discussion, it was moved by Alesse and seconded Reichhardt to approve accepting the offer. The motion passed unanimously.

Dan would like to schedule a public hearing on the reimbursement agreement for Whitehorn Way Short Plat for July 9. The commissioners agreed.

Since the sewer comp plan is approved, Dan anticipates bringing the Harbor Shores DE to the board for approval in the near future.

Dan discussed the irrigation service for the Horizons development.

Commissioner Montfort announced at 7:00 PM that the board would go into Executive Session for 5 minutes to discuss a matter of potential litigation. He does not anticipate any action by the board afterward.

Coming out of Executive Session at 7:05 PM, there being no further business, it was moved by Alesse and seconded by Reichhardt to adjourn the meeting. The motion passed unanimously.

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COMMISSIONER

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COMMISSIONER

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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 **June 11, 2009.**

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BOARD SECRETARY

(minutes taken by Glenn Golay)