

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS
OF BIRCH BAY WATER AND SEWER DISTRICT,
HELD **April 8, 2010**

Commission President Patrick Alesse called the meeting to order at 4:30 PM. Other persons present included Commissioners Don Montfort and Carl Reichhardt, General Manager Roger Brown, Engineering Services Manager Dan Eisses, Treasurer Glenn Golay, Attorney Simi Jain, Water Conservation Specialist Emily Resch, and Operations Manager Mike Sowers.

Agenda additions/changes: Roger noted that there would need to be an Executive Session regarding potential litigation. Glenn asked that a customer request be added on the agenda.

Public Input: none

Consent Agenda included: Minutes for the Regular meeting of March 25, 2010; Accounts Payable Warrants #39486-39511 paying Claims #39486-39511 for \$45,737.13 March Payroll Warrants #6682-6705 for \$71,063.65; March Adjusting Entries to UBS for \$1,505.03 charges and \$935.89 credits; March EFTPS withholding deposit made on 03/31/10 for \$28,605.57; March Department of Revenue payment made electronically on 04/02/10 for \$7,917.74. It was moved by Reichhardt and seconded Montfort to approve the Consent Agenda. The motion passed unanimously.

Mike Sowers presented information on the upgrade of the crane on the sewer service truck. The budget approved a 2,000 lb crane, but he found a 3,200 lb crane with a 10 foot extension at Ferrotek that is an exceptionally good price. There is existing funding in the 2010 budget for the item. Mike also discussed a letter he sent to DOE about a high flow event at the plant.

BP: Dan has talked with BP staff and that they are still reviewing the current contract proposal.

Water Supply: Emily updated the board on the Conservation program. She will begin this year's school program the end of April. She also discussed activities by the Whatcom Water Alliance. She is working on information for "outdoor water use" and the "rain barrel" program. She has registered the district for the Discovery Days parade and craft show. Don asked about teaming with the county storm water group on the vendor booth. Roger will follow up with storm water staff.

Board President Patrick Alesse announced that the board would go into Executive Session at this time, 5:00 PM, and expects to be in session until 5:30 PM. The regular meeting will continue afterwards.

Coming out of Executive Session at 5:30 PM, the regular meeting continued.

Roger presented the outline of a proposed agreement designed to satisfy the possible claims of Loren Loop, a property owner in the district's water right application area. Roger proposed, along with the City of Blaine, offering Mr. Loop a financial settlement the greater of \$3,000 or B&C estimate for installing pump and controls at his well, as part of the agreement. After discussion, it was moved by Montfort to make the proposal to Loop as recommended by Roger, with the cost not to exceed \$7,500. The motion was seconded by Reichhardt and passed unanimously.

Roger also talked about activity with the Water Supply Group.

Dan updated the commissioners on the progress of construction activity on the Birch Bay Drive Forcemain project. The project is on schedule. Dan also discussed current construction issues.

Jackson Road sewer line: Dan discussed his recommendation regarding providing sewer service to four lots on the west side of Jackson road. Dan discussed that there is no need for sewer on the east side of the road and that with 6 different property owners, doing a developer extension, LID or LFC project is very difficult. Dan recommends allowing the property owners to install individual pump systems with a private force main along with the signing of a no-protest LID agreement. It was moved by Reichhardt and seconded Montfort to approve Dan's recommendations. The motion passed unanimously.

Roger asked the commissioners if they would like to set a special meeting for a workshop to review staff work on the district utility rate analysis. After discussion, it was decided to set April 14th for the meeting, at noon at Carl's office in Lynden.

Developer Extensions: Dan updated the board on current developer activity.

The board reviewed a request from a customer for relief from a high usage bill. They claim that there is no reason for the high usage. After discussion, the commissioners approved a sewer usage credit of \$38.50.

There being no further business, it was moved Montfort and seconded Reichhardt to adjourn the meeting at 6:55 PM. The motion passed unanimously.

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 **April 11, 2010**.

BOARD SECRETARY

(minutes taken by *Glenn Golay*)