

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS
OF BIRCH BAY WATER AND SEWER DISTRICT,
HELD **April 26, 2011**

Commission President Don Montfort called the meeting to order at **4:34pm**. Other persons present included Commissioners Patrick Alesse (by phone) and Carl Reichhardt, General Manager Roger Brown, Assistant General Manager Dan Eisses, Attorney Simi Jain, Interim Finance Director Meredith Riley, and Jeremy Schwarz.

Agenda additions/changes: As presented.

Public Input: None.

Consent Agenda included: Minutes for the Regular meeting of April 14, 2011; Accounts Payable Warrants #40558-40590 paying Claims #40558-40590 for \$31,200.20; April Payroll Draw Warrants #7162-7174 for \$15,900.00; EFT monthly utility tax for \$11,675.39, and Resolution 704 Commissioner Per Diem Compensation. It was moved by Reichhardt and seconded by Alesse to approve the Consent Agenda. The motion passed unanimously.

Lincoln Road Waterline Replacement: Stremler Gravel has worked up an estimate for this project. The overall number is higher than the budget; most of which is due to the ductal iron pipe; \$175,000 + sales tax, for a total of \$190,000. Stremler is willing to work with the District, our crew would put in temporary services and Stremler would do the rest. The budget is \$150,000. Stremler's figures are based on unit prices. Trenchless' price for sliplining was \$88,000 and Stremler's price for sliplining is \$84,000, so their figures appear reasonable. Dan and Roger will look at what the District crew can do.

Whatcom County has not awarded the bid to Stremler Gravel yet. Dan will be in contact with the County.

Developer Extensions:

Harbor Shores: The developer has mailed a letter to the area scheduling a meeting for April 27th to let the residents know what is currently being planned. A copy of the letter is in the packet.

Loomis Trail Annexation: The petitions are now over 60% signatures in favor of the annexation. At the May 12 Board meeting we will be asking the Board to set a public hearing for May 26th. A Resolution after the public hearing will be ready for the Board's consideration. The number of people in the petition area in favor of the annexation is high, although the percentage is just over the 60% because the open space is not signed. It's now zoned Rural. After the Resolution is approved it goes to the BRB. The Homeowners Association did not sign the petition to cover the private roads and open space, even though over 60% of the residents signed the petition.

State Park Pump Station: The State is now interested in using the District's agreement. The State does not do bonds, and they don't indemnify. They are working on a draft that we will review.

Birch Point pump station. If any of the parcels surrounding the temporary waterline develop, they won't be able to use the waterline for service; they will have to apply for service. The District would refer to our Comp Plan. The District would have to study each application, and bring the recommendations to the Board. The booster pump could be relocated. Staff is working on the wording in the temporary easement to make this clear and then will send it to Trillium for comments.

Verizon request: they would like to review the potential of putting a cell tower on the Kickerville water tank property. They would like Right of Entry form completed in order to do some testing. They would go through the County for permitting if they decide to move forward with a tower. If Verizon places the tower, they would ask for a 5 year lease, with two 5 year renewal terms with an initial rent of \$1,000/month. The Board was in favor of proceeding..

There being no further business, it was moved by Reichhardt and seconded by Alesse to adjourn the meeting at **4:56 pm**. The motion passed unanimously.

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 **April 26th, 2011**.

BOARD SECRETARY