

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS
OF BIRCH BAY WATER AND SEWER DISTRICT,
HELD **May 23, 2013 adjourned to May 29, 2013**

Vice-President Carl Reichhardt called the meeting to order at **4:36 pm**. Other persons present included Commissioner Pat Alesse, Assistant General Manager Dan Eisses, and Interim Finance Director Meredith Riley. Commissioner Don Montfort and General Manager Roger Brown joined the meeting at **4:44 pm**.

Agenda additions/changes: None

Public Input: None

Consent Agenda included: Minutes for the regular meeting of May 9, 2013; Accounts Payable Warrants #42427-42436 paying Claims #42427-42436 of \$13,078.19 for 2013 Budget, May Draw Payroll Warrants #7545 and auto payments #10517-10526 of \$16,400.00 in total; Manual Warrant #901188 to Elavon of \$602.05 for credit card fees paid in May; Manual Warrant #901189 to Key Bank of \$146.74 for bank fees paid in May, Manual Warrant #901190 to Dept. of Revenue of \$8,476.19 for excise taxes paid in May. It was moved by Alesse and seconded by Reichhardt to approve the Consent Agenda. The motion passed unanimously.

Developer Extensions: None.

Additional Accounts Payable: Accounts Payable Warrants #42437-42450 paying Claims #42437-42450 of \$5,868.68 were presented. It was moved by Reichhardt and seconded by Alesse to approve the additional Accounts Payable. The motion passed unanimously.

State Financial Report: Meredith reviewed the State Financial Report with the Board and requested authorization to have General Manager Roger Brown review and sign the report and report back to the Board as appropriate. It was moved by Alesse and seconded by Reichhardt to authorize Roger Brown to sign the State Financial Report: The motion passed unanimously.

WRIA 1 Watershed Planning: Roger went over the information given to the Board regarding the recent interaction with the Whatcom County Executive and the County Council. The Water District Caucus is still concerned about the Joint Board funding. There is a meeting set up on June 5 with the County Executive with Roger as representative of the Water District Caucus, and the District's attorney, Bob Carmichael. The Water District Caucus talked about the Water Symposium, and they are interested in having an observer at that event.

Payment and Collection Procedures: Dan reviewed the delinquency portion of RCW 57.08.081 Rates and charges – Delinquencies. He gave the Board a list of other nearby cities' and districts' policies regarding charges after service disconnections. The interest per RCW can be 4% plus prime. The Board thinks the District should charge interest on delinquent accounts. Dan will bring back additional information.

PWTF and SRF Loan Funding: Dan included a message from WASWD requesting Districts to write letters again to their State legislators. The District received a copy of the Water District Caucus' proposed letter to our legislators.

Double R Ranch: Dan reviewed the recent past actions with the Double R lots. The District owns three (3) legal lots, one (1) illegal lot, and has an interest in three (3) illegal lots. Whatcom County Planning does not agree with the Hearing Examiner's review of these lots. Dan discussed charging front footage fees for the three illegal lots. Dan would like CHS Engineers to review the three illegal lots and recommend a front footage fee. The Board agreed.

Developer Extensions:

The Simon Property (south of Holiday Park)

Dan went over the application review and recommendations completed by CHS Engineers. They recommend the District have water and sewer easements on this property along with numerous other recommendations. The Board approved the CHS Engineer's review.

Lincoln Green Tract C1

This is a continuation of Lincoln Green Tract C Lot 1. Dan had Emily review the application and write a response to the developer. The developer is planning on doing a short plat to subdivide this lot into three (3) lots. The recommendation is no water and sewer extensions, and approval of private pumps. The Board approved the application.

Horizon

This is a letter to the new owners of Horizon. It details out the three existing accounts, existing charges, and details of the District's billings.

Single Family House

This is regarding a side sewer inspection. There is a belly in the sewer line, and there is a driveway that has been poured over it. This is a problem that needs to be fixed.

BP Rail Yard

There is a lot of construction east of BP for a rail side yard. There will be a water and sewer connection for a small yard shack.

Verizon

Their agent has contacted the District about a cell tower. Dan asked Verizon for a letter directed to the Board.

Roger asked for an executive session regarding potential litigation.

Executive Session:

The Board went into executive session at **6:18 pm** to discuss potential litigation. The anticipated time in executive session is 5 minutes; no action is expected. The meeting came out of executive session at **6:32 pm**.

Carl asked a question regarding the Retrospective Rating Program regarding Labor & Industry payments. Roger and Dan will bring back additional information next Board meeting.

Carl also asked if there was any additional information on VEBA. Roger stated there was not at this time.

The Board meeting was adjourned at **6:40 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 **May 29, 2013.**

BOARD SECRETARY