

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS  
OF BIRCH BAY WATER AND SEWER DISTRICT,  
HELD April 13, 2006

Commission President Patrick Alesse called the meeting to order at 4:30 PM. Other persons present included Commissioner Don Montfort, Attorney Bob Carmichael, Engineering Services Manager Dan Eisses, Treasurer Glenn Golay, Engineer Rodney Langer, Al Saab and Mike Murphy.

**Agenda additions/changes:** Treasurer Golay requested moving agenda items #12 & #13 earlier in the agenda because he has to leave at 6:30. These items were moved to follow the DE discussion.

**Public Input:** Mr. Al Saab was present to seek information about the District's plans for water service in the Pleasant Valley Water Association area. He has heard that the District may be running a waterline along Kickerville from the PUD. The commissioners advised him that there are no firm plans as yet for District lines in that area.

Mike Murphy (PUD Commission President) was also present. He expressed his feeling that he wants the PUD to work with the district on regional water issues and suggested a joint meeting of the PUD and district boards. Commissioner Montfort said that the district board would be glad to meet with the PUD board.

**Consent Agenda included:** Minutes for the Regular meeting of March 23, 2006; March Payroll Warrants #4856-4880 for \$58,033.22; Accounts Payable Warrants #34780-34836 paying Claims #34780-34836 for \$359,318.15 and Warrant #34837 paying Claim #34837 for \$8,406.45; March adjusting entries to UBS for \$1,698.50 charges and \$705.90 credits and to Assessments for \$1,605.38 charges; March EFTPS withholding deposit made on 03/31/06 for \$22,348.04; and March Financial Reports for review. Commissioner Montfort requested that the minutes be amended to reflect reasons for the decision on the Amende DE water conditions. He noted that the minutes also needed to reflect which project the change order was for that is mentioned at the end of the meeting. It was moved Montfort and seconded Alesse to approve the Consent Agenda, excluding the March 23, 2006 minutes, which will be corrected and reviewed for approval at the next meeting. Passed unanimously.

*Engineering Services Manager Dan Eisses reported on developer extensions & projects:*

**Horizons at Semiahmoo** – Dan reviewed the status of the project. The developer has paid the first half of their DE deposit.

**Lincoln Green-Track C** – Dan reviewed the conditions for this project, both water and sewer and recommended that the commissioners approve the DE agreements. It was moved by Montfort and seconded Alesse to approve the board secretary signing the DE agreements. Passed unanimously.

**Terrell Creek Landing:** Dan discussed the project status. The developer does not have a county building permit as yet and the county is waiting for a will serve letter from the District before issuing one. Dan reported that all the DE work is complete and recommended acceptance of the project. Montfort moved for acceptance and Alesse seconded the motion. Passed unanimously.

**Lincoln Green-Track B** – Dan thinks that this project should be combined with Track C, and will be removed from the list by the next meeting.

Dan noted that the Birch Bay State Park manager has talked with him about the condition of the park's sewer pump station. This is a private pump station currently. Dan discussed some of the issues involved in taking over a private pump station and the question of whether the District should take it over. His recommendation is that the State Park should follow the same process as private developers do, which would require the state to make application to the District to start the review process. The Board agreed with this approach. He will continue to discuss this with the park manager.

Dan also discussed a situation with a side sewer contractor who is looking for a solution to a connection repair. He talked about the problem with the pipe run and also the connector the contractor wants to

use. His recommendation was to allow the use of HDPE pipe, but require proper gasketed fittings. He does not want to be involved in the discussion of whether the pipe-bursting will solve the pipe-belly issue. The commissioners supported Dan's position, with the addition that wording be placed on the permit stating that this is the property owner's responsibility.

Glenn requested that the board approve surplusing the 1991 water service truck. It was moved by Reichhardt and seconded Montfort to approve the sale of the surplus vehicle. Passed unanimously.

The commissioners reviewed Resolution #657, which would agree with the amendment of language in the Interlocal government agreement with the Water & Sewer Risk Pool. It was moved Montfort and seconded Alesse to pass Resolution #657. Passed unanimously.

Commissioner Reichhardt arrived for the meeting at 5:15 PM.

Dan gave a status report on Pump Station #3.

Rodney discussed his review of the alternatives for routing of the **sewer forcemain** from pump station #3 to the treatment plant. The alternatives ranged from using the existing disturbed ground and installing 2 to 3 new pipes with or without removing the current pipe, or going along Jackson Road and Grandview to Karber. Also the depth of the trench would be a consideration. Rodney also reviewed the estimated cost of 3 of the alternatives. Rodney had no route recommendation as yet on this project. Dan discussed what should be the next step, especially regarding communication with the tribe. Dan recommends sending this report to the tribes for their input. The consultants have not been able to get a response as yet from the tribes. The commissioners discussed sending the report to the tribes, or whether to attempt to schedule a meeting and present the report at that time in a situation when questions could be asked and answered. The commissioners directed staff to try and set up such a meeting.

Dan updated the board on the Birch Bay View project. He reviewed his estimates of the project costs and the items in the construction contract. He reviewed some change orders. There are some additional costs for work on Selder Road that would be included in the DE agreement with Horizons DE that would be paid for by the developer. The DE agreement is not ready yet and Trico would like to do the work next week. There was some discussion about how to guarantee the inclusion of the expense before the agreement is signed. Staff was directed to secure an assignment of savings from Horizons for the actual amount of the change order. It was moved by Reichhardt and seconded by Montfort to approve change order #2 with the provision that the assignment of savings is secured from Horizons. The motion was approved unanimously.

Dan also asked for approval of Change Order #3 for the Birch Bay View project to allow for additional cost of grinding existing asphalt, and because of conditions, allows the contractor to exceed the contract quantity for crushed rock. It was moved Montfort and seconded Reichhardt to approve Change Order #3 to Trico Construction. Passed unanimously.

The work program for the update of the Water Source of Supply Plan was reviewed. Roger had sent out an Issues Paper that quantified some of the issues in moving forward. The next step is to incorporate the ground water study that is being worked on. There was some discussion regarding Roger's feeling that a special meeting is needed to discuss this topic. No date was set, but will be decided after Roger's return from vacation.

There was general discussion regarding Water Supply issues.

There being no further business, the meeting was adjourned at 7:05 PM.

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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 **April 13, 2006**.

(minutes taken by Glenn Golay)

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BOARD SECRETARY