

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS
OF BIRCH BAY WATER AND SEWER DISTRICT,
HELD June 8, 2006

Commission President Patrick Alesse called the meeting to order at 4:30 PM. Other persons present included Commissioner Don Montfort, General Manager Roger Brown, Attorney Bob Carmichael, Engineering Services Manager Dan Eisses, and Treasurer Glenn Golay.

Agenda additions/changes: Per Roger, no Executive Session, and add Unit Clarification (Decision), and move up #8 & #10.

Public Input: none

Consent Agenda included: Minutes for the Regular meeting of May 25, 2006; May Payroll Warrants #4930-4954 for \$57,688.28; Accounts Payable Warrants #35020-35058 paying Claims #35020-35058 for \$138,745.27; May adjusting entries to UBS for \$2,224.50 charges and \$967.38 credits; May EFTPS withholding deposit made on 05/26/06 for \$21,329.90; May Financial Reports for review. It was moved Montfort and seconded Alesse to approve the Consent Agenda. Passed unanimously.

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

Tall Cedars has submitted plans and paid its first half charges as required.

Karber Rd.: The DE agreement is ready for approval. Dan noted that front footage fees were collected earlier from adjoining properties that did not have front footage, so those would be reimbursed if approved by the board. It was moved Montfort and seconded Alesse to approve the DE agreement. Passed unanimously.

Whitehorn Way Short Plat: Dan discussed a current requirement that has the County approve extension in the Long Term area prior to execution of the DE agreement. The developer has started the process with the County, but it could take several months for county approval. Dan thought he would bring the project back to the next meeting with this condition changed to prior to acceptance for review.

Also, Dan reviewed the conditions for another plat adjacent to **Whitehorn Way**. Those are basically the same as for the other plat. Dan noted that if the two projects would work together they could save substantial funds doing the projects jointly. The board approved the project conditions presented by Dan.

Dan reported on a new DE proposal on Drayton Harbor Road that would develop 5 lots in an area that has a lot of wetlands. Dan discussed the difficulty of getting water lines to these properties that would be easily maintained. Dan discussed that the \$400 application fee will probably not cover the issues and we will need to request additional funds. The commissioners approved that approach.

Roger reported that the Management Group has approved moving Dan out of that bargaining unit and establishing a separate employment contract for him. The other managers have approved that change and signed the new agreement. The agreements will be added to the Consent Agenda for the next meeting.

Birch Bay View sewer project is nearly complete and Roger discussed the next items on the project schedule. The hearing to set the LFC is proposed to be June 29th at 6:00PM at the District office. A mailing would need to go out to property owners at least 10 days before the proposed hearing. He discussed and reviewed the proposed cover letter and hearing agenda. Dan also reviewed the details of the project expenditures and the estimated LFC. It was moved by Montfort to set June 29 at 6pm for the Special Meeting and LFC Hearing. Alesse seconded

the motion and the motion passed unanimously.

Attorney Carmichael made some comments regarding feasibility factors in the Shoreline Management permit process as it impacts the Birch Bay Drive forcemain project. It was discussed that having the excavation and removal permit from the state prior to submitting the shoreline permit would be helpful.

Bob also discussed a letter from the tribes to the State Attorney General challenging the constitutionality of HB1338.

Dan reviewed a matrix that Rodney developed to show the status of the various issues dealing with the Shoreline & Archeological permit process for the Birch Bay Drive forcemain. He also discussed the contract relationship and lines of communication with the various consultants.

The board reviewed prices received for janitorial services from three vendors and decided to change janitorial service providers.

Regarding the sale of the surplus '91 utility vehicle, Treasurer Golay noted that after advertising the for two weeks, there was no interest and no bids received on June 1st bid date. The next step would then be to try and sell it at auction or by advertising without requiring a minimum price. However, an offer was received today to purchase the vehicle for \$2,500. After reviewing the expense of advertising or auction consignment fees, the commissioners decided to accept the offer and avoid those additional expenses.

Dan briefed the commissioners on his review of the overhead charge calculation method used by the engineering consultant.

Roger talked about information received from the PUD. Also, Roger will be going soon with Blaine staff to meet with the DOE on ground water rights. The temporary intertie agreement is due to go to the council on Monday.

There being no further business, the meeting was adjourned at 7:30PM.

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 **June 8, 2006.**

(minutes taken by Glenn Golay)

BOARD SECRETARY