

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS
OF BIRCH BAY WATER AND SEWER DISTRICT,
HELD July 27, 2006

Commission President Patrick Alesse called the meeting to order at 4:42 PM. Other persons present included Commissioner Don Montfort, Commissioner Carl Reichhardt, General Manager Roger Brown, Attorney Simi Jain, Engineering Services Manager Dan Eisses, Information Services Supervisor Dustin Sellinger, Earl Listebarger, Frank Oldrich, and Pamela Cash from Roto-Rooter.

Agenda additions/changes: Roger asked that a bullet be added to item #6 to discuss an MOU regarding potable water to the PUD and to add item #9 which would be BP wastewater contract amendment.

Public Input: Mr. Listebarger asked the commissioners about using Roto-rooter as an approved side sewer contractor. Roto-Rooter is currently not on the approved side sewer contractors list, but had previously been on the list. He asked why Roto-Rooter was no longer approved, and how Roto-Rooter can be added to the list. Engineering Services Manager Eisses briefed the Commissioners on the requirements for being on the approved contractors list, and detailed why Roto-Rooter had been removed from the list and the steps that have been taken to add them back on. After checking numerous references, only one appears to have completed similar work. The Commissioners discussed the reasons for the approved contractor requirement and its associated \$50 side sewer credit and directed that staff continue to follow existing procedure, which required that Roto-Rooter provide three references for similar work. Roto-Rooter agreed to provide more references of similar work. Pamela Cash stated that Roto-Rooter was providing fixed price contracts and that the people eligible for the side sewer grant were not being charged a 50% deposit.

Consent Agenda included: Minutes for the Regular meeting of July 13, 2006; June Payroll Warrants #4992-5003 for \$11,850.00; Accounts Payable Warrants #35168-35220 paying Claims #35168-35220 for \$60,486.73. It was moved Montfort and seconded Reichhardt to approve the Consent Agenda. Passed unanimously.

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

ESM Eisses had no new development projects or updates to report on.

Due to the recent informational requests from Loomis Trail Homeowner Association regarding **annexation** Roger Brown detailed the current policies for annexation.

ESM Eisses presented an update on the **Birch Bay Drive Forcemain** project. The report is still not quite ready for the boards review so the Commissioners were briefed on the timetable for the project. It appears that the construction phase of the project most likely will not be able to start until September. General Manager Roger Brown then reviewed the Shoreline Management Program (SMP) and a memo from Simi Jain related to the SMP. Roger also reviewed the comments the District will be making on the proposed SMP.

Water Comprehensive Plan and Water supply – General Manager Roger Brown briefed the board on water consumption for the last 2 weeks. Two temporary well field failures in the City of Blaine were discussed as well as a recent letter to the editor about a concern related to conservation and growth in the Birch Bay area. Roger asked the Board for approval of a new Inter-local agreement with the city of Blaine. There had been a previous agreement for hydrological consulting work and the new agreement would allow the addition of tasks without requiring an amendment to the inter-local. Roger clarified that the board would still need to approve scope of work and budget before additional work is undertaken. Roger also asked for approval of a scope of work for more hydrological consulting services from AES Inc. Commissioner Montfort asked that there be a little more information in the letter of agreement

authorizing the AES work. Commissioner Montfort moved to accept the Inter-local Agreement, Commissioner Reichhardt seconded, passed unanimously. Commissioner Montfort then moved to accept the AES Task Order #3, Commissioner Reichhardt seconded, passed unanimously.

General Manager Brown then reported on matters related to the PUD and our supplying them with potable water for BP. We had offered them an arrangement under which they could pay a firming charge, and have their water turned back on. The PUD had not gotten back to the District until BP had called requesting that water be turned back on for the company picnic. Roger indicated that he would work on an inter-local agreement with the PUD to pay the firming charge, which could go to the PUD board for approval on August 8 and to the District board for approval on August 10. In order to hold down District costs, the PUD would be asked to draft the agreement implementing the firming charge. In addition, the District supply to BP would recommence for the weekend of August 5-August 6, in time for BP's employee function. This decision would be subject to the District's determination of supply availability. Roger indicated that PUD management has agreed to these arrangements. The board concurred with this approach.

ESM Eisses briefed the board on the status of **PS#3**. He discussed an issue that had recently come up regarding use of galvanized pipe and the potential of corrosion. It has been suggested that pouring concrete around the pipes may provide some additional protection. A second issue concerns the variable frequency drives and the power switch being mounted higher than acceptable from the floor. A step up will be added to raise the level of the floor. Both of these issues are being proposed to be handled using the force account bid item in the contract.

Dakota creek water line project- ESM Eisses reviewed the surveying proposal for this waterline project. The original proposal was for only one side of the road and Dan is recommending to survey both sides of the road. There is also an issue with Larry Steele's schedule as the soonest he can get on the job is approximately 10 weeks. Dan would like an increase in budget for \$2,900 and allow Rodney to try and find a different surveyor within the new budget. Commissioner Montfort moved to *increase CHS's scope and fee by \$2,900*, Commissioner Reichhardt seconded, passed unanimously.

BP wastewater- Tom Anderson, acting as a consultant for BP, recently contacted General Manager Brown regarding an amendment to the contract for domestic wastewater service to the refinery. Roger and Dan reviewed issues they will want to discuss at this meeting. These include the apparent discrepancy between potable water use and wastewater volume discharged, exceeding flow and loading limits in the current contract, the need to perform a 2006 rate update and establishing a funding mechanism to cover the District's costs of working on an amendment.

There being no further business, the meeting was adjourned at 7:58 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 **July 27, 2006**.

(minutes taken by Dustin Sellinger)

BOARD SECRETARY