

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS
OF BIRCH BAY WATER AND SEWER DISTRICT,
HELD October 12, 2006

Commission President Patrick Alesse called the meeting to order at 4:30 PM. Other persons present included Commissioners Carl Reichhardt and Don Montfort, General Manager Roger M. Brown, Attorney Robert Carmichael, Engineering Services Manager Dan Eisses, Treasurer Glenn Golay, Engineer Rodney Langer, Morrie DeBoer and two others representing the Malibu and Horizons at Semiahmoo developments.

Agenda additions/changes: none

Public Input: none

Consent Agenda included: Minutes for the Regular meeting of September 28, 2006; Accounts Payable Warrants #35413-35461 paying Claims #35413-35461 for \$120,995.93, September Payroll Warrants #5078-5102 for \$57,067.49, October Payroll Draw Warrants #5103-5114 for \$11,850; September adjusting entries to UBS for \$1,351.77 charges and \$156.35 credits; September Adjusting Entries to Assessment for \$32,921.32 charges; September EFTPS withholding deposit made on 09/28/06 for \$20,601.01; and September Financial Reports for review; and Resolution #659. It was moved Reichhardt and seconded Montfort to approve the Consent Agenda. Passed unanimously.

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

There were some persons present to discuss irrigation meters at Horizons and Malibu developer extension projects. Dan discussed the background for staff denial of such service and District policy regarding irrigation uses. Morrie DeBoer, representing the developer, presented the plans for the landscaping at Malibu. He said the plants will be drought-tolerant and he does not anticipate high water usage. Shawn Horton, from David Evans & Associates, presented the general concept of the landscape plan at Horizons. Roger pointed out that the irrigation systems were not on the original plans and there are no District policies to deal with this issue. Both commissioners Montfort and Reichhardt pointed out that the numbers shown on the plan for summer usage represents a lot of usage, perhaps as much what would normally be used for 68 homes. Staff will continue to work with the developers, who will keep working on their design and also researching other sources of water, such as run-off and retention ponds.

Dan reported that the county has put out a SEPA notice on the road restoration on Drayton Harbor Rd. Dan will be meeting with the county shorelines and fisheries staff tomorrow.

Roger presented a review he's prepared on a **Growth Policy**, including funding and planning. Commissioner Montfort made some remarks regarding the general application of the use of the Comp Plans and support for staff in that application. He also noted that he would support accelerating the process of dealing with growth issues and their impact by getting consulting help or funding new technology to improve efficiencies. Commissioners Alesse and Reichhardt also expressed their concerns on this issue. Roger proposed studying the impact of the current usage levels of single-family residents, particularly in the context of the comp plans and the wide diversity of usage because of the size of the home or lot. Commissioner Montfort also encouraged the review of the connection charge rates.

Annexation – Dan presented a cost estimate from CHS regarding an application process for the Loomis Trail area. Dan reviewed the current policy and Roger discussed the City of Blaine’s interest in annexation of the area themselves, and to provide the utility services in the area. Roger will be meeting with City staff and will discuss this issue with them.

Dan discussed the status of his review of the **wastewater treatment plant report**. He has several issues he wants to clarify in the report before bringing it to the board.

The **NPDES permit** is due to be submitted November 10th. CHS has proposed a fee of \$6,500 to assist with the submittal process. Dan asked for approval of the CHS proposal. It was moved Reichhardt and seconded Montfort to approve the proposal. Passed unanimously.

Dan also discussed getting some consulting assistance with the reclaimed water issue. No action was taken on that issue.

Dan talked about the **BP wastewater increase request**. He reviewed the status of the request. Dan would like to get consulting help with this request. He suggested using Kennedy Jenks and asking them to give us a scope and fee proposal. Roger noted that he is not getting his questions answered by BP very quickly and will continue to work to get that done.

Roger noted that the monthly meeting with City staff is tomorrow. He also discussed the PUD’s budget process. Both Roger and Don attended the last PUD board meeting.

Roger then discussed the outline he prepared for the **water supply review**, including what has been accomplished and issues that have arisen since the review was begun. This was a first review of the work plan and Roger will be looking for a decision regarding serving water to BP at the next board meeting.

Dan gave an update on the BBVC project. There are 19 unconnected developed lots. There are five lots who have not signed an agreement, but two of those are talking with Dan. Dan recommended an extension of 2 more weeks to make the connection to the system. There was general discussion by the Board that they are concerned to just keep extending the time period and they would like to see these completed. It was moved by Reichhardt to allow the two-week extension. The motion was seconded by Alesse and passed 2 to 1.

It was moved by Montfort and seconded by Reichhardt to approve allowing the District General Manager to sign the lien removals for the District. The motion passed unanimously.

Roger reported on the back flow program and the Table 9 issues. The discussion focused on compliance enforcement. There are 7 accounts that are not in compliance. The board reviewed the enforcement options. Roger recommended for piers and docks that the water should be shut off. The other 2 accounts would be notified that unless they correct the problem, a back-flow prevention device would be installed by the district and their account billed for the work. The commissioners agreed.

The Commissioners went into Executive Session at 8:20 pm to discuss a personnel issue and anticipate being in session for 15 minutes, with possible action planned afterwards.

Coming out of Executive Session at 8:30 pm, the Board considered the Management Group contract for 2007-2009. Commissioner Montfort moved to approve the contract, seconded by

Reichhardt and the motion was unanimously approved. There being no further business, the meeting was adjourned.

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 **October 12, 2006.**

(minutes taken by Glenn Golay)

BOARD SECRETARY