

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS
OF BIRCH BAY WATER AND SEWER DISTRICT,
HELD October 26, 2006

Commission President Patrick Alesse called the meeting to order at 4:30 PM. Other persons present included Commissioners Don Montfort and Carl Reichhardt, General Manager Roger Brown, Attorney Robert Carmichael, Engineering Services Manager Dan Eisses, Treasurer Glenn Golay, Engineer Rodney Langer, Blair Murry and Skip Jansen.

Agenda additions/changes: Roger asked to add an item pertaining to NPDES permit. Also to discuss whether to schedule a special meeting, and to add task order #4 for AES to agenda item #9.

Public Input: none

Consent Agenda included: Minutes for the Regular meeting of October 12, 2006; Accounts Payable Warrants #35462-35512 paying Claims #35462-35512 for \$61,285.68. It was moved Montfort and seconded Reichhardt to approve the Consent Agenda. Passed unanimously.

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

Blair Murry was present to discuss the **Trillium 4-lot development (Drayton Harbor Rd)**. Dan again discussed the development recommendations from staff. In order to meet fire flow, staff is recommending an extension of the water line along Drayton Harbor Road. Dan discussed an alternative recommendation that is subject to the developer getting a letter from the Fire Marshall saying that he would not have to meet fire flow for these 4 lots of record. Commissioner Reichhardt asked if staff looked at the effects of long dead-end lines. Dan thought that additional development in the area (which is anticipated) would probably take care of that problem. Carl also asked about holding the credits for oversizing until the looped line is completed. He would also like to see the entire line built to eliminate the "dead-end" issue. There was general discussion about District standards applying to this type of development. Mr. Murry suggested that the board defer a decision while he develops his other project proposal that would allow both projects to be combined and also would allow for looping the waterline.

Harbor Shores: Skip Jansen was present for this discussion. Dan said that this closely ties in with the annexation proposal that was received for the Loomis Trail area. Rodney discussed his findings regarding the project. The plat is nearly a mile from the nearest sewer line. It is zoned UR4 and in the Blaine UGA. Gravity sewer could be run all the way from Loomis Trail to the development, if you size the line for full build-out at current zoning. He also reviewed the wetlands in the area. With the amount of wetlands, it is unlikely that the area will develop at current zoned density. This would result in sewer pipes that were too large and not enough slope. If half density is assumed, a fairly large area could not receive gravity sewer without installing another pump station. Dan then discussed the annexation proposal for this area. A note has been received from Blaine staff saying that they are not concerned with the District annexing the area. Staff would like to discuss the issue again with Blaine to firmly establish Blaine's interest in the area for both annexation and keeping it in their UGA. There was some discussion about whether this area should be served by urban services because of the extensive wetlands. Commissioner Montfort stated he is concerned about adding to the water quality problems of Drayton Harbor if septic systems go in here instead of a sewer system. He does not object to a pump station and a temporary forcemain for this project. Staff will continue to work with the developer to make a formal recommendation on the infrastructure requirements.

Horizons at Semiahmoo: Dan discussed the irrigation plan for the development. Dan is recommending that when the plan is received, that it be turned over to CHS to hire a landscape architect to review the plan for conservation.

Roger discussed the **annexation issue**. After discussion, staff was directed to continue to gather

information.

Dan discussed the **Kamal DE** and the project recommendations. It was moved by Montfort and seconded by Reichhardt to approve the staff recommendations. Passed unanimously.

Dan discussed his review of the GFC update. With the ENR index factor, the sewer connection charge would increase \$155 (\$2,935) and water \$140 (\$2,620). It was moved Montfort and seconded Reichhardt to prepare a resolution to increase the connection charges by these amounts, and to set a public hearing for November 9th for review of the proposal. The increase would take effect immediately after passage of the resolution. The motion passed unanimously.

Dan also reviewed data that compares lot size with water usage. From the data, lot sizes above 0.5 acres use an average of 1.5 of the standard single-family residential usage. Dan discussed some different approaches to recovering the cost of providing water to bigger lots vs. the average single-family residence. Possibilities discussed included charging more units and/or a higher 3rd block rate for big lots. Staff also discussed the possibility of requiring a landscape architect's review of larger lots to ensure that landscaping is consistent with water usage that comes closer to the average for the SFR class.

Birch Bay Drive Forcemain: The archaeological permit is ready for submittal, along with the SEPA checklist (which is not final). Dan recommended sending the archaeological permit application when we receive a letter from Western Washington College agreeing to curate any discoveries. Rodney noted that an addition to the plan is the inclusion of a 4" sewer force main for the State Park pump station. It was moved Reichhardt and seconded Montfort to approve the submittal of the permit application. The motion passed unanimously.

BP Potable Water Service: Roger and Dan discussed proposed conditions for provision of continued potable water service to the BP refinery via a wholesale contract with the PUD. The proposal would provide a mix of interruptible and firm supplies during an interim period and firm supply once the District has developed new water supplies pursuant to its updated Water System Plan. Roger stated that information the PUD received from BP indicated that such a supply arrangement may meet the refinery's potable needs. The proposal would constitute a condition precedent to expansion of domestic wastewater service and would require that the PUD participate financially in the cost of permanent supply. Staff will present this proposal to the PUD.

Rodney gave an overview and reviewed his checklist concerning CHS' progress on the Water System Plan work. He discussed the data that he and staff have developed to use for the usage modeling and that would result in impacting infrastructure design and planning for the WSP. The demand forecast "without" conservation is based on 126 gpd/ERU increasing to 150 gpd/ERU by 2035. The demand forecast "with" conservation is based on a constant of 126 gpd/ERU for the same planning period.

Roger discussed contracting with AES to develop four ground water rights in coordination with the City of Blaine, each entity paying half the cost. Total would be \$3,000. It was moved Montfort and seconded Reichhardt to approve Task Order #4 for AES. The motion passed unanimously.

Roger reported on his attendance at the PUD meeting. He also discussed the new budget process that the PUD is adopting.

Roger also reviewed a DOE policy statement.

Rodney asked that the board approve the Board President sending a letter to DOE authorizing Roger and Steve to sign NPDES permit documents for the District. It was moved Montfort and seconded Reichhardt to approve the letter. Passed unanimously.

Roger reviewed the Cross Connection Control program Table 9 accounts that are not in compliance. He discussed the action that staff is taking to enforce compliance.

Birch Bay View Community – Dan reviewed the status of connections on the system. There are seven lots that have not signed or connected. He recommended extending til November 9 on five lots, extending connection until February for lots 50 & 72. After discussion, the commissioners made no decision to extend.

It was moved Montfort and seconded Reichardt to set November 3 for a special meeting at 10am to conduct the state audit Exit Conference. The motion passed unanimously.

The Commissioners went into Executive Session at 8:30 pm to discuss a personnel matter. They plan to be in session for 20 minutes with no action anticipated afterwards.

Coming out of Executive Session at 9:45 pm, there being no further business, the meeting was adjourned.

COMMISSIONER

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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 26, 2006**.

BOARD SECRETARY

(minutes taken by Glenn Golay)