

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS  
OF BIRCH BAY WATER AND SEWER DISTRICT,  
HELD March 22, 2007

Commission President Don Montfort called the meeting to order at 4:33 PM. Other persons present included Commissioners Carl Reichhardt and Patrick Alesse, General Manager Roger Brown, Attorney Robert Carmichael, Engineering Services Manager Dan Eisses, Dustin Sellinger, Engineer Rodney Langer, W.R. and Betty Glassman, and Wolfgang and Debi Sellinger

**Agenda additions/changes:** Item 11. Double R Lots to be deferred to the next regular board meeting.

**Public Input:** The Glassman's presented their concerns with the District's ability to waive charges on past due accounts for people who have been sick and are unable to pay. They stated that they believed District staff in discussing their concerns had treated them discourteously. The board agreed to extend their account shutoff till the next board meeting. The board also encouraged them to seek assistance from charitable organizations and to see if they could take advantage of the District's leak rebate program. Roger provided them with a list of charitable organizations.

**Consent Agenda included:** Minutes for the Regular meeting of March 8, 2007; Accounts Payable Warrants #35938-35993 paying Claims #35938-35993 for \$95,895.69; March Payroll Draw Warrants #5284-5294 for \$11,000.00. It was moved Reichhardt and seconded Alesse to approve the Consent Agenda. The motion passed unanimously.

There were no developers present to discuss their projects.

**Annexation Request:** The board discussed their response to a request from residents of the Loomis Trail – Greens development to annex their property into the District. Roger explained the proposed policy and letter to Steve Banham. Commissioner Montfort asked for some clarification of points in the policy and in the proposed letter to the City of Blaine. He would like item 4 of the Commission Policy to read "Implementation of such city policies...". Wolfgang Sellinger asked a few questions about the letter and about the perceived intentions of the City. Commissioner Alesse moved to adopt the amended policy and Commissioner Reichhardt seconded. Passed unanimously. The proposed letter was also approved.

Engineer Rodney Langer recommended accepting the **Pump Station #3** Rehabilitation project as completed. Engineering Services Manager Dan Eisses discussed the current state of the Pump Station, the warranty work that is currently being performed, and the unused funds for the project. Dan requested authority to accept the contract, and to allow General Manager Roger Brown to sign contract change order #2. Commissioner Reichhardt moved to give staff the authority to accept the project and to sign change order #2. Commissioner Alesse seconded. The motion passed unanimously

General Manager Roger Brown reported on a letter from BP concerning the BP wastewater study. Roger asked for conditional approval based on BP funding of task order 12 from Kennedy Jenks. It was moved by Commissioner Alesse and seconded by commissioner Reichhardt to approve the task order subject to the stated condition, approved unanimously.

General Manager Brown reported on **Water Supply** issues. He first discussed the current construction status of well 5R in the City of Blaine. ESM Eisses then reviewed the City's reaction to the CHS draft letter on providing sanitary sewer service to West Blaine. The City appreciated the work and wanted a week or so to review prior to CHS finalizing the letter. .

ESM Eisses introduced the **Water System Plan** workshop. Engineer Langer briefed the board on recommendations for scheduled main replacements. ESM Eisses then discussed items that included; main replacements, valve and hydrant maintenance, water main flushing, and reservoir cleaning upon which staff would like board input.

The **Public Hearing** regarding the Karber Road and Lincoln Green Track C benefit areas was called to order at 6:04 PM. There were no persons present to make comment. That being the case, President Montfort closed the public hearing at 6:05 PM. It was moved Reichhardt and seconded Alesse to accept the recommendations of benefit area and adopt resolutions 663 and 664, respectively, confirming the benefit area and authorizing the District Manager to sign the reimbursement agreements on behalf of the District.

Rodney continued with the Water System Plan briefing. He reviewed leak detection issues and DOH rules limiting system loss to 10% or less. He then reviewed DOH recommendations for system reliability. The Board was generally comfortable with the staff recommendations. These will be included in the WSP and reviewed again with the financial rate model.

A special meeting was set for March 23, 2007 at 12:00 in Lynden.

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

Dan asked for approval of the DE Agreement Amendments (water and sewer) for Horizons Tract R1. Commissioner Reichhardt moved to accept the amendments, seconded by Commissioner Montfort, and passed unanimously.

Dan then asked for approval of the Kamal short plat DE agreement. Commissioner Reichhardt moved to accept the agreement, seconded by Commissioner Montfort, and passed unanimously.

Dan also reported on preliminary findings of the irrigation study for the Horizons development.

There being no further business, the meeting was adjourned at 7:00 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 **March 22, 2007**.

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BOARD SECRETARY

(minutes taken by Dustin Sellinger)