

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS
OF BIRCH BAY WATER AND SEWER DISTRICT,
HELD December 13, 2007

Commission President Don Montfort called the meeting to order at 4:35 PM. Other persons present included Commissioners Patrick Alesse and Carl Reichhardt, General Manager Roger M. Brown, Engineering Services Manager Dan Eisses, Attorney Robert Carmichael, Treasurer Glenn Golay, Engineer Rodney Langer, Luke van't Hoog and Keith Lucke (BP), Craig Parkinson, Carol Hasselbrock and Ralph Tepel (Mariners Cove).

Agenda additions/changes: Roger asked to add an Executive Session for a personnel issue. Don also would like to discuss budget issues.

Public Input: Carol Hasselbrock and Ralph Tepel were present to discuss the problem with sewer backups into the Mariners Cove condominiums. She described the sewer backup during the recent storm event and they are asking that the District resolve the problem. Dan Eisses went through information he has developed regarding this problem. The storm event on December 3 was extremely intense. There was considerable inflow from the Birch Bay Resort Park area. He also described the sewer system connections to Mariners Cove. Dan talked about some possible solutions to the problem, including: replacement of the sewer system in the Resort Park; installation of a storm drainage system in the Park; analyzing Mariners Cove building connection locations. Dan suggested that a timely action would be to smoke test the Resort Park and correcting the problems detected. Another suggestion is to acquire flow meters to monitor the flow into and out of the resort park. The commissioners assured Mariners Cove owners that they are determined to find a solution to the problem. They directed staff to proceed with smoke testing the Resort Park and correcting the problems located. Also for staff to see if check valves are installed for each condo building. Dan will work on a fix for the problem and meet with the condo reps to discuss the status of his review of the situation.

Consent Agenda included: Minutes for the Regular meeting of November 28, 2007; Accounts Payable Warrants #36785-36839 paying Claims #36785-36839 for \$99,631.87; November Payroll Warrants #5591-5615 for \$61,149.21, November adjusting entries to UBS for \$1,580.02 charges and \$503.15 credits; November EFTPS withholding deposit made on 11/30/07 for \$22,955.56. Review of November Financial Reports deferred for later in the meeting. It was moved Reichhardt and seconded Alesse to approve the Consent Agenda. The motion passed unanimously.

Developer Extensions: Dan discussed the engineering recommendations for the Goldstar – Gas Station DE application. Craig Parkinson was present to represent the developer. It was moved by Reichhardt and seconded by Alesse to approve the engineer's recommendations. The motion passed unanimously.

BP Wastewater service: Roger gave a brief update on the status of contract negotiations. He thinks that they will be able to present a conceptual review of the draft contract terms.

Roger also discussed issues that were discussed at the last PUD board meeting.

The most recent meeting with city staff was also reviewed.

Dan reported that Roger issued a DNS on the Water System Plan, with review period until December 27. There will be a public hearing on the 27th. Rodney discussed the highlights of the draft plan.

Glenn and Roger presented the draft Revenue Model, which includes projects outlined in the comp plans. Glenn will continue to update the model for further review.

Dan discussed the Drayton Harbor Waterline replacement project and the county's decision that it did not qualify for a shoreline exemption. Dan had recently asked the county if a 3 inch replacement size would qualify for an exemption, but had not received an answer yet. The Board's feeling was that further discussions regarding the 4 inch replacement size would be preferable to the 3 inch size.

Dan presented the recommendations for water and sewer service to the second lot of the Van Luven short plat. It was moved by Reichhardt and seconded by Alesse to approve the recommendations as presented. The motion passed unanimously.

The commissioners went into Executive Session at 7:23 pm to discuss a personnel issue. They plan to be in session for 15 minutes with no action planned afterwards.

Coming out of Executive Session at 7:57 pm, 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 **December 13, 2007.**

BOARD SECRETARY

(minutes taken by Glenn Golay)