

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS
OF BIRCH BAY WATER AND SEWER DISTRICT,
HELD December 27, 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 Brown, Attorney Robert Carmichael, ESM Dan Eisses, Treasurer Glenn Golay, and Engineer Rodney Langer.

Agenda additions/changes: Roger asked to add a point on the Drayton Harbor Road waterline project.

Public Input: none

Consent Agenda included: Minutes for the Regular meeting of December 13, 2007; Accounts Payable Warrants #36840-36878 paying Claims #36840-36878 for \$72,259.33; December Payroll Draw Warrants #5617-5628 for \$14,550.00. It was moved Alesse and seconded Reichhardt to approve the Consent Agenda. The motion passed unanimously.

Dan reported on his attendance at the last PUD meeting and the items discussed.

BP Contract Issue: Roger sent a conceptual contract to Bob for legal review. Roger will be looking at the budget needs to go forward with the BP agreement work and will give the board a more detailed briefing at the next meeting.

Staff has been meeting with the city on water contract and supply. Next meeting on the contract and FCSG's work will be January 28th. The Conservation budget was discussed at the last city staff meeting and they seemed in favor of that budget.

Roger also distributed the Conservation budget again and said he will be asking for board approval at the next meeting so that the program can proceed as soon as possible.

Public Hearing: Commissioner Montfort opened the hearing on the Water System Plan at 5:02 PM. No members of the public were present. That being the case, Commissioner Montfort closed the hearing at 5:04 PM.

Dan reported that the Water System Plan SEPA DNS was issued on December 12th, with a 15 day review period, ending today. No comments were received. Dan mentioned that he and Rodney are asking for some changes to the plan. The State has pushed back the Dakota Creek bridge replacement several years. Dan recommends moving the supply line replacement down Hall road and deferring the Dakota Creek crossing. Rodney presented an overview of the plan changes caused by the proposed Hall road project. There was considerable discussion about the change and the impact on the water supply planning. The commissioners asked staff to bring more information on the benefits and costs of the changes for their further review. Dan thought they could bring a resolution to the next board meeting for adoption of the new Water System Plan. Roger noted that he would like to defer

review of the revenue model until the next meeting so he can spend some more time on it.

Dan reported on his work to solve the high flow problems at Mariners Cove. A letter has been sent to Birch Bay Resort Park concerning planned smoke testing of their system and the reason for it. Dan has also contacted the Mariners Cove representative to get more detail of the storm event of December 3. He will continue discussions with Mariners Cove on this problem. Dan is also working on a plan to deal with storm water events, and district staff responsibilities.

Dan discussed the Drayton Harbor road waterline project and the appeal to the county regarding the permit application. Bob recommended pursuing a meeting with the county to resolve the issue. The commissioners agreed.

Dan reviewed developer extension projects: Whitehorn Way Short Plat bill of sale was reviewed and Dan recommended acceptance. Commissioner Reichhardt moved to accept the project conditional on completion of the district punch list (return sign bill of sale, certification of costs and maintenance bond, and pay any outstanding fees and charges). The motion was seconded by Alesse and the motion passed unanimously.

Dan also reported that he is still working with Skip Jansen on the Harbor Shores project.

There being no further business, the meeting was adjourned at 6:50 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 **December 27, 2007**.

BOARD SECRETARY

(minutes taken by Glenn Golay)