

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS
OF BIRCH BAY WATER AND SEWER DISTRICT,
HELD September 11, 2008

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 Brown, Engineering Services Manager Dan Eisses, Attorney Robert Carmichael, Treasurer Glenn Golay, and several people from the California Creek/Dakota Creek area.

Agenda additions/changes: Roger asked that action on agenda item #9 be changed from Discussion to Decision.

Public Input: Several people were present to ask for information regarding the installation of sewer in the area between Dakota and California creeks where they own property. Dan talked about the area and the properties there. The major item of discussion was how to put together reasonably accurate estimates of the cost of installation of the sewer system, and how the property owners would repay those costs (ULID, LFC, etc.). Because of the Harbor Shores development, there may be quite a bit of information available already regarding project costs for this area. The property owners will talk with Skip Jansen and try to get a better idea of his schedule for Harbor Shores. The commissioners will take no other action at this time.

Consent Agenda included: Minutes for the Regular meeting of August 28, 2008; Accounts Payable Warrants #37675-37720 paying Claims #37675-37720 for \$109,147.59; August Payroll Warrants #5943-5968 for \$59,424.62; August adjusting entries to UBS for \$2,803.12 charges and \$30,990.23 credits; August EFTPS withholding deposit made on 08/29/08 for \$21,356.35; and August Financial Reports for review. It was moved by Montfort and seconded by Reichhardt to approve the Consent Agenda. The motion passed unanimously.

Roger reported on the presentation last Tuesday at DOE regarding the Cost Reimbursement Program. The meeting lasted three hours and Roger felt it was a good start to the process. Roger asked for approval from the commissioners to send a letter to DOE asking for implementation of the cost reimbursement for water rights. It was moved Montfort and seconded Reichhardt to approve sending the letter generally as written, with the understanding that the City has not reviewed the letter and may want to make some changes. The Board indicated that Roger should review the City's proposed changes with the District's attorney before proceeding. The motion passed unanimously.

The next activity will be a notice of action for the cost reimbursement program. Roger is meeting with Steve tomorrow to discuss that process. Roger discussed the expected schedule as this process goes forward.

Roger also reported on current activity at the PUD and his attendance at their board meeting.

Roger reviewed the Water Shortage Response Plan as edited from comments from the last meeting. Roger asked for approval to send the plan to DOH. It was moved Montfort and seconded Reichhardt to approve the plan as presented. The motion passed unanimously.

Dan reminded the board that Alfred Reid has been the on-call archeologist for the District. He would like to change to Drayton Archeology as the on-call person because he has a good working relationship with him. It was moved by Reichhardt and seconded Montfort to sign a

contract (not to exceed \$2,000) with Drayton Archeology for on-call services. The motion passed unanimously.

Dan discussed the waterline replacement project on Birch Bay-Lynden Road. Dan did a cost estimate for the District to do the work. There is 4 inch pipe available in existing supplies here at the District and the labor estimate is two weeks. He recommends that the project be done in-house. It was moved Montfort and seconded Reichhardt to approve doing the project using District personnel. The motion passed unanimously.

Roger discussed information that has developed regarding the proposed Cherry Point Aquatic Reserve. There has been no communication with the District by the persons putting together the report. The commissioners directed Roger to proceed with making comment on the report.

Dan presented a request from a person wishing to purchase excess right-of-way in the Normar property owner's association property. Dan recommended cooperating with the association to sell the excess right-of-way, provided the sale meets state law for disposal of District property and making note of the District waterline in the easement. It was moved by Reichhardt and seconded Montfort to approve the sale. The motion passed unanimously.

Glenn reported on the bi-annual audit of the District by the State Auditor's office. The Exit Conference for the audit has been set for September 24th at 10:00 am.

There being no further business, the meeting was adjourned at 6:34 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 **September 11, 2008.**

BOARD SECRETARY

(minutes taken by Glenn Golay)