

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS
OF BIRCH BAY WATER AND SEWER DISTRICT,
HELD October 23, 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, Treasurer Glenn Golay, Water Conservation Specialist Emily Resch, Attorney Robert Carmichael, and Carol Hasselbrock from Mariner's Cove.

Agenda additions/changes: Roger noted that the Executive Session will be regarding a personnel issue.

Public Input: Representatives from Mariner's Cove presented a claim for damages from a storm event last winter. General Manager Roger Brown received the claim. Ms. Hasselbrock reviewed the material presented to the board and asked for rapid action by the district to have the Risk Management Pool review their claim. The commissioners assured her that the claim would be forwarded to the District's Risk Management Pool for action.

Consent Agenda included: Minutes for the Regular meeting of October 9, 2008; Accounts Payable Warrants #37826-37881 paying Claims #37826-37881 for \$117,248.87; and October Payroll Draw Warrants #6010-6023 for \$15,250.00. It was moved by Montfort and seconded by Reichhardt to approve the Consent Agenda. The motion passed unanimously.

Emily presented her monthly update on the status of the **Conservation program**. She reported on her attendance at the Whatcom Water Alliance meeting. She is pleased at the attendance by other entities in the county. Only Point Roberts WD and the City of Everson, among previous attendees, were not in attendance. The watering schedule was reported as having been very successful. They discussed increasing signage and more use of Wayne Drop (Conservation mascot). It was also suggested that the group support a Whatcom Water Day event. The Alliance will meet again in January. Emily also discussed a review of the results of conservation efforts this last summer comparing water usage to previous years.

Emily discussed changes DOH has requested to the Water Use Efficiency program annual report. She is meeting next week with Sue Blake, who is interested in the district's conservation program.

Roger discussed the **Cost Reimbursement Program**, and a recent meeting he, Steve Banham, Chuck Lindsey and Dan had with Lummi tribal staff. Roger asked the board to approve a task order from AES and a cost sharing agreement with the City for additional work on this program. The city has already approved the task order. It was moved Montfort and seconded Reichhardt to approve Task Order #10 with AES. The motion passed unanimously.

Roger then reviewed a proposed agenda for the annual meeting between city and district staff and elected officials. They are hoping to meet the week of November 17 and asked if one of the commissioners would like to be part of the meeting. Commissioner Alesse was willing to represent the board at the meeting.

Roger reported on his attendance at the PUD's board meeting last Tuesday. He asked the board to review the information provided in the meeting binders regarding PUD activity.

Glenn presented a proposed resolution, which adopts a program to prevent identity theft (Red Flag Rules) per direction from the Federal Trade Commission. The compliance date had been November 1st, but has been delayed to May 1, 2009. Since there is more time to comply, the commissioners decided to spend additional time reviewing the information presented before approval.

Roger presented a letter to DNR that says that the district is signing the aquatic lands lease and sending that to them, but also stating that the agreement does not meet the needs of the District. There is also a transmittal to the staff person at DNR that Dan has been working with on this issue. He asked approval to sign the Holdover Tenancy Agreement and send the letter. It was moved Reichhardt and seconded Montfort to approve sending the letter and lease. The motion passed unanimously.

The Commissioners went into Executive Session at 5:32 PM. Commissioner Alesse announced that it concerns a personnel issue, and should take 20 minutes, with action anticipated afterwards.

Coming out of Executive Session at 5:50 PM, the board resumed the regular meeting agenda. The commissioners approved wages and benefits at a mid-range level for a potential new employee.

The commissioners discussed the meeting schedule for November/December. Only one meeting per month is scheduled at this time because of holidays. The Commissioners decided to leave the schedule as planned currently, but were willing to add meetings if needed.

Commissioner Montfort had to leave the meeting at 6:00 PM.

Dan reviewed the results of recent I&I testing in the RV parks. He described his plans for further testing in the district.

Glenn asked to defer discussion of procedures for sale of surplus property for the next meeting when Commissioner Montfort can be here.

Developer extension projects: Dan reported that the Malahan Cluster short plat developer has informed him that he intends to go ahead with the project. Dan also introduced a new application on a parcel on Leaside Drive. The conditions for both of these projects should be ready to present to the Board at the next meeting.

There being on further business, it was moved Reichhardt and seconded Alesse to adjourn the meeting at 6:30 PM. The motion passed unanimously.

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 **October 23, 2008.**

BOARD SECRETARY

(minutes taken by Glenn Golay)