

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS
OF BIRCH BAY WATER AND SEWER DISTRICT,
HELD May 14, 2009

Commission President Don Montfort called the meeting to order at 4:30 PM. Other persons present included Commissioner Carl Reichhardt, General Manager Roger Brown, Engineering Services Manager Dan Eisses, Treasurer Glenn Golay, Water Conservation Specialist Emily Resch, Attorney Robert Carmichael, Judy Bedlington, Duane Nelson, J.P. Slagle, Mike Bleakney, and Pat Pollock (BP).

Agenda additions/changes: Roger noted that #14 would be deleted from the agenda.

Public Input: Judy Bedlington was present to ask for water only service on a lot she owns adjacent to her residence. Dan Eisses talked about the fact that there is no policy that covers this situation that would allow staff to make the decision on this request. After discussion, it was moved Reichhardt and seconded Montfort to allow the water only connection. The motion passed unanimously.

Commissioner Alesse arrived for the meeting at this point.

Consent Agenda included: Minutes for the Regular meetings of April 9, 2009 and April 23, 2009; Accounts Payable Warrants #38370-38403 paying Claims #38370-38403 for \$59,337.19, Warrants #38404-38405 paying claims #38404-38405 for \$1,200.00, Warrants #38406-38433 paying Claims #38406-38433 for \$80,590.99, Warrants #38434-38481 paying Claims #38434-38481 for \$145,306.99; April Payroll Draw Warrants #6246-6259 for \$18,550.00, April Payroll Warrants #6260-6283 for \$65,869.40; April adjusting entries to UBS for \$1,919.44 charges and \$4,085.37 credits; April EFTPS withholding deposit made on 05/01/09 for \$23,425.59; and April Financial Reports for review. It was moved by Reichhardt and seconded by Alesse to approve the Consent Agenda. The motion passed unanimously.

Dan began the DE discussion with **The Tides project**. Duane Nelson and his engineer were present to participate. The board has previously approved the project recommendations, but Dan felt there were conflicts with the project storm water system design. The water and sewer pipes had been designed to run thru a six foot deep railroad ballast stormwater detention vault. The developer has been very responsive to Dan's questions and redesigned the project to keep the water and sewer pipes out of the detention vault. Dan feels they have adequately addressed his concerns. The commissioners approved Dan's recommendation to approve the design change.

Mike Bleakney was present to participate in the discussion on his project, the **Bleakney Mini Storage Development**. Dan reviewed project issues and staff recommendations. For sewer, Dan recommended a private sewer pump because the property is at the end of the sewer basin and no other properties would be impacted by not requiring this extension.. Mr. Bleakney stated that he would rather put in a septic system instead of a private sewer pump in order to avoid the additional permits and approvals he would need for the sewer line. The Board mentioned that they do not like to see septic systems installed within the District when sewer is available. This project would have one residence for a manager for the storage business. Dan mentioned that the application was for water and sewer, and recommended approval. He will work with the applicant to identify the permit issues associated with the private sewer line. It was moved

Alesse and seconded Reichhardt to approve staff recommendations for this project. The motion passed unanimously.

Water Conservation Program – Emily asked for approval of the MOU with other local governments of the Whatcom Water Alliance. It was moved by Alesse and seconded Reichhardt to approve and have the General Manager sign the MOU. The motion passed unanimously.

Emily gave an update on the program to date. The School program was April 30 and May 1. She felt was a big success.

Emily also announced that the District and City of Blaine won awards from PNS-AWWA for Communications and Conservation.

She will be making presentations at the state park, putting out the A-boards, has registered the district for Discovery Days participation, and she will also help Blaine with their July 4th conservation booth.

Dan reported on the work the district did recently on the **BP sewer pump station**. Dan is working with BP staff on the sewer issues.

Roger and the commissioners discussed the reduction of the PUD contract demand amount. Roger reviewed the termination proposal recently received from the PUD regarding a reimbursement of a portion of charges previously paid as well as an outline of terms proposed for a new water “reservation” agreement. Roger recommended accepting the **PUD’s termination proposal**. It was moved by Reichhardt and seconded Alesse to accept the PUD’s termination proposal and to agree that the proposed terms for the new agreement constitute a reasonable basis to commence negotiations. The motion passed unanimously.

Roger discussed his attendance at the last PUD meeting and different issues with supply and watershed planning.

Dan gave an update on the **Blaine/Hall Road waterline project**, including the problem with large rocks encountered during the road bore.

Dan discussed the **county’s review of the Birch Bay urban growth areas** and how it impacts the district. The commissioners agreed with Dan’s approach to deal with this review.

Dan reviewed the status of the **sewer comprehensive plan update** work. Dan suggested scheduling the public hearing on the plan at the June 11 board meeting and proceed from there.

Dan discussed the review by an electrical engineer of the proposal to run the emergency power for the **re-located pump station #1** from the plant’s generator versus installing a generator for just pump station 1. The cost of running the station from the WWTP is initially more expensive than a generator at PS #1, but there are lots of costs associated with long term maintenance of an additional generator. Dan recommended proceeding on the basis of using the plant’s generator for emergency power for the pump station. The board supported that plan.

Dan discussed the proposal to combine the heat pump installation project for the office/lab/shop with the **administrative office repair/remodel project**. He also reviewed a preliminary drawing of the office remodel. Dan asked for approval to combine the projects and accept the scope and

fee architectural proposal from Kerry Garrett, for up to \$15,400. Commissioner Montfort thought there may be some grant funding for energy saving projects. It was moved by Alesse and seconded Reichhardt to approve Dan's recommendation to accept Garrett's proposal. The motion passed unanimously.

Dan discussed the **Bay Breeze DE**. There are still some items to be completed, but the 2 year agreement has lapsed. The project is being marketed to find a new owner and Dan has given them a draft letter detailing what needs to be completed on the DE. Dan reviewed the conditions detailed in the letter. The commissioners approved those conditions.

Homestar Condominiums – Phase 2: Roger reviewed the status of the project and staff/attorney recommendations regarding payment of connection charges.

Drayton Harbor Meadows: Dan reviewed the project conditions that were set in 2006. There is now some interest in continuing with the project and the District has changed the water comprehensive plan in this area, so he has again reviewed those conditions and asked the board to approve his revised recommendations. It was moved Reichhardt and seconded Alesse to approve the revised project recommendations. The motion passed unanimously.

Staff has reviewed fixture units at the state park and equated them to ELU's. Dan made some recommendations based on the outcome of the staff review. The commissioners supported his approach.

Commissioner Montfort announced at 8:00 PM that the board would go into Executive Session for 10 minutes to discuss a matter of potential litigation. He does not anticipate any action by the board afterward.

Coming out of Executive Session at 8:10 PM, there being no further business, it was moved by Alesse and seconded by Reichhardt to adjourn the meeting. The motion passed unanimously.

COMMISSIONER

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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 **May 14, 2009**.

BOARD SECRETARY

(minutes taken by Glenn Golay)