

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS
OF BIRCH BAY WATER AND SEWER DISTRICT,
HELD **November 12, 2009**

Commission Vice President Carl Reichhardt called the meeting to order at 5:00 PM. Other persons present included Commissioner Patrick Alesse, General Manager Roger Brown, Engineering Services Manager Dan Eisses, Water Conservation Specialist Emily Resch, Attorney Robert Carmichael, and CHS Engineer Rodney Langer.

Agenda additions/changes: Roger requested to remove the WASWD Resolution from Agenda.

Public Input: None

Consent Agenda included: Minutes for the Regular meeting of October 22, 2009 and Special meeting of October 29, 2009; Accounts Payable Warrants #38951-38988 paying Claims #38951-38988 for \$45,381.64 and Warrants #38989-39018 paying Claims #38989-39018 for \$393,627.08; October Payroll Warrants #6488-6511 for \$60,337.40; Adjusting entries to UBS for \$2,380.15 charges and \$2,336.92 credits; October EFTPS withholding deposit made 10/30/09 for \$22,093.40; October Department of Revenue excise tax payment made 11/05/09 for \$9,143.96; and October Financial Reports for review. It was moved by Alesse and seconded Reichhardt to approve the Consent Agenda. The motion passed unanimously.

BP: Dan informed the Board that Roger is drafting contract language for the BP wastewater contract and that conceptual terms should be ready for review by next meeting. Dan also discussed the sewer rate structure for BP based on flow, BOD and TSS into the system.

Water Supply: Roger updated the Board on the October 22nd PUD meeting. The primary item discussed at the PUD meeting was their 2010 budget.

Water Supply Group: Roger informed the Board that the upcoming Water Supply Group meeting is cancelled. Roger had sent an email prior to the next meeting about having materials ready for review a couple of weeks before the actual meeting.

Blaine Wholesale Supply Contract: Roger discussed the 2008 Rate True-up with the Board. The District received a refund based on the 2008 true-up. The District's 2010 rates are projected to go down 14 percent. Roger also presented a draft agenda for the District and City Wholesale Supply Annual Meeting that is scheduled for November 20th.

Sewer Service to Vested Property outside UGA: Roger discussed with the Board about the potential obligation of the District to provide service to vested developer applications outside the UGA if it is reduced or removed. Bob Carmichael presented his draft research findings on the District's responsibility to provide service to vested properties.

PS #3 to WWTP Forcemain Update: Dan reported on the status of the PS #3 to WWTP forcemain project. The District held the pre-construction meeting this morning and it went fine. Dan also discussed terms for installing a private pump station for the Hansen property. Pursuant to discussion with the Board, Dan will commence negotiations with the property owner.

The potential of installing a reclaimed water line when the trench is open during the forcemain project to serve the Sea Links golf course was also discussed. Dan addressed the advantages and disadvantages of installing the reclaimed water line. The Board agreed that it was not worth pursuing at this point.

Engineering Services for GFC Update: Dan informed the Board about the need for the District to conduct a Water and Sewer GFC Study. It was moved by Alesse and seconded by Reichhardt to have CHS conduct the Water and Sewer GFC study. The motion passed unanimously.

Nov/Dec Board Meeting Schedule: Roger discussed with the Board that there is only one scheduled meeting in December. It was moved by Alesse and seconded by Reichhardt to not add another meeting. The motion passed unanimously.

Developer Extensions: Dan informed the board that the Bay Breeze D.E. is pushing along and staff is looking for conditional acceptance from the Board. It was moved by Alesse and seconded by Reichhardt to conditionally accept the Bay Breeze D.E. The motion passed unanimously.

There being no further business, it was moved by Alesse and seconded by Reichhardt to adjourn the meeting. The motion passed unanimously. The meeting adjourned at 6:50pm.

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 **November 12, 2009**.

BOARD SECRETARY

(minutes taken by Emily Resch)