

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS
OF BIRCH BAY WATER AND SEWER DISTRICT,
HELD August 26, 2010

Commission President Patrick Alesse called the meeting to order at 4:40 PM. Other persons present included Commissioners Don Montfort and Carl Reichhardt, General Manager Roger Brown, Treasurer Glenn Golay, Attorney Robert Carmichael, Water Conservation Specialist Emily Resch, Operations Manager Mike Sowers, Mike Bleakney, Corinne Aelbers, and a reporter for the Northern Light.

Agenda additions/changes: Glenn asked for addition to the agenda of review of a couple of customer requests to waive charges.

Public Input: Corinne Aelbers was present to request relief from a high usage charge on an account that was her mother's residence. She explained that her mother's illness delayed the repair of the leak and that her mother recently passed away. After review, the commissioners approved allowing a leak credit per the policy.

Consent Agenda included: Minutes for the Regular meeting of August 12, 2010; Accounts Payable Warrants #39846-39868 paying Claims 39846-39868 for \$95,729.68 and Warrants #39869-39913 paying Claims #39869-39913 for \$52,869.52; and August Payroll Draw Warrants #6858-6871 for \$17,350.00. It was moved by Montfort and seconded Reichhardt to approve the Consent Agenda. The motion passed unanimously.

Mike Bleakney was present to discuss a situation on his development about an apparent problem with the easement. Roger reviewed the questions that have been raised, with input from attorney Carmichael. After review, it was moved Montfort and seconded Reichhardt to allow Mr. Bleakney to make an assignment of Mr. Bleakney's interest in the easement to the District, along with a release of liability and indemnification of the District, to be recorded against Mr. Bleakney's property. The motion passed unanimously.

BP: Roger discussed the sewer contract review. It is still being reviewed by BP staff. Roger also reported that BP has received notice of satisfaction for the first condition precedent under the potable water supply contract and that the BRB has notified the district that their review has begun on the extension of water service proposal.

Water Supply:

Conservation Program Update – Roger reviewed some data on population and peak day demand. That was a prime reason for working with Blaine on water supply issues. Emily briefed the board on recent program activity. She reviewed data on peak day use and compared them with other data like ELU growth and Water System Plan projected demand, summer peak season trends and WWTP inflow amounts.

Roger presented a proposed Water Demand Forecast letter that needs to be submitted to the city per the water supply contract. It was moved by Montfort and seconded by Reichhardt to approve sending the letter as presented. The motion passed unanimously.

Roger also briefed the board on issues discussed at the latest meeting with city staff regarding maintenance and upgrade of the water supply and watershed.

Mike Sowers, Operations Manager, discussed the installation of the process water system equipment. It is now complete and working as designed.

Roger reported on the work that Dan is doing on the forcemain closeout.

Roger reviewed the issues discussed and the results of the meeting with BBWARM staff last week.

The outfall evaluation is complete and the report was presented to the board. The consultant concluded that the outfall and diffuser are in excellent condition.

Resolution 694 was presented for approval. This would correct a previous inadvertent deletion of a needed provision in the district code. It was moved Montfort and seconded Reichhardt to approve the resolution as presented. The motion passed unanimously.

Developer Extensions: Roger reported that we've received applications for service for three lots near Beachwood.

Glenn presented a request from Homestead to waive returned check charges on multiple accounts. The check paid several accounts and they were each charged for a returned item. After review, the commissioners decided to only make one returned item charge.

There being no further business, it was moved by Montfort and seconded Reichhardt to adjourn the regular meeting at 6:50 PM. 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 **August 26, 2010**.

BOARD SECRETARY

(minutes taken by Glenn Golay)