

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS
OF BIRCH BAY WATER AND SEWER DISTRICT,
HELD October 11, 2012

Vice-President Carl Reichhardt called the meeting to order at **4:30 pm**. Other persons present included Commissioner Don Montfort, General Manager Roger Brown, Assistant General Manager Dan Eisses, Attorney Bob Carmichael, and Interim Finance Director Meredith Riley.

Agenda additions/changes: Add Opportunity Council before Item 12.

Public Input: None.

Consent Agenda included: Minutes for the regular meeting of September 27, 2012; Accounts Payable Warrants #41881-41900 paying Claims #41881-41900 of \$89,372.05; September Payroll Warrants #7451-7459 and auto payments #10334-10347 for \$83,565.04 in total, including Federal Withholding auto payment #10339 for \$21,054.25; Utility Billing adjustments charges of \$888.11 and credits of (\$1,527.11) and LID adjustments of \$0 for September; Resolution 720 authorizing the General Manager to sign the Bay Road 3 Lots reimbursement agreement; and third quarter financials. It was moved by Montfort and seconded by Reichhardt to approve the Consent Agenda. The motion passed unanimously.

Developer Extensions: None.

Additional Accounts Payable: Accounts Payable Warrants #41901-41909 paying Claims #41901-41909 of \$16,331.75 were presented. It was moved by Montfort and seconded by Reichhardt to approve the additional Accounts Payable. The motion passed unanimously.

Policy Updates: Dan spoke to the Commission Policy of Limited Availability of Water and/or Sewer Service. This policy came out of previous concerns of a water moratorium. The proposed policy would state that if you have water and sewer in front of your single-family house, then you can hook up to the system. If you are a developer, then you need to make application for the District to review. The Board felt the policy was headed in the right direction.

WRIA 1 Watershed Planning: Roger met with City of Ferndale last week. Roger discussed the latest information on WRIA 1, which included issues from the Skagit.

Blaine SCADA Update: The City of Blaine Public Works Director, Ravyn Whitewolf, met with District personnel and asked a number of questions on the District's SCADA system. It will benefit the District if the City can save money on their SCADA system for their Water system.

Opportunity Council: The manager of the Whatcom Opportunity Council stopped by the District to get an understanding of the District's billing time lines. They pay utility bills under certain circumstances. Also, he asked whether the District would be willing to set up an account for collecting donations through the utility billing system to be used to pay utilities for low-income people.

Developer Extensions:

Harbor Shores: Dan included the letter sent to Skip Jansen regarding Harbor Shores. Skip paid for two more water connections in Harbor Shores.

Storage Units: a party inquired a number of months ago for permitting sewer for storage units at the NW corner of Blaine and Alderson Roads. The same party has asked the County to issue them a permit for a septic system. Dan has asked the county not to approve the septic design.

The Tides: the request is now for connections for two buildings and application and fee have been submitted. This will go through the regular review process.

Executive Session:

Meeting went into executive session at **5:09 pm** to discuss potential litigation and personnel issues. The time in executive session is estimated to be 30 minutes; possible action is expected on potential litigation. The meeting came out of executive session at **5:40 pm**.

It was moved by Montfort and seconded by Reichhardt to waive the attorney fees for the Hedmans regarding the LID and GFC agreements. The motion passed unanimously.

The Board went back into executive session at **5:41 pm** to discuss personnel issues.

The Board meeting was adjourned at **6 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 **October 11, 2012**.

BOARD SECRETARY