

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS
OF BIRCH BAY WATER AND SEWER DISTRICT,
HELD October 25, 2012

President Pat Alesse called the meeting to order at **4:33 pm**. Other persons present included Commissioner Don Montfort, Commissioner Carl Reichhardt, General Manager Roger Brown, Assistant General Manager Dan Eisses, Attorney Bob Carmichael, and Interim Finance Director Meredith Riley.

Agenda additions/changes: None.

Public Input: None.

Consent Agenda included: Minutes for the regular meeting of October 11, 2012; Accounts Payable Warrants #41910-41932 paying Claims #41910-41932 of \$112,800.83; October Draw Payroll Warrants #7460-7461 and auto payments #10348-10357 for \$15,475.00 in total; Manual Warrant #901166 to Elavon of \$558.11 for credit card fees paid in October; Manual Warrant #901167 to Dept of Revenue of \$8,002.73 for excise taxes paid in October, Manual Warrant #901168 to Key Bank of \$179.06 for bank fees paid in October; voided warrant #41742 for lost check to CHS Engineers for \$435.96; Employee Group contract, Employment contracts for Asst. General Manager, Operations Dept. Manager, and Interim Finance Director; and amendment to the General Manager's Employment contract. It was moved by Reichhardt and seconded by Montfort to approve the Consent Agenda. The motion passed unanimously.

Developer Extensions: None.

Additional Accounts Payable: Accounts Payable Warrants #41933-41946 paying Claims #41933-41946 of \$10,170.87 were presented. It was moved by Reichhardt and seconded by Montfort to approve the additional Accounts Payable. The motion passed unanimously.

Policy Updates: Dan reported on charitable contributions policy. In the RCW that governs districts, all funds should be transmitted to the charitable organization. The charitable organization must determine who receives the funds, and gives the district a quarterly report. The Community Organization in Blaine has not handled contributions in this manner and will get back to the District.

WRIA 1 Watershed Planning: Roger has comments on the county's water budget that he will take to the Water Districts caucus. He has a meeting with the Water Districts caucus next week. Roger discussed some new developments with WRIA 1. Also, Roger thinks that WASWD might be interested in this issue. There was discussion on how WASWD might be involved.

W&S Risk Pool Semi-Annual Meeting: Dan spoke to this as he attended the semi-annual meeting. He drew attention to the claims graph which shows the trend since 2008. The District's 2013 insurance premium increased by 6%.

Developer Extensions:

The Tides

The Tides is asking to connect two buildings in Phase 2 of this project. The developer came in and paid application fees for water and sewer. The DE agreement legal description would need to be amended. The Board was amenable to this.

Harbor Shores

Skip Jansen purchased two more water services several weeks ago. At that time, he mentioned that he would have a response to the demand letter the next week. The District has seen no response. It was moved by Montfort and seconded by Reichhardt to direct our attorney to take court action against Skip Jansen if money was not received by 30 days from the date of the letter. The motion passed unanimously.

Budget Schedule; November and December Board Meetings: there will be a Special Meeting regarding the 2013 Budget and long-range Budget items on November 1st in Lynden at Dutch Mothers at 12 noon.

Executive Session:

The meeting went into executive session at **6:00 pm** to discuss litigation. The time in executive session is estimated to be 5 minutes; no action is expected.

The meeting came out of executive session at **6:05 pm**.

The Board meeting was adjourned at **6:05 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 25, 2012**.

BOARD SECRETARY