

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS
OF BIRCH BAY WATER AND SEWER DISTRICT,
HELD **February 14, 2013**

President Don Montfort called the meeting to order at **4:40 pm**. Other persons present included Commissioner Carl Reichhardt, Commissioner Pat Alesse, General Manager Roger Brown, Assistant General Manager Dan Eisses, Attorney Bob Carmichael, and Interim Finance Director Meredith Riley.

Agenda additions/changes: Draft utility rate information for the newsletter to be reviewed by the Board.

Public Input: None

Consent Agenda included: Minutes for the regular meeting of January 24, 2013; Accounts Payable Warrants #42146-42178 paying Claims #42146-42178 of \$93,060.99 for 2013 Budget; January Payroll Warrants #7496-7506 and auto payments #10430-10443 of \$96,457.72 in total; Utility Billing adjustments charges of \$1,558.49 and credits of \$1,559.96; and LID Assessments of \$0. It was moved by Reichhardt and seconded by Alesse to approve the Consent Agenda. The motion passed unanimously.

Developer Extensions: None.

Additional Accounts Payable: Accounts Payable Warrants #42179-42195 paying Claims #42179-42195 of \$20,618.36 were presented. It was moved by Alesse and seconded by Reichhardt to approve the additional Accounts Payable. The motion passed unanimously.

WRIA 1 Watershed Planning: Roger discussed the correspondence and activity regarding WRIA 1 over the last several weeks. He also discussed activity with the Whatcom Water District Caucus since their last meeting. A letter was sent to Governor Inslee regarding the proposed cuts to PWTF Loans by the Whatcom Water District Caucus. Roger also discussed the last Board meeting at the PUD 1.

Fixed Asset Policy (Amendment): Meredith reviewed the addition of a physical count into the Fixed Asset Policy. She stated that the State Auditors had advised the District to include that in this policy during the last audit. Montfort advised changing the title to Fixed Asset Policy from the Capital Asset Policy. Reichhardt moved and Alesse seconded to accept the addition and change to the policy. The motion passed unanimously.

Resolution 723 Surplus Property: Dan spoke to this issue. Mike had a phone call from City of Elma and they may be interested in the Hycor Helisieve Unit. This will be disposed of during the upgrade of the WWTP Headworks project and the District would like to work with Elma if they need it earlier. Montfort called for the motion; Alesse moved and Reichhardt seconded to approve Resolution 723 surplussing this item. The motion passed unanimously.

Joint Work Session: Last week Roger and Blaine City Manager, Gary Tomsic, discussed the upcoming joint work session between the District and the City of Blaine. The joint work session is set for March 4th at 5:30pm at Blaine City Hall. Roger reviewed the proposed agenda with the Board. Montfort stated that he would be on vacation on that date.

Headworks Update: Dan stated that the conditional use permit hearing was held last week, and it went well. The archeological process has gone more slowly. Yesterday a 75% review meeting was held with all five consultants on the project here at the District. Dan feels the process is going well. Dan reviewed the project design with the Board. Dan hopes to go out to bid in April.

PWTF Loan Funding: Roger referred to the letter that was sent to Governor Inslee from the Whatcom Water District Caucus. Reichhardt mentioned that he had some other parties write letters to the Governor. Montfort felt that WASWD should get copies of the letters. Montfort mentioned HB 1484 that updates the RCW that was the enabling legislation of the PWTF Board.

County Stormwater Projects: Dan stated that the County will be working on two stormwater projects that impact the District, one on Cedar and Birch Bay Drive, and one on Seaview and Maplecrest. Dan has agreed that District crew will move the water lines before the County projects start. The costs would come out of the water line replacement CIP budget, around \$5,000 for both of them. Montfort had a question on the second project.

Cherry Point Aquatic Reserve Implementation: Dan attended the meeting of the Cherry Point Aquatic Reserve Implementation on January 29, 2013. Dan said about 30 people attended. The three issues that came out on top were the herring testing, the discharges to the aquatic reserve, and public information. The groups are supposed to work on these issues over the next couple of months and then they will have another meeting.

Developer Extensions:

Dan stated that Dwayne Nelson for the Tides came in this week and paid approximately \$36,000 for connections on his next two buildings.

Executive Session:

The meeting went into executive session at **6:18 pm** to discuss potential litigation. The time in executive session is estimated to be **30 minutes**; possible action is expected. The meeting came out of executive session at **7:22 pm**. Reichhardt moved and Alesse seconded to authorize Roger to sign the agreement with Columbia Valley Water District, Water District 13 and Glacier Water District. Roger and Don will be meeting with these parties on February 15 to review the agreement, and Roger is authorized to sign the agreement including any changes identified during that review with the other parties, subject to Bob's approval.

Reichhardt moved and Alesse seconded to authorize Roger to sign the settlement agreement with Lotar Drews.

The Board meeting was adjourned at **7:24pm**.

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 **February 14, 2013**.

BOARD SECRETARY