

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS  
OF BIRCH BAY WATER AND SEWER DISTRICT,  
HELD **February 28, 2013**

Vice-President Carl Reichhardt called the meeting to order at **4:34 pm**. Other persons present included Commissioner Pat Alesse, General Manager Roger Brown, Assistant General Manager Dan Eisses, Attorney Bob Carmichael, and Interim Finance Director Meredith Riley.

**Agenda additions/changes:** Remove Number 13 PWTF Loan Funding.

**Public Input:** None

**Consent Agenda included:** Minutes for the regular meeting of February 14, 2013; Accounts Payable Warrants #42196-42215 paying Claims #42196-42215 of \$57,637.63 for 2013 Budget; January Draw Payroll Warrants #74507-7508 and auto payments #10444-10452 of \$16,400.00 in total; Manual Warrant #901178 to Elavon of \$595.44 for credit card fees paid in February; Manual Warrant #901179 to Dept. of Revenue of \$8,623.32 for excise taxes paid in February, and Manual Warrant #901180 to Key Bank of \$259.01 for bank fees paid in February. 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 #42216-42236 paying Claims #42216-42236 of \$9,886.59 were presented. Dan spoke regarding two invoices, checks number 42217 and 42232. It was moved by Alesse and seconded by Reichhardt to approve the additional Accounts Payable. The motion passed unanimously.

**WRIA 1 Watershed Planning:** Roger went over the Water Districts Caucus meeting which included discussion on the different meetings at Whatcom County and the PUD. The PUD voted to go ahead with a DOE grant at their last meeting. Roger stated that WASWD approved \$5,000 for outside counsel. He also discussed the interlocal agreement with the Water Districts for outside counsel. Roger continued discussion of different aspects of Watershed planning during the last two weeks.

**Executive Session:**

The Board went into executive session at **5:02pm** to discuss potential litigation. The anticipated time in executive session is 5 minutes; no action is expected. The meeting came out of executive session at **5:06 pm**.

**Legislation:** Roger has been tracking HB 1924; it allows DOE to grant funds to support implementation groups rather than the Planning Unit. Roger wrote to Vincent Buys regarding this issue and also sent copies to Whatcom County's other State legislators. The bill is sitting in the House Appropriations subcommittee. Roger thinks this would be important to not have this bill pass. He has also requested assistance from WASWD.

**BP 2013 rates:** Dan spoke to this issue. There is a scheduled meeting with BP and the District for next week. Dan went over the 2013 rates with the Board. He also reviewed a penalty charge that BP will be billed for as they went over the water levels last summer.

**Bankruptcy Procedure:** Dan reviewed the District's current and proposed payment and collection procedures. Dan discussed our present lien procedures. He presented another District's lien procedures that we might want to follow. On bankruptcies, Dan has a copy of another District's procedure which Dan will be proposing as a District policy.

**Accounting & Billing Software Replacement:** Dan reviewed the utility billing and accounting software that Dustin and Meredith have accumulated information on or had actual demonstrations on. Roger and Dan are anticipating a narrowing of what programs we would like to test by the end of March.

**Joint Work Session:** The joint work session with the City of Blaine will be next Monday night, March 5<sup>th</sup> at 5:30pm at Blaine City Hall.

**Developer Extensions:**

Dan discussed Keith Troske issue that had been brought to the Board previously. Troske had paid for connection charges and then did not purchase the property. Troske is currently accruing monthly utility billing charges. Dan proposes that Troske bring a letter from the new owner and a letter from the County Building Dept. and then refund the connection charges less the utility billing outstanding amount. The Board concurred.

**Board Information:** There is a Birch Bay Emergency Task Force that has formed. Dan may be attending these meetings.

The Board meeting was adjourned at **5:49 pm**.

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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 **February 28, 2013**.

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BOARD SECRETARY