

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF COMMISSIONERS  
OF BIRCH BAY WATER AND SEWER DISTRICT,  
HELD June 26, 2013

President Don Montfort called the meeting to order at **5:00 pm**. Other persons present included 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 June 13, 2013 as corrected; Accounts Payable Warrants #42500-42517 paying Claims #42500-42517 of \$25,738.76 for 2013 Budget, June Draw Payroll Warrants #7555 and auto payments #10545-10554 of \$16,400.00 in total; Manual Warrant #901191 to Elavon of \$778.80 for credit card fees paid in June; Manual Warrant #901192 to Key Bank of \$208.43 for bank fees paid in June, Manual Warrant #901193 to Dept. of Revenue of \$9,488.68 for excise taxes paid in June. 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 #42518-42535 paying Claims #42518-42535 of \$13,939.67 were presented. It was moved by Reichhardt and seconded by Montfort to approve the additional Accounts Payable. The motion passed unanimously.

**Customer Accounts:** Meredith reviewed the customer account #0500000100 for Ashley Berreth. Her mail was stolen along with the payment to the District. She included her case number and sheriff deputy's name with her request. She has asked for relief from the \$4 late fee. She does not have a long history of payments with the District as she took over the account in October 2012. It was moved by Reichhardt and seconded by Montfort to forgive the \$4 late fee. The motion passed unanimously.

Dan reviewed the Beachwood Park account with the Board. The account was paid last Friday, including the late fees. Dan then reviewed their payment history with the Board. When the District changes over to shutoffs every two months instead of every four months, this account may have a problem getting current. Dan will meet with Beachwood before we start the new policy. Dan discussed a number of options with the Board how this account could be shutoff. The Board agreed that Dan should have a meeting with Beachwood and report back.

**WRIA 1 Watershed Planning:** Roger and Don attended the Water District Caucus this afternoon. The legal coalition met last Monday, where the Growth Management Hearing Board decision was discussed. Roger passed out a draft letter to the Whatcom County Council regarding the GMH Board decision, and a proposed Resolution restoring the WRIA 1 Planning Unit by the Whatcom County Council. The Water District Caucus did not have a problem with either proposed documents. Don had a concern that the GMH Board had given the County excessive authority in their decision.

The Water District Caucus approved the letter to Richard Rodriguez, Environmental Planner for Dept of Health.

Dan attended the WRIA 1 Joint Board meeting today. He spoke regarding the discussion of their agenda items including the WRIA 1 Planning Unit proposal.

The District sent in a letter to our legislators regarding the Public Works Trust Fund loan funding.

**Payment and Collection Procedures:** Dan showed the Board a warning sign that could be posted in the meter box as the fees are going up significantly for tampering with the water meters. The District will start posting the signs next week. The Resolution on certification of liens is ready for the Board's review. The resolution states that the District will now look at past due accounts every six months instead of just once a year. It also includes the lien fees to be added to the fee schedule. It was moved by Reichhardt and seconded by Montfort to pass Resolution 725 on certification of liens and the related fees. The motion passed unanimously.

**PWTF and SRF Loan Funding:** Dan gave the Board the notice from the Public Works Drinking Water that the District will receive the Drinking Water State Revolving Fund loan for \$1,136,250.

Dan gave the Board an email he received from Whatcom County Public Works Special Projects Manager, Roland Middleton. Roland appears to be blaming the District for not being ready to replace water and sewer lines along Birch Bay Drive. Neither the County nor the District will be receiving PWTF loans. Don suggested that we send an email to Roland saying that the District does not need to replace these lines at this time.

**Double R Ranch:** Dan gave the Board the RCW that discusses connection charges. He then reviewed the recent past actions with the Double R lots. The District owns three (3) legal lots, one (1) illegal lot, and has an interest in four (4) illegal lots. Dan reviewed several ways of computing the connection charges to these lots. One is the LID charges (front footage) per lot and one is charging a per lot fee similar to Birch bay View. The Board asked for staff recommendation. Dan thought the per lot would be best. The Board concurred.

**Resolution Authorizing Investments:** Meredith explained Resolution 726 authorizing the District to invest in the Local Government Investment Pool sent to the District by the State Treasurer. It was moved by Montfort and seconded by Reichhardt to pass Resolution 726. The motioned passed unanimously.

**Manager's Report:** Roger explained that he and Meredith have set a schedule for hiring a replacement for the District Treasurer. The Board will be kept informed of the progress on this issue.

On the Water CAT, Roger thought the berm project would be a good discussion item. Roger would like to get this committee started and asked the Board for any recommendations on people they think should be asked to be on this committee.

#### **Developer Extensions:**

##### The Ridge at Semiahmoo

Dan discussed the sewer issues for this project with the Board. Included was a letter from Whatcom County Planning regarding this subdivision. Whatcom County has jurisdiction over this project.

#### **Executive Session:**

The Board went into executive session at **6:40 pm** to discuss acquisition of real estate. The anticipated time in executive session is 10 minutes; no action is expected. The meeting came out of executive session at **6:46 pm**.

The Board meeting was adjourned at **6:46 pm**.

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COMMISSIONER

THIS IS TO CERTIFY that the above is a true and correct copy of the minutes for the special meeting of the Board of Commissioners of Birch Bay Water and Sewer District, Whatcom County, Washington, held **June 26, 2013.**

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BOARD SECRETARY