

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS
OF BIRCH BAY WATER AND SEWER DISTRICT,
HELD **September 12, 2013**

President Don Montfort called the meeting to order at **4:30 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: Add DNR Outfall Lease discussion.

Public Input: None.

Consent Agenda included: Minutes for the regular meeting of August 22, 2013; Accounts Payable Warrants #42665-42693 paying Claims #42665-42693 of \$57,440.07 for 2013 Budget; August Payroll Warrants #7579-7587 and auto payments #11612-11629 \$124,545.03 in total; Utility Billing adjustment charges of \$1,494.50 and credits of \$1,511.55, and LID Assessment adjustments of \$9,169.08, for August. It was moved by Alesse and seconded by Reichhardt to approve the Consent Agenda. The motion passed unanimously.

Developer Extensions: None.

WRIA 1 Watershed Planning: Roger briefed the Board on his meeting with Whatcom County Assistant Public Works Director, Chris Brueske, regarding the WRIA 1 Planning Unit. The meeting seemed to go well.

Roger brought to the attention of the Board the letter from the Lummi Council to City of Bellingham regarding the additional points of withdrawal of water from the Middle Fork of the Nooksack River.

Roger reported that he heard that the State Auditors' Office has reported on the County Flood Control Zone District. There was discussion of the Water District Caucus meeting scheduled for September 25.

Bob had an update on the Growth Hearings Board action.

There may be a meeting next week involving the District and a number of interested parties regarding the meeting of the WRIA 1 Planning Unit on September 25.

Additional Accounts Payable: Accounts Payable Warrants #42694-42716 paying Claims #42694-42716 of \$40,864.50 were presented. It was moved by Reichhardt and seconded by Alesse to approve the Accounts Payable. The motion passed unanimously.

Meetings: Roger reviewed the upcoming meetings: Water Districts Caucus on September 23, WRIA 1 Planning Unit on September 25, WaterCat meeting on October 2, and a Joint Work Session with the Blaine City Council on October 7. There was a discussion on whether to hold a Board Meeting on September 26.

UB & Financial Software Status: Roger explained that the District has sent a letter to Logics giving notice of our concerns about their performance. The letter documented that we could not accept the Logics software unless they met their contractual obligation to provide a schedule.

Finance Director Status: Roger explained where we are in the process of interviewing for the Finance Director position.

Lock-off Procedure: Dan reviewed the process the District has gone through to change the lock-off procedure, and the advertising we have done. We will no longer wait two bills for shut-off, but will shut-off after non-pay of one bill. This change is accomplished by the Procedures for Utility Shut-Off policy. The District has also advertised the change in late fees, from \$4 to 6%. Resolution 727 updates and codifies

some of the District fees. Bob has reviewed the resolution. It was moved by Reichhardt to approve the Procedures for Utility Shut-Off policy and seconded by Alesse. The motion passed unanimously. It was moved by Reichhardt to approve Resolution 727 and seconded by Alesse. The motion passed unanimously.

Don had a question on partial payments and whether the District will still shut off. Dan explained that we will not shut-off unless the bill is over the shut-off fee.

Birch Point Reservoir Update: Dan reviewed how the reservoir at Birch Point works presently. The check valve is not working properly. We will need to replace the valve, and possibly put in a mixer. Staff will bring additional information at the next meeting.

Fall 2013 Drinking Water State Revolving Fund Loan Program: Dan received notice that applications can be turned into the State Revolving Fund that lost out on the Public Works Trust Fund Loans. The only project that might qualify is the District water main that would go along with the County Berm project. That project is not in our comprehensive plan, so would not qualify for funding through this program.

Headworks Project Status: A number of contractors have walked through the sewer plant to review for the Headworks project before the bid opening. The District has received a letter from an attorney for the Daily Journal of Commerce complaining about the Builders Exchange regarding public records. Builders Exchange is handling the bid specification distribution for the District for the Headworks project. Dan's recommendation was that the bid process and the public records process were separate and that the District was complying with both processes.

2014 Estimated Demand Letter: Dan reviewed the letter that goes to the City of Blaine annually for the estimated demand, and other projected numbers. Don wondered what numbers affect the rates. Roger reviewed what numbers affect the rates for the Board. The Board approved sending the letter.

Authorization of DNR Outfall Lease: Dan received an email from DNR that a survey of our outfall will take place next week. BP is upset about the lack of notice, and is asking for a number of concessions from DNR including split samples. There was discussion on whether the District wanted to join with BP and other refineries to hire a biologist to review the outfall samples. The Board requested that staff monitor what DNR is doing and express that they hope this will be a public process.

Developer Extensions:

Dan reviewed Jason Stoner's request for water and/or sewer availability. Bob reviewed a letter of "Limited Availability of Water and/or Sewer Service" that the District can send to Jason Stoner. There was discussion on how this may obligate the District. The Board approved sending the will-serve letter with Bob's additions.

The Board meeting was adjourned at **6:40 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 **September 12, 2013.**

BOARD SECRETARY