

Lake Whatcom Water and Sewer District
Regular Meeting of the Board of Commissioners
September 26, 2011

Board President Leslie Mc Roberts called the Regular Session to order at 8:00 a.m. Other District representatives present included Commissioners Deborah Lambert, Todd Citron and John Millar, General Manager Patrick Sorensen, Engineer Bill Hunter, legal counsel Brian Hansen, consulting engineer Melanie Mankamy, Finance Manager Debi Hill and Recording Secretary Lyn Edwards. Commissioner Weide was excused from the meeting. Issue proponent Kevin Bedlington was also present for the first part of the meeting.

- Covenant Binding Property Regarding Future Water Service - Bedlington

Hunter explained that it is the District's policy to require that new sewer-only or water-only customers record a Covenant Binding Property Regarding Future Water or Sewer Service when the permit is issued. The covenant requires the customer to connect to the District's water or sewer system if and when it becomes available and prevents the property owner from protesting the formation of a Utility Local Improvement District. The intention of this policy is to ensure that the District can expand its infrastructure in the most efficient and economical manner as possible.

Future North Shore sewer-only customer Kevin Bedlington has expressed that he does not wish to execute the Covenant. Staff has explained that it is District policy to require the covenant prior to issuing a sewer-only or water-only permit; however, Mr. Bedlington has asked to appeal for an exemption as he wants to retain the ability to use his well even if water service becomes available to his property at some time in the future. He has also stated that he does not want to pay a bi-monthly water bill, but would be willing to pay a ULID Assessment as long as he is not required to actually connect. (There is no new water system or ULID for water service planned for the North Shore area at this time).

District legal counsel presented a draft amended Covenant for the Board's consideration, explaining that signing the revised covenant will not require property owners to connect to the District's water or sewer system or pay a bi-monthly water or sewer bill, but they would be required to pay any applicable ULID assessment that may develop in the future. After discussing the Covenant, Board members commented that the amended form still protects the District's ability to do future planning while providing affected property owners with some flexibility. Staff will use the newly amended Covenant Binding Property Regarding Future Water or Sewer Service form for all new sewer-only or water-only permits issued in the future. Bedlington agreed to sign the newly revised Covenant form.

Action Taken

**Lambert moved, Citron seconded, to direct staff to modify the District's Covenant Binding Property Regarding Future Water or Sewer Service form as discussed.
Motion passed.**

- Adopting Hazard Mitigation Plan Update – Resolution 776

Sorensen informed the Board that Whatcom County Emergency Management is adopting a new Multi-Jurisdictional Hazard Mitigation Plan which requires each participating public entity to identify its vulnerabilities. The District's section of the Plan will become a part of the larger plan as administered by the County. The Multi-Jurisdictional Hazard Mitigation Plan contains information about the District such as contact information, hazards present, critical facility list;

mitigation strategies and action plans. Participation will insure that the District is eligible for grant funding, low interest loans and/or FEMA funding in the event of a disaster. The Board discussed Resolution 776.

Action Taken

Citron moved, Lambert seconded to adopt Resolution 776; Whatcom County Multi-Jurisdictional Hazard Mitigation Plan Update. Motion passed.

- **Reconfigure Commissioner District Boundaries – Resolution 777**

Sorensen reminded the Board that several months ago Wilson Engineering was asked to assist the District in evaluating the 2010 Census data and, if necessary, to redraw the existing Commissioner District boundaries to correspond with the new population figures. Mankamyer has compiled the resultant information onto a map showing the proposed boundary adjustments a copy of which is designated as Exhibit B to Resolution 777. The Board discussed the proposed boundary adjustments.

Action Taken

Lambert moved, Citron seconded, to adopt Resolution 777 adjusting the Commissioner District Boundaries as shown in Exhibit B. Motion passed.

- **Other Business**

Geneva Neighborhood Association

Millar reported on a meeting of the Geneva Neighborhood Association that he had recently attended.

- **Consent Agenda**

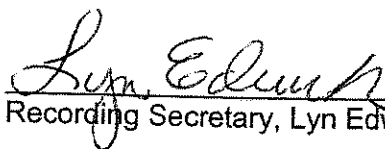
Action Taken

Lambert moved, Millar seconded, approval of:

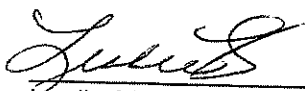
- **General and Construction Fund Claims totaling \$369,013.84**
- **August Late Fee Adjustments totaling \$244.95**
- **Minutes for the September 14, 2011**


Motion passed.


With no further business, Mc Roberts adjourned the Regular Session at 8:50 a.m.

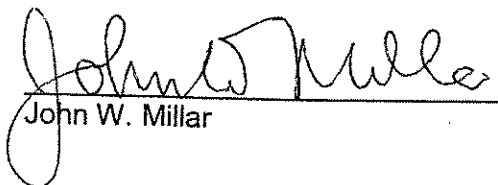

Recording Secretary, Lyn Edwards

10-12-2011
Date Minutes Approved


Leslie Mc Roberts


Deborah Lambert


Todd Citron


John W. Millar 10/12/11