

POINT ROBERTS WATER DISTRICT NO. 4

Special Scheduled Meeting of April 18th, 2006

The Special Meeting of the Point Roberts Water District No. 4 Board of Commissioners was called to order by Chairperson Anderson at 10:19 a.m. at the District office located at 79 Tye Drive, Suite A, Point Roberts, Washington. Also in attendance were Commissioners Johnson and Coe, District Manager Bourks and John Milne, general counsel, was present via telephone conference call. The purpose of the Special Meeting was to consider matters relating to the District water supply status and moratorium.

1. EXECUTIVE SESSION - POTENTIAL LITIGATION:

Mr. Milne requested an executive session to discuss potential litigation to which the District may become a party relating to the 731 Claire Lane water connection matter. Following discussion, Commissioner Johnson so moved on that basis. Commissioner Coe seconded the motion which was carried unanimously. Before convening the executive session at 10:23 a.m., Chairperson Anderson advised that the executive session would be concluded at approximately 11:00 a.m. The executive session was then concluded at 11:00 a.m. and open public meeting was reconvened.

2. 731 CLAIRE LANE WATER CONNECTION MATTER:

On advice of counsel, because Mr. Bernie Hansen, agent for the Tulin's, did not comply with the criteria established by the Board at its August 4, 2005 meeting for a water connection to serve property located at 731 Claire Lane, he is not eligible for a water connection. Following discussion, Commissioner Coe made the motion to deny Mr. Hansen's request for a water connection on that basis. The motion was seconded by Commissioner Johnson and carried unanimously. Mr. Milne will advise Mr. Hanson's attorney by letter of the Board's action.

3. DISTRICT WATER SUPPLY STATUS:

Mr. Milne agreed to attend a Special Board Meeting in May to facilitate the public comments that will be taken on possible options to allocate the District's remaining water supply. The meeting will be set for May 9th, 16th, 17th or 18th, depending on the availability of the Commissioners and the Point Roberts Community Center.

The Board gave the authority for Mr. Milne to obtain the services of Jay Regenstreif to assist in advising the District on the allocation of remaining water connections, including a presentation at the public hearing in May on allocation methodologies.

4. STANTON PROPERTIES LLC:

Commissioner Coe made a motion to give staff and Mr. Milne the authority to discuss a Memorandum of Understanding with Stanton Properties LLC's attorney. The details of the proposal from Stanton Properties LLC are to construct a 1.5 million gallon steel storage tank and treatment/pump house in exchange for the District granting "conditional certificates of availability" against the connections that type of facility would create. The developer, Stanton Properties LLC, at their expense is to pay for up to five (5) hours of Mr. Milne's time to review the proposal. The motion was seconded by Commissioner Johnson and passed.

5. CORRESPONDENCE:

Mr. Milne is in receipt of correspondence from the attorney for Andrew Zablocki contending that he is entitled to a water connection to serve Tax Parcel No. 405 303 147 202 0000. Following discussion, the Board authorized District staff and Mr. Milne to review the matter and to report back to the board.

6. ADJOURN:

As the Commissioners had no further business, the meeting was adjourned at 11:30 a.m. on motion made by Commissioner Coe, seconded by Commissioner Johnson and unanimously carried. The next regular meeting of the Board of Commissioners is scheduled for May 11th, 2006 commencing at 7:00 p.m. at the District office.

N. Madeleine Anderson – Chairperson

Susan M. Johnson – Secretary

Date: _____

Renee' Coe - Commissioner