

RESOLUTION NO. 477

A RESOLUTION OF THE BIRCH BAY WATER AND SEWER DISTRICT, WHATCOM COUNTY, WASHINGTON, APPROVING AN INTERLOCAL AGREEMENT FOR MUNICIPAL SLUDGE DISPOSAL, AUTHORIZING THE CHAIR TO EXECUTE THE SAME, AND APPOINTING A REPRESENTATIVE OF THE DISTRICT TO THE ADMINISTRATIVE COMMITTEE THEREOF.

WHEREAS, the Cities of BLAINE, LYNDEN, EVERSON, NOOKSACK, and SUMAS are each non-charter, code cities of the State of Washington, LYNDEN, EVERSON, NOOKSACK and SUMAS utilizing a mayor-council form of government, and BLAINE utilizing a council-manager form of government;

WHEREAS, District and the Cities are each located in Whatcom County, Washington, own and operate municipal sanitary sewer collection systems; own, operate and/or contract for the primary and secondary treatment of the municipal wastewater so collected; and contract privately for the transportation and disposal of the byproducts of secondary treatment, hereinafter referred to as "sludge";

WHEREAS, Chapter 39.34 RCW, the Interlocal Cooperation Act, authorizes local government units of the State of Washington to coordinate by interlocal agreement the mutual provision, performance or acquisition of any services, activities, undertakings or facilities, or the exercise of such power or powers, privileges or authority, as are exercised or capable of exercise or performance by each individually;

WHEREAS, the Cities, in a desire to equalize costs, coordinate the acquisition of sludge transportation, storage and disposal services, including the joint provision of such services directly by the Cities by means of the authority and through the Administrative Committee established by interlocal Agreement, provide input and expertise to Whatcom County in the preparation and updating of its Comprehensive Solid Waste Management Plan as it relates to municipal sludge disposal, and undertake such other related activities, enterprises or services as may from time to time be authorized by the Participants, have prepared and entered an Interlocal Agreement for Municipal Sludge Disposal, commonly referred to as "BLENS"; and

WHEREAS, Paragraph 11 of said Interlocal Agreement contemplates the future possible joinder of the District therein; now therefore

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BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE BIRSH BAY WATER AND SEWER DISTRICT, WHATCOM COUNTY, WASHINGTON, AS FOLLOWS:

SECTION 1. The District hereby approves and agrees to be bound by and participate in the Interlocal Agreement for Municipal Sludge Disposal, a copy of which is attached hereto.

SECTION 2. The Secretary is authorized and directed to present and certify a duplicate original of the Interlocal Agreement for Municipal Sludge Disposal and to submit the same, together with a duplicate original of this Resolution, to the Everson City Clerk, as custodian of the documentation of the Agreement.

SECTION 3. Pat Sizemore is appointed as the representative of the District on the Administrative Committee established in said Interlocal Agreement.

SECTION 4. Steve Horde is appointed as the alternate representative of the District to sit on the Administrative Committee established in said Interlocal Agreement in the event of the temporary absence of the representative of the District.

SECTION 5. The District recognizes that, upon joinder, Paragraph 10 of the Interlocal Agreement will be automatically amended to read and apply to that paragraph and Paragraph 6, as follows:

10. **Cost-sharing Proration.** The administrative budget, costs and expenses of this enterprise shall be shared by the Participants in proportion to their relative populations, as determined by their last official census or other count, rounded to the nearest five-hundred (500) residents and adjusted each January 1. The initial relative proportions are as follows:

<u>Member</u>	<u>Residents</u>	<u>Rounded Pop.</u>	<u>Percentage</u>
BBW&SD	4,000	4,000	27.60
BLAINE	2,415	2,500	17.20
LYNDEN	4,780	5,000	34.50
EVERSON	1,150	1,500	10.30
NOOKSACK	515	500	3.50
SUMAS	785	<u>1,000</u>	<u>6.90</u>
		14,500	100.00

ADOPTED by a majority of the Board of Commissioners of the Birch Bay Water and Sewer District, Whatcom County,

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Washington, as certified by its Secretary at a regular meeting of said Commissioners held the 2<sup>nd</sup> day of November 1989.

BIRCH BAY WATER & SEWER DIST.

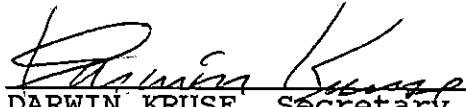
By:   
DARWIN KRUSE, Commissioner

By:   
PETER LEWIS, Commissioner

By: \_\_\_\_\_  
CARL REICHHARDT,  
Commissioner

By:   
HERB GISCHER, Commissioner

The undersigned hereby certifies that the foregoing is a true and correct copy of Resolution No. 477 of the Birch Bay Water and Sewer District adopted by a majority of its Board of Commissioners on the 2<sup>nd</sup> day of November, 1989.

  
DARWIN KRUSE, Secretary