

RESOLUTION NO. 728

A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF BIRCH BAY WATER AND SEWER DISTRICT,
WHATCOM COUNTY, WASHINGTON,
AMENDING DISTRICT CODE SECTION 2.08.010

WHEREAS, on January 27, 2011, the District Board ("Board") approved Resolution No. 698, which repealed Resolution No. 453, modified Resolution No. 454, and created the District position of Interim Finance Director; and

WHEREAS, Resolution No. 698 established the position of District Interim Finance Director for a period of two years, established its duties and responsibilities as including those of the District Treasurer; and

WHEREAS, Resolution No. 721 amended Resolution No. 698 to extend the term of the Interim Finance Director until December 31, 2013; and

WHEREAS, the Interim Finance Director retired prior to expiration of her term; and

WHEREAS, the District recently hired a new Finance Director to replace its retiring Interim Finance Director; and

WHEREAS, Resolution No. 710 established that "all other District employees are subordinate to the General Manager; and

WHEREAS, the District has effectively terminated the position of Interim Finance Director and established the position of Finance Director as a permanent District position; and

WHEREAS, the District has no "Assistant Treasurer" position and therefore Resolution No. 454 should be repealed; and

WHEREAS, the duties of the District Treasurer, as set forth in District Code, most appropriately reside with the Finance Director; and

WHEREAS, Resolution 710 states that all employees are subordinate to the General Manager; therefore, the General Manager should have authority to perform all duties of the District Treasurer in the absence of the District Treasurer; and

WHEREAS, currently, Code section 2.08.010 contains an outdated reference to the Revised Code of Washington;

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Birch Bay Water and Sewer District, Whatcom County, Washington as follows:

Section 1: The position of District Interim Finance Director was eliminated and replaced with the permanent position of District Finance Director.

Section 2: Section 2.08.010 of the District Code is hereby repealed in its entirety and replaced as follows:

2.08.010 Office established--Authority.

The office of treasurer/auditor of the District is established pursuant to the provisions of RCW 57.20.135. The District Finance Director is the designated Treasurer of the District, and is appointed by and subordinate to the General Manager. The General Manager may perform all duties of District Treasurer in the absence of the District Finance Director.

Section 3: Resolution Nos. 454 and 721 are hereby repealed in their entirety. Resolution No. 698 is also hereby repealed; except that, Section 1 thereof which repealed Resolution No. 453 shall remain effective.

Section 4: BE IT FURTHER RESOLVED that any resolutions or parts of resolutions in conflict herewith are hereby repealed insofar as they conflict with the provisions of this resolution.

Section 5: If any section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Resolution. The Board hereby declares that it would have passed this code and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases has been declared invalid or unconstitutional, and if, for any reason, this Resolution should be declared invalid, or unconstitutional, then the original Resolution shall be in full force and effect.

Section 6: This Resolution shall be effective immediately.

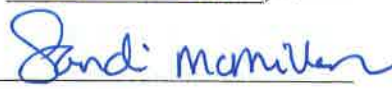
PASSED by the Board of Commissioners of Birch Bay Water & Sewer District, Whatcom County, Washington, at a regular meeting held the 12th day of December, 2013.


COMMISSIONER


COMMISSIONER


COMMISSIONER

THIS IS TO CERTIFY that the above is a true and correct copy of Resolution No. ____ of Birch Bay Water & Sewer District, Whatcom County, Washington, adopted at the regular meeting of the Board of Commissioners on this 12 day of December, 2013.


SECRETARY