

BIRCH BAY VILLAGE COMMUNITY CLUB, INC.
POLICY RESOLUTION NO 1-07-20-00

PURPOSE: To Refine Marina Slip Availability Policies

WHEREAS, there are fewer moorage slips, slip spaces and boat trailer storage spaces available in the Marina than there are Owners desiring to use such facilities, and it appears fair and equitable to place reasonable restrictions on the availability of such areas so as to maximize the benefits of the Marina and its facilities to the largest number of Owners; and

NOW, THEREFORE, BE IT RESOLVED:

1. That the availability of moorage slips, slip spaces and trailer storage spaces shall be limited such that only one such slip or slip space and one storage space may be assigned per Lot, and only one trailer with a boat on it or only one trailer without a boat on it may be placed in the storage area. If the Owner of a Lot consists of more than one person, those persons must agree amongst themselves which of such multiple persons shall be eligible to apply to the Club for boat space of any sort in the Marina or storage area. The first applicant to the Club from a Lot for any such space will conclusively be deemed to have the agreement from all other persons comprising the Owner of such Lot.
2. In the event that there are open slip or slip spaces in the Marina and no Lot Owners in the Club are on the waiting list, open slips or spaces may be rented to a Lot Owner who already has a slip or space. However, when a qualified Lot Owner does apply for a slip or slip space, any Lot Owner holding more than one slip or slip space per lot will be required to relinquish their second slip at the end of its rental term (end of current year). Lot Owners currently renting more than one slip or slip space per Lot will be "grandfathered" and permitted to continue to rent multiple slips or slip spaces provided that they comply with all other Marina Rules and Regulations as such may be modified, changed or rewritten.
3. The Secretary of the Club is directed to place a copy of this Resolution the Club's Book of Resolutions, as required by Section 6.6 of the Bylaws of the Club.

DATE OF ADOPTION

July 20, 2000

ATTEST


SECRETARY

**BIRCH BAY VILLAGE COMMUNITY CLUB
BOARD OF DIRECTORS REGULAR MEETING
JULY 20, 2000, 7:00 P.M.
AT THE CLUBHOUSE**

MINUTES

ROLL CALL:

Eric Peters, President	Present
Don Clark, Vice President	Present
George Palmer, Secretary	Present
Michael Flittie, Treasurer	Present
Harry Keen	Present
Mike Kent	Present
Larry Vander Yacht	Present

Also present Meg Grable, General Manager; Cathy Stitt, Office Support Person

CALL TO ORDER:

Meeting was called to order by President Eric Peters at 7:04 P.M.

LOT OWNERS PRESENTATION:

Jane Gregory, Div. 12C, Lot 54, discussed concerns regarding the swimming pool schedule and sign-in policies.

Eric Peters announced scheduling issues and administrative items relating to the swimming pool will go through the Birch Bay Village Community Club (BBVCC) manager.

Noel Myers, Div. 9, Lot 93, expressed the need for more floor mats at the pool.

Eydie Berry, Div. 12C, Lot 57, discussed concerns regarding swimming pool hours and sign-in policies.

Betty McKinney, Div. 11C, Lot 1, discussed the swimming pool schedule relating to the noon to 1:00 p.m. adult swim.

Eydie Berry, President, BBVCC Social Club, announced the BBVCC Discovery Days Grand Parade Float won first place in the non-commercial category. She thanked everyone who helped, especially Cleo Kent, Betty and Larry McKinney, Janet Sharp, Ruth Lees, Brittany and Brian Kent, Cassie and Sierra Flint, Kevin Klemmt, Natalia and Lydia Caserez, Mike Kent, Jerry Chambers and Jim Drake.

ADOPTION OF AGENDA:

Eric Peters explained he had one item to add to the agenda. Immediately following the adoption of the agenda, he would like to move to closed session for approximately 10 minutes.

- Motion made by Harry Keen, second by George Palmer, and carried, to adopt the agenda as amended. At 7:18 p.m., the BBVCC Board of Directors went into closed session. The meeting was called back to order at 7:31 p.m.**

MINUTES:

- Motion made by Don Clark, second by Mike Kent, and carried, to approve the minutes of June 7, 2000.**
- By consensus, the minutes of June 15, 2000, were approved.**

COMMITTEE REPORTS:

Marina Committee: Jack Vanett submitted July 18, 2000, Marina Committee minutes and 2001 budget requests. He discussed Marina improvements.

Marina Rules and Regulations (existing Marina Policy rewrite) Committee: Chairman Jack Vanett reviewed committee goals and presented a preliminary cut of proposed Rules and Regulations changes. Meg Grable to distribute a copy to Board members.

BlockWatch: Larry McKinney discussed BlockWatch representative issues, presented BlockWatch statistics, and the Sheriff's newsletter. There was discussion regarding a mail theft incident.

OFFICER REPORTS:

Eric Peters stated the nonprofit charter information issue is still ongoing and that he will be meeting with Yacht Club August 8, 2000, 7:00 p.m., regarding the nonprofit charter.

Eric Peters announced he would like to call a Special Board Meeting on August 7, 2000.

- Motion made by George Palmer, second by Michael Flittie, and carried, that a Board of Directors Special Meeting be held August 7, 2000, 7:00 p.m., at the Maintenance Meeting Room, Closed Session for personnel staff issues.

Eric Peters requested that the Board of Directors allow him to set up a meeting with the Architectural Control Committee (ACC), Board of Directors and BBVCC Attorney regarding the granting of variances.

- Motion made by Mike Kent, second by Larry Vander Yacht, and carried, for the President to schedule a meeting with the ACC Committee, Board and Club Attorney, on August 29th at 7:00 p.m., to discuss variances and their impacts on the Club.
- Motion made by Don Clark, second by Mike Kent, and carried, to accept a Policy Resolution 1-07-20-00, "Purpose: To Refine Marina Slip Availability Policies."
- Motion made by Harry Keen, second by George Palmer, and carried to accept the presented Board of Directors Agenda Guidelines as Policy Resolution 2-07-20-00, to establish Board meeting order of business.

MANAGER'S REPORT:

Meg Grable presented the Manager's Report.

- Quarterly Report (2nd Quarter)
- Budget versus Actual (through June, 2000)
- Collection of Citations
- Motion made by Don Clark, second by Harry Keen, and carried, to have the Security Committee discuss and make recommendations to the Board for collecting fines from guests, possibilities for charging owners and any other related items.
- Employment Security Audit
- Playground
- Drainage
- Sleeving Salish Road Culvert
- Property Cleanup
- Drainage of Property Along Cowichan Road (across from Maintenance Shop)
- Lakes Treatments (algae treatment)

CORRESPONDENCE:

- Letter from Edita Tavera, Division 12, Lots 3 and 4, requesting time payments for 2000 dues.
 - Motion made by Harry Keen, second by Don Clark, and failed, that the Board accept time payments for 2000 dues. One Board members voted for the motion.
- Letter from James Miller, Div. 1, Lot 40, regarding eroding beach access.
 - Motion made by Mike Kent, second by Larry Vander Yacht, that Craig Swanson, in conjunction with the Drainage Committee, are to evaluate areas of the community waterfront beach access property to isolate areas of concern and report back with possible solutions at the August 17, 2000, Board Meeting.

UNFINISHED OLD BUSINESS:

- Book of Resolutions – George Palmer discussed his findings of going through five prior years of Board minutes.
- Committee Term Limits - Motion made by Don Clark, second by Larry Vander Yacht, and carried, to approve the proposal of three-year staggered terms for committees [presented by George Palmer]. Upon approval, request from each standing committee Chair the time served by the current committee members and present the information at the August 17th meeting. By consensus, the dates in the information presented by George Palmer would be updated.
- ANVIL Dredging – Bid received for \$27,500 for engineering services that would include the permitting process.
 - Motion made by Mike Kent, second by Larry Vander Yacht, and carried, that BBVCC engage ANVIL Corporation for Marina dredging and emphasize to ANVIL that time is of the essence in getting the project completed.

Harry Keen stated he would like clarification of the letter dated February 14, 2000, from the Department of the Army, Corps of Engineers, relating to Marina dredging. He noted he would like the ANVIL Corporation to find out what contingencies are still in place.

 - Amendment to motion made by Mike Kent, and carried, to request ANVIL Corporation to complete the work as soon as possible and to direct ANVIL to get clarification of the letter from Department of Army, Corps of Engineers.
- Cascade Natural Gas – Mike Kent stated Cascade Natural Gas is seeking, through the county, a waterline easement with Trillium Corporation. They are still targeting for a September start date. Thirteen additional contracts will be accepted that were submitted by members after the window closing date.

Don Clark stated approximately 13 contracts will be mailed to members by Cascade Natural Gas by the end of the week.
- Visitor/Gas Dock Ramp Gate (lock) – Eric Peters stated the Chief of the Local Fire Department recommends a key lock. He suggested the option of adding a combination lock with a combination pad on it that could be changed periodically. The Coast Guard doesn't have any specific rules, regulations or recommendations.
 - Motion made by George Palmer, and failed for lack of a second, to lock the gas dock ramp gate for the reasons he stated in his June 7, 2000, write-up.
- Evancic, Div. 12M, Lot 37, Motor Home on Lot – Motion made by Don Clark, second by Mike Kent, and carried, that the BBVCC forward to BBVCC Attorney Hugh Lewis the Evancic parking situation, Div. 12 M, Lot 37, and request that he proceed in

resolving the situation. Mike Kent added that Eric Peters be involved in the negotiations.

- Nikon, Div. 11A, Lot 14, Finish Garage Project/or remove pillars – Meg Grable presented letter, dated July 19, 2000, to Mr. Nikon, requesting a firm timetable to complete construction of the garage project.
- BBVCC Security Committee recommendation for approval of eight additional Security Patrol hours each week through Labor Day, September 4, 2000.
 - Motion made by Mike Kent, second by Larry Vander Yacht, that the additional eight hours each week of Security Patrol be approved as requested.
 - Motion amended, by Mike Kent, and accepted, that Meg Grable report back as to where the funding will be obtained.

A roll call vote was taken. Michael Flittie - yes, George Palmer - yes, Harry Keen - yes, Mike Kent - yes, Larry Vander Yacht - yes and Don Clark - yes.

- BBVCC Security Committee recommendation for approval of the following:
 - Security Post Orders, Section III, Page 15 M. (add the following changes):
 - “For Special Services such as Health Care, Hospice and funeral directors, the owner shall give Security the name of the service company and the time duration expected.”
 - “Garage or Estate Sales require the owner to provide an alphabetical list of names to Security for any visitor prior to entry.”
 - Motion made by Michael Flittie, second by Mike Kent, and carried, to amend the verbiage of Page 15, Section III, Letter “M” to “Residents may give an alphabetical list of perspective guests to Security prior to the stated start time of the event ...”

Don Clark suggested changing the word “may” to “must” which was accepted by Michael Flittie. He also suggested deleting the word “etc.” which was also accepted. The first part of Section “M” would then read, “Residents must give a alphabetized list of prospective guests, prior to the stated start time of the event, to Security for a one day entry only for special occasions such as Golf Tournaments, Bazaars, Birthday Parties. It was accepted by Mike Flittie that the word “Bazaars” be removed and insert “and” before Birthday Parties.
 - Motion made by Don Clark, second by George Palmer, and carried, to accept the recommendations of the Security Committee, dated July 20, 2000, the following wording be added to Page 15, Section III M, “For Special Services such as Health Care, Hospice and Funeral Directors, the owner shall give Security the name of the Service Company and the time duration expected.”
 - Motion made by George Palmer, second by Michael Flittie, and carried to add “and Services” to the heading of Section M.

“M.” would then read:

M. Visitors/Guests Lists – Special Occasions and Services

“Residents must give an alphabetical list of perspective guests to Security prior to the stated start time of the event for a one-day entry only for special occasions such as Golf Tournaments and Birthday Parties. This list must only be authorized by a resident or a function of the Community Club. The list shall have no limit of names. The list WILL be dated. For Special Services such as Health Care, Hospice and Funeral Directors, the owner shall give Security the name of the Service Company and the time duration expected.”

- **Bulletin – Harry Keen reported that the cost to add four pages to the Bulletin would be \$100. He discussed the options of the bulletin.**
Eric Peters stated there should be a section in the Bulletin for Resolutions the Board of Directors adopts.
Mike Kent discussed options for advertising.
George Palmer questioned who would author featured articles.
It was decided that Harry Keen would get some information on the costs to increase the bulletin ad sizes.
- **Eric Peters discussed the issue of a committee to be set up to address the issue of how the public will be informed on incidents that happen within the BBVCC.**
By consensus, Don Clark is to contact and meet with the people to be on the committee to discuss how the incidents will be reported.
- **Funding for the Birch Bay Discovery Days Float – Motion made by Mike Kent, second by Don Clark, and carried, that the BBV Social Club be reimbursed for receipted expenditures not to exceed \$150.**

NEW BUSINESS:

- **Variance – Ambuehl, Div. 12, Lot 47 – Eric Peters discussed the importance of better documentation. He requested that in the future, the Architectural Control Committee write a description as to the basis for recommendations of the variance request. Motion made by Harry Keen, second by Larry Vander Yacht and carried to approve the variance request for Division 12, Lot 47, for an increase of 4 feet, 6 inches, above the 18 foot height restriction, 8050 Kayak Way, Andrew Ambuehl.**
- **Citation Appeal: VonSicard/Revilla – leash law; McCall – Traffic. Eric Peters stated the citations would be returned to the Security Committee, as the individuals weren't present to represent themselves.**

Mike Kent referred to a letter received from Cathy Beal, dated July 3, 2000, regarding traffic violation and speeding.

- **By consensus, Mike Kent to reply to Beal letter by writing a note on a copy of the incident report.**

Meg to notify Mr. Raghu, slip G-1, to unchain boat from dock.

Board of Directors Village tour Monday, July 24, 2000, at 6:00 p.m.

ADJOURNMENT:

Motion made by Harry Keen, and carried, to adjourn. Meeting adjourned at 10:45 p.m.