

BIRCH BAY VILLAGE COMMUNITY CLUB, INC.

POLICY RESOLUTION NO. 18-09-15-11

PURPOSE: To amend the current vehicle parking and storage rules so that they are clear and easy to understand for both residents and management and provide the necessary tools for enforcement personnel.

WHEREAS, Section 4.4 of the Revised and Restated Bylaws of the Birch Bay Village Community Club, 2011, Powers of the Club, states that subject to the provisions of the Covenants, the Club may, through its Board of Directors:

(a) Adopt and amend Bylaws and Rules and Regulations;

WHEREAS, It is the intent of the BBV Board of Directors to draft and enforce vehicle parking and storage rules which maintain the esthetically pleasing look of individual lots.

WHEREAS, Large numbers of vehicles regularly kept on individual lots detract not only from the look of the lots in question but also detract from the look and property values of surrounding lots and the value of the village itself.

WHEREAS, It is recognized that because of the coastal resort style and feel of our community it is appropriate for residents to park or store an RV, boat, small utility trailer, or other operable and properly maintained vehicle on their property such as trailered jet skis or snowmobiles.

WHEREAS, It is recognized that working families may have vehicles regularly in use by both parents and their children.

WHEREAS, It is clear to both the Board and to residents that large Commercial vehicles such as diesel tractors and larger commercial trucks can not be allowed to be parked or stored on residential lots.

WHEREAS, It is recognized that the occasional parking of more vehicles will occur due to gatherings such as parties or family get-togethers and is acceptable and allowed for those occasions only, therefore the rules address "regularly parked" vehicles only.

WHEREAS, It is recognized that there are many lots with no space alongside the home for RV parking or storage.

NOW, THEREFORE, BE IT RESOLVED

That a total of five (5) vehicles, which may include one RV (motor home or trailer) is the maximum number of vehicles which may be regularly parked or stored on a resident's property.

That Section 6 of the Birch Bay Village General Rules and Regulations be amended as follows:

6. VEHICLE STORAGE/PARKING

6.1 Personal vehicles, recreational vehicles, motor homes, trailers, boats, boat trailers, and single, light duty commercial vehicles may be parked or stored in an orderly manner only within a village approved designated and properly maintained gravel or paved area on the owner's lot which has his home on it. A maximum of five (5) vehicles may be regularly parked outside the garage on the owner's property, including those parked on the gravel parking strip next to the street.

6.1.1 Vehicles may be parked in front of the owner's home on the graveled right-of-way (parking strip) for up to 72 hours. Parking for longer than 72 hours is considered storage and is not allowed. A short-term special parking pass may be applied for at the BBVCC Office for extraordinary circumstances. All vehicles must be parked three (3) feet or more from the hard/paved road edge for safety reasons. Any vehicle deemed a safety hazard must be removed immediately.

6.1.2 One or more of the five vehicles regularly parked on a resident's lot may be a boat, utility trailer, or other small recreational type of vehicle.

6.1.3 One of the five vehicles regularly parked on a resident's lot may be an RV, be it motor home or trailer, which shall be parked or stored in the driveway, alongside the house, or on a BBVCC approved gravel or paved area of the lot.

6.1.4 No personal vehicles may be regularly parked on another owner's property, including the parking strip along the street in front of another person's property. An owner may grant written permission for another person to regularly park on their private property, so long as his own five vehicle total is not exceeded by doing so, but can not grant permission to park in the parking strip in front of their home. A copy of the written permission to park on private property must be provided to, and on file in, the BBV Office before such parking occurs.

6.1.5 A maximum of four front gate barcode stickers will be issued to a resident, for placement on vehicles registered to his address. One additional barcode sticker may be applied for if the fifth vehicle stored on the lot is of a type that would require one, such as a motor home or vehicle other than a trailer. No resident will be issued more than five barcode stickers.

That Section 5.4 of the Birch Bay Village General Rules and Regulations be amended to state as follows:

5.4 The unsafe use of skateboards and scooters (motorized or not) on BBV Community roads is prohibited. The use of skateboards and/or scooters around common areas and/or facilities (such as tennis and basketball courts, pool, pro shop, golf course, clubhouse, marina, guard shack) is prohibited. Offenders will be fined. (See Fine schedule.) RV, Boat and Trailer parking is not allowed on any BBV Roads, road shoulders, or the parking strips in front of homes. Offenders will be fined. (See Fine Schedule.)

The Secretary of the Club is directed to place a copy of this Resolution in the Club's Book of Resolutions, as required by Section 6.6 of the Bylaws of the Club.

DATE OF ADOPTION

ATTEST:

September 15, 2011

SECRETARY

**BIRCH BAY VILLAGE COMMUNITY CLUB
BOARD OF DIRECTORS
REGULAR MEETING
SEPTEMBER 15, 2011 7:00PM
AT THE CLUBHOUSE
MINUTES**

ROLL CALL:

Sandra Stillion, President	Present
Peter Winterfeld, Vice President	Present
Ralph Falk, Treasurer	Present
Ken Davidson, Secretary	Present
Valery Anderson	Present
Harry Shearer	Present
Terry Sullivan	Present

ALSO PRESENT:

Ken Hoffer, General Manager; Esther Matter, Administrative Assistant

CALL TO ORDER:

President, Sandra Stillion, called the meeting to order at 7:07pm.

AGENDA:

- Motion made by Ralph Falk, seconded by Valery Anderson and carried to accept the Agenda with the addition of an Ad Hoc Gate Committee Report after the Security Committee Report, moving the Budget Ratification up directly after the Ad Hoc Report, and delaying the Saturday Office Hours until the next regular Board Meeting.

HOMEOWNER'S PRESENTATION:

- Sandy Zeitel, Div. 12, Lot 63, wondered what Skip Bickers, BBVCC Field Compliance, duties include.
 - Ken Hoffer responded that a detailed list can be picked up at the Office, but highlighted some of Skip's responsibilities which include helping out the ACC in inspecting and reviewing projects and project applications; helping BBVCC Members properly fill out the ACC project applications and explain the BBVCC rules; conducting checks of BBVCC properties by driving around and seeing what is out of compliance with BBVCC rules and regulation then contacts members who are not in compliance and cites as needed; is also in charge of walking the Marina docks and checking that vessels are properly decaled, as well as conducts minor maintenance on the docks; and inquires into all permitting and dig alerts.
 - Sandy Zeitel brought up concerns of an illegally parked motor home on Kispiox, and that some rabbits were running loose in front of someone's property.

MINUTES:

Regular Session Board Meeting of August 18, 2011.

- Motion made by Harry Shearer, seconded by Terry Sullivan and carried to accept the Regular Session Board Minutes of August 18, 2011 as written.

The Work Session Minutes of September 7, 2011 will be reviewed next month.

COMMITTEE REPORTS:

ACC – Jim Baker

9/16/11 DRAFT

- Approved three Tree Removals, one Arbor, one Fence, one Deck, one Deck Replacement, a Roof Cover, a Roof Modification, one Shed, one Culvert, one Pergola, Concrete Work, and the Maintenance Shop Drainage System. A recommendation was given to Management to withhold the bond on the Arbor project as it was completed before ACC approval. An arborist report was requested from one of the tree removals. Two of the tree removals were asked to replace the trees with an evergreen tree a minimum of six feet in height. Also, the owner of the culvert project was told to install a perforated pipe and catch basin on the west side of the property; and the Pergola had to be out of the 25 foot setback.

GOLF COMMITTEE – Bob Simpson

- Total revenue continues to increase over last year. Total greens fees are up.
- The “Guest for a Day” Golf pass has brought in 28 new golfers so far, and there have been no issues from the outside golfers.
- With the warmer weather, there were some recent dress code issues from golfers that were addressed and dealt with by Joe Holdridge.
- The recent Duffer’s Scramble brought out 44 players, 18 of which were brand new to the course, but not necessarily to golfing.
- Both Bob Simpson and Tom O’Gorman will be completing their second term so there will be a couple openings come November.
- A request was brought to the Board for a “Sponsored Golf Pass”, the program would begin next year, and details were in the Board packet for review.
 - Concern was brought up about the legality of the Pass, especially guests with a Golf Pass being allowed to bring in other guests. The BBVCC Attorney will be contacted for any legality issues, some of the wording of the Pass will be altered, and consultation from Eric Peters will be sought before any further action is taken. The Sponsored Golf Pass will be placed on the Agenda for next month’s Board meeting.

LAKES COMMITTEE – Ken Hecker

- The BBVCC Lake levels are currently down, they were being pumped so that the pipes could be viewed and cleaned. Sand build-up was found in the pipe running from the golf course to Thunderbird Lake, and is currently being cleaned out.
- The water conditions in the Lakes are good, will attempt to keep them that way.
- There is still one member short on the Lakes Committee; also George Emmett’s second term is reaching its expiration, and he has requested to stay on the Committee.
 - Motion made by Ralph Falk, seconded by Ken Davidson and carried to extend the term of George Emmett for another year.

MARINA COMMITTEE – Peter Winterfeld

- Another representative outside of the Chairman will be asked to give a report at the Board meetings.
- The Launch ramp dock is warped and dangerous especially at low tide. Would like to look into costs of repairing the ramp, and either pouring concrete or placing concrete slabs down to extend the launch area and keep the ramp stable. Permits are also required and will also be researched. As it is a safety issue, BP will be contacted to see if they are willing to help fund this type of project.

ROADS & DRAINAGE COMMITTEE – Jim Lockie

- Most of the Drainage work is completed at the Maintenance Shop.
- Would like a recommendation from the Board on some flooding issues on Makah Road; some of the owners are blaming BBV for flooding on their properties. Last year a temporary

berm was built on one of the properties, but not sure if it will work or if the Board wants to pay for a more permanent solution.

- The Board would like Skip Bickers, Field Compliance, to research whether or not the flooding has been caused due to work done by BBV or its volunteers before moving forward with any type of work.
- Would like to express objection to the ACC's recommendation that the most recent culvert approval uses perforated pipe, should be non-perforated so that roots do not grow through.

SECURITY COMMITTEE – Wayne McFee

- Discussed cameras and the cost, along with additional lighting, infrared, and getting the word out after an incident; will have another meeting next month on October 12 to go over more options, details, and costs.
- Still working on the speeding issue on Salish Road. Currently short a Radar gun, but are still having roving patrol conduct regular speed checks.
- Will reword a submission in the latest Bulletin concerning contacting the Sheriff's Department.
- Recommend that the Wi-Fi be connected as soon as possible at the Marina. With the connection individual moorage renters will be able to install internet based cameras, and BBVCC might also be able to install some wireless cameras.
- Request that the Office add a place for e-mail addresses on the Moorage application, and that a separate distribution list is created for Marina members so that they can be notified right away, through e-mail, when an incident like theft occurs.
- Revisions to both the General Rules & Regulations and the Security Post Orders concerning beach fires were given to the Board for approval.
 - Motion made by Ralph Falk, seconded by Valery Anderson and carried to approve the changes to the General Rules & Regulations 11.8 and to the Security Post Orders 7.5.3 (See Attached).

AD HOC GATE COMMITTEE – Mick Bride

- Handed out Phase 1 of the proposal for the Front Gate Enhancement/Refurbishing. Phase 1 consists of the garden area, the entrance signs with lighting, and the brick work.
 - The Board requested to see the materials being used for the brick work and the color scheme, as well as the plans showing the Guard House refurbish to compare it with the plans for the signs and brick work. The plans and materials were brought in for the Board to review.
 - Motion made by Terry Sullivan, seconded by Peter Winterfeld and carried to move forward with Phase 1 of the Front Gate Enhancement Project to be started this year.
 - Motion made by Peter Winterfeld, seconded by Harry Shearer and carried to accept the architectural plans presented for the Guard House and move forward with Phase 2 to be started next year.
 - Proper permits will be attained from the county, along with approval from the ACC.
 - Motion made by Valery Anderson, seconded by Peter Winterfeld and failed to disband the Ad Hoc Gate Committee. The Ad Hoc Gate Committee will stay on as an Advisory Committee to the Board; the Ad Hoc Committee will not be able to schedule meetings, but will be contacted by Management and the Board for consultation and advice.

BUDGET RATIFICATION:

- Discussed raising the dues to accommodate for delinquencies, but will keep as is.

- The Golf Committee requested some additional finances for golf course maintenance. Would also like to hire a consultant to analyze the golf course and give recommendations on how to best maintain the course. The Board denied any further funding, but is ok with an outside consultant, to be paid by the Golf Committee, to analyze the course.
- Would like to keep the Pool Pass at \$25.00, instead of increasing the amount to \$35.00 as originally agreed upon.
- The Clubhouse Patio is in the Capital reserve fund and should therefore not affect this year's or next year's budget if it is not able to be completed this year.
 - Motion made by Valery Anderson, seconded by Terry Sullivan and carried to ratify the 2012 Budget as presented (See 2011 November Packet or www.bbvcc.com). Ralph Falk opposed the motion.

ACTION ITEMS LIST:

- Will review during next month's Board meeting.

UNFINISHED BUSINESS:

- The Piling Progress report will be given at the next Board meeting.

NEW BUSINESS:

- A resolution concerning Vehicle Parking was handed out to the Board for review and approval. The resolution will also affect the General Rules & Regulations Section 6.
 - Motion made by Valery Anderson, seconded by Terry Sullivan and carried to accept the changes to the General Rules & Regulations Section 6 and accept the Resolution #18-09-15-11.

CORRESPONDENCE:

- Letters about some golf concerns were in the Board packet for review.

COMPLIANCE LIST:

- The next compliance list will be in the October Board Packet.

OTHER BUSINESS:

- Guest Launch will be cleared through the BBVCC attorney for any legality issues.
- The BBVCC foreclosed property at 5830 Salish Road will be properly secured. The Board would still like the house either removed or demolished once it belongs to BBVCC.

ADJOURNMENT:

- Motion made by Valery Anderson, seconded by Ken Davidson and carried to adjourn. Meeting adjourned at 10:43pm.

Approved _____
Secretary: Ken Davidson

Attest: _____

Esther Matter
Recording Secretary: Esther Matter

Proposed revision to BBV General Rules and Regulations 21 July 2011 (red signifies changes)

11.8 In the beach areas, private property extends to the higher high tide line in front of the beachfront lots.

- Owners/lessees must keep off the private property of other members.
- Driftwood shall not be removed from the beach areas.
- Campfires are allowed on the Club beaches provided they have a maximum diameter of two (2) feet and are maintained below the higher high tide line, as per State Regulations.
- No fires are allowed in logs or other debris which would provide fuel for the fire.
- No fires are allowed where the smoke issuing from the fire is a nuisance or health hazard to nearby residents. BBV Security personnel will make the determination as to whether the smoke in question is a nuisance or health hazard.

Proposed revision to BBV Post Orders 21 July 2011 (red signifies changes)

7.5 Recreational Areas, Beaches and Common Areas

7.5.1 The Birch Bay Village Recreation Areas (Rec Areas), beaches and common areas within the Village are private for the use of Birch Bay Village members, residents and their authorized guests. These areas are not open to the general public. In some Beach Areas, members' private property boundaries extend to the high-water mark. Trespass onto private property is not permitted.

7.5.2 Rules regarding the use of Recreation Areas, Beaches and Common Areas are to be enforced by Security.

7.5.3 In addition to BBVCC Rules and Regulation, and Washington State Law, Security Officers will enforce the following by issuing a citation (warnings may be given, if appropriate):

a) Campfires are allowed on beach areas providing that they are below a maximum diameter of two (2) feet and are maintained below the higher high tide line per Washington State regulations.

a)1 The higher high tide line should be readily determined by the location of the line of vegetation and debris left deposited when that tide height is reached.

b) No fires are permitted in the beach logs.

c) No fires are permitted which constitute a danger to homes or other structures due to sparks or embers being blown by high winds.

d) No fires are permitted where the smoke issuing from the fire is a nuisance or health hazard to nearby residents.

e) BBV Security Personnel are directed to make the determination as to whether any beach fire responded to or observed is in violation of any of the above rules. Should the fire in question be in violation of BBV Rules, Security personnel shall direct the person or persons monitoring the fire to put the fire completely out and/or move it below the higher high tide mark, whichever action would more effectively remove the fire danger and bring it within the requirements of V Rules.

f) Common areas are to be deemed a "Quiet Zone" between the hours of 7:00 pm to 7:00am. NO parking is allowed in common areas between midnight and

dawn. Overnight camping in motor homes, trailers, campers or tents is not permitted. Violators are to be cited. The fine is \$100.00.

- g) Pets must be kept on a leash at all times and the owner must clean up after their dogs. Observed violations must be cited. The fine is \$50.00
- h) Littering in any common area is prohibited.
- i) NO trespassing is allowed along or on the bluff above the ordinary high water mark.