

BIRCH BAY VILLAGE COMMUNITY CLUB, INC.

POLICY RESOLUTION NO. 3-09-21-00

PURPOSE: To State Causes For Removal Of A Member From Permanent Committees

WHEREAS, Sections 5.4.2 and 5.4.3 of the Bylaws state causes for Board of Directors removal, similar causes shall also apply to Permanent Committee Member removal by Board of Directors action.

NOW, THEREFORE, BE IT RESOLVED:

A member of a Permanent Committee may be removed by Board of Directors' action for either of the stated causes:

It has been determined a committee member has substantially violated the Governing Documents, which includes conflict of interest, or who has failed to pay any annual dues, assessments, special assessments, fines or charges within thirty (30) days of their due date.

When the committee member has been absent without excuse by the Committee Chairperson or Acting Chairperson for three (3) consecutive scheduled committee meetings or who has been absent without excuse by the Chairperson or Acting Chairperson from four (4) scheduled committee meetings during a calendar year.

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

September 21, 2000

ATTEST:


SECRETARY

**BIRCH BAY VILLAGE COMMUNITY CLUB
BOARD OF DIRECTORS REGULAR MEETING
SEPTEMBER 21, 2000, 7:00 P.M.
AT THE CLUBHOUSE**

MINUTES

ROLL CALL:

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

Also present Meg Grable, General Manager; Craig Swanson, Operations Manager; Cathy Stitt, Office Administrator.

CALL TO ORDER:

Meeting was called to order by President Eric Peters at 7:15 P.M.

LOT OWNERS PRESENTATION:

- Phyllis Graham, Div. 1, Lot 30, discussed concerns regarding the Birch Bay Village Bulletin.
- Pat Palmer, Div. 9, Lot 26, discussed concerns regarding the Birch Bay Village Community Club (BBVCC) Clubhouse.
- Pat Vavrick, Div. 11B, Lot 33, discussed concerns regarding mail tampering and requested the Board of Directors look into getting a postal mailbox in BBVCC.
- Betty McKinney, Div. 11C, Lot 1, discussed the BBVCC Clubhouse attic stairs and storage area.
- Mary Ann Martin, Div. 2, Lot 36, discussed concerns regarding noise made from the tiger teeth at the exit gate.

BOARD OF DIRECTORS APPOINTMENT:

- Motion by Don Clark, second by George Palmer, and carried that Gordon Pierson be appointed to fill the vacant Board of Directors position until the June, 2001, election. A roll call vote was taken: George Palmer – yes, Mike Kent – yes, Larry Vander Yacht – yes, Don Clark – yes, Eric Peters – yes.
- Motion by Mike Kent, second by George Palmer, and carried, to accept the agenda as amended (insert “Closed Session” before approval of minutes; insert “Lakes” as the first item under “Committee Reports;” remove the last two items “Div. 12M, Lot 37 Evancic” and Div. 11A, Lot 14 Nikon” under “Unfinished Business.”

PROJECT PRESENTATION:

- Marina Dredging – Dan Vekvad, Anvil Corporation, gave a presentation on the Marina dredging. He discussed the permitting process, biological evaluation – Corps of Engineers, environmental issues and timeframes.

- Motion by George Palmer, second by Mike Kent, and carried to accept the proposal for the preliminary marina Dredging work of \$38,000. A roll call vote was taken: George Palmer – yes, Mike Kent – yes, Larry Vander Yacht – yes, Don Clark – yes, Gordon Pierson – yes.
- Seagate – Mr. Vekvad informed the BBVCC Board of options regarding the repair/replacement of the Seagate.

Motion made by Don Clark, second by Gordon Pierson, and carried, for the Board of Directors to go into closed session at 8:41 p.m. Open session began at 8:57 p.m.

MINUTES:

By consensus, the minutes of August 17, 2000, were approved as corrected (under Unfinished Business, “bracing” to be changed to “grade beam”).

COMMITTEE REPORTS:

- Lakes - algae
- Cascade Gas
- Security – Incident Reporting Resolution Recommendation
- Motion made by Don Clark, second by Gordon Pierson, and carried to convert Security Committee incident reporting recommendation into resolution format. Mike Kent abstained.

OFFICER REPORTS:

- Motion made by Don Clark, second by Larry Vander Yacht, and carried, to nominate George Palmer to fill the position of Treasure until the June, 2001, election.
- Motion made by George Palmer, second by Mike Kent, and carried, to nominate Gordon Pierson to fill the position of Secretary until the June, 2001, election.
- Motion made by Mike Kent, second by Larry Vander Yacht, and carried, to accept the nomination of Ken Woods to the ACC Committee as recommended by the ACC Committee.
- Motion made by Don Clark, second by George Palmer, and carried, to declare a member “not in good standing” for his failure to comply with ACC Rules and Regulations after he was sent both a written warning by the Village and a letter from the BBVCC Attorney that he was in violation of the ACC Rules and Regulations. A roll call vote was taken: Mike Kent – yes, Larry Vander Yacht – yes, Don Clark – yes, Gordon Pierson – yes, George Palmer – yes.
- By consensus, Noel Myers was appointed to chair a committee that would recommend changes to the Bylaws that were not addressed in the last rewrite.
- Motion made by Mike Kent, second by George Palmer, and carried, that the Board accept the proposed fee schedule as discussed at the September 12, 2000, budget meeting.
- Amendment offered made by Don Clark, and carried, to increase the new home construction cost from \$500 to \$800. A roll call vote was taken: Mike Kent – no, Larry Vander Yacht – no, Don Clark – yes, Gordon Pierson – yes, George Palmer – yes.
- Motion made by Mike Kent, second by George Palmer, and carried, that the revised fee schedule be implemented January 1, 2001.

- **Motion made by Mike Kent, second by Larry Vander Yacht, and carried, bring the budget forward for the purpose of discussion.**
Discussion regarding the 2001 proposed BBVCC budget.
Eric Peters – “I’m comfortable with a motion to accept the budget – the total as it stands. We have a motion on the floor to adopt the budget. Can we do the motion as the dollar amount and not necessarily the exact presentation – we still have some bugs to work out”.
A roll call vote was taken: Larry Vander Yacht – yes, Don Clark – yes, Gordon Pierson – yes, George Palmer – yes, Mike Kent – yes, Eric Peters – yes.
- **Motion made by Mike Kent, second by Gordon Pierson, and carried, to allow members to pay their dues in two segments, the first half due January 1, 2001, and the second half due July 1, 2001. Members who elect to split their payment will be assessed a \$12.00 service fee. The service fee will be payable with the first half installment.**
- **Motion made by Don Clark to cut the late fee \$125.00 in half if the second payment is received late.**

ANNOUNCEMENTS:

- **Jerry Crone to begin the process of rewriting the golf rules and regulations. Items referring to security would be segregated into a separate section to be prepared for the security rules and regulation rewrite, which is anticipated to happen in 2001.**
- **Fish and Game will have an increased presence in the Birch Bay Village and the Birch Bay Area due to the opening of commercial crabbing season.**
- **BP/ARCO Oil Spill Drill October 5th and 6th.**

MANAGER’S REPORT:

- **Motion made by Gordon Pierson, second by George Palmer, and carried, to accept the following change to the ACC Rules and Regulations as requested by the ACC Committee:**
3.6 No building or part of building (except roof overhangs per Whatcom County code), such as any cantilever, bay window, chimney, stairway, or any other such construction, may be erected nearer than 5 feet from either any interior lot line or the 25-foot roadside setback.
- **Security**
- **Clubhouse (Meg to write a letter to Clubs regarding cleanup) (Librarian)**
- **Grate at bottom of Marina ramp**

Agenda items need to be in the Office no later than Monday proceeding the Thursday meeting.

UNFINISHED BUSINESS:

- **Motion made by Mike Kent, second by Don Clark, and carried, to accept the bid from Bricon Starckenburg & Wiersma Excavating and Gravel, Inc., to move the culvert on Division 15, Lot 64, off private property to the BBVCC easement. A waiver to be signed by all parties involved.**

- Motion made by Larry Vander Yacht, second by Mike Kent, and carried, that the key lock be removed from the guest dock and be put on the gas dock subject to ARCO/BP putting up a fence at the end of the BBVCC guest dock. George Palmer was opposed to the motion.
- Salish culvert sleeve and road widening will be taking place the first week of October.
- Motion made by Don Clark, second by George Palmer, and carried, to approve Administrative Resolution 2-09-21-00 (PURPOSE: To Establish Staggered Terms for Current members of Permanent Committees).
- Motion made by Don Clark, second by Gordon Pierson, and carried to approve Policy Resolution 3-09-21-00 (PURPOSE: To State Causes for Removal of A Member from Permanent Committees).
- Motion made by Don Clark, second by Mike Kent, and carried, to approve Policy Resolution 4-09-21-00 (PURPOSE: To Allow For An Alternate Method To Establish Maximum Structure Height On Lots in 100-Year Flood Plain Areas).

RECESS:

By consensus, the meeting was recessed at 12:45 a.m. until Monday, September 25, 2000, at 7:00 p.m.