

BIRCH BAY VILLAGE COMMUNITY CLUB

POLICY RESOLUTION NO. 9-11-21-02

PURPOSE: To Establish A Policy For Voting Procedures in BBVCC.

WHEREAS, there is a need to formalize the voting procedures in Birch Bay Village Community Club, this policy shall set forth the standards and procedures for voting, counting of ballots and for a recount if necessary.

NOW, THEREFORE, BE IT RESOLVED:

That the following procedure be followed:

1.1 Board Responsibilities

- a. The President/Chairperson of the board shall appoint an Election Committee. (Ref. Club Bylaws section 5.1.4)
- b. The Secretary of the Club shall be responsible for overseeing the election. (Ref. Club Bylaws section 5.1.4)
- c. The Secretary of the Club shall be responsible for announcements and mailings pertaining to the election of directors. (Ref. Club Bylaws section 5.1.4). (See Appendix 1 for preparation of ballots(s).)
- d. The Secretary of the Club shall provide a list of 'designated voters' who are in 'good' standing' to the Election Committee. The list shall also contain the 'section and lot' numbers.
- e. Provide a secure location to receive and hold ballots prior to counting. (locked ballot box with two (2) locks, located in the Club office (Ref. Club Bylaws section 4.0).)
- f. For other balloting see Appendix 1.

1.2 Election Committee Responsibilities

- a. Counting of the ballots in a method consistent with the Club Bylaws.
- b. The Election Committee shall verify all ballots received in the Club office and placed in the balloting box. (Ref. Club Bylaws section 5.1.4 (i).)

1.3 Club Manager Responsibilities

- a. Make available the supplies needed for counting the votes (pens, pencils, paper, etc.)
- b. Maintain and hold the balloting box and keys when not in use.
- c. Provide reasonable security of the balloting box when it contains ballots.
- d. When a lot or lots are owned by a company, corporation, holding company or multiple owners, etc. inform the company, corporation, holding company or multiple owners, etc. that, it is their responsibility to provide the Secretary of the Club or their designate, the name of the 'designated Voter' for their lot(s). (Ref. Club Bylaws section 4.8.2)
- e. Collect and verify proxies received at the Meeting. (Ref. Notes 1,2 & 3)

2.0 Verifying Ballots

- a. Counting and verifying ballots may begin no earlier than 9 AM the day prior to the election.
- b. The committee shall meet in the Clubhouse (or other Board approved location.)
- c. The Election Committee Chairperson and/or the Secretary of the Club will deliver the ballots from the Club office to the Village Clubhouse at the agreed upon time.
- d. Each envelope shall be checked and verified against the 'Designated Voter' list provided by the Secretary of the Club. (Ref. Club Bylaws 1.0 (d).)
- e. In the event that a lot or lots are owned by a company, corporation, holding company or multiple owners, etc., it shall be their responsibility to provide the Secretary of the Club or their designate in writing the name of the 'Designated Voter' for their lots (s).
- f. In the event that more than one vote is received for a lot, only the vote of the 'Designated Voter' will be accepted. In any event a vote will not be accepted unless it is the 'designated voter of record' in good standing.
- g. Once a ballot has been verified, the inner envelope is removed but not opened and placed in a box or location designated for 'verified ballots'. The outer envelope is

then placed in a box in alphabetical order, the box should be marked 'outer ballot envelopes'. (See Note 1)

- h. Ballots that cannot be verified (multiple votes, member not in 'good standing', ballot not filled out correctly, etc.) shall be set aside and held. The Secretary of the Club shall be made aware of any ballots that cannot be verified.
- i. All ballots and outer envelopes including those that cannot be verified shall be held by the Secretary of the Club per the Club Bylaws.
- j. See Appendix 1 for details on ballot and envelopes.

3.0 Procedures For Counting of Ballots

- a. Each committee member will be given a tally sheet with numbers on it that represent the number of candidates and the number of positions on it (see attached example).
- b. The total number of votes for all candidates must match the total number of ballots received times the number of positions open. The tally sheets will contain numbers only and no names.
- c. The inner envelopes are now opened and placed into boxes corresponding with combination of the cast votes. (see attached example).
- d. Each committee member must count the ballots in each box and enter that number on their tally sheet. If there is a discrepancy in the count ALL committee members recount that box or boxes.
- e. Each column is then totaled at the bottom of the tally sheet and columns are then added and must equal to the beginning vote number.
- f. Each committee member then signs their tally sheet, which is placed with the outer envelopes and the ballots to be held by the Secretary of the Club per the Club Bylaws.

4.0 Proxy Votes

- a. Proxies received at the meeting will be verified by the Manager of the Club.
- b. Regular ballots received at the meeting will be treated as Proxies.
- c. At 8 PM elections will officially close.

- d. As soon as voting closes the proxies will be turned over to the Election Committee.
- e. The Secretary of the Club and the Chairman of the Election Committee will then decide whether to count or not to count the proxies at that time or the following day.
- f. If the number of proxies received will not affect the outcome of the ballot count, the Chairman of the Election Committee will announce the outcome of the ballot count at the meeting.
- g. If possible, the candidates will be informed of the outcome before the public announcement.
- h. In the event sufficient proxies are received at the meeting to change the outcome of the count, no outcome announcement will be made until the proxies have been counted. (Ref. Club Bylaws section 3.0 (e).)

5.0 Recounts

Any member (s) may request a recount, of any vote of the Club by contacting the President, a member of the Board of Directors or the Club Manager.

- a. The Board of Directors will direct the Club Manager to engage a neutral third party to perform a recount in a manner consistent with Club Bylaws, this, and other documents that may apply.
- b. Any member(s) who requests a recount of the ballots shall bare the responsibility for any fair and reasonable costs incurred by the Club. Such costs will be explained and agreed upon prior to the beginning of the recount.
- c. In the event that a validated recount changes the outcome of said vote (overturning the vote), the Club shall bare the expense of the recount and the Board of Directors shall be responsible for reporting any changes to the Membership.
- d. With the exception of the Election Committee, no member(s) of the Club or their agent(s) shall be permitted to handle, hold, mark, or manipulate the ballots. Ballots are, and shall remain the property of the Club.

6.0 Ballot Box

- a. The Club shall provide locked box of sufficient size to hold all ballots.
 - 1. The box will be made and maintained in a manner to prevent tampering, opening or viewing of the ballots.
 - 2. The box shall have two (2) locks.
 - 1.1 At the beginning of balloting, the box will be locked by the Secretary of the Club and the Chairman of the Election Committee.
 - 1.2 Key one (1) will be held by the Secretary of the Club.
 - 1.3 Key two (2) will be held by the Chairman of the Election Committee.
 - 1.4 Any additional keys will be locked inside of the ballot box.

Notes

- 1. All outer envelopes will be delivered to the Club Manager when the count is complete. The Manager shall take the envelopes to the Club meeting. (Ref. Club Bylaws 1.2 (e).)
- 2. Any proxies received at the meeting shall be crosschecked with the ballot outer envelopes. (Ref. Club Bylaws 3.0 (a).)
- 3. In the event of duplication the proxy WILL NOT be accepted.

Example

Three (3) open positions with six (6) candidates with 300 ballots received

Total number of Ballots Received multiplied by the number of positions.

300 ballots X 3 positions = total Votes 900
 (X the # of vacancies)

Tally Sheet

Box #	Combination	Total Ballots	1	2	3	4	5	6
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								
13								
14								
15								

16								
17								
18								
Totals								

APPENDIX 1

The Change to the Birch Bay Village ballots is a result of complaints that the ballots could not be verified if challenged and that a person could vote both by ballot and at the June or November meeting without being challenged. At the advice of the Village Attorney, a clarified procedure was established. The intent of the procedure is to emulate Whatcom County Absentee ballots. With the exception of Notes 1 & 2 this section, no comments or recommendations are permissible on ballots.

1. Outer 'return' mailing envelope
2. #1 inner envelope with lot, division, and signature
3. #2 inner envelope marked "Ballot Envelope". No other markings are allowed on this envelope by either the Village or the Voter.

Note 1:

Budget voting should follow the same criteria as the election of Board members, with the exception that the Board may make recommendations on the budget allot or Special levy/assessment ballots(s).

Example:

"The Birch Bay Village Board of Directors recommends the ratification of the budget as prepared" or other recommendations that the Board believes are in the best interest of the Club.

Note 2:

Balloting for items such as, but not limited to:
 Club Bylaws, Covenants and/or member proposed changes to the Club may contain recommendations/comments/explanations from the Board of Directors, which are believed to be in the best interest of the Club. The ballots should be similar to the Budget ballots and should be presented/mailed in the same method.

DATE OF ADOPTION

November 21, 2002

ATTEST:



 BBVCC SECRETARY

**BIRCH BAY VILLAGE COMMUNITY CLUB
BOARD OF DIRECTORS REGULAR MEETING
NOVEMBER 21, 2002 7:00 P.M.
AT THE CLUBHOUSE**

MINUTES

ROLL CALL:

Sherrie Bakke, President	Present
Ken Woods, Treasurer	Present
Larry VanderYacht, Secretary	Present
Dave Berry	Present
Bob Boyd	Present
Sandy Zeitel	Present
Bob Sullivan	Present

Also present Meg Grable, General Manager, and Ann Nydam, Administrative Assistant and Kirsten Barron, BBVCC attorney.

CALL TO ORDER:

President Sherrie Bakke called the meeting to order at 7:00 p.m.

AGENDA:

- Motion made by Ken Woods, second by Bob Sullivan, and carried to amend the agenda and add 'Introduction of the BBVCC attorney' before the Minutes, and to move the agenda be amended.

INTRODUCTION OF BBVCC ATTORNEY, KIRSTEN BARRON

VOTING PROCEDURES RESOLUTION:

Motion made by Sandy Zeitel, second by Ken Woods, and carried to adopt policy resolution 9-11-21-02, with Option 1. Dave Berry opposed.

MINUTES:

October 17, Minutes will be approved at the December 19, 2002 meeting.

COMMITTEE REPORTS:

ACC – nothing to report

Marina Committee –

- The draft to clarify Guest Dock rules was passed.
- Four (4) new members have been selected for the marina committee with Norm Rauch as the new chairperson.
 - Ken Reid
 - Lyle Shook
 - Monty Whitt
 - Jim Smolik
- Request to have Northwest Surveying check the marina entrance depth

Covenant Re-Write Committee

- The covenants should be ready for review soon, they are asking whether the Board wishes to review it first, or have a lawyer review it first.
- Once it is sent to the Board of Directors it belongs to the Board, the Re-write Committee will be finished with it.
- Motion made by Dave Berry, second by Ken Woods, and carried to have the Board of Directors review the covenants before submitting them to the lawyer.

BOARD REPORT

Bob Boyd – “My Thoughts”

- Reflected upon what he sees happening to the current Board of Directors
- The Board needs to be allowed to address the issues at hand.
- Current issues need to be dealt with, not deal with what past Boards have done or on past issues.

Treasurer’s Report – Ken Woods – Reserve Fund Investments

- Ken explained the process he has been through to find the best way to invest BBVCC reserve monies.
- Meg Grable will do cash analysis of the past two (2) years. Ken will take that information to several banking institutions and find out the best interest rate that can be offered.

PRESIDENT’S REPORT:

- What is the role of a Parliamentarian? Eric Peters explained.
 - The Parliamentarian assists the Chair
 - Has zero authority
 - Answers questions when asked
 - Offers suggestions on points of order, which the Chair can accept or ignore
 - Does not interrupt

MANAGER’S REPORT:

- Financial
- Dredging
- Motion made by Bob Sullivan, second by Bob Boyd and carried to approve payment to Boss Construction and Anvil Corporation subject to the Harbormaster’s verification the work had been completed satisfactorily.
- Security Personnel change – Don Taylor moving, Susan Ashley will be taking his place.
- Drainage Ditch – Cowichan Road – request the Board survey the ditch on Cowichan near Salish Road, as the Village will have to maintain it.
- Golf Committee – Jerry Crone will remain as Chair
- Marina Committee – Norm Rauch is the new Chair.
- Office Hours – Winter Hours 8-4 until March 15, 9-5 from there until November. Question was raised whether or not to close on Saturdays.
- Motion made by Dave Berry, second by Sandy Zeitel, and carried to stay with the status quo concerning the BBVCC office hours.
- The Lot near the main gate has been purchased by a member who is asking if the Village would be interested in either buying or leasing it for additional parking and a school bus shelter.
- The Board requests he submit a formal proposal before any discussion can take place.

ACTION ITEMS:

- Building Fund Committee Request for temporary brick location – ACC recommends approval as temporary placement only.
- Motion made by Dave Berry, second by Ken Woods, and carried to allow the Building Fund Committee to temporarily store the bricks along the walkway by the entrance to the Clubhouse.
- ACC – Approval of small projects
- Motion made by Dave Berry, second by Sandy Zeitel, and carried to allow the ACC to designate one (1) person to approve small projects (under \$3000).
- Board review of Div. 11C, Lot 10-20 – contiguous to golf course or not?

- Motion made by Dave Berry, second by Sandy Zeitel, and carried to state that Div. 11C, Lots 14-20 are not contiguous to the golf course and therefore only need a 5' setback from the rear property line.
- Definition of Garden/Retaining Wall
- Motion made by Dave Berry, second by Larry Vander Yacht, and carried to accept definition "A", and incorporate into the AR&R's.
- Stairs for beach access at Tsawwassen Loop.
- Motion made by Dave Berry, second by Bob Boyd, and carried to deny the request for beach access stairs.
- Establish Clubhouse Policy
- Sandy Zeitel to chair and pick two (2) people to assist her in writing a policy concerning the Clubhouse.
- Bulletin – possibly put on the website in lieu of printing
- Motion made by Dave Berry, second by Bob Boyd, and carried to table the Bulletin request until further information has been obtained.
- Copy & Research Fees
- Motion made by Bob Sullivan, second by Dave Berry and carried for Meg to write up a policy concerning copy and research fees and submit it at the December 19, 2002 Board of Directors meeting.

APPEAL HEARING: George Lightner Div. 15, Lot 31

- By Consensus the Board agreed Mr. Lightner needed to go back to the ACC.

LOT OWNERS PRESENTATION:

- Tom Graham, Div. 4, Lot 55, asked why the Club Secretary didn't take the minutes at the Board meetings instead of a member of the staff.
- Noel Myers, Div. 9, Lot 93, asked for clarification concerning the supposed spending of \$7000 for a bus shelter. She was told no such monies had been spent on the bus shelter.
- Sylvia Hartman, Div. 5, Lot 2, is dismayed by the actions of some members concerning the budget vote counting. Says members should write their legislator and have the law changed, should not be engaging in libelous or slanderous activities.
- Mike Kent, Div. 15, Lot 5, commended the current Board for their good work during difficult times.
- Valery Anderson, Div. 4, Lot 24, suggested ways to save money in the printing of the BBVCC Bulletin.
- Suzanne Dougan, Div. 7, Lot 14, told the members, if they wish to be on the Board agenda, they need to request well in advance of meetings.
- Gloria Hansen, Div. 14, Lot 11, asked for a definition of resolutions, and by what authority they can be made.
- Louise Carlone, Div. 12M, Lot 11, stated the ditches along Salish Road look good, and asked if the same could be done with the ditches along Salish Lane.
- Edyie Berry, Div. 12C, Lot 57, asked where the money for the dredging had come from, and also asked where any excess money goes.

ADJOURNMENT:

- Motion made by Ken Woods, second by Bob Boyd, and carried to adjourn. Meeting Adjourned at 10:15 p.m.

Date: _____

Attest: _____
BBVCC Secretary