

BIRCH BAY VILLAGE COMMUNITY CLUB

POLICY RESOLUTION NO. 5-10-19-00

PURPOSE: To Establish A Policy for the Publication of Events/Incidents within Birch Bay Village Community Club.

WHEREAS, there is a need to keep members of Birch Bay Village Community Club informed as to the events/incidents that take place within the Village. This policy shall set forth the standards and procedures for publication of such information; and

NOW, THEREFORE, BE IT RESOLVED:

1. That the following incident reporting procedure be followed for any incident concerning safety or security of BBV owners, their property or the property of BBVCC.
2. Reporting Frequency
 - (a) Non-emergency situations will be reported in the monthly BBVCC newsletter following the format commonly used by local newspapers.
 - (b) Emergencies—Immediate and life threatening will be reported immediately by telephone and public notices using Manager, Security and BlockWatch telephone list and procedure.
3. Reporting Process
Sources of incidents come from owners, security and staff to the BBVCC Manager.
4. Collection and Review
 - (a) The BBVCC Manager will collect and review all security incident information and publish pertinent information using the above guidelines and suggested format.
 - (b) No names or privacy information will be released.
 - (c) The Manager will consult the Board of Directors and /or the Club attorney, with prior approval, on potential privacy or legal issues before releasing information, i.e., private matters between homeowners, law enforcement investigations etc.

DATE OF ADOPTION

ATTEST:

September 19, 2000


SECRETARY

**BIRCH BAY VILLAGE COMMUNITY CLUB
BOARD OF DIRECTORS REGULAR MEETING
OCTOBER 19, 2000, 7:00 P.M.
AT THE CLUBHOUSE**

MINUTES

ROLL CALL:

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

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 7:05 P.M.

TRILLIUM PRESENTATION BY BOB LIEBOLT

LOT OWNERS PRESENTATION:

- Sandy Zeitel, Div. 12, Lot 63, discussed concerns regarding the granting of variances for new home construction.
- Louise Carlone, Div. 12M, Lot 11, discussed concerns regarding the reserve fund account and the Cascade gas line account.

AGENDA:

Motion by Don Clark, second by Mike Kent, and carried, to accept the agenda as modified (Closed Session was moved to the bottom of the agenda).

COMMITTEE REPORTS:

Eric Peters thanked Jack Venett and John Meyers for the draft rewrite of the Marina Rules and Regulations.

MINUTES:

- Motion made by George Palmer, second by Gordon Pierson, and carried, to approve the minutes August 7, 2000.
- Motion made by George Palmer, second by Mike Kent, and carried, to approve the minutes of August 14, 2000.
- Motion made by Harry Keen, second by Gordon Pierson, and carried, to approve the minutes of September 6, 2000.
- Motion made by George Palmer, second by Harry Keen, and carried, to approve the minutes of September 21, 2000, as amended (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).

- Motion made by Gordon Pierson, second by Mike Kent, and carried, to approve the minutes of September 25, 2000.

PRESIDENT'S REPORT:

- New gate instillation at the Visitor's Dock.
- Seagate – Discussion regarding shoreline permits.
- By consensus, temporary repairs are to be made to the seagate until the spring, 2001, in order to give the Board time to review alternatives.
- Clubhouse Attic Ladder – awaiting information from the County Permitting Department.
- Birch Bay Village Bulletin
- Motion made by Mike Kent, second by Harry Keen, and carried, to establish a committee to take over the production of the Bulletin. The Club's President is to select a chairperson to head the committee and work with that committee to set up guidelines and procedures for the production of the Club Bulletin. The guidelines and procedures are to be reviewed and approved by the Board when completed. Ruth Lees was appointed chairperson.
- Apology for unintentional error. Eric Peters explained the letter attached to the Cascade Natural Gas billing reported 84 percent which should have been 64 percent in favor of Cascade Natural Gas.

MANAGER'S REPORT:

- Budget Report
- Request permission to place liens against all parties who have not paid dues for the year 2000.
- Motion by George Palmer, second by Don Clark, and carried, to initiate liens on property for those owners who have not paid their 2000 assessments.
- Birch Bay Fire District – Meg Grable to distribute 13 Community Values Questionnaires.
- Located additional drainage pipes under three lots.

UNFINISHED BUSINESS:

- Copy Machine – 432 Xerox Digital Copier/Printer
- Motion by Don Clark, second by Mike Kent, "that we purchase from reserves in the amount of \$13,095 plus the tax, adding the service plan of \$85 a month plus the tax." A roll call vote was taken: Gordon Pierson – yes, George Palmer – yes, Mike Kent – yes, Harry Keen – yes, Don Clark – yes. The motion carried. New copier will be purchased for the 2001 year.
- Cascade Gas
Don Clark stated he requested a status update of the contract from Dave Grunhurd, Regional Director, Cascade Natural Gas, Inc. Mr. Grunhurd indicated the lead engineer will be setting up construction dates and will get back to Mr. Clark when the dates are finalized. Cascade Gas has proposed that they begin construction as soon after November 17, 2000, as possible depending on weather conditions. The properties

along the waterfront will be done last in order to await approval of the shoreline permits. Eric Peters stated there would be some impact on the roads.

- **Cascade Gas – Money Accounts**
George Palmer said BBVCC would use a Corporate Nonprofit Corporation Account. The money would be deposited into banking institutions where we're insured up to \$100,000.
- By consensus, George Palmer and Meg Grable are to figure out the best locations for the Cascade Gas money.

NEW BUSINESS:

- **Policy Resolution - To Establish A Policy For The Publication of Events/Incidents Within Birch Bay Village Community Club.** Don Clark explained the resolution was a result of a motion made at the June Annual Meeting, which was adopted, where the Board was to appoint a special committee to draft a resolution policy to publish a listing of events or incidences that may effect other owners throughout the Village. A similar procedure is operating within the BlockWatch Program. Don Clark noted he had a change within the draft resolution, "The following incident reporting procedure be followed if..." "if" should be "for".
- **Motion by Harry Keen, second by Mike Kent, to adopt the policy resolution [5-10-19-00] with Don Clark's suggested change ("if" was changed to "for").**
A roll call vote was taken: George Palmer – no, Mike Kent – yes, Harry Keen – yes, Don Clark – yes, Gordon Pierson – no. The motion carried.
Eric Peters, "I have one follow-up comment on this item. [Publication of Events] Because of the way that it [proposed resolution for publication of events] is written, the comments that I made earlier about the bulletin as it would go out and we'd like procedures for that, it is important that we include a procedure that will clarify and be consistent with the motion of the committee though a motion of the membership that the publication of these events is properly put into the bulletin. So to that end, that we'll need to write a procedure and a policy for the Manager, how that goes through the Manager to the committees, and how the committees handle that. So that will all have to be taken care of at that same junction to make sure that it is done exactly the way that it was recorded or requested at the annual meeting. So Meg and I will probably start working on the manager's portion of it as soon as the committee is put together. We'll get the committee's portion of it written and get it back to the Board."
[Note points of clarification entered this date 11-25-00: Once the proposed resolution is received back from the Committee, a procedure will be developed to establish step-by-step methods for publication of events that take place in Birch Bay Village].
- **Yacht Club - Request to place trophy case in the Clubhouse.**
- **Motion by Mike Kent, second by Don Clark, and carried, to accept the Yacht Club's proposal to place a trophy case in the Clubhouse.**

CLOSED SESSION:

- **Motion by Harry Keen, second by Don Clark, and carried, that the Board go into closed session to discuss pending legal matters. Closed session began at 9:50. The meeting was called back into open session at 10:20.**
- **By consensus, the Board would meet on October 26, 2000, for the purpose of a study session for the November General Meeting.**

ADJOURNMENT:

Motion by Gordon Pierson to adjourn. The meeting was adjourned at 10:23 p.m.

**BIRCH BAY VILLAGE COMMUNITY CLUB
BOARD OF DIRECTORS REGULAR MEETING
NOVEMBER 16, 2000, 7:00 P.M.
AT THE CLUBHOUSE**

MINUTES

ROLL CALL:

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

Also present Meg Grable, General Manager; and Cathy Stitt, Office Administrator.

CALL TO ORDER:

Meeting was called to order by President Eric Peters at 7:01 P.M.

CLOSED SESSION:

Motion by Don Clark, second by Gordon Pierson, and carried, that the Board of Directors go into closed session for the purpose of discussing personnel issues. Closed session began at 7:05 p.m.

Eric Peters called the open portion of the meeting back to order at 7:20 p.m. He noted the tape recorder was inoperable.

LOT OWNERS PRESENTATION:

- **Larry McKinney, Div. 11C, Lot 1, announced the Bellingham Toppers will be performing at the Birch Bay Village Community Club (BBVCC) Clubhouse on Sunday, December 3, 2000, at 6:00 p.m.**
- **Geraldine VanderDussen, Div. 9, Lot 33, asked questions regarding the resurfacing of the tennis courts.**
Meg Grable explained bids were solicited in 2000, and they came in at two times the amount allocated in the budget. She stated tennis court resurfacing work will begin in the spring, 2001.

AGENDA:

Motion by Harry Keen, second by Gordon Pierson, and carried, to accept the agenda.

MINUTES:

- **Motion made by George Palmer, second by Harry Keen, and carried, to hold the minutes of October 19, 2000, until the next Board of Directors meeting in order to clarify a statement by Eric Peters on page 3.**
- **Motion made by George Palmer, second by Harry Keen, and carried, to approve the minutes of November 9, 2000, as amended (insert "and carried," after, "Motion made by Don Clark, seconded by George Palmer").**

COMMITTEE REPORTS:

- **Cascade Gas – Don Clark stated construction is slated to begin in March, 2001, and will be completed by the heating season of 2001. Payment will not be made to Cascade Natural Gas, Inc., until 2001. Request to be made to Dave Grunhurd, Regional Director, Cascade Natural Gas, Inc., to send a letter confirming conversation with Mr. Grunhurd regarding start date and finish date.**
Eric Peters noted once the Cascade Gas contract is signed, the letter of intent would have to be modified. He also noted that the easement agreement is not in place. Eric Peters stated he would direct the BBVCC Attorney, Hugh Lewis, to write the contract for easements. BBVCC will back bill Cascade Natural Gas, Inc., for costs, which will be between \$500 and \$750.
- **Motion by Mike Kent, second by Gordon Pierson, and carried, to direct Hugh Lewis to enter into contract negotiations for easements with Cascade Natural Gas, Inc.**
- **Marina Minutes – Jack Venett said the Marina Committee approved safety ladders to be installed throughout the BBVCC Marina. He informed the Board of Directors that the Marina Committee did not accept the proposed Modified Marina Rules and Regulations.**
- **By consensus, work study meetings were scheduled for November 27, and December 11, to continue reviewing the Modified Marina Rules and Regulations.**
- **ACC – Variance – Edward Heiken, Division 12C, Lot 106, Storage Shed: George Palmer explained the ACC Committee didn't address the variance because they believed it was an issue for the Board of Directors to address.**
- **Motion by Mike Kent, second by Harry Keen, and carried, to wave the variance fee, Div. 12C, Lot 106.**
- **Drainage – Div. 11, Lot 9 – Old culvert under lot. Meg Grable to send owner a letter with a map showing where culvert is located.**
Drainage - Div. 12B, Lot 5 – Beaver pond drainage.
- **By consensus, drainage issue, Div. 12B, Lot 5, would be sent back to the Drainage Committee for further review.**

PRESIDENT'S REPORT:

- **Eric Peters will be out of town the end of the month for five days.**
- **Eric Peters to meet with Yacht Club on December 2, 2000, 7:00 p.m., regarding changing incorporation papers to allow for liability insurance.**
- **Harry Keen discussed recommendations from Golf Committee regarding \$8 greens fees. Issue to be addressed at next Board of Director's meeting.**
- **Eric Peters stated at the next Board of Director's meeting, the Board would go into closed session to discuss legal issues regarding the golf course conduct policy.**
- **Harry Keen inquired about a fence repair violation. Issue was referred to Craig Swanson, Operations Manager.**
- **Gordon Pierson discussed his concerns regarding the publication of BBVCC Bulletin.**

MANAGER'S REPORT:

- **Meg Grable presented the BBVCC Financial Report through October, 2000.**
- **U.S. Bank Certificate of Deposit (CD).**

- **Motion by George Palmer, second by Don Clark, to close out CD account \$39,463.34 and deposit funds into the Merrill Lynch General Reserve account.**
- **Audit Engagement Letter**
- **Motion by George Palmer, second by Don Clark, and carried, that BBVCC accept the Archer Group proposal for the year 2000 audit.**
- **Invoice Billing Dues 2001**
- **Motion by Gordon Pierson, second by Mike Kent, and carried, that if the second payment is received after July 31, 2001, then a \$75 late charge would be applied. George Palmer noted that if an owner elects to make two payments on their dues installment, and the first installment is not received by January 31, 2001, a \$125 late fee would be applied.**
- **Caution Bear Wood Cutout – BBVCC resident has requested bear be placed by front entrance gate. By consensus, Meg Grable to write letter to resident thanking him and stating unable to find suitable location to place bear.**
- **Proposed Administrative Resolution to transfer excess funds into the reserves account - To be addressed at the December Board of Directors Regular Meeting.**
- **Quarterly financial reports are available at BBVCC Office.**

UNFINISHED BUSINESS:

- **Pump-out Station – Sherry Bakke is to continue to investigate the feasibility of the pump-out station.**
- **Policy Resolution 5-10-19-00**
- **Motion by Gordon Pierson, second by George Palmer, and carried, that the BBVCC Board of Directors rescind action in passing Policy Resolution 5-10-19-00 pending further review by the Security Incident Reporting Committee. A roll call vote was taken: Gordon Pierson – yes, George Palmer – yes, Harry Keen – no, Mike Kent – no, Larry Vander Yacht – no, Don Clark – yes, Eric Peters – yes. The motion carried**
- **Motion made by Gordon Pierson, second by George Palmer, and failed, to send a draft (George Palmer's suggested changes) back to the Security Incident Reporting Committee with Resolution 5-10-19-00.**
- **Seagate – Anvil: Meg Grable read excerpt from Anvil Corporation letter: "We will perform this inspection task on an hourly basis for \$55.000 per hour during regular working hours (between 7 a.m. and 5 p.m.) and for \$82.50 per hour during off hours (between 5 p.m. and 7 a.m.), including travel time to and from the site." It was noted work would be done on the seagate during night hours due to tides.**
- **Motion by George Palmer, second by Harry Keen, and carried, that BBVCC use Anvil's service at the 5 p.m. to 7 a.m. rate of \$82.50 with the agreement Craig Swanson would schedule work time.**
- **Motion made by Don Clark, second by Gordon Pierson, and carried, to accept a proposed Policy Resolution "To Establish a Procedure to Suspend a Member ('Member Not in Good Standing')." [See attached]**

ADJOURNMENT:

Motion by Harry Keen, second by Gordon Pierson, and carried, to adjourn. The meeting was adjourned at 10:45 p.m.

MINUTES - 557 ANNUAL MTS
JUNE 4, 2000

PAT PALMER

JOHN LOCKIE: The last time I read Robert's Rules, I don't believe the Chair can make amendments to the motion - are supposed to step down if he wants to speak on the motion and have somebody else take over the Chair. I certainly (indisc.) that's supposed to work. I think we ought to just vote this thing up or down. I think it's very poorly written, and I personally (indisc.) because I think it's too broad. If somebody wants to come up with another motion that's narrower, I'd be glad to vote for it but I can't vote for this one.

ERIC PETERS: I hate to be rude, you are now approaching on the out of order yourself. I apologize for that. The (indisc.) amendment that he's asking for is in order and that is the Chairs job to do because the motion has some vagueness about it and that's what I was whispering across to him was that we need to ask for a friendly amendment to the motion similar to the way that Mr. Pete Besas described in his comments earlier.

PAT PALMER: I would like this body to have the opportunity to vote on their preference of - - regarding the filtering of information to the Community at large. Does that make it more clear to folks? Can anybody else help me?

UNIDENTIFIED SPEAKER: I don't like "filtering" as a word.

PAT PALMER: Filtering. What I'm saying is I think we should know when we have a situation such as was mentioned earlier about the rats and the children. I think we should know about the snake, I think we should know when your neighbor's house has been broken into or when the car - - I don't - I'm not trying to get names or (indisc.-clapping). I just feel like that information should be in our newsletter as should the BlockWatch Sheriff's stats should be in our newsletter every month. And I would like you, as a body, to have the opportunity to make your wishes known in that regard. That's all I'm asking. I'm not asking you - - I just want you to say "yes" to the board - we want to have this information available. What did I do now?

PAT PALMER: Okay, I'm making a motion that the BlockWatch Committee get together with the Board and myself and Security where we will come up with a proposal that will be entered into the book of policy and we - - a way to legally to let the public at large, or the community at large, be informed about incidents. Thank you.

MIKE KENT: Pete, will you be willing to accept the friendly amendment to Pat's motion being that you were the original seconder.

PETE BESAS: I'll accept.

MIKE KENT: Pete accepts. Any discussion before we go to a vote? All those in favor of the motion put forth - the amended motion put forth by Pat, please signify. All those opposed. Very good, thank you very much.

ATTch. #1

POLICE REPORT

July 31: An individual pulled out in front of another driver at Boblett and state route 543. The collision caused \$6,000 worth of damage to both vehicles. No one was injured. The individual

was cited for failure to yield right-of-way while at a stop sign and released. One vehicle was towed away.

July 30: Officers contacted a group of disorderly men in the 1800 block of Peace Portal Drive who were taking a rest break in Blaine. The men were returning home from a bachelor party and continuing their celebration. They were advised about penalties for possession of alcohol.

July 30: Officers responded to the 400 block of D Street regarding a missing child. The child was not returned by the babysitter at the specified date and time. A woman was arrested for kidnapping in the 2nd degree and booked into WCSO jail. The child was unharmed.

July 30: Officers requested to assist U.S. Customs at Peace Arch POE regarding a male subject who was at the port who possibly had abused his son in Canada. All subjects were referred back to Douglas Crossing for processing.

July 30: Officers assisted WCSO with a two car injury accident at Anderson and Harborview roads. Two young girls took a vehicle without permission and collided with a passenger car. There were minor injuries. WCSO handled the incident.

July 29: An officer assisted fire personnel with a highly intoxicated person in the 1800 block of Peace Portal Drive. It was determined that the person was MIP. The subject will be summoned by mail. The subject was released to a responsible friend.



the 900 block of Harrison Avenue. There are no suspects. The case is under investigation.

July 27: While investigating a vehicle break in, an officer took a report of threats

that occurred the previous day. Written statements were obtained. The case will be forwarded to Whatcom County juvenile courts.

July 27: A citizen reported hearing noise outside his house in the 800 block of Harrison Avenue at 3 a.m. At 8 a.m. he went to his car and found someone had stolen money and attempted to steal his stereo.

July 27: An officer responded to a report of a subject who dumped a handgun at a closed gas station in the 200 block of F Street so he could enter Canada. The gun was recovered. The case will be forwarded to prosecutor for charges.

July 27: A wallet, CD player and CDs were reported stolen from a vehicle in the 400 block of E Street.

July 26: An officer took a report of an unknown person dumping oil in a storm drain during the night in the 600 block of F Street. There are no suspects at this time. public works and the fire department responded to the scene for clean up.

July 26: A driver was attempting to make a left turn across both lanes of traffic northbound on I-5 without success. This maneuver caused a car to strike their truck. No one was injured. Damage was estimated for the car at \$3,000 and none for the truck.

July 25: An individual requested assistance while she checked on a subject's baby in the 600 block of A Street. An officer stood by while the individual evaluated the baby. Officer cleared after the examination.

**FOR YOUR
INFORMATION**

Neighborhood Emergency Phone Tree

Larry Mckinney - Coordinator (-7340)

(8) John Briggs (-7909)Groups 1, 2, 3, 4

(11) Andy Ambuehl (-0886)Groups 5, 6, 7, 9

(12) Weldon Richardson (-7231)Groups 10, 13, 15, 16

(14) Katy Bigney (-0908)Groups 17a, 17b, 18, 19a, 19b

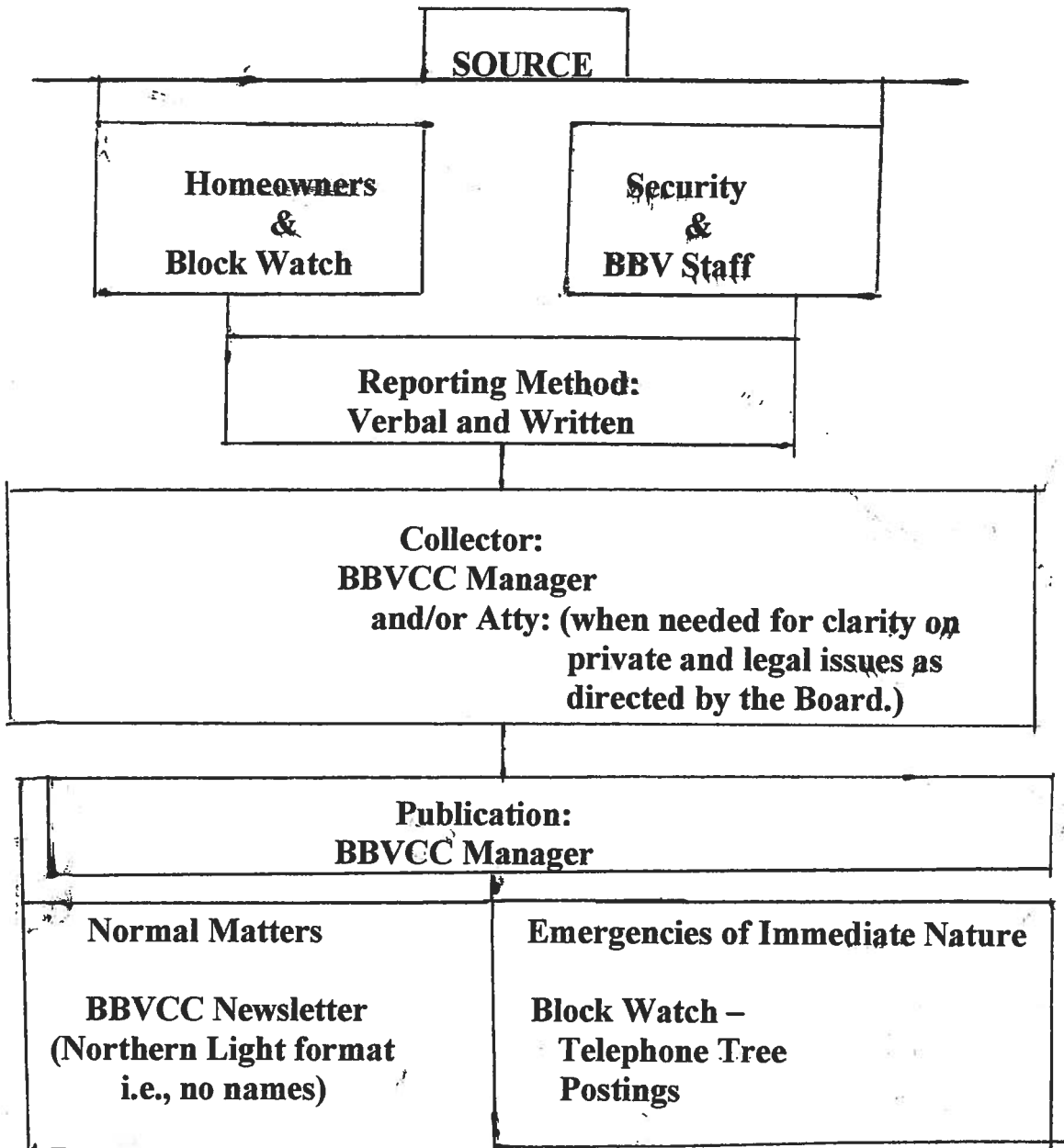
(25) Warren Wedan (-3443)Groups 20, 21, 22, 23

(27) Betty Brackett (-5393)Groups 24, 26, 28, 29

ATTCH #3

FLOW CHART

SECURITY INCIDENT REPORTING AFFECTING BBV OWNERS



ATTch. # 4



WHATCOM COUNTY SHERIFFS OFFICE NEIGHBORHOOD CRIME STATISTICS

NAME: Birch Bay Village		DATE OF REQUEST: 01/02/01	PHONE NUMBERS: Fax: 371-3254		
ADDRESS:	CITY:	RANGE / TOWNSHIP:	SECTION(S):		
TIME SPAN REVIEWED: <u>November 2000</u> <u>DECEMBER</u> <i>Yr to date '99</i>					
TYPE OF CRIME	#		COMMENTS		
THEFT				1	
CRIMINAL TRAFFIC				1	
SUSPICIOUS PERSONS			1	5	
ASSAULT				2	
VEH. ACCIDENTS				1	
COURT ORDERS SERVED				2	
MALICIOUS MISCHIEF			2	2	
AUTO THEFT					
BURGLARY				3	
VEHICLE PROWL	1		* 6	1	
IMPOUNDED CARS					
RUNAWAY JUVENILES				1	
DOMESTIC DISPUTES			2	7	
CHILD NEGLECT/ABUSE				1	
WARRANT ARRESTS				3	
PHONE HARRASSMENT			2	2	
SEX OFFENDERS					
ANIMAL PROBLEMS			1	2	
DRUG ARRESTS					
RECKLESS ENDANGERMENT					
RAPE					
HARRASSMENT			3	2	
JUVENILE PROBLEMS			3	1	
SUSP. CIRCUMSTANCE			4	3	
NOISE COMPLAINTS			3	4	
WELFARE CHECKS				5	
OTHER COMMENTS: <i>Nov 1</i>		<i>& December Totals</i>		<i>27</i>	<i>47</i>
<i>* 5 Boats - Jan.</i>				<i>-00 Totals</i>	<i>-99 Totals</i>
PREPARED BY: DOUG DAHL CRIME PREVENTION			01/02/01		

ATTCH #5