

## **BIRCH BAY VILLAGE COMMUNITY CLUB**

### **POLICY RESOLUTION NO. 7-02-15-01**

**PURPOSE:** To Establish A Policy For The Collection And Publication Of Safety And Security Incidents Within Birch Bay Village Community Club (BBVCC).

WHEREAS, there is a need to keep members of Birch Bay Village Community Club owners/residents informed of safety and security incidents within the Birch Bay Village Community Club. This policy sets forth standards and procedures for collection and publication of such information.

NOW, THEREFORE, BE IT RESOLVED:

That the following procedure be followed if any incident occurs concerning safety or security of BBVCC owners/residents, their property and BBVCC property.

1. **Incident Sources:**  
Sources of incident information may come from owners/residents, security force, BlockWatch, BBVCC staff and law enforcement.
2. **Collection and Review:**
  - a. The BBVCC Manager will collect and review all safety and security incident information using the suggested format contained in this resolution.
  - b. No names or privacy information will be released.
  - c. The BBVCC Manager will consult the Board of Directors and/or the Club attorney, with prior Board approval, on potential privacy or legal issues before releasing information, i.e. privacy matters between homeowners/residents and law enforcement investigations.

3. Publications Method:

- a. Non-emergency situations will be published in the monthly BBVCC newsletter following the format commonly used by local newspapers.
- b. Emergencies – immediate and life-threatening situations will be reported and published immediately by telephone and public notices using Manager, Security and BlockWatch telephone tree procedure.

Attachments: BBVCC Annual Meeting, June 4, 2000  
The Northern Light Police Report, August 3-9, 2000  
BlockWatch Neighborhood Emergency Phone Tree  
Flow chart – Security Incident reporting Affecting BBV Owners  
Whatcom County Sheriffs Office Neighborhood Crime Statistics

DATE OF ADOPTION

February 15, 2001

ATTEST:

  
SECRETARY

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BBVCC SECRETARY

**BIRCH BAY VILLAGE COMMUNITY CLUB  
BOARD OF DIRECTORS REGULAR MEETING  
FEBRUARY 15, 2001, 7:00 P.M.  
AT THE CLUBHOUSE**

**MINUTES**

**ROLL CALL:**

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

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

**CALL TO ORDER:**

The meeting was called to order by President Eric Peters at 7:02 P.M.

**LOT OWNERS PRESENTATION:**

- **Jack Venett, Div. 12, Lot 10, asked if there is a possibility of changing the due date for Golf Memberships to a different date such as April.**  
Harry Keen said he believes the Golf Membership is made payable at the beginning of the year because hopefully the golf course is playable all year long. He said there are a lot of people who don't pay their golf dues until April or May when they return from south. There isn't a penalty. He noted there is the "Honesty Box" at the Pro Shop where people pay as they go.
- **Gloria Hanson, Div. 14, Lot 11, referred to Administrative Resolution No. 3-12-21-00, regarding funding left over from previous years and indicated she would like a copy of the IR Code, Section 118. Gloria Hanson questioned whether 1999 was the first year that there was the predicament of funds left over.**  
Eric Peters responded he would doubt that was the first year. He said the intent is to be on budget. Ms. Hanson questioned what prompted the resolution to be adopted. Eric Peters responded that it was part of the audit and was recommended by the auditor. George Palmer explained that if the excess amount is not put into reserve funds, the community would be subject to tax.
- **Phil Andrews, Div. 15, Lot 69, questioned what the taxation rate would be on the money if the taxes were paid and then rolled into the general fund. He asked why the money wouldn't be returned to the membership.**  
Eric Peters referred to budget excesses and said the budgets are within a few thousand dollars. He said, "For us to send out that much money, our budgets would be grossly out of balance."

- Eric Peters presented a check from BP/Cherry Point to help fund another playground within the community.
- By consensus, the check was accepted.
- George Palmer referred to the financial situation regarding Cascade Natural Gas running the lines through the Village and said the financial burden is \$454,207 and that was an assessment of \$402.31 to 1,129 lot owners. He said, as he understands, the initial payment would be \$113,553 at the time the contract is signed or at least by the construction start date. George Palmer noted there would actually be four payments. He referred to Birch Bay Village collections and said to date, 963 owners have paid their assessments for a total of \$387,424, which has been put into investments. There are 166 unpaid at \$402.31, equals \$66,783.47, less any interest that might be incurred. George Palmer noted that BBVCC is short a little more than half of the final payment. Invoices were sent to membership on September 29, 2000, with a November 17, 2000, due date. The invoices indicated there would be an 8 percent annual interest rate. George Palmer suggested that the Board may want to consider a date for the late payment date and/or loss of privileges to people who don't pay.
- Motion made by Harry Keen, second by Gordon Pierson, "That a letter be sent to all the property owners who have not paid their Cascade Gas fee, and that in the letter they will be told that as they have not paid their fee according to requirements, that the 8 percent interest has been calculated on the amount owing from whatever the date was and as of this letter, the total amount due is X number of dollars, and failure to pay this amount within 30 days could result in further Board action."

Mike Kent suggested adding a line to the bottom saying, "Washington State law requires that such assessments, past due, must legally be disclosed before the property can be sold or transferred." He also suggested that somewhere in the letter add the wording "That by not paying, you're incurring additional expense to your neighbors."

Harry Keen retracted his motion.

- Motion made by Gordon Pierson, second by Mike Kent, and carried, "Well I would make that same motion to include all the additional items that we talked about."

Harry Keen said, "A letter will go to people informing them that as the assessment has not been paid, they have been charged 8 percent interest on the unpaid balance resulting, as of the date, a cost of X number of dollars. Failure to pay this within 30 days could result in further Board action that may include loss of privileges and a potential liens on the property." Mike Kent added that they're required to disclose before sale or transfer. It was decided that the letter would be from the Board of Directors and Eric Peters is to write the letter. Payment must be received at the BBVCC Office by such and such a date, not mailed.

#### MANAGER'S REPORT:

- Meg Grable stated there are 41 lot owners that have not paid their dues for the year. Out of that, there are two or three making partial payments.

**Mike Kent, "In fact I would like to add, for the record too, if there is one letter – one community member that was impacted a neighbor here voting against this, I would vote against it. Simple as that."**

- **Motion made by Don Clark, second by Gordon Pierson, and carried, that the ACC recommendation be accepted for variance request, Div. 6, Lot 21.  
A roll call vote was taken: George Palmer – no, Harry Keen – no, Mike Kent – yes, Larry Vander Yacht – yes, Don Clark – yes, Gordon Pierson – yes.**
- **Revised Marina Rules and Regulations**
- **Motion made by Mike Kent, second by Harry Keen, and carried, to accept the proposed Marina Rules and Regulations with the proposed changes.  
The Board thanked Jack Venett and John Myers for all the hard work they did rewriting the Marina Rules and Regulations.**

**NEW BUSINESS:**

- **Letter from Mike Kent to Eric Peters dated February 15, 2001.**
- **By consensus, the Board of Directors went into a closed session at 9:58 p.m. Open session was called to order at 10:15 p.m.**
- **Motion made by Don Clark, second by Gordon Pierson, and carried, to approve the actions discussed in closed session regarding Dymond Nikon.**

**ADJOURNMENT:**

**Motion made by Harry Keen, second by Gordon Pierson, and carried, to adjourn. The meeting was adjourned at 10:12 p.m.**