

BIRCH BAY VILLAGE COMMUNITY CLUB
MARINA COMMITTEE MEETING

January 10th, 2023

ZOOM / Virtual

7:00 PM

Meeting ID: 88586569122 Password: 8055

Phone In call only: 1-253-215-8782

MINUTES

Marina Committee Members

✓ Rick Whitaker (Chair)	✓ Ken Davidson	✓ Kevin Anthony (Scribe)
✓ David Luton	✓ Llew Johnson	Rob Booth
✓ John Stone		

BBVCC Officers and Staff Present

✓ Rick Tanner	✓ Bev Franklin	✓ Patrick Heaviside
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Audience

✓ Wade Church	✓ Mathue Totten	✓ Susie Walker
✓ Maureen Server	✓ Janet H.	✓ Mark I.
✓ Tim Murphy	✓ Patty Jenkins	✓ Jim Jenkins
✓ Maureen Server		✓ = In Attendance

APPROVAL OF AGENDA January 10th, 2023 Approved

APPROVAL OF MINUTES December 13th, 2022 Approved

AUDIENCE PRESENTATIONS

(None)

OLD BUSINESS

1. "B" Dock installation (Randy)

- Outstanding electrical item: Breaker panel trip light.
Light is available, pending scheduling of electrician. The job requires a dry weather day, but should only require an hour or so to install.
No other new developments regarding the B dock project.

2. Risk Management/Indemnity & Marina Safety Orientation PP (Patrick).

There are 17 marina users (out of approximately 170) remaining to complete orientation and paperwork. Most users have been very cooperative.

Boat electrical testing is proceeding as weather and manpower availability permits, but emphasis is mostly on boats located on B dock to prevent tripping of new breakers. Testing needs to be done on every boat prior to connecting to the new shore power pedestals as A, C and D docks are replaced.

3. Marina Work Orders (Patrick)

- Update on the Marina Work Order List: Completed and Open Items.

Still need to procure and install cabinets for emergency items (spill booms / pump).

(See Item #4 below).

4. Fuel Dock Subcommittee

- Cabinet for spill absorbent booms.

One cabinet is proposed to be located (with signage) at top of the launch ramp. The cabinet should be large enough to accommodate one reusable boom, one absorbent boom and an electric emergency pump. It is decided that the cabinet should not be locked, so that it is accessible by anyone quickly in an emergency. Patrick expressed concern about the risk of theft.

A second absorbent boom (plus one reusable boom?) would be located at the fuel dock, and any additional booms would be stored at the maintenance shop. Note: a 2nd and 3rd reusable boom has been promised by BP, but we have not acquired them yet.

Patrick and Bobby are working on options for cabinet size needed, the largest item being the reusable boom (12" high / 36" diameter). Considering possibly a prefabricated garden cabinet that could possibly be purchased through Home Depot, Amazon, etc. Kevin volunteered to investigate.

- Training for Security on Marina Emergencies, e.g. sinking, spills.

Patrick has composed a set of procedures which have been reviewed by Rick T. Procedures have been emailed to Rick W for comment prior to proceeding with training.

Action Item: Rick W to distribute procedures to Marina Committee members for review.

Fuel Dock Replacement

- Quote for new fuel dispenser w/card reader + installation to replace old dispenser and card reader (goal to replace by May 2023).

Patrick: New dispenser depends on whether we want to add the availability of diesel, requiring a dispenser that will handle both fuels. (See "Fuel Tank Replacement" below).

- Estimate for fuel dock replacement, using guest dock w/modifications.

Rick W: This project might be something we can focus on sooner than later given the delays to the A, C & D dock project. He proposes contacting Ashton Engineering to proceed with plan for dock replacement?

Question: Should we modify the guest dock to create the new fueling area, or preserve the mooring space and design and build a new fuel dock?

- **Fuel Tank Replacement**

- We should get the exact date we will be required to replace the gas tank so we can get a reserve account set up to accumulate funds.

Ken D: Tank needs to be replaced after 31 years. Patrick has not located complete records regarding the age our existing tank, but it is approaching the end of its 31 year life.

Dave Luton: His email records show Ace Tank was the original installer. They should be able to provide information on the history of our tank.

Fuel tank is scheduled to be inspected on Jan 18th. Patrick hopes the inspectors can provide some insight on limitations regarding tank replacement, including restrictions on tank size, replacing the existing tank with another underground tank, and using a dual tank that would store diesel in addition to gasoline.

There is a question as to whether diesel would be utilized enough to be practical, since it is likely that larger capacity boats would look to more competitive price options than the Village could provide.

Action Item: Patrick to email survey to marina users to determine interest in the availability of diesel, and estimated annual consumption, after it is determined whether or not we could get permitting to add a diesel tank.

5. Remaining A, C, D Docks Replacement: (Randy) Status on BMI contract, especially PROJECT SCHEDULE, unfinished engineering work. *Note: Randy was not present for the meeting.*

Rick T, Rick W, John Stone, others met with Jim Engen and Derick Ames from Bellingham Marine Industries (BMI), December 20. Delays in acquiring materials may postpone at least part of the project until fall.

Expecting BMI to provide a Project Schedule by 1/16. Once a schedule is in hand, an update should be sent to marina users.

BMI also still needs to provide engineering structural and buoyancy calculations plus “issue for construction” stamped drawings, among other things.

It is hoped that at least A dock can still be completed this spring, by 6/20, before the onset of summer boating activity.

6. Dock Access ramps for B/C/D docks.

- Update on schedule and estimate for project. Status for permits? (This depends on BMI Project schedule)

Patrick will contact Bill Haynes (Ashton Engineering), who provided the design plans for the completed A dock ramp and the designs for the remaining ramps at B, C and D Docks. Updated plans need to be submitted to ramp fabricators and a construction contractor for quotes.

The project scope includes erosion mitigation along approximately 30' of the bank shoreline under the ramp at C dock. This should be addressed regardless of whether the ramp is replaced this year.

We need to also determine if any permits are required, especially for the shoreline erosion repair work.

7. Marina Rules Violations: (Patrick)

- Report on unused/derelict boats in Moorage or in Boat/Trailer parking areas.

Patrick: Feels there are only 4 or 5 boats in the marina which may have a problem meeting an "operability" test. The challenge is not just motivating owners to meet with Patrick to prove the boat's seaworthiness, but some owners' diminishing physical ability to operate the vessels. Most vessels will need to move sometime during the dock replacement project, requiring the boats to demonstrate operability to some degree at that time.

A sailboat on a trailer in dry storage (Catalina 25) was intended to be donated, but the party that was to pick up the boat changed their mind. Other options to dispose of the boat are being considered. The roadworthiness of the trailer is a concern.

8. Dredging: (Sub-committee: Ken D, Ken Hecker, Peter Kelly, Rick Whitaker)

Dredging that was scheduled for January 6 was cancelled due to inability to obtain a Whatcom County Shorelines permit. This was one of the permits that Anchor QEA was responsible for securing for the marina. Patrick has sent an email to Matt at Anchor QEA to determine status and what is needed to assure we have the necessary permits in time for the next window when dredging is allowed, presumably this coming August.

Rick T and Patrick are scheduled to meet with Portable Hydraulic Dredging (PHD) on 1/11 (tomorrow) to discuss any compensation for cancelling the job after equipment had already been staged at BBV. Apparently PHD was aware that we were still waiting for a permit.

- Progress on permit changes by AnchorQEA?

Other permit changes, such as dredging in the fuel dock area, and removing the requirement for constructing a dredging spoils retention area, are still pending.

- Progress on permit for 2023 marina mouth dredging project?

It appears that the “approximate dredging boundary” shown on the July 2022 survey plot provided by NW Surveying was based on a 2005 drawing by Anvil Corporation, , and does not completely address current need. Scott Tobiason (not present at meeting) emailed an opinion that based on his observations, the dredging plan should include a shallow “saddle” across the channel that is located just north of the indicated dredging area. The assumption was that the plan represented the approximate area of work, and that the dredger would clear the channel in that general area as needed (as has been done in the past). Llew J. recalls that the last time the channel was dredged, the contractor refused to go beyond the areas shown in the dredging plan accompanying the permit. So going forward, we may not be able to be as flexible with the scope of work as we have been in the past. According to the current Hydraulic Project Approval from WA Fish & Wildlife, BBV is currently allowed to dredge into the channel to a North Latitude that is approximately 50 feet south of the fuel dock ramp, so revising the dredging plan to meet our needs may not be a problem.

9. Boat/trailer storage. (Patrick).

- Boats & trailers checked for new 2023 launch and parking stickers?

2023 stickers are available at the office. Patrick will send out a notification to users. Stickers for renewing users are just the amended year, which goes over the year on the existing sticker. Stickers are required to be installed on boats and trailers by March 1st.

Wade Church raised a concern regarding owners that do not reside in the Village during the winter need the March 1st deadline extended. It was suggested that those not able to install the new stickers before the deadline recruit a friend to install the stickers for them. This raised a lengthy discussion as to whether the Village should require boat owners who are off site for extended periods of time (such as snowbirds) have a local contact listed with the Harbormaster in the case of an emergency. No conclusion was made.

Patrick says he would be willing to work with owners moored in the marina if necessary. Boats in the water are not that hard to keep track of, and Patrick knows who is current, and who is out of the Village during the winter. He can also easily put the stickers on boats and trailers located in dry storage.

10. Marina Rules and Regs, revisions or clarifications:

- Par. 10.1 Need clarification on what sections apply to Private Dock owners, and eliminate the ambiguous “as applicable” phrase.
- Par 4.3.6 Length limitation (50 foot rule) for marina. Applicable to all docks?

Rick T: The Board has just hired a new HOA attorney, who will be reviewing the marina rules and regulations, including how they apply to the private dock owners.

Rick W: Concerned with ever increasing vessel size versus the ability of existing docks to handle the increased size in adverse weather conditions.

Llew Johnson: Suggests one way to shift liability is to require owners of private docks with boats over 50’ to supply current engineering data that demonstrates that the dock is suitable for intended vessel.

- Par 4.2.1, 4.2.2, 3.2.3, 4.2.4, 4.3.8 & 4.3.9 Enforcement of these rules needed to open up moorage opportunities for additional boats. Suggestion to have B dock reserved for boats that can fit two per slip. Larger boats to be moved to docks that have slips closer to the required length.

Patrick feels that the most efficient use of B dock (with the longest finger piers) is to moor shorter boats 2 or more end to end on each pier. Smaller boats, with a narrower beam could navigate between one another.

Due to the disruptions involved with the upcoming dock replacement re-assigning slips to improve space efficiency has been mostly suspended. Patrick feels that most of the wait list can be handled without moving boats around at this time.

11. Moorage wait list (Rick T & Patrick)

Options to help open moorage spots.

Ken D: Raised concern about whether it is fair for boats that are not used year after year be allowed to stay in the marina when others are waiting for a slip. Existing regulations exist to address most of these issues, (annual demonstration of operability, boat must reside in marina a minimum of 5 months, etc.) but some rules are challenging to enforce.

NEW BUSINESS:

1. Boat Sinkings: Latest incident, Jan 6th at private dock. (Patrick)

Uncertain as to cause of sinking. The owner thinks the bilge pump failed, but it's not known how water was entering boat. A spill boom was installed around 08:00. No spillage was detected. Top to Bottom Yacht Repair raised the boat around 12:30.

2. Llew J: What is the status of availability of funds for self-funding A, C & D dock assessments, and should we wait on other larger projects such as the Fuel Dock, Access Ramps, & Fuel tank replacement?

Bev Franklin: Payments are due from HOA members by January 31, so financial data from assessment payments will not be available any sooner than after the first week of February. She suggests we wait on proceeding with major projects until we have a better grasp of our financial position.

3. Wade C: Request that meetings start at 6 pm. Instead of 7:00?

Rick W: Not possible due to other conflicting meeting commitments. Switching to a different day may be possible, but no change was made.

Meeting adjourned: 21:10

Next meeting: February 14th, 2023