

BIRCH BAY VILLAGE COMMUNITY CLUB  
MARINA COMMITTEE MEETING

February 14th, 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		✓ = In Attendance

**BBVCC Officers and Staff Present**

✓ Rick Tanner	Patrick Heaviside <i>(*Comments via email)</i>	
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**Audience**

✓ Wade Church	✓ Mathue Totten	✓ Susie Walker
✓ Maureen Server	✓ Tina Murphy	✓ Mark I.

**APPROVAL OF AGENDA February 14th, 2023 - Approved**

**APPROVAL OF MINUTES January 10<sup>th</sup>, 2023 - Approved**

*\*Note comments in red were submitted by Patrick Heaviside prior to the meeting.*

**AUDIENCE PRESENTATIONS:**

No presentations

**OLD BUSINESS**

**1. "B" Dock installation (Randy)**

- Outstanding electrical item: Breaker panel trip light.

**Per Patrick: Light to be installed tomorrow morning.**

Work to be done by Elite Electrical.

## 2. Marina Work Orders (Patrick)

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

**Per Patrick:** Nothing has changed since last month's information.

## 3. Fuel Dock Subcommittee

- Cabinet for spill absorbent booms.

Kevin: Amazon has a cabinet by Rubbermaid and looks to be large enough to hold the re-usable boom (estimated 36" diameter when stored). Cost is between \$200 - \$300. Will send link to committee. Also checking other sources such as Home Depot.

- Training for Security on Marina Emergencies, e.g. sinking, spills. (Review and comment on Patrick's guide for security personnel).

Kevin: Suggest adding additional tips for staff who may not be very familiar with boats (look at waterline stripe for signs of taking water, continuously running bilge pump, etc.) Also, should security be given training for things such as spill boom use?

Rick W: Would like boat owners to have additional contacts, such as backup contacts for "absent owners" or marina committee members on call to help.

Rick T: Security staff no longer regularly walk the docks at night due to the physical limitations of some security staff making it unsafe for them to be on the docks. Therefore this is not a reliable method to monitor conditions in the marina.

Rick T: Management is exploring the feasibility and cost of installing a new security camera system. Currently there are no cameras monitoring the marina or dry storage area. Cameras in the parking lot are non-functional and obsolete.

Discussion ensued regarding placement of cameras, and possibly having a web cam link on the BBV website for easy access. Wade Church suggested "Heimlink" camera system which he has used successfully.

**Action Item:** Rob Booth will work with Wade to research and assist with equipment set up and camera placement options.

- **Fuel Dock Replacement (Patrick)**
  - Quote for new fuel dispenser w/card reader + installation to replace old dispenser and card reader (goal to replace by May 2023).
  - Estimate for fuel dock replacement, using guest dock w/modifications.

**Per Patrick:** Ashton Engineering (Bill Haynes) has begun working on engineering drawings for this. The Board will need to be approached regarding the funds for it.

**Action Item:** Rick W. to send concept drawing using the guest dock for the new fuel dock to Ashton Engineering.

Ideally, it is hoped we can delay replacement of the fuel dispenser / card reader until new fuel dock is in place.

- **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.

**Per Patrick:** Existing tank turns 30 in June 2023. Setting aside funds for a replacement should be a priority as the average life for a fuel tank is generally 20-25 years. In Washington state, the average tank life is 28. Our warranty will expire at the 30-year mark as well.

Rick T: Tank budget / reserves were on schedule for the tank to be replaced in 2027. It is not clear why we didn't know replacement would be needed sooner. This now needs to be a budgeting priority due to the liability associated with an expired warranty and should the tank fail and cause environmental issues. The tank was inspected in January by **Northwest Tank** and passed. It needs to be determined if we will be forced to stop using the tank and cease dispensing of fuel in June.

Current reserves will probably not cover the cost to replace the tank. For the sake of economics it is generally agreed that the entire fuel system (tank, lines, dock, dispenser) should be done concurrently.

Options for verifying whether the tank is still safe to use and extending our insurance and / or warranty should be explored.

There is agreement that the option of adding a Diesel tank / dispenser be dismissed due to associated additional costs.

#### **4. Remaining A, C, D Docks Replacement:**

- Status on BMI contract, especially PROJECT SCHEDULE, unfinished engineering work.

Rick W: Frustrated with Bellingham Marine (BMI) who have still not provided complete engineering drawings or a project schedule. BMI is citing major materials delays for the wood and also electrical components. Dock replacement is now not likely to commence until the fall of this year.

Randy Ambuehl has been communicating with BMI, but was not present at the meeting to provide details.

Rick T: No additional project payments have been made to BMI, and they have not requested any.

- Status of Permits (Anchor QEA)

Rick T, Patrick, Randy Ambuehl, and Ernie Hutchins, met with Anchor QEA at the Marina. Timeline for new permits is still TBD.

Rick T. will follow up with Anchor QEA to see if completed engineering drawings are required to secure permits.

Susie Walker asked for clarification on how the delay will affect the HOA assessment. Rick T. stated that the upcoming board meeting will thoroughly address the status of the project and how it relates to the assessment funding. The project delay will not have a significant impact on the summer boating season.

#### **5. Dock Access ramps for B/C/D docks.**

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

Patrick has requested bids from 3 companies to fabricate the new aluminum ramps.

Ashton Engineering will procure permits, which is considered to be the biggest obstacle to scheduling.

Carlson Construction, the contractor that installed the ramp at A dock, was mentioned for consideration to install the remaining ramps.

Ramp pilings are considered to be in good condition, requiring moderate maintenance. Adding steel sleeves to the pilings should not be needed.

Shoreline remediation is needed below the C dock ramp. Ashton Engineering is addressing the necessary permitting.

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

- Progress on permit changes by AnchorQEA?
- Progress on permit for 2023 marina mouth dredging project?

**Per Patrick:** Anchor QEA is working to see if we can add on to our existing dredge area to include the area marked by Mr. Tobiason that we discussed last month.

I have provided Anchor with many documents to help them familiarize themselves with what we have done in the past and they are hoping to have things squared away so that we can dredge in the next work window which opens at the end of August.

Rick W: Would like to take time to reconsider obtaining a permit for mechanical dredging, possibly reducing overall cost.

**7. Marina Rules and Regs,** revisions or clarifications:

- Update on legal review of Marina Regs, as applicable to Private Dock owners.

Rick T: BBV legal counsel has determined that marina rules can not be enforced for private docks. The only exceptions to this are primarily safety and navigation. For example, the 50' boat length limit can not be applied to private docks. Also, BBV cannot require owners of private docks to provide an engineering study to prove the integrity of their docks.

Liability insurance is required of private dock owners.

Changes to the above policies would require changes to the BBV governing documents.

Llew J: Suggests that we procure a professional review of national standards set by such governing bodies as the Army Corps of Engineers, and/or the US Coast Guard, which may set structural and navigational limitations on boat size in comparison to a marina's facilities. This information could be the basis for any changes to BBV Governing Documents. Llew will share links to information he has found.

**8. Moorage wait list (Rick T & Patrick)**

- Options to help open moorage spots.

**Per Patrick:** This shouldn't be an issue as I am working through the wait list. I believe we will be able to accommodate the people waiting as things stand.

#### **NEW BUSINESS:**

- **High wind effects at marina:**

- Inadequate moorage lines, lack of spring lines

Llew: Plans to do a piece in Dock Captains Locker on proper dock lines setup.

Kevin: Suggests a dock line demonstration booth on Vessel Safety Day.

Llew: Proposes an optional listing for a local contact included in the moorage application in the case of an emergency.

- "Banana fingers" on older wooden docks.

Observed and noted.

- **Vessel Safety Day 2023: (Dave Luton)**

Date set for 4/22/23. USCG Auxiliary to be on hand to perform inspections. Due to recent attrition, the number of inspections they can perform that day may be limited. If necessary, they can be scheduled return at a later date. Boaters interested in an inspection should contact Dave Zawicki.

Attempting to invite Washington Fire & Safety to do fire extinguisher inspections.

**Swap Meet:** Kevin volunteered to coordinate. Transactions are between the buyer and seller. BBV is only supplying space (at no charge).

**Life ring toss:** Elizabeth and Dave Wilbricht managed last year, will see if they can do it again.

**Flare Demonstration:** Rob Booth volunteered to coordinate.

**Vessel Ground Fault Testing:** Information / display, and possibly test scheduling. No actual testing on Vessel Safety Day.

**Vessel Rules and Regulations:** Information and literature - Llew Johnson.

**Food Truck:** Will coordinate with Krista.

**Music:** Suggested by Llew – TBD.

**Marina / Boat Open House:** Objective is to share this amenity with the non-boating residents. It could be a great opportunity to let all residents see the condition of the old docks versus new, view some of our boats first hand, share in our enthusiasm for boating, and appreciation of our marina. Wade Church and Ken Davidson volunteered to participate.

Wade Church: Have we considered offering a 2<sup>nd</sup> Safety Day prior to the onset of crabbing season, possibly reaching a different audience of boaters?

- **Inactive Boats:** Proposed rules change to free moorage space where boats remain inactive for years. **(See Attachment #1, Proposed Marina Rules Change 14.4.1b)**

Announcement to be added to next Dock Captain's Locker reaching out to and making resources available to anyone needing help disposing of their unwanted boat. Those Interested would be directed to Patrick.

Ken D: Feels there needs to be clear rules added to be able to deal with unused boats.

Kevin A: Suggested that boats that do not meet existing rules (such as proving operability annually), and after a reasonable time period be subject to a tiered increase in moorage rates. This would create a financial incentive for the owner to take action.

**Action Item:** Kevin to draft language for rules to add financial penalties for unused boats.

There were differing views as to what should qualify a boat as "operable", and what is fair and equitable when forcing out unused vessels. It is stressed that as a community owned amenity, we must consider the rights of homeowners that are waiting to actively use the marina facilities.

[Recommendation vote on regulation change 4.4.1b \(See attached\):](#)

Vote #1: Change usage requirement from "3 times per calendar year" to "Actively uses vessel during boating season" Yay: 3 Nay: 4.

Vote #2: (As written): Yay 6 Nay 1.

Recommendation to adopt rule 4.4.1b will be forwarded to the BOD and BBV Management for review.

Llew J: Feels Patrick will need to be allotted more time out of his week to address the large number of marina issues. There are mixed feelings as to whether this is our judgement to make.

9:35 PM: Motion is passed to adjourn the meeting.

**Next meeting:** [March 14<sup>th</sup>, 2023](#)

[Attachment #1: Proposed Marina Rules change 4.4.1b and 4.4.1c:](#)

BBVCC Marina Rules Regulations Proposed Changes - January 25, 2023 Draft

The title of Section 4.4 is changed to read:

**4.4 Operational Readiness, Vessel Inactivity, Seaworthiness, Vessel Condition, and Inspection**

Paragraph 4.4.1 is renumbered as follows:

**4.4.1a. Operable Vessel:** rest of paragraph remains the same.

New paragraphs **4.4.1b** and **4.4.1c** are added as follows:

**4.4.1b Vessel Inactivity:** It is the policy of BBVCC that any vessel moored in the Marina be actively used for boating. A vessel with an annual moorage assignment in the Marina that is not actively used during the entirety of the boating season will be considered an inactive vessel, unless the vessel owner can show good cause for the inactivity to the Harbormaster. Vessels that are determined to be inactive are subject to the removal requirements set forth in Section 1.7 of the BBVCC Marina Rules and Regulations. After consultation with the vessel owner, the Harbormaster will establish a date for the removal of the inactive vessel from the Marina.

**4.4.1c Vessel Storage:** Marina slips are not to be used for storage of vessels.