



BIRCH BAY VILLAGE COMMUNITY CLUB (BBVCC)

Marina Committee Meeting – Minutes

Date/Time: Tuesday, November 14, 2023 2:00 pm

Location: ZOOM Meeting (due to COVID issues, no in person mtg)

Zoom Info: Meeting ID: 88586569122 Password: 8055

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

Marina Committee Members

✓ Rick Whitaker (Co-Chair)	✓ Ken Davidson	✓ Kevin Anthony (Scribe)
✓ David Luton – (Co-Chair)	Llew Johnson (Absent)	✓ Rob Booth
✓ John Stone		✓ = In Attendance

BBVCC Officers and Staff Present

✓ Dave Owen (Liaison)	✓ David Franklin	✓ Patrick Heaviside
✓ Randy Ambuehl		

Others

✓ Charlie Hall	✓ Wade Church	✓ Scott Tobiason
✓ Karen Tobiason		

AGENDA

- **APPROVAL OF AGENDA: November 14, 2023** Approved Not Approved
- **APPROVAL OF MINUTES: October 10, 2023** Approved Not Approved

NOTE: Dave L. begins meeting announcing an agreement between him and Rick W. that Dave will take over leading Marina Committee meetings beginning this month, and assume position as committee chair pending agreement by the by the committee, and approval by the BOD.

• AUDIENCE PRESENTATIONS:

Scott Tobiason: Offer to share recent experience with a marina fire in La Paz, Mexico. Dave L. agreed to have it added to “New Business” at the end of the meeting. Scott was unable to stay on the meeting, but the topic will be added to next month’s Agenda if Scott is available.

OLD BUSINESS

1. **Update on Marina Work Orders: Completed and Open items** (Status: Patrick)

No open work orders.

2. Fuel Dock Replacement

A. Draft RFP submitted for committee’s review. (Status: John Stone)

- Next Steps?

- Timeline of Major Due Items? (project plan milestones)
John S. discussed the project with Bill Haines, with Ashton Engineering several issues related to the project including bank stabilization (erosion prevention), gangway fortification, tank replacement, and dredging beneath the fuel dock.
Bill would be willing to take the lead on preliminary engineering but would likely need to include sub-consultants for mechanical and electrical issues. Project could include challenging permitting issues, such as with the Fire Marshal.
Dave F: Suggested that we should look at the marina as a whole when exploring solutions to issues such as erosion & dredging to reduce overall project cost.

Action Item: John S. will lead a subcommittee to identify scope, develop a timeline, and estimate cost to present to the BOD.

Note: Per Randy A at the October Marina Meeting: The BOD is OK with the MC proceeding with first steps.

- B. Consult with BMI for recommendations to stabilize the fuel dock, pump out float, guest dock and E Dock until a permanent solution is feasible (Status: Randy A & Rick W)
- Actions Taken & Next Steps?
 - **Ref:** Original Action item: Authorize Randy to initiate discussions with BMI for the *emergency* stabilization of the existing dock to prevent self-destructing during storm waves and minus tide grounding events (e.g., replacing rusted tie-rods and other ideas that BMI might have). To be funded for the spring months of 2024.
Rick W: Derek Ames with Bellingham Marine suggested that the tie rods and worn walers (wooden structural beams) could be replaced, possibly by the BBV maintenance crew reducing cost and possibly avoid permitting.
The fuel shed could also be removed to reduce weight on the dock, thus reducing the occurrence of grounding. Shed removal would create issues related to infrastructure currently attached to the shed such as wiring, fire suppression equipment, fuel card reader, etc. A fuel catch basin at the dispenser would need to be added due to exposure to rain.
Dave O: Another possible remedy previously discussed was shifting the fuel dock away from the bank into deeper water.
Action Item: Rick W. will create a list of items involved to enable a feasibility study by BBV Maintenance to determine options, and if the project would be practical to be done “In House”.

3. Fuel dispenser/card reader (Status: Patrick)

- **Ref:** Existing card reader not compatible with new dispenser. Require new fuel dispenser & card reader. Previous estimates were in the range of \$30K to \$35K, plus additional annual software costs. Working on additional estimates.

B. Is the old dispenser & card reader still functioning currently? (Yes) Still running Slow? (Yes) Can it be fixed?

Patrick: Fuel dispenser is functionally obsolete. A new fuel dispenser will most likely require a new card reader.

C. Action Item: Solicit current estimates for fuel dispenser and card reader replacement?

Patrick is discussing options with a company called Marina Dock Parts, and Pacific Pride.

Dave L. feels it would be prudent in the long run to replace both the dispenser and card reader with reliable new equipment, rather than continuing with short term fixes.

Fuel dispenser/card reader (cont.)

Dave O. / Randy A: The BOD has already approved shifting funds from the dock ramp replacement (now on hold) to cover the cost of a new dispenser. The availability of funds to also cover the card

reader at this time is not certain. It was noted that although this work should qualify as maintenance of an existing asset, reserve funds still need to be available.

Next steps: Patrick will continue to research replacement options and costs, and solutions will be presented to the board.

4. Fuel Tank (Status: Patrick)

A. Fuel Tank Cleaning: (Approved by BOD 9/21/23) On hold for new fuel dispenser installation.

- Any new Status?
Patrick: Plans to schedule soon. Will advise when time is set.

B. Replacement Plan and schedule update for replacement.

- **Ref:** It is agreed that tank replacement is not imminent. Will continue to test and if leakage occurs, a epoxy lining can be applied to the inside of the tank could extend its useful life (10 years?). Epoxy lining is usually not applied unless an actual leak does occur.
- Any New Status? Next Step? (before we close this, where do we document future requirement?)
Will continue with annual testing to monitor tank condition. Replacement is not necessary at this time. If a leak should occur, an epoxy lining is a reasonable option in lieu of tank replacement.

C. Reserve Funding for Fuel Tank replacement? Is there a funding plan? (Status: Dave O)

- Next Step?
Reserve funds not available at this time, but it is agreed that replacement will likely be necessary within 10 years. This project will be included in a more comprehensive cost / reserve study the Marina Committee hopes to develop with the BOD.

5. Fuel/Guest Dock Bank Erosion / Retainer Wall

A. Part of RFP with Fuel dock replacement (Status: John Stone)

- Next Step?

B. Plan and funding for this project? Is there a funding plan? (Status: Dave O)

- Next Step?
This project is also subject to deferment due to low reserves. Project will be included with other marina items for funding review.

6. Remaining A, C, D Docks Replacement (Status: Randy A)

A. Status on BMI contract, and field work at Lynden site. Identification of unacceptable defects and warping of timbers.

- **Ref:** Crew coming from North Carolina to fix defective timbers
- **Ref:** Demo of A dock is expected to begin around 10/23
'A' dock demo has begun.

Replacement will ramp up beginning the week of 11/27.

North Carolina crew has been on site and will remain to assist with the project through the end of the year.

B. Corner rollers to be added. Cost? Detail should match that of B Dock. Question of larger rollers availability.

- **Ref:** Randy confirmed that corner rollers will be added and steel angle brackets at corners as well.
Randy A: Patrick has secured pricing for rollers to match those on 'B' dock (approx. \$13,000?).
Material cost to be included in the 2024 budget.
BMI will install corner rollers at no additional cost.

C. Incomplete engineering submittals: Structural Calculations node locations question is resolved.
Outstanding items yet to be received and approved:

- Electrical & mechanical details
 - **Ref:** Per Randy, Electrical design and layout for all docks were provided by Marine Electrical Equipment when initial B dock details were provided in 2021, forwarded to BBVCC in June 2023. Will forward to Rick W and John S for review. No Mechanical layouts details have been provided.
 - New Status?
Randy: Revision from Marine Electrical is forthcoming for C&D docks for additional shore power pedestals.
No update on Mechanical details.

- **Emergency Ladders:** Ladders were removed from A Dock and stored at the Maintenance Yard, with intent of re-using on the new dock (approx. 7 each).
Action Item: Dave F. will locate the ladders and check current condition.

- A and D dock drawing updates
 - **Ref:** Width to remain 6' wide to not impact permitting
 - New Status?
Randy: Adjustments have been made to A and D dock plans to maintain 6' finger width (and avoid permitting issues).
- Bull /rail joint detail update.
 - **Ref:** Randy A: Plan is still to use 2 bolt method, not the 4 bolt method as recommended by Rick W. Randy will consider discussing a change order with BMI.
 - **Ref:** Scupper blocks have been increased to 16" and will be "toe nailed" with screws to maintain alignment with the bull rails.
 - New Status?
Randy: Current plan is to proceed with 2 bolt method as agreed.
Rick W: Questions the structural integrity of the 2 bolt method compared to 4 bolts under high wind or impact situations.
Option to add bolts at a later time is possible.
Action Item: Randy will request a quote from BMI for the additional bolts.
Note: The general conclusion was that we should trust BMI's judgement, as they will ultimately be responsible if the 2 bolt method is found to be unsuitable.

7. Dock Access ramps for B/C/D docks. (Status: Patrick)

A. On Hold for scope and schedule change (see Sept. MC Minutes)

- New Status? Future action plan documented where?

Replacement is on hold pending availability of funds.

John S: Looking into maintaining/repairing existing ramps through BMI.

Some work could possibly be done by BBV volunteers?

Action Item:

Rick W. and David F. will assess scope of repairs needed, to determine what tasks might be performed by volunteers, BBB Maintenance, or requiring a contractor.

8. Dredging: (Status: Sub-committee: Ken D, Rick Whitaker)

A. Progress on permit changes by AnchorQEA?

B. Progress on permit for 2023 marina mouth dredging project?

- Status?

Patrick: Public Notice was published on 11/8 and is subject to a 30 day comment period.

Dept. of Ecology and Army Corps of Engineers are communicating in regards to the proposed expanded area. It is currently uncertain if expanded area will be approved, but Anchor QEA is confident we will be approved for the original scope within the necessary time frame (Feb 1 deadline, possibly Feb14 with extension).

Dredging contractor (Portable Hydraulics) has the project on his schedule for January, pending permits.

Expected target depth for dredged channel is 10' at zero tide. This target applies to both the current dredging area, as well as the expanded scope, if approved.

The primary objective is to make sure that at least the original scope is completed, deferring the expanded scope if permitting delays arise.

C. Status of eel grass survey?

- **Ref:** Survey completed by Gravity Marine. Once the report is submitted to Anchor QEA (2-4 week lead time), revised permit application will be submitted to the Army Corps of Engineers.

- Status?

Patrick: Eel Grass Survey has been completed and submitted to the DOE and Army Corps.

D. Updated quote from contractor?

- **Ref:** Dave F: Revised quote was not discussed, but contractor (Portable Hydraulics) is prepared to be available to do the work, estimated to be around January, 2024.

- Status?

Dave F: Has not seen a copy of the original quote. Asks committee members have a record of the quote?

Cost is believed to be between \$175-200k.

E. Schedule for work: conflicts with BMI work and launch ramp access?

- **Ref:** Randy A: Once a date for dredging is determined, Randy will coordinate with BMI to assure there will be adequate room for dredging operations and equipment staging.

- Status?

No further discussion.

9. Marina Rules and Regs: (Status: Patrick, David F)

A. Critical issues that should be addressed (from Aug & Sept MC meeting) Review the rule revision (23) that Rick Whitaker email on 11/4/23 from Dave Owen. These are the current rules that require change (Note: this is not the rewrite version).

Overview: Dave O. is working to present a revision to the rules to incorporate more of the changes from the original comprehensive re-write led by Llew Johnson. Goal it to include most, but not all revisions proposed, going beyond just Patrick's requested changes. The document will include "Track changes" to allow board members to reference the current rules compared to the proposed changes. Project is about 80% complete. Document will be sent back to the Marina Committee and management for review / potential changes, and then the BOD for approval.

Simple changes, such as what Patrick is requesting be expedited, could be approved sooner than later. Dave F. has submitted a packet of changes to the BOD for review at the next meeting.

Change making all docks / vessels subject to BBV marina rules is believed to be enforceable.

Dave F: Working on researching what sort of easement description private dock owners have according to original plat / title documents.

Proposed changes submitted by Patrick outlined below:

- **Ref:** (From Aug & Sept)
 - **Administrative conflicts in existing rules:** The current Marina rules allow owners to rent their property and maintain use of the Marina. However, By Law 11.1 states that they cannot do this. Need to revise the marina rule in conflict.
 - **Unnecessarily long grace periods to correct violations:** Change the time periods adjusted so that instead of 30 days' notice, people would receive 14 days. The 90-day time frame could be adjusted to 30-days to encourage communication and action on the issues that need to be resolved.
 - **Ability to administer fines:** to those who do not provide the required documentation for Moorage (registration, insurance), or do not have their decals on the boats by March 31 of each year.
 - **Plus a few more update. Please review and comment!**
Patrick: Feels strongly that any fueling should only be done at the fuel dock. This pertains also to the private docks. He feels there are too many potential liabilities.
 - The committee needs to approve the Draft and/or make revisions. Dave O will then review with BOD and get approve to forward to legal for review.
See above.
- B. **Marina Rules Rewrite:** The overall rewrite update is currently on hold and not completed.
- Should restart work to complete the rewrite?
See Dave O's comments above.

10. Piling Replacement Project: (Status: Rick W & John S) See 9/12/23 MC minutes

A. Need to have engineering, (possibly MSE, review/confirm our findings regarding most at-risk pilings) Need BOD approval for expenditure. (Status: Dave O)

- **Ref:** Per Randy, Node locations of structural engineer's calculations for A, C & D docks had been supplied by BMI

- Status? Next Steps?

Rick W: Per BMI calculations, it is recommended that we consider replacing at least key pilings (approx.. 12 each, primarily at the dock ends). Rick feels that a stronger 16" piling should be used, vs 12". Feels that replacing specific pilings in phases is prudent, and less of a burden on the BBV budget.

Estimated cost for 12 pilings is \$84k.

Dave F: Engineering data recommends all pilings should be replaced within 6 years. The BOD most likely will consider the liabilities of ignoring this recommendation. Feels protecting the new docks warrants replacing all pilings sooner than later.

Dave L: Cost comparisons are needed between replacing all pilings now or spreading the project / cost over time. Suggested a sub-committee to research, tbd.

B. BMI's structural calculations for loading at the ACD dock pilings, complete (10/6/23), but B Dock calculation data is incomplete. (Action: Randy)

- Status?

- **Ref:** Patrick discovered a piling study and permit application for six replacement pile done by Ashton Engineering in 2011. Recommend discussions with Ashton Engineering.

- Status?

C. Recommended action by BOD to limit risk of piling failure for:

- Approve moratorium on new moorage applications for vessels >40 feet
- See Draft Marina Rules update (23) with this entered, needs your approval.
 - Status?

- Slip assignment plan for existing moorage of vessels >40 feet.
 - **Ref:** Marina Committee passed motion (4 in favor, 1 opposed)
 - See Draft Marina Rules update (23) with this entered, needs your approval
 - Status?

11. Harbormaster Report (Status: Patrick)

A. Waiting Lists

Patrick: Same as last month (7 moorage; 3 Storage).

B. Compliance issues

No significant issues.

12. Boat Relocation Plan during dock replacement (Status: Patrick)

A. Help Needed?

A Dock move went smoothly. Next move (off C Dock) should go well. May need assistance with a few boats. Kudos from Patrick to MC for assistance.

13. Committee Application for Charlie Hall (Status: Rick W)

On the agenda for BOD meeting 11/16.

14. Marina Reserve Account, Charlie's question (Status: Rick W & Dave O)

A. Current balance

B. Expected balance after 2024 assessment receipts (amount, timing, etc.)

C. Review of all 2024 expected reserve expenses.

D. Review of 2023 marina reserve study

Charlie: Looking to expand on latest (2023?) Reserve Study. Working on a spread sheet to identify major marina assets, and assigning current and anticipated costs to each, dependent on life span.

Would like to see a quarterly report that tracks actual costs and revenue to compare with projections.

Requested information on current marina reserves. Will submit request to David F.

Action Item: Establish sub committee to research and report.

15. Security Policy Workgroup (Status: David L)

A. Security camera at fuel dock/dispenser (Status: David L)

- **Ref:** Security Policy Workgroup, to discuss security camera systems for BBV at their November 20th 10:00 am meeting. (Harbor conference rm, above BBV Office)

Dave L: Will be attending meetings. Will report on security camera discussion at next meeting 11/20.

NEW BUSINESS:

1. Exposed Electrical Wires (under ramp to fuel dock / E dock)

A. Action Required? Work order to fix?

Randy A: Believes it is a live feed. May need a licensed electrical contractor.

2. Marina Contacts List (update)

Patrick confirms his extension is #111.

3. Nominations for new Marina Committee Chairman.

Dave L. and Rick W. have privately agreed to try handing over the Chair position to Dave.

Action Items:

The Marina Committee votes in favor of forwarding a recommendation to the board.

Rick W. will send his resignation letter to BOD.

Marina Fires: Scott T. was unable to relate recent experience in La Paz with a marina fire (dropped off Zoom mtg.)

Patrick: Looking forward to presenting a comprehensive look at emergency response procedures. Patrick has built a good working relationship with the Fire Marshall in his work improving safety protocols at the marina.

Kevin A: Do we have contact groups set up to notify marina users in an emergency? Dave F: Gate Key potentially has that ability. Working on options.

Spill Response Cabinet:

Patrick: Considering a trailer in lieu of the cabinet, which was blown over in a wind storm. Looking at pricing for used box trailer.

Rick W: Thinks cabinet can be rebuilt to withstand high winds, at far less cost.

Adjournment Time: 4:48

Next meeting: December 12, 2023