



**BOARD OF DIRECTORS MEETING MINUTES**

**ASSOCIATION NAME:** Birch Bay Village Community Club

**DATE AND LOCATION:** May 17, 2024

**I. CALLED TO ORDER AT:** 2:00 PM by Ernie Hutchins

**II. AUDIENCE MEMBERS:** Approximately 9 BBVCC members were present online to observe the meeting.

**III. ROLL CALL - BOARD MEMBERS PRESENT** (check box):

- ✓ Ernie Hutchins
- ✓ Dave Owen (Zoom)
- ✓ Harry Shearer
- ✓ David Wilbrecht
- ✓ Randy Ambuehl
- ✓ Terry Sullivan
- ✓ Bev Franklin

**IV. BOARD MEMBERS EXCUSED ABSENCE:**

**IV. STAFF MEMBERS:** David Franklin General Manager, Justine Brooks, Executive Secretary, Lowell English, Compliance Officer, Bob Hoffer, and Philip Buri, Legal.

**V. COMMUNITY MEMBERS PRESENT:** Laurie Kritz, Kirk Martin, Maureen Server, Dori O’Dell, David Scheirman, Richard’s iphone X, Susan Scheirman, Ruth Balf, David Wilbrecht.

**CONFIRM QUORUM:** The Board President, Ernie Hutchins, asked David Frankling to conduct a roll call. David announced a quorum was achieved.

**VI. ADOPTION OF AGENDA**

**MOTION TO:** Adopt agenda as presented.

**MOTION BY:** Terry Sullivan      **SECONDED BY:** Harry Shearer

**APPROVED:**   X        **NOT APPROVED:**      **TABLED:**      **DIED:**

**IN FAVOR:**   7        **OPPOSED:**      **ABSTAINED:**

**VII. HOMEOWNER PRESENTATIONS**

No homeowners asked to present.

**VIII. CONSENT AGENDA**

- a. Approval of April 18, 2024, Board Meeting Minutes
- b. ACC – Accept Draft Minutes of May 7, 2024
- c. Building and Grounds – Accept minutes of May 2, 2024
- d. Lakes and Drainage – Accept minutes of May 6, 2024
- e. Marina – Accept minutes of April 23, 2024
- f. Golf - NA

The Building and Grounds meeting minutes were discussed. It needs to be noted that the so called “Sports Court Committee” is not a sanctioned/approved committee but a club group. That may need to be a correction to their minutes. They also have getting a shed in their minutes which needs to have ACC approval and must follow the ACC R&Rs, this goes for all of BBVCC common area. The utilization of “Slack” a communications app between a committee needs to be discussed as they cannot use it to make decisions outside of public meetings.

**MOTION TO:** approve the consent agenda.

MOTION BY: David Wilbrecht      SECONDED BY: Terry Sullivan  
 APPROVED:      X        NOT APPROVED:      TABLED:      DIED:  
 IN FAVOR:      7        OPPOSED:                      ABSTAINED:

**IX. FINANCIAL REPORTS**

Financial reports through March 31 were provided by David Franklin. David communicated with the Board that there are issues with the software on putting together the financial reports. In the past it would take Debbie 8 hours to put them together. David met with Bev earlier this week to go over the issues and is working on a plan to move forward and make things smoother. There was also discussion regarding.

**MOTION TO:** Accept the Financial Reports as submitted.

MOTION BY: Harry Shearer      SECONDED BY: Bev Franklin  
 APPROVED:      X        NOT APPROVED:      TABLED:      DIED:  
 IN FAVOR:      7        OPPOSED:                      ABSTAINED:

**X. OLD BUSINESS AND VOTING AS NECESSARY**

**a. Election Update – Meet the Candidates, Online Voting, Misc.**

On Sunday May 19th there will be a Meet the Candidates event at the Club House at 1 p.m. to 3p.m. The elections committee has worked hard on this event. Each candidate will be asked the same questions and that will happen in the first hour and during the second hour will be a meet and greet style where it will be more of a one-on-one basis. David Scheirman has offered to set up his equipment for ZOOM capabilities.

**b. General Rule Update – Discussion**

Bev stated that revisions were made a few weeks ago that went out to the community. There were some corrections that needed to be made. Bev went over the changes and Lowell wanted to clarify certain areas for a compliance standpoint. There are some things that need to be discussed for changes further during the executive session so the vote on this is tabled until after executive session.

**c. Security Policy Workgroup Recommendation (implementation) Discussion**

There was discussion on bringing someone in to assist with getting this moving. There is a need for an RFP. Bob Hoffer and David will start working on the RFP and talking with traffic logic. Davids Scheirman doesn't have the time currently to help with this. David will bring an updated Post Orders document to the next Board Meeting.

**XI. NEW BUSINESS AND VOTING AS NECESSARY**

**a. Committee Member Applications (3) for Safety and Security Committee.**

The three members applying for the Safety and Security Committee are Erin Ryans, Paula Whiting and Mike Lubow. Mike did not get an application in time for this meeting due to extenuating circumstances. Dave Owens provided some background information on Mike L.

**MOTION TO:** Approve the 3 members' applications, Erin Ryan, Paula Whiting and Mike Lubow to Safety and Security Committee.

MOTION BY: Dave Owen                      SECONDED BY: David Wilbrecht

APPROVED:       X       NOT APPROVED: Tabled: DIED:  
 IN FAVOR:   7   OPPOSED: ABSTAINED:

**b. “Dangerous Dog” Draft Letter Discussion**

There was a lengthy discussion regarding the “Dangerous Dog” drafted letter and where BBVCC Board and Community should stand with this matter. The Board understands that there is great concern with dangerous dogs but also wants to be cautious with how they proceed as it could add a liability on the Village. This is a matter that will be brought up with the attorney and discussed more at a later date.

**c. Variance Request – 5433 Tsawwassen Loop**

Requesting street side set back from 25’ to 20’. There were no issues with this and there was one positive feedback from a neighbor. The ACC approved this to go to the Board during their May 7th meeting.

**MOTION TO:** Approve the Variance as requested.

**MOTION BY:** Terry Sullivan **SECONDED BY:** Randy Ambuehl

APPROVED:       X       NOT APPROVED: Tabled: DIED:  
 IN FAVOR:   7   OPPOSED: ABSTAINED:

**XII. AUTHORIZATIONS AND RESOLUTIONS**

**a. Expense Authorizations**

**i. 2024 Paving**

This does fit in with the reserve study. It is very hard for us to recommend Asphalt NW with having an apple to apples bid with WRS. This is doing more repair work than just the minimal repairs that have been happening. This included an in-depth repair of the areas that it is needed. This includes grinding down 2 ½” and repave in areas and a 1 ½” grind and overlay in other areas. The WRS bid includes striping which Asphalt NW bid does not. Overall, the WRS bid would be a better deal for BBVCC.

**MOTION TO:** approve the contract with WRS for \$906,464 to be paid out of the Road and Drainage Reserve fund to perform paving repairs, pavement overlays and parking lot grading as described in the proposal with at 10% contingency.

**MOTION BY:** David Wilbrecht **SECONDED BY:** Dave Owen

APPROVED:   X   NOT APPROVED:    Tabled:    DIED:  
 IN FAVOR:   7   OPPOSED:    ABSTAINED:   

**ii. Clubhouse Audio Visual System**

The request for \$49,258 for an Audio-Visual System for the Clubhouse would be super easy, user friendly. There would be a minicomputer dedicated to this system. Acoustic treatment is not included with this and would be another phase to the project. Currently it takes David Scheirman an hour and a half to set up his system in the Club house. This system could be used by anyone with their personal computers, and it can have preprogrammed settings for an exercise group, meetings, etc. It will make it easier for the Board meetings and committee meetings as more people will be able to be in person and the Zoom will have better audio-visual components.

**MOTION TO:** award a contract for the installation of the proposed audio-visual system

in the Clubhouse to Dimensional Communications in Mount Vernon in the amount of \$49,258 with a \$3,500 contingency if needed to be paid from the general reserve fund.

**MOTION BY:** Bev Franklin    **SECONDED BY:** Dave Wilbrecht

There was a question if this system could be expanded in the future to the veranda area if and when it got enclosed. It was stated it could be expanded.

APPROVED: X    NOT APPROVED:    TABLED:    DIED:  
 IN FAVOR: 6 OPPOSED: 1    ABSTAINED:

**iii. Bellingham Marine Industries Dock Replacement Payment**

The Bellingham Marine latest invoice will be the last payment and then the retention. Bid amount plus Washington state sales tax.

Marina fund should be able to pay back the general fund within two years. As the overage will be coming out of the general fund.

Project is complete with the inspection of

**MOTION TO:** move that the BBVCC Board of Directors authorized the BBVCC General Manager to issue a progress payment to Bellingham Marine Industries as invoiced for May 2024 in the amount of \$615,088.71 to be funded from the Marina Reserves.

**MOTION BY:** Randy Ambuehl    **SECONDED BY:** Bev Franklin

APPROVED: X    NOT APPROVED:    TABLED:    DIED:  
 IN FAVOR: 7 OPPOSED:    ABSTAINED:

**iv. Reserve Transfer Authorizations**

**MOTION TO:** approve the transfer authorization of \$452,795.32 from Marina to Operation to reimburse for the approved funds and \$34,158.84 from general res and

**MOTION BY:** David Wilbrecht    **SECONDED BY:** Harry Shearer

APPROVED: X    NOT APPROVED:    TABLED:    DIED:  
 IN FAVOR: 7 OPPOSED:        ABSTAINED:

**XIII. DIRECTORS COMMENTS** - there were none.

**XIV. PARKING LOT** – all topics were tabled. Only the Marina Committee recommendations was talked on briefly.

- a. Drones
- b. Dogs Off Leash
- c. ACC Compliance Policy
- d. Marina Committee Recommendation

Was discussed briefly as Bylaw changes do need to be discussed but it is too late for this AGM and needs to be put forward to a future project.

**XV. EXECUTIVE SESSION**

**MOTION TO:** move into executive session at 4:28 to discuss violations of governing documents, likely possible litigation and/or personnel matters.

**MOTION BY:** Bev Franklin    **SECONDED BY:** David Wilbrecht

APPROVED: X    NOT APPROVED:     TABLED:     DIED:  
 IN FAVOR: 7    OPPOSED:        ABSTAINED:    

**MOTION TO:** Come out of executive session at 6:24 pm.

MOTION BY: Dave Owen      SECONDED BY: Terry Sullivan  
APPROVED:   X        NOT APPROVED:      TABLED:      DIED:  
IN FAVOR:   7        OPPOSED:      ABSTAINED:

**MOTION TO:** approved the revisions to the General Rules and Regulations.

MOTION BY: Dave Wilbrecht      SECONDED BY: Harry Shearer  
APPROVED:   X        NOT APPROVED:      TABLED:      DIED:  
IN FAVOR:   7        OPPOSED:      ABSTAINED:

**XVI. ADJOURNMENT**

a. The meeting was adjourned at 6:25 pm.

MOTION TO: Adjourn

MOTION BY: Bev Franklin      SECONDED BY: Dave Owen  
APPROVED:   X        NOT APPROVED:      TABLED:      DIED:  
IN FAVOR:   7        OPPOSED:      ABSTAINED:

Minutes Approved By:

Board Secretary

Action Items:

David to work with Bob to get an RFP for Traffic Logic and work on Security Policies.

David to get the revised Post Orders Completed and to the next regular Board Meeting.

Board to work further on Dangerous Dog letter and possible regulations.

Board to look at revisions to the General Rules and Regulations including:

- Storage pods and containers
- Parking