



**BOARD OF DIRECTORS MEETING MINUTES**

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

**DATE AND LOCATION: July 18, 2024**

**I. CALLED TO ORDER AT: 2:00 PM by David Wilbrecht**

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

- ✓ Dave Owen
- ✓ Randy Ambuehl
- ✓ Bob Whale
- ✓ David Wilbrecht
- (Zoom)
- ✓ Terry Sullivan

**BOARD MEMBERS EXCUSED ABSENCE:** Bev Franklin, Mathue Totten,

**STAFF MEMBERS:** David Franklin General Manager, Emily Bennett, Landscape Manager and Justine Brooks, Executive Secretary.

**COMMUNITY MEMBERS PRESENT:** Ruth Balf, Maureen Server, Kirk Martin, David Scheirman, Michael Stringham, David Luton, Dori O’Dell, iPhone

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

**III. ADOPTION OF AGENDA**

**MOTION TO:** adopt the agenda as presented

**MOTION BY:** David Owen **SECONDED BY:**

An addition to the agenda regarding Marina Insurance was asked to be added by David Franklin

**Motion to:** Adopt the agenda as modified by David Franklin.

**MOTION BY:** David Owen **SECONDED BY:** Terry Sullivan

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

**IN FAVOR:** 5 **OPPOSED:**          **ABSTAINED:**         

**IV. HOMEOWNER PRESENTATIONS**

No homeowners wished to speak during the meeting.

**V. CONSENT AGENDA**

- a. Approval of June 20, 2024, Board Meeting Minutes
- b. ACC – Accept Draft Minutes of July 2, 2024
- c. Lakes and Drainage – Accept minutes of July 1, 2024
- d. Marina – Accept minutes of June 25, 2024
- e. Golf – Accept minutes of July 2, 2024
- f. Safety and Security – Accept minutes of June 12, 2024

**MOTION TO:** Adopt consent agenda as presented (a,b,c,d,e,&f).

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

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

**IN FAVOR:** 5 **OPPOSED:**          **ABSTAINED:**         

**VI. FINANCIAL REPORTS**

**Table for approval to the August Meeting when the Treasurer is available to review them. The**

Financial reports were discussed by David Franklin.

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

**a. General Rule Update – Nuisance Dog**

David Owen discussed the overview of the nuisance dog language in the General Rules and Regs in Section 7 and defines nuisance in Section 1.4 as proposed changes. Remove all language of removal of dogs from the Village. This has been reviewed by the Safety and Security Committee. Infractions for speeding and pets were also reviewed.

The Board has decided to bring this to the community for review in a survey.

**b. Schedule Board Retreat**

Justine to send out a poll to the Board members to get this scheduled asap.

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

**a. 4<sup>th</sup> of July Fireworks Report**

David Franklin went over what the Prime Security and BBVCC Safety and Compliance team saw in regard to fireworks. Things went well, all correspondence with the GM was positive even if it was not in support with the way things happened. There was some discussion regarding surveying the Members to know what the majority wants to do in the future. David Franklin and David Wilbrecht will be working on putting together a survey to go out to the members. There was a further discussion regarding Whatcom County, State RCW's and BBVCC laws and what BBVCC takes liability for.

**b. Building and Grounds Application**

**MOTION TO:** Approve Adam Horsman as Building and Grounds Committee Member  
**MOTION BY:** Terry Sullivan                      **SECONDED BY:** Randy Ambuehl  
**APPROVED:** X      **NOT APPROVED:**      **TABLED:**      **DIED:**  
**IN FAVOR:** 5      **OPPOSED:**                      **ABSTAINED:**

**c. Budget Town Hall Schedule**

Send out time for Town Hall schedule just like the Board Retreat. Scheduling one at 4:00pm on weekdays and possibly some on weekends.

**d. BBV Golf Club Request for Fountain**

David Wilbrecht spoke to the Board regarding the Golf Club request to install a fountain at pond that separates fairways 6 and 7. The Golf Club will pay for the fountain and the power to run the fountain. The Golf Club has gone to Lakes and Drainage and the Golf Committees previously approved this request to come to the Board.

**MOTION TO:** Approve the request as presented.  
**MOTION BY:** Dave Owen                      **SECONDED BY:** Bob Whale  
**APPROVED:** X      **NOT APPROVED:**      **TABLED:**      **DIED:**  
**IN FAVOR:** 5      **OPPOSED:**                      **ABSTAINED:**

**e. Marina Committee Item**

David Luton reviewed all the topics and explained the topics that needed extra explanation.  
 - Review 2025 Marina Budget and Fees Recommendations for 2025 Budget Planning

- Revision to Marina Rules: Replace 4.12.1  
**MOTION TO:** approve the recommended rule change for 4.12.1.  
**MOTION BY:** Randy Ambuehl                      **SECONDED BY:** David Owen  
**APPROVED:** X                      **NOT APPROVED:**      **TABLED:**      **DIED:**  
**IN FAVOR:** 5      **OPPOSED:**                      **ABSTAINED:**
  
- Revision to Marina Rules: 1.4 Definitions, F. Commercial Vessel.  
**MOTION TO:** approve  
**MOTION BY:** Randy Am                      **SECONDED BY:** David Owen  
**APPROVED:** X                      **NOT APPROVED:**      **TABLED:**      **DIED:**  
**IN FAVOR:** 5      **OPPOSED:**                      **ABSTAINED:**
  
- Update Marina Reserve Fund Component Sheets from the Marina Committee.  
 David Franklin expressed his gratitude to the members of the Committee who worked on this as it is the most comprehensive component sheet. This helps keep the Board in alignment with what they had planned for this year.
  
- Marina Committee Mission and Vision Statement  
 Table to this until winter
  
- BBV Marina Doc Captains – Safety and Compliance missions Statement and Check list  
 Table to this until winter

**f. ACC R&Rs and Forms**

Michael Stringham from the ACC discussed the background for the AR&R changes and the changes to the Forms. The majority of the changes that were made to get us within the same lines as Whatcom County and clarify some of the misunderstood issues.  
 Dave Owen discussed some of the things that he would like to have clarified with the changes. Definitions of shed, gazebo, pergola and trellis and changing 5.8.1 Fences to “encourage applicant to get letters of support” from requiring them.

**MOTION TO:** approve revised AR&Rs and Forms with the discussed changes.  
**MOTION BY:** Bob Whale      **SECONDED BY:** Dave Owen  
**APPROVED:** X                      **NOT APPROVED:**      **TABLED:**      **DIED:**  
**IN FAVOR:** 5      **OPPOSED:**                      **ABSTAINED:**

**g. Safety and Security Mission and Vision Statement**

This is tabled until winter just like the others. David Sawicki has had to resign from the S&S and there are now 2 openings on the Committee.

**h. Landscaping Plan**

The Landscape presentation was given by the Landscape Manager, Emily Bennett. She is concerned with visibility and safety concerns, for traffic and for pedestrian safety. Emily went into detail on the plan that she has proposed, and this plan will be going to the Building and Grounds committee as well.

**IX. AUTHORIZATIONS AND RESOLUTIONS**

**a. Reserve Transfer**

**MOTION TO:** move that the Board authorize the General Manager to transferer \$536,22.40 from Marina Reserves to Operating to reimburse the expenses related to the new docks and fuel dispenser and, to transfer \$5,606.30 from Roads Reserves to Operating to reimburse for expenses related to the Salish Culvert replacement.

**MOTION BY:** David Wilbrecht **SECONDED BY:** Dave Owen  
**APPROVED:** X **NOT APPROVED:**          **TABLED:**          **DIED:**           
**IN FAVOR:** 5 **OPPOSED:**          **ABSTAINED:**         

**b. Agreement for WCS Speed Enforcement within BBVCC**

David Franklin explained to the Board the reasoning behind this Resolution Agreement and how it would assist the Village.

The Board discussed this and would like to get feedback from the members before they move forward with this. This is something that the Safety and Security Committee already backs.

**c. Expense Authorization Property Insurance Marina**

**MOTION TO:** move that the BBVCC Board authorize the expenditure in the amount of \$44,000 from the Operating Fund for property insurance for the BBVCC Community Docks to be paid to Great American Insurance Companies.

**MOTION BY:** Dave Owen **SECONDED BY:** Randy Ambuehl  
**APPROVED:** X **NOT APPROVED:**          **TABLED:**          **DIED:**           
**IN FAVOR:** 5 **OPPOSED:**          **ABSTAINED:**         

**X. DIRECTORS COMMENTS**

The Nooksack Tribe has requested and has been granted the use of Sunset Park as a rest stop for tribal and first nations canoes making their way south along the Salish Sea for the 2024 Youth Canoe Journey. Every summer a different tribe or first nations hosts a canoe journey where native communities from all over coastal British Columbia and Washington paddle in traditional canoes to gather together and preserve their cultural traditions. They will be utilizing Sunset Park for a couple of hours on Monday July 22<sup>nd</sup>.

**XI. PARKING LOT**

**XII. EXECUTIVE SESSION**

**MOTION TO:** move into executive session at 5:02 p.m. to discuss violations of governing documents, likely possible litigation and/or personnel matters.

**MOTION BY:** Dave Owen **SECONDED BY:** Bob Whale  
**APPROVED:** X **NOT APPROVED:**          **TABLED:**          **DIED:**           
**IN FAVOR:** 5 **OPPOSED:**          **ABSTAINED:**         

**MOTION TO:** Come out of executive session at 5:23 pm.

**MOTION BY:** Terry Sullivan **SECONDED BY:** Bob Whale  
**APPROVED:** X **NOT APPROVED:**          **TABLED:**          **DIED:**           
**IN FAVOR:** 5 **OPPOSED:**          **ABSTAINED:**



The Board came out of executive session with no matters to vote upon. They discussed a legal memo.

**XIII. ADJOURNMENT**

a. The meeting was adjourned at 5:24 pm.

MOTION TO: adjourn.

MOTION BY: Terry Sullivan SECONDED BY: Bob Whale

APPROVED: X NOT APPROVED: Tabled: DIED:

IN FAVOR: 5 OPPOSED: ABSTAINED:

Minutes Approved By: \_\_\_\_\_  
Board Secretary

Action Items: