



BOARD OF DIRECTORS MEETING MINUTES

ASSOCIATION NAME: Birch Bay Village Community Club

DATE AND LOCATION: October 17, 2024

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

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

- ✓ Dave Owen
- ✓ David Wilbrecht
- ✓ Randy Ambuehl
- ✓ Terry Sullivan
- ✓ Bob Whale
- ✓ Bev Franklin
- ✓ Mathue Totten

BOARD MEMBERS EXCUSED ABSENCE: Dave Owen

STAFF MEMBERS: David Franklin General Manager and Justine Brooks, Executive Secretary.

COMMUNITY MEMBERS PRESENT: There were 5 people in person.

Zoom: Kirk Martin, Dori O’Dell, Luton, David Scheirman

CONFIRM QUORUM: The 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 with the addition of Reserve Transfer Request and Resolution for Secretary Pro Tem.

MOTION BY: Terry Sullivan **SECONDED BY:** Mathue Totten

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

IV. HOMEOWNER PRESENTATIONS

Elizabeth Wilbrecht – Spoke regarding an incident where Elizabeths friend, another resident, fell and needed some help. Robert from maintenance saw her and came and helped and made sure that the resident was okay and offered to drive her home. Elizabeth just wanted to make sure that it was known that Robert was extremely helpful in the situation.

V. CONSENT AGENDA

- a. Approval of September 19, 2024, Board Meeting Minutes
- b. ACC – Accept Draft Minutes of October 1, 2024
- c. Lakes and Drainage – Accept minutes of October 7, 2024
- d. Marina – Accept minutes of September 24, 2024
- e. Buildings and Grounds – Accept Minutes of October 3, 2024
- f. Safety and Security – Accept minutes of October 7, 2024
- g. Communications with the Board
- h. Compliance Report

MOTION TO: approve consent agenda items A-F with items G/H held out for discussion

MOTION BY: Bev Franklin **SECONDED BY:** Terry Sullivan

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

Bev asked to discuss item H in the compliance report for September, specifically items 1 and 2. Item

1. Still waiting on TrafficLogix to get back with us concerning the onsite onboarding and commissioning of the speed camera. David F. spoke regarding this and stated that when we received the camera a component was missing and that it just got here. When we spoke with them last, they said they would be sending someone out in 2-3 weeks, and it has been ~ 2 weeks at this point and we are waiting to hear when they will be out now.

Item 2, issue with hedge height. Bev gave some background regarding this issue. This issue was brought up in the ACC approximately 3 years ago and they decided to not deal with the issue at that time and push it to the Board and get legal advice regarding it. This is a Covenant issue, so it does need to be addressed by the Board. The Board will be putting this item in their parking lot to continue to discuss and work on.

MOTION TO: approve consent agenda items G/H.

MOTION BY: Bev Franklin SECONDED BY: Terry Sullivan
 APPROVED: X NOT APPROVED: TABLED: DIED:
 IN FAVOR: 6 OPPOSED: ABSTAINED:

VI. FINANCIAL REPORTS

They were discussed by David and Bev. BBVCC is doing well financially. Marina is behind but with the recent Marina projects that is understandable. Members’ receivables have been reduced from last reported but are somewhat elevated from the same period last year. We need to maximize the marina revenue. It was also discussed that we are currently paying \$6,000 for software to remotely read the power meters on the docks. That is currently not working properly. The actual meters are correct, but the information pushed to the software is incorrect and we have been billing dock power incorrectly.

There was an in-depth discussion regarding the members accounts receivable as there are so many that are past due according to our governing documents. Staff is going to be working on getting this list to a more reasonable amount before more aggressive measures are taken.

VII. OLD BUSINESS AND VOTING AS NECESSARY

a. Development of Mission and Vision Statements

This is just a reminder that the Committees need to develop their mission and vision statements by the end of the year. Justine will communicate with each of the committee chairpersons to have them put this on their agenda.

VIII. NEW BUSINESS AND VOTING AS NECESSARY

a. 2023 Audit Summary

This was discussed by David Franklin and Bev. BBVCC is required to provide an independent audit of its financial statements to its membership on a yearly basis. The Board has to approve the Audit that has been provided by Schwindt & Company to take it out of draft format.

MOTION TO: Approve the 2023 Audited Financials.

MOTION BY: Bev Franklin SECONDED BY: Terry Sullivan
 APPROVED: X NOT APPROVED: TABLED: DIED:
 IN FAVOR: 6 OPPOSED: ABSTAINED:

MOTION TO: Move the budget surplus of \$22,861 to Reserves.

MOTION BY: Bev Franklin SECONDED BY: Mathue Totten
 APPROVED: X NOT APPROVED: TABLED: DIED:
 IN FAVOR: 6 OPPOSED: ABSTAINED:

b. 2025 Reserve Studies.

This was discussed by David and Bev.

MOTION TO: Accept the 2025 Reserve Studies.

MOTION BY: David Wilbrecht SECONDED BY: Bev Franklin
 APPROVED: X NOT APPROVED: TABLED: DIED:
 IN FAVOR: 6 OPPOSED: ABSTAINED:

c. Tax Discussion

It was explained that BBVCC in past years has had to utilize two different tax forms, the 1120 or the 1120H. The tax accountant recommends that BBVCC use the 1120H for 2024 taxes, as the member net profit from 2023 of \$341,047 becomes exempt function income and is not taxed.

d. Birch Bay Incorporation Presentation

This presentation was given by Lisa Guthrie. The purpose of the BBIA is to explore and, if found feasible, advocate for incorporation to give residents of Birch Bay more direct control over their community. In 1992 there was an attempt to incorporate the documents are on their website at incorporatebirchbay.com. Birch Bay is in a Urban Growth Area and at some point the area will be either its own city or be added to either Blaine or Ferndale.

The time frame for getting the feasibility study done currently is the end of 2025. There has been a lot of misinformation going round about the incorporation. This group of people is here to help inform the community.

e. AR Notice

David wants to make sure that the Board is informed that the RCW’s have changed and the notice that is required to go out is not the nice/friendly notice that we have been sending out. BBV will be putting this notice on the back of our “friendly” notice, but it will be on there as we are required to, but it is not something that the staff wants to send out.

f. ACC Member

MOTION TO: Approve the reappointment of Michael Stringam

MOTION BY: David Wilbrecht SECONDED BY: Terry Sullivan
 APPROVED: 6 NOT APPROVED: TABLED: DIED:
 IN FAVOR: X OPPOSED: ABSTAINED:

IX. AUTHORIZATIONS AND RESOLUTIONS

a. Authorization for Engineering

MOTION TO: Move that the BBVCC Board authorize the General Manager to enter into an engineering services agreement with Cascade Engineering Group, PS, Inc.

MOTION BY: David Wilbrecht SECONDED BY: Mathue Totten

APPROVED: X NOT APPROVED: TABLED: DIED:

IN FAVOR: 6 OPPOSED: ABSTAINED:

b. Authorization for Bathometric Topographic Survey of Tract C

MOTION TO: Award the contract for bathymetric and topographic surveying of the Birch Bay Village Harbor Basin to Wilson Engineering of Bellingham, WA. In the amount of \$16,758 with a \$800 contingency if needed for a total authorization of \$17,558 to be funded by the Marina Reserves.

MOTION BY: Randy Ambuehl SECONDED BY: Mathue Totten
 APPROVED: X NOT APPROVED: Tabled: DIED:
 IN FAVOR: 6 OPPOSED: ABSTAINED:

c. Authorization for Trailer for emergency Response Equipment

MOTION TO: approve the purchase of the 6x12 Cargo trailer for \$3,700 up to \$4,500 with licensing and taxes.

MOTION BY: Bev Franklin SECONDED BY: Mathue Totten
 APPROVED: X NOT APPROVED: Tabled: DIED:
 IN FAVOR: 6 OPPOSED: ABSTAINED:

d. Reserve Transfer Request

MOTION TO: Approved the reserve transfers as proposed.

MOTION BY: David Wilbrecht SECONDED BY: Bev Franklin
 APPROVED: X NOT APPROVED: Tabled: DIED:
 IN FAVOR: 6 OPPOSED: ABSTAINED:

e. Resolution for Secretary Pro Tem.

MOTION TO: Approve Randy Ambuehl as the Secretary Pro Tem

MOTION BY: Terry Sullivan SECONDED BY: Mathue Totten
 APPROVED: X NOT APPROVED: Tabled: DIED:
 IN FAVOR: 6 OPPOSED: ABSTAINED:

X. DIRECTORS COMMENTS

Bev requested that the Board of Directors add a Finance Committee. This topic will be added to the November Board meeting and Bev will circulate the Charter and Responsibilities that have been put together thus far.

XI. PARKING LOT

- a. Committee Mission Statements
- b. Ping Pong Club Application
- c. Nuisance Dog Language
- d. Sherif Patrolling
- e. Marina Dock Captains Safety and Compliance Checklist

XII. EXECUTIVE SESSION

- a. Matters Involving Possible Violations of the Governing Documents
- b. Discuss Likely or Possible Litigation Matters
- c. Personnel Matters

XIII. ADJOURNMENT

- a. The meeting was adjourned at 3:51 pm.

MOTION TO: adjourn.

MOTION BY: Terry Sullivan SECONDED BY: Mathue Totten
 APPROVED: X NOT APPROVED: Tabled: DIED:
 IN FAVOR: 6 OPPOSED: ABSTAINED:



Minutes Approved By: _____
Board Secretary

Action Items: