



BIRCH BAY VILLAGE COMMUNITY CLUB (BBVCC)

Marina Committee Meeting – Minutes

Date/Time: Tuesday, January 27, 2026, 2:00 pm PST

Location: Maintenance Conference Room & ZOOM Meeting

Zoom Info: Meeting ID: 88586569122 Password: 8055

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

Marina Committee Members:

Charlie Hall (Chair) (Zoom), Kevin Anthony (Zoom), Bryan Vanderyacht (Zoom), John Stone, and Scott Tobiason

Absent: Mike Moriarty

BBVCC Officers and Staff:

Randy Ambuehl (Board Liaison) (Zoom), David Franklin (General Manager) (Zoom), Patrick Heaviside (Harbormaster) and Justine Brooks (Executive Secretary)

Others:

Wade Church, Robert Hepple, and Christiane Leske

AGENDA

- **APPROVAL OF AGENDA: January 27, 2026** Approved Not Approved
 Motion to approve.
 Motion by: Kevin Anthony Seconded by: Bryan Vanderyacht Unanimously Approved

- **APPROVAL OF MINUTES: November 25, 2025** Email Approved Not Approved
 Motion to approve.
 Motion by: Bryan Vanderyacht Seconded by: John Stone Unanimously Approved

- **AUDIENCE PRESENTATION**
 Robert Hepple and Christiane Leske spoke regarding getting their boat which has a beam that exceeds the current limit of the 15-foot rule by approximately 6 to 8 inches. Christiane spoke regarding their lot here in the Village and what they envisioned doing on their property and having their sailboat here would make it perfect.
 Patrick and the Committee discussed the moorage options for the Hepple/Leske vessel on either C or D dock with a possibility on E dock. However, an exception to the current rules & regulations would be required. Patrick will draft a proposal for allowing exceptions to maximum width limitations in the current marina rules and regulations. These exceptions will be subject to review and approval by the Harbormaster, the Marina Committee and the Board of Directors as well as the availability of moorage slips that can accommodate the vessel subject to the exception.
Motion made: draft a rule change to allow a petition for a variance from certain dimension limitations in the Marina Rules and Regulations.
Motion by: Scott Tobiason **Seconded by:** John Stone
Motion approved unanimously.

- **RESULTS FROM BOARD MEETING**
 11/25/25 MC minutes were approved.
 Increase 2026 boat/trailer storage fee from \$360 to \$384 was approved.

HARBORMASTER REPORT

Update on marina operations: moorage occupancy, rules compliance, new issues, suggested topics for MC discussion, etc., and current project updates.

Patrick provided a report that there are currently 48 total openings, A dock there are 14 – 11 slips, 2 outer 9 inner, and 3 full fingers, B dock there are 16 slips – 15 inside and 1 outside, C dock there are 9 – 5 full fingers, 4 inner slips and D dock there are 9 - 3 inside and 6 small boats slips and side ties. There are no full open fingers on D dock but there will be one full on the south side soon.

1. Shore power GFI modification – installation status.

Elite came out to install the new GFI modules and during installation found that there were 3 faulty modules. Replacement modules are on order as well as two spares. Power is available to all docks and Elite will return to install the replacement modules.

2. Eco grating panels – C dock user feedback and 2026 replacement plan for other dock ramps.

Patrick noted there has been no feedback on the new eco grating panels.

3. Moorage request – vessel with beam over 15’ vs. limitations of rule 4.3.4.

This was discussed during member presentations.

New Issues:

Patrick stated that we are still working on getting one boat out of the marina and it is not an easy process.

We are currently waiting for a document to get notarized for a new title so the boat can be donated.

Though moorage fees have been paid on this vessel, there is a long history of non-use with this vessel.

There was a discussion regarding the boat that sunk on C dock sometime during the evening of January 12, 2026. The moorage tenants are renters and allowed their insurance to lapse. The MC discussed having property owner(s) sign the moorage agreement as well as the renters, because ultimately it is the property owners’ responsibility to pay costs and expenses to the Village.

The rapid and efficient response by BBVCC staff members to the incident allowed the Coast Guard and Department of Ecology to not Federalize the incident, which would have tripled the related cost. Top to Bottom responded rapidly and floated the boat. We are working on haul-out and removal as the vessel owners are not assisting nor taking responsibility. The BBVCC attorney is engaged to recover related costs and expenses.

The Committee discussed insurance and how the Village is notified if insurance is renewed or cancelled.

When the Village receives notice, it is approximately 3-4 weeks after the cancellation or lapse. More time and focus may be required for follow-up procedures regarding proof of insurance and renewals, vessel registration documents and executed moorage agreements.

The Committee started a discussion regarding compliance and fines, which was deferred to item 3.

Marina Rules and Regulations rewrite.

OLD BUSINESS

1. **Future Marina Upgrades** – Develop project plan, timeline and cost estimates (**Status: John S., Scott T. and David F.**)

Background: The Board has approved a scope of work agreement with Anchor QEA in the amount of approximately \$210,000. The agreement for consulting and support services will occur over the next 2-3 years and will address harbor bank reinforcement, piling replacement, ramp and gang way replacement, fuel dock and fuel tank replacement, entry channel and harbor basin dredging, marina dock grounding, launch ramp replacement and related permits and testing. Wilson Engineering has completed a channel and harbor bathymetric survey; initial permit applications have been submitted to Anchor QEA for review and completion and the boat ramp replacement permit application has

been submitted to the appropriate agencies. Initial and revised project cost estimates have been provided by Anchor QEA but further review, analysis and discussion with Anchor QEA is required. See previous agendas and minutes for a more extensive background.

[Update progress on Anchor QEA contract and status of permit applications.](#)

[Launch ramp replacement design and permit status, vendor RFP's.](#)

[Eel grass survey status – June 2026 schedule.](#)

[Marina entrance channel dredging project update \(12/2025 meeting with Anchor\)](#)

[Review of Anchor QEA cost estimates and progress on reducing mitigation costs.](#)

The group discussed progress on marina upgrades. BBVCC has received four proposals for designing the launch ramp replacement and will soon award the contract. Anchor QEA has received some agency responses on the launch ramp permitting submittals and continues to refine design concepts and cost estimates for the entry channel and marina basin dredging and bank stabilization projects. The Committee requested that Anchor QEA provide an updated schedule for beginning the permit document submittal process for the dredging, bank stabilization and other projects. The MC briefly discussed bank stabilization needs at lighthouse park and by some of the dock ramps.

2. Financial Items (Status: Charlie, David)

[2025 & 2026 Marina financials results.](#)

David F. provided financial reports that will be forwarded to Charlie for reformatting and distribution to the MC members after the meeting. David also reviewed the marina reserve fund balance as of 12/31/25. The Committee reviewed the 12/31/25 financials and discussed the timing and amount of funds that will be transferred to the reserve fund for 2026. David said the 2026 marina reserve contribution timing and amount will be discussed at the next finance committee meeting.

3. Marina Rules & Regulations rewrite. (Status: Scott)

Background: During the past year the Marina Rules & Regulations have been undergoing review with proposed changes provided by BBVCC staff, MC members and guests. The early draft versions were consolidated with key changes summarized for subsequent review, further input, approval and incorporation into a new version that will eventually be presented to the Board for approval. See previous agendas and minutes for a more extensive background.

[Status of revised draft from subcommittee.](#)

Scott outlined the status of the current working draft of the marina rules and regulations (MR&R) and incorporation of most recent input from MC members and HM (November 2025 review draft). He will make additional edits to incorporate some proposed variance language (see HM report minutes above). The Committee discussed some key revisions and additional needs:

- Fee and fine terminology consistent with BBVCC documents, accounting codes, and annual fee/fine schedules.
- Revised protocols for emergency response (vessel sinking), marina decals, vessel registration, enforcement, slip assignment procedures.
- Community Dock moorage eligibility for private dock vessels, and when members are allowed to have second slips.
- Bylaw 11.1 whereby a property owner's "Marina privileges" are relinquished to renters and the draft revised MR&R language that would allow owners to retain certain privileges that aren't subject to the moorage waiting list (launch ramp, fuel dock, guest dock, etc).
- Extending the existing operability, seaworthiness and condition rules marina-wide, i.e. to include private docks. Concerns about liability and enforcement suggest further consultation is needed among BBVCC risk managers and legal advisors regarding incidents on private docks or their vessels.

- Consequences for unpaid moorage fees (vessel impoundment, sale, property liens) and incidents like the recent sinking that might lead to a new rule prohibiting affected members from ever having a boat in the marina again.
- In the next few weeks, Scott plans to provide a clean copy of the final draft MR&R for review and input from the Committee, HM and BBVCC officers.

4. Dock Captain Boxes. (Status: Kevin)

Dock Captain boxes need to be refurbished or replaced and re-supplied including extra life vests.

Discussion of project status.

Kevin provided an update and there are still items that are needed for the dock captain boxes. More dock lines are needed but we have enough PFDs. Kevin will provide an updated list of things that are needed. There is not enough room for absorbent pads in the boxes and emergency response materials should be located in the emergency response trailer.

5. Boat Wash-down Area Paving. (Status: Mike)

Discussion of project status.

Kevin provided a brief update on this as Mike was unable to attend the meeting. This project will be scheduled with the paving project for 2026. Scott suggested the project should also modify local grades to direct the runoff into the existing grassy swale, which should also be lengthened to promote runoff treatment.

6. Vessel Safety Day 2026 (Status: Kevin, Charlie)

Kevin wants to secure a date for Vessel Safety Day and the dates in May and June that look available are May 30th and June 6th. It is essential to have the Coast Guard Auxiliary available. The Committee discussed the dates and decided that June 6th seems like the better date, though this could change due to the shrimp opening schedule which is TBD.

The Committee discussed the events that they have had in the past and the relatively low turnout for some of the activities. The Committee discussed having an “open house” concept and adding other marina related events or activities. Patrick mentioned two members of the community may be looking into having a Marina parking lot BBQ & concert if allowed. The Committee is going to explore other options to expand and spark more interest in the annual vessel safety day.

7. Tabled Items (items temporarily closed for MC discussion but may re-occur for discussion).

Fuel dock electrical panel repairs.

Whatcom County Fire Department recommendations regarding relocating dock standpipes and fire hydrants pending feasibility and cost review.

Marina Committee Mission Statement.

Private Dock Fees

NEW BUSINESS:

1. MC membership applicants.

There have been no applications for the Marina Committee position vacancy. Notice of this vacancy will continue to be included in David Franklin’s weekly community update. The Committee also discussed “recruiting” Wade Church, who attends most of the meetings in person or via Zoom.

2. Moorage rate & marina fee analysis/strategy for 2027.

Charlie asked that a subcommittee be formed to look at the marina fees and structure for the 2027 budget process. Charlie Hall, Scott Tobiason, Wade Church, and Patrick Heaviside will serve on the subcommittee.

Adjournment Time: 5:15 pm

Motion By: John Stone

Seconded By: Bryan Vanderyacht

Unanimously approved

Next meeting: February 24, 2026 (note 4th Tuesday of the month) 2:00 pm PST.