

BBVCC 64.90 TASK FORCE

Meeting Minutes

January 9, 2026 at 10:00AM

	Rules	Committee Members Present
Patrick Ryan	Dan Nedved	Margreta Silverstone
Scotty Diamond	Michael Stringam	Llew Johnson
Staff Present	David Franklin, GM	Justine Brooks, Executive Secretary
Guests Present	Llew Johnson	Bob Edwardsen

Next steps

- Justine: Check if the task force member list has been posted on the website and complete if not.
- Justine: Revise meeting minutes to correct errors regarding Section 12 voting threshold and other inaccuracies, in coordination with Michael and other task force members.
- All task force members: Review and provide feedback on the draft spreadsheet organizing covenant amendments, including suggestions for additional columns (e.g., effective date, controversy level, community acceptance).
- Justine/Team: Add additional columns to the spreadsheet (e.g., effective date, controversy/consensus, community acceptance) as discussed.
- Justine/Team: Start linking comments in the spreadsheet to the original Word document with comments, and/or create a separate linked document for detailed comments.
- Justine/Team: Begin filling in the spreadsheet with amendment details, sources, types, and comments, aiming to have a draft ready for review within 10 days.
- Task force: Schedule a future meeting with the attorney to discuss Section 12/Section 8 amendment threshold and other legal questions, once initial spreadsheet work is further along.
- Task force/Justine: Develop and begin implementing a communication plan for the 64.90/RCW amendments, including regular updates in newsletters, candidate forum briefings, and planning for a town hall meeting (targeting after June, before November election).
- Task force/Justine: Prepare a draft summary and detailed information about 64.90 for the June meeting and candidate forums.
- Board/Task force: Approve and adopt a formal resolution codifying 64.90 provisions, using attorney's template (pending board approval and \$750 fee).
- Finance Committee: Work on outreach/education to prevent properties from becoming abandoned or entering probate without heirs, and develop policies for handling such situations.
- Board/Management: Develop and formalize a policy for how payments are applied to fines, assessments, and other charges.
- All task force members: Review draft documents and provide comments well in advance of next meeting, using initials for identification in shared documents.

BBVCC 64.90 TASK FORCE

Meeting Minutes

January 9, 2026 at 10:00AM

- [Task force/Justine: Schedule and conduct a briefing for candidates \(prior to election\) on the 64.90 task force work and upcoming changes.](#)
- [Task force/Justine: Update and distribute the community calendar to include all task force meetings and relevant events.](#)
- [Task force/Justine: Ensure agendas for meetings are posted at least 14 days in advance as required by 64.90.](#)

Called to Order at 10:04pm.

The group reviewed the next steps from the last meeting including putting together a communication plan, timeline, and started a discussion regarding putting together a spreadsheet. The question to the attorney regarding section 12 of the current Covenants and the threshold has been answered by legal counsel and the group reviewed the email.

Interpretations of the governing documents were discussed. Michael reiterated the position that Section 12 of the Covenants referred only to Section 8 of the Covenants which allowed amendments to Section 8 with only a simple majority (50% plus one) rather than 67% required in Section 15 of the Covenants and the 64.90 rules. He requested a meeting with legal counsel to explain this specific issue since it was not a common issue facing other HOAs in dealing with 64.90. The group decided that it would be a good idea to add to the list of things to have a conversation with the attorney on.

The committee discussed the previous meeting minutes. There were some issues with the first paragraph and some changes were made during the meeting and it was decided that Michael would get those changes to Justine so the changes could be made offline.

Spreadsheet

There is an issue with the comments and being able to track them correctly. David showed the excel spreadsheet that Justine has put together, which will allow us to filter and add any other details that the group feels is needed to be able to explain what is happening better to the community. The group discussed that having the comments in this document would make it exponentially longer than necessary, it was suggested that there be a link to each section that has comments so that when we are reviewing comments anyone can go back and look at the section.

This process will help with communicating what percentage is required for each type of change. With 64.90 the consistency changes to the governing documents require a different percentage of approval than the other recommended changes which require 66.7%. They explained the process of categorizing amendments into consistency and recommended changes, with the goal of making it easier for members to understand and vote on proposed modifications.

BBVCC 64.90 TASK FORCE

Meeting Minutes

January 9, 2026 at 10:00AM

The group reviewed a draft document tracking system to organize amendments by article, subsection, and source, with plans to add columns for contentious issues and community feedback. They agreed to continue populating the spreadsheet with amendments and comments, while seeking input from the broader community on controversial items like tree removal and ADU policies once this group has fully reviewed it.

The group discussed how to handle feedback and comments on the document and decided to use hyperlinks to connect comments to the relevant sections of the document, rather than embedding them directly

David expressed concern about potential inconsistencies between different sections of the document and emphasized the goal of cleaning up the language to avoid conflicts. The team agreed to review the document in more depth to address these issues. David led a discussion about document management and comment organization, establishing that comments should be marked with initials when submitted as guest users. The team agreed that staff would link comment sections back to the original Word document and potentially add new pages to manage discussions. They specifically addressed concerns about short-term rental restrictions, noting that the original 30-day prohibition was missed in the attorney's review, and discussed how to handle leasing definitions and related-party occupancy.

The group discussed the need to review and potentially amend community documents, emphasizing the opportunity to clean up and update them after 50 years. He highlighted the importance of a communication plan, suggesting November as a more realistic timeline than June for drafting and reviewing documents, and proposed a strategy for engaging members through town hall meetings and newsletters. David F noted the requirement to mail notifications about town hall meetings and the need to consider different communication methods for members who do not use email.

Community Updates and Town Hall Planning

Margreta proposed holding a meeting to brief candidates on key issues, including the new state law 64.90, to enhance their preparedness and facilitate informed communication with the community. David F emphasized the importance of having a concrete plan before engaging the public to avoid confusion and ensure a focused approach. The group discussed the potential of using task force meetings as a communication tool and considered inviting the community to attend these meetings to raise awareness about ongoing efforts.

The group discussed the need for a town hall meeting to communicate the community's current efforts and decisions to members, emphasizing the importance of having a solidified core and center to present. David F highlighted an amendment made by the declarant before community

BBVCC 64.90 TASK FORCE

Meeting Minutes

January 9, 2026 at 10:00AM

control transfer, which removed an outdated provision, and suggested that this information should be available on the community's website. The group agreed to aim for a draft of their work to be ready by the June meeting, with plans to conduct a town hall meeting in October or September, ahead of the November election.

Community Association Legislation Updates

David F discussed the implementation of new legislation affecting community associations, noting that Birch Bay Village was already complying with many provisions in spirit, though not always in exact compliance. The group considered formalizing these provisions through a resolution at a cost of \$750, which the task force supported as an insurance policy.

Community Foreclosure Policy Review

David F discussed the challenges with foreclosing properties in the community due to current declaration and bylaw restrictions, highlighting a specific case where a member has \$9,000 in fines but is not delinquent on assessments. David F emphasized the need to change the declarations to allow for foreclosure in such cases, which requires a two-thirds vote from the membership. The board will discuss this issue further, along with strategies for handling properties with deceased owners and no probate, as these situations are becoming more frequent. It was also noted there is an absence of a clear policy on how payments should be applied to fines and assessments, suggesting that legal counsel could be consulted to establish such a policy.

The meeting adjourned at 11:24 am.

The next Task Force meeting is scheduled for Friday, February 13th at 10 am.