

**BIRCH BAY VILLAGE COMMUNITY CLUB
BOARD OF DIRECTORS
REGULAR MEETING
FEBRUARY 18, 2010 7:00 P.M.
AT THE CLUBHOUSE
MINUTES**

ROLL CALL:

| | |
|---------------------------------------|----------------|
| Sandra Stillion, President | Present |
| Deon Wiechmann, Vice President | Excused |
| Al Hawks, Treasurer | Present |
| Ken Davidson, Secretary | Excused |
| Ralph Falk | Present |
| Terry Sullivan | Present |
| Craig Telgenhoff | Present |

ALSO PRESENT:

Ken Hoffer, General Manager; Esther Matter, Administrative Assistant

CALL TO ORDER:

President Sandra Stillion called the meeting to order at 7:02pm.

AGENDA:

- **Motion made by Ralph Falk, seconded by Terry Sullivan and carried to approve the Agenda with the amended change of “Pool Passes” added under “New Business”.**

HOMEOWNER’S PRESENTATION:

- **No Homeowner’s Presentations.**

MINUTES:

Regular Board Meeting of January 21, 2010.

- **Motion made by Al Hawks, seconded by Terry Sullivan and carried to approve the Minutes of the Regular Session Board Meeting of January 21, 2010 as written.**

COMMITTEE REPORTS:

ACC – Ken Hoffer

- **The ACC approved two Propane Tank Enclosures, one Modification to Existing Home, and one Tree Removal.**
- **Will talk to Ken Woods about lowering the age of Mobile Homes being brought in to BBVCC from 10 years down to 5 years or New.**
- **Will look into a “Certificate of Sale” for all BBVCC properties to help bring some properties back into compliance with BBVCC Regulations.**

MARINA COMMITTEE – Bob Webber

- **Currently taking measurements on Marina Pilings.**
- **Will bring current plans of Marina Grid repair to the Board for inspection and approval.**
- **Need to announce in the Bulletin that there will possibly be 3 vacancies coming up on the Marina Committee, as 3 current members are considering resignation.**
- **Looking for welders for the Marina Parking Lot remodel coming up in the spring; so far one volunteer has come forward.**

ROADS & DRAINAGE COMMITTEE – Ken Hoffer

- **The Committee is currently measuring and documenting the roads for paving.**
- **As this is a private community the County will not clean out the culverts and catch basins for free; will look into what the cost would be to clear them out.**
- **The Committee also discussed the purchase of a Dump Truck, issues on Roger’s Slough, and the catch basin on Chehalis/Coquitlam Drive.**

- The ACC has been concerned that some of the Roads & Drainage projects have not gone through the ACC for approval. Would like to know where their jurisdiction ends and other Committees begin.

GOLF COMMITTEE –

- No meeting, nothing to report.

LAKES COMMITTEE –

- No meeting, nothing to report.

SECURITY COMMITTEE –

- No meeting, nothing to report.

MANAGER’S REPORT: Ken Hoffer

- Looked into the cost of resurfacing the Kiddie Pool and it would run around \$4300. Jeff Weaver offered to look into doing the work “in house” for a cheaper price.
- Approval to purchase a new Mower for Maintenance.
 - Motion made by Ralph Falk, seconded by Craig Telgenhoff and carried to approve the purchase of a Toro Zero Radius Front Mower for Maintenance for \$16,000; will replace current Ford New Holland Mower.
- Approval to replace current Gas Pump/Fuel Dock system.
 - Motion made by Al Hawks, seconded by Terry Sullivan and carried to approve the purchase of a new system for the Gas Pump/Fuel Dock at \$15,000; will replace current system.
- Since several Board Members will not be around on February 20, 2010, the Reserve Study Meeting has been cancelled. Board Members are welcome to meet with Ken Hoffer to discuss Reserves and possibly adjusting any prices.
- There is not a problem leaving the water testing samples with Security. The fecal chloroform amount was off the charts at Roger’s Slough, something the County may want to look into.
- Attended a Legal Issues Forum for Home Owner’s Associations, and Birch Bay Village is running well especially compared to many other Associations in the area.
- About 81 Home Owner’s have not paid the Birch Bay Village dues; at this time of year that amount is usually around 80. About 405 Owner’s have paid half dues.

OLD BUSINESS:

- Approval of the Golf Course Screening Rule.
 - Motion made by Ralph Falk, seconded by Terry Sullivan and carried to approve the Golf Ball Screening Rule for the AR&R 3.16 to include some spelling and format changes from the Office (see attached).
- Approval of Policy Resolution Number 15-02-18-10 regarding Liens.
 - Motion made by Ralph Falk, seconded by Craig Telgenhoff and carried to approve Policy Resolution # 15-02-18-10 with the amended changes of “the use of” added to #3 and #5 before “BBVCC amenities” (see attached).
- Approval to purchase a Dump Truck for Birch Bay Village.
 - Motion made by Terry Sullivan, seconded by Craig Telgenhoff and carried to approve the purchase of a Dump Truck at less than \$35,000 total cost and less than 26,000 pounds of weight capacity.

NEW BUSINESS:

- Terry Sullivan will look into the cost of Chippers for the Village, and see if that is an option the Board would like to consider.
- The Security Pick-Up Truck is still at the mechanics for repair; the engine needs to be repaired or replaced and will cost \$6,000-\$9,000 to do so. Looked into purchasing a new Pick-Up for Security as the current truck is worth less than the repairs needed.

- Motion made by Ralph Falk, seconded by Terry Sullivan and carried to approve the purchase of a new Pick-Up truck for Security for \$18,000.
- Discussed keeping the same Pool Passes and price of last year.
 - Motion made by Al Hawks, seconded by Terry Sullivan and carried to continue with the \$5.00 weekly pool pass and \$25.00 seasonal pool pass.
- Will discuss making a rule on height restrictions for lawn grass/weeds at a later meeting.

CORRESPONDENCE:

- Ken Hoffer would like to get a list of Blaine Students living in BBVCC so that they can be acknowledged for achievements such as Honor Roll or sports.
- A letter was sent to Chad Shoemaker's lawyer on the ACC decision to deny his tree removals.
- Tony Pechthalt from Edward Jones will be contacted letting him know that Birch Bay Village will not be needing his services. Will look into creating a resolution to ensure that no Board in the future will invest the Village's money in items such as Stock or Equity.

COMPLIANCE LIST:

- Decided that a quarterly report for Compliance Lists will be sufficient.

ACTION ITEMS LIST:

- The two Birch Bay Village websites are ready for review. Ken Hoffer will look at each site and determine which one to stick with and what items to merge.
- Will make sure the Maintenance gets a plan for the Lower Gate Bike Shed by the spring.
- A work session or meeting will be scheduled in the future to discuss options for the Main Gate remodel.
- Researching the cost of a Chipper, possible Lawn Height Restrictions, age of Mobile Homes entering the Village, Policy Resolution on BBVCC Investments, Office Remodel Design, and making sure Chad Shoemaker's Lawyer is informed that BBVCC has never enforced the 6 foot height restriction for trees will all be added to the Action Items List.

ADJOURNMENT:

- Motion made by Al Hawks, seconded by Ralph Falk and carried to adjourn. Meeting adjourned at 9:24pm.

Approved _____
Secretary: Ken Davidson

Attest: _____

Esther Matter

Recording Secretary: Esther Matter

3.16 GOLF BALL SCREENING

Inherent to the game of golf is the possibility that errant shots by golfers will leave the course and result in the intrusion of balls onto lots adjacent to the golf course. Such a condition is presumed to be known by all owners living within such proximity together with the possibility that balls may cause damage or injury to property or persons. The proximity of certain lots to certain features of the golf course may subject a lot to an unusually high occurrence of errant balls entering the lot, thereby potentially increasing the possibility of damage or injury. The intent of this provision is to allow a mechanism for lot owners who believe they are subject to such unusual danger to erect protective screening while balancing that request with paragraph 1.1.

Owners of lots abutting the course who want to construct golf ball screening within the height requirements of paragraph 3.4, 3.5, 4.2, and 4.3 must submit a normal AR & R project request to the ACC. Golf ball screening that exceeds the heights of the above referenced paragraphs is not allowed unless approved by the BBVCC Board of Directors. To obtain Board approval, the following procedure shall be followed:

1. Lot owner submits in writing a detailed statement of facts supporting his or her belief as to the existence of unusual conditions on his or her lot to the BBVCC management Office.
2. BBVCC Management Office evaluates the lot owner's statement for reasonableness and sufficiency. This step may require further input from the lot owner until the Management Office is satisfied.
3. BBVCC Management Office forwards the lot owner's statement to the ACC Committee along with a proper ACC Project Application.
4. The ACC reviews the project application (s) and makes a decision.
5. The Management Office notifies the lot owner of the ACC's decision.

3.16.1 GOLF BALL SCREENING CONSTRUCTION

1. Screen height is determined by a measurement from the ground to the top of the screening material or its support posts, whichever is higher.
2. Screening material for screens greater than six (6) feet in height shall, at a minimum, be constructed of a high strength netting designed to repel golf balls and be black in color.
3. The poles shall be metal poles powder coated black. The screens shall be removable in design and shall not exceed sixteen (16) feet in height.
4. The total area of screening shall be no greater than is necessary to reasonably abate the condition documented by the lot owner.
5. The engineering of the design specifications for the construction of the screens and poles shall be provided by the BBVCC Management Office.

BIRCH BAY VILLAGE COMMUNITY CLUB, INC.
POLICY RESOLUTION NO 15-02-18-10

PURPOSE: To Establish a Policy, which will allow Birch Bay Village Community Club, Inc. Management to collect unpaid annual assessments, special assessments, dues and other monies owed to the BBVCC from Members.

WHEREAS, It has become necessary to revise Policy Resolution No. 12-09-20-07 , which shall be consistently followed by Birch Bay Village Community Club, Inc. to collect unpaid monies owed to BBVCC.

NOW, THEREFORE, BE IT RESOLVED:

That the following steps shall be taken by the BBVCC Management to collect overdue unpaid monies.

1. Annual Assessments shall be paid no later than January 31st, or it shall be paid in two installments due by January 31st and July 31st.
2. If a Member has not paid on or prior to January 31st, the Annual Assessment (or half of that year's Assessment), an additional invoice will be issued requesting payment plus a late fee.
3. The February 1st letter shall state that if assessments are not paid by February 15, the member shall not be considered a member in good standing and shall lose BBVCC amenities.
4. If no payments for second half are received by July 31st an additional invoice will be issued requesting payment plus a late fee.
5. The August 1st letter shall state that if assessments are not paid by August 15, the member shall not be considered a member in good standing and shall lose BBVCC amenities.
6. If, as of February 1st, payments for the current year have not been paid and at least six months of the previous year have not been paid, the member(s) shall be considered a member not in good standing and shall be invited to address the Board of Directors' as to why a lien should not be placed upon the member's property. Following this meeting, lien proceedings shall commence.
7. If, as of February 1st, payments for the current year have not been paid and at least two additional prior years have not been paid, the member (s) shall be invited to address the Board of Directors' as to why foreclosure proceedings should not be started upon the member's property. Following this meeting, foreclosure proceedings may commence.

DATE OF ADOPTION

ATTEST:

February 18, 2010

SECRETARY