

**BIRCH BAY VILLAGE COMMUNITY CLUB
BOARD OF DIRECTORS
REGULAR MEETING
NOVEMBER 19, 2009 7:00 P.M.
AT THE CLUBHOUSE**

MINUTES

ROLL CALL:

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

ALSO PRESENT:

Ken Hoffer, General Manager; Esther Matter, Administrative Assistant

CALL TO ORDER:

President Sandra Stillion called the meeting to order at 7:03 pm.

AGENDA:

- **Motion made by Deon Wiechmann, seconded by Ralph Falk and carried to approve the Agenda as written.**

HOMEOWNER'S PRESENTATION:

- **Bob Webber, Div. 4, Lot 17, conveyed his support for a television in the Clubhouse. Would be available for use by the BBV Clubs along with anyone who wished to rent the Clubhouse.**
- **Gordon Mitchell, Div. 1, Lot 15, suggested putting up crushed rock or gravel berms around the Clubhouse, Pro Shop and parking lots to help deter flooding.**
- **Jim Lockie, Div. 12M, Lot 32, also in favor of a new television at the Clubhouse. Feels it would be an enhancement to the facility for a minimal amount of money.**
- **Pat Vavrck, Div. 11B, Lot 33, inquired as to who actually purchased the television for the Clubhouse, when it was approved, and what the full cost was.**
 - **Sandra Stillion asked if Pat Vavrck could wait to ask those questions when the Board got to the Big Screen TV for Clubhouse section on the Agenda.**
- **Leanne & Brad Keel, Div. 1, Lot 12, brought up Golf Safety Screens, but will save their questions until they get to that line item on the Agenda.**
- **Betty McKinney, Div. 11C, Lot 1, will also wait for answers on the Clubhouse Television and what part of the budget it will be coming out of and who purchased it.**

MINUTES:

Regular Board Meeting of October 15, 2009

- **Motion made by Deon Wiechmann, seconded by Ken Davidson and carried to approve the Regular Session Board Meeting Minutes of October 15, 2009 as written.**

COMMITTEE REPORTS:

ACC – Ken Woods

- One propane tank enclosure, one fence, and one tree removal were approved.
- The next ACC meeting will be held on Wednesday, December 2, 2009. The Clubhouse is being used by the Blaine School District on Tuesday the 1st.
- The ACC has two vacancies: Barbara Farnsworth will not be running a 2nd term, and Marian Hickey has resigned. Two applicants submitted letters: Jim Baker and Shannon Parsons.
 - Motion made by Ralph Falk, seconded by Deon Wiechmann and carried to approve Jim Baker on the ACC.
 - Motion made by Deon Wiechmann, seconded by Terry Sullivan and carried to approve Shannon Parsons on the ACC.
- The ACC has a draft procedure for Golf Safety Screens, but the committee did not approve or take a position on them at this time. Will wait for the Board's decision to allow Safety Screens before deciding on any procedures or policies.

MARINA COMMITTEE – Bob Webber

- With improvements to the Marina Parking Lot, hoping to get more boats and trailers out of owner's yards and into the Storage area. Looking into supplying electricity and more security cameras. Would also like an alert to go to Security when there is movement in the Parking Area.
- Dock floats were installed.
- Gary Wilde suggested putting some lights at the Marina Channel entrance since it is hard to maneuver in the dark.
- The Marina Parking Lot design underwent a few changes, will continue with changes if the Board approves. By consensus the Board was fine with the changes.

ROADS & DRAINAGE COMMITTEE – Jim Lockie

- Will finish the grading on Chehalis when weather permits.
- Planning to build another berm in the spring on the greenbelt by Div. 12C/12M.
- One of the pumps on the Lakes was turned on to help with drainage, will not turn on the other pump unless need be.

VOLUNTEER PROGRAM:

- The Sand Dollar Park restroom is a bit behind schedule do to weather and the contractor's son passing away recently. A couple weeks out from caulking and tile work.
- Would like to make an official Volunteer Committee and call it VIP (Volunteer Improvement Projects); then have an Open House to encourage members to come and bring their interests and skills and hopefully get some committee members.
- Plants and trees have been going up along the Marina Parking Lot's new berm. Still looking into some electrical outlets.
- Would like to install three more concrete pads for memorial benches: one at Marina View Park, one at Lighthouse Park, and one at Sand Dollar Park.
- Would like to remind the Board that if they are considering fire pits at some of the parks members have complained about smoke in the past.
- With Board consensus the VIP Committee will begin as an Ad Hoc Committee and an Open House will be scheduled to search for volunteers.
- Jerry Royal has submitted an application letter to be on the Roads & Drainage Committee.

- **Motion made by Deon Wiechmann, seconded by Ralph Falk and carried to approve Jerry Royal to the Roads & Drainage Committee.**

SECURITY COMMITTEE –

- **No Meeting until December 2009.**

LAKES COMMITTEE –

- **No Meeting until March 2010.**

GOLF COMMITTEE –

- **No Meeting until April 2010.**

MANAGER'S REPORT: Ken Hoffer

- **Having a problem keeping the tent over the pool for resurfacing; the workers are going to wait until the wind dies down. Probably will not start again until the week after Thanksgiving.**
- **Recapped on the General Meeting in November. 63 Lots were represented, 333 Members submitted votes for the 2010 budget, 270 voted for the budget to pass. Mike Kent was the guest speaker; he spoke on the real estate forecast for BBV.**
- **The Lower Gate is finally ready for pedestrian use. Keys can be acquired at the Office with an application submittal and a \$50.00 deposit. This is on a temporary basis, and please be mindful of school traffic.**
- **UPS will be using the Pool Facility to deliver packages throughout the Christmas season; they will pay \$30 a day to BBV for using the facilities. They estimate delivering about 100 packages a day.**
- **Does not know what came of the air pollution testing from Roger's Slough. Will try to get an updated e-mail.**

OLD BUSINESS:

- **Sand Dollar Park will get electricity and heat so it can be open year round.**
- **Proposed changes to the Post Orders concerning Dog Incidents.**
 - **Motion made by Ralph Falk, seconded by Deon Wiechmann and carried to accept the written proposal from Wayne McFee for Incident Responses on Dangerous Dogs for the Post Orders (see attached).**
- **Proposed changes to the General Rules & Regulations 7-7.4.**
 - **Motion made by Ralph Falk, seconded by Deon Wiechmann and carried to approve the changes to the General Rules and Regulations 7.0-7.1 (see attached).**
 - **Changes will be put in a coming bulletin and an e-mail distribution.**

NEW BUSINESS:

- **Would like to discuss the Golf Course Safety Screens at a later time, and talk to an attorney about the issue as well.**
 - **Motion made by Deon Wiechmann, seconded by Ken Davidson and carried to defer the discussion of Golf Course Safety Screens to a Work Shop on December 8, 2009 at 10:30am.**
- **Last February the Board approved the installation of cable and WiFi to be installed in anticipation of a TV being installed; the location was to be above the sliding glass doors where the clock hangs now. The idea was to look around and by the time fall came around a television would be purchased. The price of the TV was not voted on or discussed. A TV was found and purchased recently by management; the total cost**

came out to \$2200 which included installation and a 4 year warranty. The cost can be taken out of reserves to replace the old Clubhouse television or it could come out of the contingency fund. Comments and questions were taken from the floor, and the Board considered all input.

- Motion made by Terry Sullivan, seconded by Ken Davidson and carried to approve the purchase of a television for the Clubhouse and start accepting donations.
- Subject of Blue Tarps being banned from the Village was discussed. They are seen as unsightly; they are made from cheap material and get torn during high winds.
 - Motion made by Deon Wiechmann, seconded by Ralph Falk and carried to ban all plastic blue tarps from residential areas in BBV. Exact Wording will be worked on at a Work Shop. Terry Sullivan and Ken Davidson opposed the motion.

CORRESPONDENCE:

- No comments or questions in correspondence.

COMPLIANCE LIST:

- No comments or questions for the Compliance List.

ACTION ITEMS LIST:

- Security Guard Barbara May, and the BBVCC Staff are working together on a design for a bike shed at the lower gate
- Changes to the Dog Rules were approved
- Policy Resolution on Liens is done, need to make a decision on the timeline
- About 80 floats were purchased last year
- Some swings have been installed at Lighthouse Park, waiting on other equipment
- A Lower Gate pedestrian key can be purchased
- Going to seek more designers for BBQ's at the Parks
- Clarification has been given that the permit to replace Marina pilings has expired, Skip Bickers is working on a new permit
- Might be able to charge a special assessment for properties owned by groups if there is a higher amenity use
- Need to contact an attorney on any regulations about Golf Course Safety Screens

ADJOURNMENT:

- Motion made by Deon Wiechmann, seconded by Terry Sullivan and carried to adjourn. Meeting adjourned at 9:48 pm.

Approved _____
Secretary: Ken Davidson

Attest: _____

Esther Matter

Recording Secretary: Esther Matter

"Dangerous Dog and Potentially Dangerous Dog Incident Response"

NOTE: In no case, do you down-play the incident. Remember, the danger felt is in the eye of the complainant, and is very real. Treat every case seriously, and with the exact same level of attention you would if a firearm or other deadly weapon were involved.

- 1. Attempt to witness the violation.**
- 2. If unsuccessful in witnessing the violation, contact the complainant.**
- 3. Take a written statement from the complainant, which will include the details of the incident.**
- 4. Ask the complainant if there were other witnesses, photographs, or other evidence that would be useful in prosecuting the case.**
- 5. If the complainant is unaware of other witnesses, canvass the area, house by house, in an attempt to locate further witnesses.**
- 6. If other witnesses are located, take written statements from them.**
- 7. Write up the incident, both in an Incident Report and on your Patrol Log.**
- 8. Include all written statement and other evidence with your report, which is turned over to the BBV General Manager.**

BBV Dog Rules Draft

7. PETS AND DOGS

- 7.1 Only generally accepted household pets (i.e., dogs and cats) are allowed in BBV.
- 7.1.1 All pets must be leashed and under direct control of a responsible person at all times when off the owner's property.
- 7.1.2 Owners are obligated to clean up after their animals on all BBV property and on properties other than their own. Offenders will be fined. (See Fine Schedule.)
- 7.2 Dogs at large are in violation of the Bylaws governing BBV. The Bylaws require all property owners and tenants to keep their pets under control. No dogs are allowed to roam at large within the confines of BBV.
- 7.2.1 Dogs off the owners/tenants property must be on a leash. This rule follows Whatcom County Regulations.
- 7.2.2 Property owners whose dog is observed at large in BBV are subject to fines and/or privileges to use the facilities and amenities BBV may be revoked. (See Fine Schedule and notification and hearing regulations pursuant to Section 7.9 of the Bylaws.)
- 7.3 It is unlawful to harbor or keep a dog that frequently, or habitually, howls, barks, or otherwise produces loud noises that unreasonably annoy or disturb another resident. Infractions of this regulation shall receive a written warning for the first offense, a fine for the second offense, and incremental doubling of the previous fine for infractions thereafter.
- 7.4 BBVCC shall require all deemed to be dangerous dogs, guard and/or attack dogs to be registered with the Manager. The Manager shall advise of restrictions and requirements as well as enforcement regarding dangerous dogs, guard and/or attack dogs. Definitions are below.
- 7.4.1 "Dangerous dog" means any dog that, according to records of the animal's behavior:
- Has inflicted injury on any person;
 - Has inflicted injury to, or killed a domestic animal, without provocation, while off the owner's property;
- 7.4.2 "Guard or attack dog" means any dog which has been trained and used for protection of persons or property by exhibiting hostile or aggressive propensities, or which will attack on signal or command, except those dogs owned/used for law enforcement.
- 7.4.3 "Potentially dangerous dog" means any dog that when unprovoked:
- Chases or approaches in a menacing fashion or apparent attitude of attack to any person.
 - Has a known propensity, or disposition, to attack without provocation, or otherwise threaten the safety of any person or domestic animals.

FEE SCHEDULE

DOGS:

- a) Unattended Dogs away from owner's property
 - (1st offense) Warning
 - (2nd offense) May be fined up to \$ 50.00
 - (3rd offense) \$100 or dog may be required to be removed from the Village.
- (b) Not cleaning up after your dog:
 - (1st offense) Warning
 - (2nd offense) \$ 50.00
 - (3rd offense) \$100.00
- (c) Barking Dogs
 - (1st offense) Warning
 - (2nd offense) \$ 50.00
 - (3rd or more offenses) Incremental doubling of previous fines and/or Bark collar, and/or removal of the dog from BBV
- (d) Dangerous and Potentially Dangerous Dogs
 - *(1st offense) If no biting or injury was sustained - \$100.00 Fine.**
 - *(2nd offense) If no biting or injury was sustained - \$300.00 Fine.**
 - *(3rd offense) Whether biting or injury was involved or not - Removal of the animal from BBV.**
 - * If biting or injury was sustained - Removal of the animal from BBV.**