

MBR Board Meeting February 2025

Friday, May 16, 2025 5:28 PM

- Friday, February 28, 2025 @ 19:00
[Link to meeting at end of note.](#)

AURAL HYGEINE: FOLKS NEED TO KEEP THEMSELVES MUTED UNLESS THEY HAVE THE FLOOR. THIS PARTICULARLY APPLIES TO BOARD MEMBERS.

FOLLOWING OUR RULES, THE MEMBER COMMENT PERIOD IS FOR MEMBERS TO PROVIDE THE BOARD WITH COMMENTS. THIS IS NOT Q&A OR TIME FOR BOARD RESPONSES TO MEMBER QUESTIONS. MATERIAL DIALOGUE WITH Q&A NEEDS TO HAPPEN OVER SNAILMAIL OR EMAIL.

ALL QUESTIONS AND OFFICIAL CORRESPONDENCE FROM MEMBERS MUST BE SUBMITTED BY EMAIL OR SNAIL MAIL.

To facilitate moving the meeting along, all presenters (Members, Staff, Board Members) will be limited to floor time for each of their sections:

- Members two mins presentation per item.
- Staff and board members: five minutes.
- Everyone: please be succinct and do not waste everyone's time.
- **Everyone: keep your mic muted unless you have the floor.**

ED NOTE: February minutes were partially erased by accident by a board member accessing them using an iOS device (iPAD) that crashed while reading/editing. This caused the erasure of some content. The missing sections have been recreated from contemporaneous notes, which accounts for layout/style inconsistencies (e.g., lack of numbered items in Consent Agenda).

UPON A MOTION DULY MADE, SECONDED AND CARRIED WITH NO OBJECTIONS, the MBR Feb-2025 meeting commences @ 19:05

Present: dshill, Jolie, Brad, Rheannon, Deborah
No staff present.

Membership: [17018], [15029], [13023], [11101], [17041], [18028], [12020], [17006], [19007], [19038]

Consent Agenda Items

Treasury, Financials -

[2024 Monthly Financials Sharepoint](#)
[2023 Annual Financial Statements](#)

Secretary, minutes - circulate by email.

President - n/a

Legal - n/a

AGM Date: June 21

Violations n/a

G&M - n/a

Property Standards -

Approved hazardous tree removal by consensus between owner, PSD, and CM [15024] - 3 dead/dying trees approved for removal

General development Permit updates:

No new items

Hazardous tree notifications

- [14062] - Notified Jan 24, 2025 for 3 trees. Second notification, but first with new language. We have a quote for \$924.80 to remove trees. Shared quote with owner. If trees are not removed by March 25, 2025, MBRCC board will have staff progress for tree removal and owner will be billed. No response from owner.

- [14039] - several emails with owner regarding quote for removal of haz tree. Beyond date that allows board to remove/bill. Owner said he would pay for tree removal. It was scheduled for removal on 2/14/25, but never happened.

- Other Items of note for the board:

- [14045] - Closed out minor project and returned damage deposit. Shed installation and landscaping project
- [14055] - Owner let me know perc holes must remain open per Whatcom co. boundary installed to ensure safety.
- [14056] - notified us that someone parked in their driveway. Likely contractors in 14054 and notified them. 14055 also made changes to ensure no one parked in 14056.
- Several emails regarding concerns by 14056 on spruces and water spigot on 14055 based on survey. Emailed to confirm that new 3rd party survey is correct and used and not rebar stakes.
- [13018] - responded to questions about gate project
- [12033] - owner notified by previous owner that house was sold. Contacted new owners and will keep them in the loop on water mitigation project by 12031/32 in development...
- [12029, 30, 33] - shared response from MBRCC board to [12031] regarding proposed storm water mitigation plan that affects their properties.

***** END OF CONSENT AGENDA *****

1. Property Standards - no new items
2. President - n/a
3. AGM June 21
4. Legal - Signage in Pool/Clubhouse complex needs to be improved & updated

New Pool Rules/Signs:

Children under age 13 must be supervised by a responsible adult.

Children ages 13-17 cannot use pool alone.

Everyone must take a cleansing shower before using pool.

If you have a disease that can be transmitted by water or have been ill with diarrhea or vomiting in the last 2 weeks, don't use the pool.

Diapers must be changed in the designated changing area.

Babies and toddlers must wear swim diapers or tight-fitting protective coverings in the pool

People with seizure, heart, or circulatory problems should not swim alone.

No running or rough playing.

No food or drink allowed in the pool or pool area (water permitted in pool area only)

Do not use pool when under the influence of alcohol or drugs.

No glass in pool area

If you don't follow the rules, you may be removed from the premises and pool privileges suspended.

In an Emergency, call 911.

No inflatables may be used in the pool.

Emergency phone is located at emergency station near the front pool gate.

First-Aid Kit is located at the emergency station near the front pool gate.

UPON A MOTION DULY MADE, SECONDED AND CARRIED WITH NO OBJECTIONS, new pool signage approved.

5. Violations -

- a. Follow up details on 12036's violation appealed last time – the data we had was a plate from 2022. The updated data was from 2024 and is consistent. The plate has not changed. The information was captured but not stored in our system. We granted other appeals where the information was captured.
 - a. Appeal granted, no objections
 - b. Motion will be: Recommend we grant the appeal which was about incomplete information.
 - c. UPON A MOTION DULY MADE, SECONDED AND CARRIED WITH NO OBJECTIONS, the appeal is granted.
- b. Follow up details on 12024's violation – the "short term renter" was the owner's brother / non-paying guest, has previously been entered as Nate J without issue. We're splitting hairs with an owner about the spelling of a name; this looks putative if taken in isolation.
 - a. Appeal granted.
 - b. Motion will be: Recommend we grant the appeal which was incomplete information.

- c. UPON A MOTION DULY MADE, SECONDED AND CARRIED WITH NO OBJECTIONS, appeal is granted.
- c. Lengthy email thread a few weeks ago where I (I=Brad Roberts, Violations Director) said a less concise version of the following:
 - a. Motion will be: We should allow property managers to represent owners in appeals when the violation/warning was caused by the property manager or renter. [Ed Note: Property Manager is acting as an agent of owner.] We're wasting our time and everyone else's with no apparent cause to require the owner to be involved.

I would make the case Rheannon should be recused from this [these] vote[s] as it advantages her to be able to be present when other property managers cannot.

- i. Steve agrees overall with allowing property managers to represent owners, but only if member gives property manager this right and member still remains on the hook; also no additional rights of appeals if property manager loses appeal
 - ii. Motion: allow members to ask a property manager to represent them and make them their agent so it aligns with the statute.
 - iii. If a violation that owners wants a property manager to represent them for a single violation, they can appoint the property manager as their agent by emailing MBR to that fact.
- b. UPON A MOTION DULY MADE, SECONDED AND CARRIED WITH NO OBJECTIONS, it is agreed that (i) Property Managers can act as a representative of an owner as long as the owner has designated them as such, and the violation involves the rental of the property; (ii) member remains on the hook for any violations - that is, designating a property manager as a representative does not absolve and owner of responsibility; and (iii) this grants no additional rights of appeal if the property manager loses an appeal.
- c. Rheannon does not state that she agrees to recuse herself from these discussions or votes when they involve competitor property managers.
- d. Here's the link to how to change your displayed name on Airbnb, which tells us that no, reviewer names are not necessarily the legal names. <https://www.airbnb.com/help/article/3562#section-heading-2> If we are going to split hairs on name spelling, which we've done many times, we should ... require some other form of registration paperwork that ensures we don't get different spelling. Alternatively, we have better options. Pointing this out so it's in the minutes to refer back to as we've had several appeals on the topic. No motion to make because ideally we solve the problem via the gate system.
- e. Do we want to progress any discussion about converting a Rim owned (non-buildable) lot to unsecured gravel, by-permit parking for trailers/RVs for members. No motion made on this as no one supports moving it forward.
- f. QUESTION: If any changes are to be made for the Dec/Jan violations based on what constitutes a warning – a blanket email or a specific warning to an individual. I believe Steve had a legal position on this. I think we should simply be consistent and it's not clear we are. Email conversation on this was not productive.
 - a. Does a blanket warning constitute a warning before the fact (before the violation occurs).
 - b. Steve says we can't say you can't do something as a warning in advance of an action.
 - c. [Ed Note: Steve is out of country and not present.]

6. G&M



a.

Lease Agreement

- a. Gatehouse Apartment is not under lease; this needs to be fixed. Standard

WA State Lease is attached.

- b. Four weeks limit on guests and 21 days.
- c. Need to verify garage space.
- d. Four parking spaces for tabbed vehicles. Rheannon doesn't want any limits, thinking two wasn't enough, and that Ken's children would soon need cars.
- e. Indemnity clause. Rheannon questioned the need for MBRCC to be indemnified by the renter of the apartment.

- b. UPON A MOTION DULY MADE, SECONDED AND CARRIED WITH ONE OBJECTIONS, it is agreed that garage/shop space is for the use of MBR, all private/personal material stored in the shop is to be removed, and MBR vehicles will be stored in the shop/garage.
- c. Motion to approve lease agreement for staff housing sent via email (attached). This is forced to exec session.
- d. UPON A MOTION DULY MADE, SECONDED AND CARRIED WITH ONE OBJECTIONS, it is agreed to Deborah delegation /authority to manage all staff with exception of bookkeeper who reports to treasurer.
- e. UPON A MOTION DULY MADE, SECONDED AND CARRIED WITH ONE OBJECTIONS, it is agreed to approve Bylaw addition for AGM vote:

a. ——— **ARTICLE VII. OFFICERS** ———

- i. Create new Section 6. The Grounds and Maintenance Director shall oversee the Grounds and Maintenance Staff, including setting clear expectations, providing feedback, and holding accountable to meet all MBRCC policies, practices and procedures. Discipline for employees shall require notification and vote by the board. In the event of a zero tolerance incidence, the Grounds and Maintenance Director shall have the authority to place an employee on paid leave until the board can vote on path forward.

- f. What is authority for Thor purchasing? He wants to get stone for roadway sides. Does he have credit card yet? How do we progress? [Ed Note: Thor being added to MBRCC Debit Card]

7. Intimidation of an MBRCC Board Member

8. Steve -

- a. Talks about attempted intimidation of a board member. Basic message is that this is unacceptable and shall cease. [Ed Note: Instances of intimidation involved having refuse/garbage dumped in driveway, and unacceptable harassment.]

9. Member comments 2 min each.

- a. [17018] comments for [12018], his fiancé. Got an airbnb short-term rental violation fine. Ridiculous she should be fined.
- b. [15029] - Dog poop everywhere. We can put dog station in his driveway.
- c. [13023] - concern about Brad juckes trying to create [parking lot
- d. [11101] - no comment, just listening in.
- e. [17041] - rents and thinks the board is violation prone. And not neighborly. We don't send flowery emails to violations. He doesn't enjoy the rim these recent years.

- f. [18028] - he wants to know who will respond to his emails.
- g. One member whose name isn't registered as an owner - no comment
- h. [12020] - Appreciates rheannon's energy. We are missing opportunity to be community. No community social. Board too focused on risk.
- i. [17006] - no comments.
- j. [19007] - bought place two years ago.
- k. [11067] CPA, appreciates what he is doing. He will email to follow up on people parking in his driveway overnight. Sprinter vans. Knows how hard it is to [be on board?].
- l. [19038] No comment

10.

- 11. UPON A MOTION DULY MADE, SECONDED AND CARRIED WITH NO OBJECTIONS, it was decided to move into Exec Session.
- 12. Return from Exec Session @ approximate 22:00.
- 13. Next BOD Meeting: Friday, March 21, 2025 @ 19:00 Brad will be OOF.
- 14. UPON A MOTION DULY MADE, SECONDED AND CARRIED WITH NO OBJECTIONS, Adjournment called at approximately 22:05.
- 15. ZOOM LINK