

MBR Board Meeting May 2023

Friday, July 21, 2023 11:12 AM

Friday, May 19, 2023 @ 18:30

Link to meeting at end of note.

FOLLOWING OUR RULES, THE PERIOD FOR MEMBER COMMENTS IS FOR MEMBERS TO PROVIDE COMMENTS TO THE BOARD. THIS IS NOT Q&A OR TIME FOR BOARD RESPONSES TO MEMBER QUESTIONS.

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.**

1. UPON A MOTION DULY MADE, SECONDED AND CARRIED WITH NO OBJECTIONS, it was resolved that the May-2023 MBR Board meeting would begin @ 18:32
2. Attendance:
 - a. Board
 - a. Present: dshell, Rheannon, Dawn, Jen, Rob, Brad
 - b. Missing Arnost, Steve (on holiday and had pre-presented his section by email), Ben
 - b. Members: Dave Clements, Noel Philippot, Reeve Newton (joined later on)
3. "In-Person" Member Comments (2 min. time).
 - a. [18028] Clubhouse looks good. Wants board to commit to opening pool by memorial day.
 - b. [13009] Wants a variance request for shed. States that only spot he can put it is in setback.
4. Consent Agenda Items - Ed note: minutes pulled from March; Rheannon / brad to approve
 - a. Financials: [2023 Monthly Financials](#)
 - b. March 2023 minutes, [here](#).
 - c. Legal

a. **DOG FECES**

(Current Bylaw for reference only)

The owner or handler of any dog is to remove fecal matter deposited by their animal on any public place; on any public property; or the private property of another in MBR before the owner leaves the immediate area where the fecal matter was deposited. The owner or handler of any dog must have, in their possession, the necessary equipment to remove the fecal matter when accompanied by said dog off the member's MBR personal property. (as amended June 7, 2008)

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NEW RULE

The owner or handler of any dog is to remove fecal matter deposited by their animal on any public place; on any public property; or the private property of another in MBR before the owner leaves the immediate area where the fecal matter was deposited. The owner or handler of any dog must have, in their possession, the necessary equipment to remove the fecal matter when accompanied by said dog off the member's MBR personal property.

Remove is defined as "picking up and depositing in a trash receptacle".
Necessary equipment is defined as "a waste disposal bag."

New Fine

Failure to pick up dog feces
Up to Maximum allowable fine.

d. Violations

- a. Rental Owners email list set up, currently slowly populating with members/rental managers. Will let board know by email when it is active.
- b. New violations sent
 - i. 12005 Snowmobiles out of season – violation letter sent 5/15, \$50/day
- c. New Warnings
 - i. 12031 Construction noise before 8am
 - ii. 22008 Property untidy & snowmobile on site
 - iii. 16021 is a quasi-warning – has not been sent formally but they are aware and know warning is coming once info received from Ben.

e. AGM AGENDA

Registration and Q&A period at 12:30 PM

The meeting will be called to order at 1:30PM

1. Adoption of order of business
2. Introduction of 2022-23 Board of Directors
3. Approval of 2022 Annual General Meeting minutes
4. Directors' reports
5. ~~2024 Operating Budget & 5-year Capital Reserve Plan~~
6. Waiver of Annual Audit
7. Nominations of Board of Directors for Open Seats
8. New business
9. Member comment period (note- this is not a Q & A)
10. Adjournment

- a.
- b.

f. G&M

*** END OF CONSENT AGENDA ***

5. New and Continuing Business

- a. Secretary - N/A
- b. Violations
 - a. [12005] appeal for snowmobile on property after end date. Warning letter sent in August - letter said no warning period as of May-1. Wants to appeal it.
 1. Rob motions to drop to \$100 from \$850 and suggest difference used to build fence.

Wasn't voted.

- b. [17022] -Submitted incorrect rental registration. Multiple instances. Repeat offender. UPON A MOTION DULY MADE, SECONDED AND CARRIED WITH NO OBJECTIONS, it was resolved that no further appeals would be considered on this matter.

c. Treasurer

- a. AGM Prep Items



[2023-2028 5 Year Capital Improvement Plan DRAFT.xlsx](#)

- b. Financials look good. Questions on five year capex plan. Spreadsheet presents reserve study. Do we just show reserve study or an adjusted one with more accurate information. He will use reserve study to present to membership at AGM.

- c. Accountant Draft Statement on Financials:

[2022 Financial Statements Draft](#)

Approve sending out Accountants Report as written. David 1 / Rheannon 2.

d. President

- a. Question for Brad for AGM pre-meeting - do we have a dry run night before AGM @ 16:00. Brad will check w/ moderator on times to do dry run.

e. Legal - let's table until Steve is present / after AGM

- a. Hazardous Trees

Current situation

Our current documents do not allow us to enter the members lot to remove hazardous trees. We can attempt to shift the cost and risk of damages from MBRCC to the member by sending notice of the hazardous tree to the member. A proposed letter that might be used is attached. This would potentially allow us to collect damages and expenses incurred as a result of a member's tree damaging Rim property or file a cross claim in a lawsuit filed against the Rim by an injured party.

Bylaw Change

A proposed Bylaw change would allow us to better deal with Hazardous trees on member lots and give us rights should a member fail to act. A proposed letter is also attached for use if a Bylaw change is made. This new Bylaw would grant us the right to enter, remove the tree and bill the member if they fail to do so. It also includes an appeal method.

In both cases, this should only be used where we think that a tree is Hazardous under our tree policy. I cannot comment on the definition of "Hazardous Tree" in that policy as I lack the knowledge that an arborist may have. I also do not know why this definition was chosen.

BYLAW CHANGE NEW SECTION

HAZERDOUS TREES

Owners are responsible for removal of Hazardous trees on their property. The Board of Directors, by a majority vote, has the right to notify owners to remove a suspected Hazardous tree(s). The member shall have the right to appeal the Boards decision by

providing a written report from an ISA certified arborist within 30 days of the Boards letter that states that the tree does not meet the definition of “Hazardous” found in the MBRCC Tree Policy.

Absent an appeal, the member shall have 60 days from the date of the notice to remove the Hazardous tree(s). In the event that the member fails to do so, MBRCC has the right to enter to enter the members property and remove the hazardous tree at the members cost and expense. Fines may also be imposed for failure to timely remove the Hazardous tree(s).

TREE POLICY CHANGE

Mount Baker Rim Hazard Assessment for members.

A member that wishes to have a tree deemed as “Hazardous” must submit a report from an ISA certified arborist to MBRCC’s Property Standards Director. The report must state that the tree is Hazardous as defined in the standards proposed by the USDA in the Hazardous Trees in Alaska – USDA.pdf (2009) and/or the appropriate ISA TRAQ guidelines. A form is included in this document and is provided in Appendix A for reference. Written permission from the MBRCC’s Property Standards Director must be given prior to removal unless there is imminent danger to persons or property.

Value of the Target for the purposes of this document and the policy it represents, any human life, roadways, dwelling or permanent structure (garages, carports, etc.) for which building permits were required are considered high value targets and should be considered when evaluating trees.

Hazardous Tree Identification

It is incumbent upon us to remove known hazardous trees on MBRCC lots. Staff should make a concerted effort to review lots that may contain hazardous trees. Photos should be taken and MBRCC owned trees should be cut and private lot owners notified to shift risk. I would suggest an August deadline for the list to be compiled and letters to be sent to owners.

As Board members, we can also send photos of trees we suspect might need to be taken care of.

- b. Tree letter with bylaw change:

(Bylaw change letter)

Dear Member,

A hazardous tree(s) has been identified on your lot and its removal is required as a result of a majority vote of the Board of Directors. A picture of the tree(s) is attached. The tree(s) appears to be either dead or diseased. In the event that this tree falls, it has the risk of damage to persons or property.

Pursuant to our Bylaw's related to Hazardous trees, you may appeal the Board's decision by providing a written report from an ISA certified arborist within 30 days of the Board's letter that states that the tree does not meet the definition of "Hazardous" found in the USDA in the Hazardous Trees in Alaska – USDA.pdf (2009) and/or the appropriate ISA TRAQ guidelines.

Absent an appeal, you shall have 60 days from the date of the notice to remove the Hazardous tree. In the event that you fail to do so, MBRCC has the right to enter onto your property and remove the hazardous tree at your cost and expense. Fines may also be imposed. In order to avoid potential personal liability, we encourage you to investigate this matter and remove said tree.

Thank you in advance for your attention to this matter.

f. G&M

- a. Clubhouse almost complete.
- b. Push bars were not put on doors because they were residential quality that couldn't support push bars. So, we have installed lever handles which are acceptable to fire marshal / codes.
- c. Front keycard reader needs to be installed. Arnost needs to install or move reader to front door. We will then install a new reader at pool entrance.
- d. Pool
 1. Heater not installed
 2. Heat pump has been running. Pool is at 80F now.
 3. Electrical and heat install should happen this week. Monday or Tuesday this coming week.
 4. Pool tiles -
 - 1) Eight tiles need to be repaired; this number can go up once we start messing with tiles. Hope is this work will happen on Wednesday. We will know on Tuesday if he can do work on Wednesday.
 - 2) Jen has two backup options. She doesn't want to open pool with missing tiles/sharp edges if tiles aren't fixed.
 5. Hopes everything is done on Friday.
- e. New CM starts 23rd or 30th.
 1. She apparently wants more money towards medical premium.
 2. Move this to exec session.
- f. Culvert work -
 1. Sean will come out and review what needs to be done for the work.
 2. Ben knows of one on pinnacle that is crushed.
- g. Levee -
 1. Army COE was out here... said we need to cut down trees on the levee.
 2. We don't have a written report yet.
 3. Some conflicting requirements - fish wildlife says not to cut anything growing on levee.
 4. Chlorinator - revert to direct chlorinator or keep salt based system, which is corrosive to equipment?

g. Property Standards

- a. Ben has been on holiday for three weeks. So
- b. 12017 - no response on driveway work that is needed
- c. 12005 - adding a fence to hide snowmobiles. 4' privacy fence.

- d. 16021 (Low Lane) - Someone had moved camper onto lot and said they owned it. Camping and poaching porta potty. Wed night. Moved off site.
- e. 13009 - variance request - need to shrink due to utility easement. Ben will go out and check with him since Noel is up here this weekend. 8' side and 10' front -
 - 1. UPON A MOTION DULY MADE, SECONDED AND CARRIED WITH NO OBJECTIONS, it was resolved to approve only a 10' setback from front.
- h. Member at large - not present
- i. Member relations -
 - a. AGM BBQ - needs \$250 for bbq. UPON A MOTION DULY MADE, SECONDED AND CARRIED WITH NO OBJECTIONS, it was resolved to approve \$250 request for BBQ.
- 6. Other - n/a
- 7. AGM June 24th
- 8. Brad wants to move board meetings to another day besides Fridays.
- 9. Date of Next BOD Meeting: July-21-2023@ 19:00
- 10. Exec Session @ 19:46
- 11. Out of Exec session 20:07
 - a. UPON A MOTION DULY MADE, SECONDED AND CARRIED WITH NO OBJECTIONS, it was resolved to Ratify health insurance discussion from Exec session to contribute towards employee insurance.
- 12. Back to doors for clubhouse. Jen needs more time to figure out doors and flow of people.
- 13. Adjourn @ 20:20
- 14. Adjournment
- 15. ZOOM LINK

Hi All,

Please find below the Zoom link to the regular monthly board meetings for January through May 2023. The meetings are assumed to be on the third Friday of every month, but if a meeting date is changed, this will be posted to the MBR website homepage www.mtbakerrim.com , so please check there for updates on meeting dates/times.

Mt Baker Rim Community Club is inviting you to a scheduled Zoom meeting.

Topic: MBRCC Monthly Board Meeting

Time: Jan 20, 2023 07:00 PM Pacific Time (US and Canada)

Every month on the Third Fri, until May 19, 2023, 5 occurrence(s)

Jan 20, 2023 07:00 PM

Feb 17, 2023 07:00 PM

Mar 17, 2023 07:00 PM

Apr 21, 2023 07:00 PM

May 19, 2023 07:00 PM

Please download and import the following iCalendar (.ics) files to your calendar system.

Monthly: [https://us06web.zoom.us/meeting/tZlqc-ysrD4rG9NdL8iCA2l9mqq_EiniTsnN/ics?icsToken=98tyKuGuqT8vHtaQsRiARpwAB4-gZ-jzpiVcifpzmDO9CgNyMA-vO_NTDZd2HtHk](https://us06web.zoom.us/join/https://us06web.zoom.us/meeting/tZlqc-ysrD4rG9NdL8iCA2l9mqq_EiniTsnN/ics?icsToken=98tyKuGuqT8vHtaQsRiARpwAB4-gZ-jzpiVcifpzmDO9CgNyMA-vO_NTDZd2HtHk)

Join Zoom Meeting

<https://us06web.zoom.us/j/86745425117?pwd=c08rOWZ6c1hyMjV4ZFY3NTczZ3ZFUT09>

Meeting ID: 867 4542 5117

Passcode: 509965

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