

**MT. BAKER RIM COMMUNITY CLUB MINUTES  
BOARD MEETING OF August 18, 2017**

Meeting called to order at 7:02 p.m. by Pete Berow, President, it being determined that a quorum of the Board was present.

**Directors present:** Pete Berow, President; Sally Hewitt, Secretary; Ed Keller, Treasurer; Dodie Fox, Violations; Dawn Chaplin, Member Relations; Lida Vacek, Vice President and Director at Large; Mark Ablondi, Property Standards.

**Directors absent:** Dennis Larson, Grounds and Maintenance; Seth Carson, Legal and Insurance.

**1. Approval of July 21, 2017 Board Meeting Minutes**

**ACTION:** Discussion of minutes. Ed Keller moved to approve the July 21, 2017 Board meeting minutes. Seconded by Lida Vacek. **Motion passed.** Minutes approved.

**2. Correspondence**

*The Member-to-Board Report is on file with final copy of August minutes in MBR office.*

•Rinat Uzan, 21012, reported follow-up to hot tub damage in July: renters of nearby home were in their hot tub at 2 a.m. Rinat and Chris Park have contacted MB Lodging about this incident. They would like us to no longer rent to these people. Pete Berow said we have no control of rentals. Ed Keller: we need to send a written response, but we need to say this is neighbor-to-neighbor. Ed said Angela is very good at writing this type of letter.

•7/22/17 letter of intent to resign by Ed Keller -- Ed: does anyone have a question or comment regarding this? Dodie says this needs to go before the general membership for a reverse of Board positions and funding for Social Committee.

•8/2/17 letter requesting 3 issues to be resolved to remain on the Board: Ed Keller -- 1.) Social Committee is not part of the Board and should not be part of the Board meeting. We need to focus on our issues, not Social events. 2.) There can be no additional funding of social events from general member dues income until such time as a vote of the membership in a special meeting or at the next AGM gives a majority approval to do so. 3.) Ed is responsible for all MBR monies and all accounting, all revenue and expenses must go through the general fund account. We can no longer hand cash to Social Committee. A spring 2017 Board meeting decided the Board had the right to fund Social. The Board funded Easter and two summer events. Mark Ablondi: we should revisit this issue at the AGM. Pete: the issue is Dawn turns the money in and it goes back to Social account. Does the Board think the MBR general fund should be repaid? Pete: leave the money in the Social account until the AGM. Ed: what I need is no more funding for Social until the AGM votes for such funds. Pete: no additional funds will be used for social events. Pete: moved to leave what funds are in Social until the AGM.

**ACTION:** Ed Keller moved to allow the Social Committee to keep all the revenue, once deposited in the Social debit account, for future social events. Mark seconded. Ed abstained. **Motion passed.**

•Steve Elston, 18025, would like to paint home a tan color, Angela gave him permission.

- Marcel Dolak, 12015, slide at playground cracking, bolt/nut could snag skin -- Aaron said it's fixed. Mark Ablondi said we replace playground items as they wear out.
- Kathie Tupper, 18003, appealed fine regarding dog barking -- Aaron said she was warned about a noise complaint, just a warning, no fine was issued: Angela will respond.
- Marissa Beg,15014, reported a drone hovered over children riding bikes for 10 minutes, do we have laws regarding drones? -- Pete Berow: we have no laws regarding this issue.

**ACTION:** Dodie moved to table the discussion to ban drones on MBR community. Ed seconded. **Motion passed.** Moved discussion to September meeting.

- Gene Fomin, 22002, reported his full and sealed tightly garbage can was stolen -- Ed Keller: members need to be able to report these issues Dodie: it helps to know if there's a bigger picture, such as more items stolen in MBR. Angela already responded.
- Lost men's wedding ring in pool area, Nieuwendorp (guest? renter?) -- not found.

•A member called Ed and Aaron about the outdoor fire at 21004 on 8/10 (9:40 p.m.) -- Aaron spoke to the members and discovered it was a propane fire, legal during a burn ban because there are no sparks and no embers.

**ACTION:** Dodie Fox moved we disallow charcoal barbecues during an MBR burn ban. Mark Ablondi seconded. **Motion passed.**

•Reckless driver reported on evening of 8/17, Angela asked MB Lodging for license ID: Pete Berow said we're still looking for the car and driver.

•Dick Russell, 19036, complained about derelict trailer at 19021 -- Mark Ablondi reported it's a construction site, one trailer is going to be moved once Hedrick Creek bridge is open to two lanes (~ Oct) and the other trailer is being dismantled. Aaron told the owner to keep the construction site clean. Ed Keller: this construction permit is in process. We could post a pink permit with "in progress" written on it. Angela will send an email about the construction process.

•Ed Keller reported two healthy cedars were cut down on MBRCC property on Pinnacle Drive, all tree removal on MBRCC property should be given okay by Board -- Ed: my concern is at the very best it was questionable whether these trees were on the member's property. If there's a question about any tree that might be on MBR property, the Board must give permission to cut these trees. Mark Ablondi reported that Aaron and he viewed 18019 Pinnacle, deemed the trees on member's lot (Ed disputes) and gave permission to take the two small cedars down that were on the member's side of his driveway post and crowding the driveway entrance. Mark surmised that the main reason for taking the trees down was to improve view. These trees were historically maintained by the member. Viewing the lot as a whole, it is well treed and along the street lot line all but the driveway entrance remains native trees, while nearest neighbor lots have been cleared and non-native scrubs/hedges planted.

**ACTION:** Ed Keller moved no member can remove a tree from MBR property without Board approval. Pete Berow seconded. **Motion passed.**

**ACTION:** Dodie Fox moved to amend: any tree requested by a member to be cut down on MBR property must be approved by Board. Dawn Chaplin seconded. **Motion passed.**

Ed Keller 7/22/17:

I am formally giving the Board of Directors of MBRCC notice of my intentions to step down from the position of Treasurer and from my seat on the Board as soon as a replacement has been selected. I will stay on in my current position and assist with the transfer of information needed

by the person you choose to take my place. There are important administration listings that will need to be changed on several accounts before a complete transfer is possible. I have no problem continuing my duties until a complete transfer can be made.

I no longer find any pleasure participating in the monthly meeting. The time consumed listening to non-essential Social Committee information has no place at a meeting of a board who is task with the care and maintenance of essential community property and assets.

The past Board failed to deal with the ongoing issue of the funding of Social Committee Events with general membership money. I am fundamentally opposed to the use of any MBRCC funds to pay for entertainment purposes for a very small group of members and their families, at the cost of all of the members. The previous Board had approved in March, an advisory vote to be taken during the 2017 AGM re: funding of Social Committee Events. This advisory vote was removed by a vote of the Board at the April meeting prior to sending out the AGM package. Had this vote been taken and had it been approved by a majority of the membership in attendance, I would have accepted the results as the wishes of the membership. Without the approval of the membership, I still consider the use of general funds for Social Committee Events to be a violation of our governing documents that do not allow for assessment (dues) that do not benefit the entire membership. This is fundamental to me and I do not wish to be involved with a Board that may wish to continue funding any other Social Committee Events. It is better for the current Board to find another member who is willing to fill the position of Treasurer and follow what the decision that the current Board decides.

Again, I will continue in my position until the board can find a suitable member to take on my duties.

Ed Keller 8/2/17:

I have been requested by three of our current Board members to continue my term on this year's Board. In talking with them I have established the issues that I need to have resolution on.

#1 The Social Committee is not a Board position and is not included in our monthly meetings. The committee may send in a written report to inform the Board of its activities, but only issues that require a Board vote can be included on our agenda.

#2 There can be no additional funding of social events from general member dues income until such time as a vote of the membership in a special meeting or at the next AGM gives a majority approval to do so. Until then all future event costs must be funded by holding fundraisers, donations from members, or event fees.

#3 As Treasurer I am responsible to the membership to account for all expenses that are paid for with MBRCC funds. As the Social Committee is spending MBRCC funds from an MBRCC account, it must submit all receipts AND revenue to the office by the end of each month in order to fully reconcile the accounts. This has not always happened in the past and results in extra time spent by Angela as well as myself to go back and correctly account for these expenses. When items are purchased with MBRCC funds and then sold at events, only the proceeds above the cost of the items sold may be spent as income by the Social Committee.

If a majority of the current board is willing to hold to the above conditions then I am willing to continue my position on this Board.

### 3. Directors' Reports

*Directors reports as submitted are on file with the August minutes. Additional comments are recorded here:*

a. President

Pete Berow reported: this month, I have been looking at our MBRCC manual. We all have worked on procedures, instructions, and rules. I find our procedures can definitely use some help. The President's job, they say, is a paperless job, but I am willing to change that to improve our manual. I think every Board position needs a job description, as well as office staff, and I think Allison wrote a good one for Aaron. Parts of our manual need to be rewritten, some simplified, and some updated.

b. Secretary

No report.

c. Treasurer

Ed Keller reported income is running ahead of estimates and budget. Total expenses are right on target with some variations in a few costs. The 2017 AGM total expenses were just under budget, 2017 costs were only \$50.00 more than 2016 and 10 additional meals were served.

Reserve funds were used to purchase a new truck for G&M, under budget with enough left to cover additional conversion costs to accommodate our snow plow and sander. Reserve funds have also been used to pay a ½ deposit toward a new heating system for the clubhouse. Total cost is not known yet, but is expected to be below the total budget of \$30,000.

MBRCC has 439.5 lots that pay dues of \$650.00 per year and that is equal to our annual budget income of \$285,675.00.

Currently all dues have been paid except for lot #11093 (Mr. Burgis) and that has a lien upon it of \$2,198.00 and another member with a small balance of \$44.01. The Burgis lien is not expected to be paid in the near future as the estate is in limbo due to the unknown whereabouts of Mr. Burgis. One other member has not paid his lien fee, but has now paid his dues. They have been billed for the outstanding balance and are expected to pay.

As of August 12 there is less than \$2K in billed revenue due MBRCC that is mostly rental income. Angela has done an excellent job of communicating with our members to achieve this.

The Voin Trust did not receive (or accept) our certified letter re: the lien and past dues owed. There is no current expectation of collecting on this at the present time. The 2 lots that are owned by this trust are not counted as dues paying lots in our budgets. Further investigation is needed to decide if MBRCC wishes to take any legal action to recover.

d. Legal and Insurance

No report.

e. Grounds and Maintenance

Dennis Larson reported:

Dodge truck: We have purchased a new 2016 Dodge truck from Rim owner Bob Campbell (19037 Glacier Rim Dr), owner of Karmart in Burlington, for \$40,860. This is well within the budgeted \$45,000 and a great find by Aaron. The truck has not yet been delivered and will require modification to accommodate the snow plow, but this can likely be done and still stay within budget.

Clubhouse heat: We have given the okay for West Mechanical to begin work on the new heating system with the work being done after pool season. Aaron is working on getting the electrical installed for the heat pump, which is not part of the bid. This additional cost should be no more than \$400-\$500.

Paving: The bid for repaving 3 sections of roadway (Pickett Lane, Shuksan at Cedar Circle, and Shuksan north of Pinnacle) from Western Refinery Services is almost \$26,000, well over the budgeted \$18,000. We have decided to do only 2 of the sections this year, Picket Lane and Shuksan at Cedar Circle, for a cost of around \$16,000 and, hopefully, apply the remaining budget to next year's paving. The work is to be done in September, no scheduled date yet.

Clubhouse siding: Aaron is pricing materials for the entrance area. We are proposing a design similar to the metal wainscoting around the new garbage compactor. This design would be extended around the entire clubhouse as we replace the remaining siding in the next three years. We would like some Board input on preferences.

Pool: The new pump has been installed and the pool has been running smoothly.

f. Property Standards

No report.

g. Violations

Dodie Fox reported:

18003 Barking dogs 7/5/17

Warning letter issued 7/21/17

22007 Pinnacle Rd. Unauthorized tree removal

On agenda Pete is taking the lead on this matter

14061 Member renting cabin without submitting forms 7/29/17

Fine issued for multiple violations

The following items were reported to the office but they are not technically violations:

21012 hot tub vandalized 7/30/17

Members neighbors saw vacation renters from another property break into hot tub late night after a party. Evidently our hands are tied and we can't step into this neighbor-to-neighbor matter. No action taken.

22003 Pinnacle trespass report 7/20/17

Garbage can stolen

No action taken

Drone invasion of privacy report

We have no governing documents addressing this issue.

Staff abuse by guest of member 7/22/17

Pete issued letter to member

h. Member Relations

Dawn updated her new member flyer.

i. Director-at-Large

No report.

**4. Unfinished Business**

a. Colin Kennedy, 22007, fine letter: Pete Berow — the letter has not been sent to him yet because we didn't know if we should fine him for more than one tree. We can fine him for the one tree. Mr. Kennedy is beginning a new project and must submit a plan. He has not submitted a plan, which he is required to do. He must submit a survey. He cleared his lot. If the Board chooses, we can fine him for every tree cut. We should start from present: MBR needs a survey for new construction (garage), certified and filed with Whatcom County and the office. He'll receive a letter from the Board. Aaron, Mark, and Pete will give Angela guidance before Mr. Kennedy proceeds any further. In the letter, we need to stipulate he needs a survey.

**5. New Business**

a. Social Committee reports at Board meetings — Ed Keller: we covered this earlier.

b. Future funding of social events — Ed Keller: we covered this earlier.

c. Accounting issues for social events — Ed Keller: we covered this earlier.

d. Can guests use the pool without a member present? — Dodie Fox: once the key cards are upgraded, we'll notify members by phone when she comes back in September. Dawn Chaplin: members and their immediate families can use the pool. If member is at their cabin, their family members can use the pool. Members, family, non-paying guests can use the pool. Dodie will monitor the key cards. Lida Vacek said the issue keeps getting worse. Dawn said there are not many people in the pool except on weekends. Dodie thinks taking care of the gate cards will solve some of these problems.

e. Secure place for executive session minutes, office security — Ed, Pete:

**ACTION:** Dodie Fox moved to table this until September meeting. Dawn seconded. **Motion passed.**

f. Job descriptions — Pete Berow wants us to write what we do and we'll include it in a notebook.

g. Policy: admitting guests through gate -- Dodie, Ed: the member whose guest was impolite to Angela apologized and sent Angela a \$25 gift certificate.

h. Many outsiders at pool, we need a clear and enforceable policy — Lida. Dodie: this issue might be solved by key card update project.

i. Motion to approve increase in vacation time for part-time Office Manager position — Ed: Our Employee Handbook sets out the requirements for benefits according to length of service and also full-time or part-time service. Angela is entitled to a 10-day (two week) pro-rated vacation time equivalent to her average hours worked during her regular schedule. She is currently accruing a 5-day (one week) vacation time based on working 28 hours per week. This was an oversight when her 2017 contract was written. I would like to give our payroll service company permission to double her accrual rate and make it retroactive to the beginning of this year.

**ACTION:** Dodie moved we accept this motion. Mark Ablondi seconded. **Motion passed.**

j. Ongoing old gate card cancellation issue — Dodie: we already covered this issue.

k. MBRCC tree policy — Pete. Aaron said he checked out the policy at Snowline, where they were very strict about not cutting trees, and this year they invested \$20,000 in cutting problem trees. MBR should write policy that gets members to come to Board and caretaker for permission to cut trees. Pete Berow: we have no guidelines for construction after the initial building of a home. Building and lot maintenance regulations: no tree under 9" diameter needs written permission. Mark Ablondi recommended we keep the 9" diameter at 5' high. Pete Berow: we'll talk about dangerous trees at the next meeting.

**ACTION:** Dodie Fox moved: MBR reduces the size for lot maintenance/development tree removal to trees 6 inches in diameter at 5 feet high from ground height under "Building and Lot Maintenance" in Property Standards. Ed Keller seconded. Mark Ablondi and Lida Vacek voted against. **Motion passed.**

l. Ed Keller: we transferred \$20,000 from general funds to reserves already this year.

**ACTION:** Ed moved to transfer \$20,000 from general fund to MBR reserves fund. Motion passed.

m. Aaron Ebner: does the Board approve metal wainscoting and Hardi-plank siding similar to dumpster fence? Should be \$1500 - \$2000. The Board approved.

**6. Meeting Adjourned:** Meeting adjourned at 9:33 p.m. Mark Abondi moved to adjourn, Dodie Fox seconded.

\*The Board may convene in closed executive session to consider personnel, legal, liability, or issues dealing with violations.

Next Board meeting is Friday, September 15, 2017 at 7:00 p.m. in the clubhouse.

Signed:

\_\_\_\_\_

Dated: \_\_\_\_\_

MBRCC Board of Directors

Print Name and Title: \_\_\_\_\_