

NEWPORT YACHT BASIN ASSOCIATION
MEETING OF THE BOARD OF DIRECTORS

October 20, 2014

Notification for this meeting was given in an email from Steve Rieger on October 17, 2014. Steve sent out an agenda with the notification which is included with these minutes for reference:

AGENDA

NYBA BOARD of DIRECTOR'S MEETING

Monday October 20th – 8:00 AM – 11:00 AM

NYB Marina Office

1. Owners Attending-

Karl Lang (Reserve Study)

Dave Jacobs (parking passes)

2. Call to Order – Steve

3. Secretary Report – Bill

4. Treasurer Report – Jeff

5. Issues for Discussion

- a. Update information for the Water Traffic Committee. (Bill)
- b. Tract B Lease amendment to provide the 20' of access.
- c. Water utilities easement for incoming water lines. Steve Kitz is drafting.
- d. Billing breakdown between NYBA and SBC for work done by Chris McKay.
- e. SBC construction to start on lot 6.
- f. Schedule for B dock bulkhead replacement.
- g. Condo Law renewal of corporation status.
- h. Sean's resignation from the Board to be accepted and appointment of Sid to replace Sean.
- i. Agreement for the single site plan was done by email but needs to be formally voted on.

Next Board Meeting

Discussion:

1. Karl Lang was not able to attend the meeting. Dave Jacobs had several items he wanted to talk over with the Board:
 - a. Dave objected to Rule 15 in the revised Rules and Regulations (R&R). Rule 15 states that "Any watercraft not visibly exhibiting a current Washington State, US Coast Guard registration or exhibiting any registration must be removed from the Marina at the direction of the Board of Directors." Dave said that the law does not require a boat that is kept in slip or unit that is individually owned to maintain current registration. We informed Dave that Sid Rubin researched the new Derelict Vessel Law and believes the Law does require boats in the marina to have current registrations. The Board will relay Dave's objection to Sid and Dave said that he will also talk with Sid about this.
 - b. Dave object to the requirement that Tom hand out all parking passes. Dave wants to hand out passes to his renters. In the past, Dave had the ability to hold one or two of the parking passes so he could park at the marina and inspect the units that he was renting out. We told him that Tom can accommodate him with a temporary pass but that Tom needs to maintain control over passing out passes to all that park in the marina. Tom needs to meet with anyone that has a boat in the marina to make sure insurance and other information is up to date.
 - c. Dave objects to us allowing representatives from the State Department of Revenue to enter the marina to look for any current registration violations. He says we should require a search warrant before allowing anyone to enter the marina or look at our records. Currently, we allow representative to enter the marina without a search warrant but we do not allow anyone to look at our records without a warrant.
 - d. Dave asked that we consider constructing a breakwater structure as he has seen damaging wave action since the breakwater was removed several years ago. We told Dave that the replacing the breakwater is not in our plans at this time. Seattle Boat may want to install a breakwater as the fuel dock at the end of B dock is exposed to wave action.
 - e. Dave left the meeting after we completed his discussion items.
2. Steve called the meeting to order @ 8:45 AM
Board Members present: Steve Rieger, Jeff Hoyt, Kyle Anderson and Bill Raleigh
Board Member absent: Sean Kearns
Marina Manager: Tom Lisk
Owner present: Dave Jacobs
3. Minutes from the August 20 and 22, 2014 meetings were approved.
4. Treasurer Report:
 - a. Jeff handed out the reconciliation report which was approved and attached to these minutes.
 - b. Treasurer Report was approved.

5. Issues for discussion:

- a. Bill said that the Water Traffic Committee last met on September 19. Trevor Campbell, SBC was not able to attend; so, not much was accomplished. Trevor has a number of action items assigned to him. The next meeting to be scheduled for December 9.
- b. The Board approved the Tract B Lease Amendment.
- c. The Board approved having Steve Kitz drafting blanket utilities easements for public utilities including water.
- d. The Board approved a 50% - 50% billing split with Seattle Boat for attorney work performed by Chris McKay.
- e. Steve confirmed that SBC construction should begin soon with temporary facilities built on the lot 6 for SBC to occupy during construction of their new facilities.
- f. We hope to begin construction of the B dock bulkhead by November 15, 2014.
- g. Condo Law renewed NYBA corporation status.
- h. The Board accepted the resignation for Sean Kearns and appointed Sid Rubin to serve out the rest of Sean's term on the Board.
- i. The Board approved signing the Single Site Agreement.

The next meeting was set for December 2, 2014 @ 8:00 AM.

Attachments:

1. Approved reconciliation reports

Action Items:

1. Steve will sign the Tract B Lease Agreement.
2. Steve will ask Steve Kitz to draft blanket utility easements for NYBA and SMMC.
3. Steve will propose to Alan Bohling that we split the cost for attorney fees billed by Chris McKay 50% - 50%.
4. Steve will finalize the next eblast to be sent out to Owners.