

**BAYSHORE BEACH CLUB, INC.  
BOARD OF DIRECTORS MEETING**

**Saturday, October 15, 2022 Agenda**

**Quorum**

		Attending	Absent
Kenn Apel, President	Division 1	_____	_____
Kate Guptill, Director	Division 1	_____	_____
Steve Sager, Director .	Division 3	_____	_____
Tom Hurt, Vice President	Division 4	_____	_____
Carolyn Gardner, Corporate Secretary	Division 5	_____	_____
Storr Nelson, Director	Division 5	_____	_____
Vivian Løjborg Mills, Director	Division 6	_____	_____
William Nightingale, Director	Division 7	_____	_____
Michael Vest, Director	Division 7	_____	_____

**Approval of Minutes of September 17, 2022 Board Meeting**

**Good News**

**Members' Comment: Agenda Item Comments**

**Reports**

- A. Financial report:** Carolyn Gardner, Secretary/Treasurer; **Report submitted**
- B. Facilities:** Bob Tunison, Facility Manager, **No Report**
- C. Committees**
  - a. Planning:** Michael Vest, Liaison; **Report Submitted**
    - Requested actions
      - Recommended changes to Guidelines for Determination
      - Resolution for changes to fine schedule
      - BOD guidance re: voluntary
  - b. Long Range Reserve & Physical Assets:** Tom Hurt, Liaison, **Report Submitted**
  - c. Safety:** Chair Karen Fitzgerald, Steve Sager, Liaison; **Report Submitted**
  - d. Policies and Procedures:** Chair Debbie White, Storr Nelson, Liaison; **Report Submitted**
    - Board P&P Discussion: 1) Change in term for office manager, 2) Change to Ethics Statement, 3) Statements re: children 14+ years old, 4) Other
  - e. Social:** Chair Roger Smith, Vivian Løjborg Mills, Liaison; **Report Submitted**
  - f. Communications:** Kenn Apel, Liaison; **Report Submitted**
  - g. Budget/Finance:** Chair Mary Lou Morris, Carolyn Gardner, Liaison; **No Report**
  - h. Canal:** Chair Karin Couch, William Nightingale, Liaison; **No Report**
- D. Task Forces**
  - a. Beach Access Task Force:** **No Report**
  - b. Task Force for non-discriminatory language changes in founding documents:** **No Report**
  - c. Bylaws Task Force:** **Report Submitted**
- E. Motion to accept all reports for minutes**

## **Unfinished Business**

- A. Artisans' Group update
- B. Update on capital projects
  - Mackey Park
  - ADA compliant remodel plan for the clubhouse
- C. Appeal of BOD fine for failure to follow C&Rs

## **New Business**

- A. Member participation on committees and the board
- B. Ongoing annual sand maintenance agreement for beach accesses
- C. Legal Counsel
  - a. Board liaison communication on committee
  - b. Fireside Chats
  - c. Owner files
  - d. Official record of BOD meetings
- D. Bayshore tax status
- E. Property/residential manager
- F. Towing
- G. What do members' dues pay for?
- H. Member Agenda Items
  - a. Deborah Nolan: East Parking Lot
  - b. Shelly Woodke: East Parking Lot
  - c. Carl Andry: East Parking Lot
  - d. Uschi Erdmann-Gamel:
    - i. Platform on former tsunami pole for osprey
    - ii. Annual moratorium on house building and cutting of trees from April – September due to wildlife breeding time
- I. Other

## **Member Comments**

## **Executive Session**

## **Adjournment**

### **Zoom link for Bayshore Board of Directors Meeting**

**Time: Oct 15, 2022 01:00 PM Pacific Time (US and Canada)**

### **Join Zoom Meeting**

[https://us06web.zoom.us/j/89849262766?pwd=Mk0xQWFYVysxNXVmajJMMXpISUxZU\*\*T09\*\*](https://us06web.zoom.us/j/89849262766?pwd=Mk0xQWFYVysxNXVmajJMMXpISUxZU<b>T09</b>)

**Meeting ID: 898 4926 2766**

**Passcode: 453529**

**One tap mobile**

**BAYSHORE BEACH CLUB, INC.**

**MONTHLY REPORT TO BOARD**

**September 30, 2022**

As of September 30, 2022, the 2021 Operating fund balance is \$130,998.46 (58,430 is earmarked as reserve funds to transfer for special projects)

As of September 30, 2022, the 2022 Operating fund balance was \$25,665.04

As of September 30, 2022, the 2023 Operating fund balance was \$131,706.61

As of September 30, 2022, the Long Term reserve fund balance is \$369,597.29

Accounts receivable balance as of September 30, 2022 is \$ 33,871.03

Contingency Fund balance as of September 30, 2022 is \$19,000

Current Liabilities including accounts payable and payroll related items total \$ 8,620.94 as of September 30, 2022.

There were 7 property transfers in September.

The financial reports are prepared by:

Carolyn Gardner  
Corporate Secretary  
Board member from district 5

## **Planning Committee Report to the Board of Directors, October 5, 2022**

- 1) Date report submitted: October 5, 2022. Report covers September 14 – October 4, 2022
- 2) Planning Committee & Membership Update
  - a) Planning Committee continues to meet on Tuesdays from 9-11AM in the office
  - b) The committee has met each Tuesday since last BOD meeting (9/20, 9/27, 10/4)
- 3) Since last report:
  - a) PC is continuing to clean up Construction & Violations Log, committee email inbox, and old files
    - i) 110 active construction files (100 approved, 10 pending)
    - ii) 42 active complaint files
  - b) New Construction:
    - i) New Construction with height variance approved – 1
  - c) Projects: (approved/submitted)
    - i) Painting – 4/4
    - ii) Fence – 3/3
    - iii) Deck – 1/1
    - iv) Siding repair – 4/4
    - v) Reroof – 1/1
    - vi) Remodel – 1/1
    - vii) Driveway re-grading – 1/1
    - viii) Backup Generator (for Pioneer Telephone) – 0/1
  - d) Permits: none
  - e) Complaints filed:
    - i) Trees – 4
    - ii) Trash/Unkempt Home – 1
    - iii) Noxious plants – 2
    - iv) Height Variance – 1
    - v) Not C&R violations – 9
  - f) Complaint Letters Sent
    - i) Informational – 5 (trees: 3, noxious plants: 1, trash/unkempt home/noxious plants: 1)
    - ii) Notice of Violation – 0
    - iii) Notice of Fine – 0
    - iv) Refer to Board of Directors for fine – 0
  - g) Complaints Resolved – 0

### **Actions for BOD meeting:**

1. **Planning Committee recommends changes to Guidelines for Determination**
2. **Planning Committee recommends resolution for changes to Fine Schedule**
3. **Planning Committee asks for BOD guidance regarding voluntary fines**

Submitted by Bayshore Planning Committee: Becky Hanken, Mark Mugnai, Jeri Reinhart, Mike Vest (BOD Liaison), Paul Williams (Chair)

## Proposed Guidelines for Determination Changes

(proposed changes highlighted in yellow)

**Page 5:**

### **C & R Article II, Subsection 8:**

Nuisance or Noxious: ~~Fireworks are prohibited in Bayshore. Fireworks are prohibited in Bayshore except on July 3rd and 4th. Legal fireworks are permitted on July 3rd and 4th unless weather conditions are so hazardous that the Board of Directors elects to withdraw permission.~~ Sparklers, snakes, fountains, and spinners are not considered fireworks (ORS 480.112). All fireworks are prohibited on the beach per OAR 736-021-0100.

**Page 7:**

### **C & R Article II, Subsection 10:**

#### Recreational Vehicles

1. Recreation Vehicles (RV) parked overnight where visible is prohibited except as noted in No. 2 below. "Recreational Vehicles" include motor homes, fifth wheels, travel trailers, ATVs, campers, and/or similar type of property. Pickup trucks with bed-mounted canopies are permitted, as are camping vans that are the same approximate size as passenger vans. "Sprinter" type vans are considered passenger vans unless they are for commercial use (see *Commercial Vehicles* below).

Bayshore Beach Club, Inc.  
Board of Directors

Resolution to modify the Policies & Procedures Section C1, Planning Committee, Relating to  
Changes to the Fine System

WHEREAS, “Declaration” is the Declaration of the Covenants and Restrictions of Bayshore Division 1 and all other subsequent Divisions of Bayshore through Division 7, “Guidelines” is the Bayshore Beach Club Guidelines for Determination, “Act” is the Oregon Planned Community Act, Oregon Revised Statutes Chapter 94, “Association” is Bayshore Beach Club, Inc. and “Policies” is Policies and Procedures.

WHEREAS, ORS 94.630(1)(a) allows the association to adopt rules and enforce compliance with the Declarations, Bylaws and Rules and Regulations;

WHEREAS, the Board deems it in the best interest of the association to revise the Text of C1 of the Policies & Procedures, Planning Committee, C&R Violations and Fine System relating to specific additions to the Fine Schedule:

- Use of fireworks within Bayshore, with a fine of \$2,500.
- Dumping of material in or on any Bayshore Beach Club, Inc. property, including the canal, with a fine of \$500;

The Bayshore Beach Club, Inc. Planning Committee as described in the Bylaws, Article V, Section 5 and the Declarations Article II, Section 7, requested the above noted changes to the Response Timeline and Changes to the Fine System.

NOW THEREFORE IT BE RESOLVED that the above noted changes set forth above be hereby adopted and will be made effective February 1, 2023.

NOW THEREFORE IT BE RESOLVED that a copy of this Resolution shall be mailed to all Owners at their last known address.

Dated this 15th day of October, 2022.

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President, Board of Directors

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Vice President, Board of Directors

MEMO

**DATE:** October 15, 2022

**TO:** Bayshore Board of Directors

**FROM:** George Kressley, Long Range Asset/Physical Assets Committee Chairperson; Tom Hurt, Board Liason; Mark Mugnai, Committee member; Bob Tunison, Ex Officio member

**SUBJECT:** October Board Report

\*\*\*ACTION ITEMS:

Questions being addressed to the board for clarification related to guidelines under which the Long-Range Asset/Physical Asset Committee will operate:

- Is it the intent of the Board that all HOA owned physical assets, new and old, fall under the management of the Long-Range Asset/Physical Assets committee or just the long-range physical assets?
  
- Clarification, please, on the difference between and ‘physical asset’ and a ‘long range’ asset?
  
- At what level of expense does the Board wish to review and approve repairs/maintenance of existing physical assets? For example, routine maintenance of physical assets should be covered under the annual planning/budgeting cycle. Is there a “cap” for unplanned but critical maintenance or asset expenses or should all of these be reviewed by the Board?

It is our intent to address these questions to the board at this meeting so that the board has time to discuss them in depth, if necessary, before providing the committee with their answers at the November board meeting.

## **Bayshore Safety Committee Meeting Minutes 10-7-22**

Attendance: Karen Fitzgerald, Chair, Steve Sager, BOD liaison, Jesse Peters, Steve Cooper-absent

Karen reported she had contacted Skip Smith with the Seal Rock Fire District, and requested they reformat the response reports for publication to the Bayshore committee. As of this date, there has been no response.

Karen submitted the National Safety Preparedness month and the Lincoln County Safety Fair information to the office for distribution to the Bayshore residents.

Steve Sager obtained and shared the Bayshore Facilities job description. The committee reviewed the document to increase their awareness of current duties and to avoid any duplication of tasks between Facilities and the committee.

The committee reviewed options to address moisture in the emergency cache. They are considering trying desiccant dehumidifiers.

Action Items:

- Purchase desiccant dehumidifiers for the emergency cache - Committee

Next meeting – To be scheduled

Respectfully submitted,

Karen Fitzgerald



Meeting for September 28, 2022 (7:00 to 8:30 pm) Next meeting - Zoom – October 19<sup>st</sup> @ 7:00 pm

Attendance: Storr Nelson (Board Liaison), Debbie White (Chair), Elaine Ferguson, Kathi Lenz & Gary Brown

**September's BOD meeting issues**

Back Patio – reviewed & discussed alternatives - cleaned up both rental documents to match wording and formatting (Finalize for October)

Remove language from P&P about Road District (names/contact) – need information – Storr will get

Definition of liaison – need wording and where to place – Storr will get

**Old Business**

Bid process for Long-range planning committee (Update from Storr for November)

Final Review of Nominating & Election Committees (Finalized both for October)

Sign issue (Wording from Gary for November)

Committee section (Update from Kathi & Elaine – will review for November)

**New Business**

Bayshore Grounds and Parking Lots (Finalized for October)

Need to find one more committee member

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**Items needing Action from BOD in October**

**Action:** Request approval Backyard Patio Rental Agreement

**Action:** Request approval Clubhouse Rental Agreement

**Action:** Request approval Nominating Committee

**Action:** Request approval Election Committee

**Action:** Request approval HOA Parking Lot and Grounds

# Bayshore Beach Clubhouse Member Rental Agreement

Member Name: \_\_\_\_\_ Member# \_\_\_\_\_

Date Desired: \_\_\_\_\_ Hours Needed: \_\_\_\_\_ to \_\_\_\_\_ # of Guests: \_\_\_\_\_

**Ballroom:** \$25.00 per hour

- Does not include the use of the kitchen, pool, recreation/weight room, or downstairs area of the clubhouse
- Does not include the use of Backyard Patio (Separate rental agreement must be completed.)
- Only includes the use of the upstairs Clubhouse restrooms

Event Hours (includes set up/clean up) \_\_\_\_\_ @ \$25.00 Due \$ \_\_\_\_\_

**Kitchen:** \$15.00 per hour

- Does not include the use of Backyard Patio (Separate rental agreement must be completed.)
- Only includes the use of the upstairs Clubhouse restrooms
- Does not include the use of the pool or any of the downstairs area of the clubhouse

Event Hours (includes set up/clean up) \_\_\_\_\_ @ \$15.00 Due \$ \_\_\_\_\_

**Ballroom:** \$15.00 per hour

- For events of 15 people or fewer, not using the kitchen, special rate of \$15 per hour

Event Hours (includes set up/clean up) \_\_\_\_\_ @ \$15.00 Due \$ \_\_\_\_\_

All Rental charges to be paid in full at least two weeks prior to reserve the date and times requested. The fee shall be paid by check written by the renting member.

REFUNDABLE DEPOSIT to be paid in full to reserve the dates and times requested. All Events: Conditional refundable \$200.00 Damage/Cleaning Deposit Total Amount Due "Bayshore Beach Club, Inc." (Deposit will be refunded within 30 days after event, if earned)

**TOTAL AMOUNT DUE:** Rental: \_\_\_\_\_ + \$200.00= \$ \_\_\_\_\_ Check payable to "Bayshore Beach Club, Inc."

**Bayshore Member Rental Policy:**

- Member must be in good standing
- Member must attend the entire event.
- **Bayshore Member must sign this agreement.**
- No smoking is allowed within 15 feet of the Clubhouse.
- All clean-up must be completed by 10:00 pm on the event date.
- All participants must comply with current health and safety protocols. Initial: \_\_\_\_\_

- Facility Manager is responsible to determine the amount to refund of the deposit. The building and all equipment must be in condition as found. Any damages/cleaning may forfeit the deposit. In such case as the damage/cleaning exceeds the refundable deposit it is agreed that the renter will reimburse Bayshore Beach Club, Inc. in the amount of said excess. Initial: \_\_\_\_\_
- Per Oregon State Law: the member renting any Bayshore Beach Club Facility is responsible if liquor is served, and required proof of liability insurance for the event. No consumption of alcohol by anyone under 21 years of age is allowed. Initial: \_\_\_\_\_

Because Bayshore Beach Club, Inc is a non-profit organization, the premises shall not be rented to any commercial or non-commercial organization for soliciting, selling, or actual sale and delivery of any material item or service. Non-profit organizations sponsored by BBCI are exempt. See BBCI Bylaws Art IX, Sec 6

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Name of Insured: \_\_\_\_\_

Address of the Insured: \_\_\_\_\_

Name of Insurance Company: \_\_\_\_\_

Policy Number: \_\_\_\_\_

Amount of liability: \$ \_\_\_\_\_ Amount Received: \$ \_\_\_\_\_ Check Number: \_\_\_\_\_

Member Signature \_\_\_\_\_ Date: \_\_\_\_\_

Member Name (Please Print) \_\_\_\_\_

Facilities Manager Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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**To be completed after the event...** Deposit Refunded: Yes No Partial

Amount to be refunded: \$ \_\_\_\_\_ Check Number: \_\_\_\_\_ Date: \_\_\_\_\_

Explanation for amount of refund:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Changed pursuant BOD action March 17, 2012  
 Approved BOD action November 15, 2008-(except where noted)  
 Revision approved BOD action 1/22/2022  
 Revision (to be approved) 10/15/22 (small edits to reflect similar edits with Backyard Patio rental)

# Bayshore Backyard Patio Member Rental Agreement

Member Name: \_\_\_\_\_ Member# \_\_\_\_\_

Date Desired: \_\_\_\_\_ Hours Needed: \_\_\_\_\_ to \_\_\_\_\_ # of Guests: \_\_\_\_\_

## Backyard Gazebo area: \$15.00 per hour

- Does not include the use of the clubhouse or kitchen (Separate rental agreement must be completed.)
- Only includes the use of the downstairs Clubhouse restrooms, will be closed by 10:00pm
- Garbage must be dumped (Garbage can north end of cement slab)

Event Hours (includes set up/clean up) \_\_\_\_\_ @ \$15.00 Due \$ \_\_\_\_\_

All Rental charges to be paid in full at least two weeks prior to reserve the date and times requested. The fee shall be paid by check written by the renting member.

REFUNDABLE DEPOSIT to be paid in full to reserve the dates and times requested. All Events: Conditional refundable \$200.00 Damage/Cleaning Deposit Total Amount Due "Bayshore Beach Club, Inc." (Deposit will be refunded within 30 days after event, if earned)

TOTAL AMOUNT DUE: Rental: \_\_\_\_\_ + \$200.00= \$ \_\_\_\_\_ Make check payable to "Bayshore Beach Club, Inc."

## Bayshore Member Rental Policy:

- Member must be in good standing
- Member must attend the entire event.
- **Bayshore Member must sign this agreement.**
- No smoking is allowed within 15 feet of the Clubhouse.
- Neither pool nor the upstairs areas are part of this agreement.
- All clean-up must be completed by 10:00 pm on the event date.
- All participants must comply with current health and safety protocols. Initial: \_\_\_\_\_
- Facility Manager is responsible to determine the amount to refund of the deposit. Grounds are to be clean, no garbage outside of provided garbage can, and no damage to the area or structures. Any damages/cleaning may forfeit the deposit. In such case as the damage/cleaning exceeds the refundable deposit it is agreed that the renter will reimburse Bayshore Beach Club, Inc. in the amount of said excess. Initial: \_\_\_\_\_
- Per Oregon State Law: the member renting any Bayshore Beach Club Facility is responsible if liquor is served, and required proof of liability insurance for the event. No consumption of alcohol by anyone under 21 years of age is allowed. Initial: \_\_\_\_\_

~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~  
Name of Insured: \_\_\_\_\_

Address of the Insured: \_\_\_\_\_

Name of Insurance Company: \_\_\_\_\_

Policy Number: \_\_\_\_\_

Amount of liability: \$ \_\_\_\_\_ Amount Received: \$ \_\_\_\_\_ Check Number: \_\_\_\_\_

Member Signature \_\_\_\_\_ Date: \_\_\_\_\_

Member Name (Please Print) \_\_\_\_\_

Facilities Manager Signature: \_\_\_\_\_ Date: \_\_\_\_\_

~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~

**To be completed after the event...**    Deposit Refunded:    Yes    No    Partial

Amount to be refunded: \$ \_\_\_\_\_ Check Number: \_\_\_\_\_ Date: \_\_\_\_\_

Explanation for amount of refund:  
\_\_\_\_\_  
\_\_\_\_\_  
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M4 Use of HOA Parking Lot and Grounds page 49/50

### General Policies

1. Dogs must be leashed while on club property. Owners must clean up after their animals.
2. Members and guests are asked to use receptacles for all trash, and to properly extinguish and dispose of smoking materials without littering.
3. Horses are prohibited.
4. Vehicles are not permitted except in paved or graveled areas designated for that purpose. No parking on the grass.
5. Illegal dumping is the unlawful disposal of construction debris, combustibles, toxic materials, commercial or household waste within Bayshore, instead of permitted facilities such as landfills, and may result in fines. (Oregon's DEQ).

### Parking Lots

Except as otherwise described provided in items 3 or 4 of "East Club Parking Lot", below, no boats, RVs, commercial vehicles or equipment, horses, horse or utility trailers, etc. are permitted at any time unless necessary for club maintenance, ~~and~~ and . Overnight parking is prohibited in any HOA parking lot. Parking in front of the garage and in the driveway south of the clubhouse is prohibited.

### **West Club Parking Lot**

1. Parking is authorized for Bayshore members. ~~Parking is also authorized for~~ and invited guests who are attending functions at the clubhouse.
2. ~~Parking is prohibited from 11 PM to 7 AM.~~
3. Parking is prohibited directly in front of the beach access. No vehicle may use club property to access the beach except authorized emergency and law enforcement vehicles.

### **East Club Parking Lot**

1. ~~1. Parking in the east lot is for Bayshore members and renters, and for~~ invited guests ~~utilizing club facilities or attending club functions.~~ who are attending functions at the clubhouse.
2. ~~Overnight parking is prohibited except as provided under items 3 or 4 of this section. We inserted this because the outright prohibition is conditioned in those items cited.~~

3. 2. Commercial equipment (paving vehicles, bulldozers, flatbeds, dump trucks, etc.) may be stored in the east northwest side of the lot, with exhaust pipes facing westward when actively being used for work within the community, and only if it is impractical impossible for the equipment to be stored on the job site. The equipment must be used at least every 48 hours. The contractor or operator must notify the HOA Office Manager before leaving any equipment overnight, to receive of an over-night parking permit. Contractors working on any HOA property will not be charged an over-night parking fee. and All commercial vehicles and equipment shall be removed must remove the equipment as soon as it is no longer regularly required for use on a job site.
4. 3. Commercial vehicles may temporarily use the east lot, yet may not idle longer than 5 minutes in any 60 minutes period. (ORS 825.605)
5. 4. Equipment must have clear identification of ownership and contact information in the event of emergency. Commercial vehicles dedicated to road sand clearing in south Bayshore may be stored in the lot during the winter and spring months.
6. 5. Failure to follow these rules may result in towing at the owner's expense.

#### Playground and Tennis Courts

1. The playground and tennis courts are open from sunrise to sunset. ~~Sunrise to Sunset, closed from Sunset to Sunrise.~~
2. No alcoholic beverages are permitted
3. Children under 14 must be supervised by a responsible adult at all times.
4. (Ref; Articles of HOA Art III, ORS 94.630)

Policies and Procedures Committee  
Final Revisions for the Nominating Committee  
Submitted at October's BoD Meeting 2022

**Election Committee**

1. The Election Committee shall be appointed annually at the March Board of Director's meeting prior to the Annual Member Meeting.
2. The committee shall consist of at least four (4) and no more than six (6) members at-large and shall be approved by the Board for the current election cycle. The Corporate Secretary shall be the liaison between the BOD and the Election Committee. If the Corporate Secretary is up for re-election, the Board of Directors shall appoint a member of the Board who is not up for re-election to act as a liaison to this committee as the Corporate Secretary's designee.
3. All members of the Election Committee shall receive an informational packet containing the following:
  - Nominating and Election committee policy and procedures
  - List of Bayshore members by division with membership numbers used to track ballots/proxies
4. The chair shall be selected by the members of the committee and is responsible for coordinating the activities of the committee and providing updates/reports to the Board.

**Duties and Responsibilities of the Election Committee**

1. The committee is responsible for running the election for new board members held at the Annual Member Meeting of members, the third Saturday in May.
2. Prior to the Annual Member Meeting, the committee is responsible for working with the Bayshore Beach Club Office Assistant in providing the following documents to be included with the voting packet for the membership:
  - Written ballot/proxy
  - Voting instructions
    - How to mark and return ballot or use of proxy
    - Secrecy envelope
    - Return envelope (Marked with ballot or proxy)
    - Date on which ballots must be returned; mailed ballots must arrive no later than the Friday before the Annual Member Meeting, the day before the counting of ballots. Hand delivered ballots must be received no later than when nominations close, prior to the official counting of the ballots.
    - Date on which ballots will be counted



- Voting information

- Election of Board of Directors

- A list of the current Board of Directors, their respective divisions/term
  - The number of vacancies on the Board of Directors
  - Membership may select as many candidates as there are vacancies
  - Ballot with candidate names placed in alphabetical order
  - Proxy statement (only to be used instead of ballot)
  - Brief bio from each candidate
- Any other issues being addressed at the Annual Member Meeting which requires votes, along with total votes and/or percentages required to approve ballot proposals.

3. Prior to the Annual Members Meeting, members must be notified at least ten (10) days before ballots are mailed, the nature of the vote and when the ballots will be distributed.

4. Members will be mailed one (1) ballot/proxy for each lot owned not less than fifteen (15) calendar days or more than fifty (50) calendar days prior to the Annual Member Meeting.

5. All completed mailed or hand delivered ballots or proxies shall be sealed and locked in the ballot box until the day before the Annual Member Meeting. After the office has closed on the Friday before the Annual Member Meeting, the Chair and at least two (2) other members of the Election Committee, shall verify mailed and hand delivered ballots and proxies with the Master Membership List. All verified ballots will be returned to the locked ballot box until vote counting commences at the Annual Member Meeting, the following day. All verified proxies shall be separated and returned to the locked ballot box ready for disbursement on Saturday.

6. Upon arrival at the Annual Member Meeting all members attending the meeting must check in at the voting tables. The same Master Membership List, used above, will be used to check-in members as they drop off ballots and/or register proxies.

- To verify ballots had not previously been turned in

- Previously received written ballots may not be revoked

- A provisional ballot or proxy may be provided if a member had not received nor returned a ballot or proxy.

7. At the Annual Member Meeting, the presiding officer shall ask for any further nominations. If there are nominations from the floor - see Nominating Committee #11-#13.

8. If there are no nominations from the floor at the Annual Member Meeting, nominations will be closed.

9. Once nominations are closed, anyone who was nominated from the floor shall be considered a write-in candidate and no new ballots shall be printed. All outstanding ballots and proxies must then be collected at the direction of the Election Committee Chair and vote counting commences. No additional ballots, proxies or changes will be accepted.

10. Any member in good standing may observe the counting of the votes, but other than the Election Committee, no person may participate in or otherwise interfere with the process.

11. The total number of ballots must be reconciled with the Master Membership List. Any errors or inconsistencies on a ballot or proxy, that would invalidate it, must be noted, but the member will not be contacted to correct the the problem. This information will be included in the final election report to the Board of Directors.

12. If there is any division without representation, the nominee from that division who receives the most votes will be selected to fill the first vacancy. All remaining Board positions are filled by popular vote. Those who receive the highest number of votes are selected until all other open seats are filled. Board positions will be filled with priority given to a full-term or the longest remaining term within each division.

13. The Chair of the Election Committee shall submit the final Election results Report to the Corporate Secretary or the Board's appointed designee, who then is responsible for notifying the President of the voting results. The report must include total number of members voting, vote count for each candidate, newly elected members of the board and their respective Division and length of term, along with any anomalies or invalid ballots. The job of the Election Committee is complete.

14. All ballots and tally sheets for the election, shall be securely held for one (1) year, whereby, if there has not been an inquiry regarding the election or vote, the ballots shall be destroyed. (See Appeals Process)

15. The ~~results of the election~~ Final Election Report will be recorded in the minutes of the Annual Member Meeting and the new Board will take office. Any vacancy occurring after election results have been submitted to the Board of Directors is considered an appointment to the Board. (See Vacancy and Appointment Process)

#### Appeals Process

1. If there is a question regarding the election, a query is officially filed with the Board of Directors no later than 30 calendar days after the final election results are published in the minutes. The form shall include the date the query is filed, name(s) of those filing and the reason for the query.

2. The query will be addressed by the Board of Directors whereby the issue(s) will be considered. The Board has 15 calendar days, after the Board meeting, to respond to the query.

- Clarifying an issue
- Appointing a 3-member task force to investigate

3. The taskforce has 30 calendar days to look into the query and report its findings, along with any recommendations to the Board at their next meeting. The Board of Directors will determine if any further action is needed.

#### Vacancy and Appointment Process

1. Any member of the Board of Directors may resign or forfeit their position on the Board if they are no longer a member in good standing, a member of Bayshore Beach Club, Inc., or for any other personal reason.

2. After the final election results are reported to the Corporate Secretary, or designee, in the May Annual Member Meeting, any person filling a vacancy will be approved by majority vote of the remaining Board of Directors. This person will represent their ~~district~~ Division until the next Annual Member Meeting, whereby they will need to be elected by the membership to continue in that capacity.

#### ~~General~~ Voting Procedures

~~1.~~ 3. Election of the Board of Directors will be done by written ballot. All other voting that may take place in person at the Annual Member meeting or special meeting may be by written ballot ~~alone~~ or voice vote from the floor.

~~2.~~ 1. Members shall be entitled to cast one vote per lot, tract, or parcel owned regardless of the number of owners. (See Bylaw for complete requirements.)

~~3. The vote or proxy of a lot may be exercised by a co-owner in absence of protest by another co-owner. If the co-owners cannot agree, the vote of the lot is disregarded completely. A valid court order may establish the right of co-owner's authority to vote. (In Bylaws)~~

~~4.~~ 2. Voting occurs for the following reasons:

- Election of the Board of Directors in conjunction with the Annual Member Meeting.
- Amendments to the Articles of Incorporation in accordance with Oregon law.
- Amendments to the Bayshore Beach Club Bylaws.

- Resolutions or other issues at the Annual Member Meeting or special meeting.

- Any modification, closure, removal, elimination, or discontinuance other than on a temporary basis of any swimming pool, spa or recreation or community building requires an affirmative vote by a majority of members.

## Proxy

1. A member may designate another member as a proxy.
2. A single valid proxy must state who is being given the proxy, the scope of authority and must be dated and signed by the member.
3. The proxy terminates within one year after its date unless a shorter term is specified.
4. For the purpose of board elections, proxies must be verified they are valid and registered with the Election Committee and tracked on the Master Membership List. ~~Once nominations have been closed, all outstanding ballots must be collected at the direction of the Election Committee Chair.~~ Any valid proxy may continue to be used, if the scope of the proxy authorized voting during the Annual Member Meeting.
5. A member may not revoke a proxy except by written notice of revocation at the time of the Annual Member Meeting or special meeting.
6. If any voting has been done on a ballot, voting is considered completed and is not eligible for proxy.

Policies and Procedures Committee  
Final Revisions for the Nominating Committee  
Submitted at October's BoD Meeting 2022

**Nominating Committee**

1. The Nominating Committee shall be appointed annually at the January Board of Director's meeting.
  
2. The committee shall consist of one member of the Board of Directors and two members at large. The Board member shall be selected by the Board, and the two from the membership at large shall be approved by the Board. The Board member shall not be the Board President, nor can the director be up for re-election.
  
3. All members of the Nominating Committee shall receive an informational packet containing the following:
  - Policies and Procedures related to the Board of Directors and both the Nominating and Elections Committees.
  
  - List of Bayshore Board of Directors, their division, when each director was elected or appointed and when each term expires.
  
4. The chair shall be selected by the members of the committee and is responsible for coordinating the activities of the committee, and providing updates/reports to the Board and the chair of the Elections Committee.

**Duties and Responsibilities of the Nominating Committee**

1. Verify the term of each member of the current Board of Directors to determine the number of vacancies and divisions needing representation.
  
2. Communicate, to the membership, information regarding the upcoming election including which Bayshore Divisions have opens seats and the election process. This may be accomplished by sending postcards to all members and using social media and emails.
  
2. 3. Encourage members to represent their division on the Board of Directors with focus on any division that currently does not have representation.
  - Send a postcard with election information out to the entire membership.
  - Send an email detailing election information to the entire membership.
  - Prepare an article for The Breeze to recruit candidates.

~~3.~~ 4. Inform potential candidates of the duties and responsibilities of a member of the Board of Directors by providing all candidates, both those nominated prior to the Annual Member Meeting or nominated from the floor at the Annual Member Meeting, with all documents relative to Bayshore and the Board of Directors.

- Bayshore Articles of Incorporation
- Bayshore Bylaws
- Bayshore C&Rs
- Bayshore Policies and Procedures
- Ethical Standards Statement

~~4.~~ 5. Collect from each potential candidate, no later than ~~April 1~~ Noon on the last Friday in March, a signed Declaration of Candidacy, along with a signed Ethical Standards Statement and a statement acknowledging receipt of Bayshore Documents related to the Board of Directors (see above).

~~5.~~ 6. Obtain a brief bio from each candidate to be distributed to the membership with the election's material in the member packet.

~~6.~~ 7. Determine if each potential candidate is eligible to run for election

- Is there an open position within the potential candidate's division?
- Is the candidate a member in good standing?
  - Chair must receive the Declaration of Candidacy
  - Information obtained from Office Assistant.

~~7.~~ 8. Notify all potential candidates, ten (10) days prior to the April Board of Director's meeting, whether or not each candidate is eligible to run. Candidates must meet both requirements.

- Be a member in good standing
- Be running for an open space on the Board of Directors, within the potential candidate's Division.

~~8.~~ 9. Shall place in nomination, at the April Board meeting, a list of candidates for the open Board of Directors seats, along with related documentation. The documentation shall include, for all candidates...

- Verification of each candidate's eligibility to run (see #3 above)
- The signed statement acknowledging the receipt of Bayshore Documents
- The signed Ethical Standard Statement
- Receipt of photo (optional) and a brief candidate bio (200 words or less)

~~9.~~ 10. Any member deciding to run after the ~~April 1<sup>st</sup>~~ last Friday in March deadline, will be considered a write-in candidate and must be nominated from the floor at the Annual Member Meeting in May. (See ~~#11, #12 & #13~~ #12, #13, & #14 - below)

~~10.~~ 11. Forward candidate photos and bios to the Elections Committee to be included in the member mailing and to the Communications Committee to be published in the Election's Special Edition of the Breeze

~~11.~~ 12. Nominations may be made from the floor at the Annual Member Meeting, provided the member nominated has been contacted in advance or is present, agrees to serve if elected, and provides the Nominating Committee with all signed relative documents, excluding the candidate photo and bio.

~~12.~~ 13. Notify potential candidates, who are nominated from the floor at the Annual Member Meeting, whether or not they are eligible to run. Candidates must meet both requirements.

- Be a member in good standing

- Are running for an open space on the Board of Directors, within the potential candidate's Division.

~~13.~~ 14. Only if there are nominations from the floor, at the Annual Member Meeting, may any eligible candidate in attendance have no more than two (2) minutes of introduction to those in attendance. Otherwise, there shall be no further campaigning or discussion. The job of the Nominating Committee is complete.

## **SOCIAL COMMITTEE REPORT OCTOBER 2022**

### **Bayshore Beach Club Fall Activities Line-up:**

Your Social Committee is gearing up for a full Fall Schedule of events, we hope that you will find time to join us.

Something new that we are doing starting this January, is to celebrate members birthdays after the BOD meetings. What we need from you is: your name, birthday month, and contact information (send info to email at bottom of page) (your contact info will not be used for any other reason). We will put all (corresponding month) names into a monthly drawing for a gift card to a local restaurant or store. (All December birthday's will be drawn at the November meeting).

**\*\*Are there any Veteran's out there who would like to get together for a Coffee Klatch? If you are interested in meeting other veterans in the community, please contact Keith Barnes: [barnes1250@gmail.com](mailto:barnes1250@gmail.com)**

Our Food Drive will be kicking off in October. There will be collection bins up in the Ballroom, or down in the office area. Last year we collected 400 pounds of food. This year's goal is 450!

- Oct. 14 - (6-9pm) – Game Night. We will be offering different games to play like Cribbage, Pinochle, Backgammon, and many more. We will have popcorn available. BYOB.
- Oct. 23 – (11-6pm) - Halloween decoration party. Time to dress the Ballroom up in all its creepiness.
- Oct. 29 – (6-9pm) – It's a Karaoke Halloween at the clubhouse. Dress up (optional), bring a carved pumpkin, an edible Halloween food item (or potluck item) and have fun listening or singing to your favorite Karaoke tunes. Prizes will be awarded for costumes, best pumpkin, best/scariest food item, and for singing. We will be kicking off our annual food drive so please bring a can of food for entry. BYOB (This is an adult's only event) - RSVP please
- Nov. 19 – (6-9pm) – Harvest Dance. Come dance the night away. Please bring a can of food for entry. BYOB (Adult's only) - RSVP Please.
- Nov. 27 – (11-6pm) – Christmas Decoration Party. Come join us as we dress up the Clubhouse for Christmas.



- Dec. 3 (9-2) & Dec. 4 (10-2) – Christmas Bazaar & Bake Sale. The Bayshore Artisan’s Group annual bazaar will be happening again this year. Entry into the event is 1 non-perishable food item. Please contact Paula Brubaker at 406-314-3485 or [bayshoreartisangroup@yahoo.com](mailto:bayshoreartisangroup@yahoo.com) if you would like to participate as a vendor for 1 or both days. Space is limited for vendors.
- Dec. 17 – Annual Christmas Party – (5-10pm). Come join other members for Bayshore’s Annual Christmas party. Doors open at 5pm, dinner will be served starting at 6pm. Please bring a white elephant gift. Space is limited. RSVP Please. (This is an adult’s only event)

We are still working on creating new and fun activities for 2023, we would love your input. We are looking for someone who would like to coordinate children’s activities for the upcoming year. If you are interested or would like to know more, please contact Roger Smith. Please send all comments, birthday info, and RSVP information to: [social.bayshorebeach@yahoo.com](mailto:social.bayshorebeach@yahoo.com)

Thank you,

Your Bayshore Social Committee members:

Roger Smith – Chair  
Ila ‘Babe’ Hamilton  
Karyn Vest  
Carol & John Westhafer  
Vivian Mills – BOD Liaison

Communications Committee Report

Bayshore Beach Club

October 2022

Committee Liaison: Kenn Apel

Action Item: I would like to nominate Pam Sturgeon as the new Breeze editor.

## **Bylaws Task Force Report**

September, October, 2022

September 12, 2022

In attendance: Kathie Bowlin, Gary Brown, Brittney Bryant, Elaine Ferguson, Katey Guptill, Kathi Lenz, Marv Waterstone, John Westhafer, Debbie White,

Absent: Storr Nelson

Task Force met to appoint a Chair, review our charge, create a timeline, and organize and assign tasks.

The Task Force discussed the following:

1. Elaine Ferguson was appointed Chair
2. We reviewed the motion made at the Members Meeting which created the Task Force.
3. Set schedule for meetings

September 19, 2022

In attendance: Kathie Bowlin, Gary Brown, Brittney Bryant, Elaine Ferguson, Katey Guptill, Kathi Lenz, Storr Nelson, Marv Watersone, John Westhafer, Debbie White

The Task Force met to discuss tasks and organize for our work.

Discussed were:

1. Review of current Bylaws and what needs to be done to satisfy HB2534 by 12/31/2022.
2. Assign tasks

October 3, 2022

In attendance: Kathie Bowlin, Brittney Bryant, Elaine Ferguson, Kathi Lenz, Storr Nelson Debbie White

Absent: Gary Brown, Katey Guptill, Marv Waterstone (resigned), John Westhafer

The Task Force met to continue review of the Bylaws and HB2534.

Each member volunteered to analyze and rewrite, if necessary, one or more Articles of the Bylaws.

**REQUEST FOR ACTION:** Due to resignations, the Task Force requests permission recruit two new members for the group.

Respectfully submitted,

Elaine Ferguson

Chair

Bylaws Task Force

2022-2023