

Bayshore Breeze

August 2017

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CONTACT INFORMATION

Bayshore Beach Club
1512 NW Oceania Dr.
Waldport, OR 97394

Phone (541) 563-3040
 Fax: (541) 563-6489
 E-Mail baybeach@peak.org
 Web Site: www.pioneer.net/~baybeach
 Caretaker--Stuart Fischer 541 563-7253
 Pool 541 563-3871

Open Swim, beginning September 5, 2017

MON-SUN 11:00 AM to 5:00 PM ONLY

Member's Adult Swim

MON-FRI	9:00 AM to 10:00 AM	AQUASIZERS
MON-SUN	10:00AM to 11:00 AM	ADULT LAP SWIM
	5:00 PM to 6:30 PM	ADULT OPEN SWIM

Schedule of Clubhouse Hours

The downstairs will be unlocked

Thurs--Mon	9:00 AM	5:00 PM.
Tues-- Wed	11:00 AM	3:00 PM.

The upstairs Clubhouse doors will be locked and unlocked according to the current schedule of group usage.

Members

**Pictures Needed To Fill
This Empty Space!**

**Please Share Pictures
Of Life In Bayshore**

*Send Your Pictures to
bobmowrer@gmail.com*

BAYSHORE
NEIGHBORS



MEET & GREET

SATURDAY, SEPTEMBER 16

3PM – 5PM (or later)

BAYSHORE CLUBHOUSE

RSVP Email BayshoreFUN@peak.org

Or call/text **505-269-7917**

REFRESHMENTS BYOB DOOR PRIZES

See Page 11 For More Information About September 16th Meet & Greet

Bayshore Contact Information 2016-17

Title	Name	Division	Term Expires	Phone Number	e-mail
President	Mel Blecher	4	2020	541-563-4282	mel59901@yahoo.com
Vice President	Mike McReynolds	6	2020	541-563-6072	mikemcr@peak.org
Member	John Pat Johnson	1	2019	541-264-1537	johnjohnson8720@sbcglobal.net
Corporate Secretary	Terry Pina	2	2018	541-563-2851	mikeandterry1@charter.net
Member	Michael Bradshaw	3	2020		
Member	Skip Smith	3	2019	541-689-9654	sdkipsmith@msn.com
Member	Mel Blecher	4	2020	541-563-4282	mel59901@yahoo.com
Member	Phillip Arnold	5			
Member	Ann Turner	7	2018	541-760-3296	turners.j@comcast.net

Planning Calendar for Board of Directors

MAY

- o Spring Clean-Up--not 3rd Sat.*
- o Annual Meeting of the members is held on the third Saturday in May.
- o Board elections are held at the annual meeting
- o Organizational Meeting
- o Elect Board Officers.
- o Select Secretary-Treasurer.
- o Approve Budget.
- o Select Budget Coordinator.
- o Fix the annual dues.

JUNE

- o June 30th, last day of fiscal year.

JULY

- o July 1, first day of fiscal year.

AUGUST

SEPTEMBER

OCTOBER

- o Conduct property inventory

NOVEMBER

- o Property inventory to Board

DECEMBER

- o No Regular BOD meeting.
- o Holiday Food Drive
- o Employee Evaluations

JANUARY

- o Committees to prepare budget requests for submission next month.
- o Appoint Financial Audit Committee. Orders an annual review of the financial statement by an independent CPA within 180 days after the end of the fiscal year, and ensures that necessary income tax returns are filed annually.

- o Present employee evaluations. (Executive Session)
- o Set Employee compensation retroactive to January 1.
- o Review Insurance coverage

FEBRUARY

- o Appoint Nominating Committee. Selects a board member (may not be the president or member eligible for reelection) and approves the appointment of two members-at-large to serve on the nominating committee.
- o Committees submit budget requests.

MARCH

- o Tsunami Preparedness & Walk Out Exercise.
- o Financial Audit Report due.

APRIL

- o Election packets prepared & mailed.
- o Need volunteers to count ballots.
- o Present slate of candidates.
- o Confirm candidate's standing.
- o Present Budget.
- o Select Pool attendants' interview committee.
- o Set Pool dates. (Opens 3rd Saturday in May, closes the Sunday following the 4th Saturday in September. 135 days)

Melissa Hansen Photos From The Coast



The Bayshore Book Club

Marv Waterstone marv.waterstone@gmail.com) or by phone (520-326-9571)

Red Harvest

The Bayshore Book Club, which has been going since 2014, is looking for a few additional members. Over the course of our existence we have read books from a wide variety of genres, both fiction and non-fiction. Group members decide on each selection, and we meet approximately once a month. If you like to read, and would like to meet some of your Bayshore neighbors, please be in touch either by phone (541-563-3958) or email (marv.waterstone@gmail.com).

On August 14, we met to talk about Dashiell Hammett's 1929 hard-boiled police procedural/murder mystery *Red Harvest*. The novel introduces Hammett's recurring character of the Continental Op, a detective employed by the Continental Detective Agency. The character, who is also the first person narrator, is based on Hammett's own experience as a Pinkerton detective.

The novel begins with the Op arriving in Personville (which he first heard pronounced "Poisonville" by another character who calls a shirt a "shoit"), having been hired by the publisher of the town newspaper. The publisher has been murdered just before the Op arrives, and he begins to look into the killing. At this point, he meets the publisher's father, Eli-

hu Willsson, a mining industrialist who runs the town. At least, he did run the town before he called on several gangs to come in and put down a series of labor disputes. (Incidentally, this part of the plot is based on a strike of Anaconda Copper in Butte, Montana in 1920, which resulted in the shooting death of one miner and the wounding of 16 others, by private guards hired by Anaconda.) Now the various gangs, along with a rather corrupt police department, have taken over Willsson's town, and he hires the Op to get it back for him.

The Op sets to work by stirring up rivalries among the different gangs and pitting them against each other in a violent war of attrition. As the body count rises staggeringly, and the membership of each gang is depleted, the Op manages to elude both discovery and death and finally "cleans up" the town. Along the way, we meet a large cast, consisting primarily of the gang leaders and members, the police, a curmudgeonly Elihu Willsson, and a central female player, Dinah Brand. Brand is an intriguing mix of contradictory characteristics. When we first encounter her, her hair and makeup are disheveled, her stockings are torn and she is a general mess. Despite this appearance, or perhaps because of it, Brand is clearly desirable to a number of Personville men. The Op devel-

ops an ongoing relationship with her (whether sexual or not is unclear), and through bouts of hard drinking and information exchange, Brand comes to play a crucial role in the Op's activities. That is, until she is murdered with an ice pick, found in the hand of the barely conscious (gin and laudanum induced) Op. Eventually, this murder is cleared up, the gangs are decimated, and the Op gives the town back to Willsson, but not in the same condition as the status quo ante.

At first read, nothing about the novel seems particularly remarkable. This, however, is due to the fact that we have now had nearly 90 years of development within this genre, and have grown used to many of the conventions. The book is utterly remarkable in terms of the forms, styles and characters that it originated. When it was published, *Red Harvest* was path-breaking, and the formula that Hammett created has been emulated in books and film ever since.

We will next be meeting on 13 September to discuss Pulitzer Prize winning author Oscar Hijuelos' 2015 novel *Twain and Stanley Enter Paradise*. The novel was inspired by, and is a fictionalized account of, the real life, decades long friendship between Mark Twain and the explorer Sir Henry Morton Stanley. If you'd like to join us, please be in touch as above.

Real Estate Sales in Bayshore

by Paul Cohen Broker, Edgewater Realty, 541 961 4654

	Listed and Pending	Listed Price Range	Sold	Sold Price Range	Year to Date Sold	Price Range 2017
Residential Site-Built	39	175k-449k	11	175k-380k	32	124k-495k
Manufactured Homes	4	144k-244k	0		0	
Vacant land	31	21,700k-199	1	23k	7	

Information made available from the Lincoln County Flexmls database is not guaranteed.

F E E D B A C K F R O M C O M M I T T E E S

Communications Committee

Member comments from the 2017 survey provided better feedback to committees and directors than previous surveys. *Feedback From Committees* was established to allow committees and/or directors to respond to members' comments and questions.

The Communications Committee has provided a response for two members' questions/concerns:

I love the Breeze - thank you. But, it does get long... why add in the minutes and reports from board meeting when you send those out separately...?

The Breeze started publishing BOD minutes early in the 2016-17 fiscal year. The 2016-17 Board required committee reports a week prior to the BOD meeting (as required in our Policies and Procedures document). These reports facilitated focused director discussions and decision making. Subsequently, the Breeze placed the BOD decisions based on a committee report following the report on the committee's page. When the decision followed the committee report, members were better able to understand the issue and resulting vote.

The official minutes must conform to ORS 94.670; ORS 100.480. *Board meeting minutes are a public/legal record of board action. Meeting minutes should accurately and succinctly reflect the actions taken by the board.* The Breeze reports actions and discussion that helps members understand the issue/action and omits the procedural

details.

Members can read Bayshore minutes, current and past, on the Bayshore web page. <http://members.pioneer.net/~baybeach/>.

At the start of the 2017-18 fiscal year, I asked several members that always read the minutes if they read the BOD official minutes or the summary in the *Breeze*. Every member reported they read the Breeze minutes.

The second suggestion from a member was: ***cut down on the flower photo's.***

It is a challenge to place all copy and not leave blank spots. Pictures are the best "fill" material as we can size pictures to fit the empty spot.

Quality photographs of local subjects are appreciated and used. Margaret Partlow is a master gardener and skilled photographer who shares her work with the Breeze. We welcome members' pictures to provide variety to the filler pictures. If all we have is pictures of flowers that is what we will use

Planning Committee

The committee provided two responses for members concerning enforcement of tree height in Bayshore and a report on the processing and documenting of complaints and applications. Please read these reports as they provide accurate information of enforcement of tree height and the process of enforcing Bayshore's Covenants and Restrictions and the communication/documentation of violations and requests

for permits.

Restoring Views That Are Blocked By Trees

The Bayshore Planning Committee is charged with enforcing Bayshore's C&Rs which contain rules regarding tree height. The committee receives many complaints from members who have lost their views due to neighboring trees that have gone unattended by the property owner. Members are encouraged to work out differences between themselves before taking any formal action. (As a refresher in preparation for a conversation with one's neighbor, the following is from Bayshore C&Rs and Guidelines for Determination.)

C&R Article II, Subsection 4 states the following: Trees, plants and shrubs may be limited to heights that preserve and restore views from other properties within Bayshore. If a member files a complaint about plantings that impair the view or deny sunlight to his property, the complaint will be investigated. If deemed valid, the owner of any tree, plant or shrub in excess of 6 ft high will be required to remedy the situation to restore/preserve the view, and maintain the remedy in the future. This does not apply to original natural trees, shrubbery, and growth in their original locations as determined by the aerial photographs on file in the Bayshore office.

If members are unsuccessful in working with their neighbor re view restoration, the next step is to file a complaint with the Planning Committee. The complaints are verified and if found valid the property owner with the tree/trees in violation

will be contacted by the committee. The committee works to encourage reasonable trimming and cutting of trees. For example, if a tree is in front of a building, the view may be restored by cutting it to the height of the eaves of the building rather than needlessly requiring it to be cut to the 6 foot level.

If violations are not remedied, the fine is \$100.00 per tree.

Planning Committee Job Description

As directed in the governing documents of Bayshore, the Board of Directors has the responsibility to enforce the C&Rs that we all agreed to when we purchased our property. To accomplish this task, the Board appoints members who volunteer to the sit on the Planning Committee.

This committee is charged with the responsibility of carrying out and enforcing Bayshore's C&Rs. In doing so, the committee approves in writing applications for lot and building improvements after reviewing plans for accuracy and completeness; notifies property owners of C&R violations in writing; communicates with all parties to a complaint and maintains a master log of violations and resolutions.

In situations of non compliance, the committee makes a recommendation to the Board to issue a fine.

(See Policies & Procedures: C&R Violations Fine Schedule for specifics of the Fine Schedule)

Road District

The Road District provided information on public rights of way to explain "who owns what". In addition, the Road District asked that their letter below to the Director Planning and Development and Lincoln County Board of Commissioners be shared with members concerning the need to amend the Bayshore Foreedune Management Plan. Members are encouraged to read these reports. Questions are welcomed.

Public Rights of Way

Bayshore property owners are often confused about public right of ways, specifically who owns what as well as individual and county rights. The following statement succinctly responds to these questions. Note Oregon State law regulates public right of ways specific to property owners' rights and the rights of others.

Who Owns What?

Public rights of way directly affect nearly all land owners [in Oregon], yet few have an understanding of what a public right of way is, or what rights they may or may not have in the right of way. The following is an overview of ownership and rights in and to public right of ways.

County's Rights in Right of Way

Most of the county's right of way is in the form of road right of way easements. An easement is a limited right to go onto and make use of another's land for a specific purpose. The granting of a public road ease-

ment gives the county the right to go onto property to do whatever may be necessary to construct and maintain public roads. Since the easement leaves the property under the virtual control of the county, it is removed from the tax rolls.

The county does not own the right of way or have the right to take away anything from it unless it interferes with the use of the easement. As an example, the county can trim a tree that causes a vision hazard or remove a tree or other material to allow for a road widening. However, the county cannot remove the material for any purpose not related to the road without the property owners' permission.

Owner's Rights in Right of Way

A fee title owner of property owns not only the land, but everything below, on, or in the reasonable airspace above the land, including trees or other natural growth. By granting a public right of way, the owner is giving an easement across their land for specific uses, but retains ownership of the land. Because of the extent of the easement this is often referred to as the underlying fee ownership.

Under Oregon law, a property owner does not have the right to allow trees or other vegetation to intrude onto an abutting property or to interfere with an easement. The abutting owner or easement holder has the right to remove the offending vegetation, but is required to place the offending material on the original property owner's land, if the original owner wants them. This is a common situation for Public Works trimming in the right of way. The department usually removes the trimmings as a courtesy, but the property owner can keep the trimmings if they want.

**Please Share Your Pictures
Of Life In Bayshore**

FEEDBACK FROM COMMITTEES

Other's Rights in Right of Way

The purpose of a public right of way is to provide the public with a means to travel between places and to provide ingress to or egress from their property. Oregon law also grants authority to any person or corporation a right and privilege to construct, maintain and operate water, gas, electric and communication lines, fixtures and other facilities along public roads. While the public's rights are essentially restricted to travel, utilities enjoy the same rights as the county, subject to county oversight and control. This means they have the right to trim or remove vegetation in the right of way if it threatens or interferes with their facilities.

Source*--Marion County, Oregon. <http://www.co.marion.or.us/PW/Survey/rightofway/Pages/public.aspx> (Right of Way ordinance consistent for the State of Oregon)

*Marion County's Right of Way language was selected as it explained

Oregon's right of way laws better than Lincoln or other counties on-line resources.

Letter from Bayshore Road District to Onno Husing - Planning and Development

Re: Hearing to Amend Bayshore Foreedune Management Plan under Lincoln County Code Chapter 1

Dear Mr. Husing, Director Planning and Devepment, and Lincoln County Board of Commissioners:

As you know, a jury ruled against a property owner on August 8, 2017 because a tree was not trimmed and contributed to an accident. The property owner was held liable for almost \$300,000. Sand at the intersections in Management Units 5 – 8 constitute the same type of hazard, also making the County liable for any accidents that might be caused since there is no way under the Foreedune Management Plan for the property owners on the East side of Oceania to move their sand to an area that is safe. The proposed changes are in the best interest of vehicles, pedestrians, bicycles, emergency vehicles, Bayshore Beach Club, Inc., and Lincoln County. In the event of a fire or medical emergency, the proposed changes enhance the ability of fire, ambulance, and other emergency vehicles to respond safely and in a timely manner without risk of being sand bound and ultimately towed, as a fire engine from Seal Rock Fire Department was last month.

Therefore, the Bayshore Special Road District supports the amendment of the Bayshore Foreedune Management Plan to relocate the eastern boundary of Management Units 5 —8, eighty feet from the east boundary to the west boundary of the public right-of way of NW Oceania.

Members

Pictures Needed To Fill This Empty Space!

Please Share Pictures Of Life In Bayshore

Beach
Wonderful Yards
Members Enjoying Life

Ocean
Pets
Other

*Send Your Pictures to
bobmowrer@gmail.net*

**Next Month's Agenda
September 21, 2017**

1. Call the Meeting to Order/
Approve the Minutes
2. Public Comment
3. Old Business
 - a. Treasurer's Report
 - b. Correspondence
 - c. Pay Bills
4. New Business

**Meeting Minutes
August 11, 2017**

Public Comment: none

Treasurer's Report, dated July 31, 2017, was presented with a balance of \$41,760.

Correspondence: The following letter approved: Re: Hearing to Amend Bayshore Foredune Management Plan under Lincoln County Code Chapter 1 [See Page 7.](#)

Pay Bills: none

New Business: Discussion regarding public right of ways and the need to inform all Bayshore owners of Oregon law regarding them.

An informational piece will be submitted for publication in the August Breeze. [See Page 6.](#)

Pay Bills: none



**Please Share
Your
Pictures Of Life
In Bayshore**

**Thank You Kerry Terrel
For Sharing The Eclipse
Members Who Were Not In
The Eclipse Zone,
You missed A Breathtaking Event**

Bayshore Committee Reports/BOD Actions

From August 17, BOD Meeting

Planning Committee

Co-Chairs, Mary Lou Morris & Norman Fernandes; Robin Adcock, Pat Johnson; and Frank Miller.

Report from 7/11/17 to 8/14/17

TREES

- 1 New Complaint-Letter Sent for More Info
- 2 New Complaints
- 1 NV Letter
- 1 Personal Contact
- 2 In Process
- 2 Completions

VEHICLES

- 1 NV Letter – Cargo Trailer
- 1 NF Car, Cargo Trailer, and Unkempt Property
- 1 NF Car and Trailer
- 1 NF Trailer
- 2 Personal Contacts – Car, Cargo Trailer and Unkempt Property; 1 Cargo Trailer
- 4 In Process
- 6 Completions

OTHER

Summary

- 1 Unkempt Property In Process
- 4 Personal Contacts – Lot Complaint, Trash Complaint, Unkempt Lot. Barking Dog
- 1 Withdrawal – Riprap
- 3 In Process
- 4 Completions

CONSTRUCTION

Summary

- 1 Height Variance - Approved
- 5 Paint Houses - Approved
- 1 Replace Shed Roof/Paint - Approved
- 3 Fence – Approved
- 2 Replace Siding/Paint – Ap-

- proved
- 1 Replace Roof - Approved
- 1 Height Variance – Packet Sent for Input
- 1 New House – Need additional Info
- 1 Info Letter – Paint House
- 5 Personal Contacts – Status of New Home, 2 Paint, Fence and AOG
- 48 In Process
- 8 Completions plus Basore House Has Been Painted

PERMITS

- 1 RV – Approved

NOXIOUS WEEDS

Summary

- 3 New Complaints – 2 Info Letters and 1 Personal Contact
 - 3 In Process
 - 4 Completions plus Nack (Fined)
 - ** Drainage ditch behind houses on Oceanic Lp. and Parker will be cleared
 - ** Revise Guideline for Vehicles
- Mary Lou Morris then submitted a draft of Changes/Additions for Vehicles in the Guidelines for Determination. This is a result of last month's meeting regarding concerns of members Tom and Roberta Hurt. The issue pertains to a cargo trailer kept on their property and questioning the C&R restrictions. Discussion followed.

MSP unanimously to send suggestions to the Policies and Procedures Committee for a final work up and submittal for Board approval.

Safety Committee

Melissa Chown - Chair, Committee Members: Judy McNeil,

Mike McReynolds

No written report.

Chair Melissa Chown presented. She reported that the Emergency Preparedness Cache will be open on Saturday, August 26th, from 10:00 AM to 1:00 PM.

At this time, members can put emergency supply totes in the cache, or just come by and check out the cache and talk to the committee.

Please contact us if there are questions or comments about the cache, totes, or the opening times. There are only five members thus far that are using the cache.

In addition, community supplies are being gathered and stored in the cache.

Communications

Chair, Bob Mowrer, Margaret Partlow, Lee Davis

At this time, minutes of Board of Directors Meetings are sent to members via email, as well as being included in the Breeze and on the website. Details were explained. Bob is asking for recommendations from the Board. President Blecher suggested using a cover page next time the minutes are emailed to members in which members will be asked to provide feedback to see if they want to continue to receive the minutes separately as well as in the Breeze.

There was a discussion about creating hard copies of the Breeze. It is unclear if current techniques are working for those members without email.

The Communications Committee does not foresee improved distribution of the Breeze by making a paper newsletter. Possibilities for a

Bayshore Committee Reports/BOD Actions

From August 17, BOD Meeting

paid subscription service were discussed, as was the use of self-addressed stamped envelopes for those members wanting paper copies.

President Blecher accepted the task of creating a proposal before the end of the year to present to the Board concerning adding a line item to the membership billing. This will include a billing statement for mailing an annual paid subscription of a black and white copy of the Breeze for an additional, yet to be determined, fee.

Social Committee

Chair, Rose Bradshaw

Committee Chair Rose Bradshaw presented, and brought snacks for those attending the meeting. She went into detail about the Meet & Greet event scheduled for Saturday, September 16th following the Board of Directors Meeting. Thus far there are thirty members confirmed to attend. She is continuing to get the word out by every means possible.

To increase communication with members, Rose Bradshaw is planning to send emails to members several times a month. There was a discussion regarding emails. Member Norman Fernandes suggested that responses to Social Committee emails go directly to the Social Committee email address rather than to the office.

There was a discussion regarding Facebook and information was provided about past attempts and why they failed. Hopefully, remedies will work this time. President Blecher suggested that he, Kathi Loughman and Rose Bradshaw get

together to discuss possibilities. Director Bradshaw requested that he be involved, as well.

No Reports

Budget Committee

Chair, Mary Lou Morris; Terry Pina; Liz Goodin; Kathi Loughman; Jerry Musial)

No written report.

The financial reports for July 2017 were accepted as submitted.

Policy & Procedures:

Co-Chairs, Bobbie MacPhee & Vivian Mills; Skip Smith

No report.

Long Range Reserve

(Terry Pina, Chair; Ron Lappi; Stuart Fischer)

Nominating Committee

Members must be selected not less than 90 days before the annual meeting (February-May).

Physical Assets

No members.

Other BOD Actions

UNFINISHED BUSINESS

None

NEW BUSINESS

Discussion regarding whether the Clubhouse doors should be kept unlocked during certain hours. No one knew of any published hours currently available to the membership. The decision was made to publish the following hours in the Breeze:

Thursday through Monday, the downstairs door will be open from 9:00 AM to 5:00 PM. Tuesday and Wednesday, the downstairs door will be open from 11:00 AM to 3:00 PM. The upstairs Clubhouse doors will be locked and unlocked according to the current schedule of group usage.

Member Comments

None

Executive Session

None

Members

Pictures Needed To Fill This Empty Space!

Please Share Pictures Of Life In Bayshore

Beach

Ocean

Wonderful Yards

Pets

Members Enjoying Life

Other

*Send Your Pictures to
bobmowrer@gmail.com*

The first Annual Meet & Greet will be held on Saturday, September 16th, from 3pm to 5pm (or later). Refreshments will be served, just B.Y.O.B and get ready for some fun. And if we haven't mentioned it enough, there will be door prizes. We have a great response so far, and we look forward to meeting and greeting you all at the event! The Meet & Greet is a social event, so please no business. Just **FUN!**



WAYS YOU CAN WIN DOOR PRIZE TICKETS...

Attending the Meet & Greet	2 tickets
RSVP	2 tickets
Bring a Neighbor	2 tickets
Join the Volunteer Pool	5 tickets
Clean Up Crew following the M&G	3 tickets
Name That Page Winner	5 tickets
Riddles/Brainteasers	2 tickets



The Social Committee always welcomes new members. And for those who just want to assist with the events (set up, clean up, decorating, etc.) please let us know, and we will add you to the Volunteer Pool.

We welcome your comments and event ideas. Furthermore, if you have an occasion such as a birthday, anniversary, or just moved to Bayshore, let us know, and we can include you in the Breeze.



Most of you have two eyes, I only have one. Most of you have eyeballs. I do not. Your eyes aren't dangerous, neither is mine. But all together, I am extremely dangerous. You can see things with your eyes. I can't see anything, even though the air is clear where my eye is. What am I? Email the correct answer to the email below to score 3 door prize tickets.

Be on the lookout for the next tide to hit Bayshore...

Please note that for all communications to the Social Committee, please use bayshorefun@peak.org or call/505-269-7917