

**Bayshore Beach Club, Inc.
Board of Directors Meeting
March 19, 2016**

In attendance:

Patti Pipes, Corp. Sec.	Division 5
Terry Pina, Director	Division 2
Carilyn Ellis, Director	Division 3
Mark Mugnai, Director	Division 6
Ann Turner, Director	Division 7
Rhonda Jantzen, Director	Division 7

Absent:

Marcella Brodowy, President	Division 3
Walt Goodin, Vice President	Division 1

Corporate Secretary, Patti Pipes, called the meeting to order at 1:00 pm, and led the Pledge of Allegiance. A quorum was verified by Carilyn Ellis.

Approval of Minutes

MSP

Patti Pipes made a motion to approve the minutes of the February 20, 2016 meeting. Carilyn Ellis seconded the motion.
Motion passed unanimously.

OLD BUSINESS

Update on sand removal issues

A report was given by the sand removal group. Ron Potter was the spokesman. It was reported that they have a plan; it would most likely take four 10-hour days to remove the sand from the roadway and transfer it to the beach via Beach Access 6, which is located at the corner of NW Bridgeview and NW Oceania. Equipment used would include off-road vehicles and a shaper. They would also continue to maintain the road and right of way, and Beach Access 6, as needed. Fire Chief Tom Sakaris, representing Seal Rock Fire Department, stated that they would like to have reliable beach access for surf rescue. Right now, they can only access the beach at Seal Rock or at the docks at Alsea Bay and stated that Beach Access 6 would be more effective for this area. He also voiced his concern regarding rescue vehicles getting stuck in the sand on the roads. Onno Husing, representing Lincoln County, reported that a survey of Beach Access 6 and a temporary permit could conceivably be issued within 30 days, as affected home owners have all given their approval, and they are working with other agencies to include the east side of the street. It was also reported that the Seal Rock Water District, which has previously stated their concern for the potential of collapse of pipes due to the weight of the sand on the roads, are 100% behind the plan of the sand removal group, but HOA monetary support was required. It was stressed that the planned removal would be for the sand on public property and public utilities ONLY. Home owners would still be responsible for sand on their property. A number of home owners have already committed to donating funds and would like

Legend for Motions

M -Motion	S -Second
P -Passed	F -Failed
W -Withdrawn	A -Amended

the HOA to be the “collector” of the funds for tax purposes. Time is important, the dunes are moving north, and the work needs to be done while the sand is still wet. Ron Potter, who has vast experience in writing grants, informed the Board that federal and state grants are not available due to the income levels here in Bayshore, so he is working on obtaining grants from other sources. The sand removal group is presently only focused on the emergency, public safety, issue. The sand will be placed on the beach for redistribution by the tides. Where, exactly, is still in the planning stage, and work on obtaining necessary permits is ongoing.

Estimates for the sand removal plan were presented by Ann Turner. The group solicited bids, but only Road and Driveway has the necessary equipment to do the work. To clear the roads and 5 feet on either side, Beach Access 6 and over the dune to the water would cost \$25,000 +/- \$5,000. Permission and support from the home owners has been obtained. Onno Husing is working on the necessary permits. Lincoln County has waived the permit fees since this issue is viewed as a public emergency.

The sand removal group is asking the BOD for \$30,000 to get the job done and stressed that this issue needs to be resolved now. A dedicated, restricted account would be necessary. Other agencies will not commit until the HOA does.

Article 3 Section 9 of Bayshore’s Articles of Incorporation was read by Director Carilyn Ellis. “The purposes for which this corporation is formed, and the same shall also be construed as powers of the corporation, are as follows: . . . 9. Generally, to do any and all lawful things which may be advisable, proper, authorized and/or permitted to be done by said corporation; and to do and perform any and all acts which may be either necessary for, or incidental to, the exercise of any of the foregoing powers or for the peace, health, comfort, safety, and/or general welfare of its members.” She stated that she feels this is a public emergency, since it is affecting water, power, and other public utility lines, emergency vehicle access, access to beach for emergency vehicles. It is also affecting housing values throughout Bayshore, and used the example that when she was looking to purchase her home, she was discouraged from purchasing a home in Bayshore, not just in the south end, but Bayshore itself.

It was pointed out that laws regarding sand removal, which were changed in 2008, has led to today’s issues.

A discussion followed in which a variety of points and opinions were advanced, including: valid legal points, public emergency, people at risk, precedent set by canal project a few years ago.

There was rebuttal made by Glen Morris in which he stated that as a representative of the Water District board, his opinion was that there would be no monetary support from the Water District without an accepted established state organization such as a sand district. He suggested a \$5,000 fine for dumping sand on the roadway. It was also pointed out that if a water line breaks, it could possibly result in the loss of water for weeks.

Fire Chief Tom Sakaris spoke on the Fire Department’s inability to respond in a timely manner and put the HOA on notice that he feels that this is a serious public health risk. He hasn’t heard that the Fire District is dedicated to providing funds.

MSA

Patti Pipes made a motion to supply \$30,000 from the reserve funds for an initial, one-time clean-up, with leftover funds put into a dedicated, restricted account for ongoing maintenance. Ann Turner seconded the motion. Discussion followed.

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MSP

The motion was then amended to supply \$30,000 from the reserve funds for an initial, one-time clean-up, with leftover funds put into a dedicated, restricted account for ongoing maintenance, contingent upon legal counsel verification of no on-going legal liability. Ann Turner seconded the motion. Member Norman Fernandes then requested a vote by roll call.

Vote by roll call -

Ann Turner:	Yea
Terry Pina:	Yea
Mark Mugnai:	Yea
Rhonda Jantzen:	Abstained, changed to Nay at end of roll call
Carilyn Ellis:	Yea
Pattii Pipes:	Yea
Max Metcalf:	Yea

MSP

Ann Turner moved to have Carilyn Ellis contact our attorney to verify any continuing financial liability. Motion seconded by Terry Pina and Max Metcalf.

Yea votes:	Ann Turner
	Terry Pina
	Mark Mugnai
	Carilyn Ellis
	Patti Pipes
	Max Metcalf
Nay votes:	Rhonda Jantzen

Bob Mowrer requested that background information regarding this issue be provided to the Communications Committee.

More volunteers needed for the Nominating Committee

The need for additional volunteers for the Nominating Committee was discussed. As of now, the Committee consists of Director Rhonda Jantzen.

NEW BUSINESS

Tsunami evacuation route for south end of Bayshore

Kathi Loughman spoke regarding the loss of the evacuation route at the south end of Bayshore. The route initially passed through vacant property, but it has since been purchased and is being developed, which has resulted in the loss of access to the path due to a locked gate and "No Trespassing" signs, and loss of the path itself due to construction.

Lynda Engle of CERT then spoke and informed the members that CERT is exploring options i.e. undeveloped lots and/or the use of easements. It was pointed out that there are no easements in Bayshore, it is all private property. For now, the evacuation route will be up Bayshore Drive to the Fire Station. Lynda was encouraged to try to speak with the owner of the property again.

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REPORTS

Financial Reports

MSP

Mark Mugnai moved to approve the February 2016 Financial Reports. The motion was seconded by Carilyn Ellis.

Motion passed unanimously.

Planning Committee

STATS

TREES

0 New Complaints

2 In Progress

2 Completions

VEHICLES

0 New Complaints

OTHER

1 Complaint (Dog)

1 Personal Contact (Dog)

1 Complaint (House needing repairs)

1 Personal Contact (House repairs)

1 Complaint (Unkempt property)

1 NV (Nuisance, unkempt property)

3 In Progress

1 Completion

CONSTRUCTION

11 In Progress

5 Completions

Spring Clean Up

"The committee is recommending that this year's Clean Up be one day only: Free Clean Up Day, Saturday May 21.

Due to the significant cost increase in Dahl dumpster fees in 2015, this year the committee has determined that the best resolution is to rent a chipper and dump trailer. Since a dumpster will not be involved, there is no convenient way for members to drop off debris on Sunday as they have done in the past. Therefore the committee recommends a one day clean up.

Chipping will be directly to the ground in the east parking lot for members to pick and use in their gardens etc. When/if the pile becomes too large, chipping will be done directly into the dump trailer and taken to the Waldport Dahl Disposal site as will unchipped noxious weeds."

MSP

Mark Mugnai moved to have the Spring Clean Up for one day only this year, on May 21st. The motion was seconded by Patti Pipes.

Motion passed unanimously.

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Physical Assets/Long Range Reserve Report

The Physical Assets and Long Range Reserve was presented as a combination report this month.

MSP

Carilyn Ellis made a motion to roll over Boiler Room Repair and Garage Repairs at \$5,000 each to the 2016-2017 Budget. Rhonda Jantzen seconded the motion.

Motion passed unanimously.

Long Range Reserve

Included with Physical Assets report

Social Committee

Committee needs members.

Safety Committee

Terry Pina reported the need to ask the attorney to help draft a letter to inform home owners that Bayshore is not liable for guests' use of facilities. There is also a question of whether or not Bayshore is liable if we charge guests (short term renters) for use of the pool.

MSP

Max Metcalf moved to have Carilyn Ellis contact the attorney to find out if our insurance coverage covers short term renters' use of the pool or if we require additional coverage since we charge for admission to the pool, and to seek the attorney's counsel on how to inform home owners of the liability. The motion was seconded by Mark Mugnai.

Motion passed unanimously.

Budget Committee

Mary Lou Morris presented. She reported that she has been elected Chair of the Committee and Kathi Loughman the secretary. The next meeting is scheduled for April 7th. They hope to have a draft of the 2016-2017 Budget by the April meeting. She also reported that the Policies and Procedures need to be changed to include the Accountant as an ex-officio member of the Committee.

MSP

Patti Pipes made a motion to add the Accountant as an ex-officio member of the Budget Committee to the Policies and Procedures, Budget Committee, Members, item #1, and Duties and Responsibilities, item #4. Ann Turner seconded the motion.

Motion passed unanimously.

EXECUTIVE SESSION

MSP

Patti Pipes made a motion to adjourn to Executive Session to discuss personnel issues. Carilyn Ellis seconded the motion.

Motion passed unanimously.

The Board adjourned to Executive Session at 3:15 pm.

The Board reconvened at 3:50 pm.

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P-Passed **F**-Failed
W-Withdrawn **A**-Amended

MSP

Carilyn Ellis made a motion to appoint Director Mark Mugnai as supervisor of Bayshore employees. Rhonda Jantzen seconded the motion.

Yea votes: Ann Turner
Terry Pina
Rhonda Jantzen
Carilyn Ellis
Patti Pipes
Max Metcalf

Abstain: Mark Mugnai

The meeting was adjourned at 3:55 pm.

Minutes prepared by Kathi Loughman

DRAFT

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