

**BAYSHORE BEACH CLUB, INC.**  
**BOARD OF DIRECTORS MEETING**  
**Saturday, February 20, 2021**

**In attendance:**

<b>Mark Cook, President</b>	<b>Division 1</b>
<b>Don Patterson, Director</b>	<b>Division 2</b>
<b>Shelly Woodke, Director</b>	<b>Division 3</b>
<b>Tom Hurt, Director</b>	<b>Division 4</b>
<b>Phillip Arnold, Director</b>	<b>Division 5</b>
<b>James Davis, Director</b>	<b>Division 5</b>
<b>Mark Mugnai, Director</b>	<b>Division 6</b>
<b>Bill Nightingale, Director</b>	<b>Division 7</b>
<b>Kathi Lenz, Corp. Sec.</b>	<b>Division 7</b>

Board President Cook called the meeting to order at 12:59 pm and verified that a quorum was present.

**Message from the President**

Prior to commencing the committee reports, President Cook stated that this is a working Board of Directors meeting and members are invited to attend. Agenda items can be included two weeks prior to the board meeting. This section is not open for discussion or comments from members.

The founding documents of the HOA, such as the Articles of Incorporation, the Covenants and Restrictions, and the Policies and Procedures are what informs our [the Board's] decisions and should guide all. President Cook added that he wanted to dispel all the rumors regarding short term rentals (STRs). The Board does not want to ban the STR's and is willing to listen to both sides. We are gathering information on both sides.

**APPROVAL OF MINUTES**

President Cook asked if there were any changes that needed to be made to the minutes of the January 16, 2021 meeting. Director Arnold suggested a change under the Planning Committee at the end of discussions.

**MSP**

President Cook asked if there were any changes that needed to be made to the minutes of January 16, 2021 meeting. The minutes were accepted as submitted.  
The motion passed unanimously.

**FINANCIALS**

Jerry Musial presented

As of January 31, 2021, the Operating Fund balance is **\$222,218.51**, the Long-Term Reserve fund balance is **\$369,447.64**, and Accounts Receivable balance is **\$13,909**. Late fees and interest have been charged, and additional interest will be charged again in February (one still in collections). Late fees

**Legend for Motions**

<b>M-Motion</b>	<b>S-Second</b>
<b>P-Passed</b>	<b>F-Failed</b>
<b>W-Withdrawn</b>	<b>A-Amended</b>
<b>Y-Yay</b>	<b>N-Nay</b>

were posted. The refrigerator purchased for the apartment put us over budget. Mr. Musial reminded the board that new signatures are needed at the bank with all signers.

**PLANNING COMMITTEE** (Pat Lenz, Acting Chair; Jeff McElhannon; Shelly Woodke, Board Liaison)  
Director Woodke presented.

The committee has two open seats. Members are encouraged to join. A new feature of the committee is the Shadow Program where members can experience the Planning Committee process and ask questions. The criteria for membership are as follows: Sense of humor, Thinker, Investigator, and most of all Good Listener. Those interested can contact the office and your message will be forwarded to the committee. A new structure chart was created in which one individual works with builders and another works with complaints/violations.

Revised forms from the office include a letter head. Forms have been updated to include references to the appropriate Covenants and Restrictions and additional pertinent information. Upon Board approval, the documents will be available to members.

- New construction 2
- Remodel construction 1
- Painting 1
- Complaints/information/violation 8
  - Trees 1
  - Corvette street sign – Oregon DOT 1
  - 6 complaints in progress

President Cook thanked Barbara MacPhee for assisting the new Planning Committee and getting them started.

**LONG RANGE RESERVE & PHYSICAL ASSETS** (Michael Bradshaw, Chair; Jim Davis, Phillip Arnold, Bob Tunison)  
No report.

President Cook announced his intention to meet with the committee and Scwindt & company to help with the long-range plan for Bayshore.

**FACILITIES**

Facilities manager Bob Tunison presented.

**Recently completed projects.**

- All electrical fixtures updating in the clubhouse is complete.
- Purchase and installation of new wireless system for the clubhouse is complete.
- Repair/replacement of exhaust fan in men’s upstairs washroom has been completed.
- New refrigerator for Facility Manager’s apartment installed.
- Office computer is being updated. New hard drive, camera, surge protector, transfer of data, and labor will be completed by February 17th.

**Legend for Motions**

- |                     |                   |
|---------------------|-------------------|
| <b>M</b> -Motion    | <b>S</b> -Second  |
| <b>P</b> -Passed    | <b>F</b> -Failed  |
| <b>W</b> -Withdrawn | <b>A</b> -Amended |
| <b>Y</b> -Yay       | <b>N</b> -Nay     |

**Summaries of the full report of active/future projects follow:**

**Pool project**

During the September 2020, board meeting, the board approved a project quote regarding the pool entailing two separate items:

**Item #1...Return line repair**

The first portion of the quote involved the replacement of a 2-inch return water line to the pool with a 3-inch line from the filters totaled \$10,000.00 and was guaranteed for the life of the pool.

**Item #2...Skimmer Installation**

The second portion of the quote provided for the installation of a new skimmer system for the pool. The quoted cost of the [skimmer] system [alone] is \$20,000.00. If done at the same time as the installation of item #1, [the cost for the skimmer system is only] \$12,000.00, since a large portion of the labor needed to accomplish both items is duplicated. At this time, he is asking the board of directors to reconsider their approval of having this new skimmer system installed.

Tunison then provided an explanation of why the skimmer is unimportant to Bayshore and recommended that we continue only with the return line project as originally approved. If the board agrees with this adjustment to the proposed work, the return line project will begin on Thursday, April 1<sup>st</sup>, and should be completed no later than Saturday, April 3<sup>rd</sup>.

**2021 Pool Season**

The proposed opening date for the 2021 pool season is Wednesday, May 26<sup>th</sup>. Last year, Tunison went through all preparations to open the pool on the scheduled opening date and continued the upkeep of the pool through mid-August before the decision was made to close the pool for the 2020 season. He did not expect any decisions regarding the impact of the coronavirus on the opening date of the 2021 season during this meeting. He believed it would be advantageous to discuss some of the issues that will impact this year's season including, but not limited to:

Approval of the proposed season dates: Wednesday, May 26<sup>th</sup> thru Sunday, September 25<sup>th</sup>

- Consideration given to reducing the number of hours allotted for use of the pool by vacation renters while creating a new period for use of the pool by "Adult Members Only."
- General discussion of guidelines to be established in determining the coronavirus effect on pool opening dates.

**Request for yard work approval**

Tunison requested that the board approve \$300.00 towards the heavy-duty cleanup of the yard just outside of the facility manager's apartment. This step in the yard's upkeep has been skipped for many years, and the resulting over-growth facilitates this request.

He had reason to believe that the actual cost will be in excess of the \$300.00 being requested but will pay for any excesses himself. He estimated that, if approved, this project would be done in late April to early May of this year.

**Anticipated fund requests**

He anticipated the request for additional funds to cover the costs of the following two items. A request to vote on approval was not being sought from the board at this time:

**Legend for Motions**

- |                     |                   |
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| <b>Y</b> -Yay       | <b>N</b> -Nay     |

- Possible approval of funds to replace the current lawn sprinkler system with a professionally installed system. The current system was installed in-house and will be adjusted this Spring in an attempt to effectively cover the entire lawn. A problem has resulted from the available water pressure. In order for the problem to be resolved, it was stated that it may be necessary to have a professional company re-design the system and hook it up directly to the main water line servicing the clubhouse. The anticipated cost of a professional installation is from \$4,000.00 to \$5,500.00.
- Possible and likely approval of funds to expand on the number and type of plants in the pool area. He stated that there are currently a minimum number of plants within the pool area and they received a large number of compliments each year. However, they were minimal in number and the addition of plants and locations would greatly increase the attractive nature of the pool area. An estimated cost was not available at this time.

Discussion followed without decision. It was agreed that the discussion will resume in the March 2021, meeting. Due to the malfunction of the office postage machine, a new one was purchased and installed. The purchase of a new printer is in progress.

**MSP**

Director Mugnai moved, and it was seconded by President Cook, to approve the \$300 for clean-up. Motion passed unanimously.

Tunison continued the discussion regarding doggie containers and the cost, which would be around \$300. He mentioned that there are currently 3 containers at Hilton Park, the tennis courts, and the clubhouse. At one time, volunteers maintained the containers. Adding this task to his list of duties would delay him from doing his regular responsibilities. President Cook tabled the discussion.

**SOCIAL COMMITTEE** (Rose Bradshaw, Chair; Kathy Connors; Jim Davis, Board Liaison)

Chair Rose Bradshaw presented.

Member Bradshaw indicated that the committee is ready to start planning fun events for the members as soon as the clubhouse is ready to open. She also stated the committee is thinking of the members.

**COMMUNICATIONS (Vacant)**

The Board is seeking volunteers for the Communications Committee. President Cook voiced his desire to see board members on all committees. He asked if Director Hurt would be interested in becoming a member of the committee. Director Hurt indicated that if the position involved running the newsletter, he would pass.

**Web site administration**

Director Woodke presented.

She went into great detail to present the new suggested website. She indicated there was a plan between Woodke and previous webmaster, Michael Bradshaw to update the website. Unfortunately, with the schedules, no action was taken.

The website address is [bayshorebeachclubinc.com](http://bayshorebeachclubinc.com). Director Woodke asked members for feedback. She and member, Rose Bradshaw, will work on getting the website completed. Members will be able to

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<b>Y</b> -Yay	<b>N</b> -Nay

contribute photos to the gallery. The cost of creating the website shown would normally be about \$2500 according to GoDaddy. The two domains for the Bayshore Beach Club, Inc. will only cost \$104. The annual cost is \$239.88, with 24/7 365 personal support, which includes video training, professional hosting service. The site would be SSL certified and all communication will be encrypted. A marketing plan will be emailed. For questions, contact the Bayshore office.

**SAFETY COMMITTEE (Vacant)**

The Board is seeking volunteers.

**POLICIES AND PROCEDURES COMMITTEE** (Elaine Ferguson, Chair; Kathi Lenz, Board Liaison)

Chair Elaine Ferguson presented.

Ferguson indicated a mistake in her comments in the January Board meeting—each member of the Committee put in about 40 hours to make the changes presented in January.

Elaine presented a review of the P&P changes to be discussed by the Board and had several questions/requests of the Board:

- Approval to change the many names used in the document and use “HOA” for consistency.
- Clarify titles and duties used in the P&P document.
- SECRETARY TREASURE CPA SHOULD TAKE THIS TITLE proposed that the CPA take this title.

She then outlined the format proposed:

- A page identifying the structure of a Committee including rules, ethical standards, and election of officers.
- A page for each Committee to include: Mission statement, Schedule, Membership details and requirements, Number of hours anticipated per week.

Director Lenz indicated that she cannot find anything in the laws requiring a committee to be fully staffed before it gets things done.

**MSP**

Director Lenz moved, and it was seconded by Director Davis, to accept the changes indicated in January.

Motion passed unanimously.

**UNFINISHED BUSINESS**

**Vacation rentals update**

Member Jill Stone presented

The task force continues researching the situation. They are getting great suggestions from members in the community. The next project is contacting the local Sherriff for suggestions on security. She suggested that people email the office with concerns and take photos of what is going on in the neighborhood.

Director Hurt asked Ms. Stone “What kind of response do you get when one complains and what kind of results are you getting?”

**Legend for Motions**

<b>M</b> -Motion	<b>S</b> -Second
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<b>Y</b> -Yay	<b>N</b> -Nay

Member Stone responded that the county has a convoluted compliance system through the Sherriff's Department. They do not have people to help. Results are uniformly unsatisfactory. The county complaint system is more a compliance system. People attempted to get things resolved through the county Sherriff, but they do not have the workforce or ability to resolve nuisance complaints. Therefore, the task force will try to develop a process or get advice on how the HOA can address some of those issues.

**Board letter to the Lincoln County Commission**

President Cook presented

President Cook drafted a letter for the Lincoln County Commission to see about having a meeting with them. Bayshore was left out of previous STR discussions. He read the letter to the Board and indicated his intent to send it early the following week. He also indicated that the lawyer, Tom Johnson, has looked it over.

**MSP**

Director Lenz moved, and it was seconded by President Cook, to send the letter.

**Vote:**

- Mark Cook - Y
  - Don Patterson - Y
  - Shelly Woodke - Y
  - Tom Hurt - N
  - Phillip Arnold - N
  - James Davis - N
  - Mark Mugnai - N
  - Bill Nightingale - N
  - Kathi Lenz - Y
- Motion failed.

A long discussion ensued about the wording of the letter, the timeframe, and who should be involved in the composition of the letter, and whether the entire membership should be involved in the letter. Further discussion included the new lawyer being used, the previous lawyer's resignation. Tom Johnson is the Bayshore lawyer as of January 18, 2021. Our previous lawyer, Springer, resigned last month. Director Mugnai suggested the board pick up the lawyer question at next meeting.

**MSP**

Director Nightingale moved, and it was seconded by Director Lenz, to send a shorter, revised letter to the Lincoln County Commission to say let us open discussion. Director Woodke suggested that all board members sign the revised letter.  
Motion passed unanimously.

**MSP**

Director Mugnai moved, and it was seconded by Director Nightingale, to discuss the hire of an attorney at the March 2021 meeting.  
Motion passed unanimously.

**Legend for Motions**

- |                     |                   |
|---------------------|-------------------|
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| <b>Y</b> -Yay       | <b>N</b> -Nay     |

**Email distribution list**

Member Rose Bradshaw, who is temporarily managing the Bayshore office, reported that many members were dropped from the distribution list in December. The reason is unknown. She encouraged members that if they have not been receiving emails to contact her. Upon addition to the distribution list, a TEST email will be sent to confirm receipt.

**NEW BUSINESS**

**Centralized Mail in Bayshore**

Member Peter Roina presented.

His goal is to centralize the Bayshore mailing system for safety and protection of the mail and the carriers. Roina suggested creating a large mail room with locking mailboxes for outgoing mail at the East parking lot. This would be a decision for the members.

**MSP**

Director Lenz moved, and it was seconded by Director Mugnai, to investigate the option of centralized mail and to solicit member feedback.

Motion passed unanimously.

**Nominating Committee membership**

Director Lenz presented.

The Nominating Committee is currently vacant, and members are encouraged to volunteer. The Policies and Procedures include a description for the committee. Interested members should contact the Bayshore office. Members Pat Gagnon and Joann Herrera have volunteered to serve on the committee.

**MSP**

Director Lenz moved, and it was seconded by President Cook, to accept members Pat Gagnon and Joann Herrera, as members of the Nominating Committee.

Motion passed unanimously.

Director Lenz welcomed the new members to the committee.

The new members had questions concerning the Board Liaison to the Committee. According to Director Lenz, the P&P's indicated the liaison is to be the Corporate Secretary.

**February Breeze**

Director Patterson presented

Director Patterson indicated that he has no idea how the February Breeze will be produced. Director Woodke suggested that everyone in the division should have their say. Every Board representative in each Division should put something together for this Breeze. All agreed. No definite timeline was determined.

**MSP**

Director Woodke moved, and it was seconded by Director Patterson, to have all Directors write an article about the concerns of their Division for inclusion in the Breeze.

Motion passed unanimously.

**Legend for Motions**

<b>M</b> -Motion	<b>S</b> -Second
<b>P</b> -Passed	<b>F</b> -Failed
<b>W</b> -Withdrawn	<b>A</b> -Amended
<b>Y</b> -Yay	<b>N</b> -Nay

## **NEW BUSINESS NOT ON THE AGENDA**

### **Vice President for the Board**

President Cook presented.

President Cook invited nominations for Vice President. Director Mugnai was nominated from the floor but declined. President Cook then nominated Director Woodke and asked if there were any other nominations.

President Cook declared Director Woodke Vice President by attrition.

### **New Refrigerator for Apartment and Clubhouse Rekeying**

President Cook presented.

President Cook indicated that the Board had voted between regular meetings to rekey the clubhouse and order a refrigerator for the apartment.

## **MEMBER COMMENTS**

### **Short-Term Rentals**

Director Nightingale presented.

It is Director Nightingale's contention that Rental Agencies that use STR's should be held accountable for their renters. He pointed out that the Sherriff's process is to contact the Rental Agency first. Then, if there is no resolution "in a reasonable time," the Sherriff will get involved.

He proposes the formation of a Committee to create a P&P to allow face-to-face conversations between members, STR owners, and businesses to come up with a viable solution. He mentioned a lot of possibilities: fining rental companies that do not address issues with their tenants, creating a fine structure in line with the Sherriff's procedures.

President Cook tabled the discussion until a later time.

### **Board Minutes**

Member Mary Lou Morris presented.

Due to time constraints, Mary Lou Morris asked to include her statement in the minutes. It is appended to these minutes. Ms. Morris then indicated that the Board needs to check out the attorney of Bayshore.

It is requested this statement be read into the minutes of the February 20, 2021 Board of Directors meeting prior to the January 16, 2021 minutes being approved.

Normally minutes of a meeting state the simple organizational facts of a topic under consideration with the use of unpretentious language. The body of the minutes should be a short narrative of the topic followed by the motion and vote, if needed. The minutes should be brief and not reflect every discussion that occurs.

The January 16, 2021 minutes contained inaccurate statements, opinions not facts, unnecessary narrative, inserted statements not in a written text that was being read into the minutes, one topic took three full pages of the minutes and another topic was one and one-half pages in length. An added topic was added to the agenda during the meeting that was not scheduled on the agenda that was sent to the membership. This statement is presented with the hope that future minutes will be more concise and accurate dealing only with the facts and not emotions.

### **Legend for Motions**

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<b>Y</b> -Yay	<b>N</b> -Nay



Submitted by Bayshore members - Norman Fernandes and Mary Lou Morris

Member Norm Fernandez presented.

Mr. Fernandez indicated that the lawyer discussed earlier to replace Springer had been used only for collections and when their services became too costly, the contract was cancelled.

### **Short Term Rentals**

Michael Vest presented

Member Vest indicated his concern about the current situation concerning STR's. He felt that the current task force should include STR owners to allow open discussions from both sides simultaneously instead of continuing the division of the community. He invited both sides to come up with a solution together. 133 Bayshore members have signed a petition asking the HOA to give the STR owners equal representation. He agreed with Director Nightingale's comments earlier. Mr. Vest also discussed another letter posted on the Lincoln County website from President Cook (public information) indicating possible bias by the Board.

It was suggested that another task force of STR owners should be formed. Hollis Ferguson commented that, during the pandemic, many new people crowded to Bayshore. This is bad management. We all want responsible people in our community, reasonable regulations, etc. Our community should be one voice, one opinion.

### **Executive Session**

None

### **MSP**

Director Mugnai moved, and it was seconded by Director Lenz, to adjourn the meeting. Motion passed unanimous.

The meeting was adjourned at 3:58pm

Minutes prepared by Rose Bradshaw.

### **Legend for Motions**

<b>M</b> -Motion	<b>S</b> -Second
<b>P</b> -Passed	<b>F</b> -Failed
<b>W</b> -Withdrawn	<b>A</b> -Amended
<b>Y</b> -Yay	<b>N</b> -Nay