

BAYSHORE BEACH CLUB, INC.
BOARD OF DIRECTORS MEETING
Saturday, September 18, 2021

In Attendance:

Kenn Apel, Director	District 1
Gina Bebek, Director	District 2
Steve Sager, Director	District 3
Jacque Smith, Corp. Secy	District 3
Tom Hurt, Vice President	District 4
Carolyn Gardner, Director	District 5
Mark Mugnai, Director	District 6

Absent:

William Nightingale, President District 7

The Corporate Secretary determined that a quorum was present. The Board of Directors' Meeting was called to order by Vice President Hurt at 1:01 pm.

Vice President Hurt welcomed everyone to the hybrid Clubhouse and Zoom meeting. Vice President Hurt read a message written by President Nightingale, see attached.

Approval of Minutes

It was asked if there were any changes before accepting the Minutes of the Board of Directors' Meeting of August 21, 2021. Director Apel read a statement from Elaine Ferguson, Chair of the Policies and Procedures Committee, that asked that the following be inserted into the August Minutes:

“Elaine Ferguson prefaced her report with a statement to the Board. She described her motivation for volunteering is to promote healing, and how the divisiveness in Bayshore is still creating problems. She also discussed difficulties working with the Corporate Secretary. Her suggestions for improvement were these:

Committee chairs submit their reports to the office staff for distribution to the Board and membership, as we have done in the past.

That the BOD be hyper-aware of the optics of their decisions and attempt to include members from both sides of the divide. If necessary, apologize, and reach out to those who have been stung by the recent hostility.”

Motion. Director Apel moved, and it was seconded by Director Gardner, to insert the following language to the August Minutes before the current report language.

“Elaine Ferguson prefaced her report with a statement to the Board. She described her motivation for volunteering is to promote healing, and how the divisiveness in Bayshore is still creating problems. She also discussed difficulties working with the Corporate Secretary. Her suggestions for improvement were these:

Committee chairs submit their reports to the office staff for distribution to the Board and membership, as we have done in the past.

That the BOD be hyper-aware of the optics of their decisions and attempt to include members from both sides of the divide. If necessary, apologize, and reach out to those who have been stung by the recent hostility.”

Vote:

Apel	Yes	Hurt	Abstain
Bebek	Yes	Gardner	Yes
Sager	Yes	Mugnai	Yes
Smith	Abstain	Nightingale	Absent

Motion passed 5-0-2.

Motion. Director Apel moved, and it was seconded by Director Mugnai, to approve the August Minutes as amended.

Vote:

Apel	Yes	Hurt	Abstain
Bebek	Yes	Gardner	Yes
Sager	Yes	Mugnai	Yes
Smith	Yes	Nightingale	Absent

Motion passed 6-0-1.

REPORTS:

Financials. The financial reports for July 2021 were accepted as submitted and are attached. Director Gardner prepared and read the attached recap report.

- As of August 31, 2021, the 2021 Operating fund balance is \$115,998.46.
- As of August 31, 2021, the 2022 Operating fund balance was 161,362.58
- As of August 31, 2021, the Long-Term reserve fund balance is 369,498.78
- Accounts receivable balance as of August 31, 2021 is 31,672.62.
- Late fees and interest have been charged to all past due dues accounts except for those that have liens as of September 1.
- Current Liabilities including accounts payable and payroll related items total \$8,056.45 as of August 31, 2021.
- There were 7 property transfers in August.
- Interest income is well below the budget as a result of the maturity of the treasury bills and low interest rates. The treasurer contacted Cetera which is the account holding our investment funds. Jerry Musial has recommended that \$80,000 be transferred from the Columbia bank account into this investment account at the end of the fiscal year. This is the line item in the Balance sheet Operating Funds 6/20/21. Before Bayshore can make this transfer, Bayshore needed to change the names of the people who are signers on the account. The signature authorization has been received

and will be signed at the board meeting. During the Budget/Financial report I will request the approval to make the \$80,000 transfer into this account.

Motion. Director Gardner moved, and it was seconded by Corporate Secretary Smith, to approve President Nightingale, Vice President Hurt, Corporate Secretary Smith, Director Apel and Director Gardner to be signatories on the Cetera Account. As there were no objections, the Motion passed unanimously.

Motion. Director Gardner moved, and it was seconded by Director Apel, to approve the transfer of \$80,000 from the Columbia Bank to Cetera account. As there were no objections, the Motion passed unanimously.

Planning Committee. Report Submitted. Vice President Presented the report and presented two proposed nominees for the Planning Committee. The proposed members were Uschi Erdmann-Gamel and Moses Nijmeh.

Motion. Director Gardner moved, and it was seconded by Director Mugnai, to nominate Uschi Erdmann-Gamel to serve on the Planning Committee. As there were no objections, the Motion passed unanimously.

Motion. Corporate Secretary Smith moved, and it was seconded by Director Mugnai, to nominate Moses Nijmeh to serve on the Planning Committee. As there were no objections, the Motion passed unanimously.

Vice President Hurt spoke about a \$400 fine that was levied last month for noxious weeds. He would like to have that rescinded since he was contacted by a relative of the homeowner. It appears the homeowner has been ill and unable to deal with matters like these. The relative has remedied the noxious weed issue.

Motion. Corporate Secretary Smith moved, and it was seconded by Director Bebeck, to rescind the \$400.00 fine on the property located at 2118 NW View Ridge. As there were no objections, the Motion passed unanimously.

Vice President Hurt spoke about the recent complaint filed in connection with a shed that is placed in the setback on the property line. He said that he didn't follow the correct procedures and should have contacted the homeowner before moving forward with the complaint process as it is set out in the Policies and Procedures manual. He apologized for his actions and wants to withdrawal this complaint and then move forward using the correct process.

Vice President Hurt spoke about the sign issue in Bayshore and noted that currently there is no fine strictly set for sign violations. In the past, the Planning Committee has used "Nuisance or noxious activities" subsection. He feels that this needs to be reviewed by the Policies and Procedures Committee and asked them to review the matter and make suggestions for a sign fine system.

Vice President Hurt spoke about the RVs and vans and how our definition is outdated since vans are now being used commonly as RV vehicles. He feels that this needs to be reviewed by the Policies and Procedures Committee and asked them to review the matter and make suggestions.

Long-Range Reserve & Physical Assets. Report submitted. Chair Craig Jacobs was absent. Director Apel requested a 90-day appointment of Norman Fernandes to the Physical Assets Committee.

Motion. Director Apel moved, and it was seconded by Director Mugnai, to nominate Norman Fernandes to serve on the Physical Assets Committee. As there were no objections, the Motion passed unanimously.

Facilities. Report Submitted. Facilities Manager Bob Tunison presented the report. As of this date, the replacement pump and “spare” pump approved at the August board meeting and ordered shortly thereafter have not come in. The pump no longer being in production creates a delay in being able to locate and ship these pumps to us. The new replacement pump will cost \$899, of which \$799 is covered under warranty, but Bayshore will need to pay the balance of \$100.00. The leak in the pool which will be “repaired” by bypassing the leaking area through re-configuring the piping in the filter room has not been addressed yet. The reason for the delay is due to intentionally waiting until the pump replacement can be done at the same time so that working area can be created at the time the pump is replaced to re-route the other piping.

Motion. Corporate Secretary Smith moved, and it was seconded by Director Apel, to approve the \$100 addition cost of the replacement pump. The additional pump will not be purchased at this time. As there were no objections, the Motion passed unanimously.

On Friday, September 10th, a representative from the Lincoln County Health Department inspected the pool filtration system, the chemical balance of the pool water, the records kept to date of daily pool testing, the records of all pool vacuuming and addition of pool chemicals, as well as physical inspection of pool safety equipment and the locker room facilities. The Bayshore pool met all evaluation criteria standards which resulted in a “clean” inspection report which is attached and a part of this board report.

The pool will be closing for the season on Sunday, September 26th, and an end-of-season report will be submitted to the Board as part of the October Board Report.

The enclosure of the gravel lot with boulders has been completed with the exception of the new signs which will be mounted on the two posts at the new “entrance” to the lot. These signs have been ordered and should be received and installed prior to the October board meeting. The exceptionally wide opening for ingress and egress to/from the lot was made to accommodate the large equipment used by the Road Planning Committee while work is done on Bayshore roadways. The final total of invoices for the boulders, labor, and new signs is anticipated to be under \$2,000.00 which, if true, will be several hundred dollars below the originally budgeted amount for this project.

Director Apel reported on an email to the Board from member Melissa Hansen requesting help with flying rocks that hit her house and has hit her. The flying rocks come from cars spinning “donuts/brodies” in the parking lot. Director Sager stated he believed having a chain and lock at nighttime would remedy the situation.

Motion. Director Sager moved, and it was seconded by Corporate Secretary Smith, to approve adding a chain and a lock across the enclosure of the gravel lot. As there were no objections, the Motion passed unanimously.

Safety Committee. No Report Submitted.

Policies and Procedures Committee. Report Submitted. Chair Elaine Ferguson gave the report. The Committee did not meet in person this month; however, the Committee members did continue to work on their assignments. She spoke about the need to have an easy go to spot to find calendar items and had created one that was presented to the Board. The calendar, which would be a working document, would be appended to the Policies and Procedures. There was discussion that the term "Special Meeting" needed to be prefaced by either "Board of Directors" or "Members" and that the time range given needed to be changed from the "minimum of 20 days but no more than 30 days" to "minimum of 20 days but no more than 50 days." The proposed calendar was returned back to the Policies and Procedures Committee for further work.

Communication Committee. No Report Submitted. Corporate Secretary Smith stressed that all communications with the Board need to be sent to the office at Office@BayshoreBeach.com instead of the Board directly. She also thanked Director Apel for his hard work putting together the *Breeze* for September.

Social Committee. Report Submitted. Director Mugnai reported that Bayshore will be having a Halloween Party on October 30 at 7pm to 10pm. Start working on your costumes! Keep an eye on the website BayshoreBeach.com for upcoming news.

Good Neighbor Committee. Report Submitted. Chair Erin Allman gave a PowerPoint presentation regarding the survey conducted this Spring before the elections. These results are summarized and attached and the raw data have been posted online at bayshorebeach.com.

Finance/Budget. Report Submitted. Mary Lou Morris is the new Chair of the Committee and gave the report. She discussed how Bayshore had already paid out \$10,000 in legal fees this fiscal year, most of which was incurred due to the May Board election, and therefore Bayshore needed to increase the Budget for Legal Fees. She recommended that \$10,000 be transferred out of the contingency fund.

Motion. Director Gardner moved, and it was seconded by Director Apel, to increase the Budget for Legal Fees by \$10,000. As there were no objections, the Motion passed unanimously.

Sand Lobby. No Report Submitted.

UNFINISHED BUSINESS:

Accessibility Task Force/Beach Access. Report Submitted. Director Apel asked for help from the Bayshore Community for help preparing some CAD drawings of beach access 66C. Anyone willing to provide volunteer help with CAD drawings should contact him.

Long Term Planning Survey Results. Director Apel presented the results of the Survey Monkey long-term planning survey that had been sent to members to complete to aid in long range planning for Bayshore. The results have been posted online at bayshorebeach.com.

HOA Management Company. Kurt Powell of Willamette Community Management of Corvallis thanked Bayshore for our interest in their company, but they do not wish to have Bayshore as clients.

NEW BUSINESS:

The was no new business.

MEMBERS COMMENTS:

1. Shelly Woodke – Committees – Was Not in Attendance
2. Mary Lou Morris said that Bayshore is a community and as such all members should work together.

Executive Session. The assembled Board went into Executive Session at 2:45 pm and returned at 3:04 pm. The topics discussed were legal issues and insurance.

No motions were made as a result of the Executive Session.

Adjournment. The meeting was adjourned at 3:05 pm.

Minutes prepared by Jacque Smith, Corporate Secretary

September 15, 2001

Hello Bayshore Beach Club Members,

In light of the last few board meetings, the Board of Directors has decided to take a stance on interruptions.

There always seems to be a few individuals that continually disagree with whatever is going on with the BOD meetings causing a disturbance. These outbursts will no longer be tolerated as they take away from the efforts of the BOD to move the meeting forward and are unprofessional. The offender will be given one warning then asked to leave. This is in NO way an attempt to silence the members or prevent member input, there is time for that at the end of the meetings under member comments.

With regards to member comment time, it is limited to 3 minutes, and the BOD does not need to respond unless they feel there is time and the reply is accurate and logical. If a member has signed up to speak and doesn't relinquish the floor/mic, the member will not be allowed to have member comment time at the next meeting. These comment times are set aside to allow a member to speak on a particular subject in the time allotted to them.

According to B7 - Board Agendas and Meeting Page 20

Member comments are available at the end of regularly scheduled Board meetings, time permitting. Members can sign in prior to the end of the meeting if they wish to speak. Members need to provide their name, address, and topic prior to speaking. Members will be given a time limit of 3 minutes. This is not a forum for open discussion, and a response to member comments is not required of the Board.

The Bayshore Board of Directors encourages all members to attend Board meetings with the reminder that these meetings are not "member" meetings and therefore, participation from the floor is not appropriate.

Please attend the meetings in person or via Zoom, but be courteous, professional, and respectful of the rest of the members. Understand we are trying to conduct business once a month and time is limited.

William Nightingale, President

Spring 2021 Bayshore Member Survey

The survey was distributed in March (April?) 2021, before the annual members meeting. Fourteen questions were asked, focusing on likes and dislikes, livability, STRs impacts on the community, property rights and the HOA role in overseeing STRs.

The office received and validated the surveys based on member information. There were 96 participants, with 52 full-time residents; 19 short-term-rental owners and 25 vacant lot/2nd home owners responding. By comparison, ownership in Bayshore totals: 233 full-time residents; 104 licensed short-term rentals and 646 vacant lots/2nd home owners/long-term rentals. Data entry was done by Kathi Lenz, Jill Stone and Erin Allman. Analysis and summary done by Good Neighbor Committee.

A summary of the survey results shows respondents like Bayshore for its coastal climate, beach access, amenities, affordability and community setting. The biggest dislike is the divisive and hostile climate.

Regarding STRs affecting livability, the yes/no response was split with 44 Yes and 46 No. There was significant commenting which was also split: concerns over decline in livability; traffic and noise were the main points of comments expressed concerning STRs vs improved livability; a focus on increase in property values; positive effect on the economy and little/no effect mentioned by the remaining commenters.

When asked whether STRs benefit the Bayshore community, 44 said yes – citing tourism and property upkeep while 36 said no, mentioning a decline in livability. 15 respondents were unsure.

Opinion on the number of STRs and long-term rentals was mixed with 34 stating there are too many STRs, 31 responding the number is just right with remaining respondents answering: too few, too concentrated or unsure.

A follow-up question on expansion of STRs included a mix of opinion:

No comments: should be stopped (18); detrimental to community (12); should be capped by %; rentals/mgmt. co not respectful (5)

Yes comments: No issues if licensed & well managed (14); STRs have always been in Bayshore (9); Property rights (6); Home values/safety (6)

Unsure comments: County's decision (14); Need more information (6); Building costs & space will determine (3)

An overwhelming number (90%) of respondents said it was important to know their neighbors, with comments including the need for security and dependability, plus enjoying a diversity of neighbors (ST, LT, 2nd home owners, visitors). If dissatisfied with Bayshore, almost half said they would consider selling with the other half split between no and unsure.

When asked if property rights were being adversely affected 66 respondents said yes, 21 said no and 1 said maybe. There were 80 comments, with the main points being: (28) said HOA is overstepping, not representing all and following personal agendas; (19) said homeowners should have the right to rent; (13) said STRs take rights & enjoyment away.

The next several questions looked at STR complaints and STR owner interactions with their property management company. When asked “if you have complained to a property management company, was the issue resolved?” 36 responded N/A; 19 responded yes and 21 responded no. 75% of rental owners have not been contacted about a complaint. A number of comments indicated neighbors & STR owners work things out together.

Rental owners overwhelmingly want to be contacted about complaints, with over 90% indicating yes. Owners were not particular about how, but wanted to be contacted directly.

The final question asked: “Should the HOA take on a larger role in developing, regulating, enforcing rules related to STRs in Bayshore?” Responses: Yes = 49 No = 37 Perhaps = 2.

There were 76 comments, including: Focus on enforcing current regulations (25); should be equal treatment for all (14); BOD over-reaching (10); County should control & enforce (9); Increase in fines and scrutiny of STRs (8).

FINAL