

**BAYSHORE BEACH CLUB, INC.**  
**BOARD OF DIRECTORS MEETING**  
**Saturday, April 16, 2022**

**In Attendance**

Kenn Apel, Director	Division 1
Tom Hurt, Vice President	Division 4
William Nightingale, President	Division 7
Steve Sager, Director	Division 3
Carolyn Gardner, Director	Division 5

President Nightingale welcomed everyone to the hybrid Clubhouse and Zoom meeting, and determined that a quorum was present. The Board of Directors' Meeting was called to order by President Nightingale at 1:04 pm.

**Approval of Minutes**

President Nightingale asked if there were any changes before accepting the Minutes of the Board of Directors' Meeting of March 19, 2022.

**Motion:** Director Gardner moved and it was seconded by Director Apel to make a correction to a motion in the Finance/Budget section of the March 19, 2022 minutes, and include another committee in the line items of the draft budget to add # 10) Capital Projects in the amount of \$52,100.00. As there was no objection or discussion, the motion passed by consensus.

**Motion:** Director Apel moved, and it was seconded by Director Gardner to accept the amended meeting minutes of March 19, 2022 with the correction to the Finance/Budget motion to add line item # 10) Capital Projects in the amount of \$52,100.00. Additionally, a correction in the wording of "Artisan committee" should be modified to read as "Artisan group", plus any editorial misspellings that did not interfere with the meaning of the sentence. A vote was then taken and passed 4 – 0.

Vote:

Apel	Yes	Gardner	Yes
Sager	Yes	Nightingale	N/A as Chair
Hurt	Yes		

**REPORTS:**

**Financials:** Report Submitted. The Board had no questions regarding the financial report submitted.

**Planning Committee:** Report Submitted. Vice President Hurt stated that the current Chair of the Planning Committee was moving out of the area the coming Friday. Vice President Hurt mentioned that there would not be a functional committee after the Chair moved, and there were no volunteers currently for the Planning Committee. Vice President Hurt went on to say "When the current committee members ask other

members to join, the response was usually negative stating: why would I want to serve on the Planning Committee with the way this community treats them.”

President Nightingale then clarified that when the Chair moves out of the area, there will no longer be a functioning planning committee with the required amount of people to approve projects, and all requests will be put on hold until enough members volunteered to reestablish Bayshore requirements for the approval process.

**Long-Range Reserve & Physical Assets.** Report Submitted. Director Apel was contacted by Paul Wellington, the Chair of the Special Road District. Chair Wellington met with Triad and the state rangers who met at the south end of Oceania. Currently, there was a wall of sand that seemed to be the result of individual homeowners pushing the sand from their properties out onto the road.

Chair Wellington mentioned that the Road District would attempt to hire someone (e.g., Triad) to clear some of the sand to create at least two open lanes. He added that a) pushing sand from one’s property out onto the road was against the law, and b) the Road District may eventually give up because the cost is an issue. Director Apel then spoke with Craig Jacobs, chair of the Long-Range reserve and Physical Assets committee about the situation. Chair Jacobs stated that he had spoken to Terry Thisell, who works on sand removal. Terry believes that several people are using their own equipment to clear their driveways, moving the sand onto the road. It may be that some members were moving sand because they thought ‘someone’ was going to come retrieve the sand; however, there is no one or no company currently assigned to retrieve the sand. Some members at the board meeting expressed that the sand was contaminated with leaves and dirt, and that some homeowners may think it is cheaper to clear the sand themselves rather than hiring someone to clear the sand. Regardless, there is an issue with the sand piling up and causing problems and interference with transportation.

Chair Jacobs suggested the Sheriff, who has authority over the roads, be contacted. Chair Jacobs also stated that a joint letter, co-signed by the Road District and Bayshore could be mailed to the property owners in the effected zone referencing that the owner of the lot has to follow County and State regulations regarding sand removal. Chair Jacobs believes that cooperation is key, and that owners cannot expect someone to just come and pick up the sand, and that contractors do not want to stockpile the sand in their yard, as there is no use of it. Chair Jacobs said that if the road gets bogged down with sand and the Road District doesn’t remove it, then vehicles won’t get through, including emergency vehicles.

Member Norman Fernandez mentioned Triad has picked up the sand in the past, but the Road District is responsible for the sand. Member Fernandez wants to know why Triad isn’t removing the sand any longer as he felt there was nothing different this year otherwise. President Nightingale replied that it was not worth it for Triad to come pick up the sand. President Nightingale also stated that, ultimately, this issue will come down between the Sheriff and the homeowner because it falls within the Sheriff’s Jurisdiction. President Nightingale then commented that the homeowner is responsible for removing anything that is going to be east of the west side of the structure, and anything that is west of the westside of the structure can be pushed farther back out if the member has a permit.

Member Mary Lou Morris mentioned a bit of history about Bayshore’s sand rules and mentioned that a number of years ago, a letter was written from Bayshore to homeowners that included mention of a fine to

the members who moved sand onto the right of way. She stated that the Planning Committee would need to enforce the fine schedule.

President Nightingale stated that there would have to be 'evidence- based enforcement' and not 'hearsay' to enforce a fine schedule.

**Motion:** Director Apel moved and it was seconded by Vice President Hurt to send a joint letter from the Bayshore Board of Directors and the Special Roadside District to the homeowners who live south of Marine View along Oceania stating the rules of sand removal. As there was no objection or discussion, the motion passed by consensus.

Member Mike Vest asked if it's legal to push the sand back up and back onto the beach. President Nightingale replied that a homeowner would need a permit from the state for them to push sand from the west side of their structure back to the beach.

**Facilities.** No Report. Facilities Manager Tunison reported he would return to work Monday, April 18, 2022.

**Safety Committee.** No Report. Director Sager stated there was nothing new to report.

**Policies and Procedures Committee.** Report Submitted. Chair Ferguson started the discussion asking if anyone had questions about the report. As there were no questions, Chair Ferguson then asked for approval for the following items: 1) Writing of Petitions and the Recall of Board Members document to be added to the Policy & Procedures manual ( Chair Ferguson thanked Kathi Lenz and Debbie White for all the work they put into the document) and 2) Reimbursement form (form includes the date the Board approved the expense, so a board member approving the reimbursement could match the approval with the expense and the minutes).

**Motion:** Director Apel moved and it was seconded by Vice President Hurt to accept the draft submitted by the Policy & Procedure committee of the Writing of Petitions and the Recall of Board Members document. As there was no objection or discussion, the motion passed by consensus.

**Motion:** Director Gardner moved and it was seconded by Director Apel to accept the Policy & Procedure submission of the new Bayshore Reimbursement form. As there was no objection or discussion, the motion passed by consensus.

Chair Ferguson then mentioned that she served on the Nominating Committee the current year. In doing so, she believed there were some slight changes that might be made that would be useful for next year. The first item was encouraged by President Nightingale who asked Chair Ferguson to draft a "sample email" to members who might be interested in running for an open seat. The second item was to develop the committee earlier. President Nightingale mentioned next year the Nominating Committee would be set up in January to allow more time to complete tasks.

**Social Committee.** Report Submitted. Chair Roger Smith started out by stating that the Ice Cream Social would begin right after the Board Meeting. He also mentioned that June 25<sup>th</sup> would be the 3K/5k Walk/Run with a BBQ Meet-n-Greet right after. He expressed hope that the gazebo project would be complete at that

time, so members could celebrate and socialize in the new gazebo which would be located behind the Clubhouse in the back of the parking lot. Weird Science will play music at the Meet-n-Greet, as they did last year.

Chair Smith stated three new members would like to join the Social Committee: members John and Carol Westhafer and Karen Vest.

**Motion:** Vice President Hurt moved and it was seconded by Director Gardner to approve three new members to serve on the Social Committee, John and Carol Westhafer and Karen Vest. As there was no objection or discussion, the motion passed by consensus.

**Communication Committee.** No Report Submitted

**Good Neighbor Committee.** Report Submitted. Director Apel asked the Good Neighbor committee what the word ad-hoc meant in context to the report. Chair Michael Vest replied that ad-hoc is a term used when a committee meets on an as needed basis to deal with things that pop up. Chair Vest then mentioned that a lot of resources are provided on Bayshore's website.

**Finance/Budget.** Report Submitted. Chair Mary Lou Morris thanked Director Gardner for distributing the proposed budget to the Board. Chair Morris then stated that the budget committee was recommending that the member dues be increased by \$10.00 annually due to the increased cost in salaries, payroll taxes, insurance, utilities, committee expenses, and recommended capital projects. Since 2015, the dues have only been increased twice. However, the current dues will not cover all of the expenses in the proposed budget. The Budget committee also recommended that the funds from the reserve fund be transferred to income so that there would be sufficient funds in next year's budget. The Budget committee extended an offer to discuss the proposed budget with members of the Board if there were any questions, concerns, or additions. A copy of the proposed Budget will be available to members at the annual meeting. In June, the Board will need to approve the Budget for next year, with any revisions.

Vice President Hurt made a comment to Chair Morris regarding the 52000 site operating expenses line, stating the total between the two years was quite a large increase, but yet he could not find where the increase was recorded. Director Gardner and Chair Morris stated they would look into the issue. Finally, Chair Morris stated that input from Craig Jacobs had been very valuable.

**Canal Committee.** Verbal Report. Chair Karen Couch mentioned there were a few items that the committee was working on regarding the erosion issues of the canal. Chair Couch asked the question: if the dike comes out, what happens to the walls of the canal? Will they just continue to slowly take the dirt out? The canal committee recommends hiring a specialist to check out the erosion situation, which will cost between \$1500.00– \$1800.00 just for the application. The Canal Committee was going to start cleaning up the canal, stating there was property owned by Bayshore that the committee could go in and remove the brush and the grass as long as they did not go down below the soil surface. A few canal members were going to kayak the entire canal and photograph the ground level to see what the ground looked like. The committee noticed two houses that were in serious trouble at this time. Chair Couch then mentioned that members should send a letter to the office if they did not want the canal committee looking at your home/lot.

**UNFINISHED BUSINESS:**

Executive Session Vote: President Nightingale recused himself from the discussion.

Vice President Hurt discussed a legal suit that was brought against Bayshore and was filed before the present Board took office last May. The suit was filed by William Nightingale against Bayshore, the Planning Committee at that time, and there were some members of the previous Board who were named in the suit as well. A mediation meeting was held on April 5<sup>th</sup> with David Hilgeman serving as mediator, and a resolution was reached. Four Board members (Hurt, Gardner, Sager, and Apel) met via teleconference to discuss the settlement and agreed in principle to approving it. Vice President Hurt also stated that a type of legal challenge as this current law suit should have been sent to Bayshore’s insurance company first and the insurance company would have assigned a lawyer earlier in the process; thus, some of the costs that Bayshore incurred with its own lawyer would not have occurred. In this particular policy, there is a \$5000.00 deductible. The settlement was completed as advised by the insurance agent and lawyer that served Bayshore, in the amount of \$5,000.00, which is Bayshore’s insurance policy deductible and all other expenses were covered by Bayshore’s insurance. At the end of Vice President Hurt’s discussion of the lawsuit, a formal vote was taken to accept the settlement of this dispute: Vote Passed 3 – 0. The Memorandum of Understanding is appended to these minutes.

Vote:

Apel	Yes	Gardner	Yes
Sager	Yes	Nightingale	Self-recused
Hurt	N/A as Chair		

Vote Passed 3 - 0

Artisan Group: Member Paula Brubaker mentioned that, as of Friday April 15<sup>th</sup>, the area for the gazebo project has been cleared of weeds, grass, debris, and the cement has been poured. Thus, Phase I of the gazebo project had been finished. She mentioned, that it took 20 + people and about 300 volunteer hours to complete.

Cleaning Tennis Courts & Water Update: Craig Jacobs, chair of the Long-Range Reserve & Physical Assets committee contacted Seal Rock Water District regarding the extension of the water line to Mackey Park. He stated that the original estimate that Seal Rock Water District gave him did not include a field visit by their field manager which, when investigated, the field manager noticed the main water line was actually across the road of the park. Thus, Bayshore would be obligated to pay the cost of the road cut and the patching of the road, to get the water line onto the park side of the road. The additional cost would be \$2600.00, plus the \$5170.00 connect fee. Chair Morris from the Budget committee stated that the Profit & Loss vs Actual for this year had a great deal of money left: \$2300.00 from the Sports Court Line item and \$370.00 from the Contingency fund. These funds could cover the additional cost.

Motion: Director Apel moved and it was seconded by Vice President Hurt to use the funds from the Sports Court and the Contingency Fund to cover the extra cost to get the water into Mackey Park. Discussion ensued:

Director Gardner questioned if there were houses on the other side of the street of the park. President Nightingale replied that the main water line runs on the south side of the street.

Director Sager stated Bayshore doesn't need a large water diameter line. Craig Jacobs mentioned Seal Rock would make the determination, could cut and patch, but it was really a Seal Rock Water District decision, or, if the Special Road District requires boring, then Bayshore would have to bore.

Member present at the meeting asked if a house close by would share a hose. President Nightingale replied that there would be a number of different issues to think about if Bayshore shared a hose with a member (e.g., if the house sells, the need to ask, the length of hose, the likelihood of less water pressure from that source, grass issues if Mackey Park has grass one day).

A vote was then taken:

Vote:

Apel	Yes	Gardner	No
Sager	Yes	Nightingale	N/A as Chair
Hurt	Yes		

Vote Passed 3 – 1

#### **NEW BUSINESS:**

Election Information/Candidates Announced: Member Dwayne Hayden of the Nominating Committee presented to the Board the seven (7) candidates the committee was putting forward. The BOD emailed the membership twice and ended up with 10 candidates. Of the 10 candidates, only 7 picked up the packets. Member Hayden mentioned that unless anyone is nominated at the upcoming Membership meeting, Division 2 will not have a Board Member.

Candidates: Jessica Hale; Kathi Lenz; Michael Vest; William Nightingale, Div. 7; Kate Guptill, Div 1; Vivian Mills, Div 6; Storr Nelson, Div 5.

Director Apel then provided the following information from and about the election committee. First, member Carrie Davis volunteered to be Chair of the Election Committee. Other members of the committee are: Mike O'Donnell, Dorothy Bogumil, Robin Adcock, and Gary Brown. Chair Davis has prepared a list of duties for the committee to accomplish before certain time periods. This list allows for members to have a decent amount of time to get their election packet and respond. Chair Davis also had assembled a number of members to help assemble the election packets. Director Apel also stated that the Bylaws say that every member should be able to observe the counting of the ballots. There will be an approximately five-foot section/"buffer" around the election committee members who are counting ballots that will allow any member to observe ballot counting without interfering with the ballot counting. Director Apel also provided a synopsis of the ballot counting process. Two teams of election committee members will be formed. Within the team, one member will count a specified number of ballots while the other team member will count other ballots. The two team members then switch ballots and tally the votes again. The final count will not

be counted until there is a 100% agreement between the team members. This should provide a reliable and valid ballot count.

**Motion:** Director Apel moved and it was seconded by Vice President Hurt to accept the nominees provided by the Nominating Committee. As there was no objection or discussion, the motion passed by consensus.

Director Apel stated that on the day of the election (May 21, 2022), the committee determined that members in attendance will be provided ribbons indicating their right to vote on any motions made during the meeting. Members who also serve as proxies for other members will receive a ribbon for each proxy. Without a ribbon, an individual attending the meeting will not be able to vote on any motions made at the membership meeting.

Vice President Hurt then asked the following question: for board seat elections, it's one vote per property, but when were past that vote, for any other action that's taken in the members meeting, isn't it a vote for every member? President Nightingale answered yes.

#### Change to Bylaws:

Director Apel stated that the Board was recommending a change the Bylaws. The change would allow the board to hire an outside management company to do initial work for the Planning Committee (but not require such a hire). Members were reminded that at least 50 members at the meeting, in person or by proxy, would be enough to take a vote regarding the proposed Bylaws change.

The proposed changes to the Bylaws is the following: "A Management Organization may be hired by the Board of Directors to conduct all reviews and investigations submitted to the Planning Committee and make its recommendation for the handling of the requests or complaints to the Planning Committee. Based on the recommendations of the management organization, the Planning Committee will make a final decision." The exact proposal, the rationale for the proposal, and the requirements for the proposed change to be approved, would go out with the election packet.

**Motion:** Vice President Hurt moved and it was seconded by Director Apel to send the Bylaws change to the members at the Membership meeting. As there was no objection or discussion, the motion passed by consensus.

**Motion:** Director Apel moved and it was seconded by Vice President Hurt to have the committee reports be submitted and attached to the minutes. As there was no objection or discussion, the motion passed by consensus.

#### **MEMBERS COMMENTS:**

Member Jacque Smith commented on the approved Bayshore Reimbursement form, stating that it had a line item of when it was approved by the Board. Member Smith believed required would become very onerous for every purchase made for Bayshore. Director Apel stated that if an expense was already budgeted for in the budget, one did not need to complete the form.

Member Westhafer, Pastor of the Lutheran Church sitting on Bayshore lots, mentioned that not all the lots were homes, that some were businesses. Director Apel replied that such businesses or establishments (e.g., the church, Bay Mart, the hotel) could assign a proxy to an individual member who then would vote for the election and any motions made the day of the election. ,

Member Elaine Ferguson made a comment stating that the Policy & Procedure committee was asked to look into signs and RVs but because that information was part of the Guidelines of Determination, the committee had turned over that work to the Planning Committee. She stated she had not heard back from the Planning Committee. President Nightingale stated that the topic will have to wait until the June 2022 Board meeting.

**Motion:** Vice President Hurt moved, and it was seconded by Director Apel, to adjourn the meeting.

**Adjournment.** The meeting was adjourned at 2:40 pm.

Minutes prepared by Kathleen Drossel, Bayshore's Office Specialist

DRAFT



## MEMORANDUM OF UNDERSTANDING

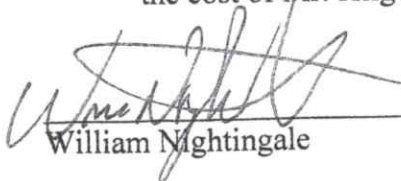
Following good faith negotiations between the below listed parties, the parties agree to the terms of this binding memorandum of understanding with the following terms. The full and final settlement agreement, release, and hold harmless will be prepared by the parties by and through their counsel. Any dispute regarding the terms of this Memorandum of Understanding will be resolved by mediator, David Hilgemann.


### Recitals:

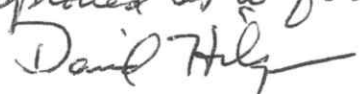
1. William Nightingale sent demand letters to the Bayshore Beach Homeowners Association ("Bayshore HOA") including a number of factual allegations and alluding to a number of legal claims arising out of a height variance request related to construction on Mr. Nightingale's property within the Bayshore community.
2. Mr. Nightingale and the Bayshore HOA mediated the case on April 5, 2022 with mediator David Hilgemann.
3. During mediation, Bayshore HOA and Mr. Nightingale reached resolution in principle.
4. On April 5, 2022 the Bayshore HOA board met in executive session and approve the resolution.
5. The resolution is contingent upon acceptance by the Bayshore HOA board at the next public meeting on or about April 17, 2022.

### Points of Understanding:

1. Bayshore HOA agrees to pay \$5,000 to Mr. Nightingale to resolve the dispute between them.
2. The parties shall execute a full and complete settlement and release agreement consistent with this Memorandum of Understanding.
3. Mr. Nightingale agrees to a full and final release of all claims against the Bayshore HOA, the Bayshore HOA board, the Bayshore HOA board members (both current and former), the Bayshore HOA Planning Committee and its members (both current and former), and their successors, predecessors, assigns, agents, insurers, and attorneys that arose or could have arisen out of the factual circumstances of this dispute.
4. The initial draft of the Settlement Agreement shall be prepared by Defendants' legal counsel. David Hilgemann shall be appointed as the settlement czar as to any disagreement in drafting the final agreement. The parties shall share equally the cost of Mr. Hilgemann acting as the settlement czar.

  
William Nightingale

  
Thomas Hurt on behalf of the Bayshore  
HOA and its Board

*Approved as to form*  


**BAYSHORE BEACH CLUB, INC.**

**MONTHLY REPORT TO BOARD**

**March 31, 2022**

***Revised***

As of March 31, 2022, the 2021 Operating fund balance is \$130,998.46

As of March 31, 2022, the 2022 Operating fund balance was \$97,297.08

As of March 31, 2022, the Long Term reserve fund balance is \$369,520.23

Accounts receivable balance as of March 31, 2022 is \$ 9,516.60

Contingency Fund balance as of March 31, 2022 is \$18,016. At the March board meeting \$3,300 were designated for the gazebo project. \$6,400 were designated for the connecting the water for Mackey Park. These funds have not yet been spent so they haven't been moved in the books.

Late fees and interest have been charged to all past due dues accounts except for those that have liens as of January 1, 2022.

Current Liabilities including accounts payable and payroll related items total \$9,303.29 as of March 31, 2022.

There were 9 property transfers in February.

The financial reports are being prepared by

Carolyn Gardner  
Secretary/Treasurer  
Board member from district 5

## Planning Committee Report to the Board of Directors, April 16, 2022

- 1) Date report submitted: April 9, 2022. Report covers March 11 – April 7, 2022
- 2) Planning Committee Membership Update
  - a) PC member Ray Gamel submitted a letter of resignation from the Planning Committee effective March 30, 2022, leaving two committee members along with the Board Liaison.
  - b) PC Chair Moses Nijmeh will soon be moving from Bayshore and will no longer be available to serve on the PC. His move will likely take place in April. This will leave only one PC member along with the Board Liaison. When Mr. Nijmeh is no longer able to serve on the Planning Committee, the Planning Committee will not be a functional committee and will no longer be able to take action on construction applications or complaints. The Board Liaison will be traveling and away from Bayshore for several weeks of the remaining time leading up to the Annual Members Meeting.
  - c) **Clearly additional Planning Committee members are needed!** PC members and the Board Liaison have invited many people to serve with them on the Planning Committee. So far there has been no positive interest.
  - d) Following the Members Meeting and the election of new Board Members, the Planning Committee Board Liaison, Tom Hurt, will no longer be able to serve as the PC Board Liaison. He has personal life schedule changes that will no longer allow him to give the time needed to serve on the PC. Therefore, a new Board Liaison to the Planning Committee will need to be assigned following the May elections.
- 3) Since last report:
  - a) PC is continuing to clean up Construction/Violations Log.
  - b) New Construction:
    - i) Continued work with owner and contractor where construction has not proceeded, and sand movement remains a problem. Sent email of potential fines.
    - ii) Manufactured Home approved.
    - iii) Home construction application approved along with Height Variance.
  - c) New Construction Completed- 1
  - d) Height Variance:
    - i) One HV approved.
  - e) Projects: (submitted/approved)
    - i) Fence- 2/2
    - ii) Painting- 3/3
    - iii) Roof Reconstruction- 1 submitted but will need a Height Variance
    - iv) Roof extension and painting- 1 submitted (Requested elevations and plot plans.)
  - f) Permits:
    - i) RV-
    - ii) Boat- 1
  - g) Complaints filed:
    - i) Unkept property- Continuing to work with owner to see this resolved.
    - ii) Sign- 1 (Called owner to request that renter remove banner.)
    - iii) Trees- 1
    - iv) RV- 1 (Did research and owner had valid RV permit)
    - v) Dog -1

- h) Complaint Letters
  - i) Informational- 2
- i) Complaints Resolved
  - i) Trees- 1
  - ii) Boat- 1
- j) Other
  - i) Contacts made with realtor regarding fences and removal of sand.
  - ii) Referred questions regarding filling of culvert to Bayshore Road District.

## LRPA Committee Report April 2022

I contacted Seal Rock Water District to request the service connection at Mackey Park. They contacted me back after a field inspection and told me the main line is across the street and we would have to pay the \$5170 connect fee plus the cost of cutting and patching the road and bringing the line to the park. They charge this on a " time and material basis " and now estimated it at between \$2500-3000. Then we would have to plumb in the hose bib service at an estimated \$900. This would bring the total estimate to \$9070 versus the original estimate I asked for, and the board approved , of \$6400. A difference of \$2670 more. I have asked Seal Rock to hold on the request until I get direction from the Board.

I met with the Chair of the budget committee and went through the LRPA Committee budget requests in detail both regular budget recommendations and Capital Projects requests for the 2022 budget. I appreciate the Budget Committee's attention to detail and recognize the difficult task they have putting together the budget request for the Board's review and consideration.

I submitted a policy and procedures change to the P&P Committee to update the vendor request (bidding) policy. The existing policy is out of date, is not in line with today's bidding climate or costs for goods, and does not provide a reasonable method of securing consulting or professional services. I provided the committee with a new draft bidding policy for their consideration. I appreciate the P&P Committee's work and cooperation getting our Policies and Procedures updated.

Respectfully, Craig Jacobs, Chair LRPA Committee

## **Policies & Procedures Committee Report**

April 6, 2022

In attendance: Kenn Apel, Kathi Lenz, Elaine Ferguson, Debbie White

Committee met to discuss the tasks completed in March, changes to policies based on Board feedback, prepare a report to the April BOD meeting, and determine new tasks.

The Committee discussed the following:

1. Staff Job Descriptions/Evaluation Forms: Tabled to May
2. P&Ps for sign fines and RVs: Passed this on to the Planning Committee for their approval. They then can submit it to the BoD
3. Procedures for Petitions and Recall of Board Members, based on Oregon Revised Statutes: Debbie prepared a draft policy. We discussed it and tweaked it, then agreed to submit this to the BoD for approval at the April meeting.
4. Member concern regarding Boats: Elaine will continue to work on this policy.
5. Good Neighbor Committee: we discussed the confusion about what the intent is of this committee. We will consider it after the May member meeting.
6. Policy for reimbursements. Elaine created a form. We agreed to recommend it to the BoD for adoption at the April meeting.
7. Nominating Committee: after a lengthy discussion, we will recommend some revisions to this policy. See attached.
8. Voting from floor at Member Meeting: Debbie is offering a training on Roberts Rules of Order to the BoD, all the candidates, and any member who is interested on April 27 at 10:30 am via Zoom. The training should answer this question.

Future Tasks:

1. Complete wording for Staff Job Descriptions and Evaluations
2. Complete policy regarding boats
3. Finish and implement new styles manual

REQUESTS FOR POLICY APPROVAL:

1. Petitions and Recall of Board member, see attached
2. Reimbursement Form, see attached
3. Templates to assist Nominating (2)
4. Templates to assist the Elections Committees (4)

Respectfully submitted,

Elaine Ferguson  
Chair

Policies & Procedures Committee, 2021-2022

8 attachments

### **Petitions**

- 1 - Members have rights to petition the BOD to take action.
- 2 - The purpose of the petition must clearly state the issue(s).
- 3 - The petition must be signed by, a minimum of 50, Bayshore members and submitted to the BOD with any supporting documentation by the contact person bringing forth the issue(s).
- 4 - If the petition and supporting documentation is submitted, at least a week (7 days) prior to a Board of Director's next meeting, the BOD will allow sufficient time for Bayshore members to address the Board regarding the issue(s).
- 5 - If the petition and supporting documentation is submitted, less than a week prior to a Board of Director's meeting, the BOD will allow sufficient time to address the Board during the following meeting.
- 6 - With the exceptions of a Recall Petition, the BOD has until the following board meeting to respond, in writing, to the issue(s). All proceedings shall be included in the minutes.

### **Recalling a member of the Board of Directors**

- 1 - Any elected member of the Board of Directors may be removed, with cause, by the Bayshore membership for violating the Articles of Incorporation, Bylaws, and/or the Ethical Standards in Board of Directors Policies and Procedures.
- 2 - Board of Directors who were appointed by the BOD, can only be removed by the Board.
- 3 - The Recall Petition must be signed by, a minimum of 100, Bayshore members and submitted to the BOD listing the specific violation(s), along with supporting documentation and the contact person who is bringing forth the Recall Petition(s).
- 4 - A separate Recall Petition must be completed for each member of the board being recalled.
- 5 - Upon receipt of a Recall Petition, the BOD must call a special meeting of the board to address the issue(s). The special meeting will allow for sufficient time for Bayshore members to address the board regarding the Recall Petition(s).
- 6 - If there is no resolution at the special meeting of the BOD, then a special Recall Election shall be held. The procedure will be the same as the annual elections, excluding the Nominating Committee.
- 7 - The Recall Election will be included with the annual elections, if the process of the Nominating Committee has already been appointed.
- 8 - A director may be removed from office by a majority of the votes cast.

# Expense Reimbursement Form

## BBCI Letterhead

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

Address: \_\_\_\_\_

Reason for expense:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date Board of Directors approved expense: \_\_\_\_\_

Itemized expenses: please attach receipts

Date	Description	Amount

\_\_\_\_\_  
Member signature Date

\_\_\_\_\_  
Approved by Title Date



Dear Members,

Bayshore Beach Club needs you!

We are entering our elections season with elections for the Board of Directors coming up this May. Please consider volunteering to run for one of the open seats.

If you want to run, you must own property in the Division for which you are running. Seats are open in:

Division X, term ending X/XXXX

Division X, term ending X/XXXX

Division X, term ending X/XXXX

ANY member in good standing may run for these seats, however, there cannot be more than two individuals from any one Division on the Board:

Open Seat #8: reason, term ending X/XXXX

Open Seat #9: reason, term ending X/XXXX

You may run for the Board by contacting the Bayshore Office at 541-563-3040, [office@bayshorebeach.com](mailto:office@bayshorebeach.com), or dropping by the office (open 11:00 am-3:00pm Monday-Friday, 10:00 am-2:00 pm Saturday) to pick up a candidate's packet. Should you need accommodations, we can send the packet to you by email.

***Applications for Board candidates are due in the office or via email by April 1, 202X before 2:00 pm.***

ONGOING VOLUNTEER OPPORTUNITIES:

We also have opportunities to serve on the following committees. You could actually start tomorrow on any of these! :-))

1. Elections Committee, short term commitment- April 2-May 21, 2022
2. Communications  
Also looking for an editor for our monthly newsletter, The Breeze
3. Planning Committee
4. Safety Committee
5. Social Committee
6. Policies & Procedures Committee

If volunteering for a committee, you may leave you name at the office or contact your Division Director.

Thank you so much for any service you can provide. It will strengthen our community!

Your 202X Nominations Committee

## List of Board of Directors - Study of Staggered Terms - Raw Data

Division	2015-2018	2016-2019	2017-2020	2018-2021	2019-2022	2020-2021	2021-2024	2022-2025	2023-2026
1		2016-2019 Elected/Completed		2019-2022 Elected/Resigned			Next Full Term 2022-2025		
1	No Data			2018-2021 Elected/Completed		2021-2024 Elected - Current			
2	2015-2018 Elected/Completed			2018-2021 Elected/Resigned		2021-2024 Elected/Resigned			
2	No Data				2019-2022 - Elected/Resigned		Next Full Term 2022-2025		
3	(2013-2016)	2016-2019 Elected/Completed					2021-2024 Elected - Current (may fill 2020-2023?)		
3		2016-2019 Elected/Resigned					2021-2024 Elected/Resigned (may be 2019-2022?)		
3			2017-2020 Elected/Completed		2020-2023 Elected Resigned		Next Full Term 2023-2026		
4	(2013-2016)	2016-2019 Elected/Completed		(2019-2022)			Next Full Term 2022-2025		
4			2017-2020 Elected/Completed		2020-2023 Elected/Resigned		Next Full Term 2023-2026		
							2021-2024 Elected - Current (may fill 2020-2023?)		
5				2018-2021 Elected/Completed		2021-2024 Elected - Current			
5				2018-2021 Elected/Resigned					
6			2017-2020 Elected/Completed		2020-2023 Elected - Current		Next Full Term 2023-2026		
6	No Data of second set...						Suggest Next Full Term 2022-2025		
7	2015-2018 Elected/Completed			(2018-2021)		(2021-2024)			
7				2019-2022 Elected - Current			Next Full Term 2022-2025		

## List of Board of Directors - Suggested Staggered Terms

Division	2019-2022	2020-2023	2021-2024	2022-2025	2023-2026	2024-2027	2025-2028	2026-2029	2027-2030
1			2021-2024 (Kenn Apel Elected 2021)		2024-2027				
1				2022-2025		2025-2028			
2			2021-2024		2024-2027				
2				2022-2025		2025-2028			
3				2022-2025		2025-2028			
3		2020-2023 (Steve Sager Elected 2021)		2023-2026					
4				2022-2025		2025-2028			
4		2020-2023 (Tom Hurt Elected 2021)		2023-2026					
5			2021-2024 (Carolyn Gardner Elected 2021)		2025-2028				
5		2020-2023		2023-2026					
6		2020-2023 (Mark Mugnai Elected 2020)		2023-2026					
6				2022-2025		2025-2028			
7			2021-2024		2025-2028				
7	2019-2022 (William Nightingale Elected 2019)			2022-2025		2025-2028			

Template A2 goes with Template A





## Open Seats for 2023

(Predictions as of April 2022)

Division 1 - **Current Board - 2024**  
**Current Board - 2025**

**\*Division 2 - Open 2-year (2025 - fill first for 2)**  
\*Open 1-year (2024 fill second for 2)

Division 3 - **Open 3-year (2026 - fill first for 3)**  
\*Open 2-year (2025)

Division 4 - **Open 3-year (2026 - fill first for 4)**  
\*Open 2-year (2025)

Division 5 - **Current Board - 2024**  
\*Open 3-year (2026)

**\*Division 6 - Open 3-year (2026 - fill first for 6)**  
\*Open 2-year (2025)

**\*Division 7 - Current Board - 2025**  
**Current Board - 2024**

**\*First Priority**

\*Fill in order of votes after first priorities are filled

# Bayshore Ballot Count - May 21, 2022

Sheet # \_\_\_\_\_

Tally of votes by Counter #1 \_\_\_\_\_ Verified Counter #1  
 Tally of votes by Counter #2 \_\_\_\_\_  
 Total number of ballots counted \_\_\_\_\_ Total number of ballots counted \_\_\_\_\_

	<b>Total</b>		<b>Total</b>
Name Division _____			
Name Division _____			
Name Division _____			
Name Division _____			
Name Division _____			
Name Division _____			
Name Division _____			
Write in name Division _____			
Write in name Division _____			
Write in name Division _____			
Write in name Division _____			

**Bayshore Ballot Count - May 21, 2022**

Sheet # \_\_\_\_\_

Tally of votes by Counter #2 \_\_\_\_\_ Verified Counter #2  
 Tally of votes by Counter #1 \_\_\_\_\_  
 Total number of ballots counted \_\_\_\_\_ Total number of ballots counted \_\_\_\_\_

		<b>Total</b>		<b>Total</b>
Name Division _____				
Name Division _____				
Name Division _____				
Name Division _____				
Name Division _____				
Name Division _____				
Name Division _____				
Name Division _____				
Write in name Division _____				
Write in name Division _____				
Write in name Division _____				
Write in name Division _____				



**Bayshore Ballot Count - May 21, 2022**

Final Tally Sheet

Total from    Total from    Total from    Total from    Total from    Total from  
 Sheet #      Sheet #      Sheet #      Sheet #      Sheet #      Sheet #  
 \_\_\_\_\_

**Totals**                      **Election  
Placement**

Name Division _____								
Name Division _____								
Name Division _____								
Name Division _____								
Name Division _____								
Name Division _____								
Name Division _____								
Write in name Division _____								
Write in name Division _____								
Write in name Division _____								
Write in name Division _____								

Verified by \_\_\_\_\_ & \_\_\_\_\_

Letter Head  
**Annual Meeting - May 21, 2022**  
**Ballot for Board of Directions**

**Select up to five (5) candidates**

Vote	Name	Division
		7
		7
		7
		7

Vote	Name	Division
		1
		5
		6
	Write-in	
	Write-in	
	Write-in	

This ballot must be returned by mail no later than Friday, May 20, 2022 or be presented in-person at the Annual Meeting on May 21, 2022 immediately following the closing of nominations at the meeting. If a proxy has been granted and registered with the Election Committee, this ballot must also be returned immediately following the close of nominations.

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Letter Head

**Member Proxy**

**Must be registered with the Elections Committee prior to the start of the Annual Meeting.**

Know by these present that the undersigned, being a member of Bayshore Beach Club, Inc. and being entitled to vote at all meetings, hereby appoints (Name) \_\_\_\_\_ (Member Number) \_\_\_\_\_, who is the member of my choice, as my proxy to attend the Annual Meeting of Bayshore Beach Club, Inc. to be held May 21, 2022 at 1:00 PM, at the Bayshore Beach Club clubhouse, Westward Street, and Oceania Drive, Bayshore Subdivision, with full power to vote and act for me in my name.

Name: \_\_\_\_\_

Membership Number: \_\_\_\_\_

(Please Print)

Signature: \_\_\_\_\_

Dated: \_\_\_\_\_

Valid only for Annual Meeting held May 21, 2022

## Social Committee Report for April

The Social Committee met on Saturday, April 2, and welcomed 2 new members: John & Carol Westhafer. We discussed our upcoming activities with them. They are excited and eager to get involved with the community.

4/16/22 – Saturday (3:30p– 5:00p, or until supplies last) Ice Cream Social. Right after the April BOD meeting, your Social Committee will be having an Ice Cream Social. Come mingle with members while enjoying a tasty treat with all fixings. You don't need to attend the BOD meeting.

6/25/22 – Saturday, 3k/5k walk/run (9:00 – 11:00a) – The Bayshore Artisans Group is holding a fundraiser to help raise funds for the planned Gazebo Project. Come join fellow members in either a 3k or 5k walk/run event throughout Bayshore. See Registration Form at bottom of page for more information and sign up.

6/25/22 – Saturday, Meet & Greet BBQ – 11:30a – 3:30p. After the 3k/5k, stick around and hang out with other members while enjoying burgers & dogs, games, and listening to music from Weird Science. This is open to all members (limit of 4 guests per member). Weird Science will be playing music from 12-3p. Please RSVP to: [social.bayshorebeach@gmail.com](mailto:social.bayshorebeach@gmail.com) before June 22<sup>nd</sup>.

If you would like to get involved with upcoming social activities, drop us a line. We really need volunteers to help with both the walk/run event, and/or the Meet N Greet. Please contact us at: [social.bayshorebeach@gmail.com](mailto:social.bayshorebeach@gmail.com) –

Thank you!

Roger Smith  
Social Committee Chair

## **Good Neighbor Committee Report**

We want to remind the board and members that the good neighbor committee has assembled a list of resources available to the community. These can be found at <https://bayshorebeach.com/good.html>

We will continue to operate on an ad-hoc basis to provide additional resources to help assist community members work together to strengthen Bayshore.

**BUDGET COMMITTEE REPORT**  
**APRIL BOARD OF DIRECTORS MEETING**

Attached to this report is a draft of the proposed budget for 2022-2023 and an explanation of revisions to some categories.

After looking at each line item of the budget, deciding whether last year's approved amount was sufficient, needed to be increased or decreased, total expenses were determined.

Because of the increased cost of salaries, payroll taxes, insurances, utilities, committee expenses and recommended capital projects, the Budget Committee is recommending that dues be increased by \$10 for the coming year.

Since 2015, membership dues have only been increased two years. The following is the history:

2015 - \$230    2016 - \$230    2017 - \$240    2018 - \$250    2019 - \$240    2020 - \$240  
2021 - \$240.

However, increasing dues by \$10/lot will not cover the expenses. The Budget Committee is recommending transferring funds from the Reserve Fund to Income to cover the majority of the capital projects. The Reserve Fund was established a number of years ago by the Bayshore Board of Directors to have funds on hand to make major repairs to buildings or to repair or replace major equipment or other assets that deplete from time to time and/or use. The Reserve Fund is explained in more detail in the Policies and Procedures under Management of and Requirements of a Reserve Fund.

Craig Jacobs made a number of suggested revisions to line items in the budget for the 52000 and 53000 series. The Budget Committee looked at each of these suggestions and agreed. The wording of some categories was changed for clarification. Some categories were combined for simplification. New categories were added and some categories were deleted.

The Budget Committee is willing to meet with the entire Board or individual board members if needed.

This is only a proposed budget at this time. Copies of the proposed budget will be available at the Annual Meeting for members to review.

The new board will set the dues for the coming year at their Organizational Meeting on the same day as the Annual Meeting.

The proposed budget can be modified prior to the June Board of Directors meeting when the budget is approved for the coming year.

I want to thank Budget Committee members Bill Uhlman and Carolyn Gardner. And a special thank you to Craig Jacobs for all his contributions.

Submitted by

Mary Lou Morris, Budget Committee Chair

**Suggested Revisions to Line Items in the Budget for the 52000 and 53000 Series**

52000 Series

52025 Change Janitorial Supplies to <u>Cleaning and Sanitation</u>	\$2,500 (same amount)
52040 Add - Building Materials and Supplies	2,000
52042 Add – Small Tools and Equipment	500
52045 Add - Landscaping Supplies	500
52065 Change Recreation Equipment to <u>Recreation Equipment &amp; Supplies</u>	400 (same amount)

53000 Series

53010 Change Clubhouse Exterior to <u>Building Repairs and Service</u> <u>(Replaces Clubhouse Exterior, Apartment Interior and</u> <u>Clubhouse Exterior)</u>	\$6,500 (same amounts)
53014 Add - Equipment Repair and Service (Includes Furnace Boilers)	1,500
53015 Add – Excavation and Grading Service	2,000
53025 DELETE Furnace Boilers <u>Change to Septic Repair &amp; Service</u>	1,000
53035 DELETE – Misc. Materials/Supply, Tools included in 52042	
53035 Add – Floor Repair and Cleaning Service	700
53050 Change Sport Court & Grounds to <u>Sport Court Repairs or</u> <u>Improvements</u>	2,500
53055 Add – Lawn & Grounds Service	2,000
53056 Add – Inspections & Surveys	1,000