

BAYSHORE BEACH CLUB, INC.
BOARD OF DIRECTORS MEETING
Saturday, August 20, 2022

In Attendance

Kenn Apel, President	Division 1
Tom Hurt, Vice President	Division 4
Carolyn Gardner, Corp Sec	Division 5
William Nightingale, Director	Division 7
Michael Vest, Director	Division 7
Vivian Mills, Director	Division 6
Storr Nelson, Director	Division 5
Kate Guptill, Director	Division 1

Absent

Steve Sager, Director	Division 3
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President Apel 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 Apel at 1:00 pm.

Approval of Minutes

President Apel asked if there were any changes before accepting the Minutes of the Board of Directors' Meeting of July 16, 2022. The changes are as follows:

- Correct the sign measurements for Hilton Park from 18 feet to 18 inches.
- The phrase "rec room" or "activity room" should be taken out of minutes completely.
- The language about the hot water pressuring washing was changed to: The original budget was \$8,000- \$9,000 to bring a water line and water service to the park (e.g., for pressure washing the court, long-term maintenance and improvement of the lawn areas). This original budget item was brought forward from last year's budget. The projected cost for power washing is \$700, leading to a potential savings of at least \$7,000 (assuming washing does what is needed) though it does not address maintenance of the lawn, etc.

Motion: Vice President Hurt moved and Director Mills seconded to approve the Minutes with the corrections as stated above. As there was no objection or discussion, the motion passed by consensus.

GOOD NEWS:

1. *Lincoln County approved the pool inspection with flying colors.*
2. *Membership cards are now available to the members in good standing. President Apel thanked Terri Wellington, Vivian Mills, Mary Lou Morris, and Pat Gagnon for alphabetizing and stuffing envelopes – took all day.*
3. *Recently, Member Linda Moore brought to the board's attention that the Bayshore Community has had problems and/or issues with receiving mail from the Waldport post office. Vice President Hurt*

represented Bayshore and spoke to a member at the Waldport Post office regarding the mail issues in the Bayshore community. After some discussion, the Post Office will now email or phone the Bayshore office if there is any expected delay with mail delivery. The Bayshore office will then send an update email to all the Bayshore members.

4. *The Board now has a Facebook page: "Bayshore BOD Information Facebook Page". Members that belong to the Facebook page will get first-hand information from the Board. The Facebook page is private, so you will have to ask to join.*
5. *The red trash dumpster, as you come in to Bayshore, will be gone by the end of the month.*

REPORTS:

Financials. Report submitted. Corporate Secretary Gardner stated that the Operating Fund Balance of \$82,678 is good, and she apologized that she did not have July's report yet, stating bookkeeping issues. Corporate Secretary Gardner worked all week to get the books in order and is still working on them.

Facilities. Report submitted. Facility Manager Tunison mentioned that there is a group of mailboxes on Oceania, that are about 10 feet off the side of the road, right across the street from beach access 67C. A couple members discussed with Facility Manager Tunison that the post office is refusing to deliver their mail because cars are parking in front of them and blocking access to them. Does the Board want to move the mail boxes? Director Vest asked Manager Tunison if he had spoken to the post office or the road district because the Postmaster must approve post box locations. Vice President Hurt mentioned that a mailbox should be a homeowner responsibility, so he was not in favor of moving the mailboxes.

Motion: Vice President Hurt moved and Director Mills seconded that Bayshore not move any mailboxes and that members are responsible for their mailboxes. As there was no objection or discussion, the motion passed by consensus.

Facility Manager Tunison then discussed the light in Mackey Park, suggesting that, in an effort to keep vandalism down, the light should be turned off. President Apel questioned whether members care if the light remains on or not, and whether some members count on the light being on. Vice President Hurt suggested having the light turned off for now, see what the response is, and get input from members who live around that area.

Motion: Director Nightingale moved and Director Nelson seconded that Bayshore turn the light off at Mackey Park for 60 days, then speak with neighbors.

Amended Motion: Director Vest amended the motion and Director Nelson seconded by adding that in addition, while the light is off for 60 days, that the board should speak with the neighbors around Mackey Park to get member input.

Second Amended Motion: Corporate Secretary Gardner moved and Director Vest seconded that the Board should notify and discuss the light issue with the neighbors of Mackey Park before the light is actually turned off.

The votes were taken on the Motions in this order:

Second Amended Motion: Motion failed (2 Yes, 5 No)

Apel	N/A	Vest	No
Gardner	Yes	Mills	No
Nightingale	No	Nelson	No
Hurt	No	Guptill	Yes

Amended Motion: Motion approved (6 Yes, 1 No)

Apel	N/A	Vest	Yes
Gardner	No	Mills	Yes
Nightingale	Yes	Nelson	Yes
Hurt	Yes	Guptill	Yes

Motion: Motion approved (unanimous)

Apel	N/A	Vest	Yes
Gardner	Yes	Mills	Yes
Nightingale	Yes	Nelson	Yes
Hurt	Yes	Guptill	Yes

Accessibility Task Force. Report Submitted.

Motion: Vice President Hurt moved and Director Nightingale seconded that all three members, Alison Hilber, Jana Hanford, and Linda Moore be appointed to serve on the Accessibility Task Force. As there was no objection or discussion, the motion passed by consensus.

Planning Committee. Report Submitted.

Motion: Director Vest moved and Vice President Hurt seconded to appoint member Mark Mugnai to the Planning Committee. As there was no objection or discussion, the motion passed by consensus.

Long-Range Reserve & Physical Assets. Report Submitted.

Motion: Vice President Hurt moved and Director Nightingale seconded to nominate member George Kressley to the Long-Range Reserve & Physical Assets committee. As there was no objection or discussion, the motion passed by consensus.

Safety Committee. Report submitted.

Motion: Director Vest moved and Corporate Secretary Gardner seconded to nominate member Steve Cooper to the Safety committee. As there was no objection or discussion, the motion passed by consensus.

Policies and Procedures Committee. Report Submitted. Interim Chair Debbie White discussed the Youth Membership Card that Facility Manager Tunison brought to the attention of the Policies & Procedures (P&P)

committee. The P&P committee revised the card, shortened the wording, and added a youth card authorization form on which the parents would sign.

Discussion ensued with President Apel, Interim Chair White, and Vice President Hurt conversing as to what the definition of immediate family actually meant, as well as if a footnote should be added that defined the meaning of immediate family member. For example, immediate family could be a parent, stepparent, grandparent or foster parent.

Director Guptill commented that the immediate family definition could read as a parent or a member who is a legal guardian of a youth. For example, a person could be a grandparent but not a legal guardian. Vice President Hurt mentioned as well that the youth should not be allowed to bring a guest who does not have a youth card. Would the guest of the youth have to pay? President Apel ended the conversation stating that the P&P committee and likely the Bayshore attorney will need to look into this issue further.

Interim Chair White then brought up the draft of the Backyard Rental Agreement. The P&P Committee took the framework of the Clubhouse Rental Agreement and made a separate form for the Backyard Rental Agreement. Director Nightingale brought up an issue that may occur if a member rents the Backyard in the evening and the Clubhouse closes, including the restrooms. This issue will be brought back to the P&P committee for further discussion as to how to keep the restrooms open during an evening Backyard rental.

Motion: Director Vest moved and Director Nelson seconded to appoint member Gary Brown to the P&P Committee. As there was no objection or discussion, the motion passed by consensus.

Motion: Corporate Secretary Gardner moved and Vice President Hurt seconded to accept the Reports for the Minutes. As there was no objection or discussion, the motion passed by consensus.

UNFINISHED BUSINESS:

1. Artisans Group: Member Robin Adcock, representing the Artisans Group, gave a verbal report. Member Adcock mentioned that the Artisans Group received \$390.00 worth of donations which helped the backyard project. The Artisans Group is in process of helping the Mackey Park renovation; right now, they are in the research stage and searching for playground equipment. Member Adcock suggested the group could sponsor a pancake breakfast on September 18th, and a Christmas Bazaar and Bake Sale on December 4th. Member Adcock mentioned that a lot of requests came from vendors and shoppers from last year's Bazaar to have the Bazaar for two days, so the Artisans group would sponsor the Bazaar as a two-day event this year. To rent a display table, vendors will need to donate a fee of \$25.00 for one day or \$40.00 for two days. Member Adcock clearly stated that any funds are donations and they are not fees or money that go to Bayshore.

2. Update on Capital Projects

a. Clubhouse ADA Accessibility Project: Member John Gardner and Corporate Secretary Carolyn Gardner are in charge of this committee/task force and need other members to join and help. A person who has an architectural background would be very helpful. The Gardner's would like to hire someone to come to Bayshore and see what it would take to make the Clubhouse ADA compatible.

b. Mackey Park: Artisans Group is gathering information and research on play equipment.

c. Backyard patio rental: Artisans Group is working on donations to help with landscaping and a large Adirondack chair.

d. Dike path: Will be weed wacked next week.

e. Non-discriminatory language changes in founding documents: Director Guptill is researching and going through the language slowly at this time.

3. Email/web server: Director Vest stated that there is a \$6.00 fee for each email address. A dedicated server would cost \$24.00 a month the first year, then \$80.00 a month. Third party options would have problems. The Board agreed to maintain the status quo.

4. Bylaws Task Force: Director Guptill stated she met with the task force volunteers and would have an update and questions next month for the Board.

NEW BUSINESS:

1. Task Force Names: Vice President Hurt mentioned that the Task Force for Accessibility is investigating a viewing platform, rather than making it all the way to the beach. The idea is still in discussion. Vice President Hurt is not sure if a name change is needed at this time.

2. Alerted via a text message, President Apel stated that the Policies & Procedure committee, which is part of the Bylaws Task Force, needs to be involved with all Bylaws Task Force meetings and communications.

3. Fiber service to members' homes/properties (Informational): Pioneer is coming to Bayshore to change their client's copper wires to fiber. Pioneer will need to have authorization to come on to a member's property. Pioneer authorization forms are in the Bayshore office, or members also can go online at Pioneer (fiber.pioneer.net/fiber-authorization) to get an authorization. If a member is not a Pioneer client, the member can still give authorization via the form in the office or through the internet to receive fiber to the member's home.

4. Clearing beach access points: Bayshore will ask Terry Thissell to clean up three beach accesses before the end of September, if Terry can get a State Park permit. Bayshore will pay Terry Thissell \$750.00 to clean up 67 B, C & D. Vice President Hurt asked that Terry grade access 67B to the ADA approved slope.

Motion: Director Nightingale moved and Director Vest seconded to hire Terry Thissell to clean accesses 67 B, C & D for \$750.00, as well as have the slope of 67B be at the ADA approved grade. As there was no objection or discussion, the motion passed by consensus.

5. Bayshore attorney: The Board wanted to hire a new Bayshore attorney, Kathleen Profitt. Kathleen Profitt has a background in litigation and has focused on HOAs and condos since 2007. Ms. Profitt helps with enforcement issues and conflict resolution, and works for the Association as a whole.

Motion: Corporate Secretary Gardner moved and Director Nightingale seconded to choose Kathleen Profitt as Bayshore’s new attorney. As there was no objection or discussion, the motion passed by consensus. President Apel and Corporate Secretary Gardner stated they would sign the legal services agreement document after the meeting.

6. Other

a. Bayshore Special Road District: President Apel wanted to make it clear to the members that the Bayshore Special Road District is NOT part of Bayshore; it is a separate entity. Bayshore puts the Road District report in the Breeze so Bayshore members can have an update of what’s going on, but it is not a Bayshore Beach Club Committee.

b. Lost pet: When a pet is lost, some members feel that Bayshore should send out an email to all members alerting the community of the lost pet. President Apel was interested in hearing director’s thoughts on the topic. Director Nelson stated he didn’t feel it was the Board’s responsibility and that the information should be put on Facebook, or other community chats. There was no further discussion or motion made.

MEMBERS COMMENTS:

Member Elaine Ferguson stated that the Bylaws Task Force meeting that was held earlier that day (as reported by Director Guptill) was not allowable, as the members of the Task Force who also are on the P&P committee were not invited to the meeting. Member Elaine Ferguson also stated she did not know who the other volunteers on the Task Force were. President Apel stated all members of the Task Force were provided in the July BOD minutes. Member Elaine Ferguson stated she was upset that members of the P&P committee, who are part of Task Force, were excluded from the meeting. Director Guptill mentioned the meeting held was a quick meet-n-greet and not an actual meeting.

Member Norman Fernandez went to the Pioneer company and Pioneer told him: “Do nothing, Pioneer will send information when needed.” He also mentioned that Pioneer has generators that are used for phones but that in the future, Pioneer would switch out the generators to batteries, and that a member’s Pioneer phone would be required to use batteries. Member Fernandez explained this would be a big change.

Member Dwayne Hayden questioned the financial report of \$177,000 for the accounts receivable for the month of June. Corporate Secretary Gardner stated that sum was at the end of June and that a lot of dues had not been paid. Corporate Secretary Gardner urged members to pay their dues if they had not yet done so.

EXECUTIVE SESSION: Began at 2:25 and ended at 3:05, no motions.

Adjournment. The meeting was adjourned at 3:15 pm.

Minutes prepared by Kathleen Drossel, Bayshore’s Office Coordinator

BAYSHORE BEACH CLUB, INC.

MONTHLY REPORT TO BOARD

June 30, 2022

As of June 30, 2022, the 2021 Operating fund balance is \$130,998.46

As of June 30, 2022, the 2022 Operating fund balance was \$25,665.04

As of June 30, 2022, the 2023 Operating fund balance was \$82,678.00

As of June 30, 2022, the Long Term reserve fund balance is \$369,529.55

Accounts receivable balance as of June 30, 2022 is \$ 177,715.96

Contingency Fund balance as of June 30, 2022 is \$18,016.

Current Liabilities including accounts payable and payroll related items total \$ 10,739.56 as of June 30, 2022.

There were 4 property transfers in June.

As promised, the insurance company reimbursed Bayshore \$5,000. This payment was received in June. There was a large unexpected legal bill about an issue that was not collectable. Unfortunately, the bill had to be paid.

It is always interesting as we reach the end of the year to see how the budget worked. Last year the budget was prepared without much background information. There were some items which inflation really made a difference. All in all the expenses were not out of line.

The financial reports are being prepared by

Carolyn Gardner
Secretary/Treasurer
Board member from district 5

Proposed August 2022

Bayshore Backyard Patio Member Rental Agreement

Member Name: _____ Member# _____

Date Desired: _____ Hours Needed: _____ to _____ # of Guests: _____

Backyard Gazebo area: \$15.00 per hour

- Does not include kitchen use.
- May include the use of the downstairs Clubhouse restrooms only – Closed at 5:00pm
- Event must be completed and cleaned up by 10:00pm
- Garbage must be dumped (Garbage can north end of cement slab)

Event Hours (includes set up/clean up) _____ @ \$15.00= \$ _____ Due \$ _____

All Rental charges to be paid in full at least two weeks prior to reserve the date and times requested. The fee shall be paid by check written by the renting member.

REFUNDABLE DEPOSIT to be paid in full to reserve the dates and times requested. All Events: Conditional refundable \$200.00 Damage/Cleaning Deposit Total Amount Due "Bayshore Beach Club, Inc." (Deposit will be refunded within 30 days after event, if earned)

TOTAL AMOUNT DUE: Rental: _____ + \$200.00= \$ _____ Make check payable to "Bayshore Beach Club, Inc."

Bayshore Member Rental Policy:

- Member must be in good standing
- Member must attend the entire event.
- Bayshore Member must sign this agreement.
- No smoking is allowed within 15 feet of the Clubhouse.
- Neither pool nor the upstairs areas are part of this agreement.
- All participants must comply with current health and safety protocols. Initial: _____
- Per Oregon State Law: the member renting any Bayshore Beach Club Facility is responsible if liquor is served, and required proof of liability insurance for the event. Also, no consumption of alcohol by anyone under 21 years of age is allowed. Initial: _____
- Facility Manager is responsible to determine the amount to refund of the deposit. Grounds are to be clean, no garbage outside of provided garbage can is allowed, and no damage to the area or structures. All clean-up must be completed by 10:00 PM on the event date. It is understood that any damages/cleaning caused will forfeit the DEPOSIT. In such case as the damage/cleaning exceeds the refundable deposit it is agreed that the renter will reimburse Bayshore Beach Club, Inc. in the amount of said excess. Initial: _____

Proposed August 2022

Because Bayshore Beach Club, Inc is a non-profit organization, the premises shall not be rented to any commercial or non-commercial organization for soliciting, selling, or actual sale and delivery of any material item or service. Non-profit organizations sponsored by BBCI are exempt. See BBCI Bylaws Art IX, Sec 6

Name of Insured:

Address of the Insured:

Name of Insurance Company: _____

Policy Number:

Amount of liability:

Amount Received: \$ _____

Check Number: _____

Member Signature: _____ Date: _____

Facilities Manager Signature: _____ Date: _____

Deposit Refunded?: Yes No Partial

Explanation for less than full refund:

Requested action June 2022
Submitted to BOD for action August 2022

MEMO

DATE: August 10, 2022

TO: Bayshore Board of Directors

FROM: Bob Tunison, Facilities Manager

SUBJECT: August Board Report

***** DISCUSSION OR ACTION ITEM: LONG-TERM LEASE DEFINITION UPDATE:**

In the past several weeks, several members who rent their homes to short term, vacation renters have written to me as well as the office indicating that they intend on continuing to rent their homes to short term, vacation renters but intend to do so on the basis of using wording in their contracts to define these rentals as “30-day” rentals. In anticipation of doing so (which they are considering since Lincoln County has passed legislation eliminating short term rentals in the near future), they have asked if Bayshore would approve of allowing such renters to use the pool without charging fees to do so since (to their understanding) the renters would fall under our P&P definition of “long-term” renters simply by categorizing their renters as such in their leases.

Bayshore’s P&Ps requires that the owner of a property surrender their member cards to the office prior to issuing long-term renters a “Long-Term Renters Card”. In those instances, referred to me, I have responded by informing the member the relevant P&P language and requirement which defines a long-term renter as stated above. In all such responses and when challenged specifically about their “interpretation” of the definition of a long-term renter, I responded by clarifying that a long-term renter is defined in our P&P’s as being a lease with a minimum term of 30-days along with the P&P provision that the renter “move in their possessions”.

My intention in bringing this matter to the board’s attention is to ensure that I have answered these inquires correctly and to see if the board feels that an update in the wording of the P&P’s can further clarify the current definition. I am not suggesting that the current definition is lacking as much as asking if an expanded definition would be more appropriate.

If the board would like to pursue this further, my intention with the board’s approval would be to forward this to the P&P Committee so they can present the results of their discussions to the board for consideration at a future meeting.

*****ACTION ITEM: RELOCATION OF NW OCEANIA MAILBOXES:**

Two of the members who have mailboxes located at a “group mailbox” installation on NW Oceania Drive have requested if Bayshore will relocate those mailboxes. This request is based on recent Post Office notices informing owners of these mailboxes (located approximately 5-6 blocks south of the clubhouse) that mail delivery at will be discontinued due to the boxes being continuously

blocked by cars being parked in front of them. In addition, the owner's indicated that the original placement of the posts supporting the horizontal board to which the mailboxes are attached had been done by the clubhouse which I recall having been done by the previous Facilities Manager. The unique situation resulting in cars being parked in front of the mailboxes is their location directly across from beach access 67D and that the two posts were installed approximately 8-feet from the edge of the road allowing cars to conveniently park there when using that beach access.

I do not personally mind relocating the posts close enough to the road surface to eliminate the parking problem especially since doing so corrects the problematic original location of the posts which was done by our staff member (although the appropriateness of our agreeing to do so originally was certainly questionable at the time). In order to complete this work, it would take about an hour and a half of my time plus the cost of the 4x4 posts and the cross-member to mount the mailboxes (approximately \$60.00). If the board decided to do so, I would suggest that we confirm with the owners of these boxes that they will be responsible for re-mounting their own mailboxes from a practical standpoint as well as our being unable to legally do so.

Based on the board's decision, I suggest that the owners of these mailboxes (approximately 5 or 6 members if memory serves me correctly) be notified of the board's decision (whether we move the framework or not) and (should the board decide to have me relocate the posts and horizontal mounting board) that they be notified of the date on which this work will be done so that they can plan on moving their mailboxes to the new mounting board the same day to avoid the need to make arrangements with the Post Office to collect their mail until they can do so. Removal of the old posts and horizontal board would take less than 15-minutes which I would suggest I do if the board approves of my installation of the new posts and horizontal mounting board.

*****ACTION ITEM: APPROVAL OF P&P CHANGES – YOUTH MEMBER CARD**

As directed during the July board meeting, I shared my outline of suggested changes to our existing Policies and Procedures regarding the issuance of a Bayshore member's minor "Youth Member Card" with the Policies and Procedures Committee. The attached updated language to the current Policy and Procedures Manual page outlining the requirements and procedures to be followed for issuing a Youth Member Card as well as the attached "Youth Member Card – Authorization Form" are the result of our discussions and the final recommendation being made to the board for their approval.

It should be noted that while the original recommendation presented to the board of directors at their July board meeting included language intended to create a liability waiver combined with an authorization form, the waiver of liability form has been eliminated from this proposal. The reason for eliminating this from the authorization form is that there was a great deal of discussion regarding whether or not our attorney should be consulted regarding the need for/composition of a waiver which is strictly a board decision. It was also felt that since the issuance of Youth Member Cards in the past 10-years (and, most likely, since the creation of the policy) has not resulted in any liability claims by parents/legal guardians of Youth Member Card holders and

considering the expensive cost of seeking legal advice, the request of the approval by the board of this change without inclusion of a liability waive would serve the immediate need to have this revised policy in place while allowing the board to decide on whether to include a waiver of liability in this policy at a future date.

It is our recommendation that the board approve the attached forms which describe the textual policy changes being made as well as the adoption of a new "Youth Club Member Card Authorization Form".

Youth Member Card Issuance Procedures

A Youth Member Card may be issued to one or more immediate family member(s) of a Bayshore member in good standing who is at least 14-years of age and below the age of 18 by adherence to the following procedures:

1. A Bayshore member in good standing who is the parent or another person who is the legal guardian of an immediate family member between the ages of 14 and 18 must request a Youth Member Card in person at the Bayshore office.
2. The adult member requesting a "Youth Member Card" must sign and date Bayshore's "Youth Member Card Authorization Form". This form contains the parent/legal guardian's authorization to issue the card to a named card holder.
3. Holders of a Youth Member Card must abide by all of Bayshore's general rules and regulations regarding the use of the Bayshore pool as well as specific rules which are applied to holders of a Youth Member Card which are attached to and become part of this form.
4. Once issued by office staff, the Youth Member Card does not need to be renewed as is the case with Bayshore member cards. However, a Youth Member Card will be considered invalid if, for any reason, the card of the member parent/legal guardian expires or becomes invalid.
5. The Bayshore office will maintain a file which includes the original, signed "Youth Member Card Authorization Form" and will give a copy of the form as well as Bayshore pool general and specific rules and regulations that apply to holders of a Bayshore Youth Member Card to the parent/legal guardian applying for the card.

Youth Member Card Authorization Form

I, *(please print)* _____ am the parent/legal guardian of
(Please print) _____ and am requesting that Bayshore issue
a Youth Member Card to my ____ son ____ daughter ____ legal dependent whose name is
(Please print) _____. By my signature below, I certify that
he/she is between the ages of 14 and 18 and that I am a member of the Bayshore Beach Club,
Inc. in good standing.

By my signature below, I am fully aware that Bayshore does not provide a lifeguard at its swimming pool. It is also understood that the holder of this Youth Member Card is allowed access only to the Activity Room and swimming pool while using his/her card and that the youth card does not apply to use of other areas within the Bayshore Clubhouse. It is expressly understood that Youth Member Card holders are not allowed use of the pool table or weight equipment in the Activity Room, is allowed only one guest at any time while using the pool or Activity Room, that he/she must follow all other posted rules for use of the swimming pool and activity room, and have their Youth Member Card in possession and present it whenever requested by Bayshore staff.

I also acknowledge receipt of a copy of this application at the time this application was completed along with a copy of Bayshore's rules and regulation regarding use of the Activity Room and swimming pool and that I will thoroughly review the same with the card holder prior to the holder using their card.

The parent or legal guardian understands that the youth card being issued will not need to be reissued annually, that a \$5.00 fee will be charged to replace lost/stolen cards, and that the card will become invalid if the parent's/legal guardian's Bayshore member card becomes invalid for any reason or if the Youth Member Card holder does not adhere to Bayshore's rules and policies.

Parent/Legal Guardian Signature

Date

Bayshore Approval

Date

*****ACTION ITEM: PROPOSAL TO TURN OFF MACKEY PARK POLE LIGHT AT 10:00 PM**

I am requesting that the board seriously consider having public utilities turn off the pole light at Mackey Park at 10:00 PM seven days a week which is the current Bayshore policy regarding daily closure of Mackey Park. Prior to specifying the supporting reasons to do so, it should be understood that the current light is incredibly bright and, while on, gives the distinct impression that the park is open. Numerous parks and athletic facilities within Oregon who have lighted facilities turn those facility lights off at the closing time for use of those facilities.

The reason I am requesting this is that the perceived status of the park being open has created numerous complaints by nearby residents over the past 5-years regarding activity in the park by youths who are not members or guests (but in certain instances, may be vacation renters). In responding to several telephone calls this summer, I have personally asked youths primarily in their teens to leave the park because it was closed (after 10 PM). Rather than generalize further, I would like to bring up one recent example which took place this past Tuesday evening and which is referenced in the following copy of an email I received from a Bayshore Member the day after this incident occurred. Ms. Voisard's email recounts her telephone call to me on Tuesday night at approximately 11:00 PM regarding the current problem of activity in the park after hours, the loudness of the activity, and the manner in which one of the youth's responded to her using vulgar language when asked to leave the park. My interactions with the youths when I arrived at the park as described below is typical in most respects of the same interactions I experienced in the two previous encounters this season.

When I asked the youths to leave, one of them asked why and I told him that the park closes at 10:00 PM. He then challenged my authority and I told him that I was the manager of Bayshore and part of my job is to make sure our neighborhood rules are observed. It was obvious that none of these teenagers were members and probably not guests of members or vacation renters...none of these classifications include the use of bicycles and, to date, I have not observed any members or guests in their age group. I asked the same male teenager if he lived in Bayshore. He immediately answered "Yes". When I asked him what his address was, he was silent and was also silent when I again asked him for his address. While smiling, I started to say to him *"Now that we know you're not a member, if I receive a call to come out here again, ..."* and he interrupted me by facing off with me and saying *"Don't threaten me."* This time, I remained silent for a moment and then (while still smiling), said *"I am not threatening you...I am promising you that if I receive a call again and find you here, I intend to have the police with me."* At that point, he backed off and we all started walking towards the park entrance as I looked at one of the other male teenagers, said *"Have a good night."* and he responded saying *"Thank you, sir."* The other teen who tried to face off with me said *"F—k Off"* over his shoulder just loud enough so I could hear it. I didn't say a word, got in my truck, drove away, headed to the Bayshore store, and parked in their parking lot. After waiting a while, the teens rode/walked by me and turned heading towards Waldport on the edge of the highway.

I described the above in order to give you an idea of the flavor of this and previous encounters. Although the dialogue was not the same, the “flavor” of the conversation was the same.

We have recently experienced damage to our tennis court as well as the basketball apparatus and this damage was not done in broad daylight. I am currently in the process of repairing the gate to the tennis court which had a hole cut in the material. I had to buy a large roll of matching chain link 2-3 years ago and have had to use it 5-times so far to repair damage to the fencing/gate. In part, the board is now considering the purchase of a new basketball backboard assembly due to recent damage which was brand new 2-3 years ago and which cost the association approximately \$750.00 to replace.

By way of comparison, I am suggesting that if the board saw fit to update the gravel lot in order to deter unwanted behaviors by non-members, then they may see the practicality of limiting lighting at Mackey Park to accomplish the same goal. The upgrading of the gravel lot has been extremely successful in accomplishing the goal that was set in doing so and I believe that by limiting the lighting at Mackey Park we will be successful in drastically reducing property damage while, at the same time, protecting our member’s right to a peaceful existence which Ms. Voisard alludes to in her email. Here is a copy of Ms. Voisard’s email:

Nightly park activity

Inbox



Jenny Voisard <jvoisard@comblu.com>

8:30 AM (3 hours ago)

to me

Dear Bob,

As you know I had to call you at 11PM last night due to continued late night park activity. They are able to play basketball – which is very loud at my house – at night. They have done it three times this summer between 11 Pm and 1 AM. They can ride their bikes around and have the run of the park. When I told them they needed to leave last time (in July) a male yelled “fuck you” at my house and dribbled their basketball very loudly in front of my bedroom window. After midnight. Scary.

We work in the morning and I have PTSD. I need the park to be closed at 10PM like it is supposed to be. How can we ensure this happens?

Thank you very much for your prompt attention. You were true to your word and here in 3 minutes, and you had them out in 5. I don’t want to have to call you at night though, it isn’t good for either of our health 😊. I do appreciate your help in this matter.

Sincerely,
Jenny Voisard

Planning Committee Report to the Board of Directors, August 16, 2022

- 1) Date report submitted: August 16, 2022. Report covers July 6 – August 16, 2022
- 2) Planning Committee & Membership Update
 - a) Planning Committee continues to meet on Tuesdays from 9-11AM in the office
 - b) The committee has met each week when a quorum is present
 - i) Committee met 7/12, 8/2, 8/9, 8/16
 - ii) Committee didn't have a quorum 7/19 & 7/26 due to illness & travel
 - iii) Committee held additional meeting on 8/5 to work through backlog
 - c) PC members continue to invite people to serve with them on the Planning Committee.
 - i) Mark Mugnai has begun shadowing the PC and may join as a permanent member.
- 3) Since last report:
 - a) PC is continuing to clean up Construction/Violations Log and committee email inbox. As of August 16 inbox is empty!
 - b) New Construction:
 - i) New Construction approved (reduced size of home)
 - ii) Manufactured Home approved
 - iii) Height variance request process started
 - c) Projects: (approved /submitted)
 - i) Fence – 2/3
 - ii) Garage – 1/1
 - iii) Painting – 5/5
 - iv) Deck – 1/1
 - v) Patio Cover – 1/1
 - vi) Replace roof – 1/1
 - vii)
 - d) Permits:
 - i) RV - 1
 - ii) Boat - 2
 - e) Complaints filed:
 - i) Trees - 2
 - ii) RV – 1
 - iii) Boat – 2
 - iv) Trailer - 1
 - v) Cat - 1
 - vi) Unapproved grading – 1
 - vii) Not in HOA jurisdiction - 3
 - f) Complaint Letters
 - i) Informational – 1
 - ii) Notice of Violation - 5
 - iii) Notice of Fine – 2
 - iv) Refer to Board of Directors for legal guidance - 1
 - g) Complaints Resolved - None

Meeting for July 20, 2022 (Began: 7:00 pm & Adjourned: 7:48 pm) Next meeting - Zoom – August 24th at 7:00 pm

Attendance: Storr Nelson (Board Liaison), Debbie White (Interim Chair),

Excused: Elaine Ferguson (Chair), Kathi Lenz, & Jennifer Berry

Old Business:

Job Descriptions – Consider having a separate addendum (Revisit w/Jennifer)

Bid process for Long-range planning committee – Possible limit \$2,500. Pre-vetted vendors for some reoccurring or emergency things – Storr will look further into this and report back.

Elections/Nomination – minimal revisions needed. Specifics could go as addendums.

New Business:

Storr will get the list of items the BOD sent to P&P so we can address them

Request from Kenn Apel, BOD President - Issue of political signs (to be discussed August meeting after gathering more information – what is in the Articles of Incorporation vs. past practice & surrounding areas)

Current committee is at 4 – we need a new committee member. In June, BOD did not approve two proposed new members. P&P will put forth another proposed member, Division 5 – Gary Brown.

Clean-up committees – Kathi

Items outside of meeting:

Request from BOD via Bob Tunison – Reviewed and made revisions to the Youth Member Card. See Bob's report for final proposed wording. P&P suggests that the waiver portion be reviewed by Bayshore's lawyer to make certain it does what it should.

Informational: Approved by BOD (7/16/22) via Bob Tunison... **"Vacation renters wishing to use the Bayshore pool are limited to a maximum of 10 (ten) persons per visit."** (Suggested placement Page 48, M1 #6)

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Items needing Action from BOD in August

**Action:** Request from Kenn Apel, BOD President. **Draft Backyard Rental Agreement** (See attachment)

**Action:** Request to add Gary Brown, Division 5 to the Policy & Procedures Committee

## Canal Report – August, 2022

1. Bayshore Dike Project- I found out about this project from the minutes being sent out. I would have appreciated knowing before meeting.
  - a. Possible spraying the weeds and grass on top. Nobody will be spraying anything. Chemicals being sprayed would leech into the canal that could harm our water system. We have otters, fish including salmon and a huge variety of birds that include Blue Heron, Sandpipers, Turkey vultures and the threatened Snowy Plover. Spraying will open up a lawsuit against Bayshore.
  - b. Weed barrier and gravel. Sounds great but not a solution and will cause more issues. Unless you plan on putting at least 7 inch borders down both sides, you will have all that gravel sliding into the canal which will cause a major clean up problem.
  - c. The solution for now is simply weed whack the grass. Easy Peasy. I am sure there are employees who could spend 30 minutes doing this.
2. Clean up of Bayshore owned property into canal. We would like to get a work party for September to cut down the trees and bushes that border the north end of canal off of the parking lot. There are tires and debris that have been thrown into the canal and need to be removed. The culvert that goes under Westward is in need of repair and I have Darrin doing the drainage ditch at the end of this month. Rod has agreed to let us use his dump truck and we will pay the dump fees. The Army Corp has said we can clean out down to the water high tide line. We can only cut to the soil but not disturb below ground. We will need help from the BOD. Two Bayshore members have threatened lawsuits in the past.
3. Erosion issues- We still have hopes of photographing the erosion on a couple properties. Army Corp has stated if we are building retaining walls that if they are going from the canal up the bank they need to be done with rip rap and a slew of permits. If a person wants a "pretty" retaining wall you can do it without permits BUT it has to be above the high water line. Bayshore owns the canal. Army Corp controls what can be done to or in the canal and property owners own the land down to the water's edge. Property owners are responsible for their land and responsible for erosion control and the costs. One couple on the canal had to have rip rap brought in for approximately 35 feet. Rip rap and all the permits cost between \$8-\$10K and took almost a year getting permits.

Again we are being accused by a woman on social media of having secretive meetings.  
I will attend this meeting.

Karin Couch  
Canal Chair

## 8.20.22 Long Range Physical Assets Committee Report to Board of Directors

Date of Report: 8.3.2022

Current Membership: Mark Mugnai, Tom Hurt, Board Liaison. Bob Tunison, Facilities Manager, ex-officio member.

1. Committee has had one meeting on August 2, 2022.
2. Request the appointment of George Kressley to the committee. (Owns property at 202 NW Oceania. MBA in Finance and CMA and working in finance and strategic planning for 25 yrs.)
3. Once additional members are seated on the committee
  - a. Elect a Chair
  - b. Discuss the process of decision making and working with the Facilities Manager.
  - c. Will invite Craig Jacobs to come to a meeting to inform the LRPA Committee of the documents which have been developed.
4. All members will sign the Ethical Standards Statement.

## **Bayshore Safety Committee Meeting Minutes 7-16-2022 3:30 pm**

Attendance: Karen Fitzgerald, Chair, Steve Sager, BOD liaison, Jesse Peters-absent

The Emergency Cache was opened for Bayshore members by Karen and Steve following the Board of Directors meeting.

Karen reported that additional supplies had been received by local CERT members, John and Pam Garland. These items were inventoried and added to the Cache. Karen and Steve reviewed the current supplies. Although the cardboard boxes have been removed and replaced with Rubbermaid storage totes, it was noted the cache interior remains damp. The addition of moisture absorbing agents were discussed.

Two Bayshore families did attend the Cache opening. One family is interested in adding a personal storage tote to the Cache. One family reviewed and updated their tote supplies. Karen did speak with current Bayshore resident, Steve Cooper regarding interest in joining the Safety committee. Steve stated he is interested and willing to join the committee.

### Action Items:

- The nomination of Steve Cooper will be presented at the next Board of Directors meeting for approval – Steve/Karen
- Additional cache supplies to be added to the cache inventory spreadsheet – Karen
- Review current Cache supplies and prioritize additional supply purchases – Safety Committee

Next meeting – To be scheduled

Respectfully submitted,

Karen Fitzgerald

# SOCIAL COMMITTEE REPORT

## August 12, 2022

### Social activities happening soon

\*\*Are there any Veterans out there who would like to get together for a Coffee Klatch at the Clubhouse? If you are interested in meeting other veterans in the community, please reply to: [social.bayshorebeach@yahoo.com](mailto:social.bayshorebeach@yahoo.com)

- August 20 – Ice Cream will be served after the BOD meeting.
- August 27 – (6 – 8p) BYOB & Blues 2 on the back patio. Bring your favorite beverage, beach chair, and a potluck item to share, while enjoying some great blues music from local Bayshore guitarist Mike Tolle. This is a great way to relax, meet new members, and have fun while enjoying the new patio and gazebo. Our first music event was a huge hit, so we decided to do it again. We hope that you'll come out and join us!
- Sept. 9 – Rock Painting. Join Babe Hamilton, as she takes you through the steps to paint a crab on your rock. Just bring a rock to paint, some wine to share, and be ready to have a rocking good time.
- Sept. 17 – After BOD meeting, we will be offering smores out on the back patio (weather permitting)

We have a new email address: [social.bayshorebeach@yahoo.com](mailto:social.bayshorebeach@yahoo.com) If you have questions, comments, or ideas that you want to share you can reach us here.

Thank you,

Your Bayshore Social Committee members:

Roger Smith – Chair

Ila 'Babe' Hamilton

Karyn Vest

Carol & John Westhafer

Vivian Mills – BOD Liaison