

BAYSHORE BEACH CLUB, INC.

BOARD OF DIRECTORS MEETING

Saturday, October 15, 2022

In Attendance

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

Absent

Steve Sager, Director	Division 3
Carolyn Gardner, Corp Sec	Division 5

President Apel welcomed everyone to the hybrid clubhouse and Zoom meeting. Due to Corporate Secretary Gardner's absence, President Apel requested Director Mills act as Corporate Secretary during the meeting, and she 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 September 17, 2022.

Motion: Director Mills moved and it was seconded by Vice President Hurt, to add a line item #6 in section "A Few Key Points" to the Member Agenda Items, on Page 8 of the Minutes of September 17, 2022: #6) According to Bayshore's attorney, if the BOD tried to make a provision to help protect an individual or subgroup of individuals, the BOD would be in violation of the Fair Housing Act. Vote was taken, motion passed 6-1.

Apel	Yes	Vest	Yes
Hurt	Yes	Guptill	No
Nightingale	Yes	Nelson	Yes
Mills	Yes		

Motion: Director Nightingale moved and it was seconded by Director Nelson to accept the amended meeting minutes of September 17th, with the correction to section "A Few Key Points" in the Member Agenda Items on Page 8, adding line item #6) According to Bayshore's attorney, if the BOD tried to make a provision to help protect an individual or subgroup of individuals, the BOD would be in violation of the Fair Housing Act. Vote was taken, motion passed 6-1.

Apel	Yes	Vest	Yes
Hurt	Abstain	Guptill	Yes
Nightingale	Yes	Nelson	Yes
Mills	Yes		

GOOD NEWS:

1. *Pancake breakfast event from the Artisans' Group on September 18th brought 42 members with great food, conversation and fun.*
2. *Thank you, Member Babe Hamilton, for your rock painting class and the fun on September 9.*
3. *BYOB & Blues on August 27th was a great hit, great music and a great way for members to connect.*
4. *Thank you, Members Bill and Mina Ragland, for your generous donation of the gazebo for Mackey Park, and thanks to Members Tim Brubaker, Rod Couch and Roger Smith for your help with the assembly of the gazebo. The gazebo should be up at Mackey Park soon!*

REPORTS:

FINANCIALS: Report submitted. No action item.

FACILITIES: No Report. No action item.

PLANNING COMMITTEE: Report Submitted. Three action items:

1. At the September BOD meeting, the Planning Committee was asked to review two items in Bayshore's Guidelines for Determination: a) rules regarding fireworks; and b) clarification regarding sprinter vans.
 - a) **Fireworks:** Under Nuisance or Noxious in the Guidelines for Determination (C&R Article II, Subsection 8), the Planning Committee proposed the following language (removing date and weather exceptions):

Fireworks are prohibited in Bayshore ~~except on July 3rd and 4th. Legal fireworks are permitted on July 3rd and 4th unless weather conditions are so hazardous that the Board of Directors elects to withdraw permission.~~
 - b) **Sprinter vans:** Under Recreational Vehicles (C&R Article II, Subsection 10), the Planning Committee proposed adding the following language (add sentence to end of paragraph 1):

Sprinter type vans are considered passenger vans unless they are for commercial use (see Commercial Vehicles below).

Director Vest briefly discussed the challenges that arise when making changes to the Guidelines for Determination. Regarding sprinter vans, they can be used as RVs, construction vehicles, handicapped accessible vehicles, etc.

Motion Discussion: Director Guptill questioned if the BOD had the authority to change the Guidelines for Determination. Director Vest replied that the Policies & Procedures Manual outlines the procedure to make changes to the Guidelines for Determination.

Vice President Hurt agreed that the Guidelines for Determination should continue to make clear that sparklers, snakes, fountains and spinners are not considered fireworks, and should communicate and remind the members as it gets closer to the summer months and July 4th, possibly with an article in the *Breeze*.

Motion: Director Vest moved and Director Nightingale seconded to accept the proposed changes to the Guidelines for Determination. Vote was taken, motion passed 6-1.

Apel	Yes	Vest	Yes
Hurt	Yes	Guptill	No
Nightingale	Yes	Nelson	Yes
Mills	Yes		

2. At the September BOD meeting, the Planning Committee was asked to propose revisions in Bayshore’s Fine System in the Policies & Procedures Manual, regarding fireworks and the dumping of material in Bayshore property. The Planning Committee drafted a resolution to revise the text of C1 of the Policies and Procedures Manual, under Planning Committee, C&R Violations and Fine System, regarding additions to the Fine Schedule as follows:

- a) Use of Fireworks within Bayshore: \$2,500.00 fine.
- b) Dumping of material in or on any Bayshore property including the canal: \$500.00 fine.

After the BOD approval by vote, the fine resolution would then be mailed to all Members, with a waiting period of 90 days after the mailing (in case there is an objection), before the new fines take effect.

Member question: What happens if there is an objection? **Answer:** It does not specify how to handle objections in the Policies & Procedures Manual.

Motion: Director Vest moved and Vice President Hurt seconded to accept the resolution changes to the Fine Schedule that add a \$2500.00 fine for use of fireworks, and a \$500.00 fine for dumping material in Bayshore, including the canal. Vote was taken, motion passed 7-0.

Apel	Yes	Vest	Yes
Hurt	Yes	Guptill	Yes
Nightingale	Yes	Nelson	Yes
Mills	Yes		

3) A short discussion took place regarding a member who violated a C&R, was sent a Notice of Violation letter by the Planning Committee, and the member immediately paid the fine before the Planning Committee sent a Notice of Fine or the BOD could vote for a fine. Director Vest presented a flow chart that shows the steps the Planning Committee is required to follow per the Policies and Procedures Manual and there is no option to bypass those steps. The Planning Committee is not sure how to proceed in such a case without following the steps specified.

Director Mills inquired if Bayshore should provide an “out” to the Policies & Procedures Manual regarding the fine procedure. Director Nightingale mentioned that if the member does not want to dispute the fine, the member should be able to pay the fine, which would be the “out”. Vice President Hurt suggested the “out” could be to cash the check.

Director Vest stated that the HOA is not out to fine members to make money, but rather is the only method we have to ensure members comply with the C&R’s. Also, the Planning Committee cannot assign a fine, and the BOD doesn’t have authority to fine a member without the recommendation of the Planning Committee.

Director Vest stated that at this time, the violation procedure would require a Notice of Fine letter be sent to the member. After the 14 day waiting period, the Planning Committee could recommend a fine to the BOD at the next BOD meeting.

LONG-RANGE RESERVE/PHYSICAL ASSETS. Report Submitted. Vice President Hurt mentioned that member Craig Jacobs did a tremendous job last year on the Long-Range and Physical Asset Committee. Vice President Hurt then introduced three questions generated from previous Committee members:

1. Is it the intent of the BOD that Bayshore's physical assets are now combined with the Long-Range and Physical Asset Committee? Yes, it's the BODs intent.
2. Does the Board have to approve each maintenance request if the request falls under the budget/cost requirement (e.g., painting the clubhouse restroom, or replacement of a light fixture). President Apel replied that if the request was a budgeted item/cost, and the Committee approved the request itself, there would not be a need for Board approval. If the intended item/work is not part of the budget, then the BOD would need to approve the work and material cost.
3. What is the money cap for critical maintenance or an issue that comes up outside of a budgeted item? President Apel replied that the Policies & Procedures Committee was working on the cap amount.

SAFETY COMMITTEE. Report submitted.

POLICIES AND PROCEDURES COMMITTEE. Report Submitted. Chair White began the discussion with four action items to review:

1. **Backyard Patio and Clubhouse Rental Agreements:** The Committee worked on both the Backyard Patio Rental agreement and the Clubhouse Rental agreement, as both agreements are similar, besides the price of the rental. The Backyard Rental Agreement was modified to include the use of the restroom which will remain open until 10:00 PM.

President Apel had a few requests for the two agreements:

- a) change the Signature of Approval on both agreements from the Facility Manager to the Office Coordinator,
- b) make an addition to both agreements to include a contact for the Member (phone and/or email), and
- c) add to the insurance section that clearly states the insurance is required for service of alcoholic beverages only. Chair White confirmed the insurance was only for the use of alcohol.

Director Vest commented that the backyard/patio rental agreement should read clearly that the clubhouse is only for restroom use. Director Vest was also concerned that the member would not have enough room for garbage in the can that Bayshore provides, and Director Nelson added that the garbage should be properly disposed of. Vice President Hurt suggested the BOD wait until the next meeting in November to make a motion on the Backyard and Clubhouse Agreements, since there are several edits.

2. **Nominating Committee Changes to the Policies & Procedures Manual:** Chair White stated the appointment date had been moved to January. A short discussion then took place starting with Director Vest asking if the 200 word limit bio is enough for members to get to know the candidates. Chair White suggested perhaps a Zoom meeting to get to know the candidates. The limit of 200 words was decided due to prior bios either being too short or too long so 200 words evened the field and was decided on.

Motion: Director Vest moved and Director Mills seconded to accept the changes made to the Nominating Committee section in the Policies & Procedures Manual. Vote was taken, motion passed 7-0.

Apel	Yes	Vest	Yes
Hurt	Yes	Guptill	Yes
Nightingale	Yes	Nelson	Yes
Mills	Yes		

3. **Election Committee Changes to the Policies & Procedures Manual:** Chair White discussed some similar changes as in the Nominating Committee section. Chair White stated she tweaked a few things with dates and clarifications.

Director Vest suggested a few edits so it could read grammatically the same throughout the document, specifically where it reads, Special Meeting. Director Vest thought perhaps a good idea is to use the same language that is in Section B4, Voting Procedures, bullet #3 (Page 11) of the P&Ps, that reads “Annual Meeting or Special Meeting of the membership”, so there would be a clarification of Special Meetings of the membership, and not BOD Special Meetings.

Vice President Hurt stated and asked that under duties and responsibilities of the Election Committee: editorial under Number 1 reads “Annual Members Member Meeting of Members”. Vice President Hurt feels it is redundant and doesn’t need a second “Members” if it’s already announced as a Members Meeting.

Director Vest asked, does the final report have to be given at the end of the members meeting, perhaps it can be delivered within 30 days. President Apel suggested to move that language down to # 15 of the Election Committee section, it would be a good place to put it. Director Vest reminded the BOD the information will be recorded in the minutes so there will be a record within 30 days or so. President Apel stated the report requires a lot of effort that will take too much time and require too much information in order to get back to the members to tell them who their new BOD members are at the end of the meeting.

Vice President Hurt then asked if prior to the annual members meeting, members must be notified by at least 10 days before ballots are mailed? Vice President Hurt asked if there is a guideline as to how this information will go out to members, and is the BOD expected to send out an extra mailing, or is this by email, or Facebook post? Vice President Hurt stated voting procedures may be by written ballot or voice vote from the floor, so the policy now reads members can only do it two different ways, we need to specify that because members can also can raise hands or stand for a division of house, and need other availability of other forms of division of the house.

Chair White stated that she would bring the Election Committee changes to the next Board meeting in November.

4. **Revisions for HOA Parking Lots and Grounds:** Chair White addressed the BOD and asked if there were any questions:

Director Vest replied with several comments:

- The Planning Committee can’t enforce Policies & Procedures Manual violations as they are procedural and not C&R violations. Also, if there is no procedure to tow a vehicle, there is no reason to add No

Towing rules.

- Under general policies #5, this a statement and not a rule or policy. This was also addressed in the changes to the Fine System approved during the Planning Committee report.
- If there are going to be rules in the Policies & Procedures Manual, there needs to be definition of how those rules will be enforced otherwise it is pointless to have the rules. For example, General Policies #3 states horses are prohibited. What does Bayshore do if a horse shows up? Who enforces this rule and what are the consequences if it is violated? If the Planning Committee has to enforce the rules, the rules should be put in the Guidelines for Determination, specifying what C&R violation it is and not in the Policies & Procedures Manual.
- Regarding "Playground and Tennis Courts", suggest changing the wording in the Policies & Procedures Manual so it is more generic to cover all of Bayshore parks & facilities, not just Mackey Park.
- Regarding general proposed changes regarding parking lot use, Bayshore needs input from all members to talk about the change. He suggested creating a task force to look at the parking lot use, or take a survey of what members want. There was a survey conducted a few years ago regarding member concerns and no members mentioned concerns with the parking lot.

Vice President Hurt replied with a few comments:

- Trying to make the parking lot a no parking zone, does not work. If a member has a group of guests over and there is no parking, the guests should be allowed to park in the parking lot. The parking lot should not just be for guests using the Clubhouse. Members just want a place to park, let's let people use the parking lot. Chair White agrees and can take out the language.
- Vice President Hurt has no issue with commercial parking on the east side or the north side of the east parking lot, if it's a better location.

Chair White stated she will go back to the drawing board.

- 1) Change in term of Office Manager: Bayshore no longer has an Office Manager, per President Apel. The Policies & Procedures Manual should now read Office Coordinator, not Office Manager.
- 2) Bayshore attorney suggested two changes be added to the Ethics Statement document: a) Board Members and Committee Members have a duty to maintain confidential material; and b) Board and Committee Members have a duty to recuse themselves if there is a conflict of interest.
- 3) Bayshore Attorney stated the following:

Bayshore cannot have a statement that reads teens who are 14 and above need to have a responsible adult with them at all times, as it is discriminatory against families. Bayshore's attorney suggested one way to deal with the clubhouse room issue is to have specific language in the Policies & Procedures Manual on the intended purpose of equipment. An example, if goofing off on the treadmill, Bayshore can tell the child to leave or stop, as that is not what the equipment is intended for by the manufacturer. Facility Manager Tunison offered to download online manuals and P&P Committee can look at the manuals and decide what could be said for teens that are disruptive. At 14-18 years old, the member can come in without adult provision as it would be a discrimination otherwise. Director Nightingale suggested adding a laminated card to the equipment that states how to use the equipment.

4) Other

Chair White stated the final language to the bidding process would be at the next BOD meeting in November.

Director Vest asked what “Sign Issue” was under Old Business since he saw no mention of it in prior P&P reports. Director Vest stated there is sign language in the Guidelines for Determination (C & R Article II, Subsection 4 Signage) and the Planning Committee would use those guidelines to address any member complaint. Chair White discussed that the sign issue was from elections, and other kinds of signs that are there, mostly signs that have been up since the last election.

President Apel discussed the history of the previous election with STR’s and at the time the BOD issued a statement about temporary signs, 60 days before the election, and one week after. If not followed, the BOD would send a letter. Director Vest asked what are the teeth behind those rules? If rules regarding signs need clarification, that belongs in the Guidelines for Determination, not Policies and Procedures Manual.

Director Vest also pointed out several P&Ps that the BOD or Committees may not be following:

- Any email that is going to a single BOD member should be sent to all BOD members.
- Any emails to and from members should be coordinated through the office. BOD is not to respond to them directly.
- The office should not include the member email addresses when sending it to the BOD or Committee members if the member did not give permission.
- Director Vest also mentioned in the Policies & Procedures Manual (page 64, bullet #34), it states where all passwords are stored. This is bad security, and would like that language removed.

President Apel agrees if a member has question or comment that is substantive that’s asking for some type of action, that should be a complete Board issue, but if a member were to email him and say, what time is the next Board meeting, he wants to be able to respond. Non substantive email came to a BOD member that was just asking for a fact, that that BOD member could respond, but the P&P would have to change the language. Vice President Hurt states the Planning Committee gets frequent email exchanges with the members. Director Vest interprets this rule as BOD business needs to be forwarded to the rest of the board, but not Committee business.

SOCIAL COMMITTEE: Report Submitted. No Action. Please read the emails the Social Committee send out to Members.

COMMUNICATIONS COMMITTEE: Report Submitted. President Apel nominated member Pam Sturgeon as the new *Breeze* editor.

Motion: President Apel moved and Director Nightingale seconded to appoint member Pam Sturgeon as the new editor of the *Breeze*. Vote was taken, motion passed 7-0.

Apel	Yes	Vest	Yes
Hurt	Yes	Guptill	Yes
Nightingale	Yes	Nelson	Yes
Mills	Yes		

BUDGET/FINANCE: No Report.

CANAL: No Report. No Action Item.

TASK FORCES:

BEACH ACCESS TASK FORCE: No Report. Vice President Hurt stated that Member Alison Hilber asked to step down. Member Diana Grappasonna, Division 3, digital accessibility coordinator for Multnomah County, asked to join the Committee.

Motion: Vice President Hurt moved and President Apel seconded to appoint member Diana Grappasonna to the Beach Access Task Force. Vote was taken, motion passed 7-0.

Apel	Yes	Vest	Yes
Hurt	Yes	Guptill	Yes
Nightingale	Yes	Nelson	Yes
Mills	Yes		

Member Linda Moore was appointed the Chair, and Debra Barnes has agreed to serve as the Secretary. Member Moore mentioned the next step for the task force: one of the first things to do is a survey through all the HOA members, just to see what their needs are, instead of coming up with a plan that the members would not want.

TASK FORCE FOR NON-DISCRIMINARY LANGUAGE: No Report.

BYLAWS TASK FORCE: Action Item: Director Nightingale mentioned that due to resignations, the Bylaw task force requests two new members for the group.

Director Vest mentioned that the Policies & Procedures Manual states that when a Committee membership is open the BOD will announce the opening following the notice of the opening, but not prior to the next BOD mtg, in the *Breeze* and/or in a form available to all members.

President Apel suggested the Bylaw task force should come to the Board with ideas of how to recruit for the task force.

Motion: Director Vest moved and Vice President Hurt seconded to accept the Reports for the Minutes. Vote taken, motion passed 7-0.

Apel	Yes	Vest	Yes
Hurt	Yes	Guptill	Yes
Nightingale	Yes	Nelson	Yes
Mills	Yes		

UNFINISHED BUSINESS:

A. Artisans Group Update: Bayshore Artisans held a pancake breakfast on September 18th, 42 members attended, donating a total of \$313.00. This money plus a \$100.00 donation from Karin Couch, and her husband, were enough funds to add the chair placed at the north west corner of the concrete in the back behind the clubhouse parking lot. Member Tim Brubaker built the chair. Pictures on Facebook, with family and kids sitting in

the chair. Artisans Group is now in contact with Above Board Electric and are awaiting the final bid to bring electricity to the gazebo area. Hopefully, the electricity and final landscaping will be done by the end of October, first part of November. Annual Xmas craft Bazaar is December 3rd and 4th, holding it for 2 days this year. Grab a form in the office if you would like to join as a vendor, and return the form asap, spaces are filling up fast, and of course please come shop. A member has donated a gazebo at Mackey Park and still needs to be assembled and placed on concrete pads to support the posts. Hopefully the gazebo will be up at the park by mid- November. Lots of talk and research about a par course being added at Mackey; can do this but need help. Message don't wait to do it, look around and take action. Because of volunteers and action, members noticed and donated. Bayshore Artisans are the change, come volunteer with them and you can be the change as well.

B. Update on Capital Projects:

1) ADA Compliant: Member Lynda Apel discussed the first task was to find an architect and Member John Gardner thinks he found one. The architect would like to come and observe and take a look at what needs to be done, hopefully at the end of November, but before that, two members of the task force will go around the building and take measurements and identify places where these changes should be made and do some of the foot work before he arrives.

2) Appeal of BOD fine for failure to follow C&Rs: At the September BOD meeting, the BOD voted to fine a member \$10,250 for illegal grading, illegal RV, construction without permit, etc. noting the fine could be reconsidered if the member was making progress towards correcting the violations. Director Vest stated that since last month's BOD meeting, the member removed the RV and submitted an initial set of plans to the Planning Committee (though the member is still waiting on a survey and other documentation). The Planning Committee's recommendation was to delay the decision on the fine for another month and give him until the November 15th Planning Committee meeting to submit the final plans.

Motion: President Apel moved and Director Mills seconded to follow the Planning Committee recommendation regarding the fine. Vote was taken, motion passed 7-0.

Apel	Yes	Vest	Yes
Hurt	Yes	Guptill	Yes
Nightingale	Yes	Nelson	Yes
Mills	Yes		

NEW BUSINESS:

A. Members Participation on the Committees and the BOD: President Apel stated that according to Bayshore's attorney, there is no reason that the church, which is a Bayshore member, can't appoint a representative to serve on a Committee (or run for the Board). Her decision was based on a review of our Bylaws and C&Rs, a provision from the Nonprofit Corporation Act that identifies who can cast votes on behalf of entity members, and a provision from the Oregon Planned Community Act.

Director Vest questioned how does Bayshore know who a disregarded entity is? How do we know the individual is speaking on behalf of the entity? President Apel stated the Church has to have something from the head of the Church.

B. Ongoing Annual Sand Maintenance Agreement for Beach Accesses: Member Craig Jacobs has been working on clearing access on 67 B, C & D, and he suggested to set up an ongoing annual sand maintenance agreement with Terry Thissell to clean up the beach access paths (67B, C, and D) three or four times a year (e.g., May, September, February. Cleaning is somewhat dependent on how and when hard storms hit.

Director Vest personal concern: Director Vest has a standing agreement with Terry Thissell to clear his house but tried for 6 months to get Mr. Thissell to clear his house with no success. If Bayshore commits to Mr. Thissell and he's not responsive, Bayshore wouldn't have another option if he's not responsive.

President Apel: Set up dates in advance that are far enough to build into Mr. Thissell's plan. Vice President Hurt agrees to get it done regularly. Director Nightingale suggested to ask about a discount if done regularly. President Apel will speak with Mr. Thissell and get back at next meeting in November.

C. Legal Counsel: Why the Board went looking for an attorney? President Apel explained that Board wanted an attorney with knowledge about communities like Bayshore, and highly responsive with requests for information, and found that Kathleen Profitt exceeded the characteristics.

1. Board liaison communication on Committee: Communication model does not apply when Board member is on the Committee.
2. Fireside Chats: Last year, some Board members held fireside chats. President Apel asked the Bayshore attorney whether holding these meetings would violate the model of communication? The attorney stated that the communication model would be violated if Board gives information, or a quorum is held.
3. Owner files: Director Vest confirmed in the P&Ps, owner files are excluded from other owner's inspection.
4. Official record of BOD meetings: the official record of all BOD meetings are the Minutes. P&P does state the final record is the Minutes in several places.

D. Bayshore Tax Status: Unable to discuss at the Meeting today, attorney still doing research. President Apel made comment, that when using the term: Bayshore Beach Club, Club has nothing to do with tax status; it's just official name of the association.

E. Property / Residential Manager: President Apel is not for or against the idea; he would like to discuss pros and cons. Pros: many member requested actions fall on a role of property manager (e.g., providing emergency help 24/7 etc., driving around to determine C&R violations, monitoring the lots). Cons: quite expensive for manager but could hire a part time individual. In the past, members did not like people driving around looking for C&R violations.

Director Vest mentioned that per C&R's, even with a property manager, final determination of C&R violations will still need to come back to the Planning Committee and BOD, so it's still member vs. member even with a property management company.

F. Towing: C&Rs say little to nothing about towing. Below is a Towing outline:

TOWING INFORMATION:

- Some HOAs/Condos have very strict parking controls (due to limited space).
- To tow, an entity needs to have a contract with a towing company.
- Contract will be very detailed (e.g., who is responsible for what parts of process).
- NW All Pro Towing (Christopher) Contract is "simple" – 1 page
- If sign a contract - Will put up sign that states the name of company, OR law, and contact info for company
- Not fees at all for Bayshore (not even for sign); owner will pay all fees.
- Follows all OR laws -If obvious and immediate violation (e.g., parked in HC space, in front of fire hydrant), will come down immediately tow -If violating a policy we have, will come down and immediately tag. Must move within 72 hours. If not, then will tow. Has Tow data and tied into police system.

- Takes to tow yard in Newport. If vehicle is still there after 3 days, lien gets placed on owner/car
- Has “rapid response:” Can get to most places in county within 35 minutes or so (unless towing right then)
- Can discontinue contract by writing letter (will come down and take down signs)
- If Bayshore wants to go this way, then it needs to create a “lawful” rule to enforce:
- P&P manual needs to be modified. For any lot, then, there would need to be very specific language.
- For example: Lot open from Xam to Xpm. No personal vehicle should be in lot before it opens or after it is closed.
- Violators will be towed at their own expense

Vice President Hurt questioned if Bayshore thinks it is important enough to get established with a towing company? Personal experience, 72 hours is a long time, so by the time any action is taken if put sign on the car, for example, the car is taken.

Director Vest questioned who at Bayshore would enforce this? The BOD, the Facility Manager, the Office Coordinator?

Short discussion took place: President Apel stated there is no paid person to enforce. Suggested to hire employee part time to tow cars. Director Vest likes the idea. Vice President Hurt states a lot of potential energy being assigned to something he doesn’t see happening. Director Vest states the towing company is going to give Bayshore the teeth to enforce any towing rules. Director Mills questions how will it be enforced, she can see the advantage of it.

G. What do Member’s Dues Pay For:

- Wages (2.5 FT, 3 temp), payroll taxes, worker’s comp
- Accounting fees
- Bank and Safety deposit fees
- Postage machine
- Insurance (e.g., Board liability, flood insurance, property insurance)
- Legal fees
- Office supplies
- Telephones and internet
- Utilities
- Repairs and improvements (e.g., building, equipment, septic repairs/service)
- Committee expenses (e.g., Social Committee, Nominating Committee)
- Capital projects
- Miscellaneous re: upkeep (e.g., cleaning supplies, building materials, pool)

MEMBERS AGENDA ITEMS:

President Apel reminded everyone that if a member would like to be on the Agenda, the member needs to give their information 10 days or more before the meeting to the Bayshore office.

Member Deborah Nolan, East Parking Lot: Resident here about 3 months. Member Nolan had a few comments regarding the East Parking Lot: She believes the parking lot in question has been a source of issues for a while. Member Nolan does believe the diesel fumes and spills are real and can cause cancer. Member Nolan believes if one person in Bayshore is injured, then we all are injured. Here are some ideas that Member Nolan would like to communicate to all:

- Commercial vehicles should not be allowed to idle for over 5 minutes. One member has to keep her windows closed, which is not fair, as it's an eye sore and health hazard.
- The chain across entrance is no longer there, why has it been removed? Who is to stop anyone if chain is not there.
- Pave the lot, and paint parking spot areas, and would look nicer and no dirt.
- Paid parking for non- residence, no commercial parking, or time limit and no idle.
- Community garden with a dog park.
- RV storage with a monthly fee; she found a place to keep her RV at a friend's house.
- Keep it covered, just for storage. Grants available for native plants.

Just some ideas, diesel spill and diesel fumes are immediate health risk.

Member Carl Andry, East Parking Lot: Member Andry owns the house that is directly adjacent to the parking lot, which is probably the longest lot line on the parking lot, and has been there over 9 years. Member Andry says "Here we go again, every few years, Bayshore gets suggestions of what we need to do with the parking lot". Member Andry noted that the RV lot idea has been reviewed 2 times since he's been there. Member Andry believes the parking lot needs to be maintained a parking lot! It is a service to the community. If Bayshore did not have the parking lot, people would park on the streets, and inconvenience for other people. Member Andry commented he never had any smell with diesel fumes and he spends a lot of time in his back yard. The Dog park suggestion, we have 5 – 6 miles of dog park that is 50 yards from here on the sandy beach.

- Member Andry's final words of advice: Expand the parking lot hours so people can use the parking lot as a parking lot, the way it was intended to. Where would commercial trucks/trailers park if not there? Please leave it a parking lot.

***Policies & Procedures Manual:
East Club Parking Lot (pg. 50)***

- 1. Parking in the east lot is for Bayshore members and renters, and for guests utilizing club facilities or attending club functions.*
- 2. Overnight parking is prohibited except as provided under items 3 or 4 of this section. We inserted this because the outright prohibition is conditioned in those items cited.*
- 3. Commercial equipment (paving vehicles, bulldozers, flatbeds, dump trucks, etc.) may be stored in the east side of the lot when actively being used for work within the community if it is impractical for the equipment to be stored on the job site. The equipment must be used at least every 48 hours. The contractor or operator must notify the HOA Office Manager before leaving any equipment overnight, and must remove the equipment as soon as it is no longer regularly required for use on a job site.*
- 4. Equipment must have clear identification of ownership and contact information in the event of emergency. Commercial vehicles dedicated to road sand clearing in south Bayshore may be stored in the lot during the winter and spring months.*

Member Uschi Erdmann-Gamel, Platform on former tsunami pole for osprey: Member Uschi Erdmann- Gamel would like permission from the BOD to put up a platform for the ospreys as they try to breed and the wind takes it away. The Audubon Society in Lincoln City has offered to help.

Annual moratorium on house building and cutting of trees from April to September due to wildlife breeding time: Member Uschi Erdmann-Gamel would like to protect the wildlife in Bayshore so the birds can raise their chicks and Bayshore doesn't chop down their trees.

Comments from BOD:

Director Mills started out stating perhaps a survey from all members would be a good idea to get everyone's opinion for the east parking lot. Director Mills also stated the osprey nest has been there forever. 3 years ago, a severe winter blew most of the nest off. Director Mills would support reinforcing the osprey nest. As far as limiting the building of houses to particular months she doesn't think it's reasonable. There are people who can only build certain times of year, and weather isn't always cooperative.

Director Vest mentioned that regarding the osprey nest, a member stated a few years ago some of the nest blew off and almost hit a car on Westward Drive so if the platform can improve so a nest doesn't blow off, it would be a good thing. Regarding the building moratorium, this would be challenging as April to September is the time of year that the weather is cooperative for construction work. One member recently submitted plans to the Planning Committee for new home construction, but needed approval so septic could be installed this month or contractor wasn't going to be able to do it until April next year.

Member Uschi Erdmann-Gamel commented that perhaps Bayshore could plant some native trees so there's an opportunity for wildlife to take place again.

Director Vest stated there is a Bayshore requirement that if you build and disturb the ground you must restore the ground covering that was there. One of the biggest complaints the Planning Committee sees are with trees since the C&Rs state trees over 6' tall need to be trimmed (unless original). Other non-tree vegetation that would be wildlife friendly would be a good idea.

Director Vest echoed Vivian's comments about the East Parking Lot, stating doing a survey would be a good idea, to address a few topics in the survey (parking lot, beach access, etc.) and President Apel agreed to have several topics on the survey.

MEMBERS COMMENTS:

Member Norman Fernandez: The President can make a decision on things to purchase or have done if less than \$500.00 without approval from anyone. Regarding Director Vest's comments regarding signs: Signage is in the C&R's, can't change them.

EXECUTIVE SESSION: Regarding personnel matters.

Adjournment. The meeting was adjourned at 3:35 pm.

Minutes prepared by Kathy Drossel, Bayshore's Office Coordinator