

BAYSHORE BEACH CLUB, INC.

BOARD OF DIRECTORS MEETING

Saturday, November 18, 2023

In Attendance:

Kenn Apel, Vice President	Division 1
Roger Smith, Director	Division 3
Carolyn Gardner, Corp. Secretary/Treasurer	Division 5
Michael Vest, President	Division 7
William Nightingale, Director	Division 7

Absent:

Kate Guptill, Director	Division 1
Josh Hanselman, Director	Division 4
Storr Nelson, Director	Division 5

President Vest welcomed everyone to the hybrid clubhouse and zoom meeting, and Corporate Secretary Gardner determined a quorum was present. The Board of Directors' Meeting was called to order by President Vest at 1:00 pm.

Corporate Secretary Gardner moved and Director Smith seconded: To approve the October 21, 2023 Board of Directors meeting minutes. Vote was unanimous in favor.

REPORTS:

FINANCIALS. Report submitted.

FACILITIES. No report

PLANNING COMMITTEE. Report submitted. Action items.

Director Smith moved and Vice President Apel seconded to approve the changes to the Violation and Complaint form, which removed the wording "Keep Name Confidential Yes or No", and changed the title from "Complaint of Violation Form" to "Violation Complaint Form". Vote was unanimous in favor.

Rebecca Hanken resigned from the Planning Committee. Rebecca was on the committee for a year and a half, and is appreciated for her commitment, dedication, and excellent work for the community. Thank you, Rebecca, for all your hard work!

LONG-RANGE RESERVE/PHYSICAL ASSETS. No report.

SAFETY COMMITTEE. Report submitted. Action item.

Director Smith moved and Vice President Apel seconded to nominate member Sharon Pleu to the Safety Committee. Vote was unanimous in favor.

POLICIES AND PROCEDURES COMMITTEE. Verbal report. Action items.

Chair Kathi Lenz discussed 12 actions that the Policies and Procedures committee wanted the Board of Directors to approve regarding updates/changes to the Policies & Procedures manual:

Actions 1-5: 1) updating formatting, 2) punctuation updates, 3) removal of some language, for example: “Added pursuant to BOD action 1.16.10”, 4) making verbiage consistent, and 5) fixing paragraph numbering problems. *Director Smith moved and Vice President Apel seconded to approve actions 1-5. Vote was unanimous in favor.*

Actions 6-8: 6) Removal of Fee Schedule to become a stand- alone document, 7) Removal of Forms to an Appendix, and 8) Removal of Employee/HR related information to a stand- alone document. *Director Smith moved and Corporate Secretary Gardner seconded to approve actions 6-8. Vote was unanimous in favor.*

Action 9: Move a paragraph from the Social Section of the Policies & Procedures manual, to the beginning of the Committee Section of the Policies & Procedures manual, which reads:

“Bayshore recognizes that talented individuals have strong connections to Bayshore but are not technically owners of property within Bayshore. If the BOD determines there are significantly strong ties to the Bayshore community and it would be in the best interest of the HOA to appoint a particular person to a committee where membership is not otherwise specified by the Declaration, Bylaws, Articles of Incorporation or Oregon law, the BOD may do so. NOTE: ALL members of the Planning Committee, Budget Committee, Nominating Committee and Long- Range Reserve & Physical Assets Committee MUST be owners of property in Bayshore in order to serve on those committees.”

Director Smith included as part of the discussion, that the member must be in good standing.

Vice President Apel moved and Director Smith seconded to approve action 9. Vote was unanimous in favor.

Action 10: To insert the Planning Committee Flowchart (breaks down the procedures) to the Planning Committee section.

Director Smith moved and Secretary Gardner seconded to approve the insert of the Planning Committee Flowchart. Vote was unanimous in favor.

Action 11: To incorporate Board of Director approved changes between September 2022 and November 16, 2023.

Action 12: Make up-to-date Policies & Procedures Manual available via Bayshore Website. The Policies & Procedures Committee will send a clean copy of the Policies & Procedures Manual to the office for President Vest and Kathy Drossel to upload onto the Bayshore Website.

SOCIAL COMMITTEE. Report submitted. No actions.

COMMUNICATIONS COMMITTEE. No report.

Breeze editor Pam Sturgeon discussed two ideas that may help her as Breeze editor: 1) Pam would like Kathy Drossel, who prepares the meeting minutes, to keep a running list during the BOD meeting of what the BOD would like to include in the Breeze, and 2) if a Member would like to send information for the Breeze, the member should email the office (office@bayshorebeach.com) and the office will delete the member's email and send the information to Pam. If a member prefers to email Pam directly, and does not care about email confidentiality, the member may do so by sending the information to: thebayshorebreeze@gmail.com.

BUDGET/FINANCE. No report.

CANAL. No report.

SAND LOBBY. No report. The Sand Lobby Committee will discuss preparing a contract for Terry Thissell to clean the Beach Accesses in 2024. This will be discussed in more detail at the January BOD meeting.

Member May Lou Morris questioned: Is there any chance that the trees and limbs on the last beach access 66C can be cleared? President Vest stated a different person other than Terry Thissell will remove the trees/limbs.

TASK FORCES:

BEACH ACCESS TASK FORCE. Report submitted. One action will be discussed in January regarding a possible third option from members Roger and Jacque Smith.

BYLAWS TASK FORCE. Report submitted. No action.

CLUBHOUSE PROJECT. Verbal report. Chair needed. The Bayshore Architect sent in the As Built Plans of the Bayshore Clubhouse. The Committee has reviewed the renovation plans. Member John Gardner stated that Bayshore is subject to the Fair Housing Act. The ADA Regulations are so similar to the Fair Housing Act that Bayshore doesn't even need to distinguish this. Bayshore wants to take this project on to update the Clubhouse for all members.

Long discussion began regarding ideas of accessibility. One idea from Director Smith was to change one of the upstairs restrooms into a unisex accessible restroom, which would eliminate the need for an elevator. Also, the writing of grant proposals was discussed, with more detail later from Kathi Lenz as a potential volunteer to write the grant.

Director Smith moved and Vice President Apel seconded to upgrade 3 toilets to 19", keeping the cost less than \$1500.00.

Amendment to the original Motion: President Vest moved and Director Smith seconded to remove a specific number of toilets and to limit the total cost to \$2000.00. Vote on the amendment was unanimous in favor.

Vote was then taken on the amended motion: Upgrade toilets in the clubhouse, with a maximum total cost of \$2000.00. The vote was unanimous in favor.

VIRTUAL VOTING TASK FORCE. Report submitted. Chair needed.

MOTION TO ACCEPT ALL REPORTS FOR MINUTES: *Vice President Apel moved and Corporate Secretary Gardner seconded to accept all committee and task force reports. Vote was unanimous in favor.*

UNFINISHED BUSINESS:

- A. Introduction of Kirk McClain, new Facilities Manager: President Vest introduced Kirk McClain, and Kirk replied that he was glad to be here. Kirk just finished a 25- year position at Yellowstone National Park. Kirk's parents also live in Waldport. Kirk works part-time at Bayshore, so please contact the Bayshore office if there is a concern. Welcome to Bayshore Kirk!
- B. Apartment Renovation: Under a time crunch, with only one week to renovate, President Mike Vest and Jon French did the majority of work in renovating the apartment. The work included replacing all the heaters in the apartment, painting, and installing new floors. The budget was \$7,000 and the total cost came to \$4,100. Budget Chair Mary Lou Morris inquired what line item the budget for the apartment came from. Corporate Secretary Gardner stated it came from the line item: Building Repairs and Service # 53010. Big thank you to Mike Vest, Jon French, Roger Smith, Elaine Ferguson, Lee Cannon, Rod Couch, Kenn & Lynda Apel, and Karyn Vest for help with the renovation.
- C. Bylaws Next Steps: The Mission of the Task Force was to bring the Bylaws up to date, and the Task force work is done. The Board of Directors needs to review the Bylaws, and the Attorney needs to do the final review.

Corporate Secretary Gardner moved and Vice President Apel seconded to have a working meeting of the Board of Directors. Members (including the Bylaws Task Force) are welcome to attend. The meeting is planned in January 2024 to review the draft before the Bylaws are sent back to the attorney for her final revision. Vote was unanimous in favor.

President Vest will email the Bylaws, with the Attorney's comments, to the members on Monday, November 20th.

MEMBERS COMMENTS:

- A. Robyn Adcock and the Artisan's: The Artisan's Bazaar was held at the Bayshore Clubhouse December 2nd and 3rd. Member Adcock stated there would be a surprise visit from Santa and his friends.
- B. Kelly Evans, Clubhouse Renovations: Kelly addressed his concerns with planned renovations. Discussion followed about some misinformation in his statement, some of which was addressed earlier in the clubhouse renovation discussion.
- C. Melody Brown: Melody asked that member Evans' information be shared with members, as well as the discussion that occurred on the topic during the meeting, so members could review them.
- D. Greg Dino: Member Dino would like put a light on the post outside his door on his property. The light will be on his meter and he will pay the costs to operate it. When Central PUD phones the office, Kathy Drossel will approve this request, and make sure that it will not be on the Bayshore invoice.

EXECUTIVE SESSION: Vice President Apel moved and Corporate Secretary Gardner seconded to break for executive session to discuss personnel matters at 3:42 pm. Corporate Secretary Gardner moved and Director Smith seconded to approve a bonus and pay raise for Kathy Drossel and Kathi O'Leary. Vote was unanimous.

ADJOURNMENT: Director Smith moved and Corporate Secretary Gardner seconded to adjourn the meeting at 4:00 pm. Vote was unanimous.

Minutes prepared by Kathy Drossel, Office Coordinator

FINAL

BAYSHORE BEACH CLUB, INC.

MONTHLY REPORT TO BOARD

As of October 31, 2023 the 2024 Operating fund balance was \$124,223.91

As of October 31, 2023, Money Market reserve \$51,114.52

As of October 31, 2023, the Long Term (Cetera) reserve fund balance is \$371,975.56

As of October 31, 2023 the secure Money Market CD account is \$10,027.37

As of October 31, 2023 Long Term CD \$131,118.05

Accounts receivable balance as of October 31, 2023 is \$18,981.88

Current Liabilities including accounts payable and payroll related items total \$32,756.76 as of October 31, 2023

Contingency Fund balance as of October 31, 2023 is \$11,960.00

There were 6 property transfers in October.

The financial reports are prepared by:

Carolyn Gardner
Corporate Secretary
Board member from district 5

Safety Committee Report

November 12, 2023

Bayshore Beach Club, Inc

Board of Directors Meeting November 18th, 2023

The Safety Committee would like to nominate Sharon Pleu to be a committee member. Sharon was the Safety Manager at Hewlett Packard and has offered her experience to Bayshore.

The committee is working towards obtaining an electronic copy of the Bayshore Road District's traffic study that Paul Wellington presented at last month's meeting. The goal is to make this available to all Bayshore members.

Submitted by Joshua Hanselman, Board Liaison Bayshore Beach Club, Inc

Social Committee Report November 18, 2023 BOD meeting

Halloween Rock Painting/Pot Luck held on October 28, 2023 was a great success. We had 35 members attend, painting some great Halloween rocks and a huge variety of food. Lots of new members. So glad to see them all there and participating in some of our activities.

Upcoming events

Holiday Party December 16, 2023 5-9pm

5-6pm Registration – Christmas Photo's

6:00-7:30pm Dinner – Provided by the Social Committee

7:30-9pm – Social Time & raffle prizes

Seating is limited at this party – an RSVP is a must by December 5 to ensure your spot

Super Bowl Party - February 11, 2024 Details not yet determined

No action Items

Thank you

Ila (Babe) Hamilton, Chair

John Westhaver

Carol Westhaver

Wynell Elzega

Lynda Claro

Beach Access Task Force Report

November 2023

Members: Jana Hanford, John Westhafer, Kenn Apel (Board Liaison)

The members of the Task Force have been working on finalizing the information re: two options for creating access to the beach for individuals with mobility challenges. The first is a pathway to the beach using the 66C access point (northern part of Bayshore). This pathway may include a permanent boardwalk for 2/3 of the pathway, with the remaining 1/3 being made of [Mobi-Mats](#) (portable, roll-out mats). Another option is to make the pathway completely from Mobi-Mats. The members also investigated the specifics of having a [David's Chair](#) (motorized beach wheelchair) stationed near the clubhouse. As part of their research, the Task Force discussed with the Department of Parks and Recreation the permits that would be required for the pathway option. Please find the attached document for specifics on the two options. As mentioned in the document, future strategies, such as attempting to obtain a grant(s) to pay for most if not all of one of the options and/or seeking private donations, could be pursued.

Submitted by Kenn Apel

To: Bayshore Beach Club Board of Directors
 From: Bayshore Beach Club Beach Access Task Force
 Date: November 13, 2023
 RE: Potential Options for Beach Access for Individuals with Mobility Challenges

The Beach Access Task Force has gathered information on two possible means to provide access to the beach for individuals within our community who have mobility challenges. Specific information is provided below for the Board’s information. Should the Board decide one of these options is a viable means for providing access, the Task Force recommends that the Board attempt to seek funding to support it, via private donations and/or grant opportunities.

Pathway (Boardwalk or Mobi-Mats)	Motorized Beach Wheelchair (David’s Chair)
Will be open to members 24/7, 365 days a year. <ul style="list-style-type: none"> Boardwalk - would be open 24/7, 365 days a year. Mobi-Mat would be open 24/7 <u>during the season.</u> NOTE: Pathway will be open to general public and to multiple users.	Can be used all year round via checkout system. Must be checked out and in by an individual/staff member. Only a single user at a time. NOTE: Chair must be made available to general public but could give Bayshore members first choice.
No reservation needed.	Reservation needed.
Little impact on staff time.	Impact on staff time (to check in/out).
Will need to monitor boardwalk or pathway frequently re: sand on pathway.	Need to clean chair after each use (or daily use); Cleaning can be done with a leaf blower and/or hose.
Liability: Part of pathway on Bayshore property covered by Bayshore’s liability insurance. Liability for extension beyond Bayshore property is unknown.	Liability: covered by David’s Chair group.
<ul style="list-style-type: none"> Boardwalk - No costs after installation other than maintenance issues (making sure sand is blown off and nearby plants are trimmed). Mobi-Mats - Require laying out in early Summer/late Spring and then taking in after Labor Day or so. 	\$5K a year for professional maintenance and possibly use of website for registration. Bayshore cannot charge but <u>could</u> take donations for the chair’s use (e.g., \$10/use).
<ul style="list-style-type: none"> Boardwalk option: Estimate at this point is \$33K which includes the boardwalk from road through dunes to edge of sand 	David’s chair is free (but need to pay maintenance fee above/year).

Pathway (Boardwalk or Mobi-Mats)	Motorized Beach Wheelchair (David's Chair)
<p>(250ft) as well as the addition of parking spaces.</p> <ul style="list-style-type: none"> • Mobi-Mats option: Estimate at this point is \$20,000, which includes 250 feet of Mobi-Mats from road and approximately 100' onto the beach as well as the addition of parking spaces. • Combination of boardwalk and Mobi-Mats option includes parking and approximately 100' of Mobi-Mat onto the beach: estimate is \$37,000. • For either option using a boardwalk: One additional will be the charge for the design and preparation of drawings for boardwalk: Cost estimate = \$1,500. 	
<p>If Mobi-Mats are used, must have place to store during non-Summer months. One option might be clubhouse garage.</p>	<p>Chair could be housed in the Bayshore garage, so easy access to electrical outlet and no need to set up storage shed.</p>
<p>No current parking space for multiple cars (individual with mobility challenges, family, friends). Adding additional parking space is built into the cost estimate above (roughly \$2,000).</p>	<p>Plenty of parking available.</p>
<p>Will be open to all individuals/general public.</p>	<p>Will be open to all individuals/general public.</p>
<p>Required Department of Parks and Recreation permit: Shoreline Alteration Permit - Requires drawings, specific justification for why Bayshore wants to build the boardwalk (a narrative, showing the materials Bayshore intends to use), a 30 day public review, and purchase of the permit. Cost of the permit is 3% of the construction value for the boardwalk and an additional \$400. That is a one-time fee. The permit is good until, basically, the boardwalk is no longer viable.</p>	<p>Required Department of Parks and Recreation permit: Ocean Shore Permit - Requires completion of "less time consuming" paperwork and \$100 annual fee.</p>

Bylaws Task Force Report

November 7, 2023

In attendance: Gary Brown, Elaine Ferguson, Kate Guphill, Kathi Lenz, Storr Nelson, Debbie White

The Bylaws Task Force met to discuss their staggered review of the HOA attorney's tweaks to the revised Bayshore Bylaws, which we received 9/20/2023.

The Task Force discussed the following:

1. Article I, Section 2: Task Force agrees to recommended change to omit Section 2 (Corporate Seal). This was a new change that the Task Force had not suggested.
2. Article II, Section 2: Task Force would like a rationale for omitting a way to change the HOA's purpose statement
3. Article III: attorney suggested small changes making the wording more legalese. The Task Force seeks to simplify with more common synonyms.
4. Article VIII, Section 5: attorney suggested a lengthy addition regarding voting by jointly owned lots, tracts or parcels which, in the view of the Task Force, is too detailed and not enforceable.
5. Article VIII, Section 8 regarding use of proxies at BoD meetings. We like it!
6. Formulated questions to be discussed with the HOA President
7. Set a schedule for a continued staggered review
 - December: Articles IV & V
 - January: Articles VI & V
 - February: Articles IX & X
 - March: Articles XI & XII
8. Scheduled future meetings

Next meeting December 4, 2023

Respectfully submitted,

Elaine Ferguson Chair
Bylaws Task Force 2022-2023

Virtual Voting Task Force Monthly Report

November 2023

Members: **Pat Gagnon**, Norm Fernandes, Dan Gardner, Kate Lansing. Board Liaison: Kenn Apel

The Task Force held another mock meeting to practice new strategies that could be used to register members at a Members Meeting for voting on a motion from the floor. The Task Force wishes to thank those members who volunteered to help with this meeting, including Lynda Apel, Paula and Tim Brubaker, Jon French, Trish Ferrel-French, Carolyn Gardner, Joanne Herrera, Kathi Lenz, Vivian Mills, Pam Sturgeon, and Bill Uhlman. The Task Force learned some additional strategies they could use for the process or modifications they could make to the current process. The plan is to have the primary people involved (Pat Gagnon, Lynda and Kenn Apel) practice the new procedures and then ask for volunteers for a third practice/mock session.

Submitted by Kenn Apel

Planning Committee Report to the Board of Directors, November 18, 2023

- 1) Date report submitted: November 15, 2023. Report covers: October 17 – November 14
- 2) Planning Committee & Membership Update
 - a) Since the last report, the PC met on 10/17, 10/31, & 10/14.
 - b) The Planning Committee will try and meet on the following dates: 11/28, 12/12, 12/26, & 1/9
- 3) Since last report:
 - a) Construction: (approved)
 - a. Houses: 1
 - b. Fence: 2
 - c. Roof: 1
 - d. Porch Cover: 1
 - b) Complaints filed:
 - a. Inoperable vehicles: 1
 - b. RV: 3
 - c. Trees: 2
 - d. Cleared lots: 2
 - c) Complaint Letters Sent:
 - a. Informational: 6
 - b. Notice of Violations: 6
 - c. Notice of Fine: 0
 - d) RV/Boat Permits (Approved): 3

Action items this month.

1. Need BOD approval of updated Fine Schedule – added Commercial & Multi-Family guideline fine, cleaned up to fit onto 2 pages.
2. Need BOD approval of updated Violation Complaint Form (removed: “Keep Name Confidential (Y/N)”) – removed per attorney. (Changed name of form to: Violation Complaint)

Report submitted by Bayshore Planning Committee: Becky Hanken, Jeri Reinhart, Mark Thompson, Roger Smith (BOD Liaison), & Paul Williams (Chair)

Covenants & Restrictions (C & R) Fine Schedule

Construction Violations	C & R/Guideline Reference	Amount*
Major construction W/O written approval**	Art II, Sub 1	\$2000
Manufactured home that does not meet Guideline requirements**	Manufactured Homes Guidelines	\$2000
Minor construction W/O written approval**	Art II, Sub 1	\$500
Remodel W/O written approval**	Art II, Sub 1	\$1000
Exceeding 15 foot height limit W/O approved HVR (Height Variance Request)**	Art II, Sub 3	\$2000
Building into the setbacks**	Art II, Sub 5	\$1000
Clearing land W/O written approval	Art II, Sub 2, 3, & 17	\$2000
Placing fill material or changing the AOG (Average Original Grade) W/O written approval	Art II, Sub 2, 3 & 17	\$7500
Not replacing ground cover per Guidelines	Art II, Sub 4 & 17	\$1000
Property Maintenance Violations	C & R/Guideline Reference	Amount*
Failing to maintain trees/shrubs at proper height (see note below)	Art II, Sub 4	\$200 per tree
Failing to remove noxious plants***	Art II, Sub 4	\$100
Failing to landscape or fence above ground septic system	Art II, Sub 4	\$100
Failing to landscape or fence around garbage cans or dumpsters	Art II, Sub 14	\$100
Failing to landscape or fence propane tank or burn barrels	Art II, Sub 4	\$100
Failing to clean up garbage or unsightly refuse	Art II, Sub 14	\$250
Placing commercial signs on property without approval	Art II, Sub 4	\$100
Failing to limit vegetation growth, creating a unkempt lot	Art III, Sub 3	\$100

Property Activity Violations	C & R/Guideline Reference	Amount*
Nuisance or noxious activities		\$500
Level I Noxious Weeds for 3 bushes*** or fewer	Art II, Sub 8	\$100
Level II Noxious Weeds for 4-10 bushes		\$200
Level III Noxious Weeds for 11-25 bushes		\$300
Level IV Noxious Weeds for 26 bushes or more		\$400
Placing sand onto the right of ways (a person receiving a fine will be given 14 days to appeal to the Board of Directors)		Art II, Sub 8
Violating pet control restrictions	Art II, Sub 8	\$50 per incident
Prohibited vehicles	Art II, Sub 10	\$250
Commercial and Multi-Family Violations	C & R/Guideline Reference	Amount*
Change of Commercial Property usage from its current usage without the Planning Committee's prior written approval	Art II, Sub 1	\$10,000

*Amount shown is maximum the BOD can levy, however the BOD may reduce or waive completely. Fines are per occurrence for repeat offenders or fines for violations that are not corrected can be revisited every 3 months. For uncorrected violations, the violation may be revisited and fines can be re-levied quarterly (every 3 months) without the requirement to restart the notification cycle. The three-month period begins on the first day of the month following the BOD meeting wherein the fine was approved.

** In the case of construction violations, construction must be stopped and not resumed until violation is corrected and fines paid. Minor construction refers to fences, decks, re-roofing, siding, exterior paint. Also, remodel, adding living space to existing structure.

*** Noxious plants are Scotch Broom, English Ivy and Blackberry. **Note:** When counting bushes for fines the following standard for a "countable bush" is a minimum of 2 feet tall. Smaller bushes would be classified as requiring Informational Letters or a phone call from the Planning Committee as opposed to a formal Notice of Violation.

Note: Title for "tree violations" may change following final decision by BOD

Commercial and Multi-Family Violations fine added pursuant to BOD action October 21, 2023

Bayshore Beach Club, Inc.

1512 N.W. Oceania Drive, Waldport, OR 97394

Phone: (541) 563-3040 Fax: (541) 563-6489

E-mail: office@bayshorebeach.com Website: bayshorebeach.com

Violation Complaint Form

Please Note: Members are encouraged to work out differences between themselves prior to filing a complaint. If no resolution is reached, members should file a completed complaint with the Planning Committee.

Date: _____

Location of Violation: _____

Div ____ Blk ____ Lot ____

Owner: _____

Date of Violation: _____

Describe Violation in detail:

What is your suggested resolution to this issue? _____

Have you sought to resolve this issue prior to filing this complaint? Yes ___ No ___

If so, what was the outcome? _____

Print name of person filing Complaint: _____

Address: _____

Signature: _____ Phone: _____

PLANNING COMMITTEE ACTION:

- Verbal contact made with the person making the Violation? Date _____
Yes _____ No _____ If yes, what was their response?

- Contact made by letter? Yes _____ No _____ Date _____

Further Action Taken

Date	Results of contact/notices and results