

**BAYSHORE BEACH CLUB, INC.  
BOARD OF DIRECTORS MEETING**

**Saturday, August 15, 2020**

**1:00 PM at the Clubhouse**

**In attendance:**

Mark Cook, President	Division 1
Michael Bradshaw, Vice President	Division 3
Kathi Lenz, Corp. Sec.	Division 1
Hollis Ferguson, Director	Division 1
Phillip Arnold, Director	Division 5

**Absent:**

Terry Pina, Director	Division 2
James Davis, Director	Division 5
Mark Mugnai, Director	Division 6
Bill Nightingale, Director	Division 7

President Cook, called the meeting to order at 1:05. It was verified that a quorum was present.

**Approval of Minutes**

The minutes were accepted as submitted.

**REPORTS**

**FINANCIALS**

The financial reports for July 2020 were accepted as submitted. Bayshore accountant Jerry Musial reported that 140 members have not yet paid their dues. If not paid by the end of the month letters with penalties will be sent out.

Jerry Musial then informed the Board that a decision must be made as to what to do with the CB Financial account of \$369,000. Currently, it is earning very minimal interest. Options are to move the funds to CDs or Treasury bills.

**PLANNING COMMITTEE** (Mary Lou Morris, Co-chair; Tim Brubaker, Co-chair; Norman Fernandes; Robin Adcock; Phillip Arnold)

The \$500 fine for non-compliance that was approved by the Board at the July meeting was appealed by the member being fined, asking that the fine be reduced or waived. Discussion by Board members, Planning Committee members and the member being fined followed.

**MSP**

Director Ferguson moved, and it was seconded, that the fine be postponed for two years. If the member is compliant, the fine of \$500 is forgiven. If the member is again non-compliant, the fine will be levied, due immediately, without appeal.

Motion passed unanimously.

**Legend for Motions**

<b>M</b> -Motion	<b>S</b> -Second
<b>P</b> -Passed	<b>F</b> -Failed
<b>W</b> -Withdrawn	<b>A</b> -Amended

**Changes to fine schedule**

Policies and Procedures member Paula Brubaker presented the recommended updates to the Fine Schedule.

Bayshore Beach Club, Inc Delayed March 20 P&P BOD Report Revised: Policies & Procedures Board Report for July BOD Meeting		
P&P Manual	Proposed Recommendations	Justification
The Planning Committee has made requests regarding changes to the Policies & Procedures Manual, Section C1: Planning Committee.	1. C&R Violations, How are violations dealt with #5, last sentence: <del>strike out wording: 21 days &amp; replace with: until the next scheduled Board meeting.</del> 2. C&R Violations Fine Schedule, 2 <sup>nd</sup> column: Major Construction w/o written approval, Minor Construction w/o written approval & <del>remodel construction w/o written approval: Change Subsection 1 to subsection 2.</del> Leave the abbreviations for Articles & Subsections. <del>Delete the lowercase a,b &amp; c letters.</del> Placing fill material or changing AOG w/o written approval. <del>Add 17 to subsections..</del> 3. First paragraph directly below the Fine Schedule: <del>Delete the last sentence, "Fines are per year if correction of violation is not corrected."</del> Replace with: Fines are per occurrence for repeat offenders or fines for violations that are not corrected can be revisited every 3 months. 4. Second paragraph below the Fine Schedule: <del>add wording: Minor construction refers to fences, decks, re-roofing, siding, paint to exterior, paint to existing structure. Also, remodel, adding living space to existing structure.</del> 5. Fourth paragraph below Fine Schedule: <del>Change the word Title to "the fine".</del> 6. C&R Violations Fine Schedule, Property Maintenance Violations: Failing to remove noxious plants. <del>Delete from</del>	1. Changing the wording from <del>21 days to until the next scheduled board meeting</del> brings the wording current & accurate. 2. The change to Major & Minor Construction from Sub 1 to Sub 2 & adding remodel construction w/o written approval brings it consistent w/the C&Rs and/or Guidelines for Determination. The lower case letters are not reflective of the C&Rs nor Guidelines for Determination therefore, the P&P comm recommends that they be deleted. Adding subsection 17 to Placing fill Materials or changing AOG brings it consistent w/Guidelines. 3. Deleting the last sentence from the 1 <sup>st</sup> paragraph below the Fine Schedule & replacing with new

**Legend for Motions**

- M**-Motion      **S**-Second
- P**-Passed      **F**-Failed
- W**-Withdrawn   **A**-Amended

**Fine Schedule.**

7. C&R Violations Fine Schedule, Property Maintenance: Failing to limit vegetation growth, creating an unkempt lot.  
**Delete from the Fine Schedule.**

8. C&R Violations Schedule, Failing to maintain trees/shrubs At proper height, increase fine from \$100 to \$200.

9. The Policies & Procedures comm recommends adding enumeration to the C&R Violations Fine Schedule.

**wording** brings the wording current & gives clarification to this matter.

4. **Adding wording to the 2<sup>nd</sup> paragraph below the Fine Schedule** gives greater clarification/definition.

5. In the 4<sup>th</sup> paragraph below the Fine Schedule, **Changing the word Title to “the fine “** gives accuracy to the wording.

6. **Redundant.** This is listed by category “Property Activity Violations”

7. **Redundant.** This is listed in Nuisance & Noxious Activity.

8. **This is a specific request from the Planning Committee & if the Board approves it, it would require written notice to the membership.**

9. Enumerating the Fine Schedule makes it easier to reference.

Discussion followed, in which Paula explained that the changes would include fines per occurrence rather than fines per year. It was noted that for some residents the fine is less than the cost of a solution with annual fines (i.e. RV storage). Another change is to increase the fines for trees from \$100 to \$200. This would necessitate a letter to membership at a cost of

**Legend for Motions**

**M**-Motion      **S**-Second  
**P**-Passed      **F**-Failed  
**W**-Withdrawn **A**-Amended

approximately \$500. President Cook suggested that the vote be tabled for two weeks to give time for the Board members to study the changes, then vote by email, with a deadline of 8/29/2020.

### **MSP**

Director Ferguson moved, and it was seconded, to accept the changes pending comments or concerns from Board members communicated by email. If President Cook receives none, the changes will be accepted as written. Timeline for comments is by 8/29/2020. Motion passed unanimously.

President Cook will notify the Policies and Procedures Committee and the Planning Committee of the outcome, so that they may write a resolution to be presented to the Board at the September meeting.

### **LONG RANGE RESERVE AND PHYSICAL ASSETS** (Chair, Michael Bradshaw; Jim Davis; Bob Tunison)

Bob Tunison reported that he has gathered the spreadsheet information but has not yet completed the analysis. His input will be ready by the September meeting.

### **FACILITIES**

Facilities Manager Bob Tunison presented.

#### **CANAL FLOW GATE:**

Proposals are currently being sought for the replacement of a flow gate in the northern end of culvert separating the bay from the Bayshore canal. After researching the range of possible agency approvals, it has been determined that no such agency approvals are necessary since the current proposals encompasses the replacement of an existing flow gate that was previously approved by all relevant agencies.

Previous board discussions have centered on the replacement of the flow gate by one which opens and closed automatically. While certainly advantageous, our requests for bids have been specifically included both automatic and manually operated flow gates. In the latter case, the Facility Manager would be responsible for opening the valve to “flush out” the canal approximately every two weeks and then close the valve on the following high tide.

Previous board discussions have also included adjusting the positioning of the culvert at both ends to divert the direction of intake/outflow in order to avoid the erosion of the soil on the banks of the nearby canal shorelines on both the south and north sides of the culvert. Should that be deemed necessary, a simplified and more cost-efficient means of accomplishing this would be to attach “elbows” at either one or both ends of the existing culvert as opposed to the major and costly alternative of re-positioning the existing culvert. However, doing either would appear to be unnecessary when consideration is given to the change in frequency of tide changes which would be the result of installation of a new flow gate. As an example, the approximate number of

#### **Legend for Motions**

<b>M</b> -Motion	<b>S</b> -Second
<b>P</b> -Passed	<b>F</b> -Failed
<b>W</b> -Withdrawn	<b>A</b> -Amended

tide changes involving water flow in and out of the culvert per month in an unrestricted culvert is 60 occurrences per month. With the installation of a flow gate, the maximum number of tide changes involving water flow in and out of the culvert per month would be 4 per month. Since this represents a decrease in the monthly tide changes involving water flow in and out of the culvert of approximately 93%, it is highly questionable that any re-direction of flow from the culvert at either end would be necessary.

A gentleman who specializes in gate flow design in Oregon coastal waterways, Leo Kuntz, has been contacted and will evaluate and make recommendations on the best design of a flow gate for our purposes and will give Bayshore a quote on the design, construction, and installation of a gate appropriate for our needs. In addition, Mr. Kuntz will provide a quote based on currently manufactured products should one exist that meets with our needs.

A second quote is being requested from an engineer to design a flow gate that will meet our needs (both automatic and manual operation) and, once completed, a reputable fabrication business in Eugene will be asked to submit a bid for fabrication of the engineer's submitted design(s). Lastly, a quote will be sought for the installation of each flow gate.

While it is difficult to estimate the cost of design/purchase/installation of an automatic flow gate, it is reasonable to assume that the complete cost of a manual gate (design/purchase/installation) would be under \$40,000.00 based on similar applications done on the Oregon coast within the past several years.

After all bids are received, evaluated, and compared, the results and recommendations will be forwarded to the board for a decision as to whether or not to proceed with the project.

**GRAVEL PARKING LOT IMPROVEMENTS:**

Traffic flow southbound on Pacific Way has frequently and consistently cut across the gravel parking lot to Oceania Drive as well as in the reverse direction. This has resulted in traffic frequently using Pacific Way travelling at excessive speed and endangering residents in the immediate area. In order to resolve this problem, two steps are being suggested for board approval.

First, a proposal is being made to move several large boulders currently located adjacent to Westward on the north end of the parking lot to the southern end of the parking lot along a portion of Pacific Way that will effectively block traffic from cutting across the gravel parking lot going in either direction. It is estimated that approximate 6-8

**Legend for Motions**

<b>M</b> -Motion	<b>S</b> -Second
<b>P</b> -Passed	<b>F</b> -Failed
<b>W</b> -Withdrawn	<b>A</b> -Amended

boulders would need to be relocated in order to accomplish this goal. The cost of doing this is approximately \$550.00 to \$600.00 if Bayshore hires Darrin Goodrick. The cost may be considerably less if the crew that carries out the Road District repairs is willing to do so at a substantially lower cost since we have historically allowed them to park their vehicles in the lot when working on various projects. As of this writing, we are awaiting the Road District's response to our proposal.

Second, in order to resolve continual problems with vehicles improperly being parked in the lot (whether daily or, in some cases, overnight) as well address other more general parking problems, it is being suggested that new signage be installed in the parking lot for two reasons: 1) the current signs are worn out, and 2) the location of the current signs is inappropriate. Specifically, two new signs are being proposed for location approximately 30-feet out from their current location adjacent to the properties facing the east side of the lot. In addition, two new signs are being proposed to be placed on the Oceania side of the parking lot emphasizing Bayshore rules and restrictions for the use of the parking lot. The cost of these signs, posts, and installation is approximately \$800.00

**MSP**

Director Ferguson moved, and it was seconded, to approve up to \$1000 for the cost of new signage and improvement to the gravel lot bordered by Westward, Oceania and Pacific Way. Motion passed unanimously.

**COMPLETION OF THE POOL CHEMICAL SHED:**

The framework for the new shed to be located outside of the west wall of the pool room and which will house the liquid chemicals for our automated pool chemicals system is completed. I am requesting that the board approve the expenditure of \$300.0 to have Kelly Concrete pour a slab for the floor/foundation of the shed. Once poured, the construction of the shed will be completed in place.

**MSP**

Director Ferguson moved, and it was seconded, to approve the cost of the concrete pad. Motion passed unanimously.

**STATUS OF MACKEY PARK AND POOL LAWN AREAS:**

A recent complaint was received regarding the condition of both Mackey Park and the lawn area surrounding the pool enclosure. After explaining that nothing could be done to improve the condition of the "lawn" at Mackey Park due to a lack of available water, the member who filed the complaint seemed satisfied with the answer.

**Legend for Motions**

**M**-Motion      **S**-Second  
**P**-Passed      **F**-Failed  
**W**-Withdrawn   **A**-Amended

Although no complaints have been received thus far, the excessively dry condition of the lawn surrounding the pool area is intentional. With the absence of larger numbers of members in the pool/clubhouse areas due to the closure necessitated by Covid-19, now seemed to be a good time to try to eradicate the clover problem which has been taking over a large part of the lawns. In order to do so, the lawn was watered thoroughly in July and a dry, granular product was raked into the lawn in order to kill the clover. This product needs to remain in place on the lawn for 6-8 weeks and was re-applied approximately 4-weeks ago and cannot be watered during this time. According to the product's directions, watering will resume at the end of this month and the grass should survive the lack of water for this 8-week period.

**PROPANE CONTRACT:**

Bayshore's propane contract was recently renewed with our vendor, the Co-Energy Company. Our cost for delivered propane for the next calendar year will be guaranteed at \$1.69 per gallon. Considering that the peak of local propane costs during the past 24-36 months was well over \$3.00 per gallon, this contract should be very favorable to our needs which vary between 5,000 and 6,500 gallons per year.

**PROPOSAL FOR SECURITY SIGNAGE:**

I would like to propose that the board consider approving the cost of two magnetic "Bayshore Security" signs for use on the Facility Manager's truck.

On many occasions, when I am called upon to check on the illegal parking of vehicles within Bayshore, the person(s) I speak with do not recognize that I have any authority to request that they abide by Bayshore rules. This same type of response has occurred during July 4<sup>th</sup> illegal use of fireworks and, in fact, occurred this past 4<sup>th</sup> of July.

Other than specific usages as indicated by the above examples, I travel around the subdivision regularly and believe that just the visibility of signage on the truck would add significantly to our member's sense of security as well as deter inappropriate behavior just through the recognition a form of security in our neighborhood.

I am not by any means suggesting that this be used as a proactive element...simply as a deterrent and as a means of providing a visible measure of authority when I need to enforce Bayshore rules and regulations.

**Legend for Motions**

<b>M</b> -Motion	<b>S</b> -Second
<b>P</b> -Passed	<b>F</b> -Failed
<b>W</b> -Withdrawn	<b>A</b> -Amended

**MSP**

Director Bradshaw moved, and it was seconded, to approve up to \$300 to obtain identification signage for Bob’s truck.

Motion passed unanimously.

**SAFETY COMMITTEE** (Chair, Melissa Chown; Judith McNeil)

No report.

**POLICIES & PROCEDURES COMMITTEE** (Chair, Bobbie MacPhee; Paula Brubaker)

Refer to changes in Fine Schedule under Planning Committee.

**SOCIAL COMMITTEE** (Chair, Rose Bradshaw; Jim Davis; Kerry Terrel; Kathy Connors)

Rose Bradshaw reported that plans will be given at the September meeting for upcoming events. Director Ferguson reminded the group that the idea of an Appreciation BBQ for volunteers would be nice to do.

**COMMUNICATIONS COMMITTEE** (Leslie O’Donnell, Chair)

Director Bradshaw reported that the Breeze has been published every month. Discussions about what information should be in the Breeze versus on the website are ongoing.

**UNFINISHED BUSINESS**

There was no unfinished business.

**NEW BUSINESS**

**Signatories for financial accounts**

**MSP**

After discussion, Director Ferguson moved, and it was seconded, that the signers on both the Columbia Bank Account and the CB Financial Account should be as follows:

- Mark Cook, President
- Michael Bradshaw, Vice President
- Kathi Lenz, Corporate Secretary
- Phillip Arnold, Director

Motion passed unanimously.

**Outside lights**

one of bayshore's principal amenities, when weather permits, are clear, starry night skies. at the moment, this amenity is significantly diminished by exterior lights on a number of bayshore homes. i would like the board to consider adding a rule ... to require those homeowners who insist upon exterior lights to have them shielded, so the light is directed down to the ground instead of radiating in all directions. this would still allow people to have lights (of whatever wattage they desire), without interfering with neighbors' enjoyment of dark skies. bayshore actually went through an analysis of its own street lighting several years ago and determined, based on a number of studies as well as recommendations from the linclon county sheriff's office, that many street lights could be eliminated w/o adversely affecting public safety. after that assessment, many street lights were, in fact, removed. some of those same studies actually indicated that exterior house lights left on continuously aid crime rather than increase security. Even with that documented fact, what i am proposing would allow people

**Legend for Motions**

- M**-Motion      **S**-Second
- P**-Passed      **F**-Failed
- W**-Withdrawn   **A**-Amended

who still want to have that lighting to have it. but shielding would prevent their choice from infringing on the rights of others to enjoy a special feature of bayshore.

thanks,

marv waterstone

Mary Lou Morris of the Planning Committee stated that this could be accomplished by the Planning Committee via the Nuisance clause in the rules. Wording such as “exterior lighting between dusk and dawn must be shielded from the top so that the light does not leave the property.” She offered to provide more precise wording at the September meeting.

### **MEMBER COMMENTS**

There were no member comments.

The meeting was adjourned at 3:10 PM.

Minutes taken by Elaine Ferguson  
Prepared by Kathi Loughman

DRAFT

### **Legend for Motions**

**M**-Motion      **S**-Second  
**P**-Passed      **F**-Failed  
**W**-Withdrawn   **A**-Amended