

# KSMA Board Meeting Agenda

## 5.18.23 Meeting | 6PM Pacific

### KSMA Board Meeting Agenda and Meeting Notes

May 8, 2023

#### In attendance:

Susan

Linda

Ray

Brian

Paul B

Doneg

- Fire Chief Oeder, Nestucca Rural Fire Prevention District (NRFPD), presentation on fire risks in Kiwanda Shores

Chief Oeder stated that Kiwanda Shores has been a major fire concern for some time. Concerns include: dune grass, high winds, wood-shingled homes, backyard and beach fires, and fireworks. He cited two examples of fires within Kiwanda Shores boundaries (one from a fire started in a barrel on the 2<sup>nd</sup> floor patio of a home; one in the dunes at south-end of Ocean Drive possibly the result of campers.) The Fire Department was able to extinguish the fires before houses caught fire. Possible to lose multiple homes if a fire gets started.

“Fire Wise”, a national program, is an educational approach advocated by the NRFPD Fire Department. He asked for KSMA support for the principles in the Fire Wise program.

**Chief Oeder agreed to participate in the KSMA Annual Meeting.** He was asked to provide Fire Wise or other educational materials prior to the meeting, so they can be circulated to Kiwanda Shores owners. He was also asked to elaborate on possible solutions to reducing fire risk within Kiwanda Shores. He mentioned: creating green space around houses; using dirt or other non-flammable ground cover rather than wood mulch; planting fire-resistant trees on properties at a distance from structures.

Susan stated that we need to have on-going education of owners and visitors, as there is a consistent influx of new visitors. Ray mentioned it would be beneficial to have guidelines for homeowners with regard to type and placement of trees.

According to KSMA bylaws, KSMA needs homeowner approval before cutting down trees. Doneg asked the Fire Chief for any suggestions on placement of dune grass on properties to minimize fire risk.

Chief Oeder stated he would reach out to the State Fire Marshall (Mr. St. Patrick?) and ask that they survey Kiwanda Shores and make recommendations for safety improvements. Susan requested that Chief Oeder tour Kiwanda Shores with her to identify areas for safety improvement, and he agreed to do this.

- Financials review (Brian)

Brian showed the KSMA balance sheet and walked through key items. There is roughly \$217,000 in combined cash on-hand, with recent annual dues payments.

There has been difficulty with investing the KSMA funds. There is difficulty in starting a business account; the option to open account virtually is not available, at least with some banks. Another bank (U.S. Bank) wouldn't tell Brian what the early termination terms are for their certificates of deposit. Doneg offered to work with Brian to **do another round of research to determine which financial institution is the best option for KSMA**. Linda, Paul and others agreed that consideration of banks and credit unions that provide insured deposits (FDIC and NCUA) is acceptable. Susan said she would check out First Tech Federal. Brian wants to make sure the Board approves the investment approach and financial institution that is ultimately recommended.

- TCB Security slides (Terry Sullivan) (see previous email)

Terry Sullivan, a Kiwanda Shores homeowner who has owned a home in Kiwanda Shores for 20 years and has lived in Kiwanda Shores for 4 years, made a presentation on the need and benefits of securing a security firm for Kiwanda Shores. Terry stated that crime has increased in Pacific City and there is a strong feeling that we have more crime in Kiwanda Shores than ever before. He stated that crime has been perpetuated by local drug users. He said that he doesn't have crime statistics; Tillamook County does not have (or does not make available) crime statistics. One example given was that mushroom hunters come through Kiwanda Shores properties during this time of year. He commented that County sheriffs have a 30 – 40 minute response time.

Terry stated that there are not a lot of permanent residents at Kiwanda Shores to participate in “Neighborhood Watch”-type activities.

Terry referred to a slide presentation (which was also circulated to board members before the meeting) that was prepared by the TCB security firm. Terry is in contact with representatives from Shore Pines, Nestucca Ridge and Dory Point who are interested in contracting with a security company. The goal would be to have a security presence between specified evening hours. The company has the capability to monitor activities, issue citations, and make arrests. Terry indicated that TCB is looking for one more homeowners’ association to participate in order to lower the per home fees. TCB fees would range from \$2.50 - \$6.00 per home per month depending on the total number of homes to be monitored. [Doneg calculated that at \$6 per month for each of the 178 Kiwanda Shores properties, multiplied by 12 months, equals \$12,816 per year.]

Susan stated that we have anecdotal evidence of crime, possibly from individuals walking off the beach into Kiwanda Shores. Paul suggested we figure out how to proceed on this: what is the next step? Linda stated that she has lived in Kiwanda Shores for 8 years, and there have always been some issues with crime. She is not aware of there being a particular need now for hiring security, and she is not aware of crime being more of a problem in the evening/night than it might be during the day.

Paul recommended that we have TCB present at the next KSMA board meeting, possibly having KSMA contract with TCB for one year and then seeing if we would want to extend the contract. Linda agreed that it would be good to hear from TCB in order to get questions answered, but there is no need to rush into this.

Brian stated that the County may create requirements for short-term rental operators with regard to enforcement of County STR rules. It would be helpful to know how the County deliberations turn out. Brian said the County’s actions could inform KSMA’s decision on contracting with a security firm.

Ray mentioned that a security firm might be a mechanism for better enforcement of STR rules that the County is interested in. Maybe the County might allocate resources to this type of initiative. Ray suggested we might want to have one patrol per evening and then push on the County do its part. Ray indicated a security firm

might be beneficial in that it creates a security presence, and that enforcement of rules could be moved off of Kiwanda Shores owners/residents.

Terry commented that KSMA is an HOA and its job is to protect the community.

Doneg commented that the County may be putting in place some infrastructure to enforce and/or evaluate complaints associated with STRs. Ray suggested KSMA push the County to use this company after Kiwanda Shores hires TCB at a low level. Terry thought collaborating with the County could be helpful. Brian made a recommendation that we consider this issue in the context of all the other things (like STR changes) going on.

**Paul made a motion that we ask TCB to present at the next KSMA board meeting. This was agreed to.**

- Road construction update (Ray)

Ray provided an update on road maintenance activities. For road work near the South Gate and North Gate KSMA entrances, Dennis Paving will charge approximately \$16,500 for paving. Coastways Construction will charge approximately \$18,400 for prep work. Once the work is scheduled, there will be a need to notify residents. The work will be done as soon as the contractors are available, which is not currently know. A total budget of \$35,000 was unanimously agreed to by the KSMA board members present for this activity. Ray asked that Scott C. be asked to help coordinate the work.

- County deliberations on potential STR rule changes and KSMA survey of Kiwanda Shores owners on STR issues (Susan & Doneg)

Susan and Doneg provided an overview of the County's recent deliberations and actions with regard to the County's short-term rental (STR) policies (Ordinance 84 and a separate Board of County Commissioners (BOCC) order establishing a one-year moratorium on issuing new STR permits.) Background materials were previously circulated to the Board on this topic.

Paul asked about the regulatory tool options that the County is considering, which include capping the total number of STR permits (by "subarea" of County, such as Pacific City, and possibly by "communities" within subareas, such as Kiwanda Shores.) Recent discussions are that the County might cap the number of STR permits at current levels plus one percentage point. For example, 25% of all homes

in Pacific City are reported to have STR permits currently; under one option, a cap on STR permits for Pacific City would be established at 26% of all homes.

The County is also considering limiting transfers of existing STR permits to new owners, limiting the number of STR permits an individual can have, limiting the density of STR permitted properties in rural areas of the County, and preventing issuing permits to “corporate owners”.

Susan reported that approximately 47% of Kiwanda Shores homes currently have an STR permit, although it is not known how many of these properties are currently being actively rented on a short-term basis.

Doneg outlined the current projected timeline for County deliberations, with two hearings over May and June (May 30 and June 13), and a vote by the BOCC before the end of June. (The moratorium on the issuance of new STR permits expires on July 1, 2023.)

As previously agreed to by the KSMA, on May 7, a survey of Kiwanda Shores property owners was prepared and circulated to Kiwanda Shores property owners. (The survey questions were circulated to board members for review and approval prior to the issuance of the survey.) Responses are due back from Kiwanda Shores property owners within a week (May 14). The results will be compiled and circulated to the KSMA board. **After reviewing the survey results, Susan will make a recommendation to the KSMA board as to whether and in what format the survey results might be circulated to the County and others.** This was agreed to.

- Webmaster update (Susan)

Susan contacted one of the three people Brian identified as possible candidates for becoming the KSMA Webmaster. Susan is also checking Up Work as a resource for potential candidates. Paul stated that he will contact HOA software companies to see if they have suggestions on potential contacts. **Susan said she is looking for someone familiar with Outlook functionality and can update the KSMA Website.**

- Dumpster for scotch broom collection

Susan reported that a dumpster will be placed on Sand Piper Drive (as it was last year) over Memorial Day weekend in order for Kiwanda Shores owners to deposit scotch broom removed from their properties. Susan asked if she should send an

email to Kiwanda Shores owners on this, and **it was agreed that sending an email on this is a good idea. Susan will send the email.**

- Next KSMA board meeting

**The next meeting of the KSMA board of directors is scheduled for July 17 at 6:00 pm Pacific Time.**