

Notes from Kiwanda Shores Maintenance Association (KSMA) Annual Meeting (Meeting held September 3, 2022)

Initial draft of meeting minutes prepared by Doneg McDonough

Stats:

- 4 in-person board member attendees; 3 virtual board member attendees; 34 proxies submitted; 25 additional properties represented, making a total of 59 properties represented out of 178. (33%)
 - No vote was taken at the Annual Meeting, so a quorum was not required.
 - If a quorum had been required, a minimum of 20% or 38 properties would have had to be represented – so we easily passed this threshold
- Estimate of between 35 to 40 in-person attendees at the meeting.

Board Member Attendance:

In-person attendance:

- Paul Boyle
- Jackie Hutchins
- Ray Kimball
- Doneg McDonough

In attendance via Zoom:

- Jeff Snow
- Linda Aldrich
- Paul Schmidt

Not in attendance:

- Susan Caney-Peterson
- Brian Timm

The KSMA website can be found at: <https://www.kiwandashores.org/>

Meeting Notes:

[In Notes below, KS owner questions are typically shown under the relevant topic headings, even if the owner questions were asked at a different point during the meeting.]

Paul Boyle chaired the Annual Meeting at the request of President Susan Caney-Peterson.

Meeting started at 10:00 am with approximately 30 minutes for informal discussion among attendees.

Paul introduced himself. Paul reviewed the figures on the number of proxies received (34) and indicated that we have a quorum, if needed, to ratify a vote.

Paul asked the current Board members in attendance (Jackie, Ray and Doneg) as well as for Scott Culp to introduce themselves, and then asked Board members in attendance via Zoom (Jeff, Linda and Paul) to introduce themselves.

KS On-going Tasks

Paul noted that KSMA is led by a volunteer board and Kiwanda Shores benefits from a number of owners who volunteer to conduct a range of tasks. Paul asked for additional volunteers to become Board members and asked for volunteers for some specific tasks, although he also noted that doing these tasks is a mutual responsibility across all KS owners:

- Scotch Broom look-outs: Identify Scotch Broom within Kiwanda Shores that needs to be removed
- Dog poop bag dispenser refillers: Restock dispensers with plastic bags
- Parking monitors: Walk KS periodically to check if cars parked illegally
- Fire safety look-outs: Keep a look-out for unsafe activities

A request was made that owners be reminded – and that rental agency representatives inform renters – that dog owners are expected to pick-up after their dogs.

Paul asked that potential volunteers contact him after the meeting if they would like to take on one of these roles.

Financials

Paul Boyle and Linda Aldrich provided an overview of the KSMA financials. Paul stated that the KSMA financials are strong, “lean and mean.” He noted that there have been on-going savings from paving Ocean Drive. Previously, \$15,000 to \$20,000 was spent annually on sand removal, mostly on Ocean Drive. Now, after re-paving Ocean Drive, the KSMA annual expenditures on sand removal have fallen to a few thousand dollars.

KSMA currently has \$190,000 in accounts. These funds are held for annual operating expenses and as reserves for long-term capital expenditures.

KSMA has expended minimal attorney fees in recent years.

Linda indicated that we have a total of \$2,400 in accounts receivable (for member dues), and we have \$0 in accounts payable. A KS owner commented that a great job was done to remedy dues that were in arrears.

Capital Study

Paul stated that a capital study, and with it a reserve fund recalculation, is to be conducted every five years. A new capital study will be conducted soon under the direction of President Caney-Peterson, and the funding needs for capital expenditures will be compared to the KSMA reserve funding levels to determine if the reserve funding levels are adequate.

Maintenance of Kiwanda Shores

Scott Culp provided a recap of a number of physical infrastructure items at KS.

- o *Maintenance of Ocean Drive*: KSMA continues to experience cost savings from the repaving.
- o *Speed humps*: Have resulted in slower vehicle traffic. The yellow speed humps are portable, if we want to relocate them within KS.

- *Fences*: The cedar fences on the property have shown to be easy to break, either unintentionally or intentionally.
- *Gates*: Need for on-going maintenance; in some areas, the paint on the gates is developing a “Pacific City patina”; will need repainting to protect against rust.

A KS owner commented that there are ditches and potholes on Ocean Drive (and possibly elsewhere) due to construction projects. The owner asked if there could be coordination across multiple owners for blacktop repair, possibly improving the quality of the repairs and lowering costs to do the work. Scott commented that there is not a mechanism currently in place to facilitate coordination among owners for street repair work, and the street repair work needed as a result of construction projects remain the responsibility of each owner having the construction work done.

Another KS owner commented that the speed humps installed in KS do not always correlate with the speed limits on roads within KS (*e.g.*, the allowable speed might be 10 mph but the speed hump requires slowing down to near-zero mph not to be jarred when crossing the speed hump.) The owner wondered if we could pick speed humps that are easier to get over.

Tree and Grounds Maintenance

Paul and Ray Kimball stated there is a need to prune trees where they are encroaching on streets. Ray asked KS owners to use the link on the KSMA website to inform the Board if tree or bush pruning on community property is needed. Some of the work can be done by volunteers, or KSMA might hire Bros and Hoes or other landscape maintenance companies if it involves a bigger project. Scott mentioned that Shore Pine trees, in particular, generate overgrowth issues and require trimming. Scott also indicated that he is aware of other landscaping companies that are available for this type of work if owners are looking for help on their properties.

A homeowner stated that growth of beach grass along the foundation of their property is an on-going challenge and wondered if interested owners could group work together to contract for a company to do the work. Ray indicated that the use of a local on-line message board Nextdoor might be the best opportunity to communicate with neighbors.

Wetlands

A KSMA owner commented that there is some build-up of dead branches in the wetlands area on the north side of KS and wondered if it should be addressed. Board members commented that we generally stay out of the wetlands to maintain it as a natural habitat.

KS Roads

- Paving of South Gate

Ray provided an update on the road paving project for the area crossing the south gate entrance.

Plan is to repair / repave street from the County road to Sand Piper. The street pavement is approximately 20 feet wide. One exception is that we will not pave over the sensors that are embedded in the pavement. There is the possibility of applying a sealant once the surface is repaved.

Ray indicated that there are delays in the responsiveness of potential contractors generating bids, but the project is progressing. An owner commented that there is a pothole outside the gate. Ray indicated

that the pothole is on County land, but we might coordinate with the County to fix as part of this project.

- o Road Maintenance

Over the next few years, we will put a sealant on Ocean Drive to protect and extend the life of the pavement.

Ray emphasized that owners who identify spots where the roads are failing – such as if “alligator packing” is showing – should please let KSMA know (Ray / KSMA Board). It might take time to address the deficiencies – due to a need to stretch out when repairs are conducted and the constrained availability of Ray and contractors – but please do report problems.

An owner asked if it were possible to replace the yellow speed humps with pavement. Ray indicated we can consider this. He added that it was important to note that there are more complaints about there being an insufficient number of speed humps currently installed to calm vehicle speed rather than there being too many speed humps. Linda commented that “flat top” style speed humps work well and cited an example in place in front of the Pelican restaurant.

An owner thanked Ray and other Board members for getting the Ocean Drive and other road paving done.

Architectural Control Committee (ACC)

Paul explained that he has been leading the ACC for 4 – 5 years. All new construction projects developed during this period have been reviewed by the ACC. Paul asked that KS owners doing work on the exterior of their houses (such as replacing shingles) submit applications to the ACC. The forms can be accessed on the KSMA website.

Paul asked for an additional volunteer member for the ACC. The work of the ACC is done online or via email.

KSMA Board Membership

Paul stated that we have nine KSMA Board members now. KSMA is looking to add 2 more Board members. Please let Susan / KSMA know if you are interested in serving as a Board member. The KSMA typically holds 6 meetings a year.

Tsunami Signage Initiative

Doneg McDonough provided an update on the tsunami signage initiative. The organization coordinating the tsunami signage effort along the Tillamook County coastline received the ok from the County to move forward with installing tsunami signage within KS. After a few months of consideration, the County decided that they do not have jurisdiction over where we place signs within KS.

Earlier this year, Susan and Doneg reviewed the recommended locations for the new tsunami signage. Some adjustments were made to address sight-lines and existing signs and signposts. Except for a larger sign installed on each of the exit gates, the smaller sign option was selected for the signs on KS roads.

Tsunami signage will be installed within KS boundaries over the next two months. Prior to installing the signs (either on existing posts or on new posts), a check will be done of underground utility locations.

QR code stickers, linking to a map and explanation of exit routes, will be added after sign installation. Once installed, there is the option of adjusting sign locations if needed to accommodate issues that arise. The cost of the signs, posts, and installation is being covered by the non-profit tsunami signage initiative.

Kiwanda Corridor Project

Doneg provided an overview of the Kiwanda Corridor Project (KCP). A summary of the latest KCP plans can be found on the web at tillamookcoast.com/southcounty/kiwanda-corridor.

The KCP is centered around the creation of a multi-use path running from the Cape Kiwanda parking lot south down Cape Kiwanda Drive to Bob Straub Park. Creating a greater supply of parking is a key goal of the KCP effort. The latest version of the KCP is referred to as the **“Preferred Concept”**. The County Council approved the Preferred Concept last week.

There are a number of components that comprise the KCP. One of the key elements is the development of the Jensen Property that lies just east of KS, between KS and Cape Kiwanda Drive. The property was recently purchased by the County.

Over the past year, KSMA members have monitored the planning process and provided input on issues that directly impact KS. These issues included: addressing parking along Cape Kiwanda Drive, including prior to and during construction; removing Scotch Broom that is growing on the Jensen Property; ensuring that there is an adequate natural buffer between the to-be-developed park on the Jensen Property and KS private property; and ensuring that undeveloped lots along Cape Kiwanda Drive but within KS retain direct access from Cape Kiwanda Drive.

Comments provided by KSMA contributed to modifications of the Jensen Property Park plans to create a larger buffer between the developed park and KS lots. In addition, a fence will be constructed to indicate the divide between the private KS properties and the public park. The Preferred Concept incorporates a larger park, and a lesser number of parking spots, as compared to more parking-focused options considered.

Other elements of the KCP project that are grouped under the “Jensen Property section” include: reworking of the intersection at Cape Kiwanda Drive and Pacific Avenue (bridge); creating an elevated walkway over the dune alongside the Pacific Avenue entrance to the beach; and building a restroom adjacent to the existing parking on Pacific Avenue. A relatively small covered picnic area will be included within the park, but proposals for covered basketball courts, an amphitheater and other elements were rejected in favor of a larger meadow / grass area and natural landscaping. A space for the potential inclusion of a Dorey Museum near the Kiawanda Community Center (KCC) is shown on the plans as well. Some additional parking stalls are included on the KCC parking lot.

In the County-approved Preferred Concept, a few sub-projects were prioritized to be undertaken in the initial phases of the KCP. These include: redevelopment of the Cape Kiwanda parking lot; redesign of the Jensen Property intersection; and creation of the Jensen Property restroom. Timelines for the design and construction of these three elements are shown in the KCP Preferred Concept document.

In the discussion with KS owners following Doneg’s presentation, it was recommended that KSMA do or at least consider: (1) KSMA communicate to the County that no development associated with the KCP be

undertaken within the boundaries of KS without conferring with the KSMA; and (2) KSMA create a new beach access at or near the southern end of Ocean Drive. Currently, the undeveloped properties at the southern end of Ocean Drive provide KS owners an unofficial access route to the beach. This access could be eliminated if the KCP plans are implemented and the currently undeveloped KS properties are developed.

Tillamook County Policy on Short-Term Rentals

Nicole Twigg, manager of Kiwanda Coastal Properties, was invited and provided a presentation on the latest developments involving the Short-Term Rental (STR) policies and procedures for Tillamook County. Nicole serves as a representative for rental property owners on the Tillamook County Vacation Rental Committee that is focused on this topic. Nicole is open to answering questions KS owners might have about the current STR activities. Pro-STR advocates working with Nicole have a website.

At present, the County has imposed a moratorium on the issuance of new STR permits, with some exceptions to the moratorium for land purchases that are in-process. The moratorium only applies in the unincorporated areas of the County, such as Pacific City. The moratorium is to last for one year from the July 1, 2022, start date or until a permanent policy is put in place, whichever is sooner. As such, homeowners that held STR permits at the time the moratorium was issued are allowed to continue offering STRs; homeowners not holding STR permits are not allowed to secure STR permits during the moratorium.

A series of statistics were provided by Nicole on the number of STR applications, the distribution of those in the County (including in the unincorporated area of Pacific City), and on compliance (by region) with County rental regulations.

In Lincoln County, an ordinance that is somewhat similar to what was put in place in Tillamook County was recently defeated in a legal proceeding.

In KS, according to Nicole, 62 properties are registered as STRs, representing approximately 40% of all KS properties. In Pacific City, 80% of all STRs in the PC unincorporated area are west of the Nestucca River. 56% of houses in PC are second homes. 18% of all PC housing is STRs. 40% of the total Transient Lodging Tax for the County is generated in Pacific City.

The County Vacation Rental Committee meets once a month. The next meeting is September 13. Interested persons are welcome to attend meetings. Options being considered for the permanent STR policy for unincorporated areas of Tillamook County include one or more of the following: Establishing caps on the percentage of housing units that can be STRs; setting and applying different STR caps for each of the unincorporated areas of the County (i.e., xx% for Pacific City, etc.); creating new policies to address renter nuisance problems that might exist; and increasing enforcement of existing STR policies.

One KS owner commented that there is concern that the limitations on STRs imposed to-date, and that are being considered for STRs on a permanent basis, might run counter to efforts to address the housing shortages in Tillamook County.