

KSMA Board Minutes March 14, 2022

3.14.22 Meeting | 6PM Pacific

Dial-In: 971-292-4582

PIN: 09772

<https://meetings.dialpad.com/room/caneypeterson>

Attending: Susan Caney-Peterson, Linda Aldrich, Ray Kimball, Doneg McDonough, Jackie Hutchins, Paul Boyle, Jeff Snow, Brian Timm

Absent: None

Quorum met: Yes

Started at 6pm

1. Kiwanda Corridor Project update (Doneg)
 - February update – opportunity for feedback
 - April virtual open house 4/8-4/25
 - In-person meeting April 16

KSMA key points:

1. There is a need to retain adequate access to driveways along Cape Kiwanda Drive (CKD) for currently undeveloped properties owned by KSMA members.
2. The existing trail / pathway along CKD that runs from the North Gate of Kiwanda Shores north along the Shorepine Village properties is on private land, either land owned by Shorepine Village or easements to the Kiwanda Shores lots.
3. There is concern that some of the proposed routes of the Cape Kiwanda Drive multi-use path encroach on property owned by KSMA members.
4. We concur with the stated goal of the KCP to minimize impact on the environment, and we encourage the KCP, whenever possible, to maintain the existing natural ecology rather than replace what is there. For instance, the landscape along the existing pathway as well as the west side of the Jensen Property would be difficult to replicate if disrupted, as well as harmful to the wildlife that nests there.
5. With regard to the Bureau of Land Management (BLM) trail behind the Pacific City wastewater treatment plant (which is currently an unmarked trail), we recommend that the trail be marked and incorporated into the network of paths and trails that encompass the KCP.
6. We request that increased posting of “no parking” signage along KCD not be delayed and be instituted now in order to improve safety along CKD.

With regard to the development of the Jensen Property:

7. We request that the KCP / Tillamook County provide adequate fencing to discourage shortcutting across private property to access the beach;
8. We encourage the KCP to incorporate (*i.e.*, maintain) a natural landscape buffer on the Jensen Property that shields Kiwanda Shores to the west.
9. We encourage the KCP to incorporate approaches that minimize disruption to existing wildlife habitats and pathways.
10. We request that the County remove the Scotch broom that is currently on the Jensen Property, particularly as it appears to be spreading to adjacent properties.

2. Insurance update (Brian)

- Shaun Isham conversations with Brian (Isham and Sprague)
 - o D&O policy was canceled and we were without insurance for about a week
 - o New policy will be \$2,200 or \$3,200; Shaun is trying to get clarity as to why the \$1k increase
 - Board unanimously approved Brian finalizing the new policy with Shaun
 - o KSMA general liability insurance – old policy is still in place but needs to be renewed at the end of March
 - o Shaun is looking for another company to underwrite our policy. Also a \$3M policy, which is an increase from our current policy.
 - o Per Brian's discussions with Shaun, many insurers are limiting their market and/or increasing premiums

3. Overview of financials (Brian)

- We continue to be in great financial shape.
- Approx \$50k is what we bring in for dues. Budget is much less than that so there are funds available to cover road maintenance etc.
 - o Ray explained that manufacturing costs are very high.
- We currently have 3 bank accounts; checking, savings, and a 3rd account. Brian will talk to Paul Schmidt to see if there's a reason for having the 3rd account, and Brian would like to close it.

Follow-up note: The 3rd account with approx \$50k balance is a reserve account (also detailed in the reserve report).

Article VI

6.4 Reserves. *A portion of the common expense collected from each Lot Owner shall be placed in an account separate from the general operating account of the Association in accordance with ORS 94.595. This separate account is to be used as a reserve account for major maintenance and replacement of the common property all or part of which would normally require replacement in more than three (3) or less than thirty (30) years from the time the budget is determined by the Board of Directors.*

4. Tsunami signage progress (Doneg)
 - Plan is to upgrade tsunami signage in the county, and it looks like the permit will be coming through soon. Doneg has worked with the County to communicate the Board's decisions about size of signs (fairly small but larger sign will be on both of the gates) and where they'll be posted
5. Response to annual letter (Susan)
 - Approx 10-12 people asked for the handouts we had printed for the meeting. Susan passed out the handouts to anyone who appeared to be at the Beach at the time of the meeting.
6. Upcoming road work (Ray)
 - Ray will work on this and get some bids before the next meeting.
 - The apron to (and directly inside) the South gate, and Kiwanda Drive west to Ocean Drive are of particular interest.
7. Maintenance update (Scott)
 - Everything is in pretty good shape for this time of year.
 - The fences have just been repaired and the beach accesses have been cleared between the houses to the beach. Ocean Drive has some sand on it but is no problem to drive on.
 - In a month or so, after the winter storms will have passed, we can begin doing a final clean-up for the summer season. The sand removal on the KSMA beach lot will be done at that time along with the sweeping of Ocean Drive. The No Fireworks sign will be replaced on each gate too.
 - Both gate kiosks have some minor damage and will be repaired.

 - Ray asked if there are still fence posts under one of the quads and Paul said there are a few.
8. Elections in September
 - Susan will continue to act as Interim President and is willing to continue in the role for the next year.
 - o A motion was made, seconded, and approved unanimously to name Susan President for the remainder of Paul's term. She will likely be interested in continuing in this role next term as well.
 - There was some discussion about the 3-year term of directors, and if/when there needs to be a Board vote to extend the term.
 - Linda will review the Bylaws and report back to the Board

Follow-up notes:

- **Directors are elected (to a 3-year term) by Lot Owners at the Annual Meeting and shall hold office until a successor has been elected.**
- **Officers are elected by the directors (president, secretary, and treasurer are mandatory).**
- **Officer elections may be made at any Board of directors meeting.**

Article IV: Board of Directors

4.5 Election and Term of Office. The successor for a director shall be elected to serve for a term of three years. Directors shall hold office until their respective successors have been elected by the Lot Owners. Election shall be by plurality.

Article V: Officers

5.1 Designation. The principal officers of the Association shall be a president, a secretary, and a treasurer, all of whom shall be elected by the directors. The directors may appoint an assistant treasurer, an assistant secretary, and any such other officers as in their judgment may be necessary. No two offices may be held by the same person.

5.2 Election of Officers. The officers of the Association may be elected by the Board of Directors at the organizational meeting of each new board or any Board of Directors' meeting thereafter and shall hold office at the pleasure of the Board of Directors.

9. There was also some discussion about the timing of the Annual Meeting. A few of the officers will be unable to attend this year. Questions were raised about the viability of changing the date.
 - Linda will review the Bylaws, speak with our attorney, and report back to the Board.
10. Susan will send the KSMA map to Ray, who will work on getting it into Adobe Acrobat so it will be more flexible to update.
11. Any old or new business?
 - None noted

Meeting adjourned at 7pm

Next meeting will be May 16, 2022 at 6pm

(The following meeting will take place on July 18, 2022 at 6pm)