

## Minutes

### Annual Meeting of the Kiwanda Shores Maintenance Association

September 2, 2023 (revised)



#### ■ Introductions – Board and Contributors

Informal meet-and-greet among attendees took place from 10:00 am to 10:20 am.

President Susan Caney-Peterson began the KSMA annual meeting at 10:20 am. Approximately 33 people were in attendance in-person and an additional 16 participants were on-line (Zoom) at some point during the meeting.

KSMA board members in attendance:

In-person:

Susan Caney-Peterson

Paul Boyle

Peggy Halley

Doneg McDonough

Linda Aldrich

On-Line:

Jeff Snow

Paul Schmidt

Susan introduced Peggy Halley as the new KSMA Treasurer (with the resignation of Brian Timm from the Board who held the position of Treasurer for approximately 5 years) and Doneg McDonough as the new KSMA Secretary (with the resignation of Linda Aldrich from the position of Secretary.) Because Chief Oeder was ready to leave at any minute on an emergency call, we intended to review the current and leaving board members but failed to come back to this slide. We owe a great deal of thanks to all who gave their time to KSMA. This includes:

### Current KSMA Board and Contributors



Board Member	Role	Outgoing Board Members (Thank you!)	Role
Susan Caney-Peterson	President	Linda Aldrich	Secretary (now at-large)
Peggy Halley	Treasurer	Brian Timm	Treasurer
Doneg McDonough	Secretary	Jackie Hutchins	Membership
Paul Boyle	Architectural Committee Chair		
Ray Kimball	Member-at-large	Other Contributors	Role
Linda Aldrich	Member-at-large	Alan Aldrich	Webmaster (retiring)
Jeff Snow	Member-at-large	Scott Culp	Roads & Maintenance
Paul Schmidt	Member-at-large	Robin Curtin	Bookkeeper

- Fire safety – Chief James Oeder

Chief James Oeder of the Nestucca Rural Fire Rescue Department presented information on increasing fire safety within Kiwanda Shores. See “Fall 2023 KSMA Annual Meeting” PowerPoint presentation for detailed presentation on fire safety within Kiwanda Shores, including discussion of the FireWise USA program, slides 6 – 11.

Chief Oeder talked about a past risk to a home in Kiwanda Shores that was started by a fire in the dune grass near the southernmost end of Ocean Drive. The homeowner was present and got up to shake the fire chief’s hand and thank him for saving his home.

There was some discussion of tree varieties that are less susceptible to fire; additional discussion took place on the topic of open fires within Kiwanda Shores and whether a change in policy would be beneficial. One homeowner suggested that “for purposes of fire mitigation in the community... no open flame units of any type be allowed in the community.”<sup>1</sup> One homeowner stated support for the proposal, and another homeowner stated his opposition to the proposal.

- Community safety suggestions

Homeowner Terry Sullivan brought information to the Board regarding community safety and a patrol company called TCB. Recent sightings of petty thefts within Kiwanda Shores prompted him to investigate patrol options. The response time from the local sheriff’s office can really vary. A recent ballot measure to expand the number of officers failed. Existing officers have a large geographical area to patrol.

Terry gave an overview of an option for hiring a security company (TCB) to patrol Kiwanda Shores. See “Fall 2023 KSMA Annual Meeting” PowerPoint presentation, slides 12 and 13. There was interest in the current incidence of crime in Kiwanda Shores and how crime statistics might have changed over time. It was reported that complete statistics are not available for Pacific City and that no Kiwanda Shores-specific data are available from the Sheriff’s Office. One owner stated that County data are compiled when reported, such as when there is a home break-in and a police report is needed to file a claim. It was communicated that individual homeowners also can contract with TCB. Susan mentioned that years ago Kiwanda Shores contracted with an individual to patrol, but the services were ultimately canceled due to a perception from some that the patrol had limited benefit.

There was discussion on what the charges would be from TCB (~\$8,400 per year for one Kiwanda Shores pass-through of the security officer per evening, with additional charges for additional calls for services to Kiwanda Shores), who would pay for any additional calls to TCB, and whether these charges were worthwhile or not. A concern was raised that these charges, if paid for through annual dues, would require an increase in the annual dues of between 20% and 40%. Also, there was discussion of response times. Given that TCB currently does not base a security

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<sup>1</sup> At the request of a homeowner, this note was added in the November 6, 2023, version of the minutes for the 2023 Annual Meeting.

officer in Pacific City, the response time to a call would be approximately 30 minutes, similar to the response time of the Sheriff's office.

Susan indicated that the board discussed whether it would be beneficial to hire a security company. After meeting with TCB, the board decided to wait until TCB had a presence in Tillamook County and research the demand for, and cost of, contracting with them or another company. A vote was taken in the room and online to measure the interest of homeowners in hiring TCB. The yes votes did not represent a majority of those voting. A request was made that, if a security company were to be hired, a competitive request for proposals be issued to solicit bids from multiple companies. By a raise of hands, about half the attendees had their own security system.

- Building Community

Susan made comments on opportunities to build community within Kiwanda Shores. See "Fall 2023 KSMA Annual Meeting" PowerPoint presentation, slide 14, for additional details. An example was cited of the volunteer construction and placement of a Little Free Library installed on Sandpiper Drive.

- Finances, budget and expenditures

Susan reviewed the current financial position of the KSMA. See "Fall 2023 KSMA Annual Meeting" PowerPoint presentation, slides 16 - 17. The association is in a strong financial position, with low annual dues and also low annual expenditures. Efforts are underway to invest the reserve amounts that have been accumulated into higher-earning accounts.

- Roads and maintenance

Susan gave an overview of current maintenance activities in Kiwanda Shores. See "Fall 2023 KSMA Annual Meeting" PowerPoint presentation, slide 18.

It was noted that a large dumpster is made available once a year (during Memorial Day weekend) for owners to deposit scotch broom and other yard debris. A request was made to consider extending the length of time the dumpster is on-site (possibly for all of May) as well as having a dumpster on-site twice a year. The nearby Pacific City Transfer Station [<https://www.co.tillamook.or.us/solid-waste/page/pacific-city-transfer-station>] receives yard debris in the summer. Their rate is \$12/most loads, but you can mention a coupon [often found on the site linked above] for free yard debris disposal.

- Beachfront dune grass planting

Marc Panet-Raymond raised the issue of the State imposing an annual requirement that beachfront homeowners plant dune grass along the western edge/face of the upper beach area. The responsibility of planting dune grass is tied to the approval to move sand away from beachfront homes along Ocean Drive. He requested that the KSMA board and members consider having KSMA pay for the cost of the State-required annual dune grass planting.

One beachfront homeowner commented that there are 40 beachfront properties subject to the planting requirement, and it costs roughly \$1,000 per year per property. A homeowner noted

that, while the requirement for the planting is placed only on the beachfront homeowners, all Kiwanda Shores owners and renters travel across the upper beach to access the lower beach.

Because this topic was not on the agenda, and the meeting was already running longer than intended, Susan tabled the discussion on this topic until a later time.

- Call for volunteers; board transitions, vote

Susan made a request for volunteers, either as board members or to conduct ad hoc tasks. *See* “Fall 2023 KSMA Annual Meeting” PowerPoint presentation, slide 19. Jeannie Custer has volunteered to help in any capacity she can. Thanks, Jeannie!

In addition, KSMA is in need of hiring a Webmaster for a limited number of hours per month (although estimates of the number of hours needed ranged from 10 hours per month to 10 hours per week.) The Webmaster would maintain the KSMA Website as well as the KSMA member email list. A good familiarity with MS Office, as well as website design and good communication skills, is desired. Susan asked that members refer anyone that might be qualified and interested in this engagement to contact her.

A vote was taken to ratify the current KSMA board members. *See* “Fall 2023 KSMA Annual Meeting” PowerPoint presentation, slide 20. A motion was made by Jeff Barry to approve the list of KSMA board members for another term. The motion was seconded by Terry Sullivan. The members of the board of directors were approved by a majority of attendees.

- Tillamook County Short-Term Rental Changes

Doneg made a presentation on recent actions by the Tillamook Board of County Commissioners (BOCC) pertaining to short-term rental (STR) regulations; next steps in the County’s STR-related activities; and considerations for the KSMA on whether and how to engage the County during the County’s negotiation of STR Subarea-specific permit caps. *See* “Fall 2023 KSMA Annual Meeting” PowerPoint presentation, slides 21 to 28.

The BOCC has asked County staff to have discussions with interested parties in each STR Subarea (and possibly to have discussions with defined communities within the STR Subareas, such as Kiwanda Shores) to determine if the initial STR permit cap percentage established for each STR Subarea should be maintained, raised, or lowered. The County has stated its intent to start the negotiations with the communities of Neskowin and Neahkahnie. A significant amount of discussion took place among Kiwanda Shores homeowners.

A vote was taken to support KSMA engaging with the County on potential modifications to the current STR permit cap applicable to the Pacific City-Woods STR Subarea and/or establishing an STR permit cap that might apply specifically and solely to Kiwanda Shores. It was suggested, and agreed to, that Kiwanda Shores make a request to the County that negotiations with Kiwanda Shores would take place after the County had engaged with Neskowin and Neahkahnie in order for Kiwanda Shores to learn from the experience with those communities. A majority of those voting voted to authorize the KSMA to engage with the County as indicated above.

- Changing the annual meeting date – vote

Susan reviewed a proposal (i.e., motion) made by the KSMA board of directors to authorize the board of directors to set a date different than “the Saturday prior to Labor Day of each year” for the annual meeting of the KSMA. See “Fall 2023 KSMA Annual Meeting” PowerPoint presentation, slide 29. Changing the annual meeting date requires a change to the “Amended and Restated Bylaws of the KSMA” (Bylaws), Section 3.2.

The motion was made by Susan, and the motion was seconded by Dan Gilham. 16 in-person attendees, 2 on-line attendees, and (at the last time the email and PO Box was checked) 40 proxies indicated a vote in favor of the motion. (A number of attendees had left the meeting prior to this vote.) One in-person attendee and 1 proxy voted no on changing the annual meeting date. A total of 83 votes (50%+ of the 165 members) is needed to approve this proposed change to the KSMA Bylaws. Additional outreach to KSMA members might be needed to achieve a sufficient number of voters and to receive the approval of a majority of KSMA members.