

South Beach Road Association

Annual Meeting

August 31, 2013

Officers and Directors: Bill Busch, Ken Graham, Chris Howell-Miller, Judy Kelley

Visitors: Jack Bertell, president, Proposal Rock Homeowners Association (PRHO)

Attendees: Elizabeth Allgood, Helen Atwill, Stan Boles, Terry Bryntesen, Gene & Karen Campbell, Krisanna Clark, Holly Eckles, Scott & Chris Flitcroft, Arthur Harpool, Sue Henningsen, Wendy Kahle, Wayne Kingsley, Kim Marsh, Bob Miller, Mace & Barbara Monroe, Scott & Karen Nienkamp, Steve Ostrin, Barbara Triplett, Don Walker, Steve & Karen Woods

Proxies: Tom & Rita Zellner

The meeting was called to order at 2:00 pm. Bill Busch introduced himself as the new Board President of the South Beach Road Association (SBRA) and asked Directors and attendees to introduce themselves. An agenda and financial statement were provided to all attendees.

Minutes: The minutes from the July 4, 2012 annual meeting were posted on the Association's website shortly after last year's meeting. The Association's website is <http://www.southbeachroad.org> and the password is forest392. The minutes of the 2012 annual meeting were approved as written.

Financial Report: The profit & loss statement for April 1-Aug 26, 2013 was quite similar to that for the same interval in 2012. Principal expenditures were for roadside mowing and road maintenance. A cash balance of \$85,343 was reported as of 31 August 2013. The high balance will allow two significant road and bridge maintenance projects to be undertaken in the coming year and still allow \$30,000 to be held in reserve for emergencies as previously recommended by the Board.

OLD BUSINESS

Delinquent accounts: As approved in 2012, a list of property owners who are delinquent in paying the full annual SBRA assessment was posted on the Association's website in August 2013. The process of identifying delinquent property owners this year was slow and deliberate. For the next billing cycle, property owners will have a fixed, reasonable time to pay their assessments, after which the delinquent owner's list will be posted on the Association's website.

During the last year, the Board sought legal counsel for options to require payment of SBRA assessments. A report from counsel, Susan C. Glen of Dunn Carney Allen Higgins & Tongue LLP, was received on Aug 31, 2013 that indicated there are no readily available options to require payment from delinquent property owners. As soon as the report is fully digested by the Officers and Directors of the SBRA, a summary will be posted on the Association's website. Bob Miller added that the statute governing the collection of assessments by associations could allow the SBRA to "go after" those who do

not pay. A suggestion was made to add an addendum to CCRs stipulating payment of SBRA annual assessments. This suggestion was deemed unlikely to be successful since 100% of the homeowners would have to agree on the addition of an addendum.

Beach access: Bill Busch, who contacted two surveyors and researched the online resources of the Tillamook County Surveyor's Office, reviewed the status of questions about the easement along the north boundary of the property at the west corner of Nescove Drive and Surf. A 1982 court decision resolving the overlapping surveys of properties on either side of the easement effectively reduced the width of the easement from 10 feet to 5 feet. The URL for the County Surveyor's website that has a public archive of all Tillamook County surveys will be placed on the Association's website.

Judy Kelley noted that the Neskowin Water District has placed an abutment in the middle of the easement that represents a hazard. Bill Busch agreed to contact the District to see if something flush with ground level could be used instead.

Wendy Kahle asked whether beach access via South Beach Road by RV park guests has been successfully restricted. Ken Graham and Bill Busch answered that the issue was resolved with the RV park management prior to the Association's 2012 annual meeting and that they seemed to be complying with the request to steer guests toward the State Park access. Jack Bertell (PRHO) offered that there is still foot traffic down South Beach Road from the RV park, but it is "much reduced".

NEW BUSINESS

Road repair: Two portions of South Beach Road adjacent to South Beach Point and further south are sliding down hill. The stability of the road and the sewer line along the eastern edge of the road are in doubt. The Neskowin Regional Sanitary Authority expressed concern two years ago about the road condition and worried that if the sewer lines broke, stiff penalties would be imposed by the Environmental Protection Agency.

The Board has received estimates from several contractors about repairing the road. Salmon River Contractors recommended excavating 6-8 feet for 140 feet, replacing the soil with a gravel foundation, temporarily by-passing the sewer line and paving the roadway for roughly \$28,000 (for the upper portion only). Road & Driveway recommended filling in and leveling both sections of the road (140 feet and 125 feet) with asphalt, covering the cracks to eliminate water from penetrating the road bed, and building a fender along the east side of the road for \$10,400. The fender would prevent water from washing over the adjacent slope and divert it to the ditch on the west side of the road. Bill Busch has discussed these repair options with the Neskowin Regional Sanitary Authority who has agreed to correct the sewer pipe problems at their expense.

Arthur Harpool observed that the hill has been in the process of slumping for the last 10-15 years and that the ground at the bottom of the hill is continually wet, indicating a potential ground water problem. He invited Board members to investigate the situation when convenient.

Bill Busch acknowledged that several of the contractors who visited the site stated the slumping problem involves the whole hillside. The proposals offered by Salmon River and Road & Driveway are only temporary fixes. A more substantial fix for the hillside would probably cost in excess of \$100,000. With the available SBRA resources, it is unlikely that the problem can be corrected totally. It was also noted that Tillamook PUD moved the electric pole to the west side of the road due to their concern about the former pole leaning heavily to the east.

Several attendees expressed concern about where water would be diverted as a result of road repair. The water will flow to the ditch on the west side of the road and eventually to an existing culvert. The culvert will carry the water under the road and release it on the hillside where it will then flow down to the creek at the base of the slope. A motion for the Board to proceed with the plan developed by Road & Driveway was approved.

Bridge condition: Undercutting of the concrete supports for the bridge was noted at the 2011 annual meeting. With increasing water flow in the creek, it is likely that the bridge foundation could be further exposed. An engineering firm, OBEC Engineering Consultants, was contracted to inspect the bridge. The inspection engineer noted that the bridge was placed on the foundation for the old wooden bridge and he could not determine the depth that the foundation supports are buried. In December 2012, there was a significant collapse of the creek bank by the Neskowin Regional Sanitary Authority/Neskowin Regional Water District office leading to erosion around the wing walls. Further erosion on the north wing wall on the east side of the bridge could threaten the pavement between the bridge and Highway 101.

Before any repair work can be conducted, permits and environmental studies need to be obtained. The Board sent a request for proposals to three companies qualified to prepare documentation for the permits and environmental studies. Two companies, OBEC Engineering Consultants and WH Pacific, Inc., returned bids of approximately \$10,000. The overall cost of repairing the bridge will depend on what the company finds during the early phases of the work. WH Pacific proposed a design study for \$14,000 and speculated that the repair could be as high as \$85,000. OBEC Engineering earlier estimated the repair expense as up to \$65,000.

Bill Busch has made initial contact with Jon Oskenholt, owner of the house where the Neskowin Regional Sanitary Authority and Neskowin Regional Water District offices are located, to inquire about cost sharing of bridge repair expenses.

Wendy Kahle asked if the Board has the authority to start the permitting process since the bridge is owned by Bob Fultz. Bill Busch plans to discuss bridge repair with Bob Fultz in the near future. Scott Flitcroft asked if PRHO would be contributing toward the cost of repairing the bridge. The PRHO has agreed to pay up to 50% or approximately \$5000 toward the permitting and environmental studies costs. Ideally, the costs will be split three ways between SBRA, PRHO, and Jon Oskenholt; however, Oskenholt has not yet confirmed his willingness to contribute.

Stan Boles asked for clarification about what the \$10,000 expense for permitting and environmental studies would include. Bill Busch agreed to post the quotes for the initial phase of bridge repair work on

the SBRA website. A motion to spend up to 50% of the cost for the initial phase of bridge repair was approved.

Other Business

There were no life rings on South Beach for the majority of the summer months this year. Jack Bertell asked SBRA to cover one-half of the expense of purchasing one new ring. Funding for a second life ring will be requested from the Neskowin Community Association (NCA).

The NCA will meet in the Neskowin Fire Hall on Sunday, September 01, 2013. SBRA members are encouraged to join and support the NCA.

Ken Graham is looking into purchasing doggie waste bag stations to be installed near the beach access points.

The portable toilet located near the southern beach access to South Beach will be removed during the winter months.

Residents are reminded that the speed limit is 15 mph. Please remind your guests and contractors to drive slowly through our neighborhoods.

A short presentation about Map Your Neighborhood, a program to encourage neighborhood readiness for emergencies and disasters, was given by Barbara Triplett. The program is sponsored by the Nestucca Fire District and a newly formed group called the South Tillamook County Emergency Volunteer Corps (STCEVC). The immediate goal is to have a facilitator in each neighborhood of 15-25 homes that can train neighbors in 1) the nine critical steps to follow immediately after a disaster; 2) how to inventory neighborhood skills and equipment; and 3) how to create a neighborhood map that will identify locations of propane tanks, water valves, disabled or elderly residents needing extra assistance, unsupervised children, pets and other important information (data will be shared by all neighbors). Training for the neighborhood south of South Beach Point will be scheduled soon by Barbara Triplett. Volunteer facilitators for the neighborhoods north of South Beach Point have not yet been identified. The SBRA agreed to donate \$50 to STCEVC for the purchase of training pamphlets and brochures and emergency items for personal disaster supply kits. Bill Busch will submit a donation request to the bookkeeper.

SBRA Officers and Directors: Chris Howell-Miller was thanked for her service on the SBRA Board for the past four years. Ken Graham has agreed to continue serving on the Board for another four-year term. Mike Herbel was nominated and elected to fill Chris Howell-Miller's position on the Board. Bill Busch announced that the Board approved the election of Terry Woolfe to serve as the Board's Treasurer. There is still a vacancy for the Secretary's position.

Terry Bryntesen, the owner of 49850 South Beach Road, commented on two related issues of importance: cars driving too fast past her house and the resulting high dust level during the summer months. Jack Bertell explained that the PRHO hires a company from Rickreall to apply a vegetable oil product on the gravel road to control dust. The cost is 90 cents per 10-ft-wide linear foot. Ken Graham

spoke about an alternative solution using a chip and seal base. The Board agreed to investigate solutions to the dust problem and whether the installation of speed bumps would be an appropriate measure to reduce traffic speed.

Wendy Kahle pointed out that the speed limit sign at Nescove and Seasand Road was turned around. Ken Graham agreed to correct the problem.

There was also a report that the ground around the top stair to the beach access at the north end of Nescove Drive has eroded. Ken Graham will examine the location and determine how to repair it.

The Board was thanked for their service by all attendees.

A motion to adjourn was approved at 3:25 pm.