



Shamrock Pines Homeowner's Association, Inc.

Annual Homeowners Meeting via Zoom September 12, 2021

Meeting was called to order by President TJ McDonald a few minutes after 1:00pm

The following were in attendance or submitted proxies, constituting a quorum:

Zoom attendees:

Rich and Sandy Adams
Doug Gorsline
TJ and Heather McDonald
Laurie and Doug Dougherty
Don and Stephanie Wickersham
Peter and Michelle Goldsmith
Donna and Dennis Sunell
Jo Banta
Dale & Janelle Williams
Suze Weitzel
Rod and Kathy Key
Beth and Todd Cameron
Chuck and Karen Mattocks
Warwick and Candace Smith
Jane Coloccia

Proxies were received from:

Matt and Karen Shields
Pat Wollner

TJ called for comments regarding last year's minutes. None were offered.

TJ stated that the meeting would be kept in accordance with Robert's Rules of Order, emphasizing that if any issue became contentious that the issue would be tabled by the president.

President's Report:

TJ welcomed the new homeowners, "Jane and Victor, Suze and Jim, Eileen Moffitt, and Pat Wollner."

Treasurer's Report:

Sandy Adams read the financial report (which is attached). Expenses for the past year were \$6573.28. Income from dues was \$12,300.00. Cash on hand

was \$37,778.32

There are no dues in arrears.

The CD has been closed due to low interest rates.

In April, the board met with City Administrator Chad Sweet to discuss the proposal to build a new fire station on land to the north of us that adjoins Shamrock Pines. (Secretary's note: The developers of the property presented a proposal to the city to exchange land for Emergency Response and Resiliency Center – hereafter the ERRC - if the city could bring the land into the city's Urban Growth Boundary. The city would do this by taking land in the unbuildable dunes out of the UGB and bringing in land belonging to the developers. The benefit to the developers would be that they would be able to build more homes per acre if the land was within the city's UGB. This would not constitute an annexation to the city, though that may happen later.) In August TJ and Sandy met with a land use attorney, Blair Henningsgaard. Henningsgaard thought it unlikely that the city would attempt to connect to Pine Ridge Drive. In separate news, the city's bond measure to fund the ERRC has been delayed until the spring of 2022 by a lawsuit. The draft that the board has seen does include a park adjoin the north property lines of Shamrock Pines.

The meeting then segued into a wider discussion of the ERRC:

TJ added that all indications that he has seen so far indicate that the city and the developers will not try to connect to Pine Ridge Drive. He added that he thinks the exchange is a “done deal.” Chad Sweet assured TJ that the road would not be connected and that he “would not bait and switch you guys.” TJ mentioned that the Wickershams had expressed concern about temporary construction portables being placed near their property. TJ said that some “arm twisting” may be necessary to screen those buildings from the Wickershams.

Candace Smith said that Chad Sweet had told her the same things about the park and the road, and that they were doing all they could to have the planning and costing complete so that the ballot measure could be on the ballot next May.

TJ said that the HOA spent a “couple hundred dollars” to consult the attorney to make sure that we weren't overlooking anything as the ERRC planning moves forward. He mentioned that Henningsgaard worked on the road issue previously.

Warwick Smith added that the plans called for direct access to US 101 and that routing through Shamrock Pines would be illogical.

TJ stated that the city plans to have, in addition to direct access to 101, the plans to have access to Highland Lane. There is a possibility that the city will want to have access via a knock-down emergency gate to Pine Ridge Drive (hereafter referred to as PRD).

Candace stated that another point in our favor was that the current mayor of Gearhart lives on our street. She also mentioned on her blog the mayor asked fellow citizens of Gearhart to support the ERRC when it comes to a vote.

Dale Williams asked if the ownership of our roads had been resolved. TJ responded that the road ownership had transferred to the city at some point. Blair Henningsgaard earlier concurred. TJ stated that the city owned a substantial amount of ground on either side of the road. Doug Gorsline stated that the road easement was 60' wide, 22 feet of which was paved. Nineteen feet on either side belong to the city. TJ added that the road would need to be widened all the way to Gearhart Loop to accommodate the fire trucks and that Chad Sweet said that that was going to be too expensive to be considered.

Jo Banta said that they were involved with the city and other entities in their project to approve Banta Estates on McCormick Garden Road for 2 years. She believes that it's best to prepare for anything the city may do.

TJ stated that several people were monitoring city and county websites for any indication that the ERRC project was moving forward in planning. Attorney Henningsgaard earlier stated that the city had made so many verbal commitments that it made road connection unlikely.

Dale Williams stated that he was still unclear about who owned the roads. TJ said that attorney Henningsgaard opined clearly that the city owned the roads. He called on Sandy Adams who was also in that meeting for her opinion and she agreed that it seemed clear to her that the city owned the roads. Doug Gorsline stated that originally the city forgot to assume ownership of the roads from the HOA, but when the oversight was brought to their attention a few years ago they eventually corrected their mistake and assumed ownership.

Dale expressed his concern that the city would do whatever was in their best interest and that summer traffic on 101 might cause them to connect to PRD. TJ countered that they will erect an emergency signal on 101 to make egress from the fire station simpler and safer. He mentioned that we continue to oppose the connection to PRD because it we will see traffic from The Highlands, The Reserve, and Pinehurst.

Doug Dougherty thought that the land between The Cottages and 101 was owned by The North Coast Land Conservancy (NCLC) and asked how the city would manage access through that. TJ thought that because they were a government body they would easily be able to gain access. Sandy Adams said it was a moot point because the NCLC property ended at the same level as the north end of Shamrock Pines.

Don Wickersham pointed out that The Cottages at Gearhart LLC is not donating the land for the ERRC to the city, they are exchanging it for the right to subdivide their property into more lots than would be allowed if it was outside the UGB. TJ concurred. Don expressed concern about metal containers that may be placed close to the Wickersham's property line and about a rumored helicopter pad. TJ said plans were in flux and suggested that this was the time for the Wickershams to "politic" Chad about what abuts their property. Don said that he heard that the earlier site for the ERRC was abandoned because the neighbors objected. TJ replied that the earlier site was going to cost several million more to build on because of land acquisition costs. (Secretary's note: The owner of that property, Edward Murphy, is no longer willing to sell the property and was willing to litigate the matter.)

Laurie Dougherty mentioned that the proposed ballot measure was so vaguely worded that the city could have built anything there. Rich Adams asked if that was why Jack Zimmerman had filed a lawsuit to block the measure from being on the ballot. TJ replied that Zimmerman, a 2 time failed candidate for city council, was known for being obstructive.

Candace mentioned that the mayor had told her that the site was also to be used as the police station. She mentioned some of the items in the \$13 million dollar budget.

Don said that the planning he'd seen recently showed all the city offices moving to the ERRC location.

TJ wondered about the people on the south end of town and how they felt about the fire station being further away. He went on to say that he didn't think "this was a done deal yet," but he reiterated that as president he was prepared to do whatever was necessary to protect the interests of Shamrock Pines.

Don stated his opposition to the ERRC being built next to Shamrock Pines and his belief that the HOA should oppose it. TJ replied that while Don is correct about this not being free land for the city, the city sees it as a win because they don't have to buy the land. He added that if the construction is postponed, the costs will continue to go up. TJ said that as long as PRD is not connected to The Cottages the HOA would not oppose the project but

would work with the Wickershams to support their interests. Don said that he could not support that position and that as a family they, along with other individuals, would oppose it.

Beth Cameron spoke next. She wondered if an environmental impact study had been done and if the site was in the tsunami zone. TJ replied that Chad had told him that the site had been studied and that the ground was stable. Sandy Adams mentioned that it was one of the "highest sites in the city."

Michelle Goldsmith asked whether if the fire station bond was voted down, the "annexation" was a separate issue. TJ answered that he didn't know. He spoke about how the city was trying to remove land in the dunes west of town that was in the UGB, from the UGB, so that it could move an equal amount of land belonging to The Cottages into the UGB. Doug Gorsline pointed out that this was not an annexation, but an exchange of building rights. Doug did not know whether the exchange would happen if the bond measure failed. TJ and Michelle discussed the developers original plans and what they might do if the UGB exchange took place. Hopes were expressed that the homes would be priced in keeping with the other nearby subdivisions.

TJ expressed confidence that the exchange and the project would go ahead because the people involved were all local and well known to the city, unlike the Portland developer who tried to move the development ahead a few years ago. Also, because the property was purchased for a low price, the current developers would be able to get their money out with the sale of a few lots.

TJ then asked for nominations from the floor for new members for the board. The President's position is open because TJ has served a full term of 2 years and Doug Gorsline is resigning as Secretary because his 3 year term on the board is up. No nominations were offered. TJ announced intention to solicit new board members outside the meeting.

Rich Adams suggested that perhaps an exception could be made to have TJ continue as president due to the pandemic. Doug Gorsline seconded "the motion." TJ asked if there was "anyone who would object to that who would like this job." Laughter ensued. TJ announced that he was president by unanimous vote. TJ acknowledged the help that his wife gave him as well as Sandy's. Rich pointed out that we probably need to take action to make that exception to the rules be in accord with the bylaws. Sandy Adams suggested that we take a formal vote on the matter and adjust afterwards if the bylaws can't be amended to accommodate. A vote was taken and TJ was unanimously voted president.

TJ called for other new business. None was offered.

TJ called for comments or other announcements. None were offered.

TJ expressed a hope that next year's meeting would be held closer to Labor Day, in person and that the traditional post-meeting picnic could be held, too.

Rich Adams brought up the small tract of city-owned land between lots 11 and 12 and who would maintain it in the future. TJ said that either the HOA or the city would take of that in the future.

Doug Gorsline will send out an updated roster to everyone along with the minutes.

TJ brought up the homeless man who has been seen sleeping in the middle of the street. He asks that everyone keep an eye open for him, particularly when driving late at night.

TJ called for a motion for adjournment. It was seconded by Sandy. TJ then adjourned the meeting.