

**MINUTES OF MEETING  
OF BID-A-WEE BEACH PARK, INC.  
BOARD OF DIRECTORS  
Saturday, September 7, 2019**

The regular meeting of the Board of Directors of Bid-A-Wee Beach Park, Inc. was held at the public library on Saturday, September 7, 2019. Present were David Smith, President; Dee Gibson, Secretary; Rebecca Schwan, Treasurer; Tom Graham, Parliamentarian; Winston Griggs, Wayne Middleton, JoAnn Peak, Linda Tasco, and Will Tillea; which created a quorum for the transaction of business. Kay Outlaw, Vice President; Susan Buckner, Brad Holland and Regina Merritt were absent.

David Smith, President, called the meeting to order at 9:05 AM. Minutes of the board meeting held following the Annual Meeting of Members on June 7, 2019 and a Draft of the Minutes of the Annual Membership Meeting were approved for submission to membership for approval. David then welcomed new directors.

**SECRETARY/MEMBERSHIP REPORT:**

Dee Gibson reported membership numbers as of September 6, 2019: 625 parcels in the community, 400 paid memberships of which 399 are active (one property sold), and approximately 85-90 vacant lots. Welcome information was sent to six new property owners.

**TREASURER'S REPORT:**

Rebecca Schwan, Treasurer, reported the checking account balance is \$34,769.15 and the money market account balance is \$71,459.60.

**PRESIDENT'S REPORT / NEW BUSINESS / OLD BUSINESS:**

David Smith, President, led a review of a projected budget for 2019-20. Annual, fixed expenditures were reviewed. It was noted that increased postage for member mailings should cover mailing for votes on articles & bylaws amendments and legal fees are included for review of articles of incorporation. Expenses for new flag warning system signs to be hung at each gate and at the end of each boardwalk were included since they are missing after the hurricane. Directors also included expenditure for 'no bicycle on boardwalk' signs to be hung under the 'coded entry' signs. A motion was made by Linda Tasco, seconded by Tom Graham to rebuild boardwalk #2, converting it to a ramp, in the amount of \$10,500 was unanimously approved (NO NAYS). Dee Gibson reported she received a text from Mr. Sanders, Art of Iron, regarding estimate for removal, construction, powder coating and installation of the gate frames and hinges. Following discussion, Tom Graham made the motion we budget \$2000 per gate for the project, which was seconded by Wayne Middleton and unanimously approved (NO NAYS). Following discussion about weeds and trash in the area of the parking spaces on the west end, Dee agreed to call Donnie Barfield to cut the area as soon as possible, as an added expense to regular cutting. Directors discussed requirements for new locks and closures and agreed to address the expenditure at the January meeting, after review of minutes when the matter voted. Tom Graham noted we must purchase a double-sided coded lock for the drive-down gate and it was agreed we would order one immediately. After extensive review of the projected expenditures, Linda Tasco made a motion that all expenditures reviewed, with the exception of locks and closures which will be determined in January, be approved. Tom Graham seconded Linda's motion which was then unanimously approved (NO NAYS).

The President then asked directors to address an email from a member regarding beach ownership, which had been forwarded to each director as well as printed in hard copy for the board meeting. Extensive review of the material and lengthy discussion ensued. Panama City Beach Ordinances were

read: Section 3-2, which defines “sandy gulf beach” (“all loose or uncompacted sandy area, including sand dunes and vegetated area, lying between the waters of the Gulf of Mexico and the seaward boundary of the seaward most paved roadway”); and Section 7-121, which defines “beach” (“that area of unconsolidated material that extends landward from the mean low-water line of the Gulf of Mexico, to the frontal dune, or to where there is no frontal dune, to the line of permanent vegetation or construction, whichever is more seaward”). It was noted that when the Florida legislature passed the law regarding posting off access to beachfront property to the mean high water line, city council members and the city attorney, at a council meeting, discussed that the law would not apply to Bay County because we accept federal funding on a continuing basis for the nourishment and condition of our beaches and in return have certain agreements and obligations we must meet. It was further discussed that we were told by city officials that all laws and ordinances that apply to the sandy beach even include private beachfront property, if a person steps off their deck onto the sand. We were also told that the public may access the beach south of the dunes. It was determined that regardless of the legal descriptions of any beachfront property in Bay County, the public may access the beach from the dunes to the water. The member appears to be concerned with a sentence in our “thank you for your dues letter” which reads, “we have confirmed with local officials that all white sand is governed by state and local laws and below the dunes is public access”. The directors also discussed public relations, potential vandalism, liability, city provided services and other issues that would relate to publicity regarding the matter. Tom Graham made a motion that no further action is needed in this matter and the President will reply by email, blind copy all directors, to the member that while we appreciate her concerns, the board determined that no action is needed at this time. Rebecca Schwan seconded the motion and by show of hands, the motion was unanimously approved (NO NAYS).

The directors then reviewed the amendments to the articles that Wayne Middleton, Linda Tasco and JoAnne Peak distributed. After extensive discussion regarding the requirement in the current Articles of Incorporation that amendments must receive two-thirds of membership voting “yes”, it was decided we first needed to address the requirements for amendments to the Articles of Incorporation and quorum issues related to the Bylaws and member meetings. We have not had the required quorum of 30% of membership attend the annual meeting in the past three years. In order to conduct business and operate efficiently, we must make changes. Following a motion by Rebecca Schwan, seconded by Linda Tasco, the directors unanimously (NO NAYS) agreed that Linda would write amendments regarding requirements to amend and percentage for quorum and a cover letter explaining each issue. Linda will email it to Dee and it will be distributed to the directors by email for approval. Once finalized, a group will mail the ballots out to all members of record. Tom Graham made a motion to approve costs for postage for mailing to membership, seconded by Winston Griggs. Tom’s motion was unanimously approved (NO NAYS).

Wayne Middleton, Linda Tasco and Steve Langley volunteered to clean up and paint the signs and landscaping at each end of our beach. The board welcomed their willingness to take on the project.

All votes held during the meeting were counted by hand. There being no further business, the meeting was adjourned at approximately 11:30 AM.

/s/ Dee Gibson, Secretary