

SHOWDOWN AT SHOA

BY JIM SIEBOLD

The July 13, 1996 membership meeting of SHOA (Surfside Homeowners Association): yet another instance of Man's incapacity to rise above individual avarice and enter into mutually profitable association with one another.

If you cross into Washington State over the four mile long bridge from Astoria ("Boom Town"), Oregon, and take your first major left after the town of Chinook, into the town of Ilwaco, you will come upon the southern end of Long Beach Peninsula, a spit of "land" sticking up twenty miles or so, separating Willapa (Oysterville) Bay from the Pacific Ocean. The Northwest's hoped for answer to Cape Cod, it actually is not terra firma but piles of sediment and sand pushed out over the eons into the ocean by the Columbia River only miles to its south. To consider it a big sand bar would capture it conceptually.

(And I should state right here at the outset that both the preceding and following are the unexpunged, unexpert opinions of no more than an interested lay person, an itinerant naturalist/picture-taker at best. I lay no claim to the "truth" of what is laid down here, but only to the fact that it follows from my first-hand experience.)

Accompanied by my wife, I have been coming to the Peninsula for the past four years to escape the bowels-of-hell our home in the Big Bend (in southwest Texas near the border with Mexico) becomes during the summer months.

We own a small lot (60' X 90') in Surfside, a many acre tract toward the northern end of the Peninsula that was divided up into 2,800 parcels (averaging 5,400 square feet, or one-tenth acre, per parcel) and sold by Bonner and Barbara Bailey (husband/wife) in the mid 1960s.

Purchasers of land in Surfside, by apparent fiat of the Baileys, enter into a land association (SHOA) with other land-owners there. For \$200 annually (as of 1996), we get free water and a set of covenants which ostensibly bind us to land use — minimal square footage of buildings, restrictions on non-home structures, maximum tree heights, animal control, and the like.

While comparable Pacific County rules would apparently apply, the powers-that-be seemingly felt stricter regulations would enhance the properties' value (an untested assumption as far as I can tell). Perhaps incomprehensible in light of the story to follow, The Covenants, despite their restrictiveness and air of authority, appear largely without teeth. Short of taking an offending member to civil court, the Surfside Home Owners Association Board is without capacity to enforce its dictums.

My wife and I pull a 26-foot travel trailer onto our lot to live in for the summer. That there is any allowance for such usage seems to be a rarity among at least ocean communities, wholly unavailable, for example, along the coast of Oregon. While its legality in Washington State apparently remains questionable, in point of fact it has been allowed on the Peninsula for as far back as anyone can tell, with the restriction (in Surfside, as well as in other locations on the Peninsula) that you are limited in this usage, except while building a house, to no more than 90 days annually. (I present this particular Covenant in some detail because of its importance to the account that follows.)

Side by side the RVers are moderate to expensive homes, generally occupied by Caucasian retirees. Around 30% of the Surfside lots are so occupied. The specific number of RV users is, by virtue of their comings and goings (and probably less than full adherence to the rule that they register when coming to stay on their land), difficult to establish, but probably numbered in the hundreds. (Since January this year 223 "RV permits" had been issued.)

While clearly a younger, more family-oriented group, the specific demographics of the RV group are equally elusive, although, in apparent distinction to some prevailing beliefs, they are not similar to the lower socio/economic group associated with mobile home (i.e., "Trailer Trash") living. (Both members of one couple, for example, are advanced degreed professionals with a gross combined worth in excess of a quarter million dollars who could have built a home on their land but choose to pull a trailer on instead.)

Anyone who has held land in Surfside over the past five or six years, with a home on it or not, has seen handsome appreciation in their land's value. Persons, both homeowners and others, vary, of course, in the degree to which they identify with the SHOA and its Covenants.

The rather incredible meeting described below was an annual get-together of all land holders to hear accounts given of the state of the Association by its six-person elected Board and the Board's consultants (an attorney and an accountant, in particular). The prior meeting we had attended two years before was a smoothly run, well planned and greased affair, the principle distinction of which was a decent free lunch.

Lunch at this year's meeting remained up to expectations, but the havoc and contention displayed among the membership took us by surprise. While more veteran members have subsequently told us it was actually typical, I, for no other reason than the rawness and lack of sophistication of the debate, remain doubtful.

The meeting was held in the Ilwaco High School gymnasium, the several hundred members in attendance in the stands like fans at a basketball game, and the Board and its team (including a *Robert's Rules* expert, the consultants mentioned earlier, and a uniformed police officer) were at a long table on the gym floor, at our feet.

The meeting was run by the Board Chairman, an Irish cop-looking fellow (reportedly a former Air Force colonel) rounding out his first year on the job. He was, not unrelatedly, a staunch member of the homeowner faction (as opposed to the RVers) and, as it turns out, a local real estate salesman to boot.

While the meeting followed a rather standard-appearing agenda, the principle action was around the ratification of a new, "standardized" set of Covenants and By-Laws. In the months preceding the meeting we had received reams of paperwork explaining the ostensible need for new rules, detailing the new rules themselves and the changes they entailed, and then revisions to the proposed rules, revisions of the revisions, and so forth. As a whole, at least for those members without personal attorneys or the copious kinds of time careful reading would

require, the hundreds of pages of documents were thoroughly, if not intentionally, indigestible.

It would call for an almost equal amount of space for me to detail here the astonishing events that transpired. For the sake of brevity, I will say that although the meeting's language was around issues of quorum, absentee ballots, executive authority, and the like, the real business was one of civil warning — the Homeowner/Dominators versus the RV/Levelers. While the attendees probably did not split neatly into these camps (there was no way to tell), the subgroups representing the polarized ends of the continuum were most vocal.

Among the topics in which I was most personally interested was that part of the proposed Covenants that would henceforth "readjust" RV-stays from the 90-day rule already mentioned up to 180 days, but with no more than 45 days contiguously. It would have meant in our case, for example, that around mid-July, a month and a half after our arrival here, we would have had to decamp (interrupting our phone and electric service among other things) for no less than 14 days before we could have returned to resume the second half of our stay — and this by an organization without enforcement powers.

While Judy and I reviewed the mailed-in paperwork, neither of us had spotted this particular caveat. It was unclear to us how many others were in our position but we were incredulous. The Homeowner/Controller Chairman, in the name of that contingent and testily assisted by the attorney-consultant (as much an instance of fodder for lawyer jokes as this writer has ever witnessed) were boldly maneuvering to make a quantum leap in their controlling interest of Surfside. While they wanted to focus in their justification on the need for RVers to "shape up," a not illegitimate point in some instances, the real intent seemed clearly one of wanting more control of this rather succulent land pie for themselves at the expense of others they perceived as less invested as themselves, regardless of those persons adherence to The Covenants or not.

Tension was present from the onset as a set of RVers, apparently apprised of this agenda, began from the beginning to question the proceedings and the authority of the ostensible leadership to follow them. After hours of *Robert's Rules* wrangling over points of order and the issues mentioned above of

quorums and who represented absentee ballots, the breaking point, when the meeting came to teeter on the edge of overt anarchy, came when the attorney-consultant was relegated to the position of informing the audience that, while the Board was open to its input, those questioning the rationale of the proceedings or its authority would not be allowed to participate but would have to seek satisfaction elsewhere — apparently in civil court.

This young man, unbelievably, stood before this group of adults stochastically repeating this absurd refrain for what seemed like hours. The wrath of the RV contingency, of course, only grew until, eventually, after even his own authority for standing before us with such proclamations was loudly questioned, he shrugged to the Chairman and resigned himself to his seat.

The emotion in the room by this time had become thick. Generally silent up until then, several members of the Homeowner/Dominator group, facing the demise of their representation, now began to join the fray, accusing, unsurprisingly, the RV/Levelers of revolutionary treachery. (One man, a shorter, crewcut fellow in yellow bermuda shorts, even yelled out his opinion that the nay-sayers only represented a small discordant "bunch of rabble-rousers.")

The pitch of the meeting took a further jump when an up-till-then unheard from member of the audience raised his hand and, when called on, strode to the middle of the floor, head down, and loudly recited a well-drafted and apparently legally legitimate motion to hold a ballot then and there on recall of the Chairman. Although he refused several entreaties to explain himself, the Homeowner/Dominator contingent added to the tumult with their lividness.

Amazingly, just as the order again seemed lost, the moment was dispelled by the *Robert's Rules* expert, an older woman of some dignity, who acknowledged the legitimacy of the motion but declared it would have to be included on the written ballot along with the ratification of the new Covenants.

But that was not all. As the collective seemed sighing for relief, for closure, a Board member rose, the floor microphone in hand, and while pacing back and forth like a deranged inmate behind the Board's table, speaking to no one and everyone in the stunned silence, accused the Chairman, Jack by name, of cheating in his acquisition of a large number of absentee ballots — *Geez Jack*, how did you ever come upon that stack of ballots in front of you? Was I absent at that meeting, Jack? What, Jack? — the Chairman moaned pleas into the microphone, "Please sit down. Please...."

To his eternal credit the Board member did eventually quiet himself and sit, allowing the meeting to collapse to its ending, the attendees, as their last act, marking their ballots before escaping out into the late afternoon sunshine like desultory combat veterans.

And so, by my eyewitness account, did these events transpire. The ballot outcome? Several days later, in neat and tidy columns on a single sheet of paper, the results were posted:

New Covenants/ By-Laws

For 292
Against 439

Recall of Chairman

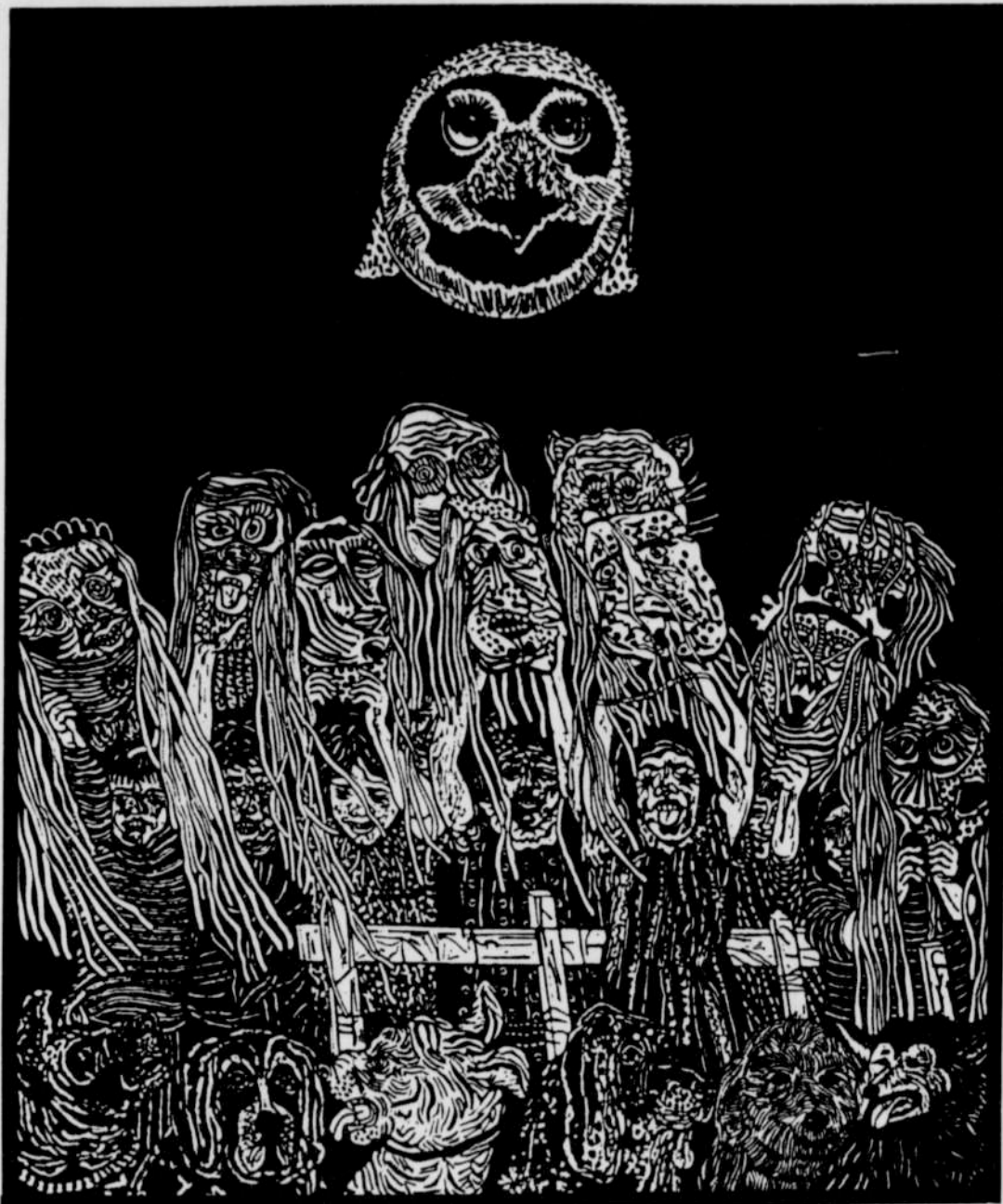
For 349
Against 298

Against what initially seemed like prevailing odds, the Levelers had prevailed. The Chairman was summarily deposed, his new rules dashed, his minions scattered.

The Association, with its newly elected Board, goes on of course, the meeting now only another entry in its chaotic history, undoubtedly awaiting the next effort of the Haves to screw the perceived Have-Nots.

Jim Siebold is an Alpine, Texas college teacher, poet and photographer.

Manuel Izquierdo is a sculptor and printmaker who has taught at Pacific Northwest College of Art for 40 years. Born in Madrid, Spain, he has lived for many years in Portland, Ore. He titled the above woodcut, *Night Festival*.



MANUEL IZQUIERDO

PHOG BOUNDER'S
PANTIQUE MALLS

ANTIQUES * COLLECTIBLES * GIFTS
1052 COMMERCIAL, ASTORIA



URIAH HULSEY

Columbian Cafe
1114 Marine Drive
Astoria, OR 97103
503-325-CAFE (2233)

Hours: Mon - Fri 8am - 2pm
Sat 10am - 2pm
Dinners: Wed - Sat, Open 5pm