

Lagoon Point Community Association Newsletter

SPRING 2020

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LPCA EVENTS

- 3rd Thursday of the Month LPCA Board of Directors Meetings 4:00pm* **(Cancelled till Stay at Home Order has been lifted)**
- Community Yard Sale - TBD
- LPCA Fishing Derby & Community Potluck - TBD
- December 11, 2020 LPCA Christmas Party 6:00 pm Greenbank Hall

* Board of Directors Meetings are held at Whidbey Water Services 5585 Lotto Ave Freeland. Board of Directors Meetings are open for observation by all LPCA Members.

ON POINT:

by Duane Rawson lpca.pres@gmail.com

It seems to me the population of Lagoon Point is larger than normal with few part-time residents. Everyone who owns property is here..... and for good reason. It is a great place to be, especially when your normal life has been put on hold. But even though we are social distancing, keeping six feet between us, we can still rub each other the wrong way.

The 20mph speed limit throughout Lagoon Point is pretty slow and requires some effort but with a lot more children and walkers in the neighborhood, it's now more important than ever. If the contractors and vendors you hire are the offenders, you know what to tell them.



Social distancing at April 7th permitting visit by Washington Department of Fish and Wildlife

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Members are doing a better job picking up pet waste. Whether the newly installed waste bag dispensers make it easier or just reminds us to do our duty I do not know but a third bag dispenser has been installed next to the gate at Lot C. Thank you, Rob Powers for installing all three.

Feeding wildlife is still harmful to wildlife including birds and can cause problems for humans. Dumping lawn clippings and yard waste into the waterway is still harmful to the environment.

It also appears that trespassing on private beaches is becoming a bigger problem. To learn something about this often misunderstood matter see the article "Whose Beach Is This"?

Some members are under a lot of pressure and feeling a little tense. We can all help by being extra thoughtful although the majority of you are great neighbors in good times and bad and do not need to be asked. There is not a place I would feel more secure or would rather be than with this great group of people here at Lagoon Point.

Pandemic, the Annual General Meeting, Voting and the Governors proclamation *by Duane Rawson lpca.pres@gmail.com*

The current shutdown forced the cancellation of our Annual General Meeting which is a Washington State requirement for HOA voting to take place. Even though most Members mail their ballot and do not attend the meeting, never the less a meeting must take place where the mail in ballots become proxies for the purpose of a quorum and ballot issues may be discussed by those who choose to attend before voting.

Of course, our meeting never took place however on Friday the 17th, one day before our scheduled Annual General Meeting the Governor amended his Proclamation 20-05. The amendment relaxes some requirements imposed on HOAs so as to allow voting by mail. It appears the election by mail is valid and we may forego the Annual General Meeting for this fiscal year which ends June 30th.

Something I hope everyone understands about HOAs is that they are regulated in Washington State to be completely transparent. There are no secrets in an HOA. No private meetings or discussion by the Board may take place except within the very narrowly defined exception of "executive session" where the Board may discuss but not vote. No business may be transacted in private and voting is required to take place in an open meeting. Every Member has the right to witness every meeting of the Board and have access to LPCA records including the names and addresses of every Member. The only information to be withheld are Members' unlisted phone numbers.

Transparency cuts both ways which brings me to the matter of ballots. It has come to my attention that some Members believe they are submitting a secret ballot when in fact they are submitting a signed open ballot or proxy at an open meeting by attending either in person or by proxy. Each ballot is signed by the voting Member, retained by the

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LPCA for a period of three years and is available for inspection by any Member along with all other LPCA documents. Many HOAs, even large ones vote by a show of hands at their annual meeting where the voters are under no illusion their vote is a private matter. While our practice of using paper ballots may lead some to wrongly assume they are casting a secret ballot. I am telling you there are no secrets in a HOA.

The main point I want to leave you with is that while membership in a HOA may impinge on the privacy of its' Members, at the same time it gives its' Members the tools to identify and take recourse against a governing Board run amuck.

The health of an HOA depends on transparency and the participation of its' Members. Thank you all who participated in this election and to those who submitted comments and suggestions with your ballot.

Lagoon Point to Receive AHAB Siren

by Duane Rawson lpca.pres@gmail.com

The decision has been made to install an All Hazards Alert Broadcast siren at Lagoon Point. On March 19th Island County's Director of Emergency Management Eric Brookes along with a telecom engineer were scheduled to meet with the LPCA Board to discuss the possibility of locating an AHAB siren at Lagoon Point. That meeting was cancelled as was the March Board meeting.

Robert Purdom telecommunications engineer from the Washington Military Department did visit Lagoon Point on March 19th and informed me the decision had been made to install a siren at Lagoon Point. The siren is to be located at Lot C next to the power pole that supplies the gate. This location was selected for its' clear satellite access. He told me the siren would be up and running by the end of June however after speaking with him this morning he has been ordered to work from home and said we should now expect it to be operational by the end of September. It is an uncertain world right now never the less this project is approved and scheduled.



Those of you who read Tom Markley's article in the last newsletter know something about his efforts to get a tsunami warning siren for Lagoon Point. What you may not know about is Toms' generous offer to loan the state the cost of the siren, \$62,000 interest free, so Lagoon Point could get a siren sooner than the anticipated two to five year wait. The state declined his offer citing they had no way of accepting a loan but had since reconsidered and Lagoon Point would get a siren now.

Something else no one at Lagoon Point knew is the siren we will be getting is to be one of the last 49 sirens to be installed in Washington state. The tsunami warning system

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on both the outer coast and Puget Sound will be considered complete and no more sirens are to be deployed.

Kudos to Eric Brookes, Island County Office of Emergency Management for working with Tom Markley. And kudos to Robert Purdom, Washington Department of the Military for creatively finding room in his budget for one more siren. And a BIG thanks to Tom Markley from all the Members of Lagoon Point for a successful and timely effort.

Once the siren is operational, we still have work to do. A tsunami warning will be less helpful if residents are unable to drive out of Lagoon Point because of traffic congestion at the top of the hill, something that has happened in the past. Lagoon Point already has an Emergency team to respond to spills on the waterway. Waterway Committee Chair Carl Haslam has volunteered to expand the spill team to help direct traffic so members can evacuate by vehicle. The team needs to be fairly large in order to have enough members present at any one time to assist in the evacuation. If you are willing to be a part of this see (below) Carl's email requesting volunteers.



If residents are forced to evacuate it will be helpful to have a meeting place to make contact with family, a neighbor or to wait until it is safe to return home. Members Terry and Jane Petter have graciously offered their large property just south of the Water District at 3897 Smugglers Cove Road as a rendezvous point. Members are asked to park out on Smugglers Cove Road and walk in.

Tom Markley will continue to work on providing members with information on personal preparedness and believes the effort should be expanded beyond tsunami evacuation to help this community prepare for the "big one" that experts tell us is overdue. If you are interested in participating in this effort contact Tom Markley. oceanside3671@outlook.com For more about the potential impact of a tsunami on Lagoon Point see Tom's article that can be found at <https://lagoonpoint.com/wp-content/uploads/2020/01/Winter-Newsletter-Jan-2020.pdf>

Volunteers Needed For Waterway, Spill and Tsunami Response Team

by Carl Haslam carlhaslam@msn.com Waterway Committee Chair Steelhead Drive

My name is Carl Haslam and I have replaced Bill Brown as the Waterway Committee lead. Some of you already know me. For those who do not know me here is a brief summary of myself.

My wife Teresa and I previously resided in Kirkland for 20 years. We have been living at Lagoon Pt for 3 years now and are recent retirees as of last summer. We live at 3638 Steelhead Drive. Both Teresa and I have backgrounds in civil engineering, construction management, and program management. Both of us have over 40 years of experience in design, construction, and management in the heavy civil engineering industry. We like to fish, do-it yourself projects, outdoor activities, and interacting with our neighbors.

The purpose of this email is to let you know who I am and also to update the LPCA Spill Response Team roster list.

I have also recently agreed to add a new task as part of the Waterway Committee. This involves emergency preparedness and evacuation plan/procedures. I'm not sure if you have heard but Lagoon Pt is scheduled to get a tsunami warning siren installed later this year. So as part of the Waterway Committee and the LPCA Spill Response team, emergency evacuation preparedness and planning will be part of this team's tasks. Some of the tasks for emergency preparedness will involve assistance with evacuating the area and may include directing traffic, and assisting others who don't have the means or the physical ability to evacuate.

With that, attached is the previous LPCA Spill Response team roster. I would like to update the list of people who want to volunteer that would include both spill response and emergency evacuation tasks.

Please let me know if you want to volunteer to be on the team and identify any experience, expertise, and or equipment you may have that would be available and potentially beneficial to the teams' tasks.

Once a new roster is established, I would like to do a meet and greet in an open area such as the boat launch and to move forward with planning, discussions and implementation of the teams' tasks.

Looking forward to working with everybody on this.

Thanks.

Carl Haslam carlhaslam@msn.com

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LPCA: Results of 2020 Ballot for Fiscal Year 20/21:

By Chris Anderson, Assistant Secretary, Shorewood Ave.

Thank you for voting. LPCA received 52% of the ballots that were mailed (230 out of 443). The following are the results of the LPCA Ballot:

LPCA OPERATING BUDGET Fiscal Year 20/21 of \$45,790	Yes: 215 No: 15
LPCA ANNUAL FEES Fiscal Year 20/21 of \$260 per lot	Yes: 213 No: 17
FINANCIAL AUDIT – YES to waive the Audit	Yes: 212 No: 18
REPLACE THE DECKING ON THE LOT C FLOATING DOCK	Yes: 211 No: 18

The Annual Fee of \$260 has been approved and the invoices will be mailed out at the end of May and the Annual Fees are due by or on July 1, 2020.

The Financial Audit was waived, there **will not be** a \$20 special assessment added to the invoices. There has been a request for an audit performed by Members of the LPCA. After the ban to stay home has lifted, I will bring a request to the Board to form a Committee of LPCA Members to perform an audit.

Thank you for approving replacing the decking on the Lot C floating dock. This is a good time to take advantage time wise and financially using the permitting process for the Bulkhead Project.

The Board of Directors for Fiscal Year 20/21 (term starts July 1, 2020) are:

President:	Duane Rawson
Vice President:	*Teresa Becker
Secretary:	Louise Abbott
Assistant Secretary:	Chris Anderson
Treasurer:	Vicki Powers
Assistant Secretary:	Cheryl Kuss
Area Representative 1:	*Shirley Hendricson
Area Representative 2:	John Klemser
Area Representative 3:	Bev Chan
Area Representative 4:	Allan Darr
Area Representative 5:	Dick Kuss
Area Representative 6:	Chuck Hammer

* Are new Members to the Board of Directors

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DIVISION 2-3-4: Results of the 2020 Ballot for Fiscal Year 20/21

By Chris Anderson, Position 1 Architectural Committee Member Elect, Shorewood Ave

Thank you for voting. Division 2-3-4 received 56% of the ballots that were mailed (93 out of 167). The following are the results of the Division 2-3-4:

DIVISION 2-3-4 OPERATING FUND ANNUAL FEE Fiscal Year 20/21 of \$35 per lot	Yes: 91 No: 2
DIVISION 2-3-4 WATERWAY RESERVE FUND Annual Fee Fiscal Year 20/21 of \$216 per lot	Yes: 75 No: 4

The Division 2-3-4 Operating Fund Annual Fee of \$35 has been approved and the invoices will be mailed out at the end of May and the Annual Fee are due by or on July 1, 2020.

The Division 2-3-4 Waterway Reserve Fund Annual Fee of \$216 has been approved and the invoices will be mailed out at the end of May and the Annual Fee is due by or on July 1, 2020.

Through acclamation Chris Anderson has been appointed to the Position 1 Architectural Committee. The term starts July 1, 2020 to June 30, 2023. Chris will provide administrative and cost management support to the Architectural Committee.

Who Owns This Beach?

by Duane Rawson lpca.pres@gmail.com

With many more people than normal at Lagoon Point and with many new Members it's possible many are not aware of the facts, rules and laws that govern the beaches here.

Many of the beaches at Lagoon Point are private property known as private tidelands. These private tidelands may be someone's back yard and even though some believe beach ownership is incompatible with Public Trust Doctrine, Washington courts have yet to settle this issue. Entering private tidelands without permission can be trespassing and trespassing can be a serious crime.



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It is not an easy matter to determine which beach is private and which beach is not. However, if you were to walk the beach from the Lagoon Point Jetty north to the Island County Public Access at the bottom of Westcliff Drive you would cross some private tidelands. If you were to walk from the Island County Public Access at the end of Salmon street north to the Jetty you would also cross private tidelands.

Some beach owners may not mind people respectfully and courteously crossing their back yard walking the beach. But think how you would feel about people who believe they have the right to arrogantly tromp through your back yard, staring into your windows, sometimes stopping to avail themselves of your backyard furniture, stopping to picnic, or fish and I hate to say it but on occasion relieving themselves behind your deck or shrubs.

Not being a native of Washington State I was surprised to learn a state would sell its' beaches. I was also a little put off by the idea and feeling a bit of outrage until it occurred to me that I too am a beach owner.

As a Member of LPCA I am a co-owner of the beach on Lot C and also the beach adjacent to the first two houses north of the Island County Access at the end of Salmon Street. LPCA Members who own property in Division 2-3-4 have access to a third beach from Division 2 Lot 1 on Oceanside to the Jetty. A map showing the approximate location of all these beaches is on the LPCA website at <https://lagoonpoint.com/activities-fishing/>

These are the beaches LPCA and Division 2-3-4 Members have access to for relaxing, fishing and picnicking. Wearing LPCA fishing tags does not give you access to other private tidelands.

For those who enjoy a long beach walk and believe they have the right to cross private tidelands while walking beaches as long as they don't stop or loiter may be ok or may be charged with trespassing. Quoting from a private beach owner who provided much information for this article, "it's a Delicate Matter". It is also a matter like many others where a little respect and courtesy can go a long way to solving the problem. If you would like to know more, two interesting South Whidbey Record articles are linked below.

<https://www.southwhidbeyrecord.com/news/beach-rights-this-sand-is-your-sand-this-sand-is-my-sand/>

<https://www.southwhidbeyrecord.com/opinion/viewpoint-one-south-whidbey-tideland-owners-perspective/>

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LAGOON POINT COMMUNITY ASSOCIATION (LPCA) CONTACTS:

LPCA FISCAL YEAR 2019/2020 BOARD OF DIRECTORS:

President	Duane Rawson	lpca.pres@gmail.com
Vice President	Howard Conant	konavu@gmail.com
Treasurer	Vicki Powers	vpowers@windermere.com
Assistant Treasurer	Cheryl Kuss	nana.cherylkuss@gmail.com
Secretary	Louise Abbott	louiseabbott@whidbey.com
Assistant Secretary	Chris Anderson	caanderson1978@gmail.com

AREA REPRESENTATIVES

Area 1	Richard Gohlke	lpca.area1rep@gmail.com
Area 2	John Klemser	johnek@infionline.net
Area 3	Bev Chan	lpca.area3rep@gmail.com
Area 4	Allan Darr	alybdar81@gmail.com
Area 5	Dick Kuss	lpca.area5rep@gmail.com
Area 6	Chuck Hammer	capthammer@cablespeed.com

DIVISION 2-3-4 ARCHITECTURAL COMMITTEE

Position 1	Cliff Lenz	c.lenz@comcast.net
Position 2	Jim Norton	jknorton@whidbey.com
Position 3	Reed Dow	reed@reeddow.com

WATERWAY COMMITTEE

Carl Haslam	carlhaslam@msn.com
Ian Buchanan	ian@vistadx.net
Tony Hartman	deepseatrucker@yahoo.com
Carl O'Brien	obmech@hotmail.com

If you have questions about Lagoon Point, send an email to lpca99@gmail.com.

Has your Email, Phone Number or Mailing Address changed? Send an email to lpca99@gmail.com with your current contact information.

Drop Box Location – for dues payments, ballots and written correspondence: 3675 Oceanside –box attached to the fence, right of the driveway when facing the house.

Or Mail Dues and Ballots to: LPCA
P.O. Box 123
Greenbank, WA 98253

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If you sell your home please do the following:

- a. Contact LPCA email lpca99@gmail.com that you have sold.
- b. Return your (2) LPCA Fishing tags, (1) LPCA Parking Hang Tag and (1) Boat Launch Gate Card to Dick Kuss prior to closing or you will be charged a \$150 fee at escrow. All 4 items must be turned in to avoid the fee. The address to return is 3675 Oceanside Drive. Email: lpca.area5rep@gmail.com
- c. If your buyer requires Board Meeting Minutes, Annual Member Meeting Minutes and/or Financial Reports, you can find them at the website lagoonpoint.com under the tab "Members Area". It is your responsibility as a current LPCA property owner to supply a prospective buyer and/or real estate agent with the information.

GATE CARD, FISHING TAGS, PARKING PASS:

If you have not picked up your Gate Card, Fishing Tags and Parking Hang Tag contact Dick Kuss at lpca.area5rep@gmail.com

WEBSITE - MEMBERS AREA PASSWORD:

In order to access the Members Area of the Lagoon Point website you must have a password. The following are the instructions on how to receive your password:

First you go to the Lagoon Point web site Home Page lagoonpoint.com

2nd click on the Members Area tab on the far-right side.

3rd click on Private Information tab.

4th a dialogue box pops up on your screen. Click on "Register" in the lower left corner.

5th another dialogue box pops up titled "Register for this site" where you enter all your own information. You choose your own sign in name and your own personal password. Save your information.

Once you register for the Members Area, our iHost web site server will notify us of a pending new member for verification. Once LPCA is notified of your registration, we can grant you access to LPCA private access. We don't set up your private info, you do.

If you have questions or need help contact:

Rob Powers Office: 425-635-0095, Cell: 206-953-5363, rob@rdpowersalvage.com