

## SPRING 2021



*The Board decided to remove the deteriorating bulletin board on Westcliff and replace it with a sign and fence. Thank you Carl Haslam and Teresa Becker for doing the work.*

Website: [lagoonpoint.com](http://lagoonpoint.com)

Email: [lpca99@gmail.com](mailto:lpca99@gmail.com)

### IN THIS ISSUE:

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### LPCA EVENTS:

- 3<sup>rd</sup> Thursday of the Month LPCA Board of Directors Meetings 4:00pm\*
- May 20, 2021 LPCA Board of Directors Meeting is cancelled
- Community Yard Sale – Saturday July 3, 2021
- FY 21/22 Annual Fees due July 1, 2021. The Invoices will be mailed next week
- LPCA Fishing Derby & Community Potluck - TBD
- December TBD, 2021 LPCA Christmas Party 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.

# Lagoon Point Community Association Newsletter

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**NOTICE:** The Board is proposing some **new rules** for use of the “Common Properties” and the Lot C Gate Card Policy. This is your opportunity to make your feelings know or make suggestions. Please see the article “New Rules Proposal”.

## ON POINT:

by Duane Rawson, President [lpca.pres@gmail.com](mailto:lpca.pres@gmail.com)

In my first newsletter back in 2017 I said *“one of the best decisions I ever made was to build a house at Lagoon Point”*. I also said I wasn’t sure what I had gotten myself into when I volunteered to serve as LPCA President. As I look back over the past 4 plus years, I can happily say that volunteering to serve on this Board was also a great decision. Had I not volunteered, I would not have come to know so many of you, my fellow Members and neighbors. In that first article I said *“there is something about Fishermen, Boaters and Northwest Island People, that make for great neighbors”*. You have proven that to be true and I have enjoyed immensely my time as President of this Association. You are great neighbors and you have treated me well.

I believe the Lagoon Point Community is something very special and must be protected. Protection requires two things; a competent Board of Directors and an informed, participating Membership.

We have a great Board of Directors and I am gratified that current Vice President Teresa Becker has stepped forward, been elected and will begin her term as President on July 1st. She is smart, practical, fair, has good judgement, and if you read her article on “Vacation Rentals” you may detect she can also be quite diplomatic while being direct. Stan Waldrop has also stepped forward and has been elected to replace Teresa as Vice President. Stan is a talented guy with good ideas and judgement. I am confident he will be a great addition to the LPCA Board.

Secondly, in order to be informed, participating Members it is important for all of us to know what the Board is doing so please inform yourself about the **“New Rules Proposal”**. The Board needs to know what you think in order to make decisions that represent the wishes of the Membership. And if in the future you should find yourself toying with the idea of volunteering to serve on the Board, you may be surprised by how rewarding and even fun it can be. I highly recommend it.

I leave you with a New President, Vice President and a Board of Directors who I know take seriously their obligation to honor your trust in them. Thank you for the honor of having served as President of LPCA, I enjoyed it!

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## Voting Results of the FY 21/22 Ballot:

by Chris Anderson Assistant Secretary [caanderson1978@gmail.com](mailto:caanderson1978@gmail.com)

### LPCA Ballot:

There are 443 eligible votes and 224 Ballots were submitted (50.6%). The following are the results:

|   | YES | NO |
|---|-----|----|
| Approve the FY 21/22 Operating Budget of \$45,790 | 220 | 3  |
| Approve the FY 21/22 Annual Fees of \$265         | 216 | 6  |
| Approve to Waive the Audit                        | 209 | 15 |

### FY 21/22 LPCA Board of Directors:

#### Officers:

President: Teresa Becker  
Vice President: Stan Waldrop  
Secretary: Louise Abbott  
Asst Secretary: Chris Anderson  
Treasurer: Vicki Powers  
Asst Treasurer: Cheryl Kuss

#### Area Representatives

Area 1 Rep: Shirley Hendricson  
Area 2 Rep: John Klemser  
Area 3 Rep: Bev Chan  
Area 4 Rep: Allan Darr  
Area 5 Rep: Dick Kuss  
Area 6 Rep: Chuck Hammer

### FY 21/22 Division 2-3-4 Ballot:

There are 167 eligible votes and 91 Ballots were submitted (54.5%). The following are the results:

|  | YES | NO |
|--|-----|----|
| Div 2-3-4 FY 21/22 Operating Budget Annual Fee of \$35 | 90  | 1  |
| Div 2-3-4 FY 21/22 Waterway Fund Annual Fee of \$223   | 74  | 2  |

Fiscal Year 21/22 Annual Fees are due July 1, 2021. The invoices will be mailed next week.

## A Guide to Lagoon Point Vacation Rentals or Lagoon Point Vacation Rentals 101:

by Teresa Becker Vice President

With the popularity of online vacation home rentals and the scenic appeal of our neighborhood you may be wondering about the possibility of joining the vacation rental market. What is allowed and how the rentals are regulated is not the same in our different Divisions. Our community owned properties and amenities also have rules to protect Members from use by outside parties. Maps to determine which area you are in and information on the covenants for each Division are on our webpage under the Docs & Maps tab. [Docs & Maps – Lagoon Point](#) So let's break it down by each Lagoon Point Division and the community property locations.

**Division 1 and the View Tracts** – These locations that were the beginning of the Lagoon Point neighborhood are the Divisions that were platted first. The corresponding covenants that determine what owners can do on their properties are limited to elements that were of concern in the 1950's and 1960's. Island County Code prevails in determining the legal ability for vacation rentals, (VRBO's or Air bnb's). Currently Island County does not regulate or require licensing for vacation rentals. So for these Divisions of our community, short term rentals are allowed.

**Division 2, 3 and 4** – For this part of our neighborhood there are covenants that were amended in 2009 and are implemented by a secondary HOA under the direction of The Division 2-3-4 Architectural Committee. Section 9 of the covenant document states that *no residence shall be rented or leased for less than a sixty (60) consecutive day period*. There are further regulations about moorage and vacant property rentals, so if you rent out any aspect of your property you are strongly encouraged to review and know the rules.

**Community Properties, Beach Access and Boat Launch** – Together we own exclusive access to a fantastic fishing beach and a protected boat launch. These are priceless commodities that are jointly owned by all Members. In order to keep these properties and amenities exclusive we have rules to protect our interest. Short term vacation renters are not allowed access or use of our common properties. Renters with a lease of 6 months or greater may be allowed use of the boat launch and gate card by following the guidelines in the Gate Card Policy. The common properties, boat launch and gate card are not available to be described as an amenity, sold or used to profit from by any Member. For more information, please review the "Rules for Use of "LPCA Common Properties" under the Activities/Fishing tab of our webpage. [Activities/Fishing – Lagoon Point](#)

Many properties have sold in the last couple of years and there are many new Members. We benefit from the influx of new people and new energy in our community. So what do you do when you see somebody you don't recognize at one of our beaches or

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common properties? I would suggest that you start by introducing yourself. Be welcoming and foster the feeling of community involvement with your new neighbors. If it so happens that it is somebody who does not belong on our beach, just point them towards the Island County public access. Our vacation rental owners have all made certain that their web pages and rental information indicate the Island County public access areas for beach access. These rental owners are also members of our community and have pledged to provide their renters the guidance to keep our neighborhood special for all of us.

## Division 2-3-4 Covenants:

*by Howard Conant Div 2-3-4 Architectural Committee Member*

SPRING CLEANING is hard work! And your Board has been hard at work on issues that need cleaning up and concern you, such as updating “Rules for the Use of the LPCA Common Properties”. The Architectural Committee is also hard at work to protect and improve our community. Division 2-3-4 Covenants, often called CC&R's (Covenants, Conditions and Restrictions) are undergoing a stringent review. The current document is on our website at [LagoonPoint.com/docs-and-maps/](http://LagoonPoint.com/docs-and-maps/) under “Plat Documents click on “Covenants, Lagoon Point No 2, 3 & 4 3 November 2009”. The purpose of the Division 2-3-4 Covenants is to protect your property values and promote and maintain the appearance of your community. Do you have suggestions or ideas for the Committee? Let's hear them. Send them to Chris Anderson, Division 2-3-4 Architectural Committee Chair, [caanderson@gmail.com](mailto:caanderson@gmail.com)

## New Rules Proposal:

*by Duane Rawson, President [lpca.pres@gmail.com](mailto:lpca.pres@gmail.com)*

The Board is proposing one new rule to be added to the “**Rules for Use of the Common Properties**” which are found at [lagoonpoint.com](http://lagoonpoint.com) on the Fishing/Activities tab. The Board also proposes a rewrite of the “**Lot C Gate Card Policy**”. The current policy can be found on the Doc/Maps tab at [lagoonpoint.com](http://lagoonpoint.com) .

These Rules are not part of the Bylaws but are policy set by the Board over the years under the authority of the Bylaws Article IV Section 8 H. (below)

*\*Article IV Section 8: H*

*By a majority vote by the Board, the Board may enact new rules related to the use and maintenance of LPCA common properties and may exercise powers deemed in good faith to be necessary for the governance and operation of LPCA.*

*Prior to the vote by the Board, at least 30 days but no more than 60 days the proposed new rule is published in the LPCA Newsletter to invite Members comments. The Board may, but is not required to, modify the proposed rules based on such comments.*



## Change #1 “Rules for Use of the Common Properties”

The **first proposed change** recognizes that some Members leave their vehicle and boat trailer overnight at Lot C while they are out on their boats overnight. The Board is in agreement that this is a legitimate and important use of Lot C and the Board has also observed that the Members engaged in this activity are doing a great job of managing it. While this activity is not prohibited by any existing rule there are some Members who for various reasons other than boating have parked oversized vehicles, trailers, docks or heavy equipment overnight in Lot C. In order to recognize the legitimate use and prohibit other uses the following rule is proposed.

This rule would be added to: “PARKING AT LOT C & LOT B” and would be item C.

C. Overnight parking in Lot C is allowed for a vehicle with boat trailer exclusively for those Members who are out on their boat overnight. Members leaving a vehicle and trailer overnight should park well away from the boat ramp. Vehicles or trailers being stored overnight for other reasons are subject to being towed.

## Change #2 “Lot C Gate Card Policy”.

This proposal is a rewrite of the existing policy for clarity with one major addition to address the Use of the Common Properties by clients of vacation or short-term rentals.

This issue came to the Boards’ attention by way of numerous complaints and from Members attending the March 18th Board Meeting to express their concerns. (See Teresa Becker’s article on Vacation Rentals for more info).

Current policy prohibits any Member from loaning their gate pass, fishing or parking tags to non-members. Some operators of vacation rentals were advertising access to the LPCA Common Properties for their non-member clients and some of those clients were causing problems at Lot C. The waterway is especially dangerous to those who lack local knowledge. The use of Lot C by non-members (non-owners) increases liability exposure for all LPCA Members. It also inconveniences Members and the Board is proposing a strong deterrent to those who would monetize their member access.

Black text is the current policy. The red text and strike thru identify changes to the current policy. The only major policy change is added to the second part of item 4 (in red text) and specifically addresses vacation rentals.

### Lagoon Point Lot C Gate Card, Fishing and Parking Tag Policy

This policy describes the responsibility of Lagoon Point Community Association ~~Lot and Home Owners~~ Members when using the Lot C Gate Card, Fishing Tags and Parking Tag to access the parking lots, boat ramp, dock and beaches located in Lot A, B, C, D, of Lagoon Point, Whidbey Island. (A description of the LPCA Common Properties may be found at [lagoonpoint.com](http://lagoonpoint.com) on the Docs & Maps tab). ~~Use of the Gate Card opens the Electric Gate to Lot C.~~ The purpose of this policy is to protect LPCA dues paying Members from liability *and inconvenience* stemming from non LPCA Members use of the

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**LPCA Common Properties.** our Parking Lot C, Boat Ramp, Dock and Beaches. The "Homeowner's **Members'** Parking Tag" must also be displayed when using the Lot **B & C** parking area **lots**.

**As a Lagoon Point Community Association Member, or authorized designee, the User of the Lot C Gate Card, **Parking Tag & Fishing Tag** agrees to and is responsible for the following:**

1. Boat Ramp (**Lot C**) **Gate Card, Parking Tag and Fishing Tags are the property of LPCA.** Any **LPCA member wanting a Gate Key** must read, and agree and sign acceptance of the Gate Card, **Parking Tag and Fishing Tags** Policy.
2. A single **One (1) Gate Card, one (1) Parking Tag and two (2) Fishing Tags** will be given to **the owners of** any LPCA Lot owner that requests one. Each lot owner is allowed one gate card, **one parking tag and 2 fishing tags**. Members owning more than one lot would need to **may** request an additional **a Gate Card, parking tag and fishing tags** from the LPCA board using the attached form. **for each lot owned. Note: Request form may could be emailed to [lpca99@gmail.com](mailto:lpca99@gmail.com), mailed to (LPCA, Box 123, Greenbank, WA, 98253), or put in Drop Box**
3. An LPCA Member must **appear in person and** present a valid State Driver's License, or Military ID **or other Government Picture ID** when picking up their Gate Card **and or Fishing and Parking Tags**.
4. The Gate Card, **Parking Tag and Fishing Tag** SHALL NOT be given or loaned to any person who is not an LPCA Member. The LPCA Member agrees to assume any and all liability for any and all injury or damage to any persons or property, if their Gate Card, **Parking Tag and Fishing Tags** is used by any person who is not an LPCA Member. ~~If a Gate Card is given to a family member they must also display their LPCA Vehicle Parking Hang Tag when parking in Lot C.~~

If an LPCA Member is found to have loaned out a Gate Card to a non-LPCA Member, the Gate Card will be deactivated. ~~, and a report will be sent to the Lagoon Point Board. The LPCA Member will need to contact the Lagoon Point Board for a new Gate Card. to have the card reactivated.~~

If an LPCA Member attempts to profit by giving out a Gate Card, Parking Tag or Fishing Tag to a non-member in exchange for something of value or offers a non-member access to the LPCA Common Properties as part of a vacation or short-term rental or any other commercial enterprise (except as provided in item 5, long term rentals) the card will be deactivated and the fishing and parking tags revoked. If an LPCA Member is advertising access to the LPCA Common Properties as part of a vacation or short-term rental the card will be deactivated and the fishing and parking tags revoked.

The LPCA Member will then be required to pay a \$500 penalty and provide a signed statement to the LPCA Board of Directors promising current and future compliance with the policy. If the Member fails to pay the penalty, collection will be governed by the

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LPCA Bylaws in the same manner prescribed for the collection of fees and assessments. Once the penalty and statement have been satisfied the gate pass and tags will be reinstated.

5. An LPCA Member may provide a Gate Card, **Parking Tag and Fishing Tag** to a Tenant as part of a Rental Agreement *that has a minimum term of not less than six (6) months*. The tenant must also read and sign this Gate Card Policy. ~~and a~~ A copy of the Rental Agreement and the signed Gate Card, **Parking Tag and Fishing Tags** Policy must be given to the Lagoon Point Board prior to use of the Gate Card, **Parking Tag and Fishing Tags**. The Gate Card, **Parking Tag and Fishing Tags** must be returned to the LPCA member when the Tenant leaves or the Member will pay to replace the Gate Card, **Parking Tag and Fishing Tag**. **Note: Signed agreement ~~should~~ may be emailed to [lpca99@gmail.com](mailto:lpca99@gmail.com) , mailed to (LPCA, Box 123, Greenbank, WA, 98253), or put in Drop Box at 3675 Oceanside Drive.**

~~**Note: Hopefully, this will help reduce the number of Gate Cards floating around and used by non-LPCA Members.**~~

### **Revision 8 Final (05-12-2017)**

6. An LPCA Member will keep their Lagoon Point Home Owners Association dues **Annual Fees** and Assessments account current. The Gate Card Committee, at the direction of the Lagoon Point Board or Treasurer, will deactivate a Gate Card for non-payment of HOA dues **fees**, assessments or **penalties**. ~~dues in arrears~~. The Gate Card will be reactivated when the account is current. **Note: This is spelled out in BY-LAWS Article II, Section 2. Penalties, Paragraph (a)**

7. Every LPCA Member with a Gate Card must have adequate insurance coverage for property damage and liability on their vehicles and vessels using ~~the gate to Lot C.~~ **LPCA Common Properties.**

8. Sale of Property. An LPCA Member will **shall** return the Gate Card, the Homeowner's Parking Hang Tag, and the 2 Homeowner's Fishing Tags to the ~~Area 5 Rep (Dick Kuss)~~ **Gate Card & Tags Administrator** prior to closing or ~~you will be charged a \$150.00 fee at Escrow. The address to return is 3675 Oceanside Drive Drop Box or Area Representative.~~

**Email:** ~~[lpca.area5rep@gmail.com](mailto:lpca.area5rep@gmail.com)~~ [lpca99@gmail.com](mailto:lpca99@gmail.com)

The LPCA member will be charged a \$150.00 fee at Escrow if all 4 items are not returned and the Gate Card will be deactivated.

~~9. Lost or Stolen Gate Cards.~~ An LPCA Member will report a lost or stolen Gate Card, to their Area Representative or the Lagoon Point Board immediately. The lost or stolen Gate Card will be deactivated as soon as possible. If the Gate Card was stolen, the LPCA Member will file a Police Report with the Island County Sheriff's office. They will also provide a copy of the Police Report to the Lagoon Point Board to avoid the replacement Gate Card cost of \$150.00.



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10. Damaged Gate Cards will be replaced by the Gate Card and Tags Administrator at no charge as long as the damaged card is returned.

See [lagoonpoint.com](http://lagoonpoint.com) "Contact Us" tab for the current Gate Card and Tags Administrator.

You as a Member are invited to comment on the proposed changes by emailing [lpca99@gmail.com](mailto:lpca99@gmail.com) The Board intends to vote on this issue at the June 17th Board Meeting.

## LAGOON POINT COMMUNITY ASSOCIATION (LPCA) CONTACTS:

### **LPCA FISCAL YEAR 2020/2021 BOARD OF DIRECTORS:**

|                     |                |  |
|---------------------|----------------|--|
| President           | Duane Rawson   | <a href="mailto:lpca.pres@gmail.com">lpca.pres@gmail.com</a>             |
| Vice President      | Teresa Becker  | <a href="mailto:lpca.tbecker@gmail.com">lpca.tbecker@gmail.com</a>       |
| Treasurer           | Vicki Powers   | <a href="mailto:vpowers@windermere.com">vpowers@windermere.com</a>       |
| Assistant Treasurer | Cheryl Kuss    | <a href="mailto:nana.cherylkuss@gmail.com">nana.cherylkuss@gmail.com</a> |
| Secretary           | Louise Abbott  | <a href="mailto:louiseabbott@whidbey.com">louiseabbott@whidbey.com</a>   |
| Assistant Secretary | Chris Anderson | <a href="mailto:caanderson1978@gmail.com">caanderson1978@gmail.com</a>   |

### **AREA REPRESENTATIVES**

|        |                    |  |
|--------|--------------------|--|
| Area 1 | Shirley Hendricson | <a href="mailto:shendric@whidbey.com">shendric@whidbey.com</a>           |
| Area 2 | John Klemser       | <a href="mailto:johnek@infionline.net">johnek@infionline.net</a>         |
| Area 3 | Bev Chan           | <a href="mailto:mscoug@whidbey.com">mscoug@whidbey.com</a>               |
| Area 4 | Allan Darr         | <a href="mailto:allanbdarr@comcast.net">allanbdarr@comcast.net</a>       |
| Area 5 | Dick Kuss          | <a href="mailto:lpca.area5rep@gmail.com">lpca.area5rep@gmail.com</a>     |
| Area 6 | Chuck Hammer       | <a href="mailto:capthammer@cablespeed.com">capthammer@cablespeed.com</a> |

### **DIVISION 2-3-4 ARCHITECTURAL COMMITTEE**

|            |                |  |
|------------|----------------|--|
| Position 1 | Chris Anderson | <a href="mailto:caanderson1978@gmail.com">caanderson1978@gmail.com</a> |
| Position 2 | Jim Norton     | <a href="mailto:jknorton@whidbey.com">jknorton@whidbey.com</a>         |
| Position 3 | Howard Conanat | <a href="mailto:konavu@gmail.com">konavu@gmail.com</a>                 |

### **WATERWAY COMMITTEE**

|              |  |
|--------------|--|
| Carl Haslam  | <a href="mailto:carlhaslam@msn.com">carlhaslam@msn.com</a>             |
| Ian Buchanan | <a href="mailto:ian@vistadx.net">ian@vistadx.net</a>                   |
| Tony Hartman | <a href="mailto:deepseatrucker@yahoo.com">deepseatrucker@yahoo.com</a> |
| Carl O'Brien | <a href="mailto:obmech@hotmail.com">obmech@hotmail.com</a>             |

If you have questions about Lagoon Point, send an email to [lpca99@gmail.com](mailto:lpca99@gmail.com) .

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**Has your Email, Phone Number or Mailing Address changed?** Send an email to [lpca99@gmail.com](mailto: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

**If you sell your home please do the following:**

- a. Contact LPCA email [lpca99@gmail.com](mailto: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](mailto: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](http://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](mailto: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](http://lagoonpoint.com)

2<sup>nd</sup> click on the Members Area tab on the far-right side.

3<sup>rd</sup> click on Private Information tab.

4<sup>th</sup> a dialogue box pops up on your screen. Click on “Register” in the lower left corner.

5<sup>th</sup> 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](mailto:rob@rdpowersalvage.com)