

Fruity Fun, Veggies Galore

by Ann M. Bassador

Finally, June is here. With it comes the nice weather, lots of gardening, and (drum roll please) National Fresh Fruit & Vegetable Month.

In our state, 59% of the population eats fruits or veggies 3 or more times a day. The CDC, (some of us older folks would remember it as the National Center for Chronic Disease Prevention and Health Promotion), says if we eat fruits and vegetables frequently we may be able to build up our bodies' defenses against many diseases including some cancers: "Carotenoids (lycopene, lutein, beta-carotene, alpha-carotene) may inhibit the initiation and promotion of carcinogenesis in the body. Carotenoids are powerful antioxidants and can prevent the formation of free radicals. Free radicals are the by-product of

cellular metabolism or environmental stressors, such as smoking, and may cause cellular damage if present in high concentrations. Carotenoid-rich fruits and vegetables are considered to be protective against certain cancers."

Fruits and vegetables (with the exception of avocados, olives and coconut) are naturally low in fat. Be careful if you're watching your aging waistline: fruits and vegetables in heavy sauces, oils, and syrups add extra calories to the diet. Don't forget, the Port Townsend Farmers' Market is uptown this year, off Lawrence near the Printery. Some sources say it's now the largest market of its type west of Seattle. It's a great place to snag some June fruits and veggies, but the produce does sell out quickly so go early.

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Speaking

Do We Have Fair, Open & Legal Elections?

By Judie Lewis, et al

Among the most cherished aspects of our democratic governance here in the United States are elections that are fair and open. We have had our hiccups. Jim Crow laws that were struck down with the passage of new equal rights laws in 1964, the tainted election in 1960, and others are prime examples. However, in general, we are known world wide for our free elections. And, free and fair elections are now “the test” of growth in fledgling democracies.

Here in Kala Point, our elections are governed first by state law, then by our By-Laws and other official governing documents. These documents give a procedure for free and fair elections. The question as to whether our elections actually are fair and open requires us to look at whether our governance is following the state law and rules.

Washington State Law, RCW 64.38.025-2 states, “The board of directors shall not act on behalf of the association to elect members of the board of directors, or to determine the qualifications of members of the board of

directors.”

It is hard to read this without concluding that the framers of this state law were telling those already on the board that they should have NO control or influence over the election of those who would join their ranks. Only the membership of the association has the obligation and authority under state law to elect new board members.

Our By-Laws are superceded by this law as our By-Laws were written in 1984 and this law was passed in 1995. State law is also the higher authority.

The next question is, are we running our election in accord with the state statute? The answer is NO!

1. The Nomination & Elections Committee, which actively recruits candidates should have no board members or their significant others as part of their membership. Probably, in order to “avoid the appearance of influence,” that should also go for previous board members and their spouses. Currently, this committee is permeated with board members and ex-board members. This ensures ongoing undo influence of a small ruling hierarchy.

2. Currently, any ballots that are returned with a signed proxy and an incomplete voting section are executed by the board secretary. Last year that meant that the board secretary (acting for the board) executed 220 votes. This represents more than half of the total votes cast. What is it about, “The board of directors shall NOT act on behalf of the association to elect members of the board of directors,” that our board seems to not understand? It is hard to justify the current procedure when looking at this important law.

Could it be done another way? Of course! The proxies are important because no vote is valid unless a quorum is met. However, when a proxy is received without the voting section completed, as it applies to board member selection, the proxy could be counted in the quorum and the vote considered as an abstention.

The Homeowners Association state law is nine years old. It is time we started following it and rewrite our documents in keeping with this law.

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I Take Issue With That...

By Editorial Staff

APP Rewrites

Something interesting to note. Over the last two years, efforts have been made to rewrite the APPs that are used as guides on how to administer the rules and regulations of this community. The APP IX Election Committee rewrite (available at the KPOA office) refers to RCW 24.03 when suggesting that each committee membership should include two board members.

Besides the fact that this would add to the burden carried by those on the board (which is already great), this is based on an outdated law under which we are no longer governed.

Until 1995, RCW 24.03, which was written to govern corporations, was the only law under which nonprofit corporations like ours could be ruled. In 1995, due to many cases where a law designed for a business corporation simply did not fit, a new law was formulated and passed that deals only with homeowners associations. That law is RCW 64.38 Washington State Homeowners Association Act. This was an important change as the new law shifted the lean toward business oriented interests in the previous law to broader community interests meant for HOAs.

While putting the time and effort into the rewrites of the APPs, it would seem important to keep this important update in mind.

Subscription Time

To the Point entered its third year with the May 04 issue. It is mailed to all residential addresses in Kala Point, whether they subscribe or not. This is important to our advertisers who provide most of the funds needed to print and mail this publication. However, you can help keep this publication viable by sending us your subscription donation of \$10 (or what you choose) to: **KIN / To The Point, P.O. Box 816, Port Hadlock, WA 98339**

Questions? E-mailed lewis@olympus.net.

Election Committee Terms

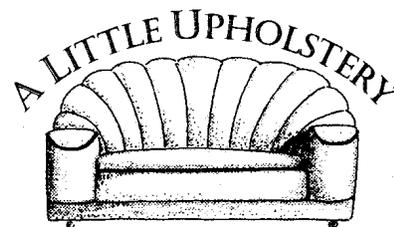
Another surprise in reviewing the current rules for the Elections Committee is that a member has only a two year term, after which that person must be off the committee for at least three years.

This was a surprise because that at least one current member on the committee can be traced as being a member as far back as 2001.

There has been great interest regarding what to do if individual KPOA members break a rule, what do we do when the board or its subcommittee members that are officially approved via vote by the board break rules?

AD HOC Got Stomped

An interesting adventure this year, that was researched by two board members and a committee, was the idea that the KPOA could have a committee that acted as advocates for the membership in negotiating with the various utilities with which we must deal. Many organizations like ours do this already, so we weren't really breaking new ground. However, some very verbose board members didn't like this idea and nixed it in the board meeting on May 19. Let's hope that with new board members coming on the board in July and some of the louder, less cooperative ones off, this issue can be revisited this fall. It would be a shame for such a great idea and all the work of this very dedicated committee to go down the drain.



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Corrections / Omissions

Judi,

I just received and read your "To the Point".

Jay Garthwaite used the expression "tree nazi" on his website <http://www.kpowners.com/docs.htm>. I don't know if it is still on-line, but I printed the page when I saw it. Sue Conklin

Editor's note: You may be right, but it is not there now, and I never saw it before Mr. Richter's letter. One thing to note is that the tree committee is now viewed in a more positive light than before, so the term needs to die away. It is important as things improve that we not hold grudges.

Errors In Article, Kala Pointer (no byline)

It has been pointed out that an article that appeared in the Kala Pointer, April, 2004, "Annual Membership Meeting Scheduled," by an unknown author, contained several serious errors.

In the second paragraph, it was indicated that the state law and our bylaws place limits on "proper matters" that may be considered at our annual meeting. This is untrue. Neither state law or our bylaws restrict discussion of anything at the Annual Meeting. Topics to be discussed at the **Continue "Errors" on page 11**

Classifieds / Service Directory

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Olympic Laundry & Cleaners offers free laundry/dry cleaning pick up/delivery to your door, Tuesday & Friday in KP. Call 1-888-948-1356, 360-457-3315, fax 360-457-3316. Your sanitone certified master dry cleaner.

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Kala Kwips

Submitted by the original shy neighbor et al.

Only In America

Only in America....do drugstores make the sick walk all the way to the back of the store to get their prescriptions while healthy people can buy cigarettes at the front.

Only in America.....do banks leave both doors open and then chain the pens to the counters.

Only in America.....do we leave cars worth thousands of dollars in the driveway and put our useless junk in the garage.

Only in America.....do we buy hot dogs in packages of ten and buns in packages of eight.

Only in America.....do we use 'politics' to describe the process well: 'Poli' in Latin meaning 'many' and 'tics' meaning 'bloodsucking creatures'.

Tent Caterpillars Are Everywhere

By Patsy Mathys

Do tent caterpillars have you a little buggy? Are you tired of picking them off of your trees, bushes, Fido and your spouse's hair? Or maybe you appreciate their artistic arrangement of brown creeping fluff permeating your sidewalk, siding and car? Do you wonder why the birds aren't gorging themselves on caterpillar caviar?

Having one or two of these glistening brown caterpillars snuggled on a leaf is beautiful. Unfortunately tent caterpillars aren't into planned parenthood—they multiple into trillions and beyond. Initially, they gravitated to fruit trees and ornamental trees such as crab-apple and cherry trees. This year they are not picky eaters. You'll find them dining on alders, evergreens, you name it.

What to do? If you'd like to avoid chemical warfare, try a pail of soapy water. Add short branches with the tents or just drop in caterpillars one at a time, let soak for one day, then empty. To splurge, add bubble bath soap for a luxurious last rite. Caterpillars are not good swimmers—maybe it's the fluff. This may make a small dent in the explosive caterpillar population.

The Guys' Side of the Story Numbered-Order of Importance

1• Learn to work the toilet seat. You're a big girl. If it's up, put it down. You don't hear us complaining about you leaving it down.

1• Sunday sports. It's like the full moon, let it be.

1• Crying is blackmail.

1• Ask for what you want. Let us be clear on this one...subtle hints do not work! Strong hints do not work! Obvious hints do not work! Just say it!

1• Come to us with a problem only if you want help solving it. That's what we do. Sympathy is what your girlfriends are for.

1• A headache that lasts 17 months is a problem. See your doctor.

1• Anything we said 6 months ago in inadmissible in an argument. In fact, all comments become null and void after 7 days.

1• If you think you're fat, you likely are. Don't ask.

1• If something we said can be interpreted two ways, and one of the ways makes you sad or angry, we meant it the other way.

1• You can either ask us to do something or tell us how you want it done. Not Both! If you already know best how to do it, just do it yourself.

1• Whenever possible, say whatever you have to say during commercials.

1• Christopher Columbus did not need directions, neither do we.

1• ALL men see only 16 colors, like Windows default settings. Peach & pumpkin you eat. They are not colors. We have no idea what mauve is.

1• If it itches, it will be scratched. We do that.

1• If we ask what is wrong and you say, "nothing," we will act like nothing is wrong. We know you are lying, but it is just not worth the hassle.

1• If you ask a question you don't want an answer to, expect an answer you don't want to hear.

1• When we go somewhere, absolutely anything you wear is fine... really!

1• Don't ask us what we're thinking unless you are prepared to discuss baseball, the shotgun formation, or monster trucks.

1• I am in shape. Round is a shape.



Centrum's Summer Chamber Music Festival

Centrum's Summer Chamber Music Festival will be held Friday and Saturday, July 2 and 3, at 7:30 p.m., in the Joseph F. Wheeler Theater, located in Fort Worden State Park, Port Townsend.

Friday's concert will include Rachmaninov's Sonata in G minor for cello and piano, op. 19; Jeffery Cotton's String Quartet #1; and Mozart's String Quintet in C, K. 515.

Saturday's concert will include: Khachaturian's Trio in G minor for clarinet, violin and piano; Dvorak's String Quartet #12 in F, op. 96; and Brahms', Quintet in B minor for clarinet and strings, op. 115.

For ticket information, go online to info@centrum.org; or call 385-3102

Chili Near Here

The P.T. Chili Cookers are sponsoring a chili cooking contest on June 6, 2004, beginning at 1pm. The Jefferson County Fairgrounds will be the venue for this event, with categories including hot, mild, verde, and family style chili. The contest will be combined with a community picnic (bring your own food & utensils). There will be music and a horseshoe contest as well. Organizers are asking that people not bring their dogs or any glass items to the fairgrounds during this fun day. Call 385-2556 for details.

We sought the expertise of the International Chili Society, and their website (www.chilicookoff.com) offered this: "From the time the second person on earth mixed some chile peppers with meat and cooked them, the great chili debate was on; more of a war, in fact. The desire to brew up the best bowl of chili in the world is exactly that old." And further, "The mixture of meat, beans, peppers, and herbs was known to the Incas, Aztecs, and Mayan Indians long before Columbus and the conquistadores."

Most early chili consisted of beef, cumin, pepper, sugar, paprika, garlic, and masa to thicken. Tomatoes were seasonal and usually not available.

Who Doesn't Love Chili?



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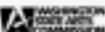
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MONEY MATTERS\$

by Patsy Mathys

One of our members submitted several reserve investment questions. "Where does the KPOA Association invest our reserves?" As of March 31, 2004:

Reserve Investments:

\$ 40,000 1.4% variable rate CD

\$188,000 1.1% money market (invested in 3 banks, interest range 0-1.7%)

Operating Fund Investments:

\$235,000 .6% money market (invested in 4 banks, interest range .25-.8%)

"What restrictions are placed on the reserves?" Per APP VII-04, the CFO manages our reserve investments consulting with the Finance Committee. Reserve funds are only invested in FDIC insured or FSLIC guaranteed funds by the federal government. Up to one third of the reserves can be invested with maturities up to three years. The balance must be invested with maturities up to eighteen months. Interesting, we have no governing documents or APP's stating operating fund investment guidelines. This oversight will be forwarded to the Finance Committee.

"Is there a way to earn higher returns?" We have several options. Though not stated in our APP's, the informal practice has been to invest only with local banks. Non-local sources may offer higher returns. With the prevailing low interest rates, the CFO has invested almost exclusively in liquid money markets. As interest rates increase, we probably will lock into higher CD rates.

We could consider modifying our investment policy to allow higher interest, but also higher risk investments. This is the typical safety vs. return dilemma. When investing our personal funds, some of us may be greater risk takers than others. However, when investing funds of a community, conservatism is generally the higher priority.

This community has many great investment minds. If you have recommendations for improving our investment policy or have suggestions of

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specific safe investments, please send a letter to the administration office % our CFO and Finance Committee. As you can see, besides educating our community, your questions can help us improve our finances. Please continue emailing your great KPOA budget, assessment, expenses, reserve or tax questions to mathys@hotmail.com or mail to P.O. Box 816, Port Hadlock 98339. Include your name and phone number in case we need to clarify your question. Names will be published if requested.

KP Home For Sale- Bright single level custom home. 2109 sq. ft. 3 bdrms/ office, and 2.5 baths. On a very private large sunny lot. Fenced back bordering Woodland Hills evergreen forested greenbelt. \$336,000. 673 Kala Point Drive. Call 385-9545 or online:
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We Get Letters

“Letters to the editor” **reflect the views of the person writing the letter.** It should not be assumed that views expressed are shared by the publishers or staff of To The Point.

To Judie Lewis, (Editor),

I have been a property owner in Kala Point since 1981. I am indebted to Renata Wheeler who in 1974 upon seeing some 400 acres of heavy forest beside the water envisioned a private community.

She & her partners had the courage and drive to secure financing to proceed with the develop-

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ment, secure permits, plats, roads and utilities. There is no one here in Kala Point who knows more of the history, the problems, the solutions, what to do, and where to go to guide Kala Point through growth problems that naturally occur as more and more people find our choice spot.

Renata would be the very best and most knowledgeable board member we could have.

Helen Keeley.

Editor’s Note: Thank you for your letter, Helen. My contact with Renata has been infrequent, but reasonably pleasant. I agree she and her partners deserve accolades for their vision. However, Renata is the current representative of the Kala Point Development Company (KPDC). One can’t be sure without consulting with a lawyer, but it seems that it might be inappropriate for her to be on our board as well. Does smack as having a built-in conflict of interest. What if we were in a position to be negotiating with the KPDC. Somehow this feels uncomfortable. What do you think?

In the last To The Point, we asked KP residents to let us know what they would like to see happen with the next board, what kind of board members, what would they like them to do. We received this response:

Perceptions

In my opinion, the first thing the board must address in the upcoming new administration, before it takes on its regular responsibilities - tree cutting, colors of houses, etc.- is the level of mistrust that many, certainly not all, feel. This is not to say that I am not grateful to the board and its committees for all the good volunteer work they do. One only has to look outside Kala Point to appreciate the CC&Rs. Nevertheless, there exists for many residents an “Us vs them” mentality.

For example, before we moved to Kala Point, a resident told us he has nothing to do with the board. Shortly after we moved here, a second resident told us (at a Kala Point sponsored event)

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Fire Hazards on Unbuilt Lots

Sylvia Bowman

The Grounds Committee and Brian Belmont learned how to evaluate fire hazards on woody undeveloped lots – you know, the ones with downed trees, dead rhodies, brown salal bushes and dry brush. Fire District 6 Chief Mark Banks and Wayne Ratcliff, the DNR's Forester in charge of fire management for the Olympic Region, gave timely advice and an on-site demonstration.

The most serious threats on these lots – both to firefighters and to the community – may be standing dead trees, or “snags” that topple when ignited, sending showers of sparks up to a half mile away. The sparks quickly kindle dry, hot material such as fallen conifer branches, woodchips, and grass. From ground level, new fires can quickly climb the low sweeping branches of cedars (ladder fuels), creating a crown fire.

Yet Kala Point isn't likely to see fires start in untrespassed wooded lots. It's unshaded grass and scrub that ignites fast when a careless cigarette, briquette or firecracker reaches it. Ratcliff emphasized how fast fire can move, given a combination of wind, heat and tinder. A fire that started in Woodland Hills or down in the Old Fort Townsend picnic area could be inside our community in less than fifteen minutes.

Fire danger is extreme this summer. Since the year's start, Ratcliff's district has had fourteen fires, when one fire is the normal expectation.

Before the peak danger season, Ratcliff will arrange another FIREWISE PROGRAM class open to all local residents. This three-hour session will help you evaluate your own property risk. In the meantime visit the firewise.org/tiplist to get advice about hazards on developed lots. The Grounds Committee will continue to monitor undeveloped lots.

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-Here Fishy Fishy

by D. Kilburn

www.seattleaquarium.org Did you know that The Seattle Aquarium is Washington State's sea turtle rehabilitation center? It's also joined in a program to make it easier for consumers to tell whether the seafood they're buying is helping or hurting the survival of ocean wildlife. Their website has really interesting articles on these topics and more and can be a real help if you are planning a day in Seattle visiting the Aquarium. Their website says "you will always see, touch and explore something new and exciting every time at the Seattle Aquarium. We are growing faster than a brine shrimp and exhibits are constantly changing. So don't miss the boat." Their pricing is a bit complex, depending on whether you combine the Aquarium with their **IMAX Dome** or the **Odyssey Maritime Discovery Center**, or just visit the **Aquarium** alone. It's going to be closed all day on Friday, June 4, for the annual gala fund-raising auction **SPLASH! Starry, Starry Night**. There's a link on their site for details on that as well.

To The Point Staff

Judie Lewis, Editor; Richard Canaan & Barbara Martel, Ad Sales; Lois Healy & Nancy Leeds, Distribution; John Childs, Bookkeeper; Pat Tobias, Proofing.

“Letters” continued from page 8

to send any correspondence to the office by registered mail, otherwise, it might “get lost in the mail.” Clearly, a level of distrust has existed for some years.

As new property owners at Kala Point, we were advised by an arborist used by KPOA that three of our trees, about two to three feet from one another, had to come down. The employees of the tree service told me that they would drive by our house and make bets on which tree would be the first to crash into our house. We went through the proper channels and dutifully filled out the paperwork, requesting permission to cut down those three trees. We were granted permission by the tree committee to cut down two of the offending trees but not the third. I’m sure there was a valid reason for their decision, but we never knew it. COMMUNICATION??!!

A neighbor built a new house and was required to repaint a white garage door. The newcomer drove around the neighborhood and spotted several white garage doors. The explanation for this was that they were “grandfathered in.” Fair enough, but on a drive around Kala Point, I see new construction with the outlawed white garage doors. Maybe I’m visually challenged, and those garage doors are just a very light beige.

In another example, we petitioned the architectural committee for permission to install an

awning - not visible from the street. We were told “Okay, but no stripes.” But, a neighbor on the same street had a striped awning. We couldn’t understand the reasoning behind the decision, and I’m sure we would have agreed with it had we only been told why.

I think there is a perception that all residents are created equal, but some residents are more equal than others - and the rules are applied in a mysterious fashion.

The board members must be familiar with and understand the CC&Rs, those rules we homeowners have agreed to abide by, clearly explain the decisions they reach regarding our various properties, and apply the rules impartially.

Pat Tobias

Editor’s Note: Thank you, Pat, for your input. Your letter/article is very interesting. Perhaps if the various committees would focus only on really important things and quit trying to control inanities, they wouldn’t be so busy and overloaded.

Ask yourself, what on earth is wrong with a garage door being painted white? There are many in Kala Point and they look very nice! There are several that are versions of off-white. It is assumed that they were approved. So, is there a significant difference between snow white and cream that one is okay and the other is not? Most, if not all, would not be able to answer that question.

There was also a problem over one resident who painted her main entry door red. What could be wrong with that? Having an Asian side in the family, I contend that a red door is an important icon in Asian cultures. Besides, it is a cheery way to greet visitors.

Some “problems” here are only deemed as such because someone is overtly overdoing the oversight power thing. Having a “power” job in KP does not put someone on the list of world leaders. And because it is a community, those duties should be viewed as “service” jobs. If those on the committees and board saw themselves as community servants, things would quickly change for the better. What did happen to “civil service?”

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No Hanging Chads!

As we approach the election time, it might be a good idea to review how the process works.

1. You will receive via US mail your ballot with a great deal of other information.
2. Among the items is a proxy. If you are not going to be able to be at the Annual meeting to cast your ballot directly, you need to sign the proxy so that your ballot can be submitted for counting by someone present. If you and others do not do this, the election would not achieve a quorum and the process would have to be started over.

You may assign anyone you wish to represent you at the meeting as long as you know they will be present at the meeting.

3. You need to fill out your ballot (vote) and if there is a place on it for you to check that this is your complete ballot, check it. If you do not, the proxy can add to your ballot. If you choose to not vote for anyone and check the spot saying this is your completed ballot, your vote will be properly included as an abstention.

4. Mail your completed ballot and the signed and assigned proxy back to the KPOA office.

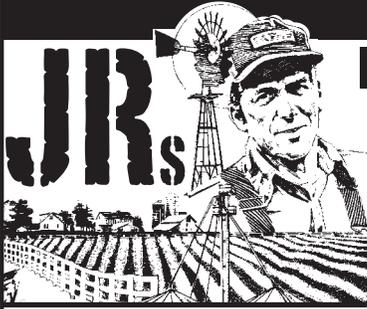
**Happy
Fathers' Day
KP DADs**

“Errors” continued from page 4

annual meeting do have to be “noticed” to all the membership when the ballots are sent out, if they are being proposed by the board. And, any matter that requires a vote that is submitted by an individual or group of individuals (not the board people) needs to be submitted in a timely way so it can be noticed to the membership at large in the fashion laid out in the CC&Rs. The article was wrong in claiming that this proposal by a member requires supporting signatures. But what material can be brought up and discussed in this one and only open meeting each year for all the membership is not limited. In fact the law requires it not be limited. If it were, how much freedom of speech would we actually have?

In addition, within the article the annual meeting is referred to as a “general meeting.” There is no stipulation for “general meetings.” Our governing documents allow for “Annual Meetings,” and “Special Meetings.” This may seem like a semantics error, but it is important legally. If we get started making up new names for things, then the documents would need to be rewritten to accommodate the change and to specify rules and regulations to govern the new entity. This would cede a new level of power to those writing and making up such rules. We already have more rules than most people can absorb and understand. Time for a halt!

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To Post on Your Refrigerator

Vitally Important Gathering

Candidates' Night

**June 17, 7 P.M.
at the Clubhouse**

It is very important that you show up with your questions in hand to ask the candidates. How do they view the job for which they are running? Do their views on issues in Kala Point agree with yours?

Community Unity is not achieved by having everyone on the board of the exact same mind set (like Stepford board members) but that those chosen understand the meaning of co-operation and common cause, and the importance of diversity within any community.

This is your community. Even if you remain uninvolved the rest of the year, this is the exception you need to make.

SEE YOU THERE

Questions for the Candidates

Last year, the Editorial Committee for To The Point sent questions to the board candidates, 2003, for publication in the following issue. We are again doing this. Here are the questions to which we are asking them to respond. The answers offered by the candidates will be published in the July issue of To The Point.

We thought that these questions might help you prepare some of your own for the candidates' Night meeting on June 17. The lines below are for you to use for your questions.

1. Why do you want to be on the KPOA board ?
2. Have you attended board meetings regularly?
3. Do you think board members should reach out to the membership personally to ascertain their interests and wishes? If yes, how would you do this?
4. What do you see as the biggest issues facing KPOA now (and in the next 12 months). What possible measures would you take to deal with them ?
5. What is your opinion on large fines?
6. Do you see changes and "upgrades" to the existing CC&Rs as necessary (and maybe urgent) at this time? If yes, whom would you envision doing this?
7. To what extent would you emphasize community values along with property values? Which of these two do you think is more important?
8. If you were elected, where would you look for guidance and rules as to how to do the job of being a KPOA board member? What do you think are the duties and responsibilities of a board member?
9. What current governing qualities do you think are needing the most improvement?
10. Do you find the governing documents easy to understand?
11. Do you think the perception by many residents that KP governance in the past has sometimes been handling rules unfairly is correct? What do you think of the reform movement?
12. What do you think would make good Board goals for this next year?
13. What other changes (besides what is above) do you hope to influence or bring about during your tenure on the Board if you are elected?
