



## Governance, Divisiveness, Leadership

*This article gives newsletter contributor opinion on important issues in Kala Point. It is lengthy in order to put those issues in context and to provide additional information to help readers from their own opinions.*

**GOOD GOVERNANCE is an exceptional challenge in Kala Point because of the demands placed upon nine member volunteers.** These nine members have the executive, legislative, judicial, and enforcement responsibilities normally associated with any government although on a much reduced scale of scope and significance. They carry out these responsibilities without the professional training and experience that is normally associated with those responsibilities in regular Government. In addition they do not have the benefit of a Constitution or the traditional institutional infrastructure for principled guidance. Instead of a Constitution they use CC&Rs and Bylaws prepared by developer lawyers which are devoid of governing principles and stress only the enforcement responsibilities of the board in the CC&Rs and the practices of business corporation law in the Bylaws.

**Governance in the absence of checks and balances**, the absence of a two-party political system, the absence of an institutional infrastructure for regulation, and the presence of total developer control in the initial formation of a homeowner association becomes problematical. Those circumstances can combine and promote the abuse and misuse of authority by subsequent control-oriented boards. It is especially important to membership interests and to the interest of good governance that there be an independent free press when these circumstances prevail.

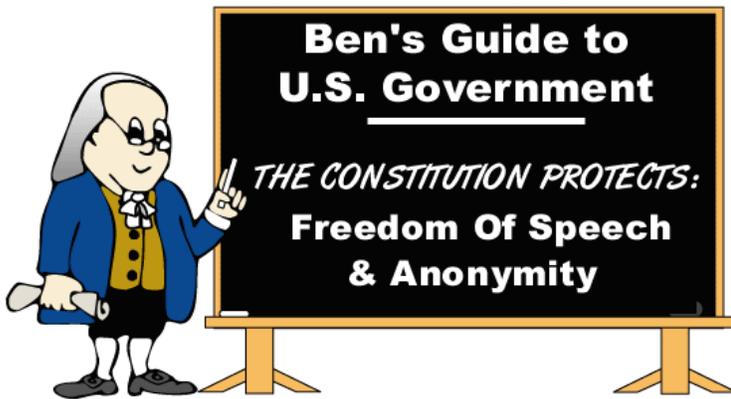
**GOOD GOVERNANCE** can be defined as cooperation and consent between elected officials and the electorate to promote harmony among neighbors in order to make a mature residential community a better place for ALL to live. Good governance recognizes and respects the variety of interests within the community. Directors that are elected by an informed membership in a free and fair election need to learn how to listen, and they need to learn how to serve the individual and collective interests within the community in a fair, equitable, and harmonious manner.

**There must be an attitude on the part of board directors that they should always try to do better.** That attitude fosters attentive listening and a willingness to accept constructive criticism. It also welcomes accountability. A free press plays an important role in facilitating that desirable process and that goal.

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**Recent boards in Kala Point** fall short of that standard of good governance. These boards have been characterized by a self-perpetuating clique with a preoccupation and determination to control all aspects of KPOA governance. That preoccupation with control comes at the expense of learning and listening to how best to serve the interests of ALL of the membership.

(Continued on pg 28)



The foundation of our American Government, its purpose, form and structure are found in the **Constitution of the United States**. The U.S. Constitution, written in 1787, is the “supreme law of the land” because no law may be passed that contradicts its principles. No person or government is exempt from compliance.

**All American citizens enjoy the freedoms, protections, and legal rights which the Constitution assures.**

**What is the Constitution:** The Constitution of the United States is the cornerstone of our American government. In 4,543 words this document describes the structure or plan of the government and the rights of the American people. Since its ratification, it has only been changed (amended) 27 times.

**The Constitution is a strong document, more powerful than any branch of government or any state.** At the same time, it is flexible enough to allow for freedom and changes over time, subject to the will of the people.

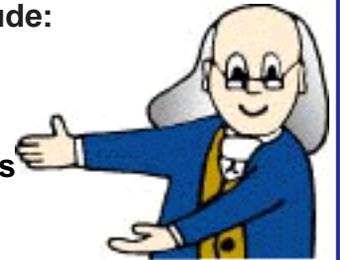
**The Constitution is organized into three parts:**

- ◆ **Preamble:** Describes the purpose of the document and government.
- ◆ **Articles:** Establish how the government is structured and how the Constitution can be changed. There are seven articles.
- ◆ **Amendments:** Changes to the Constitution; the first ten are called the **Bill of Rights**.

**The Bill of Rights: Rights of Citizens.** When the Constitution was ratified in 1789, many people were concerned that it did not protect certain freedoms. They thought that the Constitution should be changed or amended to protect these freedoms. On December 15, 1791, ten amendments were added to the Constitution. **These amendments guarantee certain freedoms and rights, so they are known as the Bill of Rights.**

**Some of the freedoms and rights protected in the Bill of Rights include:**

- ◆ Freedom of Religion
- ◆ Freedom of Assembly
- ◆ To Keep and Bear Arms
- ◆ Freedom of Speech
- ◆ Freedom of the Press
- ◆ Protection for those Accused of Crimes



**An idea about inclusiveness to think about:** Fleeing political or religious persecution or searching for better economic conditions, many people have left their native lands to live in America. This has resulted in a very diverse U.S. population. People living here have different heritage, religious beliefs, ethnicity, language, and national origin. Though there are these differences, **Americans are bound together by basic political values and principles described in historical documents, such as inclusiveness.**

Inclusiveness is an attitude, a frame of mind, an entitlement and universal expectation of Americans. Inclusiveness helps build a neighborhood, while exclusion and special privilege destroys neighborhoods!

**Sometimes we take for granted and therefore forget our “Rights as a U.S. Citizen”.** This is a mini history lesson and an opportunity to appreciate what our Founding Fathers worked so hard for.

## Four Cycle Engine Care

By Bill Zingheim,

Most of us own at least one small four cycle engine. Riding mowers, chippers, pressure washers, generators, push mowers, and other



homeowner type equipment is powered by one and two cylinder two cycle engines. In past articles I have discussed two cycle engines and their sensitiv-

ity to fuel contamination. Four cycle engines are far less sensitive to fuel issues, but still have aspects which have to be carefully watched.

First and most important, is the issue of oil. Though some engines have low-oil cutoff switches which shut down the ignition system to prevent burning up the moving parts, most don't. In addition, too much oil is almost as bad as too little oil. If you overfill the oil, several bad things can happen. Oil pressure in the crank case can build up to the point of cracking the case or blowing "O" ring seals. The bottom line is that you must check your oil level each time you use the engine.

Oil should be changed at the beginning of the Spring growing season. Over the humid winters we have here, oil will actually condense in the

crank case, turning the oil into milky-white mix which drastically reduces the lubrication of the moving parts. It also helps to store the equipment in a shelter that remains at a relatively stable temperature, such as a garage. Shed and open-sided carports poorly protect the engine.

Humidity also attacks the gasoline in the tank, particularly the alcohol/gasoline product we are forced to buy these days. Alcohol has a greater affinity for humidity than it does the gasoline into which it is mixed. When a very small portion of water gets into the alcohol, the additives in the alcohol seem to react, and soon the gasoline smells like vinegar. Last time I checked, vinegar does not combust very well! In addition, the additives precipitate out in the form of a sludge

which plugs the entire fuel system. As I have state in past articles, do not store alcohol/gasoline in your machine for over thirty days. If long storage becomes necessary, empty the tank and replace it with a small quantity of 100 Octane, no-alcohol gasoline (this product is available at Lady Wind Gypsy in Port Hadlock). Start the engine and let it idle for three minutes, speed it up once or twice, and shut the engine down. This action purges the fuel system, and the engine will store over the winter with no problem.



Air filters are another critical item in four cycle engines. They should be checked each time you use the engine. When the weather dries out, dust becomes a major problem. A torn filter can allow dirt into the engine potentially causing havoc. If the filter is plugged with dirt or is even just wet, it can shut down an engine or not allow it to start. Filters are inexpensive and it pays to keep a spare on hand.

Take care of your four cycle engine and it will take good care of you.

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**Spring Clean Up**  
**Are You Ready?**

## Skagit Valley Tulip Festival



You've seen the scenes on calendars and in coffee-table books: weathered barns surrounded by fields of brilliant red tulips or yellow daffodils stretching to a horizon punctuated by snow-capped Mount Baker. The real thing is even better, and April is the month to see it! You can't even imagine how beautiful it is to see an ocean of tulips! They should be at their best over the next couple of weeks.

The festival, started as a modest, regional event in 1984, has grown to one of the Northwest's

most popular blossom shows. It's estimated more than a million people — many from other parts of the country — visit the area during "bloom time".

Even though the festival may be over when you visit, you still need to do some advance planning. Here are some suggestions for getting the most enjoyment out of your visit.

**Planning your trip:** The best time to go is a weekday morning when there's apt to be smaller numbers of gawkers. If you must go on a weekend, go early. An added bonus: Morning light is better for taking pictures.

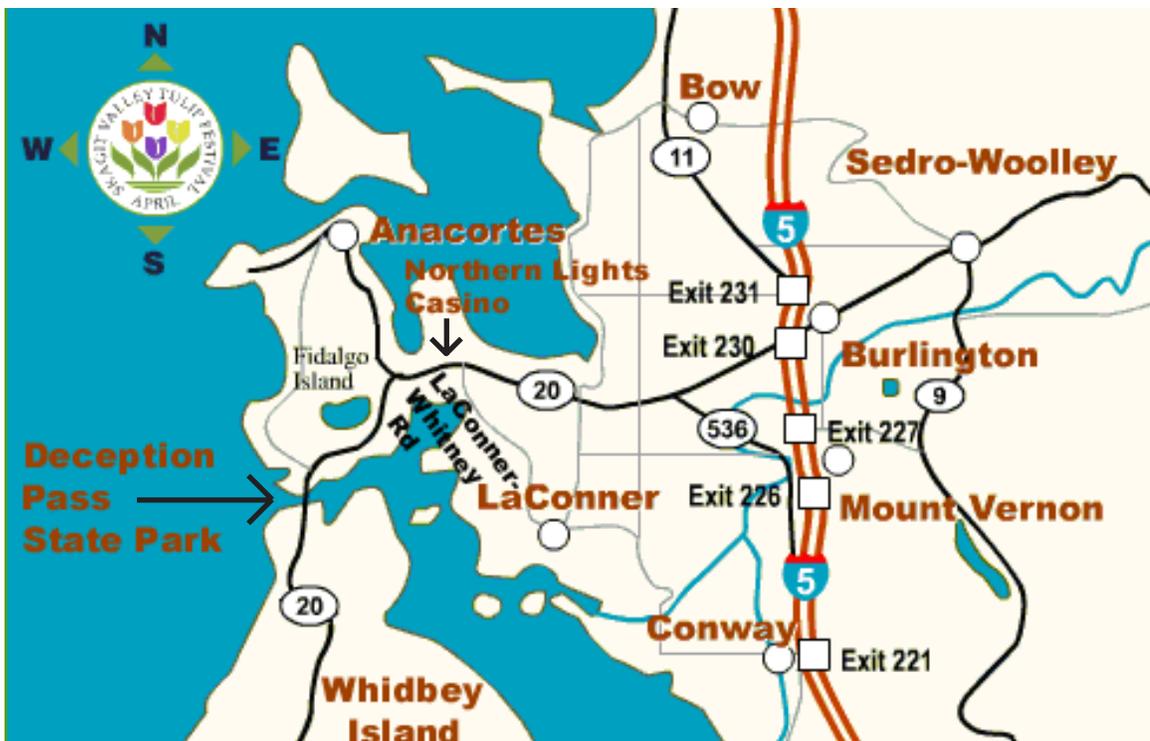
Wear comfortable clothing, preferably layers you can shed as the day warms. Sturdy shoes or hiking boots are recommended in case it's muddy. And don't forget the rain gear.

**Directions to get there:** Take the Port Townsend/Keystone ferry, take a left (this is Engle Road which turns into Main Street South) as you disembark the ferry and go 4 miles where you will come to a traffic light. Turn left onto Hwy 20. Drive approximately 31 miles to La Conner-Whitney Rd and turn right. This will put you directly on one of the routes to the fields. If you drive 4.5 miles you will reach downtown La Conner where you can

have lunch or shop. There is also an "Info Stand" in town where you can pick up tulip field maps.

When you are out viewing the tulip fields, you may find that some places charge for parking—\$1, \$2, or \$5 to park.

Bring binoculars to catch a glimpse of the migratory birds



coming up the Pacific flyway. **You may even see snow geese and trumpeter swans**, which visit the Skagit Flats around this time. Trumpeter Swans migrate south from their summer homes in Alaska and start making an appearance in November in the Skagit Valley. Their numbers peak about January and they have pretty much gone back home by the end of March.



*Swans fly over the Skagit Valley with part of Mt. Baker showing in the background.*

**Side trip possibilities:** Along your route to the tulip fields there are a couple of spots to stop and enjoy. One is Deception Pass State Park- a great place for a picnic and photo opportunities! It is



*Deception Pass State Park*

about 20 miles into your trip leaving the Keystone ferry terminal. Or if Vegas-style entertainment interests you, another 10 miles down Hwy 20 from Deception Pass is the Northern Lights Casino.

A great place for lunch in downtown La Conner is Calico Cupboard at 720 S 1st St. If you are looking for a bargain, try driving 13 miles from La Conner to Burlington to the Prime Outlets mall featuring 50 brand-name outlet stores.

## Port Ludlow Garden Club April Program Spring Luncheon and Plant Exchange



On Wednesday, April 12, the Port Ludlow Garden Club will meet at the Bay Club at 11 a.m. There will be a short business meeting and then the annual salad luncheon and plant exchange.

**Bring a salad or dessert to share**, your own plate and utensils. Beverages will be provided.



**Bring plants to exchange.** Be sure they are marked; pieces of plastic from bottles and a sharpie pen work very well. The scientific name is great, but common names are okay too. At the very minimum, please label whether it is a sun or shade plant. Of course, indoor plants and seeds are welcome.

Those who bring plants to “exchange” will be given first chance to choose, and then everyone will be able to take home interesting plants. This is a great opportunity to acquire free plants if you are just starting your landscaping.

All orphan plants will go to Habitat for Humanity. You may also want to donate to Habitat for Humanity. If so, please make out your check to them, and the Garden Club will forward it.

**May’s program will be on “Planting Your Pots for Year Around Interest”.** There will be a car pool to a local nursery on May 10th at 9:00am and 1:00pm.

For questions, call Syd Hatch at 437-9111 or Eline Lybarger at 437-7701.

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## Advertising For Board Director Candidates

*Community Forum* has offered the declared board director candidates, a reduced rate for advertising their candidacy in the upcoming issues of our newsletter

prior to the 2006 election.

Some ideas of what they would include in their ad might be:

1. Their qualifications to be a KPOA director in terms of competence and leadership
2. A picture of themselves

### Ad prices:

\$75 for a one 8.5"x11" page insert- printed on one side.

\$100 for a one 8.5"x11" page insert- printed on both sides.

**Requirements:** Layout must be complete and ready to print with a 1/2" margin on all 4 sides. The format needs to be an electronic file in either Microsoft Word or Adobe Acrobat. The electronic file of the ad must be emailed no later than the deadline dates below. to :  
contact@ttpnewsletter.com

**Payments:** Payment for advertising in *Community Forum* must be received by the deadline dates listed below. Please mail your payment to: KIN, P.O. Box 816, Port Hadlock, WA 98339.

Payment must be received by the appropriate deadline date to be printed.

### Deadline dates:

- April newsletter: April 1st
- May newsletter: April 25th
- June newsletter: May 25th

### Goals and Ground Rules:

*Community Forum* is produced for Kala Point as an independent newsletter resource for the community and to promote mutual respect and harmony among neighbors for the well being of the community. An objective of *Community Forum* is to publish clear and objective information to the membership to help them form opinions of what is in their own and the community's best interests when they vote in the of board elections.

The candidates ad should meet the standards of good journalism and is limited to the issue of their candidacy. Varying viewpoints are encouraged in an open, respectful manner. *Community Forum* reserves the right to refuse any copy that does not satisfy these goals and ground rules.



## Calling All Questions! Do You Have Questions For The Board Candidates?

*Community Forum* will be inviting director candidates to respond to questions submitted by their peers and neighbors. We would like anyone who has a question for the candidates to submit their questions. We will publish your questions in the May issue and the answers from the candidates will be published in the June issue.

Please submit you candidate questions, by April 15th to: *Community Forum*, P.O. Box 816, Port Hadlock, WA 98339 or email to: contact@TTPnewsletter.com.



## The Wheels of Gossip & Rumor

### How Can Our Community Leaders Put on the Brakes?

It is amazing to understand the impact a little lie or Gossip has on a community. It is worthwhile examining its effects because of the vicious and destructive results it can have. This month we will look at how to stop harmful Gossip & Rumors.

**What is Gossip?** Gossip generally means malicious talk about some individual. Gossip can be true or false or both, but there is no denying the fact that it can be destructive.

**Everywhere, we find that people enjoy talking about others. Gossip is seductive.** No one can emphatically say that they are immune to it. Sometimes, an unintentional and casual remark or a joke makes the wheels of Gossip rotate. They gather momentum when the listener gives credence to it, lubricates them when it is repeated to others and ultimately they develop enough momentum and potential to tear community relationships apart like a bulldozer.

**How does Gossip flourish?** Gossip generally flourishes in a culture that is not transparent. It is rampant where there is lack of trust in relationships and lack of communication. When there is lack of communication it can create a vacuum. In that kind of environment, people create imaginary fears, develop their own assumptions, and start saying all sorts of things behind each-others' back. If the culture of a community doesn't take preventive measures, it can create an atmosphere ripe for malicious gossip.

**Gossip thrives if community members lack information** and prospers in an environment where neighborhood leaders are often at odds with fellow community members. The higher the level of tension, the faster the wheels turn and the more damaging their effect.

**So, what can be done?** The first thing we can do is decide not to participate in spreading Gossip

– we change ourselves. Next, when confronted with gossip - change the focus! Don't talk about individuals - talk about ideas! Ideas are always good as they give birth to open exchange, communication and the potential for resolution. It is a big task for a community to shift the focus of gossip from people to ideas and positive objectives. How do we accomplish this?

**A good example of this shift is the recent expulsion of a committee member from the Finance Committee.** Gossip and Rumors permeated the situation and since the member did not have an opportunity for defense, the Board and the rest of the community were left with no opposing perspective to contradict the wheels of Gossip. Hopefully the board will act on the adhoc committee that was created to investigate and establish criteria for committee membership and dismissal. Perhaps a positive objective will arise from a negative situation. Thus they are dealing with a positive objective from a negative situation.

**Communication.** Communication is the most effective way to gain control of Gossip. It has the ability to diminish gossip's destructive force. Communication plays an effective role in breaking **false perceptions**, which is the root cause of Gossip. Be informed. When people have direct knowledge about what is happening in their community, there is less room for speculation. Discussion between community leaders and community members must be continuous and open, so that there is no room left for planting stories and suspicions.

**Community leaders must work on the culture of the neighborhood and on their own behavior to remove the root cause of gossip.** It is important to build a supportive culture rather than a competitive one. It is important to build a culture that fosters open communication and focuses on ideas and solutions, not people. Let's put the brakes on Gossip and Rumors and make a right turn into fellowship.

#### Fellowship

Community of interest, activity, feeling, or experience.

*Source: The Encarta College Dictionary*

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## Achieving a Balance in the Governing of HOAs Requires Owner Informed Participation

by Jay Burcham

**Homeowner's associations, (HOAs), generally**

**constitute a unique situation with respect to governance.** The labels attached to the extremes of governance for political entities don't apply to HOAs. Labels could be owner's rights and community rights or perhaps better descriptive of a well governed HOA would be owner's wants and community needs. Reaching a proper balance between the two potentially adversarial positions is the challenge that all well governed HOAs accept and resolve "peacefully".

The primary governing document for most HOAs, its "constitution", is its Covenants, Conditions and Restrictions, (CC&Rs). This document generally is prepared by the developer of the community. It necessarily invokes requirements that give the developer the authority required to protect his investment. Usually, the developer's pro-

mulgated CC&Rs address common areas and the general appearance of the project. While some of the document addresses potential issues very specifically, much of the document is subject to interpretation.

**When a new owner reviews the CC&Rs he will generally do so with the belief that it protects the general environment of the community without abridging his basic personal freedoms.** Even if he reviews and questions the CC&Rs in detail he will generally believe that the people responsible for enforcing its provisions will be fair and equitable. This is often not the case. As a community matures, and the developer's interests decline and eventually end, the sometimes heavy handed approach to control is no longer appropriate but often continues in support of the special interests of a faction in the community

**HOAs are not restrained in the governance of their members to the extent imposed on political entities.** There is no division of the government into independent branches. HOAs are governed by a board of directors which controls all aspects of governance: legislative, executive and judicial. There are no readily available, practical means to realize checks and balances. While county and city governments have boards and councils which control the executive and legislative functions of government, they are restrained in the use of their power by a comprehensive compendium of rules and regulation imposed by the

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Continued from page 6

state. HOAs historically have been left essentially free of state oversight.

**Washington law pertaining specifically to HOAs is only 4 ½ pages long and provides little protection to the individual owner from the abuse of power by a board.** While members of HOA boards are elected to their positions, the turnover is relatively slow with respect to the amount of change that can be imposed. Once a board is composed of a majority of members with like governance philosophy, the direction of the association can be changed very extensively in a short period of time, especially when change is justified by a biased interpretation of the governing documents.

**Many HOAs are organized as corporations and as such are governed by state laws specifically legislated to protect the shareholders in their unique position with respect to the corporation.** For instance, proxy voting is a right of shareholders in a corporation and that makes sense when the shareholders are often not in a position to fully understand corporate issues or participate in shareholder meetings. In a developing community proxy voting may be used

**“Washington law pertaining specifically to HOAs is only 4 ½ pages long and provides little protection to the individual owner from the abuse of power by a board.”**

because many owners may not be present in the community. (Although there is no reason absentee ballots can not be used.) In a mature community, most of the owners are present in the community and in a position to seek explanations and answers regarding

specific issues. As contributing members of the community they should make their own decisions and vote on issues accordingly. Some mature HOAs recognize it is unnecessary to be structured as a corporation and reorganize in a “village” type of government which operates similar to a small political entity.

**No political entity allows a person to cast the vote of another.** Reorganization as a village not only makes each resident responsible for their own vote but provides the opportunity to revise the CC&Rs to be more compatible with the needs of a small community rather than those of a corporation and as established initially to protect a developer. A village concept could incorporate the philosophy that each requirement imposed on the owners was the result of an approval vote by the owners. Some HOA boards now interpret their governing documents such that they assume the power to establish regulations which they interpret as having the same legality as the governing documents but without the approval of the owners.

**“Many, many HOAs throughout the country continue to struggle with the need for and absence of a balanced approach to governance.”**

**Most members of an HOA are not interested in the governance as long as they are not affected directly by an onerous regulation.** They understand and endorse the need to establish certain safeguards to protect the desirable attributes of their community. They expect to be treated fairly and equitably. They expect that the wants of individuals and needs of the community will both be addressed with equal attention and consideration to reach an equitable solution to issues. Unfortunately, this ideal situation does not exist.

**Many, many HOAs throughout the country continue to struggle with the need for and absence of a balanced approach to governance.** The unbalance can tear apart communities and cause litigation because often that is the only recourse left to a wronged and/or concerned owner. Conditions do not have to deteriorate to the extent that lawsuits are the only alternative. A concerned, informed and active electorate can prevent a HOA from falling under the control of activist extremists. A complacent electorate can only blame themselves for failing their community.

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## **ABSENCE OF DUE PROCESS – A NEW KPOA TREND?**

### ***GM Departure: Budget Rumors***

By Patsy Mathys



Many of us have experienced injustices to others or ourselves. But how often have you witnessed neighbors, friends or co-workers who intentionally hurt someone who is defenseless? Figuratively envision knocking someone down, blindfolding and continuing the abuse. Sounds like a "Law and Order" TV show? Unfortunately similar behaviors are occurring around us. We can put our heads in the sand and ignore, but what we need to do is openly address problems by standing up for each other.

Similar unthinkable behavior happened during our general manager's dismissal. The purpose of this article is to rectify this situation to slowly heal our community.

### **GM DISMISSAL:**

Per 11/23/05's board meeting minutes, "Dave Evans moved to not offer a contract to Scott Edwards for the General Manager position and to ask for his resignation; if the resignation is not forthcoming, then we will terminate Scott Edwards' employment as General Manager on November 25, 2005." which the board approved.

In contradiction, Evan's letter in December's Kala Pointer states "Scott Edwards has resigned his position as general manager and moved on to pursue other interests." Does his mean that Edwards, like our former GM Belmont, found opportunities beyond Kala Point?

What actually happened? The day after the board meeting Edwards met with 3 board members. He was informed that Evans was becoming KPOA's president. Edwards asked if

they wanted him (Edwards) to stay on. The response was "no". Not desiring to continue under the new board president and to honor their wish, Edwards resigned, unaware that the board had already agreed not to approve his employment contract.

### **BUDGET ACCUSATIONS:**

Per our CFO's 1/06 letter, perceived 2006's budget problems were a deciding factor for our GM's dismissal. A Finance Committee member disseminated false rumors to KPOA members and to the board that our GM and a certain committee member were redoing a budget "without the knowledge of the Finance Committee or CFO."

This orchestrated effort to incriminate our GM created committee and board turmoil. This led to 11/23/05's executive session board meeting without Edwards' presence or his ability to defend himself against budget accusations.

Unfortunately, no board member validated the accusations neither with the Finance Committee or with me, as I was the only Finance Committee member involved throughout the budget process.

### **2006 BUDGET PROCESS:**

Two extra Finance Committee members were asked to assist our new GM. The budget process included 7 budget meetings (historically this involved 2 meetings) and over 100 emails between its members. Our budget could have been completed as scheduled by 10/18 rather than a month late (11/10). With extra manpower and communication, what went wrong?

### **BUDGET PROBLEMS:**

**1) SEPTEMBER to NOVEMBER—DE-LINKING COMPUTER PROGRAM:** A Finance Committee member who was assigned data entry, independently decided to delink Excel budget file worksheets. The sophisticated Belmont-designed computer budget program was



broken apart into separate sections. This caused numerous computer program debugging hours to fix and ongoing committee time to catch associated data entry errors. Modest errors (\$.23/lot) were discovered mid November which the board approved as a revised budget.

**2) SEPTEMBER & OCTOBER—RESERVE PHILOSOPHY DIFFERENCES:** New reserve calculation philosophies were espoused by some during this critical process even though they did not comply with legal (timeshare/lot allocations) and tax requirements. Much time and correspondence was spent during this time-sensitive process trying to resolve this issue.

**3) OCTOBER—CFO ABSENCE:** Our CFO was out-of-state throughout October during the critical budget period. There was little guidance to our new GM during his first KPOA budget.

**4) OCTOBER—NO COMMITTEE MEETINGS:** Our budget was scheduled to be completed 10/18/05 and approved by the board. The Finance Committee member assigned to schedule committee meetings conducted none during October despite repeated requests.

**5) OCTOBER—COMMITTEE MEMBER CONFLICT:** The Finance Committee member responsible for computer data entry decided to no longer assist with the budget. Late October this workload was reapportioned to our GM, who had just lost Admin Assistant, Lynne, due to her deteriorating relationship with some board members and to another committee member with moderate computer skills. Within a three week period they completed the budget which the Finance Committee approved, conforming to Belmont's original methodology.

Have you ever started a new job with no on-the-job training, no guidance, where there were major personnel differences and you were assigned more workload than hours in a day? If so, you can empathize with our past GM's budget dilemma. We had created an unnecessary, impossible budget obstacle course.

During the budget process I frequently admired Edward's GM skills. He had a strong desire to heal our community. He respectfully listened to all views, was a peacemaker, a team player and made budget decisions with KPOA's interest at heart.

Unfortunately his openness became his demise. The budget rumors led to the board executive session in which our former GM was not even invited. He was not formally confronted with the real reasons for his dismissal nor given a formal documented performance review on the matter. He was not given an opportunity to directly confront his accusers to correct the misinformation or rectify the situation.

These committee and board members who promulgated the budget rumors similarly expelled me from the Finance Committee. I requested, but also was denied a fair process to face my accusers to correct false accusations. Rather than abiding by our American justice system of "innocent until proven guilty", both Edwards and I were treated as "guilty with no desire to determine your innocence." Hopefully we can eliminate this dismal Kala Point trend of absence of due process.

## LOOKING AHEAD:

What can be learned from these experiences? KPOA's board goal is to "strive for harmony among Kala Point residents". Let's accomplish this by treating KPOA employees, individuals, committee and board members respectfully and fairly during KPOA meetings as well as in private conversations. Also we can communicate openly with each other by avoiding rumors, false accusations and undermining each other. If we have conflicts with another member we can meet one-on-one with the intention of bridging our differences by sincerely listening to each other. We can earnestly try to work with each other, learning to appreciate each other's differences. At least we can agree to disagree without the need to eradicate opposing views.



## Few Issues Raised At Town Meeting

By Sylvia Bowman

The Vegetation Policy drew only light discussion at the Town Meeting on Sat., March 18. However, a major gulf divided the members who want a non-ambiguous policy with strict criteria for committee decisions and those members who favor flexible criteria for case-by-case judgment calls.

Hugh Murphy spoke for the latter viewpoint, saying that members should trust volunteers on the Architectural and Tree Committees to use good judgment and good will.

Those pressing for strict criteria included Louise Dronkert, Mike Holden and Sylvia Bowman. They variously cited specific wording as likely to set off controversies, i.e.

*“. . .the value of subject trees as an asset of the community.”*

*“. . .trees will not be permitted to unreasonably infringe on the views of neighboring properties.”*

Several speakers challenged the policy's protection for non-planted trees, a provision that was not in the original CC&Rs, because these destroy a valuable view as much as do planted trees — and also because it's no longer possible to be sure which trees (35 feet or shorter) were planted and which were not. For example, many of the conifers on Nantucket grew from seedlings planted by the neighbors.

An interesting side discussion developed when Pat Farmer restated her minority dissenting opinion to the ad hoc Bluff Committee Report. It seems that few members have read this important Report and dissent because they can't find it. The location is in the "Committee" section of the "Members Only" section of the KPOA website.

The meeting was ably managed by Frank Boyle, and chaired by Bill Kaune. Together with Kathy Shumate, Bill fielded most questions, agreeing that the Policy would go back to the drawing board before being sent for legal review. Kathy says that eventually the rules within the Policy, as written, may be transferred to the KPOA Rules

and Regulations governing document.

However, it is urgent to finalize the Policy within the term of this Board so that it doesn't have to be started up all over under the new board in July. Members will have no further input on the Policy, but consideration of Town Meeting remarks will inform the final version.

## Percher or Nester?

By Mabel Campbell GRI

Jefferson County Association of Realtors  
REALTOR OF THE YEAR

People are like birds, some are perchers, some nesters. **Bird Nesters** are secure surrounded by growth; probably an innate survival instinct. They are hiding from their enemies. People "nesters" have a comfort zone for treed areas. They snuggle down in the nature and love the changing shadows. They would not be as happy in a more open environment.

**Bird Perchers**, on the other hand, need light and open space; their survival instinct is to see their enemy approach. Our family Miss Kitty scouts the house hunting for whatever she is looking for since that is what cats have a need to do...hunt. She wouldn't eat a crumb off the floor, but 'hunt' she must! It is an instinct. "Percher people" need open space and light, the more light the better. Planting one in the shade is to invite depression.

People are also like plants, some need light, some shade. Move a light loving plant, or person, to the shade and they wither, unless they leave for a winter in the sunshine. Move a shade lover to the sun, the same thing happens. Everyone, people, plants and birds, need their own personal comfort zone. The new vegetarian policy recognizes this.

So, it is with jubilation I read the Vegetation draft where consideration is given to both perchers and nesters. The Tree Committee is to be commended for presenting a well thought out, common sense plan that agrees with the covenants. I hope this plan will be implemented. It is evident that much work went into this plan and each of the committee members should be thanked. Thank you, all!

## **Board Advances New Broader Tree Restrictions Further Eroding Member Rights On Individual Lots: *Litigation Likely***



Following a poorly attended town hall meeting in March, KPOA has reportedly “closed the period for member comment” and will be moving into a committee forum before sending the long-delayed “vegetation policy” out yet again for legal review. Reportedly about five thousand

dollars has already allocated for lawyers reviewing this still ambiguous draft, an effort led by departed President Evans. (see KPOA on-line budget) This expansion of KPOA control over property rights could trigger a new expensive round of litigation because property values are further diminished with “use and enjoyment” restrictions. Purchasers, unable to see “members only” rules and regulations until after purchase, will likely cry foul upon discovering CC&R terms assuring view maintenance and only very limited control over vegetation on lots is actually not the real policy.

### **Litigation Alert!**

**The new policy, heavily lobbied by “Tree Loving Zealots”** now in control (after recent committee membership cleansing) of the respective committees, and enjoying strong board influence, extends association control even further onto individual lots, governing any form of “natural” tree limbing, trimming, thinning, topping or removal of ANY natural vegetation. It also eliminates view rights for most (non marine view) owners, declaring that trees on individual owner lots are “a community asset”, subject to direct and continuing close KPOA committee oversight. These extensions of control onto member individual lots are a major assault upon property rights members never conceded to the HOA in the CC&R’s.

**Not just trees, but “all vegetation” will be subject to the new rules.** Legal fees for a similar tree battle at Innis Arden, a Puget Sound area HOA community, now reportedly exceed \$300,000.00 and counting. KPOA has limited insurance coverage and members, via assessments, pay what insurance does not cover when the lawsuits proceed, as happened with Evans destruction of Vogt’s view.

**These “Vegetation Policy” encroachments are to be supported by a series of changes to the CC&R’s** (14 planned at the moment) set for last minute revelation by the board for the member annual meeting this July. (See insert in this edition for more information on CC&R changes). The present CC&R’s limit tree control over private lots to “clear cutting and removal” and require individual lot owners to “control the spread and growth of alders” on their lots.

**For close observers** of what has been happening with the tree committee of late, it is no mystery how those limited and specific contracted restrictions and duties have morphed into the latest “reach out and touch all trees for the good of the community” policy. This latest version obviously seeks to greatly weaken the current entitlement of all owners to “view preservation to the greatest extent practicable” and vest all rights of entitlement into the hands of the board and committees.

**This latest policy draft** comes nearly two years after the tree committee spent months with a diverse member group drafting a new vegetation policy that did comply with the CC&R’s, was more easily understood by owners with simple language and examples, and relied more upon adult common sensibilities of the individual owner rather than upon a committee of volunteers eager to enforce their own tree agenda on everybody. The document was summarily rejected due to “certain persons” having participated in the rewrite. Write letters. Be heard. It is not too late. Let your board hear your views on this, and insist on another full member review opportunity AFTER the changes and legal work.

## Behind The Scenes: Your Board at Work Revealing Email Exchanges Precede Evans Resignation



Under state law, and the specific terms of our HOA key governing documents, essentially all of the deliberations, correspondence and musings of KPOA board members conducting association business are open to direct observation by our membership. Executive sessions, which may be conducted for only very limited purposes, with full minutes, and only after specific conditions and notices are observed, are the sole exception.

**Limiting executive session abuse, and access to secret email communications by the board,** by which essentially all of the association's even slightly controversial important business was previously conducted, were key objectives of the Garthwaite 2005 legal action. The suit was filed after Mr. Garthwaite notified the board that their secrecy actions and improper conduct of executive sessions were not lawful and requested that the board comply with the law.

**Given some of the sharp email exchanges immediately preceding the mid-March resignation of David Evans as Board President** (see below) one wonders if the less-than-flattering emailed descriptions of his behavior, demeanor and style may have played a part in his final petulant communications, and in his resignation, and supposed plan to sell out and leave the community.

**While the Judge did rule Mr. Garthwaite could access KPOA computers,** he did block "discovery" of the extensive KPOA business secretly conducted between board members from personal computers using their home email accounts, a former board member, acting on

legal advice, did respond to Mr. Garthwaite's July subpoena in the case, and provided hundreds of such email messages, dating back several years. Recent news articles published in Community Forum have also featured some of these communications. More will appear regularly as space permits, in connection with relevant subjects.

**KPOA has, in response to the Garthwaite litigation, established association email accounts** (and new policies) through which HOA business is supposed to be openly conducted and (often—but not always) is more openly conducted.

Members may, upon request and the payment of a fee, obtain such records from the office. Some recent email exchanges, a short selection of which is reproduced here, are quite revealing. For several board officers and members in

**Given some of the sharp email exchanges immediately preceding the mid-March resignation of David Evans as Board President, one wonders if the less-than-flattering emailed descriptions of his behavior, demeanor and style may have played a part in his final petulant communications, and in his resignation, and announced plan to sell out and leave the community.**

particular, there is very clearly one face in the open meetings and quite another in email.

Each email "string" (a distribution of sent and received messages, often to and from multiple correspondents) reproduced here is a direct and accurate excerpt from the electronic original. Community Forum will post the unedited complete document on our site, for those who want to review the entire set.

**[The following email exchanges, from the late February—early March timeframe, depict the "real" thinking, positions, bias and attitude of key board players.]**

**Continued from Page 14****“Revealing Email Exchanges Precede Evans Resignation”**

**[Director Tony Costa, appointed board correspondent for February, is charged with drafting a letter to summarily dismissed member Patsy Mathys. ]**

kpoa\_costa@cablespeed.com>

Sent: Monday, February 27, 2006 2:26 PM

To: [Entire Board]

Subject: Second Draft Mathys Letter Second Draft

Dear Patsy,

As the current Board correspondent, I am responding to your letters dated, 2/16/06, 2/20/06 and 2/20/06 in which you present your thoughts, suggestions and recommendations regarding a process for dealing with intra committee conflict and disciplinary action against a committee member in general and specifically the process that lead to the Board's decision to remove you as a member of the Finance Committee.

Your suggestions and recommendations for a formal process for dealing with conflict and the expulsion of a committee member will be given due consideration by the Board. Patsy, the board recognizes the decision to remove you from membership on the Finance Committee must be a disappointment to you, yet it is our hope that this disappointment will not prevent you from future participation in KPOA governance.

Sincerely

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**[President Evans' response.]**

On Mon, 27 Feb 2006 20:06:47 -0800

“Dave Evans” <kpoa\_evans@cablespeed.com> wrote:

Tony, I believe the last sentence should be struck. The rest is fine, Dave

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**[Director Carol Fishbach comments on the proposed letter.]**

Sent: Monday, February 27, 2006 12:16 PM

To: Dave Evans; kpoa\_costa@cablespeed.com; Bruno Richter; John Snyder; Kathy Shumate; Margaret Boyle; Marilynne Gates; Renate Wheeler; Judy Herwer

Subject: Re: First Draft Mathys letter

First of all - Tony - I like your letter but I hardly think that telling Patsy that the board's “action on 2/21/06 to remove you from membership in the Finance Committee in no way was meant to cast aspersion on your character or integrity as a person.” Aspersions were definitely cast on her character - she was called a liar, told that her mind twists things, that she was in collusion with the general manager, that she had her own agenda, etc. I don't think it could appear to be anything other than a direct attack on her.

The thing that bothers me the most is that she was not given a fair chance to defend herself - either to the Finance Committee when they voted her off the committee, or to the board. To be fair - if I trust that everything Bruno said is true, then I should also trust that everything Patsy said in her brief statement is true. Yet, the action taken by the board loudly denies that any credibility was given to Patsy's statement.

I don't believe Tony's letter would bring about litigation but I do believe the action of the board, allowing Patsy only three minutes in member's comments to address this issue, could be a source of contention leading to litigation.

I know what the governing documents say and they are vague and open to subjective interpretation. What they do not say is how committee membership should be handled in a fair manner. They do not say that the person being voted off of a committee be given three minutes in member's comments and not be allowed to directly address the situation.

That is why I think we need a definitive process about committee membership. Times are changing as we can see by our legal fees in the past few years - as a result, processes may also need to change. I think it is in the best interest's of KPOA to more clearly define committee member-

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**“Revealing Email Exchanges Precede Evans Resignation”**

ships. If we, as a board, are truly committed to improving communication in our association, we do not achieve it by what happened to Patsy Mathys. We achieve it by treating all members in a fair manner and with defined processes.

Thanks, Carol

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**[Director Margaret Boyle supports Fishbach.]**

On Tue, 28 Feb 2006 11:35:00 -0600  
<kpoa\_boyle@cablespeed.com> wrote:  
Hi All,

I think the 3rd draft will work and I am especially glad to see that Tony has written that a formal process will be given due consideration by the board. Lets get that on the agenda of the next working session. While the governing docs. and history have given the board a process for dealing for the removal of committee members it is not a process that is working well and the history of removal has left a bad taste in the mouths of some members. The board can certainly remain in control of committees, while at the same time, putting into place a process that is not arbitrary but is transparent, fair, and non-discriminatory.  
Margaret

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**[Director M. Gates replies to other board members with yet another denial that there is any real problem.]**

On Mon, 27 Feb 2006 22:17:22 -0600  
<kpoa\_gates@cablespeed.com> wrote:  
Unfortunately, the less said to Patsy the better. So I agree with Dave. The last sentence sounds like the board is squirming a bit. I don't think anything we have done with her will prompt litigation and frankly I am tired about worrying about it and the divisiveness in the community. We should continue the business of the board, and make the best decisions we can regardless of who is involved. We have tried multiple times to mediate, etc. and nothing works. Ignore the websites and the tabloid and keep on being effective board

members. Those people who are speaking the loudest for good manners don't seem to have any themselves.

Marilynne

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**[Director Carol Fishbach challenges Gates “head in the sand” agenda.]**

On Tue, 28 Feb 2006 12:10:02 -0600

kpoa\_fischbach@cablespeed.com> wrote:

I agree with Marilynne that we have to move forward with board business and make the best decisions possible but, unfortunately, I don't think we have the option to avoid our responsibility as directors and ignore the gaping hole dividing this community.

I would like to become clear on one thing - Marilynne, you said that mediation was tried multiple times, yet I was told that there was no mediation. One time Bruno sat down with Patsy and Tony, but Tony was asked not to participate, so his role clearly was not one of a mediator. What other attempts were made? It would help me to understand your decision if I knew more of the facts.

Thanks, Carol

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**[Director (now Board President) Gates unleashes a rant against specific members seeking governance improvements, and entirely denies that board actions have contributed in any way to divisiveness, litigation, and voices for change in the community.]**

On Wed, 01 Mar 2006 17:37:10 -0600

kpoa\_gates@cablespeed.com> wrote:

Dear Carol,

Since I have been on the board, the several meetings between board members and Jay Garthwaite have taken place. Also, an ad-hoc committee headed by Dwight Oberholtzer spent approximately six months trying to negotiate with Jay. Tony has attempted to reach Jay several times through one-on-one meetings. When Scott was

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“Revealing Email Exchanges Precede Evans Resignation”

here he took Jay to lunch twice to attempt to talk to him. Patsy had been counseled by Bruno several times. I have spoken with her formally three times as board liaison on behalf of the finance committee. Nothing has helped and nothing has gotten any better. We also have to remember that the board did not initiate any rift or divisiveness in the community. It was all done through meetings called by Jay in which he asked for supporters and rallied people against the board. He continues to have meetings and his agenda lives on in the tabloid and on the website. So, I just don't want to waste any more board time trying to heal a gaping self-inflicted (by Jay) wound that will never close. I don't want to pour salt on it, but rather the best use of my efforts is to ignore it. Divisiveness is not going away no matter what we do, and in my opinion we have tried everything.

Marilynne

**Contrast these Gates emails with her statements made in the June 2004 Kala Pointer as a board candidate, a candidacy aggressively promoted by “The Concerned Citizens”:**

*“I traveled throughout the U.S., adjusting claims for policyholders who were devastated by catastrophic losses. This is where I learned patience, tolerance, problem solving, and how to be sympathetic to the problems of others. Also, I learned to negotiate with attorneys and other individuals who usually didn't see things my way.”*

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**[Director Fishbach acknowledges Gates frustration.]**

On Fri, 03 Mar 2006 10:26:18 -0600  
kpoa\_fischbach@cablespeed.com> wrote:

Hi Marilynne,  
Thank you so much for taking the time to let me know about the efforts that have been taken to

meet with Patsy and the Jay. I now see where my confusion is. I have both taken classes and participated in mediation and it is not what you describe. Mediation involves a disinterested third party meeting with both sides of an issue and reaching some sort of resolution. That is not what happened here, although the ad hoc committee is a close runner up. Formal mediation is something that may or may not be successful.

I would call what has been done here more of an attempt at resolution by communication - not mediation. I can certainly also understand your frustration - and again, thanks for letting me know.  
Thanks, Carol

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**[Gates replies, continuing her diatribe, in which Evans joins.]**

From: <kpoa\_gates@cablespeed.com>  
To: [Entire Board]  
Sent: Friday, March 03, 2006 10:04 AM  
Subject: Re: Second Draft Mathys Letter

Hi, again,  
Formal mediation would cost money we don't have, and Jay has cost this community too much money already. He is not worth us spending one dime on. All he wants to do is complain and rant until he gets his way. I am sick of him and sick of his followers. Some day he will implode without any effort on our part.  
Marilynne

From: Dave Evans  
[kpoa\_evans@cablespeed.com]  
Sent: Friday, March 03, 2006 8:35 PM  
To: kpoa\_gates@cablespeed.com  
Subject: Re: Second Draft Mathys Letter  
Amen! The only thing I would disagree with is the probability of self implosion without help! Dave

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**[Director Costa suggests that putting a fair and understandable process in place could go a long way to improving divisions.]**

From: kpoa\_costa@cablespeed.com  
 Sent: Monday, March 06, 2006 2:22 PM  
 To: [Entire Board)  
 Subject: Work Session

Hi All,

Since I won't be attending the work session on Wednesday, I thought I'd put out some thoughts on the work session agenda topic of committee membership, more specifically the process for disciplinary measures of a committee member. I agree with all who cite the gov. docs. that the board has the power to install and remove members from committees. I don't agree that the proper removal of a member is the reverse of the process of installation, nor does Robert's Rules of Order agree with that procedure.

Robert's Rules considers the expulsion of a member from a committee to be a very serious action, one that should be the last resort after other disciplinary measures have been taken, such as censure or suspension. Robert's Rules make a big case for “due process” to take place before expulsion occurs and outlines a pretty elaborate procedure for due process to take place. I'm not recommending that we adopt the very involved “due process “ procedure in Robert's Rules, but I am recommending a procedure whereby the “accused” is informed of the disciplinary action anticipated and is given a chance to defend him/herself against the accusations. I know the action taken with Patsy Mathys was based pretty much on precedence established by a previous board when it removed Judy Lewis as editor of the Kala Pointer. The situation with Judy was a little different in that she was in direct conflict with the board and not with the newsletter committee. I would add here that Judy did have some opportunity to defend herself with those board members who were unhappy with her performance, although it would not technically qualify as “due

process”, nor would she say she received a fair hearing. However, we know the result of that board's action, namely the establishment of an alternative newsletter that became a vehicle to express her unhappiness with the board and later, a forum for Jay Gathwaite when he started his campaign against the board. Who knows, maybe if Judy were given a fair “due process” hearing, she wouldn't have been so angry and might not have garnered so many sympathizers and maybe there would be no alternative newsletter. Another example of why it may not be wise to do what past boards have done is the process for replacing a director who resigns. Since I have been on the board I've been involved in four different procedures to fill a partial term vacancies. The first three were done without any formal process and we were criticized on every one. The last one followed a formal procedure adopted by the board and we got no criticism. The only dispute was whether four or five votes were needed to elect a director. I think it would be wise for this board to develop a formal procedure for disciplinary measures against committee members and that an ad hoc committee would be in order to investigate and prepare such a procedure.

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**[Director Costa compliments and encourages Director Fishbach and her willingness to stand up to Evans.]**

From: kpoa\_costa@cablespeed.com  
 Sent: Friday, March 10, 2006 2:11 PM  
 To: Carol Fischbach

Carol,

Thanks for the info on some aspects of the work session. And good for you in the way you are standing up to our tsarist president...you go girl. As far as the recording of board meetings go, I am strongly in favor of recording every board session, work or regular. I am also think that these recordings should be kept for at least one year. The main reasons for this position are: there have been times when I could not attend a meeting and I found it invaluable to listen to those portions of

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the meeting that dealt with controversial issues or on issues the generated a lot of debate. Another one is to verify what was said and what was not said. During one board meeting when David Gooding was on the board, there was a question of whether or not he voted on an issue and if so what his vote was. It pertained to the water company and there was a doubt about his right to vote.

In reading all the stuff going back and forth between you and Dave, I see that I misread his statement about the numbers of directors on committees and what would constitute a board meeting. I also think you may be feeling what I felt when I challenged Dave on an issue and incurred his wrath. No matter what I said, it only stirred more defensiveness in him and more twisting of what I said.... so I felt a lot of frustration and an unwillingness to engage him again. So I don't blame you or think less of you if you choose to withdraw from your debate with him. His responses drip with sarcasm and invalidation and there is not much you can do when that's what you have to deal with. He is definitely choosing to not understand you and instead to accuse you of “clairvoyance”.

Tony

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**[Costa reacts, noting the Evans history of strategic selective memory and oddly missing events in the keeping of minutes.]**

On Fri, 10 Mar 2006 17:19:08 -0600

<kpoa\_costa@cablespeed.com> wrote:

I just read Dave's latest belch to you and I think he is wrong about what constitutes a board meeting. I think it requires 5 board members to constitute a board meeting so the rest of his reasoning is specious to say the least. Anyway to get back to my reasons..... I think I finish the one about Dave G. but if I didn't, just ask for more clarification. Another reason for recording and keeping them for at least one year, is what happened not too long ago regarding the legitimacy of the bluff

management committee. Dave called into question it's legitimacy because there was nothing in the minutes showing the board had officially established it. I knew that at one board meeting I made a motion to establish the b.m. comm. it was seconded and unanimously passed, but for some unknown reason it was not recorded in the minutes. That lead to Dave almost shutting down a board meeting by getting us mired down with Robert's Rules of Order. Then Kathy looked for and found a recording of the board meeting that documented the action of the board and it got us out of Dave's quagmire. Another is the fact that we can't stop other people from recording, even though Dave is going to say we can, we really can't and there would be no way we could prevent anyone from doing it. Our attorney agrees we would have no legal way to stop it. So if others are going to record, and if Dave thinks the recordings can be altered, it would seem to be in our best interest to have an “official” recording to refute any allegations made from an altered recording. I just don't get why the reluctance to be recorded. The idea that comments could be taken out of context or that it might hinder the expression of free speech, just don't ring very sound. Or to use Bruno's comment that it shows a lack of trust for the speakers is just ludicrous. If I have more ,I'll send it on.

Tony

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**[The day before Evans resignation, Fishbach continues to wonder why she is left alone to face Evans dysfunction.]**

From: kpoa\_fischbach@cablespeed.com

Sent: Sunday, March 12, 2006 11:30 AM

To: kpoa\_costa@cablespeed.com

Subject: Re: stuff

Dave seems to want to dispense his role as board president by intimidation through sarcasm and verbal attacks - if you don't agree with him.

I guess I don't understand how other board members can sit back and let this happen. I can cer-

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tainly understand why some folks do not want to run for the board!

I did understand what he said about a quorum - so no worries.

Thanks, Carol

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**[The following Monday, March 13th, Evans resigned.**

**Contrast these emails with Evan’s statements reported in The Kala Pointer during his bid for election to the board, heavily sponsored and endorsed by “The Concerned Citizens” power broker group:**

**“My primary reason for seeking a board position is to help return our community to a friendly pleasant neighborhood that all can enjoy, one which respects all members’ rights, encourages civility, and is what we envisioned in moving here. Progress has been made and can continue by encouraging all to live within the spirit of our governing documents. I want to involve more residents in KPOA and believe the board should be proactive toward insuring adherence to the governing documents.”** *(Evans 2005 Campaign Statement)*

----- Original Message -----

Subject: resignation

Date: Mon, 13 Mar 2006 19:45:36 -0800

From: Dave Evans <dave@evans-pt.com>

To: [Various board members and large additional list]

When approached to run for the board, I did so, despite my reservations and Sue’s strong objections, because I hoped that after two years of not effectively doing so, the new board would address the hard issues facing KPOA. Unfortunately a clique on the board has prevented taking such actions, choosing rather to snipe and

concentrate on touchy feely issues and to pursue personal turf fights and agendas.

Business has remained secondary to the fuzzy issues. Fortunately I was able to deliver some gains to the community that included reorganizing the administration of KPOA at a savings in excess of \$55,000 and to obtain insurance at 25% of the budget. While some on the board wrung their hands and were ready to cut and run if D. and O. insurance was not available, by hard work and a tip from the MacNairs insurance was found. The hand wringers stayed on the board and continued to push the community in directions that in my opinion serve no worthwhile purpose.

As some of you are aware, in January I was told for health reasons to “de-stress,” and I have tried to do so. At the request of Renate Wheeler I also decided at that time to make a bonafide effort to hang on until the election in July or at least until after nominations are closed in April. At that same time Sue and I made a decision to put an end to the three-year personal struggle that has been our life in Kala Point.

The time has come for Sue and me to return to the life of positive energy and enjoying family and friends. We will be putting our home on the market and leaving the negativity orchestrated by the “insurgents” and enhanced by various members on the board who are unwilling to do anything other than say “can’t we all just get along” while at the same time undermining me.

Due to these health issues and my realization that I am not able to work with the clique on the board who seem only interested in psycho/socio tangents, I have decided to resign all positions with KPOA effective immediately. The last time I felt this divergence with the board was over Scott Edwards. I was proven correct by subsequent events. Hopefully I will be proven wrong this time. I wish everyone the best of luck.

Dave

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The *Driving 101: It's Basic Safety* is a project that was established to help prevent crashes, injuries and deaths on a 32 mile stretch of U. S. Highway 101 by increasing awareness about the importance of safe driving and educating the community on specific driver behavior that reduces

crashes. **Most crashes are not accidents.** They are the direct result of illegal, unsafe, or careless driving.

Between Christmas Day 2003 and the end of January 2004, nine people died in six crashes in Clallam and Jefferson Counties. By June of 2004, ten more people had died in crashes on the Olympic Peninsula.



In June 2004, a group of community leaders lead by Sheriff Martin, Lt Casebolt of the Washington State Patrol and Department of Transportation local managers came together with the Washington Traffic Safety Commission to designate a 32 mile stretch of Highway 101 between Laird's Corner and the east Clallam - Jefferson county line as a **traffic safety corridor**.

Utilizing a combination of low cost, near term engineering improvements; extra enforcement patrols; and increased public awareness and education about safe driving practices; the **Driving 101: It's Basic Safety** Task Force is working to reduce collisions, injuries and deaths on Highway 101. For more information go to: [www.drive2survive101.com](http://www.drive2survive101.com).

**What is the primary contributing cause/factor of collisions on the Highway 101 Corridor?**

- a) Speeding
- b) Following Too Close
- c) Improper Turn
- d) Do Not Know



**The correct answer: b.**

It's crucial to keep a safe distance from other vehicles. Stay at least four seconds behind the vehicle that you're following. A safe following distance will allow you to stop in time or take other evasive action.

## 55 ALIVE Drivers' Ed

AARP Driver Safety Classes will be held at the Port Townsend Community Center on April 17 and 18; and May 10-11 at the Tri-Area Community Center in Chimacum, both from 10:00 to 2:30 each day. This is an eye-opener to older drivers whose skills have gradually slipped below the best safety-level for drivers. You will learn adaptive techniques for peripheral vision loss; where to be doubly alert for traffic hazards; and lots more. The cost is \$10 for materials. Drivers of all ages are welcome.

Call 385-9007 for the PT Community Center or 732-4822 for the Tri-Area Community Center to sign up. Class schedules can be found at [www.drive2survive101.com](http://www.drive2survive101.com). Click on "Education & Awareness" and then AARP class schedule. You will find other class dates in March for Sequim, Port Ludlow, and Brinnon. The class goes quickly (with a half-hour brown bag lunch time each day). With completion of the course you will get a deduction of about \$50 per person on your insurance. And you will feel safer out on the road.

## Town Hall Meeting Refuses Anonymous Questions

### Community Forum Has No Such Restrictions

Unfortunately the Communications Committee has moved to block the tradition of anonymous questions at Town Hall Meetings, further imposing limits on free speech. These tactics drive more and more members away from board-sponsored-function participation, while at the same time; the board espouses a desire for greater participation.



**The message is clear. If you are not part of the “right crowd” or hold “incorrect opinions” your participation is not welcome.** If you do speak up in public you will suffer the consequences. Given the systemic targeting, purging and character assassination rampant at Kala Point for years, it is no wonder that member attendance at Town Hall Meetings is declining. Email or post to *Community Forum* your anonymous questions and we will publish a challenge to the board to listen and respond: [contact@ttnewsletter.com](mailto:contact@ttnewsletter.com), or P.O. Box 816, Port Hadlock, WA 98339.

## The Sneezing Season

Tree pollen is very evident right now, which means those of us with any sensitivity to these pollens will experience symptoms such as itchy eyes, runny noses, sneezing and, in more severe cases, difficulty breathing. Dry weather makes it worse, allowing the pollen to blow around and not get washed out of the air.



**The showy flowering trees** that bring the splash of color in spring are not the ones causing folks with allergies to suffer. They have showy flowers, trying to attract an insect. The less showy trees such as alder, cedar, and poplar are pollinated by wind-blown pollen. It’s the wind-blown pollen that is triggering allergic reactions in so many people because wind-blown pollen requires so much more pollen to get the job done.

**Male and female alder flowers are called catkins.** In the summer, the 1-in female catkin becomes a cone-like fruit that looks like a little pinecone. The tassel-like male catkin is 2-6

inches long and is where the pollen is coming from. The pollen from those elongated, nondescript male flowers or catkins are mainly wind-pollinated. You will notice those catkins scattered all over the ground right now. Not just a few, but hundreds or...thousands! Ah-choo!!



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## Kala Krossword Puzzle Kontest!

**\$50 Gift Certificate To  
Manresa Castle**

You will find the crossword puzzle on Insert Page 1! This month's prize is a \$50 gift certificate to **Manresa Castle** which is located on Sheridan just past the QFC shopping center. When you make a left on Sheridan off of Sims Way, the Castle is on your right. (*Tip: Follow the hospital signs.*)



*Manresa Castle  
Hotel - Restaurant - Lounge*

Charles Eisenbeis, a young Prussian baker, arrived in Port Townsend in 1858. At that time the closest source of supply for ships' bread and crackers was Portland, so Eisenbeis opened the Pioneer Bakery, the first in the State. He eventually was involved in many enterprises including his bakery, grocery store, clothing store, brewery, and a brickyard which supplied materials for many of the downtown buildings. He was Port Townsend's first mayor and was also involved in the lumber mill, bank, the Port Townsend Steel, Wire, and Nail Co. and was instrumental in

arranging the contracts to bring the railroad to the city. In 1892 with probably the last bricks that his yard produced, he undertook the construction of a house reminiscent of his homeland with the resemblance of a medieval Prussian castle that he named Manresa Hall. In 1925 it was purchased by the Jesuit Order as a retreat and they renamed it Manresa Castle and it was enlarged at that time. There have been three different owners since 1968 who have all done their parts to renovate the building to modern standards while maintaining its Victorian elegance.

The restaurant is open for dinner and has been serving Sunday Brunch for over 12 years. Their ala carte brunch is served every Sunday year round, featuring Swiss Roesti - a hearty dish of potatoes, cheese and eggs. The Sunday brunch is "The Best Deal in Town" according to Best Places Northwest and has awarded the restaurant a 3 star rating. The cocktail lounge centers around a bar from the old Savoy Hotel in San Francisco where you can enjoy a wide range of cocktails and a dozen wines by the glass in an atmosphere of Edwardian elegance.

All the answers to the questions are from the previous months issue of *Community Forum*. The first person to mail in their completed puzzle with the correct answers will win the prize! We receive many completed puzzles, so be sure to be the first to mail in your answers.

Manresa Castle is also a perfect place to host a wedding, Christmas or birthday party, a family reunion or a retirement party. And if you have out of town guests and need an "extra room" to put them up, this is a perfect place for them to stay, enjoy the flavor of a Victorian town, and have a chance to shop downtown.

Please mail your complete puzzle to:  
KIN, P.O. Box 816, Port Hadlock, WA 98339. The winner will be announced in next months issue.

Don't forget to include your name, address and phone number on your puzzle so we know who to send the gift certificate to.

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## Anonymity

### Our Constitutional Rights As U.S. Citizens Challenged and Criticized at March Board Meeting!

The use of the word “insurgents” has been used to characterize ***Community Forum***. It is very unfortunate that those orchestrated characterizations by former Board Directors, a current

Board Director, and the behind the scenes control clique (some known as “Concerned Citizens”), are board-tolerated speech at official meetings.

**A thought to ponder: Why don't those who feel so strongly against anonymity pursue & identify those who have anonymously intimidated and threatened *Community Forum* advertisers verbally and in letters to advertisers such as JR's produce, Coldwell Banker, Circle & Square, Green Eyeshade, and others? See the February issue of *Community Forum* on page 15 for an example of such intimidation letters. A particular merchant described personal intimidation conducted by “a very tall silver-haired obnoxious elderly gentleman with hearing aids.”**

Also there was overt intimidation when a former board member asked members in the audience during the board meeting to stand up and identify themselves if they had helped write anonymous articles, calling them “cowards” and claiming “yellow journalism”. Such demonstrations at board meetings extend special privilege to certain individuals, while speech of others is cut off or otherwise restricted.

**This type of behavior furthers our neighborhood “bad name” as a place of intolerance, vigilantism, special privilege, and loss of rights. It sets a bad example. We, as neighbors, would like to think objectively and fairly for ourselves!**

***These attacks illustrate the necessity of anonymity in order to deliver important and valuable information to our community that would not otherwise be communicated.***

**What is the definition of anonymity in this context?** It is the ability to conceal one's identity while communicating—enabling the expression of political ideas, participation in the government process, membership in political associations, without fear of intimidation or retaliation, a fear well-founded at Kala Point.

**In three cases, spanning from 1960 to 1999, the Supreme Court has reaffirmed the principle that sacrificing anonymity “might deter perfectly peaceful discussions of public matters of importance.”**

Freedom of speech and the press is a vital part of the political, social and cultural growth of our country.

**Although adopted as part of the Bill of Rights in 1791**, most First Amendment doctrine is a result of twentieth-century changes. It wasn't until 1925, in *Gitlow v. New York*, that the Supreme Court extended the First Amendment freedoms of speech and the press to the states through the Fourteenth Amendment due process clause.

**Ancillary rights**—those integral to, but not explicit within the First Amendment—were not doctrinally recognized until the 1960s, when the Court decided cases determining the laws of libel and commercial speech, and **establishing rights of privacy, access, and anonymity.**

Objective #4 of the *Community Forum* is to “Conduct the newsletter openly and with accountability in serving the interests of the Community.” Unfortunately, at this time, the attitude of some in Kala Point, is to attack the messenger. This is counter-productive and not beneficial to the membership. It is a situation we hope to change and change soon.

**Members are directed to the Purpose, Goals and Objectives of the *Community Forum* on page 25.** Read them and form your own judgment as to whether or not they fit with the characterization, “as insurgents.” **We are FOR community interests**, the same thing good leadership in the community should support, while denying the board meeting forum as a place for destructive attacks.

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## **Purpose, Goals, and Objectives Of Community Forum**

### **PURPOSE**

To provide an independent newsletter as a forum for the free and open expression of views, opinions, and legitimate diverse interests of all members of the community.

### **GOALS**

1. To promote mutual respect and harmony among neighbors for the well being of the community.
2. To promote the rights of members to use and enjoy their property and to protect their property value, each consistent with neighbor and community interests.
3. To promote governance within Kala Point that is fair, reasonable, representative, and accountable to the legitimate and diverse interests of members in a matured and established residential community.

### **OBJECTIVES**

1. Actively involve membership interest and participation in the affairs of the community in order to make it a better place in which to live.
2. Publish clear and objective information to the membership that is uncolored and uncensored, and that gives informed opinion to frame issues, to help members decide for themselves what is in their best interests.
3. Publish clear and objective information to the membership to help them form judgments of what is in their best interests and the interests of the community when voting on: 1) annual budgets and assessment obligations; 2) free and fair election of Board Directors; and 3) amendments to governing documents..
4. Conduct the newsletter openly and with accountability in serving the interests of the community.

## **KPOA “Work Session” Audio CD Recording Available KPOA Office Too!**

*Community Forum* offered audio CD's of the KPOA January and February Work Sessions Proceedings last month for only \$5!

Judy Herwer, KPOA's Office Manager, graciously informed *Community Forum* that KPOA DOES have these important board deliberations recorded and also available on CD for the same price of \$5. It is reassuring that these are available for the membership and records are being kept of these important meetings.



## **Don't Shoot The Messenger!**

By KPVoice

**The ranting by the three KPOA members at the March board meeting** gives greater cause to focus on getting the divisiveness problem fixed and to recognize the culprits may be those that object the loudest about anonymous comments. Their long standing approach is to shoot the messenger and to assail free speech but to do so only for their self interest, while exercising it liberally themselves.

Be sure to click on the link “**listen on your computer**” to hear the member comment audio portion of this meeting.

President Marilynne has a daunting task as there are issues that need to be fixed today, not tomorrow, nor next week. Board members owe it to the membership to aggressively work to resolve the divisiveness issues.

- [www.kpvoice.info](http://www.kpvoice.info)

*KPVoice is an independent resource for Kala Point and is not affiliated with Community Forum.*



**PT Orchestra  
Concert  
April 29th  
Tchaikovsky Violin  
Concerto Featured  
For PT Orchestra's  
Spring Concert**

Submitted by:

Karl Bach, President, Board of Directors  
Port Townsend Community Orchestra

Chimacum violinist Alan Rawson will be the featured soloist at the spring concert of the Port Townsend Community Orchestra on Saturday, April 29<sup>th</sup> at 7:30 p.m. at Chimacum High School Auditorium. To complete the all-Russian program, Maestro Dewey Ehling has chosen the Russian Easter Overture by Nikolai Rimsky-Korsakov, the Polka from *The Golden Age Ballet* by Dmitri Shostakovich, and the March from the opera *The Love of Three Oranges* by Sergei Prokofiev.



Alan Rawson moved to Port Townsend from Minnesota in 2004; he is currently on extended leave from Minnesota State University in Moorhead where he directed the University Orchestra and taught upper strings. He was the concertmaster of

the Fargo-Moorhead for twenty years, and appeared as a featured orchestral soloist, performing works by Tchaikovsky, Mozart, Sibelius and Bruch, among others. Since moving to this community he has been an active performer and organizer of music projects and workshops for students and adults. He is the director of "OYsters" (Olympic Youth String Orchestra) and teaches strings at his home.

Looking ahead, the Port Townsend Community Orchestra will be selling tickets at the April 29

concert for its 2<sup>nd</sup> Annual Port Townsend "Pops" Concert to be held at 3:00 p.m., on Sunday, June 4, in "The Commons" building at Fort Worden. This year's theme will be "The Hit Parade of the 1940s." Carol Swarbrick Dries will be the featured soloist for her second such appearance with the orchestra.

For more information call 360-344-3658 or email [flam@cablespeed.com](mailto:flam@cablespeed.com). More information about the orchestra can be read on its website: [www.olympus.net/community/ptorchestra](http://www.olympus.net/community/ptorchestra).

**Adult Volleyball Fun  
No Experience Necessary!**

By Hank Krist

We are starting a Kala Point co-ed adult volleyball league. Whether you are a beginner, brushing up on skills, desiring mild exercise or just social fun—we want you. Attend whenever you desire and most importantly, have lots of fun! We will be playing in Kala Point.



Depending upon schedules we may play weekday mid afternoons, late afternoons/early evenings or weekends. If you are interested or have questions, please call Hank Krist at 379-9878. This article submitted to both community newsletters.

**Classic Book Club**

We are discussing selections from Chaucer's *Canterbury Tales* – The Prologue and The Miller's, The Pardoner's, and The Wife of Bath's Tales — on Sunday, April 9, 2:00 p.m. at the County Library in Hadlock. The book for May 14 is *The Trial* by Kafka.



You are welcome to come join in whenever the book selection is of special interest to you.

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## The Chrysanthemum, Ki-Ku, Queen of the East

By Mel Grassia



Although the Chrysanthemum originated in China, it reached new perfection in Japan, where it became a revered symbol for good reason. Its exquisite forms and colors are a delight to behold. Few flowers respond so well to man's loving care. Its beauty remains two weeks or longer after flowers have been cut.

There are many forms, "Exhibition" incurved, "Exhibition" reflex, anemone, single, pompon, spray, quill, spoon, bonsai, etc. The "Exhibition" type and bonsai are my favorites.

The Exhibition mums are often grown in 2 to 3 gallon plastic pots or in 3 foot wide, long beds with 3 rows of plants. The bonsai form is well suited for those with limited space or those with limited mobility. Cultivating 30 to 50 plants is not too demanding a chore.

Simple techniques are used to cause Exhibition mums to become spectacular beauties. Restricting growth of 1 to 5 stems, each with only one bud, is the key to success. The fewer the buds, the larger the flower. Light, water, and fertilizer will provide the requirements for growth, as is the case for most plants. Of course, deer and slugs covet mums too, and must be controlled.

Bonsai form of mums provide beauty similar to tree bonsai and have the advantage of reaching maturity much sooner. They are generally included in the bonsai exhibitions presented on the North Olympic Peninsula.

The Evergreen Chrysanthemum Society of Seattle is the prime mum club in this Northwest region.

Mum plants may be procured during sales by the Evergreen Chrysanthemum Society and from

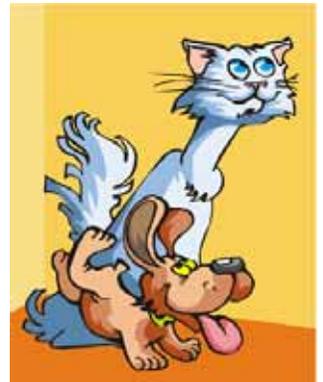
King's Nursery of California.

Many books are available about growing mums. My references include "Chrysanthemums for Pleasure", by Ernest & Alieta H. Scott, and "Growing Chrysanthemums", by Harry Randall & Alan Wren. These are easily obtained. "The Art of the Chrysanthemum", by Tameji Nukajima, is a rare, classic, jewel.

The Evergreen Chrysanthemum Society mounts a public exhibition in the fall each year. It is a most rewarding sight.

## MICROCHIP YOUR PET

For \$20, you can have an AVID microchip inserted under the skin between your dog's or cat's shoulders at the County Animal Shelter on Critter Lane (near the landfill). Peace of mind is the main benefit, because your pet probably won't be stolen or lost. But if that should happen, your chip ID is registered continent-wide and even overseas.



Animals with chips have been identified and returned cross-country.

Only the Sheriff's officers can insert the chips, so call JCAS to make sure one of them will be on the premises. 385-3293.

## Medicare Deadline

The deadline to enroll for anyone eligible for Medicare Prescription Plan D is May 15, 2006. Although this plan is considered voluntary, anyone over 65 who does not have a qualified prescription plan, and does not enroll by that date will be penalized by having to pay higher premiums for the same plan after that date.

Even if you do not need any prescriptions now, you may need them later, and will pay more at that time. Call the Olympic Area Agency on Aging at 360-379-5064. They are very helpful, and will assist you in enrolling.

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Governance, Divisiveness, Leadership  
 Continued from Front Page

## **DIVISIVENESS within Kala Point became tangible when:**

- A board attempted to purchase land outside Kala Point to build a second clubhouse;
- A board president censored information going into *The Kala Pointer* and then forced out (PURGED) the editor;
- A board made a misguided attempt to impose unfair \$10,000 fines on the membership in order to exert inappropriate board authority.
- A group calling themselves the "Concerned Citizens" issued a series of letters to the community and in those letters began assigning labels to other members calling them insurgents and accusing them of an intent to attack the board.
- A series of boards have failed to define clear procedures for dealing with tree and view issues.
- Legal complaints have been filed against boards for not following provisions of the CC&Rs, the Bylaws, and State Law RCW 64.38, resulting in court orders against KPOA.
- A member was assaulted at the end of a board meeting and this resulted in another legal complaint, and restraining order.
- A new General Manager was pressured to resign his position by a recent Board President who subsequently resigned himself.
- A member was removed from a committee by a board without due process and with the then-presiding Board President denying a request by that member for a fair hearing and the opportunity to be heard.
- A recent orchestrated attack by three members at the 3/21/06 board meeting where they made misleading remarks aimed at discrediting free speech and free press communications to the membership.

The ten examples given at left are illustrative of dysfunctional boards; that are a principal cause of divisiveness, in the community. Current and future boards need to take a proactive role in ending the divisiveness. Those boards need to be part of the solution to divisiveness and not the principal cause.

**DIVISIVENESS within Kala Point reached a new peak at the regularly scheduled Board Meeting on 3/21/06.** During member comment at the beginning of the meeting three members acting in concert reached a new low in attacking the free speech rights of members and the free press rights of this independent newsletter with a barrage of antagonistic rhetoric. The three members included one with ties to the developer, one that is presently an officer on the board, and one that is an Ex-President.

Labels and phrases used by them to attack protected free speech and free press rights were: 1. insurgents, 2. scurrilous remarks, 3. yellow journalism, 4. cowards, 5. collaborators, 6. attacks on the board, 7. threats to directors; etc.

**The member with ties to the developer** stated that different points of view should indeed be encouraged, but distortion of facts and total entries that are submitted anonymously need to end. He did not identify which of the facts were distorted in the FORUM, and he did not give quotes from the FORUM that he considered to be attacks on individuals. His comments were made with an angry demeanor and although he might encourage different points of view, it was not clear, in the least, that he would ever listen to them.

He is named as a signator to a group-signing of An Open Letter From Kala Point Residents mailed to residents just before last years Annual Election. That letter contained misinformation, innuendo, and untruths that were aimed at discrediting the protected rights of free speech and a free press in order to advance the hidden interests and control authority of the old guard. His manner and actions instigate and fuel divisiveness.

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Continued on next page

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Governance, Divisiveness, Leadership  
[Continued from Previous Page](#)

**The member who is an officer on the current board** made a “Thomas Paine kind of declaration” when he stated that unless all in Kala Point complied with the rules of decorum, then he for one, would not be bound by those rules. However, there was no indication when he was at a board meeting one month earlier that he even recognized the existence of those rules. He made accusations and defamed the reputation of a committee member, by name, in an open board meeting and all the while that member was denied the opportunity to respond to his accusations. So much for fair and equitable treatment of members by that Director and his supposed adherence to rules of decorum. He is one of the Directors who is a prime cause of divisiveness in Kala Point because of his penchant for hidden, heavy-handed dealings, such as that described above.

**The member who is an Ex-President** stated that being continuously attacked is nothing new, and it started in 2002 when he was Board President. **Is there a message there for him to listen to?** The Board of which he was President, proposed the infamous \$10,000 fine. That proposal caused an eruption of adverse member comments. One member stated “Kala Point needs a Board governed by facts, not animosities and friendships,” and “The Board seems to be it’s own worst enemy in the public relations field and I hope that critical self examination will result in actions that will increase it’s credibility.” Another member stated: “The tone of this document is a fortissimo of Regulation, Rigidity, Penalty, Power and Control.” Another member stated: “But a \$10K revised cap seems far disproportionate, an overkill that appears to speak more to the Board’s reactivity than to what I would call proportionate common sense or to effective deterrence.”

**Those comments came from members of high standing in the community during the month of November 2002.** They did not come

from an independent newsletter. The Ex-Board President was wrong and inaccurate when making claims during member comment at the 3/21/06 Board Meeting that it was the scurrilous behavior of newsletter insurgents who were attacking boards and causing divisiveness in the community beginning in 2002. This Ex-Board President exhibits hypocrisy. He is a prime cause of divisiveness in the community, and he is also a member of the “Concerned Citizens”.

**Most reasonable and reasoned members in this community want the divisiveness to end.** It is primarily caused by some current and former Board Directors who relish autocratic control of the association and who lose no opportunity to blame others.

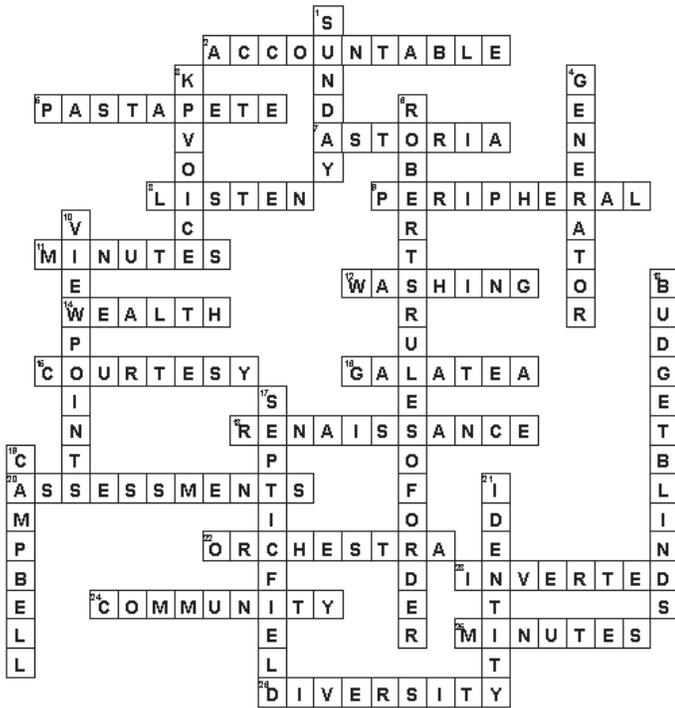
**LEADERSHIP** is an essential ingredient on Boards to help Kala Point achieve good governance. Kala Point is now a mature residential community with a variety of personalities and interests. The individual and cultural attitudes associated with some board members need to change to accommodate existing diversity and other changes yet to come.

Fortunately, there are a number of highly qualified individuals in the community who can make that happen, especially if they distance themselves from the old guard who are wedded to their point of view and to the past. Free speech and an independent free press have roles in helping to bring about positive change. At some point in the future, an independent newsletter can be working in concert with boards as a partner.

**The primary interest of this independent newsletter is to help make Kala Point a better place for ALL to live; as “Neighbors in a Neighborhood”.**

**Current and future boards need to take a proactive role in ending the divisiveness. Those boards need to be part of the solution to divisiveness and not the principal cause.**

## Kala Crossword Puzzle: March's Solution



## SU-DO-KU

The name *Sudoku* mean “the digits must remain single” in Japanese. The puzzle was designed anonymously by Howard Garns, a 74-year-old retired architect and freelance puzzle constructor, and first published in 1979 by the specialist puzzle publisher Dell Magazines in its magazine *Dell Pencil Puzzles and Word Games*, under the title Number Place. Watch out, it’s addictive!

**Instructions:** Fill in the grid so that every row, every column, and every 3x3 box contains the digits 1 through 9.

Level of Difficulty - Medium.

	3						
1				4	5	2	
2				9	1		7
6		9				7	
	7				9		5
	8	1					4
			5				6
				2		5	3
	4	3				1	

## A Verse For April

### “The Canterbury Tales – General Prologue”

“Here bygynneth the Book of the Tales of Caunterbury.”

#### Chaucer’s Original

Whan that Aprille, with his shoures sote, The droghte of March hath perced to the rote And bathed every veyne in swich licour, Of which vertu engendred is the flour;

Whan Zephirus eek with his swete breeth Inspired hath in every holt and heeth The tendre croppes, and the yonge sonne Hath in the Ram his halfe cours yronne,

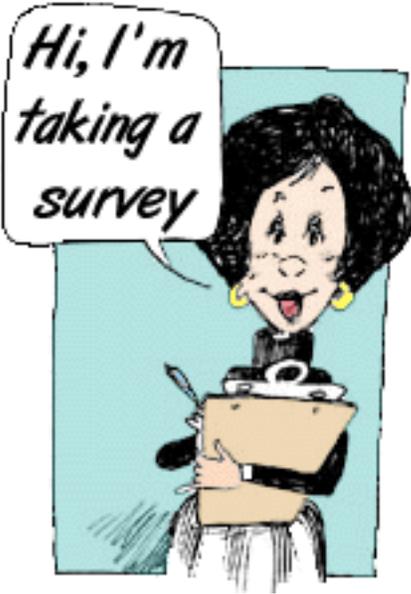
And smale foweles maken melodye, That slepen al the nyght with open ye – So priketh hem Nature in hir corages – Thanne longen folk to goon on pilgrimages

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## **Community Forum Survey!**

**Postage is paid!  
Send in your response by April 20th.**

One of Community Forum's Goals is to promote mutual respect and harmony among neighbors for the well being of the

community (see page 25 to review CF's Purpose, Goals, and Objectives).

**Enclosed is a survey that focuses on neighborhood and community issues.** We strive to obtain and publish the sense of the community, your community, on current important issues. This way members may communicate with each other on a large scale. This April newsletter is packed with articles you may wish to reference in forming opinions. Your input is important!

The postage is already paid so fill it out and mail! Please continue to send in your ideas and questions for future surveys to your free-speech newsletter at P.O. Box 816, Port Hadlock, WA 98339 or email us - [contact@ttnewsletter.com](mailto:contact@ttnewsletter.com).

## **Transcriber Wanted**

Community Forum needs a volunteer transcriber working from board (and similar) audio meeting CD's, keyboarding into Word documents.

Transcriptions are usually 2 hours or less in length, but sometimes longer. Interested? Please contact Community Forum at: P.O. Box 816, Port Hadlock, WA 98339 or email [contact@ttnewsletter.com](mailto:contact@ttnewsletter.com).



## **FUN FACTS**

- ◆ The state of Washington is the only state to be named after a United States president.
- ◆ The Northwestern most point in the contiguous U.S. is Cape Flattery on Washington's Olympic Peninsula.



## **Your Entitlement to Value**

Your home should demonstrate your sharp eye for quality and durability. Why not today at McCrories?

  
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360 457-7500**

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# COMMUNITY FORUM

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## What Is A Neighbor?

What is a neighbor? Do you have friends that are neighbors? Do you know the names of any neighbors? Do you ever spend any time at a neighbor's house? Who is your neighbor?

What is a neighbor? The word "neighbor" comes from the sense of being "near", "next to" or "nigh" to someone else. Neighbor is the first concept beyond family of being in relation to or connected to other people. As neighbors, we are near to each other and thus as neighbors we are connected in "near" relationships.

### Neighbor

1. A fellow human being.

Source:  
*Encarta Dictionary*

Do we treat all who we meet in our neighborhood with common decency and respect and do we want to? How we treat our neighbors help define the neighborhood.

These are things we can ask ourselves and think about how we contribute to foster a friendly neighborhood in order to make it a better place to live.



## Subscription Time! Support YOUR Independent Resource

It is that time of year again when we remind everyone that Community Forum, Kala Point's independent community resource, does require some funding to hold it's own, despite the donated efforts of our many volunteers and providers of in-kind services.

Please send in \$15 for your subscription. If you can donate more, rest assured that we will put it to good use, and appreciate it very much.

**KIN / Kala Point Independent News  
P.O. Box 816, Port Hadlock, WA 98339**

Community Forum is your resource you can count on for uncensored information about what is going on in our community.

KIN publishers of **COMMUNITY FORUM**  
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Port Hadlock, WA 98339

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**URGENT MEMBER ALERT**  
**Major July CC&R Changes**  
**Planned by Board (See Insert Page)**

**Landscape Disaster Repair** offers weeding, pruning, fertilization, brush removal, hardscape solutions and the creation of low-maintenance yards. 24 years' experience. Call for information. Residential disaster repair as well. You name it and we probably do it. **360-379-6146**

**Sunrise Custom Painting - Ready for a change of color?** Quality interior painting services, special attention to detail, using high quality paint & materials, to brighten your rooms. Call Mike or Nelma Lawton - **437-8141**

**What Lurks Under Your Home?** Moisture problems? Wet crawl space? Make your home healthier, warmer, cleaner. For a free estimate or more information call "Clean Space Northwest," **1-877-698-0260**.  
Cont. Lic. #Ironwbl097kb.

**Moving, Hauling, Dump Runs, Residential Cleanup,** estate sale cleanup, junk removal, you name it. I have an 18-foot box truck for local or longer distance moves. **360-379-6146**

**Mail Plus- All your Shipping & Packaging needs!** w/UPS, DHL, FedEx. Notary, custom T-shirts, passport photos, pet tags, copies, biz cards, laminating/binding, banners, friendly service! Across from QFC by Curves in Castle Hill Ctr. Why drive all the way to the Post Office? **379-1156**

**We Buy or Consign Firearms From Estates, etc-Bear Arms** is a full service arms dealer. We buy, sell or trade arms plus ammo, accessories, sporting goods, & military items. In Kivley Ctr, Pt. Hadlock. **385-7658**.

**The Village Barber- "...Because life's too short for a bad haircut!"** 741 Ness' Corner Rd, Port Hadlock. Brad Garrison Gray & Mike Clark. Tues thru Fri-9-5, Sat-9-4. 10th haircut free! **Call 385-6865**.

**Shore Road Nursery** - Country nursery owned by botanist David Allen. Specializing in native plants & select garden perennials, shrubs, trees. 616 Shore Road, PA. Open Tue-Sat, 10-5. **360-457-1536**.

**Ty's Computers, Inc.-** "We Make House Calls to KP." Complete sales, service & custom built computers for business, home or individual use. 40+ years combined experience. **Call 379-0605**. Mention ad for 5% discount.

**Professional Chimney Cleaning & Inspections** - No mess cleaning, lowest fee around, fast & friendly, inserts, pellet stoves, woodstoves, minor repairs, chimney caps, chimney accessories. Call John, **360-769-2344** or email [jev@aol.com](mailto:jev@aol.com).

**Traveler's Propane-** Are you tired of hauling your propane tanks and driving your RV to the nearest propane dispenser? We deliver! Homes, Businesses, Campsites, RV's, Trailers, B.B.Q's, and Forklifts. 5-50 gallon cylinders. **Call Lonnie, 360-344-4067 or 360-381-0158**.

**Handyman** - Gutter cleaning & drain flushing, retaining walls, rock gardens, patios, stairs, walkways, hillside stabilization/planting, concrete repair, & all phases of rot restoration, home maintenance, repair, and upgrades. **Call Ralph, Toll Free 877-841-1523 or Cell 360-340-6232**.

**Weekly Meal Preparation For Seniors. Want An Easy Way To Enjoy Balanced Meals?** Customized menus, including personalized recipes and grocery shopping. Call **Heidi's Taste of Home** for a free consultation! - **360-732-0482**.

**Scampi & Halibut's Seafood Grill** - Satisfy your seafood craving. Over 70 delicious items to choose (from \$4.99). Beer & wine. Get hooked daily.. Catch us in Port Hadlock, just for the halibut! **385-0161**.

**Furniture Upholstery, Fabrics, Foam and Throw Pillows!** Spruce up your rooms before the houseguests arrive. Vintage furniture a specialty. Call Anne at **A Little Upholstery, 385-1556**.

**Handmade Gifts for Every Occasion** - (baby, birthday, anniversary). We take homemade items on consignment and/or rent crafter spaces (by month). **Five Fingers Handcrafted Gifts**, 911 Water St., PT. **385-0469**.

**Westbay Auto Parts** - Over 150 years of combined experience, our experts can help with automotive problems. Come in. We will install wiper blades or refill with purchase. 8 great locations to help you. **385-3476**.

**Professional Roofing, Cleaning & Repair:** C & M Roofing has worked for builders & residents in Kala Point for years. For reroofing, roofing repairs or cleaning of any type of roof, call Mike Perillo, **437-7935**.

**Mole Control** - No chemicals, no poison, no moles! **Call Richard, 732-0510 or 1-888-854-4640**.

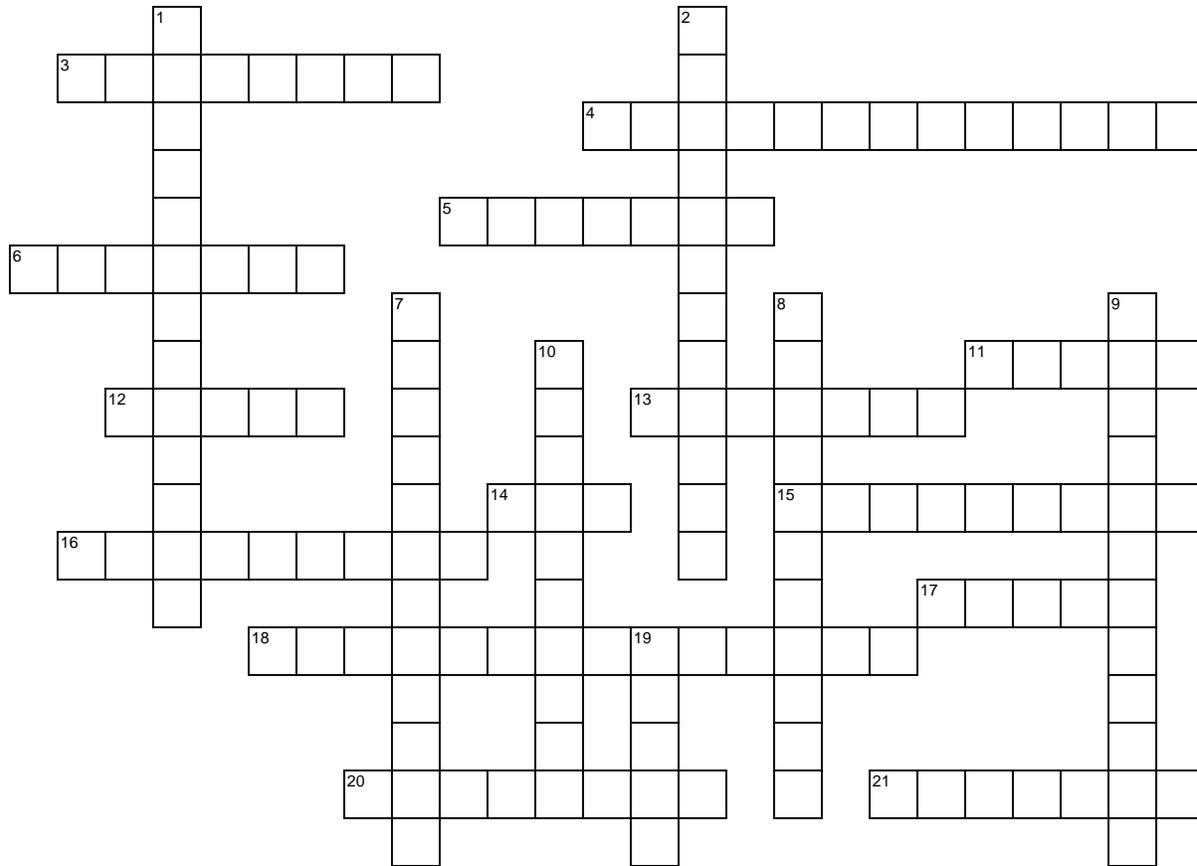
**Fade, Glare, Privacy & Heat Solution-** 3M Window/Skylight film blocks UV rays to protect your furnishings. Keep your drapes open and let the sun shine in! Call **Window Scapes Inc. 385-3810**

**Highly Skilled Pruning** of trees, shrubs, hedges and rhododendrons. **Call Richard, 732-0510 or 1-888-854-4640**.

#### Advertising Disclaimer

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## Kala Point Crossword Puzzle (Hint: Look in previous month's issue)



### ACROSS

- 3 This is the secret to Angel Hair Pasta.
- 4 Small Engine repair; sales and service.
- 5 Has world famous martini's.
- 6 A members from the \_\_\_\_\_ committee was denied an opportunity to contest undocumented allegations.
- 11 Hearsay of doubtful accuracy.
- 12 Port Ludlow suffered a power outage for \_\_\_\_\_ days.
- 13 It is unlawful to have Work Sessions without \_\_\_\_\_.
- 14 \_\_\_\_\_ planned this connection for many years but had to wait until development in Woodland Hills.
- 15 The author states that cultivating \_\_\_\_\_ can only occur in a safe environment of acceptance, honesty and trust.
- 16 "I collected together All my friends.
- 17 \_\_\_\_\_ as an asset was never intended by the Developers and not defined as to how..
- 18 Residents do not sign away their \_\_\_\_\_ rights when they buy into an HOA, according to a recent major legal opinion.
- 20 To be governed fairly and equitably, the moderate

center must make the effort to be \_\_\_\_\_.

- 21 First and foremost an accounting of the reserves must be provided to all \_\_\_\_\_.

### DOWN

- 1 Homeowner Association in Sequim that had member removed for recording meeting.
- 2 Place with Personal Style Consultants.
- 7 Audio CD recording of the KPOA \_\_\_\_\_ for only \$5.
- 8 Renaissance Auto Design is located at 1163 \_\_\_\_\_ Rd.
- 9 Offers oil & filter change including up to 5 quarts of oil.
- 10 Two of these-Double the benefits!
- 19 The member to be expelled was granted only \_\_\_\_\_ minutes to speak.

Be the first to send in with the correct answers to: KIN, P.O. Box 816, Port Hadlock, WA 98339 & Win a \$50 Gift Certificate to Manresa Castle!

Name \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

# Board Plans Sweeping CC&R Changes This Year

## Move Attempts to Legitimize The Long Standing Violations of Governing Documents Contract With Members

Apparently now having recognized that a great many of the long-standing policies of successive boards of directors and their activist committees have seriously and continually over-stepped KPOA legal authority for years, current board forces want to correct the problem. The correction, however, is not to bring themselves into compliance with what members agreed to upon purchase of property, but rather to now adjust that contract to conform the elements that successive boards have violated so that they may continue the practices. This latest power grab also takes steps to further limit access to information and member powers to observe and act to influence the HOA that imposed ever-rising fees, exerts ever-greater control over private property, consolidates board and board-purged committee control, and seeks to expand and entrench that situation.

**Member impacts**, should the member electorate not block these moves, include the kind of erosion of property rights that has been shown time and time again to reduce property values. This community already suffers a powerful negative image for command and control governance in the regional real estate community. Subjecting individual lot owners to continuing and expanded board and committee-zealot scrutiny and micro-management of the use and enjoyment of their own investment aggravates this already serious threat to property values. The resale value of your property is absolutely lowered when prospective buyers self-select out of Kala Point, knowing that they will have to suffer the constant intrusions of committees and vigilantes deciding owners should be allowed to reasonably do with their own yards and vegetation.

*The resale value of your property is absolutely lowered when prospective buyers self-select out of Kala Point, knowing that they will have to suffer the constant intrusions of zealot-led committees and snooping vigilantes constantly deciding what owners should be allowed to reasonably do with their own yards and vegetation.*

**Some 37 board initiated changes to the governing documents are currently under consideration** during the new "board work sessions".

Community Forum has obtained the listing and analysis document showing what is under consideration, including the 12 major changes currently targeted for action by the membership this year. Even such sweeping and significant changes as these, under current state law, require only 14 days notice by the board in advance of the member annual meeting. Several of the more significant items are shown on this insert. We will do a web posting of the entire document shortly at [www.ttpnewsletter.com](http://www.ttpnewsletter.com).

# BOARD-PLANS MAJOR CC&R, BYLAWS AND RULES CHANGES FOR 2006 ELECTION

## BOARD PLANS TO RE-WRITE YOUR COVENANT CONTRACT WITH KPOA

### PROPERTY RIGHTS ASSAULT. SPECIAL INTEREST AGENDAS.

There are 37 substantive changes now under serious consideration by board members during the continuing newly defined type of meeting called "work sessions", for which no real "minutes of proceedings" are kept, as required by law. A document was circulated to the board on April 5<sup>th</sup>, during a so-called "work session" outlining these board-sponsored prospective changes in **YOUR CONTRACT WITH KPOA**.

<b>Board-Driven Change</b>	<b>Purpose</b>	<b>Effect</b>	<b>Pushed By</b>
<b>Extending CC&amp;R control and fining authority</b> previously applicable only to common property to include jurisdiction over private lots.	<b>Changes owner contract;</b> extends board-power. Kills limitations distinguishing between common and individual property.	<b>Extends board control and reach</b> and board-committee member control over the rights and property of all.	<b>Long-standing "control clique"</b> responding to realization that their historic private property rights grab was not legal under CC&Rs.
<b>Remove right (obligation) of individual lot owners</b> to control and manage alder trees themselves. Grabs this right exclusively for the board.	<b>To remove lot owner rights</b> to manage vegetation on their own property. Board will control all private vegetation under new "community asset" theory.	<b>Members risk fines while maintaining own land.</b> Declaring alders "now desirable" by decision of "tree zealots" now controlling committee, loss of rights.	<b>Special interest "tree zealots"</b> now (after purging) dominating tree committee. Zealots declare all vegetation on lots is "a community asset" to be managed by them.
<b>Extend board control</b> over ANY limbing, trimming, or other owner self-management of ANY vegetation on individual lots.	<b>To change the CC&amp;R contract with members</b> to remove any member right to manage vegetation on their own property	<b>To remove lot owner rights</b> to manage vegetation on their own property. Board will control committee; committee will control your private vegetation.	<b>Long-standing "control clique"</b> responding to realization that their historic private property rights grab was not legal under CC&Rs.
<b>Maintain powerful continuing developer influence</b> thru special rights and privileges despite tiny current holdings.	<b>To continue the reach and control of the developer</b> through thinly-veiled agents (including current board member).	<b>Blocks majority interests</b> of regular owners in favor of the continuing special interest authority and influence of the developer.	<b>Developer and his supporters</b> , which include many past and some present board members and politically influential "concerned citizens".
<b>Define member right to pay installments as meaning "one installment"</b> .	<b>To overcome current contract</b> that allows for members to pay assessments in installments.	<b>Continues financial burden</b> for many members forced to pay assessments in advance even with installment income.	<b>Control Clique and board "Retired Banker" types</b> entirely unsympathetic to life's financial realities.
<b>Deny member phone attendance at meetings.</b>	<b>Further secrecy.</b> Block access to "members keeping tabs"	<b>Further restricts member participation</b> and observation of board actions.	<b>Long-standing "control clique"</b> unhappy with increasing member interest and scrutiny of board activities.