



COMMUNITY FORUM

Kala Point

News, Views, & Opinion August 2006

Your Independent and Uncensored Resource



Annual Member Meeting Director Election Results

Director candidate results:



Lane Stuart- 282
 Jeffery Hartman- 259
 Winnie MacNair- 178
 Don C. Wright- 151
 Pete Juliano- 109
 Hank Krist- 72 (Write-in)
 Sylvia Bowman- 1 (Write-in)
 Bud Peterson- 1 (Write-in)
 Hugh Murphy- 1 (Write-in)
 No-vote- 80

There were 599 members were eligible to vote and a total of 378 ballots were validated. This means that 63% of the membership voted.

Fostering Neighborhood Spirit And Harmony

With three new board directors elected, we now look to the future of our neighborhood. We all want a place to call home where we truly feel at home. There is a big difference between living in a neighborhood and being part of that neighborhood.

Each one of us, as well as our board, has an opportunity to make that difference by building and fostering neighborhood spirit and good communication. How can we do this? Becoming part of your neighborhood can be as simple as sharing and getting to know your neighbors or involving yourself in neighborhood activities.

Going to fun Kala Point events like Block Parties, Neighborhood Happy Hours, Shaggy Dog Show and Picnic (August 13th, 2pm), go on a Garden Club field trip or lecture (see page 14),

attend the Newcomers TGIF (August 25th), have a game night with your neighbors, and play pickleball or tennis (see page 14 & 15), are just a few examples of ways to get involved.

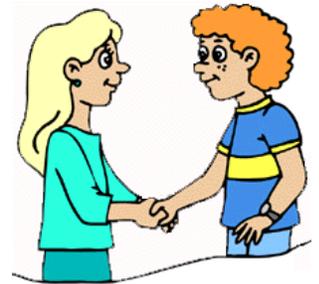
In addition to members participating, it is important that our board of directors attend community events so that members have an opportunity to get to know them, discuss things, and understand how they think about issues.

We, as members, can also go to board meetings where we can communicate how we feel about issues, ask questions, and give input on various things going on in our neighborhood.

Building community spirit requires our board to solicit member opinions and input and provide an environment of harmony, open communication, and inclusiveness.

Apathy can destroy the neighborhood spirit.

To maintain and create the quality of life that blends with the well-maintained and beautiful community that have, we each must each do our part, both as individual members and board members.



Members: Start with getting to know a new neighbor, then bring them along and do something fun.

Board members: Come and meet your neighbors at social events, be open, listen, let the members get to know you and have fun.

As our new KPOA Board President Carol Fischbach said, "Wag more. Bark less." If one of us starts reaching out to our neighbors with this approach, we can each make a difference in fostering neighborhood spirit and harmony.

Kala Point Emergency Evacuation Exits

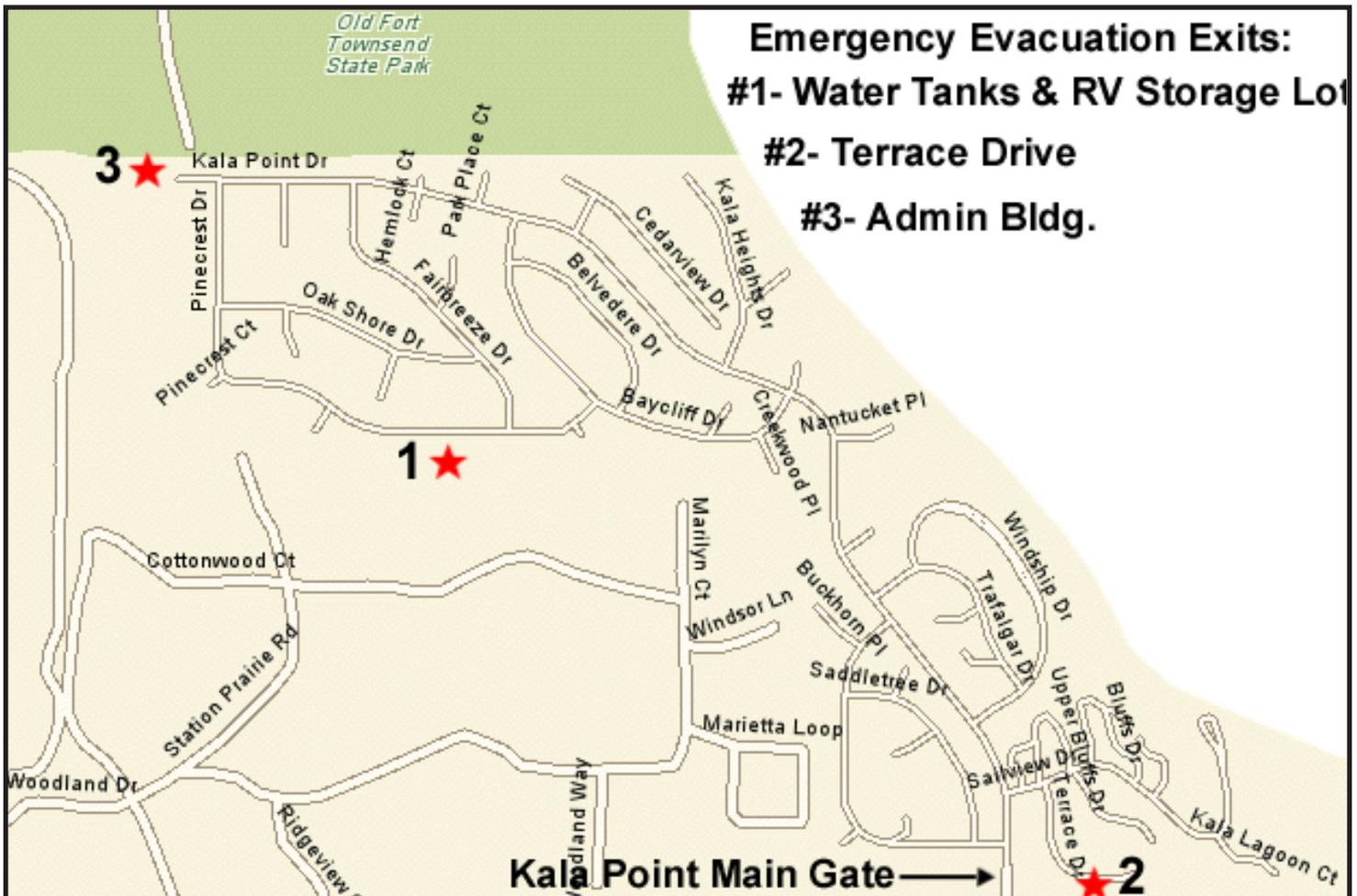
Kala Point has three (3) emergency exits. These exits are to be used only during a general evacuation of Kala Point or during an emergency when the Kala Point Drive exit is blocked.

1. The primary emergency exit is located at the RV Storage lot on Pinecrest Drive. Proceed to the Storage Lot gate, drive through the gate and turn left to the second gate. Proceed through the second gate and continue along the short dirt road to Woodland Hills and paved roads. Your clubhouse keys will open the locks on all gates.

2. The second exit is used primarily when the main gate malfunctions. It can also be used in an emergency the same as the above exit. It is located on Terrace Drive opposite North Victory Avenue, which is located outside Kala Point. On August 12th from 9am to 1pm there will be an emergency exit practice for this exit.

3. The third emergency exit is located behind the administration building in the RV Storage Lot at the end of Kala Point Drive. Once in the storage lot, proceed past the administration building, turn right and proceed to make a U-turn that will take you behind the administration building. Continue to the gate (clubhouse key will open) and proceed along the access road between Kala Point and Old Fort Townsend Park. Follow the access road until you come to a dirt road on the left leading downhill into the park. The road is marked with a sign stating "Emergency Exit." Turn left at that point and continue through the park. The road ends at the home of the Park Ranger. At that point you can follow the paved road out of the park. This exit is the least desirable due to the potential for falling trees and other obstacles.

**These Emergency Evacuation Exit instructions came from our Kala Point Emergency Preparedness Handbook. The complete handbook can be found on-line at: www.kalapoint.org.*



Fire On Peninsula Wake-up Call To Fire Danger

In Mason County Fire officials have asked people to steer clear of Lake Cushman due to a wildfire called "The Old Bear Gulch 2" that started on July 25th and ballooned to nearly 250 acres as of July 29th. Mason County Sheriff's Office said fire fighting efforts have been hampered by extremely rough terrain.

The Olympic National Forest forced officials to evacuate about 21 campers from the Staircase camping ground. The fire is located 15 miles NW



At Lake Cushman near Hoodspport

of Hoodspport and is a major access point to the Olympic National Park.

The fire is burning on a steep, hilly area, making the threat of boulders and logs falling too dangerous for ground crews to battle the blaze. Helicopters attacked the fire from the air along with a fire crew of about 90 people. The fire shut down the Staircase camping ground area.

The cause of the fire was under investigation, but it is suspected that it was human caused.

A helicopter is being used to drop water on the blaze to stop it from spreading. Boaters were asked to avoid the north end of Lake Cushman where the helicopter was operating.



The very steep slopes within the fire are causing rolling rocks and burning debris onto Hwy 119. This safety hazard has required the closure of access to a portion of the Olympic National Park.

With the Fire Danger sign outside our gate set at either High or Extremely High in the last month and with the prediction that August will be hotter and drier than normal, it is a good idea that we think about keeping our homes fire safe and review the Emergency Evacuation Exits. Fire experts are saying that the Olympic Peninsula is one of the driest areas in the Pacific Northwest and the greatest danger will be in the last 6 weeks of fire season.

Tips on Keeping Your Home Fire Safe:

- ◆ DO cover chimneys & vents with 1/2' mesh metal screen.
- ◆ DO use good fire rated roofing materials.
- ◆ DO keep roofs and gutters clean of debris.
- ◆ DO locate stacked firewood at least 30 ft from house.
- ◆ DO plant deciduous trees & bushes within 30 ft of house.
- ◆ DO keep debris & vegetation cleared from under decks.
- ◆ DON'T allow combustible debris to collect on your property.
- ◆ DON'T use flammable roofing materials unless treated.
- ◆ DON'T leave tree limbs overhanging the house.
- ◆ DON'T leave chimneys uncapped.
- ◆ DON'T pile wood close to the house.
- ◆ DON'T plant vegetation under decks.

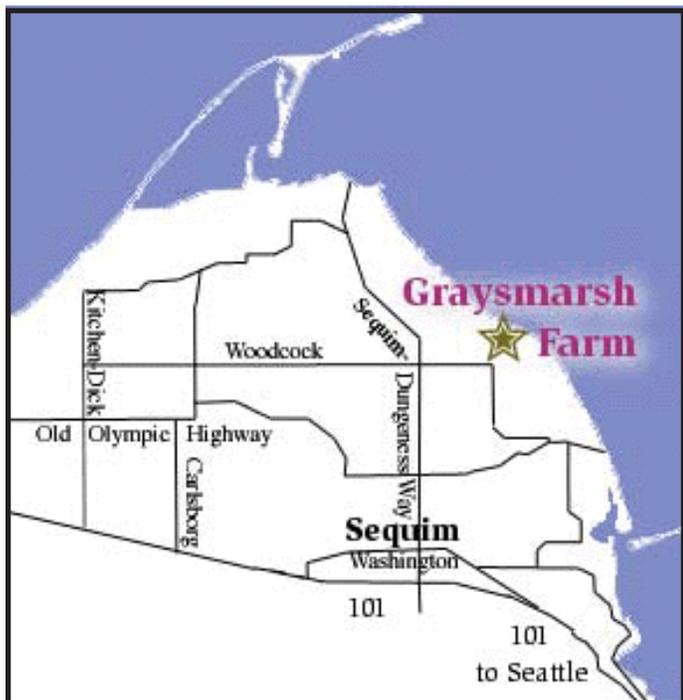
**These tips came from our Kala Point Emergency Preparedness Handbook. The complete handbook can be found on-line at: www.kalapoint.org, then click on "Members Only", and then click on "Emergency Response Handbook".*

It's Blueberry Time! U-pick Berries In Sequim

Travel to Sequim this time of year to pick berries and you can take a little bit of summer home with you.

At Graysmarsh Farm they grow a variety of berries and lavender. Their farm rests on the rich soil of the Sequim Prairie below the Olympic Mountains, next to the Strait of Juan de Fuca. Here you can U-pick your own berries. You can bring your own container or buy containers from them.

Driving instructions: Take a right off of Hwy 101 at the Sequim Ave. Exit (It turns into Sequim-Dungeness Way). Drive 3 miles North, then turn right Woodcock Road and go one mile east, or just follow the signs to Graysmarsh.



Be sure to call 360-683-5563 for the latest recorded information about hours and availability of berries. The current schedule is: Monday through Saturday 8 to 4 and 10 to 4 Sunday. Loganberries are ripe in early July through early August and the U-Pick price is \$1.25 per pound. Blueberries are available from early July through

mid-August and the U-Pick price is also \$1.25 per pound. And they have thornless Blackberries which are ripe in early August through most of September. U-Pick lavender is available July through August.

They also offer jars or gift packs of their Graysmarsh Berry Preserves, fragrant lavender sachets, concentrated lavender oil, and bulk lavender buds for sale.

Once home with your FRESH blueberries try them on top of your yogurt, smoothies, or try out this recipe for Blueberry Cream Parfait!

Blueberry Cream Parfaits

4 to 6 servings

1 package (3.4 ounces)
instant lemon pudding and
pie filling mix
1-1/2 cups milk
1 cup heavy whipping cream
12 gingersnap cookies,
coarsely crushed (about 1 cup)
1 pint fresh blueberries (2 to 2-1/2 cups)
Fresh mint sprigs for garnish (optional)



Prepare the lemon pudding according to the package directions, using the milk.

In a medium bowl, with an electric mixer at medium-high speed, beat the cream until soft peaks form. Fold into the prepared lemon pudding.

Spoon a layer of the pudding mixture into 4 to 6 individual serving glasses, or a 1-quart serving bowl.

Sprinkle lightly with cookie crumbs then add a layer of blueberries. Repeat layers then finish with a layer of the pudding mixture.

Cover and chill for about 30 minutes.

Garnish with blueberries and mint sprigs, if desired; serve.

First Time Use: Member Meeting Parliamentarian



Numerous Process Problems Illuminated

In lieu of having an attorney present, the KPOA board retained a person identified as a credentialed parliamentarian to assist outgoing Board President Marilynne Gates in the conduct of the member annual meeting on July 9th. Ms. Gates announced that the meeting would be conducted in compliance with Roberts Rules of Order, which are designed to assure orderly and fair conduct of such meetings, and particularly to block vocal participants from bullying others who are trying to properly bring matters forward for consideration.

In spite of the presence of the parliamentarian, there appeared to be confusion at several points in the meeting. Delays resulted when the agenda projected on the screen was clearly not the agenda that had been announced and released, and again when members were asked

to vote on issues before the proxy credentials had been distributed. As in years past, voting credentials were again a problem because there was no way, as the counting began, to determine that those raising their hands or standing were actually entitled to cast the votes they cast. Couples, for example, with a single unit ownership, were observed to both be standing, thus being double counted, while persons holding proxies were unable to register their full voting power without credentials.

These are all issues that have risen in the past. To the credit of new Elections committee chair Mike Holden, the credentials were finally distributed with much less delay than in the past, and a quickly-devised committee verification of credentials process was developed, allowing ballot results to be quickly available.

Member Jay Garthwaite's motion to have the member annual meeting order of business prioritize member new business failed on a floor vote. He continues to advocate that members' business be conducted as a priority, rather than the long-standing policy of relegating this important aspect of the meeting to the final few minutes. With mem-

ber approval of vote-by-mail however, members may be able to conduct their future business by other means not previously available. Will there be a parliamentarian present at next year's meeting? Since his presence did not greatly contribute to a fairer or smoother process, it will be interesting to see if he reappears next year.



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Board Reverses Approval: Refuses Immature Planted Tree Clearance

Allegations of “Girdling”

Kala Bluffs resident Sue Lederer, obviously very frustrated with the long-running KBCA board denial of her request to have a small planted tree removed to restore her marine view, has retained legal counsel. The planted fir, on common area just a few feet from her living room window, entirely blocks the view from that room. Lederer, who is trying to sell her condo, reports potential buyers are rejecting the property due to marine view issues. Lederer had received written assurance that the fir would be removed from KBCA President Oberholtzer last November; re-confirmed in January by email. Later, however, his approval was reversed and the dispute deepened.

The KPOA tree committee is scheduled to consider the handoff from KBCA during its August Meeting. Lederer says she is hopeful that there will be a reversal of the KBCA recommendation permitting tree removal per CC&Rs. Meanwhile Oberholtzer’s latest email to KBCA members indicates that the tree has been “girdled” and will likely die anyway; for which Lederer denies any responsibility or knowledge.

Particularly upsetting to Lederer, as expressed in a July 24 letter to KBCA from her attorney Michael Bohannon, is the board position that she is only entitled to the view evident at the time of her purchase, rather than the view present at the time the unit was built. This position, entirely unsupported in the governing documents, which make no such reference to “benchmarking views at time of purchase” is a board position that claiming to have done something a certain way for years somehow changes the governing documents clear language attached to deeds. Owners will recognize this as the “view creation” vs. “view restoration” argument, wherein CC&R obligations of owners to the association run with the land, as do tax assessments, passing from owner to owner, but (according to KPOA) the view rights of owners reset with each purchase.

This difference between interpretations is at the root of numerous conflicts between the association and members over views. She also alleges that her request is being denied while similar requests of others have been routinely approved, and that since the small tree in question was actually planted on common ground at the request of the previous owner of her unit, it’s removal should be readily approved.



Lederer’s Living Room view today contrasted to:



the view without the planted immature tree.

Mount Walker

A Perfect Sunday Drive And One Of The Most Fantastic Views Of Puget Sound

Between Brinnon and Quilcene, a four mile gravel road off Highway 101 brings you to the top of Mount Walker at approximately 3000 feet. From here you have great views of the sea-water-filled glacial valley called Hood Canal, Mount Rainier, Mount Baker, Quilcene, the Olympics, and parts of Puget Sound further east and north. If the haze and smog are low enough, you can even spot the buildings of downtown Seattle! On an even clearer day you may catch a glimpse of Mt. St. Helens to the south. You can choose two viewpoints. One provides great views of the water and islands of Puget Sound, while the other opens up to a panorama of the mountains.

For the more hardy, try the mile trail from the bottom of the mountain to the top that steadily climbs 2 miles through a dense conifer forest with wild rhododendrons. The trailhead is located 1/4 mile past the entrance gate. A Pass is not required to park at trailhead.



Mt. Walker is the only peak facing Puget Sound that has a road to its summit. Native Pacific rhododendron grows along the road and at both viewpoints, blooming in May and June.

Driving Directions: For a scenic route, departing from Kala Point, drive to the 4-way stop in Chimacum (the Chevron Station will be on your left) and turn right on Center Road. Go 15 miles and you will intersect with Hwy 101 in Quilcene.

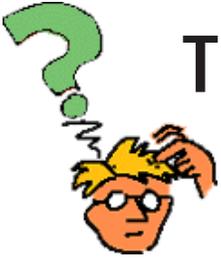


Turn Left on Hwy 101 and drive approx. 5 miles south of Quilcene and watch for a sign to the Mt. Walker Lookout. Turn right onto FS Road #2730 which is off Highway 101. A maintained steep, narrow and winding gravel road, suitable for 2WD vehicles, climbs 4 miles to the mountain summit at 2,804' (not recommended for RVs). One way is about 25 miles and a 40 minute scenic drive.

The Forest Service will close it for the season during the first big storm in late fall. Otherwise, on a clear day, the view will be awesome. It gives a unique perspective of the Puget Sound region and its many waterways.

About 8 miles farther south is Brinnon, known for its shellfish. **The Whitney Gardens and Nursery** (360-796-4411), with some of the oldest and biggest rhododendron hybrids in the state on seven acres of majestic gardens, is located in Brinnon where you can stroll along a half mile of sand and gravel pathways through level and gently sloping terrain. It is wheelchair accessible.

For a bite to eat, you might consider **The Geoduck Restaurant & Lounge** (360-796-4430) with a waterfront view and outside seating.



THE RIDDLE BOX

See if you can figure out the 3 questions at the end of this story:

His name was Fleming, and he was a poor Scottish farmer. One day, while trying to make a living for his family, he heard a cry for help coming from a nearby bog. He dropped his tools and ran to the bog.

There, mired to his waist in black muck, was a terrified boy, screaming and struggling to free himself. Farmer Fleming saved the lad from what could have been a slow and terrifying death.

The next day, a fancy carriage pulled up to the Scotsman's sparse surroundings. An elegantly dressed nobleman stepped out and introduced himself as the father of the boy Farmer Fleming had saved.

"I want to repay you," said the nobleman. "You saved my son's life."

"No, I can't accept payment for what I did," the Scottish farmer replied waving off the offer. At that moment, the farmer's own son came to the door of the family hovel.

"Is that your son?" the nobleman asked.

"Yes," the farmer replied proudly.

"I'll make you a deal. Let me provide him with the level of education my own son will enjoy. If the lad is anything like his father, he'll no doubt grow to be a man we both will be proud of." And that he did.

Farmer Fleming's son attended the very best schools and in time, graduated from St. Mary's Hospital Medical School in London, and went on to become known throughout the world as the noted Sir Alexander Flemming, the discoverer of Penicillin.

Years afterward, the same nobleman's son who was saved from the bog was stricken with pneumonia.

1. What saved his life this time?
2. The name of the nobleman?
3. His son's name?

- Answers are on page 14 -

Tips For Saving Water Outside

- Water in the early morning or evening to avoid quick evaporation.
- Use mulch around plants to hold in moisture.
- Choose low-water-use plants.
- Use timers, soaker hoses or drip irrigation to manage water use.
- Water lawns separately from other plantings, & don't water the sidewalk.
- If your soil is dry or compacted, stop watering for a while and then restart.

Flushing the toilet:

1.5-7 gallons per flush, depending on the design of the toilet

Taking a shower:

3 gallons per minute, or 25-45 gallons for an average shower

Taking a bath:

50 gallons

Running a faucet: 3 gallons per minute

Dishwasher: 25 gallons per wash

Washing machine: 30-35 gallons per wash

Washing a car: 100-300 gallons

Watering a yard: 7 gallons per minute

Average number of gallons used per person per day: 66 gallons



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Toxic Algae Can Be Fatal To Humans

This time of year, you hear about shellfish poisoning and since we live in an area of abundant shellfish, you might be wondering about how it can affect you.

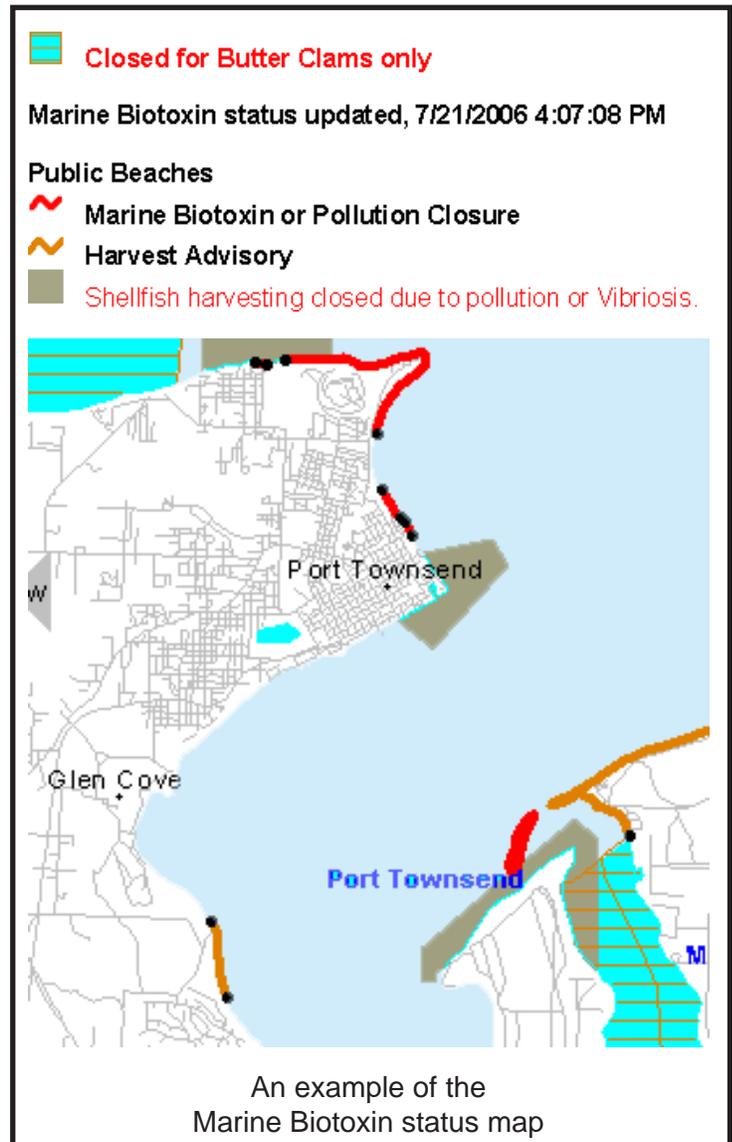
The Washington State Dept. of Health has a program called The Biotoxin Program which performs year-round monitoring in molluscan shellfish. They check for Paralytic shellfish poison (PSP) and domoic acid poison (ASP) caused by microscopic algae that produce toxins and are rarely associated with a red tinge to the water. Both types of poisoning can be present in large amounts when the water appears clear, so the term “red tide” is not very well suited! Symptoms of paralytic shellfish poisoning may appear within minutes or hours and usually begins with tingling lips, tongue, hands and feet followed by difficulty breathing, and potentially death.

Do you remember Alfred Hitchcock’s thriller “The Birds”? That 1963 movie’s depiction of flocks of birds going crazy and attacking residents of a California coastal town was based on an incident in which birds that ate sea life — now thought to have been contaminated by domoic acid — crashed through windows and attacked townspeople in Capitola, Calif.

The toxin is produced by naturally occurring “blooms” of microscopic plankton that tend to be more common during the warmer months of the year. With a combination of warm temperatures, sunlight, and nutrient-rich waters, rapid plankton (algae) reproduction occurs (“blooms”). Molluscan shellfish (those that have a hinged shell, such as clams, mussels, oysters, geoduck, etc.) are filter feeders and ingest the algae into their systems, where toxins concentrate. It is important to note that cooking does not remove these toxins from shellfish. Cooking will kill the organisms, but the toxin remains!

Shellfish in both recreational and commercial harvest areas are regularly tested

for biotoxins. When toxin is detected at dangerous levels, harvest areas are closed and do not reopen until levels drop again. Mussels accumulate toxins more quickly than other types of shellfish, and are a good indicator species.



Butter clams store toxins for longer than any other species, and can remain toxic for more than a year after toxin levels in the surrounding waters subside.

The Biotoxin Program also monitors levels of a bacterium called *Vibrio parahaemolyticus*, and closes harvest areas when bacteria levels are high. This bacterium can cause an intestinal

illness called vibriosis. Unlike PSP or ASP, vibriosis and the accompanying flu-like symptoms can be avoided by thoroughly cooking shellfish.



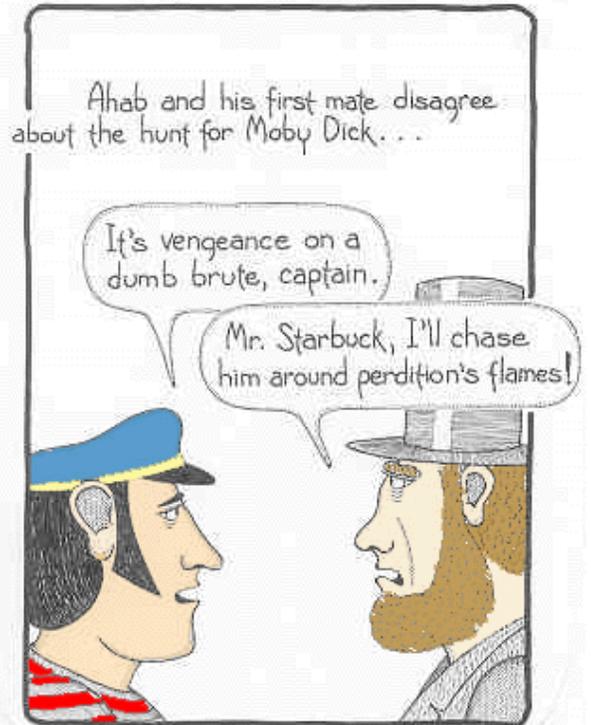
This is especially important during summer months, when the bacteria is more common.

How do you know that restaurant shellfish do not have high levels of PSP? Restaurants and stores must purchase shellfish from certified growers. Certified growers are required to have their products regularly tested for PSP.

Where can I get more information? This year dangerous levels of toxins exist in neighboring local beaches resulting in harvest closures. Call the Washington State Department of Health's Food Safety & Shellfish Program at (360) 236-3330 or the **Marine Biotoxin Hotline** at **1-800-562-5632**. A marine biotoxin bulletin is available on-line: ww4.doh.wa.gov/gis/mogifs/biotoxin.htm.

Krazy Kartoons

1.



2.



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Open Meetings Legal Action Ended

Judge Grants Garthwaite Motion

Friday, August 4, Superior Court Judge Craddock Verser granted a motion by KP resident Jay Garthwaite, “dismissing without prejudice” his legal action against the board filed in 2005 which sought (among other things) no damages, but rather reform of the elections process, discontinued conduct of unlawful executive sessions, and cessation of secret email board deliberations. KPOA CC&Rs (Article XX Section 1) confer on every member the right to seek court assistance to enforce the governing documents and even to prevent, in advance, violations of them;

“The Declarant, the Association, or any Owner shall have the right to enforce by proceedings at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereinafter imposed by this Master Declaration or any amendment hereto, including the right to prevent the violation of any such restrictions, conditions, covenants, or reservations and the right to recover damages or other charges for such violations;”

Garthwaite’s voluntary dismissal move, legally guaranteeing a non-prejudicial dismissal, came after his standing offer of non-prejudicial settlement was rejected by the board. Despite having adopted reform policies on elections, email and executive sessions following court rulings from the bench during the case, the board had filed a summary judgment claim that there was no basis for the case, in spite of the fact that the charges stimulated these policy changes.

Judge Verser admonished the board last summer saying that their executive session policy was non-conforming. He said they should re-examine email meetings policy and practices, and even issued a written order that KPOA was, indeed, required to strictly adhere to The State Homeowners Association Act—64.38 RCW.

In dismissing “without prejudice” there are no restrictions on Garthwaite or others taking

similar legal actions in the future to enforce provisions of the law or KPOA governing documents regarding board conduct, as provided for in the CC&Rs. In signing the order prepared by Garthwaite last Friday, Judge Verser complimented him “for an excellent job in legal brief preparation”. Judge Verser granted the voluntary dismissal motion without prejudice, but withheld for later a decision on assignment of legal fees responsibility. KPOA appears to be preparing to demand that Garthwaite pay the board’s legal fees despite having adopted the reform policies sought by the legal action in the first place.

Following the decision at the courthouse Friday, Garthwaite told CF; “Having only reluctantly filed the action in the first place after the board rejected all requests to change policy short of litigation,” he thought that since the reformed policies were adopted and there was new board leadership apparently more mindful of legal compliance, it was time. “Sadly, despite all their condemnation of those that exercise the legal right to enforce the covenants in Superior Court (the only remedy available to ordinary members), KPOA boards have historically refused to back off their unlawful positions without litigation.

Only litigation, or the threat of it, has made positive changes in KPOA governance, including;

- Opened records access
- Clarified requirements for satellite dishes
- Made board emails open and observable
- Enabled members to record meetings
- Blocked unlawful executive sessions
- Reduced developer board participation
- Brought more secure annual meeting voting procedures
- Opened the members annual meeting to members business

These policy changes not only improve Kala Point as a place to live, they keep KPOA in compliance with state law.



Do You Do Your Boating In A SUB?

By Kevin Ryan

The Coast

Guard likes to use acronyms. Paddle craft, such as canoes, kayaks and rowboats, are called Sport and Utility Boats (SUBs). The Coast Guard Auxiliary is placing increased emphasis on safe operation and proper equipping of paddle craft because these boats account for an inordinate number of injuries and fatalities.

Owners of large boats are well aware of the Auxiliary's Vessel Safety Check (VSC) program and many avail themselves of this service. A VSC is appropriate for small, open paddle craft as well. During a Vessel Safety Check, in addition to observing required equipment, advice to the owner is given on subjects such as prevention of hypothermia, legal requirements for reporting of accidents, use of sound signals, and other topics.

Equipment required to be aboard open boats powered manually includes the following:

- a. **Personal Floatation Device (PFD)** for each person on board. Because of the need for freedom of arm movement, a type III or type V PFD is preferred. A special type V is designed for white-water kayaking or rafting.
- b. **Sound making device-** a marine distress whistle or air horn must be carried, preferably attached to the PFD.
- c. **Navigation lights if operating after dark-** a flashlight in good working order with spare batteries can suffice for a paddle craft less than 22 feet in length.
- d. **Visual Distress signal-** this requirement is the same as for large boats. Daytime signals might include the orange marine distress flag, orange smoke or a mirror. Night operation requires at least three flares

with unexpired dates. A small waterproof strobe light is available to attach to your PFD.

A number of other items of equipment and precautions are strongly recommended, although not required. These will be discussed during a Vessel Safety Check. To schedule an appointment for a VSC, contact any member of the Auxiliary or call 437-7996.

11 Year Old Boy Rescues Kayakers

Garrett Swordmaker, a 6th grader in Port Angeles, rescued three overturned kayakers off of the Fort Worden State Park pier on July 26th. He saw 2 kayakers in the water about 1/4 mile off of the beach and later there was a third. The water was cold and choppy and the wind was blowing. The kayakers were wearing life jackets which helped keep them afloat while Garrett calmly rescued them. What a hero!

Garret used his own 12 foot skiff to rescue the kayakers, dragging them in as they held on to the side of the boat while he slowly made his way back to shore. He has been operating the skiff solo for three years. He comes to Port Townsend frequently with his sister with Fort Worden one of his destinations when visiting.

A paddler that was out in a canoe by Dungeness Spit drowned on July 26. This is an example of the importance of boater safety when boating in a SUB!

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Pickleball Addiction No Experience Necessary!



Thousands across the nation are becoming addicted to the racket game that crosses ping pong with tennis called **pickleball**. Many seniors have taken up the sport in their retirement years but it is also played by school children and top athletes.

It is an easy sport to learn and most everyone can play the game after just a short time of hitting the ball back and forth across the net. However, it is also a sport where you can keep learning new strokes and increasingly sophisticated strategies for years on end. Pickleball can provide solid exercise without undue exertion. And it is not the person who hits the ball hardest but the person who hits the ball over the net last!

Played on a shrunken court with a low-hanging net, the serve is underhand and the ball must bounce once on each side after the serve. After that, the last team to return a shot wins the point.

This mini-tennis game was created during the summer of 1965 on Bainbridge Island. The original purpose of the game was to provide a sport for the entire family, according to co-inventors U.S. Congressman Joel Pritchard, William Bell, and Barney McCallum.

Pickleball began one summer afternoon in 1965 on Bainbridge Island, outside Seattle. Former U.S. Rep. Joel Pritchard devised a lawn game to amuse his children. It involved a plastic ball, a ping pong paddle and a weedy badminton court.

How did Pickle-Ball get it's name? Pickles was the family dog that would chase after the errant balls and then hide in the bushes, thus Pickle's ball which was later shortened to the namesake of Pickle-Ball.

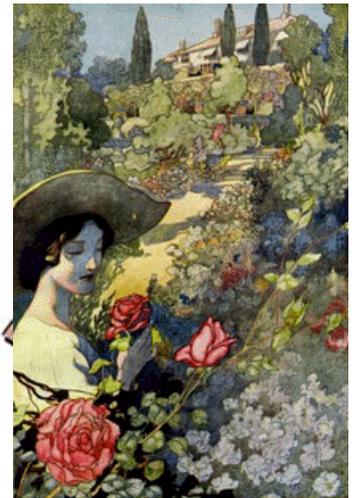
We have typically been playing on Tuesday & Thursday evenings at 6:30pm & Saturday afternoon at 2pm on the courts up by the water tanks. We try to work around everyone's schedule & usually play about 1 1/2 hrs. There are usually a couple of chairs in case you are interested in just coming to watch and hang out. Whether you are a beginner, brushing up on skills, desiring mild exercise or just social fun-We want you! Most important is to have lots of fun!

If you are interested or have questions, please call Hank Krist at 379-9878. The more the merrier!

Port Ludlow Garden Club Mary Robson: "Royalty in the Garden"

On Wednesday, August 9, 2006, Ms. Binetti will present a talk and slide show in the South Bay Club Auditorium on the topic "Creating an English Garden at Your House in Less Space and for Less Money".

On Wednesday, September 13th, Mary Robson from the Seattle Times will present a talk and slide show in the Bay Club on the topic "Royalty in the Garden: Peonies, Lilies, Delphiniums, and Roses". Mary's book "Gardening in Washington & Oregon- Month by Month" was released February 2006. The program is preceded by a social time at 11:00 a.m. and goes until approximately 1:00 p.m. Contact Sydney Hatch, 437-9111 with questions or for additional information.



1. What saved his life this time? Penicillin.
2. The name of the nobleman?
- Lord Randolph Churchill.
3. His son's name? Sir Winston Churchill.



Intermediate Tennis Friday Mornings On KP's Upper Courts

Anyone interested in playing singles, doubles, or mixed doubles tennis here at Kala Point?

We are starting up an informal group of intermediate level tennis players to play at the Upper courts (courts 4 and 5, near Cedarview Drive and Kala Heights Drive). Anyone interested is welcome to play or just rally with us. For the present, we are playing on Fridays from 9:00 AM until 11:00 AM; as more players get in touch, we can adjust time and location. For more information, contact Mike Holden (mjholden@cablespeed.com) at 379-0901 or Carole Letterman at 379-6909.

SU-DO-KU

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

Level of Difficulty - Hard.

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

Classic Book Club

Classics Book Group won't meet in August, but the September selection is Dostoevsky's 'Brothers Karamazov' - long reading.



All are welcome to join discussion at our meeting on September 10, Sunday, at 2:00 p.m., Jefferson County Library.

Summer Band Concert Sunday, August 27th, 3pm



Don't forget about the 14th Annual Chetzemoka Concert series performed

from the Gazebo by the Port Townsend Summer Band, Karl Bach, conductor and our own Kala Point neighbor! The concerts are free and last about 90 minutes. Bring a picnic, blanket and a chair and enjoy Marches, Broadway, Patriotic, Folk and more!

For more information contact Karl Bach, Conductor, PT Summer Band at 360-344-3658, flam@cablespeed.com or visit their website www.olympus.net/community/ptorchestra.

Chetzemoka Park, which has a stunning view of the Cascade Mountains from its hillside location, has flower gardens, a tropical water garden, picnic areas, play equipment, and a bandstand modeled after the Victorian original, as well as access to the beach and tidelands. This park is full of surprises and is well worth strolling and enjoying all that it has to offer.

Directions: From downtown, turn left on Monroe and go about 8 blocks to Blaine. Turn right on Blaine and go one block and you will run right into the park.

COMMUNITY FORUM

Gas Prices Prompt Fuel Economy Work

Economics Easily Justified Any Time

Vehicle fuel economy has always been an important factor in choosing that new car, SUV or pickup; but people often forget about that consideration once they have made the purchase and fail to realize that miles-per-gallon improvements can be accomplished at any time in the life of your vehicle, often with dramatic results even later in the life of the vehicle. In fact, older vehicles that already may have lower fuel economy can often see dramatic improvements with a tune-up and also with other specific fuel system services commercially available locally. Electronic analyzers in the hands of experienced mechanics and technicians can yield a precise prescription for improvement in a few minutes.

Even without the sustained high gas prices of today, reduced fuel economy can be particularly significant during the summer months when running air conditioning, pulling boats and toys, travel trailers, and hauling family vacation loads over long distances. Even a 10% improvement, often easily accomplished with the right analysis and services can yield significant cash savings on a summer vacation trip.

Don't forget the always true basics; don't jack-rabbit-start, remember that speeds over sixty consume much more fuel due to higher aerodynamic drag, and that carefully monitored tire pressures can make a ten percent difference all by itself.

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2. Inspection of Air-Induction System and Throttle Body
3. Review Maintenance History
4. Discounts on Recommended Repairs
5. Free BG Hats and Pens
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Hurry! Sale ends August 30, 2006!

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- IN THIS ISSUE:**
- Member Hit with \$15,000 Tree Fine
 - Condo View Case; Headed to Court?
 - Garthwaite Dismisses Lawsuit

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. Tues thru Fri-9-5, Sat-9-4. Brad Garrison Gray & Mike Clark. **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.

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**

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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**

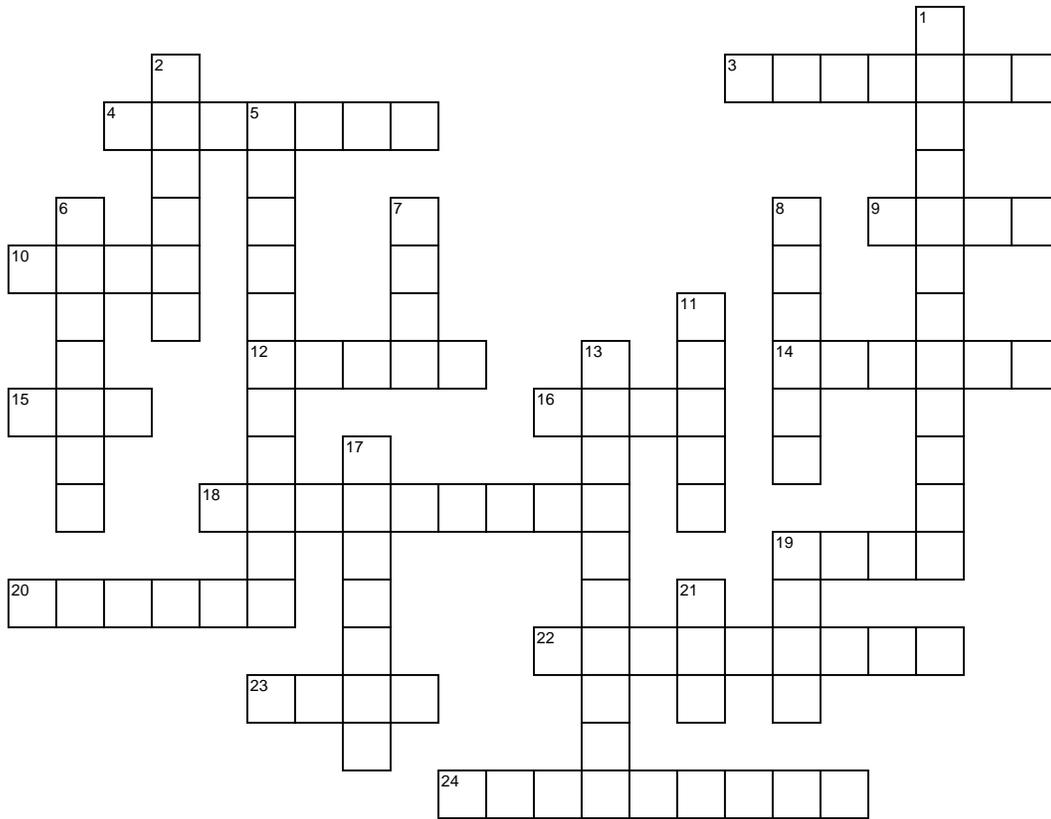
What Lurks Under Your Home? Moisture problems? Wet crawl space? Make your home healthier, warmer, cleaner. For a free estimate or more information call "Clean Space Northwest," **1-877-698-0260.** Cont. Lic. #Ironwbl097kb.

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COMMUNITY FORUM

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



ACROSS

- 3 The Declaration of Independence was signed by John _____.
- 4 Heidi's Taste of Home prepares weekly meal preparation for _____.
- 9 Lady Wind Gypsy will "Meet or _____" big box store prices.
- 10 The Federalist Papers were anonymously authored and parts of later became the U.S. _____ of Rights .
- 12 KPOA membership voted July 9th to appoint _____ new board members.
- 14 A Member Direct Vote is being considered to let members _____ whether to bring the sheriff in to patrol KP.
- 15 Pickleball was named after the family _____.
- 16 Members were urged to vote for candidates that they _____.
- 18 Complaints were made at the June 17th Town Hall Meeting about a largely

- _____ process to re-write our governing documents.
- 19 Classic Book Club discussed _____ of the Wild in their July discussion.
- 20 Mail Plus makes custom T-_____.
- 22 Budge Blinds makes it easy to get beautiful custom window _____.
- 23 Courtesy Ford of _____ Townsend.
- 24 Hank Krist was a write-in _____ for one of the open board positions.

DOWN

- 1 Escape _____ thinking with fresh ideas from McCrorie Carpet One.
- 2 "...that government is only a convenience created and managed by the _____" - R. Reagan
- 5 Ann LaRae Mullin is the broker and owner for Sound _____.
- 6 The Stalin quote was meant as a remembrance of someone in _____ that was truly horrible.
- 7 Renaissance Auto Design gives FREE

- estimates.
- 8 Galatea Cafe serves _____ Brunch from 10:30-2:30.
- 11 River rafting on the glacial-fed _____ River is always enjoyable."
- 13 Community Forum is your _____ and independent resource.
- 17 The Stalin quote was meant as a remembrance of someone in _____ that was truly horrible.
- 19 Next to our green recycling bins by the Admin. Building is a wood _____ pile free for the taking.
- 21 Legislators established a _____- person task force to review statutes and recommend improvements.

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 Safeway!

Name _____ Phone: _____

Address: _____

\$15,000 Fine; Tree Cutting Member Offers \$5,000 Settlement Lien Filed; Appeal Set & Lawyers Engaged

Members Todd and Carol Eskelin, doing business as Port Townsend homebuilder Millennium Homes, have hired an attorney, made a settlement offer and are now appealing a unanimous action by the KPOA board on June 7th fining them \$15,000 for the removal of trees from lot 116B in preparation for construction of a spec home. While KPOA published enforcement policy provides authority to “Levy a fine, not to exceed \$1000, per occurrence, as a special assessment,” the fine levied for the single event of land

clearing, is fifteen times that maximum amount, a fact noted by The Eskelin’s attorney in a letter to the board obtained by CF.

The lawyer letter, citing several grounds of disagreement with the legality and propriety of the fine, actually offers to settle the matter with a payment of \$5,000 to avoid costs of litigation. Reportedly KPOA legal counsel has recommended that the association accept Eskelin’s settlement offer. The homebuilder tells CF that he suggests that the \$5,000 he is offering would go a long way toward engaging geotechnical engineering resources to formally evaluate the bluff problem. A formal appeal of the enforcement action is now set for nine-thirty Wednesday Morning, August 9th before the full board of directors.



Business owner Carol Eskelin told CF “we were shocked at this action of the board because we were following what we understood to be the proper process, clearing trees for construction, almost all alder, just as has been done on scores of other lots under development at Kala Point. We had always planned to add back vegetation as part of landscaping.”

Cleared logs, stacked for removal, during the early stages of excavation and concrete forming in June. By the builders count, there were 52 trees, all but five of which were alder, cleared from the dense overgrowth typical of undeveloped lots at Kala Point.

Continued from insert page 2A
\$15,000 Fine; Tree Cutting

“We were then incensed when KPOA moved to file a lien against our property even before the appeal was conducted. Liens filed against small business homebuilders are a serious interference with our business and banking relationships, which is an issue now referred to our attorney. Todd Eskelin tells CF; “As members of this association we cannot believe we are being treated like this over what appears to be mainly an administrative misunderstanding during a transition in chairmanship of the architectural committee.”

Newly appointed Board Member Hugh Murphy, former chair of the architectural committee, and previously at the center of the Vogt Evans Lawsuit, was a key contact between Millennium’s Todd Eskelin and KPOA during late March and April as construction was contemplated and designs reviewed.

Board Minutes report that Eskelin told the board during the June 7th Compliance Hearing that he had received verbal go-ahead in the past from Murphy, allowing construction to proceed before receipt of the formal written approval, and that he (Eskelin) thought he was clear to proceed with the current project based on that precedent. Eskelin confirmed this set of facts with CF during an interview at another of his homes under construction at Kala Point. Murphy tried unsuccessfully to promote settling the matter informally with Eskelin during the June 7th board compliance hearing.

Newly seated architectural committee chair Golda Posey, heading an aggressive “save the trees” faction of the committee, according to published hearing minutes, argued that “...the most egregious of the compliance issues was that the clearing was done without first having received approval, and that the committee recommends that fines should be a deterrent.”

State law, 64.38 RCW, places clear limits on board fining authority, strictly limiting it; “as provided in the bylaws or rules and regulations adopted by the board of directors, (to) levy reasonable fines in accordance with a previously established schedule adopted by the board of directors and furnished to the owners for violation of the bylaws, rules, and regulations of the association...”

Applicable KPOA APP’s appear to provide no schedule from which the \$15,000 fine was calculated, and Eskelin reports he was furnished no such schedule by first class mail notice at any time during his period of ownership by the association, as is required by KPOA CC&Rs for enforceable rules and regulations.



As the development builds out and private property owners clear long-growing stands of timber to build houses, there is growing sensitivity to the number of trees being cleared.

Many of the lots at KP with significant marine views today have those views because of extensive timber clearing years ago, as part of the original land clearing. In years past, when there were many undeveloped lots providing densely timbered buffers throughout the community, there was less sensitivity than today. Individual lot owners did not typically buy lots to keep them wooded. They bought them for eventual construction for themselves or as investments for future home site sales. Some owners, wanting to assure surviving adjacent stands of timber, purchased adjoining lots for that purpose. Todd Eskelin commented; “Kala Point is, after all, a housing development. You can’t build a house without clearing some trees. We removed 52, mostly alder, and there remain 27 trees on the lot today. Do you call that clearcutting?”