

Lagoon Point Newsletter

January-February 2006

Note: Several items for the February 7 Board meeting may be especially important to you. Come and speak up. Or contact your Area Rep, or send us your comments by e-mail or ordinary mail.

Bridge Our bridge has developed serious defects. The Board will be discussing whether to temporarily close the bridge to all vehicle traffic. (See article in this Newsletter.)

Using 'Club' funds to pay our attorney bills We have won the Raymond lawsuit, but defendants are appealing the ruling. We do not have sufficient operating funds budgeted for legal costs to pay all of this year's high attorney costs for pursuing the lawsuit. The Board will discuss whether to ask community approval to use some of the funds in our reserved 'Club' account to pay our legal bills. (See articles below)

Increasing next year's assessment Our assessment hasn't been increased in four years. Our operating expenses now far exceed what we've been budgeting for maintenance and administration. And the reserves we've been putting aside each year are way too low to cover the costs of major maintenance of our common facilities.

Upcoming Board meetings: All Board meetings are open to LPIC members. 'Discussion' and 'agenda-planning' meetings are held for informal discussion: No actions taken, no decisions made, no minutes kept.

Board agenda-planning meetings: Tuesday January 31 and Tuesday February 28, 7 PM, at Linda Armstrong's home: 3412 Marine View Drive. If planning to come please call Linda ahead: 678-1425

Regular monthly Board meetings: Tuesday evenings at 6:30: February 7 and March 7, at the Greenbank Clubhouse.

From the President – Linda Armstrong

Holiday party

The annual holiday dessert potluck was held right after a brief December 6th Board meeting. We were happy to again see good attendance -- 40-45 folks -- plus so many delicious desserts. Yum! Participants contributed several cartons of packaged foods for the Freeland/Greenbank Food Bank. See you again next December.

LPIC v Raymond lawsuit won by LPIC but appealed

On December 19th Judge Churchill for the Island County Superior Court ruled that all Lagoon Point and View Tract lot owners are responsible for maintaining all our common properties. Defendants have filed an intention to appeal that decision. We do not yet know what it is that defendants are appealing. The full appeal process may well take another year and a half or more. Which brings us to

Paying our attorney fees

The court awarded LPIC statutory attorney fees, but the awarded fees will cover only a small portion of our actual attorney costs for the lawsuit, about \$7900 for this year alone. Every year in our budgeting we set aside funds for ordinary legal expenses, but the funds set aside this year are far insufficient to pay this year's bills for the suit. One way to pay this year's attorney bills is to use some of the \$33,000 or so held in reserve in the Club Account. These are the funds LPIC had on hand when it changed from a membership club to a Homeowners' association. In February, the Board will consider asking property owners to approve using Club Account funds to pay our current year's legal bills.

Planning underway for dredging Lot C

I have re-appointed a Dredging Committee, and the committee together with reps from Divisions 2-3-4 has begun to gather information on what has to be done to develop a plan and get permits to dredge Lot C and the waterway area south of Lot C. This newsletter has an article on what we are doing, and how we intend to make progress and come to an eventual agreement on a full dredging plan and cost-sharing arrangement.

From the Treasurer – Janet Bondelid

Every January the treasurer and Finance Committee begin preparing next fiscal year's budget. This year we are considering significantly increasing our annual assessment. The Board will review the proposed budget at its March and April meetings. By mid-April the Board should be sending out a proposed budget for your approval.

We invite your comments. We know you may have strong views on increasing our assessment and we are setting aside time to hear you. Time for comments will be set aside at the beginning of the February 7th and March 7th Board meetings. And for those of you who live away from Lagoon Point or If you are otherwise unable to attend please email us your comments (lpict@whidbey.com) or mail them (to LPIC Treasurer, PO Box 123, Greenbank WA 98253), or get in touch with your Area Rep. Your Area Rep is listed in this newsletter.

Our annual assessment has not been increased for four years. Legal bills for the Raymond case to collect unpaid assessments and increased costs for maintaining our common properties and for LPIC administration have far outpaced our administration and maintenance funds. And we have not been putting aside anywhere near adequate reserves each year for future major maintenance of our common facilities.

Please be assured we are considering many options to fund our homeowner's association responsibilities. We want to hear from you as we go through this process.

In accord with our Bylaws, on January 1st 15 delinquent lot owners were assessed a quarterly penalty of \$5 per lot or 5 percent of their accrued unpaid balance, whichever is greater.

The year-end financial statements for 2005-06 will be included with the July newsletter as our fiscal year is now July to June.

Progress in planning for dredging Lot C - from the President

At the January Board meeting I appointed Bill Brown, Todd Brunner, Tom Heerhartz, and Aaron Lowin to the LPIC Dredging Committee. I will chair the committee. The committee will work closely with Division 2-3-4 representatives to develop a plan for dredging Lot C and the private areas south of Lot C.

Our first step will be to gather information from other communities that have done similar work and from permitting officials and experienced contractors and consultants. Using that information the committee will develop an initial work plan and budget for doing the technical planning and permitting for dredging. The technical planning and permitting to follow will require funds. The good news is that we probably have sufficient funds in our reserves to pay for that planning and permitting, without any new assessment.

We will need the community's approval to use the available funds. When the Board is satisfied with the committee's proposed plan and budget to do the technical planning and permitting, the Board will share that plan with Lagoon Point property owners and ask permission to use our available funds.

This still leaves open the question of how to allocate the cost of dredging Lot C among all us Lagoon Point property owners. Some owners sincerely believe they owe nothing; some just as sincerely believe we must all pay equally; some believe that all should pay for dredging Lot C with Division 2-3-4 owners paying more because they benefit more.

As we develop our work plan for the actual dredging we will have a clearer picture of what dredging is needed on Lot C and how much that would cost, The Board will then devise a proposal for how to allocate that cost among all Lagoon Point property owners. The community will of course have to approve the dredging and the cost-sharing. Once the community approves a dredging plan and cost-sharing, whatever funds we've already spent for planning and permitting will be reapportioned according to that same cost-sharing.

As the dredging planning committee proceeds I will keep you informed of our progress through this newsletter. As always, feel free to contact me or your Area Rep by e-mail or mail with your questions and suggestions.

Prohibiting all vehicle traffic on the bridge

Todd Brunner for the bridge committee reported that our bridge has several serious structural defects and appears unsafe for vehicle traffic. (The permitted load had previously been reduced to 5 tons.) Most important: the bridge's vertical pilings that are supposed to carry the bridge load are settling downward into the soft soil. The bridge timbers no longer bear directly on many of the pilings. Two immediate options are available: leave the bridge open to vehicle traffic up to 5 tons, or with concrete blocks restrict the bridge to pedestrians, bicycles and motorcycles. The Board will consider more permanent remedies later.

The bridge and its adjoining roadways are owned by LPIC, not by the county. The bridge has a long history of maintenance and repair, and through the years there's been considerable debate over what to do about it. The Board is aware that closing the bridge would especially inconvenience persons who live nearby and who may use the bridge to drive to other Lagoon Point locations. Closing the bridge may also increase traffic along the nearby private path. But all Lagoon Point property owners could be liable if a bridge defect contributed to an accident.

The Board deferred any decision till the February meeting, and invites interested persons to attend the meeting and speak up.

Should LPIC sell Lots E and EE

At the January Board meeting the President reported she's received market valuation estimates for lots E and EE from the three real estate agents she'd contacted earlier. (Lots E and EE are the southwest corner lots at the entry to Lagoon Point.) The valuations varied, but conservatively suggested that as the lots offer partial views of Admiralty Inlet the two combined might sell for \$60,000 or more.

Next, Tom Baenen reviewed his written offer to pay for a perk-test of Lots E + EE less the 25 (or so) foot westerly strip of EE. Mr Baenen in 2004 offered to purchase the 25 foot westerly portion of lot EE from LPIC. The Board has been reluctant to address Mr Baenen's 2004 offer because it is unclear whether the balance of the two lots, without the 25 foot strip, would still have sufficient area to support a septic system. The proposed perk-test results would clarify whether the combined lots would remain buildable without the westerly 25 feet of EE. The perk test would also identify the area (square feet) needed for a septic field. Page Gilbert-Baenen recused herself from the discussion or any voting on this matter.

The Board voted to permit Tom Baenen and Page Gilbert-Baenen to carry out at their expense a perk test of Lots E and EE less the 25-foot westerly strip of EE, the results of that perk test to be the property of LPIC. (Page Gilbert-Baenen did not vote.)

Committee appointments

The President has appointed the following people to LPIC committees:

Finance Committee	Janet Bondelid (Chair), Bill Brown, Mike Stevens, Paulette Clayton
Waterway Committee	Andy Messer (Chair), Bill Schmid, Bob Vierra, Steve Bondelid
Environmental Committee	Bill Schmid
Neighbors Helping Neighbors	Bill Schmid (Chair) Bill will ask Margo Lane and Carol Holmes to stay involved
Fishing & Security	Bob Vierra, Bill Schmid

New member joins the Division 2-3-4 Architectural Committee - Bob Von Drachek

Per the new Division 2, 3 & 4 covenants, the lot owners in Divisions 2-3-4 have just held our very first election to select a member for the 3-member Architectural Committee. Bert Pack is retiring from the committee after eight plus years of valuable service to our community. Bert's dedication and hard work for the Architectural Committee and for his other volunteer roles leave a tremendous positive impact in our community. We are grateful to Bert for all that he has contributed. He has earned his time off, and we all wish him a happy and long retirement.

Christopher Criswell has been elected and will be replacing Bert Pack. Chris is a full-time resident of Lagoon Point, and recently retired from Verizon, where he was a Special Services technician. We appreciate the willingness of both Chris and our other candidate, Robert Stockham, to volunteer their time to serve our community. We hope Mr. Stockham will be available again to run for a different position on the Architectural Committee. Per the new covenants we will be electing one member each year in the future.

New annual assessment: Divisions 2, 3 & 4 voters also approved a new annual assessment of \$15 per lot for a Division 2-3-4 operating fund (101 votes in favor, 5 opposed). The new assessment will be due in July 2006. The Architectural Committee presently relies on voluntary contributions for operating expenses. Lot owners who have contributed to the voluntary fund will be credited with \$15 per lot on their upcoming first assessment.

Board examining our policy on short-term renters not having use of the boat launch

The Board is looking into this in response to a property owner's request. Tom Heerhartz is heading up the review. Tom indicated that the LPIC Waterway Rules (at Administrative Item 4) denies short-term renters keys to the boat ramp (nowadays keys to the parking lot). The new Division 2-3-4 covenants prohibit residential rentals for under 60 days, but Division 1 and View Tracts land documents do not prohibit short-term rentals, nor are short-term rentals prohibited by Island County regulations for residential areas.

It was pointed out that LPIC's scope of authority is limited to maintaining the commonly owned properties. Andy Messer noted that the Waterway rules are out of date and in any case have never been formally adopted by the Board. The Board invites your comments. Send comments to Tom Heerhartz by phone 678-7787, or e-mail to pheer@whidbeynet.com, or mail: 3662 Oceanside Drive.

***We're looking for a web consultant for our LPIC website: www.lagoonpoint.com
Can you recommend someone with good skills and experience ?***

We thank Andy Messer for maintaining the website for us for the last year. Our www.lagoonpoint.com website is used quite a bit by both Lagoon Point property owners and persons considering purchasing property at Lagoon Point. Property owners find on the website all the relevant Lagoon Point land documents and LPIC documents, also maps, past newsletters, and links to related websites. Prospective property owners and real estate agents visit the website to learn about our community and how we operate. The website had also tried to provide notes on current issues and upcoming events, but those have not been updated for over a year.

We need a webmaster to keep our website going. The website was developed some time back by Paul Kukuk, and was then professionally maintained for several years by Hilde Mott. We haven't had a regular webmaster for the last two or three years, which is why some of the web pages haven't been updated and are out of date. Andy stepped in to help as a special favor till a webmaster was recruited. We cannot rely on Andy indefinitely.

The Board wants first to get advice from a web-experienced consultant (volunteer or paid) on good web tools, hosting and management. Then we will either recruit a volunteer webmaster or hire someone.

To suggest a web consultant or webmaster, contact Aaron Lowin using the LPIC e-mail or 678-1425. Thank you.

Thinking of catching some crab? Maybe not this week.

Crab season has been on and off. Lagoon Point, in Marine Area 9 (Admiralty Inlet) has been closed indefinitely to recreational crabbing from January 3rd. Check the Washington State website (<http://www.wdfw.wa.gov/fish/shelfish/crabreg/area09s.shtml>) before you throw that pot in the water.

If its community property and its broke we'll fix it, if someone tells us its broke.

If you notice damage to community property, a vandalized sign, a broken parking lot chain, a loose part on one of the docks, major debris in the waterway, etc., let us know. We can't fix something we don't know about. Call your Area Rep or any of the Board officers. Thank you!

Suggestions for the Board ? Questions ? Contact your Area Representative:

Area 1 Bob Vierra 360-678-6310
Area 2 Page Gilbert-Baenen 360-222-3104
Area 3 Roy Blackwell 425-347-9312

Area 4 Todd Brunner 425-771-5148 ext 23
Area 5 Tom Heerhartz 360-678-7787
Area 6 Bill Brown 360-222-3178

Do we have your address wrong?

Tell us and we'll fix it ! We can't fix an error we don't know about.

Have you moved? Planning to move? Save us money. Send us your new address now !

Please send us your new address before you move. For every address we use that's not current, the Post Office charges us \$1 extra to forward your newsletter. Send your address label correction or address change to: LPIC, PO Box 123, Greenbank WA 98253

We can send this newsletter direct to your computer ! Over two dozen folks have now signed up to get the LPIC Newsletter by e-mail. Subscribe by e-mail and you'll get this Newsletter faster, and you won't have to trudge to the mailbox. LPIC saves about \$0.80 on each copy we don't have to print and mail.

For e-mail delivery send us an em. (Our em address is: lpic@whidbey.net .)

We do also post the newsletter on our website: www.lagoonpoint.com , but that posting is delayed, so notification of upcoming meetings is delayed, and you have to navigate to our website and look up the newsletter. Better to get the newsletter by e-mail.

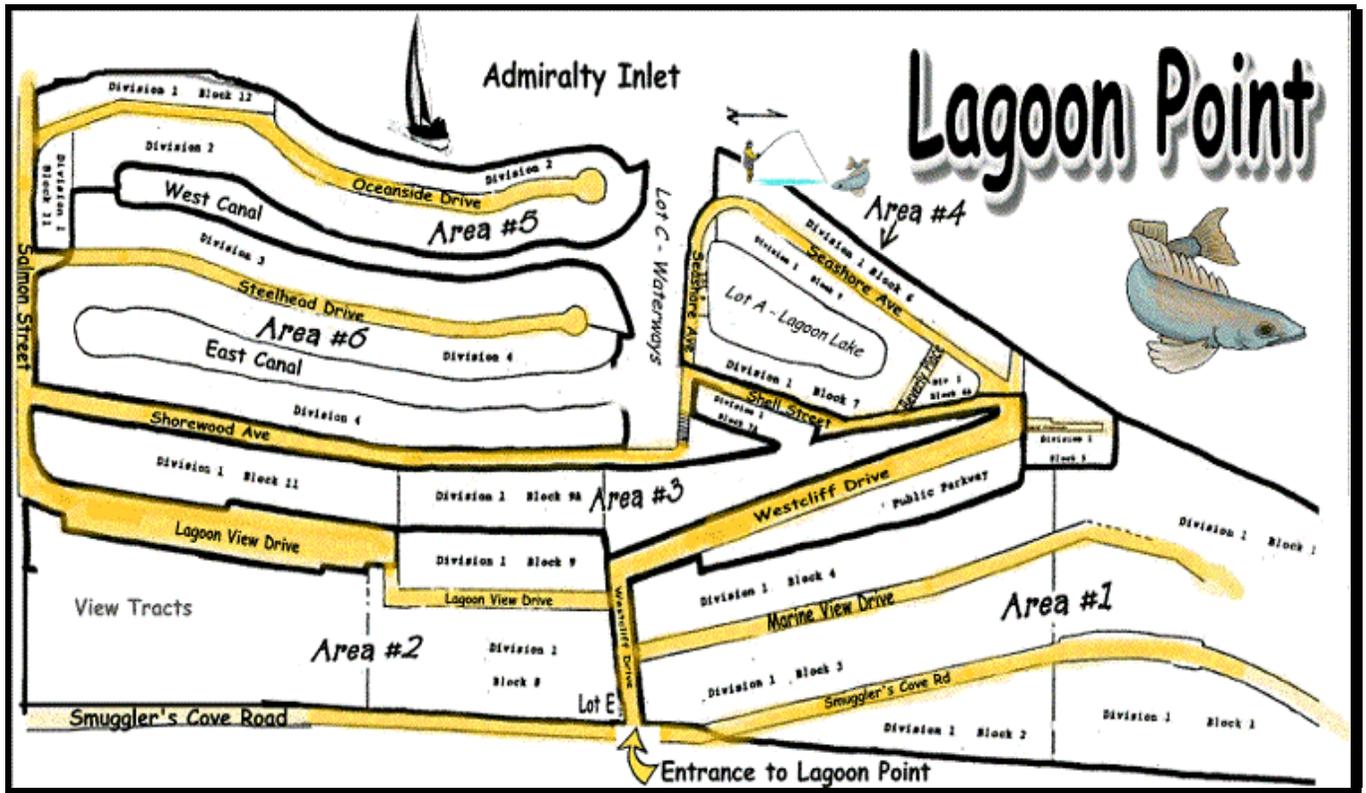
Community Announcements

THE BULLETIN BOARD

Space is limited. Ads will run twice unless otherwise arranged.

To add an ad or delete one e-mail us at lpic@whidbey.net or call 678-1425

- FREE !! My home-made pie in exchange for your old and worn oars. 678-5946 (1x)
- 1 ½ cords of split dry alder \$100. Great deal. 678-1065 or 222-3027. Chris (1x)
- We want to rent your dock. Looking for a long-term rental of your 50+ ft dock. We are full-time Island residents who want closer access to our boat. Boat requires a substantial dock - recently built or refurbished. Would consider purchasing lot with dock. Contact David 360-321-5744 (1x)
- Our large dock is for rent. Contact D J Hardy 425-478-4600 (1x)
- Dock for rent (On Steelhead Dr) \$100/mo.
Capt Joe Smith (USCG Ret)
206-236-1016 Cell 206-478-8620 yohoho@comcast.net
- I'm looking for free indoor wood furniture. Please call Carrie (cell) 253-217-3966 (1x)



LAGOON POINT IMPROVEMENT CLUB
 P.O. Box 123
 GREENBANK, WA 98253
 RETURN SERVICE REQUESTED

U.S. Postage
 Greenbank,
 98253
 Permit 1



Next Board planning meetings: Tuesdays
 at 7 PM: January 31 and February 28

Next regular Board meetings: Tuesdays at
 6:30 PM: February 7 and March 7

The Speed Limit Throughout
 Lagoon Point is



Thank You for Your
 Cooperation