

Lagoon Point Newsletter

February 2003

Next regular open Board meeting: Tuesday March 4th at 6:30 p.m. at the Greenbank Clubhouse.

Saint Patrick's Day Potluck

It's time for another party. Saint Patrick's Day is the perfect opportunity. Our annual Saint Patrick's Day Potluck is scheduled for Saturday, March 15th, 2003 at the Greenbank Clubhouse. It will commence immediately following the special members' meeting, which will be held from 4 to 5 pm. Happy Hour will be from 5 to 6 pm with dinner from 6 to 8 pm. Our volunteers have organized this event and have arranged for the Barbershop Quartet "Friendly Advice" to entertain us. There will be corned beef, soft drinks and dinnerware provided. Bring your favorite Irish Dish. We have a banquet permit, BYOB. This is a great way to end a meeting and have some fun.



Special Members' Meeting

2nd Notice: There will be a special members' meeting **Saturday, March 15th 2003 at 4pm**, at the Greenbank Clubhouse, to consider "Phase II" of our By-law update project. "Phase II" focuses on Membership, Budgets, Dues, Property Owners' Fees and Assessments. At the meeting, a brief overview of the proposed amendment will be given, and then the floor will be open for questions and answers. The meeting will start promptly at 4pm and end no later than 5pm, at which time the Saint Patrick's Day Potluck will commence. The entire proposal, complete with explanations, statements for and against, the full text of the proposal, the corresponding text of the existing by-laws and your individual ballot was mailed separately, first class, on February 18th. **Remember** to bring your ballot to the March 15th meeting and turn it in there, or just mail it in. In any case, **be sure and vote**. And don't forget your picnic basket for the party.

The Board of Directors

The Board of Directors met Tuesday evening February 4th and after reviewing the attorney comments on "Phase II" of the by-law project, **unanimously approved** the proposal for presentation to the membership.

The five proposed constitution amendments, which were submitted by 25 members in good standing, deal with officers and will be addressed in Phase III (Officers, Meetings & Elections), after Phase II is completed.

At the regular board meeting Tuesday February 11th at the Greenbank Clubhouse, the final Bylaw mail-out package was reviewed and a special members meeting was set for March 15th at 4PM at the Greenbank Clubhouse. The meeting will be followed by our annual Saint Patrick's Day Potluck from 5 to 8 PM. It was announced that our Secretary had resigned due to family obligations keeping her away from Lagoon Point. Linda Armstrong, our Assistant Secretary who had been filling in, was appointed by the board to serve as Secretary for the remainder of the 2003 term.

An executive session of the Board was held February 18th. After consideration of several candidates, Paula Ratcliff was appointed to fill the unexpired 2003 term of Assistant Secretary. The 2003 board is finally complete, and the officers are:

President	Andy Messer	Assistant Secretary	Paula Ratcliff
Vice President	Bill Schmid	Treasurer	Bob Bennett
Secretary	Linda Armstrong	Assistant Treasurer	Frank Roberts

The six Area Representatives are listed on the outside of this newsletter with the area map of Lagoon Point.

QUESTIONS

My house is built on two lots that have been combined into one. Why do I have to pay two assessments?

Combining lots for “property tax purposes” does not reduce property taxes. Instead of getting two separate tax bills, there is one – for the total tax of the original two lots. If two lots were to be “combined” for Lagoon Point assessment purposes, the total lot count in Lagoon Point would be reduced and assessments for each remaining lot would have to be increased a fraction to make up the loss. Combining lots does not reduce the original responsibility specified in the 1950 Plat of Lagoon Point: Our common areas, “...are the undivided and common property of the owners of all lots in this plat...” and “The development, maintenance, and upkeep of said Tracts "A", "B", "C" and "D" are a joint obligation of said lot owners...”

What about “unbuildable” lots? Why do I have to pay an assessment for one?

Our maintenance assessments have nothing to do with the value of the lot, or whether or not it is developed. They have to do with the value of the common areas, that are for: “...the owners of all lots in this plat for joint recreational use and enjoyment of themselves, their families and guests, and are not dedicated to the public.” Part of the saleable value of a lot is access to the common areas such as the boat ramp and fishing beaches. Also, what is “unbuildable” today, may be totally buildable with future technologies.

What about dredging? Who pays for that?

There has been a lot of discussion about this complex issue. A special committee will study all relevant data, report to the membership and if appropriate, propose a lot owners’ resolution for consideration. The committee will examine the governing documents, with legal counsel as needed, to determine the boundaries for discussion and resolution; study the initial conditions (1969-1975) when the developer was still involved; review the history (1975-2002) of what maintenance was done and who paid for it; consider today’s current usage and value; study the physical causes resulting in required maintenance; examine remedies and constraints; and finally, as appropriate, prepare a proposed resolution or a convincing explanation. No dredging will be proposed without an answer to this question.

Why are we changing the Bylaws? What about all the issues?

Our bylaws are part of the foundation of LPIC that specify how we, the members of the Lagoon Point Community, want our property owners’ obligations carried out. It is essential; therefore, that these bylaws be clear and concise. The board should not have to deliberate about what the bylaws mean. Issues like how we vote, how our money is handled, how our common property is managed are all detailed in the by-laws. This upcoming amendment to Article I (Membership) and Article II (Budgets, Dues, Fees and Assessments), of our Bylaws, does just that. It is important that you read the proposal carefully and vote on it. If you don’t vote, you can’t complain later. **Approval** of this Bylaw amendment will resolve many of the “issues”.

If we adopt this Bylaw change, can my spouse and family still attend Social Functions?

Family members and guests of the members have always been and will continue to be included in Club Social Functions.

When is crabbing season?

Check the internet: <http://www.wa.gov/wdfw/fish/shelfish/crabreg/> Right now, the season is closed.

MORE ON OUR FINANCIAL STATUS *by Andy Messer, President*



§ The 2001 and prior “dues” are still being held in reserve. Because this money was not assessed by lot, it may not be used for common area maintenance without a special resolution of the membership. This money, currently \$35,595, is safely in the bank, drawing interest, in reserve, awaiting a worthy project to be approved by a mail-in vote of the membership.

§ Because the prior dues were unavailable, the March 1, 2002, \$50 per lot “Emergency” Assessment was approved to cover our normal maintenance requirements from January through June 2002. This assessment was passed January 12, 2002 at a special meeting of the membership, attended by over 100 members voting for and 5 voting against the issue. Over 90% of this assessment has been collected. Of the \$26,200 assessed, \$6,894 was spent for maintenance and administration from January through June.

Some of our members still have questions and concerns about the procedures used to approve the resolution and \$50 Emergency Assessment. While there were numerous complaints to the board about this issue, there was no call by concerned members for a special meeting of the membership to reconsider this vote during the period immediately following its passage. Once collections began and money was spent, any option to reconsider became not only untimely but also unworkable. Concerned members did, however, pursue an alternate remedy and through their efforts the 1977 Lagoon Point Property Owners Resolution was amended in April 2002 to provide for mail-in voting by lot owners for the future approval of such issues.

In May 2002, this new mail-in procedure was used to approve expenditure of up to \$20,000 to begin the Jetty repair permitting process, initially using remaining \$19,306 funds from the January 12th assessment. This approval effectively reconfirmed the January 12th assessment, as it was the only source of funds available. As of November 2002, \$6,045 had been spent on engineering and underwater survey. The remaining balance of \$13,261 of this assessment is committed for additional jetty permitting should it be required. Once the jetty permitting is complete we will have a clear picture of what the actual repair will entail and will be able to determine the actual repair cost. \$13,955 remains authorized for the completion of the jetty permitting, but it is hoped that little more money will be required for that and that the balance will be available for actual jetty repair, upon approval of the membership voting by mail, by lot.

Please note that the \$50 assessment will be one year late as of March 1, 2003. After that date, the board of directors will have no choice but to file liens for all unpaid \$50 assessments. This is not a board decision, it is required by our current By-Laws.

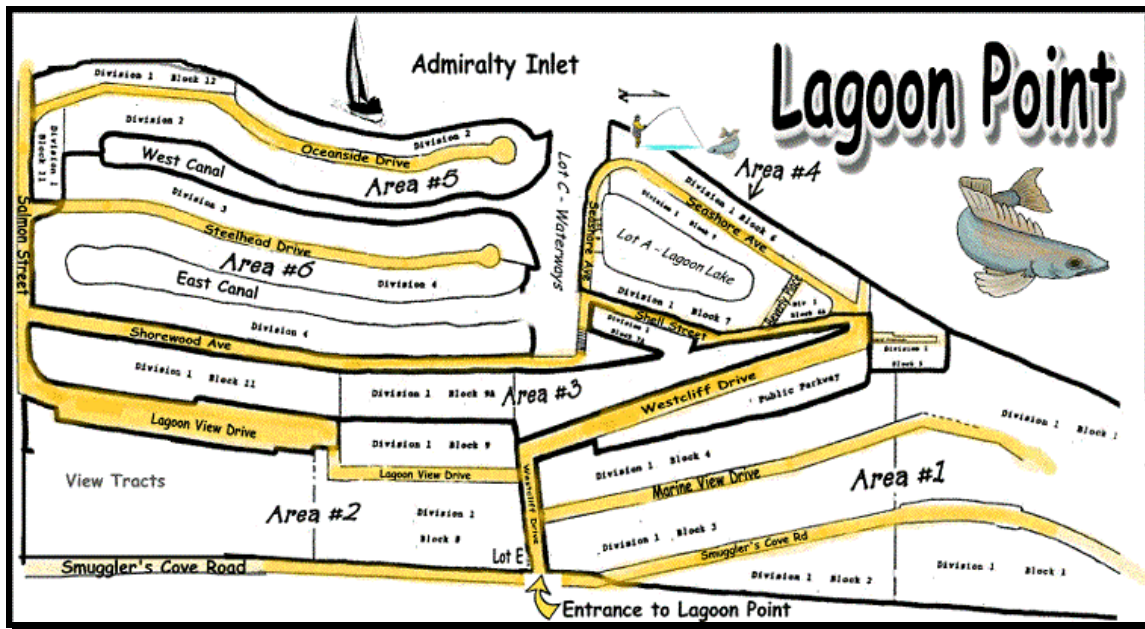
§ Also in May 2002, the new mail-in procedure was used to approve our new Annual Budget and its of \$65 assessment per lot, per fiscal year (July 1 through June 30), which now provides for all of our regular common area maintenance and administration, plus reserves for long term maintenance requirements. The procedures and approval for this issue are not in question, and the annual assessment was due on July 1, 2002. Over 80% of this assessment has been collected. Of the \$30,060 assessed, \$6,535 was spent from July through October on maintenance and administration, \$13,955 is to provide for maintenance from November through June 2003, and \$12,970 is allocated for long-term maintenance reserves.

§ An independent CPA firm is auditing our financial books for 2002.

BULLETIN BOARD

- Hi, my name is Maddy Ess and I would like to walk or take care of your pets for you. Rates are negotiable & reasonable. 678-2913.
- Need sewing done? Experienced seamstress. Many baby afghans, a few baby quilts made up, can take orders, great handmade gifts for a shower. Call Monica Vierra 678-6310.
- Notary services in Lagoon Point, free for LP'ers. Call Suzanne Hoel 678-6579.
- LP HERON SWEATS HIRTS and T's! Available in several sizes, they Benefit “Neighbors Helping Neighbors”, our own voluntary LP help organization. Call Janet, 678-6156.
- Do you need help with any odd jobs around the house? Like babysitting or housekeeping? If so, please call Kelly Ess. 678-2913.
- Dock in East Canal for rent, boat not over 30'. Call (928) 329-6700
- For sale: Natuzzi brown leather sofa, 1-1/2 year old, excellent condition, \$1200 obo, 360 678-5628
- For sale: 30' Bayliner, twin I/O, immaculate, \$40,000, Marilyn (Moody) Ward, 360-678-6341

If you need to delete your ad, or would like to add an ad, please e-mail: lpic@whidbey.net



Contact your 2003 Area Representative:

- | | | |
|--------|-----------------|------------------------------|
| Area 1 | Bob Vierra | 360-678-6310 |
| Area 2 | Jim Day | 360-678-1546 or 206-527-3009 |
| Area 3 | Roy Blackwell | 425-347-9312 |
| Area 4 | Monica Shull | 360-222-3218 |
| Area 5 | Bob Rodgers | 360-678-0770 |
| Area 6 | Gordon Whitbeck | 360-222-3210 |

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 98253
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St Patrick's Day Potluck
 Saturday March 15, 2003 5 PM
 Greenbank Clubhouse



**Immediately Following the
 LPIC Special Meeting at 4 PM to
 Vote to Amend LPIC Bylaws**