

Lagoon Point Newsletter

March 2003

Next regular open Board meeting: Tuesday April 1th 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

3rd 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. It is also available on our website: www.lagoonpoint.com under [Current issues](#) | [Read the Proposal](#). **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 March 4th at the Greenbank Clubhouse. Minutes of the February 11, 2003 regular board meeting and the February 18th special board meeting were read and approved. The committee reports included a status update of the Jetty project. We still await the permit approval. Old business included a report on collection status of overdue assessments. There are less than 10 unpaid assessments from March 1, 2002 and the paper work to file the liens is being prepared for attorney review and filing. A public comment and question and answer period regarding the bylaw amendment proposal followed. A summary of the questions and answers is included in this newsletter.

LPIC e-Bulletins

LPIC is publishing bulletins and announcements via email, to augment our monthly printed newsletter and our website: www.lagoonpoint.com. If you did not receive the e-Bulletin announcing the March 4th board meeting, and would like to receive the LPIC e-Bulletin, email your request to LPIC@whidbey.net and please include your name and phone number. Email address changes or requests to be removed from this email list should also be made to LPIC@whidbey.net.

More QUESTIONS about the “Phase II” Bylaw Proposal

Q – If there is only one Club Voting Member per lot, who gets to go to Club Social Functions?

A – Family members and guests of the members have always been and will continue to be included in Club Social Functions. With reference to the proposed Article I, Section 1, note that it only deals with members and what they are entitled to do. While it does not explicitly state that members may bring their families and guest to social functions, neither do our current bylaws. It has always been understood that family members and guests of the members were included in our social functions. An article on "social functions" is being considered for “Phase III”, that will make proper provisions for our social functions.

Q – What is the reason for only one vote per couple?

A – The proposal provides for no more than one vote per person and no more than one vote per lot. Our current by-laws discriminate in determining how many votes there are per paid membership. This proposal also eliminates fractional votes. This makes it possible to have secret ballots, if otherwise provided for.

Q – Who can attend meetings and discuss issues?

A – This is not addressed in Article I (Membership). It is to be specified in Article V (Meetings), which will be presented in “Phase III”. It is intended that this will include all persons who share the ownership of a given lot with the Club Voting Member.

Q – What is the significance of referring to “Property Owners” instead of “Lot Owners”, as referred to in the Plat of Lagoon Point?

A – None. Note that our existing bylaws refer to “Every property owner within the plat of Lagoon Point is obligated...” Note also that the name of the 1977 Resolution is: “Resolution of the Property Owners of Lagoon Point ...”. There is no change in this proposal, with respect to our responsibilities as lot owners.

Q – Why is the proposed penalty on late assessment payments 5% per quarter?

A – The objective is to collect the funds in a timely manner. Although, 21.55% apr is high, and therefore motivating, it is still less than VISA. This has been reviewed by our attorney and it is legal and collectable.

Q – Why is the board approval for foreclosure raised from 60% to 75%? Why is it even a board option?

A – LPIC is not in the business of foreclosing on our community members. The objective is to fund our common area maintenance, not to add property to the common areas. Foreclosure is very serious. The board must be sure that foreclosure is the last resort. That is why the existing bylaws made foreclosure an option “if deemed necessary”, and this proposal will not change that provision. This change raises the number of board members required to approve foreclosure from 8 of 12, to 9 of 12.

Q – What about liens?

A – Liens only attach the debt to the property to insure that the debt is paid if the property is sold. Our current bylaws required liens to be filed after one year. The board has no choice. This change will give the board the option to commence other collection efforts. The objective here is to provide additional options to collect the funds in a timely manner, not wait until the property is sold. The board does not have the option not to collect.

Q – Why was the term “Area Served” used instead of “Plat of Lagoon Point and View Tracts”?

A – “Area Served” is defined in Article III of the LPIC Constitution. Using this term is more concise and provides better consistency throughout the bylaws, by keeping the longer, complete definition in one place.

Q – What is to prevent unequal assessments to be approved in a budget?

A – Nothing in our current bylaws addresses this or budgets at all. Furthermore a majority cannot impose differential assessment on a minority without the consent of the minority. This proposal provides controls on the budget process, strict accounting of funds and membership approval for **any** expenditure from long-term, reserve funds. Currently the board may spend up to \$5,000 in a given year, from any fund, without the approval of the membership. This proposal will prevent this or future boards from misusing the long-term funds.

Q – Why is this proposal all or nothing? Why can't we vote on the different parts?

A – First “Phase II” is just one part of the bylaws. It contains two articles, which are highly integrated. Various parts depend upon each other. If one part is changed, other parts have to be changed to match. “Phase III”, which will follow this proposal, will be broken into several independent parts to be voted on separately.

Q – Why wasn't this proposal presented to the community for comment, before it was submitted for a final vote?

A – This proposal was drafted by the three core members of the Bylaw committee, consisting of the President, Vice President and current Secretary of LPIC. Input to the process came from a number of sources, including the proposed bylaw change offered December 1, 2001, which had identified fixes for a number of existing bylaw problems. After preparing version one, the committee was expanded to include all members of the board. Version one was reviewed and modifications were made. Board members also reviewed the draft with various LPIC members; however, preliminary copies were not released to the membership. This process was repeated through three more versions. Version 4 was reviewed by our attorneys at Zylstra, Beeksma, Waller & Dale in Oak Harbor, resulting in a few more minor changes. The final version was then presented to the membership February 18th for approval at the special meeting March 15, 2003 or by mail-in ballot. This process was conducted in accordance with our current bylaws, including the recently amended Article VII:

ARTICLE VII (Amendments)

Section 1:

These by-laws may be amended by a 2/3 (two thirds) majority of the members voting, with a minimum of 133 members voting, provided:

(a). Proposed amendments originate with the board of directors, or from a petition to the board of directors by at least 25 members in good standing. Proposed amendments are approved by the board of directors prior to being presented to the membership.

(b). The proposed amendment and notice of an annual or special meeting shall be sent, in writing, to the recorded address of each member/property owner not less than 21 days or more than 35 days prior to the meeting at which the vote shall take place. The notice will include the ballot and a recommendation for and against not to exceed one half page for each position. Ballots may be turned in at the special meeting or mailed in, post-marked no later than 14 days after the meeting.

ARTICLE IV (Duties of Officers and Area Representatives)

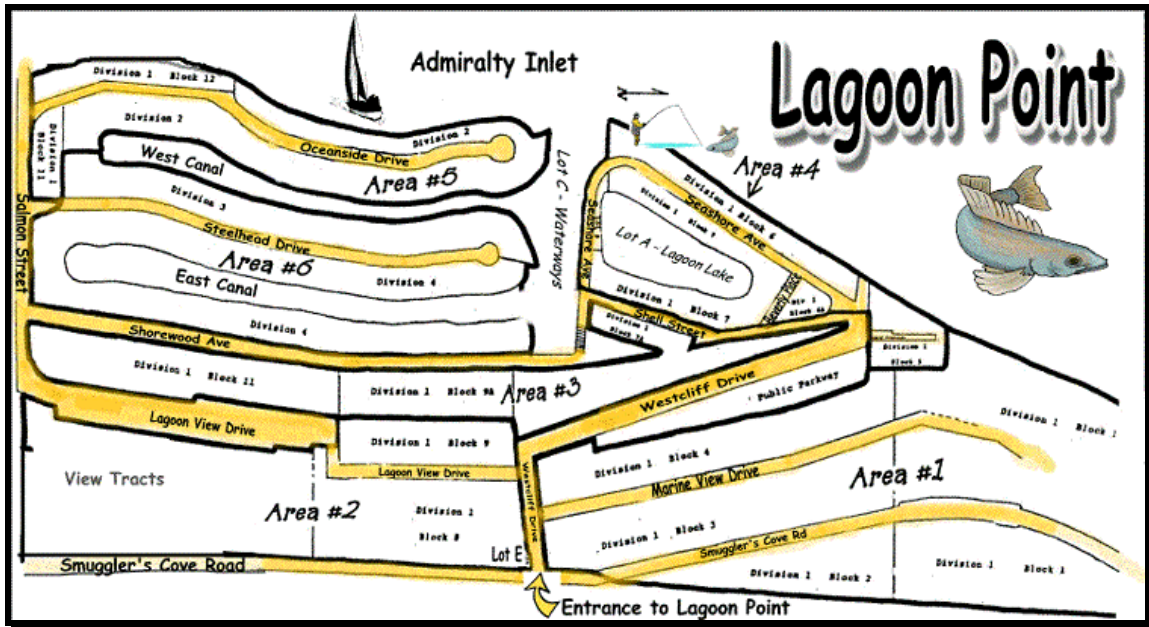
Section 8:

A Board of Directors shall be as provided in Article V of this organization's constitution. The incumbent President shall be chairman of the Board of Directors. The Board of Directors shall manage the affairs of the Corporation; shall hold hearings as provided by Article I, Section 2 of these bylaws; shall meet regularly each month throughout the year. In addition, shall meet in special session when requested by the President. At all meetings a majority representation shall be necessary for transaction of business. In the event a vote on any issue, cast by the Directors becomes a tie, then shall the President cast the deciding vote. In compliance with Article III, Section 1 of these Bylaws, the Area Representative, representing the designated areas within the District, shall be this organization's regularly constituted nominating committee.

BULLETIN BOARD (Ads will run twice unless otherwise arranged)

- **LP HERON** Hooded & regular Sweatshirts, T's! any size and color, they Benefit "Neighbors Helping Neighbors", our own voluntary LP help organization. Call Janet, 678-6156.
- 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.
- 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.
- Do you need help with any odd jobs around the house? Like babysitting or housekeeping? If so, please call Kelly Ess. 678-2913.
- Notary services in Lagoon Point, free for LP'ers. Call Suzanne Hoel 678-6579.
- For rent: Dock in East Canal for boat not over 30'. Call (928) 329-6700
- For sale: 30' Bayliner, twin I/O, immaculate, \$40,000, Marilyn (Moody) Ward, 360-678-6341
- For sale: 21' 1978 Bell Boy, cutty cabin, 351 Cleveland I/O. Runs good, in good shape, good yachtsman starter. \$3,200 Call Chuck Burton, (360) 222-3039
- For sale: 1987 14' Livingston with easy loader trailer, 25 hp, Evinrude \$1,850.00 Call 678-6310
- For sale: Natuzzi brown leather sofa, 1-1/2 year old, excellent condition, \$1200 obo, 360 678-5628
- "Graham" a 3 year old Airedale mix, needs loving home. Smart, affectionate, playful, energetic! Call Gerri (360) 678-6104
- Help Wanted: Tutor for Canon Scanner and related Canon graphics software. Call Mona, 360-222-3218
- Wanted: Space on very low dock for racing shell, during summer. Call Fine Gelfand, 360-222-3114

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



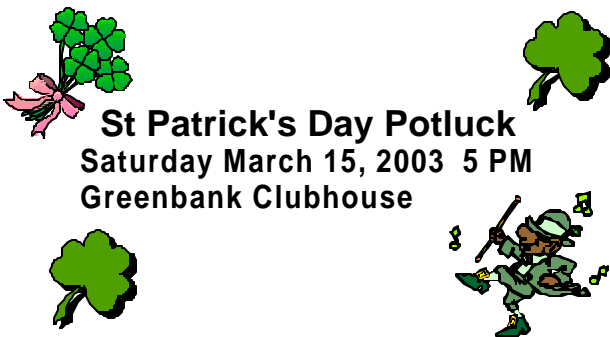
Contact your 2003 Area Representative:

- | | | |
|--------|-----------------|------------------------------|
| 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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LPIC Special Meeting
Saturday March 15, 2003 4- 5 PM
Greenbank Clubhouse to
Vote to Amend LPIC Bylaws



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