



## *board members putting your finances at risk by exceeding their authorities*

### **Cedarview Owners Engage Attorney**

#### ***Thirty Day Notice Letter Delivered & Why You Should Care***

A group of five named KP owners with view property along Cedarview, in “Division 9—Waterview Homes”, long claiming that their view maintenance property rights have been improperly

perverted, denied and impaired by a succession of KPOA boards and various volunteer committees failing to enforce governing documents, have engaged a law firm. The first step in litigation, a formal notice letter dated May 25<sup>th</sup>, has been delivered to KPOA. A copy of the letter can be found at [www.thecedargroup.com](http://www.thecedargroup.com). The letter gives the association just 30 days to reverse

#### **ARTICLE VIII INDEMNIFICATION OF DIRECTORS, OFFICERS, EMPLOYEES, AND OTHER AGENTS**

(a) "agent" means any person who is or was a director, officer, employee, or other agent of this Association; or is or was serving at the request of this Association as a director, officer, employee, or agent of the Association, the Board or any committee of the Board;...this Association (each of us individually) shall indemnify (pay) any agent who was or is a party, or is threatened to be made a party, to any proceeding...for all expenses, judgments, fines, settlements and other amounts actually and reasonably incurred in connection with the proceeding.

their position by action of the board, denying removal of four trees impacting the marine views of the owner group, or the lawsuit can be expected to proceed.

**While litigation talk** has been floated by these owners for years, this is the first formal action poised to take the matter beyond the board to the next step defined for appeal in the governing documents; Superior Court. This legal action, now taken after exhausting all avenues of reconsideration and appeal with committees and the KPOA Board, if actually filed, will seek to settle the question of whether CC&R guaranteed top



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*Please feel free to participate in any way, from submitting articles and/or opinions to volunteering in some capacity. Thanks and we look forward to your input. Email us at [contact@tppnewsletter.com](mailto:contact@tppnewsletter.com).*

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priority for view preservation, as stated clearly in governing documents, is something subject to adjustment and interpretation by committees and zealot “tree advocates dominating KPOA committees and policy” or is actually enforceable as written by owners under terms of the governing documents.

**So the question is about much more than trees.** *It's about the role and authority of KPOA Directors and Committees to do what a self-empowered handful of folks think should be the intent of the member contract, or should KPOA power be limited (and required) to enforce the terms as actually written in the private contract between members and KPOA. This power limitation vs. license to interpret question is at the heart of most of the continuing KPOA disputes with members, creating a growing and widely known negative reputation.*

**Disputes like this** in Western Washington, involving trees, views and egos, are legend for racking up millions in legal fees, dueling expert opinions, and legal costs which, if the association loses and is found to have acted outside of their actual authority (exceeding limits of liability coverage), judgment costs will likely not

**Tell your Board Members to quit putting your finances at risk by exceeding their authorities.**

be covered by errors and omissions liability insurance. If that happens, the judgment is passed on to every KP lot owner, as a lien on land and as a personal obligation, by action of Article VIII of the CC&Rs (see text box on front page). Special Assessments are then made, reflecting the costs of board bad acts back to all members. Tell your Board Members to quit putting your finances at risk by exceeding their authorities.

## is the kpoa board out of control?

**I started to write this article on Memorial Day** and only later thought about the irony of doing so when I read the piece in the June issue of the Kala Pointer about Ed Carr's experience flying B-17's in WWII. Having served in the Navy, I have the utmost respect for the men and women who have been in combat but especially for those in WWII. They are truly the “Greatest Generation.” Millions of men and women have served in the U.S. military and hundreds of thousands have died in various wars. We could argue about the reasons for these wars, but it's clear that WWII was fought to preserve the freedom of this country and the American way of life. What does that say about the behavior shown by the KPOA board? Does that behavior even remotely represent why WWII was fought? Do all of these petty rules and continued erosion of members' rights translate to freedom and the American way of life? I've spent a great deal of time with veterans, and I think that I know what they would say. The question is what do you think?

**Some board members have met with the county sheriff at least twice** and are preparing to sign an agreement between the sheriff and the board requesting that deputies come into Kala Point to enforce the 25 mph speed limit. This action is legal under RCW 46.61.400. Under that section, the deputies can enforce only the speed limit and no other traffic laws, i.e. stop signs, seat belts, etc. The agreement is not in force because both parties must agree to a number of provisions before it can be signed. I believe the last remaining provision is that the board must provide written notice to all members describing the new authority to issue speeding tickets.

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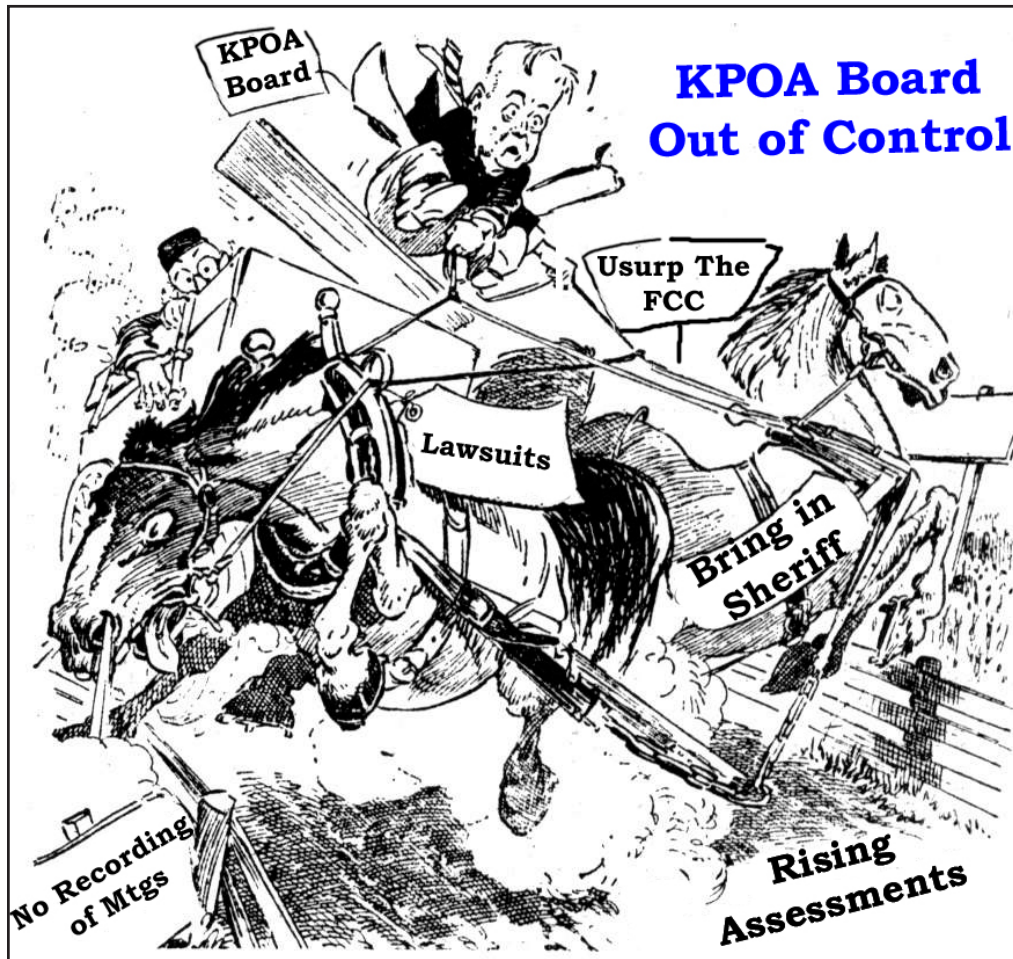
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This invitation to the sheriff differs from that of several years ago. At that time, the board contracted with the prior sheriff to provide off duty deputies paid by the board. They came in at the times requested by the board. This time, the deputies will be on duty and will come in when they have time and feel they are needed, in other words, at their discretion.

**I am against this for two reasons.** Other than the imposition of law enforcement officers on our private property, it also takes away deputies from

have a speeding problem. Several years ago, a board traffic survey was done, and it was found that 86% of the drivers were operating within 5 MPH of the posted speed limit. Also, approximately 70% of the survey respondents were opposed to the sheriff coming into Kala Point. If you agree, please look for the petition to be sent to the sheriff elsewhere in this issue.

**A second issue is the recording of the board meetings.** At the start of the April meeting, the board announced that meetings will not be



recorded, starting with that meeting! No member comments were sought. I attended the May meeting intending to record it as there would not be a verbatim transcript otherwise. At the start of the meeting the board voted 6-0 in favor of a rule that if a member wanted to record a meeting, starting in May, he/she would have to request permission at that meeting! When I requested permission, the vote was 6-0 to deny my request. Voting no were Schulte, Leeds, Miles, Murphy, Raley and Musser. RCW 64.38 does not speak to the recording of HOA meetings, but many other states address this issue in

investigating truly serious crimes at a time when the sheriff's budget has been drastically cut, and he is short 6-7 officers. Is this really necessary or even desirable? There are probably a handful of people who speed in Kala Point, but we do not

favor of members being able to record. Also, you should know that the state of Washington allows anyone attending a city council, county, or state meeting to record any portion of it.

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**A third issue is the advertising and selling** of gate opening transmitters other than by the KPOA office. The board seems paranoid about these openers, and the KPOA president labeled them “bootleg” openers in the Kala Pointer. The board is so aggressive with this issue that I received a letter on May 16<sup>th</sup> from the board’s lawyer asking that by May 25<sup>th</sup>, I provide him with my written assurance that I will “cease marketing or selling gate cards or remote transmitters that have been pre-programmed to open the gate.” In the absence of such assurance, KPOA’s board has instructed him to proceed with a lawsuit to obtain an injunction preventing me from selling cards or transmitters as well as attorney’s fees for having to do so.

**I’m sure all of you are familiar with the classic false dilemma** “Have you stopped beating your wife?” The lawyer’s request is also a false dilemma. How can I possibly assure him that I will cease doing something that I have not done? As I’ve explained before, I write articles which are published in this newsletter. I have no control over what else is written or advertised. Is every writer for The Seattle Times responsible for the advertisements in the Times? My experience with gate openers is limited to using one which I bought from the KPOA office several years ago. For your reading pleasure, a copy of the letter which I received is printed in this issue. I wonder how much this letter cost us? Why is this such a big deal with the board? If the board continues to press this issue, I believe it is destined to lose.

**Lastly, I want to present a proposal to the board.** The governance within Kala Point is out of control and it’s contributing to a toxic atmosphere within the community. In spite of 38-42% approval given to the member resolutions which were submitted several years to give the members more freedom, they were totally ignored. The board

continues to vote 9-0 on almost all actions proposed even though there is a large and growing minority who don’t agree and are therefore marginalized. Also, there appears to be an attitude that if an action isn’t deemed illegal, it’s fair to approve it. Just because something isn’t illegal doesn’t make it right!

**My proposal is as follows:** If there are 2-3 board members who want to end this madness and truly represent all members of Kala Point, please stand up! Meet with 2-3 members of the vocal minority and try to forge some compromises, even one, before the members’ meeting. Those members should be in their first or second year on the board and not long-time members of the “Old Guard.” I will agree not to be part of the minority group. If those who participate can put aside some of their old prejudices, maybe one positive action can be agreed to so that the members’ meeting and the new board can get off to a fresh start. It’s time that some grown-ups step forward and demonstrate some leadership, guts and independence to try to end this insane situation. I believe this “Balkanization” of Kala Point is getting close to a blow off stage which would result in more hard feelings and escalating legal costs. Any board members want to break from the past?

**You soon will be given the opportunity to vote for three board members.** As there are only three candidates, there is no need for you to vote. In fact, I am encouraging you not to vote if you would like to protest governance in Kala Point. I believe that it will be business as usual with the new board. You could write in candidates, but that would be only a symbolic gesture. Also, when you receive your ballots, consider naming someone you trust as your proxy if you do not plan to attend the members’ meeting in July.

Hank Krist

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May 15, 2012

Kala Point News & Views  
P.O. Box 816  
Port Hadlock, WA 98339

Jay Burcham  
141 Cedarview Dr  
Port Townsend WA 98368

Hank Krist  
PO Box 1570  
Port Townsend WA 98368

Don Meister  
224 Terrace Dr  
Port Townsend WA 98368

Re: Kala Point Owners' Association – Security Gate Opener Advertisement

Dear Messrs. Burcham, Krist & Meister:

I represent the Kala Point Owner's Association ("KPOA"). Last month I sent a letter to the Kala Point News & Views to present KPOA's demand that it cease advertising or marketing pre-programmed gate openers for the KPOA security gate. Since my letter the KPOA Board has adopted a specific policy prohibiting anyone other than KPOA or its staff from selling gate cards or remote transmitters that have been pre-programmed to open Kala Point's security gate. I have enclosed a copy of that policy for your review.

KPOA understands that each of you is involved in the publication of the Kala Point News & Views. I therefore ask that no later than Friday, May 25, 2012 you each provide me with your written assurance that you will cease either marketing or selling any gate cards or remote transmitters that have been pre-programmed to open Kala Point's security gate. In the absence of such assurance KPOA's Board has instructed me to proceed with a lawsuit to obtain an injunction preventing you from selling any cards or transmitters programmed to open Kala Point's security gate, as well as attorney's fees for having to do so.

Very truly yours,

ROBERTS JOHNS & HEMPHILL, PLLC

Michael W. Johns  
mike@rjh-legal.com

Enclosure  
Cc: Client

# petition to sheriff: no speed traps in kala point

Please mail this petition to Hank Krist, P.O. Box 1570, Port Townsend, WA. 98368 or email [hkrist@q.com](mailto:hkrist@q.com) stating that you agree with this petition.

## Petition to the Jefferson County Sheriff

As a resident property owner of Kala Point, I would like you to reconsider your agreement with the Kala Point board of directors to provide a deputy to monitor speeds on our privately owned streets within the community. The position taken by the board is NOT the position of a majority of owners. Several years ago, we faced the same issue. The board's own speed survey showed that 86% of drivers were operating within 5 MPH of the posted speed. Furthermore, almost 70% of respondents to a board survey were opposed to a law enforcement officer in Kala Point for this purpose. With the severe cutbacks in your budget and staff, I am more concerned with the serious issues you have to face outside Kala Point. While there are a few people who drive too fast in our community, we should be able to deal with this issue internally, not stretch your resources, and worry about negative PR for your officers engaged in an activity on private property that is clearly against the wishes of the majority of owners.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
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## clubhouse parking expansion:

**220% of Original Budget.**

**No Member Vote.**

**Original Bid \$17K, Final Cost \$37K;  
\$20,000 Overrun**



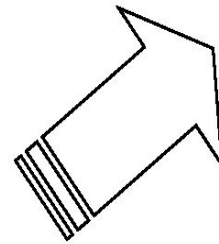
After ignoring member protests over such expansion capital expenditures being funded from reserves ostensibly held for emergency repairs and maintenance only, others seriously questioning such expenditures at all in these economic times with ever-rising assessments, and doubts about final vs. estimated costs from community members highly experienced in such work, The KPOA board proceeded with the controversial clubhouse parking expansion project. This expansion, a capital construction project (but funded as if maintenance—from reserves), **is now known to have cost more than 220% of the original project budget, not even including landscaping—see photo of bare hillside.**

**Surprise!** As predicted in this publication (see KPNV Nov 2011 Front Page Article—[www.ttpnewsletter.com/Newsletters/11-Nov.pdf](http://www.ttpnewsletter.com/Newsletters/11-Nov.pdf)) the Board was WAY off on their estimated spending for this capital expansion, which was never offered to membership for a vote despite utter lack of member general support. Final costs disclosed on May 8th came in at more than twice what was publicized by the board to the commu-

nity as necessary in January. The Original budget reported to members was \$16,863 (Jan 10, 2012 board minutes) which was supposed to include overruns beyond the low bidder price contract price of \$15,219 but actual final costs came in at \$36,924 (May 8<sup>th</sup> board minutes), further pushing higher assessments already skyrocketing out of control, and spending down already inadequate reserves. See assessment tracking chart below.

### ANNUAL ASSESSMENTS HISTORY

| Year        | \$           | % Over Base Yr.    |
|-------------|--------------|--------------------|
| <b>2004</b> | <b>\$524</b> | <b>(Base Year)</b> |
| 2005        | 546          |                    |
| 2006        | 589          |                    |
| 2007        | 612          |                    |
| 2008        | 668          |                    |
| 2008        | 709          |                    |
| 2009        | 720          |                    |
| 2010        | 711          |                    |
| 2011        | 709          |                    |
| <b>2012</b> | <b>\$811</b> | <b>UP 54.77%</b>   |



**Items reported by KPOA** as comprising the “overrun” included such elements as engineering, excavation, a storm drainage basin, paving, stump removal, pavement striping, signage and curbing; **hardly surprising cost components for anyone actually familiar with such projects.** Also, somehow the original Stewart Excavating bid reported as \$15,219.06 in January, became \$22,966 in May (some \$7,000 more than the next lowest bidder originally—Franson Excavating at \$16,424.57)

**Utilization of reserves for new capital improvement work is not allowed** under our CC&Rs, which mandate setting aside reserve funds

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exclusively for specific maintenance and repair purposes. Expansion of clubhouse parking is clearly not such a use.

**KPOA CC&Rs ARTICLE VI  
COVENANT FOR ASSESSMENTS**

**Section 10. Reserves** - The Regular Assessment shall include reasonable amounts as determined by the Board collected as reserves for future periodic maintenance, repair, or replacement of all or a portion of the Common Areas and the improvements located thereon.

By robbing reserves set-aside for repairs to pay for capital project funding, member risk of special assessments in the event of a major casualty loss, is greatly increased. Previous independent studies of the KPOA reserves have found them as much as one-million-dollars below HOA best practices recommendations.

So much for competent fiduciaries watching our money. How could this happen? Watch for future articles detailing the amateur hour mismanagement.



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**from michelle at evergreen  
fitness center:  
Two Old Sayings Have Been  
Proven Again**

I had a visit with my banker yesterday. I wasn't exactly looking forward to the meeting ... "just give me the money, ok, I will pay it back like always..."", but NOOOOO, they have to have **all** the records **all** the statements, **all** the documentation that they haven't seen since years ago when you last talked to them. Can't they just do a credit check and see what everything is? They have all my details, minus my blood type (O +) and I bank with them for holy sakes; don't they already have it on file? Seriously; I think they just try to wear you down to see if you really need them or not! Now that I have that off my chest, the banker is really quite a nice gal; they all are, it's just when we are pushed to do something we don't 'like' to do, that we start to feel on edge, our blood pressure may rise, stress levels increase and our good mood flies out the window. On the other hand though, in order to get what I 'want', I often need to go through some uncomfortable moves to get there. We want everything to go so smoothly all the time. **This particular banker though**, shared a little of herself with me though. She too had just done something that was rather uncomfortable: the Rhody Run. She walked it, but by golly she completed the 7.46 miles and was darn pleased with herself and rightly so. She was sore; she'd never really done that distance before, but injury free. **This morning at the gym**, another friend shared with me that she had completed the Rhody run too; walking with a friend whom she has been 'training' with for several weeks prior; walking hills and increasing miles in order to secure a finish. **One of Evergreen Fitness' instructors** told me how she completed the run this year; entering I, with her now 10 year

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old son...they were a few minutes slower than last year. She next confessed that she doesn't run and doesn't even like to run, but she ran. **Another gal at the gym**, a total long distance bike freak (they like to be called freaks; trust me) came limping into the gym having finished the Rhody run, giggling that it 'only hurt when she walked'! **A senior gym member** did a 10 week 'Rhody run' training class here at Evergreen Fitness. She completed the run 19 minutes faster than last year....she's in her 70's...that's a huge time difference; very cool. **What motivates us?** The banker has lost weight and with the lost weight, more energy; more energy, starting to move more; move more and realizing that it actually feels good to move more. She finished the Rhody run; how cool is that? She can do it. Can you imagine how empowering that must feel to her?

The next 2 gals started walking together as a 'buddy' system. Accountability yes, but they found they not only felt better, but it was a nice social time too. They did the Rhody together and were quite pleased too. However, now that they reached that goal, will they continue? I hope so. The buddy system can work well.

The instructor who doesn't run... She is actually in really good shape teaching fitness classes every week at Evergreen Fitness. She did it with her son, probably mostly for her son. Such a 'mom' thing; bless her heart.

Now the bike 'freak'; giggling that she couldn't walk and saying "pain; it's just weakness leaving the body, right?" She runs some, and biking has her heart in great shape, just obviously not the bottom of her feet.

And that leaves me with my 70 (plus) year old. She has been active most of her adult life. She comes to the gym and does some resistance training 2-3 times a week. Last year she did Evergreen Fitness' Rhody run training to get advice from a

runner/personal trainer on how to achieve her goal at a reasonable rate to not only reach her goal, but to do so with low to no chance of injury. She finished well on Sunday and came into the gym on Monday and informed me that



she has signed up for the Victoria 1/2 marathons in the fall.

At close examination of each of the above scenarios, I observed that the worst injured to the least injured just happened to coincide with the youngest to the oldest.

I therefore conclude that 2 old sayings have again been proven:

1. Wisdom *does* come with age
2. Youth is wasted on the young.

And if you'd like to make Evergreen Fitness a part of a healthier you, then give me a call at 360-385-3036, or email me at: [evergreenfitness@qwestoffice.net](mailto:evergreenfitness@qwestoffice.net). I hope to see you...we're JUST around the corner.

-Michelle West



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## ***member threatened by kpoa enlists federal assistance*** ***Alleges KPOA Threat Letters and New Policy Violate Federal Law***

**KPOA Member** Jay Garthwaite, after receiving a letter on May 25th from KPOA attorneys threatening imposition of a \$1000 KPOA “fine” for the sale and programming of unlicensed low-power transmitters, (The new “APP” on what KPOA President Dick Shulte erroneously calls “illegal bootleg” gate openers) has enlisted the assistance of The United States Attorney and The Federal Communications Commission Enforcement Division to force KPOA to “cease and desist their usurpation of regulatory authority reserved exclusively to the United States Government, and to stop threatening members

faux-government HOA’s) are entitled to encroach on the well established domain of the FCC which

*“I am really sick and tired of KPOA establishing unlawful rules, ignoring others they don’t like, and making threats against members well beyond their lawful authority, Garthwaite told KPNV, others may not find that offensive, but I do, and when they target me I will react.” Some years ago Garthwaite successfully pursued KPOA with The FCC to stop the HOA from illegally collecting fees and controlling member placement of satellite receiving antennas, resulting in federal action against KPOA, enabling today’s right of member unchallenged dish use.*



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### **The Ad In Question**

and others with fines and legal actions” arising from the sale or advertisement of products over which KPOA has no authority.

**Not even states**, says Garthwaite in his complaint letter to Unites States Attorney , (which are actual government—as opposed to

holds exclusive national authority under Federal Code and The Constitutional Supremacy Clause to regulate unlicensed low-power radio transmitting devices such as those offered for sale in this newsletter **(see ad at left)**.

**These common devices**, widely available from thousands of sources ranging from local electronics stores to online direct sellers, and even built-into many new cars, comprise part of a wide array of such transmitters which, so long as properly registered by manufacturers after extensive testing, are freely available without license or permit throughout the economy.

**The FCC** has broad authority to fine anyone violating FCC rules up to \$14,000 for each day of any continuing violation. Some interesting background on the aggressive FCC stance against those violating federal radio regulations, such as usurpation of FCC authority on unlicensed transmitters, can be found at the following web link: [www.fr.com/FCC-Enforcement-Update/?gclid=CN6WgomTs7ACFUEGRQodtXDIVg](http://www.fr.com/FCC-Enforcement-Update/?gclid=CN6WgomTs7ACFUEGRQodtXDIVg).

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**10 Year Anniversary Issue!**  
See Insert Page 2 On How It All Began

*If you are **UNABLE** to attend the Annual Membership Meeting on July 8, 2012, where new business may come up, it is strongly encouraged that you designate another person (your "proxy-holder") who would exercise your voting rights on new business that arises at the meeting. See Insert Page 1*

## Kala Point News & Views

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### ***echho*:Volunteers Helping Jefferson County Residents Live Independently**

ECHHO is a non-profit organization that works in partnership with volunteers and community organizations of Jefferson County to provide transportation, chores, social support and medical equipment services to persons who are elderly, disabled or of limited means so that they may continue to live independently. What does ECHHO stand for? Ecumenical Christian Helping Hands Organization.

Their vision is to foster a strong independent, healthy and loving community regardless of age, faith, ability or income. Volunteers provide services free-of-charge to individuals who are referred to ECHHO. Services include: Travel to medical appointments, Home and domestic assistance, Shopping and errands, Friendly visits, and Loans of medical equipment.

ECHHO was organized in 1997 when it became clear to local church and community members that there were unmet needs among the elderly and disabled in Jefferson County. Volunteers were recruited to meet needs in the areas of transportation to medical appointments, running errands, shopping, household chores and yard work for those who were unable to do such tasks for themselves.

In 2010 ECHHO assisted some 849 Jefferson County residents, many multiple times. Their volunteers drove 40,511 miles, delivering care receivers to appointments in a four-county region. And they have loaned 1,460 pieces of medical equipment to those in need. For more information to volunteer or if you are in need of their services call them at 379-3246 or visit their website at <http://echhojc.org>

# why assigning a proxy-holder is important

## IF YOU ARE NOT ATTENDING THE ANNUAL MEMBER MEETING

With Vote-by-mail procedures your properly completed mailed-in-ballot WILL be counted, whether you assign a proxy-holder or not, and your mailed-in ballot will count as attendance for the quorum purposes, whether or not you are able to attend the Annual Membership Meeting.

If you are **UNABLE** to attend the Annual Membership Meeting on July 8, 2012, where new business may come up, it is strongly encouraged that you designate another person (your “proxy-holder”) who would exercise your voting rights on new business that arises at the meeting. Otherwise, if new business is brought up at the meeting you will not have a vote on that new business! **Be sure that who ever you designate as your proxy-hold that they will be present at the Membership Meeting!**

You can use the proxy form supplied in this month’s Kala Point News & Views (KPNV) June issue (see form on this insert page). Please note that you need to fill in your **unit number** (not your address). For ease of counting and accuracy, if you own more than one lot, you may want to fill out one form for each lot. Your lot number is your “unit number” not your address! If you do not know your unit number you can find it in the most current Kala Point Directory.

**With regards to voting for the board candidates**, while you may vote for up to three candidates it is strongly urged that you vote for ONLY the candidate(s) that you feel is qualified and supports your viewpoints. For example, if you only see one candidate that you feel is qualified, YOU DO NOT HAVE TO VOTE FOR THREE! You can simply vote for the one, or two, or none. One thing you can’t do is vote for the same person three times on the same ballot. If you have any questions please email us before sending in your materials to KPOA to [contact@ttnnewsletter.com](mailto:contact@ttnnewsletter.com).

Cut Here -----

## Kala Point Owners Association Proxy-holder Designation Form

Unit # \_\_\_\_\_ Owner(s): \_\_\_\_\_

Last name, First name(s)

I/We the undersigned, as a member of the Kala Point Owners’ Association, hereby constitute and appoint:

[  ] The following person \_\_\_\_\_

whom I/we designate, as my/our true and lawful proxy-holder, to exercise my/our voting rights in the upcoming Membership Meeting, and all adjournments thereof.

My/our proxy-holder is further authorized to vote on all issues that may arise at the Membership Meeting on July 8, 2012, and all adjournments thereof, unless the following is marked

[  ] whereby I/we direct my/our proxy to abstain from casting a vote in any matter not covered by the written ballot.

Signed: \_\_\_\_\_

Signed: \_\_\_\_\_

Dated: \_\_\_\_\_ 2012

Dated: \_\_\_\_\_ 2012

# 10 Year Anniversary Issue!

## Kala Point News & Views

### *kala point's independent newsletter*

Many of our readers have asked us how Kala Point's independent newsletter got started. The history goes something like this:

Back in 2002 the assistant editor of the Kala Pointer (current Kala Point resident) wanted to publish an article to the membership about allegations that e-coli had been found in the drinking water down on Foxfield due to a break in the water pipe. The then president of KPOA did not want that information published. The editor of the Kala Pointer (no longer living in Kala Point) supported her assistant editor and when confronted by the KPOA president, the then editor was "invited" to leave the Kala Pointer as the editor. Since she was a reporter/journalist, it was natural that she did not skip a beat and the next month came out with an issue of KIN (*Kala Point Independent Newsletter*) along with her assistant editor. Since then, it has been the mission of the newsletter to report information, perspectives, and editorials that the membership would not otherwise enjoy.

It is unfortunate that the history of our HOA is one of not being interested in hearing ideas if they come from certain individuals, is an idea that they don't agree with, or an opinion or information that they don't want the general population of Kala Point to know about. That is how & why the independent newsletter got started.

The purpose of an HOA (Home owners Association) board is to manage our "contract" (the governing documents). This is not a government, but management of a contract.

The board has a high bar to live up to and that is their sole purpose to make sure the contract is upheld & followed to protect our investment. They are supposed to follow the governing documents and the law.

When criticizing the board or a board director, it is not a personal criticism of a neighbor, but a criticism of a board director who has taken on serious responsibilities, even though they are volunteers.

The independent newsletter has been around now for 10 years with over 100 people (over those ten years) that are volunteers as well, taking on the task of a "watch dog" over our investment. This is not an easy or glamorous task- being the underdog, subject to personal and physical attacks, belittlement, and shunning to name a few. Thank you for your continuing support.

### *washington state fun facts*



- Mount St. Helen's lost 1,131 feet of elevation in the May 1980 eruption and spewed forth about one cubic mile of dust, ash and debris. The blast leveled over four billion feet of usable timber, enough to build 150,000 homes.
- Everett is the site of the world's largest building, Boeing's final assembly plant.
- Seattle was the first city in the US to play a Beatles song on the radio.
- The highest point in Washington is Mount Rainier. It was named after Peter Rainier, a British soldier who fought against the Americans in the Revolutionary War.
- It is illegal to display a hypnotized person in a store window in Everett.