

http:/www.herronisland.org

#### **President's Message**

In this issue you'll find three ballot items updating our revised bylaws. Any time we rewrite our governing documents we can expect some adjustments to be necessary, but hopefully these will be the last of them for a while.

Proposition 1 would enable HMC to recoup a half-year's assessment if a delinquent property is repossessed and sold at auction. Under our current Bylaws, when the property is sold at auction HMC would normally not be able to assess the new owner until the next fiscal year. Our attorney has provided us with the legal language that would allow HMC to collect a half-year's assessment in April of the current fiscal year. This change only applies to delinquent properties and has no effect on members in good standing.

Proposition 2 would allow votes for the budget ratification ballot published in June to be tallied on the day of the July Board meeting. The current 30-day minimum notification requirement necessitated a special membership meeting to be held two weeks after the regular Board meeting last July. This proposition would change the minimum notification requirement to fourteen days. We passed a similar amendment earlier this year changing the 30-day minimum notification for amending the governing documents. With passage of this proposition, the notification

period for all membership elections would be a minimum of fourteen and maximum of fifty days.

Proposition 3 would modify the restrictions on business use of island property by repealing Paragraph 11.2.1 of the Bylaws. This paragraph prohibits operation of any business that is detectable by sight, sound or smell from anywhere outside of the property. We have some dump trucks, excavators, and other earth-moving equipment on the island that are owned and operated by private individuals and on which HMC and members depend for maintenance of the common and private properties. Occasionally a member complains about seeing the equipment and claims that their very existence violates our rules. After repeal of this unrealistic paragraph, Section 11.2 would still prohibit operation of any business on the island that does not conform to zoning requirements, involves nonresidents coming on to the island so as to constitute a burden, increases the liability risk of HMC, or, in the opinion of the Board, is inconsistent with the residential character of the island.

Construction of our new water tank has been delayed due to the time involved in getting necessary county and state permits. Our engineering consultants and construction contractors feel that it would be best to wait until the end of the rainy season to prepare the soil at the base of the tank. For this reason, we plan on having the reservoir built next spring. The special assessment funds





have been placed in our water reserve account until then.

You may have noticed that overhanging tree branches have been trimmed along our roads. We contracted with Asplundh to perform the trimming with a device resembling a power mower on a pole. Rather than cut the branches neatly and individually as was done earlier this year for Peninsula Light, this machine hacks the vegetation off, leaving a shredded appearance. This was done at a fraction of the time and cost of the Peninsula Light trimming, and Asplundh assured us that the shredded parts will fill in. Steve Kramer, Tim Jones, and Scott Schultz did a fine job cleaning up the refuse with Tim's chipper.

Speaking of roads, Dick Mowry is having to make do with a limited amount of gravel until he can get a barge to come to the island during the winter. He'll be able to control potholes, but the surfaces may be a bit muddier than usual. Another roads item concerns political signs. Let's remember that we can put up political signs of any persuasion on our own property, but no signs are allowed on common property without authorization of the Board.

With the rainy season upon us, members are reminded that they are responsible for maintaining the ditches adjoining their property (Rule II.C.7). Debris and vegetation must be cleared in order to prevent flooding of the roads.

Thanks to Al Moren, Mike Shettlesworth, Don Greinke, and others for building the shelter by the island ferry dock.

Thanks also to Dr. Roes for making his annual trip to the island to administer flu shots. He was only able to give shots to people over 65 and those with high risk conditions, but we had a good turnout.

On a final note, I'd like to acknowledge the passing of long-term islander and friend Dennis Crowley. His cheerful personality, sense of humor, and courage despite personal difficulties should be an inspiration to all of us. We'll miss him.

Our next Beachcomber will be published in January, so I'd like to wish everybody the best of holiday seasons. Please email me at President@herronisland.org with comments or questions.

Ken Freeman







#### **Important Phone Numbers**

#### **Island Manager**

(253) 884-9350 Doug Allen **HMC Board of Trustees** (253) 884-2749 Ken Freeman, President (425) 823-1902 Bill Zazzo, VP & Water (206) 246-7016 Fred Fath, Secretary/Treasurer (206) 860-7535 Joseph Pentheroudakis, Rules & Regs (253) 884-2721 Al Moren, Land Use & Roads Additional Responsibilities (253) 884-4663 Nick Huff, Transportation

Dick Mowry, Water Field Examiner

Dick Zottman, Water Field Examiner

(253) 884-7663

(253) 884-9920

Tracy Anspach, Parks (253) 588-1921

Patty Jones, Beachcomber

Herron Island Office Hours: Monday 9:30-12:30; Tuesday and Thursday, 9:30 to 4:30. The office is CLOSED Wednesday, Friday, Saturday, and Sunday.

Office Phone: (253) 884-9350 Office Fax: (253) 884-5047 Website: http://www.herronisland.org

Office Email: Office@herronisland.org

Manager email: HMCManager@herronisland.org

Beachcomber: hjonesp@yahoo.com

Emergency 911
Ferry Cell phone (253)691-1457

(Cell phone to be used for scheduling heavy loads, big vehicles or having something in tow, and for information regarding ferry services.)



#### **Ferry Business**

- Call ahead if you are planning to use the ferry for a trailer, boat, or large vehicle!
- Only those guests with valid passes will be allowed on the ferry.
- Plan your arrival at the dock at least 5 minutes before the scheduled time of departure.
- Walks-ons are not to be on the dock or ramp when cars are being loaded. Watch crew for permission to board.
- Only service and delivery people may charge fares

LATELY WE HAVE EXPERIENCED GUESTS AND SERVICE PEOPLE EXPECTING TO COME OVER TO THE ISLAND WITHOUT GUEST PASSES. THIS VIOLATES THE ACCESS POLICY THAT WAS PUT IN PLACE FOR ALL OF OUR SECURITY. PLEASE MAKE SURE YOUR GUEST HAS A VALID GUEST PASS SIGNED BY YOU TO ENSURE THEY ARE ABLE TO RIDE THE FERRY. PROVIDING GUEST PASSES IS NOT PART OF THE DECKHAND'S JOB.

Beachcomber News Items need to be submitted to the HMC Office by the Friday after Monthly Meeting. Items <u>MUST</u> be typed or emailed. Your name and phone number is to be included in case there are any questions. Paid advertisements are to be arranged through HMC Office.





#### DELINQUENT LIST - Nov. 16th, 2004

BIDDLE, CURTIS

COPELAND, MICHAEL

CRAVENS, BONITA MAE

FLADAGER, DAVID

MY

FURGASON, CLIFTON

HOUSTON, MORTON

JEZ, CAROL

KIRK, L.

KIRK, M (ESTATE OF)

LAWRENCE

LEHMAN (DROUILLARD), J

MCINTOSH, DON
MCRAE FAMILY
MARTIN, SARAH
MOHR, LEONARD
MUTHALA, SALEH
NORMAN, MARY
O'NEILL, MARK
OVERLAND
PRESTON, PENNY
RUCKS, TERRY
SMITH II, EDWARD

STROUBE, MARY
SWOR, ESTATE OF
TITZLER
TCHOCHIEV
VOGEL, TERENCE
WAGEMANS, GREGORY
WINEBRENNER-NELSON
ZUMAYA, LINDA

HOLIDAY FERRY SCHEDULE				
THANKSGIVING	CHRISTMAS DAY	NEW YEARS DAY		
8:30-9:00	8:30-9:00	11:30-12:00		
11:30-12:00		4:30-5:00		
6:30-7:00	6:30-7:00	6:30-7:00		



# Notice of Special Membership Meeting of HMC Management

Notice is hereby given pursuant to Article 4 of the Bylaws of HMC Management that a special meeting of the membership will be held on Saturday, January 8, 2005 at the hour of 12:00 Noon at the HMC Community Building. At the meeting, three (3) ballot proposals described below which have been set before the members by action of the Board of Trustees will be voted on.

Members may vote in person at the meeting or by mailing or delivering the enclosed absentee ballot to the HMC Office so that it is received prior to the time of the meeting. *Ballots will not be counted unless your* name and signature appear on the large envelope.

- 1. Pursuant to Article 15 of the Amended and Restated Bylaws of HMC Management, the Board of Trustees has proposed that Section 9.14 of the Amended and Restated Bylaws be amended.
- 2. Pursuant to Article 15 of the Amended and Restated Bylaws of HMC Management, the Board of Trustees has proposed that Section 9.3 of the Amended and Restated Bylaws be amended.
- 3. Pursuant to Article 15 of the Amended and Restated Bylaws of HMC Management, the Board of Trustees has proposed that Paragraph 11.2.1 of the Amended and Restated Bylaws be repealed.

#### **Ballot Explanation**

**Proposition 1:** If a delinquent island property is sold at a foreclosure auction, existing liens not covered by the sale price are discharged. Under the existing Bylaws, HMC would not be able to collect an assessment from the new owner until the next fiscal year. Approval of this proposition would amend Section 9.14 of the Bylaws with language suggested by the HMC attorney that would allow liens to be applied on a semi-annual basis. This could allow HMC to collect a half-year's delinquent assessment due April 1st rather that have to wait for the next fiscal year's assessment due on October 1st. Non-delinquent memberships would not be affected by this proposition.

**Proposition 2:** Our revised Bylaws require a minimum thirty-day period from the day that the annual budget is mailed to the membership with the June Beachcomber until the votes can be counted to ratify the budget. This prohibits ratification of the budget on the day of the July regular monthly meeting. Approval of this proposition would change the minimum notification period to fourteen days, allowing votes to be counted at the regular July meeting.

**Proposition 3:** Section 11.2 of the Bylaws restricts the operation of businesses on the island. We have a limited number of construction vehicles on private property that HMC and island residents depend on to maintain both common and private properties. This equipment technically violates Paragraph 11.2.1, which prohibits the vehicles being seen from outside of the residential site on which they are stored. The Board feels that the remainder of Section 11.2 is adequate to prohibit undesirable businesses from operating on the island, and that Paragraph 11.2.1 should be repealed by approval of this proposition.

#### Official Ballot and Voting Instructions

- 1. Vote yes to accept any proposal set forth below. Vote no to reject it.
- 2. Insert your ballot in the envelope marked "Official Ballot" and seal the envelope. Do not put your name on this envelope. Do not place anything other than one ballot, containing your vote on the three propositions, in this envelope.
- 3. Place the small envelope marked "Official Ballot" in the large envelope. You must sign the large envelope and make sure that your name and address appear on the large envelope. If your name and signature do not appear on the outside of the large envelope, your vote will not be counted.
- 4. To be considered a member in good standing and have your vote counted, all delinquent charges and assessments must be paid in full before the Ballots are counted.
- 5. Please make sure that your name is legible on the large envelope. If your name cannot be read, the ballot will not be counted.
- 6. Your absentee Ballot must be received in the HMC Office by 12:00 Noon, Saturday, January 8, 2005 to be counted. If you prefer to vote in person, please attend the meeting. The Ballots will be counted at that time.

#### **Proposition No. 1**

#### (Amendment of Bylaws Section 9.14)

Shall Section 9.14 of the Amended and Restated Bylaws be amended to read as follows?

9.14. Acceleration. If any Assessment chargeable to a particular Lot remains delinquent for more than thirty (30) days, the Board may, upon fifteen (15) days written notice to the Unit Owner, accelerate and demand immediate payment of all or any portion set by the Board, of the Assessments and special charges which the Board reasonably determines will become due during the next twelve (12) months with respect to the Lot. If the Board exercises the right to accelerate the Assessments, the Board shall not also demand a security deposit as provided in Section 9.15. The right of acceleration under this Section is solely for the benefit of the Association. If the Board has exercised its right of acceleration under this Section, it may, in its sole discretion, reverse the acceleration. If a Mortgage Foreclosure takes place after acceleration under this Section but before payment of all accelerated amounts due, the Lender or other person who obtains possession of the Unit as a result of the foreclosure, and not the former Owner, shall be responsible for payment of all unpaid Assessments which would, in the absence of acceleration, have come due after the Mortgage Foreclosure.

(Continued on next page)

## Use ballot received from USPS for voting.

## Proposition No. 1 (cont'd)

YES (For
NO (Against
Proposition No. 2
(Amendment of Bylaws Section 9.3)
Shall Section 9.3 of the Amended and Restated Bylaws be amended to read as follows?
9.3 Ratification of Budget. Pursuant to RCW 64.38.025(3), within thirty (30) days after adoption by the Board of any proposed regular annual budget or special assessment supplemental budget of the Association, the Board shall set a date for a meeting of the Owners to consider ratification of the budget. The date of the meeting shall be not less than <b>fourteen (14)</b> nor more than <b>fifty (50)</b> days after mailing of the notice of meeting and a copy or summary of the budget. Unless at that meeting a Majority of Owners reject the budget, the budget is ratified, whether or not a quorum is present. If the proposed budget is rejected or the required notice is not given, the periodic budget last ratified by the Owners shall be continued until such time as the Owners ratify a subsequent budget proposed by the Board.
YES (For
NO (Against

(Continued on next page)

# **Proposition No. 3**

## (Repeal of Bylaws Paragraph 11.2.1)

Sha be repealed	ll Paragraph 11.2.1 of the Amended and Restated Bylaws, as stated below, d?
	11.2.1 the existence or operation of the Business activity within the Residential Site is not apparent or detectable by sight, sound or smell from anywhere in the Community outside of the Residential Site;
	YES (For
	NO (Against

Use ballot received from USPS for voting.

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## HMC Management Board Meeting Summary November 13, 2004

#### Administration

- The Board discussed several issues regarding caregiver status, hospice access to the ferry, and how to designate persons domiciled on the island and eligible for reduced ferry rates.
- The Board approved a merit step raise for Captain John Farris.

#### Information items

- There were no vehicle or other type accidents on the ferry during FY 2003-2004 for which the regular ferry crew were found responsible, so the crew is eligible for the annual safety bonus. As a corporation, HMC places a great deal of emphasis on safety. The crewmembers' safe work through the past year is appreciated.
- New stickers for boats, trailers and other non-auto vehicles have been received.
- The owners of a home on the island have graciously offered its use to part-time ferry captains who need to stay overnight while on call.

## <u>Transportation</u>

- Engine governor and oil leak problems on ferry have been repaired by Tacoma Diesel. No additional billing for this work is anticipated.
- The ferry ramp lighting has been replaced with all-new floodlamp housings with 24,000-hour mercury vapor bulbs.
- The Coast Guard completed its annual inspection of the ferry in October. The vessel passed without problems and has been issued an updated Certificate of Inspection.





#### Roads

- A new 12-inch diameter drain pipe has been installed along Ferry Road. It replaces a worn-out metal pipe that has for a long time been dumping water behind the bulkhead next to the ferry ramp.
- A major water leak that was destroying pavement was discovered underneath Ferry Road. Repairs to the pipe were made on Nov. 11 and pavement repairs will follow.

#### Water

- Cummins Diesel Northwest made repairs to the electrical and electronic equipment connected to the generator at the well site. The next work there will be to service the diesel engine that drives the generator.
- The Washington State Health Department has approved our engineering plans for the new water reservoir.
- The island is in need of a considerable amount of gravel, for road repairs, water reservoir sub-grade, pipe trenches and drainage and as aggregate in the concrete to build the tank.
- A licensed contractor will be required to install the piping associated with the new reservoir. While the job is not large, it will form the attachment point for all of the new distribution system to be installed in years to come, and will be subject to inspection by both Pierce County and the State Health Department.

#### **Part-time Ferry Crew**

HMC has openings for two part-time (fill-in) **ferry deckhand/pursers**. If you would like to help out with this important position, or if you know someone who might want to, please contact the Island Manager at 253-884-9350. Fully-paid training, both initial and regular refresher, is provided.

HMC is also looking for a part-time **ferry captain**. The position requires a 100-ton near-coastal U.S. Coast Guard license. Training on the Herron Island ferry is provided and is fully-paid.

#### **Mailboxes**

The Post Office has asked that members not park cars in front of the new mailboxes that are adjacent to the mainland parking lot, as the rural delivery courier cannot access the boxes when there are cars parked there.

#### Fire District information

For any information desired regarding responses to Herron Island by Fire District 16, please call their Headquarters at 253-884-2222. Please do not call island fire and EMT volunteers to ask for this type of information as they are not permitted to release it.

#### Reminder before digging on any part of an Island road!

#### ISLAND ROADS ENCROACHMENT POLICY

PURPOSE: Through a permit and monitoring process, ensure that the condition of island roads is not adversely affected by work performed on behalf of individual property owners with legitimate reasons for encroaching on road right-of-way. This policy supplements, and does not replace, the existing HMC "Tight Line Policy."

Any owner having a legitimate reason to do work on any HMC-owned road right-of-way, whether part of the maintained roadway or not, must first obtain an Encroachment Permit (HMC Form 11) from HMC. The work must be for the benefit of the owner's property which is immediately contiguous to the portion of road involved. Types of work include, but are not limited to, trenching for septic system tightlines or underground electrical or telephone lines, grading of any kind and tree removal or trimming.

Work done by property owners to keep roadside ditches and culverts clean (to allow for the free flow of water) as requested of them by the HMC Ditch Maintenance Policy, does not require a permit, nor does work performed by the HMC Water Department.

Encroachment Permits may be issued by the HMC Island Manager or the Road Department Chairperson.







#### IN MEMORIAM

Herron Island Friends express their condolences to the family of long-time resident Dennis Crowley, who passed away November 13, 2004.

A mass of celebration was held in Gig Harbor on November 20th.

#### Thanks, Emergency Volunteers!

On November 5<sup>th</sup>, both men from a gutter company sustained injuries while working at my house. One fell off a ladder and the other fell off my deck. I wasn't home at the time and still don't know the details.

I'm writing to express my appreciation and gratitude to Dale Woulf, who called 911, and to the local volunteer(s) who responded to the call until the Pierce County Fire Fighters arrived. One of the men is still in the hospital as of November 10<sup>th</sup>, so I know that he sustained a serious injury and that the quick response was particularly important. Thanks, Herron Island Volunteers!!!

Merry Kogut









#### CAPTAIN'S MESSAGE

**Possible Delays** 

Morning Runs

December 2004

13th, 14th, 15th, 16th, 17th, and 18th

January 2005

10th, 11th, 12th, 13th, 14th, 15th

HAPPY HOLIDAYS FROM THE FERY CREW!







#### **Letters to the Editor**



Our friends at Herron Pt. and beyond our ferry turnoff, have brought it to my attention that they take their life in their own hands when driving past our ferry dock. It bought the point out that there are no yield signs for those of us rushing for a ferry, and in our rush, we are driving irresponsibly.

I am asking all of us to be more considerate to our neighbors. Our friends on the mainland have helped us out of many scrapes-like when my family capsized in our small boat, or when our car would not start. Our parking while we wait for a ferry is an inconvenience to the residents on Herron Pt., but could we please be more considerate not to feed their dogs, drop trash, and please drive slow and carefully.

Thank you,

Linda Moren







# BOOSTERS

Work parties finished the pump house roof. The island-side ferry waiting shed has been erected. Benches and painting remain to be completed. Thanks to all those who were involved!

The Spaghetti Dinner and the Thanksgiving Potluck Dinner were huge successes. Thank you to all those who helped make them happen and all those who came. Your participation contributed to some fun times.

During the winter the goal is to have activities just for fun and enjoy time with our neighbors.

Dec. 11th	Island Holiday Activities
1-3pm	Children's Santa Claus Workshop with an appearance by Santa Claus.
6рт	Booster Potluck Dinner/Meeting at Center/Station. The Boosters will provide Ham (just ham). Please bring a side dish or dessert to share.
7pm	White Elephant Gift Exchange for adults: If you bring a gift, you can select a gift. This is always a fun time!
Jan 8th, 05	Spaghetti Dinner
6pm	The Boosters will provide the spaghetti with meat and meatless sauce. Please bring salad, bread or dessert to share. Following dinner, there will be a <u>short</u> Booster meeting. After the meeting, we will play table games. Bring your own cards, dominoes, Chinese checkers, etc.
E 1 124 05	Line Denning & Betleel

Feb. 12th, 05 Live Dancing & Potluck

6pm

Please bring appetizers, snacks or desserts. (We will NOT have a meal.) There will be an instructor to teach us, plus the opportunity for traditional dancing with

your sweetheart.





The family of Dennis Crowley would like to thank all of our Island friends who helped us by being with us, relieving us to go for a walk, running errands, stocking our cupboards, picking up mail and papers, etc. Your compassion is still flowing through us and giving us strength during this sad time. There may be other beautiful places to live on this earth but I strongly doubt they could match up with the caring community we have here. May God bless every one of you.



# peace joy love peace joy love peace joy love

A special thanks to all of my island friends and neighbors for your continued personal and professional support this past year; may each of you be blessed with the best in 2005!

For our new Herron Island owner's the island is a special place to enjoy during the holidays. The Booster's have a festive Christmas event planned December 11<sup>th</sup>. We hope to see you there.

We continue to be grateful for our freedom and the gifts of life God provides.

From both of us, Terrill and I, thank each of you and have a wonderful Thanksgiving and a very Merry Christmas.

With God's blessings,

Dallas Amidon & Terrill Chilson

peace joy love peace joy love peace joy love













911

# Pierce County Neighborhood Emergency Teams PREPAREDNESS MEETING - 7 p.m. 3rd Monday of every month at the Fire Station/Community building

Gretchen O'Connor from PC-NET headquarters came to us on September 18th. We had a rather quiet turnout but those who showed up learned a great deal. Many thanks to Gretchen for all of her help!

I am pleased to announce that Herron Island's Emergency Preparedness Division finally has their own storage cabinet which is located inside of the Fire Station! Not only that, but we have had a great number of items that have been donated to us. The Herron Island members of PC-NET would like to thank the Boosters and the Herron Island Main Office for allowing us to store our items until now.

Unfortunately I must also announce some sad news as well. Our Island PC-NET group have just lost our Block Coordinator, Dennis Crowley. This past year he has devoted much despite battling health problems. He served our Island with pride and determination. We will never forget you, dear friend. May your light continue to burn as bright in the heavens as it did here.

There have been many changes throughout this year of 2004. Herron Island has grown in its population and in its need to prepare it for a possible crisis. As we look ahead into 2005 and beyond we must be ever vigilant in preparing our homes for any challenge that may come our way. Hopefully nothing will ever happen, but we must be ready in case it does. I would encourage everyone to attend our next meeting on Dec. 20th so that we may help prepare everyone in what they can do and to see everything we have built this past year!

On behalf of every member of PC-NET, Seasons Greetings to you all! Be safe!

Michael D. Jones First Aid Team Leader







#### November

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
7	8	9	10	11	12	13 Board Meeting 10am Booster 6pm
14	15 PC-NET 7pm	16	17	18	19	20
21	22	23	24	25 Thanksgiving	26	27
28	29	30				

#### December

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
5	6 Garden Club Holiday Potluck 10am	7	8	9	10	11 Board Meeting 10am Booster 6pm
12	13	14	15	16	17	18
19	20 PC-NET 7pm Christmas Special	21	22	23	24	25 Christmas
26	27	28	29	30	31	

#### MECCOME ALL NEWCOMERS!



det involved! We need you! It's fun!

# BOOSTERS

# The Beachcomber

HERRON MAINTENANCE COMPANY

P.O. Box 119 Lakebay, WA 98349

Inside this issue...

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Lakebay, WA