

# The Sentry News Letter

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## KAPO's Mission Statement

1. To free private property from unreasonable government regulation
2. To work for responsible wildlife habitat protection and for conservation of natural resources
3. To support those who defend the rights guaranteed to owners of private property by the United States and Washington State Constitutions

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## HELLO BILL

*by Tim Matthes, Immediate Past President*

It is my privilege and honor to introduce Mr. William Palmer as our newly elected KAPO President. Bill has a depth of knowledge and education that will serve him well in his new position. I have already heard good things about his obvious leadership abilities. And remember he is just getting familiar with his new duties.

I hope that each of you will join me in pledging to him your support and alliance this coming year. Though he is very capable of continuing the battle with those that would control every aspect of our lives, he cannot do it by himself. He has already mentioned several new ideas that we all can help with. We are sure to succeed under his guidance.

Kapo's strength is with the many volunteers and members that have always answered the call to get the job done and I know you will not let him down.

This is going to be a very exciting year for KAPO.

## HELLO JACKIE

*by Vivian Henderson, Director*

About 3 years ago I got a telephone call from one of our members. He had been knocking on doors of waterfront property owners warning them of impending regulation on shoreline property and he met one owner who "...is very interested in what KAPO is doing", he told me. "Give her a call." I did call her and invited her to lunch. She had just had surgery on her foot she told me and it was hard for her to get around. So I offered to bring lunch to her. I picked up a couple of Subway sandwiches and headed to Watauga Beach Drive.

That was the beginning of a great relationship. Jackie Rossworn joined KAPO and started coming to our Board of Directors' meetings and monthly dinner meetings. She pitched right in volunteering to do whatever was needed. She was soon elected as a KAPO Director.

Jackie and I worked real close together. She started coming to County Commissioner meetings and Kitsap Regional Coordinating Council meetings and public hearings. She even testified at public hearings supporting KAPO's issues and defending her property and your property against the powerful over reach of government.

About a year ago when our newsletter editor had to quit, Jackie picked up the banner and said "I'll take over publishing the monthly newsletter". In 2009 and 2010 she volunteered to plan and organize KAPO's booth at the Kitsap Fair. Publishing a monthly newsletter and taking the responsibility of the fair booth are bigggg jobs! She has amazed us all.

Now the time has come for me to step down as KAPO Executive Director. I have held this position for 11 ½ years and it's time for new blood; a fresh face. I've enjoyed all the experiences I've had as Executive Director and I've met some wonderful people. I will continue to be active in KAPO and will always defend property rights.

I wouldn't willingly turn these responsibilities over to anybody I didn't think would work in the best interest of property owners. Jackie will. And Jackie is no wall flower. She's outspoken, knowledgeable and willing to work with or take on the establishment; which ever is appropriate.

Being Executive Director is a big job and it doesn't pay very well. There is no salary or big benefit package or retirement plan. She needs a lot of cooperation and help. Jackie is my friend and a great friend to property owners.

Thank you, Jackie. You came along just in time.

Vivian Henderson  
Former Executive Director  
360-710-8560  
Email: [vivian@wavecable.com](mailto:vivian@wavecable.com)

## *Kitsap County Fair 2011*

*by Wm. Henderson, Director*

Spring is here, and the Kitsap County Fair is just around the corner. KAPO has reserved booth spaces #51 & #52; the same as last year. Please think about serving a three hour shift.

At KAPO's April 5<sup>th</sup> Board of Directors meeting our President will appoint a Fair Committee to plan a theme and prepare educational material for hand outs. The county fair is the greatest opportunity KAPO has to get belly to belly with property owners and explain to them the important work KAPO does and how closely property rights are connected to all of our cherished freedoms.

If you'd like to serve a shift but are worried that you may not know enough to answer fairgoer questions, we will schedule you with one of our old-timers. Each person who serves a shift gets a free ticket for parking and admission to the fair. If you're interested in serving on the Fair committee let me know. Contact me at <[A href="mailto:Henderso@wavecable.com">Henderso@wavecable.com](mailto:Henderso@wavecable.com)</A>

### **The Fair times are as follows:**

<b>DATES RESERVED</b>	<b>TIME</b>	<b>HRS</b>
Wednesday 8/24/20011	10:00 AM to 10:00 PM	12
Thursday 8/25/20011	10:00 AM to 10:00 PM	12
Friday 8/26/20011	10:00 AM to 10:00 PM	12
Saturday 8/27/20011	10:00 AM to 10:00 PM	12
Sunday 8/28/20011	10:00 AM to 6:00 PM	8

Thank you, for your support  
Wm. Henderson

## *What is the Glass-Steagall Act?*

*by John T. Taylor, Director,*

An act passed by Congress in 1933 during the Great Depression that prohibited commercial banks from collaborating with full-service brokerage firms or participating in investment banking activities. It protected bank depositors from the additional risks associated with security transactions.

The act was dismantled in 1999 during the Clinton administration. Consequently, the distinction between commercial banks and brokerage firms has blurred: many banks own brokerage firms and provide investment services. Do banks have more power than they should? Was this part of the "Perfect Storm" for banks and brokerages to fail?

## *PART I PSRC Transportation Policy board (TPB) Meeting*

*3/10/2011*

*By Chuck Shank, Vice President*

A couple things up front that you may be interested in:  
first, the TPB meeting can be viewed now, here's the link <http://psrc.org/about/boards/iframe/>  
second, the 2010 census data is available - here's the link <http://www.psrc.org/data/census/decennial/2010/>

The census data for Kitsap is critical to our qualification to form a solo RTPO/MPO, based on Population contained in the Federal Aid Urban Area (FAUA), to be determined by the WSDOT in the near future. Should 200,000 persons be contained in the FAUA, we would qualify to set up an MPO (Metropolitan Planning Organization) for distributing Federal funds to the Cities within it. At this time those Cities would be Bainbridge Island, Bremerton, Port Orchard, and possibly Poulsbo and unincorporated Silverdale. We'll be following this.

At the TPB meeting, Janet Ray, of AAA Washington, talked briefly about the Transportation 2040 Prioritization Working Group, which our Bob Benze attends, tasked with preparing recommendations on how to prioritize proposed transportation projects for the next project selection cycle. These recommendations will eventually go up to the Executive Board, who will consider them during their own determination of the final Project Prioritization Process.

Transportation 2040 sets the frame within which the new picture of our transportation will be painted. At this time, it is electric vehicles, light rail, electronic tollgates and no more global warming! All gasoline and diesel powered vehicles will be destroyed, and to make up for the loss of gastax revenue, electronic tollgates every 20 miles or so will charge you, at today's reckoning, \$7. Going 60 miles will cost you \$21. So it'll be way cheaper and healthier to just ride your bicycle or walk. By the way, up on the Project Prioritization Working Group's list of considerations will be at least one that qualifies a project based on how Healthy it will make You and the Environment.

Our own Commissioner Josh Brown, PSRC Vice President and Operations Committee Chair, gave a presentation about City and County representation on the Transportation Policy Board. He talked about two main proposals, and a third one that was rejected for their consideration.

## **PSRC Part II**

Currently each County sends one representative each of the County, Metropolitan center city, and Other cities and towns, except in King County, the County sends 2, Seattle sends 2, Bellevue sends 1, and Other cities and towns sends 2, totaling 7 representatives. Snohomish, Pierce, and Kitsap send the requisite 3 each, since they only have a single metropolitan center city each, totaling 9. You can see what an advantage Snohomish, Pierce and Kitsap have when they all vote against King County - maybe this is why the Operations Committee was tasked to update the tally method. (To my knowledge, Kitsap, Pierce and Snohomish have never voted as a block against King.)

So, Cm Josh's first proposal was to keep everyone the same except King County would be reconfigured to 1 County and 3 Other cities and towns, leaving the total at 7.

The next alternative was configured to total 20 representatives. Kitsap and Snohomish remained with their normal 3, while Pierce went up to 4 with the County tally changed to 2, and King went up to 10, with Seattle going up to 3 and Other cities and towns to 4. This resulted with King now having 10 representatives, Pierce having 4, and Snohomish and Kitsap 3 each. Sounds more than fair.

People raised the question of basing the representation on a different standard than Population, such as Square Miles, or Centerline Lane Miles, which would get to the heart of transportation system deployments. Lot's of support around the table BUT, not gonna happen.

The proposal rejected by Cm Josh's committee used weighted representation based on population and number of jurisdictions. Under it King had 9, Snohomish, Pierce, and Kitsap stayed at 3 each for a total of 18 representatives. King County has 38 jurisdictions with 35 being Other cities and towns, Snohomish has 17 (15 Other cities and towns), Pierce has 20 (18 Other Cities and towns), and Kitsap has 5 (3 other cities and towns).

This was the most interesting proposal, eliciting the most discussion. Maybe that's why it was not considered, because it attempted to redistribute the wealth amongst the many rather than the few. Wealth redistribution, i.e. Federal Transportation Dollars, being a tenet of fairness and social justice, except when the political consequences are not conducive to the current Power, Seattle/King Co. Even the non-voting voices at the table (like AAA Washington, League of Women Voters, etc) began to question why they were not allowed to vote.

But to me the significant revelation forthcoming was this - why the heck are we even sitting there? The population numbers used by the PSRC are those from the State Office of Financial Management (OFM), which are updated annually, showing King Co totaled 1,902,195, Pierce totaled 812,190, Snohomish totaled 702,270, and Kitsap totaled 248,300. All of Kitsap equaled two Bellevues.

## PSRC PART III

Again it becomes necessary to question of what benefit is it for us to be in the PSRC versus being a solo RTP/MPO like Thurston County is. Kitsap is a Peninsula, linked west, and south by bridges and east by the ferries - we are not like them. By virtue of our membership we received about \$20 Million from 1992 to 2007. This is the same amount we would have received as a solo RTP/MPO, but we would have been able to compete for more project funding separated from the PSRC's project selection process. The PSRC is interested in one thing primarily - mass transit. Kitsap needs one thing primarily - missing links.

In 2008, the County's Executive Summary says we received about \$50 Million during this period. Where is the extra \$30 Million coming from, that the County says we received by virtue of membership in the PSRC? These funds went to WSF, WSDOT Highways, Kitsap Transit, and Port of Bremerton.

I asked Stephanie Tax, WSDOT Highways and Local Programs, Program Management Manager if WSF and WSDOT Highways, would have been precluded from their portion of the \$30 Million had Kitsap been a solo RTP/MPO during the 1992-2007 period, and she said no.

But it was harder to determine if Kitsap Transit would have received its share of the \$30 Million, although it probably would have (if not more, since it would have been a big fish in a smaller pond under that scenario). Port of Bremerton was minuscule and could have been accommodated. So there is no real financial incentive for us to be full members of the PSRC. But could there be a political reason for us to be there, and may it pertain to rising stars in one particular party?

We should redefine our PSRC membership as Associate, rather than Full, the same as we are for the Peninsula RTP, and get in charge of our own Transportation systems by becoming a solo RTP/MPO. Wouldn't you rather have more say in how WSF functions?

Next up Charlie Howard reported on PSRC's *Growing Transit Communities* Program. You may recall that Ron Sims, US Housing and Urban Development Director, presented the PSRC with a \$5 Million grant a few months ago. It had nothing to do with the fact that Ron is a native son - PSRC earned the grant strictly on the merits of its comprehensive proposal during the application phase. This \$5 Million is providing 6.5 Full Time Equivalent jobs for some new PSRC staff to be hired soon, and a little to go out to consultants in the 2 year effort ahead.

HUD formed an alliance with the US Department of Transportation, and the Environmental Protection Agency as the oversight agency to coordinate efforts between transportation, affordable housing, and environmentalism so that the Light Rail System is assured of construction. It will go from Everett through Seattle to Tacoma, with a branch off to Bellevue when it's completed. So far it's only cost the regional taxpayers \$9 Billion and at least 3 miles are done. I wonder what the cost will be for the new 70 miles to go? Anyway, our regional tax system is chipping in the extra \$300 per trip needed for a fare-paying commuter right now. No doubt that amount will come down significantly when the line is 20 times bigger than it is now.

This is another one of the benefits we Kitsapers enjoy by being members of the PSRC. As a remote part of the *Growing Transit Communities* Program, soon you may be able to take the ferry for a walk-on fare of \$10 so you can take the bus to get to the light rail depot to go to Tacoma. Or Everett or Bellevue. Probably be a lot simpler if you'd just move to Seattle and ride your bicycle or walk though - probably get there in the same amount of time. Although you'd best learn controlled breathing techniques so that you don't exhale too much carbon dioxide on your way.

Remember that the Transportation 2040 Prioritization Working Group Project Selection Priorities written about above, will be evaluating Environmental & Personal Health criteria for project approval. When you see Bob Benze, thank him for his service, he's doing a tremendous job for us.

## *Jack Hamilton at His Best*

*by Tim Matthes, Immediate Past President*

Several of our members have asked me about Jack Hamilton, where he has been, and what he is doing. I talked to him at the Republican Lincoln Day dinner just a few weeks ago. He is the 2011 Republican Chairman, working with the tea party organization, an officer of his railroad association, and in his spare time has been watching all the house and senate bills this legislative session. **I have taken the liberty of printing just three of his position letters that are especially important to property rights.** If anything he has to say gives you any ideas about sending a message of your own please do. To send a message or just check on a bill go to [leg.wa.gov/bill](http://leg.wa.gov/bill) and follow the prompts.

*Dear Senator Name*

*I write in strong support of ESSB 5077, AN ACT Relating to prohibiting the use of eminent domain for economic development*

*It should be of deep concern to each member of government that an act such as ESSB 5077 (and companion bill HB 1035) would even be considered necessary to be brought forth. The clarity of our Constitution in Article 1, section 3 and Section 16 should provide sufficient barrier against this inappropriate action by a government against a citizen. There can be no doubt at any level that the preservation of the rights associated with ownership of private property must be protected if liberty and freedom are to exist. I can find nothing in our Constitution that would even hint that government has any authority to deprive an individual, with or without just compensation, the right of ownership or use of their private property for any other than clear public use. Economic advantage is a use not assigned to the public sector and strictly reserved by the citizens of the state to the private sector.*

*I recommend approval of ESSB 5077*

*Jack Hamilton*

*Silverdale*

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*Dear Senator Name*

*I write in strongest opposition to ESSB 5253, and ESHB 1469 AN ACT Relating to landscape conservation and local infrastructure*

*This bill has one of the most misleading titles of any bill introduced this session*

*This bill is the poster child for what is wrong with GMA and the best example of the failure of that act.*

*This bill is to land use what cap and trade is to air quality. The ponzi scheme set up by this bill does little other than create an additional bureaucracy to provide oversight, create a revenue stream that adds no value to anything and employs a process that is unsustainable. Forest and agriculture land is already protected by GMA and the development of that land is near impossible. To now determine that designated forest and agriculture lands have "development rights" that can be transferred to other areas needing such rights is a massive fabrication possible only in a world of government excess. The failure of GMA to properly understand the needs and desires of private citizens and private property owners*

cannot be rectified by this act. The Cascade Land Conservancy let the cat out of the bag with their declaration of success. They report the following: "TDR provides landowners with an alternative means of realizing the development potential of their lands without developing it. It offers landowners an option to separate the legal ability to build on their property called a "development right" and redirects that potential development to areas more suitable for population growth". And "In exchange for accepting development rights, cities will have access to financing for revitalizing and redeveloping designated districts. They will be able to bond against the future tax revenue generated by the development projects allowing them to improve essential infrastructure needed for a growing population." Please note that there is no mention that the TDR has little or no application if existing property owners will not accept redevelopment for infill or if no additional land exists to which the TDR may apply  
I strongly recommend the rejection of ESSB 5253.  
Jack Hamilton

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Dear Senator Name

I write in support to HB 1381, AN ACT Relating to sufficient cause for the nonuse of water. This is another water rights bill. It would be best to compile all of the bills into a single act. The preferred answer is to eliminate non-use as a reason for automation relinquishment. I find it difficult how a person can lose a right to anything because a government agency was too slow to get a job done. We should be concerned that we might even have to legislate to protect an individual against a problem of that nature. Article I, Section 1 of the Constitution provides the guidance for this problem.  
I recommend adoption of HB 1381, or a bill of like subject, more favorable to removal of non-use as a reason for relinquishing rights.  
Jack Hamilton  
Silverdale

This bill gives new meaning to the saying that whiskies for **drunken** and water for **fighten** over!

## KAPO LOOKS FOR A SECRETARY

Kitsap Alliance of Property Owners (KAPO) is looking for a secretary to take and transcribe minutes of their monthly directors meeting. Directors and Officers meet on the first Tuesday of every month from 1:00pm to 3:00pm in West Bremerton. Be in the mix and learn about property rights. The selected person must be (or become) a KAPO voting member.

Please contact: Director, Bill Henderson 360-731-3942  
Vice President, Chuck Shank 360-908-1055

## How to Join KAPO

Membership in Kitsap Alliance of Property Owners is available at three levels:

Voting Membership is open to applicants and includes voting rights. Membership dues are \$100 per year.

Associate Membership is also available. Associate Members do not enjoy voting rights. Associate Membership dues are \$25 per year.

Life Membership, voting membership for the life of the member, is available for a single payment of \$1000.

Dues are pro-rated quarterly. Contact Vivian Henderson for correct amount based on the date of your application.

The list of KAPO members is not released to the public. Individual member information is not used for any other purpose than the specific business of KAPO.

For more information or to receive a membership application visit the KAPO web site at [www.kapo.org](http://www.kapo.org) or contact Executive Director Vivian Henderson, at 360-710-8560 or via [email](mailto:vivian@wavecable.com), [vivian@wavecable.com](mailto:vivian@wavecable.com).