

Contribution Increase Approved

By Bud Borher, Treasurer

At our meeting on September 11, and after reviewing our expenses and bank account status, the Committee approved a contribution increase of \$10, from \$20 to \$30. We ask that you support the Committee with your contributions. There is still time to contribute for 2007 and it's not too early to contribute for 2008, but we will send you a solicitation with the ballots for Committee elections in February 2008. Please note that this is the FIRST increase since the Committee began operations in the 1980's, and it is deemed necessary to remain solvent and provide the current level of services. In addition to our activities in supporting the covenants to maintain the character of the community, we have significantly improved the quality of the newsletter, published a new telephone directory, upgraded the 9th Place entrance with the able help of a

number of residents, subsidized the community picnic (see details of the picnic on page 2), and maintained the frontage along Dash Point Road. These expenses will continue and have drawn down our bank account, thus the contribution increase.

A number of you have contacted us regarding these services and improvements. Some who do not contribute to the Committee still feel entitled to ask for our help and we find that lack of responsibility ironic. While Committee members volunteer their time (quite a few hours each week), paper, postage, printing, plants, power and water, and picnic expenses all require funding. We would also like to improve the 11th Place entrance and make further improvements along Dash Point Road, given adequate resources. The activities of the Committee are central to maintaining the excellent neighbor-

hood we live in, and we thank all of you who maintain your properties and respect your neighbors. This results in a pleasant neighborhood and maintains our property values. Please support the Committee with your contribution and urge your neighbors to do the same. It would be great to receive contributions from all Marine Hills residents. We always recognize contributors in our Spring/Summer newsletter, so please contribute and your name will appear on the list.



Marine Hills Architectural Control Committee

The Covenant Courier

The Issue of Mold

By Joe Wendlick
Property Monitor

BACKGROUND

Biological growth in the microscopic world of fungi, molds, smut, rusts, algae, etc. has been in existence on the Earth millions of years before humans ever appeared on the planet. Through aeons of evolutionary adaptation to changing climates, changing vegetation, cataclysmic events, changing food resources, emergence and disappearance of diseases, and biocompetition, the constellation of fungi, molds, smut, rusts, algae, etc. that either through parasitic or saprophytic pathways participate in the conversion of living or dead materials back to organic or inorganic end products to nourish the next generations of plants, animals, insects, *u.s.w.*, continue to persist in a myriad of forms. Humans and their archeological ancestors developed immunities to common encounters with these microbes, particularly airborne mold spores, mold-affected and mold-infected foods, spices, etc. over time. Children innately play in the dirt for a very good reason: to challenge, activate, and strengthen the body's immune system at a young age enabling good health to flourish through adolescence, adulthood, and the elderly years. In our country's current pervasive biophobic/mycophobic mindset, where biocidal, antimicrobial, and antibiotic chemicals have been introduced into virtually all cleaning and personal care products on the market, we, as a society, are playing into the hands of the ever-evolving germs and microbes of the future. Without question, bound by the fetters of panic about "toxic mold," our country's collective anxiety over this issue has brought about a reprise of the 1960's/1970's chemophobia, but with a new twist: blame the construction industry rather than the chemical industry.

HOW DID WE GET INTO THIS MESS WITH MOLD?

One might ask: If molds, fungi, smut, rusts, algae, etc. have been on Earth for millions of years, why have we suddenly become so concerned about them? The answer to this question lies in the nexus of three (3) converging, propinquity issues; to wit –

From the late 1970's through the mid-1990's, asbestos-related toxic tort/product liability lawsuits dominated the legal landscape like no other issue has before or since. With companies that formerly produced asbestos-containing products seeking either Chapter 7 or (*cont. on page 3*)

ANNOUNCEMENT

On December 3, 2007, the Port of Seattle, Land Use and Transportation Committee will be making a presentation regarding the airport, including the 3rd runway, flight path revisions and noise issues. If anyone in the Marine Hills area wishes to attend and provide comments, the meeting begins at 5:30 PM in the City Council Chambers at City Hall.

The Marine Hills First Annual Family Picnic

By Cindy Jarvis

The First Annual Family Picnic was held Saturday, August 18th, 2007.

We enjoyed old friends and made new friends. We enjoyed great music, visiting with neighbors, and we laughed as we played games. We won prizes and we ate yummy food – lots of it!

We danced and visited some more. We enjoyed the blue sky and sunshine and, when the clouds rolled in and the rain poured down, we ran under cover!

We had 66 people in attendance – there were many others who paid the fee to come, but were unable to attend due to prior commitments. We appreciate your support, even though you couldn't be there.

A special thanks to three families who made large contributions that added to the success of the event – Joe and Darlene

Wendlick - \$600, Harpreet Jaswal - \$200, and Fred and Bernice Konkell - \$50.

A big thanks to everyone who helped with planning, set-up, and clean-up: Maggie Jolley, the Crossman Family, Tim and Debbie Lehnherr, Dan and Amy Wood, Mike and Shelley Merryfield, John Nyce, Gil and Christal Peters, the Hartmann Family, and the Jarvis Family. The Choquette Family provided the sound system and DJ'd the event bringing life to the party! Thanks also to all of you who pitched in and helped when it rained and we had to shift things under the cover. Many hands make the job light!

Thanks to the Lehnherr Family for all of the great prizes they contributed!

Thanks to Nautilus Elementary and the FWPS District for the use of the school grounds – we are blessed to have such a nice facility in our midst.

“Thank you so much for all the work you did for the picnic. I was so happy to meet new neighbors.... I really hope we can do it again. The people that did not come missed out. I think the Caveman food was such a good idea. No one had to bring anything and it's great food. Thank you again.” Dicie Dillon (She won the award for the longest Marine Hills resident!)

The picnic was a huge success! Be sure to come to our next picnic – Summer 2008!

Watch for the exact date and details in future newsletters.



(cont. from page 1) Chapter 11 bankruptcy protection under the onslaught of asbestos-related lawsuits falling like leaves in Autumn, the primary targets of such lawsuits began to diminish rapidly. The juggernaut of plaintiffs' trial attorneys were eagerly looking for the "next asbestos" to keep the feeding trough full and began testing the issues of lead, arsenic, plasticizers, and molds in the courtrooms of various states.

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A landmark 1999 Texas lawsuit in which a homeowner (Melinda Ballard) sued her insurer for \$100 million dollars after her family allegedly got sick from mold contamination throughout her Texas mansion, eventually went before a jury in 2001, with the jury awarding her \$32 million dollars. The insurer refused to utilize experts who could refute all of the alleged health claims for fear that the jury might award a figure much larger than \$32 million dollars if their evidence didn't prevail.

With these three (3) intersecting issues emerging in the 1990's and the unrepentant media fomenting hysteria about "toxic mold" in their own self-interests, a whole new industry was formed based on misinformation. Embracing the panic, hysteria, hyperbole and paralytic consternation about "toxic mold" are those who benefit directly from the knee-jerk reactions of a gullible and ignorant public: law firms and attorneys; environmental firms; industrial hygienists and toxicologists; microbiologists; microscopists; instrument and equipment manufacturers; distributors and retail outlets; remediation/abatement firms; governmental agencies at the federal, state, and local levels; universities, colleges and extension center educational services; telemarketers; infomercial hawkers; vitamin and herbal manufacturers; physicians and pseudo-physicians in allergy, pulmonology, and naturopathic medicine; *ad infinitum*.

PERSPECTIVE

The truth is that "molds" are ubiquitous in nature, buildings, schools, and our homes, but only become evident when the two (2) other key elements of mold growth are added to the equation: **water and food**. In the case of drywall/sheetrock, the "food" is the cellulose (or paper) fibers added to the gypsum (calcium sulfate) matrix in the manufacturing process to give the matrix some structure or viscosity until the complete cure of the gypsum matrix occurs (analogous to the methyl cellulose added to mass-produced ice cream). In addition to these cellulose fibers in the gypsum matrix, the top and bottom drywall/sheetrock faces consist of craft brown paper underlain with a starch adhesive, all of which can readily be converted to simple sugars by the enzymes released by growing "molds," irrespective of species. Stop the water leaks, eliminate condensation, insulate cold water pipes, etc. and the "mold" cannot grow, despite the presence of "food" (paper, cardboard, wood, concrete [sometimes sugar is added to concrete to retard the set], natural fiber clothing, upholstery, draperies, carpeting/carpet backing, various adhesives, paints, *u.s.w.*).

In thirty-five (35) years of working in industrial hygiene, environmental chemistry, toxicology, and industrial medicine, this author can state unequivocally that the perception that "mold" is the next asbestos is pure rubbish, balderdash, and poppycock. Having followed and perused the tsunami of mold-related lawsuits across the United States over the past eight (8) to ten (10) years through Lexus-Nexus, it has become abundantly obvious that all alleged health-related effects resulting from "mold" exposure have been found to have been caused by other conditions, agents, genetic susceptibilities, pollens, viral/bacterial/rickettsial origins, psychogenic illness, or vacuous assertions. Awards and judgments in alleged mold-related cases can be attributed to the efficacy of extortion, compounded by an abysmal lack of understanding on the part of companies, property owners, and insurance carriers. With the exception of a handful of fungal diseases of pathogenic origin (*Histoplasmosis*, *Blastomycosis*, and *Sporotrichosis*), all other alleged cases of mold-induced or fungi-induced illnesses, such as asthma, pulmonary disease, or memory loss that this author has personally investigated in more than three (3) decades of work experience in industry, commercial buildings, and residential housing, yielded the true non-mold causes on comprehensive and/or profound investigations. None of these other cases (in excess of four hundred [400] to date) has been found to be related to mold exposure, as alleged. Incidentally, of the various black molds seen often or commonly in Western Washington homes when moisture and "food" are available, only one (1) in thirty-five (35) is *Stachybotrys chartarum*. The most common black molds seen indoors in Puget Sound homes where water (from leaks or condensation) and "food" are present are either of the *Aspergillus* species and/or *Penicillium* species.

To re-emphasize the point: ***Molds, fungi, smut, rusts, and algae have been grossly exaggerated as to their health risks, when in reality they constitute no more risk in buildings and homes than a walk in the woods in the fall, literally!***

Views and More Views

By James R. Simpson, Fred Konkell and Joe Wendlick
MHACC Property Monitors



View problems constitute about 90 percent of the complaints we receive. Not surprising, considering that we all love our trees—unless they restrict our views, which we also love.

Almost anyone who has lived in Marine Hills for some time has a story about how views have been lost over the years and how concerned they are. We receive about a dozen written complaints annually about views in which we wind up making a time-consuming investigation and doing our best to mediate a solution. Generally, we are successful, but some residents are really ornery, refuse to cooperate, and seem to only be concerned about themselves.

As with many things, there are some myths about the tree problem. One is that of “native” versus “planted” trees. The City of Federal Way officials point out there are essentially no native trees in Federal Way as they were all cut down years ago. Instead, they use the term “significant” trees, which are defined as twelve inches in diameter at chest height. The regulations are found in Code 22-1568. The bottom line is the city’s main concern about significant trees is about erosion control and development of new parcels. Otherwise, such trees can be removed with the owner’s permission.

The city is not very interested about concerns regarding views, but the Marine Hills Architectural Control Committee (ACC) is concerned because our goal is harmony in our beautiful neighborhood—and we are well aware of the impact views, and the loss thereof, have on property values as well as personal esthetics.

The ACC’s activities include interpretation of Marine Hills’ covenants. The Committee’s guidelines include **“No shrubs, trees, or bushes shall be allowed to grow in a manner which unduly restricts the view from an adjoining property beyond that existing at the time of purchase or construction.”** A word of advice—take pictures, date and keep them.

One major problem is the word “adjoining” in the guidelines and in all the covenants. Adjoining means the properties are touching. Being across a street is not considered adjoining. This word is a real troublemaker because in most view problems numerous residences are affected, not just adjoining ones.

So, what to do. Well, it depends on you individual homeowners changing your particular covenants and possibly working with homeowners covered under other covenants. This sounds like a daunting task, but actually it is quite a simple procedure. For starters, the covenants are mostly the same although the wording may vary slightly. Probably few of you have read the section titled “Duration.” It happens that the owners, by a majority vote (which is interpreted to mean “the residences within a covenant,” not those voting) can change the covenants: for example, to remove the vexing word “adjoining” or to make any other changes those homeowners deem appropriate.

The job of the ACC is to interpret the covenants and support the community. It is not to lobby for changes in covenants. That is your right, privilege and duty. The main requirement, if you want changes, is for someone to step forward within your particular plat and initiate changes. The ACC can help and guide, but not promote.

Fall is Here . . . Gardening Tips

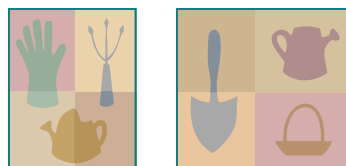
By Fred Konkell, Property Monitor

Now that the fall rains have started, it’s easy to put gardening on hold and pursue indoor activities. However, there are a few things you should consider doing this fall that will have a big impact on your spring gardening activities.

Between rain showers, pull any weeds that keep popping up. By removing the weeds at this time of year, you keep them from reseeding, and cut down on next year’s weed problems.

Fertilize and lime your lawn. Turf managers say that the fall application of fertilizer is the most important one of the whole year. The grass plants grow all winter long and the fall fertilizers help develop a strong root system over the winter. The application of lime helps convert your soil PH to neutral, which helps prevent the growth of moss. I like to use a pelletized lime such as Lilly Miller’s Super Sweet. It breaks down quickly, so it acts quicker and is much easier to apply than regular limestone.

Plant spring blooming bulbs now. The home centers and garden centers are loaded with bulbs, so the selection is excellent. Look for large bulbs. Bulbs are measured in centimeters, and the larger the bulb, the larger the bloom. Bulbs don’t like to be planted in soggy ground, so if your soil isn’t draining well, put a couple of inches of sand in the bottom of the planting hole and this will help with drainage. The bulbs will also be classified as early, mid-season and late bloomers. By choosing a combination of bloom times, you can extend the bloom season from early February clear into early June.



At the last Architectural Control Committee it was suggested that the committee start recognizing residents who do a good job of maintaining their yards. They asked me as a member of the property monitor committee to identify some well maintained landscapes. I drove the development and have identified the first five landscapes. This list is comprised of landscapes that looked appealing to me as I drove by, and is by no means complete, or is in any particular order. If your landscape hasn’t been recognized in this newsletter, it may be listed in a future newsletter. This time I’d like to recognize Ronald and Joanne Miller, George Shriver, Billy and Paula Small, Kim and Karen Gatrell, and Steven Rockey and Kim McClung. Thank you for making Marine Hills a beautiful place to live.