

EXHIBIT 18

From: Charles Bennett <chasben411@gmail.com>
Sent: Friday, January 24, 2020 7:36 PM
To: Jim Boothby <jimboothby@live.com>
Subject: Powers response

The dispute between the RLCA and the RLWA is one that I believe should never have happened.

As an owner of one of the protected lots above the wellhead, I was immediately involved with both associations, and in fact, became a member of both boards.

I never understood why the water association refused to communicate in any way with the lake association.

At several water association meetings, the state water operator would tell us that communication was necessary with the lake association because all the liability lay square in their lap, as water rights, and land was owned by the association.

As a result, no infrastructure upgrades, even something as simple as adding a backup generator could not be installed on the pumps.

To the issue of founding documents, the legality is crystal clear that everything is in the name of Reflection lake community association.

As a result of complete lack of communication by the current water association, I resigned as a member and am currently Vice President of the Lake association.

After much consideration we have learned that the best water systems in Washington state are run by only one association, with the water system being operated as a committee under the lake association.

By operating as one, all legal issues and communication issues are dealt with on a regular and comprehensive way consistently, at every regular meeting of the board.

The decision to dissolve the current water association did not come as a result of anything other than a total lack communication by the executive board of the water association. Therefore, we believe the way forward is to conserve our resources and work together as one Lake and one association.

Sincerely,

Charles Bennett Vice President RLCA and East side neighbor.

**Reflection Lake Community Association
Board of Directors
37708 Sheets Road
Elk, Washington 99009**

January 21, 2020

Jim Powers
37609 N. Sheets Road,
Elk, WA. 99009

Dear Mr. Powers,


As Treasurer of the Water Association your duties were to maintain the operation of the water system for use by the members. This duty has been carried out by a long list of caring members for over 50 years, and we appreciate your service in this endeavor.

The current Water Board has failed to acknowledge the RLCA as the ultimate authority with oversight responsibility, liability, and direct ownership of the water system.

The Board of Directors have met, and voted to terminate the services of the (RLWA) Reflection Lake Water board, and take direct control of the reflection lake water system.

You are hereby directed and required to: Return all keys, passwords, user names, books, maps, files, emails, vendor lists, correspondence, historical documents, check book, bank accounts, billing and receipt information, bank signature authority, customer service list, State and Local water authority contact list, mail box keys, a current inventory of items owned by the water association, and all other items used in the operation of the water system. Present or call for turnover of all of the above items to any officer of the board within the next 48 hours.

Upon receipt of this letter, you are relieved of all duties as treasurer, of the Reflection Lake Water Association/Board/Committee.



Glen Mumm, President RLCA

4.

**Reflection Lake Community Association
Board of Directors
37708 Sheets Road
Elk, Washington 99009**

January 21, 2020

Neal Kimball
37427 Sheets Road,
Elk, WA. 99009

Dear Mr. Kimball,


As Vice President of the Water Association your duties were to maintain the operation of the water system for use by the members. This duty has been carried out by a long list of caring members for over 50 years, and we appreciate your service in this endeavor.

The current Water Board has failed to acknowledge the RLCA as the ultimate authority with oversight responsibility, liability, and direct ownership of the water system.

The Board of Directors have met, and voted to terminate the services of the (RLWA) Reflection Lake Water board, and take direct control of the reflection lake water system.

You are hereby directed and required to: Return all keys, passwords, user names, books, maps, files, emails, vendor lists, correspondence, historical documents, check book, bank accounts, billing and receipt information, bank signature authority, customer service list, State and Local water authority contact list, mail box keys, a current inventory of items owned by the water association, and all other items used in the operation of the water system. Present or call for turnover of all of the above items to any officer of the board within the next 48 hours.

Upon receipt of this letter, you are relieved of all duties as Vice president, of the Reflection Lake Water Association/Board/Committee.



Glen Mumm, President RLCA

5

**Reflection Lake Community Association
Board of Directors
37708 Sheets Road
Elk, Washington 99009**

January 21, 2020

Susan Weeks
37508 N. Elk-Milan Road
Chattaroy, WA. 99003

Dear Ms. Weeks,
As President of the Water Association your duties were to maintain the operation of the water system for use by the members. This duty has been carried out by a long list of caring members for over 50 years, and we appreciate your service in this endeavor.

The current Water Board has failed to acknowledge the RLCA as the ultimate authority with oversight responsibility, liability, and direct ownership of the water system.

The Board of Directors have met, and voted to terminate the services of the (RLWA) Reflection Lake Water board, and take direct control of the reflection lake water system.

You are hereby directed and required to: Return all keys, passwords, user names, books, maps, files, emails, vendor lists, correspondence, historical documents, check book, bank accounts, billing and receipt information, bank signature authority, customer service list, State and Local water authority contact list, mail box keys, a current inventory of items owned by the water association, and all other items used in the operation of the water system. Present or call for turnover of all of the above items to any officer of the board within the next 48 hours.

Upon receipt of this letter, you are relieved of all duties as president, of the Reflection Lake Water Association/Board/Committee.


Glen Mumm, President RLCA

EXHIBIT 19

Reflection Lake Community Association

Elk, Washington

2020 February Special Meeting

Posted on February 29, 2020 by (previous admin)

RLCA and RLWA Special Meeting – February 6, 2020

RLCA Board members present: President Glen Mumm, VP Charlie Bennett, Secretary Vonnie Hutchison, Treasurer Jim Boothby, Dan Loos, Gary Long, Jeff Toffer, Chad Boyd.

RLWA Board members present Susan Weeks, President, Neil Kimball, VP, Jim Powers, Jim Case and Jeanie

Meeting was called to order at 6:00pm in the Community Church. We're recording these meetings so the minutes can be accurately transcribed. The recording is destroyed when the minutes are approved.

RLCA President-Glen Mumm: Agenda:

Statements from Reflection Lake and then will go to the Water Assn president and VP. We will then open it up for discussion and then open it up for discussion. I would like to ask everyone who attends tonight not to interrupt the RLCA or RLWA. Once both sides will have the opportunity to share their information then we will be

The issue we have is not a new one and actually goes back to 1998. I will read to you the dates of the

Nov 16, 2018 minutes from the board meeting. Jim wants to know if the water association is looking at future growth and maybe do a quarterly meeting with them.

March, 1029 Water Board Committee, Jeff and Charlie will be the liaisons . We would like to have someone from their committee come to our meetings also.

April 2019 WBC Barbara Wilson will be back in town and they will continue

June 4, 2019 Roads Committee Robert Sverson, we were also trying to connect with the Water . No one attended

June 2, 2019, Water Board meeting. Jeff is going to the meeting and there was nothing shared with us.

August 6, 2019, we set our goals at that meeting. One of the goals set was work with that

Timeline and generally get this thing going and be of assistance wherever we can.\

Sept 3, 2019 Lease lot water assn committee. We turned back 3 of the 4 for a savings to the committee. The assn is responsible for all the properties and all . We have proof of us having to bail those systems out in the past.

RLWA did not attend this meeting.

Oct 1, 2019 Chad Boyd, waiting for the water assn . Low income neighborhood. Roll the roads in that could really help.

Charlie meeting will be October. RLWA did not attend out assn meeting.

Now I would like to read to you a transcript of the meeting with Susan. Susan contacted me to get together for a chat. We spent some time chatting about some of the . Attempting to get a grant and RLWA had sent a letter. Susan asked what RLCA board wanted. I told Susan that she needed to send a request to the RLCA email account

How they are to operate under the board. We only have their best interest in mind

RLCA board with the requested info.

December 2019, Charlie Bennett received information that Douglass sold his lots to a developer.

On August 2019 with a list to concerns prepared by Jim Boothby. Does the Water Board understand that they are under the RLCA

Do you have annual meetings?

6. Do you issue reports.

7.

9. Do you have any documents that give you authority

12. The water system manager is a contract member. All paid contractors

How can we help you succeed? I had only one question, has the RLCA sent out a letter that based on the info that Dave Tice

Full disclosure was necessary to relieve any legal problems. There was not information

December 2019, we now had knowledge

Not be able to provide RLWA water shortages.

I was asked by Charlie Bennett and Jim Boothby to call a special meeting of the RLCA board. Not a secret meeting. The day the meeting was set on January ??, 2020. All nine confirmed. The meeting was called to order with all board attendance... step down and be replaced by another We are a volunteer group here and it takes time to make sure they minutes are accurate. 11 pages are double

Then in conjunction with that we sent out a letter to the entire community. The assn has the ... if we fail to keep up with this change we will all pay through higher assessments. We thought it was time we had this special meeting.

Secret meeting, July not share with the RLCA is wanting to take ownership to the ... My cost is who is going to can't even manage the ones we have all ready had. This was a committee meeting that was called and invited Dave Tice. In my opinion we as a community

Your current meeting is not appropriate.

Terry: This was put in my mailbox and I can prove it and it does not give you 10 days for the meeting.

Despite all you are here tonight we are here tonight to work toward an equitable solution for all concerned.

Charlie Bennett: I've been at the lake since 2017 and 2018

I found myself in a unique position to solve these issues that have been going on

Community and here we are. One of the first things I learned from the water assn that there was infrastructure that needed to be addressed. I assured them that

April 2019, Dave Tice made a motion to start an email communication immediately in order to get any loans or grants to get started. Communication never happened. The current relationship between RLCA and RLWA ... providing strong legal basis. Although they are two separate entities ... through the greenbelt ... above the wellhead for everyone to use. The lake assn gave their blessing. We did some cleaning and planted some trees. But continued trying to communicate with their president. The water assn applied for a grant and asked ... my questions were dismissed and the president told me to move on.

Why would I want to sabotage my own water. I didn't. Merged in 1984. I'm an eastside water

The fire department has been... to stop a wildfire. RLCA has budgeted money ... Firewise is another venture of the two meetings. We are Firewise of USA. There are

RLCWA President-Susan Weeks: It's nice to see so many people. All of you are members of the lake assn and some of you are part of the water board. Use your vote to take action. We have a slide show presentation.

Jim Powers: the past few months have been somewhat stressful Some of the statements made by our predecessor .. or accept that we are in charge. Jim is reading the special board meeting minutes.

We file taxes and are a separate entity ... our ReflectionLakeWater.org the first goal is ... water rights by the ... third thing is a lease for the spring, pump the LA has never indicated any interest in protecting the water.

Neil Kimball, VP: folks I spent 8 years on the WB, I'd like to make a point that everyone is ... those are the people that have a special interest in the water assn. We have attained an atty to get us to this point and everything says that the water assn is a separate entity and we need to have that recognized by the RLCA. The issue is that we wanted to the community to attain grants and loans ... that will help us be able to do that. Can we take care of the issues with the water. We are granted by the water rights. The only one that wins is the atty. We want to come up with the three goals that we talked about

1. Agreement that we recognize that we are a separate entity and we have the right to do this. We are two organization and the names are close together. Tried to serve their community . 2012 document I created. Folks, we need to clarify this. We have been allowed to serve will not happen again and it's done and over with. My point is if we are going to go into those documents we will find that the water assn that the water rights to begin

with and have the use of the land and our hope is we can get this taken care of. I have a tendency to talk to much but I hope we can get the

2. Water rights, we need to have legal documents that says we can use those

3. Property rights that we have used for 50 years. It appears that what the lake assn board and presidency is working toward is they're looking for the money from the grants.

Jim Boothby: I was on the LA board for about 16 years. This water assn has gotten was out of hand. I lent the WA \$16k because the contractor was not paid on time. We were trying to ... I went through all the minutes We were always helping each other. We had Ernie Blake. They use to work together with each other. There were two sides and they were separated. The two sides worked on the dams. In turn the water system was put in. Jim Case, in '83 Jim Case came onto the WB. I joined the The water system was documented by RCLA was not contributing to the water system. The pump house has been rebuilt twice. Water system was paid for by the users. When they almost lost the water system, we helped get that paid. '87-02 the water board screwups you'll find both sides of the fence. The upgrade had some real problems with the treasurer. Every check has to be double signed. In 2002 the contract was. Nobody on the RLCA on the west side wants to be involved in the water board. The assn board isn't trying to take over anything. We don't want to have any liability. We want to have the road fixed. We want to have the water system fixed. If we give up something then you need to give up something. The assn oversees the common areas of the assn. We have to get together and get We all want a great water system and get the roads fixed. The grant was not going to fly w/o us signing off of it.

Angie Lee: I'm reading this letter by Richard Miller. Wasn't even informed that WB. I retracted my are being accepted on ultimately collapse and fail and then we will ... I got sucked into ... I would take ... if there is any firing to be done. This meeting is about 4 major events of concern Firewise, SCA,

Terry: My family has been here since the early '60s and yes, I have not been a resident until 2006. Water rights we're talking about surface water rights, not all the springs that exist from the fish hatchery. Only the surface water. The only ones that I'm aware of that agreed to was Susan. Surface water rights do not give you superior water rights on what happens to those surface outlets. The state owns what's underground and control those water rights at the surface. I don't necessarily agree that we're giving up our water rights. I have being on the board because there was too much conflict. The ones on the east side were a landowners assn. As such, as a member of good standing, of the RLCA community with 4% of the votes

Following resolutions:

1. Each vote shall be recorded and published with actional account. One vote per lot owned. Excluded are the lots that have not paid. For anyone on the lease lots that have been forgiven dues do not get a vote. 170 votes. Any vote taken by those in attendance have to be non-profit assn, all laws of the federal, state and county laws today. There are some things in our covenants that are not legal. Any modifications to our RLCA will require a certified special election. And are currently legally filed CCRs. There seems to be an attempt here to bypass that. 20% of any of the entire, is all it takes to require members to remove any and all board members.

Steve Hipke: During the assn's presentation you said the water board. Were those part of the agenda and was the WB invited?

Glen: for the last three years we've been attempting to improve the roads. And then we became aware that the water assn was in need to do some major upgrades to our system.

Steve Hipke: One board re

Rob Lee:

Prepared by Vonnie Hutchison, Secretary

Glen Mumm, President

Vonnie Hutchison, Secretary

This entry was posted in [Board Meeting minutes](#). Bookmark the [permalink](#).

Reflection Lake Community Association


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EXHIBIT 20

Reflection Lake Community Association

Elk, Washington

New Board Announcement

Posted on [March 17, 2020](#) by [\(previous admin\)](#)

As you have probably heard the board of directors of Reflection Lake Community Association resigned with the exception of Richard Miller.

In accordance with Article 5.5 of the by-laws he appointed the following members of the community to the board of directors of the Association; James Powers, Neal Kimball, Jerry Parker, Susan Emry, Russ Bishop, James Case, Terry Child, Rob Lee.

The following officers were elected by the board; James Powers as President, Neal Kimball as Vice President, Jerry Parker as Treasurer, and Susan Emry as Secretary.

We will have to see how the corona virus situation develops, but at present we plan on holding our regular board meeting April 7th. There is a lot to address and we need to meet if possible.

James Powers, President RLCA

This entry was posted in [Board Meeting minutes](#). Bookmark the [permalink](#).

Reflection Lake Community Association


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EXHIBIT 21



Filed
Secretary of State
State of Washington
Date Filed: 03/09/2020
Effective Date: 03/09/2020
UBI #: 601 496 905

EXPRESS ANNUAL REPORT WITH CHANGES

BUSINESS INFORMATION

Business Name:
REFLECTION LAKE COMMUNITY ASSOCIATION

UBI Number:
601 496 905

Business Type:
WA NONPROFIT CORPORATION

Business Status:
ACTIVE

Principal Office Street Address:
37708 N SHEETS RD, ELK, WA, 99009-8644, UNITED STATES

Principal Office Mailing Address:
37708 N SHEETS RD, ELK, WA, 99009-8644, UNITED STATES

Expiration Date:
06/30/2021

Jurisdiction:
UNITED STATES, WASHINGTON

Formation/Registration Date:
06/22/1978

Period of Duration:
PERPETUAL

Inactive Date:

Nature of Business:
HOMEOWNERS ASSOCIATION

REGISTERED AGENT RCW 23.95.410

Registered Agent Name	Street Address	Mailing Address
PRESIDENT	37609 N SHEETS RD, ELK, WA, 99009-8689, USA	37609 N SHEETS RD, ELK, WA, 99009-8689, USA

PRINCIPAL OFFICE

Phone:
509-263-8814

Email:

JPOWERS7@JUNO.COM

Street Address:

37708 N SHEETS RD, ELK, WA, 99009-8644, USA

Mailing Address:

37708 N SHEETS RD, ELK, WA, 99009-8644, USA

GOVERNORS

Title	Type	Entity Name	First Name	Last Name
GOVERNOR	INDIVIDUAL		JAMES	POWERS
GOVERNOR	INDIVIDUAL		NEAL	KIMBALL
GOVERNOR	INDIVIDUAL		GERALD	PARKER
GOVERNOR	INDIVIDUAL		SUSAN	EMRY

NATURE OF BUSINESS

- HOMEOWNERS ASSOCIATION

EFFECTIVE DATE

Effective Date:

03/09/2020

CONTROLLING INTEREST

1. Does your entity own real property such as land or buildings (including leasehold interests) in Washington?

YES

2. As of January 1, 2019, has there been a transfer of stock, other financial interest change, or an option agreement exercised that resulted in a transfer of at least 16⅔ percent interest in the entity?

NO

a. If "yes", has the transfer of stock, other financial interest change, or an option agreement exercised resulted in a transfer of controlling interest (50 percent or greater)?

NO

3. As of January 1, 2019, has an option agreement been executed allowing for the future purchase or acquisition of the entity?

NO

You must report a Controlling Interest Transfer Return **IF** you answered "yes" to questions 1 **AND** 2a.

Failure to report a Controlling Interest Transfer is subject to penalty provisions of RCW 82.45.220.

For more information on **Controlling Interest**, visit www.dor.wa.gov/REET.

RETURN ADDRESS FOR THIS FILING

Attention:

Email:

Address:

37708 N SHEETS RD, ELK, WA, 99009-8644, USA

EMAIL OPT-IN

This document is a public record. For more information visit www.sos.wa.gov/corps

Work Order #: 2020030900139665 - 1

Received Date: 03/09/2020

Amount Received: \$10.00

By checking this box, I hereby opt into receiving all notifications from the Secretary of State for this entity via email only. I acknowledge that I will no longer receive paper notifications.

AUTHORIZED PERSON

Person Type:
INDIVIDUAL

First Name:
JAMES

Last Name:
POWERS

Title:
PRESIDENT

This document is hereby executed under penalty of law and is to the best of my knowledge, true and correct.

EXHIBIT 22

REFLECTION LAKE COMMUNITY ASSOCIATION BOARD OF DIRECTORS
PO BOX 73
ELK WASHINGTON 99009

August 21, 2020

RLCA Board Members:

James Powers - President
Neal Kimball - Vice President
Jerry Parker - Treasurer
Susan Emry - Secretary
Russ Bishop
James Case
Nan Bulish
Rob Lee
Richard Miller

Board Members:

We formed an ad hoc election committee due to our concern that the normal election of board members has not occurred. This letter is to clearly describe the purpose and actions of that committee.

The committee's sole purpose is to ensure the membership the opportunity to choose the RLCA board members by ballot, as laid out in the bylaws of the community. It is that simple!

To be certain, we are representing the desires of the membership. The committee petitioned the owners of the Reflection Lake lots eligible to vote, asking the owners if there should be an election now. The result: 70% believed the election should take place now. There are more details in the full petition and the attached summary of that petition.

The Reflection Lake bylaws call for yearly elections of board members with expired terms and appointed board members. That election is called for in July. It did not occur this year nor has it yet occurred in August. The board's position is that this is an indefinite delay due to the corona virus concerns and restrictions. Those concerns and restrictions have made it more complicated, but not impossible to conduct the election.

There are currently eight appointed members. Those **eight** positions are subject to election, so it is important to conduct the election. **5.5 Vacancies.** Vacancies on the Board of Directors may be filled by a majority of the remaining directors, even though less than a quorum, or by a sole remaining director. Each director so appointed shall hold office until his/her respective successor is elected at the annual or a special meeting of the members. States that appointees' successor are elected at annual meeting. The board has noted that meetings cannot be conducted by mail. Elections can. Section 9.2: "Special meetings may be called by ... one or more members representing at least 40% of the voting power of the

association." With proxy votes and drop off ballots we would obtain a quorum and be eligible for "transaction of business" (Bylaw 9.5). An election is most certainly a lawful action of the membership, and 70% of the membership is certainly a majority.

We of the election committee call on you to allow this election to happen. The membership calls on you to allow this election to happen. In the spirit of community, we hope you will choose to do so rather than obstruct and continue to delay the election.

The committee does have sufficient voting power from the community to request a special meeting for the purpose of conducting an election. If you continue to obstruct and delegitimize this election, we have the petition stating the membership has no confidence in your leadership.

Ad hoc Election Committee

Lucinda Wiser
Vonnie Hutchison
Diana Kenworthy
Randy Kenworthy
Rick Smith
Jeff Toffer
Steve Hipke- Buckner
Jeff Buckner

Election

5.5 Vacancies. Vacancies on the Board of Directors may be filled by a majority of the remaining directors, even though less than a quorum, or by a sole remaining director. Each director so appointed shall hold office until his/her respective successor is elected at the annual or a special meeting of the members.

I, the undersigned, demand that Bylaw 5.5 be followed and we hold an election by August 31, 2020, as outlined in the following document. If the Appointed Board does not allow an election, this is a document of no confidence for our current Board of Directors of RLCA

**Reflection Lake Community Association
Election August 2020**

Any Member of the Association that has paid their dues in full is eligible to vote at the annual meeting. (Article X) Any Member of the Association that has lived on the lake for one year, and has paid their dues in full is eligible to run for the Board of Directors (Article 5.2)

The ballot will be mailed out on August 18, 2020 and include information on openings on the Board of Directors' of the RLCA. There will be eight positions that require a vote. The ballot will be due September 12, 2020. You may choose to mail in the ballot or, drop off the ballot on September 12, 2020 from 10:00AM - 2:00 PM at the Community Association Center.

The mailer to each property owner in the Association will contain:

- Invitation to drop off the ballot with time and location.
- A Voting Proxy Form for open positions on the Board of Directors (8 positions)
- A short narrative about those running for office
- A stamped return envelope to the Association

The returned ballots will be mailed to the Association mailbox and all Association mail will be held at the Elk USPO for two weeks August 18 - September 12, 2020. The ballot committee will collect all ballots from the Post Office and place them in a sealed envelope on September 12, 2020. This ballot counting committee will highlight each member who has voted on a master list. On September 12th, if members have not voted by mail in ballot, they can drop off their ballot at the Community Center.

Counting of ballots:

- A ballot committee is a three-person team, (Rick Smith, Sue Emery, and Jeff Buckner)
- Person one will record on the owners list that the lot owner has voted, and hand it to person two.
- Person two will tally the ballots, and give to person three.
- Person three will be a supervisor checking person one and two, and placing all tallied ballots into another secure envelope, if a recount is requested.
- Results will be announced on September 12, 2020 via poster on the Bulletin Board, website, Facebook, and email.

Voting Proxy Form

Property Owner Name(s): _____

Property Address: _____

Block# _____ Lot#: _____ (List additional lots below)

I/we state that I/we are members in good standing and are therefore eligible to vote. I/we give the Election Committee authorization to vote on my/our behalf, using my completed ballot at the Reflection Lake Community Association meeting held on September 12, 2020.

Property Owner(s) signature: _____

Date: _____
Month, Day, YYYY

BALLOT BALLOT BALLOT BALLOT BALLOT BALLOT BALLOT

- There are 8 open Board Positions.
- Mark the "vote" of individuals you vote to be a board member. Candidate biographies are attached on a separate page.
- Votes will be counted on a 1 for 1 basis; 1 ballot per Lot. Choose eight candidates below. If you have 2 lots this ballot will be counted twice.

<u>Vote</u>	<u>Candidate Name</u>	<u>Vote</u>	<u>Candidate Name</u>
	Charlie Bennett		Russell Bishop
	Jim Bothby		Mike Brown
	Jim Case		Chris Cato
	Neal Kimball		Rob Lee
	Jerry Parker		Bill Pease
	James Powers		Kynan Ramsey
	Jeff Toffer		Lucinda Wiser
	Write In		

Please mail by September 8, 2020, or drop off at the Community Center Sept 12, 2020 between 10:00 AM - 2:00 PM

EXHIBIT 23

D

Announcement of Special Meeting

September 26, 2020
Reflection Lake Community Center
10:00 AM - 1:00 PM

Purpose of the meeting is to remove the eight appointed board of directors (James Powers, Neal Kimball, Harry Case, Sue Emry, Rob Lee, Russell Bishop, Nan Bulish and Jerry Parker) and replace them with eight elected Board of Directors. Current appointed board directors, as well as any other RLCA resident in good standing with at least one year of residency on the lake are eligible for an elected position. You may participate by dropping off this ballot at the Special Meeting or by mailing in your proxy. These are the only two items on the agenda. The results of the election will be posted on the Reader Board, Facebook, and the RLCA website.

Reflection Lake Community Association – 37708 N. Sheet Rd. Elk, WA 99009

Voting Proxy Form

Property Owner Name(s): _____

Property Address: _____

Block# _____ Lot#: _____ (List additional lots below)

I/we state that I/we are members in good standing and are therefore eligible to vote. I/we give the *Election Committee* (Lucinda Wisner, Diana Kenworthy, and or Vonnie Hutchison) authorization to vote on my/our behalf, using my completed ballot at the Reflection Lake Community Association meeting held on September 26, 2020. I understand this is removing the current eight appointed board directors (James Powers, Neal Kimball, Jerry Parker, Sue Emry, Harry Case, Nan Bulish, Rob Lee, and Russell Bishop) and replacing them with eight elected directors from this ballot. Current appointed board directors, as well as any other RLCA resident in good standing with at least one year of residency on the lake are eligible for an elected position.

Property Owner(s) signature: _____

Date: _____ (Month, Day, YYYY)

BALLOT BALLOT BALLOT BALLOT BALLOT BALLOT BALLOT

- There are 8 open Board Positions.
- Mark the "vote" of individuals you vote to be a board director.. Candidate biographies are included on a separate page.
- Votes will be counted on a 1 for 1 basis; 1 vote per lot. Choose eight candidates below. If you have 2 lots this ballot will be counted twice.

<u>Vote</u>	<u>Candidate Name</u>	<u>Vote</u>	<u>Candidate Name</u>
	Charlie Bennett		Russell Bishop*
	Jim Boothby		Mike Brown
	Jim Case*		Chris Cato
	Joe Dickinson		Neal Kimball*
	Rob Lee*		Bill Pease
	James Powers*		Rick Smith
	Jeff Toffer		
	Write In:		Write In:
	Write In:		Write In:

*Currently an appointed board director

Please mail by September 23, 2020, or drop off at the Community Center Sept 26, 2020 between 10:00 AM - 1:00 PM

RLCA Candidate Introduction
2020 Board of Directors
Candidates are listed in alphabetical order

Charlie Bennett

Having served for 2 years prior, I feel there was a lot of unfinished business that I would like to address: Such as: Trails, docks, fire hydrant, outlet valve repair or replace, trickle valve install on north end, follow up on grants available for Dam issues, AED made available for all to use, Repair relationship between Water assn. and lake assn. once and for all. Maintaining committees to work as teams to achieve our goals as approved by the board of directors, And of course! Firewise to be operated properly as a committee under the RLCA.

Russell Bishop

Russ Bishop believes in positive respectful relationships, open communication and transparent agenda(s) with our primary focus being the maintenance of our beautiful lake. I continue to water the lawn care for Bishop Park like my father so that the young and old can enjoy our lake.

- In the past have served five years as Treasurer RLCA
- Family Member of community since 1968

Jim Boothby

The previous board stepped away, to give current board members a clear field to govern with class and wisdom. The slander and lies written in the May newsletter has shown current leadership has neither "class or wisdom"! As a past president, I can be a voice of reason, actually talk to members, and stand guard against foolishness. On the previous board I favored getting rid of the lease lots, firing the "water board" and auditing their books! I would like to have your vote for the 2020 board election.

Mike Brown

I would like to run for the board. I feel I am qualified for any position, with over fifty years running my own business I feel I have the knowledge and experience to be opened minded and help turn things around.

Jim (Harry) Case

Mr. Powers ask me if I would stay on the board when we were taking the sign down and I said I would, but only unless I'm nominate or voted in. Remember the saying that "you can please some of the people some of the time but you can't please all the people all of the time" I like to say that "opinions are like ass holes, everyone has one." Please don't think that this is a personal attack on you or any one because it isn't. What I'm saying is that everyone has an opinion and if we try to please everyone, we will please no one. This lake community has been in conflict with each other, and not with just the water system, for many years and I'm wondering if this community will ever thrive because of it. I moved out here because I needed a bigger home and found that there was a plus to my move and that was, I was on a water system, I was part of a lake community and to get away from the city but it seems like the city followed me. As I said before this is not a personal attack on you or any one. It's just my "ass hole opinion" and if my language offends you, I apologize for that but that is how I feel.

Chris Cato

Im a single father of 2 that moved to the lake for all the good it has to offer. I am disheartened by the lack of community exhibited by many. We need to protect the lake and infrastructure that goes with it. I believe we can find ways to save money while still improving our community. Following the letter of the law will be the first start.

Joe Dickinson

I would like to submit my name for one of the RLCA board positions. Most of my work life was spent troubleshooting. Either in the electronics, network or computer field. I've held a number of leadership positions. Enjoy finding solutions to problems. I feel our community needs to focus and make decisions for the good of everyone who lives here. None of this East side West side debates. Every meeting I've gone to. It seemed like the same issues were brought up. So far I've seen no changes. We have projects that were for the good of the community. They appear to have been halted. It's time to end the "water war". Get things done, move our lake community into the 21st century. Enjoying retired life at the lake But driving me crazy watching what is happening.

Neal Kimball

Current Vice President of Reflection Lake Community Association

Rob Lee

Hi my name is Rob Lee. I have served on RLCA in the past and am on currently. I've lived on this lake for ten plus years, and I couldn't ask for a better place to live. My goal is to work on some items that need some special attention. Our roads, dam and try to help resolve a public water system with their needs. I've been a business owner for 20 plus years and have some basic skills in business. I also have some mild experience with heavy equipment. I'm just wanting to make a better place for all if possible. I also received the community service award from 2017/2018. I hope I can make a difference.

Bill Pease

Hi neighbors, my name is Bill Pease. I have been at Reflection Lake for 15 years. I would be interested in being on the board this year. I would take a common sense approach and no more crap. I just retired after 43 years as a Subaru tech. so, I have some time now to devote to making Reflection Lake better. I love the lake and wish to take care of it.

James Powers

Current President of Reflection Lake Community Association

Rick Smith

Hi, my name is Rick Smith. My wife Anita and I have lived at Reflection Lake for 19 enjoyable years. I walk our two dogs around the lake daily, so I hope I've had the chance to wave or say hi. I'm retired now, but spent many years talking to people to understand and then resolve system problems with computers, communications and training. I hope I can help with that here at Reflection Lake.

Jeff Toffer

My name is Jeff Toffer. My wife Pam and I have been living at the lake full time for almost 4 years and have owned property here for 46 years. During my working career we lived in 9 states and helped manage parts of Large Corporations, so I understand budgets and regulations. I was a board member for two years and experienced a board that did many good things for our lake. I was the lead on the conservation committee and part of Dams and maintenance. I believe in getting things done. I would like to be part of a new board that concentrates on the Lake and works for the betterment of all.

The eight candidates' that receive the most votes will fill the eight open positions.

EXHIBIT 24

10-2-20
H
Revised Lot
lawsuit

Reflection lake homeowners,

The reason I have been silent is I do not believe there is a fix for our community association. There is a group or gang here on the lake that will stop at nothing to be in "control".

Charlie is one of their loudest, commenting often, but it is usually lies or manipulation of the truth. He seems to want to cause fear and anger with the members to get them on his side.

In one of his last posts Charlie says the old board didnt spend money on attorneys? The fact is that Charlie sued the lake association while he was vice-president of the board and we all paid those attorney fees. He says that the lake board has allways had the right to manage the water system, completely false. They are both registered corporations not owned by each other. Charlie knows this he found this out when he tried to take over the water system. In fact the old records show it was set up that way since the beginning when the two sides merged. I could go on and on....but enough said. The truth is that recently the water board had their inspection by the DOE. and passed with excellent marks. Excellent. DOE sent more people expecting trouble as they had recieved calls of mismanagement corruption ect. But they found nothing just a well run small water utility.

On the flip side the lake system is not in such good graces with the DOE. For many years we have not got good reviews on our lake. If you go to the DOE website on dams you will see the truth, our dam is rated only fair while all the other dams are rated good or better, ours is the only one rated fair. This has been this way for a few years. Why? I'm thinking the lake board should of worried more about the lake and less about the domestic water, they would of been a little more functional.

As far as I can tell there is a water right for the lake, buried in the county records and that should be on all of our titles, but its not. The water right for the drinking water spring should be on title for 1st addition only. It has no value and does nobody any good except phase one, it is only one spring. So the importance of the correct water right the one that allows us to dam up all the springs, except the one for drinking water, has been forgotten or overlooked by the old board ? In fairness, forgotten by many past boards. A title company may be able to help fix this. It gets complicated with the water rights because of a fish hatchery and an attempt at developing a trailer park. But our true water right for the lake should be preserved.

The most resent election, dysfunctional. Forget about if Lucinda had 40% of the lot owners to start, the copy I got from a bd member did not have 94 actual signatures. It would entitle her for a meeting to vote on her agenda. She reversed the policy. Ignored bylaws...Got everyone excited for an election, many not knowing it was not board approved.

If you feel compelled to follow the law, the RCW and our bylaws, you cant vote.

The only way to vote is to just except her desire to remove the whole board or not vote?

We should of been able to vote first on replacing the whole board or just the ones due for reelection.

Our freedom of democracy was just stolen at the lake, and can't go unchallenged

Tuesday a grand display at the community center by two members of the different boards. Really a fight or pushing, threats etc. Cops involved. At least one of those people are over 80, the other close behind, not whats needed for our community. I'm not going to talk about blame because its not the issue here, the issue is that it happened, shows how dysfunctional our community management is.

I will note that within minutes the whole group or gang I noted above was on site yelling , at anyone who was not on their side, supporting their cause at any price. A hard force for one or two to deal with. If this doesn't show how dysfunctional our management is Im not sure what it will take.

A solution might be to have a management company take over the board positions of the lake and have members run committees, reporting to the management co.

Don Freas 981-8136

EXHIBIT 25



Print Message | Close

From : Reflection Lake <ReflectionLakeCommAssn@outlook.com>
To : Undisclosed-recipients;
Subject : Reflection Lake
Date : Sun, Oct 04, 2020 07:53 PM

Hi, I'm Rick Smith. I wanted to take a moment to thank you all on behalf of the new Reflection Lake Board of Directors. The recall and vote has made these tough times a little tougher. Thank you for caring enough to consider the issue and take the time to vote. The 50% voter turnout was a record in the recent history, and perhaps a record for all of the Reflection Lake voting history. Impressive participation. Thank you!

If you haven't seen the results of the election of board members and assignment of officers, here is how it looks today:

Name	Member votes received	Serving until annual meeting in July...	Position by board vote
Jeff Toffer	83	2023	Member at-large
Rick Smith	82	2023	Vice-President
Joe Dickenson	78	2023	Member at-large
Bill Pease	73	2022	President, but later declined the position. Member at-large
Charlie Bennett	71	2022	Secretary
Jim Boothby	71	2022	Treasurer
Chris Cato	56	2021	Member at-large
Mike Brown	33	<i>Withdrew his name from consideration</i>	
Russ Bishop	24	2021	Member at-large
Richard Miller	(elected 2018)	2021	Member at-large

You'll notice we are missing an assignment for the position of President. Once board members are elected by the RLCA membership, positions on the board are decided by a vote of the directors, so that will be one of the first topics for the new board. Expect an update to this list after the October 6th meeting at 6. Yep, the meeting it is still on. Working on the tech for a Zoom component. Hopefully more about that soon. Attendees should bring masks and plan on plenty of social distancing.

Other topics are many. Impossible to get to them all right off. Dams, inspections, dead trees, roads, water, docks, fishing... more as the information comes in. Funds are limited, so setting up some committees to start sorting this this out is near the top of list. Which means that we will welcome your help in the committee/work groups!

Let's be a success!

"Coming together is a beginning; keeping together is progress; working together is success."

EXHIBIT 26

Email from Jim Powers, approx. 10-6-20

This is a fine mess you've gotten us into. A quote from Laurel and Hardy.

At this time we have two groups claiming to be the legitimate governing body of the Reflection Lake Community Association. This creates problems, to put it mildly. How did we get here and what can be done to resolve it?

This all started with an attempt by the old board to exert control over the water system. They sent certified letters to all Water Board members saying they were fired and to turn everything over to them. They also directed Watson Management to send all payments to the Community Association not the Water Association (attempted theft). The entire old board voted for these actions at a special meeting January 14th this year. Richard Miller later recanted and withdrew his vote. With the exception of Richard, all members resigned in March. Minutes of that special meeting are available. I can send anyone a copy if requested.

As an aside, many like to complain about "secret meetings". This take over the water system was not a secret meeting, it just wasn't open or public. The action voted for may have been illegal, but the meeting itself was legal.

Richard then appointed eight members to the board in accordance with the by-laws and officers were elected. Then COVID came along and threw a monkey wrench into everything. It appeared that we would be in phase III by July to allow an annual meeting, but that did not happen and may not until well into next year. This current dispute is focused on the election question.

In reality this is fundamentally about the water system not elections. Those focused on the election issue are being used as pawns to continue to pursue water system control. Three of the old board members who favored this are on the "elected board" and appear to be continuing that objective. An excerpt from an e-mail from Charlie Bennett to the water rights attorney; "We will be contesting the transfer of water and land rights, and are ready and able to operate the water system through the RLCA as we had planned before the scorched earth policy of Lee and Powers began."

I don't know who "we" is. Is he speaking for the board or just himself? It is clear that he will push for this policy if it has not already been adopted.

Have water rights already been resolved?

I hope so. The appointed board (only legal one at the time) voted at a special meeting to transfer via a quit claim deed the water certificate to the Water Association. They also voted to grant an easement for the existing pump house and infrastructure and for a 200' radius around the spring for a sanitary control area. This sanitary area is required by law and prohibits things like septic systems, waste disposal etc. It does not give any right to alter the green belt. These agreements have been signed and recorded.

So why did we do this at a special meeting? Timing. I wanted to have this vote a couple of months ago, but a couple of board members wanted an independent assurance that there would be no negative impact on the Community Association by transferring the water rights. This was a reasonable request and time was given to hire an attorney for an opinion. I deliberately was not involved in the selection of the attorney. I did try to warn the board that getting a lawyer involved could easily get out of control which it did. By out of control I mean various people started calling and asking the attorneys questions, many not related to the original one. Professionals charge for their time and there were lots of questions so the costs mounted. At this point I do not know what the bill will be, but these were not inexpensive attorneys.

By the time all this was completed we were closer to the "election" and there was not time for a 14 day notice of a special member meeting. I do admit I wanted to get this done while we were definitely the legal board. We will redo the vote in a regular meeting to satisfy that complaint, which of course it won't.

There is a valid question as to this being done at a special meeting. A statute says we can't (RCW 64.38.035) whereas our by-laws say we can (5.9 "any purpose or purposes". This kind of conflict can

only be resolved by a judge, but there is precedent for the by-laws as controlling. In our view, all actions taken at the special meeting are valid.

Another objection is that transfer or sale of the water rights requires a 2/3 vote of the members. This is based on 3.1 of the covenants referring to common areas. If we wished to sell or mortgage the community center or an access lot, that would require 2/3rds approval. Water rights are not a "common area" so this does not apply.

There has been a great deal of deliberate misinformation spread about this subject. Water rights are issued and controlled by the Department of Ecology. The water system is regulated by the Department of Health. Both agencies are aware of the situation here and both agree that water rights belong to the user. Neither is concerned by the name on the certificate. The Water Association needs their name on the certificate because the block grant application required it as would any future application. Commercial lenders would also probably require this.

The water certificate is quite specific. It grants the right to a specified quantity of water from a specific source (one spring) for a specific purpose (supply domestic water to the Reflection Lake First Addition) i.e. East side of the lake. It does not grant any control over water from wells or other springs so no, they can't cause the lake to dry up. There is no transfer of the property the spring is located on, there is no ability to supply water to 200 house on the other side of the highway, there is no substance to any of the nonsense being promoted. The only thing changed is the name on the water rights certificate, nothing else.

Water rights can be sold, but they have no value to anyone except the water utility. The market value is zero to anyone else. Any successor water utility would naturally require these water rights in order to continue service to the First Addition.

The election.

There are a whole host of issues with this beginning with the petition itself. There are multiple reports of harassment, intimidation, and outright lies in collecting signatures. Questions of vote integrity, proxies, meeting procedures, and a general disregard for law are all evident. We, the legal board, do not recognize the legitimacy of this so called election.

Solution?

So how can this be resolved? The bottom line answer is that it probably cannot be repaired. A fundamental change needs to take place. There is simply too much animosity, too many opinions, too many big egos, too much power seeking, and way too little respect for lawfulness. There has been a long history of quoting a law if it is convenient and ignoring all others. The current legal board is trying to follow the law even when it is not convenient and some people do not like that.

What are some of the options? Dissolve the association and let something replace it. This might be a lighter association concerned only with the lake and common areas and nothing else. Another option would be to split back into two associations, East and West. This would solve some problems and also create some, but it would satisfy many long held opinions. Another option would be to dissolve the association and leave it dissolved. The state or county would probably end up owning the lake, but there would be no more dues and no more fighting. This last option could be imposed by a court even if not supported by a majority of the members.

The situation as it exists is not sustainable. Deciding which board is in control is not the answer. Recognizing the water association as a separate entity is not the answer. The answer is to end the nonsense with a new association or no association at all. The majority of the membership, I am sure, just wants this to end. Speak up. Demand a real solution, one of the above or some other, but this constant bickering needs to end.

EXHIBIT 27

2020-09-26 Special Meeting

Created on October 10, 2020 by BSL Smith

Reflection Lake Community Association Special Board Meeting – September 26, 2020

90 LOTS VOTED FOR NEW BOARD

Members present: Rick Smith, Charlie Bennett, Joe Dickinson, Jeff Toffer, Jim Boothby, Bill Pease, Vonnie Hutchison

The members unable to attend: Richard Miller, Chris Cato. Russ Bishop was contacted but couldn't come to this meeting.

Meeting was called to order at ??? pm in the RLCA community room. We're recording these meetings so the minutes can be accurately transcribed and for a permanent record.

Officer's Responsibilities: Jim Boothby

On the vote for officers I've been here 18-29 times now and I pretty well know how it operates. We have blind ballots (secret votes). You put the name you want for that office. It gets counted and then it's declared who each of the officers are.

President: PR for lake, dispute resolutions, staff oversight and the gatekeeper for controlling meeting. Agendas are prepared for each meeting. The business to be covered is listed and at the end of the meeting the meeting is opened up for discussion. This is done in an open forum which allows everyone at the meeting to talk on any subject they want to bring up or any complaint that they have. We don't do this signing thing or limit minutes to speak. The Board business is completed first. If there's more Board business and the President decides we should take a look at that now and it's put for a discussion with the Board and we decide on a resolution on what we're going to do or the President could table for the next meeting. Do not have to stay within Roberts Rules of Order because we have such a small group. The President needs to run the meeting however it works for you. I'll help you along with the first agenda and then you can make it work anyway you want.

Vice President: In charge of contracts and special projects, which means ordering porta potties, snow removal, mowing. If there's anything special we need: road construction, etc. it is dictated by how much by money has been spent. A lot of this is in our budget. The budget gets passed at our annual meeting. If the budget says we have \$3000 for snow plowing and the expense ends up being \$6000 the Board determines where that money needs to be taken from out of the budget. That's the treasurer's responsibility on where to move the money around. It is the President and Vice President's responsibility to move it where's it's necessary for the betterment of the lake.

Secretary: Attendance, minutes, and the quarterly newsletter. Prior secretaries have increased the responsibilities and others have just done the minutes. Whoever takes over as secretary has to do what they do best, to help us out

the best.

Treasurer: Budget, pays bills, checks mailbox regularly, oversees the books and the bookkeeper. The bookkeepers currently are downtown and we're probably going to change those guys. It's the same ones we had last time and they've raised their rates by \$600/yr.

COMMITTEE

Communication- Has not been running for some time but they cover the website, facebook postings and the gatekeeper of information that comes back and forth. When the newsletter is written the communications committee has some input too because it goes on the website so we can get everyone communicating properly. A proper newsletter gets input from each committee and each member of the Board.

Conservation, Maintenance & Dams Committee (CMD)- Lake conservation, fish stocking, dam maintenance, valve maintenance, lake levels, sign, fences and anything that has to do with maintenance.

Lake Patrol- PR primarily. You get to convey fishing regulations, etc. Fishing is restricted to members and guests only. Everyone else has to be invited in to have a pass or permission from the lake association. The lake patrol can cite people if they don't follow the posted rules. They've quit doing that but citing means they filled out citation and brought it to the Board, so and so brought three guys out here and they caught 50 fish so they issued a citation to such and such that stated you owned \$35.00. The association member is informed that people were out here in your name with a pass.

Budget Committee- Annual budget. Normally this is done by one or two people in the Association that enjoys numbers and they help the treasurer put the budget together. There would be a chairman that asks for input from each of the committees and the Board on their expected budget for next year to improve the lake. Recently the Treasurer has done the budget and it is a line-by-line approval. No one can dispute the budget then because it has been approved by the association members. There is a projects list approved each July by membership so if there wasn't enough money for a certain item on the list we could move on to the next item.

Community Relations Committee □ - Vonnie Hutchison. Takes care of the annual meeting, the special member events, welcome packages and farewell mentions.

Firewise Committee: Charlie Bennett

We've had a lot of upset here and the loss of civility is one of the biggest problems we've had. Our priority was to keep the water rights; the appointed board's priority was trying to get rid of the water rights and we'll delve into that slightly but in the meantime we're going to put this lake back together and make things start happening for the good of the association members.

We'll have a meeting on the 6th of October, here with COVID restrictions. We'll have masks and social distancing. We'll open the doors and have seating outside. We'll invite the Association and inform them that we'll have restricted seating. We'll see what happens after that. When the weather turns too bad we'll hold our meetings at the church. It runs \$50-\$75 each time but it gives everyone adequate seating and it's a warm place to be. We'll start using our reader board sign again where we can post when our meetings are going to happen and get it in the proper venues. We'll need to have the proper turnover of keys and equipment. I can get the financials and keys

once we decide who the treasurer will be. Whoever is the president or vice president has to call the members of the old appointed board and request that they turn in their keys, etc. at such and such a time with whatever day they pick. The bank account turnover, once the new treasurer is chosen, takes about three days. He then goes with a set of minutes down to the bank and they verify the information and gets a signature card completed. Then the president and vice president set up their signature cards. They then are also on the list of signatories. You also have the right to question any check to your satisfaction.

Our budget is about \$32,000. When we don't spend all the money in the budget that's when the projects list is important. We can then accomplish more of the projects approved by the Association. The budget is a guideline to help guide the expenditures. All our expenditures have increased, including every service from the State. (example: dams inspections three years ago were \$800, now they're \$1500/inspection). I will help everyone with these positions but I'm going to duck out in July when three new positions become available and, hopefully, you guys can get three new faces. We will probably have a problem with the old board and their way of doing things – my way or the highway. I hope you all can handle it. It will be a little difficult on the transition. What's behind you is the membership elected you by a large margin. There has never been any minutes from the appointed board as to how or what things were done. By April or May it'll start running a lot smoother. Follow the laws of the State and the county and our bylaws. We will have some costs from the previous board and those things will come up at the board meetings so we will have an idea of what they did or didn't do and how much money we have to operate with.

TERMS:

Rick Smith – 3 year

Joe Dickinson – 3 year

Jeff Toffer – 3 year

Charlie Bennett – 2 year

Bill Pease – 2 year

Chris Cato – 2 year

Jim Boothby – 1 year

Richard Miller – 1 year

Not solidified yet – 1 year

OFFICERS' ELECTION: (by secret ballot)

President- Bill Pease (5 VOTES)

VP- Rick Smith (5 VOTES)

Secretary- Charlie Bennett (5 VOTES)

Treasurer- Jim Boothby (4 VOTES)

GOOD OF THE ORDER

Our first meeting (October meeting) Jim Boothby will put together a budget and it can be approved line by line when you put the newsletter out. Rick Smith, can we do a new budget now without association input? Jim Boothby, if we can put together an abbreviated budget based on what is left from the 2019 budget to take us until July, 2021. At the annual meeting in July of 2021, we can present a new budget for 2021-2022 for approval. That's the one that membership has total approval over everything we put forward.

All officers need to be prepared to hit the ground running. Our budget is finished on October 6, 2020. The remaining budget that will take us until July. Membership will need to approve. Jim will put together a budget that lets everyone know what our current status is.

Winterize cart. Security committee will need to take care of that. We also need to get the final person on the Board.

Charlie, I need to contact the attorneys and stop the transfer of the water rights right away.

Rick thinks we should post minutes draft immediately instead of reviewing first. Jim, these first minutes need to be done right away.

Every board member should have a key to the building. Only officers should have a key to office. Only secretary and treasurer should have keys to filing cabinet with the financial and secretary information.

Bill Pease motioned to adjourn and seconded by Jim Boothby.

Prepared by Vonnice Hutchison. Voice recording is being preserved.

Bill Pease, President

Vonnice Hutchison, Association Member

This entry was posted in [Board Meeting minutes](#). Bookmark the [permalink](#).

EXHIBIT 28

Reflection Lake Community Association

Elk, Washington

2020-10-06 Board Meeting

Posted on October 10, 2020 by Rick Smith

REFLECTION LAKE BOARD MEETING—OCT 6, 2020

(Draft of meeting minutes)

Board Members in attendance—Jim Boothby, Jeff Toffer, Charlie Bennett, Bill Pease, Joe Dickinson, Rick Smith

Board Meeting called to order by Rick Smith, Vice-President

The previous minutes from March 3rd are still in draft. The last minutes taken in this building were taken March 3rd, 2020. On Sept 26, 2020, after the election, a meeting was held to elect the new executive board. The Sept 26th minutes will be posted soon

Approval of meeting from Sept 26th meeting, by Charlie Bennett with Bill Pease seconding that motion. They are now approved.

We will start posting minutes right away somewhat unfinished and then approving them later, to aid in communication with member.

Jim Boothby: Treasurer's Report

I got all information from previous treasurer and Banner Bank. I do not have the debt situation in it's entirety but will be having a meeting with Watson Management soon. See attached budget sheet for specifics.

Reserve account is to be used for special/emergency situations. The 2021 budget is still to be approved, but that budget has been completed.

Capital projects will be brought forward and they include culverts, the green belt, signs, community center repair, repair of docks, and north dam hydrant and dams. These are unfunded at this time. The former appointed board is still slow in relinquishing the title of agent from the secretary of state. I have filled out an amended secretary of state out of my own pocket. They told me it would be five-ten business days and then I would be authorized in using the bank account. In the mean time since the former board did not feel they had the responsibility of turning over the secretary of state agency, they will be paying for any bills up until the secretary approves. Until the bank account has new signature authority, no one can pay any bills. Jim answers that the election stated on the first line that the election would replace the appointed board with an elected board. Three previous board members were re-elected but chose not to serve, so we have a brand new board and we are rolling forward.

Election results: Rick Smith

Copies of the election are available upon request. The winners of the election are Rick Smith, Jeff Toffer, Joe Dickinson, Bill Pease, Charlie Bennett, Jim Boothby, and Chris Cato (not present). Mike Brown and Russ Bishop were elected, but withdrew. Richard Miller was a carryover. Brown, Bishop and Miller are not present

Board members elect the executive board. Bill Pease was elected to President at the Sept 26th meeting has since resigned as President, but will stay on the board. Board members will elect a new President. Charlie nominated Rick Smith and Jim Boothby seconded. A vote takes place in a closed ballot with the result is 5 votes for Rick Smith. Now to vote for vice-president. Nomination for vice-president—Jeff Toffer nominates Joe Dickinson and Jim Boothby seconded. Nomination for Joe Dickinson and now to vote in a closed ballot—result 6 votes for Joe Dickinson.

Final results are: Rick Smith: President, Joe Dickinson: Vice-President, Jim Boothby: Treasurer, Charlie Bennett: Secretary

Committee reports

CMD signup sheet. The committee does the maintenance of the lake, takes care of dams, maintaining docks, weed control to name a few. The following people signed up for CMD: Charlie Bennett, Jeff Toffer, Gary Long, Ken Skutley, Diana Kenworthy, Randy Kenworthy, Dan Loos, Steve Hutchison, Dinece Browne, Joe Dickinson and Catherine Cosby. What a great group of people! Thank you for volunteering! Snow removal contract will be taken care of at the next CMD meeting. They will meet the Tuesday before the board meets at 6:30 at the community center.

Public Relations committee signup sheet. The committee is in charge of communications and social aspects of the community, and welcoming new residents. The following people signed up for public relations committee: Sandi Bennett, Pam Toffer, Rick Smith, Diana Kenworthy, Randy Kenworthy, Vonnice Hutchison, Charlie Bennett, Lucinda Wiser. Awesome participation!

Firewise committee signup sheet—registered as a Firewise USA site. The dumpsters were volunteered by the DNR and the draft site will also be included with this. A free fire assessment for all homeowner and a cost share grant for those that have more than 5 acres. The following signed up for this committee: Charlie Bennett, Jeff Toffer, Bill Pease, Ken Skutley, Catherine Cosby, and Sandi Bennett. So proud of all this volunteerism!

Security committee signup sheet. Basically, it is a presence in the community to let people know that there are people keeping an eye on things. Sign up for this will be later since it basically is only active in summer. But we do need the golf cart back for winter maintenance.

Jim Boothby on valve maintenance:

A few years ago the dam inspector says the valves need to be exercised annually before an emergency occurs. It wasn't done for about 15 years. We started the exercise process last year and the lake was dropped about two and half feet and then raise it back up. We want to ascertain that the valves work. It also helps with cleansing and sediment control. The real plus is that you know the valves are working and also help with dock maintenance. The lake lowering flushes phosphates, animal feces and debris. The effect of dropping the lake last October was that the lake has never been clearer until August when it got warm. We had a very clean lake, and Dan Loos (previous chair of CMD) feels it is because we dropped the lake. It was done about the 1st Oct last year was the testing of the

valve. We do it in October because the rainy season helps fill the lake back up. The lake would not have to be drained if the valve failed. Do we have a motion to for the CMD to exercise the valves? There is a motion by Jim Boothby and Charlie Bennett seconded. The valves will be exercised, lower the lake, check the valves and fill the lake back. Community approved as well however Lucinda Wisser expressed concern for the effect of the flora and turtles. It is recommended by the Conservation District Greater Spokane River. There is a downstream roster to let them know of any emergency. The written recorded of Spokane county DOE exercise the valves is available. One of the inspectors was an environmentalist. Linda Loos asks what is the impact if we don t exercise the valves. Gary has put in boards to raise it up or lower, exercising the valve is not a lot different than the boards. If there was a slow seepage of something, we could drain the lake and fix it before it would impact anything. Dan Loos suggests artificial reefs helping natural plant life aiding the clarity of the water. Kenworthy shares the concern about the cleanliness of the lake and perhaps a natural solution can be found. Charlie states that AVISTA does the same thing to Lake Spokane –exercise valves, do dock repair, and help with invasive weeds. Replacing a trickle tube at the north end would help with the sediment issues there.

Copy of the budget passed, this is interim budget. The appointed board did not do a budget.

The three areas of the budget are administration, operation, maintenance and repair.

Administrative is fairly fixed.

Operations: you get to enjoy the lake because operations is doing their job. Water testing, restrooms, weed control, docks and snow removal are a part of this budget. Small projects is for example like someone smashing the sign around the corner. Dock maintenance to too low but must stay that way in the current budget. Docks are getting older. Jim doesn't know what attorney fees the appointed board accrued and hasn't paid. The capital projects fund would be used to pay attorney fees. The capital projects are unfunded meaning, once everything else is paid then the capital projects can begin. There is about \$1000 that is not allotted in the budget at this time. We hope not to have to use the capital projects fund and the unallotted \$1017 on attorney fees, but we just don't know right now. Susan Weeks says that the water is \$57 monthly so that sounded low for the budget. Jim says there is an agreement that the community center only pays for 6 months a year.

The budget is normally approved at the annual meeting, not by the board, so this is an interim budget and the people here can vote on it. Charlie is counting hands for interim budget vote by the community. Dinece Brown is wondering if we do any fundraising. Charlie states that Firewise did help with \$3800 last year.

Show of 22 hands to approve budget, no hands to oppose.

The budget is a road map– it is flexible and can be shifted where it is needed. Brown wants to know if this is a typical turnout, but Mr. Kenworthy says this is higher than normal, Brown says so there it seems that there are 160 lots that don't care. This year Lucinda Wisser says we have 90 voting lots at the election. Three times the typical vote. On average for an election there is 38 voting lots over the last 5 years.

Rick Smith thinks the community can be fixed and apparently all the people showing up tonight think it can be fixed. We had a valid election. Dan Frees says it is going to an higher authority to contest the election.

Charlie Bennett talks about the AED. The AED was bought by donations in the community. It is part of the Firewise program and the fire department is happy to do all the AED/CPR trainings we want. We are planning to

put a cypher lock to have access so the AED can be registered. Four board members will post their phone numbers so you can come call a board member and have access to the AED. You will learn a lot at the training even if you were previously trained in CPR. Training dates will come out after the committee meeting.

One thing we did not talk about in the budget is election costs. Bottom line is \$352 paid for by Lucinda Wiser. Expenses were, postage for 131 ballots, rent a PO Box for 6 months, a notary public to certify the election, envelopes and printing costs. Thanks to the election committee and thanks to Lucinda! Rick is asking for the boards approval to pay and it is unanimously approved.

Sandi Bennett speaks that minutes will be sent out by email as soon as tentatively approval by board before a formal approval at the next board meeting to expedite communication and all official communication will come from Reflection Lake outlook email.

Charlie asks where the Turtle Beach dock is?

Donna Mack is asking about the bylaws changes. Jeff Toffer says changes to bylaws have to be approved by 2/3 and covenants approve by 100 percent. There were not many changes. But they are done but they weren't sent out because of what happened. Attorneys have looked at them. Let's take up the bylaws at the next meeting. Donna Mack would like to be on it.

Randy Kenworthy wants to say that it is refreshing to see a board meeting without yelling, pleased with the board and pleased that community showed up and thinks it a good sign that we can heal.

Jeff Toffer says he has talked to at least 25 people on his walks and they all just want harmony at the lake.

Motion to adjourn by Rick Smith. Unanimous to adjourn.

This entry was posted in [Board Meeting minutes](#). Bookmark the [permalink](#).

Reflection Lake Community Association

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Bd. meeting new elect. bd.
10/6/20

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**REFLECTION LAKE COMMUNITY ASSOCIATION
INTERIUM
BUDGET for Oct. 1, 2020 - Sept. 30, 2021**

Administrative

Office Supplies	\$ 450	IRS Tax Prep.	175
Postage/Newsletter	300	Insurance	2000
Social Comm./Annual Mtg.	650	Accounting Fee	1000
Website	150	Property Tax	450
Non-Profit Cert.	20	DOE Inspection Fee	1250
Legal Fees	1000		
		TOTAL	\$7,445

Operations

Water testing	150	Lake Patrol	600
Invasive Weed Control	2000	Inland Power & Light	375
Fish	5500	Lawn & Lot Care	2500
Sanitary Restrooms	1200	Snow Removal	3500
		TOTAL	\$15,825

Maintenance & Repair

Access Lots	250	Small Projects	150
Signs/Gates/Fences	300	Dock Repairs	750
Community Ctr./Water	300	Dam Maintenance	1500
Road Maintenance	2500	Commons/landscaping	400
		TOTAL	\$6,150

BUDGET TOTAL \$29,420

RLCA Dues: 186 Lots X \$157.50 = \$29,295

Income & Balance Statement

Income

Funds on Deposit 1 Oct., 2020	70,940		
Accounts Receivable (Members)	2,797		
Unpaid Dues/Liens (more than 1 year)	755	TOTAL	\$74,492

Expense

2020 -2021 Budget	29,420		
Reserve Account (Fully Funded)	35,000	(Increase to \$52,000)	
Capital Project Un-funded	8,200	(As funds become available)	
Unpaid Liens	755		
Bad Debt (Write Off/Bankruptcy)	0	TOTAL	\$73,375

Funds Available \$1,117

**RCLA Treasurers Report
Oct. 6, 2020**

Checking	10,764	
Savings	24,504	
Money Market	5,674	.02%
CD	5,000	1.46%
CD	25,000	2.20%
Total	\$70,940	

- Less Reserve Account	35,000
- Less 19 - 20 Budget	29,420
- Less Un-paid dues	3,552
Total	\$67,972

Funds Available \$ 2,968

Dues: 186 Lots X \$157.50 =	<u>\$29,295</u>
Bad Debt/Liens B7 L38	755
Dues: Delinquent	2,797
Total	* \$3,552

*** Corrected amount will be in November report**

Capital Projects	Allocated	Spent
C-3 Culverts	\$1000	0
C-7 Greenbelt	1000	0
C-10 Signs	700	0
C-12 Community Ctr. Repair	3500	0
C-13 Renew & Repair Dock	1000	0
C-14 North Dam Dry Hydrant	1000	0
Total	\$8,200	

Note: The appointed board is still slow to relinquish title of 'Agent' for the Secretary of State records. The former board is responsible for bills until the bank account has new signature authority.

Jim Boothby, Treasurer

From:
Sent:
To:
Subject:

The Washington State constitution holds that ballots are secret. As you know, the proxies were integral to the ballots. I cannot release those.

As a homeowner, you have the right submit a request to the board for official documents of the RLCA. The election committee was a group of home owners attempting to persuade the board to have an election. In the course of that attempt, they petitioned the members. The record of that petition of the members was disclosed to all the acting board members on or about August 15, 2020, which included you. At no time were those committee members granted official status of any kind by that board. The elected members became official only with the results of the election. Those records are noted above. I cannot grant a request for the records of another homeowner.

Rick Smith
President

Reflection Lake Community Association

From: Doom Hammer <doomhammerpow@gmail.com> This is Rob Lee's address
Sent: Saturday, October 17, 2020 12:29 PM
To: ReflectionLakeCommAssn@outlook.com <ReflectionLakeCommAssn@outlook.com>
Subject: Re:

As a home owner I am formally requesting any and all records for the current election of the R LCA. 2020 This should include all minutes, All proxy votes, All ballots, Who were the committee members and who were on them. All emails documents. That may pertain to this election. Thank you rob Lee

J E F F R Y K. F I N E R
K S B L I T I G A T I O N, P. S. | T R I A L A T T O R N E Y S

510 W. Riverside Ave. | 3rd Floor | Spokane, WA 99201
Assistant: (509) 666-2835 | **Main:** (509) 624-8988
Cell: (509) 666-2835 **Fax:** (509) 955-3740 | jfiner@ksblil.legal

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EXHIBIT 30

2020-09-26 Special Meeting of the Members

Posted on October 18, 2020 by Rick Smith

SPECIAL ELECTION MEETING

September 26, 2020

Could you please introduce yourselves.

Gary Long – Past board member for 3 years. Past lake security for the same length of time. I've been on several committees. I'm very concerned about the community. I'm glad to see so many people show up for this important meeting and I think everyone concerned votes. I look forward to seeing the results.

Rick Smith – I live across the lake, the other side. Regular dog walker. I've lived here about 19 years and occasionally help out with projects around the lake. Lucinda: Rick is one of the people on our election committee so I want to give a special hand to our election committee. This has been our forging a head so I really appreciate that.

Jeff Toffer – Owned property here for over 47 years. We built that log home 4 years ago. We love the community. I've been on the previous board for three years and I thoroughly enjoy doing things for the lake and helping out. I need to get out and meet more of you and I plan on it. I hope the best for this election. Lucinda: Jeff has also been on the election committee. Let's give him a hand.

Bill Pease and my wife, Barbie, have owned lot for 15 years. I'm retired now and Barbie's going to retire at the end of this year so we're going to have time to get involved and help out for the benefit of the lake and the community. Lucinda: Bill is on the ballet so he's willing to serve big time. Barbie: I am retired now.

Diana Kenworthy – my husband and I have been out here for about 16 years. We love it out here. I'm on the election committee also. I believe that everyone should have a voice. This is a community and we should work together. I'm so thankful to have an election.

Vonnie Hutchison – On the prior board I was the secretary. I spent a lot of time trying to make sure everything was correct and understand what was happening at the time. I'm just here today to help and I did help the election committee about 1/2 way through the process. I'm here taking the minutes and I always tried to make sure they were posted on the website. So if anyone wants to read them, at least going back as far as I was on the board you should be able to pull them up and read them. Lucinda: I have to tell you, I was the secretary for maybe 1.5 years or 2 but when I read Vonnie's notes I felt thoroughly intimidated. Thank you Vonnie.

Susan Weeks.

Trish Tachell – dog walker.

Heather – I walk my dogs a lot. I'm here because I'm nosy.

Elisabeth Syverson – I thought it would be a good idea that we have third party count the vote so there's no question.

We have two special people that are here. Our two non RLCA members that are here. I'm Elondra we've lived in the area for 10 years. Love that it's so close and this is my community. When you do lake cleanup I bring my kids because I want them to learn to give back. We're so close I've had neighbors that watch out when they get off the bus. So this is my community even though I'm not officially part of it.

Amanda – Dunn Rd. We bought an old homestead up there. We've been there about 3 years and just wanted to help out. We love our community and want to see everyone happy.

Lucinda Wisner – The meeting is called to order at 10:06 in the community association building. We are recording this meeting for accuracy and so they can be transcribed. Thank you all for coming out to our election meeting. There's really only one item, two parts. For this special meeting there are two purposes, one purpose is to remove the current appointed board members and the second purpose is to elect a board. The people that have been on the appointed board, if they chose to, they are also on the ballot so you can elect the appointed board to be on the elected board. There are also the people who have stepped up and said that they would like to be on the board, they are also on the ballot. The purpose of this meeting is only to do those two things. The ballot box is down on the street. Once you have dropped off the ballot you are free to go. The meeting will not be adjourned until 1:00 so people when they come by or drive by they can drop off their ballot. At that time we will finish the vote count and we will post it on the website, facebook and on reader board. We will also email everyone and let them know who gets elected. I don't know when the elected board is going to meet, it could be today. They will want to pick officers for the coming year. We will have our annual meeting in July and get on cycle. We have been accused of being illegal and we have tried to hard to do everything by the book. 5.5 says that we have the right to have our appointed board members replaced by elected board members. It doesn't say 1, 2 or 3 of them it says appointed board members, at our annual meeting or a special meeting. We didn't have an annual meeting, we're having a special meeting. Bylaws 9.2 say that members can call a special meeting if they have 40% of the vote. With our petition that we went out door to door to everyone, we had 70% of the vote said that we want to have a meeting and that it's a vote of no consequence for those members of the board that are opposing the election. 3% said they don't want to have an election, the rest we didn't have good contact information. So only 3% said they don't want to have an election. We went back around and we gave every single person the results of that petition. This is what the community has read: we had a zoom meeting for the board to tell the board that this is what the community said. So we went door to door to every board member and had them sign saying they got the results of the petition and will you support it? Of that board 3 people said yes, we have reservations about the election but we'll honor the results of the election. The other board members refused to turn anything in, one board member said I don't ??? for this election. We were working with James Powers and we asked to be put on the agenda in June to set up this mail in ballot. We thought it was going to be going out in June. In July he shut it down. We asked to be put on the agenda in August and September. In both cases we were not put on the agenda, and in fact in September he stated that there was no other business. I think there is, I think this community is here to say that there is.

We've counted how many ballots there has been in the mail and there is over 50 ballots that have come through the mail. We expect more people. If you know some people who haven't voted, I hope you encourage them to get out and vote because this is an American right. We have the right to have elected people representing us who will listen to what we have to say. There's 3 other things that I want to throw in. As we've been going through this process I have found that RCWs (Revised Code of Washington) those that have to do with the homeowners association are 64.38.025 section 4, says that there are some express things that the board of directors cannot do and one of them is that they cannot elect a board of directors. That has been something that has been expressly left for us to do. The board cannot elect a board and that law is posted out here on the bulletin board if you'd like to see it. The second thing we saw as we were doing the research is Proclamation 2061 when the governor in April said, that even though it does not expressly say in bylaws that you can't have a mail in ballot, or do electronic or do an in-person because of COVID, we are removing the so homeowners associations can continue to do business that they need to do and elections. Susan Weeks: I never saw that. Lucinda: I'll show it to you. I've got it right here. Susan Weeks: I know that's what people were trying to follow was the governor's orders and I kept checking that to see what was going on. Lucinda: I have it printed out and I'll show it to you. Is there anything else for the good of the order? Susan Weeks: You mean as far as the voting goes? Lucinda: We're not going to adjourn this meeting because the voting is going to continue until 1:00 so we aren't going to have anymore meeting or talking unless there is something that people want to say right here, right now.

Susan Weeks: I have a concern. I don't know about the special meeting. I've listened to you and see whether that's appropriate or not but I think having all the people who didn't know what was going on. Had their vote voted by their election committee sounds hokey. Lucinda: so I'm not understanding. Susan Weeks: I think they should have had to sign a specific proxy to a specific person. Lucinda: On the proxy ballot it says "I assign this proxy to the election committee" and it names ??? We didn't name every person on there, like Jeff is on the election committee. Rick is on the election committee and he is not named because he was running. Diana and Randy were named because we were on the election committee and we were not running. So us 3 specifically. Susan: That is not my point. My point is the people who started the campaign had a certain agenda that they wanted to accomplish so to send all those votes to the same people seems inappropriate. Diana Kenworth: Our only agenda was to have a fair election. Susan Weeks: I'm talking about the proxies, just the proxies. Rick Smith: You have to assign them to someone. Susan Weeks: That's what I'm saying, you have to... I think that's where you're going to get caught. I think those votes aren't going to be legal. They're assigned to a committee? Lucinda: No it names, specifically who specifically is on the committee we're assigning it to and it's 3 people on the committee that we're assigning it to. Elisabeth Syverson: And you guys have been very open this whole time, no secret meetings. There's been nothing of that nature and thank you for that. Susan Weeks: So on the record I'm saying that I'm not sure that that's legal. I want that noted in the record.

Lucinda, anything else for the good of the order?

Casey Lambert – have a question. As far as an appointed board, I understand that one board member is still on the elected board? Is official business being conducted with the appointed members? Lucinda: Official business has been conducted up until today and when there is a new board that has been legally elected today then the board will take the business from here on out. Casey Lambert: so if there was anything done officially like the meeting a few nights ago, so changes can or cannot be legally made? The whole thing was a water rights thing. Lucinda: I'm going to expressly say that this is not about water rights. I think that needs to be addressed at the first board meeting and they should have it the first Tuesday of October. Come with that issue. I will also pass it on to the new board because that is a burning issue in our community. I'm trying very carefully to have this be a

one item agenda because that's what the law says. It has to be a single item and that is to elect people, so if you have strong feelings about the board, if you have strong feelings about the water, vote for people who will support your feelings.

Thank you. You're free to go but we're not adjourned.

ELECTION RESULTS

Jeff Toffer – 83 votes

Rick Smith – 83 votes

Joe Dickinson – 79 votes

Bill Pease – 73 votes

Charlie Bennett – 72 votes

Jim Boothby – 71 votes

Chris Cato – 56 votes

Mike Brown – 33 votes

That concludes the people that have been elected to the board.

Russell Bishop -23 votes

Rob Lee – 20 votes

Jim Case – 18 votes

Write-in Candidates

Vonnie Hutchison – 16 votes

James Powers – 10 votes

Dan Freas – 1 votes

Chad Boyd – 2 votes

Jerry Parker – 5 votes

Lucinda, Dan Loos – 1 vote each

Neil Kimball – 4 votes

Gary Long – 8 votes

There you have the election. I want to thank you guys so much for doing all the tallying and triple counting. We are currently waiting for the notary to certify the election. Please call the winners.


The meeting is adjourned.

Certified Copy of Election Results

Mike Brown's withdrawal letter handed to Rick Smith on 9/26/20

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Reflection Lake Community Association

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