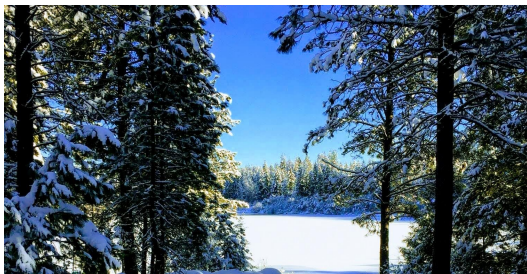


Reflection Lake Community Association

RLCA Newsletter

Winter 2021



President's Message

By Rick Smith, President RLCA

I am so glad we've reached resolution to issues of the election here at Reflection Lake. It is nice to know that we did the right things to have a proper election, but it is even better knowing that it is now possible to once again work on the things that make Reflection Lake a great, beautiful place to live. I'm sure it is important to all that we have well-maintained dams to preserve our lake. It's important to all that our many access lots are pleasant places to use. It's important that we all can enjoy our lake!

Do we have things to do? Are there challenges? Sure! Plenty. And that is another beauty of Reflection Lake. There are people that will share ideas. There are people that respond to the call for help. They volunteer their time and ideas and will jump in to help, all for free. It's truly amazing that we can live at this lake, and it costs less than twenty bucks a month! One trip for burgers and fries costs more. Yep, it really is a beautiful place!



Read more on our website: <https://reflectionlake.net/>

A Call to Community

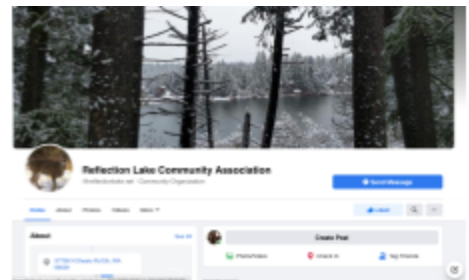
Lucinda Wiser, Community Relations Chair

Recently Judge Tony Hazel ruled that the Elected Board lead by Rick Smith is the legal and rightful board of the Reflection Lake Community Association. Our leaders are important in uniting us as a community. However, our leaders can not make it happen without our efforts. I hear a strong cry from many around the lake to come together as a community. What does that mean?

Humanitarians believe that means to “love thy neighbor as thyself”. They are referring to all of us, not just the “perfect” among us, or the neighbors that agree with us, this means all of us. This means to avoid judging people and their motives for their actions. This calls us to forgive people, even if they don’t ask for it. This implores us to include, compliment and encourage our neighbors. How does one do this?

I came across an acronym that I believe we can all live by: **LEAP**. **L**isten to each other without judgement, **E**mpathize with our neighbors, where they come from and assume the best in each other. **A**gree. We don’t agree on everything, but we can listen for those things that we do agree on and then we **P**artner together on those areas of agreement.

It is my sincere wish that we take a **LEAP** forward together as a Reflection Lake Community.



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Conservation, Maintenance and Dams Committee

By Gary Long, Co-Chair

SPRING IS JUST AROUND THE CORNER! It is a new growth season for Mother Nature, and a new growth season for Our Community, moving on to accomplishing new goals. I have been fortunate in my short time here to see what volunteer efforts can produce at RLCA. I think it is called “best bang for the buck”! We have incredible talent and true dedication to get things accomplished by our membership for the continued improvement and health of our beautiful lake. Part of this is being good stewards of our lake, maintaining what is in place, upgrading where needed, as well as providing for the safety and maintenance of our two dams.

Our dams are a high priority so what follows is a brief summary about where we are currently as a Conservation, Maintenance and Dams (CMD) Committee, and where we stand with The

Department of Ecology (Ecology) who has the authority over the maintenance and safety of these dams. Under Ecology guidelines, all dams are required to go through, at the very least, a five-year inspection. We had our most recent inspection in 2019 with their Engineers. The Department of Ecology reported no concerns, but a few recommendations to keep our Dams in good condition. We had a delay in addressing their

recommendations with the Board changes in 2020. Since the new Board was elected in September 2020, a new CMD Committee was formed. We now are meeting all Ecology's recommendations and

are given a big thumbs-up for our maintenance. This also includes the new EAP (Emergency Action Plan) for safety in the community and people downstream. Beyond what could be completed quickly without funds, we are still in the process of getting a new Elevation Survey for both dams and researching armoring the downstream side of the South Dam. These both require money and now with the elected Board officially in place (court supported) we can access the Community Funds that were frozen. As always, any Capital Funds (expenses) will be brought to the community for input. We have a wonderful group of volunteers already in place, but definitely welcome anyone willing and able to assist the efforts of CMD. It's time to get back to work again! Goodbye 2020, welcome 2021!!

Fishing Rules

Everyone fishing must carry a Guest Pass.
Current Guest Pass is valid until May 31, 2021.
Every homeowner is lake security.
Limit 5 fish per lot owner per day.
Remove trash, fish guts and personal items.
Fishing open except two weeks after fish planting.
No live bait and practice responsible "Catch and Release".

Meet our New Directors



Rick Smith,

President of the RLCA, has lived at Reflection Lake for 19 enjoyable years with his wife Anita. He is retired now, but spent many years talking to people

to understand and then resolve system problems with computers, communications and training. He hopes he can help with that here at Reflection Lake.



Joe Dickinson,

our RLCA Vice President, worked in electronics, networking and the computer field before recently retiring here with his wife, Susan. He feels our

community needs to focus and make decisions for the good of everyone who lives here, not the Eastside vs. Westside debate.



Jim Boothby, the RLCA Treasurer, has served on 19 of the previous RLCA Boards as President, Vice President or Treasurer. He and his wife, Joyce, have lived on Reflection

Lake for 40 years. He listens to members, as he walks around the lake everyday.



Charlie Bennett served on the RLCA Board previously for two years. He and his wife, Sandi, look forward to completing projects such as installing a fire hydrant, replacing a

trickle valve, pursuing grants available for dam issues. He has brought Firewise to the Lake.



Jeff Toffer is a second generation RLCA member. His family has had a place on the lake for over 50 years. After a career in Retail Management and living in nine states, peaceful Reflection Lake is where

he and wife, Pam, chose to retire. He previously served on the RLCA Board for two years and on the Conservation Maintenance and Dams Committee.



Bill Pease and wife Barbie have been at Reflection Lake for 15 years. He will take a common sense approach to working on the Board. He just retired after 43

years as a Subaru tech. He says he loves the lake and wishes to take care of it.



Chris Cato is a single father of 2. He moved to the lake for all the good it has to offer. He has been disheartened by the lack of community exhibited by many. He believes we need to

protect the lake and infrastructure that goes with it. He will find ways to save money while still improving our community. He believes in following our Bylaws and Covenants.



Richard Miller is the only person to be on the last three boards this year. He served on the old board ending in March 2020. He appointed the Appointed Board from

March 2020 - September 2020 and is a current member of the Elected Board September 26, 2020 to now.



Summary of Lawsuits Affecting Reflection Lake

February 6, 2021

Abbreviated history of the first lawsuit:

About October 6, 2020, KSB litigation, a firm of lawyers, sent a letter to Banner Bank. In the letter, they described themselves as representing concerned homeowners of the Reflection Lake Community Association. They went on to say there were competing boards of directors, each describing themselves as the legal board. That letter caused Banner Bank to lock the accounts of the RLCA, giving no one access. On October 8th, the Elected Board of Directors represented by Rick Smith sent documentation to Banner Bank providing validation of the election and the outcome. Regardless, about November 17th, Banner Bank filed what is called an Interpleader lawsuit against the RLCA, Rick Smith and James Powers, naming all three as defendants.

The Elected Board of Directors represented by Rick Smith defended this suit. The objective was to restore the bank accounts to the duly elected RLCA board so it could continue the business of maintaining lake properties. The legal expenses of this suit were NOT paid by the RLCA. Instead, the expenses were paid by 22 separate donors, donating sums anywhere from \$10 to \$5,000 dollars. The objective was successfully achieved.

On Friday January 29, 2021, Judge Tony Hazel of the Spokane Superior Court heard arguments from counsel regarding the lawsuit. Judge Hazel reviewed written material filed for this hearing and listened to statements/arguments from the attorneys representing the RLCA and Rick Smith, the KSB attorney representing James Powers, and the Banner Bank attorney. He found that the September 26, 2020 election was legally conducted and that the results were valid. He ordered Banner Bank to grant access to the RLCA accounts to the legally elected board members, represented by Rick Smith, as President. The judge did not agree to award attorney's fees. You can view Judge Hazel's full order at https://reflectionlake.net/wp-content/uploads/2021/01/Order_Granteeing_SJ.pdf

Status of the second lawsuit:

This lawsuit was initially filed on November 19, 2020 by KSB Litigation, on behalf of Robert Lee, James Powers, Susan Emry, Neal Kimball and Russ Bishop. This complaint was modified significantly after the resolution of the first lawsuit. The amended lawsuit names the Reflection Lake Community Association as the defendant. You can view the entire complaint at <https://reflectionlake.net/wp-content/uploads/2021/02/21-02-01.LeePowers.AmendedComplaint.pdf>.

First, the suit asks the court to determine that the RLCA has no legal basis to assert control over the Water Association. Second, this suit requests a custodial receiver to direct and control the Reflection Lake Community Association. It also asks that the community be re-organized into

separate groups for separate facilities, that is, a new common community for private water, a new common community for private roads and a new common community for the lake and related facilities.

The re-organization of the association into these new communities would likely have a large legal setup cost, all chargeable to the members. The new communities would be subject to more complex rules that are more expensive to administer. The suit calls for an **independent** appointed receiver, so this could not be an unpaid community volunteer. The average Spokane HOA charges about \$200 per month. The fees vary greatly, from about \$100 to \$700 per month. Even at low end, that is \$1,200 per year, compared to our current \$175 per year. Most east side lots would be members of all three of the new communities, with fees charged by each.

The Reflection Lake Board of Directors is charged with uniting the community. We must defend against this lawsuit. It will cost less to defend compared to the cost of restructuring the community in this way. The RLCA lawyer is in the process of responding to this new complaint. There are no hearings scheduled at this time.

But this defense will have a cost to the entire RLCA, and all its members. With a successful defense, it might be possible to recover the costs of the defense. But it will take money upfront to defend. If you can afford to help, please consider donating to https://www.gofundme.com/f/save-reflection-lake-community-association?utm_source=customer&utm_medium=copy_link&utm_campaign=p_cf+share-flow-1