

Reflection Lake Community Association

RLCA Newsletter—Summer 2022

Summer 2022 is finally under way after a very wet and cool spring. The fish are biting and the beaches are open for swimming and enjoying our lake.

President's Message by Charlie Bennett:

This year marks the 60th anniversary of the Reflection Lake Community. We have certainly had our share of growing pains lately, but I believe these issues will soon be worked out and the future of our community will be on a path forward once again.

Firewise was granted \$7000 by the DNR, the community yard sale raised \$4000 and \$15,000 is now back in the bank from one of the lawsuits. There are plenty of good things happening for sure! The annual meeting and elections are on July 30 at 10:00 a.m. at Bishop Park. This is the time when the members have their say. We will vote not only for three board positions, but also on the budget for 2022-2023. Capital projects are the things we would like to accomplish for the lake as funds become available. The public relations/social committee is hard at work planning a BBQ and events for this special time. A brief list of those who contributed their time and donated to our amazing yard, boat and bake sale. We raised \$1,000 from the bake sale, \$1,100 from the boat sale and \$1,900 from donated items.

~Claudia and Joe Kokinda

~Fire Chief Bill Neckles

~Harry and Jill Williamson

~Jerry and Angela Frietas

~Kerry Wilson

~Angela Ward

~David Vandermeer

~Charlie and Sandi Bennett

~Jeff and Pam Toffer

~Dan and Linda Loos

~Steve Hutchison

~Gary and Karen Long

~Gail Teeter

~Monica Mujwid

~Rick and Lori Johnson

~Mike Hooper

~Connor and Elise Hickman

~Joe and Susan Dickinson

~Randy and Diana Kenworthy

~Robert and Elizabeth Syverson

Legal Update by Tyler Lloyd, RLCA Attorney and RLCA Board of Directors

The lawsuit, brought by James Powers to the State Court of Appeals, concerning the validity of the 2020 special election was upheld by Judge Hazel of the Spokane Superior Court, which ordered James Powers to pay RLCA's nearly \$15k in legal fees. Recently on June 17th, Mr. Powers asked Judge Hazel to stay (or pause) entry of the final judgement given developments in the other case, but Judge Hazel refused to delay entry of the judgement ordered by the

Court of Appeals. Mr. Powers has now paid the nearly \$15K judgement, and the matter is concluded.

The other lawsuit, brought by Jim Powers and Rob Lee, Russ Bishop, Neal Kimball, and Susan Emry seeking to have the RLCA broken up into separate smaller "Common Interest Communities," and grew to include claims of misconduct against past and present RLCA Board members. The RWA was pulled into the case as a necessary part to resolve the dispute over Mr. Powers' transfer of the water system from RLCA to RWA without the vote/approval of the members and after the valid September, 2020 election. The three parties participated in mediation (a formal settlement negotiation) and spent weeks negotiating a settlement agreement.

The settlement provided that litigation would be stayed while RLCA and RWA completed the transfer of the water system to a 3rd party such as Stevens Public Utility District. RLCA agreed to sign in the belief that all three parties would be bound. After RWA refused to sign the settlement, a dispute arose between RLCA and Mr. Powers and the others over whether the settlement was enforceable between the two parties who did sign. On May 31, Judge Clarke of the Spokane County Superior Court held that the settlement was in force between the two parties. Pursuant to that settlement, Judge Clarke ordered the parties to engage in another round of mediation before he would hear further arguments by either party. The parties are now working to arrange this mediation.

Meanwhile, the RWA Board, (led by Susan Weeks and James Powers) still refuses to sign the settlement agreement or negotiate a transfer of the water system. RWA members held a special election to replace the RWA board and clear the way for a settlement, but Ms. Weeks and Mr. Powers are refusing (again) to acknowledge the outcome of a valid election. RLCA continues to hope for a prompt resolution of this dispute.

RLCA's goals remain constant: (1) to resolve all disputes concerning the water system so that it can be properly managed (and receive available funding and grants) for the future of our community, and (2) to bring a close as quickly as possible to all further litigation. RLCA remains willing to dismiss its claims against Mr. Powers and the other members of his Board, and to abide by the signed settlement agreement, on the sole condition that RWA cooperate concerning the future of the water system.

If RWA will not cooperate, RLCA will have no choice but to ask Judge Clarke to recognize that the settlement has failed of its purpose and allow the litigation to move forward. In the event this matter proceeds to trial, RLCA has a strong likelihood of succeeding on its claims and defenses and will be entitled to recover its attorney fees (for the entire litigation) from Mr. Powers and the other plaintiffs.

With the refusal of the RWA board to step down after two valid elections, the issues of the RWA remain unsolved. The last regular board meeting, held by RWA, was in April when they

agreed to step aside and let the newly elected board take charge, yet they have failed to allow this to happen.

Treasurer's Report by Jim Boothby

Dues: Just a reminder, for those who have not paid their annual dues, late fees are added if not paid by August 1st. If you did not receive a bill or misplaced it, please call Franklin Accounting at 1-509-276-5056 for rebilling and balance due.

Keeping ahead of current budget needs, funding a future budget and paying legal bills while staying solvent was a challenge. The good news is the RLCA was awarded \$14777.50, for the fees for defending the appeal of the lawsuit filed to dispute the validity of the September 2020 election. The original lawsuit disputing the September 2020 election of the Board of Directors was filed by the members of the appointed board (Lee, Powers, Kimball, Bishop, Emry). Cost of defending the original election lawsuit was largely borne by member donations and was approximately \$25,000.

The second lawsuit brought by the Mr. Lee, Mr. Bishop, Mr. Powers, Mr. Kimball, and Ms. Emry on November, 19, 2020 has been stayed for now, after a signed mediation, at a cost of \$40,000. The RLCA membership voted to fund contesting this lawsuit. You can read the full lawsuit on our webpage reflectionlake.net.

Members who have belonged to managed HOA or community associations are very aware of the extensive fees and overhead costs involved in every action, activity and maintenance. A community of the wealthy expects amenities, quick service and can pay whatever is asked. Most of us do not want exorbitant dues along with higher taxes. Reflection Lake, in 60 years, has not paid its Boards or Committees nor has it hired paid managers. When Reflection Lake is discovered and becomes a community of the wealthy, perhaps management will come naturally and not be dictated by a few members.

Please read the 2022-2023 Budget and Balance sheet. Barring any future litigation, we are now able to fund the current and the future budget, as well as heal from this traumatic cost of litigation.

Conservation, Maintenance and Dams by Dan Loos

A lot of our projects this year have been put on hold due to the lawsuits, but I am hoping that the rock placement for the dam will be finished this year. Fish have been planted and the weeds have been abated, so our beaches are a fun place to be. The Ernie Bleich plaque was replaced on the south dam. The valve at the south end has been dug out and we are still hoping to get a platform around it this year to make it safer. I would like to get an engineer

out to look at the valve and a survey of the dam, but that will have to wait and see how much money there is. With a new influx of cash from the yard sale hopefully we can get some of that accomplished. There are still some small projects to be done, getting the sign at the NE corner replaced, painting the community center, etc. We would love to replace the Turtle Beach dock that was given away, but that will probably have to wait until a lot more funds are available.

Firewise by Charlie Bennett

Our Firewise 2022 projects came to an end on June 15th and once again it was bigger than the last.

We received \$7,000 in grants and put it all to good use. Our cleanup day on May 7th coincided with Wildland Preparedness Day and was well attended. There were at least 35 members and 5 firemen from District 4 that donated their time and energy to a massive cleanup which included cutting, hauling, loading, burning, thinning and raking of what the DNR likes to call FUEL.

Thank you to the members who celebrated Independence Day without fireworks at the lake. While this year was unusually wet, last year was unusually dry, and we have rules and the county has rules, not because they don't believe in independence, but because they know that wildfires are becoming much more common and 90 percent are human caused. All of the dogs who live at the lake thank you also!

Our Fire hydrant has been purchased and the permits have been purchased, thanks to the DNR, and we intend to get this project finished this year.

Once again, I am asking that you send me an estimate of your hours worked this year on fire preparedness, including tree thinning, pruning, and removal. The hours spent raking, burning, hauling, etc., whether for yourself or your neighbors all count. You can email or text me or any board members with those numbers.

Remember, wildfires do not discriminate or stop at property lines. We are all in this together. It is not a matter of if a wildfire comes to our community, it is when.

Community Relations/Social Committee by Sandi Bennett

Thanks to all those that donated to the community yard sale (and bake and boat sale)! We had almost 15 members donate items to the yard sale—imagine what we could have sold if we had half of the community donate! Because of everyone that did donate, we now have \$4,000 in our budget that we didn't have before. In addition, we still have a few larger items that we will sell through neighborhood selling sites for additional monies for the community.

The Little Fishies Club that Elizabeth Syverson and her kids started is a huge success! Look for more activities coming soon! This is exactly the kind of activity that this community needs!

Kayaking on Mon/Wed/Friday at 9 a.m. will begin in July, now that it has finally warmed up. Please let me know if you want to participate but need a kayak to borrow. Hope to see you out there! Our Milan-Elk Road clean up days continue to be a success! Look for the date for the fall clean up before the snow flies. Thank you to all those that help keep this community beautiful.

If you would like to see an activity started here at the lake, please let us know. Let me know if there is something you want added to the monthly calendar that is emailed out to all members. We welcome any ideas from the community. Also, if I do not have your information on the roster, please get them to me. I know there are a few new members that are not on my membership list.

I am looking forward to voting at the annual meeting. Please feel free to use the write-in options to vote for your representative who you would like to encourage to be on the board. Please let me know if you are able to bring a bean dish or salad to the BBQ.

And Gail Teeter adds: Our communities 60th anniversary tee shirts are available for purchase. The shirts are \$10 and \$11 for extended sizes. They will be available at the annual picnic.

Announcement:

Is it safe to swim with leeches? Although unpleasant for humans, leeches are actually harmless. Only a few species actually suck blood and most fish like to eat them as a snack. Leeches prefer the shallow protected areas of lakes. They also prefer areas with weeds, submerged branches, or other debris on which to attach themselves. Swimming in deeper water and in areas free of plants and debris reduces the likelihood of leeches finding you. The CMD Committee will look into possibilities to prevent leeches at our beaches without harming our environment and fish.

Election 2022 by Lucinda Wiser

Please come to our Annual Meeting to cast your ballot and participate fully in your community. If you can't make it to the Annual Meeting, our Bylaws have a provision that you can vote by proxy upon request. Please look for a ballot in your mail shortly after July 5th. Thank you to the community members who stepped up to run for the election and those who participated in the election committee. Anyone who is current on their dues and has been an owner for at least a year can run for the RLCA Board of Directors. It is up to the members of the RLCA to elect their representatives.

In Memoriam

Anita Smith

In memory of our dear neighbor and friend that we have lost recently. Anita, we will miss you dearly. Thank you for your contributions to our community. Our sympathies and condolences go to her family.