



Canyon Lakes Property Owners Association
Board Meeting
October 7, 2024

The meeting was called to order at 6:30 p.m. by Emma Mercado at the Mid-Columbia Library, Kennewick Branch.

Amberlee Moore took roll call.

Attendance: Emma Mercado, Amberlee Moore, Chris Winkley, Paul Roberts, Rick Burr, Jack Lynch, Scott Snyder, Anne Eerkes, Patty Kopp, Karla Palmer, Alicia Mercado, Chris Laurion, Devin Lundstrom.

Not in Attendance: Reid Klei

Chris Laurion made a motion to approve the agenda, Patty Kopp seconded the motion, (12) approved, (0) opposed, (0) abstained. Paul Roberts had a few questions on the financial statement. Paul Roberts noticed that the compliance budget, landscaping budget, and the office administration total budget amounts did not add up correctly. Paul also asked if the reserve account would be funded before the end of the year. Devin Lundstrom advised that we would transfer the agreed upon percentage of funds from the annual dues, and also deposit the funds from the Banner Bank account that was closed. This will be completed before the end of the year. Chris Winkley made a motion to approve the financials with the edits requested from Paul Roberts, Rick Burr seconded the motion. (12) approved, (0) opposed, (0) abstained.

Presidents Report: A report was submitted and there was no discussion.

Treasurer Report: A report was submitted. Chris Winkley asked about the communication budget and where it came from. Chris Laurion explained it was the communication account "5300". The homeowner packets, newsletters and any communications to homeowners comes out of that account. Chris Laurion stated that he would like all committees to review their current 2024 budgets as we will be preparing the 2025 budgets. He would like to get ahead of it now and be ready for the new year. Chris Winkley also asked about the office administration accounts, Chris Laurion explained that new homeowner packets and other clerical paperwork is listed under this account. Chris Winkley asked what was listed under the miscellaneous account. Devin Lundstrom looked up the account and explained that the ARC business cards, storage unit, and WA report were all under that account.

Secretary Report: A report was submitted there was no discussion.

Communications Report: There was no report submitted. Anne Eerkes asked if any of the Board members had heard any feedback from the homeowners regarding the newsletter that went out. Devin Lundstrom said she had not received any feedback through the office via phone or email. There were a few comments on Facebook regarding the ARC section of the newsletter.

CCR Report: A report was submitted, there was no discussion.

Landscaping Report: A report was submitted. Emma Mercado made the comment that the weeds along Hildebrand look so much better. Patty Kopp said that having the City of Kennewick's code enforcement on board has made all the difference. Patty Kopp also said the lot by Riverwalk has also been cleaned up, as they will be getting that lot ready to sell. Patty mentioned that the Landscaping Committee was also still working on obtaining bids from other companies for the new landscaping contract. Chris Laurion asked if she knew who they had reached out to and Patty did not know at this time.

Long-Range Planning: A report was submitted. Jack Lynch let the Board know that he had reached out Padilla Masonry several times and even went to his office. They were not willing to take the time to talk. Jack met with Aden Masonry and they are willing to have a bid prepared this week sometime. Jack stated he would like to see the Board agree to use the bid that was received from KBG for the repairs. The current foundation on the Volunteer Park masonry fence is not good. It will be a matter of time before it continues to break down and eventually fail. Karla Palmer asked what everyone's opinion on leaving a section open at the corner for people to get through. Jack stated that he is concerned with the canal running along there. He does not want the chance of liability if a child were to walk through a potential opening. Patty Kopp thought that it seemed that since the no trespassing signs had been posted that the walls had not been coming down like they were before. Devin Lundstrom stated that she had checked the area after reports of a homeless person sleeping in the park and did not notice any more destruction. Rick Burr said he witnessed four kids pounding on the masonry fence on his way home. When he stopped and got out of the car, they jumped the fence and ran. Devin Lundstrom stated that the homeowner that recovered the broken bricks that lives in #9 does know two of the kids that live there. Amber Moore also knows a homeowner who is the grandfather of two of the kids. Emma Mercado asked if we could send a letter out. Chris Laurion suggested sending a letter of notice to them, bringing it to their attention. Karla Palmer suggested sending a letter to all homeowners that live in #9. Devin Lundstrom stated that she would get a letter sent.

Jack Lynch said he should be hearing back from Aden Masonry this week and would like to move forward at some point. He would like to lock in a price to have the fence replaced before April 2025. Jack asked if the Board would vote to allow the president to make the decision to accept the KBG bid for any work under \$10,000. Chris Laurion and Patty Kopp asked if the bid could be sent out to the Board for review before it is voted on. Devin Lundstrom asked Jack Lynch to email the Aden Masonry bid to the office this week and then she will email both bids to the Board to review. Emma Mercado asked if the bid will be locked in if we agree to it. Scott Snyder said most bids have terms and Devin mentioned there was probably a deposit required to lock in the price. Proceeding with the masonry fence will be revisited at the November meeting.

Patty Kopp asked what other Long-Range items were on the plan for this year? Jack Lynch stated there are no other plans. Amber Moore stated that there are items that are not finished such as mailbox replacement and solar lights. Devin Lundstrom said there is a schedule for the mailboxes and when they are due to be replaced. There has been confusion on the solar lights and whether or not that project has been completed. Chris Laurion stated that not all of the mailboxes will need a solar light if they are located under a street light. Jack Lynch said that there are funds available in the Long-Range Planning budget to complete these projects. Devin Lundstrom advised that the digital radar signs have been moved to the west side of CLD. This has been a project that Amber Moore has been working on for over a year and it is nice to finally have it completed.

Manager's Report: A report was submitted. Chris Laurion asked what the difference is between "invoices" and "fine invoices". Devin Lundstrom explained that invoices are mailed to homeowners who have not paid their POA dues and fine invoices are sent to those homeowners who have CCR fines.

Devin Lundstrom said there is another home in foreclosure and the home has been damaged. There is currently a toilet in the yard and a bunch of other debris. Devin contacted the realtor on the listing and she was told that the home is currently off the market, and a restoration company would be coming in to clean up the property inside and out.

There have been multiple complaints coming in of in-home businesses being run within the Canyon Lakes community. Devin Lundstrom said she does not show any applications on file for any in-home businesses. She would like to know what the Board is able to enforce on these violations. When a homeowner calls with a concern, what is the protocol that the Board would like to follow? Patty Kopp asked if anyone who has been on the Board for a while remembers any of these in home businesses applying through the Board office? Emma Mercado states that she does not recall any applications. Emma does remember a piano business, but that has now stopped.

Jack Lynch asked if we are calling the city to verify if the home businesses have a business license. Amber Moore said she doesn't think they have to have a license if the business earns profits under \$12,000 a year. Devin Lundstrom said she is not verifying with the city as the Board does not have any repercussion to enforce. Patty Kopp said that there may be someone at the city who deals with business licenses and possibly we could reach out to them for assistance on the matter. Karla Palmer stated that it sounds like at this time we don't have enough evidence to shut someone down. Devin Lundstrom said she will keep sending the notification letters out to those homeowners.

Chris Laurion said the take away and action item is to find knowledgeable legal counsel that we can contact when a scenario happens and get expedited feedback. We can send a letter and follow our written rules; however, how will it stand if we were taken to court? Chris Laurion stated the laws have recently changed. For example, we cannot restrict homeowners on the number of political signs they have displayed on their property according to the RCW. It is definitely frustrating, and we want to create a great community that follows the rules because of it being in their best interest. Chris also said he would be curious to see what responses come from the CCR green cards and letters. Amber Moore stated most of the time the homeowner will fix the issue. Devin Lundstrom said she does hear from homeowners a lot of the time when they have received a CCR letter.

Scott Snyder said the CCRs are very clear about the authority of the CLPOA and we can regulate or prohibit in-home business usage. Daycare businesses have specific laws that apply to how HOAs can enforce regulations. Scott said we have to balance it. We don't want to shut down every business. However, if they are causing a nuisance and negatively impacting their neighbors or the neighborhood, then we do have the authority to take action.

Meeting: Patty Kopp said that the Williams Street land acquisition is in her landscaping route, so she has taken this on to get answers. She spoke to the company in Spokane, the LLC is dissolving. They would like to give it to CLPOA. (Delete this sentence, as it is a duplicate: It should have been deeded to CLPOA years ago when Canyon Lakes was being developed.) Hawthorn, the company that developed Riverwalk

Estates informed Patty that the land is zoned for residential and not commercial. Patty said they could request a variance but they do not see the benefit of doing that. There are unpaid taxes owed as well. Patty obtained bids for dirt removal, fabric and rock for \$4050 and \$7700. She also obtained a bid for sod and irrigation of \$7,200. There was a bid for concrete that came in at \$21,000. Someone will need to take on this property. Scott Snyder asked if it also included the sidewalk. He did not think that would be a wise choice, due to liability. Amber Moore asked if the neighboring business, Riverwalk Estates, would be willing to manage the piece of land together? Amber wanted to know who had to pay the back taxes. Patty stated she will get more information on this prior to the November meeting.

Rick Burr stated his opinion was to do a simple low maintenance landscape. Karla Palmer suggested filling that strip with matching basalt rock. Amber Moore asked if the CLPOA paid for the rock would Riverwalk Estates agree to maintain it? Patty Kopp said she will find out if this would be an option.

Paul Roberts asked what the time line was for acquiring the property. Karla Palmer said she reached out to the realtor to ask him and did not hear back. Karla said it would end up in foreclosure and the city or county would take it over. It does not mean that they will do anything to maintain it. Patty Kopp said she found out there were five tracts of land when Canyon Lakes was developed. Emma Mercado asked the Board what they wanted to do to move forward with this? Karla Palmer suggested that there be answers to the questions before the Boards takes a vote on how to proceed with this. Patty Kopp and Karla Palmer will get questions answered and bring those to the Board at the November meeting.

Devin Lundstrom sent the picture of the gazebo plaque to the Board and everyone agreed that the plaque looks nice and we will leave it as is. Devin stated she would let the family of Jerry Martin know that the plaque is on the gazebo and the Board has agreed to leave it.

Scott Snyder said he reached out to the homeowner that wants to be involved with the CC&R revisions and he will set a meeting for October. Chris Winkley asked when we should expect a revision? Scott Snyder said he will work on this but can't give a date. The CC&R document can only be voted on once a year at the annual meeting. He does not think that there will be any major edits, but needs time to get the revision done.

Chris Laurion said he did some research on the Board performing lot clean up on a homeowner's property. A lot of the cases had quantifiable thresholds before the HOA could take that action, such as defined lawn heights of 12 inches. A lot of those examples were out of Washington State, so he would like to keep researching in our state jurisdiction. Emma Mercado asked what can be done on the vacant lots? Can the Board do anything about that? Chris Laurion said the Board can continue to fine them. Patty Kopp asked about the hedge that the Board paid to have cleaned up. Devin Lundstrom told her that the Board did not receive the bill, that it was sent to the homeowner. Amber Moore said there is a vegetation code enforcement that we could use through the city. Patty Kopp said there is a guideline for noxious weeds and natural vegetation that we have to follow. Scott Snyder said that when there is a lot-keep issue that is a hazard, it needs to be reported to code enforcement as a nuisance complaint.

Emma Mercado said the Board needs to discuss and vote on a salary increase for Devin Lundstrom, and this will be discussed in an executive session to be held directly after the Board meeting.

Emma Mercado adjourned the meeting at 8:00 p.m.

Action Items: *Action items are due at the end of the day unless otherwise stated.*

Scott Snyder will research a law firm on the west side and see he can get a consultation. This will be done before the November meeting.

Scott Snyder will have a meeting in October to start the edits of the CC&R's. He will have a draft prepared for the Board at the November meeting.

Jack Lynch will email Devin Lundstrom the Aden Construction bid next week.

Devin Lundstrom will email the Board the KBG Masonry bid and the Aden Construction bid before the November meeting.

Patty Kopp will find out who is responsible for the back taxes on the Williams Street property and how long the foreclosure process might take. She will also find out if Riverwalk Estates is responsible for maintaining the sidewalk adjacent to their property, as well as coordinating the maintenance of the 3410 Williams Street tract, if we end up obtaining it. Patty will report this information to the Board by the November meeting.