



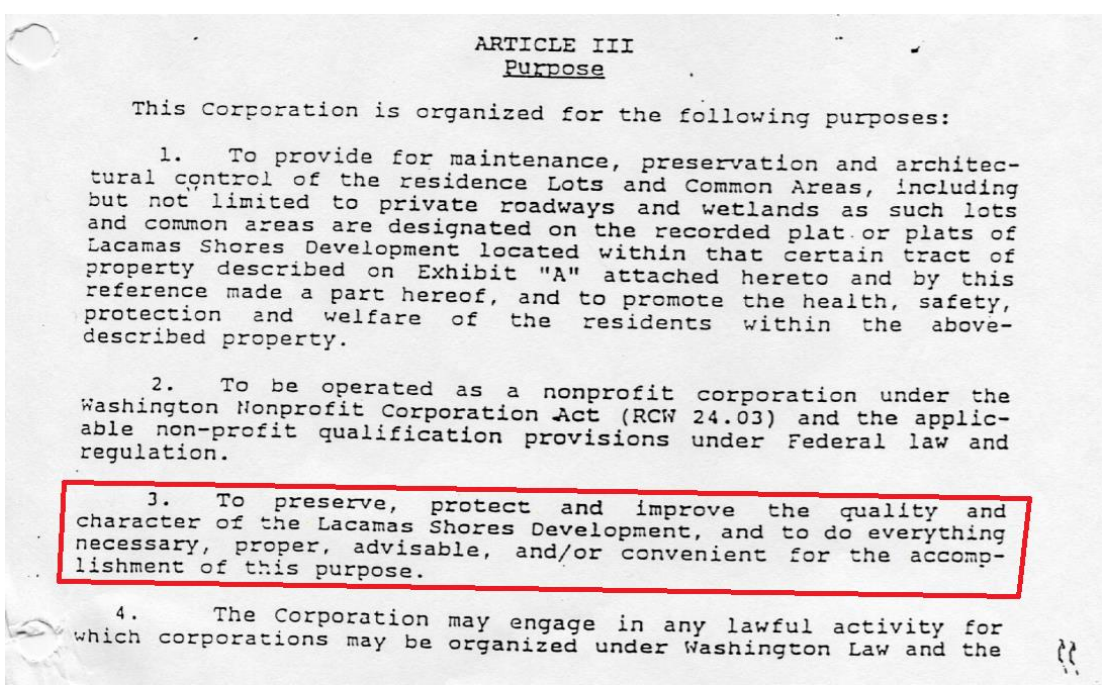
# Meadowlands Park Project

## FAQs

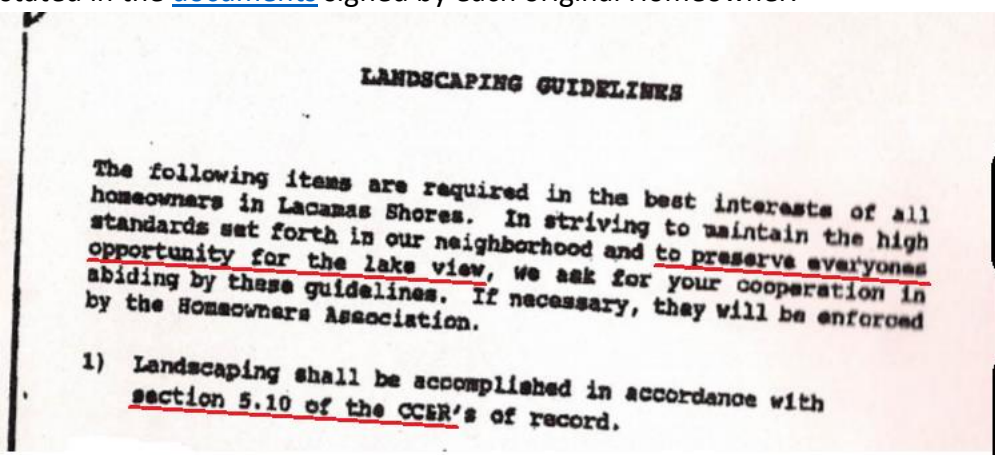
"To preserve, protect and improve the quality and character" of Lacamas Shores

### Why do anything with Meadowlands Park?

1. The purpose of all HOAs is property value protection. In fact, the purpose of the Lacamas Shores HOA specifically includes not ONLY protection, but also IMPROVEMENT. This is stated in our [Articles of Incorporation](#), filed with the State of Washington back in 1988, and is still in force.



2. Developer Tom Shipler drafted our governing documents with the intent of view protection, as stated in the [documents](#) signed by each original Homeowner.



Intended to preserve lake views

CC&R 5.10 says no landscaping shall block another's view

3. Between **80 - 150 of our 253 Lacamas Shores Homeowners** are directly and negatively affected by \$10,000s each due to view loss from overgrown trees.
  - a. The amount of total loss to the neighborhood is anywhere from the quantifiable \$3.5 million of tax assessed value to \$20 million of market value, [per a report from the Clark County Tax Assessor](#).
  - b. The \$3.5 million loss was calculated by specific observation of each lot over a single 6-year period by the County Tax Assessor as of 2014. The County sends an appraiser out, who takes a picture of each lot for comparison against the prior assessment, and makes the report.
  - c. This figure does not include the years prior nor since. The Tax Assessor's accuracy was at [96%](#) (against market values) as of late 2014.

ADDRESS	ASSESSMENT	MARKET VALUE	LOSS
1234567890	(40,000)		
1234567891	(70,000)		
<b>TOTAL</b>	<b>\$ (3,525,000)</b>		

Regardless of the numbers, we know that many of our neighbors once had views of the Lake or Mt. Hood and have since lost those views. Any “loss” points us in the wrong direction. Helping your neighbors is the right thing to do where we are able, and in this case, a CC&R obligation.

4. Depressed home values for 30-55% of the homes in a neighborhood negatively affect all property values in that neighborhood. This decreases our marketing competitiveness, at a time when over 2000 lots have been approved for new homes in our area of Camas – many with golf course and/or lake views.



Meadowlands Park 1992 – 4 years old



2017 – 29 years old – same spot

5. It is our contractual duty to maintain and repair the Meadowlands Park filtration system per the [CC&Rs. Section 2.7](#) requires that the HOA perform the necessary “monitoring, maintenance, repair and/or restoration” specifically to the Park under [Section 2.7.2](#). Other than the swale and sediment pond, this has not been completed.



## 2.7 Wetlands and Other Improvements.

2.7.1 The owners, by and through the Homeowners Association, are responsible for maintaining the wetlands of the Lacamas Shores Development, which shall be considered a Common Area. The Homeowners Association shall make an apportionment and assessment of expenses of maintenance, repair and/or restoration of the wetlands as provided in the assessment section of these Declarations. Notwithstanding the provisions herein regarding the termination of these Declarations, the lot owners and their successors and assigns, devisees and real estate vendees shall remain jointly and severally liable for the monitoring, maintenance, repair and/or restoration and construction of the wetlands. The owners, by and through the Homeowners Association are also responsible to construct and/or maintain easements, trails, gazebos and any other amenities to the extent a) such easements, trails, gazebos and any other amenities are included in the common areas and/or b) any agreement to so construct or maintain is hereafter entered into with the City of Camas or other governmental entity.

**Every Homeowner is individually responsible for maintaining the Common Area**

**Meadowlands Park is a stormwater biofilter treatment system**

2.7.2 A portion of the property depicted as the “newly-created wetlands” on the final site plan shall immediately be developed as part of the man made wetlands created as part of the biofilter storm drainage system. The newly-created wetlands, existing wetlands and land reserved for potential future wetlands shall be governed by the conditions and monitoring program set forth in the existing permit conditions. The water quality monitoring and contingency program shall continue for the longer of five (5) years (from the date of reissuance of the Substantial Development Permit and Conditional Use Permit) or when 75% of the lots depicted on the final site plan as “lots within biofilter drainage” are developed. . . .

### Where are we now?

- The CC&Rs require that we “maintain” the area, but the City has stated, we may not do anything in Meadowlands Park besides clear out blackberries and holly (invasive species) without completing a wetland delineation study. In other words, the City will not allow us to complete the required maintenance until we do a delineation study.

### What is “Maintenance”? Is “Maintenance” an undefined term?

- “Maintenance” for both wetlands and stormwater biofiltration systems is clearly defined in various government documents, including our own 1998 Interim Wetland Maintenance Manual.
- It is most clearly laid out in a manual called [“Managing Stormwaters, An introduction to maintaining stormwater facilities – for private property owners and HOAs”](#). The manual



was written by the Stormwater Partners of SW Washington, a consortium involving Clark County and six cities, including Camas.

- The Manual shows examples of both properly maintained and overgrown systems. It provides checklists for each element of a stormwater bio-filtration system (e.g., inlets, outlets, swales, detention ponds, filtration ponds, vaults). For an example, pages 14-16 explain what a “treatment wetland” is and list symptoms indicating that maintenance is needed. It also provides “tips for solving problems and general maintenance”, including tasks like completely removing invasive species; checking on a regular basis to remove new vines; and removing all unplanned trees or saplings that block parts of the facility or hinder maintenance.

### **What have we done so far?**

- We contracted with Environmental Technology Consultants (ETC) to locate documents and create a Wetland Report, per the directive of the City. We have submitted the report to the City of Camas and it is under review.
  - The purpose of the report was to determine who has jurisdiction over Meadowlands Park based on its documented history, permits, and purpose. Man-made wetlands created as “stormwater treatment facilities” are under the jurisdiction of their property owner, i.e., the LS HOA. This makes Meadowlands Park a “non-jurisdictional wetland”. Maintenance in a “non-jurisdictional wetland” is much easier, less expensive, and faster, as no permits are needed and machinery can be used.
  - The City has been operating under the assumption that Meadowlands Park is a “jurisdictional wetland”, i.e., that the government has jurisdiction over it, since the permits and other original documents had not been located.
- We are developing a re-vegetation maintenance plan as part of our stormwater facility maintenance plan that is consistent with the [Managing Stormwater Manual](#).

### **What are we planning to do? What are the Costs? What is the Timeframe?**

- Any plan of action or time frame will be determined by the outcome of the report and its acceptance by the relevant government agency. The goal will be to implement a re-vegetation maintenance plan in the most cost effective manner. Permits and hand tools increase costs and slow down the process. It is to our best interests to avoid both.

### **Why did the Board do the Wetland Report when Homeowners voted against a “Wetland Delineation Study”?**

- **In fact, a vote was never called on the question, so no vote was taken at the meeting and the mailed-in ballots were not counted toward any motion.** The issue was tabled to allow for more research. The Board later did the research and assigned to the Common Area Land Use Committee the task of continuing that research.
- It was discovered that the members of the Lacamas Shores HOA are “jointly and severally” required by the CC&Rs to maintain, repair, and/or restore, the stormwater bio-filtration system in Meadowlands Park (see above Section 2.7.1). The membership does not have the authority to

vote against a requirement of the CC&Rs. Before the HOA could make such a vote, the CC&Rs would need to be changed. That is unlikely, as it requires 75% of all Homeowners to *sign off on*, not just vote for, the change.

- Since the City required a Delineation Report before allowing us to do maintenance, a Report is a requirement to fulfill our obligations.
- Therefore, **since no vote of the Association may contradict the CC&Rs, any vote against the maintenance of Meadowlands Park would have been invalid.**

Additional Considerations:

- At the time of the 2016 Annual Meeting, there was not enough information researched nor provided to allow for informed decision-making. In fact, no input by anyone interested in wetland maintenance or view restoration was permitted.
- The Wetland Specialist giving the presentation recommended against the measure as premature at the time. By the time the meeting was held, even Homeowners for view restoration were AGAINST the ballot measure as written.
- The ballot information threatened special assessments without any supporting evidence while at the same time stating “It is impossible to estimate what an actual project of the stated scope would cost . . .”. Both statements were incorrect.

#### **What steps were taken to ensure a transparent and conscientious process over the past year?**

Since the 2016 Annual Meeting, the Board and the [Common Area Land Use Committee](#) have conducted research, spoken with the City to confirm their position, and have taken all steps in open Board/committee meetings and posted minutes to ensure transparency. Some of those steps taken in the last 9 months include:

- The creation of a committee,
- Multiple calls for volunteers for the committee (no volunteers were turned down),
- The creation, approval, publication, and amendment of [an RFP](#),
- Emailing notice of agendas, minutes, committee information, etc.
- Discussion at multiple Board Meetings (all decisions have been at open board meetings with comments from the audience allowed),
- Interviews of contractors who responded to the RFP, by telephone, in person, and by email,
- Posted monthly [Committee minutes](#) by the Common Area Land Use Committee,
- Researched multiple boxes of the original documents held by the City.

**There is still a lot of work to be completed on these and other projects. The Common Area Land Use Committee welcomes and appreciates new members!**