

MILL BAY MEMBERS ASSOCIATION - Board meeting May 22, 2009

Board members present: Dick Swier, Doug Gibbs, Reid Kinne, Frank Smith, Frank Vertrees & Ron Johnson – and Operations Manager Paul Grondal

Discussion on 2009 lawn mowing – The entire Board agreed that both Norm and Phil are welcome to share the lawn mowing duties so that a combination of twice a week mowing can be accomplished.

Motion to adopt the minutes of September 2008 Board Meeting. Motion by Kinne, 2nd by Johnson – Approved.

Motion to adopt the 2009 budget. Motion by Gibbs, 2nd by Swier – Approved.

TREASURER'S REPORT (Reid Kinne)

Income/Expenditures – As of 05/20/09		2009 Budget Amount = \$131,203.00
Income/Assets:	Checking/Savings	\$ 74,808.68
	Accounts Receivable	\$ 21,370.13
	Other Assets:	<u>\$ 3,301.19</u>
		\$ 99,480.00
Expenditures/Liabilities:		\$110,825.57 (which includes \$59,224.38 in professional fees involved with litigation of lease)

Cash flow is continually monitored by the Board – any additional financial needs will be determined as legal needs arise.

OPERATION MANAGER (Paul Grondal)

Park health – looks great!! Spring clean up is complete and we are ready for the new year.

No pressing needs to speak of – a couple of concerns to monitor – water pump & electrical on the expanded side

Capitol project priorities – none – minimal funds will be expended this year due to the potential for further litigation expenses.

Status of member dues - There are a few Regular and Expanded memberships that are overdue on their payments. As the need arises, the Board Secretary will use our friendly reminder notice per existing rules and regulations regarding dues owed.

LEGAL ISSUES (Frank Smith)

Frank gave an update on the status of Wapato Heritage/BIA/Colville Nation litigation. Basically, we have just begun to fight – We will get our day in court – Frank feels that we have a strong argument. Frank suggested that we have members help by contacting your legislator's (Doc Hastings - <http://hastings.house.gov/> - Patty Murray - <http://murray.senate.gov/> and/or Maria Cantwell - <http://cantwell.senate.gov/>) or any other local Politian's that might be helpful to our cause. The message – 175 members are being treated unfairly. Ask for an investigation as to why the BIA can vacate a Judges Court Ruling and negate our contract to sub-lease our RV Park until the year 2034. There will be a scheduling Hearing on June 12th in Spokane (ie. depositions, discovery motions, etc). As we know more, we will keep the members appraised. Frank agreed to prepare a template letter that everyone can use in contacting legislator's, congress persons, and other political and media persons.

SECRETARY'S REPORT (Doug Gibbs)

One membership has been transferred in the last couple of days. There are three (3) additional memberships available for sale. Members can still exercise their right to buy and/or sell a membership.

Doug read a letter from a new member (purchase in Sept/Oct 2008) regarding the members concern that he felt that the Board should have notified him that there was a problem with the sub-lease. Much discussion followed. After reading the letter and with careful examination the board disagreed with the factual and legal characterization of events. It was pointed out, that other than a minimal transfer fee, the association receives no monies from a membership transaction. When anyone purchases a membership, the documents that they sign clearly state:

“Buyer is hereby advised that this transfer is not subject to the provisions of the Washington Camping Resorts Act, RCW 19.105 et Seq. and further that this transfer and agreement is made pursuant to the authority vested in the Mill Bay Members Association by virtue of the Court Order, approving a class action settlement in Chelan County Superior Court – Case #04-2-00441-6 dated November 23, 2004. The Mill Bay Members Association makes no representation or warrantee other than those contained within that Court Order. The Mill Bay Members Association also makes no warranty or representations as to the master lease upon which the RV park is located and/or actions by the Bureau of Indian affairs as the lessor.”

Even to this day, our legal issues have yet to be resolved. As per the above, The Board and/or the Association makes no warranty. It was the unanimous decision of the Board to deny the request to put \$12,000 into an escrow account until the issue of the lease is resolved.

GENERAL DISCUSSION

Park security – with the recent break-ins, discussion ensued on installing motion detector lights and/or IP cameras. Paul will look into possibilities.

Winter occupancy – Discussion on when the RV park is closed in the Fall. The determination is made when we must turn the water off because of potential freezing – dry camping is acceptable.

Side bar – The Regular side Board Members met to adjust the Regular side Rules and Regulations to acknowledge the change in RV storage fees and correct the site numbers of “lakeside campsites” to 2,4,6,7,8,9,10,11,12,13,14,15,16 & 17. Approved.

Meeting adjourned at 4:15 PM