

# MILL BAY MEMBERS ASSOCIATION

09/05/09 Members Informational Meeting

(Board Members: Dick Swier, President, Frank Vertrees, Doug Gibbs, Secretary, Frank Smith & Ron Johnson)

## Secretary's Report – Doug Gibbs

On behalf of the camp host and other member campers that have conveyed similar concerns, Doug reminded members of some common courtesies that have been overlooked:

1. Fire Pits –Our rules state that you are obligated to clean your fire pit before departing – it shouldn't have to be done by the Camp Host or the next camper arriving.
2. Fires should be starting to be extinguished by 10:00 PM and out (not smoldering) by 11:00 PM
3. Several campers have been confused about camping time in & out – If you are here 3 days or less - then you are required to be out 1 day. If you stay longer than 3 days, then you (and family) are required to be out 7 days.
4. Each member is required to fill out a camp registration form **when they arrive**. The camp host should not have to track down campers who forget.
5. All Dogs are required to be on a leash (6') – the only exception is at the water. Many members have complained that dogs with long 25' leashes (or ropes) don't allow members to walk on the common grass areas without being accosted by your pet.

## Treasurer's Report – Reid Kinne

Investments	\$38,000	Total income to date	\$118,448
In the Bank	\$11,300	Expenses	\$158,175
Receivables	\$8,246		
<b>Total Assets w/receivables</b>	<b>\$59,979</b>	Legal fees to date	\$78,967

## Legal Status – Frank Smith

Where we are today? – The \$80 K that we have spent to date is for the work and research that our attorneys in Wenatchee have completed in preparation for summary judgments and trial. They have also spent tons of research time examining boxes and boxes of documents presented at discovery.

We have filed 5 separate motions for summary judgment (see website at [www.millbayresort.org](http://www.millbayresort.org)) Each one could be winners for us. Each appear to be very strong arguments. The BIA and the allottees have taken our annual rent coupled with the facts and findings of our court litigation by Judge Bridges in 2004 - each of which tend to show that the master lease was revised in our favor. Next important date is October 29, 2009 in Spokane Federal District Court to hear these arguments. This is an important date for our members to attend. (Picture ID and business attire). If we don't win any of these summary judgments then we go to trial.

Most of the information on our litigation, including court documents, are on our website for review.

Becky Gibbs – shared thanks to Frank Smith for all the work that he has done in this regard for our association

Chip Harrison – Is Evans Group/ Wapato Heritage family still appealing their judgment? **Their case is still open.**

John Basl – will oral arguments on Oct 29 be heard in one day? **Yes, but the judge's decision might take longer.**

It would help if members write their legislators (Doc Hastings, Marie Cantwell, Patty Murry, Dave Reichart) explaining our concerns about a purported scheme between the BIA & Coville to work together to eradicate our legal rights as established by court order in 2004.

### **Special Assessment for Legal Fees –**

We have reached the point where we need to have an assessment fee in order to afford our present and future litigation and be able to operate the park efficiently. Much discussion followed. At yesterday's Board meeting - A Motion was made by Reid Kinne and second by Frank Vertrees to establish an assessment fee of \$250 for Regular side memberships and \$500 for Expanded side memberships. The assessment fee invoices will be mailed out immediately by September 15th. This assessment fee must be paid by November 15, 2009 to avoid putting your membership in default.

Chip Harrison – Should we win and be able to be reimbursed for our attorney fees, what would happen to the money? **It hasn't been decided as yet. A couple of options would be to re-establish our legal reserve for future concerns, reduce annual dues or return the assessment fee, etc.**

### **Next year's dues**

Our annual lease payment is due on January 1, 2010. We may be a little short on money to make this payment so the Board is requesting that if members could pay their dues early in December it would be greatly appreciated.

### **Comments or Questions from Members:**

Just as a note: It has been over 10 years since there has been a raise in our annual dues

Kendal Main – Reference to May meeting – Do you feel the need to re-establish our capital replacement funds? The Board is considering all options and will evaluate.

Hearing no other questions, the meeting was adjourned at 11:56 AM

**President Swier reminded all attendees that the BBQ starts at 1:00 PM.**