

MILL BAY wMEMBERS ASSOCIATION
05/23/09 Members Informational Meeting

Introductions of Board Members: Dick Swier, President, Reid Kinne Treasurer,
Frank Vertrees, Doug Gibbs, Secretary, Frank Smith & Ron Johnson

Memorial Day remembrance – Member George Nemo asked President Swier if we could have all the veterans stand and also have a moment of silence for all veterans from the armed services.

Introduction of new members:

Board Secretary Doug Gibbs introduced the 2008 & 2009 new members in attendance

Moment of silence for members that have passed in the last year: Sharon LaMarr, Caitlin Olson-Johnson, Donna Rae Snowdall, Eunice Jones, Judy Hamilton and Tom Simpson.

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.

Operational Report - Paul Grondal

Park looks great!! Paul recognized - Phil & Norm for lawn mowing, Doug for un-winterizing the pool, Jerry Schwan Spring clean-up and Bob & Frankie for camp hosting and pool maintenance throughout the summer.

Legal Status – Frank Smith

Our legal entanglement is based on how the second 25 year lease was optioned in 1985. The Colville Tribe, in concert with the BIA, then fought to void the master lease & take control because it is their belief that the allottees were not properly notified by certified letter. The Colville Tribe/BIA then found a judge at Federal Court in Spokane to agree with them. This decision will be appealed by Wapato Heritage LLC.

Lots of legal briefs and appeals need to be ironed out before a final decision can be completed. We have filed lengthy case briefs a couple of months ago with Judge Quackenbush - that is still pending. It is felt that we have a very strong position. We have again hired Attorney Danielson & group which did a great job for our Association the last time we had to go to court..... and WIN!!!

Comments or Questions from Members:

Jan Gregory – During the last legal go around we all attended the hearings. Would it be wise of us to attend future hearings. Yes, yes and yes. Please watch our website www.millbayresort.org for more information on dates and time. Frank Smith will provide a draft info letter that members can use to send their concerns on to legislators and local officials (with appropriate mailing addresses).

Mark Olson – How long do you think that it will take to complete this litigation.

Answer: It could take years.

Dick Youngberg – Can we put the addresses of the legislators on the website.

Answer: Frank Smith will work on this with Paul.

Kendal Main – Patty Murray is a good contact and possibly Marie Cantwell as well.

Randy McClelland – When they tried to build the houses next door – did they have to try and get a new 99 year lease. Answer: Yes – but the Colville Tribe and BIA put a stop to it.

Kendal Main – The first case that was held against Wapato Heritage - has it been appealed as yet

Answer: No, because it has outstanding issues that have to be solved first.

Brett LaMarr – statement – we own a local business – they are prepping the site for their new casino up by the driving range – It is to be a Sprung Building.

Jim Simpson – Would this affect Wapato Point. Answer: Probably not, their's was a 99 year lease. They are located on MA 10 and is/was owned by Bill Evans, Wapato Heritage LLC. But they should have the same concern regarding the breaking of a lease.

Jeanne Schoolcraft – Could we make an impact by signing a group letter now. Answer: It would be difficult to produce a meaningful letter this weekend. Best to have each person send individual letters.

Jerry Lessen – When Evans sold these memberships in 1984/85 - and it was part of the State camping laws, didn't that have any effect. Answer: The state did testify when we were in last litigation. Judge Bridge's resolution is the latest case law, we think.

Lavonne Grashius – This morning I noticed several motorize vehicles crossing over the grass. Please be advised that all motorized vehicles must be on the improved roads.

Dick Youngberg – What kind of figures are we looking at for this litigation? Answer: We have spent \$58,000 to date. Have we got to the point yet of having to assess members for money? Answer: At this point we are still Ok.

Dick Swier – We can't make any promises, but we feel we are in good shape. We do have an outstanding balance of \$21 K for unpaid or late dues that are still collectable. We are not doing any Capital Improvements so that we can save money. We may need a special assessment, The Board will evaluate in the next few months.

Jan Gregory – Is there anything we can do to make sure that members pay their dues. Answer from a member - Water boarding? Answer from the Board: We will be sending out notices for collecting past due monies. Per rules, regulations and agreements, stipulate that if a member chooses not to pay, the Association may cancel their membership. This has been done in the past litigation.

Donna Regan – Is there a way to change the timing on gathering dues? Answer: Not at this time.

Dick Youngberg – I have sat on many Boards – It's a thankless job. I just wanted to say thanks to our Board for doing a great job for its members.

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

Adjourned at 11:56 AM.