

'We're going to be happy campers'

Mill Bay Resort members reach agreement with landholders

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A judge's order last week put an end to a three-year dispute over a Manson campground.

On Nov. 23, Chelan County Superior Court judge John Bridges signed an order approving a settlement struck between members of Mill Bay Resort and the corporation, started by the late William Evans, that holds the lease to the resort property.

The membership will take over the day-to-day operations of the campground, which includes 29 sites for permanent members and 36 lots that are used on a first-come, first-served basis by 160 regular members.

The Mill Bay Members Association will pay an annual rent of \$25,000 to Wapato Heritage, the company that subsumed Evans' interests after his

death in September 2003. Rent is scheduled to increase by \$5,000 every five years.

The agreement is pending final approval by the Bureau of Indian Affairs, according to Mike Arch, general counsel for Wapato Heritage.

Both sides in the bitter dispute expressed satisfaction over the agreement.

"We're very happy," Arch said. "It put to bed a lot of rancor and acrimony. ... I know the association is going to do a good job and be good stewards."

"We're going to be happy campers," said Paul Grondal, president of the members association. His group has the right to use the park through 2034.

Day-to-day expenses associated with the resort had been a drain on Evans' personal finances, according to legal documents, until Evans and his personal representative, Jeffrey Webb, saw fit to turn off the utilities in November 2002 in an effort to close down the park.

Members of the resort filed a lawsuit and successfully fought

to keep the park open through a restraining order. Evans and his business, Chief Evans Inc., argued that Washington courts had no jurisdiction over the dispute, which involved the MA-8 land allotted to various tribal interests by the federal government. The courts rejected this argument.

After Evans' death, the two sides took their legal battle to the level of a multimillion-dollar creditor's claim by resort members.

In response, those representing Evans' estate moved earlier this year to resolve the dispute through mediation.

"It just needed to get solved," Arch said. "It had gone on too long."

"Both sides could see that this would litigate on and on," Grondal said. "Obviously, it's very expensive."

After two sessions with a mediator in August and September, each lasting more than 11 hours, the two sides came up with the 13-page agreement that puts the responsibility of the daily expenses of the park in the members' hands.

Grondal said the associa-

tion was required to prove to the judge that it could manage the park successfully. It has been doing so since May 2003, he said, paying the utility bills, mowing the grass and making repairs.

Wapato Heritage is permitted to reduce the size of the resort by moving 10 permanent campsites at its own expense. The change would make room for development of MA-8 land around the resort.

Arch said future development would be compatible with the neighborhood. The settlement agreement forbids industrial development or any use that would be unpleasant for members.

Fences and plantings will be installed as buffers to adjoining properties, according to the agreement.

Grondal, who lives in Bellevue, said he expects the park will return to life now that the dispute is settled.

"There's been a lot of stress because of what's going on," he said. "A lot of members have moved on. I expect new people will be coming in again."