

# North Central WASHINGTON

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## Manson RV park residents fight to stay put

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**NESPELEM** — An attorney for lessees of the Mill Bay Resort Park near Manson asked a tribal judge Tuesday to prevent the owner from moving the park until a legal dispute can be resolved in court.

Frank Smith, a Seattle lawyer and one of about 180 members who lease recreational vehicle spots at the park, argued that contracts signed by members require Chief Evans Inc. to relocate the park to property that is as good or better than the lakefront property they're now leasing.

Members said they were told Chief Evans Inc. wants to move the park from the shores of Lake Chelan to land behind Mill Bay Casino so the Colville Confederated Tribes can take advantage of

2,500 feet of lakefront property to build a new casino, hotel and conference center.

"Moving those sites up to behind the casino is ludicrous," Smith told Colville Tribal Chief Judge Steve Aycock at a hearing in Nespelem. "This is some of the best land on Lake Chelan, and in the state of Washington."

Those representing Chief Evans Inc. and its president, Bill Evans, said resort lessees have refused to work out new contracts that will enable to park to operate at a profit.

Jeff Webb, a Chelan certified public accountant, said the company is losing more than \$100,000 a year to support the lifestyles of resort members.

"The RV park is insolvent and has been for some time," he said. Earlier this year, Chief Evans

Inc. offered to buy out memberships, saying it would give \$25,000 for those with long-term leases, and \$2,500 for temporary leases at the park.

Some RV park members, including several from Wenatchee, have said they don't want to sell. Some said they spent a total of about \$1.5 million in 1984 for 25- and 50-year memberships, and pay maintenance fees that increase 15 percent a year.

The issue is part of a larger dispute over whether state consumer protection laws will apply in the contract dispute, and over who has jurisdiction on non-reservation Indian trust land — the Colville Tribal Court or a state or federal court.

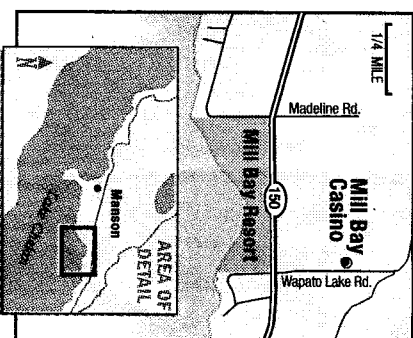
As a descendant of the Wapato family, 19th century residents of the former Chief Moses Indian

Reservation, Bill Evans holds the master lease on roughly 175 acres known as Moses Allotment 8. Besides the RV park, a nine-hole golf course and Mill Bay Casino, currently housed in temporary buildings, occupy the property.

Richard Price, Evans' Omak attorney, said as a Native American corporation, Chief Evans Inc. isn't bound by state law, such as the Consumer Protection Act.

Aycock said he'll wait for a request for a temporary injunction to be filed by RV park members before deciding whether to keep Chief Evans Inc. from moving the park. He also said he needs another hearing before deciding whether the case will stay in tribal court.

Price said the matter should be heard in tribal court because allotted land is considered "Indian



country," according to tribal law. He also noted that Chief Evans Inc. is now registered as a corporation under the Colville Confederated Tribes.

Smith said the case still should be heard in state court. Until 1998, the corporation operated as a state corporation, and RV park members say they never realized it was transferred to a tribal corporation.