

1 **Q. What is your name and address?**

2 A: My name is William C. Benish. I live at 4228 West Indian Trail Road, Spokane,
3 Washington.

4

5 **Q: What is the purpose of your testimony?**

6 A: The purpose of my testimony is to describe the need for reliable telephone service at
7 Wilderness Lake.

8

9 **Q: Briefly summarize your testimony.**

10 A: Wilderness Lake is an anomaly in today's society. Near instantaneous communication
11 and access to information, services, and assistance have become an integral part of our
12 daily lives. However, Wilderness Lake does not have this very basic service. My
13 testimony will address how the lack of these services, taken for granted by almost
14 everyone in the country today, negatively impacts the Wilderness Lake community.

15

16 **Q: What is your relationship to Wilderness Lake?**

17 A: I am the owner of a five acre parcel within the Wilderness Lake subdivision, which I
18 purchased about five years ago. As such, I am also a member of the Home Owners'
19 Association. I have served on the Board of Directors for the past three years. The last
20 two of which have been as president.

21

1 **Q: Who may be a member of the Association?**

2 A: Our covenants and by-laws grant membership to the Home Owners' Association to all
3 parcel owners and lessees of the original seller. The individual who currently retains
4 title as original seller (or developer) does not reside at the Lake and is not a member of
5 the Association.

6
7 **Q: What are your duties as the president of the Board?**

8 A: My primary assigned duties are to preside at all meetings of the Board of Directors and
9 at the annual meeting of our general membership, to sign or otherwise authorize
10 instruments, actions, and payments on behalf of the Association. As an elected
11 representative of the general membership, I feel it is also my duty to represent and
12 defend the best interests of the Lake community.

13
14 **Q: Does the Wilderness Lake Home Owners' Association hold regular meetings?**

15 A: Yes.

16
17 **Q: How often are these meetings held?**

18 A: The general membership meeting is held once a year. Traditionally this meeting
19 occurs sometime in June. Meetings of the Board are held as needed to properly
20 conduct the affairs of the Lake. The average frequency being about once every two
21 months.

1 **Q: Where are the meetings held?**

2 A: The general membership meeting is held at the picnic shelter at Wilderness Lake.

3 Board meetings are held at the homes of Board members on a rotating basis.

4

5 **Q: Please describe the meetings.**

6 A: The annual meeting of the Association serves a two-fold purpose. A morning business

7 meeting is held to review finances, elect new Board members, discuss issues of

8 concern, and set plans and activities for the upcoming year. Actions that require full

9 membership approval (such as obligating the Association to a loan) are voted upon at

10 this time. The meeting is followed by a potluck lunch. Gifts or door prizes are

11 sometimes presented at this time. After lunch family activities are frequently

12 conducted. Fishing contests and blind canoe races come to mind. Attendance varies

13 depending on weather, conflicting schedules, and the nature of upcoming issues.

14 Generally numbers exceed a dozen represented parcels. This maybe 12 to 20

15 individuals.

16 Board meetings are generally brief and focus on the business at hand.

17 Refreshments are nearly always provided afterward and good-natured visiting

18 continues for an hour or so.

19

20

1 **Q: Other than hold these meeting, do members of the Association do things as a**
2 **group?**

3 A: Yes. At least once a year a formally organized workday (or weekend) is held. A
4 special project is usually selected. In the past this has included construction of the
5 picnic shelter, installation of, and later maintenance on, the air injection system for the
6 Lake, repairs to the outlet gate, designation of an air evacuation landing site,
7 improvements and enhancements to the swimming beach, etc. Underlying these
8 activities is the ever-present task of cutting back brush and trees from the roads and
9 picking up trash. A free barbecue is generally part of the day's activities for all who
10 have participated.

11
12 **Q: Do members of the Association socialize with one another at Wilderness Lake?**

13 A: Yes. Many friendships have developed between property owners at the Lake.
14 Interaction takes various forms including shared hunting and fishing excursions, ATV
15 and snowmobile rides, cross country skiing, horseshoe competitions, and shared
16 dinners and cookouts.

17
18 **Q: Do members of the Association ever help each other out?**

19 A: Yes. Although not organized by the Board, old-fashioned barn raising events are
20 frequently observed at the Lake. In the past two years neighbors have come together to
21 help one another build at least three cabins or structures.

1 Because of the remoteness of the Lake, looking out for one another is part of
2 the lifestyle. Pulling vehicles out of the snow in winter, bringing in messages left on
3 answering machines of neighbors bordering the Lake development, and picking up
4 grocery items are all common place occurrences.

5

6 **Q: Do members get together with one another away from Wilderness Lake?**

7 A: Yes. The extent to which this occurs I am not sure beyond that of my own experience
8 and observation. I've hiked, camped, fished and otherwise socialized with
9 acquaintances from Wilderness Lake and know of others who have done so as well.

10

11 **Q: Does the Association have a newsletter or other publication?**

12 A: Yes. A newsletter is generated three or four times a year. From old files I've seen it
13 seems this has been consistently done for over 10 years. The Secretary of the Board of
14 Directors or other designated officer traditionally has generated the newsletter. Topics
15 are solicited from all Board members. Typically it's an informal update of what's
16 going on at the Lake, actions taken by the Board, and discussions of problems and
17 accomplishments encountered.

18

19 **Q: How long have people been living at Wilderness Lake?**

20 A: The earliest full-time residents to my knowledge were the Byrons and the Frys (now
21 Lane). They moved in about 20 years ago. This would be roughly five years after the

1 filing of the subdivision plats with Pend Oreille County, which occurred in 1975.

2 They endured the ugly years when many first-time purchasers either lost their land or
3 had to pay for it twice due to a confusing land fraud fiasco.

4

5 **Q: Was a recent effort made by an Association member to document the history of**
6 **Wilderness Lake?**

7 A: Yes. Nona Stone, a relatively recent property owner and then secretary of the Board,
8 spent many hours talking to lake users and adjacent property owners, looking through
9 old records and news articles, and taking pictures and scrounging up old ones. Her
10 efforts were cut short by her unexpected death due to cancer. Unfortunately, much of
11 her work was lost. Nona was a friend to everyone at the Lake and looked forward to
12 becoming a full-time Lake dweller. Besides wanting to document the history of
13 Wilderness Lake she, by her visits and hospitality to everyone, provided a thread that
14 tied Lake-owners together as friends.

15

16 **Q: As a landowner at Wilderness Lake, how does the lack of telephone service affect**
17 **you?**

18 A: Although my goal of living there full-time will not be realized until my retirement, my
19 primary concerns as a frequent user of the property are probably no different than
20 those of residents currently residing there full-time. The inability to dependably and

1 expeditiously contact emergency services such as the sheriff's department and fire and
2 ambulance services is frightening and creates a real sense of isolation.

3

4 **Q: Have other landowners expressed concerns to you about not having telephone**
5 **service?**

6 A: As Association president and as a neighbor, I have heard directly and indirectly from
7 individuals about the lack of phone service. Older residents have expressed increased
8 fear about remaining at the Lake, particularly as their health slips and they become less
9 able to fend for themselves. Property owners who are considering whether or not to
10 build permanent homes have told me how the lack of phone service has or will prevent
11 them from relocating to the Lake as full-time residents.

12

13 **Q: Have others expressed concerns about the lack of telephone service?**

14 A: Yes. Concerns are not just limited to property owners. Representatives from the
15 sheriff's department, fire district, Department of Natural Resources, Med-Star Critical
16 Care and Transport Services, and other agencies have also expressed genuine surprise
17 and concern regarding the lack of phone service into the Lake.

18

19 **Q: Do residents of Wilderness Lake engage in activities that may present the risk of**
20 **a medical or other emergency?**

21 A: Yes. Residents swim, boat, hunt, use firearms and chain saws, and gather wood. It is

1 only a matter of time until a serious emergency will be worsened by lack of reliable
2 telephone service.

3

4 **Q: Have any public safety issues occurred at the Lake that were a result of or been**
5 **aggravated by the lack of telephone service?**

6 A: Yes. A fire from a burn barrel spread into dry undergrowth and timber a couple of
7 years ago. Individuals responsible were able to reach the fire department by using
8 their cell phone from atop a hill. Help got there in time and it was eventually
9 contained. A more efficient and rapid communication to the fire district likely would
10 have reduced the damage and the potential risk for a major fire incident. I've heard of
11 numerous other incidents from Lake residents involving close calls with regard to fire
12 episodes. Neighbors responded to most, either by directly helping to control the fire or
13 by hastily driving outside the Lake development in order to access phone service. One
14 such incident, however, didn't fare so well. A cabin owned by the Conants several
15 years ago burned to the ground without any report making it to the local fire
16 department. On another occasion a woman was struck by a car. Observers raced out
17 of the Lake and successfully summoned an air evacuation helicopter from a phone
18 outside the Lake boundaries.

19

20 **Q: Do you have access to wireless telephone service at the Lake?**

21 A: I subscribe to services provided by Air Touch Cellular (Verizon Wireless). Before

1 choosing Air Touch, I talked with other locals about their experience with wireless
2 phones and personally tried three other carriers (GTE, AT&T, and Sprint). Air Touch
3 was the only one I tried that could successfully reach my lot at the Lake development.
4 Even this was dependent on my using an analog phone and that having to be the rather
5 dated and cumbersome 3 amp Motorola “bag phone.”
6

7 **Q: What is the quality of the wireless service?**

8 A: I would best describe it as erratic and noisy. Location, elevation, whether you are in a
9 building or vehicle, weather conditions, battery level, everything seems to impact
10 whether you make or complete a call. For my best connection I must move from my
11 cabin to one of two hilltops. One is 40 feet south and west, the other 100 feet to the
12 east. Regardless of the location, the quality of the connection is not dependable.
13 Background noise, difficulty hearing the incoming caller, and break-up of transmission
14 being the most common problems. I do not consider the wireless service at
15 Wilderness Lake to be reliable.
16

17 **Q: If you had an emergency, do you believe you could depend on wireless service to**
18 **reach emergency response agencies?**

19 A: No.
20
21

1 **Q: How much do you pay for your wireless service?**

2 A: My wireless plan was selected solely due to my presence at the Lake and need for
3 emergency communication. Since my time is generally limited to evenings and
4 weekends, I selected a plan that best reflected these hours and days. I receive 150 “off
5 peak” minutes per month for a base rate, including taxes, etc. of \$22.48. Additional
6 minutes are computed at \$.10 per minute, off-peak and \$.49 per minute, peak.

7

8 **Q: Does this conclude your testimony?**

9 A: Yes.

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