

Bob Wilbur

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Date: Sunday, December 08, 2013 1:48 PM
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December 8, 2013

Good afternoon, Jean,

Nate Palmer and I, very unhappy about the demands made in a letter to some members of the Board last week, have been thinking about what we think it will take to move forward constructively following the Court's decision last month and to this end have identified a number of concerns that the membership deserves to have addressed before the rescheduled annual meeting in January.

Most important is fully informing the membership at large (regardless of standing) of the purpose of the recent litigation and the Court's opinion. Such communication (a formal letter) should include the clarification that maintaining the pool facility is required by our governing documents, that the effort to decommission the pool was done in error, and that assessments for decommissioning will be returned promptly.

The informational letter needs to include a definition of the term "in good standing" and what members need do to continue to have a vote. Members should be assured that whether or not they paid the recent assessment, their membership is not affected. Given the Court's direction last month, the motion made at last year's annual meeting regarding the pool needs to be reiterated for the membership as it will be the starting point for future Board action.

The Nominating Committee should be reconstituted now, comprised of the two remaining non-retiring members of the Board and non-Board members appointed by the President. All those who submitted their names previously should be contacted to be sure they are still interested. The normal by-law process should then be followed.

Since the budget will have to be revised for next year prior to the annual meeting notice, a new committee should be appointed as quickly as possible. They will have to put together a 'best effort' given the time constraints involved. Issues such as covering the pool, and assuring the safety and viability of the pool facility must be addressed. There are members of the community familiar with the ACBC budget process and the existing situation who could be called upon to assist the Board.

Since a number of the proposed changes to the by-laws are in conflict with the Judge's opinion, the recommendations of the By-law Committee should be put on hold to be reviewed by a new Board.

If there is anything we can do to help please let us know.
Hoping things go well,

Carol Delahanty and Nate Palmer