

**Bob Wilbur**

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**From:** "Gwyn Staton" <gwynstaton1@msn.com>  
**Date:** Friday, August 16, 2013 6:53 PM  
**To:** "Bob Wilbur" <bbwilbur@broadstripe.net>  
**Subject:** RE: On the Mailer

following:

All checks written on ACBC bank accounts by category. A copy of the general ledger is sufficient.

All proposed bylaw changes and committee meeting minutes

Nominating committee minutes

Tally of ballots cast for expenses in 2012

All drafts of pool ballots and dates of ballots

List of members in good standing

List members not in good standing and amounts owed

Copies of all actions /documents relating to actions taken to collect past due amounts

All correspondence and requests to ACBC attorneys in 2012 and 2013

All posts removed from Next Door website

All inquiries to banks or lending institutions

All correspondence with banks, Whidbey Island Bank, or any other financial institution and documents regarding what was done regarding financing/ loans

All information submitted to banks or lending institutions

All tapes and videos of member / director / committee meetings

Ethical guidelines for Board

Correspondence with members or received by ACBC excluding mailings to community as a whole

Insurance policy, and all correspondence and communications with the insurance company

Correspondence with Brian Dale as previously requested

Please provide documents that are in electronic format by email if possible or if more convenient.  
Thank you.

Gwyn Staton  
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206-784-6044

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> From: bbwilbur@broadstripe.net  
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> CC: dustin@local519.org; lee@hart.net; elinorg@comcast.net; kblankenship@bluewilliams.com; iversid@cablespeed.com; smriggins@earthlink.net; pheffy@aol.com; hendrickcj@gmail.com; alex@torrvac.com; jabcklasell@juno.com; bspettersen@earthlink.net; tdahl@shorelinefire.com; gwynstaton1@msn.com  
> Subject: On the Mailer  
> Date: Fri, 16 Aug 2013 17:17:07 -0700  
>  
> It appears the Board is trying to get the bulldozer-dump truck money asap,  
> even to the extent of cutting the bylaws payment period in half. So we will  
> need to find a way to stop them if it comes to that. Thanks to Carol and  
> Margaret and Gwyn for great suggestions; here is the final. Unless there are  
> significant changes, Dustin and I will get a mailer started on Monday.  
>  
>  
> You have received an "assessment" bill from the ACBC Board that many in the  
> community believe is invalid. These community members are not going to pay  
> the proposed assessment for the following reasons:  
>  
> 1) The ballot the Board believes gives them the authority to remove the  
> pool fails to do so for four reasons:  
> (a) under the Articles of Incorporation a vote to remove the pool requires a  
> 2/3 majority (the actual spread was only 13 votes, well short of 2/3)  
> (b) the ballot did not give members an option to vote "no" on either

- > assessment choice; only a “yes” vote was possible
- > (c) the balloting process allowed for the possibility of significant
- > fraudulent voting
- > (d) formation and development of the ballot was handled by four or five
- > Board members rather than cooperatively by the full Board and two pool
- > committees, as mandated by Motion unanimously approved by the member
- > plurality attending last October’s annual meeting.
- >
- > 2) The Board is fully aware of the above. Instead of rushing out an
- > assessment notice, the Board must prepare a new ballot consistent with the
- > members’ direction at last October’s meeting and compliant with our
- > Governing Documents. This premature assessment decision shows questionable
- > judgment, is difficult to defend, and is likely to become a costly legal
- > liability for ACBC that will ultimately cost each of us far more than \$450.
- >
- > 3) The current plan is not to remove the pool but to decommission it by
- > filling with rock and sand, which at some point in the future could be
- > removed to enable pool rehabilitation or full removal. Part of that current
- > work would apparently also include crumbling the pool deck and demolition of
- > half the building, leaving one bathroom. Many apparently did not understand
- > that to be what the ballot was conveying.
- >
- > Rather than pay this ill-advised bill, we are suggesting that you notify the
- > board that you will not consider paying the assessment until a proper vote
- > is taken.
- >
- > If you intend to pay the bill, you should know that the Board has given you
- > 15 days to pay, whereas the bylaws specifically give you 30 days to pay. So
- > the due date on the bill should have been September 13 instead of August 31.
- > Also, because there is a high likelihood that the assessment ballot will be
- > invalidated, any attempt to levy late fees (10% per year or \$45) will be
- > invalid as well.
- >