

Bob Wilbur

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Date: Tuesday, September 03, 2013 8:39 AM
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Subject: addendum

All, some of you are curious about what will happen if you haven't paid the assessment, and all I can say on that is that we should know more shortly (see #5). Here is what I emailed to Chris Skinner this morning:

What we ultimately are looking for I believe are these things:

1. We want the Board to agree that removal of the pool without replacing it with an athletic facility of similar value and worth would be a de facto change in the AOI-stated purpose (recreation and athletics) and as such would clearly require a 2/3 majority vote.
2. We want the Board and the two pool committees to decide whether a mail ballot or a meeting ballot with a quorum with or without proxy voting is the consistent with the governing documents.
3. If a mailed ballot is used, it must be consistent with Roberts Rules and be either a signed ballot or a signed envelope within which a second unmarked envelope containing the actual ballot is placed and sealed.
4. The assessment ballot wording must be developed cooperatively by the Board and the two pool committees, as required by the member-approved motion of October 2013 and the ballot must include a financing plan for those wanting to pay the assessment over time (that is, how much one would pay over how many years).
5. The June 2013 ballot on the decommissioning did not comport with the ACBC membership direction of October 2102, did not preclude invalid voting, did not

provide a “no” option, and lacked concurrence on whether a simple or 2/3 majority was required for passage. Therefore, the ballot was invalid and those who have not paid the assessment to decommission the pool are to remain members in good standing with full voting rights and rights to run for the Board this October, and those elections must follow the bylaws explicitly.