

May 16, 2015

Baltimore, Ferguson and ACBC

Well it was another doozy of a board meeting. The board let loose with some complaints about how hard they work, spoke of their pending excitement to sue more members, hiring their friends for \$4000 as consultants and discriminating against the disabled.

Finances

Although the meetings are now the 3rd weekend of the month to allow the Treasurer to have fully vetted financial reports there was no information disseminated. Morrow reported that there was no budget and finance committee meeting and that he looked forward to his first hearing on the 28th where he will represent the community in small claims court by suing the member owing the largest amount of back dues. He then took a file out of his pocket and started sharpening his teeth.

If you end up in court, here are some items that may help you:

- Collection laws only enable the Club to collect past 6 years. Beyond 6 is not collectible and must be written off. This is a state law - the statute of limitations in the State of Washington for a debt arising from an open account is six years from the date of the last payment (RCW 4.16.040).
- The club is charging interest and has no contract with you to do so. Many attorneys have supplied the club with opinions in writing (I reminded them of this) that indicated they can charge an annual service charge but not interest on unpaid debt. Remind the court that you have no contract that you signed to pay interest.
- The board raised the dues illegally and therefore you should not have to pay an increase of 10% for 2014 and the compounded amount added to 2015. The community voted in a legal ballot to hold the dues at \$138.50 in 2014 but the board said it had the power to override you democratic vote.
- You may not have any bylaws filed against you title. The Club was founded in 1969 – if there was nothing filed since then are you a member?
- The Club was always voluntary but in 1986 there was a filing to change the Articles of Incorporation to a mandatory membership. When I was on the board I found no evidence of ballots or teller committee tally sheets, etc. to validate this. There are plenty of legal opinions that indicate it was a false filing. So, membership is likely voluntary.
- Resources:
- [Northwest Justice Project](#)
- [Debtors' Rights](#)
- If you don't pay then what?

Complaints from the board

The directors complained amongst themselves about how hard it is to do their elected jobs. In particular they complained about how time consuming it is to pick the checks up from the post office and open them and create a list to turn over to the accountant. The whining about how painful this process is went on and on. Steve and Suzy whimpered that they should be able to send remittances to the accounting firm instead of having to handle the mail. Of course, this relinquishes all checks and balances and there will be no traceability of monies received by the Club. And, the accounting firm will charge the Club for this service. Why do these people run for the board if they don't want to do the job? These lazy board members want to sit on a throne and have you come and 'kiss the ring'. For this board serving is about control and power, not serving their community. Lame!

The rotting sign

The Admiral's Cove sign on Hwy 525 has been a rotting eye-sore for years. Dennis Eagan rallied a local artist who is willing to donate her time to fix the insets on the sign. It would clearly improve the trailer-park appearance that exists today, no matter what she creates. But, true to their form the board that doesn't want to do work argued about the color that the sign may be painted and details such that they actually tabled the motion. The effort was saved by Dennis when he stood up and told the board to come to the committee and participate instead of interfering with progress (I thought for a minute he might actually go get the sign and shove it up their butts). In the end they allowed the committee to improve the sign. I think a few of them are still stewing over color! Hmm, they don't want to open checks to ensure generally accepted accounting rules are enforced but they want to rule over the colors of the rotting sign. Lame!

The survey is rigged

Suzy Palmer discussed the results of the mailed survey. I heard nothing surprising – the pool isn't why members live here, it is the view (duh!) and most of the community is retired. Suzy read various stats and then Sue Corliss stood to correct her. Apparently the night before there was a meeting where the committee had reviewed their findings but the committee was given different stats that Suzy reported at the meeting. Suzy commented that the stats had changed overnight. She said, the President's wife Carol Delahanty is in charge of counting and reporting what she finds in the survey so the Long Range Planning Committee will know what to work on. Ruh roh! So, you can expect that the pool will mysteriously become the number one thing every wants when she is done fixing her numbers. What would you expect from a woman who started a Funding committee to sue her own husband and the Club. This is how they operate – it's time for the Delahanty's to step away from ACBC politics; they are not trustworthy and neither are these survey results. Lame!

Spending \$4000 with no due date

The board announced that it had received a contract from some guy to do an assessment of what things might cost if they did various rehab projects. The cost of this consultant is \$4,000; this is the limit the board can spend without sending it out for a vote by the membership.

A member in attendance asked the board how they selected this guy – did they get three bids. The result was at least a moment of silence. Then the board started all talking about how competent this guy was. In the end, Fred admitted that they had not sought input from other bidders. Even though there may be someone more competent and most reasonably priced they didn't seem to care. It's your money, why would they? Fred pointed out that the contract had no completion date and he wanted the work complete by June. Ed interjected that it was a lot of work for such a quick turnaround. Suzy whimpered that they couldn't fix the contract because then they'd have to have another meeting so suggested they just trust the guy to get it done. Let's recap here – she doesn't want to open and list checks because it is too much work and amending a contract to add a completion date is too much bother because it will require a meeting. Are you kidding me? If this was a contract for work you were paying for wouldn't you want it to be correct? I guess since it is our money you don't care. Lame!

They all voted to move forward (Fred abstained, he couldn't vote no or he'd have to face the wrath of Dustin) to hire someone and accept a contract that is nonspecific and open-ended.

Website News

The board is throwing in the towel on that their crappy website. Because nobody goes there to read their non-information and they can't gain control of our Nextdoor subdomain, the board is going to purchase and develop a new website and they promised interactivity. This should be fun.

Bylaws

Ed indicated that they were almost through editing the bylaws they want to send out for a vote. Sounds like there is a pending request for you to vote and change everything. In particular Ed mentioned that he wants to extend the board terms so they can rule longer. Lots of HOA-like changes giving board more power to rule over you and the ability to spend more without your vote are being requested. Their stated goal was to send a vote in July. Be sure to **VOTE NO** on all changes.

Discrimination

Ed made a statement that he represented as the board's opinion of the rules/laws of obtaining a limited use pool permit. The Club has sent their money to the County and hopes to acquire a permit in a week or so to open the pool in early June.

Ed's opinion is that the word resident in the WAC is not relevant and that it means members. He indicated that if a non-perc lot owner pays dues and does not reside in ACBC he is still entitled to swim in the pool. The word in the law is resident and evidently the state and county define that as someone who lives here – a primary residence where you are registered to vote. If this is true the board violated the law last summer – all kinds of members who are lot owners or have income properties and reside elsewhere could not swim in the pool this summer. Ed disagrees and wants to turn a blind eye to this word. Suzy actually said that if this happened that non-residents could be her house guest to get around the issue. Wouldn't this be a blatant violation of the law and violation of her fiduciary responsibility to uphold the law, she should be removed from her position for this suggestion immediately? The disabled also pay their

dues but Ed feels they have no rights to use the facility. Who is next on the Delahanty discrimination list?

Sue Corliss stood up and read the WAC and Ed said he disagreed with her and planned to contact Island County. He got so mad that in their discourse he actually said that the directors could start meeting in private but then corrected his statement and admitted they could not. You can see what's going on here. Your input pisses them off, they must get their way or else. This is a board that wants to sit on a throne and rule over you. You voted for them so suck it up neighborhood.

Participation

The board seems to have scared off the membership from attending the meetings; only 7 members were in the audience. This is the worst attendance I've seen yet. I guess everyone has gotten the message that their opinion doesn't matter.