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IN THE SUPERIOR COURT FOR THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF ISLAND

ROBERT WILBUR and DUSTIN
FREDERICK,

Plaintiffs,

v.

ADMIRAL'S COVE BEACH CLUB, a
Washington non-profit corporation; and JEAN
SALLS, MARIA CHAMBERLAIN, KAREN
SHAAK, ROBERT PEETZ, ELSA PALMER,
ED DELAHANTY AND DAN JONES,
individuals,

Defendants.

Case No.: 13-2-00741-4

DECLARATION OF
Barbara H. Nichols
In Support of Sue Corliss Petition
For Intervention

SUE CORLISS,

Intervener,

v.

DUSTIN FREDRICK, ROBERT WILBUR,
ADMIRAL'S COVER BEACH CLUB, a
Washington non-profit corporation, and its
BOARD OF DIRECTORS.

Defendants.

My name is Barbara H. Nichols, and I am over the age of 18 and make this
declaration based on my own personal knowledge.

1 1. I own a home on Keystone Ave in Admirals Cove. I purchased my
2 property in 2002. I am a member in good standing of Admirals Cove
3 Beach Club.

4
5 2. I oppose Mr. Wilbur's motion for a Summary Judgment that would
6 result in a permanent injunction requiring the operation and
7 maintenance of the ACBC pool. My concern is that I will not be able to
8 pay for the mandatory assessment that the ACBC Board will impose
9 without my vote. At the Annual Members' meeting the Board
10 announced that they would send out an assessment of \$1,700 without a
11 vote of the members. My husband is on Social Security and I will be
12 retiring next year. The amount of this assessment is more than our
13 monthly mortgage payment. We worry that there will be additional
14 costs to operate the pool in the future. I was a lifeguard at the pool the
15 summer of 2007, and the pool at that time, was in need of major
16 repairs and was not ADA compliant. We were not able to open on time
17 that year, due to problems with the chlorinator pump, and the heating
18 system. Also I voted no to the extraordinarily high cost of refurbishing
19 the pool on the ballot that was sent out in 2013. I was surprised that in
20 the summer of 2014, without membership approval, the Board used
21 money allocated in the budget for other activities and spent the money
22 to open the pool for a very limited time, for only a few members, and it
23 was still not ADA compliant.

24 3. Due to spinal cord surgery in 2002, I need the low impact exercise that
25 a pool provides. I joined the Island Athletic Club so I could use the pool
26 year round. The \$1,700 ACBC pool assessment is more than the cost of
27 two years of membership to a year-round pool facility.

1
2 4. At the Annual Members' Meeting, my neighbors Michael King and
3 Marge Plecki presented a motion to form an Ad Hoc Committee to look
4 at alternative uses of the pool property. They presented some great
5 conceptual sketches of a year-round facility located on the current pool
6 site. The sketches were beautiful. I was particularly excited to see the
7 number of recreational options presented that could actually bring
8 income to the Club to offset costs. A majority of the members and I
9 voted to form this Ad Hoc Committee. The Kings received applause
10 from the audience after their presentation. This study will provide a
11 detailed estimate of costs and benefits for a year-round facility
12 compared to the refurbishment of the pool. I have volunteered to be on
13 this committee. A Summary Judgment will not allow the members to
14 complete the work of the Ad Hoc committee. I would very much like
15 the opportunity to explore other options for the use of the ACBC's great
16 beachfront property.

17
18 I declare under penalty of perjury under the laws of the State of Washington
19 that the foregoing is true and correct.

20
21 Done on this (day) 1st day of (month) November, 2014, at
22 (city) Coupeville, Washington

23
24 Barbara H. Nichols
25 Print Name

26 

27 _____
28 Signature