

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

ROBOERT WILBUR,

Plaintiff,

v.

ADMIRAL'S COVE BEACH CLUB, a
Washington non-profit corporation, and its
BOARD OF DIRECTORS,

Defendants.

Case No.: 13-2-00741-4

DECLARATION OF MARIA
CHAMBERLAIN IN OPPOSITION TO
ADMIRAL'S COVE BEACH CLUB'S
MOTION FOR SUMMARY JUDGMENT

SUSAN CORLISS,

Intervenor,

v.

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

Defendants.

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

1. I was a property owner in the development known as Admiral's Cove on
Whidbey Island. By virtue of my property ownership, I was a Member of the
Admiral's Cove Beach Club (the "Club,") which is named as the defendant in this
lawsuit; I was also named as a defendant. The Club exists to serve the interest of

1 its Members, such as myself.

2 2. In May of this year, my husband Russell Chamberlain and I sold our home in
3 Admirals Cove. A primary reason for leaving the community was for personal
4 safety. I feared for my safety which was marked by a death threat I received in the
5 mail and destruction of my personal property related to the vote to demolish the
6 community swimming pool.

7 3. Beginning in 2011, my husband and I were members in good standing (we
8 always paid our dues), and we participated on many committees. We observed and
9 were disappointed at the many violations, cover-ups and attempts to cut corners by
10 the Club.

11 4. I was a member of the Pool Maintenance and Safety Committee. While on the
12 committee, I witnessed injuries to the feet of children using the pool. The pool
13 surface is in such disrepair that it abrades skin and causes bleeding. There is a
14 requirement to report injuries per the Washington Aquatics Recreational Facility,
15 and Health Department code. I spoke with the chairperson of the committee (a
16 Board Member) who claimed it was not the Club's responsibility to report accidents.
17 I was accused of being a trouble-maker for requesting the Club obey Health
18 Department rules. As a result of requesting to file accident reports, the chairperson
19 then told me I could no longer participate as a pool attendant. The need to make
20 the pool appear popular over-rides the need for safety and following the law.

21 5. Island County inspects the pool annually as part of the permit process. It is
22 common for committee members (or, any member of the community) to attend
23 meetings; meetings are open per the Club bylaws. I was prevented from attending
24 a Health Department inspection by the then Committee Chairperson and the
25 Treasurer. Their claim was that I was seeking special treatment but I was not; I
26 simply asked to attend and observe. It is common practice for the Club Board to
27 hide reports that are not favorable about the pool from the community; they are not
28 posted and only spoken about in executive session at board meetings so the
community is in the dark. They simply did not want information about the pool

1 safety being public knowledge in the community so I was prevented from attending
2 although I was a member in good standing and myself a committee member.

3 6. I was a member of the Long-Range Planning Committee. In 2014,
4 subsequent to the vote to demolish the pool the then Chairwoman of the committee
5 told members at a planning meeting that the only long range planning the
6 committee would undertake was for the pool. She indicated that all other Club
7 amenities would not be considered as part of the planning process. The charter of
8 this committee is well-documented in the Club bylaws and includes all assets owned
9 by the Club. The chairwoman refused to take input from any members of the
10 committee and said she would speak to other board members about planning. No
11 further meetings were held due to the desire of the committee to plan for all club
12 amenities; the chairwoman did not want to plan for anything but the pool. It
13 became clear that the entire board was only interested in the pool. The Club
14 facilities to this day suffer from serious neglect because most financial resources
15 (which are few) are being funneled into the maintenance of a three-month pool.

16 7. Following the ruling of this court on the 2013 vote to demolish the pool the
17 president of the Club, Ed Delahanty, told the community that the Island County
18 Superior Court had ruled that the board had to maintain the pool in perpetuity.
19 This was not the ruling of the court. There were many questions from the
20 community but Mr Delahanty always answered that there was no question that the
21 pool had to be maintained as a matter of law. This made no sense to many
22 members of the community but the board stood firm disseminating the message
23 that it was the law that the pool must remain forever. I heard many of my
24 neighbors say the board told them they had to keep the pool as a matter of law so
25 they had to pay for it. It is my opinion that this was an intentional
26 misinterpretation of the ruling to save the pool. The board included the statement
27 that the court ordered the community to maintain the pool as part of voter package
28 – community members believed the court had ordered them to vote to pay for the
pool. The information package sent to the community was biased to include

1 information about the court order to pay for the pool and no other side of the pool
2 issue was presented to the community.

3 8. There are many members of the community that are disenfranchised with the
4 Club. The pro-pool position of the Board has caused many to simply drop-out as
5 participating members. A significant amount of the membership has simply
6 stopped paying dues. The threat of being sued is preferred over the continual
7 haranguing by the Board members to pay for a pool used by 10% of members.
8 Members of the community expressing an opinion that is not pro-pool are
9 ostracized, insulted and discriminated against. This pool has torn the community
10 apart; it needs to go. As it was ruled legal by the Appellate Court, the vote of 2013
11 should be upheld and the decrepit swimming pool should be demolished.

12 I declare under penalty of perjury under the laws of the State of Washington
13 that the foregoing is true and correct.

14
15 Done on this 4th day of August, 2017, at Coupeville, Washington

16
17
18 Maria Chamberlain
19 Maria Chamberlain