

# VOTE “NO” ON BYLAW AMENDMENTS

## FOR THE FOLLOWING REASONS

In our past articles we have presented “**ample proof**” that the Board “**has not been truthful**” with our members. The formation of [www.delairegovernance.com](http://www.delairegovernance.com) was due to the continued “**untruths**” of the board. Their act of “**disrespect**” created the needed “**OVERSIGHT**” function, bringing truth and transparency to our members. *The Board has done everything in their power to stop us from passing on information that the “Board does not want you to hear”!* [Read: WIPO finding.](#) The 1 year suspension of our “**Sponsor**” was an extra attempt to shut us down. “**HE**” turned down their offer of “**reprieve**” and accepted hardship instead of “**sleaze**”. **NOW THEY ARE TOTALLY FRIGHTENED BY OUR BRINGING THE TRUTH TO YOUR ATTENTION.**

**The Boards revised Bylaws of 2018** are nothing more than a clean-up of their 2016 revisions that didn’t give them all of the protection to their iron fisted suppression of our membership. The Brecker v. Delaire litigation is the catalyst that is a threat to their survival. We reviewed the 61 pages of changes and gave you a detailed objective as what we believe is tolerable, fair and reasonable for the membership. [Read BY LAWS ANALYZED.](#) Simply put, we did find that many of their complex Bylaw changes are *shielded by the Florida Statutes* but require extensive litigation to end the abuses. Stating they are in conformity and approved by the Legal and By-Laws Committee and outside counsel is nothing but “solid lies”. The *BRECKER v. DELAIRE litigation* is all about their abuses as listed in *Article XIV* now *Article XII* and *portions of many others*. We gave them documented proof that they have failed to follow on several occasions. [Read: July 7 Padula response.](#)

**The Board holding open membership meetings** is nothing but a well-organized “**sham**”. Objections are never met with any affable response by meeting speakers. They conduct the assemblies like a benevolent uncle, but come down hard on dissenters with the help of their stooges that are imbedded within the audience. Our objections regarding the ***Voting and Discipline Articles*** were *dispelled quickly by the moderator, and then their agents dispersed amongst the audience ridiculed the obvious*. Board sponsored open membership meetings are controlled with “**PUT- INS**” and “**Bullys**” amid the attendees. The “**PUT-INS**” come to the forefront the moment the presenter starts to lose the ongoing debate. That is how open **ended membership meetings are controlled**. The attendees are made to think they are part of an open debate. In reality they are being manipulated like puppets on a string. Meetings are purposely planned for 3:00 PM, so they cannot go on too long. **The catch phrase to not answering an intimidating question, “see me right after the meeting and we will discuss it, we have to move on”.** People’s anxiety of being put down at meetings makes them unwilling to

participate in the debates for fear of offending management. They would rather abandon what is in their best interest. We wonder why they even come to the meetings. **That is what the board counts on.** No benefits ever trickle down to the membership from such get-togethers. The Board accomplishes their purpose and is the victor. [www.delairegovernance.com](http://www.delairegovernance.com) is trying to change the Board's game plan by posting their methodology without interference by the Board's "pushers".

We are franchised to point out the distortions and trickery used by Karpel & Co. Somebody is listening, our traffic on the website is constantly increasing. Looking below and reading the "mumbo jumbo", reasonable people should question how anybody lets them get away with such utter nonsense.

**"OFFICIAL NOTICE OF ANNUAL MEETING OF THE MEMBERS"** Came with the cover sheet with all of the submitted paraphernalia of colored ballots and envelopes and instructions for Voting on By-Laws on March 11<sup>th</sup> 2018. Portion of the written instruction sheet contained the confused explanation of amendments 1, 2 and 3. In our opinion the **real intent** is for everyone to vote for Amendment No. 1. They confused the issue so that it leaves no other alternative. If you don't vote for No.1 you can't have No.2 or No.3. We object to this, why not allow No.2 or No. 3 with a separate vote? Isn't that Fair? That is the same "hocus pokus" in their revised bylaws for voting for the Board or Nominating committee members. You cannot vote your choice. The Board forces you to vote for **3 candidates for the Board** and **5 candidates for Nominating committee.** There are only 5 candidates listed for the Nominating Committee. **That is NORTH KOREAN DEMOCRACY AT WORK! Is that Fair?** If you only like one and not the rest, your vote does not count. **Is that Fair?** That is how they constantly re-invent themselves and that is why we say..... **VOTE NO ON ALL but that is not enough!**

A major reason for establishing the **"MEMBERS BILL OF RIGHTS"**

**Read below - who can understand "hocus pocus"?**

**If Amendment No. 1 is approved, but Amendment No.2 is not approved,** the provision contained in the proposed revised By-Laws Article II, Section A. 4. Through the end of Article II will be deleted and the contents of existing By-Laws Article III, Section 5. Through 8. Will be retained to replace the deleted Article II Section of the proposed revised By-Laws.

**If Amendment No. 1 is approved, but Amendment No. 3 is not approved** the membership transfer policy will be removed from the proposed revised By-Laws.

**If Amendment No. 1 is not approved** Amendment Nos. 2 and 3 will be deemed to have not been approved.

**Is this fair? Maybe in North Korea.**

The two most important Bylaws are the Voting Article II and the Discipline Article XII. Both of these are unacceptable in their present form and in their restated form. They must be **purged** to be re-written in conformity with the Florida Statutes. You must reject them with a **“NO” VOTE!** Include a memo to re-write all the old and the new with **VOTE YES FOR**

## **MEMBERS BILL OF RIGHTS REQUEST**

### ARTICLE II

#### Members Meetings and Voting

Members must insist that voting stays **“IN HOUSE”** and must be carried out by using a **tamper proof Ballot box placed in the Club House** to be opened by the Inspectors of Election with their own locks & keys. **Mail-in Ballots should be** sent to a **PO Box**. No involvement of any kind by the Board. The present system has been found tampered with by Allen Killik. The revision gives the Board control as to who they choose as the outside service, continuous reporting to the Board with total Board involvement. **Not acceptable.** We had major issue with board members having knowledge of who has not voted and then forged the non-voters signature. The board refused to make use of the Proxy. Who else and how many more were done in that fashion we will never know. We must **“NOT”** allow the board to be part of the voting process. **Ask the question. If the board has full attentions to voting in an honest environment, why would they have any objections to this simple, cheap in house system?** **ANSWER: They fear they will lose their control and be replaced by those that have no fear!!**

Voting for Board members and nominating committee members should be simplified. **Only vote each candidate separately, may the best man win.** It is time to change the old system that has no credibility or value.

### ARTICLE XII

#### Discipline

Members must insist that the entire bylaw must be re-written. **The bylaws must not be in contradiction with the Florida statutes. Statutes 617.0202. 617. 0607. Florida Chapter 120 in its entirety must be observed and mentioned in the bylaws they are not now for the following reasons.** There cannot be any allowance for committee members to be on a *“telephone hook-up”*. There must be an allowance made for the respondent to be able to have the *“complete services of his chosen attorney if he chooses to be represented by one”*. **The entire hearing must be transcribed or recorded.** *“The attorney can question the complainant or any witness”*. **There have to be sentencing structures that guide the fact finders.** There has to be a presumption of innocence by the committee members. **The committee members cannot try a respondent a second time.** There has to be a **definition of misconduct or any other qualification.** *“Appeal hearings must be allowed to be recorded”*. It must be

understood that the sentencing must take in consideration the extent of the violation that has been conducted. **Criminalities are not handled by the grievance committee they are handled in the court system and fined by the courts.** Therefore the only issues that are conducted by the grievance committees are **non-violations** of the criminal code and are only **minor violations** amongst members and their families or violations with the club staff. Such violations **must not be adjudicated with large fines** such as one Month to 1 year suspensions with continued payments resulting in **costs from \$3200 for 1 month to \$40,000 for 1 year.** This creates lawsuits that are detrimental to the wellbeing of the membership and reputation of the club, affecting property values. **Mandatory members must be held in a different capacity than non-residents due to the fact that they cannot quit the club. It must be understood that the club is a recreational facility not a prison of any type.**

We have limited our discussion at this time to the objections of the most important bylaws. [Read our complete analysis here.](#) We will continue to keep information flowing in the weeks to the voting and we hope we will make inroads.

**VOTE “NO” ON THE BYLAW REVISIONS**

**ASK FOR “MEMBER BILL OF RIGHTS”**