Gmail **Dave Winters <davelexky@gmail.com>**

Re: What I had to say

2 messages

Tina Ball <localfirstrealty@gmail.com> Thu, Feb 22, 2024 at 3:43 PM
To: Duncan MacIvor <duncan_macivor@hotmail.com>
Cc: dwdemarest@yahoo.com, Dave Winters <dave.winters@usa.com>, derwin3989@gmail.com, chlebowy@yahoo.com, mike@huber-realestate.com, WGEHOA WGEHOA <Walnut.Grove.Estates@gmail.com>

Duncan
Evidently you don't take the Restrictions, in place since 2002, seriously either.
Either we have Restrictions, or we don't have Restrictions.
There is no room for favoritism to any member out here.
I will not be singled out when the Board decides to exercise their power.

I have the RIGHT to view the records of the Assn, we all do.
If forced to obtain them through a lawyer, paid for with OPM (the members) I will inform the entire community of the inept leadership that is in place.
The fact that a lawyer is necessary will also raise many concerns with the Members, as it should.
The Board can't handle a records request? They need to resign.
The Board can't handle confrontation when a Member completely violates the Restrictions?
They need to resign.

And yes, the stone denial upset us a great deal. What did you expect????
It was denied out of spite. If the request was from a favorite of the Board (I will leave names out), it would have been approved.

The Board has turned a blind eye to 4037 Real Quiet Lane, in violation of the Restrictions for 6 blue features on the exterior in addition to the fence line, and the unidentified and indescribable appurtenances that ramble along the side of the house.
My lawyer has advised that if the Board attempts to amend the Restrictions to allow for "blue" then it should also include the other random colors included in the Restrictions:
"Yellow, green, orange, red, pink, purple and black."
It is doubtful 75% of the Members will agree to this.

Note that we have decided not to use "Blue" in light of all of the legalities.
That is no longer a request.

I won't bother you with my emails again, there is nothing you or David Demarest can do anyway.
But we do appreciate you both.

Tina Marie Ball
Principal Broker
Local First Realty, LLC.
859-221-TINA

On Thu, Feb 22, 2024 at 2:03 PM Duncan MacIvor <duncan_macivor@hotmail.com> wrote:

> Hi Kerry and Tina,
> I decided to write this instead of speaking in person because I wanted to say what I meant before it had a chance to turn into a confrontation. We have always been on good terms with each other and I hope that will continue in spite of everything.
>
> I haven't been on the HOA board two months yet but I already understand why over half of last year's

board members resigned. Some of them have told me themselves: it's too stressful. It's not because of any interpersonal problems within the board. It's this incessant war between you and a few people on the board (one in particular). You may not realize it, but you had sympathizers on the board last year. They got frustrated. Ginny is already urging me to quit. I'm not ready to yet because I still want to participate in responsible neighborhood management decisions, especially about the ponds, which were what got my attention in the first place.

I was not initially in favor of getting a lawyer involved, but I've changed my mind. You may be hearing from Nathan Billings offering you the opportunity to examine whatever HOA documents he has. Some of the documentation you are demanding may not even exist, but whatever there is on that disk is available to you only through him.

You are probably upset because we disapproved some of your front yard stonework plans. We discussed this for quite a while, considering that all of us expressed the same opinion. I've already told you in a text message what the issues were.

I can't speak for events and decisions before January 1st. I can only try to make things better going forward, using my best judgement, which you may not always agree with. However, please work with me to keep things on a reasonable even keel. You want to be treated like everyone else, but you don't behave like everyone else, if you will pardon my frankness. Nobody enjoys reading the demanding, accusatory emails you send - they only escalate an unfortunate situation that is widely understood to be a pissing contest.

I've encouraged you before to help recruit future board members. Nobody needs to be on the board for years on end (including me). But please play the long game and bring change through HOA elections rather than by driving away the sympathizers you have.

And please don't take offense at my frankness.

Your friend,
Duncan

Duncan MacIvor <duncan_macivor@hotmail.com> Thu, Feb 22, 2024 at 5:20 PM
To: Tina Ball <localfirstrealty@gmail.com>
Cc: "dwdemarest@yahoo.com" <dwdemarest@yahoo.com>, Dave Winters <dave.winters@usa.com>, "derwin3989@gmail.com" <derwin3989@gmail.com>, "chlebowy@yahoo.com" <chlebowy@yahoo.com>, "mike@huber-realestate.com" <mike@huber-realestate.com>, WGEHOA WGEHOA <Walnut.Grove.Estates@gmail.com>

I feel like one of the Israeli-Palestinian peace negotiators, but your last sentence gives me a flicker of hope. Let's agree to be willing to talk.

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From: Tina Ball <localfirstrealty@gmail.com>
Sent: Thursday, February 22, 2024 3:43:33 PM
To: Duncan MacIvor <duncan_macivor@hotmail.com>
Cc: dwdemarest@yahoo.com <dwdemarest@yahoo.com>; Dave Winters <dave.winters@usa.com>; derwin3989@gmail.com <derwin3989@gmail.com>; chlebowy@yahoo.com <chlebowy@yahoo.com>; mike@huber-realestate.com <mike@huber-realestate.com>; WGEHOA WGEHOA <Walnut.Grove.Estates@gmail.com>
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