

bbwilbur@frontier.com

From: "Bob Wilbur" <bbwilbur@broadstripe.net>
Date: Tuesday, October 02, 2012 9:22 PM
To: "Sean Riggins" <smriggins@earthlink.net>
Subject: Fw: dustin is an ass

Hi Sean,

Wanted to have you on the cc list but lost your email in the mess that comes in every day. Anyway finally located. Not fun reading I'm afraid...bob

From: [Bob Wilbur](#)

Sent: Tuesday, October 02, 2012 1:03 PM

To: [Dan'l Jones](#) ; [Dustin Frederick](#) ; [Karen Shaak](#) ; [Jean Salls](#) ; [Suzy Palmer](#) ; [denewsham@juno.com](#) ; [Lee Hart](#) ; [rkari78@gmail.com](#) ; [Sid Iverson](#) ; [bspettersen@earthlink.net](#) ; [Carol Delahanty](#) ; [Maria Chamberlain](#)

Cc: [Gwyn Staton](#) ; [Joanna Weeks](#) ; [John Klasell](#) ; [Elinor Guinn](#) ; [Tim Dahl](#) ; [Dave Breining](#) ; [Kurt and Jackie Blankenship](#) ; [Chris Hendrickson](#)

Subject: Re: dustin is an ass

Dan,

You obviously had a lot of stuff to get off your chest. Hope that helps. Here's my brief perspective.

- 1) Everything the board heard in the town hall meetings was to open up the process and provide a bit more time to sort through a slug of creative ideas and options other than yours. That was not a big request, rather to almost all, it seemed to be such a simple and logical request that would have promoted trust, understanding, and concurrence.
- 2) Although that request was reiterated with each town hall meeting and on NextDoor and in emails, the directors gave no indication of allowing that to occur, and instead argued against it.
- 3) That refusal provoked a backlash reaction because the pool question was so very, very important and permanent, and the board's refusal open up the process gave the distinct impression that the board was railroading an agenda to ensure a negative vote and squelch any ideas or efforts that might produce a positive vote.
- 4) The backlash tactic, with back's against the wall, might not have been the best, but just as unfortunate was the Board's myopic decision to shut folks out. Can you imagine how things might look today, if after that first town hall, the director's had opened that door and brought out the round table? I can.
- 5) The personal attacks are taking us nowhere. Why not bury the past today, and instead of further attacks and counter attacks, try working together at the round table.
- 6) Pogo said it best: "We have met the enemy, and he is us."

Bob Wilbur

(PS: In your message below, I have inserted one personal comment/clarification highlighted in yellow.)

From: [Dan'l Jones](#)

Sent: Tuesday, October 02, 2012 10:50 AM

To: [Dustin Frederick](#) ; [Karen Shaak](#) ; [Jean Salls](#) ; [Suzy Palmer](#) ; denewsham@juno.com ; [Lee Hart](#) ; rkari78@gmail.com ; [Sid Iverson](#) ; bspettersen@earthlink.net ; [Carol Delahanty](#) ; [Maria Chamberlain](#)

Cc: [Bob Wilbur](#) ; [Gwyn Staton](#) ; [Joanna Weeks](#)

Subject: RE: dustin is an ass

Dustin,

I am sure you know by now that I am unhappy with your actions and those of your group. The first thing you need to do is admit the role you played in creating this mess. You need to acknowledge your closed-mindedness. You need to recognize that your belief that anyone had reached a consensus on how to get the pool fixed never existed. You and Carol over reacted to a proposed sample ballot that no one had agreed to accept. NO ONE!

Like you said, you are used to conflict. Perhaps you are so used to conflict, that you cannot operate without it.

I think that the actions of you, Carol, and your group endangered and added an undeserved burden onto the shoulders two well-behaved and intelligent women who have worked hard all year to improve our club. . . .and for no other reason than to satiate the hubris and arrogance that drove you, Carol, and those in your group. I think we should both agree that this is not the way to make business decisions.

When your actions generated the level of "passion" that occurred here, you should have at least taken responsibility for the part you played and publicly tried to bring people back down to earth. The whole precept on your message below is that you did nothing wrong and "we" need to learn to behave. Bob W. and Gwyn chided and made fun of Karen and Maria after the news about the death threats were released. <Dan: you got that wrong – I never chided or even remotely made fun of the death threats, and if you can provide my words to me, I'll be glad to clarify why your interpretation is incorrect.>These actions were appalling to most members; how about you? Did you see Margaret's post? Do you think she is talking about Karen and Maria? You, Carol and your group were out of control.

No one in your group addressed any issues once it all began to escalate, they made personal attacks. Do you think you accomplished something? I don't. I think this was the worst possible approach on which you, Carol, and your group could have embarked. I think you have turned enough people against your group by your actions and enough of your group against the returning directors, that the probability of passing any assessment or dues increase would be virtually impossible. You poisoned the well and the credibility of everyone, even the members who may be elected director, have been compromised and will be suspect because they are supported by one side or the other.

The sad part is, there is no one side or the other as you claim. Everyone was working or should have been working toward the same goal. You still cannot bring yourself to admit it. You, Carol, Gwyn and others cannot get over Gwyn's removal from office. You have never moved past it. This has been a thinly disguised charade to satisfy some deep seated desire for revenge.

You, Carol, and Gwyn have been blinded by your obsession for revenge to such an extent that you could not see the that you and Carol over reacted when we had only received our first estimate, which had always been presented as a worst case scenario. Isn't that the logical place to START?

We all agreed to seek opinions from the community, collect the questions and suggestions, and to re-evaluate the project. It was a unanimous decision. I think the \$1,000 original estimate hit every member of the board right between the eyes, and that is why we made the decision to have the town hall meetings in the first place. The proposal was designed to be a wakeup call to stress the urgency of fixing the pool next year, and it worked.

Not one director blindly embraced the plan that caused you and Carol to panic. I will admit that our desire to save mailing costs by including a ballot provision for the pool in the mailing for the annual meeting may have increased

the pressure to reach a decision, but without a decision, it could not happen anyway. It didn't.

The town meetings clearly explained that the estimate was a worst case scenario and that we would need to conduct engineering studies and get architectural drawings before we could prepare a request for proposals and get more accurate costs. Those studies and drawings were expected to cost about \$20,000. We cannot afford it.

If you low-ball an estimate, you risk having a half-completed project and the need to present another request to the members for an assessment. This is a valid point that deserved to be considered by the whole board.

There is no requirement, once an assessment has been authorized by the members, that the board assess the whole amount if we do not need it. The initial proposal even contained language assuring the refund of any unused assessments. It had some very good wording that should be retained, regardless of the demolition language of the amount of the assessment and dues increase.

All of the questions and suggestions from the town hall meetings were reduced to writing and posted online. The board never had the opportunity to review and evaluate alternatives because of this crazy, alarmist emergency that you and Carol created. It was you and Carol who had no information to offer. There was ample opportunity for you to share your opinions, but you threw a temper tantrum instead of buckling down with the rest of us to hammer out a solution.

This time, the actions taken by you and Carol helped turn this "word smithing" problem on the pool ballot into a federal case. You don't even know the full extent of what Karen and Maria have endured or continue to endure. You do not seem to care.

Because the investigation is still on-going, the less you know the better. I understand your curiosity, but there is a lot of evidence to review and no one wants to interfere with the investigation. This situation would never have occurred if you and Carol had played by their rules in the first place.

Everyone in your group seems to be worried about their own hurt feelings and refuses to acknowledge the real victims. Dustin, I think you still believe you are the good guy here and still want to control everything. You are the bad guy. If "passion" justifies what you, Carol, and your group did or encouraged, perhaps more than name calling would be in order. You and your group caused this and have done nothing to make up for it or tried to stop it.

When I learned of the part you played in stirring up this controversy, you didn't have to call me or the other directors any names. Your accomplices handled that, armed with the misrepresentation of facts that both you and Carol supplied them. You misrepresented my motives, those of the other directors, and the actions that you alleged were taken.

I know of Gwyn's door to door campaign to personally discredit me and tarnish my reputation. My responses to her rants online embarrassed her and I understand the difficulty she has controlling herself. That kind of rumor mongering turned off most people and made them leery of her and your group, not me.

I received a lot of calls telling me how sorry they were for what she was saying. She then spread it all over Next Door, I received the same kinds of responses. The only kind of people that works on are those in your own camp. Rational people don't fall for that and can see through it. Lies are easily exposed and the truth sets me free. It did however make members angry enough to vote the whole thing down. Your group took this as an opportunity for revenge, and not to accomplish anything constructive. You took the opportunity to throw your rocks; good for you, but you missed the boat. You may have destroyed our pool because of your desire for revenge.

Carol's post, in which she printed the wrong Article V, Section 8 (repeated by others, including you I think) and made false accusations about the board leaving her out of the decision regarding the pool, was intended to raise the level of anger toward the officers. It did; to an unacceptable level.

I think the over-the-top activity and posting on Next Door hurt your alleged desire to get our pool fixed, if that really was your primary goal. Instead of a group pulling together to achieve a common goal like you now propose, the artificial diversion you and Carol created has done nothing but cause our members to be disgusted with the whole matter. Dustin, I admit that you generally display self-control, but when you exhorted others who are known for lack of self-control to act-out in the way they did, you can't just act like you played no part in it.

If you think the directors violated any laws or our bylaws, where does the attempt by you and Carol to coerce the directors to take action you know to be illegal fall? You cannot seem to acknowledge your role in this sordid ordeal that only you and Carol created with the help of your group that you fired up with your false rhetoric.

When did you hear a motion to accept the sample ballot that caused you and Carol to panic? if you disagree with the cost estimates, what do you have to offer. Did you consider the non-perk and the delinquency rate in your estimates?

Please try to consider who walked door to door spreading gossip and rumors, prepared forged and deceptive documents, and used the threats. It wasn't Jean. It wasn't Karen. It wasn't Maria. It wasn't Bob Peetz. It wasn't me.

I am sure that you know a lot of mediators, considering your profession. Mediation cannot work if you cannot acknowledge that you have a closed-mind. You have an unfounded belief that the directors you identified are against you or are in agreement with one another.

The fact that we are civil toward one another, do not threaten or feel threatened by one another, and are courteous enough to listen to one another's ideas does not translate into agreement. We are just as courteous to you and Carol. Look at the voting record. The directors you see as being in solidarity vote against one another all the time, and a large portion of the votes on this board have been unanimous, if not most of them. These votes included both your vote and Carol.

If you think about it, who shushes people in open meetings, snaps their fingers at people, interrupts, refuses to yield the floor, gets emotional, treats other directors with disrespect, usurps the floor from committee chairs trying to give their reports, uses the meeting to air personal grievances and disagreements, or raises their voice. The directors whom you identify as your enemies who you think need to adopt the rules of behavior you suggested do not do that. They already follow those rules.

You and Carol always protest when you are outvoted, but you show no concern for anyone else who is outvoted. No one else complains, they recognize that they hold a minority opinion and go on. The votes do not bear out your fears.

You have an unfounded fear of how the members feel or would vote on virtually any matter, and it is reflected in the way you have historically organized and worded ballot measures. Although you think it is clever and that you get your own way, in reality, it insults members and creates more alienation and mistrust of the board in general. You should recognize that you are the one who rushed everything . . . your last-minute estimate . . . your last-minute ballot . . . your last-minute threat that all directors accept your ultimatum or they'd be taken out . . . and your demand that the OFFICIAL BALLOT be mailed with the packet for the annual meeting.

One of my neighbors who signed the OFFICIAL BALLOT told me that he had never agreed to or read the petition to which you attached his signed OFFICIAL BALLOT and felt he had been defrauded. As it turns out, that has been the case of each person I have talked to whose OFFICIAL BALLOT was attached to the petition. At least one member running for office for the first time is likely going to drop out, because of the events that have transpired. I am very disappointed that your people chose to take things to such extremes.

If you ask me, it is obvious that there is a lot more to all of this than disagreement about the wording on a ballot to keep our pool open.

Your posts and those made by your group tried to make it appear as though voting on a motion in a lawfully called meeting required that prior notice be provided to any director not in attendance at the meeting. We all know that is untrue. Both you and Carol as well as some of the members in your group have made such motions and votes many times in the past. Carol's post was an attempt to garner sympathy for someone who was not wronged by an event that did not occur. It was a lie. Everyone now knows it. This is not about you or anyone in your group; it's about the best interests of the club. You are right, it is not personal, but you, Carol, and the rest chose to make it personal, not the four directors you are trying to coerce, cajole, and discredit.

In the town hall pool meeting immediately following the meeting Carol accused "us" of doing her wrong or being taking an inappropriate vote, Karen told a member who asked that the board had not yet voted to accept any plan.

Who developed your OFFICIAL BALLOT? Where is the information to support your OFFICIAL BALLOT? What problem did you have with the language assuring members that left over assessments would be refunded or applied to their unpaid dues and assessments?

WHY WAS IT CALLED "OFFICIAL BALLOT" IN THE FIRST PLACE? That's deceptive.

The only close-minded person I see here is you, Carol and your group of angry, misinformed, and unyielding members. Since we didn't comply with your ultimatum, I suppose we are all going down, is that right?

Your mantra about everything "being rushed" has no validity, especially with respect to the bylaws. The bylaws committee held at least one meeting every month, starting in November, 2011. There were at least a dozen meetings. Each section was carefully reviewed by every member. We kept track of every change and where we left off. Every section was reviewed between three and five times. Often changes in one review were reversed during another meeting. The chair turned the final draft over to the board and the committee was disbanded. It was a special committee, appointed on an as needed basis. Once the bylaws went to the board, their job was done.

Gwyn wasn't even around to attend the committee meetings. She sent a lot of emails to many people, including one of my neighbors, stating she was out of state; Texas I think. Anything having to do with the bylaws that she would have sent via email, US postage, etc. would have been presented to the members for review. Anything that anyone, committee member or not, would have submitted would have been considered by the committee members. Russell, the chair of the committee, is a fair and honest man. The committee had already been disbanded by the time Gwyn chose to send anything. There was no rush. It was a reasonable timeline and complied with the limits in the bylaws.

All committees end at the end of the fiscal year. There is no provision for any committee to continue past the end of the fiscal year whether it be a standing committee or special committee. There are no committees in existence at this time, standing or special, according to the bylaws. Don't you agree?

The condition of the pool has been public knowledge for years. We reached a point where continuing to operate might cause irreparable damage. I would have liked to discuss my thoughts on the pool, but you and Carol wanted nothing to do with it. When an assessment is passed, it need not be levied all at once. We should not proceed to get bids for the repairs until we have the professional engineering studies and architectural drawings needed to prepare a formal request for proposals.

We do not have the money. What none of you can seem to admit is that fixing our pool is and always has been about the money. Regardless of who holds office . . . if there is no money . . . there is no pool. It is not about personalities and rhetoric.

As far as your offer of an olive branch and your ground rules as to how we can all pull together and get along, all of the directors except you and Carol have been following those guidelines all year. IOT was you and Carol who decided to force your views on everyone else on the board. This is a good time for self-reflection and as much as

it pains you, an acknowledgement that the closed-mindedness comes from your side.

No one sent you an ultimatum. One of the things we all must accept is that after all is said and done, the majority vote prevails. No temper tantrums. No threats.

Do you not see the close-mindedness you, Carol, and your group have exhibited? You seem to think the rules you propose we follow is a new revelation, when it is only new to you. There never was any agreement among those directors you see as your nemesis and still continue to group together as a solid voting block. We never have been. You are obsessed with the vote that removed Gwyn, and Jean wasn't even a board member then. I did not even know who Jean was when that vote was taken.

Perhaps you need a nemesis to function, because of the expectations you have developed in your job.

You have to address your own inability to recognize that the directors you think were all against you and Carol never reached an agreement on the pool project as you contend. It never was you and Carol against them. Look at all the unanimous votes this year. Look at all the votes where one or two of those you see as being against you were the only one's on the opposite end of a motion you supported. It never was the way you see it, and both you and Carol must get over that perception of being all alone. There were only a few times when a vote on a motion turned out to be "us" against you.

Your evaluation of this "group" is not realistic, because we do not continually think and vote alike. Often, directors are convinced to change their position during discussion and vote with a group. Remember when I objected to going against the bylaws and voting to extend the filing deadline? Based upon the comments you made (which I subsequently discovered were not applicable in this case), I was persuaded to change my mind and the vote was unanimous.

Recognize your MO, Dustin. You are obsessed with being the one to submit the proposal to hire a mediator. You have an insatiable desire to be in control. You are still looking to strike first . . . to win. The only conspiracy is your own. You and Carol must learn to accept the majority decisions when you are not part of that majority. Everyone else does. In fact, you and Carol are the only directors who consistently vote as a block. So far, no majority ever materialized among any group of directors with regard to the pool project.

Every one of us have been outvoted at some time this year, does that mean everyone who voted against a minority position was closed-minded? Please examine your motives. This is not an employer/employee relationship. It is not a matter of conflict resolution; it is a matter of complying with state law and our bylaws.

You are still trying to dictate the terms and outcome of this matter. You want to win, not compromise. I want to make the decision that serves, in my opinion, the best interests if the club. You are so fearful and opposed to allowing directors to make the decisions the law compels them to make that you would rather shift the decision-making to an angry mob or now a mediator. You obviously have experience at swaying mediators and probably have worked with most of them. Besides, this decision will be out of your hands at the end of this month. Who knows what the decision of the new board will be or what alternative will turn out to be the best?

I am convinced that you and Carol are unable to accept the majority opinion when it is you two who are in the minority. In this case, you reacted prematurely. I will propose that we assign a committee to develop some alternatives with a 30 day maximum time limit, review the recommendations, evaluate the options, and vote on an appropriate action. It will be the next board that makes the decision. I think using mediation to make a decision for the board of directors of a corporation is out of order. Conflicts in a corporation are resolved by a vote of the directors, not mediators. That is the law.

You may get what you want, and who knows, it may be a unanimous vote. I have some specific wording that I think needs to be contained on the ballot, but may be overruled by the majority. That's how it works, Dustin.

The matter is no longer in our hands now. A new board will be formed this month. Let's see what happens.

From: dustin@local519.org
To: karenshaak@gmail.com; dan_serv@hotmail.com; jean_salls2000@yahoo.com; suzypalmer1@me.com; denewsham@juno.com; hartfolks@cablespeed.com; rkarj78@gmail.com; iversid@cablespeed.com; bspettersen@earthlink.net; caroldchina5@yahoo.com; hermitanamaria@gmail.com; rapeetz@gmail.com
CC: bbwilbur@broadstripe.net; gwynstaton1@msn.com; joanna.weeks@gmail.com
Date: Sat, 29 Sep 2012 13:18:17 -0400
Subject: RE: dustin is an ass

Karen , Dan and Jean----this is not personal, I don't call you names or think you are bad people. I don't care if we are an HOA or a beach club—I accept the courts decision.

I care about maintaining my property value and the livability of the Cove for me and other members and that includes preserving and maintaining the amenities we already have.

Jean---you mentioned fond memories of your grandchildren swimming at the pool---well I want that memory too. I have offered many suggestions at compromise to appeal to the various factions in the cove---as far as I can tell---the three of you, and Maria, have had a closed mind to anything other than immediate full refurbishment. All of your actions have reinforced that perception. To this day none of you have put forth justification in writing for the \$1000 assessment or the dues of \$275 per year.

I'm confident that proposal would have a very poor chance of being approved---which is why I am working hard to develop other proposals that would have greater appeal to the diverse community. The fact that you didn't support the development of other alternatives and don't support the idea of a broad based ad hoc committee of cove members to develop proposals---sends a clear message.

Despite some of your comments about supporting the pool your unwillingness to fine tune the cost figures or spread the cost over time indicates that you do not support the pool and your goal is to present a refurbishment proposal to the community in such a way that it will surely be defeated, with a vote to remove the pool---thereby ending the controversy.

You have a right to your position and I have right to mine. Calling me, or other passionate cove members names doesn't enhance the possibility for productive dialogue.

Name calling does not bother me personally because I deal with conflict on a daily basis in my professional life---but it does bother most people and it virtually shuts down communication. You are all intelligent people---you can express your opinions without vitriolic hyperbole.

You may think that the proposed changes to the bylaws was a very open and inclusive process---I don't agree with that assessment and I expressed that disagreement in a very professional way on Nextdoor. I said you rushed the process and did not fully explain the motive for some of the changes---most notably the proposed changes to Article VI section 4 and 6. Your response was to take down my post which is certainly inconsistent with your stated goal of "transparency" and being open to community input or different opinions. Your decision to take down my post says---**let's just silence the opposition.**

That one decision—to take down my post because you disagree with it---says it all.

It is obvious we have three basic groups in the Cove---those who support the pool---those who want it gone and

those who don't care one way of the other.

Right now we are at a log jam and if we are going to get through it---there will need to be openness, a willingness to compromise and an end to the vitriolic name calling , death threats and personal attacks.

I will be proposing that the next Board utilize the mediation process to resolve the differences in the cove. It is free, it can be very successful if the parties come into the process with an open mind, without a "fixed" position and a sincere desire to find a sustainable solution. However---one of the basic ground rules is that you must treat all parties with respect---so name calling and death threats would not be allowable.

In any event---I'm hopeful that we can overcome the divisive history of the Cove and I'm going to put my energy into that effort. I invite you to join me.

Dustin

From: karen shaak [<mailto:karenschaak@gmail.com>]
Sent: Saturday, September 29, 2012 7:36 AM
To: Dustin Frederick; Dan'l Jones; Jean Salls
Subject: Re: dustin is an ass

Awesome. I heard Sam Pulley would be there, can't wait for his response when you bring it up.

On Fri, Sep 28, 2012 at 8:15 PM, Dustin Frederick <dustin@local519.org> wrote:
 Hi Karen, I won't complain but I will bring it up at the annual meeting.

From my HTC Amaze 4G on T-Mobile. The first nationwide 4G network

----- Reply message -----

From: "karen shaak" <karenschaak@gmail.com>
 To: "Jean Salls" <jean_salls2000@yahoo.com>, "Dustin Frederick" <dustin@local519.org>, "Dan'l Jones" <dan_serv@hotmail.com>
 Subject: dustin is an ass
 Date: Fri, Sep 28, 2012 5:43 pm

i deleted his post against the bylaws. if he complains too bad. he didn't get his way so he's going postal.