

To: Williamson-County Board of Directors
From: Megan Dudo, Board President
Date: January 17, 2023
Re: Resolution of Censure Against Director Fabre

The January 18, 2023 Regular Board Meeting agenda includes an item for discussion of Director Fabre's censure, which was originally voted on by a majority of the Board in June 2022. At the December 12, 2022 Board Meeting, Director Fabre claimed that the resolution of censure was "baseless." And in June she characterized the censure as a demonstration of the Board's intolerance for differences of opinion. Both are untrue.

The decision to adopt the resolution of censure was made only after the Board had witnessed 20 months of behavior we believed to be in conflict with the District's interests. More specifically, we felt Director Fabre's behavior was undermining the integrity of the District, putting the District at ongoing risk of liability, wasting taxpayers' money and resources, and interfering with the District's ability to conduct its business.

It should be noted that leading up to June of 2022, Director Fabre had repeatedly been made aware that her actions were considered a liability to the District, and she willfully chose to ignore the concerns of not only the other four Board members, but of the District's prior legal counsel, Bill Flickinger, and current legal counsel, Zac Evans, both of whom were/are obligated to protect the *District's* interests above all else, and most certainly above the interests of individual Board members. These matters were not only discussed at meetings, in both open and closed sessions, but also addressed through the District's Communication Policy, which was implemented as a direct result of concerns we had about Director Fabre's behavior.

At the time the resolution was adopted, in June of 2022, the Board did not feel it necessary to assemble supporting documentation for its decision because each of us had witnessed first-hand the events that got brought us to that point. However, I appreciate that as of November 2022, we have new directors who were not on the Board at the time the resolution of censure was put in place, so it is reasonable for those directors to want documentation of the basis for that decision.

I have described below the reasons for which the majority of the previous Board considered Director Fabre's actions to be in conflict with the District's interests, and in Appendix A I have included additional documentation in the form of meeting videos, social media posts, emails, and photos to support these claims. The evidence presented is by no means exhaustive but is intended to be illustrative of the extent of the issues we experienced.

To hear the statement I read during the original discussion of this matter in June 2022, please reference the [June 15, 2022 regular Board meeting](#), timestamp 00:34:15.

Liability and Unnecessary Costs to Our Taxpayers

Director Fabre has brought liability upon the District and burdened our taxpayers with excessive legal and administrative costs in the process of advancing her own agenda and in lieu of working in good faith with the other members of the Board.

Director Fabre's 2020/21 Lawsuit

During Director Fabre's campaign for office in the summer of 2020, she filed a lawsuit against the District relating to various issues she had with the District's deed restriction enforcement process. When she was elected to the Board in November 2020, Director Fabre made no attempts to use her newly acquired position to work collaboratively and in good faith with fellow Board members to address her concerns, but rather continued with her lawsuit, amending it three times over the course of the following year, each time extending the length of litigation and costing District taxpayers more money, resources, and time. When she realized she wasn't going to be able to sue the District itself, one of her three amendments resulted in her suing each of the other four Board members individually.

The suit was finally dismissed with prejudice by the court in September of 2021, more than a year after it was initially filed. It cost the District over **\$100,000** in legal expenses, none of which were recouped (see accounting spreadsheet that was used to track these expenses in Appendix B).

In addition to the monetary cost of the lawsuit, it is my observation and opinion that the lawsuit severely crippled the District in other fundamental ways: inhibiting discussion and sharing of ideas and shutting down constructive problem solving. This occurred by virtue of the fact that we were the defendants in a lawsuit, and were therefore advised to be careful what information we disclosed to the plaintiff, but also because Director Fabre made frequent and repeated public statements in which she attempted to undermine the authority of the Board to enforce deed restrictions, made interpretations of the deed restrictions and the law that were unsupported by the District's legal counsel, and made false and unsubstantiated allegations against the other four Board members and District contractors, including our attorney.

Following the resolution of her lawsuit in September 2021, Director Fabre continued to publicly threaten the District with future action and to mislead residents as to the outcomes of her lawsuit and its costs.

Vexatious and Excessive Open Records Requests

All official open records requests (ORRs) made under the Texas Public Information Act must be handled by professionals who understand the law and the proper procedure for releasing information. Everything must be appropriately documented, decisions must be made about sensitive material, communications must adhere to specific protocols, dates need to be monitored and recorded, and time spent working on the request needs to be tracked. This is not unique to our district but is the proper procedure for handling open records requests for any public entity in the state.

Because of this necessary procedure, the fulfillment of ORRs does cost money. And under most circumstances this is simply the cost of doing business as a government, with personnel time required to manage these requests accounted for in annual budgeting. But the smaller a government is the harder it is to absorb these costs when certain persons or groups abuse their right to information. While some of these

costs can legally be charged back to the requestor, those amounts are typically quite small when compared to the overall costs associated with the fulfillment of open records requests.

Prior to 2018, our District spent so little on fulfilling requests made under the PIA that there was no need to track those costs outside of our standard legal and administrative costs. But starting in 2018, the year Director Fabre became actively involved in the District, those costs went from effectively zero to:

- \$10,000 in 2018,
- \$87,000 in 2019,
- \$148,000 in 2020 (incidentally, the same year Director Fabre ran for office),
- \$62,500 in 2021, and
- \$32,000 by the end of the 21/22 fiscal year (September)

This adds up to a 5-year total of over **\$340,000**.

While Director Fabre's censure is a result of her actions *after* taking office and not what happened before she took office, it is relevant to share the full history of our open records expenses and Director Fabre's ongoing involvement in those expenses to provide a context for how she has behaved with respect to this issue *after* taking office and the rhetoric she continues to use when discussing the matter.

- In 2018, 8 ORRs were made by Director Fabre herself and 3 more were made by her known associates, for a total of 11 out of the 11 ORRs made that year.
- In 2019, 18 ORRs were made by Director Fabre herself and 9 more were made by her known associates, for a total of 27 of the 34 ORRs made that year.
- In 2020, the year Director Fabre ran for office and our most costly year to date with respect to ORRs, 32 ORRs were made by Director Fabre herself and 8 more were made by her known associates, for a total of 40 of the 45 ORRs made that year.
- In 2021, after Director Fabre was in office and therefore should have had no further need to file ORRs, 5 ORRs were made by Director Fabre herself and 3 more were made by a known associate, for a total of 8 of the 17 ORRs made that year.
- In 2022 (also an election year), 22 of the 45 ORRs made were from known associates of Director Fabre's, and 13 of those were made by a close associate of hers who no longer lives in our District but who was actively involved in the campaigns for the Board candidates Director Fabre supported.

While it would be extremely difficult to parse out how much of the **\$340,000** total is attributable to Director Fabre, it is reasonable to say the total lies somewhere between an estimated **\$176,000**, if we count only those requests by Director Fabre herself (63 total requests), and **\$255,000** if you include the ORRs made by her known associates (total of 108 requests), as it is essentially irrefutable that the information was being collected as part of a collaborative effort.

To this day, Director Fabre refuses any accountability for these costs to the taxpayers and has instead repeatedly mischaracterized the expenses as the result of the Board and contractors attempting to "withhold public information." In November of 2021, following the resolution of her lawsuit, she stated that it had been necessary for her to issue that many open records requests to find the information she needed to file her lawsuit against the District.

Director Fabre additionally claimed that the records she had procured through ORRs showed evidence of “fraud,” a claim she has never been able to substantiate but has repeated in many public meetings.

Suspected Involvement in Other Threats to the District

On February 16, 2022, resident Shannon Baur attended a Board meeting and distributed a letter accusing directors of violating state, federal, and international law. In her public statement and in her letter to the Board she threatened to file a claim against each director’s insurance bond if we did not issue an apology to residents and resign our positions.

Under the advice of our then-new legal counsel, Ms. Baur’s demands were not met, and, as promised, she did subsequently file complaints to our insurance provider. At the Board Meeting in March of 2022, our legal counsel, Zac Evans, described his experience with this type of threat and how it aligned with the actions often by a domestic terrorist group known as Sovereign Citizens.

While this threat was made and subsequent action taken by Shannon Baur and not Director Fabre, we know of associations between Director and Fabre and the Baur family (see account of attempted Open Meetings Act violation below, as well as email exchanges between Director Fabre and Zac Evans that Mr. Evans provided in his Board packet materials this month), and, more importantly, we have evidence to strongly suspect Director Fabre at *minimum* knew about Ms. Baur’s plans to threaten action against the Board, and, at worst, assisted her in taking that action.

On February 7, 2022, a week prior to Ms. Baur’s letter being issued to the Board, Ms. Baur submitted an open records request to the District asking for information about our directors’ insurance bonds, and the *very next day*, on February 8, 2022, Director Fabre sent an email to our attorney’s paralegal that read:

*Good Morning Allison,
I attempted to create an online account with The Hartford insurance company yesterday so that I can review my bond policy with them. In order to complete that set up, I need the policy number and mailing zip code for my policy.*

Please send me the information first chance you have, so I can see the actual policy.

*Thank you,
-Linda Fabre*

Director Fabre was assisted in setting up her account, as it is certainly her right as a Director to view that information. But I have trouble believing it’s a coincidence that 15 months after taking office Director Fabre would suddenly become interested in viewing the details of her insurance policy, one day after Ms. Baur submits an ORR for essentially the same information, and just one week before Ms. Baur threatened to file a claim against our insurance bonds.

I did not have the time to go back through the legal invoices to add up how much this incident cost the District in legal fees, but it was a multi-month process that involved our legal counsel going back and forth

with our insurance provider to completely resolve the matter. I'm sure it was at minimum thousands of dollars worth of work and a lot of time wasted. The claims were ultimately dismissed by our insurance provider.

Procedural Violations, Interference with District Business, and Potential Violations of the Open Meetings Act

Director Fabre has repeatedly violated Board procedures and interfered with District business in ways that have unnecessarily complicated the business of the District, wasted both directors' and contractors' time (contractors' time = money), and put other directors at risk of violations of the OMA.

Email Violations

Director Fabre has repeatedly sent emails to multiple other Directors simultaneously and committees of which she is not a part.

December 2021 Park Workshops

At the October 20, 2021 Board Meeting the Parks Committee received Board approval for the Park Plan Advisory Committee (which, by charter, included directors Jones and Dudo) to lead several public park planning workshops.

At the first workshop held on December 1, 2021, Director Fabre showed up at the workshop with resident Shannon Baur. Director Fabre had a binder with her and indicated that she was fully prepared to participate in the workshop.

Directors Jones and Dudo intercepted Director Fabre at the door and told her she could not be there because there were already two directors present and the meeting had not been properly noticed as having a quorum of the Board in attendance. The presence of a third director would be a violation of the Open Meetings Act.

Director Fabre entered the building anyway, insisting that she absolutely could be there, as she was a resident of the District. She told Directors Jones and Dudo that if they were worried about violating the OMA then one of them would have to leave because she was staying. An argument ensued in which Director Fabre and Shannon Baur continued to insist that Director Fabre was allowed to participate in the meeting. Director Fabre insisted that Director Dudo call the District's legal counsel to get his opinion on the matter. Director Dudo did attempt to call, but it was after hours so counsel was not available.

Director Dudo informed Director Fabre that if she (Dir. Fabre) insisted on staying, then she (Dir. Dudo) would have to cancel the meeting to avoid a violation of the OMA. Director Fabre's response was essentially, "do what you gotta do, but I'm not leaving."

Prior to making the announcement that the meeting would have to be cancelled, Director Dudo spoke with resident advisory committee member Carrol Norrell, a retired resident who had served on numerous public

boards and committees throughout her professional life. Ms. Norrell agreed that Director Fabre's presence would be considered a violation of the law. She spoke with Director Fabre herself and finally Director Fabre agreed to leave. However, the resident who attended with Director Fabre, Shannon Baur, then proceeded to disrupt the workshop with allegations that the parks committee was violating the law. She continued to be disruptive and would not let the issue drop until other workshop attendees (residents) spoke up and told her to sit down so the workshop could continue as planned.

Although we don't have video of the incident, we do have several witnesses who could attest to what happened that night, and Director Dudo did speak with former legal counsel, Bill Flickinger, the following day to report the incident. At that time, Mr. Flickinger confirmed that had Director Fabre stayed and the meeting been allowed to proceed, it would have been a blatant violation of the OMA.

For the park workshops the following evening, December 2nd, Shannon Baur returned, without Director Fabre, and continued to make accusations that the District's legal counsel was misinterpreting the law, and that the Directors themselves would be complicit in breaking the law if they did not stand up to him. Again, another (different from the first evening) workshop attendee had to step in to help so the workshop could continue.

Direct interference in the work of committees and District contractors

On numerous occasions Director Fabre has attempted to interfere with other Directors' ability to do their committee work and contractor's ability to perform their jobs. This includes, but is not limited to interference in deed restriction enforcement matters and other District projects.

Abuse of District Contractors

Since taking office over two years ago, Director Fabre has repeatedly and publicly accused our District contractors of incompetence, dishonesty, and criminal and unethical behavior, particularly Inframark, Sage Management, and both attorneys who have worked for the District since Director Fabre took office. She has bullied and threatened Makenzi Scales, Diana and Jimmy Sagnes, Herb Edmonson, Bill Flickinger, and Zac Evans.

When our legal counsel (both prior and current) attempt to protect the District's interests and assert their opinion that Director Fabre's behavior is problematic for the District, Director Fabre attacks them directly through both verbal threats and accusations and through formally filed complaints to the State Bar Association, the Attorney General, and the Texas Commission on Environmental Quality (TCEQ).

Director Fabre's behavior towards our contractors puts the District at risk of liability and limits our options for future contracts. The MUD world is a small world, and if this abuse of contractors continues, it is very real possibility that we will begin to have difficulty finding contractors willing to work with us. It is in the best interest of our constituents that we maintain professional and mutually respectful relationships with all our contractors so we can continue to procure the best possible services for the best possible cost.

Misuse of Fees of Office and Associated Public Record

For over a year, Director Fabre collected fees of office for unqualified and self-assigned work. To be completely fair, the Board did approve payment of these fees of office, despite some of us having questions about whether they qualified. However, when it was brought to light by the District's new legal counsel that these fees had been inappropriately requested and paid, Director Fabre took no accountability for the error, instead arguing with our attorney about his interpretation of the law and attempting to deflect attention and blame onto other Board members, past and present.

In addition, Director Fabre continually used her fees-of-office request forms, which she knows to be public record, to make unsubstantiated accusations about contractors and fellow Board members.

Breach of Attorney-Client Privilege

In a closed executive session sometime around the summer of 2021, Director Fabre openly admitted to a breach of attorney-client privilege as it related to an ongoing lawsuit between the District and another resident. Because the session was closed there is no video evidence of it. However, the incident was witnessed by the other four Board members and our previous attorney, Bill Flickinger. Mr. Flickinger did inform Director Fabre at the time that what she had done was a breach of attorney client privilege, and I did document the incident occurred, albeit without precise dates, in a communications policy violations report I submitted to Mr. Flickinger in November 2021.

At the October 18, 2021 Board meeting, during the discussion/approval of the minutes from the previous month Director Fabre described a detailed conversation about deed restriction enforcement matters that she wanted to have included in the minutes. Director Dudo asked Director Fabre, "Was that in open discussion? That wasn't in our executive session?" And Director Fabre insisted, "No, that was in open meeting." A subsequent review of the video from the September meeting confirms that the discussion did, in fact, take place in executive session. So, Director Fabre's description of what was said in that conversation again constitutes a breach of attorney-client privilege.

Within weeks of hiring our current legal counsel, Zac Evans, in February 2022, Director Fabre openly told Mr. Evans in an email exchange that she was going to share what he told her to residents of the District. This incident has been separately documented by legal counsel in the memorandum to Directors sent January 13, 2023 and was also discussed in an open session of the Board in March 2023. Following the incident, Director Fabre and an associate of hers attempted to challenge Mr. Evans' right to protect attorney client privilege by requesting the information through an open records request and then writing the Attorney General's office.

Lack of Change in Behavior Since Censure

Director Fabre's censure has been in place now for seven months. Since that time there has been no meaningful change in her behavior that would convince me to vote in favor of lifting the censure.

Since the time of her censure in June 2022, Director Fabre has continued to publicly accuse Board members and contractors of criminal and unethical behavior, she has been expelled by vote of the Board from a meeting for violating the Rules of Order, she has continued to violate those rules at future meetings, she has

continued to misrepresent the outcomes of her lawsuit, she has continued to fight our attorney in his attempt to preserve attorney-client privilege, and she has openly lied about her actions.

Appendix A

Evidence has been provided in chronological order. This list is by not intended to be exhaustive but rather to provide representative samples of the issues referenced in this document.

Meeting timestamps have been provided in the following format: *hour:minute:second*

1. December 14, 2020 Meeting

- a. Timestamp: 00:56:00 – An example of Director Fabre’s interference in deed restriction enforcement processes. At 00:58:20 she says, “You’re going to have a problem with this one that’s going to be long lasting ...” This was issued as a threat to the Board that she was going to continue to interfere in enforcement related to that property.

2. January 18, 2021 Meeting

- a. Timestamp 00:41:56 - Director Fabre refers to Sage's letters to residents and "fraudulent."
- b. Timestamp 02:52:25 - Director Fabre reads a statement in which she misrepresents Sage's protocols, states her own interpretation of state law, claims Sage's enforcement is "unfair," "inequitable," "illegal," and "unethical." States that enforcement practices are a violation of "residents rights" and that Sage is "deceiving residents." She advises residents on how to avoid paying their fines by marking their water bills "For water only" even though such a thing was not allowable in accordance with the District's rate order.
- c. Timestamp 02:57:20 – Director Fabre calls out a resident by name, accusing him of repeatedly violating deed restrictions and receiving special treatment. She goes on to make very personal statement about his car ownership, stating his vehicle is privately insured and not police-issued, making it clear she had been investigating the details of his car ownership. It is relevant to note two things about this: 1) at the time this resident, Melvin Allick, was the new president of AMWNA, the other organization named in her lawsuit against the District, which gave her motivation to publicly discredit him, and using her position and voice as a director to do so during a public meeting of the Board was highly inappropriate. And, Director Fabre is a retired employee of the Texas Department of Transportation, and we have evidence to suggest that she was continuing to utilize her employee access to vehicle records to investigate residents' car ownership. On April 9, 2019 (prior to becoming a Director, she sent the following email to Sage Management. Note that when you click on those links it is clear that the information in this database is not available to just anyone. It is for authorized personnel with authorized accounts, only.

----- Forwarded message -----
From: **Linda Fabre** <mjlrfabre@gmail.com>
Date: Tue, Apr 9, 2019 at 10:38 AM
Subject: TxDMV - MVINET
To: WTC1 S <wtc1@sagemanagement.services>

Below is a link to the database that will help solve the 'who's car is this' debacle and the second link provides more links on how to gain access.

I'll be listening on Wednesday evening for the big shout out thanking me for helping you find this invaluable resource which will make your job a little easier and less likely to piss off the neighbors.

Me, I adore you no matter what.
-Linda

<https://ssoextprd.txdmv.gov/sso/UI/Login?goto=http%3A%2F%2Fmvinet.txdmv.gov%2Fmvd%2Fmvd.html>

<https://mvinet.txdmv.gov/?fbclid=IwAR2SPKLbmCGhlfOd-Wsutyk7SblYhodWgM03puSfAzE1pJzk09AHvODzXfE>

- d. Timestamp 03:00:00 - Director Fabre states her interpretation of the law regarding the District's authority to enforce deed restrictions and how that relates to our District rules.
3. January 21, 2021 Nextdoor Post made by Director Fabre in which she makes several accusations about the other four Board members (see Image 1)
4. [January 27, 2021 Meeting](#)
 - a. Timestamp 00:14:30 – District legal counsel Bill Flickinger makes a statement about how he recommends Board members conduct themselves to best serve the interests of the District.
 - b. Timestamp 01:41:08 –Bill Flickinger explains why Director Fabre's Nextdoor post from January 21, 2021 (see #2 above) is problematic and explains why certain words she used are inaccurate and misleading. She insists her statements are true despite Mr. Flickinger telling her they are not true.
 - c. Timestamp 02:24:15 - Director Fabre tells Bill Flickinger that what she is seeing in an invoice looks to her like evidence of "embezzlement." Mr. Flickinger responds.
5. Examples of ongoing use of Fees of Office Request Forms (public record) to make accusations about contractors and other board members. Quotes included below, but actual forms are available if needed:
 - a. Request for January 2021: *"To identify suspected fraudulent actions by the Board and the lack of controls in place to prevent it."*
 - b. Request for March 2021: *"Significant changes infringing on 1st Amendment rights and democratic principals [sic] of free, representative governance."*
 - c. Request for April 2021: *"History demonstrates that Sage has been citing residents for violations not contained in the deed. Some of the letters sent to residents continue to violate the residents' rights attached to the Sage contract ..."*
 - d. Request for September 2021: *"Jimmy and Diana Sagnes targeted residence already in their cross hairs on the July 30th tour. The mistakes on their letters continue along with their perpetual billing errors."*
 - e. Request for September 2021: *"[Catherine] denies any discussion of the continued fraudulent billing and skips over most everything on the agenda."*
 - f. Request for September 2021: *"... tour letters confirm that Jimmy and Diana Sagnes are targeting residents."*
 - g. Request for September 2021: *"Continued fraudulent billing practices by Inframark, Sage, and the engineer ..."*

6. [February 15, 2021 Meeting](#)

- a. Timestamp 00:53:50 – Director Fabre makes an interpretation about the role of the AMW ACC in the deed restriction enforcement process. (see item 7c, below, for Bill Flickinger’s response to this same issue in a future Board meeting).

7. February/March/April 2021, Proposed Elder Care Home on Dagama Court - The District was approached by a woman who had recently purchased a home on Dagama Court and wanted to run a senior communal living arrangement out of the house. On February 28, 2021, unbeknownst to any other member of the Board, Director Fabre organized a meeting with residents and the property owner to discuss the matter.

The meeting did not go well, but residents quite reasonably did not realize that Director Fabre had 1) acted on her own, 2) did not have the authority to speak on behalf of the District, and 3) was making statements that were unsubstantiated by the District’s legal counsel and unsupported by the other four Directors.

As described by residents after the meeting, Director Fabre made definitive statements to meeting attendees about how the District enforces various sections of the deed restrictions, most notably, that the District does not enforce the single-family use provision of the deed (also see screenshot of Director Fabre making this same statement on Nextdoor on March 8, 2021, Image 2).

In frustration and believing that the District wasn’t going to do anything to address their concerns, residents began circulating a petition to asking the District to enforce the single-family use provision of the deed. The situation blew up on Nextdoor, and upset residents sent emails to the Board and came to speak at several Board meetings in March and April 2021.

Image 1

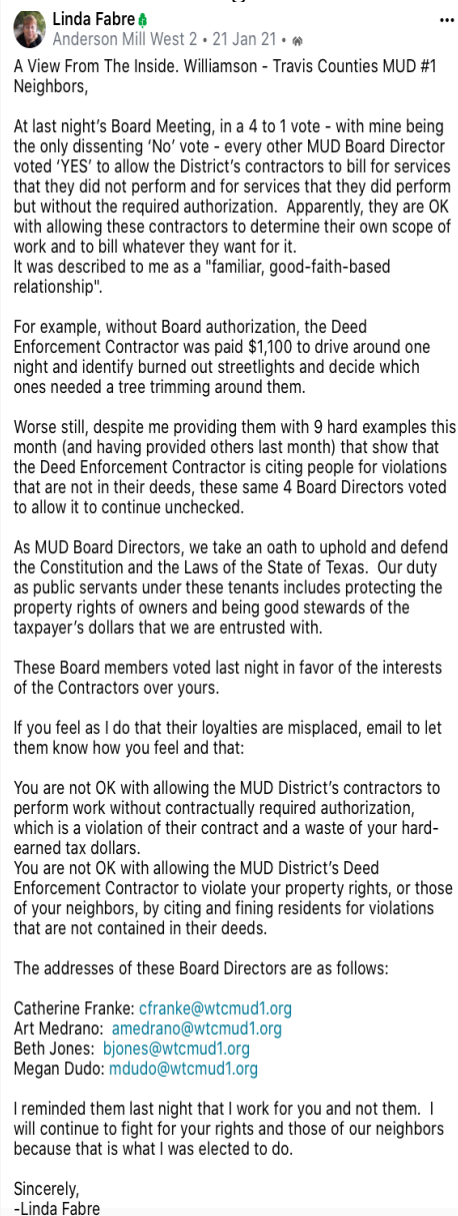
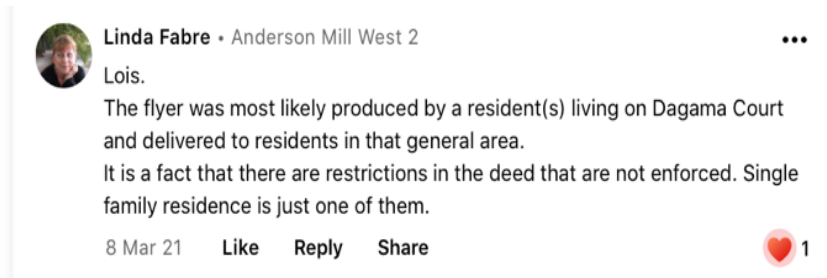


Image 2



Director Fabre's actions made what was already a complicated enforcement issue into a PR mess before the Board even had a chance to fully understand the issue, before any actual decisions had been made, and before the District's legal counsel had provided any formal recommendations. This was all happening at the same time Director Fabre was suing the District for deed restriction enforcement issues, making the situation even more challenging to navigate.

Despite how poorly the meeting went on February 28th, Director Fabre continued to act, without approval, as the mouthpiece for the District on this matter (See Images 3 and 4), further inflaming the situation.

When confronted by the Board about why she took it upon herself to hold neighborhood meetings without the District's knowledge she claimed that she was hosting the meeting as a resident and not as a director. But residents had clearly not perceived it that way. And, in direct conflict with her statement that she was acting only as a resident, Director Fabre requested (and was paid) a fee of office for that February 28th neighborhood meeting.

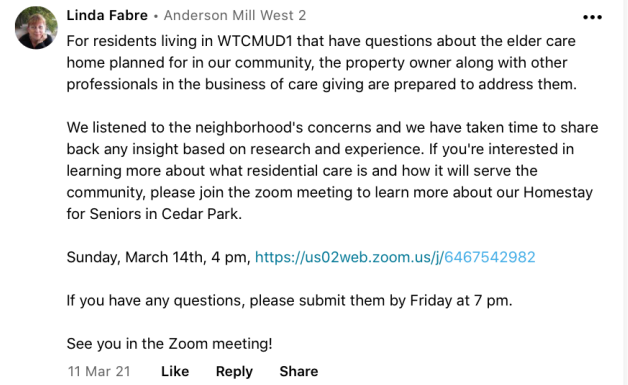
Image 3



- a. [March 15, 2021 Meeting](#), Timestamps 00:19:15 - 00:30:06; 00:30:50 - 00:44:00; 00:49:30 - 00:56:55 Citizen comments regarding the situation on Dagama Court.
- b. [March 17, 2021 Meeting](#), Timestamps 00:09:45 – 00:17:20 Citizen comments on Dagama Court situation.

- c. [March 17, 2021 Meeting](#), Timestamp 01:50:10 – 02:09:00, Lengthy and very messy Board conversation about the situation on Dagama Court. Despite Director Fabre’s repeated insistence that he was there only as a resident and not as a Director, at 02:05:18, Director Dudo points out that Director Fabre asked for a fee of office to be compensated as a Director for that meeting, and Director Fabre admits she was doing work for the District, but also continues to simultaneously insist she was only there as a resident (also see Image 5).

Image 4



- d. [April 12, 2021 Meeting](#)- Meeting held specifically to take citizen comment on the situation on Dagama Court. In addition to a lot of testimony about the land use proposal itself, residents gave their account of Director Fabre’s role in the matter and the ongoing harassment they had been receiving from Director Fabre’s associates.

8. [March 15, 2021 Meeting](#)

- a. Timestamp 02:03:55 – Example of the conflict caused by Director Fabre’s lawsuit and how that relates to the sharing of information. Example of how Director Fabre addresses Sage Management in an open meeting, including demands, threats, and accusations (“and we know she’s not truthful”).

- b. Timestamp 02:15:00 – Ms. Franke explains why the release of information to Director Fabre about deed restriction enforcement issues has potential conflicts for the District given her lawsuit, and why she feels all requests for information now need to flow through our attorney (creating additional cost to the District).

- c. Timestamp 02:19:35 – Director Fabre makes an interpretation about a deed restriction enforcement issue, and Mr. Flickinger tells her she is incorrect. He further tells her (02:21:45) that because of her lawsuit it makes it very hard for him to offer her his opinion about deed restriction enforcement issues. Director Fabre continues to argue with our legal counsel over whether or not the issues relate to her lawsuit and *her* interpretation of the deed restrictions.

Image 5

Director Fabre’s Fees of Office Request Form for 02/2021

Date of Business	Description of Business Performed in Service to the District	Name of other participants, if applicable	Short explanation of why this merits reimbursement per Sec. 49.060 (only necessary if requesting reimbursement)	Mark (X) if you are requesting reimbursement for this meeting	fees of
2.14/15. 2021	10 hrs Audited and compiled Sage letters for Jan. Created spreadsheet summary for Board review.	none	Part of the contractors performance review that shows the contractor is in fact violating the residents rights with letters that do not conform to their contract or the rights guaranteed to residents.		
2.16.21	8 hrs Bills and Invoices review	none	Saves the tax payers from paying for services outside the scope of consultant contracts.	X	
2.19/22. 2021	20 hrs Inframark Invoice to WO Review, JaniKing Invoice	none	Billing outside the contract discovered in Inframark Work Orders. Recovered the peoples money by simply reviewing the invoices against the contract.	X	
2.26.21	2 hrs Met with property owner to discuss concerns of her neighbors and how to mitigate them.	Raphaela Sapire	Provided an understanding about the community, the MUD and it's authority, her deed, the ACC process etc. Offered to facilitate a meet and greet with her neighbors to address their concerns.		
2-28-21	2 hrs Met with 15 homeowners living in or owning property on Dagama Court	Property owners of Dagama Court	Ms. Sapire answered questions about her care home. The current residents grievances include parking issues involving emergency vehicles could not get to the home when events are happening at the park, elementary school or athletic field. The remainder of their grievances were personal as a result of a sense of ownership of the properties, roads and activities within the Court. (Phyllis) Resented the group of the power within their deed. The right to have a judge rule on Ms. Sapire's rights to her property.	X	

- d. Timestamp – 02:36:15 – Director Fabre admits to having followed the Jimmy Sagnes around the District.
9. [June 14, 2021 Meeting](#)
- a. Timestamps 00:12:20, 00:13:30, 00:16:02, and 00:17:07 – Director Fabre repeatedly reads a pre-written statement accusing Board members of trampling on people’s property rights and using District funds for their own personal interests.
 - b. Timestamps 00:20:22 – Director Fabre demands the District provide her with the names of the Executive Committee for AMWNA because she “needs that information to give to my lawyers.” Mr. Flickinger tells her he is not obligated to assist her in her lawsuit against the District, and in response Director Fabre accuses Bill Flickinger of not seeming to have any obligation to protect the District.
 - c. Timestamp 01:17:25 – Asks for an explanation about “contractors withholding public records.”
10. [August 18, 2021 Meeting](#)
- a. Timestamp 00:44:40 – Director Fabre says that record keeping issues she’s identified lend themselves to fraud.
11. [August 25, 2021 Meeting](#)
- a. Timestamp 02:15:00 – Beginning at this timestamp there is a lengthy and emotional discussion about the draft budget for FY 22, which occurred one month before the court ruled to dismiss Director Fabre’s lawsuit. Over the course of the discussion, Director Fabre tells the Board to increase the budget for open records requests for the coming year and accuses Bill Flickinger, Inframark, and Sage Management of withholding District records. The part of the discussion starting at 02:24:55, illustrates how frustrated and upset the other Board members had become over how much money was being spent on the lawsuit and the looming potential for an appeal, and how flippantly Director Fabre spoke about those expenses. At 02:31:55 Director Fabre states she’s not doing to drop her suit until we “do the right thing,” demonstrating how the litigation was being used in an attempt bully the Board into changing policy.
12. [September 13, 2021 Meeting](#)
- a. Timestamp 00:50:11 – Director Fabre states we have vendors (contractors) who are defrauding the District.
13. [October 18, 2021 Meeting](#)
- a. Timestamp 00:26:50 – Director Fabre gives details of a conversation from the September 13th meeting she wanted reflected in the minutes. Director Dudo asks if that conversation happened in executive session. Director Fabre insists it was in open session. A review of the meeting tape from the September 13th meeting confirms the conversation did not take place in open session, meaning it took place in executive session, constituting a breach of attorney client privilege.
14. [October 20, 2021 Meeting](#)

- a. Timestamp 00:02:20 – Director Fabre makes a 5 minute “public” comment during which she makes a series of misleading and accusatory statements about the Board and several District contractors and addresses issues that were on the agenda for that evening *before* the Board has had the opportunity to discuss the matters at the meeting. This led to numerous mischaracterizations and inaccuracies.
 - b. Timestamp 00:05:15 – Director Fabre makes insulting remarks about the District’s account manager, Makenzi Scales, including that she is unqualified and the equivalent of a “person off the street.”
15. Email from Director Fabre to Beth Jones and Megan Dudo (Information Management Committee), dated November 5, 2021 – On this date, Director Fabre sent a lengthy email to two other Directors, constituting, at minimum, a procedural violation, and, at worst, a violation of the Open Meetings Act. No one else was copied on the email, and the message was specifically addressed to two other Directors. The email includes Director Fabre’s opinions, interpretations of the law, arguments over issues that had already been discussed by the Board, and directives about how to edit the website. The full content of the email is as follows. An original copy can be procured if necessary:

Beth and Megan,

There are many things that need correcting on the web that are misleading, misguided and just plain wrong. There are also some technical enhancements that surely Touchstone can make to their web design. After all, ours is nothing more than a template of the ones they have sold to other MUD’s. One example, when using the back arrow, take the customer back to the spot they left. Not to the top of the page.

Throughout the site, avoid using abbreviations.

1.) Home Page

Latest News - Insert a message in the blue heading bar that instructs visitors to click on the box for more details. When the latest news is a public meeting, use a picture of the meeting space so that at a glance, it reflects ‘meeting’. Link to the agenda and the attachments for the meeting including the link to the livestream information behind the box.

2.) More Info

District Committees - Replace my name with Catherine’s on the Billing and Invoice committee.

Consultant and Vendors - The list is incomplete. Update to reflect all of them. Use the contracts to fill in all the missing consultants and vendors.

Tax & Budget Information - include language that the average person would understand. Examples - Ad Valorem Taxes are Property Taxes, debt services are bonds.

Election Information - do not abbreviate. There is plenty of room to spell out CTA.

Add descriptors. Example - Ch. 573, Government Code, Open Government, Ethics, Sec. 49.052, Water Code, Administrative Provisions.

Events Calendar - At a minimum, it should identify each public meeting and link to the corresponding agenda. If Touchstone and Inframark are unable to do that, remove the calendar completely because it is not accurately reflecting meeting events that are open to the public.

3.) FAQ’s

Starting and Stopping Service

Where is the Inframark office located? That should be, Where is the payment office located? Followed by, Inframark employees are located at 1000 Old Mill Rd. to take payments in person. The space does not belong to Inframark, they only occupy it.

What do I need to do to start water service? Needs updating - deposits have gone up for renters I believe. Check the rate order for details. I don’t recall an application fee being identified in it.

How much notice....Inframark’s hours are 7:30 - 4:30.

Water System

How is my water usage rate calculated? - Include a link to the rate order in the answer, so that someone wanting an

answer can actually find it.

How is my sewer rate calculated? waste water is not consumed and this is not an answer to the question.

Parks and Ponds

Who enforces park rules after-hours and on weekends? The constables and sheriff's department do not enforce park rules. They enforce laws only so if someone is in the park breaking the law, they can do something about that. They can not enforce MUD park rules. Misleading.

Trash and Recycling

Who do I contact for trash and recycling services? Not answered. Something along the lines of - Inframark sets up these services when water services are started.

WTC MUD 1 Board of Directors

When are Board Meetings held? Does not identify the 3rd meeting of the month which is also a public meeting and point them back to a calendar that doesn't record every meeting is wrong.

4.) Amenities

Add a "Reservation Calendar" button that displays the same information that is printed and posted at the parks. (Leigh was given a list of improvements for the reservation system 4 months ago. To date, nothing has changed making the support contract useless.)

5.) Waste Collection

Include something to indicate the twice annual dumpster event so this becomes a known activity that people can prepare for.

6.) Deed Restriction Enforcement

In the intro, deed restrictions are tied to the real property that conveys with the land. The distinction is important because things you put on your property like a shed or trash cans are not real property and do not convey with the land. The shed you can take down without permission and the trash cans belong to waste management.

All lots and sections do not share the same set of rules. That is false. (Example, Lakeline Oaks does not adhere to MUD Rules.)

Concerns, Questions, or Report a Violation

If in Volente Hills, both Sabrina Washburn and Sage are doing deed enforcement, then identify clearly when you call one versus the other.

WTCMUD No 1 Deed Restriction Enforcement Rules

"Specific Rules Not Enforced by WTC MUD No. 1" needs to be corrected to

"Specific Deed Restriction Items Not Enforced by WTC MUD 1. The list is not inclusive of all the items contained in the deed that are not being enforced. Missing are:

Antenna, more than 2 cars for 72 hours, and fire pits, to name a few. Each of the 'not enforced' items needs to be supported by the Public meeting date where these items were exempted by a Board vote.

Signs was a deed amendment done with a resolution that changed the deeds to allow them, under MUD imposed conditions. Include the majority vote by section that agreed to that deed amendment.

Rulings made by AMWNA's ACC - Any rulings made by the ACC should include the corresponding Public Meeting date / minutes where a board adopted them for enforcement.

Changes to the deeds should be a separate heading and list the amendments or changes of deed terms. Where an ACC or a MUD Board has amended or changed the terms of the deed(s), the corresponding votes and county clerk filing needs to be linked to it.

Garbage Cans is not a ruling because it doesn't interpret anything. It imposes a new restriction which requires a majority vote to amend the deed. The form posted indicates a ruling from 2005 under George Csahanin. Either publish the 2005 ruling with a valid signature, date and approval indicator and the public meeting date where minutes will demonstrate that the 2005 MUD Board agreed to accept the ACC ruling and enforce the deed amendment.

Storage Pods are closed structures that screen items from view which the "Unsightly Articles' clause requires when items are not in actual use. An ACC can not remove the ability to store items in a closed structure that screens items from view. This would be a change to the terms.

Complaints of overnight parking contradicts what is not enforced. See comments,

1.) Overnight parking is explicitly prohibited as is the quantity of autos or pickups that can be on the property which is limited to 2, except the quantity can be exceed for 72 hours. (Car limits are not enforced.)

Yard Maintenance is not an ACC ruling. It's someones opinion. It has no date, no approval indicator and no

identification of the author or ACC that came up with it. It is arbitrary and capricious. If any ACC wants to step into this one, they need to put their name on it. Posting this opinion paper has led to residents being cited for a violation of someones opinion.

RV's/Campers. Allowing RV's and Campers to be kept on a property for 48 hours changes the terms of the deed (except section 1). "In actual use" is well defined.

This is not a ruling, it is a change to the deed and requires a majority vote.

Review of Proposals for Construction or Modification

AMWNA's ACC form needs to route to AMWNA's ACC. Not Sage Management. Sage Management has no involvement and should not be taking any instruction from any ACC or HOA for that matter. They are employees of the MUD Board and that's the only place their instruction should be coming from.

Other priorities took precedent and I stopped reviewing at this point but I will get back on it eventually. I wanted to be sure to get these most obvious errors, omissions and misleading statements corrected ASAP. The communication policy addresses the importance of accurate information. If that's not attainable with the resources we have, then we should reconsider having a web presence at all.

16. Email from Director Fabre to Beth Jones and Megan Dudo (Parks Committee), dated November 16, 2021 – On this date, Director Fabre sent another email to two other Directors, constituting, at minimum, a procedural violation, and, at worst, a violation of the Open Meetings Act. No one else was copied on the email, and the message was specifically addressed to two other Directors. The email was not factual in nature, but rather Director Fabre's opinions about how to handle a situation, along with directives to Makenzi Scales (who was not copied on the email). The full content of the email is as follows. An original copy can be procured if necessary:

Good morning ladies,

Please be sure to publish on the MUD's website today, the street parking moratorium that begins November 20th and lasts until January 14, 2022.

Makenzi, please dust off the rolling street sign and advertise that news on the sign, placed strategically in the AMW park at El Salido and Dagama first, and then somewhere safe at the intersection of Old Mill and Anderson Mill Rd.

The sign should be moved weekly until the moratorium ends so that the dozen or so streets it applies to are aware. Include a message on the next water bill and on the online billing system informing our residents of what's going on with overnight street parking.

This information warrants a public outreach effort and this is one way to achieve that using our existing resources and not encumbering any public funds. Let's start with this."

17. Email to full Board, dated November 15, 2021

On this date Director Fabre sent an email to the full board discussing her opinion about deed restriction enforcement matters. This is only one of many examples of this. The original email and all similar emails can be procured if necessary. In this particular example, Director Fabre didn't even bother to put her standard disclaimer at the top reminding directors not to reply so as to avoid violations of the OMA.

Good Afternoon,

Attached is the monthly Sage Management compilation of letters and photos that is part of the

performance review I've been doing for this contractor. This spreadsheet makes it easy to spot the errors, omissions, false information etc. I've been doing this for a full year now, and the failures with this contractor's performance persist.

60 letters were sent to residents this month. 45 of them had errors, omissions, violated the residents rights outlined in the Sage contract and / or violated the District rules for enforcement. That's a 75% error rate and how this Board is being portrayed to the public in matters related to deed enforcement.

I've summarized some of the notable errors for the tours done in October 2021 including the record location in the dropbox (#xx) where you can find the letters and photos to support it. The repeated grammatical errors, failure to include all other sightings in letters approaching fine stage, incomplete reference to the CCR's and the unprofessionalism in the communications are egregious. These administrative errors are repeated every month and have not improved in 10 months of tracking. (Yes, the committee has been made aware, repeatedly.)

This month, Sage's additional services included 48 hour followup on the following violations in Anderson Mill West, Section 1. The taxpayer paid Sage Management an additional **\$540.00** for Sage to look at 6 locations on one day, and 5 on another. All of these properties are in the same AMW section and within a 4 block radius.

* 1413 Mulberry Way, Sec 1 (#12) - is recorded under 'boats' when it is only a trailer that can carry jet skis. Recorded Oct, 21. 22. 23 but only 2 photos in the DRC Report. The trailer is not a violation in section 1. **Resident was erroneously fined \$150.00.**

* 1316 Butternut Place, Sec 1 - (#9) open storage on a trailer and an unregistered vehicle do not have the 48 hr grace. Only "travel trailers, boats or recreational vehicles" have the 48 hour visibility criteria. Recorded Oct, 21,22,23 **This was unnecessary.**

* 1316 Piney Creek, Sec 1 - (#10) RV and trailer in the street. Trailer in the street is not a violation. Cited Oct, 21,22,23 with photos of RV and trailer. **Misleading about the trailer.**

* 1318 Butternut Place Sec 1 - RV on October 22,23 only - no letter (cured itself)

* 1305 Mimosa Pass, Sec 1 - (#7) RV on Oct 21,22,23

Letters # 41 & 43 for obstructing sidewalks are not violations of the deed. They are parking violations in the Transportation Code and only enforceable by a peace officer. In fact, a previous Board 'authorized and directed' Sage to notify law enforcement for obstruction of sidewalks by resolution on June 15, 2020. (attached) This information is published on the MUDs web site. Sage has this law enforcement item at the pre-fine stage.

Letter #42 is to the same resident who had some cardboard boxes staged on the driveway on 10.8.21, 2 days prior to trash pickup. The District rules on page 7 address this very situation and it should not be met with a letter unless the boxes were still there on the next tour. They were not there on the subsequent 10.25.21 or on any tours in August.

Letter 31 has photos of 2 different cars parked in the street overnight. The letter also begins with "February 2021 is now upon us....".

Be prepared to discuss solutions to these recurring problems at tonight's meeting. If you would like a sortable version of the spreadsheet, let me know.

*The more you know.
Linda Fabre*

18. [November 17, 2021 Meeting](#)

- a. Timestamp 00:11:15 – During the public comment portion of the meeting, Director Fabre openly argues with a member of the public, Cindy Glenn, while she was at the podium addressing the Board. She tells Ms. Glenn that through her open records requests she found evidence of fraud. When the Board tells Director Fabre to stop talking during citizen's comments she insists on instead making a public statement of her own. This behavior, were all Board members to engage in it, would, in my opinion, effectively shut down communication between the public and the people.
- b. Timestamp 00:19:45 – During Director Fabre's "public" comments she makes numerous false statements, unsubstantiated accusations, and threats, including the admission that she needed to issue as many open records requests as she did in order to collect the evidence needed to file her lawsuit, and that even though her lawsuit had been dismissed by the court she was prepared to continue to go after the District through both criminal and political avenues. She insinuates that 50% of the costs of the lawsuit were for AMWNA and not the District, despite the accounting showing otherwise (see the accounting spreadsheet in Appendix B)

19. Email from Director Fabre to Director Dudo, dated November 19, 2021 justifying her behavior at the November 17th Board meeting, threatening to file communication policy complaints against resident volunteers for speaking at the Board meeting about the lawsuit, accusing me of lying about the costs of the lawsuit. It should be noted that the materials put out by the Information Management Committee about the lawsuit and its costs to the District had been reviewed for accuracy and approved by the District's account; the District's general counsel, Bill Flickinger; and the District's special counsel for the lawsuit before they were released. There was nothing inaccurate or misleading about the information presented. The content of the email is as follows. The original email can be procured if necessary.

Megan,

Your Park Plan Advisory Committee members are volunteers for the District. They are communicating with constituents at your and Beth's direction to facilitate your park plan. They represent the District in this endeavor. On Page 9 of the communications policy, Personnel is defined: "Includes Board members, consultants, employees, and/or volunteers for the District." It stands to reason that everything after that describing what 'Personnel' shall do and say or, not do and say would apply to them as well.

When they take the podium and lie or mislead, you can count on me to correct it every time when it involves my lawsuit. Your narrative published on the MUD's website is misleading and leaving out what this District spent to defend AMWNA is a lie by omission.

The details are recorded in the Richards, Rodriguez and Skeith contract, invoices and transmittal emails. In the interest of full transparency and an open government, I am requesting that you publish all of those documents on the District's website. There is nothing contained in them that would be exempt from the Public Information Act.

20. Winter 2021/2022, Interference in Mailbox Replacement Project--In August of 2021, the Board approved the purchase of several new cluster mailboxes to replace some very old and dilapidated boxes in Section 1 of Anderson Mill West. The issue was brought to the Board by Director Dudo, and she, in collaboration with District Manager Makenzi Scales, had done all the research necessary to advance the project. Following Board approval, the execution of the project was generally being monitored and managed by the Parks Committee because that is the committee that typically handles improvements in District rights-of-way. The project required coordination between the District and the post office, specifically an employee by the name of Crystal Ferguson. The mailboxes, at the direction of Ms. Ferguson, were being sent directly from the company from which the District had purchased them to the post office so they could be fitted with locking mechanisms. On our end, our District Manager, Makenzi Scales, was the main point of contact, as is the appropriate procedure for most District projects.

At some point in the fall of 2021, and unbeknownst to anyone else in the District, Director Fabre began communicating separately with the post office and managed to lead Crystal Ferguson into believing that she should be communicating directly with her and not Makenzi Scales. We had been assured that it would take less than a week to install the locks once the boxes had been received by the post office, so when weeks had gone by since their delivery and we hadn't heard any updates from the post office, Ms. Scales began trying to get in touch with Ms. Ferguson.

It took multiple tries to get in touch with her, and when Ms. Scales finally spoke with her in early January 2022, we were informed that the post office had mistakenly given our District's mailboxes to another location. Apparently, the mix up had already been communicated to Director Fabre, so Ms. Ferguson had understandably assumed that meant the District was aware of the situation. But Director Fabre had instead kept the information to herself. Below is one of many emails about this issue in which Director Fabre admits she kept the information about the status of the mailboxes to herself and undermines and belittles Ms. Scales with Ms. Ferguson and Ms. Scales' supervisors copied on the email.

From: Linda Fabre <lfabre@wtcmud1.org>
Sent: Thursday, February 10, 2022 5:49:00 AM
To: Scales, Makenzi <Makenzi.Scales@Inframark.com>; Crystal.D.Ferguson@usps.gov <Crystal.D.Ferguson@usps.gov>
Cc: Reese, Stephanie <Stephanie.Reese@inframark.com>; Burrer, Todd <todd.burrer@inframark.com>; Hester, Kristi <kristi.hester@inframark.com>
Subject: Re: Mailboxes

Yes Makenzi, there are several reasons why I did not communicate with you about the mix up at the post office. The most notable one being my lack of confidence in your abilities and a genuine concern that you might mess this up for the 86 families that are dependent on mail delivery.

To be clear, I did talk to the resident that brought the emergency need to the Board on Aug 19th, and she had already taken care of having the boxes repaired sufficiently to be usable back in October. I'm not sure you had even ordered the replacements at that point because I still have not received the purchase order that I asked for on September 10th. All of the residents that rely on those cluster boxes have been receiving their mail in the repaired boxes since October 2021 so the short delay had no impact on them.

Crystal - Makenzi is unable to pick up the mail boxes on Friday. In order to accommodate her schedule, she will need to coordinate with you directly. Please copy me on all future email correspondence you have with her about our mailboxes so I can follow along.

Thank you,
-Linda Fabre
Director, WTCMUD1

21. [March 16, 2022 Meeting:](#)

- a. Timestamp: 02:19:04 – Zac Evans explains Director Fabre’s statement to him that she intended to violate attorney client privilege.
- b. Timestamp 02:20:45 – Zac Evans explains the situation with the Ms. Baur’s threat against the District.

22. [April 20, 2022 Meeting:](#)

- a. Timestamp 00:01:05 – Discussion on what is considered an appropriate fees of office request and an explanation about why some of Director Fabre’s submissions did not qualify. At 00:06:14 Director Fabre argues with legal counsel over his interpretation of the law.
- b. Timestamp 00:08:26 Director Fabre again makes the claim that her investigations revealed residents being deprived of the rights to their property.

23. [May 18, 2022 Meeting:](#)

- a. Timestamp 00:05:17 – Follow up discussion on fees of office review. At 00:14:28 Director Fabre again argues with legal counsel over his interpretation of the law, attacks him for doing his job, and violates the Rules of Order by starting to talk about an issue not related to the topic.

24. [August 17, 2022 Meeting:](#)

- a. Timestamp 01:20:00 – Director Fabre claims other directors use public funds for personal self-interests and at 01:21:15 says that billing outside a contract constitutes fraud.
- b. Timestamp 01:27:35 – Director Fabre states Mr. Evans has a conflict of interest because he “*is also Sage Management’s personal lawyer,*” suggesting he is currently their attorney, which is false, and then states that Sage Management’s billing is “fraudulent” that they have “trampled in the rights of residents” and that there has been an “abuse of power.” She continues to argue that the fraud is demonstrable despite never having been able to

demonstrate it. Director Fabre is subsequently removed from the meeting for repeatedly violating the Rules of Order by a unanimous vote of the other four directors.

25. [December 12, 2022 Meeting](#)

- a. Timestamp 02:31:09 – Director Fabre attempts to disclose attorney-client privileged documentation in an open session of the Board. Mr. Evans informs her the information couldn't be shared publicly unless agreed to by a majority vote of the Board. She goes on to insinuate that Mr. Evans is intentionally wasting the public's tax dollars fulfilling ORRs.
- b. Timestamp 02:41:31 – Director Fabre claims costs for ORRs is the result of the District "withholding records."
- c. Timestamp 03:50:09 – Director Fabre argues with Director Jones that the trashcan brigade does not park trashcans on the sidewalk and says that she knows that because she is the one moving them. On the morning of November 16, 2022, Director Jones witnessed Director Fabre moving trashcans out of the street and took the photos to the right of where the cans had been placed.



26. December 14, 2022, Nextdoor Post

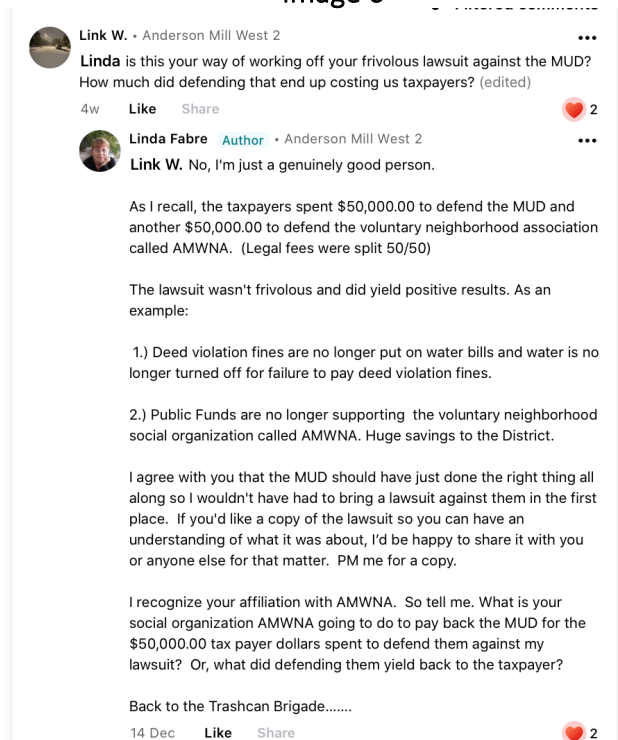
- a. In the comments section of a post Director Fabre made on Nextdoor about the "Trashcan Bridge," Director Fabre continues

Image 6

to mispresent the outcomes and costs of her lawsuit. (see Image 6).

- Removal of the deed restriction fines from the water bills was not done as a result of her lawsuit. Rather, it was done following the recommendation of our new legal counsel, Zac Evans, 6 months after Director Fabre's lawsuit had been dismissed by the court.
- The reason no beautification funds are currently being distributed to AMWNA is that the beautification fund for Anderson Mill West (\$12,174.09) was completely depleted to pay for the lawsuit, and those funds have not been replaced because we have had no fining system in place since March 2022. However, no actual policy action has been taken by the Board to limit use of beautification funds for the same purposes in the future, and if that decision is eventually made by the Board, it would not be as result of the lawsuit (the court did not compel this action, or any action, for that matter)
- The statement that this was a "huge savings to the District" is untrue, as a) the beautification funds were not "saved," they were spent defending against the lawsuit, and

b) \$12,000 represents only 0.002% of the District's overall budget, hardly a "huge" amount, especially when compared to the costs of the lawsuit.



Appendix B

Accounting Details for Expenses Associated with Director Fabre's Lawsuit Against the District

Posting Date	Document Type	G/L Account No.	Fund No.	Vendor	Description	External Document No.	Amount	Orgunit Code	Subject Code
7/31/20	Invoice	53024	001	Willatt & Fickinger, PLLC	Willatt & Fickinger, PLLC / Linda Fabre Lawsuit	07-2020	279.00	51301	5000
8/31/20	Invoice	53024	001	Willatt & Fickinger, PLLC	Willatt & Fickinger, PLLC / Linda Fabre Lawsuit	08-2020	923.50	51301	5000
9/30/20	Invoice	53024	001	Richards Rodriguez & Steeth LLP	Richards Rodriguez & Steeth LLP / Linda Fabre Lawsuit	81980	1,217.42	51301	5000
10/2/20	Invoice	53024	001	Willatt & Fickinger, PLLC	Willatt & Fickinger, PLLC / Linda Fabre Lawsuit	09-2020 FY20	1,453.00	51301	5000
10/2/20	Invoice	53024	001	Willatt & Fickinger, PLLC	Willatt & Fickinger, PLLC / Linda Fabre Lawsuit	09-2020 FY21	65.00	51301	5000
10/28/20	Invoice	53024	001	Richards Rodriguez & Steeth LLP	Legal Services- 9/9/20-9/20/20 - AMWNA	81980-AMWNA	1,217.42	51301	5000
10/28/20	Invoice	53024	001	Richards Rodriguez & Steeth LLP	Legal Services- 9/21/20-10/20/20 - AMWNA	82433-AMWNA	4,211.17	51301	5000
10/31/20	Invoice	53024	001	Willatt & Fickinger, PLLC	LEGAL SERVICES-FABRE VS WTC-MJD1	2020-11	662.00	51301	5000
11/30/20	Invoice	53024	001	Willatt & Fickinger, PLLC	Legal Services-Nov 2020	120320	970.00	51301	5000
11/30/20	Invoice	53024	001	Richards Rodriguez & Steeth LLP	Legal Services-10/21/20-11/20/20	82747	296.25	51301	5000
12/28/20	Invoice	53024	001	Richards Rodriguez & Steeth LLP	Litigation Svs- 50%- Fabre Lawsuit	82847	2,864.25	51301	5000
12/28/20	Invoice	53024	001	Richards Rodriguez & Steeth LLP	Legal Svs- Nov 2020	82848	166.00	51301	5000
12/31/20	Invoice	53024	001	Willatt & Fickinger, PLLC	Legal Services- 11/23/20-12/18/20 - AMWNA	82847-AMWNA	2,864.25	51301	5000
1/29/21	Invoice	53024	001	Richards Rodriguez & Steeth LLP	Legal Fees- Fabre- Jan 2021	83444	315.50	51301	5000
1/29/21	Invoice	53024	001	Richards Rodriguez & Steeth LLP	Legal Fees- Fabre- Jan 2021	83444	1,010.75	51301	5000
1/29/21	Invoice	53024	001	Willatt & Fickinger, PLLC	Legal Services- Jan 2021	2021-2	1,010.75	51301	5000
1/29/21	Invoice	53024	001	Willatt & Fickinger, PLLC	Legal Services- Jan 2021	2021-3	1,023.00	51301	5000
2/28/21	Invoice	53024	001	Richards Rodriguez & Steeth LLP	Legal Services- Feb 2021	83717	3,724.00	51301	5000
2/28/21	Invoice	53024	001	Richards Rodriguez & Steeth LLP	Legal Services- Feb 2021	83717	112.75	51301	5000
3/31/21	Invoice	53024	001	Willatt & Fickinger, PLLC	Legal Services- March 2021	83717-AMWNA	1,453.00	51301	5000
3/31/21	Invoice	53024	001	Richards Rodriguez & Steeth LLP	Legal Services- March 2021	83717-AMWNA	2,461.50	51301	5000
4/29/21	Invoice	53024	001	Richards Rodriguez & Steeth LLP	Legal Services- Apr 2021	84064	2,461.50	51301	5000
4/29/21	Invoice	53024	001	Richards Rodriguez & Steeth LLP	Legal Services- May 2021	84064-AMWNA	12,777.68	51301	5000
5/31/21	Invoice	53024	001	Willatt & Fickinger, PLLC	Legal Services- May 2021	84512	1,455.00	51301	5000
5/31/21	Invoice	53024	001	Richards Rodriguez & Steeth LLP	Legal Services- April 2021	850621	1,455.00	51301	5000
5/31/21	Invoice	53024	001	Willatt & Fickinger, PLLC	Legal Services- May 2021	85064	1,455.00	51301	5000
6/30/21	Invoice	53024	001	Willatt & Fickinger, PLLC	Legal Services- June 2021	850621	2,689.00	51301	5000
7/20/21	Invoice	53024	001	Richards Rodriguez & Steeth LLP	Legal Litigation Fabre WTC- 5/23-7/19/21 - 45% Board Members	85527	956.00	51301	5000
7/20/21	Invoice	53024	001	Willatt & Fickinger, PLLC	Legal Litigation Fabre WTC- 5/23-7/19/21 - 55% MUD	85527	7,755.09	51301	5000
8/31/21	Invoice	53024	001	Willatt & Fickinger, PLLC	Legal Services- July 2021	85627	9,128.24	51301	5000
8/31/21	Invoice	53024	001	Richards Rodriguez & Steeth LLP	Legal Services- Aug 2021 - 50% Board Members	86627	9,128.24	51301	5000
8/31/21	Invoice	53024	001	Willatt & Fickinger, PLLC	Legal Services- Aug 2021 - 50% MUD	86627	2,419.00	51301	5000
9/30/21	Invoice	53024	001	Willatt & Fickinger, PLLC	Legal Services- Sept 2021	098021	1,434.50	51301	5000
9/30/21	Invoice	53024	001	Richards Rodriguez & Steeth LLP	Legal Services- Fabre- Sept 2021 - 50% Board Members	87009	3,858.00	51301	5000
9/30/21	Invoice	53024	001	Richards Rodriguez & Steeth LLP	Legal Services- Fabre- Sept 2021 - 50% MUD	87009	3,858.00	51301	5000
							\$ 99,624.34		