

**EMAIL 001**

From: Paul Ranney <blackdodgeviper@insightbb.com>  
Sent: Sunday, March 31, 2013 4:24 AM  
To: Debbie Zoeller-Pullen  
Cc: Miller, Sally; Beller, Jennie; Nora Strohm; Larry Wilder  
Subject: Re: Please review the email

I opened it....

Paul

From: "Debbie Zoeller-Pullen" <debbiezp@gmail.com>  
To: "Larry Wilder" <lowilder40@aol.com>  
Cc: "Sally Miller" <Sally.Miller@atg.in.gov>, "Jennie Beller" <jennie.beller@atg.in.gov>, "Nora Strohm" <pagetwo@bellsouth.net>, "Paul Ranney" <blackdodgeviper@insightbb.com>  
Sent: Saturday, March 30, 2013 6:48:58 PM  
Subject: Re: Please review the email

Larry,

Since I cannot open your attachment, please consider the affidavit below, my confirmation that on Jan 16th I requested my name be removed from the Harbours Derivative Case.

I Debbie Zoeller Pullen, owner of Unit 414 on Jan 16, 2013, requested that I be removed from the so-called Harbours Derivative Case.

Folowing my request to be taken off, on Jan 16th you, Larry Wilder, told me that you were taking me off at that time. I am dis-heartened to know that you did not follow thru with my request on that day. As proof, I forwarded to you those emails earlier today.

Please do it no later than this Monday, April 1, 2013.

Respectfully submitted,  
Debbie Zoeller Pullen  
Unit 414

On Sat, Mar 30, 2013 at 6:39 PM, Debbie Zoeller-Pullen <debbiezp@gmail.com> wrote:  
Please forward a file that will open.

On Sat, Mar 30, 2013 at 6:38 PM, Larry Wilder <lowilder40@aol.com> wrote:  
Debbie, but have been no judge to sign any orders. We still do not have a judge in this case. Does like asking for affidavit so I can support a motion requesting that the judge reassume jurisdiction. Without a judge nothing can be done.

Larry Wilder  
Attorney at Law

530 East Court Ave  
Jeffersonville, In 47130

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On Mar 30, 2013, at 6:31 PM, Debbie Zoeller-Pullen <debbiezp@gmail.com> wrote:

I have forwarded your email on to all on the suit. From the best I can tell, it looks like it is below 10% but I am not the expert. As I mentioned before, you may want to reach out to Betty since she is the one that is heading up the suit and will have better facts for you.

When you get a chance on Monday, will you please forward me a copy of the paperwork showing I was removed in mid-January?

Thanks,  
Debbie Zoeller Pullen

On Sat, Mar 30, 2013 at 6:11 PM, Larry Wilder <lowilder40@aol.com> wrote:

Debbie:

If the support has fallen below the percentage someone need merely let me know and I will file a motion to dismiss the entire case I don't know the ownership and have no idea as to what effects the recent withdrawals have had.

I would like to get you and the others to sign an affidavit the I can file on Monday.

Larry Wilder  
Attorney at Law  
530 East Court Ave  
Jeffersonville, In 47130

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communication and its attachments without reading, printing or saving in any manner.

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2015.0.5577 / Virus Database: 4235/8689 - Release Date: 12/06/14

**EMAIL 002**

From: Paul Ranney <blackdodgeviper@insightbb.com>  
Sent: Monday, September 17, 2012 7:00 AM  
To: Debbie Zoeller-Pullen  
Cc: Miller, Sally; Betty Cantrell; Kathy Bupp; Bornwasser Louis; Louise Bornwasser; Nora B Strohm; Charles Fugate; Sandy & David Finnegan; Glenn Thomas; Marty Haley; Thom Pike; Sheila Rudder; Miller, David; Beller, Jennie  
Subject: Re: Board vacancies

Well....I guess that makes Russ (our president) now an official liar.

He specifically told me that everything he was doing now he was clearing with the AG.

Or.....maybe he didn't use the word clearing, but said the AG was aware of....can't recall!

Paul....old guy with failing grey matter.

Sent from my iPad

On Sep 17, 2012, at 9:44 AM, Debbie Zoeller-Pullen <debbiezp@gmail.com> wrote:

Thank you Sally.

On Mon, Sep 17, 2012 at 9:42 AM, Miller, Sally <Sally.Miller@atg.in.gov> wrote:

Betty and All:

The OAG does not give legal advice in any case; consequently, we do not give advice regarding the activities of the Board of Directors of any condominium association nor do we sanction their activities. Our suit speaks for itself.

Sally Miller

Sally L. Miller, Investigator/Work Flow Administrator  
Office of the Attorney General  
Licensing Enforcement & Homeowner Protection Unit  
302 West Washington Street Fifth Floor

Indianapolis, IN 46204  
Phone: 317-234-2353  
Fax: 317-233-4393  
sally.miller@atg.in.gov

From: Betty Cantrell [mailto:bettycan@insightbb.com]  
Sent: Saturday, September 15, 2012 4:32 PM  
To: Paul Ranney  
Cc: Kathy Bupp; Bornwasser Louis; Louise Bornwasser; Nora B Strohm;  
Charles Fugate; Debbie Zoeller-Pullen; Sandy & David Finnegan; Glenn  
Thomas; Marty Haley; Thom Pike; Miller, Sally; Sheila Rudder  
Subject: Re: Board vacancies

Don't rest on your laurels, ask Thom, one of their tactics is spin and stall. It is evident now that they know we have something in the works, which at this point, I honestly have no idea what it is, I will find out something tomorrow along with the whole group.

BUT I will tell you this: The AG DOES NOT GIVE LEGAL ADVICE! He's not clearing crap through the AG's office, I would bet my little finger on it.

Betty C.

On Sep 15, 2012, at 7:40 AM, Paul Ranney wrote:

Well.....7:15am Saturday morning update.

Just got a call from our Board President Russ Johnson. Discussed the use of our HOA attorney and how according to him it's costing us very little!

He stated that everything he is doing now he has been clearing with the Attorney Generals office. That's encouraging.

He stated that he thought he would have the vacant board seats filled within a few days....he didn't ask me to serve so I guess I'm not one of them!

He also stated he is fearful of saying anything because Larry Wilder has/is filing a lawsuit against the entire board.

He did however agree, after I encouraged him, to communicate with us and tell us what's going on. I'm not sure how he will do that.

Go CARDS,

Paul

Sent from my iPad

On Sep 14, 2012, at 4:56 PM, Paul Ranney <blackdodgeviper@insightbb.com>

wrote:

WOW.....FYI.

It looks Like the board has indeed authorized the use of our attorney against us.

Well here are four more directors the AG can file charges against for wasting our money!

Paul Ranney

Sent from my iPad

Begin forwarded message:

From: "KEVIN ZIPPERLE" <kzipperle@mail.com>  
Date: September 14, 2012 2:58:50 PM EDT  
To: "Paul Ranney" <blackdodgeviper@insightbb.com>, Dawn Elston <drelston@aol.com>  
Cc: "kim davis" <kimjbrewerdavis@insightbb.com>, "Mary Lou Trautwein" <mltraut@insightbb.com>, "Jenna Barton" <jenna\_barton@yahoo.com>, "SharonChandler" <schandler1@aol.com>, "W.T. Roberts" <wtroberts@win.net>, "RussJohnson" <thedaylily@insightbb.com>  
Subject: Re: Board vacancies

Paul,

I don't think there's anything constructive in threats to Board members at this point. I know that I'd feel that way regardless of which Board member I happened to be. All of our Board members are making informed decisions.

Dawn Elston's email address has been added to the above distribution. You're welcome to contact her, but bear in mind that the HOA will probably be billed for it.

Thanks for your interest...KZ

----- Original Message -----

From: Paul Ranney  
Sent: 09/14/12 10:20 AM  
To: Paul Ranney, Sally Miller  
Subject: Re: Board vacancies

OH...one more thing.

Could you please provide me with an email address for Dawn Elston so that I may ask her the question that you told me to send to her.

Thanks,

Paul

From: "Paul Ranney" <blackdodgeviper@insightbb.com>  
To: "Paul Ranney" <blackdodgeviper@insightbb.com>, "Sally Miller" <Sally.Miller@atg.in.gov>  
Cc: "KEVIN ZIPPERLE" <kzipperle@mail.com>, "kim davis" <kimjbrewerdavis@insightbb.com>, "Mary Lou Trautwein" <mltraut@insightbb.com>, "Jenna Barton" <jenna\_barton@yahoo.com>, "SharonChandler" <schandler1@aol.com>, "W.T. Roberts" <wtroberts@win.net>, "RussJohnson" <thedaylily@insightbb.com>, "Betty Cantrell" <bettycan@insightbb.com>, "Kathy Bupp" <kathybuppl@yahoo.com>, "Bornwasser Louis" <louisborn@aol.com>, "Charles Fugate" <chuck@chuckfugate.com>, "Debbie Zoeller-Pullen" <debbiezp@gmail.com>, "Sandy & David Finnegan" <flamingosandy@rocketmail.com>, "Glenn Thomas" <glenn@hartcountyrealty.com>, "Marty Haley" <patokapirate@gmail.com>, "Nora Strom" <pagetwo@bellsouth.net>, "Thom Pike" <thomashpik@cs.com>, "sheilarudder@yahoo.com Rudder" <sheilarudder@yahoo.com>, "Sally Miller" <Sally.Miller@atg.in.gov>  
Sent: Friday, September 14, 2012 10:15:31 AM  
Subject: Re: Board vacancies

Well....I assume that no response is that "yes the board does approve of our HOA Attorney representing Kevin, to answer a simple question Regarding our HOA's daily administration, such as the one I have asked below".

WOW....it's going to cost a lot, to have to filter all of our communications with the board, through our attorney though it is no fault of the members of the community that brought this on.

I advise the Board to familiarize yourself with the law (HB1058) under which the Attorney General has indicted, three of your members.

<http://www.in.gov/apps/lisa/session/billwatch/billinfo?year=2011&request=getBill&docno=1058>

YOU are personally, financially, responsible for the decisions you make that are not in the interest of the HOA.

The Attorney General has specifically requested that the court, forbid the use of our finances and Attorney's, to represent those three indicted board members in this matter.

If the state succeeds in convincing the judge to approve that motion.....guess who's going to have to pay their bills? Oh...that would be you other four board members will share their attorneys bills!

Gotta admire your "gonads".....but I'd be saving up my pennies.

It's a shame that our community has come to this,

Paul Ranney

From: "Paul Ranney" <blackdodgeviper@insightbb.com>  
To: "Paul Ranney" <blackdodgeviper@insightbb.com>, "Sally Miller" <Sally.Miller@atg.in.gov>  
Cc: "KEVIN ZIPPERLE" <kzipperle@mail.com>, "kim davis" <kimjbrewerdavis@insightbb.com>, "Mary Lou Trautwein" <mltraut@insightbb.com>, "Jenna Barton" <jenna\_barton@yahoo.com>, "SharonChandler" <schandler1@aol.com>, "W.T. Roberts" <wtroberts@win.net>, "RussJohnson" <thedaylily@insightbb.com>, "Betty Cantrell" <bettycan@insightbb.com>, "Kathy Bupp" <kathybuppl@yahoo.com>, "Bornwasser Louis" <louisborn@aol.com>, "Charles Fugate" <chuck@chuckfugate.com>, "Debbie Zoeller-Pullen" <debbiezp@gmail.com>, "Sandy & David Finnegan" <flamingosandy@rocketmail.com>, "Glenn Thomas" <glenn@hartcountyrealty.com>, "Marty Haley" <patokapirate@gmail.com>, "Nora Strom" <pagetwo@bellsouth.net>, "Thom Pike" <thomashpik@cs.com>, "sheilarudder@yahoo.com Rudder" <sheilarudder@yahoo.com>  
Sent: Thursday, September 13, 2012 7:37:19 AM  
Subject: Re: Board vacancies

After sleeping on it, I have a question for the board of directors.

Has the Harbours Board authorized paying the HOA attorney with HOA funds to answer questions regarding the business of our HOA, because of the personal legal issues of the three board members who have been charged by the State of Indiana, Attorney General with crimes against the HOA?

It appears that you may have since Board Member Kevin Zipperle has instructed me below to contact the HOA attorney. I will do so....

However, I will give the Board 24 hours to rescind the instruction give, below before I do and cost the HOA money for representing Kevin in this matter.

Please advise ASAP

Paul Ranney

Sent from my iPad

On Sep 12, 2012, at 3:16 PM, Paul Ranney <blackdodgeviper@insightbb.com> wrote:

Why shouldn't the board answer my question? The Harbours board has no involvement with the AG.

That is a private matter of yours, Mary Lou and Sharon.

If the three of you are incapable of conducting HOA business for fear of the AG perhaps you should resign.

As for the other four board members.....we're still waiting for an response.

Sent from my iPad

On Sep 12, 2012, at 12:56 PM, "KEVIN ZIPPERLE" <kzipperle@mail.com> wrote:

Paul,

Since the question of why positions haven't been filled more quickly is now your question, you'll have to forgive Board members for not answering that question initially.

Also, since we're involved in legal matters with the Indiana AG, I suggest that you forward your question(s) to the our legal counsel, Dawn Elston, to see if she feels it's appropriate to provide answers.

Thanks for your interest in a Board position...KZ

----- Original Message -----

From: Paul Ranney  
Sent: 09/12/12 08:10 AM  
To: KEVIN ZIPPERLE  
Subject: Re: Board vacancies

Thanks Kevin for your interpretation. Perhaps I should have asked the question more pointedly.

Why are the vacant board seats not being filled???

Since there are no shortage of qualified volunteers....Debbie Zoeller-Pullen, Chuck Fugate and myself have all made statements on the Harbours website, as well as with emails to the board stating our willingness to serve the Homeowners Association.

I understand why I'm not offered a position...I know too much about Facilities Maintenance and can't be relied on to rubber stamp expenditures that don't make good fiduciary sense.

But what is wrong with Debbie? What is wrong with Chuck?

Bottom line is the board has able volunteers ready and willing to serve. The board refuses to fill these vacancies with those volunteers.

We homeowners ALL want to know why....

We ALL await any of your individual responses. No response is NOT acceptable. As individual board members you may want to use this opportunity to record YOUR position FOR THE RECORD.

I have included the Attorney Generals Office on this email, because they may want to know why as well.

Let's not forget our fiduciary duties.



Regards,

Paul Ranney

From: "KEVIN ZIPPERLE" <kzipperle@mail.com>  
To: "Paul Ranney" <blackdodgeviper@insightbb.com>, "Russ Johnson" <thedaylily@insightbb.com>  
Cc: "kim davis" <kimjbrewerdavis@insightbb.com>, "Mary Lou Trautwein" <mltraut@insightbb.com>, "Jenna Barton" <jenna\_barton@yahoo.com>, "Sharon Chandler" <schandler1@aol.com>, "W.T. Roberts" <wtroberts@win.net>  
Sent: Tuesday, September 11, 2012 8:53:26 PM  
Subject: Re: Board vacancies

I don't see anything in Amendment VII that sets a time limit for the Board to fill a Board vacancy, nor anything that could be construed as such...KZ

----- Original Message -----

From: Paul Ranney  
Sent: 09/11/12 03:29 PM  
To: Russ Johnson  
Subject: Re: Board vacancies

Russ...I've gotten info from some members that they think Ammendment (sic) 7 of the declarations requires that openings be filled in 60 days.

Advise that you look at that FYI.

P.S. When can you show me how to pinch these flowers. Not for this bunch but future reference?

Paul

Sent from my iPad

On Sep 10, 2012, at 4:19 PM, Russ Johnson <thedaylily@insightbb.com> wrote:

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No virus found in this message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 2015.0.5577 / Virus Database: 4235/8689 - Release Date: 12/06/14

**EMAIL 003**

From: Paul Ranney <blackdodgeviper@insightbb.com>  
Sent: Thursday, August 30, 2012 1:57 PM

To: Paul Ranney  
Cc: sheilalrudder@yahoo.com; Russ Johnson; Chuck Fugate; Thom; Doug Farnsley; Marty Haley; Kathy; bettycan@insightbb.com; Glenn Thomas; Sandy Snodgrass; Don Sigmond; Chris Arnheiter; Linda Dornbush; Miller, Sally; Beller, Jennie; Miller, David; Virginia Hernandez Ocasio; Senator Grooms; Elizabeth Donatelli; Connie Leonard; Sean Massage Therapist; Marcia Hall-Craig; Greg; Barry Gates; Larry Wilder  
Subject: Re: HOA PROTECTION

Russ...one more thing. Station that security guard we have, in front of the office door tonight, and tell him no one gets in. Use your emergency authority to hire another guard there for the rest of the night, don't let anyone in there alone.

P.S. Go get our books! They could be getting shredded as I write.

If you need help there are lots of good people here to rely on. Don't hesitate to ask!

Paul

Sent from my iPad

On Aug 30, 2012, at 15:58, Paul Ranney <blackdodgeviper@insightbb.com> wrote:

Russ...really. Protect yourself. I don't know what you should or can do, however there is that "fiduciary duty" thing. We are talking about a million dollar budget here. If anyone tampers with our documents, financials etc. After this filing and you did nothing to prevent that, the AG could come after you in the future.

Good luck  
Paul

Sent from my iPad

On Aug 30, 2012, at 15:26, sheilalrudder@yahoo.com wrote:

As a Harbours Home Owners Association Member, I am requesting Kevin Zipperle, Marylou Trautwein Lamkin & Sharon Chandler be removed from HOA Board immediately & their Office Keys & Security Camera Access be turned over to you at once.

I am requesting an emergency Board Action by you as President & suggest you appoint Paul Ranney, Thom Pike & Chuck Fugate to assist you as they are on site; experienced, knowledgeable & of high integrity.

This is a very serious matter & it is crucial to the future financial health and safety of our homes.

Respectfully,

Sheila L. Rudder  
502-592-4544  
Sent via BlackBerry by AT&T

**EMAIL 004**

From: Paul Ranney <blackdodgeviper@insightbb.com>  
Sent: Friday, July 13, 2012 6:18 AM  
To: thedaylily@insightbb.com; mltraut@insightbb.com;  
schandler1@aol.com; wtroberts@win.net; kimjbrewerdavis@insightbb.com;  
kzipperle@win.net  
[OAG BLIND COPIED]  
Subject: Board of Directors

Ouch....I was just provided with information concerning the Indiana Law that governs the Board members personal liability.

Based on the requirements outlined in Section 8. paragraph a. (4) of the law as shown below:

Sec. 8. (a) The attorney general may bring an action against a board or an individual member of a board of a homeowners association if the attorney general finds that:

(1) the association's funds have been knowingly or intentionally misappropriated or diverted by a board member; or  
(2) a board member has knowingly or intentionally used the board member's position on the board to commit fraud or a criminal act against the association or the association's members.

(b) A court in which an action is brought under this section may do the following:

(1) Issue an injunction.  
(2) Order the board member to make restitution to the homeowners association or to a member.  
(3) Order a board member to be removed from the board.  
(4) Order a board member to reimburse the state for the reasonable costs of the attorney general's investigation and prosecution of the violation.

I HEREBY WITHDRAW MY OFFER TO SERVE ON THE HARBOURS BOARD. SORRY, BUT THE RISKS ARE TOO GREAT FOR ME AT THIS TIME.

I know an AG investigation has been going on for over a year on the Harbours Board and I cannot expose myself to the possibility that the state will require the board members to pay for that investigation.

I will only consider serving or running for election to the the board in the future when I am certain that the Attorney General is no longer investigating the Harbours Board of Directors.

**EMAIL 005**

From: Paul Ranney <blackdodgeviper@insightbb.com>

Sent: Thursday, July 12, 2012 5:05 AM  
To: mltraut@insightbb.com; thedaylily@insightbb.com;  
schandler1@aol.com; wtroberts@win.net; kimjbrewerdavis@insightbb.com;  
kzipperle@win.net  
[OAG BLIND COPIED]  
Subject: Board Openings

Not sure exactly whom to address this to so I'm sending it to all you remaining board members.

I understand that several board members have resigned again. Sorry to hear that.

I would like to offer again, my willingness to serve our community by volunteering to fill one of these positions. I have run for the board several times (unsuccessfully, although I got my vote at least) so you can read one of my bios for my background.

I have offered to fill other board openings on several occasions (sic) over the years, in addition to running for the board several times to no avail. Perhaps if I am deemed again not acceptable as a board member of the community I am a part of, you will give me the courtesy of a why or why not explanation. Since it is obvious that you are having difficulty retaining board members I hope you will consider favorably someone who is willing to serve as (demonstrated from my past efforts), and have over 34 years experience in civil engineering.

Thanks for your consideration  
Paul Ranney  
618TH

**EMAIL 006**

From: Paul Ranney <blackdodgeviper@insightbb.com>  
Sent: Wednesday, July 11, 2012 12:19 PM  
To: thomashpike@cs.com  
Cc: Beller, Jennie; louisborn@aol.com; kathybuppl@yahoo.com;  
bettycan@insightbb.com; dfinne4735@aol.com; chuck@chuckfugate.com;  
patokapirate@gmail.com; hryank89@yahoo.com; wkkindler9@yahoo.com;  
peak12r@excite.com; Miller, Sally; debbiezp@gmail.com;  
sheilalrudder@yahoo.com; flamingosandy@rocketmail.com;  
phila3224@bellsouth.net; glenn@hartcountyrealty.com; Lowilder40@aol.com  
Subject: Re: Board Resignations

You know...that means they will have to elect 5 this year.

Sent from my iPad

On Jul 11, 2012, at 2:26 PM, thomashpike@cs.com wrote:

Members,

Today, we are unofficially told of yet two more board resignations: Attorney Douglas Farnsley and HOA president Pat Collings (sic). Here is a recent list of board members and their email addresses who have resigned. Three were originally appointed to first term by the board (aka-Zipperle). Farnsley and Page the only exception. They all later ran for re-election or re-appointment as I see it. They were supposedly voted into the position by this community. In my opinion each and every one of them owe this community a reason for their disappearance. Good or bad, health reasons or not they all resigned for a reason.

Their silence only leads to more investigations, cast serious doubts on credibility and skepticism as to if this community will ever be run by a board with the membership interest coming first.

Here are their email addresses. You need to talk with them. They need to hear your disappointment. I can tell you when I was on the board, we had three resignations in as many months. One was because of an "unprofessional board", another for "selfish reasons....I don't want to be sued" and finally "this board gets nothing done". I have those writings if you would like to see them. I believe, if the truth be known you will find resemblances to these prior statements of resignation; maybe worse. The remaining core 4 board members must go if The Harbours is to ever become a real community. You have a choice this Fall to get rid of two: Troutwin/Lamkin (sic) and Chandler.

My opinions, observations. Please post on FB

Thom Pike, CPA  
Owner #1111/1020  
Board Member 2008-2010

pcollinsharbours@aol.com, DFARNSLEY@stites.com,  
claudiaorsborn@insightbb.com, rzapp@win.net, leeapage@insightbb.com

#### **EMAIL 007**

From: Paul Ranney <blackdodgeviper@insightbb.com>  
Sent: Wednesday, June 13, 2012 1:19 PM  
To: sheilalrudder@yahoo.com  
Cc: Debbie Zoeller-Pullen; Barry Gates; Dr S; Peter Steen;  
hillmank@hotmail.com; Chris Arnheiter; Linda Dornbush; Glenn  
Thomas; Louis & Louise; Marcia Hall-Craig; Miller, Sally; Miller, David;  
Beller, Jennie; Senator Grooms; Virginia Hernandez Ocasio  
Subject: Re: Meetings for Harbours Positive Change ~

One thing everyone should understand is that whatever the issue is at a special meeting it is decided by votes that are actually present at the meeting. I fear that they will always beat us because they come armed with all the proxys (sic) they control and we have to depend on all of us showing up....I hope I'm wrong about the outcome!

Sent from my iPad

On Jun 13, 2012, at 2:11 PM, sheilalrudder@yahoo.com wrote:

With election process being manipulated & skewed to keep current regime in control, wouldn't it be adviseable (sic) to concentrate on Voter Registration List to be corrected & time for voting packages be sent at least 30 days in advance ?

By-laws do NOT stipulate they MUST be sent; so as, many voters do not get their ballots in time to vote...

I was registered to vote for 3 units; got packages the day before last year's election Faxed to Accountant; he verified receipt & that they were counted? On Office List, I am not listed as The Registered Voter on two of these Units

After all the effort & inconvenience to Owners of 904, 905 & 516 to vote, DID our 3 votes count? Who knows & who knows how many other voters have had the same issue?

In fact; if 50% of membership agree, we should be able to pick up everything in our HOA Office for Members' convenience Saves postage, employee's work; and, owners' time. More HOA Members would vote...

HOA sends out 2 mailings 30-10 days prior to annual election. Why? Eliminate 2nd. Send together 30 days prior...

Members wanting to serve our HOA/ Community should start meeting owners to inform them of their qualifications & honorable character now ...

Most association members meet all year long; it gives owners the opportunity to see The Talent in their Community available & willing to work for the Best Interest of their Home or Investment...

The current CORE Board was appointed by developer in 2004 & have kept Owners from communication to keep Control. Members have allowed this. We as Members can change it with effort; working together!

Sheila Rudder  
502-592-4544  
Sent via BlackBerry by AT&T

From: Debbie Zoeller-Pullen <debbiezp@gmail.com>  
Date: Wed, 13 Jun 2012 12:44:47 -0400  
To: THOM PIKE<thomashpike@cs.com>; Charles Fugate<chuck@chuckfugate.com>; Sandra Snodgrass<flamingosandy@rocketmail.com>; Dave<dfinne4735@aol.com>; Marty Haley<patokapirate@gmail.com>; Louis & Louise<louisborn@aol.com>; Louise Bornwasser<weezeeb@aol.com>; Kathy Bupp<kathybuppl@yahoo.com>; Debbie Zoeller-Pullen<dzoellerpullen@athene.com>; Sheila Rudder<sheilalrudder@yahoo.com>; Helen Ryan Kindler<hryank89@yahoo.com>; <wkkindler9@yahoo.com>; Paul Ranney<blackdodgeviper@insightbb.com>  
Subject: Please submit your Agenda Items for our meeting

At the next meeting of The Harbours Committee for Change, we will be discussing our second "Special Meeting." From what I am told that will be Maintenance Issues (in particular caulking of windows). We will be trying to stick closely with our Agenda during this meeting, so please submit any agenda items that you want to discuss and we will include with your name next to it.

Once we have submitted the current Special Meeting request, we will be scheduling the next meeting via email and I will send out the Agenda not long after.

Thanks  
Debbie

**EMAIL 008**

From: Paul Ranney <blackdodgeviper@insightbb.com>  
Sent: Friday, November 25, 2011 6:40 AM  
To: Betty Cantrell  
Cc: Miller, Sally; Beller, Jennie  
Subject: Re: Concerning The Harbours: "Fwd: Employment Status of Manager [former property manager]"

Betty, I have something I wonder if the AG would be interested in.

Recently the board VOTED on whether or not to buy flood insurance this year (they voted 5-4 to buy it).

Our by-laws require that they buy flood insurance if any part of the building is in a flood plain. We are classified as being flood zone "B" which is a lower risk flood plain but is still a flood plain.

Is the fact that they voted on something they are required to do a violation of their fiduciary duty? Can they just pick and chose (sic) what they will do?

Paul

----- Original Message -----

From: Betty Cantrell <bettycan@insightbb.com>  
To: Sally Miller <Sally.Miller@atg.in.gov>, Attorney Jennie Beller <jennie.Beller@atg.in.gov>  
Sent: Fri, 25 Nov 2011 08:53:39 -0500 (EST)  
Subject: Concerning The Harbours: "Fwd: Employment Status of Manager [former property manager]"

Sally and Jennie,

Here is the email that I sent to the Harbours Board President and other members concerning the employment status of [former property manager] our Community Director. [Former property manager] is still noticeably

absent from her duties in the Association's office on a daily basis, members do not know if she is currently employed outside of The Harbours, and the Board refuses to address the matter to the members.

I do not include Board member Doug Farnsley in any of my Harbours correspondence, I am simply following his wishes, he has stated in a previous email that I should no longer contact him about any issues or questions I have about The Harbours and the Board's affairs.

[Former property manager's] handling of our day to day financials, as Zipperle stated in this email, does not warrant or justify her full salary of over \$1,000 a week, I think the board has the fiduciary duty to the members to allocate our budgeted funds properly and prudently, we can only assume this is not the case if they are continuing to pay full wages to [former property manager]. She has been absent from the office for approximately five weeks.

Furthermore, Kevin Zipperle continues to control the board and answer inquires that I think should be answered by the President, Mary Lou Lamkin. In doing so, he interjects remarks that are demeaning in nature, I consider his remarks as subliminal suggestions to his fellow board members that I am not deserving of answers.

Thank you for continuing your investigation of The Harbours.

Betty Cantrell  
#712  
The Harbours

Begin forwarded message:

From: kzipperle@win.net  
Date: November 23, 2011 9:21:51 PM EST  
To: bettycan@insightbb.com, dfarnsley@stites.com  
Cc: mltraut@insightbb.com, wtroberts@win.net, schandler1@aol.com, claudiaorsborn@insightbb.com, leeapage@insightbb.com, Robynzapp@yahoo.com, PCollinsHarbours@aol.com  
Subject: Fwd: Employment Status of Manager [former property manager]

Since Betty mistakenly left Doug and me off the distribution, I'm not sure anyone has responded to this. "Reply all" wouldn't catch the oversight. Please note any accidental omissions of this type on future emails from Betty.

[Former property manager] is still handling our day-to-day financials, and we do not know her long-term intentions. She's reportedly considering a number of options at this point, and the Association is not incurring additional cost in the interim. That is all we have communicated and all we can communicate.

We should continue to give Betty's suggestions the consideration that they deserve.



Everyone have an enjoyable and safe Thanksgiving!...KZ

-----Original Message-----

From: Betty Cantrell <bettycan@insightbb.com>  
To: Mary Lou Trautwein <mltraut@insightbb.com>; wtroberts  
<wtroberts@win.net>; Sharon Chandler <schandler1@aol.com>; Claudia  
Orsborn <claudiaorsborn@insightbb.com>; LeeAnn Page  
<leeapage@insightbb.com>; robynzapp <robynzapp@yahoo.com>; Pat Collins  
<PCollinsHarbours@aol.com>  
Sent: Wed, Nov 23, 2011 10:40 am  
Subject: Employment Status of Manager [former property manager]

Dear Harbours Board Members,

I inquired about the employment status of our manager [former property manager] at the Harbours PreAnnual meeting last month, President Mary Lou Lamkin reported to the members she was on a four week vacation. It is apparent that she is not working in the office in the same capacity and hours as she previously did. I am requesting an update or newsletter to the members stating her employment status at The Harbours as of today, November 23rd, 2011, and for this information to be distributed to the members asap. Thank you for keeping the members informed of our budgeted employee expenses for the final quarter of the year, such budgeted information would include employee expenses, and that expense would certainly be impacted by who is currently employed (or not employed) as a Staff Member at The Harbours. Please take time to reply my email request for this information.

Regards,  
Betty Cantrell  
712

----- End forwarded message -----

**EMAIL 009**

From: Paul Ranney <blackdodgeviper@insightbb.com>  
Sent: Saturday, February 26, 2011 10:01 AM  
To: kzipperle@win.net; Schandler1@aol.com; dfarnsley@stites.com;  
mltraut@insightbb.com; claudiaorsborn@insightbb.com;  
wtroberts@win.net; rzapp@win.net; leeapage@insightbb.com;  
kenquiggins@aol.com  
Cc: [Former property manager]  
[OAG BLIND COPIED]  
Subject: Flood Considerations for the BOD

I am writing this for the BOD because I believe that good decisions are made from having good information.

It occurred (sic) to me that I have experience's that may be useful for the BOD when considering whether or not to maintain flood insurance. This

is intended for your consideration and please assume a scenario that we have a flood of only two feet of water here at the Harbours.

The following scenario is based on an actual experience I had while working the Misissippi (sic) River flood in 1997 at St. Louis. MO.

I will attempt to outline for you what happens and who gets what and when. There is a pecking order and most people just don't know it. There is more to a major flood than just...oh we had a flood yesterday, tomorrow we'll fix it. Remember a flood in the Ohio River will affect tens of thousands of properties of which we will be one.

The Corps of Engineers is always called in to handle floods for FEMA. I was a Project Engineer at this event. Remember a flood is a huge event, don't think local as in just the Harbours. I'll give it to you as a bulleted list, I may forget something but I'll do my best to paint it real with a timeline.

- River is still rising, FEMA calls in the Corps to prepare for cleanup and repairs (we're there before the rain stops)

- Corps advertises for contractors, cleanup crews, electricians, plumbers, etc. and we hire them all!

- Rain stops, river stops rising and then recedes maybe a week.... maybe more.

- Water recedes, contractors go to work on FEMA projects only, which include people INSURED THROUGH THE FEDERAL FLOOD INSURANCE PROGRAM. This phase can take weeks or many months depending on the flood. FEMA always does flood insured victims first to mitigate losses such as mold, damage to equipment from rust etc.

- Self insured and no insurance victims cannot get anyone to work on their damage because there is no one to do it, they are all working for the Corps. They do this because the Corps pays better, has all the work and keeps them busy.

- By this time, 2/3 months later... Contractors finally get around to bidding on the samll jobs....think US for instance. That two feet of water we had has molded into the walls. Electrical equipment has been damaged beyond repair. Repair/replacement parts are scarce. Lead times on things like our transformers can be 3/4 months out.

- You are looking at a scenario where will be without electricity for any of the condos for god knows how long, maybe several months!

Bottom line that I am trying to say (probably not very well) is reality is different than most people realize. In a major event like that, everyone is working on FEMA stuff first, second and third which includes people in the national insurnce pool FIRST.

I actually had uninsured people come to our field project office 2/3 months after the flood and beg us to let one of our contractors bid on

helping restore their property. I couldn't help them. I had too much work still. This is reality folks. We don't want that to be us.

In your future deliberations remember this.....If you are not in the Federal Program you are hurting.

Being in the national flood insurance program isn't just about money, it's about getting your life back as quick as possible. I would be glad to answer any questions for you all at anytime.

Hope this helps:  
Paul  
618TH

**EMAIL 010**

From: Paul Ranney <blackdodgeviper@insightbb.com>  
Sent: Friday, February 25, 2011 7:23 AM  
To: [Former property manager]  
Cc: kzipperle@win.net; Schandler1@aol.com; dfarnsley@stites.com; mltraut@insightbb.com; claudiaorsborn@insightbb.com; wtroberts@win.net; rzapp@win.net; leeapage@insightbb.com; kenquiggins@aol.com  
[OAG BLIND COPIED]  
Subject: Re: Band and Grills

Well....that's not exactly accurate. [Former property manager] and I talked as well as we conferenced with Bob Isgrigg reference the flood zones that the Harbours is in. Bob agreed with me that all of the facility on the river side of the floodwall is in "Zone A20" a high risk area, and the other parts of the Harbours are in flood zone "B", with floodwall protection. He also stated however that he rated the whole facility as in flood zone "B" because the floor elevations of 452' are above that of the 100 year flood plain. I have no problem with that logic.

Discussion: Considering the above facts the BOD should also factor the realities of common sense. Simply changing the zoning of the Harbours on a sheet of paper does not magically render us safe from a rising river. Not carrying flood insurance will expose the entire HOA to catastrophic expenses from a special assesment (sic) WHEN the river floods the Harbours.

Yes...I say when because the flood elevation of the 1937 event crested at 463' here in Jeffersonville. You don't have to be a mathemetician (sic) to realize that an event 10' less than 1937 puts us in great peril. That floodwall is there for a reason, the false sense of security provided by a change on a piece of paper will not hold back the river nor alleviate our financial ruin when the river rises. I worked for the Corps for 33 years I have seen what the river can and will do.

I strongly encourage the BOD to maintain flood insurance. Cancelling it would be MADNESS. It is a mere \$12,000 per year line item, a rounding

error in our budget. The townhomes alone provide over \$70,000.00 per year in HOA fees. Surely we can expect to cover that line item ourselves. We're paying for carpeted halls we don't use!

I would be glad to discuss this issue with any or all of you if you would like a personal briefing.

Don't mess with the river....your (sic) gonna lose!

Paul  
618TH

----- Original Message -----

From: [Former property manager]  
Date: Thursday, February 24, 2011 15:57  
Subject: Re: Band and Grills  
To: Paul Ranney <blackdodgeviper@insightbb.com>  
Cc: kzipperle@win.net, Schandler1@aol.com, dfarnsley@stites.com, mltraut@insightbb.com, claudiaorsborn@insightbb.com, wtroberts@win.net, rzapp@win.net, leeapage@insightbb.com, kenquiggins@aol.com

Members

Paul & I have talked. The structure has been moved from A20 to B.

As we have already discussed he also would encourage that the Association continue to ensure some appropriate value of insurance for flooding.

Once removed our limits should not, hereafter, be subjected to co-insurance penalties.

This is a complicated issue with many facets. I will advise when I have more answers.

[Former property manager], Community Director

The Harbours Condominium Association, Inc  
One RiverPointe Plaza  
Jeffersonville IN 47130  
(812) 288-1100 fax (812) 282-9153  
www.theharbours.com

----- Original Message -----

From: Paul Ranney  
To: [Former property manager]  
Cc: kzipperle@win.net; Schandler1@aol.com; dfarnsley@stites.com; mltraut@insightbb.com; claudiaorsborn@insightbb.com; wtroberts@win.net; rzapp@win.net; leeapage@insightbb.com; kenquiggins@aol.com  
Sent: Thursday, February 24, 2011 2:32 PM  
Subject: Re: Band and Grills

[Former property manager]

The LOMA that you describe is typical for a flood zone designation that is considered to Zone "B" which is where 1 Riverpointe Plaza is located and is shown on this FEMA map:

[http://map1.msc.fema.gov/idms/IntraView.cgi?ROT=0&O\\_X=7433&O\\_Y=5150&O\\_ZM=0.077670&O\\_SX=1154&O\\_SY=800&O\\_DPI=400&O\\_TH=74313685&O\\_EN=74333374&O\\_PG=1&O\\_MP=1&CT=0&DI=0&WD=14866&HT=10300&JX=1655&JY=875&MPT=0&MPS=0&A CT=0&KEY=74312930&ITEM=1&ZX1=42&ZY1=400&ZX2=120&ZY2=499](http://map1.msc.fema.gov/idms/IntraView.cgi?ROT=0&O_X=7433&O_Y=5150&O_ZM=0.077670&O_SX=1154&O_SY=800&O_DPI=400&O_TH=74313685&O_EN=74333374&O_PG=1&O_MP=1&CT=0&DI=0&WD=14866&HT=10300&JX=1655&JY=875&MPT=0&MPS=0&A CT=0&KEY=74312930&ITEM=1&ZX1=42&ZY1=400&ZX2=120&ZY2=499)

However you will note that everything on the other side of the floodwall, i.e. (townhomes, pool, mechanical rooms, etc.) re in ZONE "A20" which I am pretty sure is within the 100 year flood zone. This is probably the confusion. Based on the Harbours mailing address they don't realize you have structures in two different flood zone designations.

Let me know if I can help. You should only have to insure that part of the facility that is in zone A20.

Having said that....some mortgage companies may not see it that way. For instance. I'll use Kevin and myself as an example of what I mean.

Assume Kevin has a mortgage and they want him to show that Harbours HOA has insurance not to cover him on the 3rd floor but to cover me below. Because assume perhaps, I don't have a mortgage and am not required to carry insurance and therefore don't have any. If there was a flood my unit could be destroyed and I may not have the ability to repair it, therefore they have sustained a loss because he now has a gutted shell below his property.

Also there is the substantial expense the HOA would suffer if there was a flood in Zone A20 and the HOA had to cover the damage to common stuff such as EIFS, windows, mechanical room, pool pumps etc. if we didn't insure that zone.

Paul

----- Original Message -----

From: [Former property manager]

Date: Thursday, February 24, 2011 10:40

Subject: Re: Band and Grills

To: Paul Ranney <blackdodgeviper@insightbb.com>, kzipperle@win.net

Cc: Schandler1@aol.com, dfarnsley@stites.com, mltraut@insightbb.com,

claudiaorsborn@insightbb.com, wtroberts@win.net, rzapp@win.net,

leeapage@insightbb.com, kenquiggins@aol.com

Paul

Just to clarify, the release titled, Letter of Map Amendment (LOMA), from the Special Flood Hazard Area (SFHA) was issued by FEMA. Our entire structure has been removed from the area.

With your experience with the Corps, you probably already have a better understanding than most people of probability of flooding. Our certificate shows that at 450. feet there is a 1% chance of flooding. The certificate further shows that the lowest grade elevation of our structure is 452.2 feet.

Our letter also states that portions remain in the SFHA, referencing land. Land is not covered under flood policies. This is standard language in releases.

The question that remains is whether the certificate of removal will satisfy most mortgage lenders. On the heels of Katrina and the mortgage crisis, lenders requirements have become increasingly stricter sometimes to the point of being unreasonable.

[Former property manager], Community Director

The Harbours Condominium Association, Inc  
One RiverPointe Plaza  
Jeffersonville IN 47130  
(812) 288-1100 fax (812) 282-9153  
www.theharbours.com

----- Original Message -----

From: Paul Ranney  
To: kzipperle@win.net  
Cc: Schandler1@aol.com; dfarnsley@stites.com; mltraut@insightbb.com; claudiaorsborn@insightbb.com; wtroberts@win.net; rzapp@win.net; leeapage@insightbb.com; [Former property manager]; kenquiggins@aol.com  
Sent: Thursday, February 24, 2011 8:40 AM  
Subject: Re: Band and Grills

This is interesting.....and a little unsettling (sic).

Since it's obvious that most of our facility should never have been considered in the flood zone at all, there still remains the fact that the townhomes as well as the main mechanical rooms and elevator etc. are well below the elevation protected by the floodwall.

I for one refinanced my house last year with Stock Yards Bank and they did require me to show that the HOA provided flood insurance because their analysis as part of the mortgage application process showed that my Townhome is in the flood plain. I guess they have a different definition of the flood plain than does your insurance company. There is no telling how many mortgage companies are involved with the Townhomes but since there are 10 it could be quite a few. Please keep us informed of your progress on this issue. Thanks for the good work.

Paul  
618TH

----- Original Message -----

From: kzipperle@win.net  
Date: Thursday, February 24, 2011 1:43  
Subject: Re: Band and Grills  
To: Paul Ranney <blackdodgeviper@insightbb.com>  
Cc: Schandler1@aol.com, dfarnsley@stites.com, mltraut@insightbb.com, claudiaorsborn@insightbb.com, wtroberts@win.net, rzapp@win.net, leeapage@insightbb.com, [Former property manager], kenquiggins@aol.com

Paul,

Thanks for the questions. If [former property manager] hasn't already replied to you, the elevation of the townhomes is sufficient to exempt all of our building from the federal flood insurance requirement. This applies to all individual units including the townhomes.

[Former property manager] is researching it further with our master policy insurer as far as the various mortgage underwriters. Some are more stringent than others on requiring flood insurance.

Thanks again...KZ

Quoting Paul Ranney blackdodgeviper@insightbb.com>:

I vote YES to keep the band for THUNDER.....they are very good!

I vote no to grills.....tacky looking.

Paul Ranney  
618TH

P.S. Seperate (sic) question regarding the flood insurance issue. How would this impact the Townhomes who will still be in the flood zone?

#### **EMAIL 011**

From: Paul Ranney <blackdodgeviper@insightbb.com>  
Sent: Monday, February 07, 2011 11:45 AM  
To: Paul Ranney  
Cc: THOMASHPIKE@cs.com; bettycan@insightbb.com; v.hack@insightbb.com; flamingosandy@rocketmail.com; dfinne4735@aol.com; sheilalrudder@yahoo.com; peak12r@excite.com; kathybuppl@yahoo.com; Betty Cantrell; Thom; Dr S; Barry Gates; Bill Thomas; Chris Arnheiter; Linda Dornbush; Robin Meshew; Glenn Thomas; Betty Cantrell; Becky Ledogar; A Vicki Hack; Miller, Sally; Beller, Jennie; A Jeff Police; Bill Brown; Sandy & David Finnegan; THOM PIKE; Vicki Hack; Robin Meshew; Glenn Thomas; John Weber; Keith Hillman; Louise Bornwasser; Sheila Rudder [OAG BLIND COPIED]  
Subject: Re: In.HB 1058

Here is the contact info for our senators....call 'em, e-mail 'em,tell 'em

SUPPORT HB1058

STATE SENATOR

(D) Sen. James Smith, District 45  
8603 Falcon Road  
Charlestown, IN 47111  
Statehouse (317) 232-9525  
Business (317) 234-9425  
Home (812) 248-9008  
Fax (317) 232-9903  
S45@in.gov  
Assistant: Ms. Tyler McGuffey

STATE SENATOR

(R) Sen. Ron Grooms, District 46  
3104 Autumn Green Way  
Jeffersonville, IN 47130  
Statehouse (317) 234-9425  
Business (317) 234-9425  
Home (812) 282-6108  
Fax (317) 234-9256  
S46@iga.in.gov  
Assistant: Tyler Ann McGuffee

----- Original Message -----

From: Paul Ranney <blackdodgeviper@insightbb.com>  
Date: Monday, February 7, 2011 14:34  
Subject: Re: In.HB 1058  
To: THOMASHPIKE@cs.com  
Cc: bettycan@insightbb.com, v.hack@insightbb.com, flamingosandy@rocketmail.com, dfinne4735@aol.com, sheilalrudder@yahoo.com, peak12r@excite.com, kathybuppl@yahoo.com, Betty Cantrell <bettycan@insightbb.com>, Thom <THOMASHPIKE@cs.com>, Dr S <dstone@signaturehealthcarellc.com>, Barry Gates <blg747capt@aol.com>, Bill Thomas <anthomas7@att.net>, Chris Arnheiter <chris\_arnheiter@yahoo.com>, Linda Dornbush <linda.dornbush@firstliberty.net>, Robin Meshew <peak12r@excite.com>, Paul Ranney <blackdodgeviper@insightbb.com>, Glenn Thomas <glenn@hartcountyrealty.com>, Betty Cantrell <bettycan@insightbb.com>, Becky Ledogar <rledogar@insightbb.com>, A Vicki Hack <v.hack@insightbb.com>, Sally Miller <Sally.Miller@atg.in.gov>, Attorney Jennie Beller <jennie.beller@atg.in.gov>, A Jeff Police <dgrimes@cityofjeff.net>, Bill Brown <coachb666@hotmail.com>, Sandy & David Finnegan <flamingosandy@rocketmail.com>, THOM PIKE <THOMASHPIKE@cs.com>, Vicki Hack <v.hack@insightbb.com>, Robin Meshew <peak12r@excite.com>, Paul Ranney <blackdodgeviper@insightbb.com>, Glenn Thomas <glenn@hartcountyrealty.com>, John Weber <johnsweber@gmail.com>, Keith Hillman <hillmank@hotmail.com>, Louise Bornwasser <weezeeb@aol.com>, Sheila Rudder <sheilalrudder@yahoo.com>

Everyone make sure you contact your local state senator to support this bill....It will be voted on soon and could be in effect by this spring, we are close let's don't drop the ball now!



Paul

From: Paul Ranney <blackdodgeviper@insightbb.com>  
Sent: Monday, February 07, 2011 11:35 AM  
To: THOMASHPIKE@cs.com  
Cc: bettycan@insightbb.com; v.hack@insightbb.com;  
flamingosandy@rocketmail.com; dfinne4735@aol.com;  
sheilalrudder@yahoo.com; peak12r@excite.com; kathybuppl@yahoo.com; Betty  
Cantrell; Thom; Dr S; Barry Gates; Bill Thomas; Chris Arnheiter; Linda  
Dornbush; Robin Meshew; Paul Raney; Glenn Thomas; Betty Cantrell; Becky  
Ledogar; A Vicki Hack; Miller, Sally; Beller, Jennie; A Jeff Police; Bill  
Brown; Sandy & David Finnegan; THOM PIKE; Vicki Hack; Robin Meshew; Paul  
Ranney; Glenn Thomas; John Weber; Keith Hillman; Louise Bornwasser;  
Sheila Rudder  
Subject: Re: In.HB 1058

Everyone make sure you contact your local state senator to support this  
bill....It will be voted on soon and could be in effect by this spring,  
we are close let's don't drop the ball now!

Paul

----- Original Message -----  
From: THOMASHPIKE@cs.com  
Date: Monday, February 7, 2011 14:25  
Subject: In.HB 1058  
To: bettycan@insightbb.com, v.hack@insightbb.com,  
flamingosandy@rocketmail.com, dfinne4735@aol.com,  
sheilalrudder@yahoo.com, peak12r@excite.com,  
blackdodgeviper@insightbb.com, kathybuppl@yahoo.com

Hey Paul,

Thanks for the update. Below is the ammended (sic) HB 1058 in case you  
have not loooked it up. Interestingly enough, it was ammended (sic) to  
give teeth to go after the board members personally for expenses.

That means I HOPE, the AG can go after someone TODAY for actions they  
have committed in the past.

HOUSE BILL No. 1058

A BILL FOR AN ACT to amend the Indiana Code concerning property.  
Be it enacted by the General Assembly of the State of Indiana:

SOURCE: IC 32-25.5-1-1; (11)HB1058.1.1. --> SECTION 1. IC 32-25.5-1-1, AS  
ADDED BY P.L.167-2009, SECTION 2, IS AMENDED TO READ AS FOLLOWS  
[EFFECTIVE JULY 1, 2011]:

Sec. 1. (a) This article applies to the following:

- (1) A homeowners association established after June 30, 2009.
- (2) A homeowners association established before July 1, 2009:

(A) if a majority of the members of the homeowners association elect to be governed by this article; or  
(B) if the number of members required by the homeowners association's governing documents elect to be governed by this article if a different number of members other than the number established in clause (A) is required by the governing documents.

(b) IC 32-25.5-3-8 applies to all homeowners associations.

SOURCE: IC 32-25.5-3-8; (11)HB1058.1.2. --> SECTION 2. IC 32-25.5-3-8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]:

Sec. 8. (a) The attorney general may bring an action against a board or an individual member of a board of a homeowners association if the attorney general finds that:

- (1) the association's funds have been knowingly or intentionally misappropriated or diverted by a board member; or
- (2) a board member has knowingly or intentionally used the board member's position on the board to commit fraud or a criminal act against the association or the association's members.

(b) A court in which an action is brought under this section may do the following:

- (1) Issue an injunction.
- (2) Order the board member to make restitution to the homeowners association or to a member.
- (3) Order a board member to be removed from the board.
- (4) Order a board member to reimburse the state for the reasonable costs of the attorney general's investigation and prosecution of the violation.

#### **EMAIL 012**

From: Paul Ranney <blackdodgeviper@insightbb.com>  
Sent: Thursday, December 23, 2010 6:44 AM  
To: kzipperle@win.net  
Cc: Kenquiggins@aol.com; DFARNSLEY@stites.com; Schandler1@aol.com; mltraut@insightbb.com; claudiaorsborn@insightbb.com; wtroberts@win.net; rzapp@win.net; leeapage@insightbb.com  
Subject: Re: Indiana attorney general letter

OK lets do some clarifying.....The letter I have is signed by Paula J. Beller, Assistant Deputy Director

The cover letter states "we consider Items I through IV to be final conculsions. The 51% matter is item three.

I'm not a malcontent and I'm not confused by what I read. This is all the info I had to go on and I think I proceeded in good faith. Your (sic) welcome to look at my letter at your convenience.

----- Original Message -----

From: kzipperle@win.net

Date: Wednesday, December 22, 2010 14:41  
Subject: Re: Indiana attorney general letter  
To: Kenquiggins@aol.com  
Cc: DFARNSLEY@stites.com, Schandler1@aol.com, mltraut@insightbb.com, claudiaorsborn@insightbb.com, wtroberts@win.net, rzapp@win.net, leeapage@insightbb.com, blackdodgeviper@insightbb.com

Ken,

You're exactly right, and you're the 2nd person I've heard make that comment. The actual voting results we routinely see would mean that someone with that much voting control didn't use all of it. And what would be the logic in that?

As we know, the remark was a clumsy attempt by these folks to make a point. Instead, it has just confused some people and worse still, given a malcontent some misinformation that he/she can try to use against the rest of us. And we already know that stuff happens...KZ

From: Paul Ranney <blackdodgeviper@insightbb.com>  
Sent: Tuesday, December 21, 2010 1:48 PM  
To: kzipperle@win.net  
Cc: Farnsley, Doug; THOMASHPIKE@cs.com; Kenquiggins@aol.com; Schandler1@aol.com; mltraut@insightbb.com; claudiaorsborn@insightbb.com; wtroberts@win.net; rzapp@win.net; Betty Cantrell; Dr S; Barry Gates; Bill Thomas; Chris Arnheiter; Linda Dornbush; Robin Meshew; Glenn Thomas; Becky Ledogar; A Vicki Hack; Miller, Sally; Beller, Jennie; A Jeff Police; Bill Brown; Sandy & David Finnegan; John Weber; Keith Hillman; Louise Bornwasser; Sheila Rudder  
Subject: Re: RE: Indiana attorney general letter

well, the copy I've got doesn't say anything about it being a draft.....furthermore if the IAG has something to say to the residents of the Harbours why would they provide you with an opportunity to edit thier (sic) comments?

Quoting Kenquiggins@aol.com:

It sounds to me like someone has accused someone of owning 51% of the votes. It does not sound like they are saying that is true. And that they are commenting on that if it is true. Which we all know it is not. Look at the results of the last Election and you know that's not true. If there was that kind of imbalance the vote would be far greater in favor of the parties that won. People would be winning by 80% of the votes not 60% and so forth.

In a message dated 12/21/2010 12:28:01 P.M. Eastern Standard Time, DFARNSLEY@stites.com writes:

Dear Harbours Homeowners and others,

I am gratified by and pleased with the findings outlined in the Attorney General's preliminary report. I attach a copy of the initial report for those who may not yet have seen it.

Ms. Beller of the Attorney General's office advised that the "initial report" that she provided to me (and that Mr. Ranney referenced in his email) is preliminary, that the AG's office mailed it to the complainants, and that Ms. Beller sent it via email to me and to Thom as a courtesy.

My further understanding is that when the Attorney General's office concludes the investigation of the plumbing and parking issues, a final report will be forthcoming. In that final report, a clarification regarding the "51%" reference will (or may) be included.

The Association has fully cooperated with the Attorney General's office in its investigation. We have produced a large number of requested documents, and we made staff, board members, and others available for a meeting with representatives of the AG's office.

Sincerely,

Douglass Farnsley  
Direct: (502) 681-0426, Cell: (502) 593-3770  
Fax: (502) 779-8268, dfarnsley@stites.com  
400 W. Market St., Suite 1800 | Louisville, KY 40202

-----Original Message-----

From: Miller, Sally [mailto:Sally.Miller@atg.in.gov]  
Sent: Tuesday, December 21, 2010 11:55 AM  
To: kzipperle@win.net; Paul Ranney  
Cc: Farnsley, Doug; THOMASHPIKE@cs.com; Kenquiggins@aol.com; Schandler1@aol.com; mltraut@insightbb.com; claudiaorsborn@insightbb.com;> wtoberts@win.net; rzapp@win.net; Betty Cantrell; Dr S; Barry Gates; Bill Thomas; Chris Arnheiter; Linda Dornbush; Robin Meshew; Glenn Thomas; Becky Ledogar; A Vicki Hack; Beller, Jennie; A Jeff Police; Bill Brown; Sandy & David Finnegan; John Weber; Keith Hillman; Louise Bornwasser; Sheila Rudder  
Subject: RE: RE: Indiana attorney general letter

Enough is Enough! The Office of the Attorney General sent copies of that letter to many people in the Harbours. Happy Holidays to all of you at the Harbours. Peace on Earth Good Will to Men.

Sally Miller

Sally L. Miller, Investigator/Work Flow Coordinator  
Office of the Attorney General  
Licensing Enforcement & Homeowner Protection Unit  
302 West Washington Street Fifth Floor  
Indianapolis, IN 46204  
Phone: 317-234-2353  
Fax: 317-233-4393

sally.miller@atg.in.gov

-----Original Message-----

From: kzipperle@win.net [mailto:kzipperle@win.net]  
Sent: Tuesday, December 21, 2010 11:52 AM  
To: Paul Ranney  
Cc: Farnsley, Doug; THOMASHPIKE@cs.com; Kenquiggins@aol.com;  
Schandlerl@aol.com; mltraut@insightbb.com; claudiaorsborn@insightbb.com;>  
wtroberts@win.net; rzapp@win.net; Betty Cantrell; Dr S; Barry Gates;  
Bill Thomas; Chris Arnheiter; Linda Dornbush; Robin Meshew; Glenn Thomas;  
Becky Ledogar; Vicki Hack; Miller, Sally; Beller, Jennie; A Jeff Police;  
Bill Brown; Sandy & David Finnegan; John Weber; Keith Hillman; Louise  
Bornwasser; Sheila Rudder  
Subject: Re: RE: Indiana attorney general letter

As I understand, that was supposed to be a DRAFT document. Most Board members hadn't even seen it. One person who received a copy--Doug Farnsley, who showed me (as HOA President) a copy, and who was helping to edit it--knew and respected that. At least one other person evidently distributed it far and wide. I can make a reasonable guess who that person is/was.

Paul, I'm not calling you out having received it. You probably didn't even know it was a DRAFT. And I'm waiting for someone else to answer my questions...KZ

Quoting Paul Ranney <blackdodgeviper@insightbb.com>:

what newspaper?

----- Original Message -----

From: kzipperle@win.net  
Date: Monday, December 20, 2010 21:33  
Subject: RE: Indiana attorney general letter  
To: "Farnsley, Doug" <DFARNSLEY@stites.com>  
Cc: Paul Ranney <blackdodgeviper@insightbb.com>, THOMASHPIKE@cs.com,  
Kenquiggins@aol.com, Schandlerl@aol.com, mltraut@insightbb.com,  
claudiaorsborn@insightbb.com, wtroberts@win.net, rzapp@win.net, Betty  
Cantrell <bettycan@insightbb.com>, Dr S  
<dstone@signaturehealthcarellc.com>, Barry Gates <blg747capt@aol.com>,  
Bill Thomas <anthomas7@att.net>, Chris Arnheiter  
<chris\_arnheiter@yahoo.com>, Linda Dornbush  
<linda.dornbush@firstliberty.net>, Robin Meshew <peak12r@excite.com>,  
Glenn Thomas <glenn@hartcountyrealty.com>, Becky Ledogar  
<rledogar@insightbb.com>, A Vicki Hack <v.hack@insightbb.com>, Sally  
Miller <Sally.Miller@atg.in.gov>, Attorney Jennie Beller  
<jennie.beller@atg.in.gov>, A Jeff Police <dgrimes@cityofjeff.net>, Bill  
Brown <coachb666@hotmail.com>, Sandy & David Finnegan  
<flamingosandy@rocketmail.com>, John Weber <johnsweber@gmail.com>, Keith  
Hillman <hillmank@hotmail.com>, Louise Bornwasser <weezeeb@aol.com>,  
Sheila Rudder <sheilalrudder@yahoo.com>>>

Now the important questions--how and why did this make it to the front page of the newspaper before it had been properly edited??

Quoting "Farnsley, Doug" <DFARNSLEY@stites.com>:

Paul,

I had the same concern that you did about the AG's letter. I corresponded with Ms. Beller of the AG's office about that point. Please see the attached email string. As you will see, the report is referring to a theoretical situation and is not referring to the reality at the Harbours. Ms. Beller has agreed to change the sentence in the final report.

Sincerely,

Douglass Farnsley  
Direct: (502) 681-0426, Cell: (502) 593-3770  
Fax: (502) 779-8268, dfarnsley@stites.com  
400 W. Market St., Suite 1800 | Louisville, KY 40202

From: Paul Ranney [mailto:blackdodgeviper@insightbb.com]  
Sent: Monday, December 20, 2010 2:02 PM  
To: THOMASHPIKE@cs.com; kzipperle@win.net; blackdodgeviper@insightbb.com; Kenquiggins@aol.com; Schandler1@aol.com; mltraut@insightbb.com; claudiaorsborn@insightbb.com; wtroberts@win.net; rzapp@win.net; Farnsley, Doug  
Cc: Betty Cantrell; Thom; Dr S; Barry Gates; Bill Thomas; Chris Arnheiter; Linda Dornbush; Robin Meshew; Paul Raney; Glenn Thomas; Betty Cantrell; Becky Ledogar; A Vicki Hack; Sally Miller; Attorney Jennie Beller; A Jeff Police; Bill Brown; Sandy & David Finnegan; THOM PIKE; Vicki Hack; Robin Meshew; Paul Ranney; Glenn Thomas; John Weber; Keith Hillman; Louise Bornwasser; Sheila Rudder  
Subject: Indiana attorney general letter

This e-mail is directed to the board members of the Harbours....all those CC'ed can do what you will with what I am about to tell you. Hopefully you'll inform as many people as you can.

I am in possession (sic) today of a letter from the office of the Indiana Attorney General that makes a startling revelation.

From the letter:

"One individual at the Harbours controls over 51% of the votes via proxy! According to the IAG this situation is "shocking" in a homeowners association for one individual to control our organization and finances! Has 'appearance of a conflict of interest' just been made a laughing stock?"

Now my comments:

I don't know if any or all of you board members are aware of this situation. However as of today, - I just made you aware! Can we now stop pretending to have elections on budgets, directors etc. and focus on what to do instead. There is indeed a "puppetmaster", (many have said this, now it's confirmed), and you all may be being used for his/her purposes, whatever they may be.

I call on any or all of you Directors, ANY who have any shread (sic) of honesty and decency left in you to immediately stand up for us all and verify if you can....

- who is this individual
- notify all homeowners of this persons identity so that we may all know if the votes cast are personally enriching this individual at the rest of ours expense. We have a right to know!
- Immediately (the first meeting in January) explore ways to change our voting methods so that one individual cannot amass this much power. NO MORE ABSENTEE BALLOTS The Proxy system is broken!

Thomas Jefferson said "All it takes for a criminal to succeed is for honest people to say nothing"

As you know I have run for the board myself thinking that some of you were not always voting as I would have and that would have been best for our community....however had I known that you were all personally hand selected by someone and that I had no chance to win, well!!! I'll wait for that "man behind the curtain" to come and personally tell me I have his blessing before participating in any other ruse elections here at he Harbours.

With Deep Regrets,  
Paul Ranney  
618TH

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