

February 10, 2025

TO: the Heritage Farm POA Board of Directors

FROM: Jennifer Floyd, Vice President

Re: Censure and potential removal of Director Don White

Starting in late 2023, a number of home owners questioned the ethics of the Board of Directors. The end result of the accusations during that time was a Special Membership Meeting where the neighborhood voted to remove Director Tonya Medlen and not to remove Directors Garry Elrod, Karen Lechelt, and myself. At the same time, the neighborhood voted onto the Board Marisol McMenemy, Stacey Curtis, Don White, Jonathan Elrod, and Greg (Drew) Privett. Almost immediately, some of the new Directors made accusations of bias against Directors Garry and Karen. Eventually that would extend to include myself, John Sutton, and Drew. There was also fighting amongst Directors whenever questions were posed without background or reason why the question was being posed. In July 2024, a Facebook post brought to my attention that a neighbor had installed a shed that was not in compliance with the Bill of Assurance. This resulted in a back and forth over what to do in regards to that shed and the ethics of a Director reporting a non-compliance based on a social media post. The end result being that a couple of Directors took it upon themselves to notify that owner that he was being targeted and discriminated against by the Board and to attempt to approve the shed without Architectural Control Committee or Board approval. During this time is when Don began belittling and degrading the other Directors while making up conversations and decisions that never happened. On text message while discussing the appropriateness of one Director making unilateral decisions about architectural and compliance in regards the shed, Don stated "The final decision on committee decisions goes to the committee chairman. We voted on this in our first meeting. The only one who can override that decision is The board **President** .we need to stay in our lane." "Chain of command people." John Sutton said "Please explain where you got your information." Don refused. He told John to reign in his attitude, that he didn't understand chain of command, and that he was a child. When John called him out for being insulting, Don repeatedly responded with "Poor sensitive John". I told them both to stop and warned Don that his behavior was unacceptable. Don then stated "By the end of this year the old bloods will be done and the new group will be better off."

Not long after this, Marisol and Stacey resigned from the Board.

Don off and on continued his abusive messages to the Board of Directors while ignoring or refusing to accept information given at board meetings by Karen, Jennifer, and Deb Langley.

On September 9, 2024, several neighbors started discussing a woman who was camped out with a lot of household items in the Boone Road church parking lot. There was significant discussion about what was going on and how to help. Not all comments were positive, but the majority were. It was recommended that the police be contacted. Several neighbors commented that they were actively helping this woman. The woman was around for a few days before she accepted assistance and moved on. Don then posted on social media (NextDoor). "There was a lot of concern for every thing (*sic*) but the woman's welfare. People calling the cops and just this attitude of "let's get her out of this community." Only one person offered her life help which is food and drink. "Thank You" Marisol for being the person I have come to

know.” The post generated a lot of comments. One neighbor tried to make sure Don knew Marisol was not the only person who provided food to the woman. She commented how Director Karen Lechelt had brought food and drink to the woman. Don’s responding comments were to ignore this information and tout his own goodness. I then commented to point out his hypocrisy, explaining why the police are equipped to assess such situations and bring in needed community resources that the average individual does not have access to. His response was “The queen of deflection is in the house.”

Sep 13, 2024: “So we are paying Bailey to do the job and he is not going to do it so the entrance to Hazelwood is neglected again and the ability of the POB (sic) to show the people in the community that we are proactive goes by the way side again. Thus the definition of the Board as of now.” “He has done nothing to the Hazelwood exit no matter what his title is. The exits to this community are horrible and the entrances to the community is the first thing visitors see when they come to see property.”

I responded “I’m sorry I haven’t been able to complete the lawn care contract and start working on this issue. I spent a significant amount of time tracking down what land we ACTUALLY own. I took photos and put together an email to the city to work on the creeks. I attended Mr. Baptist’s meeting and took notes which I have typed up for the good of the neighborhood. I’ve continued to work on the pool, trying to get all the best information so we can make an informed decision on what needs to be done (thank you Greg and Stacey for their help). I have lost the assistance of Stacey with the lawn contract and entrance issues. ALL WHILE WORKING MY 40 HOUR WEEK AND TAKING CARE OF MY KID. So how about instead of passive aggressive test messages, you chill out and let me do what I can do when I can do it.”

Don: “I don’t remember mentioning you in this conversation and it is not All about poor Jennifer. You need to stay in your lane.”

On September 17, 2024, I messaged the Directors and the Architectural Control assistant in regards to a request for Architectural Control approval. I asked specifically how covered/screen patios had previously been handled by Architectural Control. There was discussion that included how porches are to be treated and what architectural requirements were not met by the request, also including mention that the structure requested would not be in harmony with the external design of existing structures. During this discussion, Don messaged “If this is a **Compliance** issue it falls under Greg’s committee and should be handled accordingly. Everyone else should stay in their lane.” I responded “It’s a request for architectural control approval Don. Which is the entire board. Grow up and stop claiming the board shouldn’t be involved in decisions.” His response “And now to deflection.” He then started claiming the covered patio had already been built, ignoring my messages that the house requesting this is not located along Boone Rd and cannot be the house he was referring to and followed up with “I am learning so much from this chat site and I hope others are reading this thread also.” Even after a call for a vote and a reminder with screenshots that the request and the home owner’s plans had been sent to all the Directors, Don continued to argue on the message. At the next Board meeting when this topic was brought up, Don admitted that he had not read the email concerning the request. When he did look at the email during the Board meeting, he commented that I had sent an unprofessional email, which was to be expected from me, because a photo was upside down/sideways. The homeowner’s proposal was an attachment to her email request which included one blank page and one page upside down. The

requesting email and its attachment was forwarded in its totality with no corrections. When Karen attempted to point this out to Don, Don pointedly ignored her and talked over her.

On October 4, 2024, I was contacted by former Director Marisol McMenemy. She texted "hey did Gary pay back the funds he used for personal reasons and issue a statement with an apology and plan to ensure POA funds won't be misused again? Just saying if I'm hearing about it and I'm not actively trying to be part of anything, it might be better to get ahead of the situation before there's an uproar." I responded that I didn't know what she was talking about. She then said "oh there is talk from several people he used the POA card for a family dinner" and "either way, may want to get ahead of the whole thing". I told her I would look into it. The bank records were reviewed and no charges were found that were not legitimate POA charges. But the rumor persisted to the point that I was told more than a month later that it must have happened because Garry had apologized for it. The person on the Board who claimed Garry had apologized for misusing the POA debit card was Don White.

On October 7, 2024, I informed the Board of the two bids from Hart & Sol for the pool surface repairs (one bid to re-surface and one bid to seal the surface with Microglass). There was back and forth discussing the cost and I stated "If we had \$42,000 not already earmarked for regular expenses, emergency expenses, and other needed repairs/improvements, I would say the resurfacing is a better financial deal. Hart and Sol is the cheapest bid for resurfacing. But we do not. We would have to take out a loan for around \$20,000 if I understand where our finances currently stand." Drew then stated "I believe we could pay outright for option 1 [Microglass seal], that would give us a few years to save up to pay for option 2 [resurfacing] outright as well. That would keep us from having to take out a loan." Don then stated "For once Greg is in the house with logic let's see the negative replies."

At that October 14, 2024, monthly Board meeting, Don refused to listen to the treasurer's report and refused to accept Karen Lechelt's information about the accounting book review the Board had contracted for prior to the April 2024 membership meeting. He also failed to listen to my report on the Hart & Sol bids, interrupting the discussion to demand to know what happened to "Greg's plan" for the pool. He was corrected multiple times that I was presenting the two options from Hart & Sol which included the cheaper and shorter-term repair that he was attributing to Greg.

Also at the October 14, 2024, Board meeting, Don announced he and Bob Patterson would consult with home owner Lisa Green to work on the Hazelwood entrance. He wasn't asked to take that task on. In fact, the task had been assigned to Deb and Karen at a previous Board meeting and they had been actively engaged in the decision making about improving that area.

On October 15, 2024, Don posted to the social media website NextDoor an inaccurate synopsis of POA business. "Just wanted to let everyone know in the Heritage Farms (*sic*) Subdivision that the monthly meeting was held last night. Progress was made in that the bid for pool repair for over \$58,000.00 was declined. Instead we went with Greg's plan to repair the pool for a little over \$11,000.00. This money is a three year plan to allow the board to save money so if a big project comes up, we, the board, will not have to borrow any money. This is what I wanted to achieve with this group in the first place and that is being good stewards of the resources that we the members invest. Johnathan (*sic*) suggested and I agree that certain funds should be ear marked for certain projects. This again, in my opinion is another show of being good stewards of our money. I will continue to fight the Jennifer plan as I have promised you I would." The post was removed after Board President Garry Elrod and Compliance Chair Greg

Privett spoke to Don about the misinformation he was spreading. This post was an accusation that I was recklessly spending the POA money.

The Board of Directors created a Code of Ethics which was signed by each Director the week of October 21st, 2024.

On Dec 11, 2024, Garry sent information on bids to replace the heating and air at the pool house. A discussion began on whether the units in the bids were the same size. Don asked "So are you saying you are considering paying \$1620.00 more for a rheem vs a carrier?" Karen responded "No, we are debating the difference between the units. We need to know the sizes of the condensers to ensure that they are the same." Then she noted "And you have that backward. The Rheem estimate is lower. Plus, your numbers are incorrect." Don responded "And here we have the deflection. We are suppose to be good stewards of the POA monies and paying more for your bid is not the best interest for the POA." He continued to text that we must be good stewards of the POA funds while the Board discussed the similarities and differences of the bids to include the additional service contracts and the rebates.

On Dec 16, 2024, I sent the quote from Lindsey's for replacement of the inline chlorinator at the pool. Don said "So we are not going to get three estimates for this as I thought we agreed at the last meeting." I said "I was not at the last meeting. But this and the leak are typically not items where three estimates can be gotten. The leak has to be found (one company does that) and then that company charges almost the same as Diamond Pools to repair the leak if it's in the plumbing and not the pool surface. Diamond Pools refers to Lindsey's for pump room items such as the inline chlorinator. When it comes to pools, there is very few companies that work on them unfortunately. However, do we have any board members who are competent plumbers? Then this might be a different discussion." Garry said "Because of the nature of this repair, Jennifer's knowledge of the pool and the time sensitivity of these repairs bids are not solicited. In addition, these are repairs, not replacements or new purchases." Don responded "So we are not going to replace the part?" Deb said "This pool is regular maintenance to keep it running. We have specific people who always take care of those for us. We have to replace it." Don said "Gary I believe if you read Deb post it says replace. It would help if you read the posts. Again Gary the use of the word replace which I believe needs three estimates." And then "I did not know Jennifer was a certified pool person. Does she have a certificate that I am not aware of?" I said "He didn't say I was certified. He said my knowledge." He said "Just getting to know the players." Garry said "Don, there are no players. Just fellow board members willing to share their time and areas of knowledge. Your criticism is unwarranted. We are doing what needs to be done." And Don said "My question is do we have the money to pay cash for this job as well as the leak? It may be time to his the PayPal account if there is one, which I have not seen." Garry said "Don you have had access to printouts for both accounts. In addition, Don we do not keep cash on hand. Why would we? We have accounts to cover these expenses that will show the expenditures as they should."

On Dec 19, 2024, I notified the Board the American Leak Detection had found the cracked pipe that was leaking. A discussion was had about the pool pipes and how many there are that could crack in the future. John said "Better keep a good cash reserve for the money pit." Don said "And then reality should hit even the slowest of us and we should realize that we are chasing our tails to think we can keep throwing away money trying to keep this money pit going. I suggest we give our community the opportunity to say whether they want to keep putting money into something that is not worth it. We

must tell the people the truth and go from there. The truth is what we owe the people." I responded "Are you going to remind them how much money they throw away on their own home every time they make repairs to it? Or their car? It's the same thing. You own something, it has to be repaired when it breaks down." He said "This is another one of your deflections. Keep on point. What you are saying is a personal choice where the pool they have no choice. Please stay on point and know your deflections do not work on me." After John pointed out the benefits of the pool, Don said "I respect your opinion as always Sir." Deb then said "It is definitely a draw for home owners with children" and Don responded "Deb I think father time will solve your debate." I said "Don-your comment almost sounds like a death threat. Maybe you could rephrase that?" And John said "I THINK Don means "time will tell"??" Don said "Someone doesn't know what Father Time is. Another deflection." John said "Don you're more cynical than I am!" Don said "Actually I believe "time" is already talking loudly." And then said "I never thought you were cynical at all just truthful." I asked "So men are all truthful and the women are liars and deflect from the topic at hand?" Don said "I thought this post was about the money pit." And "We need to be responsible and get rid of the money pit." I stated "I agree the pool is a huge financial obligation for the neighborhood. But the neighborhood chose to put in this pool. We are charged with maintaining what the neighborhood chose. And just like if you buy in this neighborhood, you are accepting the rules of the POA, you are also accepting the financial obligations of the POA to include this pool." When Don did not get anywhere in his quest to shut down the pool, he switched gears to financials. Speaking to Karen he said "I am still waiting on an official bank report which you refuse to give and Gary just lets you get by with your conduct." Gary said "Karen gives one of us a bank report each month. She has a copy that you can request to see." Karen stated "John posts the expense report on the website." Don responded with "Gary, I am requesting an itemized report for all bank accounts, the pay pal account and the Amazon accounts for the last six months including your Gary debit card purchases. Now I can come by and get them or you can deliver them to me. Karen, I have made my request as a board member and you are obligated to fulfill this request. I know you will have no problem with this." Gary said "Don, We have only two bank accounts. Regular and PayPal is the second. My card is assigned to the pay pal account. Just wanted you to understand these facts." I asked "Don – from what date to what date are you requesting? Have you reviewed that information as it has been posted to the POA website?" Don responded "Does this mean your will make my request become a reality and if so when can I expect delivery. I need six months at the least." I posted the link to the financial statements. Don stated "I suppose by Jennifer response she does not intent to give me what I want. I refer to Gary's leadership and position to negate your post. Gary I am referring to your position to override so and so post. I know you will do the right thing." I said "I did give you what you want. It's in electronic form and you have to print it yourself. I don't have a printer." Don said "So I see Gary refuses to fill my request. Am I right Gary or do you refuse to be the President and be mislead again? Gary I beg you to use your position and fulfill what I have asked" and "I am asking for itemized entries and what Karen showed us was not what I am asking for and she knows it. I am sure Gary will clear this up by using his position." I said "Listen, I took today off to deal with the pool. Here in a little while, I will go to the bank. I will ask them to print off the bank records for both accounts for the entirety of 2024. And then I will provide those records to Don and every other member of the Board. And when he is done reviewing the records and finds no discrepancies, I expect he will resign his position on the Board. What do you say about that Don?" He responded "Jennifer, as a combat Vietnam Veteran I know most civilians don't understand that I feel I earned my spot on the board more than you. I appeal to you Gary to stop this nonsense. Again, Gary I hope you understand that Jennifer is doing the smart mouth here not me." I

said "Nothing I said was "smart mouth". You have circled back to financial malfeasance accusations. These accusations have been proven false over and over. When they are proven false again, I believe it's time for you to admit you have made up these allegations, apologize to the entire board but particularly Karen and Garry, and resign." He responded "Luckily you have an opinion because of Veterans like me. Just because someone asks for records doesn't mean something (sic) is wrong but you are really filling up the doubts in that direction." I said "My grandfathers, father, and many uncles all fought for this country and have taught me to stand up for what is right." I delivered the bank statements to Don this day.

On Jan 26, 2025, Don stated "I think we need to make a decision on the signs and the fence on Boone. I think we need to show the property owners we are accomplishing something before the April meeting." I said "A decision was made for the signs. What decision is needed for the fencing on Boone road that isn't POA property?" He said "Would it be proper to go forward with fixing the signs for the community. The fence is all POA property and is our responsibility." Deb stated "As we have discussed previously we are awaiting the final quote for the signage. Hopefully we can have that by our next meeting." I said "The decision was made to replace the signs. The fencing is the home owners' property and not the property of the POA, for the length at the back of the houses abutting Boone road. We decided it would be best to bring that up at the April meeting to let the neighborhood know what we have found via a property records search. We also decided we should notify those specific homeowners prior to the meeting by letter." Don said "We already have a quote for the signs and can be done in three weeks not 18 months. I say we do it and it over with." He also sent what he claimed was a quote for power washing the fence. I asked "So Don, did you go behind the Board's back to get a quote for something the Board has not voted on? Because the Board discussed this and determined it should be brought up with the neighborhood." Don said "I feel if I am paying my dues and recognize a problem it is up to me to do what I can to solve the problem. The military blood in me says take the bull by the horns and make something happen. Gary should have done this a long time ago." I said "I'm sure your commanding officer would have told you to follow the orders he gave you instead of going outside of your duties. We discussed the issue of the fence as a Board. This isn't the military, we don't march by your order, and we handle all concerns as a Board. We discussed the concerns of the fence and the fact it isn't POA property is something we need to present to the owners and the rest of the neighborhood." Don said "This must be Jennifer deflecting again." I asked him if he had anything to say about the bank statements. He said "I found where you Jennifer have been writing checks to your self from the POA funds. You also signed the checks instead of Karen." I stated I have never written a check to myself, have been reimbursed for POA expenses I paid, and have been the second signature on many checks. Don said "You say you have never written a check to yourself and yet I have proof otherwise." And "Your name is on the check Jennifer. Your story is not holding up." When asked to provide this proof to the Board he stated "I have the checks and will turn them over when needed." Don has continued to refuse to provide any documentation proving I have stolen money from the POA and has refused to accept the documentation Karen and I provided of the receipts that go with the two reimbursement checks written to me unless he is given those receipts on paper rather than the photos sent to the entire neighborhood.

On Jan 30, 2025, the Board started discussing how to respond to XXXXX email with his questions concerning the updated By-laws. It was a productive discussion, allowing me to realize the new By-laws had not uploaded to the website properly and were missing a whole page. We also discussed specific concerns from XXXXX's email. Don stated "I guess today is crap on XXXXX day. I could care less about the useless verbiage that is put on this site. I could be known as the straw that stirs this POA drink. Poor

ole Jennifer and Karen have wasted so much time with wanting to bully people get what they want and mean while the community is going to crap. Way to waste time.” Karen and Jonathan both pointed out that the discussion being had was to provide a thoughtful response to XXXXX. Don then said “I am very concerned about the condition of the neighborhood and less interested in clerical errors. I believe the property owners elected us to improve the neighborhood not correct clerical errors.” I said “I’m sorry you feel addressing Mr XXXXX’s emailed concerns is not worth the Board’s time. I do not believe Mr XXXXX would agree with you, or he would not have bothered to raise these questions about the bylaws.” John said “We must thank Mr. XXXXX for bringing this to our attention. @Don, mistakes in official POA documentation always need to be corrected.” Don said “There should be no mistakes in the first place. Jennifer and Karen have nothing better to do than stir this pot. I have all the respect for Mr. A and know his value to this community unlike others.” I made sure to forward the multiple emails XXXXX had sent by this time to everyone on the board and on Jan 31st, I asked the Board to again decide how to respond. Karen suggested a response and Don then said “Karen your post makes no sense in reality, you continue to want to bully your way by exposing one part of your anatomy. I am so glad I don’t have to be exposed to your presence any longer than I have to be.” I said “Don, your response to Karen’s suggested wording for the answering of XXXXX XXXXX’s email is absolutely uncalled for. If you have something constructive to suggest, please do so.” He responded “Oh no I am up for another ethics charge. Jennifer stay in your own lane.”

On Feb 5th, I let the Board know I saw someone measuring the sign at the Heritage Farm Dr entrance. Karen responded that her estimates were updating and wouldn’t need to re-measure. Don then said “I understand that you have been updating for close to twenty months now and I would suggest you take a break and go to work. I have no seen a written bid by from you in the whole time I have been on the board. Sounds like another Karenism to me.” I said “Don, you are once again out of order. Your behavior is unconscionable.” Don said “Only the ethics committee can decide this. Another Jenniferism.”

On Feb 7th, the Board was notified that Don had posted on his facebook page photographs and the plea for everyone to call Garry to complain about the curb appeal of the neighborhood. Posting someone’s phone number on facebook and asking people to spam that person with phone calls is doxxing. While doxxing an adult is not illegal in Arkansas, it is still a purposefully harmful act.

I submit this document as evidence of Director Don White’s continual unethical and disrespectful behavior. At this time, he has broken the Code of Ethics for the Board numerous times and continues to do so even after receiving several verbal warnings.