

L M Zervigon comments presented at Board Meeting on Monday May 20, 2020

I wish to report to you, our MUD residents, about a situation that all residents need to be aware of. I will first describe the Problem then I will comment on the perpetrators of the Problem and, finally, I will suggest ways that you, our residents, can avoid being victimized:

1. The Problem:

We have seen relentless attempts to obtain the private contact data of MUD residents who have been cited for Deed Restriction violations. I will briefly review the circumstances and history of what has become a struggle on our part to protect the privacy of you, our residents, and what you can do.

Here are some of the things we know are happening:

- Residents have endured unwanted approaches and harassment by parties not affiliated with the Deed Restriction enforcement process. Ms. Linda Fabre approaches persons cited for violations to recruit them as her followers. That has resulted in complaints of harassment from persons so approached.
- Persons have reported harassment involving phone calls from unidentified persons demanding details about their experience with violation enforcement. They have been threatened when they refuse to divulge the information asked for.
- When the pattern of harassment has been discussed at MUD Board meetings Linda Fabre immediately issues open records requests to discover who is complaining. I therefore recommend that persons submit complaints verbally to a MUD Director to prevent their names from being revealed to Ms. Fabre through open records request demands, which might result in further harassment.
- A Vietnam Veteran who is suffering from cancer, brought on from his exposure to Agent Orange during his military service, has complained about verbal abuse, at his home, by Linda Fabre.

What we are doing to protect the privacy and to mitigate threats and harassment of our neighbors:

- One of the first steps the Board took to protect your privacy was to change the water account application to automatically opt the resident into privacy. New account applicants may choose to opt out of privacy.
- A new form to opt into privacy was sent to every account holder encouraging them to update their privacy status. This form is on the WTCMUD1 website for download.
- The email signatures of all MUD directors and vendors who communicate with residents contain a message stating their communication is subject to open records with a link to the form to opt into privacy.
- Redacting (blacking out) the contact information from Board Reports, of persons cited with Deed Restriction violations. Those reports are Public documents and therefore accessible to persons wishing to use the information for their own purposes.
- Alerting persons who are charged with DR violations that they may be contacted by outside parties with no official standing who will wish to "assist" them in appealing. If those persons harass you, please report the harassment to the MUD.
- No one from the WTCMUD1 will ever contact a resident requesting their personal information. We already have it. Just as we would all reject requests for our social security number from a stranger on the phone, we advise residents to reject requests for their personal information from persons unknown to them who represent themselves as having official status. Do not hesitate to contact the MUD about such contacts.

2. Who are the perpetrators, what are their methods and, what are their objectives?

The perpetrators:

The persons pursuing these attacks on our residents are led by Ms. Linda Fabre, Sara Dillard Teale and assisted by Mr. David Flores who are long standing critics of the MUD. They have had great difficulty in their attempts to recruit residents to support their relentless anti MUD campaign, in part due to their unfortunate very troubled personalities. One of them was criminally charged in Williamson County after numerous profanity laden attacks against the MUD Board, during Board meetings from which he was ejected numerous time by Law Enforcement.

Their methods:

The Deed Restriction enforcement process (DRE) inevitably angers some of the persons who are charged with violations. The perpetrators see that population as fertile ground to recruit followers, so they have chosen to focus on those persons. To do so, they need to know their identities and contact information. The measures we have taken to protect your privacy impede them, so they have turned to other methods.

Linda Fabre has walked through many of the MUD neighborhoods compiling lists of perceived violations which she has then submitted to the MUD Deed Restriction enforcement Manager. In an astonishing display of a sense of entitlement she demanded to be informed of actions taken. But wait, that is not all, she then contacted the very persons she reported as violators, offering to help defend them from “persecution” at the hands of the MUD.

An unsurprising consequence is, that we have received formal requests from the Volente Hills and Hunters Glen HOA’s that WTCMUD1 not accept allegations of violations from persons that do not live in the HOA where the violations are alleged to have occurred. Your Board of Directors has revised the Rules for enforcement of Deed Restrictions to provide that same limitation to the entire MUD. As result Ms. Fabre’s reach is now limited to the Anderson Mill West neighborhood where she lives and continues to pursue her tactics.

They have created a Facebook presence, The Community Forum for WTCMUD 1, in support of their efforts. Neither they nor their Community Forum are affiliated with nor are they a part of, nor do they represent WTCMUD #1. They and their Forum are self-appointed.

Recently Ms. Fabre has attempted to obtain the contact data of persons cited with Deed Restriction violations using Open Records demands that she has issued directly to the Deed Restriction enforcement contractor. The contractor has formally notified the MUD that the demand requires release of data that is the property of the MUD and that is in the care and custody of the contractor.

Today a second MUD Vendor was served with Open Records demands by Ms. Fabre

We vigorously maintain that MUD Vendors are not government entities and thus not subject to the Open Records laws.

I am concerned that this new approach to get protected data will require legal expenses by the Vendors and the MUD and, will deter our Vendors from working with the MUD.

Tonight, the Directors adopted a policy to make any of our vendors whole from costs arising from such demands.

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Their Objectives:

The frequently stated objectives of Linda Fabre, Sarah Teale and David Flores are to remove and replace all the existing MUD Directors and to dramatically change the scope of work that the MUD pursues. They have made it clear that, had they been in charge, the many neighborhood improvements undertaken by your Directors would not have happened. They would not have undertaken and would have vigorously opposed:

- Street Light Improvements: A 50% increase so that there are no longer cull de sacs or mailboxes without lighting.
- The Beautification of ponds with Trees, plants, and trails.
- The Improvements to Parks including replacement of ageing Playscapes.
- The conversion of the site of a former elevated water tank on Aster Pass into a park. WTCMUD1 bought the land from Cedar Park and thereby prevented the space from being used as a parking lot for Cedar Park utility vehicles.
- The launching of a Deed Restriction Enforcement Process where the Inspector talks to people and thereby settle issues without conflict and, in so doing discovers persons who need help such as the aged and infirm. This remarkably successful methodology is unprecedented in our MUD and is much appreciated by the community.

In closing let me add that many of you, our residents, have expressed dismay about what you have seen in the malevolent behavior of Linda Fabre, Sarah Teal and David Flores. You might consider expressing your reactions to their appalling behavior by letting them know of your feelings. You can do that at their Facebook Page. "Community Forum for WTCMUD1". You might also check back later where you will almost certainly find that that your comments, if negative, have been taken down. Their concept of transparency does not apply to themselves.

Finally, if you are, or become, a victim of harassment we urge you to report your experience, as many of you have already done. You can call me or any other Board member to report such activity.

Luis M. Zervigon, Director, WTCMUD #1