

From: Becky Cole <outreachne@outlook.com>
Sent: Monday, June 7, 2021 1:28 PM
To: Nancy T. Polomis; Kim Gilmore
Cc: Becky Cole
Subject: RE: Woods at Elk River Station
Attachments: Proxy-signed.pdf

I am following the instructions on returning this proxy.

Preventing me from being counted is also another illegal activity that I am sure you don't want to endorse.

And if you insist on enforcing the only mailing in thing, please do know that I want to go to court, as do so many others.

Your letter says that you represent both FSR and the current board, please do your duty and inform them that I am ready for a court date when they are, and so are so many others.

Becky A Cole
Chief Capacity Builder

From: [Nancy T. Polomis](#)
Sent: Monday, June 7, 2021 1:04 PM
To: [Becky Cole](#)
Subject: RE: Woods at Elk River Station

Ms. Cole:

Since the communication restrictions just took effect, I will respond to your email for the sole purpose of reminding you that you are free to communicate with the Association and its management agent—via U.S. mail. Since my firm represents the Association, the communication restriction extends to my firm as well. Any emails you send or telephone call you make to the management company, any Board member or my firm will not be responded to.

Thank you.

NANCY T. POLOMIS
Attorney at Law
Direct: [952-746-2105](tel:952-746-2105)
[Bio](#) | [vCard](#) | [LinkedIn](#)



8050 West 78th Street, Edina, MN 55439
Office: 952-941-4005
Fax: 952-941-2337

hjlawfirm.com

THIS IS A COMMUNICATION FROM A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED MAY BE USED FOR SUCH PURPOSE.

Privilege and Confidentiality Notice

This electronic mail message and any attached files contain information intended for the exclusive use of the specific individual or entity to whom it is addressed and may contain information that is proprietary, privileged, confidential and/or exempt from disclosure. If you are not the intended recipient, you are hereby notified that any viewing, copying, disclosure or distribution of this information is prohibited and may be subject to legal restriction or sanction. Please notify the sender, by reply electronic mail or telephone, of any unintended recipients and delete the original message and any attachments without making any copies. Thank you.

From: Becky Cole [mailto:outreachne@outlook.com]
Sent: Monday, June 7, 2021 12:51 PM
To: Nancy T. Polomis <NPolomis@hjlawfirm.com>
Cc: wjfdocs@wjlawfirm.com; Becky Cole <outreachne@outlook.com>
Subject: FW: Woods at Elk River Station

Please make sure Kim and the board receive this.

Thank you for making me laugh and for confirming what I suspected – that the board is letting Kim and FSR run the show and not meeting their legal obligations to act on our behalf.

Your letter also confirms that the secret meetings that the board had with Kim also makes her complicit to any risk and liability the association has incurred, because as you and she are aware – board meetings need to be open meetings, and ours weren't. Therefore, if you want to take this to court, please do, because it also gives me cause to challenge the validity of the contract and the payments we have made to FSR and make Jerry and company personally liable.

There wasn't any reason for the board to not sign the contract.

Your letter confirms that the board is representing Kim and FSR, not the association.

I have a right to ask questions and I have a right to get the information that I requested. It's the law, and the fact that you are supporting them in not complying with the law, also support my case that the board is working for Kim instead of advocating for us.

In addition to taking this to court, your letter also helps me to get the bar association involved – because you are encouraging and supporting them to not operate in a legal manner, but also the attorney general's office involved because as a nonprofit organization, the association as a legal obligation to do what is in OUR best interest, not in Kim's.

So, if they think I am taking up too much of their time in asking questions, they will be taking up more time once this goes to court, and when it does go to court, I plan to raise the issue that they need to pay their own attorney's fees, because they weren't representing the association when they made the choice to hide behind Kim's skirt.

There was not reason for the board to have closed meetings. Covid didn't make that law go away. As a management company, Kim knew that, and Kim should have provided them with options to make sure they were legally compliant, because as you have confirmed, Kim is running the show, not them.

I fully appreciate it that your letter is a smokescreen to allow FSR to not answer the questions I have been asking because they are difficult questions to answer, but we deserve better, and should this be necessary to take to court, exactly how many neighbors do you think there will be on Jerry and Kim's side of the aisle?

Please get Kim and the board to understand that encouraging them to not be legally compliant – by refusing to provide documents that I am legally entitled to see and know about, and by encouraging them the make decisions that benefit FSR in secret meetings that aren't legally compliant, as well, AND the fact that it can be construed as a huge conflict of interest for you to represent both Kim and the board isn't going to work well for anyone. As your letter confirms, there are also many conflict of interests with FSR and Kim running the show.

How soon can we go to court? Please get it on the docket soon.

Thank you!
Becky Cole

Becky A Cole
Chief Capacity Builder

From: [Kim Gilmore](#)
Sent: Monday, June 7, 2021 12:03 PM
To: 'Becky Cole'
Subject: Woods at Elk River Station

Good Afternoon Becky – Attached please find a letter from the Association’s attorney. Thank you.



FirstService
RESIDENTIAL

KIM GILMORE

Association Manager

8100 Old Cedar Avenue South, Suite 300 | Bloomington, MN 55425

Direct 952-277-2725

Email kim.gilmore@fsresidential.com

www.fsresidential.com

24/7 Customer Care Center: 952.277.2716

[Facebook](#) | [LinkedIn](#) | [YouTube](#)