



TAHITIAN VILLAGE

TAHITIAN VILLAGE PROPERTY OWNERS' ASSOCIATION TVPOA BOARD MEETING MINUTES

The regular Board of Directors meeting of the Tahitian Village Property Owners' Association
Tuesday, April 19, 2022 at 7:00PM

Meeting held at the Little Sheep Learning Center and online via Zoom

TVPOA Board Members Present:

Jan Schwindt, Ruth Bullock, Mary Jo Creamer, Stacy Savage, Charles Brading and Deena Eden

Board Members Absent: None

Association Manager: Amanda Homesley

Administrative Assistant: Tiffany Ferguson

PUBLIC PRESENT: Susan Reeder, Greg Stigall, Randy Hudgins, Tina Terry, Tony Terry, Gary Moss, Courtney Kellogg, Michele Plummer, Kris Cook, John Prince, Jackie Luna, Charitty Alexander, David Carter, Jessie Keener, Lynda Horton, Stacy Cunningham, Robert Wallenhorst, Jessica Zamora, Justin Vickers, Britanie Banta, Jessica Runnels, Shelley Cartier, Cindy Turner, Jan Kuchel, Madeline Eden

MEETING CALLED TO ORDER: Meeting was called to order at 7:00 p.m. by President, Jan Schwindt.

SECRETARY'S REPORT

1. Discussion and approval of the March 15, 2022 meeting minutes.

Mary Jo Creamer made a motion to accept the March meeting minutes. Charles Brading seconded the motion. A vote was taken and the motion passed unanimously.

TREASURER'S REPORT

1. Discussion and possible approval of March 2022 financials.

Mary Jo Creamer stated our income received was \$250.00 from Pine Forest for Clean Sweep and \$26,800.00 from transfer fees Total income was \$27,053.56. Our expenses were vehicle insurance at \$1189.00, truck maintenance at \$139.00 payroll at \$4,405.00 professional fees at \$3822.50 background checks reimbursement of \$105.00, rent at 137.50 rent phone/internet of \$104.00, lights for the subdivision at \$11.26 and website/database was \$825.00, expenses totaled \$11,228.64 and net income was \$15,824.92.

Ruth Bullock made a motion to accept the March financials. Charles Brading seconded the motion. A vote was taken and the motion passed unanimously.

2. Bank Signatories

Jan Schwindt stated that all of the background checks were approved and in the past we have had the

President, Vice President, and Treasurer as the 3 official bank signatories.

Charles Brading made a motion that the signatories will be changed on all TVPOA bank accounts to the following people; Jan Schwindt, President, Ruth Bullock, Vice President, Mary Jo Creamer, Treasurer. Stacy Savage seconded the motion. A vote was taken, and the motion passed unanimously.

INFORMATIONAL UPDATES

We have added a category for community updates only. We will publish on the agenda what we know but will add what we feel the residents should be made aware of.

1. Clean Sweep report given by Amanda Homesley

We served 224 vehicles. It started at 8:00 but since they started lining up at 7:30 so we just got going.

A total of 13 volunteers came out.

We had 3 compactors that day and many trash/metal bins were used.

Tires were transported by the Creamers.

Jan Schwindt stated it seems like there was an adequate number of volunteers there and wanted to thank each and every one who helped.

2. Ballot update report given by Jan Schwindt

After the official election recount was completed by the Tribunal, Jo Egitto filed a formal complaint of protest of the election results. While the protest was submitted well past the deadline as listed in the bylaws 7th amendment, the recount request was denied. However, for historical purposes, there is merit to having the election results complete, so we asked that the Tribunal complete this. The Tribunal completed the task, and the results will be posted to our website by the end of April. The new number that was missing on the form is the "Ballots Received" by the Association is 285 ballots. With this final recount, Jan Schwindt declared that the election results of the 2022 election ballots and voting are finals and that no new protest would be accepted and no additional recounts would be performed.

Deena Eden asked how are we going to prevent this from happening again?

Jan Schwindt stated suggested changes have been made and we need to update the forms and process. We need to start working on it.

3. New office location

Jan Schwindt stated the new address for the TVPOA and ACC is now 112 Park Lane.

4. When are meeting minutes posted to the website?

Meeting minutes have to be approved and signed off by the Secretary prior to posting to the website.

There is always a one-month delay.

OLD BUSINESS

1. ACC and Touring/Violation Report – Report given by Amanda Homesley

Permits issued for March 2022:

- 13 new homes
- 7 fences
- 0 pergola
- 1 decks/patio

- 3 sheds
- 0 garages
- 0 retaining walls
- 37 total homes permitted in 2022

Touring violation report showing a total of 36 letters delivered to residents:

- 1st letters sent out were 14
- 2nd letters sent out were 8
- 3rd letters sent out were 8
- 22 resolved (some resolutions may be from violations issued in previous months)
- 6 hours toured during the month for a total of 84 miles

NEW BUSINESS

1. Discussion and possible action on Pine Forest golf course.

Susan Reeder stated her concern about the financial situation they are in. She attended the first meeting they had, and she was under the impression that the buyers had their own investors and now they found out it is financed through the previous owner, Mr. Buttross, and it is in danger of going on the auction block. She spoke at the ACC and is hoping to get some information from the POA. If they let it go, it will become wilderness and it will hurt us. Has anyone spoken to anyone about this?

Jan Schwindt stated no one has come to the board about this issue. I have read posts on social media and gone to the meeting. There have been suggestions that the POA purchase it, but it is listed at \$3.5 million and the POA doesn't have that kind of money.

It is designated as a Reserve and is in the FEMA floodway and cannot be built upon.

Susan Reeder asked if someone could buy it demolish it and make it a mansion?

- Tiffany Ferguson stated no.

Susan Reeder stated if he does put it on the auction block, when and where would that happen?

I am hoping it stays a golf course. What is going to happen?

Jessie Keener (current golf course owner) stated she has this information. It would be announced in the paper after it is filed for foreclosure. If it goes to auction, it will go on the Bastrop County court steps. I have 2 investors that are interested that can make the full needed upgrades to the facility. She is working on making a partial April payment. I think Mr. Buttross understands the best thing is to keep it a golf course. It's not true that I didn't have investors, it's just that the investors we did have lined up did not have sufficient capital to complete the necessary upgrades. Its best purpose is to keep it a golf course. The POA could be partial owners down the road if that is of interest.

Stacy Savage asked what can the community do to rally around and help save the property as a golf course?

- Jessie Keener replied that she is committed to this community, so please remain positive. If you're the praying kind, pray. Come participate in the clubhouse and have an open dialogue. Let us host your events at the clubhouse. We are open to partnering with community events that could help us fundraise to keep this around.

Ruth Bullock asked how did we get here?

Jessie Keener stated its not a pretty answer. Mr. Buttross ripped off the golf course, he took out a PPP loan and never put that money in the golf course and it looks like he got away with it. We committed to purchase the golf course and knew it wasn't doing well and needed \$15,000.00 additional a month. My stepson, had a mental breakdown, and he was the one on our team that was going to be doing the presentations and raising money while I worked with Juan Carlos. My stepson then refused to put money in on the first payments, but

legally there was nothing I could do, absent a lawsuit, which wouldn't help the golf course. It's a nasty situation and I am a spiritual person and I orient with faith and believe things happen for a reason. This has been excruciatingly humbling. Mr. Buttross has stated to me that he doesn't want the golf course back or on the auction block.

Courtney Kellogg stated this property is labeled "reserve" and everyone keeps saying it can only be used as a golf course, and I am wondering how do we confirm that? You want ideas and I am happy to bring ideas to you, but I would like the definition of "reserve" and at what capacity we can use that in to bring you those ideas. I was under the impression that Mr. Stigall (TVACC President) was going to look into that and hand it in to the POA for a presentation tonight and I don't know if that has happened or not. The Water Board put up a building in the "reserve" so can we do tubing? Can we do disc golf?

Jessie Keener stated I don't think anyone knows that. That was in my initial vision all along. All things are possible. I wanted to donate walkway space exclusively to Tahitian Village. There is probably a lot we can do but no permanent structures are allowed by law because of the floodway.

Maybe a tubing put-in station further upstream with a get-out point at the golf course.

Charles Brading stated the important thing is to generate capital quickly. If I was an investor, I would use the clubhouse for weddings and graduations or pair up with the new film studio. You can use your place for the get-out for tubing and then people can spend time there getting food and drinks. These are low-budget activities and can generate some fast money.

Jessica Zamora thanked Susan for keeping this on the agenda and thanked Jessie for being vulnerable and honest with all of us.

Susan Reeder asked if the golf course would need a permit from the POA to do outdoor concerts or movies in the park?

Jessie stated that Mr. Buttross said it was OK to do those kind of outdoor events as long as noise ordinances are not violated. Even a few hundred dollars here and there from smaller events like these can make a huge difference.

Charles Brading stated you may want to get with the American Legion to see if they want to go in with you and do something with events and to split the revenue. They have volunteer staff available.

Jessie Keener stated she would be happy to come back and provide the board with updates.

No action was taken by the Board after this discussion.

2. Discussion and possible action on Bastrop Area Pickleball Association.

Gary Moss, President of the Bastrop Area Pickleball Association, a 501c3 with a subcategory of 509a2, which is a public charity. There are currently eighty-two members in this countywide association and 30 that live in Tahitian Village. It is great for youth development of mental and physical health, builds community, and increases diversity and inclusion. Our youngest member is twelve and our oldest member is eight-two. It is played on half the size of a tennis court. We started at Fisherman's Park, and it is the fastest growing sport in the US at 7.4 million pickleball players nationwide. The national association has started a professional team that will be headquartered in Austin. About 230 people use local parks for pickleball, so we're the largest users of the parks right now. We're coming to the board because we have some needs and requests. It cost on average \$30,000.00 per court to build one, not including the land, restrooms, and concessions. The opportunity came up to use the old tennis courts at the front of Tahitian Village. We entered in a 5-year lease to use the courts, for a total of 20 courts, and use of the rest rooms on site. They will have bleachers so people can watch tournaments. The current owner of the tennis courts would love to see that be turned into a recreation center. I am working with them on that. They are in the process of putting a fence up. A discussion of fencing was had, and it was determined that the fence was being repaired

and put back up. We are a members-only facility and it is \$120.00 for adults and children can join for free. We have talked to the City of Bastrop and the ACC and we don't need permits at this time. The fence is being replaced – it is not a new fence line placement on the property.

Jan Schwindt asked what can we do for you and how could we work together?

Gary Moss stated while we are a 501c3 and we are able to accept donations, money is really not our major concern as much as health and youth development. We are talking to St. David's Foundation and several car dealerships that are interested in supporting us. They are trying to branch out through exercise activities and advertising opportunities like this.

Ruth Bullock suggested a partnership with the golf cart dealer across the highway.

The courts will be locked as it will members-only access.

Jessica Zamora asked if he could put together a pricing sheet for the community?

Gary Moss stated yes, he would do that.

No action was taken by the Board after this discussion.

3. Discussion and possible action on BCWCID#2 lease agreement.

Amanda Homesley stated we have a new lease agreement. The only change is the rent went up from \$275.00 to \$600.00.

Mary Jo Creamer asked if \$600.00 is the full amount and the POA's half would be \$300.00?

Amanda Homesley stated yes.

Jan Schwindt asked if our usage included the Annual Meeting and the monthly meetings at no extra charge for those.

Amanda Homesley stated yes.

Charles Brading said this would help us save money as we no longer need to rent a room at the convention center.

Ruth Bullock asked does that include the A/V equipment?

Amanda Homesley stated yes and that it also includes cleaning services.

Mary Jo Creamer made a motion to accept the 2022 BCWCID#2 lease agreement. Charles Brading seconded the motion. A vote was taken and the motion passed unanimously.

4. Discussion and possible action on updating drivers on the touring vehicle insurance policy.

Jan Schwindt stated we need to add insurance coverage review to the annual processes calendar like we add bank signatories after electing officers.

Right now, we have Amanda Homesley, David Carter who is no longer on the Board, and Tiffany and Scott Ferguson. I would like to remove David, Tiffany, and Scott and to add Greg Stigall, myself, and my husband Joe Schwindt, as an alternate. There is no charge to have four drivers on the policy. The agent will run the DPS reports and driving records prior to adding them.

Mary Jo Creamer made a motion change to the following drivers on the truck insurance to Janet and Joe Schwindt and Greg Stigall. Charles Brading seconded the motion.

Ruth Bullock asked what the truck is used for?

Jan Schwindt stated it is for touring the neighborhood, administrative errands, addressing illegal dump sites, and the quarterly Clean Sweep event.

A vote was taken and the motion passed unanimously.

PUBLIC COMMENT PERIOD (Each member has 3 minutes to speak. No Board action can be taken.)

Randy Hudgins stated that since signing the Non-Disclosure Agreement and the Code of Conduct are part of the committee duties and all but one ACC member has not signed it. This has taken all her rights. She can't vote, sign building permits, and can't enter executive sessions. She has refused to sign both of these and can't perform her duties. She has completely ignored her Cease & Desist letter issued from the lawyer and publicly posted all y'all's personal information online. The violation of ethics here is unbelievable. I propose y'all remove her from the committee immediately and let's get someone on the committee who can do the job. Jan Schwindt reiterated that no action can be taken that is conveyed during the public comment period, but we thank you for bringing this forward.

Randy Hudgins stated something needs to be done and she has slammed everyone who doesn't agree with her, no matter who they are.

Courtney Kellogg stated that wasn't on the agenda tonight was consideration of new legal counsel who specializes in HOA, deed restrictions, to review and consolidate our governing documents and policies and procedures. Having a discussion on COC/NDA that I am supposedly required to sign. I have been asking for that discussion since February 4th. The March 11st email that the POA/ACC sent me with several broad accusations revoking all communications between me and the board unless meeting like this or at the ACC. What laws we actually adhere to in this Association which would confirm what members' rights are and are not. Ms. Schwindt has told me that this is attorney/client privilege, and I don't understand that. This should be pretty straight forward in my opinion. What also was not on the agenda tonight was a potential donation to our fire department. I can't understand how we had 4 topics tonight and none of these can be placed on the agenda or a response given. And as far as a response to Mr. Hudgins, a lot of what he said was misinformation and ill presented. I am under the impression that it is the discretion of the board to not allow me into executive sessions based on the concept of not signing the COC/NDA and nobody will discuss it with me in person. These people are revoking my rights and nobody is showing up for a discussion on any of it. It's not right and it doesn't sit well with the membership that's watching, and it has been a topic that has been avoided several times over. In previous meetings, New Business was capped at 10 minutes, I would like to know for future meetings how this is going to work. How can some people get 20 minutes to speak and some of us get 3 minutes? Also, there are currently 3 petitions in circulation online to remove Greg Stigall (ACC), Jan Schwindt (POA), and MaryJo Creamer (POA). If anyone is interested in signing, please reach out to me.

Jan Schwindt asked if there were any other public comments from attendees in the room or on Zoom. Tiffany Ferguson replied there were no other hands raised for public comment.

EXECUTIVE SESSION

The POA entered an Executive Session at 8:21 p.m.

The POA reconvened in regular session at 8:39 p.m.

Charles Brading made a motion to give the Administrative Assistant a raise to be split with the ACC. Ruth Bullock seconded the motion. A vote was taken and the motion passed unanimously.

Stacy Savage made a motion to adjourn. Charles Brading seconded the motion. A vote was taken and the motion passed unanimously.

Meeting was adjourned at 8:40 p.m.

[Redacted]

[Redacted]

Stacy Savage – TVPOA Secretary

Date

[Redacted]

[Redacted]

Amanda Homesley - Association Manager

Date