



# TAHITIAN VILLAGE

## TAHITIAN VILLAGE PROPERTY OWNERS' ASSOCIATION BOARD MEETING MINUTES

The regular Board of Directors meeting of the Tahitian Village Property Owners' Association  
Tuesday, February 21, 2023, at 7:00PM

### Meeting held at the BCWCID#2 Conference Room

#### TVPOA Board Members Present:

Jan Schwindt, Ruth Bullock, Charles Brading, Dann Zimmer, David Carter and Mac Simpson

Board Members Absent: Mary Jo Creamer

Association Manager: Amanda Homesley

**PUBLIC PRESENT:** Michele Plummer, Eddy Plummer, Natalie Johnson, Tony & Tina Terry, Carol Carter, Randy Hudgins, Sandy Stigall, Kathryn Smith, Shelley Cartier, Jessica Zamora by phone

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

Jan Schwindt read Steve Adamciks informational update regarding the sand pit/gravel mine as follows:

We have had no indication from the TCEQ that any application has been filed with that agency to mine on the Appelt Ranch nor anywhere close to our community.

Neither the Aggregate company nor the Appelts representative have had any contact with us nor our representatives since December.

Yesterday at Commissioners Court Clara Beckett informed the commissioners that she intends to introduce a resolution for vote at the next Commissioners Court Meeting (Feb 27<sup>th</sup>) opposing the mining in the Federally Protected Critical Toad Habitat. She said,

- Dr. Forestner Is assisting with the resolution preparation so that it is scientifically based and correct.
- That the county has spent large amounts of money working to maintain the habitat so that possibly the toad can one day be delisted as an endangered species.
- That the proposed location is possibly the worst possible choice in the county to mine given the neighborhood roads and toad situation.
- Plenty of other places to mine in the county with much less harmful impacts.

- o She intends to propose engaging an environmental consulting firm to prepare a desktop environmental survey to identify all the potential environmental assessments that might be required in advance of any permit for mining.

Brian Thorton, Nick Textor and I spoke to the commissioners concerning:

- o The support we have garnered from Pine Forest and Tahitian Village
- o Our proposed amendments to TCEQ regulations regarding setbacks from neighborhoods and road access agreements with the counties
- o Our plan to go talk with our state reps and introduce the legislation including commissioners coming along with us
- o Why it's a bad idea to mine in the floodplain

### **SECRETARY'S REPORT**

1. Discussion and approval of the Dec 20, 2022, meeting minutes.

**Ruth Bullock made a motion to accept the December meeting minutes. Charles Brading seconded the motion. A vote was taken, and the motion passed unanimously.**

2. Discussion and approval of the Jan 28, 2023, Annual Meeting minutes.

**Charles Brading made a motion to accept the Annual meeting minutes. Ruth Bullock seconded the motion.**

### **TREASURER'S REPORT**

1. Discussion and possible approval on December 2022 financials.

Amanda Homesley stated that for transfer fees we had \$9,000 along with some interest of \$1,312.75 with a total income of \$10,312.75. In expenses which includes health insurance, staff salaries, postage, legal fees annual meeting, office phones, lights for subdivision, and website/technology, total expenses were \$8,825.90 leaving a net income of \$1,486.85.

Dan Zimmer asked what legal fees were?

Amanda Homesley stated those are for attorney fees.

**Charles Brading made a motion to accept the December financials. Dann Zimmer seconded the motion. A vote was taken, and the motion passed unanimously.**

2. Discussion and possible approval on January 2023 financials.

Amanda Homesley stated that we received of \$659.51, \$4,101.40 for two payments for a legal settlement and transfer fees were \$12,825 giving us a total income of \$17,585.91. In expenses which includes payroll, health insurance, Annual Meeting, postage of \$34, legal fees of \$577.50 annual meeting, Clean Sweep for \$612.03, Holiday Contest for \$565, office phones, and website/technology for \$200. After all expenses the net income was \$8,955.50.

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

3. Discussion and possible action on expiring cd.

Dann Zimmer stated that rates are still going up and wants to move the expiring cd into Edward Jones and this will keep it under the \$250k FDIC threshold.

**Dann Zimmer makes a motion to move the Frontier expiring cd money to Edward Jones at the current cd rate. Ruth Bullock seconded the motion. A vote was taken, and the motion passed unanimously.**

### **EXECUTIVE SESSION**

**The POA entered an Executive Session at 7:13 PM.**

**The POA reconvened in regular session at 7:40 PM.**

**Ruth Bullock made a motion to nominate Charles Brading as President. Daniel Zimmer seconded the motion. A vote was taken, and the motion passed unanimously.**

**Ruth Bullock made a motion to nominate David Carter as Secretary. Daniel Zimmer seconded the motion. A vote was taken, and the motion passed unanimously.**

**Ruth Bullock made a motion to nominate Daniel Zimmer as Treasurer. Daniel Zimmer seconded the motion. A vote was taken, and the motion passed unanimously.**

**Ruth Bullock made a motion to nominate Mac Simpson as member at large. Daniel Zimmer seconded the motion. A vote was taken, and the motion passed unanimously.**

**Charles Brading made a motion to nominate Ruth Bullock as Vice President. Daniel Zimmer seconded the motion. A vote was taken, and the motion passed unanimously.**

**Charles Brading made a motion to make President Charles Brading, Vice President, Ruth Bullock and Treasurer, Daniel Zimmer as signatories on all bank accounts. Mac Simpson seconded the motion. A vote was taken, and the motion passed unanimously.**

### **INFORMATIONAL UPDATES (For community knowledge only. No board action allowed.)**

None

### **OLD BUSINESS**

1. ACC – Report given by Amanda Homesley

Permits issued for November 2022:

- 4 new homes
- 9 fences
- 0 pergola
- 0 decks/patio
- 4 sheds
- 2 garages
- 0 retaining walls
- 0 pool
- 0 driveways
- 4 total homes permitted in 2023

Touring violation report for January showing a total of 16 letters delivered to residents:

- 1<sup>st</sup> letters sent out were 20
- 2<sup>nd</sup> letters sent out were 9
- 3<sup>rd</sup> letters sent out were 1
- Total for the month was 30
- 19 violations resolved (some resolutions may be from violations issued in previous months)
- 9 hours toured during the month for a total of 86 miles

2. Discussion and possible action on POA audit.

Amanda Homesley stated that this is tabled for next month.

Dann asked if they were still asking for additional funds.

Amanda Homesley stated yes, they are asking for an additional \$500.

Dann Zimmer stated they were supposed to send an explanation on why the fees were higher.

Amanda Homesley stated she will get with them on that information.

**NEW BUSINESS**

1. Discussion and possible action on transfer fee.

Shelley Cartier would like to get a better understanding of this.

She bought the lot in January. She added a friend to title later and received a transfer fee letter stating she owed a fee. She emailed the office and stated she did not transfer the property and just added someone to it. She stated the email she received back was “you owe the money anyway”.

I don’t understand because I didn’t transfer the property, I still own it.

I ask to speak to someone else and was told “you have to come to a meeting”. I want to see the documentation granting the POA the authority to access fees adding someone to title. I am requesting this now. I was told “we have a lot of paperwork we have to do”.

“What, you have to add a name to your database?”

Charles Brading thanked her for coming. Anytime there is a name change, there is a fee. We don’t charge monthly fees but do charge this fee. I can’t produce this paperwork at this moment.

Amanda Homesley stated this was taken to Mr. Bragg (our attorney) and she was given the answer.

Shelly Cartier stated, I think you are over interpreting. I want to see where this was voted on.

Amanda Homesley stated, I have this information. I have the board resolution and the minutes

where that amount was raised.

Charles Brading stated we will get that information to you tonight.

## 2. Discussion and possible action on violation letter.

Shelly Cartier stated she thinks these two items are related because she questioned the transfer fee. On the 23<sup>rd</sup> she stopped talking to me and on the 24<sup>th</sup> I received 2 letters, another transfer fee letter and then a violation letter. This is too coincidental. This is not a violation. I have a certified wildlife habitat. My front yard is native. Leaving the grass is best to leave in its current state. I have been written up for an overgrown yard. This has been going on for 7 years. I have had a mulch pile on my property for years. I feel this is selective enforcement. It has never been a problem before and it shouldn't be a problem now. Here are some pictures of with the butterflies. I would like to share this. Here is what it is now and supposedly it is a violation. Here is the lot beside me that is higher than mine. The overgrown will not be an issue in about a week as it will be cut down anyway. I think it is retaliatory. There are 3 houses on my street that have been in violation for over 3 years now. One home that has been being built for over 7 years. There are people that don't have garages which is complete violation.

Charles Brading stated you are giving me a lot of things. You are saying its retaliatory. We did hire a new person that is doing that touring. We are touring more now and two different people. As far as time on houses, they can file for extension. You know this because I believe you were on the ACC for a while. Some of these questions are ACC items.

We will look into this and see if having a habitat exempts you from the rules. I am not an attorney but we will find out.

Amanda Homesley stated the email was sent.

## 3. Discussion and possible action on variance for garage.

Amanda Homesley stated the ACC granted a variance for a garage. Once they grant it, the POA must sign off on it as well. The house was built without a garage.

Ruth Bullock stated she was at the ACC and the slab was built but the garage was never built. They want the garage to look like the house.

Mac Simpson asked what is the variance for?

Amanda Homesley stated it is because it is over 12'.

**Mac Simpson made a motion to approve the garage variance granted by the ACC. Ruth Bullock seconded the motion. A vote was taken, and the motion passed unanimously.**

## 4. Discussion and possible action on public comment period.

Jessica Zamora stated she wanted the board to consider more of a communication style in the public comments period. Most importantly to build community. I hear Amanda say send an email and I will send an answer to that, and it may cut down on that as well. I ask that you consider that and vote.

Charles Brading stated absolutely, and we will consider it and take it under advisement.

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

Kat Smith stated she asked for a discussion and you moved on. Is the discussion going to be public or in Executive Session?

Its on the agenda so are you going to discuss?

Charles Brading stated we haven't had a chance to discuss.

Kat Smith if it's on the agenda and it's not legal then why not discuss it?

Mac Simpson stated he would prefer to table it because he doesn't know what this is about.

Kat Smith stated that is part of the discussion and that is good. But moving to Executive to discuss is the question.

Jan Schwindt stated Jessica did ask about this and we added it to the agenda. Her preference is to open up discussions to more than 3 minutes and communicate with more than that person under public comment. Much like what we are doing with Kat at this time. We have had situations in the past where some have monopolized the meetings as my experience. I would suggest that when you do discuss it amongst yourself you put a timeline on it. There comes a time when a constant back and forth must be cut off. We cut it off to 3 minutes like the City of Bastrop to keep things on track. To open it up is your decision.

Charles Brading stated we will try and give you an answer and be open and honest as we can.

Tina Terry stated there have been aggressive dogs on airstrip charging people. Someone is going to get seriously hurt. She has called the sheriff's dept and animal control. She wanted to know if the POA can do anything as they are renters.

Amanda Homesley stated we do have the address and will send a letter to the owners of the house.

Shelly Cartier stated per the Bylaws we follow Roberts Rules and need to do the 3 minute rules. After speaking they may need to add it to next month as an agenda item then everyone can make comments.

Kat Smith is everything that is listed as an action item going to be we will discuss and get back to you or will there be anything transparent that we are witness to?

I have taken a break from the board for about 1-2 years but it used to be there was discussion about items and the only things that were moved to executive were legal, personnel or some financial.

My recommendation is to state: is there any discussion right now?

Charles Brading stated he understood.

Ruth Bullock stated this has been the format that has been going on. We are new and we will be working on it and to give us a chance. Charles has to learn his position and work on how he words things.

Dann Zimmer stated if you can get on the agenda and the information is assimilated to the board members so we can do our research, form our opinions and we can discuss what we saw then that would make for a much faster process. It needs to be articulated ahead of time.

Kat Smith if you are looking at it outside of the meeting, some of the discussion will help.  
Charles Brading stated this is not what we aren't going to do.

Michele Plummer something was stated about a community garage sale and wanted information on that.

Amanda Homesley stated it was Susan Magdall and the dates were March 24-25<sup>th</sup>. I will send you her email address.

**Mac Simpson made a motion to adjourn. David Carter seconded the motion. A vote was taken, and the motion passed unanimously.**

**Meeting adjourned at 8:23 PM.**

[Redacted Signature]

David Carter, TVPOA Secretary

3-21-2023

Date

[Redacted Signature]

Amanda Homesley - Association Manager

3/21/2023

Date