

TAHITIAN VILLAGE ARCHITECTURAL CONTROL COMMITTEE
P.O. BOX 636, BASTROP, TEXAS 78602, (512) 321-1145
MINUTES

The regular board meeting of the Tahitian Village Architectural Control Committee

5:30 PM, Monday, January 8, 2024

120 Corporate Drive, Bastrop, Texas 78602

Facebook Live at Tahitian Village

Present Board Member(s): Greg Stigall, Randy Hudgins,
Eddy Plummer, Kat Smith

Board Member(s) absent: Aaron Sanford

Association Manager: Amanda Homesley

Time Meeting Called to Order: 5:30 p.m. by President, Greg Stigall

Public Present: Lois Hornbuckle, James Smith, David Carter, Michele Plummer, Chad Fox, Jorge Garcia, Roman Garcia, Calvin Wright, Angel Martinez

Secretary's Report for December 4, 2023:

Kat Smith made a motion to approve the December meeting minutes as presented. Randy Hudgins seconded the motion. A vote was taken, and the motion passed unanimously.

Treasurer's Report:

1. November Financials-

For November we had \$15,350 in builder permit fees, \$600 in property owner permit fees, and \$1,250 in violation fines giving us a total of \$17,202.49 in income.

For expenses, some of which include \$300 for rent, \$102.61 for telephone, \$200 for the website, \$3,869.30 in payroll, and \$2,668.46 for the IRA giving a total of expenses of \$7,691.65 leaving us with a net income of \$9,510.84.

Eddy Plummer made a motion to approve the November financials as presented. Kat Smith seconded the motion. A vote was taken, and the motion passed unanimously.

Information Updates:

Amanda Homesley stated that Clean Sweep will be on January 20th, if you would like to volunteer, the more the merrier.

The Hazardous Waste is in Smithville the same day from 9-noon, and you do have to get a voucher for that.

The Annual Meeting is January 27th at the First United Methodist Church at 1:00 p.m.

Unfinished Business:

ACC Report given by Amanda Homesley

Permits issued for November 2023:

- 8 new homes
- 11 fences

- 1 pergola
- 1 decks/patio
- 4 sheds
- 1 garage
- 2 retaining walls
- 0 driveways
- 0 pool
- 70 total homes permitted in 2023

Fines assessed to builders:

Starting construction without a permit	1
No porta-john	1
Permits not posted	1
Trashy site	1
Materials in ROW	1
Music too loud	1
Silt fence installed incorrectly	1
Needs to mow	1

New Business:

1. Discussion and possible action on an invoice dispute.

Amanda Homesley stated that this lot was on Pohakuloa and Nene and he got charged for starting construction without a permit, no permits posted and no porta-john.

Roman Garcia stated that the septic guy received the septic permit from County, so he went to start working on that day. I have never done anything before I have received permits and have not started anything. He asked me if I had permits and I told him no. I talked to the septic guy and told him the issue and he told me I received the permit from the County and started working right away. The septic guy talked to Pam and told her I am not responsible for getting a permit from you. I got a permit from the County and can start working.

Kat Smith stated that the problem Mr. Garcia is that because the lot is yours and you are the builder, everything falls on you, even him because he is the subcontractor. Our building guidelines which you have signed off on five previous times state that you cannot do anything to the lot without a permit from the ACC. And part of our permit is the complete permit from the County. So, while your contractor might have said he does not have to do it, that is not accurate because the more restrictive rules apply. Because you own the lot, everything falls on you.

Roman Garcia asks, what is your name, I am sorry?

Kat Smith answers, "it is here" and points to her place name card.

Roman Garcia states you are a Director?

Kat Smith states, yes, I am a Director.

Roman Garcia asked who is the President?

Greg Stigall answers I am the President.

Roman Garcia stated most of the time I speak to the President.

Amanda Homesley stated this is a Committee.

Greg Stigall stated that the Committee makes the decisions, and it is up to them. I cannot make a decision on my own. We follow the guidelines as they are written.

Kat Smith stated I am explaining to you what our guidelines say and what our expectations are.

Roman Garcia states and I understand those guidelines.

The picture that was sent was not my lot.

Amanda Homesley asked Mr. Garcia, "did you install a septic system"?

Roman Garcia stated that his guy installed a septic after he received a permit from the County.

Amanda Homesley stated that is starting construction.

Randy Hudgins stated that the guy needs to understand the process.

Roman Garcia stated that the guy received the County permit before I did.

Randy Hudgins stated I do not understand why the County would have sent him a copy since you are the owner.

Kat Smith asked did you file the complete application to the Development Office for the home on the lot?

Roman Garcia answered yes.

Eddy Plummer stated that you are responsible for your subcontractors.

Kat Smith stated on the County website it shows you everything that was approved, and the septic is always approved first. We understand what you are saying but from our point of view, it does not matter when it went out, because you are responsible for the lot and as the builder, it is an issue between you and your subcontractor that you need to handle. If you need to go after him to help with that fine that is between you and him. Nothing can be done to the lot without a permit from us. You are responsible for it in total.

And Amanda was pretty generous because she could have put a cease & desist on you which would have been an additional \$1000.00.

Roman Garcia asked who took the photo?

Amanda Homesley asked the Committee to hand a picture she had to Mr. Garcia which was of the lot.

Kat Smith stated you already admitted to us that you had put the septic in and showed pictures to us.

While I understand you are disputing the picture while on record in a public meeting, there was a septic system on the lot without a permit and that you have done well up to this point.

Eddy Plummer made a motion that the fine stands. Randy Hudgins seconded the motion. A vote was taken, and the motion passed unanimously.

Roman Garcia stated to take the correct picture.

Amanda Homesley stated on record she has given him the correct photo.

2. Discussion and possible action on invoice dispute.

Angel Martinez stated he got in trouble by clearing his lot. The reason I did it is because I went to the County and asked them and they said, yes but don't use big machines and I only used a bob cat. I didn't know I needed to come here.

Amanda Homesley asked is this 2 lots side by side, correct?

Mr. Martinez answered, yes.

Greg Stigall asked do you own any other properties here?

Angel Martinez stated no, this is my only property and bought it 20 years ago.

Kat Smith asked did you do any research on the property?

The first thing I did was call and they told me to go to the County. They told me that I needed the paperwork and 2 checks. So, I went there, and I asked if I could start cleaning and they said yes, but no big machines and I used a small bob cat.

The reason I asked is because I used to work for a builder, and I use to submit permit applications. They said do not clean anything because part of the building application through them includes a clearing application. So, you are not supposed to clear anything except for scrub brush and you clear cut. That is a big issue for us and that is the reason is has a very steep fine.

The problem is like Mr. Garcia, he was not aware of the stuff, and we held him to the fines and so unfortunately and we treat every case the same.

Kat Smith made a motion that we uphold the fines. Randy Hudgins seconded the motion. A vote was taken, and the motion passed unanimously.

Chad Fox asked what is the purpose of the fines?

Kat Smith stated to deter.

Chad Fox, to deter continual issues? Is this about money?

Kat Smith stated the fines have been established.

Chad Fox stated I know but I disagree with what's happening if things are habitual.

Greg Stigall stated, unfortunately, at one time things were habitual as the builders weren't listening to us.

So, these two weren't listening to you?

Kat Smith stated that the point is this, in the past, before any of us we were on this Committee there were problems with builders as a whole who would do these certain things. Over the years, as these building guidelines have been re-written, different committees with different experiences, determined these fines so right now we have a legal document that we have to follow. When we look to re-write the building guidelines, we will look at our running list of issues we have determined we have problems with. We try and follow the guidelines as they are written.

Greg Stigall stated when you buy property it is your responsibility to know that you buy in a deed restricted area.

Kat Smith stated that there are issues we have frustration with as well but in order to be consistent the fines have to be upheld. If there are specific issues that you have concerns with, I invite you to email Amanda. She can add it to the list.

Chad Fox stated if I was sitting on a committee, unfortunately I would have had compassion but because you are following the letter of the law, that's different and I can agree that you are following to the t what is necessary. There is no bias and I appreciate that.

Kat Smith stated that we have a lot of compassion, but we do have that document.

Jorge Garcia asked when you say nothing can be done to a lot, does that mean electric?

Kat Smith stated that Bluebonnet is not under our prevue. They usually don't install on a new lot until after construction. They don't require permits from us.

Greg Stigall stated Bluebonnet has an easement.

Roman Garcia asked about dead trees.

Kat Smith stated you can clean scrub brush and trees that are less than 8" around with a chain saw.

Greg Stigall stated we know to do the soil samples that they have to clear a path to get it but they shouldn't be taking big trees.

3. Discussion and possible action on fence permit.

Calvin Wright stated he had a fence put up in my back yard. It is a shadow box fence, and he guesses the reason the fence wasn't approved was because the post was on the wrong side.

Greg Stigall showed a picture of the fence to Mr. Wright and asked him if this was the fence?

Calvin Wright answers yes.

Greg Stigall stated that we are talking about the main post which is considered the construction side.

Calvin Wright stated that we both agreed that it was okay.

Kat Smith said what you agree with is not consistent with our building guidelines.

Greg Stigall stated that the post needs to be facing his side.

Calvin Wright stated he doesn't understand the point of that.

Randy Hudgins stated the finished side of the fence is always supposed to face out.

Calvin Wright said so if we split the cost of the fence, then?

Kat Smith stated if you submitted the application, the construction side does not face your property. Calvin Wright stated I understand what you are saying but if you look at a bunch of different fences, people that have trash, we don't live in a million dollar neighborhood, like a \$300-500,000 and your spending extra money on material to make it look good from both sides you should use better judgement to decide this is not just a bogus fence and it looks decent.

Greg Stigall stated that normally you would put a 4x4 post in between and not on one side.

Kat Smith stated it is what we said earlier, unfortunately what our guidelines state is that the construction has to face inside. Whether your judgement is that it is pretty on both sides, we are going by what our guidelines say.

Calvin Wright said you want to use the same standard for everybody and so you need to look around the neighborhood and look at all the infractions that we have.

Kat Smith stated that we have building guidelines and they have changed over the years. The ones you are looking at have been approved under a different set of guidelines. And the most current set of guidelines are the ones we have to follow. So, while you see different types of fences and you see them in different states, that is why we have employees that tour the neighborhood. All of the current fences, we have held them to put the construction to the inside. In fact, when you applied for it, there is a place where you initialed that it would be done.

Calvin Wright stated if we are going to be by the book then we need to be looking for infractions on trash and other things that make the neighborhood look bad.

Eddy Plummer stated they are. The POA does that one. We do permits and building guidelines.

Kat Smith stated it is not fair to any other fence person who does it correctly.

Eddy Plummer stated I used to get letters all the time.

Greg Stigall stated I may agree that it looks nice but its not built to our guidelines.

Calvin Wright stated my neighbor got approved for a fence that was approved and was told to take it down.

Kat Smith stated we aren't talking about your neighbor, and I don't know your neighbor's circumstance.

Amanda Homesley stated, and he took it down for a reason, I can say that.

Open Forum/Public Comment:

Chad Fox stated he would like to do some future development in the community.

Greg Stigall asked what type of development?

Chad Fox stated I am looking to develop the front part of Tahitian. Ideas such as hotels, condos, workout facility, swimming pool and would like to see what the community would like to see.

It could be a gym that they could go to work out in. I am working with the City of Bastrop and have come up with some ideas but need the support of Tahitian. I truly want the input of Tahitian.

Kat Smith stated that it's a blanket question for me. I can't personally speak for the ACC, I can only look at the guidelines. I don't think any of us are opposed to a development, but it would have to follow the building guidelines.

Chad Fox stated I need to have some changes on the variance or on the guidelines on the 2200 square foot maximum in commercial use. I want to bring that up on the next agenda if that is possible by amending that. If you are familiar with the size of a gym, I have a 65,000 square foot building, 2-story that I am trying to put in that will offer in door amenities for everyone in the community. We looked for solutions for those over a certain age bracket that get to work out for free. We are looking at all these options to help the community with those that are 55+.

Greg Stigall we still have to follow our guidelines. If you have any plans or ideas, please email them to Amanda. Anything in the commercial area, both the ACC and POA have to approve it.

If you have a design that you want us to look at, bring it to us.

Amanda Homesley asked, is the area you are looking at zoned commercial?

Chad Fox answered, yes. And the Olaa side is zoned condo/tri-plex use.

We are in the practical phase of what we can put here, and I can send you what we have right now.

Kat Smith stated if you want to be on the agenda that is fine but until those guidelines are re-written which we have hopes to start on this year. If you want to send those concerns by email, Amanda can share those with us. If I remember correctly in the past, we've asked for community input as well. There is only one ingress/egress right there and I imagine the residents would like to express their concerns.


Greg Stigall stated to keep in mind how beneficial it would be for the residents.

EXECUTIVE SESSION

None

Eddy Plummer made a motion to adjourn. Kat Smith seconded the motion. A vote was taken, and the motion passed unanimously.

The meeting was adjourned at 6:21 p.m.

 2-27-24
Eddy Plummer, TVACC Secretary Date

 1/29/24
Amanda Homesley, Association Manager Date