

**TAHITIAN VILLAGE PROPERTY OWNERS' ASSOCIATION**  
**P.O. BOX 636, BASTROP, TEXAS 78602, (512) 321-1145**  
**TVPOA BOARD MEETING MINUTES**

The regular board meeting of the Board of Directors of the Tahitian Village Property Owners' Association – 7:00 P.M., Tuesday, Sept 15, 2020

**Zoom Meeting-ONLINE**

**TVPOA Board Members Present:**

Jan Schwindt, Mary Jo Creamer, Erika McDonald, Stacy Savage, Jan Kuchel and David Carter  
Board Members Absent: none  
Association Manager: Amanda Homesley  
Administrative Assistant: Tiffany Ferguson

**PUBLIC PRESENT:** Jo Egitto, Kathy Morse, Joe Schwindt, Greg Stigall, Rachel Duer, James Beck, Diana Hugo, Mike Peppers, Zach Myers, Arlo Burgos, Loren Summers, Geoff & Cindy Lee and Mark Chapaton

**MEETING CALLED TO ORDER:** Meeting was called to order at 7:06 p.m. by President Jan Schwindt.

**SECRETARY'S REPORT**

The minutes of the regular meeting of the Board held on August 18, 2020 were presented.

**Jan Kuchel made a motion to accept the August minutes as presented. Mary Jo Creamer seconded the motion. A vote was taken, and the motion passed.**

**OPEN FORUM/PUBLIC COMMENT**

Zach Myers presented 4 construction permits (all submitted prior to September 1, 2020) that were denied through the Tahitian Village Architectural Control Committee (ACC). He stated the ACC could not provide an answer as to why they were denied. He is now bringing it to the POA to find out why he can't get fence permits when he believes he is following all of the rules. Jan Schwindt stated those permits are handled by the ACC and that she was unaware of any particular problem, but will look into it.

Erika McDonald asked if he had the permit numbers so the POA could review them.

Amanda Homesley stated the permit numbers are 20-185, 20-158, 20-134 and 20-136 and the reason he was denied on 20-185 was because he provided a survey that didn't show the house in relation to the fencing area.

The ACC stated he needed to provide a survey showing the house to ensure the fence would not be in front of the house. Zach stated the survey he presented to the ACC was conducted and certified by a state registered surveying company.

The other 3 permits were denied because Zach was planning to use galvanized chain link fencing and per the ACC guidelines, a builder cannot have that type of fence if you can see it from the public road. Zach stated the fencing doesn't go beyond the right or left of the home, but only goes straight back.

Amanda showed a picture of the property from the survey to meeting attendees.

Erika stated it is irrelevant if the fencing goes to the right or left of the home. If you can see it from the road, it is not allowed. Amanda stated if you are driving from Keawakapu back toward Lamaloa then

you will be able to see the fence.

Zach stated that the ACC's new rules issued on September 1, 2020 are different from the old rules and that the permits in question were submitted prior to the new rules being released. Erika McDonald stated that in her previous capacity as a POA Administrator and now as a POA Board member, that fencing rule has always been established. Zach inquired that if he is following the rules, then why did he get denied? Jan Schwindt stated she will look in to all 4 of these permit denials. Zach asked, where does the POA obtain the authority to rule on denials? Jan Schwindt stated we will look into these issues and get back to him in writing.

Kathy Morse's client, Loren Summers, wants to buy a house in Tahitian Village. She wants to verify that Ms. Summers can continue to operate her hair salon out of her home and that customers are allowed for appointments.

Erika McDonald stated that the POA allows for home offices, but businesses cannot be operated out of the home.

Ms. Summers called the Texas Department of Licensing and Regulation and the agency states that if less than 50% of the home is used for business purposes, they don't consider it a business property.

Jan Schwindt stated the POA will table this for further discussion in Executive Session and get back with Ms. Summers in writing.

### **TREASURER'S REPORT**

Discussion and possible approval of August 2020 financials.

**Mary Jo Creamer made a motion to accept the August financials. Jan Kuchel seconded the motion. A vote was taken, and the motion passed unanimously.**

### **OLD BUSINESS**

1. **ACC and Touring/Violation Report** – Report given by Amanda Homesley.
2. **Discussion and possible action on trash/recycling services in Tahitian Village.**  
Nothing to report at this time.
3. **Discussion and possible action on Bylaw Committee seeking legal representation.**

**This motion was previously made by email on 9/3/2020 by David Carter, 2<sup>nd</sup> by Jan Kuchel, motion passed.**

4. **Discussion on Bylaws - Committee update.**

Erika McDonald stated the Committee has met twice since the August POA meeting and things are moving along. The Committee is interested in deleting a line in the bylaws under Article 9 Sec 1D regarding "assessments".

Zach stated this has already been done so it's just an affirmation to the public and only a correction on the documentation is needed.

Rachel Duer asked what version of the bylaws is on the website?

Erika stated the 2016 version of the bylaws is on the website and is also filed at the Bastrop County

Clerk's office.

No motion or vote needed.

**5. Misc.-Discussion and possible action on adding verbiage on violation letters to residents about being "members in good standing".**

The POA wants to ensure residents understand that if a property violation has not been settled by November 30<sup>th</sup>, then they are not a "member in good standing" and will not be able to vote at the next annual membership meeting.

Zach Myers recommends that the POA reads Sec. 209 of the Texas Resident Property Owners Protection Act to ensure it can make this ruling.

Jan Schwindt stated the POA will do this with our attorney.

Discussion had, no motion made.

**NEW BUSINESS**

**1. Discussion and possible action on setback variance on 117 Nakalele.**

**This motion was previously made by email on 8/20/2020 by Erika McDonald, 2<sup>nd</sup> by David Carter, motion passed.**

**2. Discussion and possible action on violation reports.**

Jan Kuchel stated she wanted to be sure the reports were not presented in an offensive, shaming manner, but educational, where a short blurb is presented on the most common violations sent out that month.

Stacy Savage stated this will give members a list of violations to look out for on their own property and preemptive solutions to remedy any potential violations without having to receive a letter from the office.

Zach Myers stated there is a law out there on how you notify somebody and that addresses can't be displayed.

Tiffany Ferguson stated the POA doesn't give member information out publicly.

Jan Schwindt stated we are already doing this as it is a newsletter article just needing some additional explanatory information.

**3. Discussion and possible action on posting recorded meeting minutes on the website.**

Stacy Savage stated that with our new website she would like to see the audio and video recordings of the meetings posted. There is always a neighborhood concern of POA transparency and in order to make sure people can be caught up easily, she would like to see them stored so people could have access to them.

Erika McDonald stated she is not in favor of posting or storing any meeting videos on the website. She is fine for keeping the audio indefinitely. She doesn't believe posting videos on the website will encourage member attendance at monthly meetings.

Zach Myers stated he agreed with Erika on her final point.

Rachel Duer stated she was a Board member in a San Antonio community and videos can be used in the wrong way with screen shot captures. She also finds that general information on the POA/ACC website is too hard to find.

Tiffany Ferguson stated that we are revamping our website and it will be much more user friendly

