

**TAHITIAN VILLAGE PROPERTY OWNERS' ASSOCIATION**

**P.O. BOX 636, BASTROP, TEXAS 78602, (512) 321-1145**

**TVPOA ANNUAL BOARD MEETING MINUTES**

The Annual board meeting of the Board of Directors of the Tahitian Village Property Owners' Association – 1:00 P.M., Saturday, February 6, 2021

VIA ZOOM MTG

**TVPOA Board Members Present:**

Jan Schwindt, Mary Jo Creamer, Stacy Savage, Erika McDonald, Jan Kuchel and David Carter  
Association Manager: Amanda Homesley  
Administrative Assistant: Tiffany Ferguson

**PUBLIC PRESENT:** Refer to the list at the bottom of this document.

**MEETING CALLED TO ORDER:** Meeting was called to order at 1:07 p.m. by TVPOA President, Jan Schwindt.

Good afternoon I'm Jan Schwindt, President of the Tahitian Village Property Owners Association. I along with officers, Mary Jo Creamer, Erika McDonald, Stacy Savage. and Directors, Jan Kuchel and David Carter welcome you to the 2021 annual meeting of the TVPOA.

Today's meeting will align with the previously announced agenda, including speakers from local government agencies and the Tahitian Village Architectural Control Committee, although we do have 1 additional speaker, Courtney Young with Pines and Prairies Land Trust, to add to the agenda today. And of course, also on the agenda is the announcement of the candidates who won the open seats to the POA and ACC through our community electoral process.

Before we begin with the official meeting, I feel it is very important to address the electoral process with which many have experienced frustration. Thanks to residents in the community voicing their concerns, the POA is aware of inconsistencies and vagueness in the bylaws that guide our election processes. We are committed to updating this section of the bylaws through a revision process that will alleviate these candidate and voting issues for the 2022 election cycle.

No changes to the bylaws can be made by the Board alone. The first step in this revision process is to form a bylaws revision committee of interested members. This volunteer group will make the first passes at the bylaw's revision recommendations. One of the many very important processes governed by the bylaws is the voting and election process. This update will include the accurate and thorough wording of voting instructions as well as whatever redesign of ballots is needed for clarity. When these bylaw revisions are completed, there will be a special meeting of you, the members of Tahitian Village. At this special meeting, the membership will vote on these changes in a public meeting, as has been done with previous amendments to bylaws. We are all in agreement that these discrepancies need to be rectified so let's focus on this very important goal in early 2021.

When the need to call a special meeting arises, similar to our annual meetings, there is a strict timeline that must be observed. We hope you will support and assist us in making these revisions and when the time comes for the special meeting, you will join us to endorse the new bylaw revisions.

### **2020 Financial Report-Erika McDonald**

Gave a report of 2020 financials and this will be signed and available at the office.

### **2021 Annual Budget-Erika McDonald**

Erika McDonald showed the 2020 vs 2021 budget.

She did make a new line item which for "Community Projects".

### **OPEN FORUM/PUBLIC COMMENT:**

Jan Schwindt requested all attendees be respectful of the time we have today and ask that you give 3-5 minutes of time to speak.

Jo Egitto spoke briefly about the bylaws revision process and that the work needs to be expedited immediately. If you have the means and the passion, please consider being a part of the effort. As things begin to change and form, there are some policies and procedures that need to be streamlined for consistency. I don't like dissension or conflict and it needs to be cleared up, so we are not at odds with one another. I am looking forward with working with new people. Thank you for the opportunity and it has to get better.

Bruce Wilson thanked Joe Schwindt for his service on the ACC, especially his words, insights, and suggestions for ACC. He applauded Stacy Savage on her work to improve access to recycling services for residents throughout Tahitian Village.

I think its important that the membership is informed are when the next bylaw revision committee work and meetings are scheduled and that they can view and hear the discussion and post comments and questions which may/may not be answered by the committee at that time. He thinks it's also important that the Zoom meetings are recorded for the membership so they can review what was discussed. The formal letter of protest of the 2021 election ballot process that he filed with the POA on 2/2/2021 has been received by the Board and posted on Facebook. He is looking forward for the feedback from the POA on this protest. Jan Schwindt stated she will address this at the end of the public comments.

Courtney Kellogg voiced support with Bruce Wilson's stance on the election protest issue. She understands that the bylaws will be rewritten, but that wasn't the issue for her. It was the candidate application form and process and in how the ballot letter was written. The bylaws were not the root cause of my personal ballot issues. The right thing to do is to scratch this election and redo it, if possible.

Jan Schwindt would like to discuss the formal protest at the end of the meeting so she can compile and address everyone's concerns on the election process. Upon receipt of the letter of protest, the POA sent out immediate notification to the membership via email and social media. We looked at the election timeline constraints and decided the POA used all appropriate avenues other than the postal service, which would have been very cost-prohibitive. Per the board and all the above and the guidance of our legal council the protest has been denied.

In reference to Courtney Kellogg's request in voiding the 2021 POA/ACC election, we have given all candidates the same opportunity to correct mistakes on their candidate application packets. Member voting ballots went out and some ballots have already been received. Due to this we deny the request to

void the election.

Jo Egitto requested a notice be sent out of the POA's consensus of this protest denial.

Bruce Wilson stated his email to the board about sending out a letter of election protest was something he shouldn't have to do. The board should have done this right away on behalf of the membership. This was not a printing error on the ballot instructions. There is still a vast number of members that did not receive the information that they did not have to sign their ballot if they wanted to remain anonymous. The board is not taking action on this matter.

Erika McDonald stated she has spent a lot of time looking at Roberts Rules of Order and nothing she could find proved that the POA didn't do everything they could within the time allotted to notify the membership that a ballot signature was not needed to cast a vote. No member lost the opportunity to vote because of this issue and the POA fulfilled its duty by providing the opportunity for the membership to vote, as stated in the bylaws.

Bruce Wilson stated that the POA went against what the bylaws state in that you have to print and sign your name on the ballot, but the board said there would be anonymity on the ballot form, but there wasn't. There shouldn't have been a problem with the board correcting its mistake by allowing those ballot instructions to be sent out via postal mail and to change the election date regardless of what the bylaws state. Directors get elected to represent the entire membership, not just the people who can access the website and social media or who get the newsletter email blasts.

Erika stated this all goes back to the vagueness of the bylaws and why we're rewriting them.

Jan Schwindt stated again, we will keep all of this under advisement but as stated, and under the advisement of our legal counsel, the protest has been denied. We will correct the ballot if it needs to be corrected. We cannot make these changes today and we will work on the revisions with the committee so our election process for 2022 is solid.

Jan Kuchel asked if Bruce considered the instructions inaccurate because of the placement of the signature line on the ballot. He said no, the issue was that the entire membership was not notified equally that they did not need to sign their ballot this year.

Courtney Kellogg stated that the POA is not hearing what the members are telling them when she spoke about why her candidate packet was denied. The fact that there was an error with 1 single letter in a signature just blows my mind. I think what happened is 100% is illegal. I am extremely disappointed. Who wrote the ballot letter and who approved it before it went out to the membership? We were assured by the board that this voting issue wouldn't happen again and it did. Mistakes need to be addressed and the POA is responsible.

Erika McDonald stated Michele Plummer posted in the zoom chat box that she was also denied because of a middle initial. She also noted that Deena Eden was denied because of a middle initial on her candidate signature packet. The POA, as a whole, was not involved in the review of candidate packets, except for the one POA Director who lead the Election Committee. This is all part of that vague restriction that requires members to print and sign only their deeded name on a candidate's petition for support. It is very confusing and I would like to get rid of that requirement first and foremost in the bylaws rewrite.

Mac Simpson stated he submitted 15 signatures and 6 were denied. Four signatures were denied because the printed and signed name was not the same as the name on the property deed and 2 were denied because of an added or omitted middle initial.

Jan Schwindt called time on the discussion and clarified that none of the candidates saw any of their fellow candidate's paperwork. All of the candidates were treated fairly and the same. They were all given the opportunity to correct and resubmit their paperwork, which has never happened before and this

allowance shouldn't happen again after the bylaws revision.

We are not going to stop the election. We have been advised by our attorney to move on and make the corrections to the bylaws. If you are interested in being on that Committee, please respond when that information and participation request goes out to the membership.

Jan Schwindt stated the mailing post mark date for member election ballots to be received was 2/1/2021 and the in-person drop off date to the front office was 2/5/2021. Ballots received after 2/5/2021, but postmarked on or before 2/1/2021 were also counted in the vote totals.

Erika McDonald asked that Jan Schwindt answer Courtney Kellogg's questions of who wrote the ballot instruction letter and who approved it? Jan Schwindt stated the ballots instructions were created some time ago and have used them year after year. We did make some corrections about 3 years ago on the wording of how to vote per lot, but it is still confusing and will be addressed very soon.

Tiffany Ferguson announced the POA's new website: [tahitianvillage.org](http://tahitianvillage.org)

### **GUEST SPEAKERS**

**Courtney Young from Pines and Prairies Trust** introduced herself and made a presentation about the Colorado River Refuge and invited people to get involved. They are a non-profit organization founded 20 years ago and they are open every day.

The preserve is managed as a wildlife habitat. They offer spring/fall nature classes for teachers, students, and the general public, so if you are interested, please look them up to see what is available. They have surveyors out marking the boundaries of the Refuge so as Tahitian Village is being developed, neighbors don't mistakenly cut back trees or encroach on habitat areas that are part of the preserve. They are very open to working with neighbors to determine property boundaries before any development occurs. They have trash service once weekly, so they discourage outside trash since they are limited on bin capacity. There has been an estimated 300% increase in people enjoying the preserve, so for COVID-19 precautions, please put a mask on while passing others on the trails. They are always looking for volunteers. The first Saturday of the month is when they do trail maintenance. They are also going to be doing a drive-in movie film festival in April. For questions or volunteer opportunities, please visit [pplt.org](http://pplt.org).

**County Commissioner Mel Hamner** spoke about the road that the County accepted this year from BCWCID#2 for maintenance. We continue to work closely together and how to speed things up to include more roads. Lamaloa and Nuuanu will both get paved in the spring. We are still working on the flooding issues on Lovers Lane area with larger culverts and going under people's property directing it into the retention pond near Airstrip and to then over to the river reserve area for release into the river. East Riverside has corrosion control added and the shear drop has been corrected to a 4:1 slope for safety.

Erika McDonald asked if anyone wanted copies, would they be available?

Mel Hamner stated, yes.

Randy McDonald asked if the roads will be done in 4 years.

Mel Hamner stated, that is my goal and that is also Mr. Hightower's goal.

Mel Hamner thanked the ACC for buying the last unit drainage study to get the rest of the roads completed. The County's biggest issue was not understanding how fast and to where the water flows, so

this drainage study revealed the data needed to keep the community safe.

Pierre Wilson asked if there anyway to deal with the clogged-up culverts that are out there now.

Mel Hamner stated yes, there is a way to fix it. Build them, maintain them and fix them.

It's primarily the property owner's responsibility to maintain them.

**Sheriff Maurice Cook** We do not to have a lot of criminal activity in this area. Four police service members do circulate the subdivision from time to time. However, crime is up in the County. COVID-19 has changed the typical crime statistics for this area. We follow CDC guidelines and we do require people onsite to wear masks. We have 108 employees in the jail at this time and less than 10% have contracted COVID. Only 1 inmate has contracted COVID since October 2020 and 2 just this week. There is an online reporting tool for minor cases and a telephone 512-549-5003 line to report any suspicious activity where you can remain anonymous. The biggest crime area is the boundary between eastern Travis County and western Bastrop County. Robert Williams is our crimes prevention person and can be reached at the department.

Randy McDonald thanked the Sheriff's Department for its presence in the community and on the highway, but there is still a speeding problem within our village. I attribute it to the tourists heading to the river not realizing they're in a deeded neighborhood.

Sheriff Cook stated that they love driving our hills for the adrenaline rush. The people don't realize this is residential community. Please call us and we will send some units in there, but we try and have them out on a regular basis.

COVID has slowed officers down because follow ups on tickets is difficult at this time, but it won't deter them from following the rule of law or giving tickets and warning tickets.

Officers are on the main thoroughfares and Bastrop County is in the top 10 in traffic fatalities in the County. Drivers are taking advantage of COVID causing high speeds on open highways.

Jan Schwindt said that you for all you do for us and the County. The residents are very fortunate to have so many frontline workers and first responders as residents in the subdivision.

Sheriff Cook thanked the TVPOA/ACC and all the residents for being such good people and he hopes he is providing the types of protection services our community deserves.

**TVACC President, Randy McDonald** would like to thank the committee members that have dedicated so many hours as elected volunteers, Joe Schwindt our Vice President (who is leaving office today), Pierre Wilson our Secretary, Marty Burnett our Treasurer, and a special thank you to Amanda Craig, whom due to personal reasons resigned a few months prior to the end of her term. A very special thanks to our Association Manager, Amanda Homesley, Association Assistant Tiffany Ferguson and our attorney David Bragg. It's also imperative that I thank the TVPOA Board for their cooperation with the TVACC during this extremely busy and often bizarre year of 2020.

*TVACC President's annual message:*

"This was a real balancing year for us all, social distancing, mask, a presidential election, work force adjustments and zoom meetings!

The TVACC diligently worked many hours to complete and release its new version of the TVACC Guidelines effective September 1, 2020. Great emphasis was placed on the protection of our Pines and other natural hardwoods, the use of building materials, and construction methods that take into

consideration that our community is in a wildfire zone with extreme weather conditions of drought and potential flooding (drainage issues). Considerable attention was also given to the cooperation between construction and neighboring properties, including job site appearance and noise levels during work hours.

The TVACC donated \$28,000.00 of its accrued funds to BEFCO Engineering to provide a drainage study for Unit 4 (the last unit that needed a study plan) to expedite the building of roads and drainage in this Unit. We did this in cooperation with the BCWCID#2 General Manager Paul Hightower and County Commissioner Mel Hamner. If you have not noticed all the new road construction, please drive the Village. We think you'll be extremely happy and proud of the work that has been accomplished over the last year.

We as a committee wish to thank our neighbors and fellow property owners for their support as well as our friends at TVPOA, BCWCID#2 and Bastrop County Pct1 and its supporting staff, including the Sheriff's Department.

Our staff wish to thank all the property owners that notified us of their concerns with apparent violations of the TVACC guidelines during the past year and we wish to remind residents that you email your concerns to [info@tahitianvillagepoa.com](mailto:info@tahitianvillagepoa.com) and add photos and/or videos if possible, of your concerns and note the date of the concern. Our office staff will address your concerns quickly. You may call the office 512-321-1145 if you wish to remain anonymous.

We dedicate a lot of hours. Anyone can run for these positions but be ready to spend a lot of time and energy to better our community. I am very proud of our Committee."

Jan Schwindt stated it does take countless hours. The POA and ACC are working well together and continue to do so.

**Justice of the Peace, Cindy Allen** stated it is always a pleasure to speak for Precinct 1.

The pandemic has been a challenging year. Jury trials have been suspended until April 1<sup>st</sup>. A moratorium for evictions has also been delayed until end of March 2021 and the court is receiving lots of calls for guidance on landlord/tenant affidavit requirements from the CDC. The Justice of the Peace for Precinct 1 processes about 5300 citations a year (averaging 400-500 traffic citations a month). Seven thousand citations have been issued for criminal conduct. The court is now staffed at 3 full-time employees and 1 part-time employee.

**Jan Schwindt stated that BCWCID#2 General Manager, Paul Hightower was not in attendance due to a commitment.**

*BCWCID#2 General Manager's annual message:*

"We have had an interesting & challenging first couple years for myself coming into the District. We have made some definite head way, some definite leaps and bounds along the way, but we have learned some things & we are going in a great direction.

In 2019, we put together a 10-year capital plan laying out all the Districts major planned expenditures. That plan was approved by the Board during budget time. The first major project of 2020 was the rehab

& painting of our ground storage tanks in the system. This helps to keep the tanks from oxidizing over on the interior and it eliminates some electrical issues for us in doing this as well. The tank interiors are being coated with a thick spray in liner. This helps the water stay "fresher" for a longer period of time and also helps cut down taste and odor issues with any kind of metallic taste.

We started with the station in front of our office on Tahitian. The tanks were cleaned and repainted, applying the new logo to the front, which is very nice. makes it a lot easier to look at. We also did some clean-up to the fence line area with some fence slats and will be doing some shrub work this spring.

The other major topic for us is our water supply. We are approaching the threshold with the state, on the # of customers we have, with how our water system is laid out. We are currently spec'ing an elevated water tower design for the system and where exactly to put it. We also have one well that gives us intermittent issues with testing and we are still exploring several methods to make this better. Hopefully lots of good things to come with 2021.

On the road district side of things, we are moving forward at a very good rate as well. We have 2 employees working full time on nothing but roads with a 3<sup>rd</sup> that fills in, when help is needed on machines. They have completed well over 200 work orders for potholes, repairs, ditches, road grading & other misc. requests. This has kept them very busy, but we are making some great headway on streets and getting some areas opened up with people access to their lots, that hasn't been seen in 10+ years. Now with all this, I know there is a great deal more to be done but they are moving along very well.

We are working on some other plans & ideas with a new machine, to get these done & knocked out as fast as we possibly can. Mel and I are constantly meeting over these roads & making some definite head way with it. As always, the agreement that we are in with the County, tremendously helps the District with equipment that saves us a lot of money, which in the end, helps your money go farther.

Overall, I feel the District is heading in a very positive direction. We have come a long way in a short time with a long way to go, but we are finally turning this into a positive direction!"

## **NEW BUSINESS**

*POA Board of Directors election announcement:*

Jan Schwindt stated she usually makes this announcement, but since she is running, the duty to read the election results was assigned to the Chair of the Election Committee, David Carter.

Independently contracted Election Judge, Cristina Carrillo, processed the member ballots and signed the attached form verifying the 2021 TVPOA election results.

1. ELECTION RESULTS: The terms for POA Directors in Places 4, 5 and 6 held by Mary Jo Creamer, Stacy Savage and Jan Schwindt have expired. The results are as follows: 1st Candidate Jan Schwindt, 382 votes; 2nd candidate Mary Jo Creamer, 368 votes; 3rd candidate Stacy Savage, 361 votes; 4th candidate Mac Simpson, 357 votes.
2. ANNOUNCEMENT OF 2021 BOARD OF DIRECTORS:  
Jan Schwindt, Mary Jo Creamer, Stacy Savage, David Carter, Jan Kuchel and Erika McDonald

Since there were only two candidates to fill the two vacancies on the TVACC, there was no election. Congratulations to the following candidates who won their seat on the Committee by acclamation: Greg Stigall and Aaron Sanford

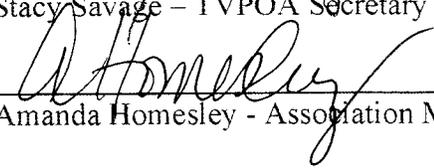
We thank everyone for joining us and final election results will be announced at the February POA meeting.

There being no further business,

**Erika McDonald made a motion to adjourn. Stacy Savage seconded the motion. A vote was taken, and the motion passed unanimously.**

Meeting was adjourned at 3:16 p.m.

 3/27/21  
Stacy Savage - TVPOA Secretary Date

 3/31/2021  
Amanda Homesley - Association Manager Date

**Public Present:**

Maurice Cook, Sherry Shena, Christel Key, George Uptain, John Prince, Pete Carapetyan, David Bragg, Nancy Rogers, Miriam Mustelier, Joseph Clemmons, Cindy Allen, Jessica Zamora, Pierre Wilson, Randy McDonald, Mary Burnett, Michele Plummer, Bruce Wilson, Jo Egitto, Bruce Looman, Robert Wallenhorst, Joe Schwindt, John Creamer, Scott Ferguson, Mac Simpson, Patti Willingham, Ruth Bullock, Mallorie DePenning, Gregg Stigall, Sandy Stigall, Charitty Alexander, Mike Peppers, Diana Hugo, Janice Brown, Courtney Kellogg, Courtney Young, Mel Hamner, Veronica Barrera, Rachel Duer