

**MINUTES OF MEETING OF BOARD OF DIRECTORS OF
TANGLEWOOD FOREST LIMITED DISTRICT**

May 22, 2024

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

The Board of Directors of Tanglewood Forest Limited District met in regular session, open to the public, on May 22, 2024, in the library at Kocurek Elementary, 9800 Curlew Drive, Austin, Texas, pursuant to notice duly given in accordance with law. A copy of the Certificate of Posting of the Notice is attached hereto as **Exhibit “A”**.

The following Board Members were present, thus constituting a quorum:

Ron Peterson	President	Present
Nikki Krueger	Vice President	Present
Brian Whelan	Treasurer / Secretary	Present
Robbie Castille	Director	Present
Mike Canty	Director	Present

Also present for the meeting were: Jennifer Schein of The Carlton Law Firm, P.L.L.C.; Brody McKinley of SafeGuard Aquatics; Charlie Mowen of TexaScapes; and residents of the District.

Director Peterson convened the meeting at 6:00 p.m. and took the agenda items in the order described below. The Directors each introduced themselves to the attendees of the meeting.

PUBLIC COMMENT

Item 1 – Receive communications from the public on items not listed on the posted agenda.

Catherine Rockwell, a District resident, discussed the District and her love for the District and applauded the public for their attendance at the meetings. Noel Gonsalvez, a District resident, mentioned he attended District Court to see Lauren DeWilde’s docket call. Mr. Gonsalvez said when he was leaving he noticed Director Castille walking out into the hallway with Ms. DeWilde and Director Castille muttered “F***** git” as Mr. Gonsalvez walked by. Mr. Gonsalvez said he finds it incongruous that a sitting Board member would be in the courthouse with a person that wrote a check for \$88,000 of District funds to pay off the debts of One Barton Place Condominiums. Mr. Gonsalvez believes Director Castille has been in bed with Ms. DeWilde since the beginning. Mr. Gonsalvez further stated he obtained a photograph of Director Castille with Ms. DeWilde and Director Castille got up and approached him and said “Noel, if you don’t quit doing what you are doing, things are going to go bad for you”. Mr. Gonsalvez said he took Director Castille’s words as a direct threat and has filed a report with the police department. Mr. Gonsalvez wants the situation on record at the Board meeting so people understand the type of person Director Castille is. Mr. Gonsalvez also said the Board should be aware that Director Castille brings people who live outside the District to run in the race and Mr. Gonsalvez would not be surprised to see Ms. Lauren DeWilde running in the November election race. Director Castille said that Mr. Gonsalvez has two active stalking cases for stalking two girls and said that Mr. Gonsalvez is not

quite stalking him, but does some weird s***. Director Castille also said Mr. Gonsalvez makes people uncomfortable and has made Ms. DeWilde so uncomfortable that she has a gun now. Director Castille mentioned Mr. Gonsalvez can hate him as much as he wants, and Director Castille hopes his hate will continue, but that Mr. Gonsalvez will not hate Director Castille in a way that makes women uncomfortable and stalks them and invades their privacy. Director Castille said Mr. Gonsalvez will not repeat those actions again and asked if Mr. Gonsalvez understood him.

Item 2 – Public Comment on Agenda Items. Addressed in items below.

CONSENT ITEMS

Item 3 – Consider approval of the April 17, 2024 regular meeting minutes. Director Krueger moved to approve the April 17 meeting minutes as presented. Director Castille seconded the motion, and the motion passed 5-0.

REPORTS AND COMMITTEE MATTERS

Item 4 – Receive report from the Finance Committee and Treasurer and consider taking related action regarding the following:

- (a) **monthly financial report, payment of monthly bills and invoices and transfers of District funds:** Director Whelan presented the check register and discussed the late invoice received from Bickerstaff for \$2,108.60 that did not make it into the check register. Director Whelan requested a transfer of \$92,326.60 to cover the monthly bills and invoices and approve the late invoice from Bickerstaff. Director Krueger moved to approve the check registry and a transfer of \$92,326.60 to the checking account to pay the monthly bills and invoices. Director Canty seconded the motion, and the motion passed 4-1 with Director Castille opposed. Director Castille opposed due to check number 2505, 2517, 2518, 2519 and the Bickerstaff check numbers. Directors Canty and Krueger noted that all the checks Director Castille opposed were lawyer fees that Director Castille created.
- (b) **amendments to the budget for FY2024:** There are no amendments to the budget this month.
- (c) **security issues including report from Travis County Sheriff's Office and renewal of contract with Travis County Sheriff's Office for 2024:** There is no report from the Sheriff's Office this month.

Item 5 - Receive report from the District's pool operations contractor and Pool Committee and consider taking related action, including matters related to: pool operator and pool maintenance/lifeguard contract; leak repairs; pool maintenance, general repairs and upkeep; operating schedule; pool programs; pool funding; lifeguards; and rates and fees for pool use. Mr. McKinley presented the April operations report to the Board and said routine maintenance was completed and the lifeguards are ready for the pool opening tomorrow.

Item 6 – Receive report from the District's landscape maintenance contractor and Park Committee and consider taking related action: Mr. Mowen presented the April parks report to the Board and said routine park maintenance had been completed. Mr. Mowen said they are preparing their budget for the parks committee to review.

- (a) **Landscape maintenance contract, proposals and estimates for additional landscaping work, maintenance, repair, replacement and improvements to landscaping and landscape related facilities, irrigation systems, and tree trimming:** The matter was not addressed.
- (b) **consider amendments to the Park Rules:** The matter was not addressed.

Item 7 – Receive report from District’s General Manager and consider taking related action, including matters related to: Director Peterson discussed the vandalization of the pool house restroom and noted the restroom has been repaired.

- (a) **management services, and related issues:**
- (b) **use, maintenance, repair, replacement and improvement of District property and facilities including, but not limited to, buildings, restrooms, electrical systems, lighting, and parking areas:** Director Peterson discussed the three bids received for the pool and noted two of the bids were high. Director Krueger noted the District has had a good working relationship with Onit and Stone Deck. Director Canty noted that the work completed must be guaranteed by the vendor that is chosen. Director Krueger moved to pre-approve \$7,000 for the Stone Deck bid pending a more detailed invoice and quote. Director Castille seconded the motion, and the motion passed 5-0. Director Whelan noted that Ms. Bocanegra was absent but sent him a list that discussed the following: the water fountain was installed, several trees at Lindshire Park and Greenbriar Park were addressed, two fire extinguishers were ordered and placed in the pool house and meeting room, the new trash bins are set to arrive on June 8th, Onit continues to address the graffiti at Lindshire Park, and that the Paypal issue is still being worked on.

Director Whelan presented the current Park rules and noted some changes that the Board may want to address including changing the Park hours to match the City of Austin opening and closing hours. Director Whelan asked the Board to look through the Park rules and email him any suggestions. Director Whelan also discussed a community event for August 17th, which is the final Saturday before school starts again. Director Whelan said tentatively the committee would like to have Kona ice cones, balloons, a movie, music, and no daily fee for residents using the pool that day. Director Whelan said it would cost about \$200-\$300 which has already been put aside for this event. Director Peterson suggested adding the Park Rules on the agenda for review at the next Board meeting. Director Krueger noted there are three free swim days in the SafeGuard contracts. Director Castille objected to the free swim if the free swim day was for only for District residents and believes it should be free for everyone if the District makes it free. Directors Krueger and Canty noted out of District residents could still pay a fee. Director Peterson objected to the community event as keeping the pool open an additional week would cost thousands to the District. The Board further discussed the fees for keeping the pool open. Director Krueger made a motion to hold a community event on August 17th. Director Canty seconded the motion, and the motion passed 5-0.

- (c) **Large event requests:** Director Krueger discussed a request from I-9 Sports to use Greenbriar Park from 9am-12pm, September 14th through October 26th. Director Krueger mentioned I-9 Sports can provide new insurance for the season for review.

Director Krueger moved to allow I-9 Sports to use Greenbriar Park for the dates and times discussed. Director Canty seconded the motion, and the motion passed 5-0.

- (d) **park and restroom cleaning and related services from cleaning contractor:** The matter was not addressed.
- (e) **pond cleaning and related services from Aquatic Features:** The matter was not addressed.
- (f) **regarding enforcement of deed restrictions with the District:** The matter was not addressed.

Item 8 – Receive report from the Communications Committee and consider action regarding the following:

- (a) **website content:** The matter was not addressed.
- (b) **newsletter:** Director Krueger noted the newsletter would be out to the neighbors any day now.

Item 9 – Receive General Counsel report and consider taking related action regarding the following:

- (a) **pending contract issues, open records requests, and election matters:** The matter was not addressed.
- (b) **other litigation matters:** The matter was not addressed.
- (c) **legal investigations and other legal issues, if any:** The matter was not addressed.
- (d) **the Attorney Generals response to The Carlton Law Firm’s request for exception to R. Castille’s February 4, 2022, Open Records Request and Cause No. D-1-GN-22-002141:** The matter was not addressed.
- (e) **demand letters regarding District property damage that occurred June of 2023:** Mr. Carlton told the Board the demand letters will go out soon.

Item 10 – Discuss, consider, and take any action necessary regarding the State of Texas v. DeWilde, Lauren (Cause No. D-1-DC-22-900009) in the 299th District Court of Travis County, Texas. The matter was not addressed.

Item 11 – Receive report from Special Counsel and consider taking action regarding Cause No. D-1-GN-23-001675; Plaintiff’s Verified Original Petition and Application for Temporary Restraining Order, Temporary Injunction, and Permanent Injunction in the matter of Kimberly Minjarez vs. Tanglewood Forest Limited District; Ron Peterson, Nikki Krueger, Brian Whelan, each in his or her Official Capacity as Directors of Tanglewood Forest Limited District. The matter was not addressed.

OTHER MATTERS

Item 12 – Discuss and consider the code of ethics for district directors, officers, employees, and persons who are engaged in handling investments for the district, investment policy, and travel and professional services policy. Director Peterson asked for any comments or changes to the Code of Ethics. There were no comments.

Item 13 – Discuss and consider election of officers for Board. Director Krueger made a motion that Director Castille is not put in any officer position on the Board. Director Castille seconded the motion, and the motion passed 5-0.

Item 14 - Discuss and consider rules of conduct during Board meetings. Director Krueger reminded the Board that Directors should not be using their cell phones during board meetings.

Item 15 – Approval of District’s financial audit and filing audit with the County (or request 30-day extension if needed). The Board approved the audit in the May meeting.

Item 16 – Update resolutions regarding Disbursements and Signature Authorizations. Ms. Schein discussed the resolution regarding Disbursements and Signature Authorizations with the Board. Director Krueger moved to approve the resolution. Director Canty seconded the motion, and the motion passed 4-1 with Director Castille opposed.

Item 17 – Discuss and consider Board member duties, responsibilities, ethics, and actions. The matter was not addressed.

Item 18 – Discuss and consider time, date, and agenda items for the next Board meeting. The next board meeting will be held on June 19th, 2024 at 6:00 p.m. at the District pool house.

The meeting adjourned at 6:32 p.m.

(Seal)


Brian Whelan, Secretary
Board of Directors

Date: June 19, 2024