

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

October 16, 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 October 16, 2024, at Westoak Woods Baptist Church, 2900 W. Slaughter Ln., 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.; Erin Herbrecht of SafeGuard Aquatics; Charlie Mowen of TexaScapes; and residents of the District.

Director Peterson convened the meeting at 6:23 p.m. and took the agenda items in the order described below.

PUBLIC COMMENT

Item 1 – Receive communications from the public on items not listed on the posted agenda. Steven Gerlofs, a District resident, introduced himself and noted he is running for one of the three positions on the Board in this November election. Mr. Gerlofs said he has worked in printing for 50 years and has worked with the schools, attended PTA meetings and volunteered. Mr. Gerlofs also noted that he has posters available for anyone that would like one. Mr. Gerlofs mentioned there are eight pages on the November ballot, that the Tanglewood election is at the back of the ballot, and he has worked at the Travis County Elections office for 15 years. Mr. Gerlofs urged the public to take their time to make the choices they want to make and read the ballot again before they leave. Mr. Gerlofs thanked the Board for working with him and thanked The Carlton Law Firm for assisting the District.

Ellen Canty, a District resident, discussed a postcard she received that makes false and malicious claims against Noel Gonsalvez. Ms. Canty said she wants the residents to know that the claims are false, malicious, and lies. Ms. Canty noted that the voters should be cautious at the polls and said there are three qualified candidates for the three open Board positions, Noel, Damien, and Steve. Ms. Canty urged the District residents to go out and vote.

Noel Gonsalvez, a District resident, discussed how he has lived in the District since 2003. Mr. Gonsalvez noted he did not become active within the District during the first 20 years, as he has a son to raise. Mr. Gonsalvez said he has been actively involved in the District for the past two years and has attended each Board meeting, except for one when he was on vacation. Mr. Gonsalvez has helped and worked in different events for the District. Mr. Gonsalvez says that for the past two years he has been diligently challenging Director Castille's criminal activities within the District. Mr. Gonsalvez noted that Director Castille was recently arrested for planting a GPS tracking device on his vehicle and he has also been maligned as per the recent postcards that were mailed out. Mr. Gonsalvez also mentioned that he has been called a stalker, a hobo, and everything under the sun, but if anyone googles him, nothing malicious will be found on him. Mr. Gonsalvez says he looks forward to earning the residents' votes, and that he will not promise anything except that he will work for the best interest of the District. Mr. Gonsalvez said he may not make everyone happy, but he will do his best to address all the issues the Board is obliged to take care of. Mr. Gonsalvez provided his phone number and said he will be available to speak after the Board meeting and signs are available. Mr. Gonsalvez urged voters to vote for himself, Damien Trevino, and Steve Gerlofs.

Damien Trevino, a District resident, said he is running for a position on the Board of Directors and is a second-generation resident of Tanglewood Forest. Mr. Trevino also said he has lived off and on for 30 plus years. Mr. Trevino noted he has mixed feelings on how the Board has been handled and it is one of the reasons why he is running for the Board. Mr. Trevino mentioned he would like to bring more honor to the Director position as there is lots of name throwing and slander, and he is too old to for that when there are many other issues to resolve to add that on top of the Board meetings. Mr. Trevino wants to get back to the basics and make the surrounding areas better for everyone. Mr. Trevino said he hopes everyone votes whether it is for himself, Noel, Steve or whoever they think is the best candidate for the position.

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

CONSENT ITEMS

Item 3 – Consider approval of the September 18, 2024, regular meeting minutes. Director Krueger moved to approve the September 18, 2024 minutes as presented. Director Peterson 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: Director Whelan told the Board that the CD purchased in July has matured from \$250,000 to \$252,843.06 and asked if the Board wants to renew for 3 more months at 3.75%. Director Peterson moved to approve renewing the CD for 3 months at 3.75%. Director Canty seconded the motion, and the motion passed 5-0.

- (a) monthly financial report, payment of monthly bills and invoices and transfers of District funds:** Director Whelan presented the check register and discussed the profit and loss report for September. Director Whelan discussed the invoices and bills and one late invoice from Bickerstaff for \$3,048.50, that brings the total invoices and bill to \$41,915.19. Director Whelan discussed the need for a transfer

of \$42,000.00 from the savings to the operating account. Director Krueger moved to approve the bills, invoices, and check register and a transfer of \$42,000.00 to the checking account. Director Peterson seconded the motion, and the motion passed 4-1, with Director Castille opposed.

- (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.
- (d) **Review and approve quarterly investment report for 3rd quarter:** Director Whelan discussed the investment reports. Director Krueger moved to approve the third quarter investment report as presented. Director Castille seconded the motion, and the motion passed 5-0.
- (e) **Presentation of FY22 audit from Maxwell Locke & Ritter LLP:** Mr. Rommel with Maxwell, Locke & Ritter, presented the FY2022 District audit. Director Krueger moved to approve the FY2022 audit draft as presented. Director Whelan seconded the motion, and the motion passed 5-0.

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 was not present, Erin Herbrecht, with SafeGuard Aquatics, presented the September operations report. Ms. Herbrecht said the pool is officially in the off season now and there were no incidents for water rescues. Ms. Herbrecht said routine pool maintenance was performed.

Item 6 – Receive report from the District's landscape maintenance contractor and Park Committee and consider taking related action: Mr. Mowen presented the September parks report to the Board and said routine park maintenance had been completed. The Board discussed directives on how to handle political signs with Mr. Mowen.

- (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:

- (a) **management services, and related issues:** The matter was not addressed.
- (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:** Ms. Bocanegra discussed the December 14 holiday event to begin at 6:00 p.m. Ms. Bocanegra discussed the following fees for the event: Santa with a cost of \$250, balloon twisters for \$640, train cost of \$600,

holiday lights for \$5,400 (with a deposit of \$2,700) and the band would be for about \$1,000. Ms. Bocanegra asked if the Board would like to have popcorn at the event. Director Krueger moved to approve the payment of the holiday lights for \$5,400. Director Canty seconded the motion, and the motion passed 5-0. Director Castille moved to pay the vendors discussed for 2 hours for \$1,490. Director Canty seconded the motion, and the motion passed 5-0. Ms. Bocanegra also discussed the graffiti at the duck pond, and she will get that addressed.

- (c) **Large event requests:** The matter was not addressed.
- (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: Director Krueger asked Ms. Schein about the Notice to Buyer and Ms. Schein said the Notice will be available after the results of the elections.

- (a) **website content:** The matter was not addressed.
- (b) **newsletter:** Director Krueger noted that the newsletter has gone out, nothing else to add at this time.

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:** The matter was not addressed.

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 Board member duties, responsibilities, ethics, and actions.


Director Peterson noted the Board is about to change after the November 5, 2024 election.

Item 13 – *See Supplemental agenda for election items.* The matter was not addressed.

Item 14 – Discuss and consider time, date, and agenda items for the next Board meeting. The next Board meeting will be held on November 20, 2024 at 6:00 p.m. at the Westoak Woods Baptist Church.

The meeting adjourned at 6:51 p.m.

(Seal)


Brian Whelan, Secretary
Board of Directors

Date: November 19, 2024