

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

March 16, 2022

THE STATE OF TEXAS §
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COUNTY OF TRAVIS §

The Board of Directors of Tanglewood Forest Limited District met in regular session, open to the public, on March 16, 2022, at the Tanglewood Pool House, located at 9809 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	Absent
Kat Dowling	Vice President	Present
Nikki Krueger	Treasurer / Secretary	Absent
Robbie Castille	Director	Present
Josh Schauer	Director	Present

Also present for the meeting were: John Carlton of The Carlton Law Firm, P.L.L.C.; Trey Thompson of Pioneer Real Estate Services; Charlie Mowen of TexaScapes; Brody McKinley and Trevor Van VanOsselear of SafeGuard Aquatics; and residents of the District.

Director Dowling convened the meeting at 6:00 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. No public comments.

Item 2 – Public Comment on Agenda Items. No public comments.

CONSENT ITEMS

Item 3 – Consider approval of the February 16, 2022, regular meeting minutes. Director Dowling mentioned there should be a change to Item 7(b). Director Dowling would like to clarify that the \$25,000 proposal for trees in Lindshire Park was not approved since it was being rebid in parts. Director Schauer moved to approve the February 16, 2022, regular meeting minutes with corrections to Item 7(b). Director Dowling seconded the motion, and the motion passed 3-0.

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 Dowling presented the updated invoice list that had not been included in the packet. Director Dowling said that there were a few line item changes. She discussed the Spectrum Business invoice and that its correct amount was \$108.02. Director Castille asked about the Sunscapes invoice regarding the mulch as discussed in the February Board meeting. Director Dowling responded that they will be paying the invoice. Director Dowling and Mr. Carlton compared the check register provided in the meeting packet with the most currently updated check register. Mr. Carlton stated that the revised check register will be attached to the March 16 meeting minutes as Exhibit B. Director Castille asked about the wastewater charges for the pool meter. Director Dowling responded that the flat rate wastewater charge must be paid regardless because of the pool system. Mr. McKinley and Mr. VanOsselear of SafeGuard Aquatics explained that if there is a water line anywhere in the building then there must be a wastewater fee as well. Director Dowling thinks that Director Peterson has more information on the wastewater fee and that it can be reviewed again in April. Director Dowling said that Mr. Thompson was going to have A-1 Services return and review work that was not completed at Lindshire Park. Mr. Carlton stated that the updated check register total to be paid is \$67,144.86. Director Schauer made a motion to approve the updated check register and pay the invoices totaling \$67,144.86. Director Dowling seconded the motion, and the motion passed 3-0. Director Castille made a motion to transfer \$68,000.00 to the operating account to pay the invoice list. Director Schauer seconded the motion to transfer, and the motion passed 3-0.
- (b) **amendments to budget for FY2022:** Director Dowling stated there are no amendments to discuss and that the amendment to the prior year's budget needs to be posted to the District's website.
- (c) **security issues including report from Travis County Sheriff's Office:** Director Dowling stated there were no security issues to discuss.

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. Brody McKinley presented his report as provided in the agenda packet. Mr. McKinley stated that they are getting ready for the regular season to begin on April 23, 2022. He also discussed the preparations for opening day. Mr. McKinley asked if the Board wants to verify residency for pool usage. Mr. VanOsselear said they are setting up online applications and need to be able to verify the addresses. Mr. Thompson said that Pioneer does not require documents for proof of address for tennis court use. Director Schauer asked what the process would be if residents were required to provide a utility bill. Mr. VanOsselear said they can set up the online application system to require documents to be uploaded as proof of address and that the proof can be any piece of mail or a utility bill. Director Dowling asked if the applications could be monitored for any duplicate addresses. Mr. VanOsselear said they can manually review for any duplicate addresses. The Board discussed options for processing applications. Mr. VanOsselear said that they can still register people in person so that the residents that may not have online capabilities can still apply.

Director Dowling said they could evaluate applications for any duplicates at the end of the season. Director Castille said he was inclined to leave the proof of address on an honor system. Mr. McKinley said they the Kocurek party was scheduled for May 27, 2022. Director Schauer stated there was no update from the Pool Committee.

- (a) **approval of pool fees for 2022:** Director Dowling reviewed the 2022 pool fees. Director Schauer moved to approve the entry fees and season pass fees. Director Castille seconded the motion, the motion passed 3-0.

Item 6 – Receive report from the District’s landscape maintenance contractor and Park Committee and consider taking related action: Charlie Mowen of TexaScapes presented the landscape report detailing February activities, as provided in the packet. Mr. Mowen reported that the irrigation controller was replaced at Greenbriar Park. He also stated that the tree planting and mulch proposals would be ready before the April Board meeting. TexaScapes will apply ant-bait and turf and bed fertilizer soon. Ladybugs will be released in the parks March 17, 2022. Director Dowling asked to be notified of the ladybug release by text if possible. Director Dowling asked if the conduit/cable was covered. Mr. Mowen said that he could use additional decomposed granite but because the ground shifts it could be washed away so he just dug the cable in and leveled the ground. Director Dowling said that the Parks Committee will evaluate park improvements at their next meeting if needed. Director Dowling also said that the mulch was the correct amount ordered for Tanglewood Park but it was not enough to completely cover the areas. She further said that the other parks are good with the amount of mulch they have. Director Dowling mentioned that there needs to be new fall pads everywhere. The Parks Committee is waiting for a rebid for a few of the barriers. The Parks Committee will revisit the playscape in Tanglewood Park for April because more extensive repairs need to be completed. The Parks Committee is reviewing a form for events to make it easier for Mr. Thompson to gather information.

- (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:** Matter not addressed.
- (b) **consideration amendments to the Park Rules:** 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:** 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:** Mr. Thompson discussed the work order list that was provided in the packet. Mr. Thompson explained that they are awaiting word from A-1 Services regarding the gate by the pool. He also stated that the graffiti on a boulder by Lindshire Park was part of another work order and that part was not completed. A work order for the beam not being completed has been added. Director Dowling asked Mr. Thompson about the globe at Tanglewood Park for A-1 Services. Mr. Thompson has asked A-1 Services about the delays in responses. Director Castille asked Mr. Thompson about the tennis court benches. Mr. Thompson responded that the tennis court bench project was completed in the past

month. Mr. Thompson presented the remainder of the written report to the Directors. Director Dowling said that they have asked the City of Austin to remove the compost bins located at Greenbriar Park and would have that added to the work order list. Director Castille asked if TexaScapes does playground mulch, and Mr. Mowen responded that they do not. Director Dowling presented the quote for the movie night and said they could discuss the quote of \$1,153 at the April Board meeting. Director Castille asked about the movie rights. Director Dowling responded that the Board had purchased movie rights for movie nights for prior years, but the Board will need to buy new movie rights for movies to show. The last movie night was in 2019.

- (c) **Large event requests:** Director Dowling advised that a large event request asked to rent/secure the pavilion, and she told the requestor that they cannot rent the pavilion.
- (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:** Matter was not addressed.
- (f) **report from General Manager and Deed Restriction Committee regarding enforcement of deed restrictions with the District:** Mr. Thompson reported that the deed drive-by had 80 violations which is slightly lower because the drive-by was a week earlier than normal.
- (g) **contract for management services with the District:** Mr. Carlton advised the board that the Pioneer Contract Amendment will be discussed at the April Board meeting.

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

- (a) **website content:** Director Dowling stated that she will update the website with the approved pool fees and information. Director Dowling also said that the website had been on a monthly fee schedule and that the District has switched to an annual schedule to save money. Director Castille mentioned that he liked the new website and the font. Director Dowling mentioned that Director Schauer may take pictures of the parks that they can add to the website. Director Castille asked about the social media presence of the District. Director Dowling responded that the Communications Committee has been looking into Plannable software to manage the social media aspect and that they will be testing the software in the next month. Director Dowling mentioned that the software would cost about \$80 a month and that they are currently using the free version of the software.
- (b) **newsletter:** Mr. Thompson updated the Board on the newsletters saying he has an initial draft that was provided for any comments, and he expects to have a final draft on Friday, March 18, 2022. Director Dowling said that the Communications Committee asked Mr. Thompson to add/repair boards at the Greenbriar and Tanglewood Parks.

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

- (a) **pending contract issues, open records requests, and election matters:** Matter was not addressed.
- (b) **District’s process for legal action and legal action on deed restriction enforcement (including Tanglewood Forest Limited District v. Ninfa Yanez, Cause No. D-1-GN-19-007074 in the District Court of Travis County, Texas):** Mr. Carlton advised that the Yanez house may be vacant, and that the occupant may be incarcerated. Mr. Carlton will investigate options for cleanup.
- (c) **other litigation matters:** Mr. Carlton advised that there was nothing to report.
- (d) **legal investigations and other legal issues, if any:** Mr. Carlton advised that The Carlton Law Firm has received lots of returned mail from the demand letters that were sent out regarding the stage three violations. The list that was used to obtain the mailing addresses was provided by Mr. Thompson and the firm is working with Mr. Thompson to obtain updated mailing addresses for all the returned mail.

Item 10 – Receive report from Special Counsel regarding One Barton Place v. Horizon HOA Management, Lauren DeWilde et al., Cause No. D-1-GN-20-001451 in the District Court of Travis County, Texas. Matter was not addressed.

OTHER MATTERS

Item 11 – Discuss and consider Board member duties, responsibilities, and actions. The matter was not addressed.

Item 12 – Discuss and consider revisions to the District’s Code of Ethics. The matter was not addressed.

Item 13 – Discuss and consider time, date, and agenda items for the next Board meeting. The next regular meeting will be held on April 20, 2022, at 6:00 p.m.

Meeting adjourned at 6:42 p.m.

(Seal)



Nikki Krueger, Secretary
Board of Directors

Date: April 20, 2022