

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

November 21, 2022

THE STATE OF TEXAS §
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COUNTY OF TRAVIS §

The Board of Directors of Tanglewood Forest Limited District ("District") met in special session, open to the public, on November 21, 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	Present
Kat Dowling	Vice President	Present
Nikki Krueger	Treasurer / Secretary	Present
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.; and residents of the District.

Director Peterson convened the meeting at 6:00 p.m. Director Peterson 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. Director Castille stated that he wanted to address the comments made by Noel Gonsalvez, District resident and candidate in the November 2022 Director election, during the November regular meeting. Mr. Gonsalvez’s comments on November 16 were regarding Director Castille’s current involvement in several lawsuits and whether Director Castille has actual business expertise. Director Castille explained he has several years of business experience and has conducted thousands of transactions. Director Castille said that he has only been involved in lawsuits to collect money and has never lost a lawsuit. Director Castille stated he has managed a landscaping company, a construction company, and an oil company. Director Castille also mentioned that he has served on homeowner association boards since 2008, was the District’s landscaper for three years, and holds a CMCA certificate for homeowner association management. Director Castille asked why Mr. Gonsalvez would try to pull rank on a person with more experience. Director Castille claimed Mr. Gonsalvez’s actions were baffling and arrogant.

Mr. Gonsalvez asked Director Castille why he had Lauren DeWilde, Director Castille’s former business partner, forge documents to help Director Castille obtain contracts with different HOA boards. Mr. Gonsalvez next asked why the District is so important to Director Castille. Mr. Gonsalvez also asked Director Castille about the forgery lawsuits Director Castille has been a

defendant to, including a currently pending lawsuit in which the District is a plaintiff. Mr. Gonsalvez stated that Director Castille is trying to scam the system. Lastly, Mr. Gonsalvez requested that the Board contest the standing of Director-elect Kimberly Minjarez and former candidate Roberto Mandujano for lying on their candidate applications and remove Director Castille from the Board for aiding and abetting perjury.

Enrique Alvarez, a District resident, commented on how Director Castille has a trademark and websites with names related to Mr. Alvarez's business. Mr. Alvarez asked Director Castille why he is so focused on attacking Mr. Alvarez's small business, if he has so much business experience. Mr. Alvarez asked Director Castille to prove he has a pesticide applicator license. Director Castille said he could text a copy of the license to Mr. Alvarez. Mr. Alvarez asked Director Castille not to contact him and asked he provide the license to another Board member, and they could send it to him.

Patricia Cox, a District resident, said she moved to the District four years ago and is a mother of two children and grandmother of eight children. Ms. Cox mentioned that she has a breast cancer diagnosis and only knew her immediate neighbors. Ms. Cox said she noticed some posts on the Next-Door app made by Director Castille, discouraging people from attending the District Board meetings. Ms. Cox said that Director Castille's efforts to dissuade residents from attending District meetings made her want to find out what was going on in the District. Ms. Cox asked why the District is so important to Director Castille if he is so successful. Ms. Cox also said she spoke up when she saw candidate signs vandalized. Lastly, Ms. Cox mentioned that after she voted in the Director election, she went home and found a sign for the Minjarez campaign near her mailbox, with a threatening letter attached. The letter contained Ms. Cox's full name and address and warned her not to mess with any signs again. found a sign with a threatening letter regarding Ms. Cox messing with signs. Ms. Cox emphasized that she is not the person who damaged Mr. Gonsalvez's signs or any campaign signs.

Item 2 – Public Comment on Agenda Items. Comments on items listed below.

OTHER MATTERS

Item 3 – See supplemental agenda for election items. Mr. Gonsalvez asked where Director-elect Minjarez and Mr. Mandujano are and why they weren't present. Mr. Gonsalvez asked why Director-elect Minjarez ran for a Director position when she lives in Leander, not the District. Mr. Gonsalvez also asked why Director Castille ran for a Director position, when he does not live in the District and why Director Castille ran campaigns for two candidates that don't live in the District. Mr. Gonsalvez stated that he wouldn't mind Director Castille not living in the District if he had good intentions or was acting within the District's best interest. Mr. Gonsalvez asked why Director Castille couldn't have any of the HOA boards he sits on to vouch for him and his business expertise.

Mr. Carlton explained the process to canvass the election results to the Board and read the canvassing results. Director Krueger read the following statement:

One candidate is alleged to have falsely sworn that he resided at a specific address in the District when he in fact did not reside there and a different candidate is alleged to have falsely sworn that she had not been finally convicted of a felony.

We have sought legal advice as to the authority and responsibility in regard to these issues. The issues are governed by questions of fact and out-of-state law that this Board is not authorized to resolve. If those allegations are correct and a candidate does not reside within the District or has been convicted of a felony without receiving a pardon or otherwise released from the disabilities arising from the conviction, such an individual would not be eligible to be elected to or serve on the Board.

There are limited situations and times when Board officers can declare a candidate to be ineligible, but Texas law prevents the Board from making a declaration of ineligibility unless: (1) it appears on the face of the application or (2) it is conclusively established by another public record. A court can make that factual determination, but this Board cannot.

The Board's responsibility and authority today is to certify the result of the election by determining who received the most votes.

The issue of whether individuals swore to false statements on the candidate applications is one that can be referred to the county attorney or district attorney and is subject to ultimate resolution in the courts.

Similarly, the question of whether an individual is eligible to serve on the Board is one that is properly determined by the courts through a proceeding in which the county attorney, district attorney, or attorney general participates.

While we are advised by counsel that the Board does not have the authority under Texas law to make a determination of the accuracy of the sworn statements in the applications or of eligibility to serve, we will of course, fully cooperate with the public officials and courts who do have that authority.

Director Peterson moved to approve the Order Canvassing the Results. Director Schauer seconded the motion, and the motion passed 4-0-1 with Director Castille abstaining.

Item 4 – Approve and accept statements and oaths of office for elected Directors. Mr. Alvarez asked about the impact of Director-elect Minjarez failing to attend the special meeting to canvass election results, and if she will be sworn in by proxy. Mr. Carlton said he can swear in any Directors present at the meeting, and Director-elect Minjarez can be sworn in by any official in the state of Texas that can administer an oath.

Mr. Gonsalvez requested Director-elect Minjarez's ID be checked for address verification and contests Director-elect Minjarez's ability to run for office due to her not living in the District. Mr. Gonsalvez also contests Director Castille's ability to sit on the Board as he funded websites and Facebook ads in violation of the Texas election code.

Mr. Carlton administered the oath of office to the newly elected Director Whelan. Director Peterson thanked Ms. Dowling and Mr. Schauer for their service on the Board.

Item 5 – Action regarding election of officers for Board. Mr. Gonsalvez asked what recourse the Board has to address a Board member in violation of the District's ethics guidelines. Mr. Gonsalvez asked why a Board member that aided candidates in perjuring their candidate

applications is allowed to remain on the Board. Mr. Gonsalvez asked what recourse the public might have to take action. Mr. Gonsalvez also asked the Board what recourse District residents might have to prevent Director-elect Minjarez from lying on any other affidavits, since she previously lied on her candidate application.

Mr. Alvarez thanked Ms. Dowling and Mr. Schauer for serving on the Board, and Mr. Schauer for stepping in to fulfill the term of a Director that resigned. Mr. Alvarez suggested the Board censor Director Castille, which would send a message to the neighborhood that the Board cares. Mr. Alvarez said he does not wish to shame Director Castille but wants the Board to show the District that the residents are being heard and that their opinions matter. Director Castille said that Mr. Alvarez shouldn't be accusing him of harassment as Mr. Alvarez has sexually harassed multiple former board members and vendors. Mr. Alvarez asked Director Castille to have the person he is claiming Mr. Alvarez sexually harassed come to the next Board meeting. Director Castille called Mr. Alvarez a scumbag.

Ms. Dowling asked the Board to consider only having offices for three Board members until the new Board members have been acquainted with the positions. Director Peterson moved to nominate himself as President, Director Krueger as Vice President, and Director Whelan as Treasurer/Secretary. Director Castille seconded the motion, and the motion passed 4-0. Director Krueger mentioned that the Board has taken action to limit Director Castille's ability to act on the Board's behalf. The Board has disallowed Director Castille from serving on any Committees and that the Board has heard and considers District resident opinions.

Item 6 – Discuss and consider time, date, and agenda items for the next Board meeting. The next regular meeting will be held on December 12, 2022, at 6:00 p.m.

Meeting adjourned at 6:36 p.m.

(Seal)



Brian Whelan, Secretary
Board of Directors

Date: December 12, 2022