

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

June 21, 2023

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 June 21, 2023, 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
Nikki Krueger	Vice President	Present
Brian Whelan	Treasurer / Secretary	Present
Robbie Castille	Director	Present
Vacant	Director	-

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

Director Peterson convened the meeting at 6:01 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. Carolyn Pilgreen, a District resident, discussed the check signature mentioned in Director Castille’s deposition in the Horizon case. Noel Gonsalvez, a District resident, discussed Director Castille’s experience, claims and involvement with the Horizon lawsuit.

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

CONSENT ITEMS

Item 3 – Consider approval of the May 8, 2023 and May 17, 2023 meeting minutes. Director Peterson asked if the Board had any changes to the May 8, 2023 or May 17, 2023 minutes. Director Castille discussed edits to item 7A and item 13 of the May 17 minutes. Director Krueger made a motion to approve the May 8, 2023 minutes and the May 17, 2023 meeting minutes with corrections. Director Castille said he would also like the email he sent to John Carlton included with the May 17 meeting minutes. Director Krueger did not accept the amendment to her motion. Director Castille seconded the motion, the motion passed 4-0.

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 financial report as provided. Director Whelan asked for the Board to approve a transfer of \$113,000 to the checking account from the savings account. Director Krueger made a motion to approve the check registry and a transfer of \$113,000 to cover the May expenses. Director Peterson seconded, and the motion passed 3-1 with Director Castille opposed. Director Castille said he opposed specifically paying check #2285 to the Carlton Law Firm. Director Whelan asked why Director Castille was opposed, and Director Castille responded he just does not think The Carlton Law Firm does a very good job.
- (b) **discuss and consider possible action regarding the FY2020 and FY2021 audit report.** The matter was not addressed.
- (c) **discuss and consider possible action regarding proposal for FY2022 audit.** Director Whelan asked about the FY 2019 and FY 2020 audits. Mr. Carlton said the auditor should have all necessary documents for FY 2020. Director Krueger asked for a copy of the FY 2019 audit to upload to the District website.
- (d) **amendments to the budget for FY2023:** The matter was not addressed.
- (e) **security issues including report from Travis County Sheriff's Office and renewal of contract with Travis County Sheriff's Office for 2023:** The matter was not addressed.

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, with SafeGuard Aquatics, presented the pool report. Mr. McKinley said there were no safety issues or injuries to report for May. Mr. McKinley discussed a chlorine leak that was just discovered in the pump and said that the vendor will repair it in the next 12-24 hours. Director Krueger said a resident asked her about the pool rates and if the rates should be the same as the City of Austin. Director Peterson asked about the pool rate for seniors. Director Krueger mentioned the senior rate is \$4. Mr. Carlton recommended the Board take action if they wish to change the pool rates. Director Peterson said the City of Austin senior rates are less than the District rates. Director Krueger moved to make the senior rates for the District match the City of Austin rates. Director Whelan seconded the motion, the motion passed 4-0.

Item 6 – Receive report from the District's landscape maintenance contractor and Park Committee and consider taking related action: Director Krueger said Charlie Mowen is on vacation. Director Krueger said TexaScapes has been doing routine maintenance and applied ant bait. Director Krueger also mentioned she and Director Whelan have been working on the Kempler Park overhaul and will present their project overview at the July Board meeting with quotes from TexaScapes regarding crushed granite.

- (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 presented the report as provided in the packet. Ms. Bocanegra said Aquatic Features serviced the pond, there are no open work orders, the fountain is fixed, and she is working with the City of Austin regarding the homeless camp next to Idyllwild Park.
- (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) **report from General Manager and Deed Restriction Committee regarding enforcement of deed restrictions with the District:** Ms. Bocanegra said 611 violation letters had been sent out, with 258 being landscaping violations, 147 for rubbish or trash, 179 for fencing or broken fences, and 27 for parking or RV violations. Ronnie Kastner, a District resident, asked about the multiple sections and phases within the District and the consistency of deed restrictions. Mr. Kastner also asked if the Board approves the violation letters. Director Krueger explained that every area has different restrictions depending on the location in the District. Director Krueger also explained the management company has software that explains the restrictions for a particular section. Mr. Kastner stated he will focus on the restrictions to his own section and that he is concerned about the fence on Curlew blocking visibility. Director Peterson said the City of Austin and their engineer have approved the fence at Aftonshire and Curlew.

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

- (a) **website content:** The matter was not discussed.
- (b) **newsletter:** Director Krueger said the next newsletter will be out in July or August and she asks the neighbors for content suggestions. Director Krueger mentioned that she uploaded recent meeting minutes and fixed the formatting on the Budget documents on the website.

Item 9 – Receive General Counsel report and consider taking related action regarding the following: Mr. Carlton said the most recent records request had been withdrawn and there are no reports for items 10, 11, or 12.

- (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.

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. The matter was not addressed.

Item 11 – 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 12 – Discuss and consider 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. Mr. Gonsalvez asked why Kimberly Minjarez is sitting at the head of the table and would like answers in the future as to why someone who is not a Board member is at the table. Director Castille said the Board broke the law removing Ms. Minjarez and Ms. Minjarez is sitting at the table because she is on the Board. No other Board members responded.

OTHER MATTERS

Item 13 – Discuss and consider Board member duties, responsibilities, and actions. Mr. Gonsalvez said he withdrew his open records request because he got word about Director Castille’s email to the Board. Mr. Gonsalvez discussed Director’s Castille behavior in the most recent election, not living within the District, and the lawsuits against Director Castille. Mr. Gonsalvez said Director Castille should be the last person to accuse someone of unethical behavior.

Item 14 – Discuss and consider rescheduling the summer movie night event. Director Krueger said the movie night had to be rescheduled because of rain. Director Krueger explained it would cost \$1,229 to have a screening in August before school starts. Director Peterson suggested scheduling the movie night when it’s not so hot like September. Director Krueger suggested September 9th, 23rd, or 30th. Director Castille would like to hold the movie night later in the month so it is cooler. Director Peterson moved to reschedule the movie night to September 23rd; and Director Castille seconded the motion. The motion passed 4-0.

Item 15 – Discuss and consider adoption of the tax and budget planning calendar for 2023, and take any related action. Mr. Carlton discussed the tax planning calendar with the Board.

Director Krueger moved to accept the tax calendar. Director Whelan seconded the motion, the motion passed 4-0.

Item 16 – Discuss and consider budget meetings/workshops. Tim Cunningham, a District resident, suggested the budget meetings and workshops be noticed on the District website and wants people to know about the budget meetings and workshops in advance. Director Krueger said she has already started reviewing the budget figures. Mr. Mowen, Ms. Bocanegra, and Terri Giles have been preparing budgets to submit to the District. Director Peterson said he needs to discuss the budget with SafeGuard Aquatics. Director Krueger said she will contact Mr. Carlton regarding the budget figures.

Item 17– Discuss and consider proposal presentations from property management companies for District management services. Mr. Cunningham suggested that any meetings or presentations be open to the public and be noticed on the website. Director Krueger said all proposals will be at a Board meeting in July. Director Krueger said there will be an item on the July agenda for presentations.

Item 18 – Discuss and consider time, date, and agenda items for the next Board meeting. Mr. Cunningham suggested the Board move the meeting location to a better venue with air conditioning. Director Krueger said there is air conditioning in the current space, but the pool did not close in time for the space to cool down for tonight’s meeting. Director Castille moved to have a special meeting on June 28 to accept Kimberly Minjarez’s bond. There was no second. Director Krueger announced that the next regular meeting will be held on July 19, 2023, at 6:00 p.m.

Meeting adjourned at 6:33 p.m.

(Seal)


Brian Whelan, Secretary
Board of Directors

Date: July 19, 2023