

MINUTES

Cypress Lake Garden Property Owners Association, Inc.
Board of Directors Meeting, Oct. 19, 2023, 6:06 p.m.
Rebecca Creek Park Western Shack

Opening Prayer: Michael Coakley

1. Call to Order: President: Scott Postert
2. Roll Call of Officers & Directors: Secretary Larry Young
Bruce - excused | Donald - X | Dylan - X | Jackson - X | James - absent | Joe - X
Kent - absent | Larry - X | Peggie – X | Michael C. - X | Michael S. - excused | Scott – X
Sergeant at Arms: Jackson – X
3. Welcome of Members & Guests
Janice Boyne, Diane Coakley, Jeannie Postert, James Duderstadt, Ray Houston, Mari Rebollar,
Jose Rodriguez, Nancy Lopez
4. Announcements
Annual meeting is this Saturday. Scott hopes everyone can attend.
5. Approval of Prior Minutes: Larry Young
Minutes – Sept. 21, 2023
Peggie motioned to approve the minutes as is. Michael C. seconded. Motion was approved
unanimously.
6. Treasurer Report: Bruce Johnson
Report provided by Scott.
7. Departments/Committees
 - A. Office – Janice Boyne
Nothing to report.
 - B. Audit – Deb Copher
Audit is done for September and annual meeting. Bruce has reviewed.
 - C. Bylaws – Peggie Schrader
Next meeting is Oct. 25 at 6 p.m. All members are welcome to attend. The committee is
working through proposed changes for next year.
 3. ~~Candidate Eligibility – Ken Gillespie~~
(~~This item did not need to be on agenda any longer.~~)
 - D. Legal - Scott Postert
 - A hearing is set for Nov. 16, 1:30 p.m., for a motion of summary judgment on
the POA’s counterclaim in the Powell lawsuit.

- A meeting with the POA attorney is set for Tuesday, Oct. 24, on Mr. Duderstadt's request for easement.

E. Events – Peggie Schrader

- The annual member meeting is set for Saturday, Oct. 21, at the Western Shack. Seating and sign-in starts at 10:30 a.m. The meeting starts at 11:30. After the meeting, barbecue and drinks will be provided. Members interested in the participating in the potluck lunch are asked to bring a side dish. A dessert decoration contest and a "cake walk" contest will be held, along with games and a raffle. CLGPOA T-shirts will be available for sale.
- The Events Committee meeting will be Wednesday, Nov. 1, at 6 p.m. at the office.
- Fall Fest is Saturday, Nov. 11, from noon to 5 p.m., with a salute to veterans. The festival, at Cypress Lake Gardens Park will offer a "turkey shoot" archery contest, hayride, bounce house, pumpkin painting, face painting and a piñata for the kids. Food provided by Kevin Boyne will be available for sale.
- Lights in the Park will be held Saturday, Dec. 16, at Rebecca Creek Park pavilion at 6 p.m., with hot chocolate, cookies and an ugly sweater contest. Peggie is hoping to have a nice display. Decorating for Rebecca Creek Park will be from 3 p.m. to dark on Dec. 1, and then starting again at 8 a.m. on Saturday, Dec. 2. Decorating at Cypress Lake Gardens Park will be Sunday, Dec. 3. Volunteers will be needed for that. Lights will be taken down Jan. 6 and 7, with work starting at 9 a.m. Volunteers will be needed for that, too.
- Ladies' Night will be Sunday, Oct. 29, at 6 p.m. The monthly event is BYOB, with snacks, games, music and fun.

F. Restriction Enforcement –

No complaints have been received at the office recently. According to Scott, the committee will be working more on enforcing restrictions going forward, particularly with travel trailer issue.

G. RUC – James Burns / Don Gonyer

Five permits are up for approval

- 135 Coyote
- 1777 Cypress Gardens Blvd.
- 1024 Bluebonnet Hill Drive
- 315 Wren Circle
- 938 Covered Wagon

Four of the five are empty lots. Don said nothing was seen as a problem with any of the paperwork. Don motioned to accept all five permits. Peggie seconded. Approval was unanimous.

H. Security – Jackson Durbin

- Jackson will have a Comal County sheriff's deputy at annual meeting to help maintain decorum.
 - The board heard from members whose truck was damaged by automatic park gate at Rebecca Creek Park in September during a confrontation with the park host and the security committee chair regarding violation of park rules. After much discussion regarding shared fault and damage amounts, including a 5-minute recess to view the damage to the truck door, a motion was made by Mike C. that the POA should pay \$750, one half of the lower of two estimates provided. Dylan seconded. The vote was 5 to 3 in favor, with Jackson, Don and Scott voting against. Scott then asked for input regarding the members' violations of the park rules. After discussion, Jackson motioned that, based on at least two infractions of park rules, the members should lose park privileges (excluding access for meetings and office use) for 90 days. Dylan seconded. The vote was 7 to 1 in favor, with Dylan voting against. The members understood and accepted the outcome of both motions.
- I. Social Media – Sidney Carpenter
Nothing to report.
 - J. Website – Kevin Boyne
Larry: Updates made for agenda, minutes and events.
8. Parks – Scott Postert
- A. Bluebonnet Park -
The road crew has been drawing water for road work. After a post on social media about the water use, it was determined that the POA cannot draw water from the creek for road construction use until a new permit is approved. The board is working with the Texas Commission on Environmental Quality (TCEQ) for the permit to pull from the creek, specifically for road construction use.
 - B. CLG Park – Kevin
Nothing to report.
Someone pulled up a piece of playground equipment, and it needs to be repaired.
 - C. Guadalupe River Park – Larry Young
He and Scott are getting things set up for the well and for a faucet and camp sink, as well as a hose bib and a separate connection for the water truck to draw water from the well tank for use in road work.
 - D. Rebecca Creek Park – Jeannie Postert
 - a. The park has been mowed for the first time this fall.
 - b. Dam work was being done. The POA has been coordinating with TCEQ, which declared that there have been no violations regarding the repair work on the dam. The board is obtaining an updated permit from the county.
 - E. Turkey Creek –
Nothing to report.

F. Park maintenance - Michael Sowder

Mike has been handling trash cleanup and mowing.

G. Environment and Conservation – Dylan Gambill

Dylan is still working with the Edwards Aquifer Research and Data Center to get latest water quality testing results. Dylan plans to postpone more tests until spring.

H. Playground – Noah Postert

- Work is scheduled for Saturday, Oct. 28, at Cypress Lake Gardens Park to install new playground equipment.
- The post and bearings on the merry-go-round at Rebecca Creek Park has been greased.

9. Roads - Don Gonyer

- The wood chipper had been blocked with chips, but after about 12 hours of work, it has been cleaned out. Now, the solenoid needs to be repaired and the chipper should be functional. The team will work on it Monday.
 - The new road grader has been used on Cave, Laguna and Campfire, with much success.
 - Don said that the owner of a horse trailer on West Laguna has been asked multiple times to move the trailer out of the road easement, so that road work can be finalized. According to Don, the owner has refused, saying they don't want roads fixed because more people will move in. Jackson will put a notice on the trailer Friday and take pictures. If the trailer is not moved by Tuesday, the trailer will be moved so that road work can continue.
- A. Road equipment maintenance – James Burns
No further report.
- B. Big Sky – Michael Coakley
Pothole repairs are smoothing out nicely, but Mike has noticed that the county isn't repairing part of the roadway on High Drive formerly controlled by the defunct Comal Hills POA. Scott will take the issue to the county.
- C. CLG –
No further report.
- D. RCP – Michael Sowder
No further report.
- E. RCP Golf – James Burns
No further report.
- F. RCP River – Joe Alegria
Joe said the grader was working nicely and he could use more loads to continue work further back on Campfire.
- Scott commended Don for doing a great job coordinating the work, especially the work with Mike. Don has recruited another property owner, Rudy Rich, on West Laguna to

help with the grader and water truck. Rudy's wife brought brownies to those working on the road.

10. Old Business

- James Duderstadt
Scott talked with Mr. Duderstadt prior to the meeting. A meeting with attorneys is set for Tuesday, Oct. 24.

11. New Business

A. Discuss board interaction on social media.

According to Scott, a board member engaged overzealously on Next Door with other posters and made a crude comment to a member. The comment was shared further. The board member has been advised to limit exposure on social media. It's not a board matter, Scott said, and the post had nothing to do with CLGPOA business. Nevertheless, Scott advised that board members should use caution with social media engagement.

B. Discuss and vote on procedures and rules of decorum for meetings

- The board discussed the requirements around mail-in balloting and proxy voting. It was noted that state property code requires one voting method and, as stated in the bylaws, both in-person voting and absentee voting are allowed for CLGPOA annual meetings. Although the bylaws were updated to clarify that absentee voting is supported, the wording did not describe the previously stated position, backed by legal guidance, that proxy voting is not a necessary separate option. Don motioned that the board resolve to not allow proxy voting whatsoever at any meetings. Peggie seconded. The motion passed unanimously.
- The board drafted wording to go at the bottom of meeting agendas and at the speaker's podium, with the intent of maintaining decorum and limiting bad behavior.
- It was agreed that committee reports will be kept to 5 minutes, with Jackson monitoring as sergeant at arms. Similarly, it was agreed that report-specific Q&A conversations will be held at the end of each set of department reports, and individual Q&A conversations will be kept to 5 minutes. A signup sheet for general Q&A at the end of the meeting will be provided, and each of those Q&A conversations will also be kept to 5 minutes.
- It was agreed that anyone demonstrating disruptive behavior will receive a warning from the sergeant at arms and, if it continues, the disruptive participant then will be removed.

12. Questions and Answers

None

13. For the Good of the Order

14. Adjourn

Larry motioned to adjourn. Jackson seconded. Meeting was adjourned at 8:03 p.m.