



Windermere Oaks Water Supply Corporation

424 Coventry Rd
Spicewood, Texas 78669

2018 - 2019 Board of Directors:

David Bertino, President
Norman Morse, Vice President
Mike Nelson, Secretary/Treasurer
Dorothy Taylor, Director
Bill Billingsley, Director

Windermere Oaks Water Supply Corporation (WOWSC) meeting held: Saturday, January 12, 2019 at the Spicewood Community Center, 7901 CR 404, Spicewood, Texas 78669

2018 - 2019 Board Members Present: David Bertino, Norman Morse, Bill Billingsley, Mike Nelson

Minutes

The meeting was called to order at 1:08PM by David Bertino. A quorum was established with four Board Members present.

- 1) Review and consider and take action to approve minutes of prior meetings.
 - a. Motion made and carried to table review of November 14th and December 4th minutes
- 2) Comments from citizens and members who have signed sign-up sheet to speak (3-minute limit per person).
 - a. Paul Hischar
 - b. Beth Burdett
 - c. Marvin Lewis
 - d. Scott Martin
 - e. Jeannie Shirley
 - f. Jerry Falkner
 - g. Mark A. McDonald
 - h. Rob Van Eman
 - i. Patti Flunker
 - j. Bruce Sorgen
 - k. Malcom Bailey
 - l. Janet Crow
 - m. Pat Mulligan
 - n. Mark O. McDonald
 - o. Danny Flunker
 - p. Sandy Nielson
- 3) Discussion of written questions submitted to WOWSC Board.
 - a. Copies of all submitted questions and comments were provided to all attendees.
 - b. All present WOWSC Board members verbally answered submitted questions and conveyed the submitted written comments.
 - c. Thank You to all who submitted questions and comments!
- 4) The Governing Board of Directors will meet in Executive Session to discuss legal counsel engagement, pending or contemplated litigation, settlement offers, and/or the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of specific personnel, as permitted by chapter 551 of the Texas Government Code, the Texas Open Meetings Act, including but not limited to Sections 551.071, 551.072, 551.074. This will include discussing among the Directors and with legal counsel: the Texas Open Meetings Act,

TOMA Integrity, Inc. v. Windermere Oaks Water Supply Corporation (Cause No. 47351 in the 33rd Judicial District, Burnet County, Texas), Double F Hanger Operations, LLC, et al v. Friendship Homes & Hangars, LLC, et al (Cause No. 48292 in the 33rd Judicial District, Burnet County, Texas), and legal matters directly related to those lawsuits, property appraisal conducted by Bolton Real Estate Consultants, Ltd. relating to property owned by the WSC adjacent to the Spicewood Airport, and potentially hiring a bookkeeper or bookkeeping service. No action, decision, or vote with regard to any matters discussed in closed session shall be made in the absence of further notice issued in accordance with Chapter 551 of the Texas Government Code.

- a. Entered Executive session at 3:12PM
- b. Executive session ended at 4:01PM

5) Resumed Open Meeting at 4:06PM

6) Review, discuss and take any appropriate action including voting regarding: property appraisal, disclosure, or other related actions; legal counsel engagement, pending or contemplated litigation including but not limited to TOMA Integrity, Inc. v. Windermere Oaks Water Supply Corporation (Cause No. 47351 in the 33rd Judicial District, Burnet County, Texas), Double F Hanger Operations, LLC, et al v. Friendship Homes & Hangars, LLC, et al (Cause No. 48292 in the 33rd Judicial District, Burnet County, Texas) and legal matters directly related to those lawsuits, settlement offers; and the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of specific personnel.

- a. WOWSC Board takes its fiduciary responsibility seriously. The disparity between the land sale value and Bolton appraisal value is too large to ignore.
- b. We, the Board, have sufficient data and information to move forward even though we don't have answers to all questions.
- c. Folks who are not part of TOMA or Friendship Homes & Hangars voiced their opinion to get the sold land back.
- d. Motion was made and carried to authorize attorney to send demand letter to address easement, right of first refusal, and difference in value of sale asserting all available claims to Friendship Homes and Hinton Appraisal with 30 day deadline for resolution, after which we may authorize commencement of litigation.

7) Discuss any new matter or business that is presented to the Board, include on agenda for next meeting if necessary.

- a. Motion was made and carried to consider and take action at future Board meetings regarding Friendship Homes Piper Lane land sale including voiding, modifying, or ratifying the transaction.

8) Motion made and carried to adjourn. Meeting adjourned at 4:09PM.



Submitted by: Mike Nelson

APPROVED BY WOWSC Board on February 9, 2019