



Windermere Oaks Water Supply Corporation

424 Coventry Rd
Spicewood, Texas 78669

2019 - 2020 Board of Directors:
Joe Gimenez, President
Patricia Gerino, Vice President
Mike Nelson, Secretary/Treasurer
Rich Schaefer, Director
Dorothy Taylor, Director

Windermere Oaks Water Supply Corporation (WOWSC) meeting held: Tuesday, August 25, 2020 via videoconference using Zoom

2020 - 2021 Board Members Present: Patricia Gerino, Joe Gimenez, Mike Nelson, Rich Schaefer, Dorothy Taylor

Minutes

The meeting was called to order at 6:01PM by Joe Gimenez. A quorum was established with five Board Members present.

- 1) Comments from citizens and members who have signed sign-up sheet to speak (3-minute limit per person)
 - i) Danny Flunker: Danny currently has one water meter and Patti has two water meters. Danny disagrees with gating off the Van Eman project and requested Patricia resign from the WOWSC Board.
- 2) **MANAGER'S REPORT –**
 - a) Background and situation report on easement's encroachment on property of 423 Coventry Road.
 - a. 423 Coventry Road is across and down the street from the WTP along the lake.
 - b. 423 Coventry Road has a 5' easement on the boundary of the lot for WOWSC infrastructure.
 - c. Home owner requested half of equity buy-in fee / compensation to defray cost of altering the home foundation by two degrees to avoid building on top of WOWSC's electrical conduit that was outside of the 5' easement on the southwest side of the lot and that runs down the cliff to provide power to one of the four water pumps on WOWSC's water intake barge.
 - d. George had the electrical conduit moved ~ 3' away from the foundation footers.
 - e. Homeowner offered an as built easement to WOWSC for reduction in equity buy-in fees / compensation to defray additional cost of altering the home foundation by two degrees.
 - f. WOWSC has four 480V electric lines, one per water intake pump, and a 6" water intake line that run down the cliff to the barge.
 - g. Home construction crew found the conduit when digging for the foundation. No damage was done to the electrical line. There is a crimp in the conduit, but no break or cut.
 - h. A metes and bounds easement would record where the four electrical lines and pipe are actually located.
 - i. Will likely need heavy machinery to work on the 6" pipe and / or four electrical lines that go over and down the cliff to the barge.
 - i. WOWSC will need to restore the homeowner's property to a similar state as before work started.
 - j. Next step: Homeowner to propose legal agreement soon.
 - b) Background and situation report on Spicewood Airport & Pilot Association's request for chain fence/gate on eastern most portion of 20' easement crossing over Sky King taxiway.
 - a. Reviewed a map presented by Joe Gimenez showing the 20' wide access road in blue that runs to the southern boundary of ~seven acres of WOWSC property at the airport.
 - b. Sky King Drive is a taxi way that has grown over time as hangars were developed and it now extends down to the 20' wide access road.
 - c. The WO POA had used WOWSC's 0.7555 acre lot adjacent to the Van Eman property for boat storage for a period of time.

- d. SAPA lawyer, Paula Knippa, requested WOWSC install a gate along the 20' access road across Sky King Drive to keep unauthorized vehicle access to airport taxi ways.
- e. WOWSC owns the 20' access road
- f. Van Eman poured a driveway over the 20' access road connecting to Sky King Drive
- g. Per Mr. Van Eman:
 - i. The Van Emans own lots C, D and have an easement on the 20' wide access road.
 - ii. WOWSC's gate at the north end of the 20' access road had fallen down over time.
 - iii. The Van Emans removed their fence along the 20' access road
 - iv. The Van Emans and Dana Martin constructed an addition to Sky King Drive to the last hangar which was Lot B (Cox) and there was a fence at the end of Sky King Drive.
 - v. Sky King Drive was extended later by Whidden/Fischer
- h. SAPA was granted easement to come down Sky King Drive to where the easement stops at the west side of Lot A (Chapman). SAPA does not have ownership of Sky King Drive as Sky King Drive past Lot A is on private property.

- 3) Executive Session under Texas Government Code § 551.071(1) and (2) and § 551.072 regarding:
 - a) Ffrench, et al., Intervenor-plaintiffs and Double FHangar Operations, LLC, et al. v. Friendship Homes & Hangars, LLC, Windermere OaksWSC, et al., Cause No. 48292, 33rdJud. Dist., Burnet County Dist. Ct.;
 - b) Attorney consultation regarding Ratepayers Appeal of Water and Sewer Increases by the WOWSC filed with the Public Utility Commission of Texas;
 - c) Deliberations regarding potential purchase, exchange, lease, or value of real property;
 - d) Discussion of appeal of Attorney General ruling filed in Travis County District Court in the case of WOWSC v The Honorable Ken Paxton, Attorney General of Texas, Cause No. D-1-GN-19-006219, for protection of corporate rights and privileges during ongoing litigation including potential settlement of same.
 - e) Attorney consultation and deliberations regarding easement encroachment on 423 Coventry Rd;
 - f) Attorney consultation and deliberations regarding request for fence/gate on 20' easement over Sky King taxiway.

- i) Entered Executive Session: 7:03PM
- ii) Exited Executive Session: 8:18PM
- iii) Rejoined Open Meeting: 8:20PM

- 4) Consideration and possible action on items discussed in Executive Session.
 - a) Motion made and carried by all to form a committee of Dorothy Taylor and Rich Schaefer to establish a process for placing the remaining seven acres at the airport up for sale with the option for member participation. Committee is to consider and make recommendations as to the potential sale of the seven acres of airport property with such consideration including but not limited to 1) whether the property is excess property, 2) the physical condition of the property, and whether any changes/improvements should be made, and 3) the mechanism, terms, and conditions of any marketing and sale of the property, including the appropriate asking price and retaining a third party to market the property. And 4) consider adding as a non-voting committee member a member of the WOWSC.
 - b) Patricia Gerino recused herself from discussion on item f) Attorney consultation and deliberations regarding request for fence/gate on 20' easement over Sky King taxiway.
- 5) Motion made and carried to adjourn at 8:23PM



Submitted by: Mike Nelson

APPROVED BY WOWSC Board on September 22, 2020