

**APACHE SHORES PROPERTY OWNERS ASSOCIATION**  
**14919 General Williamson Drive, Austin, Texas 78734**  
**Office: 512-266-2719 Fax: 512-266-3910**  
**Website: www.apacheshorespoa.com**

**MINUTES OF THE REGULAR MEETING**

**October 28, 2015**

**7:00 PM – Meeting Called to Order** by Tom Lappin

**Roll Call:** Present: Tom Lappin, Michelle Dent, Sullins Stuart, Greg Lawrence, James Coney, David Tropea, Gus Martinez, Kimberly Longoria, Chris Scheetz

Absent: Walter Olenik, Alison Blake

Nine Directors are in attendance. **A quorum is established.**

**Motion:** By Sullins Stuart to approve the absence of Walter Olenik and Alison Blake.  
Motion seconded by Gus Martinez.

**Motion Passes: Yes: 9 No: 0 Abstain: 0 Absent: 2**

**Motion:** By Sullins Stuart to approve the minutes from the September 23, 2015,  
Board Meeting.  
Motion seconded Gus Martinez.

**Motion Passes: Yes: 9 No: 0 Abstain: 0 Absent: 2**

**President's Report: Tom Lappin**

- Some work has been done on improving the hiking trail and disc golf course
- Thank you to Greg Towle for assisting in getting the 4-way stop at General Williamson and Broken Bow.
- Our maintenance man, Dave Murray, has returned after time off due to health reasons
- "Past Due" bills were sent last month

**Treasurer's Report: David Tropea**

- We are exceeding our budget for revenues due to collections of fines and resale certificates
- Our audit was delivered. We received a clean report. Condensed versions will be posted on the website and in the newsletter.

**Secretary's Report: Sullins Stuart**

- The following motion and vote was conducted via email last month:

**Motion:** By Tom Lappin on September 30, 2015 to dismiss the light trespass violation and any associated fines at 14413 Hunters Pass.

Motion seconded by Alison Blake.

**Motion Passed: Yes: 6 No: 1 Abstain: 2 Absent: 2**

**Yes: Tom Lappin, Sullins Stuart, James Coney, David Tropea, Alison Blake, Chris Scheetz**

**No: Michelle Dent**

**Abstain: Walter Olenik, Kimberly Longoria**

**Absent: Gus Martinez, Greg Lawrence**

**Note:** Cary and Kathy Peele asked that it be noted they have protested the decision.

**Property Management Report: Paul Meisler/Judy Wilcox**

- The Drive Report produced 33 warnings and friendly reminders, and 9 new fines
- Past Due statements were mailed and collections are up as a result and many have been brought to "current" status
- Collection law suits that were filed are now producing some revenue
- We may see upwards of \$50,000 in revenue not budgeted

**New Business:**

**Motion 1: 1805 Moeta**

Motion by Tom Lappin approve the fence plans at 1805 Moeta as submitted. Owner wants approval of a small portion of a 6' privacy fence located in front of the property and forward of the front wall of the house.

Motion seconded by Gus Martinez.

**Motion Passed. Yes: 8 No: 1 Abstain: 0 Absent: 2**

**Motion 2: 1805 Moeta**

Motion by Tom Lappin to approve fence plans at 1805 Moeta as submitted. Owner wants approval of a perimeter fence in excess of 6' (8' and 7' in areas) at side and rear of property.

Motion seconded by Michelle Dent.

**Motion Failed. Yes: 0 No: 7 Abstain: 2 Absent: 2**

**Member's Comments:**

1. Catherine Walsh: Expressed her objection to the Board's vote regarding the light trespass at 14413 Hunters Pass.
2. Cary Peele: Expressed concern and dismay regarding the accuracy of the invoice statements, late fees, etc., sent by Pioneer Management.
3. Dennis Crabill: Expressed his concern regarding a letter he sent to Pioneer and to Hector and he has not received a response.
4. Tom Delaney: Expressed concern about a builder's negligence by allowing construction runoff at a property on Crazy Horse that has built up at the waterfall on Indian Creek trail and holding onto the builder's \$2000 deposit due to this damage. Tom also expressed his thanks for Kimberly's effort regarding National Night Out.
5. Catherine Walsh: Expressed support for Tom Delaney's comment regarding silt run off at new construction sites.
6. Cary Peele: Expressed his thanks to Michelle for the paving of pot holes on Broken Bow

**Meeting adjourned at 7:34PM.**

## **Tom Lappin**

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**From:** Kathy Peele <kbpeele@vrum.mobi>  
**Sent:** Wednesday, October 28, 2015 6:35 AM  
**To:** 'michelle dent'; 'Sullins Stuart'; gusm@apacheshorespoa.com;  
jamesc@apacheshorespoa.com; allisonb@apacheshorespoa.com;  
kimberleyl@apacheshorespoa.com; 'David Tropea'; gregl@apacheshorespoa.com; 'Chris Scheetz'; 'Tom Lappin'  
**Subject:** Light trespass from 14413 Hunters Pass

Apache Shores Board of Directors:

We are protesting your decision to dismiss the light trespass violation coming from 14413 Hunters Pass for the following reasons:

1. Lack of enforcing the Apache Shores light trespass policy.
2. The precedent you are setting by allowing light trespass in Apache Shores.
3. Not taking into account the consequences of the precedent you are setting. That is, additional light trespass and light pollution.
4. Not copying the Walsh's on your email announcing the board's decision.
5. Bias behavior.

We request that this written protest be entered into the Apache Shores POA October monthly minutes.

In protest of your decision,

Kathy & Cary Peele

14503 Broken Bow Trail  
Austin, TX 78734

October 28, 2015

To: Apache Shores Board of Directors

Subject: Protest of Board Vote – Denial of Policy Violation

Dear Members,

Thank you for volunteering your time and talent on behalf of the residents of Apache Shores. This is an amazing place to live. I am in awe of this land; the plants and animals that live here, despite the heat and drought. I am encouraged by the families who choose to raise children in this beautiful space. Thank you again for your work to maintain the community.


I attended the Annual Board Meeting last winter when you were installed as the new board. I was most interested when I heard many of you commit to "keeping Apache Shores as Apache Shores". I assumed that meant retaining the stark natural beauty of this land as close to the origins of the Hill Country as possible. With the area adding more homes I agreed this was an excellent primary focus for the board and could be challenging.

Part of the beauty of Apache Shores is the quiet nights: not much traffic, lots of night sounds, crickets and frogs, and a darker sky. This is not a city. That is one reason why the community is special. We are connected to nature, day and night. I was shocked and saddened at the board's vote to allow outward facing lights that are on every night, all night long. By setting this precedent, you have given every home owner notice that the POA established guidelines may be violated at will.

My concern is for the future of Apache Shores. At present my vision of Apache Shores is one of safety for all, people and nature. We represent a great diversity of people drawn together in this unique community. My question concerns individual rights and community rights. How can you as a board maintain this beauty, abdicating to a claim of individual rights at the expense of the rights of all the community? On February 16, 2012 the board approved the policy defining a Noxious Activity as "Outdoor lights not shielded and pointed downward onto the homeowner's property creating light trespass". The violation of this policy by the owners / renters of 14413 Hunter's Pass is not subjective.

I read the letter Tom Lappin sent to Kathy and Cary Peele. I understand that 6 out of 10 members voted against our complaint, notwithstanding several prior written acknowledgements that the subject lighting was in fact a light trespass. As a matter of record I personally wish to protest this decision. I appreciate your consideration of my concerns.

Sincerely,



Katherine Walsh