

RESOLUTION NO. R-2016 -12

RESOLUTION OF THE CITY COUNCIL OF BASTROP, TEXAS ACCEPTING  
INTO THE CITY'S PUBLIC RECORDS VARIOUS COMMUNICATIONS  
FROM MEMBERS OF THE PINE FOREST PROPERTY OWNERS'  
ASSOCIATION, INC.

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**WHEREAS**, various members of the Pine Forest Property Owners' Association, Inc. have sent communications to representatives and officials of the City of Bastrop, thanking the City for its efforts to clarify and assist with membership authority, voting rights and membership structure in the Pine Forest Property Owner's Association, Inc.; and,

**WHEREAS**, the City Council desires to make these expressions of gratitude a permanent part of the City's public record, so that in the future, others may have an opportunity to reflect on the value of the City's activities in this matter and more fully grasp the benefit intended to be forthcoming to the citizens of the Bastrop community as a result of the efforts and actions of the City and the governmental entities attempting to resolve the matters facing the membership of the Pine Forest Property Owners' Association, Inc.; and,

**WHEREAS**, copies of examples of the expressions of gratitude from residents and members of the Pine Forest Property Owners' Association, Inc., are attached hereto, as Exhibit A, and will thereby be entered into the City's public records, pursuant to the action taken by the Council in formally adopting this Resolution.

**NOW, THEREFORE, BE IT RESOLVED** by City Council of the City of Bastrop, Texas, that:

1. The City Council of Bastrop, Texas hereby makes the attached communications received by the City through its representatives and officers, from members of the Pine Forest Property Owners' Association, Inc., expressing gratitude to the City of Bastrop for the efforts taken by it and other governmental entities to resolve controversies, confusion and legal issues currently existing as to the membership, voting rights, and structure of the Pine Forest Property Owners' Association, Inc., formal public records of the City of Bastrop, Texas.

2. The City shall maintain the attached documents, expressing gratitude, as public records of the City, so that in the future, others may refer to and reflect on these public documents.

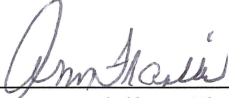
The foregoing Resolution was moved and seconded, and finally adopted by majority vote at a meeting of the City Council of the City of Bastrop, Texas on the 22<sup>nd</sup> day of March, 2016.



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Ken Kesselus  
Mayor of the City of Bastrop, Texas

ATTEST:



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Ann Franklin, City Secretary, City of Bastrop

# **EXHIBIT A**

**Pine Forest Property Owners' Association, Inc.**

**Member comments and email**

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**Subject:** Thank You For Your Support Of The Pine Forest Property Owners And For Your Efforts To Restore Order To Our Community...

**From:** Bill Gooldy <[wgooldy@hotmail.com](mailto:wgooldy@hotmail.com)>

**Date:** Tue, Mar 08, 2016 10:05 pm

**To:** <[Paul.pape@co.bastrop.tx.us](mailto:Paul.pape@co.bastrop.tx.us)>, <[smurray@bisdtx.org](mailto:smurray@bisdtx.org)>, <[mtalbot@cityofbastrop.org](mailto:mtalbot@cityofbastrop.org)>

**Cc:** <[nreyes@mvalaw.com](mailto:nreyes@mvalaw.com)>, <[charles@bundrenlaw.net](mailto:charles@bundrenlaw.net)>

My wife of thirty years and I currently live and work in Austin having moved here from Houston a number of years ago, and, being longtime admirers of the community in the town of Bastrop and the surrounding area we have purchased several adjoining lots in Pine Forest with the intent of someday building a retirement home there, but the things that we have watched the board doing, mostly through proxy votes from absentee owners, to revamp the PFPOA Covenants and By-Laws to consolidate their hold on the board, and consequently their control of the corporation, has forced us over the last several years to be re-evaluating these plans...

We are both heartened by all of your efforts to restore some semblance of order to this subdivision, and we extend our every gratitude for your service and hope that this endeavor will culminate in a win for the community...

Bill Gooldy

[wgooldy@hotmail.com](mailto:wgooldy@hotmail.com)

512.820.8428

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**Subject:** Thank You

**From:** Charles LeBlanc <cgleblanc91@gmail.com>

**Date:** Tue, Mar 08, 2016 9:10 pm

**To:** paul.pape@co.bastrop.tx.us, smurray@bisdtx.org, mtalbot@cityofbastrop.org

**Cc:** nreyes@bvbalaw.com, charles@bundrenlaw.net

Dear Sirs,

I would like to thank you for assisting the Pine Forest Property Association to resolve issues with it's current Board. As a former PFPOA Board president, I appreciate just how far the current Board has moved from the goals of the Association's property owners. I also understand how overwhelming it is for property owners to deal with people who are acting outside of their best interest, but feel helpless to resolve it. Your efforts are providing hope in an otherwise hopeless situation for many residents.

I attended the meeting recently called by the City, County, and School District. It was refreshing to once again attend a meeting where I and other property owners were allowed to speak and those conducting the meeting cared what we had to say. I look forward to many more similar meetings in the future thanks to your efforts.

Sincerely,

Charles LeBlanc  
Pine Forest

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**Subject:** Thank You for your efforts and support of the Pine Forest property owners

**From:** Steve Forsdick <forsdick@dawson3d.com>

**Date:** Tue, Mar 08, 2016 8:48 pm

**To:** <Paul.pape@co.bastrop.tx.us>, <smurray@bisdtx.org>, <mtalbot@cityofbastrop.org>, <nreyes@mvalaw.com>, <charles@bundrenlaw.net>

Gentlemen,

As a homeowner and property owner in the Pine Forest subdivision, Unit 9, I would like to take this opportunity to express my appreciation for the efforts of Bastrop County, BISD, and the City of Bastrop in the ongoing litigation and proceedings with Pine Forest Investment Group, LLC and the individuals who have been acting as board directors for the Pine Forest Property Owners Association. This group does not represent my interest and what I believe to be the majority of property owners in the association, but are instead promoting Mr. Robert Leffingwell's development agenda.

For me, it has been disturbing to see how this group has been able to take control of the property owner's association over the past three years. Coming from Houston, where I was a board member of a HOA for more than five years, it was astonishing to see these Board members so flagrantly manipulate the bylaws of the association and misrepresent the vast of property owners wishes here in Pine Forest. Consequently, it was very encouraging to me to see your entities enter into the fray on yours as well as the majority of the property owners in Pine Forest's behalf.

Again, I would like to thank you for your efforts and expenditure of resources, without which, the property owners would have had little chance to regaining control of our own property owners association.

Sincerely,

K. S. Steve Forsdick  
151 Kipahulu Dr.  
Bastrop, Texas 78602

Office 713-579-0206  
Cell 432-413-3146

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**Subject:** Thank You, and support from Pine Forest property owners

**From:** Tim Rupp <Tim@timrupp.com>

**Date:** Tue, Mar 08, 2016 4:53 pm

**To:** "Paul.pape@co.bastrop.tx.us" <Paul.pape@co.bastrop.tx.us>, "smurray@bisdtx.org" <smurray@bisdtx.org>, "mtalbot@cityofbastrop.org" <mtalbot@cityofbastrop.org>

**Cc:** "nreyes@mvalaw.com" <nreyes@mvalaw.com>, "charles@bundrenlaw.net" <charles@bundrenlaw.net>

Dear Sirs,

As a property owner (and former association board member) in the Pine Forest subdivision I would like to express my appreciation for all of the efforts of Bastrop County, BISD, and the City of Bastrop in the ongoing litigation and proceedings with Pine Forest Investment Group, LLC and the illegitimate group of individuals that purports to be acting as board directors for the property owners association. This group most certainly does not represent the vast majority of property owners but instead are pushing Robert Leffingwell's agenda for their own undisclosed interests in his development.

For so many of us in the subdivision it is still incomprehensible how this small group of individuals has been able to effectively hijack our own association and misrepresent the vast majority of property owners. Through manipulation of the bylaws, misleading official communications, and maneuvers we feel are illegal, they have effectively neutered the ability of the property owners to regain control of the board and our subdivision without the intervention of the entities each of you represent.

While there is a long list of actions that illustrate this group's abandonment of their responsibility to the property owners and their complicity with the developer including their filing as Intervenor, perhaps most evident were the striking differences in the Special Meetings following our legal election of two new board members at the Annual Meeting. In a disgusting maneuver, the board called a Special Meeting on Feb. 19<sup>th</sup> in which they refused to allow any participation or comments from the property owners while without our consent they attempted to "sever" the properties of the board members we had just elected in a bid to remove them from the board. Following that with another Special Meeting on Feb. 25<sup>th</sup> where once again refusing any participation of the property owners they attempted to sever the remaining properties in Unit 6. In contrast, the Special Meeting on Feb. 26<sup>th</sup> called by the entities you represent and supported by the vast majority of Pine Forest property owners ran much differently. As should have been expected in any Property Owners meeting, all comments from any property owner were allowed and recorded irrespective of the individuals position, and ultimately the will of the majority of property owners was followed.

I realize each of you is likely aware of everything I have stated here, but I am compelled to reach out and thank you all for your efforts, without which we have no means of regaining control of our own property owners association. As a REALTOR and property owner in Pine Forest I am absolutely supportive of the long overdue successful development of Unit 6 which would benefit each of the entities you represent as well as the property owners who have been unable to utilize their properties. The fair and honest representation of the property owners in Pine Forest by a legally elected board is paramount in that process.

Again, thank you for your ongoing efforts and let me know if there is anything the property owners in Pine Forest (as opposed to the association board) can assist with.

Sincerely,

Tim Rupp

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Subject: Pine Forest Property Owners Association

From: Ken and Donna Fred <donnaken3663@sbcglobal.net>

Date: Wed, Mar 09, 2016 10:12 am

To: "Paul.pape@co.bastrop.tx.us" <Paul.pape@co.bastrop.tx.us>, "smurray@bisdtx.org" <smurray@bisdtx.org>, "mtalbot@cityofbastrop.org" <mtalbot@cityofbastrop.org>

Cc: "nreyes@mvalaw.com" <nreyes@mvalaw.com>, "charles@bundrenlaw.net" <charles@bundrenlaw.net>

Dear Sirs,

My wife, Donna, and I moved to Bastrop county in 1994 and built our home on Mcallister Road then. We were only one of a few houses in Pine Forest back then. If you remember, that was before Colovista existed. We loved every minute of our years there. In all those years we participated in the neighborhood association even serving on the Architectural Control Committee for a few of those years. All were pleasant experiences and members of both the Board and ACC were there to serve the neighborhood, other than a few occasions where Les Appelt attempted to serve himself and that was quickly rebuffed. We, among many of our neighbors, lost our homes in the 2011 Bastrop Complex fire and unfortunately saw a self-serving PFPOA Board leverage the opportunity of the devastation to seize control of the neighborhood association to use it for their own purposes, beginning with the poorly attended annual meeting in February 2012. Most folks were so distracted by the fire that they didn't attend the meeting and for the first time ever in our years there, the board voted all the foreclosed lots to support their position and overrode the residents of our destroyed subdivision. That ignoring of the voice of our members has continued unchecked ever since. That is, until the City and County of Bastrop and Bastrop Independent School District rode in on a white horse to help the residents of Pine Forest rescue their subdivision.

Donna and I want to express our deep, heart-felt gratitude for what you have done and are continuing to do on behalf of the owners of property in Pine Forest. While there are a few who support the Board, as the information gets out as to what has been done, folks are getting wise to the situation and are in large numbers, supporting you in helping us regain control of our own subdivision. The member meeting at the Performing Arts Center was a huge step in the area of informing our members of the facts and was phenomenally chaired and run. Thank you, thank you, thank you! I realize that your job is to protect the best interest of the lots you own, but in doing so, you are helping a great many other residents of Bastrop county who had been rendered powerless to defend themselves against a POA Board willing to do anything to maintain its power to do whatever it wanted. Again, our tremendous appreciation to you for your efforts.

With much gratitude,

Ken & Donna Fred  
(512) 922-1558