

1. Has better things to do with his time than attend WOWSC Board meetings
 2. Bob Mebane was to work with Doris Vantrease (a realtor) to get help marketing property but it was sold prior to getting her involved
 3. Restriction on 7 acres benefits Dana and does not benefit WOWSC
 4. Sell WOWSC airport property at highest possible price
9. Mikki Bertino
1. Amended contract puts a class A membership restriction on the remaining 7 acres
 2. Her understanding is the remaining 7 acres presently have no restrictions
 3. What does WOWSC gain from adding the class A membership?
 4. What did WOWSC gain by the easements?
 5. How can Mikki learn if WOWSC bought easements?
 1. Jose de la Fuente:
 1. Board deliberations can include discussion of items raised during member comments.
 2. Board cannot take action on items not on the meeting agenda
 3. WOWSC is a non-profit corporation that needs to behave as a public entity
 4. Not all public entity laws apply to non-profit corporations
 5. Discussions are part of deliberations
 6. Open meetings act allows discussion without taking action
 7. New topics to be raised for consideration at next meeting(s)
10. John Nigh:
1. Is WOWSC a governmental authority?
 1. Jose de la Fuente: No, WOWSC is a non profit corporation
11. Anita Dismuke:
1. Does WOWSC have anything to do with airport restrictions?
 1. Jose de la Fuente: Only property owned by WOWSC can be restricted by WOWSC.
 2. Why do remaining 7 acres have restrictions?
 3. Am for getting out of debt and would like to sell the airport property
12. Beth Burdette:
1. Do we know which realtors were used by the previous board?
 2. How do we get answers to questions?
 3. Why do the 7 acres have restrictions?
 1. Joe Gimenez: Will discuss after the Executive session
 4. How do we get an agenda item on Board Meetings?
 1. Jose de la Fuente: Members can request items to be placed on future agendas.
 5. Wants to move on from lawsuit
 6. Wants Board to listen to members
 7. Does not want to place restriction on the remaining 7 acres
 8. Land is sold
 9. There is a rebellion in Windermere Oaks. Board needs to do the right thing.
13. Marsha Westerman:
1. What does Broad Mutual Release of each other in Motion mean?
 1. Jose de la Fuente: Broad mutual release in general terms is a release of claims on each other. No future litigation on the agreed upon item.
 2. Dana was Marsha's realtor
 3. Why hasn't Dana spoken today?
14. Dick Dial
1. Why didn't the Board spend our money trying to get the land back instead of trying to keep us from getting the land back for ourselves?
 2. Why do you say the first lawsuit was decided in favor of the WSC when it found the Board violated the law and we didn't get the property back? That sound like the worst of both worlds.
 3. Why do you claim the court "confirmed the transaction was valid"?
 4. What business did the Board have opposing the request to get our property back?
 5. What is your basis for saying that the "paths" proposed in the lawsuits to get the property back were not "legally viable or beneficial to the corporation"?

15. Mark A. McDonald

1. Joe said benefit was to mitigate legal fees moving forward
2. WOWSC only gets \$20,000 if Dana wins
3. No business placing airport restrictions on 7 acres

16. Carol Foy

1. Can appreciate the Board working to pay down debt
2. Believes dirty business was done as purchaser was a Board member and the appraisal did not mention best use as airport property
3. Sees the amendment as resolving litigation, but not addressing
4. Requests to see details of the easements
5. Where are the easements?
6. Airport fees are paid by airport members
7. Highest and best use should have been airport property
8. Right of first refusal should not have been in the property sale
9. Why is Stewart Title involved and why are they offering \$20,000?
10. Will the third party agree to the easements?
11. Where is the 25' set back in the easements?
12. Questioning benefit to WOWSC of selling Piper lane access
13. There are other ways that Water Supply Corporations can be run.
14. It's in our own personal interest to run our own WSC
15. Wants our WOWSC Board to be more transparent
16. Does not want WSC to be owned by someone else.
17. Wants restriction on 7 acres removed
18. Doesn't know if a Broad Release is wise for future transactions / actions.
 1. Jose de la Fuente: Releases are only backward looking and do not apply to future transactions / actions.

17. Travis Tappen

1. Is the only way to learn all secrets of our WOWSC Board is to be on the Board?

18. Mike Burdette

1. Accused board of 'sitting there with your chickenshit grins.'

19. Brad Davis

1. Must be a conflict of interest
2. Too many folks feel like they are not getting all the information
3. Questions why Board member can purchase WOWSC property
4. Restriction on 7 acres benefits Dana and not WOWSC
5. Questions future use of 7 acres with the restrictions

20. LC Billingsley

1. Was on WOWSC Board Director for two years with Bill Stein and could not learn what occurred because of President Jeff Hagar and Vice President Dorothy Taylor

21. Marshal Meccc:

1. Is Executive session open?
 1. Jose de la Fuente: No
2. Can Board decide on Motion today?
 1. Jose de la Fuente: Yes

22. Marvin Lewis:

1. Can Board reconvene open session at a certain time?
 1. Jose de la Fuente: There is no posted time estimate on Executive Session duration.

23. Jose de la Fuente: Restriction is if property is used as airport property, the purchaser needs to be a Class A member.

24. Danny Flunker

1. Ripped off
2. Motion should include \$500,000
3. Petition to remove Joe Gimenez
4. Patti was harassed at work
5. David Bertino was harassed at work

6. Accused board of being "monsters"

5. Executive Session under Texas Government Code § 551.071(1) and (2) regarding:

1. Ffrench, et al., Intervenor-plaintiffs and Double F Hangar Operations, LLC, et al. v. Friendship Homes & Hangars, LLC, Windermere Oaks WSC, et al., Cause No. 48292, 33rd Jud. Dist., Burnet County Dist. Ct.; and
2. TOMA Integrity, Inc., et al. v. Windermere Oaks WSC, Cause No. 47531, 33rd Jud. Dist., Burnet County Dist. Ct., on appeal at 6th Ct. of Appeals, No. 06-19-00005-CV.
3. Appeal of Attorney General ruling filed in Travis County Court in the case of WOWSC v The Honorable Ken Paxton, Attorney General of Texas, for protection of corporate rights and privileges during ongoing litigation
 1. Entered session at 10:48AM
 2. Exited session at 11:44AM
 3. Restarted open session at 11:51AM

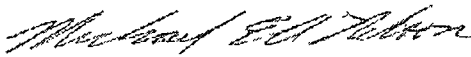
6. CONSIDERATION AND VOTE ON AMENDED AND SUPERSEDING AGREEMENT AS DESCRIBED IN AGENDA ITEM 5 AND PAGE 3 OF THIS AGENDA, AND POTENTIAL MEMBER COMMUNICATION REGARDING SAME.

1. Board Discussion

1. Board has heard members' comments and have taken them seriously
2. Potential member communication regarding: Legal subcommittee will take member comments and any Board decisions and communicate to our members
3. WOWSC is in litigation brought against it
4. It's not easy to communicate with our members regarding questions on ongoing litigation
5. Joe elected to Board in March 2019 and was not part of any of the ongoing litigation
6. Joe has gotten up to speed on the litigation
7. Making decisions that benefit WOWSC the most
8. WOWSC is a non-profit corporation and is not bound by all Public Entity laws like those for a city, county, school district or state agency
9. It is legal for WOWSC to do business with a Board member.
10. It is legal for WOWSC to dispose of assets in any manner it chooses.
11. The WOWSC sold airport property because it was not needed for future expansion
12. Bill Earnest noted that he worked to sell property while on earlier Board
13. He asked the attorney at the time and was told that the Board has fiduciary responsibility to WOWSC and not to the community, but Bill wanted to do what was best for the community as well.
14. After six months of trying to work with a real estate realtor, the realtor finally admitted to Bill that he did not have the time or knowledge of airport property to work with WOWSC.
15. Runway lot was sold for \$95,000 and was then pulled out of the eleven acres and was used to pay down debt
16. 2006 appraisal was done before real estate crash in 2007, 2008, 2009 from sub-prime lending. Property valuations started to recover ~2011.
17. Property sale occurred in 2016
18. WOWSC's airport revenues are ~\$8000 per month which benefits our WOWSC members
19. Joe offered more background. In 2013 Lake Travis hit a very low level of ~ 615' above sea level. At that time it was difficult to sell property and homes with the very low level of the lake. 2015 - 2016 Board did due diligence in learning the value of the airport property. WOWSC received an offer of \$175K in Y2013 for 9 acres of the airport property. Hinton appraisal was never mentioned when offer was made by Dana. Dana offered \$200,000 for the ~ 4 acres. POA offered \$20,000 for 2/3rd acre in 2015, approximately \$30,000 for 1 acre, pro-rata.
20. Previous Boards had discussed selling the entire airport property as a whole
21. Bills knows of a person who bought an entire airport for \$1.3M, the same amount as the Bolton appraisal for the ~ 11 acres at the airport.
 1. Gimenez advised on Board due diligence saying different Boards deal with different issues and challenges

22. Bolton appraisal was fed information by litigants
23. Our attorneys serve the interest of our WOWSC Board and sometimes that Board's interests change and so too must the attorneys' focus.
24. Mike requested along with our attorneys an appraisal of the property to get data for discussion
25. Easement Strengthening:
 1. Easement exists in the original sales contract. But the easement was not recorded well and was not clear.
 2. Standard easement language was not in the original sales contract.
 3. Requested good clean easement
 4. Full 75' easement: 50' easement plus 25' easement; 25' paved path with 25' easements on both sides
26. Mike continued that Board consideration for future sale of remaining acreage. Lot of growth is projected in Spicewood. Discuss in future Board meetings when is best time to sell.
27. New WWTP discussion: \$900K cost with two ponds
28. Suing to get land back would cost hundreds of thousands of dollars, we might lose, would get counter sued, would taint WOWSC's property as someone who sells property and then sues to get it back, making property value worthless for future buyers
29. WOWSC requested property valuation, sent Demand letter to start discussion, held several discussions, and then mediation
30. Business decision is looking for ways out of litigation
31. Board wants to stop being involved in litigation
32. Suing for land back would involve more than Dana as a third party is involved
33. Terms of mediated settlement
 1. Have heard from members regarding terminating right of first refusal
 2. Able to accomplish removal of right of first refusal
 3. Negotiated with Title Company for \$20,000 in mediation
 1. Stewart Title Company represented defense of the title
 2. Value in stopping litigation
 3. Stewart Title agreed to pay \$20,000 with \$2500 up from subject to refund if case does not complete
 4. Legal team of Jose de la Fuente, Joe Gimenez, Mike Nelson was in mediation
 5. Class A member fees now ~\$750 for maintenance of airport roads and common space
 1. Property can be sold for any legal purpose
 2. If property is sold as airport property, the Class A membership is needed
 3. Mike's question to Bill: Do all airport members have a Class A membership?
 1. Very few do not have Class A membership. A few folks are Grandfathered in who pay into the airport maintenance at a reduced rate
 4. Airport members with hangars need to buy-in to the airport for \$4000
 5. Mike thought becoming an airport Class A member was similar to becoming a POA member when buying home, with automatic membership in a POA.
 6. Joe said that during mediation he considered the criticism of the Hinton appraisal's lack of consideration for valuation of the land as airport property. His mindset was locked in to selling that land as airport property because it would elevate land value as being airport property, but he said he understands how unrestricted covenant could help achieve highest and best use.
 7. Jose de la Fuente noted that the covenant would only apply if the property were developed as airport property, but that it was not necessary.
 8. Class A membership only applies to using the property as airport property
 9. Adding hangars will likely add to WOWSC revenue as they typically have water and sewer connections.
 10. Recent airport owners are Class A members
 6. Bill wanted to sell all acreage at once
 7. Bill wanted to compact the airport acreage
 8. Correction of Deed for 0.5151 acre is included correcting an error in the original Deed
 9. Remaining 7 acres has two ponds

10. Mike said he believes it's better to take \$20,000 in cash versus spending \$100,000 on litigation for a possible net of \$40,000
11. Mutual release upon termination of litigation
12. Authorize two members of Board to work with attorneys on settlement finalization
13. Easement is imposed as an obligation for Friendship Home to get agreement with the third party (Meyers) to complete settlement
14. Amends and restates transaction
15. Many hours defending lawsuit takes away Board's capacity to deal with water company issues.
16. Our WOWSC PIO is paid only when working on PIAs. There were no PIAs prior to this year.
17. Joc has moved WOWSC business forward
18. There is more to do to stop all ongoing litigation
34. Review of motion
 1. Motion made by Bill and seconded by Joe to accept the terms for the amended and superseding contract.
 1. Discussion around item 'six': Restricted covenant for purchaser to become airport Class A member if land is used as airport property.
 1. Bill proposed deleting item six
 1. Bill: If person who buys property as airport property, they will build hangars which will make them become a Class A member
 2. Dorothy: Member feedback requested removal of Class A member restriction
 3. Mike: OK with removing Class A member restriction
 4. Joc: Not our concern. It's an airport concern. Okay with removing.
 5. Jose de la Fuente: Not a major component of mediation agreement.
 2. Motion made and carried by all to delete item# 6
 3. Motion made and carried by all to adhere to our agenda item with deletion of item# 6 (restrictive covenant of Class A members)
 4. Motion made and carried by all to authorize Joe and Mike to be our WOWSC Board legal subcommittee
 5. Motion made and carried by all for Joe and Mike to generate member communication reporting on this meeting and outcome
7. New business and discussion and possible action on agenda for next meeting.
 1. Member Comment
 1. None
 2. Petition for removal of Joe Gimenez from Board
 3. Replacement of Board Vacancy
 4. Manager's Report
 5. Annual Member Meeting
 6. October financials review
8. Set date, time, and place for next board meeting.
 1. Wednesday, November 20th, at 6:00PM at Spicewood Community Center, 7901 County Road 404, Spicewood TX, 78669
9. Motion made and carried to adjourn at 1:21PM



Submitted by: Mike Nelson

APPROVED BY WOWSC Board on December 19, 2019

Billing Questions: (830) 598-7511 Ext 1
Water or Sewer Emergency: Phone (830) 598-7511 Ext 2



July 10, 2019

Dear Water Supply Corporation Customer,

We would like to share with you some good news regarding your water company as well as some developments we are working to resolve.

First, we have recently posted the results of the Consumer Confidence Report for 2018. This summary recounts our compliance with Environmental Protection Agency regulations as monitored by the Texas Commission on Environmental Quality. In all 12 areas monitored, no violations were found. We are pleased with the continuing effort of our manager and operating company to produce water which meets or exceeds state and federal water quality requirements.

Secondly, our water intake pumping barge went back online in April. Temporary pumps had supplied water to our system after the October 16 flood severely damaged the barge. There were concerns that normal summer time decreases in lake levels could impact the temporary pumps' efficiency. The hard work of our manager removed these concerns and the repaired pumps have been operating well.

Third, our financial position is very strong. We base this statement on new reviews we initiated to evaluate our financial health. Our debt to service coverage ratio, debt to capital ratio, days cash on hand are all very positive. Without going into a lot technical detail here about what they mean, you should put aside any doubts which may have arisen in the last few years about our financial situation.

Fourth, in mid-June, an appellate court ruled in favor of WOWSC and sided with the lower trial court's judgment rendered last year with regards to a land sale by WOWSC in 2016 and related agenda items. In sum, while a previous board did not properly post parts of the agenda items related to the land sale, the violation did *not* warrant the court's intervention in voiding the land sale. This is a victory for WOWSC because voiding the land sale would have had serious financial implications for WOWSC.

Unfortunately, the Board is now dealing with yet another, *new* lawsuit that was filed in late May against WOWSC and former Board members. The plaintiffs claim various rights as 'shareholders' against the former Board members as related to the land sale in 2016.

As a result of the various lawsuits filed against WOWSC (which remain ongoing) and our continuing compliance with responses to numerous Public Information Act requests, WOWSC's 5-month expenditures on legal services have already totaled \$63,000, exceeding our 12-month budget by \$25,000. We are concerned about this steep additional cost for 2019 and will be attempting various measures to contain those costs going forward.

In our next letter to you, we hope to have more good news about operational improvements we've made. Several are in the works. For now, we hope this letter succeeds in giving you an idea about developments at your water supply company.

Sincerely,

Your Windermere Oaks Water Supply Corporation Board of Directors



October 18, 2019

Dear WOWSC member,

The Windermere Oaks Water Supply Corporation Board of Directors will hold a special board meeting on October 26 for its consideration of the items listed on the enclosed agenda (a copy of which may also be viewed on our website at <https://www.wowsc.org/>). The board strongly encourages all members to attend this meeting.

The item "Consideration and Vote on Amended and Superseded Agreement" refers to potential changes to and replacement of the 2016 contract between WOWSC and Friendship Homes & Hangars, LLC, in which WOWSC sold approximately 3.86 acres of land to Friendship, including additional related terms.

As many of you are aware, the contract and its original approval were the subject of litigation in 2017-19. As recently as May, 2019, a second lawsuit was filed against the WOWSC as well regarding this transaction. The first case has been decided in favor of the WOWSC in multiple rulings, with acknowledgement that in two instances laws governing the posting of agenda items were not followed, but ordering no additional relief that the plaintiff requested and confirming that the transaction is otherwise valid (view the rulings at www.wowsc.org/rulings). Despite the judgment denying any further relief, the litigant has continued its appeals all the way to the Texas Supreme Court, at the cost of tens of thousands of dollars to the WOWSC. The second case is in its early stages of court proceedings, but may cause WOWSC to incur similar legal expense.

Three different WOWSC boards, following the counsel of three different sets of attorneys since 2017, have authorized spending these sums to protect WOWSC from the litigants. The judgments they have sought from the courts would potentially enmesh the corporation in even more litigation and potential liability. More importantly, the paths they proposed were not, in the opinion of our counsel and in the evaluation of the board, legally viable or beneficial to the corporation.

In the course of the ongoing litigation, authorized representatives of this board have worked to resolve the underlying issues of dispute and concern, so as to put an end to this costly process and to act in the best interests of WOWSC. At the October 26 meeting, the board will review, consider, and vote upon a proposed amended and superseding agreement between WOWSC and Friendship Homes and Hangars, including specific terms that are described in the posted agenda for that meeting. The meeting will set aside time for member comments on that agenda item prior to any action by the board. The meeting will also include comments from WOWSC's attorneys and will provide information about the business decisions of previous boards with respect to the original contract.

We hope to see you at the October 26 meeting of the WOWSC Board of Directors.

Sincerely,
Joe Gimenez
Board President and Public Information Officer

WINDERMERE OAKS WATER SUPPLY CORPORATION

424 COVENTRY ROAD, SPICEWOOD, TX 78669

NOTICE OF SPECIAL MEETING

The Board of Directors of the **Windermere Oaks Water Supply Corporation**

Saturday October 26, 2019 at 9:00 a.m.

at the Spicewood Community Center, 7901 County Road 404, Spicewood TX, 78669

For members needing access through the Windermere Oaks gate, temporary gate code – 8900 – has been activated for your use.

TAKE NOTICE THAT A MEETING OF THE ABOVE-REFERENCED BOARD OF DIRECTORS OF WINDERMERE OAKS WATER SUPPLY CORPORATION will commence at the time and location as noted above to consider and act by motion, resolution or otherwise upon any matter in connection with the subjects as listed below. This public meeting is being held pursuant to Texas Government Code § 551.001 et seq. All deliberations of the Board shall be made in Open Meeting unless made in Executive Session pursuant to Government Code, Chapter 551, Subchapter D to discuss an item listed below or under the specified agenda item for Executive Session. In the event of an Executive Session, no action will be taken by the Board until the Board has closed the Executive Session and returned to the noticed Open Meeting. All open and closed meetings shall be recorded if required in accordance with Government Code, Chapter 551, Subchapters B and E, respectively. Members who desire to address the Board regarding an item on the agenda for the open meeting may do so before or during the consideration of the item by the Board, subject to reasonable rules established by the Board, including a time limit.

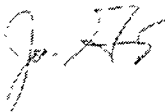
AGENDA:

1. Call to Order
2. Roll call.
3. REPLACEMENT OF BOARD VACANCY – Article 8, Section 9 of the WOWSC Bylaws states that “Any vacancy occurring in the board of directors may be filled by affirmative vote of the remaining directors, though less than a quorum of the board. A director elected to fill a vacancy shall be elected for the unexpired term of his predecessor in office.” Following the resignation of board member David Bertino, the board shall consider and act upon filling that vacancy.
4. ADOPTION OF ELECTION PROCEDURES FOR THE ANNUAL MEMBERS MEETING – Board will consider possible action needed to begin adoption of election procedures for 2020 annual meeting, including but not limited to assigning specific board seats as “Place 1, Place 2, Place 3,” etc., consistent with the WOWSC Bylaws
5. ANNOUNCEMENT OF AMENDED AND SUPERSEDING AGREEMENT REGARDING SALE OF PIPER LANE PROPERTY FOR BOARD CONSIDERATION (proposed terms and other considerations summarized on page 3 of this agenda).
6. Comments from citizens and members who have signed sign-up sheet to speak (5-minute limit per person).¹
7. Executive Session under Texas Government Code § 551.071(1) and (2) regarding:
 - a. Ffrench, et al., Intervenor-plaintiffs and Double F Hangar Operations, LLC, et al. v. Friendship Homes & Hangars, LLC, Windermere Oaks WSC, et al., Cause No. 48292, 33rd Jud. Dist., Burnet County Dist. Ct.; and
 - b. TOMA Integrity, Inc., et al. v. Windermere Oaks WSC, Cause No. 47531, 33rd Jud. Dist., Burnet County Dist. Ct., on appeal at 6th Ct. of Appeals, No. 06-19-00005-CV.
 - c. Appeal of Attorney General ruling filed in Travis County Court in the case of WOWSC v The Honorable Ken Paxton, Attorney General of Texas, for protection of corporate rights and privileges during ongoing litigation.

¹ The Board is not allowed to take action on any subject presented that is not on the agenda, nor is the Board required to provide a response; any substantive consideration and action by the Board will be conducted under a specific item on a future agenda.

8. CONSIDERATION AND VOTE ON AMENDED AND SUPERSEDING AGREEMENT AS DESCRIBED IN AGENDA ITEM 5 AND PAGE 3 OF THIS AGENDA, AND POTENTIAL MEMBER COMMUNICATION REGARDING SAME.
9. New business and discussion and possible action on agenda for next meeting.¹
10. Set date, time, and place for next meeting.
11. Adjourn.

The undersigned certifies that this notice has been duly and properly posted at least 72 (seventy-two) hours preceding the scheduled meeting in a place accessible to the public at all times, at the corporation's office located at 424 Coventry, Spicewood, Texas 78669, and this notice has been provided to the Burnet County Clerk or on the corporation's Internet Web site for posting at least 72 (seventy-two) hours preceding the scheduled meeting pursuant to Section 551.054, Texas Government Code.

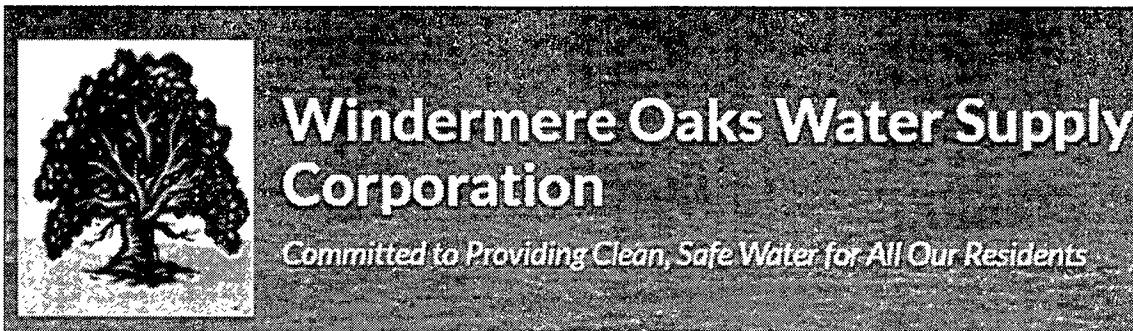


Joe Gimenez, Board President

Agenda Item 5

SUMMARY OF TERMS OF A PROPOSED AMENDED AND SUPERSEDING
AGREEMENT BETWEEN WOWSC AND FRIENDSHIP HOMES AND HANGARS, LLC
TO BE SUBJECT TO PUBLIC COMMENT, BOARD DELIBERATION
AND POSSIBLE BOARD ACTION

- Friendship will surrender and terminate its existing “right of first refusal” as to the remaining 7.01 acres +/- tract;
- Stewart Title Guaranty Company shall pay WOWSC the sum of \$20,000, \$2,500 of which shall be payable upon closing of the real property transactions above, and \$17,500 of which is to be held in trust until the dismissal with prejudice or a final judgment in Friendship’s favor of all claims against it and Dana Martin in the currently pending “*Ffrench et al v. Friendship Homes and Hangars LLC et al*” lawsuit (with the first \$2,500 being subject to refund if the litigation is not dismissed as described above within one year); the payment of such sum is additional purchase money for Friendship’s acquisition of the 3.86 acre +/- Piper Lane tract;
- In place of the current easement, a formally recorded 50-foot non-exclusive access easement in favor of WOWSC, providing WOWSC standard easement rights, including the right to maintain, repair, and improve the easement, and the right to enforce against encroachments, in common with Friendship Homes and Hangars, with Friendship Homes to obtain similar easement grant from Hans and Johannes Mair;
- Friendship will impose and record 25 foot setback on the northern boundary of the easement to the extent allowed LCRA and/or the county;
- WOWSC will execute a deeded conveyance to Friendship of a certain .5151 acre +/- portion/tract that was included in the sales contract but not deeded;
- WOWSC will record a restrictive covenant covering the remaining 7.01 acres +/- tract providing that if any or all of the property is sold as airport lots, the owners must become Class A members of the Spicewood Airport Pilots Association;
- Upon dismissal or final judgment as described above, WOWSC, Friendship, and Dana Martin shall be responsible for their own court costs and attorney’s fees;
- WOWSC on one hand and Friendship and Dana Martin on the other shall sign a broad mutual release of the other, conditioned upon dismissal or final judgment as described above in favor of WOWSC, its former directors, Friendship, and Dana Martin as to all claims in the lawsuit; and
- Authorizing two members of the Board to coordinate with legal counsel to finalize and then execute on WOWSC’s behalf the Amended and Superseding Agreement between WOWSC and Friendship Homes and Hangars, LLC, as well as any and all other agreements, contracts, and closing documents necessary to effectuate the terms and transactions described above.



October 31, 2019

Dear WOWSC Member,

Your water company's Board of Directors approved an amended and superseding agreement with Friendship Homes and Hangars, LLC on Saturday, October 26, with one alteration from the item posted as part of the agenda packet you received in the mail.

Namely, the Board deleted a provision for a restrictive covenant which would have required a certain class of airport membership if the 7.01 acres +/- it stills owns were to be sold as airport property. All other items on the amended term sheet were approved unanimously on Oct. 26.

In case you weren't there, Board members openly discussed and deliberated the amended and superseding agreement for well over 45 minutes and described their findings and due diligence on the matter of the contract. Several WOWSC members have filed lawsuits against the water company because of the contract, costing us all more than \$133,000 in legal fees to defend the corporation over the last two years. Here is what was discussed during the Saturday meeting, as well as summarized facts and historical information:

- In 2016, WOWSC and Friendship Homes & Hangars, LLC finalized a sale of real property, in which WOWSC sold approximately 4.3 acres of land to Friendship, and the parties granted each other additional rights. That contract and the sale have been the subject of much dispute and ongoing litigation. The agenda item for the October 26 meeting, "Consideration and Vote on Amended and Superseded Agreement," referred to certain potential changes to some elements, and approval of others, of that 2016 agreement.
- In 2013, the WOWSC Board had announced its intent to build a new wastewater treatment plant. Once installed and operational, the Board advised the membership it would sell 11 acres of excess real property the company owns to pay for a portion of the debt for the new treatment plant.
- Members of the current 2019 Board determined, through various interviews and conversations, that, in 2014-2016, past Board members Bob Mebane, Pat Mulligan, Mike Madden, and Bill Earnest performed due diligence by asking a number of people about the value of the 11 acres which the Board wanted to sell. They had asked a small airport developer, a member with the State of Texas Aviation agency, a real estate agent familiar with small airports in the area and another agent that was previously contacted in 2013 by another WSC Board member. Their conversations with people in the know indicated that the value of the land was in the range of \$10,000-30,000 per acre. Mr. Mebane also spoke

to other property owners in the area, and there had been a previous offer of \$175,000 for the 4.3 acres *plus* an additional 5 acres, or about \$18,800 per acre.

- In addition, that 2015 Board received, in July of that year, a contingent offer from the Windermere Oaks Property Owners Association for \$20,000 for a little less than 2/3 of an acre (equivalent to approximately \$29,000 for a full acre). This 2/3 acre was a boat storage area that was part of the 11 acres owned by the water company. The POA's offer was rejected by the water Board because of their desire to sell the entire 11 acres as a whole and their view that the land was worth more.
- The 2015 Board members were advised by WOWSC's attorney that WOWSC is a non-profit corporation that is different from a city, county, school district, or state agency. As such, the water company could sell the land in any manner it desired, and it was (and still is) perfectly legal for the company to transact business with a Board member, so long as at least verbal disclosures are made and the Board, in its judgment, determines that the transaction is fair for the entity. The current Board's legal counsel have also confirmed this point of law. And a current Board member also confirmed this with the president of the Texas Rural Water Association.
- Based on its due diligence and market value information it had gained, the 2015 Board determined that the offer it received from Friendship Homes in late 2015 – for a net \$203,000 for 4.3 acres, or \$47,209 per acre – was a good and fair value. The parties went under contract in December 2015. The highest pro-rated per acre price ever previously offered – of \$29,000, by then-WOPOA President Danny Flunker – had been exceeded by 63 percent.
- The owner of Friendship Homes was Dana Martin, a WOWSC Board director in 2015. She disclosed her interest in the transaction, and recused herself from meetings which discussed and approved the deal. This is clear from minutes posted by WOWSC in 2015 and 2016. Per the laws applying to our non-profit corporation, this was a legal transaction.
- However, over the last two years, some WOWSC members have been vocal about certain elements of that 2015-2016 contract needing change. For example, an easement to the second half of the property was not drafted sufficiently for certain legal standards. And the contract's granting a right of first refusal to Friendship Homes for additional acreage caused concern. Per a mediated agreement, the amended and superseding contract approved on October 26th gained Friendship Homes' surrender of that right of first refusal. Friendship Homes also agreed to the desired easement and to properly record the easement to provide access to the remaining property owned by the WOWSC. As a result, WOWSC will once again own the remaining acreage free-and-clear, with full access to it from Piper Lane.
- WOWSC Boards have given much consideration to the sale price of the property. As mentioned, Board members in 2014-15 sought many expert opinions. Several appraisals have been conducted since then. They sought to ascertain the value of the property around the time of the 2016 sale. The current Board considered all of them. Different appraisers, representing different parties, valued the property at \$185,000 (for all 10.8 acres), \$221,000 (for 3.86 acres), and \$700,000 (for 3.86 acres). All the land described requires certain

development work and additional costs, such as installing fill, which have been a source of disagreement.

- In view of the appraisals, the proposal which passed on October 26th contained a negotiated revaluation of the property. The WOWSC will receive an additional \$20,000 from the title company. A portion of this will be paid now and the remainder will be held in trust until litigation ends.
- At the October 26 meeting, the current Board members expressed their concern that ongoing litigation is costing the WOWSC an extraordinary amount far exceeding our 2019 budget. To date, approximately \$95,000 has been spent on legal fees, mostly defending our corporation from two lawsuits brought against us by a few members. The litigants' requests for Public Information data also have cost our corporation substantial amounts in legal fees. As mentioned in previous letters, the litigants suing our corporation have not been successful in court. The options proposed by them are not viable from a risk-reward standpoint, possibly subjecting WOWSC to additional litigation, costs, and risks. One current Board member described his assessment at the October 26 meeting, saying that it's better to accept \$20,000 than to spend another \$100,000+ in litigation for the WOWSC to sue for a net gain of about \$40,000 (according to an appraisal) if we won the case. It did not make business sense.
- In addition, from an operational standpoint, litigation is too costly to the water corporation. Volunteer Board members spend too much time on legal issues and are diverted from focusing on the water delivery issues they were elected to oversee. The litigation has caused division in the neighborhood and it is hard to recruit and retain people to serve on our volunteer, unpaid board. The WOWSC Board expressed its sense that it would like to amend and supersede the 2015 transaction to resolve the litigation, conserve our resources, restore healthy neighborhood discussions and revisit a 5-year plan which has been ignored for the last three years.

The current WSC Board has been very vocal about its need to focus on our company's core business: providing water and sewer service to the people of Windermere Oaks. Our goal has been to keep the main thing the main thing. The legal subcommittee that mediated the agreement with Friendship Homes worked hard to negotiate the amended and superseding contract. In the end, after significant public deliberation, considering numerous and lengthy public comments at the October 26th meeting, the Board believed the terms of the amended, superseding contract are fair and in the best interest of the WSC.

There are numerous other issues of concern to a small group of members which we will hope to address in future communications with you, our members. We hope that you will reserve judgment before acting upon the wild rumors and innuendo that float around the neighborhood on these matters. We are pleased with the input, deliberations, and result of the October 26th meeting and believe they will further the interests of our neighborhood water company.

Sincerely,

Joe Gimenez, President

Mike Nelson, Secretary-Treasurer

Members of the WOWSC Legal Subcommittee



November 11, 2019

Dear WOWSC Member,

Regarding recent correspondence you may have received purporting to be a special-called membership meeting on November 23, 2019.

On behalf of the Board of Directors, this letter serves to notify you that this meeting was NOT called by the WOWSC Board of Directors, and while WOWSC members may call special members meetings, the members attempting to call this meeting failed to comply with WOWSC Bylaws and applicable state law.

The subject of this proposed meeting is a petition for the removal of Director and Board President Joe Gimenez. On October 9, 2019, the petition was properly filed with the Board containing signatures of over 10% of the WOWSC members. With those signatures, this is a valid removal petition. However, the petition itself and the writing filed with the Secretary/Treasurer to call a special-called membership meeting are separate, independent requirements. The petition itself made no mention of a special meeting, and served the sole purpose of initiating the removal petition process established in our Bylaws. Speaking to the petition itself, WOWSC Bylaw Article 8 Section 9 requires that written charges be presented to the Board Secretary/Treasurer, and that those written charges "must be accompanied by a petition signed by at least ten (10%) of the members of the Corporation."

Members may call special meetings of the membership, but such action requires at least 10% of the membership to support the calling of such a meeting, and this support must be indicated through a writing filed with the Secretary/Treasurer of the WOWSC. This provision exists to ensure that the statutory threshold of 10% of the membership required to call a special membership meeting has been met. This is an essential procedural requirement to ensure orderly conduct of WOWSC and membership activities, and the filing with the WOWSC Secretary/Treasurer, who maintains current membership lists among other duties, is necessary to accomplish that goal. Additional requirements and coordination with the Board are necessary given the unique nature of the recall petition and required membership meeting.

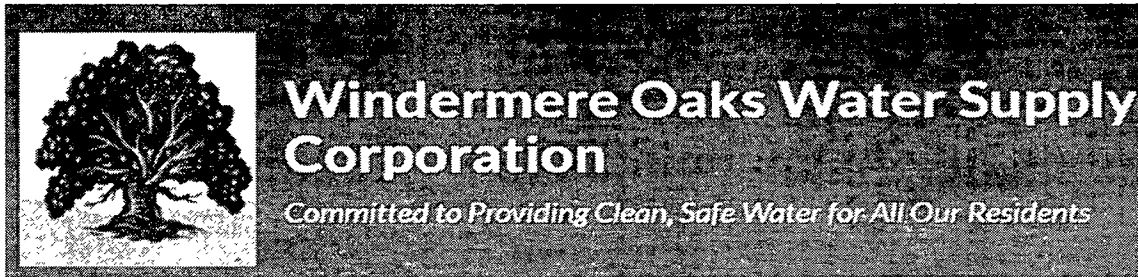
Again, a valid petition containing written charges with at least 10% of the members as signatories thereto was submitted to the Board on October 9, 2019. However, the Board is aware that the letter

sent to you asserted new, additional charges against Director Gimenez beyond those on the original petition. To be clear, the written charges accompanied by the signed petition are the only charges facing Director Gimenez pursuant to the applicable law and bylaws, and any subsequent attempt to add or expand such charges – without following the same petition process as was followed on October 9th – is invalid as to the existing petition proceeding. This requirement, that the charges be reflected in the petition itself, exists to protect the all parties, including WOWSC's members, so as to allow them to be fully aware of the charges with respect to which they may take the significant action of signing a petition to potentially remove one of WOWSC's directors. Those charges as presented in the petition to remove Director Gimenez are:

“Joe Gimenez’s fiduciary duties are compromised in representation of the members as President on both the WOPOA/WOWSC in addition to being elected as Public Information Officer where he receives \$5,000 annually from WOWSC.”

The Board will discuss proceedings, procedures, and meeting date(s)/time(s) related to the removal petition at the upcoming Board meeting on Thursday November 14th. We encourage all interested members to attend this meeting.

Bill Earnest – Vice President



December 3, 2019

Dear WOWSC member,

This letter serves as formal notice from the Windermere Oaks Water Supply Corporation Board of Directors of the Special Membership Meeting which shall be held on Saturday December 14th, 2019 at 9:00 AM at the Spicewood Community Center, 7901 County Road 404, Spicewood TX, 78669. The purpose of this special meeting is to hold a hearing on the petition to remove Director Joe Gimenez from the WOWSC Board. This correspondence also includes the Agenda for the December 14th Special Membership Meeting, as well as the official ballot for voting on the removal petition. You may either vote in person at the December 14th meeting, or by using the ballot included in this mailing and returning it to WOWSC in the return envelope (enclosed) as instructed on the ballot by December 13th. As a reminder, the charges facing Director Gimenez are those specifically presented in the petition to remove him, and are as follows:

“Joe Gimenez’s fiduciary duties are compromised in representation of the members as President on both the WOPOA/WOWSC in addition to being elected as Public Information Officer where he receives \$5,000 annually from WOWSC.”

The WOWSC Board strongly recommends that you attend the December 14th meeting to hear from both sides before voting on the petition to remove Director Gimenez.

I, Vice President Bill Earnest, am the Presiding Officer over this petition proceeding. At the start of the meeting, I will allow for member comments but only to the extent those comments are not construed as arguments or evidence regarding the charges facing Director Gimenez. Any such arguments, evidence, or any related comment shall be reserved for the formal portion of the proceeding designated for the Petitioners’ Representative to state the case for removal and to present and question any witnesses. To that end, I will require those members bringing the petition to remove Director Gimenez (the “Petitioners”) to designate a representative by the start of the meeting on December 14th. This representative may be one of the Petitioners or hired legal counsel, and who shall conduct the direct case and present all evidence, arguments, and shall call and question witnesses on behalf of the Petitioners.

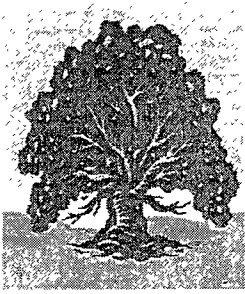
At the meeting, and following public comments, I will take appearances and the Petitioners’ representative should introduce him or herself for the record at that time. I will also make predicate Findings of Fact for the record (for example, a finding that a petition was duly submitted). Each side will then have one hour total to present their case to use as they see fit, which time will include any opening statement and closing argument, direct examination of witnesses called by the side, and cross-examination of witnesses called by the other side. As the Presiding Officer, I will keep time for both sides.

Sincerely,

Bill Earnest

Vice President of WOWSC and Presiding Officer of Removal Petition Proceeding

424 Coventry, Spicewood, Texas 78669



Windermere Oaks Water Supply Corporation

Attachment JG-13

Page 1 of 8

424 Coventry Rd
Spicewood, Texas 78669

2019 - 2020 Board of Directors:
Joe Gimenez, President
Bill Earnest, Vice President
Mike Nelson, Secretary/Treasurer
David Bertino, Director
Dorothy Taylor, Director

Windermere Oaks Water Supply Corporation (WOWSC) meeting held: Wednesday, October 9, 2019

2019 - 2020 Board Members Present: Bill Earnest, Joe Gimenez, Mike Nelson, Dorothy Taylor

Minutes

The meeting was called to order at 6:00PM by Joe Gimenez. A quorum was established with four Board Members present.

1. Mark McDonald: Submitted two signed hard copies of petition for removal of Joe Gimenez from the WOWSC Board
2. Patti Flunker: Joe Gimenez discussed harassment with her boss at TRWA. Patti Flunker quit her position at TRWA.
3. Dorothy Taylor is newest member of our WOWSC Board and took her seat following appointment by Board at September meeting.
4. David Bertino sent letter announcing his resignation:

October 9, 2019

To the WOWSC Board and Members,

I David A Bertino Jr effective October 9, 2019 tender my resignation on the WOWSC board. Due to my new duties at work and the direction of this board, I will not be able to fulfill the duties that are required as a WOWSC board member. Please except this letter of resignation, read it at the meeting, and document it in the Meeting minutes.

Sincerely,

David A Bertino Jr.

1.

5. **RULES FOR PUBLIC COMMENT** – Board will consider adopting a sign-up sheet for member comments on specific agenda items, with comments limited to three minutes. (Comments on non-agenda items will be accommodated in item 12).
 1. Limit of three minutes per item per person
 2. Member Comment
 1. Danny Flunker: Move member public comment to start of meeting
 3. Motion made and carried to adopt a sign-up sheet for member comments on specific agenda items, with comments limited to three minutes per person per item.

6. Christine Mulligan: Thanked Joe Gimenez for his service and reminded meeting attendees that our members voted him into office at our last election.
7. Review, consider and take action to approve minutes of prior meetings/
 1. September 18 Special Meeting Minutes
 1. Motion made and carried to approve the September 18th Special Board Meeting Minutes
 2. September 18 Regular Meeting Minutes
 1. Motion made and carried to approve the September 18th Regular Board Meeting Minutes
8. EFFLUENT WATER AGREEMENT WITH SPICEWOOD AIRPORT PILOTS ASSOCIATION – Consideration of contract amendments, if any, requested by SAPA. Motion to adopt contract was passed Sept. 18 meeting, pending future review and consideration of any requested amendments from SAPA.
 1. At our September 18, 2019 Board meeting, the Board approved the contract providing WOWSC's effluent water to SAPA.
 2. The Board president of SAPA signed the contract and noted one minor typo → added 'r' to the word "treasure" to make it "treasurer".
 3. Member Comment
 1. Janey Richardson:
 1. Will SAPA pay for the effluent water?
 1. Board's response: SAPA will pay for all expenses with regards to the project.
 2. Who is Andrew Heller?
 1. Board's response: Andrew Heller is President of the SAPA.
 2. Marsha Westerman: Will SAPA pay for the engineering study?
 1. Board's response: SAPA will pay for all expenses with regards to the project.
 3. Mark McDonald: Will existing pipe be used for the effluent?
 1. George's response: No. The project requires new piping.
 4. Robb Van Eman:
 1. Will SAPA contract be posted?
 1. Board's response: Board to ask attorneys if the contract should be posted.
 2. Who represented SAPA?
 1. Board's response: Gary Young and Dana Martin
 3. Requested copy of the contract
 1. Board's response: Please send reminder request
 4. Motion made and carried to approve updated contract providing WOWSC's effluent water to SAPA.
9. ETHICS AND CONFLICT OF INTEREST POLICY – Review and pass resolution memorializing Board action in adopting new Policy Governing Ethics and Conflicts of Interests, thereby binding all current and future Board members to the standards set forth in the Policy.
 1. Joe read the resolution for our new WOWSC Conflict of Interest Policy
 2. Board had approved our new WOWSC Conflict of Interest Policy at the September 18, 2019 Board meeting but resolution summarizing it was read.
 3. Member Comments:
 1. Mark McDonald:
 1. Where will the policy be kept?
 1. Board's response: Our new Conflict of Interest Policy will be kept on our website.
 2. Who determines what is a conflict of interest?
 1. Board's Response: The WOWSC Board decides what is a conflict of interest.
 2. Patti Flunker: Questioned why she needed to send a letter regarding WOWSC's Conflict of Interest Policy.
 3. Rob Van Eman: Any sanctions in policy?
 1. Board's response: Read policy for details
 4. Jade Winters: Who wrote our new policy?
 1. Board's response: Our attorneys provided a standard policy used by other water supply corporations they represent.

5. Mikki Bertino: Not all members come to our Board meetings
4. Motion made and carried to approve resolution
5. Dorothy to add signed resolution to website

10. SIX MONTH REVIEW OF PROGRESS IN 'KEEPING THE MAIN THING THE MAIN THING' -- Discussion about Board and water company accomplishments since March 9, 2019, including:

1. finishing repair of pumping barge
2. securing \$59,000 in insurance recovery for pump platform
3. getting approval for new, lower interest rate loan to pay off higher interest rate balloon note
4. applying to LCRA for investment matching for conservation project that reduces WOWSC water use
5. approving purchase and installment of generator for compliance with TCEQ
6. offering contract proposal to SAPA for increasing size of available dispersant fields for effluent water
7. establishing process for handling unprecedented number of Public Information Act requests (37)
8. establishing ETHICS AND CONFLICT OF INTEREST POLICY by Board vote and for adherence by future Boards
9. re-establishing annual meeting date to comply with bylaws
10. developing managerial report for Board oversight
11. status of annual budget
12. company goals for next six months

1. Member's Comments

1. Robb Van Eman: Missed a few items. WOWSC filed lawsuit against Texas Attorney General.
2. Janey Richardson: Can there be more communication sent out to all members from the Board?
3. Brad Davis: Can meetings be moved to Saturday?
4. Mikki Bertino: David Bertino went out on the river to find our missing barge, helped George to get the water turned back on quickly to the community, and saved thousands of dollars of cost to WOWSC.

11. MANAGER'S REPORT (George Burriss) --

1. LCRA CONSERVATION GRANT -- Manager to provide update on change in WOWSC contribution to LCRA Cost Sharing project for water conservation.
 1. Previous WOWSC share estimate for both projects was ~\$32K.
 2. George learned from the LCRA that the projected savings needs to be averaged over two years which increases WOWSC's cost to ~\$34K.
 3. Members Comments
 1. Mikki Bertino: How many years to recoup \$34K?
 1. Board's response: Estimate 3% return on money spent for both projects. Might be a little lower now as the estimated cost increased \$2000. Keeps WOWSC under existing contract avoiding renegotiation of LCRA contract.
 4. Motion made and carried for Joe to write a letter to LCRA stating WOWSC has the funds for these projects.
2. GENERATOR PURCHASE UPDATE--Manager will provide update on contract, deposit, schedule for installation.
 1. WOWSC paid \$35K to our supplier who placed an order for the generator.
3. COST ESTIMATES FOR FIVE YEAR PLANPROJECT--Progress on development of cost estimates for pre-treatment facility and other projects.
 1. WOWSC applied for \$500K loan from COBANK who approved it.
 2. Ten-year old cost estimate for pre-treatment clarifier was \$150K but the price has gone up considerably due to the increased cost of steel. Possibly \$400k.
 3. George is working on proposals with an engineer and is approaching other vendors for quotes
 4. WOWSC does not have a clarifier. WOWSC has a settling tank.
 5. Members Comments:
 1. Patti Flunker: Are we in good financial status? Rates were raised? Recommended COBANK as a lender to our Board in the past.

1. Board's response: Don't think today's members should pay up front for a large capital project that has a forty-year life span versus members pay for its lifetime. The COBANK loan will be used to pay-off our existing loan plus new projects over 20 years at a lower interest rate than our existing loan.
2. Mark McDonald: Standby fees
3. Danny Flunker: Why are airport lots not under standby fees?
4. REGULATORY COMPLIANCE—Manager will provide detailed overview of regulatory compliance services of Utilities Inc. and progress in maintaining compliance.
 1. Compliance is a function of many many details. Certificate of Convenience and Necessity with State of Texas enables WOWSC. WOWSC follows Chapter 290 of Texas State Code requirements including facility construction, operators capability, quality levels. George is of the opinion the State of Texas owns our utilities and allows WOWSC to operate them.
 1. George approaches the relationship with TCEQ as though they are the owner of our utilities, and we are the operator. George handed out a sample of our monthly operating report that is submitted to TCEQ monthly
 2. Copies of the report and test data are kept at our facilities for their yearly audit
 3. George showed our facilities' monitoring plan which the operators follow
 1. George shared monitoring plan with the Board
 4. How is WOWSC WTP doing?
 1. Consumer confidence report is on our website and is also posted at the WO pavilion. TCEQ compiles the consumer confidence report without review by WOWSC. No violations were reported.
 2. Each year TCEQ sends out a compliance enforcement officer who writes reports. Our last report stated WOWSC needed to paint the pipes in the pump room. The pipes were painted to the specified colors and pictures were then sent to TCEQ.
 5. SEWER SYSTEM PERMIT RENEWAL—Report status of renewal process.
 1. WTP permit expires every five years. Every five years the permit renewal process takes ~ one year. Received TCEQ response stating the permit request is administratively complete. George believes we are on track to receive our permit by end of year.
 6. EASEMENT RELEASE REQUEST—Update, easement release requesting Center Cove.
 7. Jeff Hagar and George learned WOWSC does not have easement rights inside the Center Cove lots. This is in the Center Cove Covenants amendments. No easement release is needed from WOWSC for work performed inside the lot lines. Members Comments:
 1. Earl Miller: Is effluent water monitored?
 1. George's response: Yes. All changes to WTP and WWTP require TCEQ approval. TCEQ takes core samples of effluent water spray fields.
12. Executive Session under Texas Government Code § 551.071(1) and (2) regarding: a. French, et al., Intervenor-plaintiffs and Double F Hangar Operations, LLC, et al. v. Friendship Homes & Hangars, LLC, Windermere Oaks WSC, et al., Cause No. 48292, 33rd Jud. Dist., Burnet County Dist. Ct.; and b. TOMA Integrity, Inc., et al. v. Windermere Oaks WSC, Cause No. 47531, 33rd Jud. Dist., Burnet County Dist. Ct., on appeal at 6th Ct. of Appeals, No. 06-19-00005-CV.c. Appeal of Attorney General ruling filed in Travis County Court in the case of WOWSC v The Honorable Ken Paxton, Attorney General of Texas, for protection of corporate rights and privileges during ongoing litigation.
 1. Entered session at 7:37PM
 2. Exited session at 8:14PM
 3. Members Comments
 1. Robb Van Eman:
 1. WOWSC attorneys have filed lawsuit against Texas Attorney General. Why did our attorneys sue the Texas Attorney General?
 2. What is the cost to sue the Texas Attorney General? What's in the budget?
 2. John Young: Loan needed to pay-off balloon payment.
 4. Motion made and carried to move this agenda topic up due to length of previous agenda topics and need to meet with lawyers when they are available

13. Consider and/or act on matters reviewed in the immediately preceding Executive Session agenda item.
1. Joe motioned to move agenda item "Member comments" before Board convened in executive session. Motion carried.
 2. Item B: TOMA filed with the Texas Supreme Court and our WOWSC attorneys responded to the Supreme Court that they will respond as needed (to save cost).
 3. Joe read the following statement:

STATEMENT REGARDING FILING IN TRAVIS COUNTY COURT

This past May, WOWSC received a Public Information Act request that requested our legal invoices from the time period covering the entirety of the WSC's lawsuit with TOMA Integrity.

At the advice of our attorneys, and for the sole purpose of asserting privileges lawfully available to us to protect our position during this litigation, WOWSC requested a ruling from the Attorney General that we could withhold these invoices under those privileges while the lawsuit is ongoing.

This past August, the Attorney General ruled that while we may redact certain information within those invoices, the remainder must be released.

Upon review of this ruling by our legal team, they determined that the Attorney General's office did *not* apply the privileges to the full extent authorized by law, and that compliance with the AG's August ruling would put the WSC at a disadvantage during the remainder of the lawsuit with TOMA Integrity.

Pursuant my authority as Board President and Public Information Officer and at the advice of our legal counsel, I directed our legal team to file an administrative appeal of the August Attorney General ruling to protect the rights of the WSC while the lawsuit remains ongoing.

This is not a new legal proceeding with the Attorney General, but rather an appeal of a staff attorney ruling in a matter now ongoing since May of this year.

The WOWSC board remains in compliance with the Open Meetings Act, and has followed the advice of its attorneys in doing so.

I will not comment any further on the specifics of pending litigation with TOMA Integrity and the interrelated appeal of the Attorney General's ruling, as that is detrimental to our legal rights as a corporation, the parties involved, and the membership.

Again and to be clear, this appeal involving the Attorney General is simply and solely to protect our position during the pendency of the underlying litigation with TOMA Integrity.

Were the request for privileged information to be withdrawn, the appeal of the Attorney General's decision would of course become moot.

Any request for information that *does not* request privileged information (as has been the case with almost all of the 37 PIA requests submitted to the WSC this year) has been processed and will be processed without the involvement of the Attorney General.

However, we cannot afford to jeopardize our legal position while the suit with TOMA Integrity remains ongoing.

The Board certainly finds it unfortunate and regrettable that the public dialogue is not productive, but of course every member should feel free to speak his or her mind as they see fit, and as always, may speak at public comment at any open meeting of the Board.

4. PIA response resolution was read:
 1. Resolution approving and authorizing the continuing defense of the WSC's position of protecting attorney-client privileged information in response to PIA requests, including maintaining all pending appeals in court, at the direction of the Board President/Public Information Officer.
 2. Limited and finite PIA appeals process for attorney client privilege
5. Member comment
 1. Robb Van Eman: Statement from attorney is misleading.
 2. Janey Richardson: Attorney invoices were requested.
 3. Mike Burdette: Throwing away money
 4. Danny Flunker: Filed PIA and sent response to Texas Attorney General
 5. Jade Winters: Should our attorneys file in Burnett County instead of Travis County?
6. Motion made and carried to approve resolution authorizing the continuing defense of the WSC's position of protecting attorney client privileged information in response to PIA requests including maintaining all pending appeals in court at the direction of the Board President/Public Information Officer.

14. FINANCIAL REPORT –Treasurer Mike Nelson to discuss monthly financial reports.

1. Dorothy found a \$1000 error on page 1 of the September report for MM+ (Money Market)
2. September Income: \$36.7K
 1. September Water + Sewer revenue: \$36.3K
 2. Year to date (YTD) Water + Sewer revenue at \$273.3K of YTD budget \$266.3K
 3. YTD Equity Buy-in Fees revenue at \$36.8K versus annual budget \$27.6K
 4. YTD Water & Sewer Taps revenue at \$15.5K versus annual budget \$10.4K
3. September Expenses: \$48.1K
 1. \$23.7K legal fees paid in September
4. September Net Income: (\$11.4K)
5. YTD Net Income: \$73.8K
6. YTD Legal/Appraisal at \$88.4K of annual budget \$38.0K
7. YTD Water + Sewer Repairs at \$20.6K of annual budget \$45.0K
8. September 2019 Metrics:
 1. Debt to Service Coverage Ratio (DSCR): (0.31)
 1. Three month rolling average: 0.93

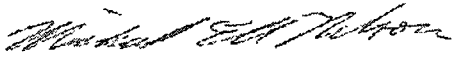
2. Debt to Capital Ratio: 0.16
 1. Three month rolling average: 0.16
3. Days of Cash on Hand: 219 days
 1. Three month rolling average: 220 days
9. September 2018 Metrics:
 1. DSCR: 0.20
 2. Debt to Capital Ratio: 0.19
 3. Days of Cash on Hand: 187 days
10. Member Comment
 1. Earl Miller: Do we keep income from taps and buy-in fees in separate accounts from WTP & WWTP?
 1. Board response: No
 2. Joe Gimenez: Cash on hand is very positive.
 3. Robb Van Eman: Any financial risk to WOWSC?
 4. Danny Flunker: Insurance did not cover TOMA legal expenses
11. Motion made and carried to accept the September Financial Report noting the \$1000 error on page 1 for MM+
15. ADOPTION OF ELECTION PROCEDURES FOR THE ANNUAL MEMBERS MEETING –Board will consider possible action needed to begin adoption of election procedures for 2020 annual meeting.
 1. Select credentials committee volunteer: Janey Richardson
 2. Motion made and carried for Janey Richardson, Mike Nelson, and Bill Earnest to comprise the credentials committee.
 1. Note: Two of the three Credentials committee members (Bill and Mike) were selected at the March 9 Board meeting. A third member was needed, so the Board accepted Janey Richardson.
16. Comments from citizens and members who have signed sign-up sheet to speak (3-minute limit per person).
 1. Joe Gimenez:
 1. Our WOWSC Bylaws provide in article 8 section 9 for removal of Board Member. Joe read part of the section to meeting attendees, advising that a hearing for removal would occur at a members' meeting and that the next members' meeting was the annual meeting.
 2. Annual Member Meeting is targeted for Saturday, February 1st.
 3. Review with our legal team the removal of a Board Member.
 2. Robb Van Eman:
 1. Bylaws allow members to call a special Member Meeting for removal of a Board Member.
 2. Requested Joe resign.
 3. Danny Flunker:
 1. Requested public comments be placed at beginning of Board meeting agenda.
 2. Provided attorney invoices had redactions.
 4. Sandy Nigh:
 1. Moved here one year ago. Legal fees are a concern.
 2. Requested meetings be moved to the weekends.
 5. Mikki Bertino:
 1. What is the process for members to call a special Members Meetings?
 1. Board's response: In our WOWSC Bylaws, a Majority of Memberships (50% plus one) is needed to call a special Members Meeting.
 2. Requested Board members' vote be entered into the meeting notes when it's not unanimous.
17. New business and discussion and possible action on agenda for next meeting.
 1. Y2020 WOWSC Annual Members Meeting and election procedures next steps
18. Set date, time, and place for next meeting

1. Saturday, October 26th, at 9:00AM

Attachment JG-13

Page 8 of 8

19. Motion made and carried to adjourn at 8:45PM



Submitted by: Mike Nelson

APPROVED BY WOWSC Board on December 19, 2019

Billing Questions: (830) 598-7511 Ext 1
Water or Sewer Emergency: Phone (830) 598-7511 Ext 2

If the response to WOWSC 2-14 is admit, admit or deny that it is Ratepayers' assertion that WOWSC will receive the highest value for its remaining property during the pending litigation over a previous property sale. If admit, please provide all documents association with this response.

Answer

Ratepayer Representatives admit that for many years, and up until the moment the Board approved the sale to Martin, the conventional wisdom was that the WOWSC would receive the highest value for its surplus property by actively marketing the property as a single tract.¹⁴ To the extent the WOWSC is no longer in a position to receive the highest value, that is because of the misconduct of its fiduciaries and not because of the pending litigation. Ratepayer Representatives also admit that the WOWSC is unlikely to receive the highest value for its remaining property unless it exposes such property for sale to the largest available market. So far as Ratepayer Representatives are aware, the remaining property has not been listed or marketed in any way. Finally, if it is accurate that the Board has neglected its duties concerning the closure of the old wastewater treatment plant which is located on the remaining tract, then Ratepayer Representatives admit that the company is unlikely to receive the highest value for its remaining property as a result of that neglect.

Prepared by: Josie Fuller & Patti Flunker; Sponsored by: Josie Fuller & Patti Flunker

WOWSC 2-16

Admit or deny that Ratepayer Representative Patti Flunker resides in the same house as Daniel Flunker, former registered principal of TOMA Integrity, Inc.

Answer

Admit

Prepared by: Patti Flunker; Sponsored by: Patti Flunker

WOWSC 2-17

Admit or deny that Ratepayer Representatives signed a Petition to remove Joe Gimenez from the Board of Directors of WOWSC in 2019.

Answer

Admit. Ratepayers Representatives, like all other Members, have that right under the Windermere Oaks Water Supply Corporation Bylaws

Prepared by: Josie Fuller & Patti Flunker; Sponsored by: Josie Fuller & Patti Flunker

¹⁴ https://www.wowsc.org/documents/778/2015-03-16_WOWSC_Minutes_Ap.pdf

WOWSC RFI No. 1-6

Provide all correspondence between Josie Fuller and Patti Flunker and the named plaintiffs in Cause No. 48929, in the 33rd Judicial District of Burnet County, Texas, Dick Dial, Bruce Sorgen, and Rene Ffrench, regarding WOWSC operations, services, litigation fees, board members, and rates from 2017 to present.

RESPONSE: Ratepayer Representatives understand this request to encompass correspondence regarding the items their petition calls into issue: the WOWSC's legal fees and its rate study methodology. In light of the WOWSC's recent pronouncement that the information allegedly sought through in a "coordinated effort" posed no strategic or other threat to its position in other proceedings, the matter of motive (ulterior or otherwise) is not a factor in the "reasonableness" analysis to be applied here. Pursuant to the ALJ's order, Ratepayer Representative are producing nonprivileged responsive documents pertaining to the matters in issue. They have also provided a revised privilege log. The Responsive documents are attached as Ratepayers Exhibit B

PREPARERS: JOSIE FULLER AND PATTI FLUNKER

WITNESSES: JOSIE FULLER AND PATTI FLUNKER

EXHIBIT B

To: [Flunker, Patti](#)
Subject: FW: Have y'all seen this ?? !!
Date: Friday, February 26, 2021 2:54:25 PM
Attachments: [Application for Board -- Joe Gimenez 2021\[4731\].pdf](#)
[email Re Application for 2021 Board Gimenez 100 words\[4730\].pdf](#)

WARNING: EXTERNAL SENDER. Always be cautious when clicking links or opening attachments. NEVER provide your user ID or password.

Sent from my T-Mobile 4G LTE Device

----- Original message -----

From: Dick Dial <yaller9erdd@gmail.com>

Date: 2/26/21 2:45 PM (GMT-06:00)

To: patti flunker <patriciaflunker@yahoo.com>, Josie Fuller <josiefuller1@gmail.com>

Subject: Have y'all seen this ?? !!

VERY INTERESTING !!!

Sent from [Mail](#) for Windows 10

Joe Gimenez

Re: Application for 2021 Board

February 11, 2021 at 9:59 AM

Dorothy Taylor



Thank you Dorothy. Here is a revised statement at 99 words.

It has been a great honor to serve this volunteer Board to benefit the Windermere Oaks and airport communities. Many unsung heroes – especially Dorothy Taylor, Bill Earnest, Pat Mulligan, and our water manager George Burriss – deserve praise and gratitude for our clean and flawless water. Our 2019-2020 Board has accomplished much: generator, loan for clarifier, positive financial health assessments. Keep Gimenez, Nelson, Schaefer to continue progress. It is mind boggling as to why a small group has set out to destroy our neighborhood gem. Fuller, Hicks, and McDonald are in that group. Don't let them destroy our future.

On Thu, Feb 11, 2021 at 9:34 AM Dorothy Taylor <dtaylor27@me.com> wrote:

Joe,

The credentials committee has noticed that your personal statement on the Director application is over the 100 word limit.

Below is what I received, please resend with 100 word or less for me to include in the election packet.

Dorothy

It has been a great honor to serve on this volunteer Board that serves our community. The many unsung heroes – in particular Dorothy Taylor, Bill Earnest, Pat Mulligan, and especially our water manager George Burriss, deserve praise and gratitude for the decades of service they've combined to provide us. It is mind boggling as to why a small group of people seem to have set out to destroy our water company in so many ways. Three people who are also candidates – Fuller, Hicks, and McDonald – are part of that crew. Please learn about the 2019-2020 Board, it's accomplishments. DON'T BELIEVE THE SMALL GROUP trying to destroy WOWSC!

On Feb 8, 2021, at 11:36 AM, Joe Gimenez <1129jig@gmail.com> wrote:

Dorothy,

Please confirm receipt of this email.

Thank you.

Joe

<Application for Board Joe Gimenez 2021.pdf>

APPLICATION FOR BOARD OF DIRECTOR'S POSITION OF THE WINDERMERE OAKS WATER SUPPLY CORPORATION ("CORPORATION")

This application form must be completed and submitted by 5:00 pm on February 10, 2021 to the Corporation to the attention of the Credential Committee, WOWSC at 424 Coventry, Spicewood, TX 78669 or by email to: Place5@wowsc.org for the applicant's name to be placed on the ballot.

Section 1

Biographical Information

Applicant's Name: JOE GIMENEZ

Mailing Address: 345 Coventry Rd Spicewood TX 78669

Service Address:
(if different than mailing address):

Phone #: 713-478-8034 Email: 1129jjg@gmail.com

Water Supply Corporation Member Since: 2014

(if any interruptions in years of service, please list) _____

Section 2

Director Position Sought: Director #1
FOR DIRECTOR #1, DIRECTOR #2, or FOR DIRECTOR #3

Experience/Qualifications (will be printed and sent to members with ballot)

Previous Committee/Community Involvement/Director, etc.

Experience: President, Windermere Oaks Water Supply Corp., 2019-2021

President, Windermere Oaks Property Owners Assoc., ~~2019-2020~~ 2020

Treasurer, Windermere Oaks Property Owners Assoc., 2016-2019

President, Lake Hills Community Assoc., 2008-2012

Treasurer, Lake Hills Community Assoc., 2006-2008

Professional Experience: JOE GIMENEZ is an advisor and counselor to multibillion dollar pension funds, software companies, healthcare companies and oil and gas companies. He consults them on setting and achieving goals that increase their business opportunities, manage change, and respond to crises.

Education: Masters, George Mason University, International Transactions
Bachelors, Southwestern University, History and English
Graduate, Strake Jesuit College Preparatory

Section 3

Personal Statement (will be printed and sent to members with ballot, 100-word limit):

It has been a great honor to serve on this volunteer Board that serves our community. The many unsung heroes - ^{in particular} Dorothy Taylor, Bill Earnest, Pat Mulligan, - and especially our water manager George Burris, deserve praise and gratitude for the decades of service they've combined to provide us. It is mind boggling as to why a small group of people seem to have set out to destroy our water company in so many ways. ~~But~~ ^{Three} people who are also candidates - Fuller, Hicks, and McDonald - are part of that crew. Please learn about the 2019-2020 Board its accomplishments. DON'T BELIEVE THE SMALL GROUP TRYING TO DESTROY WOWSC!

Section 4

Affirmation and Pledge to Serve:

I, JOE GIMENEZ (applicant's name) will be at least 18 years of age on the first day of the director term; am a member of the Corporation; have not been determined by a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote; and have not been finally convicted of a felony. (See Texas Water Code, Section 67.0051)

I have reviewed the Corporation's bylaws and certificate of formation and I meet the qualifications set forth therein and if elected I agree to comply with all governing documents, board policies and complete Texas Open Meetings Act Training within ninety days of my election date.

Additionally, if elected, I pledge to serve in a director position on the Corporation's Board of Directors, and will do my best to attend all meetings, regular or special, as designated by the board.

Under penalties of perjury, I declare that I have reviewed the information presented in this Application, including accompanying documents, and to the best of my knowledge and belief, the information is true, correct and complete.

Signature of Applicant

Joseph J "Joe" Martinez Date 2/8/21

(The Corporation Bylaws, Certificate of Formation and Board Policies can be found at wowsc.org)

Re: Open Records Request

From: Dick Dial (jrdial@hal-pc.org)

To: patriciaflunker@yahoo.com

Date: Tuesday, March 27, 2018, 3:37 AM CDT

What address does it show for Richard Stuart, he did not think he had received a ballot?

Sent from my iPad

On Mar 26, 2018, at 10:03 PM, patriciaflunker <patriciaflunker@yahoo.com> wrote:

Not sure why everything is a game

Sent from my T-Mobile 4G LTE Device

----- Original message -----

From: patriciaflunker <patriciaflunker@yahoo.com>

Date: 3/26/18 9:50 PM (GMT-06:00)

To: Dorothy Taylor <dorothy@tstar.net>

Cc: George Burriss <watermqml@yahoo.com>, Jerry Ingham <jyingham80@gmail.com>, Bill Billingsley Jr <lcbaviation@hotmail.com>, Bill Stein <wp_stein@yahoo.com>, Jeff Hagar <jcft.hagar@gmail.com>

Subject: Re: Open Records Request

Dorothy

I appreciate you getting me the members list, I did receive it in the mail today. I want to make you aware that this is not a members list but a Windermere Oaks Water Supply service list. There are many members listed that only have a lot number used as their address. Not sure if this is an oversight or if this is the actual list that the wsc uses to send out bills, hopefully it is not as I see many mistakes. Please let me know when I can get the correct list which includes the members name and their mailing address.

Patti

Sent from my T-Mobile 4G LTE Device

Fwd: Windermere Oaks Update

From: Bruce Sorgen (ssorgen@msn.com)

To: patriciaflunker@yahoo.com

Cc: dflunker@gmail.com

Date: Thursday, February 25, 2021, 3:40 PM CST

Sent from my iPhone

Begin forwarded message:

To: Bruce Sorgen <ssorgen@msn.com>
Subject: **Windermere Oaks Update**

I'm sure others have sent to you, but just in case.

----- Forwarded Message -----

Subject: Windermere Oaks Update

Date: Thu, 25 Feb 2021 11:15:06 -0600

From: Friends of Windermere Oaks <savewindermereoaks@gmail.com>

To: savewindermereoaks@gmail.com

February
2021

Dear

long-time Windermere Friends & Neighbors:

The

Annual Election of Directors for Windermere

Oaks Water Supply Corporation (WOWSC), aka: "our water company" is around the corner and your vote is important. Your ballot will soon arrive in your mailbox. Please vote.

We

have 3 Directors: **Joe**

Gimenez / Mike Nelson / Rich Schaefer

who have been doing an absolutely "over-the-top" fantastic job (see below or check wowsc.org) running our water company.

There

are 3 "other" nominees on the slate who support harassment of our water company via unwarranted assaults that have resulted in near HALF-MILLION dollars of legal expense over 4 years. This is what has increased your rates (\$700 out of your pocket in 2020).

(see: [COSTS](#))

As

you may know, our water company, the WOWSC, is operated by "volunteer" Directors and is a non-profit corporation. Rates are based solely on costs, not profit. When costs are down, rates are down. When costs (lawsuits, petitions, etc.) are up, rates are increased to YOU. We control this with our choice of Directors.

The

"other" candidates are "friends of" a handful of bullies who have worked to cost us with their actions. They claim they will reduce rates by stopping the lawsuits. If they have the power to do this for us, why have they not already done so??? They also have

voiced a desire to sell our water company - an action which would establish even higher rates to us over the long term! Two of these nominees (McDonald & Fuller) have been initiators of actions that are now directly affecting your water rates.

(see:

COSTS).

The

litigants have worked to bombard us with

twisted information & inflammatory propaganda. Their

"friends" do not have the experience running a water company, and worse, they do not have YOUR best interest in mind.

They support attacks which are based on personal vendettas and we have been paying for this! (See:

HISTORY)

We are the victims of the litigants.

The litigants are using OUR

MONEY

for their grudges.

Please

support the

people who are actually

working to build our community, not those

whose efforts tear it down and act to divide us. Keep the "good guys" in.

Re-elect:

Mike Nelson | Joe Gimenez | Rich

Schaefer

By

the way, the above-mentioned volunteer Directors have seen to it that clean water comes to you and your dirty stuff goes out. They have progressed facility operations, budgeted for greater capacity to handle growth, promoted conservation, arranged for equipment

(thanks to their purchase of the generator, power to the water plant had minimal interruption during the recent snow days) and they have also been tackling the monumental challenge of invasive Zebra Mussels which plagues all lakes in Texas. They did a fantastic

job communicating & handling the recent unexpected snowpocalypse. And, as if running a water company wasn't enough, our Directors have also kept the WOWSC solvent during the costly attacks of the last few years.

Look

for your ballot in the mail and please act to return it promptly. Support Windermere Oaks neighborhood! Vote for the good guys: Nelson / Gimenez / Schaefer!

Sincerely,

Your

long-time neighbors

see:

HISTORY

/ **FAQs**

/ **COSTS**

Handful of litigants = HALF-MILLION

Dollars . . . 100% of us pay for it!

RE: Open Records Request

From: J. R. (Dick) Dial (jrdial@hal-pc.org)

To: patriciaflunker@yahoo.com

Date: Wednesday, March 21, 2018, 9:43 AM CDT

Short answer is NO, never ends, dumb me is I thought Dorothy would do the smart thing and listen to advice from TRWA and not in my humble opinion what is a shyster "attorney" running the clock and giving bad advice.

From: patti flunker [mailto:patriciaflunker@yahoo.com]

Sent: Tuesday, March 20, 2018 3:19 PM

To: Mister Flunker; Bruce Sorgen; Robb Van Eman; Dick Dial; Judy Carmichael; Micki Bertino; Norman Morse

Subject: Fw: Open Records Request

Does it ever end with these people? Dorothy has this "Queen" mentality.

----- Forwarded Message -----

From: patti flunker <patriciaflunker@yahoo.com>

To: Dorothy Taylor <dorothy@lstar.net>

Cc: George Burriss <watermgmt@yahoo.com>; Jerry Ingham <jyingham80@gmail.com>; Bill Billingsley Jr <lbaviation@hotmail.com>; Bill Stein <wp.stein@yahoo.com>; Jeff Hagar <jeff.hagar@gmail.com>

Sent: Tuesday, March 20, 2018 3:16 PM

Subject: Re: Open Records Request

Dorothy,

Thank you for your response to my request. Please let me know what the cost will be and I will promptly get this payment to the corporation.

I would be remiss not to debunk your misleading statements in your email. The email you are referring to that I sent out back in 2017 was related to the Windermere Property Owners Association sharing confidential information not the WSC. The POA is not subject to the Texas Public Information Act, and thus there is more confidentiality with member personal information as opposed to the WSC. Please remember these are two completely different entities subject to different laws. The WSC is considered a "government entity" and as such is subject to the Texas Open Meetings Act and the Texas Public Information Act.

I was led to believe that George Burriss was the PIA Officer, hence why the originally request email was sent to

him. Moving forward I will make sure I address any additional open records request to you, the Certified Public Information Officer for the WSC.

I am concerned as a member of the WSC that the board is spending unwarranted money on legal fees to get an opinion on something that the Texas Attorney offers free advice on such as PIA requests. As you know from taking the required PIA training, towards the end of the video the presenter states "we offer free legal advice for any questions related to PIA requests". A simple call the to the Texas Attorney – Open Government Hotline at 512-476-6736 would have been free.

Finally, my open records request was made as a WOPOA member, it came from my personal email, not my work email address. Maybe George or you should have clarified this with me prior to the attorney calling TRWA. Nevertheless, because you and or George negligently miscommunicated to the attorney that I was making this request as TRWA staff member does not excuse this violation of the PIA. I guess you would probably considered this an oversight just like you stated to the members in a meeting last year that it was an oversight that the board forgot to list the sale of the airport property on the agenda.

Sincerely,

Patti Flunker

- - -

From: Dorothy Taylor <dorothy@tstar.net>

To: Patti Flunker <patriciaflunker@yahoo.com>

Cc: George Burriss <watermgmt@yahoo.com>; Jerry Ingham <jyingham80@gmail.com>; Bill Billingsley Jr <lcbaviation@hotmail.com>; Bill Stein <wp_stein@yahoo.com>; Jeff Hagar <jeff.hagar@gmail.com>

Sent: Monday, March 19, 2018 8:06 PM

Subject: Re: Open Records Request

Patti,

As Board President I am the officer of Public Information and I will get you the information that you requested.

Given your concern regarding "Privacy" issues in your emails back in December 2017 regarding release of information, I sought legal advice before considering the release of the list of WOWSC members and their addresses.

I had reached out to TRWA regarding some WOWSC election and ballot questions, since you are not allowed to consult with us, I was told that I would need to have our attorney contact your supervisor.

If the attorney inquired about the request, it was probably to ask why a TRWA employee was asking for information about a TRWA member.

I will be able to get that information in the mail to you in the next several days.

Thanks
Dorothy

On Mar 18, 2018, at 4:53 PM, patti flunker <patriciaflunker@yahoo.com> wrote:

One week ago I made an open records request as a "wowsc member". As of today I have not received any communication back related to the request below. Please advise me on when this information will be ready and what the cost will be. This is not a burdensome request. Also, just incase you are unfamiliar with the Texas Public Information Act (which you can download your own copy at https://texasattorneygeneral.gov/files/og/PIA_handbook_2018.pdf) you are prohibited from asking me why I am making this request. That includes having your current attorney call my sperviosr at TRWA to inquire on why as a WOWSC Member I am making this request, surely I would expect an attorney would know this is a violation of the Public Information Act.

Please let me know when I can expect to obtain this information and the amount I will owe to the system. Thank you for your time.

Patti Flunker, WOWSC Member

On Sunday, March 11, 2018, 6:47:05 PM CDT, patti flunker <patriciaflunker@yahoo.com> wrote:

George,
I wanted to make an open records request of the WOWSC Members. The only information I am requesting is the members names and address, no other information is needed. This request is being made per the rights afforded to me by Texas Open Meetings Act, the WOWSC Tariff and Texas Utility Code.
Thanks and hope all is well.

Sincerely,

Patti



Virus-free. www.avast.com

Re: Risk Psychology: The Ethics of Business

From: Bruce Sorgen (ssorgen@msn.com)

To: robbve@gmail.com

Cc: dflunker@gmail.com; jrdial@hal-pc.org; jlcarmichael123@gmail.com; lrffrench@gmail.com; patriciaflunker@yahoo.com

Date: Friday, November 8, 2019, 12:10 PM CST

Absolutely

Sent from my iPhone

On Nov 8, 2019, at 12:08, Robb Van Eman <robbve@gmail.com> wrote:

Maybe he should get a printed copy of his article and a copy of the lawsuit in the same envelope in the mail?

On Fri, Nov 8, 2019 at 10:06 AM Mister Flunker <dflunker@gmail.com> wrote:

Oh man, This is rich!

----- Forwarded message -----

From: **Dana J. Martin** <friends@tstar.net>

Date: Tue, Aug 7, 2012 at 9:50 AM

Subject: Risk Psychology: The Ethics of Business

To: Dana Martin <friends@tstar.net>

Dear Friends,

Thought you might enjoy reading the recently published article by my brother-in-law, Gordon Goodman, for GARP, a well respected risk management association. He has several published articles with them.

Sincerely,
Dana

--
~Robb

Robb S. Van Eman
+1.512.484.3090 (m)

RE: meeting tonight

From: J. R. (Dick) Dial (jrdial@hal-pc.org)

To: patriciaflunker@yahoo.com; dflunker@gmail.com; lrfrench@gmail.com; ssorgen@msn.com; wylievol@tstar.net

Date: Sunday, February 10, 2019, 10:13 AM CST

How well I remember

9erDD

From: patti flunker [mailto:patriciaflunker@yahoo.com]
Sent: Sunday, February 10, 2019 10:08 AM
To: Dick Dial; Mister Flunker; Rene Ffrench; Bruce Sorgen; ERF Customer
Subject: Fw: meeting tonight

This is when the board voting Dorothy to be the President and low and behold Pat decides he's calling a meeting to change that after Dorothy had already been elected, says he'll quit if he can't be pres

----- Forwarded Message -----

From: BILL Earnest <313kendall@gmail.com>
To: "patriciaflunker@yahoo.com" <patriciaflunker@yahoo.com>
Sent: Sunday, May 4, 2014, 10:37:13 PM CDT
Subject: Fwd: meeting tonight

Sent from my iPad

Begin forwarded message:

From: Pat Mulligan <patrickmulligan@gmail.com>
Date: May 1, 2014 at 5:13:05 PM CDT
To: Dorothy Taylor <dorothy@tstar.net>
Cc: Mike Madden <mmadden@tstar.net>, Scott Penner <scottpenner@tstar.net>, Bill Earnest <313kendall@gmail.com>

Subject: Re: meeting tonight

I do not remember that I had mentioned Wednesday night. I apologize, It's been a difficult week. I still believe that you should take over as President but the WWTP has a lot of moving parts and I believe it's in the best interest of the community that I wrap it up before taking a back seat. At that time I think it will be important to define the roles to match our bylaws or change the bylaws to match the way that it has been run for the last many years. In the meantime I will make an effort to be more transparent.

Pat Mulligan,
Vistage International
patrickjmulligan@gmail.com
www.patrickjmulligan.com
Cell (512) 573 0311

Sent from my iPhone

On May 1, 2014, at 4:41 PM, Dorothy Taylor <dorothy@tstai.net> wrote:

I just wanted to state -- I won't be attending the meeting at 6pm.

On Monday, I was told by Pat that he was going to call a special meeting on Wednesday and I was never asked if I was available for a Thursday evening meeting.

I have had plans for months to go out of town today

As you all know I have made it clear to Pat for quite some time that I was not comfortable with the "Treasurer" title since Pat has done all of the financial work. (And done a great job of it.)

Obviously there was a meeting and a vote at Saturday's Board meeting to change the Officer roles of the WOWSC Board.

After Pat's reflection, he has said he will resign if he does not continue to be the President, I do not feel it is in the best interest of the Board and the neighborhood to argue.

I had hoped that since Pat has discussed with me for over a year that he was hoping that I would take over as President that this would have been a great transition period for me to gain more knowledge while Pat is still involved.

Have a good meeting. Talk to you next week.

Dorothy



Virus-free. www.avast.com

FW: Member??

From: BILL SAATHOFF (satcoaviation@msn.com)
To: patriciaflunker@yahoo.com
Date: Friday, March 10, 2017, 8:39 PM CST

Sent from Mail for Windows 10

From: BILL SAATHOFF
Sent: Friday, March 10, 2017 7:12 AM
To: Bill Doffing; (Bruce) stuart Sorgen
Subject: FW: Member??

OK,
That's That.

Sent from Mail for Windows 10

From: Dana Martin
Sent: Friday, March 10, 2017 6:57 AM
To: BILL SAATHOFF
Subject: Re: Member??

I understand...OK

Dana

On Fri, Mar 10, 2017 at 6:46 AM, BILL SAATHOFF <satcoaviation@msn.com> wrote:

No Dana, I won't sign this. It is not accurate and those were not my exate words. It is true that I did sign the petition, but I was NOT cohersed. I withdrew my name because I felt, after reconsideration, that perhaps you were right, I was not qualified to sign the petition AND I don't want to be a part of the bickering among the members. We have known one another for many years but I won't allow you or anyone else to drag me into this "Cat Fight".

Anyway, as you told me, "Your not a member and have no say."

Lets just leave it at that, shall we?

Respectfully

Bill Saathoff

Sent from Mail for Windows 10

From: Dana J. Martin

Sent: Wednesday, March 8, 2017 6:55 PM

To: Bill Saathoff

Subject: WOWSC Affidavit from Bill Saathoff

Bill,

Trying to get a few things in order for the Water Board meeting this Saturday. It's the meeting to recall me as a Board of Director.

Is there any way you would consider signing this? It's stating what you told me you were told.

I probably wont use it but would like to have it just in case. It's just telling the truth.

Thank you so much,

Dana

Sent from Mail for Windows 10



WOWSC Affidavit from Bill Saathoff.pdf

86.9kB

May 26, 2020

Windermere Oaks Ratepayers
12400 Highway 71 West, #350-203
Austin, Texas 78738

Sheriff Calvin Boyd
Burnet County Sheriff's Department
1601 E. Polk Street
Burnet, Texas 78611

Dear Sheriff Calvin Boyd,

We are writing to you on behalf of dozens of very concerned citizens and members of Windermere Oaks Water Supply Corp. (WOWSC). We all firmly believe that serious crimes have been committed by former and now current directors against the corporation and the ratepayers. We believe this criminal activity is ongoing and has the earmarks of organized criminal activity due to the nature of events along a lengthy timeline and unbelievable anomalies that extend from 2013 to today's date. These crimes include fraud, theft by a fiduciary, and electioneering just to name a few of the illegal acts. We realize these are serious allegations, however WE strongly believe they merit an investigation by law enforcement.

We are attaching what we are calling "Anomalies Regarding the Insider Land Sale of 2016." The insider land deal is a land sale transaction from 2016 where a sitting WOWSC Director and Vice President (Dana Martin) acquired very valuable WOWSC airport land in connection with a lengthy conspiracy, in absolute secrecy, at an incredible discount through multiple violations of Texas law. When an organization called TOMA Integrity filed suit for violations of the Texas Open Meetings Act, the WOWSC insurance carrier refused to defend the WOWSC due to its directors' violations of state law. The Burnet County District Court found that multiple TOMA violations had been committed in connection with the insider land deal.

When the WOWSC nonetheless continued to expend scarce member resources to defend the unlawful acts of its directors, individual members filed suit to require that the WOWSC be made whole or that its errant directors be held accountable for the loss, which is at least \$500,000 - \$1 million dollars for the ratepayers of the WOWSC. That suit is currently pending in Burnet County District Court.

In 2018 a new WOWSC board hired a forensic appraiser to establish the approximate dollar amount that the WOWSC lost on the insider land deal. They estimated the immediate loss at over \$1 million. In January of 2019, after having a WOWSC town hall meeting and having received a legal analysis that highlighted the wrongful conduct and the unfairness of the transaction, that board made demand on Martin. A copy of the demand letter written by the WOWSC's outside counsel is attached hereto.

Although immediate action was warranted based on the conclusions of the WOWSC's independent legal and valuation experts, none was taken. Instead, the annual meeting and election of directors was abruptly and inexplicably moved up by six weeks. Martin, the director that reaped the rewards of this insider land deal, campaigned vigorously for former director Bill Earnest (who was involved in the 2016 insider land deal) and another crony, Joe Gimenez. Earnest stated at the time he had one thing left to accomplish as WOWSC director, then he would be done. It was at this time we found out the WOWSC headquarters was broken into during the ballot collection period but could get no information from the WOWSC board

about what was taken or disturbed. In March, Earnest and Gimenez were elected to the board. Gimenez was appointed President and Earnest was appointed Vice President. Under their leadership, the board did a complete 180. They completely disregarded the forensic appraisal and outside counsel's legal analysis as set forth in the demand letter. They removed director Norm Morse and replaced him with another former director (Dorothy Taylor) with ties to some of the anomalies and who was the original whistle blower to the insider land deal. We still have no answers as to why Morse stopped coming to meetings, another strange coincidence? Later, the former WOWSC president abruptly resigned. His statement said in part he did not like the direction the board was going in.

In August of 2019 a member requested attorney fee bills in a public information request. The WOWSC board asked the Attorney General for a decision. The Attorney general decision was for the WOWSC to make most of the information available. The board caused the WOWSC to file a lawsuit against Attorney General Ken Paxton in an effort to conceal the information.

The Board continued to take no action to recover the members' loss from the 2016 insider land transaction. In September, more than 26% of members signed a petition to remove Gimenez from the Board. The directors spent over \$15,000 of the members' resources to retain Gimenez as the Board President.

In October 2019 the board inexplicably gave away even more valuable WOWSC property (the 0.5151 acre Piper Lane taxiway) for no consideration and left the original insider land deal intact with nominal changes. Martin claimed the additional land was omitted by mistake, but the contemporaneous documentation strongly suggests otherwise. Moreover, in sworn deposition testimony the WOWSC president at the time of the insider land deal stated that Piper Lane was never mentioned as part of the deal. Martin, an experienced and sophisticated real estate professional in charge of every aspect of the 2016 transaction, did not make a "mistake." Now, however, she owns the entire taxiway and the WOWSC has still lost more than \$1 million!

In November Bill Earnest recommended Patricia Gerino, a dear friend, former business partner and airport board director with Martin, into taking David Bertino's position on the Board. The board voted unanimously in favor.

The October "settlement" that purported to solidify the 2016 insider land deal and to give away even more valuable WOWSC property for Martin's benefit must have been Earnest's "one thing left to accomplish," as he submitted his resignation shortly thereafter. Almost immediately, Earnest became the owner of a hangar lot adjacent to the WOWSC property Martin acquired in 2016 and claimed the benefit of a 2015 easement that was never approved by the WOWSC Board. Earnest's handpicked successor on the Board was Rich Schaefer, a good friend of Martin and fellow pilot association director with both Martin and Patricia Gerino.

During 2019, the directors spent a grotesque amount of the members' money (roughly \$210,000) trying to prevent the members from recovering their property or its value and to avoid being held accountable themselves for the loss. The directors have spent nothing to look out for the interests of the members-rate payers.

As a result, the 2020 WOWSC board, now loaded up with Martin's cronies, raised the water and sewer rates an amazing 71%. This increase was purportedly to cover the massive legal fees spent to defend the malfeasance and nonfeasance of current and former directors. This may very well be the largest single rate increase in the history of water supply corporations.

Once again, the members took a stand: they filed a petition, signed by 30 percent of the ratepayers/members, with the Public Utility Commission to appeal the astounding rate increase. It is important to note that WOWSC director Patricia Gerino filed a PUC rate appeal where she resides for a paltry 50% rate increase by Corix. More anomalies! The directors have stated they are prepared to spend another six figures fighting the rate appeal.

The WOWSC Board acknowledged long ago its fiduciary duty to the member/ratepayers to sell the WOWSC's surplus airport property for the highest price obtainable. Had they done so, today the WOWSC would be debt free with money left over. Because the 2016 Board broke the law and disregarded their duties, the member/ratepayers lost more than \$1 million when the insider land deal closed. Later Boards received hard evidence of the wrongful conduct and the financial loss, but those directors did nothing to correct it. To the contrary, they spent WOWSC resources to protect Martin and the directors who caused the loss and to prevent the member/ratepayers from recovering their property or its value. The October 2019 Board had a golden opportunity to make the member/ratepayers whole, but instead those directors gave away even more valuable WOWSC property with absolutely nothing to show for it. All the while, these directors have been defending their wrongful conduct with the member/ratepayers' resources. These actions are illegal, fraudulent, criminal and in derogation of the directors' duties under applicable law. The recent rate increase is just the tip of the very costly and harmful iceberg these directors have created.

We are requesting, in fact begging OUR Sheriff Calvin Boyd, OUR District Attorney Sonny McAfee, the Texas Rangers and the Criminal Investigations Division of the Texas Attorney General to take a long hard serious look into what appears to us to be FRAUD and Organized Crime and the continued victimization of the good people of our little community by a handful of self-serving people that have shown zero regard for the very people they got themselves elected to serve.

Sincerely,

WOWSC Members and Concerned Citizens

| | |
|------------------|---------------------|
| Rene Ffrench | Allen Hicks |
| Dick Dial | Judy Carmichael |
| Danny Flunker | James Murdoch |
| Bruce Sorgen | Mark McDonald |
| Bill Billingsley | Michele Christenson |
| William Stein | John Otwell |

cc: U.S. Congressman, Roger Williams
 Texas State Senator, Dr. Dawn Buckingham
 Burnet County District Attorney's Office c/o Sonny McAfee
 Texas Attorney General - Criminal Investigation Division
 Texas -Department of Public Safety - Texas Rangers Public Corruption Unit
 KXAN News Erin Cargile
 KVUE News - Defenders
 Austin American Statesman c/o Andrea Ball

attachment

List of Anomalies Regarding the 2016 Insider Land Deal**2013**

- **2013** A dispute arises over a Windermere Oaks Water Supply Corporation (WOWSC) own easement in the Spicewood Airport between a property owner in the airport, Clay Johnson and WOWSC Board after it was discovered Dana Martin sold Mr. Johnson a hangar lot guaranteeing access to this WOWSC easement. Worth noting - Clay Johnson's attorney is now Dana Martin's attorney and Bill Earnest now owns Mr. Johnson's airport lot using Dana Martin as the listing real estate agent in 2020.
- **2013** WOWSC board, through the insistence of Bill Earnest, bought a taxiway easement for \$25,000 to make the insider land more valuable. The easement now benefits Bill Earnest.

2014

- **2014** WOWSC Board voted to sell all WOWSC property in the airport as one parcel to get most money. Also, said they would list the property and market it. Never happened.

2015

- **2015** Dana Martin vigorously campaigned for her and Bob Mebane to get on the WOWSC board to save the water supply corp. She was instrumental in having the ratepayers not reelect Dorothy Taylor to the WOWSC board. As soon as the insider land deal was finished Dorothy Taylor was picked to replace Bill Earnest.
- **WOWSC attorney NOT involved at all in the sale of the land to a sitting director, VP.** He never laid his eyes on anything!
- **2015** WOWSC Board never put getting the Hinton appraisal on agenda, not in the minutes. (violation of Texas law)
- **Dana Martin signed check for Hinton Appraisal for \$600**
- **Hinton appraisal appraised airport land as farm land, no mention of airport in appraisal.**
- **WOWSC Director Pat Mulligan called out Hinton appraisal as lacking in correct comps and proposed use of land.**
- **12/2015 Sale of airport land to Dana Martin not put on the agenda.** (violation of Texas law) Done in secret.

2016

- **2/22/16 resolution to sell Dana Martin land not on agenda not in minutes.** (violation of Texas law)
- **Dana Martin's recent deposition says resolution not done at 2/22/16 meeting** however there is a physical resolution from 2/22/16 (fraud?)
- **A 2006 WOWSC appraisal surfaced** showing land value at \$50k an acre in 2006 (that's what Ms. Martin paid for it in 2016).
- **Dana Martin did not share the 2006 appraisal with 2015 WOWSC board.**
- **Dana Martin did not share any recent airport comps with 2015/2016 WOWSC board or appraiser Hinton.**
- **Dana Martin DID share one large acreage tract as a comp with appraiser Hinton that was NOT located in the airport. BAD COMP!**

- **Bill Earnest resigns right after the insider land deal**

2017

- **2017 WOWSC board hired an attorney with a long criminal history** to fight the Texas Open Meeting Act violations. How did this man come to represent the WOWSC (ask Dorothy Taylor and Jeff Hagar)?

2018

- **May 2018 after losing the WOWSC election Joe Gimenez sends a certified letter to WOWSC attorney Les Romo** scolding Director Norm Morse. Mr. Gimenez points out what he sees as Mr. Morse's conflict of interest. Mr. Gimenez claims he wants to prevent future litigation. <https://integritynow1.net/certified-letter%2Fgimenez>
- **Les Romo was fired in 2018** when his extensive criminal history surfaced and after throwing tantrums in meetings.
- **2018 WOWSC Bolton Appraisal** showed an immediate loss of \$500,000 to WOWSC.
- **2018 WOWSC board**, after having a town hall meeting in January of 2019, voted to have attorneys send a 30-day demand letter to Dana Martin regarding her wrongful conduct.
- **2018 Board** asked for a legal opinion from TRWA as to whether Bill Earnest was eligible to run due to his deed being in a defunct corporation and his name not appearing on it as his WOWSC membership showed. His deed was changed just days before the election.

2019

- **January 2019 Joe Gimenez submits his application to run for the WOWSC board.** His application states the board needs balance and nonconflicted members. This as he ran with Bill Earnest (2016 insider land deal player) then proceeded to load the board with cronies of Dana Martin.
- **February 2019 Days after Mr. Gimenez was elected** he made it his priority to post to Yelp and Google comments defending the former WOWSC attorney.
- **2019 Board did a one-eighty** after Dana Martin got Bill Earnest and Joe Gimenez on the board. The board ignored the WOWSC Bolton appraisal and the 30-day demand letter.
- **Norm Morse was removed** from WOWSC board.
- **Dorothy Taylor installed as replacement for Norm Morse** (It was Dorothy Taylor that alerted the members in 2016 to the insider land deal stating something had to be done about it-then did a 180.

To Note - Piper Lane was NEVER mentioned as part of the original sale until 2019 after Dana Martin was instrumental in canvassing for Bill Earnest and Joe Gimenez to become directors on the WOWSC board.

Shortly after Earnest and Gimenez elected to board, Dana Martin claimed an error in her deed FOUR plus years earlier. The mercurial drawing of the **original contract** showing all of the land to be sold to Dana Martin magically disappeared.

- **David Bertino resigned** in late 2019 stating in part that he did not like the direction the board was going in.
- **2019 WOWSC Board Deeded Piper Lane to Dana Martin for no consideration** and ratified the original sale.
- **Bill Earnest** convinced Patricia Gerino, a dear friend, former business partner and fellow airport board director with Dana Martin, into filling the David Bertino's vacant position. **Patricia Gerino was installed.**
- **Joe Gimenez** (without a board vote and a violation of law) had the WOWSC attorneys file a lawsuit against the Texas Attorney General to conceal attorney bills after the Texas Attorney General ruled attorney invoices are not protected under this Public Information Request.
- **11/2019 Former and current WOWSC directors sign IOU's for their defense cost** because WOWSC insurance carrier denied the claim due to violations of law by the 2016 board. David Bertino is the only director that did not sign an IOU.
- **12/2019 A meeting was held to remove the president, Joe Gimenez,** after a petition was received calling for his removal, it was signed by 26% of the members.
- **Joe Gimenez authorized the expenditure of \$15,000** of the members resources to assure he could NOT be removed. A majority of members who voted, voted to remove Mr. Gimenez.
- **12/2019 Rich Schaefer** sent email requesting to be removed from a member mailer that had information about Dana Martins deposition. It was NOT known at that time that he was being groomed to take over for Bill Earnest when he resigned his position.
- **Bill Earnest resigned yet AGAIN** right after ratifying the insider land deal and giving away Piper Lane.
- **2019 WOWSC board let Bill Earnest pick his replacement,** a friend of Dana Martin and fellow pilot association director Rich Schaefer.
- **12/2019 Rich Schaefer installed.**
- **The 2019/2020 board has spent roughly \$210,000 defending current and former directors** when the WOWSC insurance carrier refused to pay due to violations of law.

2020

- **The 2020 WOWSC board votes to raise water and sewer rates for a combine 71% increase to cover legal fees.**
- **2019 Board appointed director Patricia Gerino opts not to submit her application for the February 2020 WOWSC election.** She is reappointed to the board in February 2020 at the annual meeting after no one submits their name to the 2020 WOWSC board election. She is now secured into a position for the next two years, with never being elected by the ratepayers.
- **Vice President, Patricia Gerino files a rate appeal against her community water system, Corix Utilities at the PUC rate while voting to increase WOWSC by 71% as the vice president of the WOWSC.**



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Email: jddelaPuente@lgawfirm.com

January 25, 2019

Via Email: mollym@abdmllaw.com

and Via USPS Regular Mail

Molly Mitchell

ALMANZA, BLACKBURN, DICKIE & MITCHELL, LLP

2301 S. Capital of Texas Highway, Bldg. H

Austin, Texas 78746

Re: Friendship Homes & Hangars, LLC purchase of real property interests
from Windermere Oaks Water Supply Corporation

Dear Molly,

I am writing to you on behalf of my client, the Windermere Oaks Water Supply Corporation ("WOWSC") in connection with real property transactions by Friendship Homes & Hangars, LLC ("Friendship Homes") relating to approximately 10.85 acres of property located on Piper Lane in Spicewood, Texas ("the property"). This letter is sent to you as counsel for Dana Martin and Friendship Homes as a matter of professional courtesy; if you contend that it should be addressed directly to Ms. Martin and/or Friendship Homes, please let me know and we will re-send it as instructed.

As you know, by a contract for sale dated January 19, 2015, closing in early 2016, and continuing until final addendum on February 16, 2017, Friendship Homes purportedly acquired two separate real property interests from WOWSC: 1) title in fee simple to approximately 3.86 acres along the west side of Piper Lane, in Spicewood, Texas, and 2) a "right of first refusal" to purchase an additional approximately 7.01 acres immediately to the west of the purchased property (collectively, "the transactions"). The total price paid by Friendship Homes to WOWSC for both interests was \$203,000.

The circumstances surrounding the transactions are problematic for several reasons.

January 25, 2019

Page 3

productivity, the actual highest and best use of the property is for division into multiple airport hangar lots, not simply to be used as "vacant land." Notably, the Hinton appraisal did not take into account any comparable sales of hangar lots in the area. Its improper characterization of the highest and best use of the property, and selection of comparable properties consistent with that improper characterization, resulted in a significant under-valuation of the property. Upon information and belief, these defects violate applicable USPAP standards and render the Hinton appraisal fraudulent, and it was presented to fraudulently induce the WOWSC Board into taking action contrary to the best interests of WOWSC.

The WOWSC Board received the Hinton appraisal for the purpose of evaluating and conducting a potential sale of the property. On information and belief, Ms. Martin was aware of this purpose and intended use when the Hinton appraisal was provided to WOWSC. Also on information and belief, Ms. Martin conferred with Mr. Hinton regarding the appraisal before it was submitted to the WOWSC Board, knew that the actual market value of the property was well above the value presented in the Hinton appraisal, and failed to disclose that information to the WOWSC Board. Upon further information and belief, she was aware that the most likely buyer of the property was an enterprise that she had yet to form, Friendship Homes.

The resulting improper and unfair transactions: In reliance on the appraisal, the WOWSC Board elected to sell approximately 3.86 acres of the property for a price of \$203,000 to Ms. Martin's enterprise, Friendship Homes, realizing a value of just over \$52,000 per acre. In reality, based on the proper highest and best use of airport hangar lots, the value of the 3.86 acres of the property sold was \$700,000, yielding a true value of approximately \$181,000 per acre. In addition, in further reliance on the under-valuation of the property contained in the appraisal, the WOWSC Board also transferred a "right of first refusal" to Ms. Martin's enterprise for the remaining 7.01 acres of the property for no additional consideration, with that transaction being completed on February 16, 2017.

Thus, as a result, the WOWSC Board at the very least sold property with a proper market value of \$700,000 for a price of \$203,000, a difference of \$497,000. As a result of the actions related to the Hinton appraisal, material facts as to the transaction were not disclosed to, and upon information and belief, purposefully concealed from, the WOWSC Board. The resulting transaction, being for a price significantly lower than the proper market value at the time, was not fair to WOWSC. The circumstances above would constitute a breach of Ms. Martin's fiduciary duty to WOWSC as a member of the WOWSC Board. Further, to the extent that the actions of Ms. Martin and Friendship Homes relating to the Hinton appraisal were committed in concert with and with the knowledge of Mr. Hinton, they may give rise to an action for civil conspiracy.

January 25, 2019

Page 4

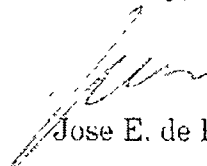
Finally, pursuant to the Unimproved Property Contract and as consideration for the transactions, Friendship Homes agreed to grant a 50-foot easement to run from Piper Lane to the west property line of the 3.86 acres that Friendship Homes acquired in fee simple. An inspection of the Burnet County property records finds no such valid and enforceable easement that has been created or granted to WOWSC, indicating that Friendship Homes has failed to perform this contract obligation. The absence of such easement significantly reduces the value of the remaining property. This works to Friendship Homes' significant advantage; absent an easement, the current market value of the remaining property is quite low, and if WOWSC attempts to sell it for its current reduced market value, Friendship Homes can execute its right of first refusal and acquire that portion of the property for a fraction of its potential value. Friendship Homes can then extend an easement through the property it currently owns, which will dramatically increase the value of the remaining property. Thus, by virtue of actions solely within Ms. Martin's and Friendship Homes' control, they will realize a significant appreciation in value on the property which value properly belongs to WOWSC.

This letter is the WOWSC's Board's notice and demand that you 1) preserve all documents, correspondence, records, and communications (including emails, text messages, and phone records) that you have had with Mr. Hinton or with any past or current member of the WOWSC Board regarding the property, the Hinton appraisal, or the transactions, and 2) to meet and confer promptly with WOWSC through its legal counsel to discuss WOWSC's claims against Ms. Martin and Friendship Homes, and a proper resolution thereof.

Please reply in writing indicating that you understand WOWSC's demands and will preserve all information described above, and will agree to meet and confer with WOWSC through its legal counsel within the next thirty days. In the event that you fail to do so, WOWSC will have no choice but to pursue all available avenues of relief, including pursuing litigation against Ms. Martin and Friendship Homes.

We look forward to your prompt response to this correspondence.

Sincerely,



Jose E. de la Fuente

JEF:cad

WOWSC RFI No. 1-9

Admit or deny that Ratepayer Representatives sent a survey to WOWSC members regarding WOWSC operations, service, and rates. If admission, provide the survey and all drafts of the survey.

RESPONSE: Admit, Responsive documents are attached as Ratepayers Exhibit E

PREPARERS: JOSIE FULLER AND PATTI FLUNKER

WITNESSES: JOSIE FULLER AND PATTI FLUNKER

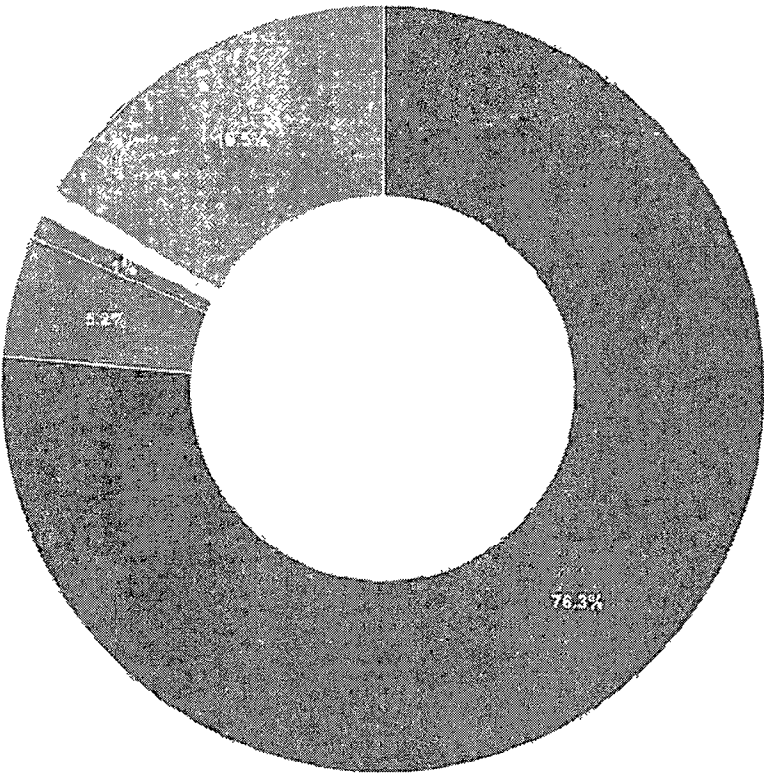
EXHIBIT E



We want to know how you feel about our water supply corporation.

Please take few moments to fill out the survey on our new water and sewer rates and overall service.
Thank you.

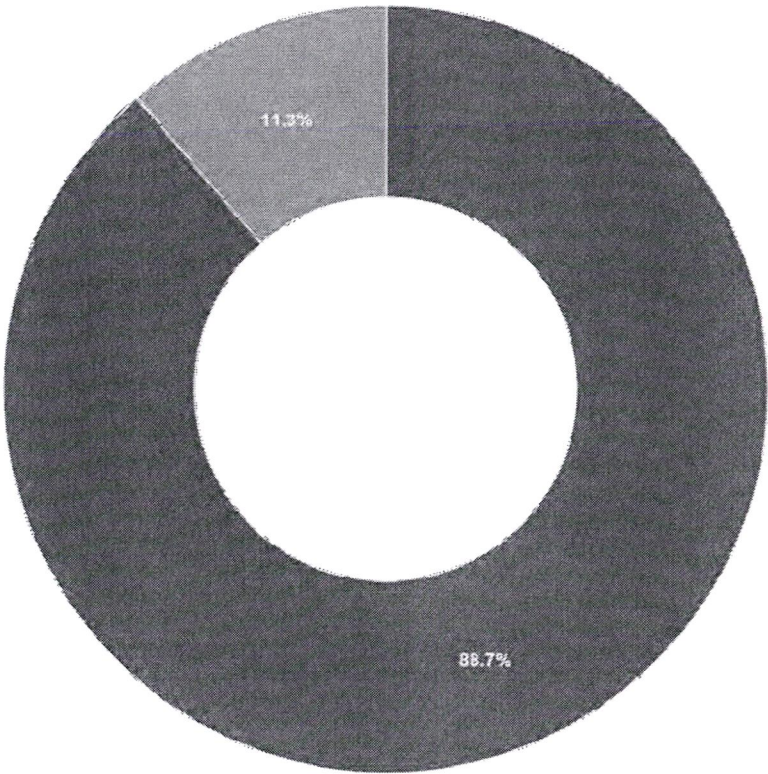
Q1 Do you think your water/sewer bill is too high?*



Answered: 97 Unanswered: 0

| Choice | Total |
|---|-------|
| <input checked="" type="radio"/> Strongly Agree | 74 |
| <input checked="" type="radio"/> Agree | 5 |
| <input checked="" type="radio"/> Disagree | 1 |
| <input type="radio"/> Strongly Disagree | 1 |
| <input checked="" type="radio"/> __archived__ | 16 |

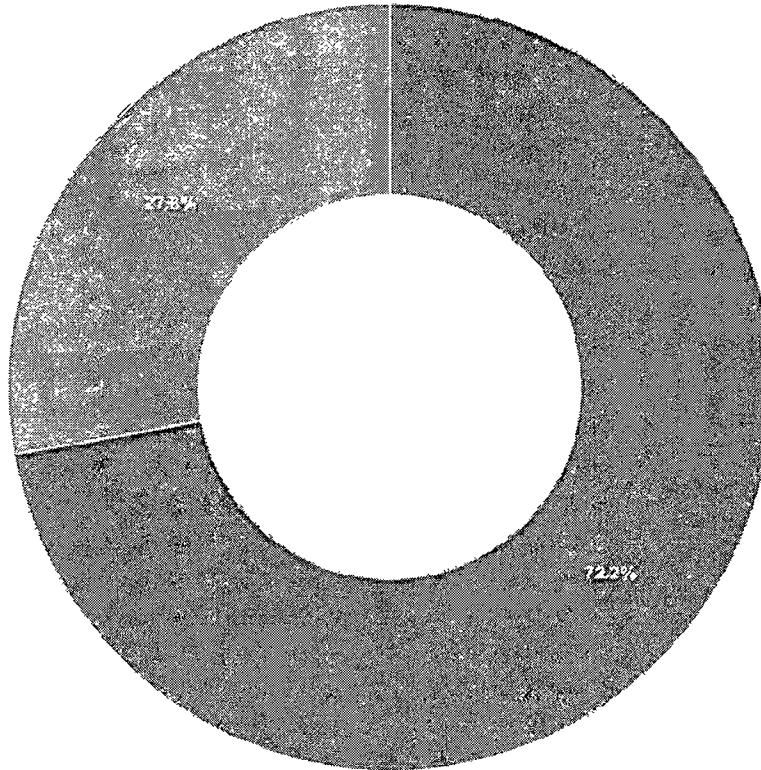
Q2 Is your water and sewer bill more than your electric bill?*



Answered: 97 Unanswered: 0

| Choice | Total |
|--------------------------------------|-------|
| <input checked="" type="radio"/> Yes | 86 |
| <input type="radio"/> No | 11 |

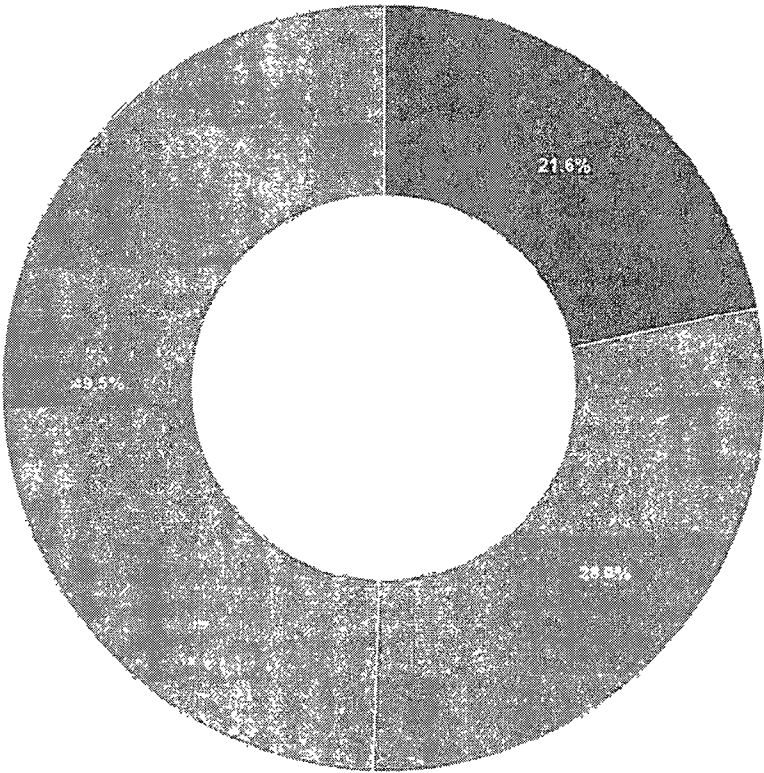
Q3 Are you aware that over 30% of the utility members are challenging the 71% water/ sewer rate hike at the Public Utility Commission of Texas?*



Answered: 97 Unanswered: 0

| Choice | | Total |
|----------------------------------|-----|-------|
| <input checked="" type="radio"/> | yes | 70 |
| <input type="radio"/> | no | 27 |

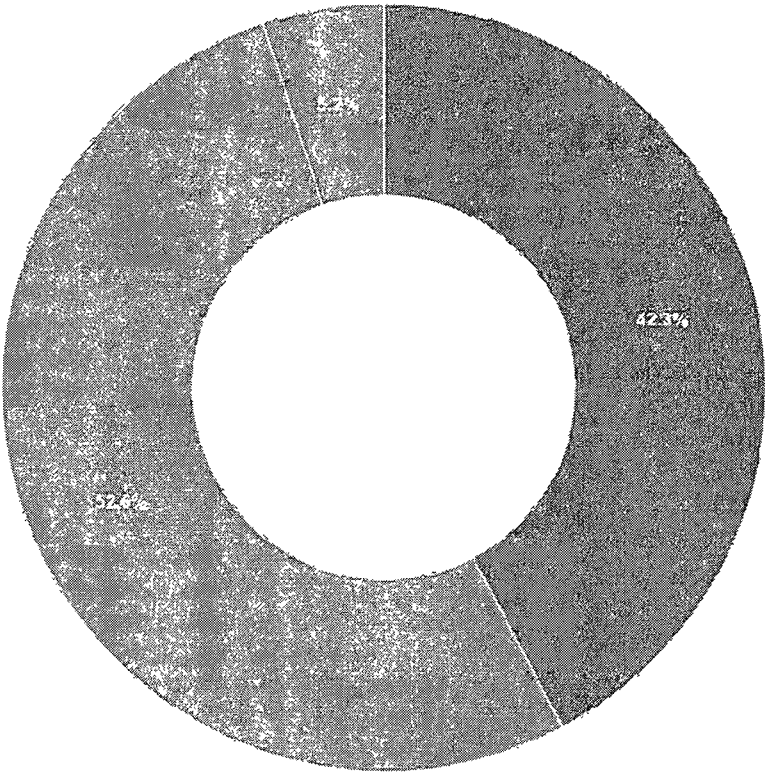
Q4 Do you think your water meter is being read each month?*



Answered: 97 Unanswered: 0

| Choice | Total |
|--------------------------------------|-------|
| <input checked="" type="radio"/> Yes | 21 |
| <input type="radio"/> No | 28 |
| <input type="radio"/> Not sure | 48 |

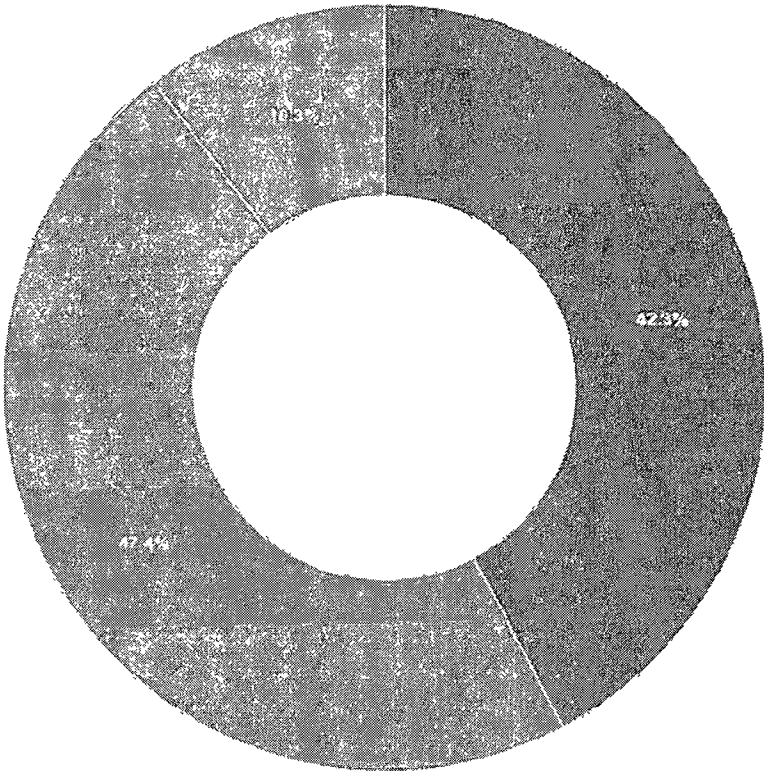
Q5 Have you ever questioned the gallon charge of you monthly water/sewer bill?*



Answered: 97 Unanswered: 0

| Choice | | Total |
|----------------------------------|--------|-------|
| <input checked="" type="radio"/> | Yes | 41 |
| <input type="radio"/> | No | 51 |
| <input type="radio"/> | Unsure | 5 |

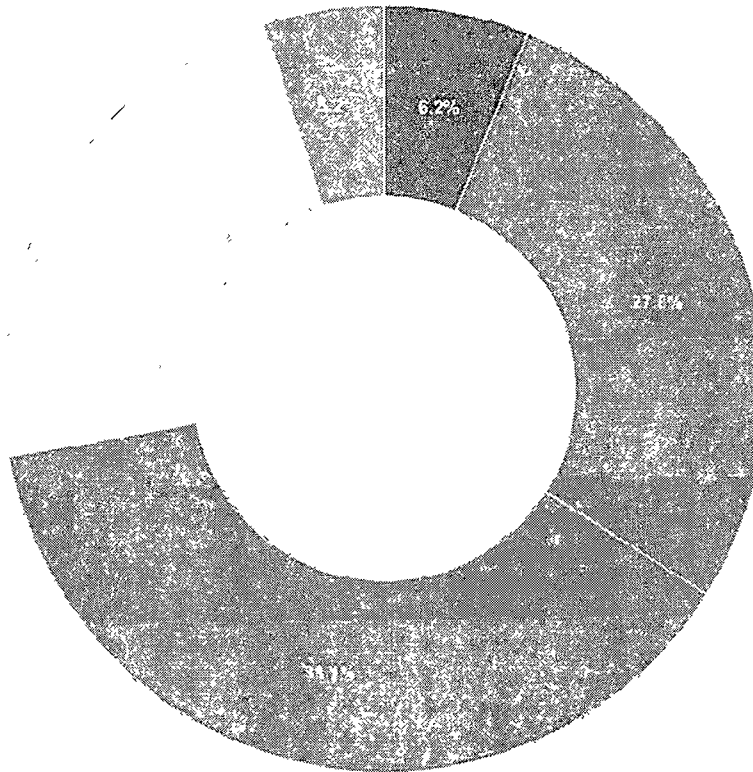
Q6 Do you routinely get alerts from the water utility prior to our water being shut off to repair water lines around our community?*



Answered: 97 Unanswered: 0

| Choice | Total |
|--------------------------------------|-------|
| <input checked="" type="radio"/> Yes | 41 |
| <input type="radio"/> No | 46 |
| <input type="radio"/> I don't know | 10 |

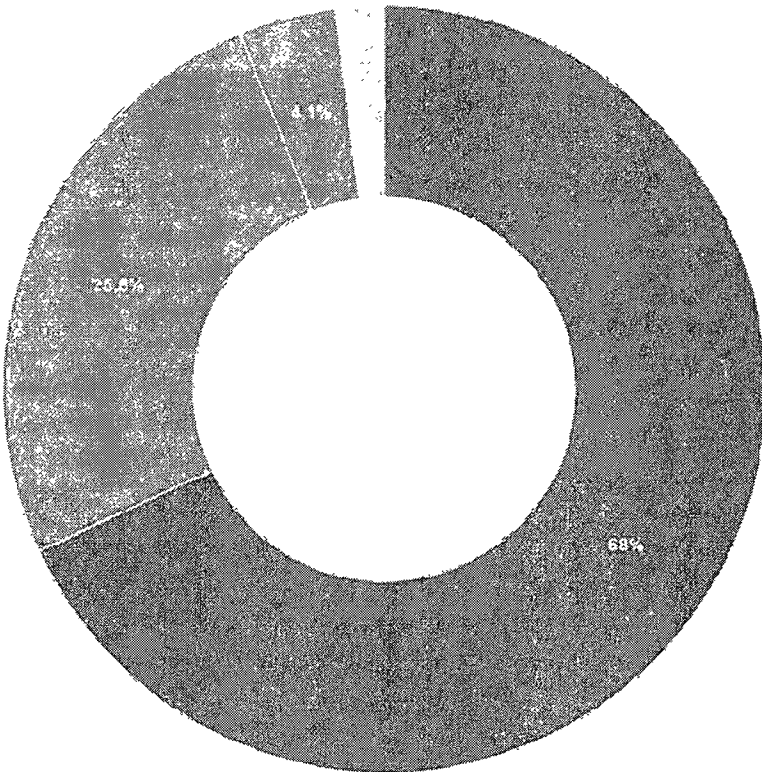
Q7 Do you receive boil water notices from the water utility prior to them turning the water back on?*



Answered: 97 Unanswered: 0

| Choice | Total |
|---|-------|
| <input type="radio"/> Yes, I always recieve notices before the water is turned on | 6 |
| <input type="radio"/> Occasionally I get notices prior to the water being turned on | 27 |
| <input type="radio"/> I never get notices for this | 37 |
| <input type="radio"/> I get notices, but they always come after the water has been turned back on | 22 |
| <input type="radio"/> __archived__ | 5 |

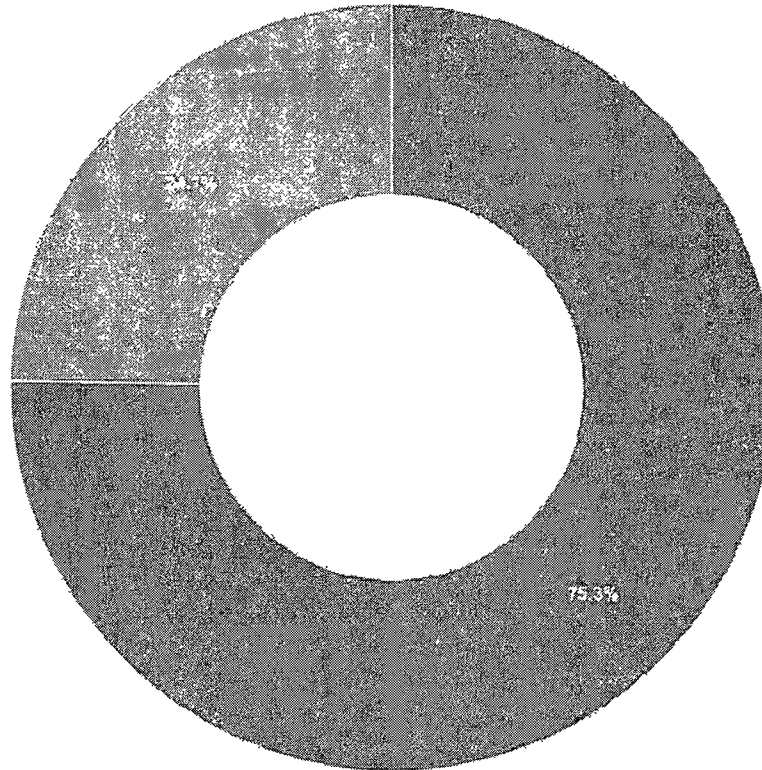
Q8 We only have one fire hydrant in our service area for all the customers, do you believe we need more fire hydrants?*



Answered: 97 Unanswered: 0

| Choice | Total |
|-------------------------------|-------|
| <div></div> Strongly Agree | 66 |
| <div></div> Agree | 25 |
| <div></div> Disagree | 4 |
| <div></div> Strongly Disagree | 2 |

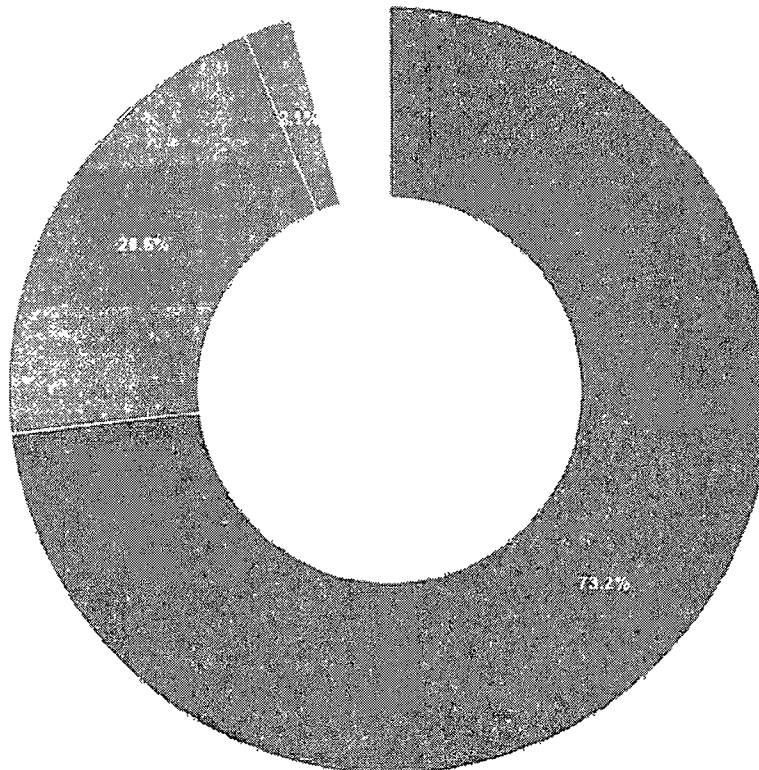
Q9 Are you aware that the water supply corporation (utility) is involved in three lawsuits?*



Answered: 97 Unanswered: 0

| Choice | Total |
|--------------------------------------|-------|
| <input checked="" type="radio"/> Yes | 73 |
| <input type="radio"/> No | 24 |

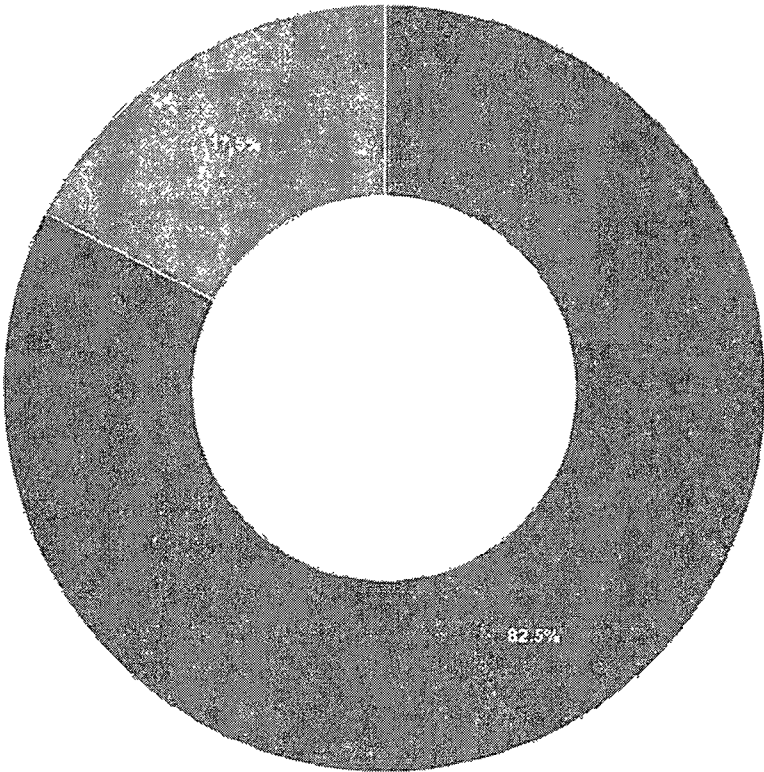
Q10 Total legal expenditures for our water utility are nearing \$500,000\ The utility's insurance carrier has denied coverage of all litigation claims due to alleged willful violation of law. Should the board stop spending our money on litigation expenses?*



Answered: 97 Unanswered: 0

| Choice | Total |
|---|-------|
| <input checked="" type="radio"/> Strongly agree | 71 |
| <input checked="" type="radio"/> Agree | 20 |
| <input type="radio"/> Disagree | 2 |
| <input type="radio"/> Strongly disagree | 4 |

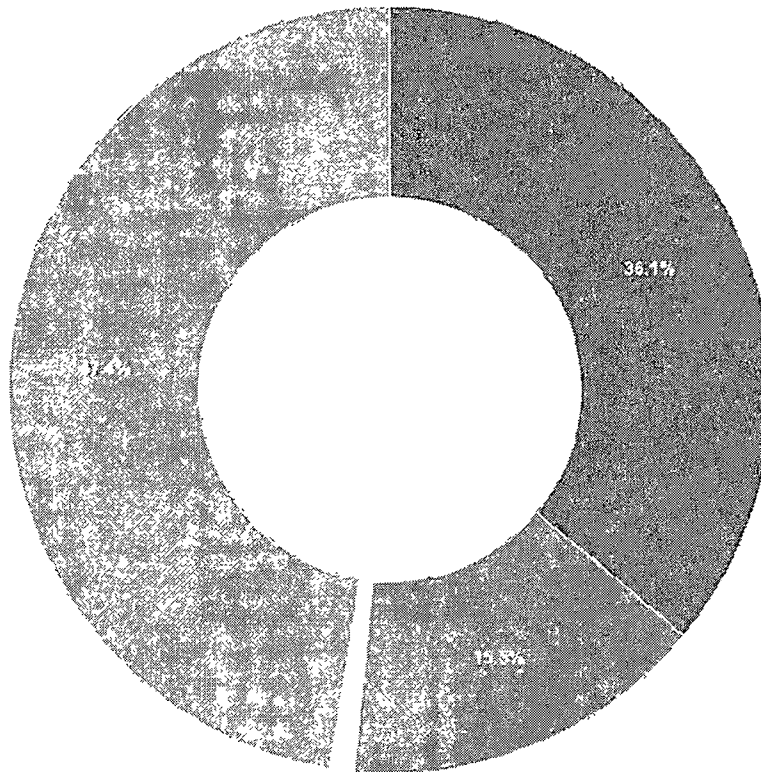
Q11 Do you think our election ballots should be mailed to a third party with no association to the utility or the community?*



Answered: 97 Unanswered: 0

| Choice | | Total |
|----------------------------------|-----|-------|
| <input checked="" type="radio"/> | yes | 80 |
| <input type="radio"/> | no | 17 |

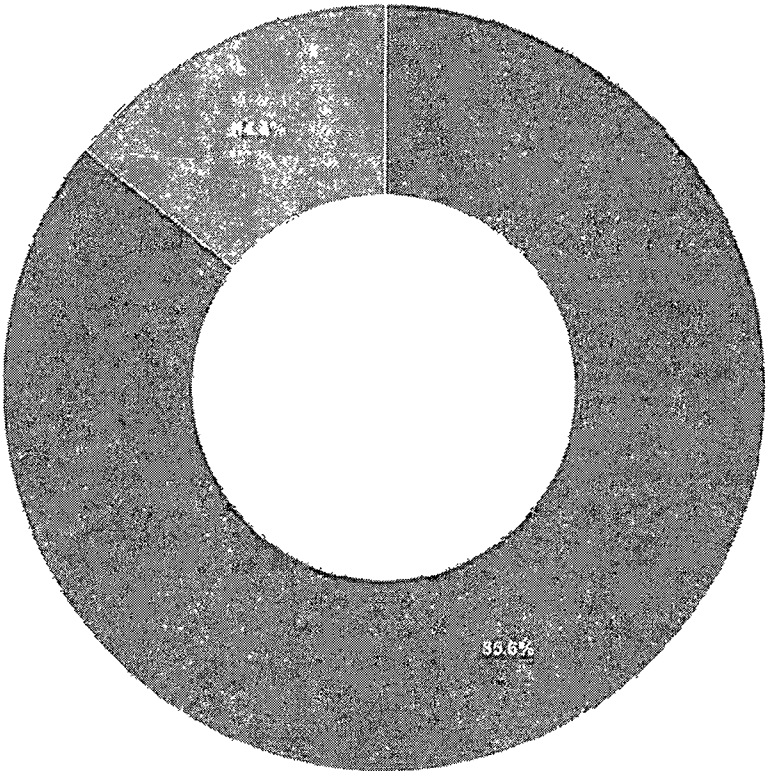
Q12 How do feel about our water corporation becoming a private water system if our water/sewer rates could go down?*



Answered: 97 Unanswered: 0

| Choice | Total |
|--|-------|
| <input checked="" type="radio"/> Strongly Agree | 35 |
| <input checked="" type="radio"/> Agree | 15 |
| <input checked="" type="radio"/> Disagree | 0 |
| <input type="radio"/> Strongly Disagree | 1 |
| <input checked="" type="radio"/> Need more information | 46 |

Q13 Would you attend a town hall meeting to find out more information about our water supply corporation becoming a private utility (investor owned utility - no more boards, elections, politics, etc.)*



Answered: 97 Unanswered: 0

| Choice | Total |
|---------------------------|-------|
| <div><div></div>Yes</div> | 83 |
| <div><div></div>No</div> | 14 |

Q14 Do you have any comments you would like to share?

Friday, August 21, 2020, 11:42 PM UTC

Tired of paying an extremely high water bill- 3 years ago when I moved in the average monthly bill \$86.000

Friday, August 21, 2020, 8:34 PM UTC

I believe that there have been many illegal expenses paid by a few of the WOWSC board of directors Without having the entire board vote on the actions taken and without records of the actions being recorded in minutes.

Friday, August 21, 2020, 8:25 PM UTC

I heard that the people suing the water company once hired the water company attorneys about this same issue and now they are representing the water company, isn't this a conflict of interest? How can this law firm represent both the defendant and plaintiff? Maybe someone needs to contact the State Bar.

Thursday, August 20, 2020, 3:36 PM UTC

I have NEVER lived ANYWHERE and paid this much for water. LCRA charges WOWSC \$175.00 per acre ft of water from the lake. (firm rate to utility companies) An acre ft is 325,851 gallons. So if I use that much water in a month--at my current rate of \$.016 cents per gallon -- my bill would be \$5,213.62 not including the sewer upcharge. Quite a mark-up. So is all this extra \$\$ going to lawyers?? FED-UP with this whole system.

Thursday, August 20, 2020, 2:46 PM UTC

WOWSC rates have always been too high. The law suits are not helping

Thursday, August 20, 2020, 11:34 AM U.T.C

The law suits against WOWSC need to stop. The courts have spoken and these legal battles are not in the best interest of the community.

Thursday, August 20, 2020, 6:06 AM U.T.C

Not at this time.

Thursday, August 20, 2020, 4:58 AM U.T.C

This guy Joe and these board members have got to go. Clearly they are not looking out for the members but their own personal interests and obviously have agendas. A handful of our neighbors have lost their jobs due to covid or are living on limited income, this board doesn't care all they want is your money to pay for their legal bills. The fact that they're telling us they could possibly bankrupt our system is extremely concerning. They're going to bankrupt the system over a \$200,000 land deal to Danna Martin this is insane.

Thursday, August 20, 2020, 4:16 AM U.T.C

The price we get charged for Water should be a crime.....

Thursday, August 20, 2020, 2:38 AM U.T.C

If the utility wasn't being sued for BS non compete property sales then they wouldn't need to pay for lawyers to litigate all the lawsuits. In my opinion both parties are F'ing crazy and both to blame!!! I think that the Water Company should declare bankruptcy and be sold to a large water company. So you tasking the survey have also cause this BS. Not in support of either side. YOU ARE ALL F'ING CRAZY!!!

Thursday, August 20, 2020, 2:35 AM U C

I think it's ridiculous that we are paying a base rate in excess of \$150. I have friends in neighboring communities who are appalled by the amount I pay for water. Most them pay less than \$100/month and also live on Lake Travis and depend on a private utility district. I'm concerned the amount we pay for water will affect home sales. Lawsuits need to stop and members should not have to pay fir the decisions/ mistakes made by a few. I can't afford a \$300 monthly bill and many neighbors are on fixed incomes and are struggling. Since Covid, some people lost jobs and the WOWSC still raised rates as planned, without considering the members of our community. It's sad that a few people seemingly decide to pursue lawsuits without member input.

Thursday, August 20, 2020, 1:59 AM U C

In my opinion Dana Martin gets away with a lot of questionable, fraudulent practices.

Wednesday, August 19, 2020, 10:17 PM U C

This is the most I have ever paid for water in my life! It's my most expensive bill I have second to my mortgagel Ridiculous!!!

Wednesday, August 19, 2020, 9:58 PM U C

Thank you for sending out the survey.

uesday, August 18, 2020, 8:58 PM U C

Water shut-off notices need to be sent with 24 hrs notice when there is planned maintenance...not day of, or after it's already off.

Sunday, August 16, 2020, 6:41 PM U C

This is absolutely ridiculous and in my opinion corrupt. I have never fealt so helpless while an entity that by definition and conception has misutilized and taken advantage of myself and my family while all the while benefiting for personal gain! This is q violation that I believe should merit not only civil but criminal retribution! I am discusted, helpless and at times wish I would had never joined this community 8 years ago....this has been an absolute shameful management of resources and community owned assets!

Sunday, August 16, 2020, 5:51 PM U T C

I think there are two very important questions the WOWSC board and Dana Martin need to answer. The WOWSC netted \$203,000 on the land sale to siting director Dana Martin. #1) Why would the board spend over \$500,000 fighting the people trying to get the land back so that it can be sold to the highest bidder? #2) We know that former WOWSC director Jeff Hagar asked Ms Martin to give the land back before any money had been spent on legal. Why would they spend OUR money fighting to keep that land? That money was to be earmarked for our aging infrastructure. Ms Martin claims to love our community but when the rubber meets the road its all about greed. In closing, please keep the youtube videos coming. They have been a wealth of incredible truth, something we do not get from the board.

Sunday, August 16, 2020, 5:33 PM U T C

The suspensions of the water boards activities is enough to consider going private and due serious consideration

Sunday, August 16, 2020, 4:52 PM U T C

Every month when I pay my water bill I can't help but feel that half of it is going straight into the pockets of Dana Martin and Joe Gimenez.

Saturday, August 15, 2020, 9:15 PM U T C

I feel that the rate hike is unfair and unjust. We should not be paying for someone else's debt that was incurred by irresponsible, unethical practices.

Saturday, August 15, 2020, 2:05 AM U T C

I like to drink water sometimes.

Friday, August 14, 2020, 3:35 PM U T C

Appreciate a survey being done & that results will be available to all so all people can understand where issues are so we can move forward to a private Co with no more board involvement. As a new homeowner You can see how the current situation Hasn't worked in years.

Friday, August 14, 2020, 12:27 AM UTC

Any Board Member who has demonstrated an inability to act in a fiduciary capacity and has failed to put the needs of the community at large first, should be barred from any further involvement in said board's operations or governance, period.

Unauthorized use of WOWSC funds for any self serving reason should result in the immediate recall of said member(s) involved and all remedies available to recover said funds should be pursued.

Thursday, August 13, 2020, 6:32 PM UTC

From the corrupt land deal to the resulting legal fees causing completely ridiculous monthly customer bills, began due to dishonorable board members and then mismanagement by obviously inexperienced and incapable people.

If sold to a private entity how will the legal fees be resolved?

In order to mitigate existing financial liabilities is the possibility of a bankruptcy and then an asset sale to a private entity an option?

Thursday, August 13, 2020, 4:34 PM UTC

After watching the disturbing depositions on YouTube I was blown away. Now I hear that Mr Jimenez is spending more of OUR money to have a judge remove the depositions from YouTube. I do not think most WO residents realize that the WOWSC is a coop. A coop by definition, is member owned. It belongs to you even though Mr Jimenez tries to deny that fact in his deposition. I back the rate appeal and hopefully the utility commission will disband our waterboard. This community needs one less Dana Martin controlled board that is stuffed with her appointed friends and cronies.

Thursday, August 13, 2020, 4:12 PM UTC

The rates could be lowered simply by the disgruntled members dropping their frivolous lawsuits they continue to file and lose.

Thursday, August 13, 2020, 1:47 PM U C

If I knew all the shenanigans with the board, and all the law suits that are being filed I would have thought twice about moving into this neighborhood. We are being raped with the increase in water rates.

Thursday, August 13, 2020, 1:45 AM U C

I feel that we need to dissolve the water system and consider an investor owned utility company. Corix is an investor owned utility company that operates our water system. We really should be using our money for upgrade the infrastructure. We had 2 major leaks this year, I feel there will be more to come in the future. It's obvious that we can not count on our current directors to do the right thing by the members. It really seems as though they have personal agendas, that are not in the best interest of our community. In addition, those deposition tube videos show who and what we are really dealing with now.

Thursday, August 13, 2020, 1:19 AM U C

Get rid of the current board.

Thursday, August 13, 2020, 12:30 AM U C

a few of these questions have now promoted me to check our usage

Wednesday, August 12, 2020, 11:27 PM U C

I thought WOWSC was Already private.

Just to be clear...our rates have more then doubled to pay for legal fees? We are paying high rates for something that could drag on indefinitely. Even if we win, we still have to pay the lawyers.

Wednesday, August 12, 2020, 10:19 PM U C

My water bill last month was \$436.

This month it dropped \$140 to a bargain basement price of ONLY \$296.

How ridiculous is that!! And that's for just water, no sewer!

The buffoons on our water board need to be prosecuted!

Wednesday, August 12, 2020, 10:15 PM U C

N/A

Wednesday, August 12, 2020, 9:40 PM U C

While fire plugs would be good it is probably not affordable. We will probably have to be satisfied with fill plug at water plant. This was a big step up from nothing.

Wednesday, August 12, 2020, 9:20 PM U C

It would make more sense to me if these were statements instead of questions. I don't want to sell our water system to someone outside the neighborhood. I know of several of these sales and the bills always went up. Then..... you have no elections or anyone to represent you.

Wednesday, August 12, 2020, 9:08 PM U C

It is unfortunate to see the videos of the water company board membership being so explicitly defensive and insulting to the ratepayers.

Wednesday, August 12, 2020, 8:03 PM U C

I believe the current board has not put the water members first. They have allowed their personal feelings drive their decisions regarding the lawsuits. They have chosen to continue to push forward at all cost even if it bankrupts this water supply corporation.

Wednesday, August 12, 2020, 8:01 PM U C

I am tired of the ridiculous lawsuits filed by a few selfish people who same to be the same people when we had the marina lawsuits. John Lecky

Wednesday, August 12, 2020, 7:50 PM U C

It's all about airport property and Dana !!!

Wednesday, August 12, 2020, 7:44 PM U C

This water rate increase is unacceptable!

Wednesday, August 12, 2020, 7:39 PM U C

No

Wednesday, August 12, 2020, 7:30 PM U C

An uphill battle in a growing community that is in transition from good ol boy to modern representation.

Unfortunately, growth never pays for itself and its a painful transition.

Along with fire hydrants, our potentially 45-year-old infrastructure needs to be addressed. Big project, I'm sure big money that would be better spent on pipes rather than lawsuits.

Wednesday, August 12, 2020, 7:21 PM U C

I am very frustrated that I come out just a few days a month to use my home, use very little water and am forced to pay a water bill higher than my permanent home due to dishonest practices of the board.

Wednesday, August 12, 2020, 7:18 PM U C

This all so awfull. How can we fix it.

Wednesday, August 12, 2020, 7:13 PM U C

i find it hard to believe that the water company can justify defending prior members accused of and involved in actions damaging to the water company.

i find it harder to believe that the water company could spend this much on litigation. it makes themn simply a deep pocket for defense counsel and no incentive to resolve the matter.

i frankly did not know we had one hydrant and having lost a house see this as negligence.

Wednesday, August 12, 2020, 7:07 PM U C

A small thing: There are typos in this survey -- I am happy to proofread surveys like this prior to publication in the future. Thank you for doing this!

Wednesday, August 12, 2020, 6:58 PM U G

I am aware of the challenges before us from having indepth conversations with Dorthy Taylor who has served on the water board for some time. She has served when no one else would step up to the plate & do so. I know that the monthly rate went up due to the legal fees at the time of early Feb 2020 meeting. Either we pay by higher monthly bill or by a special assessment. The underlying problem is that this group that is pursuing the lawsuit - the continual faction that is constantly keeping the board members having to give information, still trying to get money back from the Dana purchase & has a sad you tube spot going on on the web needs to flat cease. It has already gone to the Supreme Court. Give it up. I think those of you in the group that got & continues this lawsuit business should have to be paying for this lawsuit - Not all the rest of us - A Greater Majority than the Constant Suing Group wants you all to stop the lawsuits. Get over it. STOP NOW.
Our Windermere Oaks does Not Need This!

Wednesday, August 12, 2020, 6:58 PM U G

I'm unable to attend meetings as this home isn't my permanent residence.

Wednesday, August 12, 2020, 6:52 PM U G

I am new to this community and am absolutely astonished at the amount of corruption!

Wednesday, August 12, 2020, 6:52 PM U G

I feel there has been mismanagement of our water dept . Now we are paying for their mistakes . There was a problem with land being sold to friends at a reduced price. If the land would have been sold at a fair market price , Windermere subdivision would have made enough money to over come the big mistakes of the board members. I feel the boards land sale should be looked into for possible legal action against the board members.

The land should be given back to Windermere ,Parties paid back and land sold at fair market value.

Wednesday, August 12, 2020, 6:42 PM U G

I would not be able to attend due to illness My daughter and son in law keep me informed.

Wednesday, August 12, 2020, 6:42 PM U C

I have bought two lots in this subdivision over the last three years & our plan was to retire there. The water increase is a serious concern & speaking with new neighbors it is a concern of all the neighborhood.

Wednesday, August 12, 2020, 6:39 PM U C

We also consistently have low water pressure

Wednesday, August 12, 2020, 6:37 PM U C

The water tastes terrible.

Wednesday, August 12, 2020, 6:26 PM U C

As a hangar owner, I felt the prior \$83/mo was too high for my very low usage (a few hundred gallons, a few flushes). Now that the rate has gone way up, it is that much worse! I own properties in other jurisdictions and the rates are MUCH lower ... even though I use thousands of gallons per month.

Wednesday, August 12, 2020, 6:10 PM U C

need a town hall to discuss things probably

Wednesday, August 12, 2020, 6:06 PM U C

town hall meeting through zoom? Throw out the current board especially Joe.

Wednesday, August 12, 2020, 5:53 PM U C

Thanks for the survey initiative -- doubtful whether any changes will be effected.

Answered: 58 Unanswered: 39

WOWSC RFI No. 1-3

On Feb. 29, 2020, representatives from Aqua Texas, Inc., Aqua Utilities, Inc., and Aqua Development, Inc. d/b/a Aqua Texas (Aqua Texas) gave a presentation to WOWSC members. Admit or deny that Petitioners advertised and/or promoted via email or social media posting the event to WOWSC members.

RESPONSE: Admit

PREPARERS: JOSIE FULLER AND PATTI FLUNKER

WITNESSES: JOSIE FULLER AND PATTI FLUNKER

WOWSC RFI No. 1-4

Provide all correspondence and documents between Petitioners and representative of Aqua Texas representatives between January 1, 2019 and August 26, 2020.

RESPONSE: Responsive documents are attached as Ratepayers Exhibit A

PREPARERS: JOSIE FULLER AND PATTI FLUNKER

WITNESSES: JOSIE FULLER AND PATTI FLUNKER

EXHIBIT A

Windermere Oaks WSC

From: Dunnahoe, Stephen M (smdunnahoe@aquaamerica.com)

To: patriciaflunker@yahoo.com

Date: Tuesday, February 18, 2020, 11:41 AM CST

Hello Patti,

What's the latest on us coming out to talk to Windermere Oaks WSC?

Thank you,

Steve

From: patti flunker <patriciaflunker@yahoo.com>

Sent: Thursday, February 13, 2020 3:07 PM

To: Dunnahoe, Stephen M <SMDunnahoe@aquaamerica.com>

Subject: Re: [EXTERNAL] Re: Windermere Oaks WSC

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hey Steve,

Sorry for not giving you a call earlier, I've been swamped this week, however I am out of the office tomorrow and will have time to talk, so I will definitely reach out to you. Would love to get you out to the community, how does the 29th look?

Patti

On Wednesday, February 12, 2020, 2:10:03 PM CST, Dunnahoe, Stephen M <smdunnahoe@aquaamerica.com> wrote:

No worries

Sent from my iPhone

On Feb 12, 2020, at 2:09 PM, patriciaflunker <patriciaflunker@yahoo.com> wrote:

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ok, yes swamped today. I will touch base tomorrow as I'll have a lot more free time. Thanks for reaching out.

Patti

Sent from my T-Mobile 4G LTE Device

----- Original message -----

From: "Dunnahoe, Stephen M" <SMDunnahoe@aquaamerica.com>

Date: 2/12/20 1:12 PM (GMT-06:00)

To: patriciaflunker <patriciaflunker@yahoo.com>

Subject: RE: [EXTERNAL] Re: Windermere Oaks WSC

Patti,

I tried to call ya but I know its hard to answer calls while working.

Please call me at your convenience.

Thank you,

Steve

Stephen M. Dunnahoe

Utility Solutions

Aqua Texas

O: 817.367.1403 M: 817.822.3779

From: patriciaflunker <patriciaflunker@yahoo.com>
Sent: Tuesday, February 11, 2020 4:36 PM
To: Dunnahoe, Stephen M <SMDunnahoe@aquaamerica.com>
Subject: [EXTERNAL] Re: Windermere Oaks WSC

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Great, thanks

Sent from my T-Mobile 4G LTE Device

----- Original message -----

From: "Dunnahoe, Stephen M" <SMDunnahoe@aquaamerica.com>
Date: 2/11/20 4:26 PM (GMT-06 00)
To: patti flunker <patriciaflunker@yahoo.com>
Subject: Windermere Oaks WSC

Thanks Patti,

I've included a link to an article on the challenges of smaller utilities. I think you will appreciate.

<https://twri.tamu.edu/publications/txh2o/2019/summer-2019/wearing-multiple-hats/>

Steve

From: patti flunker <patriciaflunker@yahoo.com>
Sent: Tuesday, February 11, 2020 2:35 PM
To: Dunnahoe, Stephen M <SMDunnahoe@aquaamerica.com>
Subject: [EXTERNAL] Windermere Oaks WSC

-

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

-

Steve,

It was a pleasure speaking with you. Attached is the rate sheet and the Windermere Oaks WSC Tariff.

-

Regards,

-

Patti Flunker

-

On Tuesday, February 11, 2020, 12:41:02 PM CST, Dunnahoe, Stephen M <smdunnahoe@aquaamerica.com> wrote:

-

-

Patricia

What is the name of your WSC and how many customers do you have?

Thank you

-

Steve

-

Sent from Mail for Windows 10

-