



# POATRI

Property Owners' Association of Terlingua Ranch, Inc.  
PO Box 638, Terlingua, TX 79852 (432) 371-3146

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## POATRI Board of Directors Meeting October 26, 2024 Meeting Minutes

**Call to Order:** President Brad Anthenat called the public meeting to order after and extraordinary break for an executive session. The President explained that there were two issues to deal with.

1. That the meeting will start with only five directors in attendance, noting the absence of Jim Spofford and noting that, Trent Edwards resigned in August, and that Larry Sunderland and Antonio Guerrero resigned at the workshop on October 26, 2024. A motion will be proposed at the instant meeting to appoint a new director and so the board will constitute the required seven directors per the bylaws to conduct business
2. A Ranch employee had applied to run for a position on the board. The President related that the attorney for POATRI had agreed that if elected the individual could not continue as an employee as this would constitute a conflict of interest. When informed the employee agreed to withdraw the application for the board.

**Roll Call and Certification of Board Members:** by Secretary Barbara Levedahl.

A Daley - P: B Levedahl - P: B Anthenat - P: J Spofford – A (attended by Zoom): L. Drgac –P: M. Moore – P: [ B. Vogl joined this meeting later after a board resolution placing him on the board]

### **Invitation for Public Service Announcements:**

**President:** Announcement that Big Bend High School, Toledo School will be hosting a Veterans Day ceremony breakfast at 8 30 on Veterans Day, November 11<sup>th</sup> and that all veterans are invited to attend.

**Acceptance of Minutes:** Secretary, Barbara Levedahl

The minutes from the July quarterly meeting were sent to the directors and posted on poatri.org. Barbara Levedahl moved to accept the quarterly meeting minutes as presented, and the minutes were accepted unanimously.

**President's Report** by Brad Anthenat

This year the, the board has been working together to make a better property owner association for all property owners. Whether you live here full-time or come to visit your



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property occasionally, we're setting very specific goals to make POATRI successful for the long term. What are these, uh, specific goals?

The big two are always roads and water. Roads, water conservation, assessment collections, and supporting operations have been the priority and attention of this board for the last nine months, in addition to hiring a ranch manager after the previous one resigned, in May.

Several of the resolutions that we will be discussing later in the meeting will support our commitment to improve our roads, water conservation, collections, and operations, and also addressing the CPI increase. If you haven't had a chance to meet our new operations manager, Aaron Smith, I would like to welcome Aaron. He's been on board with us since late July and, he's been doing a wonderful job for us. I'm excited for him to tell you about some of the long-term projects that have been completed under his guidance and I know there were a couple of things on that list for several years that he was able to get them done just recently. It's really exciting. I've had the opportunity to meet with Aaron on a weekly basis since he's come on board and, uh, it's been a real pleasure to work with him and watch him take the helm of operations.

One of the cornerstones of our success last year and this last several years has been the commitment to financial stability, careful budgeting, and sound financial management. We've maintained our association's financial stability so that operations is able to ensure that maintenance and improvements are carried out efficiently and effectively. At the April board meeting, we approved to put funds into interest-bearing accounts that are not immediately needed for operations and I believe, Marbert, correct me if I'm wrong, that we're now earning five percent interest on those accounts. Marbert can tell us more with the Treasurer's Report. The future of POATRI and our operations continues to hinge on owners paying their assessments. The board set a goal of having 90 percent or more of property owners paying their assessments within the year that the assessments were sent. We still have work and progress to go to get to that point, but we're making progress with it. We're seeing every year those percentages increase. I know that operations and Haley and property owner services has been sending reminder letters again to property owners that are behind on their assessments, and, I'd like to encourage everybody that if you're not current on your assessments, please pay them, because the next thing that we did was, was we set a legal process in place. And, while we want property owners to voluntarily become in good standing without having to go through the legal process, in some cases, legal action may be necessary to recover past dues. We want to make it clear that we've retained a debt collection legal team whose recourse includes pursuing foreclosure. I urge all members to review their account status and make every effort to bring their assessment fees up to date. The foreclosure process has started on a couple of accounts that have not paid for several years. As directors, we do not want to take this step, but we do not see any other option but to proceed with the foreclosure process as our lawyers have advised us. We'll talk more about this later in the thing when we get to the point where y'all may have some questions, we can go over that. But in general, what we're seeing is that property owners who may owe a couple of years of assessment fees, that when we start this process, it goes to the collections lawyers, it's out of our hands, and



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those collections and lawyers' fees are significantly more than what the assessment fees are. As an example, somebody who owes maybe \$800 to \$900 in assessment fees may incur up to \$3,500 to \$4,500 of attorney's fees during the process and they will still, if it goes through the foreclosure process or lose the property. So, again, we don't want to take those steps. We want everybody to pay their association fees and it helps us maintain our roads and operations here.

Progress continues on the Smith-Wells project. We'll have more information probably from operations on that. Just in closing, I'd like to extend my thanks to all the directors and committee members that helped me throughout not only this year but the past couple of months. This isn't one person's efforts at all. It does take a board to accomplish the goals that we've done. I'm always impressed that when we have topics that we need to discuss, we're able to meet and discuss and come to conclusions that we need to. And some of these decisions can be hard to make, but I'm really proud of what this board has done and has made my job easier. So, thank you to the directors.

Aaron. I want to thank you and the staff for the Ranch for everyone's contributions, dedication, and support. And it's everybody's collective efforts that are making POATRI internally successful. So, thank you.

## **Ranch Manager' Report** – Aaron Smith

I'm honored to present this report for quarter three. Some of the challenges that we're facing on the Ranch are a strain on our water supply because of the increased demand on our non-potable water supply as well as the drought that we're dealing with right now. In addition to that, property owners that don't pay their assessment on time or at all, maintaining over a thousand miles of roads that need constant improvements and inspections, finding reliable and experienced staff to live in a very remote area, and creating an environment that makes people want to return and stay longer. I think together we can make Terlingua a better place for owners, guests, and visitors by continuing to strive to make adjustments that will improve everyone's overall experience here. Some of the achievements that we've had this last quarter were in events and activities. We're working together to make plans to have regular events and activities for property owners to create a space for the community to come together and develop deeper relationships. We scheduled live music as well as events like movie nights and karaoke to create communal space for the ranch owners and guests alike to socialize.

We've been working on remodeling projects. Plans are in place to continue remodeling projects to improve the overall appeal and experience for guests and property owners. We've rearranged the front desk area with more options for guests and property owners to purchase food and other merchandise. We're in the process of refreshing the cabins as well to ensure that the guests have a good experience when they stay here. Water conservation initiatives have been implemented to ensure sustainable use of our resources. The process includes having different stages of water conservation to ensure the health of our wells for everyone. Fortunately, we haven't had to go into water conservation because we've seen a drastic decrease in our non-potable water usage once we put in a calibrated water control system to dispense the non-potable



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water. So now we have a way to program in the number of gallons people are purchasing. They hit the button and that exact number of gallons comes out so we don't have people buying 200 gallons and then leaving with 400 gallons. As you all probably know, if every single person comes in and gets a little more water than they are paying for, it adds up pretty drastically. And since we've implemented that system, it really is created a way for us to avoid going into water conservation stages. So really excited about that move forward.

Improved communications throughout the department - There's been efforts to improve interactions within the staff as well as between the staff and property owners and between the staff and guests. It creates an enhanced sense of community as well as a clear line of communication with the management team and the board to fulfill the needs of the people living on the ranch. So, everybody's been doing a really good job of coming together and having open and civil dialogue with each other.

Road work - We've had continuous road maintenance and improvement efforts carried out. We continue to strive to create a healthy road system on the ranch and ensure everyone has access to their land. We have recently installed GPS tracking devices in the road crew vehicles so we can keep track of them and we also have a piece of software that helps us track everywhere that we've inspected, everywhere that we've done road work and it also helps us communicate between property owner services and the road crew way more effectively. So when somebody calls in a road request we can drop a pin and the road crew can pull that up and go to that spot with a description and a picture of what the issue is and they can address that on there. So that's been working really well and we've got a lot of good feedback from the property owners about the improvements on the road systems and I've definitely made some headway with the road crew itself being more enthusiastic about fixing some of the less desirable roads.

staff highlights - I want to really give a prop to Haley in Property Owner Services. She's been instrumental in running our property owner services department and her efforts in increasing the current percentage of assessments paid has been really effective. She's constantly updating records and assisting property owners and realtors collecting overdue assessments and she's done a remarkable job contributing significantly to the operations of the industry, so thank you so much for that. Debbie in book keeping has a meticulous management of POATRI's financial records. She has an attention to detail and the thoroughness that is really impressive. She monitors all the capital improvement budgets and maintains up-to-date records, which is invaluable to us keeping track of where the money's going and what we're using it for. Her collaboration with the board, auditors, tax accounts, and staff showcase her dedication and expertise, so we couldn't do it without her and she made sure that all the bills are getting paid and all the staff is getting paid, and she always makes sure we're not spending too much money, so Debbie is great in the book keeping office there.

Justin Jones and the maintenance team oversee the maintenance department and handles everything from making trash cans to repairing heavy equipment, keeping our water system working. The breadth of the work needed to maintain our facilities is a testament to their hard-working skillset. They will fix anything from a



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car to plumbing to electrical, so it's very impressive what they can do and how quickly they needed to accomplish.

Dennis, Bart, and Nick on our road crew have done a phenomenal job handling road requests promptly and ensuring road owners can get to their property year-round. They're constantly out there inspecting roads and they're very proactive whenever it rains and have the chance to do some road work. They're immediately out there trying to get that taken care of, so a lot of good things to say about them and we're definitely heading in the right direction with the road crews.

The cafe staff - Trey's been doing a great job with his team with minimal staffing levels. They renewed the menu and we are going to be releasing that soon. There's some minor changes and some price reductions to make it more cost-effective for the property owners out here to come and dine at the cafe. We want to turn it into a place for the community to meet and spend time together without having to drive all the way down to Ghost Town, so I appreciate them working hard. We've got fully staffed now in the cafe. We're ready to provide memorable experiences and food for all the guests at the Bad Rabbit Cafe, so we have gone from bare bones staffing to fully staffed and we have a great plan to execute a really good season in the cafe.

Our front desk coordinator, Patty, does a great job at the front desk. It's the reason that we've seen such an improvement up there recently. She ensures that not only the cabin's guests get checked in with a smile, but she also sells our property owner's water, food, fields incoming phone calls and runs a small market out of the front office now. She's always there when anybody needs her help and we're lucky to have her on her team. She's made some great strides up there and we're excited to see what the future holds with the front desk.

Sarah Holden, housekeeping, is doing an amazing job with her department. I just spoke with her today and told her that she's got a great housekeeping team even for a big city, and for her to have that level of dedication with her housekeeping team out here is really impressive. She always goes above and beyond to make sure that the guests are happy and that her staff is working efficiently.

Last but not least Shannon in HR is extraordinary. She has been there to solve any personal related questions or concerns. She's always proactive about making sure everyone has the certifications and licenses needed to be in compliance with all the regulations. It's not an easy staffing place, so diverse and remote, but she always finds a way to attract talented people to come out here and make the ranch a better place for us all. She's always there for people with personal issues as well. She kind of acts as a counselor when needed because she's a great shoulder for folks to come in and cry on and talk to her. So she's there to keep morale up here as well.

In conclusion, I'm deeply grateful for the dedication and hard work of our staff for the backbone of Terlingua Ranch's success. Despite the challenges, we continue to make significant strides in improving our facilities, services, and community engagement.



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I look forward to building on this momentum moving forward and working together to make Terlingua Ranch a place that we can all be proud of. Thank you.

## **Treasurer's Report & Budget and Finance Committee Report**, by Marbert Moore. **Committee Reports**

### **Committee Overview**

The Budget and Finance Committee includes:

- Barbara Levedahl
- Jim Spofford
- Linda Shank (Retired CPA)
- Dave Johnson

Our financial reports have been prepared with assistance from Aaron Smith (management) and Debbie (bookkeeping). These reports are available as handouts on the back table and will also be posted online at [poatri.org](http://poatri.org).

### **Financial Reports Overview**

#### **1. Balance Sheet**

- The balance sheet compares assets and liabilities between **January 2024** and **September 2024**.
- Two savings accounts (Reserve Account and Contingency Account) have been reclassified from the "Checking and Banking" section to "Current Assets." This adjustment reflects the purchase of CDs.
- Starting **January 1, 2025**, accounts will be reorganized to display checking and savings accounts together for clarity.

#### **Key Notes:**

- The CDs are now categorized under "Current Assets," which may cause total assets to appear reduced. For example, a \$400,000 difference is simply a reclassification, not a loss of funds.
- A new investment account with **Morgan Stanley** has been opened. This account allows for easy transfers and earns 5% interest.



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During peak assessment collection periods, such as spring, surplus funds from deposit accounts can be transferred to the investment account for better returns.

## 2. Profit and Loss Reports (P&L)

- The **Comparative P&L** details revenue and expenses for labor, supplies, and services as of **January 1st, 2024**, and **September 30, 2024**.
- The **Budget vs. Actual P&L** shows year-to-date revenue and expenses compared to the approved budget.
- A **Class P&L Report** breaks down financial activity by program areas such as lodge operations and road maintenance.

## Assessment Collection Reports

Two detailed reports highlight assessment collections over the past five years:

1. **Annual Revenue Comparison:** Displays collections for each year as of September 30.
2. **Cumulative Collections:** Tracks total collections, including payments for past-due assessments allocated to prior years.

## Key Insights:

- Hayley in Property Owner Services manages the distribution of collected revenues across appropriate years—a challenging task she handles exceptionally well.
- A legal collection process initiated last year resulted in:
  - 15 delinquent accounts sent to the law firm.
  - 11 accounts settled (assessments and legal fees paid).
  - 4 accounts in progress.

Legal fees for delinquent accounts often range from \$2,000 to \$4,000, in addition to outstanding assessments. This highlights the importance of paying assessments on time to avoid significant penalties.

## Budget Preparation

- The Budget and Finance Committee is preparing the 2025 budget.
- A budget worksheet is in progress, and final figures will be available after receiving December's financial data.



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## **Conclusion:**

The financial reports provide a transparent view of our financial health, while ongoing collection efforts and reclassification of accounts ensure effective management of resources.

Thank you for your attention.

## **Discussion on budget report**

Q: I'm wondering how the 15 properties that went into collections were selected. Not by what they owe or how old it's been? We just drew 15 out of the hat?

A [Marbert Moore]: Well, when that process was started, I wasn't here, so I don't know if they used to have it or not.

A [Adam Daly]: So, we started with an entire list of all the properties that are delinquent, and then we had our office staff at the time go through and start the process of looking at also who owes lots of back taxes as well and making sure that, usually that means lack of communication, attempting to reach out to these individuals. We could not get anybody on the phone to turn mail, things like that, knowing so. There was a process for that, but that was going to take longer, so we set those aside for the next step of the process

Went through to see areas that were the value of the land, to be honest with you, and staying away from smaller tracts initially, knowing those are harder to sell. If they go through the foreclosure process, it's going to go through the county courthouse steps. So, we looked at larger properties that owed back assessments that we could get, that we had valid contact information for, reached out to those individuals to start that process. And also, the idea of people with larger property tracts have more skin in the game to lose and more likely to pay that initial assessment before having to go to the attorney and giving them that one last opportunity.

They went through that checklist, also looking for staying away from estate accounts initially, because that's a whole other issue to have to deal with. There is a process for that that will be included in the future, but these were that checklist. Size of property, value of property, ability to contact viable owners or property owners on that was the initial component that we looked at. And so, as we go through some of the checklists and we learn more and more, we will be expanding our scope of properties that will be going through this process as well.

President: And we do have a whole other section. We can do collections discussion now if we want. We're kind of in the middle of committees, right?

But if there's, we do have a section in old business or new business, I can't remember where it's at now, for the collections program to talk more about it. And I know because there's a lot of





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information that needs to go. But Chuck, if you have a question, I don't want to cut you off. Please ask.

Q: On the properties that go in the portfolio, that has to go through the county court system. Is that where the properties eventually are sold?

President: Yes.

Q: And you're shaking his head so you can't hear that already. But if the property is sold for in excess of the fees and the legal fees and money owed to a lot of them, where is that additional money owed back to the person?

President: That's right. So, and we're still, this is all a new process to us, right? So, we're learning as we go. But my understanding of the process will be that as it goes into foreclosure, the county handles that. As we deemed it, we have, it's going to go to foreclosure and auction. The property goes for sale on the courthouse steps by the county. They sell it. If the county is owed any taxes, they get their money first. Okay? Then we would probably be next in line and receive the assessments plus the attorney's fees that we have to charge now to get that. If there's any money is left over, the property owner receives that money.

Q: I quickly looked over this and it looks to me like our income is lower. But I'm not understanding why. I know that this summer was bad for income coming into the franchise. Otherwise, it just looks like it's all going more out than in, which is horrible. Is there an explanation?

A [Marbert]: So, the revenue that is received by the portrait typically is in the spring. That's most of the revenue comes in. And that's, the springtime is usually a higher revenue time. So, the summertime is relatively slow. So, we're, this is as of September 30th. And so we suspect that room buildings, for instance, probably are showing to be pretty hot for the next three months. And so, our revenue is going to be quite a bit higher for this last quarter that we're beginning than what it's been for the last two.

President: And, you know, I can also address that may be some of that is, you know, we didn't have a ranch manager during that time, right? So, it's obvious to me when we have a ranch manager that's watching this stuff and helping keep an eye on this, that we tend to do better. And like I'll take blame for this because as president, I had to step in as interim ranch manager. And I do my best to try to do it, but I didn't have the time to dedicate it to what a full-time branch manager is getting paid to do it.

## **Road Maintenance Committee Report** by Barbara Levedahl

The road maintenance committee consists of Marbert Moore, Bill Vogl, Bill Brown and me.



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On the 14th of August, we went on a road trip attended by Dennis Nance and Nick Cooper from the road crew. Aaron Smith, the manager, Bill Brown and me. And we went to look at a section of road inside Gate 2 where there were two possible solutions. The road was in a fairly dangerous condition and it was decided to move the road with the permission from the property owner.

Aaron contacted the owner and was granted permission to do this. At another section of the road further along, it was decided that once the loader that POATRI recently purchased was in full working order, it would help in diverting the water flow away from the steep bank to avoid any further erosion. And I'm assuming that this new loader has been quite helpful in redirecting roads in other areas at this point because it seems that there are far less urgent complaints about dangerous roads anymore and it seems things are working much better.

I was told about one road yesterday that has some fairly dangerous corners similar to one that we fixed on Cedar Springs Road, where there's a blind spot and people coming in opposite directions on a thin road, you know, could have an accident. So, I plan to make that the next road trip out to go and look at that.

If anybody knows of any similar situations, please let me know and we will go and look at them as well.

## **Water Committee**

President: Larry Sunderland is not here to present a report. What we can do is speak to one of the projects that is being done and that is the TDCEQ requirements for the spent well. And that project with Barbara's help and Aaron's guidance has started.

I'll speak quickly to why the TDCEQ requires us to do it. This has been an ongoing project. I think, again, I think probably since 2018-ish, it's been, again, been years and years that this project has been going on and needed to be done and that the work is going to be completed.

Aaron: So, we've had Arrowhead Well Drilling Service out here and they installed a slab out by a spent well to hold the tank. The slab has since been cured and the tank has been delivered and installed. So, at this point, the remainder of the process is going to be installing the fluorinators and boosters as well as putting in the sounding tubes so that we can accurately inspect our wells for their health and make a more informed decision as far as water conservation is concerned.

President: I'll expand upon that a little bit. So, the general idea is that there's going to be a big tank by the spent well and the well will just pump into that tank and then it gets chlorinated and pumped uphill to the bigger tank up here. Or does it get chlorinated at this tank? It gets chlorinated both places, alright. So previously, the pump in the well had to pump the water out of the well which was several hundred feet underground and then also pump it all the way up to the tank. So it was the same pump doing all that work and as you might imagine, that's hard on a



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water pump to do that. So, the ability to pump from the well just to a surface tank at the well will help reduce strain on that pump and then we'll have another tank for storage and collection there before it gets chlorinated to go uphill. So, it's required by TCEQ but it's also beneficial to us. There is a benefit in doing this work.

Part of this process was doing a water test on that well, so it was a 36 hour test that we had to pump water out of that well and measure the volume of water that was in that well. The perceived quantities of water prior to that test was low, which limited us to the amount of connections we could have on that system.

So, in other words, we were limited to only having the existing connections that we had. We couldn't add another RV site with a water connection to it because the perceived quantity of that water was lower. So, after that test was done, we have more water now than we think, which is roughly 44 gallons per minute.

Marbert: So that was the test that TCEQ required in order for us to request additional outlets. So, for instance, the office might be one outlet. Don't spend a lot of money on fixtures, so there's a box at the cabins. We counted them a certain way. So, because of the flow rate on file in TCEQ from way, way back, then there was a limited number of outlets. So TCEQ then, in order for us to raise the number of outlets, increase the outlets, then we had to perform the water flow test. So that was done in the spring and it did very well. And so TCEQ then has us in a different category as far as our potable water system. We're only talking about the potable water system. Ranch actually has two, the two potable water systems is what's governed by TCEQ. And that's the water that serves the cabin area cafe.

The non-potable system is not governed by TCEQ. So, it's just simply pumping water out of the ground and we have those levels. So, we can sell that water as non-potable water. That's what constitutes water savings.

President: And Aaron also touched on the fact that, I believe it was at the April board meeting, we approved sounding tubes for all our existing wells. And what those sounding tubes allow us to do is measure the amount of water static level that are in those wells at those times. So, if it's done on a weekly basis, then we can kind of start to keep track of the health of those wells. Are they keeping up with demand or are they not keeping up with demand and are dropping? And so that work will be done in conjunction with this work. And so that will give operations the ability to, you know, monitor and give more information to not only operations with the board to help make very important water decisions. To have some more information, better data, better decisions we can make moving forward.

And so there's a couple of water projects that are going on that Barbara's aware of. She'll talk about that in our new business.



## **Communications Committee Report**

President: I'll speak to that one a little bit. Trent resigned in August. We were not able to get a newsletter out after his resignation. I'm going to be working from the board side as communications committee with Aaron and operations to help get a newsletter out after this meeting. So, we'll get all the board information in there and get a newsletter out after this meeting.

## **Old Business and Property Owner Communication**

President: The generator power project is on here, and to give a brief, quick, brief history on this, we approved three generators to be installed for operations. Those three generators were to provide power to this building, the bunkhouse and café, and the shower house, an additional generator at laundry, and an additional generator for and off the office. So when we consistently lost power out here, we were able to not scramble and worry about food costs, food loss, and also loss of production in the office and housekeeping. So those generators were provided and purchased. And as they were being installed, we find that the infrastructure that they're going to be connected to is not in good shape, right? The power pole split and basically, from this pole out here to here would need to be completely replaced.

And then also from the new generator to the office would need to be replaced so that one of the suggestions would be to move the generator to the office area itself, right? And then, again, getting connected to the laundry isn't – with the older equipment and wires and stuff, and generators are a little bit underrated from what they should be.

So there needs to be a plan put in place that when power is lost and they take on, to do a power shedding procedure so that it doesn't overload the generators. As we're trying to get this work completed, like many things that Trilingual Ranch can find in this old infrastructure, it's going to cost us more money. Significantly more money. So, the first quote that we have in this one is just a quote. The first quote that we received to do the work that I just described is \$50,000.

So, the board has not approved that yet. Aaron's working with other contractors to get us additional quotes. But those – but at some point he will have three bids for us to review and go over so that we'll get those new generators hooked up to our infrastructure directly without damaging our new equipment and or the existing wires.

Next on the old business was review the water conservation stages. In July we put in place new water conservation measures and stages to, as our non-potable well was not keeping up with demand of waters, non-potable water sales, it was having to be supplemented with the pool well. And so we put a new conservation effort with stages in line. These stages will reduce the amount of non-potable water that we can sell on a biweekly basis when they are put in place. And so part



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of that resolution was to review this new project and monitor it to see if we as a board put something in place that is not sustainable either for water sales or is just not practical for operations to carry out. So, Aaron would you like to give us sort of a review of how it's been going?

Aaron: So, when we initially made the determination if we were going to be in stage zero, stage one, we were kind of on the fence. It was a little difficult to decide so we went towards stage zero to just kind of see how the next two weeks would go. After we have the sounding tubes it will be a lot easier to determine this but currently the way that we're determining it is the amount of additional water that's being pulled from the pool well. So if our non-potable well isn't producing enough and we have to produce from the pool well, that kind of shows the health of the well and determine whether or not we go into different stages.

After we had a little bit of rain and the amount of sales went down that first couple of weeks and so we were able to maintain that zero level for the staging. And then like I said earlier, once we put the button in to dispense the correct amount of water, I think that it counted for basically the overage that would have caused us to go into that first stage of production. So by putting that button in it was able to continue to sell the 500 gallons every two weeks to the property owners. And then we think that moving forward if we continue to have this drought and we get a heavy pull on that non-potable supply we will determine what stage we need to go into but luckily we haven't had to do any restrictions at this point. I would say if we continue to have drought and we continue to have high non-potable water sales there is a possibility that we're still going to have to go into that. But the positive thing is that we will stop using the pool well for the pool starting at November 1st because we'll be closing the pool.

So that will kind of give us a little more of a new way to be able to utilize that well for non-potable water sales without having to go into restrictions.

President: And you know it's been three months since July just to again reiterate why. And that is because that non-potable well was not able to keep up with demand. And so this wasn't done to punish property owners. This was done just to the reality of wanting to be able to continue to sell non-potable water to property owners and monitor that in a way that's beneficial to all of the programs that are purchasing that well.

Aaron: So, when you purchase water from the front desk, say you want 200 gallons, you pay for 200 gallons, they have a device at the front desk they type in 200 gallons on. Once they put that in there, you go to purchase the water, pick up the water from the non-potable water. There's a little box sitting next to it that has a cover on it. You pull the cover off, and once you hit the button, it'll pump out the amount that the front desk is programmed in there, and it'll cut itself off. And so it's kind of a big way to just kind of pull both sides of county.

President: Yeah, and again that's so wonderful to have that done, right? So now that we know that specifically what property owners are purchasing, they are pouring and delivering the exact amount that they have purchased. It's very reassuring to me that that work has been done.



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All right, if there's any other questions on the water conservation stages, I think we can probably drop this one off of old business and just have you monitor it as a manager.

And if you have any concerns, you know, we can get into a worse problem than we are now and have to stop water sales from like that and work in review.

Water catchment projects, this is the one Barbara that you can speak to. What I can say is that the July board meeting, we had a discussion that started with collecting rainwater off the RV shade structures that are employee housing, and what we would and would not be able to do with that water as an organization if we captured it. And then we sort of went from abandoning that project because of the ability to use that non-potable rainwater would maybe not be as cost effective as what we originally thought. And so then we sort of switched gears to capturing rainwater off the bunkhouse and cafe roof to a tank down here and putting that into the swimming pool since we're now supplementing the swimming pool well with non-potable water wells. We would be allowed to, my understanding is we would be able to use that rainwater in the swimming pool since it is getting treated to swimming. And so those were the two projects that we talked about in July. I don't have any information from Larry whether any of the bunkhouse work was done about capturing that water, but I do know that Barbara met with him on the RV shade structure project, do you want to address that?

Barbara: Yes, I met with him on Thursday and at the shade structures and we discussed ways of using the water mostly for landscaping. The gutters are already in and three could be directed to one side, the west side, and three to the east side. We thought we would do it that way. And I mean it also involved berms and swales and putting a huge berm up in front of the top RV shade structure to give that person more privacy as well as down at the bottom and perhaps have this water directed to areas along the side where trees and bushes grow, well Larry thought of cottonwood trees, that would be nice, but I don't know if they would grow there, but certainly the idea would be to develop more greenery. We also discussed trying to collect the water that's dispensed from the air conditioners. I do that at my house and I actually have it piped underground to feed plants and it works pretty well.

I think as Brad mentioned, we can't really collect a lot of rainwater for much use besides toilets, that would be the only thing we could use it for. And then the landscaping, and he's also mentioned putting a tank out here to collect water for the swimming pool, but additional water like this can easily be used for landscaping, it can be used by the road crew for when they need to water roads before rolling them to get a harder road pack. So, we just met to discuss this and then, well he's resigned now, but we were going to get together and decide what needed to be implemented to put this into practice. So, there's more work to be done on that. I also did get to change the subject slightly differently to the bathhouse. I have finally gotten some information from the surveyor on all of these buildings around here, so hopefully we can move forward on that project to the new bathhouse and laundry for the members.

President: There's nothing from, since the water committee head is not here, we don't have anything to present to the board to vote on.



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Q: Can you think of any progress at this time about guttering this building and working water or is that totally something that has to wait until the next board meeting, next session?

President: At this point, we do not have any proposal in front of us to vote on, so that we can't take any action right now. Obviously, this happened yesterday, so, what we need to do as a board is find another water committee chair and get that in place so we can start that, the process again, right? So, we don't have anybody that is the chair of the water committee right now. So, without that person heading that up, then there's, the board has no action to take at this time.

Q: I'm thinking about water. If there was a fire out here in the immediate area of the lodge, is there any other way that the fire truck would get water other than the pool? Do we have a tank that's set aside for that?

President: Oh, boy, you slid right into the next topic. So, right now, the answer is no, but that does lead us into the perfect segue into, at July, we talked about a water trailer, right? So, we started with the 500-gallon new water trailer and tossed around the idea a little bit. Larry Drgac here has done some research and provided it to the board, and so we're going to be considering purchasing a thousand gallon used water trailer, and this water trailer would be used to not only move water around operations, filling the RV dump station, but it could also be used, if we had this fire, for fire suppression and purchasing water hoses and that kind of stuff.

We have a resolution for that so would the Secretary like to read the resolution.

## **Resolution for a Water Truck:**

The Secretary read the resolution: Whereas the water committee, headed by Larry Sunderland, has expressed a need for a water wagon trailer, the trailer and tank are needed to move quantities of water for various purposes, such as moving water from a well source to the RV dump station site, irrigation of landscaping, dust mitigation in the lodge area and fire suppression, whereas good used water tank trailers are readily available and fully equipped with tandem axles, one thousand gallon tank pump and hoses for reasonable prices in the range of \$8,000. Therefore, be it hereby resolved that the board of directors authorize the manager to purchase such tank and trailer rig for \$8,000 or less.

No discussion forthcoming, the President moved to vote on the resolution, the Secretary seconded. The Secretary called the vote and the resolution passed unanimously.

## **Resolution for CPI adjustments to annual assessments:**

Treasurer: So, the bylaws of POATRI requires that every year we take a look at the consumer price index and the bylaws actually specifies precisely where we go with that information. So our resolution then for the assessment for 2025 reads, and I won't read the first



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paragraph, that is specifically the, make reference to the article 4.01.L, which requires a treasurer to review the average of monthly BLS's CPIs.

Whereas based on the reference of CPI, September 2023 and August of 2024, as of the U.S. Bureau of Labor Statistics extracted in October 2024, the calculation of annual average consumer price index, that's the CPI, yields a ratio increase of 2.3% since September of 2023. Therefore, be it hereby resolved to approve and adopt the average CPI increase of 2.3%, which equates to an increase of \$5.04 for a new assessment of \$224.07 for the calendar year 2025.

And there's a typo in the sheet. I've corrected it.

The President clarified that the yearly amount is \$224.07.

There being no other discussion, the President moved to vote on the resolution, seconded by the Secretary. The vote was taken and the resolution passed unanimously.

## **Collections:**

President: Next on the list was just the collections update. We've covered it a couple of times, but I think it's worth reiterating. And that is the basic process is, is that if you don't pay your assessment, you're going to get a letter from Haley and property owner services. And those are friendly reminders to please pay your assessment. At some point after that, you haven't paid it. And the specific process for some accounts already has been to go to the collections attorneys. Once it goes to collections attorneys, the property owner has to deal with the attorneys because there are now attorney fees associated with that account. So we are no longer involved in that process. Before it goes to the attorneys, we're trying to work with any property owner that wants to pay their assessments. You want to get on a payment plan. Haley has the ability to accept payment plans. Please work with us to pay your assessments before it goes to collections.

Once it goes to collections, again, we're seeing attorney fees. It's \$250 when they send you the first letter. That's what it costs. \$350 of attorney's fees for them to send you a letter that they are now handling the account for us. So your 800 and some dollars, if that's what you owe in assessments, is now over \$1,000. So, once it goes then through foreclosure, we are seeing attorney's fees up to, at this point, \$3,500, \$4,500 in addition to the assessment fees. So once it goes to foreclosure and the property would be sold, as we've discussed, the county gets their fees, we get ours, and the attorneys get paid also. So that money gets collected.

If any remaining money is left over, it goes to the property owner. We are approving more accounts to go to the attorneys. So as we're learning this, this has been a brand-new process. Ed Marcato, as treasurer, saw this start in January of 2023. Adam as treasurer last year worked through this process and now Marbert this year. The manager and Haley are involved in monthly meetings having to discuss how to make this process work for us.





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And it's an unfortunate process, but as these go through the foreclosure process and we get more certainty on how to handle the accounts, we're going to see that we will have the ability to start giving more and more accounts to the attorneys to handle them for us. So again, I really just encourage everybody, work with us. We're ready to work with you.

There's a payment plan, if that's what it takes.

But once it goes to the attorneys, it's out of our hands and that process can get expensive really quickly.

Q: Is it my understanding that illegal things are paid by POATRI and then reimbursed to POATRI? At the POATRI Collection, are there any POATRI fees until it is paid, come out of our pockets, or legal fees?

President: That is correct. So as this process, as it goes through the process, any legal fees that are associated with this, with the collections, we, as POATRI, pay that, and then as the foreclosure process goes through, and that we get reimbursed from that. So we are carrying the additional debt of this process.

Q: How far is a person behind before this triggers?

President: So right now, all the accounts that the collections agency had are at least four years behind.

Q: Okay, so it's not, it's not like they've missed one year- there are significant years that they haven't paid for that are with the collections.

President: At least four. At least four or more, yes. Yep. And again, you know, the board's trying, we want to be successful in this process, right? We don't want to incur more debt that's not paying off for POATRI, so we're trying to find ways to select accounts that will benefit POATRI, right? That's the ultimate goal. The ultimate goal, again, I think this is worth stating every time we say this, the ultimate goal for POATRI is to have 90% of property owners pay their assessment within the year that it's due. That's the goal, right? And we're seeing, you know, when Marbert goes back five, six years to see this, is it high as 80 some percent? 70%.

So we're seeing within four or five years, we're seeing 70% of accounts being successfully paid. But we want to get, and probably, you know, in the high 50s to almost 60%, like this year, we haven't hit 60% yet. We're just shy of 60 right now, if I remember correctly. 55. A little bit shy of 60. So as of today, we have roughly 55% of property owners that have paid their assessment this year. And the goal would be, by the end of the year, that 55 equals 90. That's the goal.

And so, what the next step of the process, of course, we're in as we're working through this, but the next step of the process would be that Aaron and Operations and property owner services stay on top of this process, right? So, if you haven't paid in a couple of years, and we've been sending you letters, then the next step would be for Collections, right?

And every year to keep that process going, that this isn't just a one-time thing for us.



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This is going to be an ongoing program that once you haven't paid a certain amount of assessments, you know, if you miss three years, maybe it automatically goes to collections. Again, we're working through that process. There's nothing stated yet, but that's where we're headed to. Because for the financial stability of POATRI, we need to get to 90% every year.

## New Business

Old business concluded the President took up new business.

### **Filling a vacant position on the board**

President: We need to draw candidate names for the ballot position. So, with the resignation of the directors in the last couple of days and months, here's where we stand. There will be three three-year terms available. So, that would be my position, Barbara's position, and Antonio's position. And then there will be two one-year terms available. And that would be Larry and Trent's positions. So, there's a total of five positions open. Three for three-year terms and two for one-year terms. How those get filled is that in order to be elected to the board, you have to receive a simple majority of votes cast. And then the three candidates that receive the most votes will fill the three three-year terms. And then the next two candidates that receive the fourth and fifth most votes would fill the two one-year term.

Q: I thought Antonio had filled the one-year term that was open. So, this would go out in January.

President: That's correct. So, that's a three-year term. So, in other words, what we're doing is when we fill the position, we'll fill his position, right, for the seventh member. And then that appointed director will be off in January. And then we'll fill three three-year terms, me, Barbara, and Antonio's. And then the two one-year terms that were open. And the two one-years were from who? For the reservations of Trent Edwards and Larry Sunderland. They each had a one-year term.

Q. Okay, I thought Larry had said at the last meeting that, you know, he wasn't running again and he went off in January. I'm just trying to get my head straight. A simple majority, more than 50% of the votes cast. So, it has to be over 50% of the votes cast. So, it can't be a half a vote.

President: Yep, it can't be half a vote. So, of the ballots. Yes, of the ballots. Yeah, so, easy way to say it, 100 ballots cast, you must receive 51 votes to be seated. Right, simple majority. All right, I think we're down to draw names. So, we have five candidates that have put their application in. Those five candidates are... Dick Willard. So, Dick, if you'd like to stand up. He doesn't want to stand up, he wants to wave to y'all. All right. Thank you, Dick.



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Chuck Henson has put his application in. Amy Law. Thank you. Dave Johnson has put his application in. So, we have five candidates for those five positions and then the election will help determine what terms those candidates fill. All right. Do you have the names in a hat? All right. Who from the audience that does not have any affiliation? Chuck, you want to draw for us? So, first is Amy Law. Amy Law. Congratulations, Amy. Second on the ballot is Dave Johnson, Congratulations, Dave. Third is Barbara Levedahl. Congratulations, Barbara. Fourth is Chuck Henson. So, I believe that will leave Dick Willauer as fifth on the ballot. Thank you, candidates, and good luck in the upcoming election.

We have one item of new business. As I discussed at the beginning of the meeting, that we are required to appoint a director to the board to fill out until the next election results. So, let's do this on the fly. We have to appoint a director to do this, and I spoke with a previous director who was going to be appointed for this position, and that gentleman is Bill Vogl, who's joined us here in the back of the room. Thank you, Bill. And so, I would like to propose to the board that we appoint Bill Vogel to the board for the remainder of this year, I guess, the term of Antonio Guerrero until the election. Any discussion on that appointment by the board? So, Bill Vogel has served on the board in the past, as I understand and he's also served two full three-year terms. So, he's very well acquainted with the board, how the board operates, and that kind of stuff. So, he is qualified for the position. Any concerns or input? All right.

The President moved to vote on appointing Bill Vogl to Antonio Guerrero's open position. The Secretary Seconded and took the vote. The resolution passed unanimously and Bill Vogl was seated on the board.

## **Committee assignments**

The President then took up committee assignments as follows:

Larry Drgac: volunteered to head the water committee and Barbara Levedahl volunteered to work with the water committee on the previously discussed project for the use of water catchment

Barbara Levedahl proposed to restart the task force for the new bath house and laundry, and Anna-Marie Posey and Amy Law agreed to work on the task force. The President expressed a desire to continue sitting in on conversations regarding the bath-house project.

## **Discussion of paving the 3-mile dirt portion of Terlingua Ranch Road**

The President then discussed progress on getting easements from property owners to enable paving the 3 miles of unpaved Ranch Road pointing out that the county commissioner prior to Sarah Colando had started a conversation with the board indicating the county's willingness to take the last three miles in as a county road if the affected property owners provide easements to the county. This process has been ongoing for several years at this point. The road would cross 22 properties before it gets to the POATRI property. A total of 14 of the 22 have been signed. There is a nine-tenths of a mile that's actually contiguous with the current county road that



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have been signed over and so the board will see if the county will do the road in portions.

Additionally, the board is undertaking a survey to ensure that the road goes through the properties we believe it does because there's some discrepancy between the Brewster CAD, that information that's online, and the actual road itself. So, the purpose of spending \$1,200 that operations will do will be to clarify exactly what properties the road goes through so that we can get the correct easements signed. Once the easements are signed it takes roughly a year for it to become a dirt county road that they would maintain. The next step for them would be to pave that county road which requires having a budget and doing the work of paving the road, which would require two years minimally.

## **Adjournment**

The President expressed his appreciation to all the directors for their time and to the Manager for his time and then moved to adjourn the meeting, which was seconded and unanimously agreed upon.