

The PINE POST

A TAHITIAN VILLAGE PROPERTY OWNERS ASSOCIATION PUBLICATION ❖ SEPTEMBER/OCTOBER 2011



PRIVATIZED WATER SUPPLIERS... WHAT COULD GO WRONG?

BY FORREST WILDER (PRINTED WITH PERMISSION OF THE TEXAS OBSERVER)

On July 28, a Texas Senate panel heard from people across the state who are angry about skyrocketing private water utility rates.

For-profit, monopolistic water utilities regulated by the Texas Commission on Environmental Quality. What could possibly go wrong? Well, plenty. Yesterday, a special state senate panel heard from frustrated, angry folks from across Texas who are dealing with skyrocketing water and sewer rates, poor service and wasteful practices by companies like SouthWest Water Co. and Aqua Texas.

"This is a state-sanctioned monopoly and as such the state has an obligation to regulate utility rates and protect the consumers," said Lisa Elmore, a resident of Forest Bluff in eastern Travis County, "Members of communities like mine have been disenfranchised".

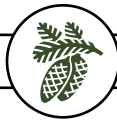
"I fear that we may be ignoring our responsibility to effectively regulate this industry and protect consumers that live in captive monopolies," said state Sen. Kirk

Watson, the Austin Democrat who co-chaired the hearing alongside Sen. Robert Nichols (R-Jacksonville).

The hearing cast light on an industry that enjoys little competition and light regulation. Citizens and small-town city governments are left to fight it out with the utilities over rates and corporate acquisitions of water/sewer systems.

Utilities can dramatically increase rates with little fear that citizens can influence the process. Over 90 percent of all rate cases end in a settlement, a TCEQ representative said. Watson said that's in part because the utilities take a "shock and awe kind of an approach" in which the companies ask for ridiculously high rates knowing that consumers will settle for lower, but still high terms.

City governments can object to proposed rate increases but, the outcome is rarely favorable, said city officials yesterday. Julie Couch, the city manager of the east Dallas suburb of Rockwall, explained how she had been trying to help a recently-annexed part of Rockwall serviced by Aqua Texas. The 3,000 residents of Lake Rockwall Estates, which Couch described as similar to



a border colonia, pay five times as much for sewer and water services as those served by the city of Rockwall, Couch said. An average bill is about \$150 each month, or \$1800 per year. Aqua Texas is planning on increasing its rates again in the fall.

Couch said the city, if they owned the system, could provide water and sewer to the residents at the same cost as the rest of Rockwall but, Aqua Texas is unwilling to let go of a good thing.

If anything the situation is worse for folks living outside of a city. In "the environs," as these areas as termed in utility jargon, investor-owned utilities can unilaterally impose new, higher rates on their customers. Even though many insist that TCEQ has the power to set interim rates, the agency rarely, if ever, has done so. Without the benefit of a city government or aggressive state regulators, these citizens are then left to drum up money to hire lawyers and expert witnesses on their own, a daunting task even for affluent communities.

"As ratepayers the way we raise money is bake sales, yard sales, donations and standing on a street corner with a boot," said Orville Bevel, of Texans Against Monopolies Excessive Rates.

In the North Texas town of Blue Mound, which is served by SouthWest Water's Monarch division, customers have seen four rate increases in the past decade. Everyone is paying a lot more for water and sewer. However, the average customer outside of town, in the environs, has paid almost \$880 more for water during that time period than those inside the city limits, said David Frederick, an Austin attorney representing the city of Blue Mound.

Now Monarch is trying to jack up rates once again. Reports the *Statesman*:

About 2,000 Texans have submitted protests against SouthWest Water Co.-owned Monarch Utilities I LP's proposed rate increase, which goes into effect Monday in small, rural, unincorporated and growing communities in more than 30 Texas counties, including Travis, Williamson and Hays. The new base

water rate for communities served by Monarch will be about eight times higher than the rate in Austin; the base wastewater rate will be more than five times the Austin rate.[...]

Residents of the low-income community Kennedy Ridge Estates in eastern Travis County found their water bills exceeding \$300 a month, the Statesman reported, and some went without water for weeks.

Last month, in an agreement with the state attorney general's office, SouthWest Water agreed to pay back Kennedy Ridge Water Supply customers \$76,789.40 in back-billed rate increases and related fees.

Now, Kennedy Ridge neighbors in largely poor and middle-class subdivisions face a new round of rate increases by SouthWest Water, which has been consolidating customers under its Monarch Utilities flag. SouthWest Water is owned primarily by J.P. Morgan Asset Management.

Like many private water utilities, Monarch charges customers a stiff monthly fee even if they use no water. Clark Thompson, a consultant for some Monarch customers, told the senate panel that an average customer would pay \$106 per month even if they never turned on the tap.

But Mark Zeppa, an attorney representing big utilities, hinted to the senators that setting rates was sorta socialistic. "What you are doing is eating into their return and when you do that you confiscate that company's capital," said Zeppa. "Now, we have a constitution that says you can't do that."

At first blush, the battle lines seem simple: ordinary citizens versus greedy monopolies. Why, even a free-market conservative could get behind that cause. And indeed, senators pledged to "do something" in the 2013 legislative session though it wasn't clear what that "something" would be.

But this is Texas, where Big Business always goes into the fight with the upper hand. There's lots of money on the line and almost a year-and-a-half before the Texas Legislature meets again. Look for plenty more bake sales in the meanwhile. 🌲



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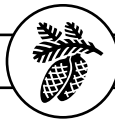
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In an effort to provide you quick and easy access to information important to you as a resident of our beautiful Tahitian Village, we would like to add you to the new TVNNN e-mail list. This list is also vital in distributing information about political and TVPOA, TVACC & BCWCID#2 Board candidates, missing/found pets, garage sales and unfortunately, vandalism, burglaries and any available information on local fires. Please help us keep you informed by providing the following information (by doing so, you will automatically be added to the TVNNN e-mail list):

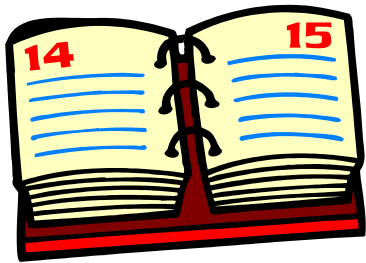
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Thanks for your support and interest in our beautiful neighborhood!

NOTE: Please do not resubmit your information if you have already turned this in from a previous issue of the Pine Post. Thank you! 🌲



Mark your
calendars

ALL MEETINGS WILL BE HELD AT
BCWCID #2 CONFERENCE ROOM
UNLESS OTHERWISE
STATED.

SEPTEMBER 2011

- ❖ Sep. 5 – BCWCID #2 OFFICES CLOSED FOR LABOR DAY
- ❖ Sep. 15 – BCWCID #2 Meeting at 6pm
- ❖ Sep. 19 – TV Architectural Control Committee Meeting at 5pm
- ❖ Sep. 20 – TV Property Owners' Association Meeting at 7pm

OCTOBER 2011

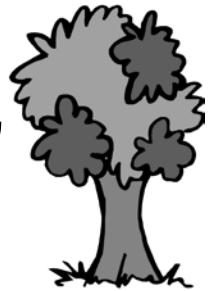
- ❖ Oct. 3 – TV Architectural Control Committee Meeting at 5pm
- ❖ Oct. 8 – Subdivision-Wide Garage Sale 7am – 1pm
- ❖ Oct. 15 – CLEAN SWEEP 7AM – 1PM
- ❖ Oct. 17 – TV Architectural Control Committee Meeting at 5pm
- ❖ Oct. 18 – TV Property Owners' Association Meeting at 7pm
- ❖ Oct. 20 – BCWCID #2 Meeting at 6pm 🌲

SEPTEMBER/OCTOBER HOLIDAYS

- September 5 - Labor Day
- September 23- First Day of Autumn
- October 10 - Columbus Day
- October 31 - Halloween

A COUPLE OF THINGS TO CONSIDER DURING THE DROUGHT

BY MARIANNA HOBBS



We are in a seriously hot and dry summer situation and there are a couple of tricks that will help with the plants and trees. The obvious things that help are watering early and late in the day. To help plants withstand the intense conditions, add compost to flower beds and trees and follow with a generous helping of bark mulch. This is not the time to do any heavy pruning, planting or using chemical plant foods. Water regularly and by hand when possible. Another thing that helps the yard is to not set the mower too low. The roots and foliage are much better protected with longer growth. We live in an extremely hilly area and the roots of plants are essential for holding the soil in place when there finally is some rain to actually run off.

To get a better idea of how over clearing a lot hurts everyone – drive by the double lot with no house on it on Honopu off Mauna Kea. It is slowly going away and will affect trees, native grasses, wildflowers, etc. in the area. Don't let this happen to you. If you see anyone clearing a lot and a clearing permit is not posted then please report it to the TVPOA office at (512) 321-1145. 🌲



BCWCID #2 News

BY VICTOR GONZALEZ

I would like to take this opportunity to address the infrastructure problems involving Tahitian Village.

ROADS

We have approximately 30 miles of roads that are not up to the City of Bastrop or Bastrop County standards. Until the Road District addresses this situation, we are compelled to collect the road fees. Currently there are about five to six miles of roads needing paving within the City of Bastrop's jurisdiction, and the remaining 20-25 miles needing paving are in Bastrop County's jurisdiction. In the past, and currently, we have only been able to pave one to two miles per year. If that pattern continues, we are looking at collecting road fees until 2041. That, in my opinion, is unacceptable.

One solution is to seek to pass bonds so that we can address these problems in a more timely, efficient and economic manner. If we were able to pass a bond project totaling around \$3 million for road construction, we would, hopefully, have the opportunity to work with the County to have the 20-25 miles left in the County completed within a five to six year period— that is assuming that we can overcome problems with the Houston Toad restrictions.

WATER

The Board also hopes the residents of Tahitian will pass bonds that would enable us to perform a major upgrade to our water system. This would allow us to make sure that our water hydrants perform to their maximum capability in case of fire. With the end of the drought nowhere in sight, we cannot afford a major fire in Tahitian Village. We also must begin to think about drilling an additional well. As Tahitian Village grows as will the demand for water. Several years ago, a new well cost about \$750,000. Plus, we need to make sure that our water lines are upgraded, where necessary, so that we can insure that all Tahitian Village residents have a steady, stable supply of water.

WASTEWATER

As you know, LCRA recently decided to divest itself of many of its waste water systems, among them, BCWCID's. We would like to have the ability to purchase the Tahitian Village waste water system from the LCRA in order to maintain control of the system and waste water rates. (Please see The Texas Observer article which demonstrates the rapidly rising rates burdening customers of privately owned waste water systems.) We are currently in negotiation with a coalition of 20+ waste water systems that are seeking to purchase their waste water system from the LCRA. We have a duty to those residents on the waste water system, and future

residents, to secure the most favorable deal. That is why we have been working with the coalition, so that we can maximize our purchasing power. The amount that we are offering cannot be disclosed at this time. This is not an attempt to hide information from Tahitian Village residents; rather we do not want to give third party investors an upper hand by revealing what we would pay for the system. Having said that, we have been told that the LCRA will make a decision at their next board meeting, after which we should know if we will be able to negotiate this purchase.

All of these issues are of major importance to Tahitian Village residents, but we as a Board will not make any decisions without fully involving you. The Board is fulfilling its responsibility by providing the residents reasonable alternatives to these very difficult problems. As a resident, you will have the final say in what we do regarding the bond projects. You may decide to pass all three, two of the three, one or none. The choice is yours.

We will have a second special meeting of Tahitian Village residents on August 20 and a third special meeting in September to discuss all three of the bond issues. Gene Kruppa, the engineer for BCWCID #2, Chris Lane, the financial advisor for BCWCID #2, and Jerry Kyle, the bond counsel for BCWCID #2 will all be in attendance August 20th and available for questions. We hope to see you at one of these meetings.

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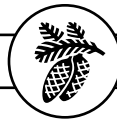
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HOMETOWN HERO SGM(R) BILLY "MUSTANG" WAUGH RETURNS TO HONOR LOCAL VETERANS

BY JANA HELLBUSCH



SGM(R) Billy Waugh

Immediately upon graduation from Bastrop High School, SGM(R) Billy Waugh embarked on a career in the U.S. Army which led him to become a Special Forces and CIA legend. Ambassador Cofer Black, U.S. State Department coordinator for counter-terrorism, said: "Billy Waugh is a man of exceptional character and courage who has served his country either in combat or

in intelligence work since the middle of the last century. He has seen more, done more, and risked more in the interest of the United States than any man I know."



CPT(R) Isaac Camacho

Waugh wrote a book about his adventures, "Hunting the Jackal: A Special Forces and CIA Soldier's Fifty Years on the Frontlines of the War Against Terrorism" and another about his friend Special Forces Silver Star and Distinguished Service Cross recipient CPT(R) Isaac Camacho. A POW Escapee and the first serviceman to escape from the Viet Cong in the Second Indochina War (1965), Camacho will introduce Waugh at the banquet to be held in Bastrop on Saturday, November 12.

Jana Hellbusch, Banquet Chairman, said, "The Bastrop High School Cafetorium will be transformed into an elegant banquet room complete with a Garrison size United States flag across the stage. Doors will open at 6 P.M. and as guests arrive, there will be a military vehicle exhibit provided by Camp Mabry and Camp Swift set up at the entrance. The exhibits continuing indoors will include Bastrop County Veterans Affairs, Texas National Guard, individual Vietnam memorabilia by Veterans, and military equipment displays and replicas dating from the Civil War to modern times including historic re-enactors. At the table set up by our largest sponsor donor Soldiers' Angels, there will be an opportunity to write a note to an active duty Troop or autograph blankets for them."

Last year, over 100 local Veterans attended the banquet free of charge because many area residents and businesses alike took advantage of the sponsorship opportunity to make a \$100 donation allowing four Veterans who otherwise may not

be able to afford the tickets attend as guests of the sponsors. Hellbusch said, "This is our eighth year to honor Bastrop Veterans and we are more excited than ever. We expect to sell out of tickets early so those interested should contact us soon."

Special patriotic music medleys will be sung by Terry Lyne Moore backed up by local musicians. And, one of the newest additions is that an ongoing slide show of photographs of Bastrop County Veterans will be running throughout the evening. "In fact," Hellbusch said, "we are seeking photographs of residents who served in the military. Ideally we would like a photograph of them in their uniform and a more current one. All photographs need to indicate who the person is. You can call the committee phone numbers and we will put you in touch with the organizers of this project."

If you would like to attend the banquet, sponsor Veterans, or make a donation, please see the form at the end of this article or go to www.rwbveterans.com for more information.

Red, White & Blue Veterans Banquet November 12, 2011 Speaker: SGM(R) Billy Waugh

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- ___ **CAPTAIN: \$1000** - logo/name on sponsor poster, program, 1 table + 4 tickets to private pre-banquet reception
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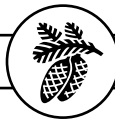
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Proceeds assist Bastrop County Veterans Organizations that aid local Veterans throughout the year.



CLEAN SWEEP UPDATE

BY MARIANNA HOBBS



Saturday, July 16th was another successful Clean Sweep for Tahitian Village. We thank the volunteers for all the hard work and willingness to help with this. Among the volunteers were: Josh & Erika McDonald, Jan & Joe Schwindt, John Creamer, Lois Hornbuckle, Marianna Hobbs, Bill O'Barr, Paul Steiger, Allan Seekatz with IHS Landscaping, Ray Boyd, Timothy Linz, David Braley and Peter Krauss.



During the April Clean Sweep ten dumpsters were used. This included regular trash, brush and metal. Due to the mass amounts of brush we received it was the first Clean Sweep that volunteers had to turn people away. At the July Clean Sweep we used ten dumpsters again, but luckily this only included trash and metal because the TVPOA rented a chipper. Residents and property owners were encouraged to come and gather whatever mulch they wanted to take and on the next Monday morning Jason Rowe delivered the remaining mulch to the Pines & Prairies Land Trust site.

A few of us volunteers along with John Creamer and his trailer were able to pick up at several homes that did not have a way to get their items to the Clean Sweep site. We also were able to get a rather large dumpsite off of Keo Kea cleared of all trash.

Jean & Todd Riemenschneider of Ecogrun collected 445 lbs of recycled electronics and Jason & Sharon Rowe of Lonestar Waste reported that the trash collection totaled 245 yards of debris that weighed in at 24.21 tons.

This is a huge undertaking and very expensive for the Property Owners' Association. For future Clean Sweeps please consider bringing a donation along with the items you are disposing of. The next Clean Sweep is Saturday, October 15, 2011 and the hours will most likely be from 7-1 due to the extreme heat, but keep an eye on the Tahitian Village Announcements page on their website at www.tahitianvillage.com for more information. Please continue to report any locations in Tahitian Village that have been illegally dumped on. It's getting better for sure, but there is still more work to do and your observations are the first line of defense.

TAHITIAN FIRE WATCH

BY GEORGE MARTINEZ

- **June 4, 4:56 AM:** On Lamaloa Lane embers from a barbeque pit caught a tire and a pile of wood on fire.
- **June 20, 6:13 PM:** On Papawai Drive a bird across the powerline started a brush fire. The airborne fire embers started another fire on the south side of Kaanapali Lane then started another fire over Kaanapali Lane to just South of Lea Court. Six homes were threatened, approximately 10 acres burned. Firefighters from Bastrop, 5-Points, Bluebonnet, 3-N-1, Heart of the Pines, Smithville, Texas Forest Service, and a StarFlight Helicopter extinguished the fire.
- **July 11, 7:51 PM:** We received several reports of smell of smoke in the Tahitian Village area. Smoke was from a large brush fire at Wolf Creek Ranch on FM 2571 (SE of Tahitian Village across the Colorado River) from earlier in the day.
- **July 17, 2:00 PM:** Search for missing person in Colorado River between the golf course and the Nature Preserve. We recovered the body of an adult male from the river.
- **July 18, 2:05 PM:** Spark from a powerline caused a small grass fire at Akaloa Drive and Wahane Lane.




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YOU AND YOUR NEIGHBORS CAN PREVENT COPPER THEFT

BY BOB PARMELEE, TVPOA BOARD MEMBER AND COPPER THEFT VICTIM

As the value of the dollar declines and the price of copper approaches \$4 per pound, the theft of copper and other metals has reached epidemic proportions. A few weeks ago, thieves destroyed the air conditioning system of the Ruiz Public Library in Austin for its copper. Then the Flying Saucer Restaurant on Lamar Boulevard in Central Austin was struck. On a Monday night, thieves picked a lock, climbed an inside ladder to the roof and removed roof top copper pipes and air conditioning coils. The thefts were committed in clear sight of surrounding apartments, but no one called police.

Bastrop has not been immune. Thieves have stolen complete air conditioners from homes in Tahitian Village and ripped copper wiring from empty houses in the county.

Here are some practical steps you can take to prevent copper theft.

1. Enlist your neighbours to keep watch on local property. Notify neighbours before leaving on vacation.
2. If building a house, select a plan in which the air conditioner is located in a relatively inaccessible location.
3. Use security lights triggered by motion detectors. Protect the bulbs with wire shields.
4. Build six foot fences to impede access. Consider a screwed-in rail on the backside of gates. Use robust padlocks.
5. Mount camera(s). There are a wide variety, including motion-triggered infra red.
6. "Shoot" the AC to its concrete pad and protect the air conditioner with a metal cage mounted with tamper-proof



fasteners. See above picture.

7. Install a wireless security system with a loud siren and connect to your AC with a connector similar to door connectors. Your security firm can do this. Make sure this alarm is "zero delay."

None of these methods are foolproof but a combination of these techniques will discourage thieves.

Unfortunately copper theft is not the only problem. Catalytic converters are now being targeted due to their platinum content. Thieves prefer to remove them from SUVs because they don't have to jack them up to hack the exhaust system. 🌿

FOUR IDEAS TO DROP HOME POLLUTION LEVELS

BY MARK RIPLEY

The Environmental Protection Agency estimates Americans spend at least 90 percent of their time indoors. Pollution levels inside the home are often two to five times higher than outside. Here are some tips to help keep your lungs healthy and wheeze-free.

Don't bite the dust. To decrease the amount of allergens, bacteria and mold spores in your home, be sure to regularly change the filter on your HVAC system. Unless you prefer pet dander, dust mites and penicillin on your pizza.

Think like a rocket scientist. According to research conducted by NASA, certain plants such as spider plants,

bamboo palms and mums actually consume toxins like formaldehyde and carbon monoxide. Just don't buy a man-eating alien plant from the "Little Shop of Horrors."

Clean up your act. The smell of ammonia, bleach and pine may make you feel like your floor is spic-and-span. But to avoid the potentially toxic fumes and fragrances, use diluted dishwashing detergent for a floor you can truly eat off of.

Fill your cracks. According to the American Lung Association, dampness alone — not just mold — brings higher risks of coughing and asthma-like symptoms. So caulk it up before you cough it up. 🌿



Governor signs Reforms to HOA-POA laws

BY BRUCE J. WILSON

The recent Texas Legislature passed at least 18 bills that are related to property and home owners associations. The bills affect the authorities and deed restrictions of all or of different size communities. The Texas Community Association Advocacy provided TVPOA the identity of the bills that were sent to the governor. The governor's website shows that he signed these bills into law.

Passed, relate to POA-specific bills across the State:

- **HB 8** relating to prohibiting certain private transfer fees and the preservation of private real property rights; providing penalties.
 - **HB 362** Relating to the regulation by a property owners' association of the installation of solar energy devices and certain roofing materials on property.
 - **HB 1127** Relating to notice of relief available to certain members of the military required to be provided in certain real property documentation.
 - **HB 1228** Relating to payment and collection of assessments and other charges owed to a property owners' association and foreclosure of a property owners' association assessment lien.
 - **HB 1278** Relating to regulation by a property owners' association of certain religious displays.
 - **HB 1737** Relating to the installation of a speed feedback sign by a property owners' association.
 - **HB 1821** Relating to certain information or guidelines provided by or concerning a property owners' association or concerning subdivisions that are subject to restrictive covenants.
 - **HB 2761** Relating to meetings, elections, and records of certain property owners' associations.
 - **HB 2779** Relating to provisions in the dedicatory instruments of property owners' associations regarding display of flags.
 - **HB 339** Relating to rainwater harvesting and other water conservation initiatives.
 - **SB 101** Relating to the regulation of nonjudicial foreclosure on residences owned by certain members of the military, including foreclosure by a property owners' association.
 - **SB 472** Relating to voting practices and elections of property owners' associations.
 - **SB 498** Relating to the trapping and transport of surplus white-tailed deer.
- Passed, and POA-specific bills for different geographic areas:
- **HB 232** Relating to the amendment of restrictions affecting real property in certain subdivisions.
 - **HB 364** Relating to condominiums in certain municipalities, including the exercise of eminent domain authority by those municipalities with respect to certain condominiums.
 - **HB 1071** Relating to the extension of deed restrictions in certain residential real estate subdivisions.

- **HB 2702** Relating to the application of statutes that classify political subdivisions by population.
 - **HB 2869** Relating to the powers and duties of certain master mixed-use property owners' associations.
- To view these signed bills go to www.governor.state.tx.us. Scroll down to and click Legislative Update. Click on a HB or SB. The link leads to a legislative site. Click the TEXT tab. There, scroll down to the Enrolled version. Choose the format that you wish to use for viewing/saving, pdf, text, Word. 🖨️

Upcoming Subdivision-Wide Garage Sale

BY ERIKA MCDONALD

Want to have a garage sale? Afraid that pesky Association Manager will take your signs? Well have no fear, the TVPOA is holding two subdivision-wide garage sales.

Dates: October 8, 2011 & April 14, 2012

Time: 7am - 1pm

Where: Tahitian Village Tennis Courts Parking Lot

Fee: \$10 per each garage sale

(These fees will go to purchasing ads in the Bastrop Advertiser and Smithville Times prior to the sale).

Deadline for Registration: September 19, 2011 @ 3pm (for October sale only).



These dates have been picked each a week prior to Clean Sweep, that way you can bring your leftover items to Clean Sweep the very next Saturday for disposal.

Please fill out the form below so you can be added to our list. Each person registered will be given a marked 10x15 area. Please note you will be responsible for bringing your own tables and shade and for setting up and taking down your own area. There must be nothing left at the location when the garage sale is finished!

Name _____

Address _____

Phone _____

Email _____

Items that may be available (so we can have some listings in the ad): _____

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Deadline to reserve space in the
November/December issue is October 7.

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WIDE GARAGE SALE

The Pine Post is produced by the Tahitian Village Property Owners' Association (TVPOA) to keep property owners and residents informed of news and events pertaining to our subdivision. Pick up a free copy at the Tahitian Village Water District Office at 106 Conference Drive. If you have a comment about The Pine Post or would like to be added to the mailing list, contact the editor, Erika McDonald, at (512) 321-1145 or send an email to Erika at erikalee07@hotmail.com. The Pine Post is printed by Ultimate Imaging in Austin, Texas. Ultimate Imaging is not responsible for services rendered by advertisers or written content; views expressed in The Pine Post do not represent those of Ultimate Imaging.