

AGENDA
HARMONY
COMMUNITY DEVELOPMENT DISTRICT

Thursday
June 23, 2011
6:00 P.M.

7251 Five Oaks Drive
Harmony, Florida

- 1. Roll Call**
- 2. Approval of the Minutes of the May 26, 2011 Meeting**
- 3. Subcontractor Reports**
 - A. Landscaping – Luke Brothers
 - B. Aquatic Plant Maintenance
 - i. Pond Management Proposals
 - ii. Bio Tech Report
 - C. Dockmaster/Field Manager - Buck Lake Boat Use Report
- 4. District Manager's Report**
 - A. May 2011 Financial Statements
 - B. Invoice Approval #134 and Check Run Summary
 - C. Public Comments/Communication Log
 - D. Authorization to Change Newspapers from the Orlando Sentinel to the Osceola News Gazette
 - E. Website Statistics
- 5. Staff Reports**
 - A. Attorney
 - B. Engineer
 - C. Developer
- 6. Supervisor Requests**
- 7. Audience Comments**
- 8. Adjournment**

Minutes

MINUTES OF MEETING HARMONY COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Harmony Community Development District was held Thursday, May 26, 2011, at 9:00 a.m. at 7251 Five Oaks Drive, Harmony, Florida.

Present and constituting a quorum were:

Robert D. Evans	Chairman
Mark LeMenager	Vice Chairman
Steve Berube	Supervisor
Kerul Kassel	Supervisor
Ray Walls	Supervisor

Also present were:

Gary L. Moyer	Manager: Moyer Management Group
Tim Qualls	Attorney: Young vanAssenderp, P.A.
Steve Boyd	Engineer: Woolpert
Thomas Belieff	Dockmaster/Field Manager
Greg Gologowski	Harmony Development Company
Mike McMillan	Luke Brothers
Larry Medlin	Bio-Tech Consulting
Shad Tome	Harmony Development Company
Residents and members of the public	

FIRST ORDER OF BUSINESS

Roll Call

Mr. Evans called the meeting to order at 9:00 a.m.

Mr. Evans called the roll and stated a quorum was present for the meeting.

SECOND ORDER OF BUSINESS

Approval of the Minutes of the April 28, 2011, Workshop and Regular Meeting

Mr. Evans reviewed the minutes of the April 28, 2011, workshop and regular meeting, and requested any additions, correction, or deletions.

On MOTION by Mr. Walls, seconded by Mr. LeMenager, with all in favor, unanimous approval was given to minutes of the April 28, 2011, workshop and meeting, as amended.

THIRD ORDER OF BUSINESS

Subcontractor Reports

A. Landscaping – Luke Brothers

Mr. McMillan reviewed the landscaping report as contained in the agenda package and is available for public review in the District Office during normal business hours.

Mr. McMillan stated with this drought period, we have been performing manual irrigation inspections in each zone, which is over and above the scope of services in the

contract, to help avoid any dead and dying turf. I have also been working with Mr. Golgowski on water conservation. A lot of the Bahia zones do not need as much water as the St. Augustine turf, so we implemented that change two days ago. We are working on applying a pre-emergent right now, and we have covered about 40% of the property. Since extra pine mulch is not needed, we are fluffing the mulch and then applying a pre-emergent that is granular. Right now we are applying a chemical application of SureGuard to mix with the Round-Up so that we have contact kills as well as getting it into the soil. I am researching what is happening with broken branches on some of the trees. It looks different on some streets. On Five Oaks east of the clubhouse, it seems like trees are getting hit by trucks, perhaps as they go in there to install the solar panels. Some trees are also getting hit by trucks by the school, and those trees are not as mature.

Mr. Berube stated most of the dead branches have been sitting there for a couple weeks, and there are a couple fairly large ones at the school and just east of the school. Those were caused by the storms that went through here two or three weeks ago. I did not look at the Five Oaks area and east, so I do not know what happened there, but the ones by the school showed up immediately after those windy rainstorms. It may also be kids jumping on the branches, but I think they happened from the storms.

Mr. McMillan stated in Ashley Park, it seems the branches are growing out too far and break easily with high winds. We are not waiting until there is a cleaning crew but we will send someone out every two weeks to cleanup those branches. Otherwise, we are staying on schedule. We are finishing up with the fertilization today.

Mr. Berube asked how many people are working on this property today?

Mr. McMillan stated today there are 13 people and there were 13 yesterday.

Mr. Berube stated I have been watching, and I think the count is more like six to eight most days. I think my count is accurate. I look carefully before and after lunch, and I think your numbers are off. I do not think we have had 14 crew members that Mr. Pete Lucadano promised us on March 21, 2011. That was the date of his new operational plan just prior to Mr. McMillan joining the staff. We had this argument with Luke Brothers last year when Mr. Mike Couch was here. I shared my count and explained how I arrived at my numbers, and Mr. Couch ultimately agreed that my count was more accurate. I will not argue with you about there being 13 people here, but I do not believe there are that many today. I have been looking very carefully and I told your boss that I did not believe

him when he gave us that report, and I still do not believe him. I am just telling you what I see. There are a number of other things going on that have been accelerated in the past couple weeks. I did not say much last month because I wanted to give you some time. There is plenty of drying and dead sod all over the community. I realize you said we are in a drought, but when I look a little more carefully at other people's lawns, the majority of home owner lawns are staying green. Part of that is because we have stayed on top of Toho Water Authority, and you have explicit authority to use the water all you need to water is new sod. If someone in the developer's office is telling you to cut back on water, then we need to discuss that. We obviously have a lot of new sod that Luke Brothers has invested in. You are applying a lot of chemicals, both pest control and fertilizer. Toho Water Authority is not restricting our water usage. We are already over budget on water use, which is fine. We are not complaining about that because we want green sod.

Mr. LeMenager stated I take exception to that. I am complaining that we are way over budget on water use.

Mr. Berube stated the reality is, part of being over budget is due to the massive leaks we had for a period of time, which we noticed immediately. I still see plenty of brown sod, including two prominent areas: Dog Park and Lakeshore Park. People see this all the time and the sod is not green. Much of it Luke Brothers just installed. I also believe we are short on annuals. Three months ago I counted the annuals and I indicated that we had a little more than 800 annuals. Three months later, I counted them again and we still have about the same number, versus a quarterly number of 1,200 annuals. I asked your predecessor how he knows how many annuals are being installed and who counts them, and he admitted that he does not count them when they come off the truck. I do not know if you do that or not. The reality is that I cannot find 1,200 annuals per quarter. I do not know what our quarterly cycle is, if January through March is all one quarter, but you should be able to find 1,200 annuals in the ground at any given time. Maybe they are here, but I cannot find them. Ms. Kassel commented last month that the planter rings, specifically the one across from the dog park, looks pretty decrepit. I believe you commented that you were going to take care of that, but nothing happened and now it looks worse. There are 13 yellow flowers in there, and that is not what the residents are paying for. You cannot argue with that. The mulching realistically was finished just last week.

Mr. McMillan stated the last area we need to complete is inside the small dog park. There are four trees in there along the fence, and I have a crew scheduled to complete that tomorrow morning.

Mr. Berube stated the majority of it was finished last week. One area was right outside Ms. Kassel's house. You did about six or seven of the trees inside that little park on the side of her house more than a month ago and I complained about it several times. Finally, last week, that was finished. You also finished the little tree behind the butterfly sculpture yesterday. Tree rings are not round. There are weeds all over. I am a little alarmed that I see herbicide burn on some of the sod edge and the tree rings because they spray the tree rings for weeds. Sometimes they are not very careful and there is herbicide burn that extends out into the grass. The dead branches that were hanging down for several weeks were finally cleared out yesterday. My biggest concern is that I believe we are short on people and I believe we have been short on the number of people. I do not see all these things getting done. I also understand that Luke Brothers has bid on a contract at the Ashley Park condominiums. I believe if Luke Brothers is awarded the contract for Ashley Park, we will have the same short number of people who will handle that Ashley Park contract, and the CDD will suffer even more. Luke Brothers does not have the contract yet, so perhaps I am premature in saying this. My bottom line is this: people are creatures of habit. We have fostered a bad habit with Luke Brothers to where productivity goes downhill for a while, we have a meeting where Mr. Lucadano comes and gives us yet another operational plan, sometimes there is a new manager, and everything is fine for six or eight weeks where the community is spruced up. Then we start going downhill again. After a couple months, we get upset and have another big meeting. That has been the pattern with up and down productivity. I do not know how we continue with this. Now I see in the operational plan this month at the bottom that a proposal will be prepared for replacing some sod at the District's expense. How is it our fault that sod is going dead? Our contract says that Luke Brothers is responsible for everything. Realistically, everything is theirs: trees, shrubs, turf. I wish Mr. Todd Haskett was here to share his comments about what is happening. I know he is in contact with Mr. McMillan all the time. I would like to have Mr. Haskett's input, but I know what I am seeing. I am sure the other Supervisors are also seeing these things. It is very difficult not to see it. Mr. McMillan indicated that he wanted the community to look crisp, but the

only crisp we have now is the brown sod that crunches under your feet. I hate these meetings when we have to bring up these issues. I wish Mr. Lucadano was here at the meeting. His lack of attendance says something, although I am not sure what it is. We had to do this with Mr. Jason Schafer all the time, and now we are doing it with Mr. McMillan. I do not like to do it, but I would be shirking my responsibilities if I simply said everything is wonderful because it really is not.

Mr. McMillan stated regarding the number of people on site, I am happy to meet with you anytime during the day to verify the number of staff people on site. I have confirmed there are 13 people today. The count was at 10 for about two days and at 15 for a couple days so it fluctuates a little. I am happy to address that with Mr. Berube so that you can get an answer. If you have any questions regarding a specific day, I can tell you where the crews are working so that you can count the number of people.

Mr. Berube stated I know this property very well. I get on my motorcycle or bicycle and go look. If I cannot find them, they are not working. If you tell me there are 13 people here, I do not believe it but I will take you at your word.

Mr. LeMenager stated Mr. McMillan just offered to verify the count of people anytime you want. Let us not go on and on about it.

Mr. McMillan stated related to irrigation, I was told we are only allowed to water three times per week: Monday, Wednesday, and Friday.

Mr. Golgowski stated that is correct.

Mr. McMillan stated we do not have new sod all over the property. Generally when you have new sod, you are allowed to water it every day for two weeks and then it decreases to four days a week for two weeks. At that point, it has to be cut down to the regular watering schedule. Regarding new sod and browning out, I am careful with purchasing new sod and I get it from a grower south of here. We do not want to install something that is mud based because it will go into shock when it hits the sandy soil here. It comes up from Miami and we have been installing sod with sand-based soil. When I first arrived here, we installed seven pallets of sod. I was originally told it was two, so I counted what needed to be done in the areas that were conveyed to me, and it totaled seven pallets. I made the management decision to install more than what I was directed to do, and I answered to my company for that decision. The proposal for new sod is based on my drive throughs with Mr. Haskett and a history of the property of what he has

brought up to Mr. Schafer, Mr. Lucadano, and Mr. Tim Nicholson as to what sod was damaged or destroyed or not taken care of. The proposal will show a line item of what sod we will be installing at our cost as well as other sod areas that have been damaged from Toho Water Authority shutting off the water as well as the past two winters. It will be a dual proposal, not just all at the District's expense. Regarding the count for the annuals, I apologize that was not taken care of. I originally asked if we could install lantana in those circles. Once I returned from vacation, I spoke with Mr. Haskett and we decided to do annuals again. We are not scheduled to do that installation until July, but I have it on my schedule to accomplish next week. We will not be installing 12 yellow annuals; we will fill those beds out as much as we can and make them as beautiful as possible.

Mr. LeMenager stated on Tuesday, my wife and I noted that there were Luke Brothers employees working at David Weekley Homes on private property. What was that for? Is that a District expense or some trade off with the developer for in-kind work?

Mr. McMillan stated we had some issues with irrigation and I believe that was work done on behalf of the District. I will check into that and communicate with Mr. Haskett. I am not fully acclimated with the accounting and financial side of the business; I just handle the operations side.

Mr. LeMenager asked do you perform work for the developer and invoice them separately?

Mr. McMillan stated I am pretty sure we do. We do some detail work and I know we installed some street trees. There was one proposal sent to the District and one to the developer. That is separate work from what we do for the District.

Mr. LeMenager asked was that work done by some of the 13 people dedicated to the District?

Mr. McMillan stated yes, I believe that was the case.

Mr. Walls stated that is a big problem.

Mr. LeMenager stated I think it is a trivial problem.

Mr. Walls stated as I mentioned at the last meeting, I am highly uncomfortable with that setup. We are paying for those people to be here, and they are being paid by the developer for that work. Essentially they are being paid twice.

Mr. Berube stated there could be another cross over if they are awarded the contract for Ashley Park. I am not saying they will use the same people for both contracts, and I want to give Mr. McMillan the benefit of the doubt. He is constrained by his company's processes and limitations. Those processes and limitations have caused problems for us multiple times before.

Mr. Evans stated I suggest Mr. Berube meet with Mr. McMillan after the meeting to verify the number of staff on site in order to settle this issue.

Ms. Kassel stated we are certainly not as crisp as we should be. There is still a long way to go. Mr. Berube is correct that we have had these issues, and service has been up and down, mostly down. Personally, I am not ready to suggest we terminate your contract. Mr. McMillan is new to this project, but this is not a good situation and it needs to get better quickly.

Mr. McMillan stated I completely agree. I think we are making huge strides daily, but I do see what Mr. Berube is talking about. We are now getting to areas that have not been taken care of since you awarded the contract to Luke Brothers, as well as making sure that I am not always watching the bottom line on every service we provide. Next week, we will be providing an extra fertilization to the turf to help once we start getting more rainfall. With the irrigation the way it is now, we are just not getting the water we need. To make this community look crisp, that is something Luke Brothers needs to do as a company.

Mr. Gologowski stated I am not involved in the daily operations for landscaping. What I have been seeing is there are chronic hot spots for sod where it is dry, and in a drought situation, it shows up. Our irrigation system is essentially rain based with an artificial irrigation to supplement rainfall. It is not a water-based or rain-based application that we have. There is one Luke Brothers staff person who is doing irrigation every day. Happily the system is in close to top form, so if there are hot spots, then perhaps it is the soil. All these parks are built on displaced ground, so perhaps the underlying soil is at fault that is contributing to the problem. I do not know the answer, but I do know it is a little more complicated than we sometimes think it is.

Mr. Evans stated if you suspect it is not very difficult to perform some soil tests, we might need to do that.

Ms. Kassel stated the County Extension Office provides that service inexpensively.

Mr. Golgowski stated we will look into that.

Mr. Walls stated I echo many comments Mr. Berube made and all of Ms. Kassel's comments. If you go all the way up and down Schoolhouse Road, it looks pretty rough right now. There are weeds and dead grass, and it does not look good. I have lived here six years and have never replaced any sod at my home. I water and fertilize it when it needs it. I just think the District's sod is not getting the attention that it needs. As Ms. Kassel said, we need to see an improvement very quickly. I am very close to being at the end of my patience.

Ms. Kassel stated Mr. Golgowski was talking with Ms. Jessica Sullivan from the County Extension Office about doing some xeriscaping or some kind of other plantings. As the trees mature, they will shade out the areas between the sidewalk and the curb, doing a disservice to the grass in those areas. We will need to make some changes in the future. I wonder if you check these areas after you test the soil to see if they are candidates for changing to something that will result in less maintenance.

Mr. Golgowski stated I will talk with her about that to see what works.

B. Aquatic Plant Maintenance

i. Pond Management Presentation by Jim Thomas of Biosphere Consulting

Mr. Golgowski stated I scheduled Mr. Thomas to speak to the Board regarding pond management, and just recently he ran into a conflict. I spoke with him on the phone about our issues. He has a long history of working with stormwater ponds in environmentally sensitive manners, and he noted that the Celebration CDD has installed plantings in their downtown area with the objective toward getting away from heavy chemical treatments as well as making the ponds more attractive. What they found was that over time, as the shoreline plantings grew in, regular treatments decreased from monthly to just performing monthly inspections and applying quarterly treatments with chemicals, greatly reducing the amount of chemical applications. He noted one benefit of doing that is a lot of algacides contain copper in them, which over time, build up in sediments in the ponds. He was working with a community in Altamonte Springs that had to go in and dredge out their pond because the copper was exceeding the allowable standards. Mr. Thomas sent a diagram that is a typical recommendation he would make for pond banks. He is suggesting pickerelweed, bullrush and duck potato, which are plants we have in our ponds through the last couple planting activities. On the banks above that normal water line, he is suggesting canna and iris. Those are still aquatic plantings but like a little drier

soil and provide a little bit of a buffer. This drawing is a typical recommendation. The photograph depicted in his diagram is typical of what is going on in Celebration. He provided photographs of other plantings, and there is a thicker planting area at the back of one of the ponds, which provides treatment for the water as well as a habitat for wildlife and an aesthetic benefit. It certainly makes the pond inaccessible as far as having an opening to the waterway. The photograph with cypress trees in the foreground is simply a pine needle mulch where there is no sod and requires no maintenance except for refreshing the mulch from time to time. In the background the sodded area goes right down to the water. I think Celebration uses more of this sod going to the water line than I would like to see in Harmony; however, it is still good to have open areas like that in terms of open access for wildlife. Some of the water fowl prefer open banks like that. It also provides a view of the pond. Beyond that, you can see cord grass. Celebration uses a variety along the pond banks. In the photograph of the canal, they are using cannas, which we use, also, but these are a hybrid canna whereas we use a native canna. It really shows the density that has been achieved over time and the impact on algae control. The third sheet summarizes their program of aquatic weed control and plantings that have been done. It does list the key benefits in a variety of ways and how residents can contribute to the success or compound the problems.

Mr. Evans asked what is the recommendation?

Mr. Gologowski stated planting cannas and other plants would provide for stormwater quality management, run off control, habitat for wildlife, and pond bank access control.

Mr. Evans asked based on what we currently have today and your interaction with Mr. Thomas, what should we do? Should we maintain what we are doing or change what we are doing?

Mr. Gologowski stated I think what we are doing is pretty consistent with what he would advise you to do. We are planting in the water and we have been keeping a roughly mowed bank. That is a low-budget approach to bank management by simply not cutting it as often. An alternative would be to introduce additional desirable plants in there for whatever your goals are.

Ms. Kassel asked are we sure Luke Brothers is not fertilizing within these areas?

Mr. Berube stated they are not supposed to be.

Mr. Golgowski stated I am pretty sure they are not fertilizing. It is all Bahia grass on the banks, which does not need fertilizer.

Ms. Kassel stated it might not hurt to include something in the Harmony Notes to remind people not to fertilize close to the pond banks and to leave a buffer zone.

Mr. Golgowski stated I agree. They recommend leaving 20 feet from the shore.

Mr. Berube stated I have a few pictures of ponds as well. These are two adjacent ponds on the golf course along Five Oaks Drive. The views on each of them are very similar. It is striking that the pictures marked Pond A have very few plantings on the shorelines, whereas Pond B, just 100 feet away, is completely planted on the shorelines. According to Mr. Golgowski, that happened on its own. The visuals are striking. Those two little brown spots in the middle of Pond B are two ducks that came waddling out of the plantings along the shorelines. It is the only pond where I saw any ducks, and is the one that is completely surrounded by green plantings. I am sure there is other wildlife there, also. You could not have more of a contrast between two ponds that are only 100 feet apart. Visuals of Pond B say that this looks better. There has been a lot of concern as to what we are trying to accomplish. We have a contract with Bio-Tech and they are doing a good job. The ponds are relatively clean although we have a little bit of algae here and there. When it comes down to it, we are really dealing with only six ponds on the residential side. I suspect that if we have success with shore plantings, I think the Harmony Development Company might want to improve some of their open ponds. With this information, we have a number per foot, which is \$6 per running foot. I do not know how many running feet we have but there are a lot. It really comes down to six ponds. We could pretty easily figure out how much this would cost and I am sure we have the information of how many feet there are on these ponds. I like having the plantings. I would like to aim for something like what Celebration has. The interesting thing is the habitat. When the ducks came out, I think that says it all.

Mr. Walls stated it seems that Celebration is doing more dense plantings than we are planning to do.

Mr. Berube stated it is hard to say what dense means because these plants will be installed when they are fairly small.

Mr. Golgowski stated yes. The diagram shows 12 cannas in a 10-foot length, which is about one per foot, which is fairly dense. Mr. Thomas did note that there is a time element to allow for the plants to spread.

Mr. Walls stated perhaps this is a Celebration model to plant density on the banks of the ponds just for everyone's pictures is much greater than ours is, and I realize it happens over time. I do not know if that has allowed them to go to the hand removal of algae or if they have always done that. It is different than what we are doing. One picture shows they are putting carp in the water.

Mr. Berube stated we put carp in certain ponds, as well.

Mr. LeMenager asked how many thousands of plants have we installed in the ponds in the last two years?

Mr. Berube stated 5,000.

Ms. Kassel stated that was spread over a number of ponds.

Mr. LeMenager stated I appreciate that, but we are talking about 2009 and 2010. I appreciate the pictures of Celebration, but that is 1994 and 1995. I think what we are really saying is to wait until 2020 and we will look the same. It just takes time.

Mr. Walls stated I would suggest that as we do future pond plantings, we target specific areas and plant them densely so that we do not necessarily have to wait. We can do them a little at a time and they will grow in. We will have a better aesthetic factor.

Mr. Berube stated we need to look at the six ponds that are in question. Because of the way we planted, we chose a 200-foot span and installed a lot of plants. All six ponds are dramatically different in the way they look, and we already have some areas that are fairly dense, but there is not much consistency. Some look rather ratty and some look pretty good. We would not decide to plant Pond 34 and plant the entire perimeter because there are already some plants there that will probably stay. We will need to select a pond and have someone review it for a recommendation.

Mr. LeMenager stated I appreciate what you are saying, but the bottom line is our ponds will not look like the Celebration ponds for 8 years.

Ms. Kassel stated with the plants that we installed in the past couple years, we have seen some pretty substantial growth and density just in the past few years. That will help us sooner than later to create less of a need for chemical dependency, better barriers as well as better habitats in the ponds and more aesthetically pleasing ponds.

Mr. LeMenager stated at about \$1.00 per plant, we have spent about \$5,000 on plantings. It is still all about dollars and cents. I appreciate the aesthetic value but it is about the money and wisely investing compared to our payoff in the future. It is a substantial investment to pay for 5,000 plants, and we all know they will become huge over time. If there are a few areas, such as Lakeshore Park, we can consider investing more money because of the show factor and the view. It just takes time.

Mr. Evans stated the issue before us is if we are considering an enhanced littoral shelf planting program. We have done some plantings over the past couple years, but as I recall, it was not the intent to mass plant these ponds years ago.

Ms. Kassel stated that is correct.

Mr. Evans stated we took it incrementally in steps, saying that every year we will be adding to the plantings and monitoring the success of what we had actually planted to see where we could enhance the plantings and maintain it on a going-forward basis. We did not want to do it all at one time so that we could allow it to grow in. If that is still our objective, then I think we need to evaluate what would be a reasonable continuation of that program. The information that has been provided is very helpful as it relates to a planting density or a mix. If we are going to move forward, are we going to consolidate the funds that we want to allocate? If it is \$5,000, are we going to condense that into 1,000 feet of shoreline or are we going to protract it out to 2,000 or 3,000 feet with less density of the plantings? That is where we are now. How do you want to move forward in envisioning this? Then we can come up with a cost per linear foot. I am sure staff has the dimensions of the ponds.

Ms. Kassel asked did Mr. Thomas come here and look at our ponds or did you speak with him on the phone?

Mr. Golgowski stated I spoke with him and sent photographs.

Ms. Kassel stated perhaps he can give us some guidance on which ponds would benefit most and which areas of those ponds, if what we have been doing is a good thing to continue, or if installing denser plantings is smarter and more cost effective. I think that will be helpful to us because we are not the experts. Second, I notice in the Celebration information, it says in some cases, staff has determined that aeration is the best means of controlling algae and other noxious growth in ponds. I wonder if it may be something for the ponds in which algae is more problematic if we might think about a

solar fountain or something that is operated by the sun so that we do not have to worry about electricity but we get the aeration effect.

Mr. Berube stated I brought my material because we discussed this at the last two meetings with a scatterbrained approach. We thought 3,000 plants would be a lot, but they are little plants, and we did not really understand that. To answer the question of why we are doing this, my intention was to focus on getting these ponds planted and to continue to control that aspect of the ponds now. If the plantings are successful, then hopefully we can spend less money on a monthly chemical approach. There will be a tradeoff in where money is spent if the plants work. To Mr. LeMenager's point, I think the pond at Lakeshore Park would be a good test case because everyone sees that pond. It is very prominent and it is a big pond, out in the open. A lot of people drive up and down Schoolhouse Road. If we are going to consider a fountain, that seems to be the most logical place.

Mr. Evans stated we need to move forward to understand the length and the price as well as the density. We can use this mix as a model and price out on a linear footage for some minimum number, such as 500 linear feet.

Mr. Walls stated I think we need to target an area and identify a specific pond and determine this is where we want to install the plantings. I do not have a suggested number of linear feet right now.

Mr. Evans stated the unit price will be pretty consistent once we exceed a certain threshold, then we can adjust it from there. I agree with you, but in the meantime, let us provide a number for them to provide a proposal based on this density for a minimum of 500 feet. At the same time we will get the dimensions of the ponds. Then we have enough information as to magnitude. It may well end up being closer to 1,000 linear feet.

Mr. LeMenager asked who are we asking to provide the proposal?

Mr. Evans stated Bio-Tech Consulting for the installation of plantings.

Mr. Berube asked does Mr. Thomas perform this kind of work?

Mr. Golgowski stated yes.

Mr. Berube asked are these figures for installed plantings?

Mr. Golgowski stated these are old numbers.

Ms. Kassel stated these figures are about \$1.20 per plant, but it is packed into a smaller space.

Mr. LeMenager stated I suggest we request proposals from Bio-Tech Consulting and Biosphere Consulting. Would Mr. Medlin be amenable to competing for price on these plant installations?

Mr. Medlin stated yes.

Mr. Evans stated we are looking at a minimum of 500 feet, to be adjusted upward, based on this density. We can adjust it however we want to later. We might want to take this density but spread it out over 750 feet since we may not want it quite as dense, but it will still be the same volume of plant count that will not affect the dollars. We can consider both proposals and look at the linear feet of the ponds and then decide how to proceed with the number of linear feet to install. We can make the decision at the next meeting because we will have enough information at that time.

Ms. Kassel stated it would be helpful to know what the previous planting density was, just as a comparison.

Mr. Evans stated I agree. It would be good to know if the previous plantings were 20% of this density, 50% of this density, or whatever number it is. We are all visual people and we want to look at the plantings to be able to compare what we are considering.

Ms. Kassel stated they have done plantings a couple times already, some of them being a couple years old now.

Mr. Berube stated some of those plantings may be encompassed into our overall plan.

Mr. LeMenager stated they should be encompassed since we already spent \$5,000 on them.

Ms. Kassel stated my point is they were planted a couple years ago, so I would like to know what the density was when they were planted as compared to their density now. Then we will have a better understanding of how well these plants have filled in over the past couple years.

Mr. Berube stated to clarify the request that Mr. Evans stated, we are looking to receive two proposals—Bio-Tech Consulting and Biosphere Consulting—for a minimum of 500 linear feet at the density provided in the handout prepared by Mr. Thomas.

Mr. Evans stated that is correct.

Mr. Berube stated I would like to know if Mr. Golgowski agrees that what we are discussing makes sense.

Mr. Golgowski asked are you focusing just on the recommendation from Mr. Thomas or do you want a typical proposal?

Mr. Walls stated a generic proposal.

Mr. Berube stated it will be for a generic 500 linear feet.

Mr. Evans stated there is the proposal for the plantings, but we also want to look at the shorelines for the various areas. I think it will be more than 500 feet, but at least we can focus on where we would like to start. We may come back and decide to do 1,000 feet.

Mr. Walls stated it can be a staged project.

Mr. Evans stated yes.

Mr. Berube stated I would estimate the Lakeshore Park shoreline is 5,000 linear feet.

Ms. Kassel stated we also might stretch a 500-foot density into 1,000 feet.

Mr. Berube stated at least we have a starting point, and based on the handout from Mr. Thomas, it will cost about \$7 per linear foot.

Mr. Golgowski stated all of this does not really consider the banks at all. Celebration uses sod for the banks.

Mr. Berube stated we may have to rethink what to do with the banks based on the aquatic plantings. Some of that wild growth looks a little unkempt at times. We have been discussing adding plantings and it sounds like now we have a direction in which to proceed.

Ms. Kassel asked do any of the ponds that Bio-Tech Consulting maintains have any aeration in them? If so, what is the effect of that aeration on your need to control those ponds?

Mr. Medlin stated aeration and fountains are different. I do not know if they make fountains that draw from the bottom, but we would need to move the water from the bottom to the top. You can perform a test by getting a water sample from the bottom. If the water sample has oxygen in it, then aeration will not help the pond so there is no need to spend the money on that. You can test the water, see if aeration will work, and then move forward from there. We do have experience with aeration in one of the ponds we maintain. Someone sold a community on having aeration in every pond, and they have algae problems all over the place.

Mr. Moyer stated aeration that was referenced in the Celebration example is not used in every pond. It is only used in ponds that had a problem that we had a difficult time treating. Mr. Medlin is absolutely correct; they are not fountains. They are lines that are laid on the bottom of the pond.

Mr. Medlin stated they probably chose high-visibility areas. I used to treat the golf course in Celebration, and none of those golf ponds had any aeration but they had terrible algae problems. It is best to find a company that will test the water to be sure the aeration system will help you before you make any decisions.

Mr. Berube stated it is my understanding that, in general, the deep oxygen levels are controlled by algae on the surface and algae in the top levels of the water, as well as water clarity.

Mr. Medlin stated it is the phosphorus that leeches from the muck layers. The oxygen keeps that phosphorus bound, which is a food source for the algae blooms. Some ponds that are deeper have different temperatures at the bottom than at the top, and those different temperatures hold different oxygen levels. That is why there is a stratified effect with less oxygen at the bottom.

ii. Bio-Tech Consulting Report

Mr. Medlin reviewed the monthly aquatic plant maintenance report as contained in the agenda package and is available for public review in the District Office during normal business hours.

Mr. Medlin stated I treated the ponds twice this month. We have not been having any significant problems; everything has been looking pretty good. I have spent some time cleaning the planting and littoral areas and keeping the spaces open so the beneficial plantings will spread on their own.

C. Dockmaster/Field Manager – Buck Lake Boat Use Report

Mr. Belieff reviewed the monthly boat report as contained in the agenda package and is available for public review in the District Office during normal business hours.

Mr. Belieff stated I will be doing some welding on the bass boat, so I will be taking it out this month to perform some repair work. The sail boat is out for repairs to the tiller and I just need to pickup some hardware. The solar boat is operational and hopefully will start to be used.

Mr. Berube stated if we are going to sell it, we need to move forward with that. It is back in the water and it is now reliable. I tried to find a value for it, and I cannot find one

for sale anywhere. It cost \$12,000 in 2002, but it would surprise me if we could get \$1,000 out of it.

Mr. LeMenager stated as I have indicated previously, what I do not want to do is throw good money after bad. If I look at the various and sundry things we have spent money on since I have been on the Board, the one huge purchase was the swing set. That is the one thing that obviously had a huge return for our investment. If the solar boat is used five times a year at a cost of \$1,000 to repair, that is \$200 dollars for each trip, which is not something we can afford.

Mr. Berube stated when you look at the overall cost of the boats, which has decreased a lot, it is still a fairly expensive per-trip ratio. My concern is that I believe Mr. Belieff and residents had reservations about the reliability of the solar boat in the past, so people shied away from using it. Now it is reliable and everything looks good. Perhaps we need to promote it more. If we want to make the decision to sell it, we can do that. Right now, it does not cost anything to leave it sitting there.

Mr. LeMenager stated I agree.

Mr. Berube stated we have other boats that sit there. My concern is that we will get rid of it and not receive much for it. Will it save maintenance in the future? Yes, probably. If we put it on eBay, the bids may only reach \$1 unless we specify a minimum. I do not know how to sell it.

Mr. Walls stated if it is in good working order and is not costing anything to having it sitting there, then we are probably only looking at replacing batteries every couple years.

Mr. Berube stated they are Odyssey batteries and should last several years.

Mr. Walls stated I think we should promote it and do the best we can to make people aware of it. You are not finding them for sale because it is a supply/demand issue; no one wants them. I would suggest we keep it and try to promote people using it.

Mr. Evans stated include that in the boating orientation.

Mr. Belieff stated everyone likes to see it on the water.

Mr. Berube stated perhaps next month in the Harmony Notes, we can include a picture and have a promotional narrative on the solar boat.

Ms. Kassel stated perhaps the next time the pontoon boat is taken out on an evening for a conservation trip, we should include the solar boat, as well.

FOURTH ORDER OF BUSINESS

Presentation of the Fiscal Year 2012 Budget

A. Fiscal Year 2012 Budget

Mr. Moyer stated this Board is familiar with the process, and we are at the beginning of the process. Management has authored the budget for the Board's consideration. It is very similar to the work program that we are currently operating under. I will distribute a revised version that includes a couple changes that I made but unfortunately did not make it into the budget included in your agenda package. These changes are not major. I reduced street lighting electricity by \$10,000. For miscellaneous security enhancements, the number of \$30,000 was included last year but I do not believe we are going to spend \$30,000 on that item. I do believe we will need to spend something as we go through the debugging process, so I reduced that line item by \$20,000. I took the savings of those two items and put that into capital outlay—other. These are not substantive changes, but I think they more or less reflect what I anticipate the District spending in the next fiscal year. The hearing is proposed to be at your August meeting, so you will have two more opportunities to discuss this budget. If you have reviewed the budget and want to make comments now, that is certainly appropriate. For both the June and July meetings, the agenda will include a discussion item for the proposed fiscal year 2012 budget, so you can make your comments at either of those meetings in preparation for the public hearing in August when the budget needs to be finalized.

B. Consideration of Resolution 2011-04 Approving the Fiscal Year 2012 Budget and Setting a Public Hearing

Mr. Moyer read Resolution 2011-04 by title into the record.

Mr. Moyer reviewed Resolution 2011-04 approving the fiscal year 2012 budget and setting a public hearing for August 25, 2011, at 6:00 p.m. The two operative words are “approve” and “adopt.” This Resolution merely approves this budget; it does not adopt the budget. At the August meeting, the Board will formally adopt the budget. By approving the budget, you are not doing anything more than setting the public hearing.

Mr. Berube stated last year we discussed the budget in our meetings, and I still had the feeling that we shortchanged those discussions because of the time constraints of meetings. Because this budget is so important, perhaps we should discuss it at a separate workshop.

Mr. LeMenager stated we did that a couple years ago.

Mr. Berube stated I am sure Mr. Walls will have some input because he deals with governmental budgets as his career. I do not want to try to squeeze these discussions into our regular meetings because we are so conscious of the time element. I think it is important and I think we should meet for a couple hours to review it in detail.

Mr. LeMenager stated the last time we did it, I recall we held the workshop on a separate day. We had that one workshop where we focused on the budget line items. It is not a bad idea.

Mr. Berube stated this budget is several million dollars and there are a lot of line items. The manager did a great job of balancing what we did last year and putting it into this year's budget, but I think we need more review and I think there are some items that need to be inserted.

Mr. LeMenager stated I will make the same comment that I made last month. To the extent you have special projects or things you would like to see done, this is the time to suggest those things to the Board. We have adopted a stance over the past few years of having no increase in the maintenance assessments. This draft includes a small increase.

Mr. Moyer stated actually there is a little bit of a decrease.

Mr. LeMenager stated no, the decrease is because the capital portion decreased slightly but the operations and maintenance portion increased a little. I think we want to make sure the operation and maintenance assessment does not increase.

Mr. Moyer stated those numbers may be that way in the aggregate, but not on an individual basis.

Mr. LeMenager stated yes, you are correct; I read it wrong.

After a brief discussion, the Board selected a budget workshop to be scheduled for Thursday, June 23, 2011, from 3:00 p.m. to 5:00 p.m.

Mr. Evans stated I think that is a good idea because it will give us time to think over all these budget line items.

Mr. Walls stated Exhibit A for the allocation of fund balances, shows \$135,000 for renewal and replacement reserves. Last year it was also \$135,000, so was it the intent to add that amount every year or to have one single addition of \$135,000 and that is our reserve amount?

Mr. LeMenager stated the intent is to add it every year.

Mr. Walls stated then the fund balance should be \$270,000.

Mr. LeMenager stated I do not know if we were adding \$135,000 every year or if that amount represented several years' accumulation to get to that number.

Ms. Kassel stated the balance should still reflect a higher dollar amount.

Mr. LeMenager stated that is correct.

Mr. Walls stated the assigned fund balance for renewal and replacement is only \$135,000 for next year, so that number should be changed.

Mr. LeMenager stated I am not sure if it should be \$270,000 or not. I do not recall the annual increase. That was provided by Mr. Steve Boyd. I would ask Mr. Moyer to request Mr. Boyd to update the renewal schedule that he prepared last year. That would be good input.

Mr. Walls stated the only question is, are we adding to that every year.

Mr. LeMenager stated yes, that is the intent. You are correct that it needs to increase.

Mr. Berube stated the number I recall is \$25,000 annually. The balance came to \$135,000 from some multiple.

Mr. Evans stated we had a carry-forward surplus. We determined that we needed a reserve fund and we also needed to set aside monies for insurance so that we could lower our annual premium. When we started looking at the replacement costs for our facilities over an extended period of time, we determined we needed to gradually start building up our reserves for that purpose.

Mr. Walls stated I understand all that but the number is the same as it was last year.

Mr. Moyer stated the purpose of this report is to look at undesignated fund balance, which has \$294,000. If you want to allocate a portion of that to a reserve account, you can do that. We are going to add \$150,000 in undesignated fund balance. This Board can designate what you want that money to apply to in terms of reserves. There is a GASB directive that tells you how to deal with those reserves. My prejudice has always been to maintain the most flexibility by leaving it in undesignated fund balance. You can designate it for any purpose, but once you do that, that money is reserved for that specific purpose for that reserve fund.

Mr. Walls stated the first-quarter operating capital increased by \$50,000 from last year. Our liability insurance also increased this year. Perhaps we can increase the insurance reserve. I do not know if that will help us with the insurance premium if we

increased that reserve. I do not know that we need to increase first-quarter operating capital.

Mr. Berube asked do you want to increase the deductible?

Mr. Walls stated yes. If we have that money that appears we are putting it into first-quarter operating expenses just to put it somewhere, I suggest we put it into insurance.

Mr. Evans stated that is not correct. The purpose of the first-quarter operating expenses is to pay the bills before we receive funds from the tax collector.

Mr. Walls stated but this budget proposes to increase that an additional \$50,000 from what was budgeted last year.

Mr. Moyer stated we discussed this item last year. We have a budget of \$1.5 million, so if you take one-fourth of that, it is about \$350,000. The reason we were comfortable with what we budgeted last year is we will continue to collect the direct assessments from the developer. So we know that each month we will receive some of that money, but I thought the direction from the Board was that we wanted to start building that up so as the developer payments are reduced and are on the tax roll, we correspondingly increase the tax collector assessments so that at the conclusion of that process, we will have sufficient monies allocated for first-quarter operating expenses.

Mr. Walls stated I am not making any suggestions, just asking questions.

Mr. Moyer stated those are all good comments, and we can discuss them at the workshop. I will add an agenda item to include a discussion on how to deal with reserves, and I will circulate to the Board the GASB 34 on what it means to designate reserves and how you have to handle that.

Ms. Kassel stated you provided that to us last year, also.

Mr. Walls stated I am familiar with it so I do not need a copy.

Ms. Kassel stated the purpose was to give us flexibility having undesignated funds versus reserves, but I see your point. My concern with undesignated funds is that it can get spent without thinking that we will need it for reserves. This particular Board is not going to do that unless it is absolutely necessary.

Mr. Walls stated we do something different at the County level. We budget every single dollar into some type of reserve, whether it is a reserve for contingency or other category. That helps me know where the money is going. We can discuss this further at the workshop.

On MOTION by Mr. LeMenager, seconded by Mr. Walls, with all in favor, unanimous approval was given to Resolution 2011-04 approving the fiscal year 2012 budget and setting a public hearing for Thursday, August 25, 2011, at 6:00 p.m.

FIFTH ORDER OF BUSINESS

Discussion Items

There being none, the next order of business followed.

SIXTH ORDER OF BUSINESS

District Manager's Report

A. Financial Statements

Mr. Moyer reviewed the financial statements, included in the agenda package and available for public review in the District Office during normal business hours.

B. Invoice Approval #133 and Check Run Summary

Mr. Moyer reviewed the invoices and check summary, which are included in the agenda package and available for public review in the District Office during normal business hours, and requested approval.

Mr. LeMenager stated there is an invoice for Digital Assurance. What is that for?

Mr. Berube stated we pay that every year for the dissemination of reports.

Mr. Moyer stated that is related to the bonds. We have to provide information to the clearing house that makes that type of information available to bondholders.

Mr. LeMenager stated there was an invoice for Gary's Lock and Safe. Which locks were replaced? The invoice does not specify a location.

Mr. Berube stated they had to rekey some of the locks on the pool gates when the new gates were installed. Those new locks had to be keyed to match our keys. Those new locks did not work and were replaced again this week because the locks they provided were not a good quality.

Mr. LeMenager stated we received an invoice from the Orlando Sentinel for \$300 for an advertisement, but the copy was not legible so I was not sure what we were advertising.

Mr. Moyer stated that was for the rulemaking hearing to adopt your rules.

Mr. Berube stated we have discussed this before with regard to the Orlando Sentinel and they do not give us any consideration for classified advertising pricing. There is a local newspaper, the Osceola News Gazette, that is delivered to every home here and

does include legal advertisements. They also print the Harmony Notes and deliver it. Is there some reason we cannot shift our newspaper notices to that local newspaper?

Mr. Moyer stated we will need to check on whether it is considered a newspaper of general circulation within the County. Usually periodicals that are published twice a week are not considered newspapers of general circulation, but we will check on it. We will ask them that question to prove to us that they meet the requirements of Florida law for that purpose.

Mr. Walls stated they do publish advertisements for Osceola County for meetings and changes.

Mr. Moyer stated if it meets the requirements of Florida law, I am more than happy to publish in the Osceola News Gazette.

Mr. Berube stated the key is they deliver that newspaper to every home here twice a week, whether or not they read it. There is a far better circulation here than with the Orlando Sentinel. I cringe when I see invoices from the Orlando Sentinel.

Mr. Moyer stated they are very expensive.

Mr. Berube stated even if we find out the Gazette is no cheaper, if we can, I would rather give our business to the hometown company.

On MOTION by Mr. Walls, seconded by Ms. Kassel, with all in favor, approval was given to the invoices as presented.

C. Public Comments/Communication Log

Mr. Moyer reviewed the complaint log as contained in the agenda package and is available for public review in the District Office during normal business hours.

Ms. Kassel asked do I understand on this list that on May 17, 2011, someone called to complain about the music from the ice cream truck and called the District office?

Mr. Moyer stated yes.

Mr. Berube asked what did we do about it?

Mr. Tome stated we directed them to the County.

Mr. LeMenager asked is the splash pond actually working? It seems like it is not working from time to time.

Mr. Berube stated yes, it has some sort of a cycle to it, something like 45 minutes on and 15 minutes off.

Mr. Haskett stated it is working fine now.

Mr. Berube stated there was an issue with the timer where it was five hours off, but that was corrected.

D. Report on the Number of Registered Voters – 615

Mr. Moyer stated we are required annually to request from the Supervisor of Elections the number of registered voters. It is interesting information now, but the purpose of it in the earlier years of the District is when the District is six years old and has at least 250 registered voters, it changed the way we elect Supervisors to how we are doing it now, by a General Election with a registered-voter format. The law does not say that once you meet the threshold that you can stop requesting this information. It is a way for you to monitor how the community is growing.

Ms. Kassel stated for the benefit of the audience, there are now 615 registered voters as of April 15, 2011.

Mr. LeMenager stated that is an increase of 44 over last year.

Ms. Kassel stated someone indicated that we have 1,200 residents. How was that information obtained?

Mr. Tome stated there was a bit of random science to that calculation. We pieced together information from the number of registered voters, the number of students who live in the community who attend the schools which is available from the school District, and applying a bit of science to it. The sign indicating 1,200 is noted as an estimate, but it is close.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

i. Legislative Update

Mr. Qualls stated the Legislative Session is over. There was a Bill, Senate Bill 224, sponsored by Senator Dean. It passed but has not been signed by the Governor yet. Once a Bill is presented to the Governor, he has 15 days to act on that Bill. The Legislature controls the flow of what goes to the Governor, and this is not a Bill that is not high on their list since it has not been sent to the Governor yet. This Bill will have some changes regarding the posting of the District budget on the official District website, and I need to review it further. The changes are primarily in Chapter 189, Florida Statutes. I want to see how it tracks with Chapter 190, Florida Statutes. It is essentially a bill to deal with budgets at all levels of State government and to make sure those budgets are posted on a

website. The budget is public record anyway, so someone could request it and post it on their own website. I do not see any real issues with this, but it is something that needs to be monitored. Your budget will need to be posted on the website, and I believe the requirement is that it be posted at least two days prior to the budget hearing. It is a little premature because the Governor has not yet acted on this Bill, but I wanted to bring it to your attention.

ii. Budget Workshop Advertisement

Mr. Qualls stated related to the workshop that was just scheduled, and this is something the District Manager always does, but pursuant to Rule 1.4(1), that workshop needs to be advertised at least seven days prior to the workshop.

iii. Chapter 4 Adopted Rules Relating to Park and Recreational Facilities

Mr. Qualls stated I included the rules in the agenda package, but one thing is missing. Everyone needs to understand that these rules were adopted pursuant to the procedures outlined both in your existing rules and in Florida Statutes. You followed that procedure precisely, and I think it is important to let the residents know that was done. I will include a brief note to that effect. These are a set of rules within your overall rules, so these need to be referred to as Chapter 4 dealing with park and recreational facilities. These rules were adopted subject to any grammar tweaks. I reviewed this in depth and asked a law clerk in our office to also review them. He noticed a few things, so as you notice anything of that nature, please let me know.

iv. No Fishing Signage

Mr. Qualls stated I was asked to look into the language for the No Fishing signs, and I brought a draft. First, you need to state the name of the District. Second, it needs to say "no fishing." We need to cite the rule, which is now Chapter 4, rule 2.3 that prohibits fishing. I did a lot of research on this because I was wrestling with how you balance the fact that they are public facilities with something like trespass, which to me indicates private property. Because these are public facilities, the public is always invited on the premises. I came across a case where this portion was upheld by the Supreme Court that says even though you invite people onto your property and they decide to "rape, pillage and steal" as quoted in the case, then they are no longer invitees. That is also how to address the concerns of Mr. Walls. People are allowed to walk around the ponds so how are we going to say no trespassing, which will send a message that people cannot walk. The way you do that is to say fishing constitutes trespassing and then cite the section of

Statute. As far as the other requirements, the lettering needs to be at least two inches and the signs need to be posted not less than 500 feet apart. I do not know if that is circumference or diameter, but use your best judgment. I will provide this information to Mr. Golgowski and Mr. Haskett prior to ordering the signs.

Mr. LeMenager stated the sign does not actually say No Fishing.

Mr. Qualls stated fishing is prohibited in the rules.

Mr. LeMenager stated I understand that, but we are talking about posting a sign in the ground. Should it actually include "no fishing" on the sign?

Mr. Qualls stated yes, it will state "no fishing" as well as the citation for the rule. I have the Supreme Court case if anyone is interested.

Ms. Kassel stated I asked Mr. Moyer to raise the request we received from Ms. Jeanna McGinnis to sign her pond. There were two emails she sent to the Board, one about early morning fishing and one about someone baiting an alligator and throwing food out, when the alligator started pursuing the person, who then fell right as the alligator was approaching him. Nothing ended up happening, but she requested that we immediately start posting signs around the ponds.

Mr. Berube stated I walked that pond and there are two alligators in that pond that clearly are not afraid of people. They followed me around the shoreline and they were watching me. I got within two feet of them and they both stayed there in the water. I think they were expecting me to feed them.

Ms. Kassel stated that is one of the results of allowing fishing in the ponds.

Mr. Walls stated that is an assumption.

Mr. Berube stated I think they were looking more for food than a fishing hook, but there are two alligators in that pond that are friendly.

Mr. Evans stated I will ask Mr. Tome to work with Mr. Haskett and Mr. Golgowski to put together some signage that will be attractive that perhaps the developer can mirror something similar for the golf course ponds so that it is consistent.

Mr. Berube asked is the language for the sign limited to just what Mr. Qualls presented, or can there be additional words on there?

Mr. Qualls stated yes, there can be additional wording.

Mr. Berube stated my thought is to put at the top of the sign "for your safety and the safety of others, no fishing."

Mr. Qualls stated the only things that are required are the name of the District as the owner of the pond, the citation to the rule, and the word "trespass."

Ms. Kassel stated I think you have to also cite the Florida Statute, as well.

Mr. LeMenager stated it is included on his mockup.

Mr. Qualls stated if you want to add additional verbiage, that is fine.

Ms. Kassel stated as long as the letters are two inches.

Mr. LeMenager stated before we spend thousands of dollars on signs, I wholeheartedly support installing signs for the pond behind Bracken Fern and doing that as soon as possible. I am not sure I support spending money on signs for other more remote areas that do not back up to houses. Frankly, I think we have too many signs. It is getting over the top in terms of signs everywhere. I am happy to authorize staff to take care of the big problem pond behind Bracken Fern. Before we spend a lot of money on signs for the pond way over in the corner that no one goes to, I do not want to spend a lot of money for those signs.

Mr. Evans stated let us get a sign design and determine the cost. I am open to suggestions on language, what they will look like and what they will cost. If the golf course wants to put signs in their ponds, at least we can get a consistent look to the sign. Once we have some options, then we can determine what those costs will be to get them installed.

Ms. Kassel stated it could be the cost is lower the more signs you make.

Mr. Evans stated that is correct, but we need some information on what those costs will be.

Mr. Walls stated our rules did not address swimming in ponds. Can we add no swimming to the sign? I see a lot of people swimming in the ponds. It is something to consider. I have two changes for the rules to submit. Page 2, section 3 for access cards, it says in order to use the District Buck Lake dock and boat facilities, each user shall first obtain a picture ID, but we do not say anything about the pool facilities.

Mr. Qualls stated I thought we addressed that in a different section. If not, I will add that into these.

Mr. Walls stated page 3, section 3.1.4 regarding renter status, it is unclear to me. I recall from the minutes that we wanted for them to provide their lease and photo identification at a minimum.

Mr. Qualls stated that is correct.

Mr. Walls stated the way this reads is that a person can provide a lease agreement and one or more of the following items, one of them being photo identification.

Mr. Qualls stated it is worded with “and” after the driver’s license and “or” after the other items, meaning they have to provide a driver’s license as well as one of any of the other items listed.

Mr. Walls stated however it is worded, I want to make sure they show photo identification when they come in.

B. Engineer

There being nothing to report, the next order of business followed.

C. Developer

i. Hydrocom Technologies Irrigation Controller Repair

Mr. Golgowski stated I provided a proposal from Hydrocom to make some repairs to the irrigation controller. It is our recommendation that we replace the whole unit and get to 2011 standards, for a total of \$1,526.

Mr. Berube stated I have said this before, but I looked at the last three years of costs and we average \$579 per month for the MAXICOM system. It costs \$145 for the telephone lines, \$250 for monitoring, and an average of \$184 for repairs and maintenance. Based on what I am seeing here, it will only get more expensive. I am not saying that is good or bad, but I am pointing out a fact that is supported by data. In 2010, we spent \$93,000 on water, and projected for 2011, we will spend \$101,000. If that continues, in 2012 we will spend \$105,000. It averages to \$7,000 annually for the MAXICOM system, ostensibly to save us water.

Mr. LeMenager stated if you go back years previous, we were spending much more on water.

Ms. Kassel stated it has already paid for itself.

Mr. Berube stated I am not arguing that, but at this point, we are spending \$7,000 on a system and it appears that there will be some specific problems with parts that are only going to get more expensive.

Mr. Golgowski stated a couple years ago, our actual costs at the end of the year on water were \$40,000 over budget. Based on an upgraded MAXICOM system and its monitoring, roughly \$7,200 that we invest every year has been a good return on the investment.

Mr. Berube stated I do not have enough history to go back and see.

Ms. Kassel stated the MAXICOM system is what allows us to know when there is a large break in the system because so much water is going through all at once.

Mr. Golgowski stated it is supposed to do that in theory, but we do not have the parts to do that. That is a big deficiency in our system and we cannot tell exactly how much water is being distributed. We do not have meters installed to measure that.

Ms. Kassel asked would they be irrigation submeters?

Mr. Golgowski stated they are flow meters that measure the actual flow. As soon as there is a variation in that flow, it signals that something is going on.

Mr. Berube stated that is what we discussed when we applied for the grant. The installation of those flow meters was \$60,000 with a 50% reimbursement if awarded the grant, but even with that, it did not include everything.

Ms. Kassel stated that was through the South Florida Water Management District (SFWMD). Are they offering anything like that this year?

Mr. Golgowski stated not that I have heard of.

Mr. Berube stated even if we could get the upgraded flow meters for \$30,000, we need to look at how much that \$30,000 we might save every year. It may cost \$30,000 to save \$10,000, but I do not know if it will save that amount of water.

Ms. Kassel stated at that price, we would break even after three years. With a \$60,000 investment, it would be six years before we break even. With all the irrigation breaks we have had, unless we have found that we have really resolved the problem, it might be something worthwhile to look into. If it pays itself back beyond that time, it is surplus money.

Mr. Berube stated the irrigation breaks have pretty much stopped. Last Friday, Toho Water Authority replaced the controller on the pump, so we should not have any further issues with it going dead and then coming on. It is a soft-start, soft-stop controller on the pump when it comes on and off line. The pressure surges should go away.

Mr. LeMenager stated there were two trucks with the Toho Water Authority logo driving around. Is that what they were doing?

Mr. Berube stated they are running system pressure tests in various places because of our complaints about the pressure surges. They are testing it on their own to make sure it is not their problem. They are listening to us.

On MOTION by Ms. Kassel, seconded by Mr. LeMenager, with all in favor, unanimous approval was given to proposal from Hydrocom Technologies for the replacement of the Rainbird ESP 24 satellite and pedestal, in the amount of \$1,526, as discussed.

ii. Card Access System

Mr. Tome stated the card access system will be operational by the end of next week. There were a few bugs that have been worked out. We still need to figure out how to do the registration process. Mr. Haskett suggested that a form be put online that we can also distribute in our office and include in the Harmony Notes to encourage people to complete that form in advance so that when they come to get their picture taken, it speeds up the process.

Ms. Kassel stated I suggest that the form be in a pdf format that is easy to fill out online so they can complete the form and email it to you and you will have all of that in advance in case they forget to bring it with them at registration. Or perhaps they can submit it through a link on the website.

Mr. Tome stated for our part, we will send an e-blast to let everyone know where to get the form and we will include it if the timing works out for the next Harmony Notes.

Mr. Berube stated the presumption is we will need someone from Mr. Moyer's office to come here as well as a laptop in which to enter the data. I do not think we have that laptop yet, which we will need for this system.

Mr. Tome stated according to Mr. Haskett, he did some research and found out that we will be able to do this through the web, eliminating the need for a separate laptop. He is working with someone in IT that he has worked with for a long time, and they have done some research on it showing that we will be able to do all the updates online.

Ms. Kassel asked what does that mean for the generation of the data base that we approved last month as a separate item?

Mr. Berube stated that is putting the names and addresses into the system to integrate with the Door King platform. Even if we do this web based, if someone comes from the District office, we still need a computer that day. We will need something, whether a flash drive or CD, as a repository for this data that is relatively secure and long lasting into the future.

Mr. Walls stated if it is web based, it will be hosted by an entity, which we will probably have to pay for.

Mr. Berube stated perhaps this is something Mr. Moyer can incorporate into the website services he currently provides.

Mr. Moyer stated I will ask Ms. Burgess to contact Mr. Haskett to work out the details.

Mr. LeMenager stated I would like to get this done sooner than later. The new locks are rather finicky and those gates are left open all the time.

Mr. Berube stated those locks have been changed again, and they are more secure.

Mr. LeMenager stated I was at the dock a couple times and the gate was wide open.

Mr. Berube stated those locks were changed on Monday.

Mr. Tome stated regarding the printer, the District office does not have a printer that is compatible to work with these particular cards. The District will still need to make that investment. We estimated \$3,500 previously, which has been discussed but we have not yet made that purchase.

Mr. Berube stated that was part of the initial proposal for this new system, and we approved \$4,000 for the printer and supplies.

iii. Landscaping Services

Mr. Tome stated I wanted to comment on what was discussed earlier in the meeting with regard to the landscape company doing work for the Development Company. As you recall, we did that with REW when they held the District's landscaping contract; they also did some work for the developer. We look at that as a way to reward them if they are doing good work. It got to be more challenging to have someone come all the way out here just to do our work, and it was easier to have REW do it as a piggyback to being here for the District. We have made it very clear to Luke Brothers that if they start to slip in one area, we will quickly take that away from them. It amounts to \$1,500 or \$2,000 a month, which is not much, but we thought it was worthwhile to give them that additional work.

Mr. Walls stated that is my problem, regardless if everything looks 100% in the District. We are paying them to have x number of people on site for our contract, and if they are taking some of them off our job to do something else when we are not getting 100%, that is my problem with Luke Brothers. It is not my problem with the Development Company.

Ms. Kassel stated our perception is that they are far from 100%.

Mr. Tome stated when they did the tree installation initially, they brought separate crews to install those trees, and I think some of the detail guys may have crossed over at the sales gallery at times.

EIGHTH ORDER OF BUSINESS

Supervisor Requests

Ms. Kassel stated based on our Companion Animal Committee discussions and with the owners association, we talked about combining communications regarding the new cat policy and the new gate policy and the need for access cards. We thought about combining those details and we wondered if we needed permission from the District to do that. At the Companion Animal Committee meeting, we discussed sending out a flier and we wanted to combine it to have pet registration and let people know about the change in the access gates. If we had the date for the access card registration, we could include it on that flier, but we thought we needed permission from the District to put those two items together into one mailing. We are going to have a pet registration form. We are going to have a notice of the new animal policy, and we also wanted to include a notice of the changes that are happening in terms of the gates.

Mr. Berube stated we do not have a date certain as far as the change to the gates yet.

Ms. Kassel stated that is correct, but we could still notify the residents that this change is coming. We have also changed the rules so we can notify them of where to go to read the new rules and to notify them when the day comes, these are the things that owners will need and what tenants will need to provide for that registration. It is a means of providing advanced notice so that we do not just surprise them with a date and what is happening.

Mr. LeMenager stated certainly anyone using the facilities now realizes something is happening.

Ms. Kassel stated it is probably not that high of a percentage of the residents. They may know something is going on but they may not know what that is.

Mr. LeMenager stated we could post some temporary signs at the facilities in reference to the access cards.

Mr. Evans asked is this a mailing from the District or will it be an e-blast or will it be on the website about where to sign up for the access cards? What is the medium that will be used?

Mr. Tome stated I think it will be all of those. We have some signs that we can put up in the front and we have a big banner we can put up to let them know of the change. We had not thought about doing a direct mail unless the District wants to do that.

Ms. Kassel stated we were not thinking about mailing them; we were going to have the fliers printed up and deliver them door to door.

Mr. Walls stated I like posting a temporary sign at the gate at the lake and at the pools just to direct people to the website for more information about the access changing or something along those lines. Just something to give them advanced notice.

Mr. Evans stated I like the idea of referring them to the website and get people used to using that tool.

Ms. Kassel stated that partially answers my question. The idea, however, is to notify all the residents, not just the people who enter the pool and dock facilities. We want to provide advanced notice of the change and what they have to do and provide and what day we are going to do that.

Mr. Evans stated you are really trying to capitalize on the traffic of the Companion Animal Committee.

Mr. Berube stated we thought we could combine the notifications, but there are a lot of different pieces to this flier.

Mr. Evans asked are you suggesting that when we send out the registration form for the access cards, that we do it at the same time as you send the Companion Animal Committee application notice?

Ms. Kassel stated yes.

Mr. Berube stated the Companion Animal Committee notice will probably be a program for trapping loose cats. There needs to be notification to the residents that if they have a cat, you need to keep it in the house or else it will be trapped.

Mr. LeMenager asked why should there be a notice sent that people need to start following the rules?

Mr. Berube stated some people thought we needed to be nice. That was the first notification. The other thing that came up is we know we will have a need to notify everyone somehow. We need to notify them about the cat situation, but there is also a need to notify everyone about the change from keys to access cards. The thought process was to combine these together.

Mr. Evans stated I think you can determine what should be noticed to everyone and how it will be sent, and I just ask that you inform Mr. Moyer when you are ready to send the information.

Mr. Berube stated last month we discussed the potential of purchasing a golf cart for Mr. Belieff, and there were a couple impediments to that. One was a charging station. That issue has been addressed and it has been installed. We got it for almost nothing as part of the update to electrical changes when they installed the electricity for the new gate. The charging station is complete. The second issue was how to pay for it. The price of the cart is \$1,000, and I figure there might be another \$500 in ancillary fees, including tags, insurance, and so forth. In the equipment budget item, that line item has \$21,000 and we have spent only \$5,000 this year. We will probably come in halfway under budget on that line item, so this golf cart expense could easily come from that line item. It is equipment and it is directly tied to the dockmaster's performance of his duties for the boats.

Mr. LeMenager stated if you can provide us with a proposal, I imagine you would get unanimous support for it.

Mr. Berube stated the only proposal I have is a written note from Mr. Tome.

Mr. Tome stated we are willing to sell it to the District for \$1,000.

Mr. Evans stated I would like to see us purchase this item, allocating \$1,500 to include \$1,000 for the acquisition, and \$500 for any other expenses that apply.

<p>On MOTION by Mr. LeMenager, seconded by Mr. Berube, with all in favor, unanimous approval was given to purchase a golf card for the dockmaster from the Harmony Development Company, to be funded from the equipment budget line item, in the amount of \$1,000, plus any ancillary expenses directly related to the purchase in an amount not to exceed \$500.</p>
--

NINTH ORDER OF BUSINESS

Audience Comments

Ms. Nancy Snyder stated the insurance for my golf cart is the same as for my car, which is about \$480 every six months.

Ms. Kassel stated mine is \$78 every six months. It is motorcycle insurance but they apply it to the golf cart.

Mr. Berube stated I think it will just be added to the general liability insurance policy and we will not even notice it.

Ms. Snyder stated the license plate tag is the same cost as for a car.

Mr. Berube stated \$500 should cover all of that.

Ms. Snyder stated I have renters in some of my homes. Do they just bring a lease to get access cards?

Mr. Evans stated a lease and photo identification.

Ms. Snyder stated related to the signs for no fishing, it has been noticed that some people have pulled up to the Estate area, pulled up in a car and gotten out with fishing poles, walking across the golf course and are fishing in those golf course ponds. Those signs really need to go on those ponds, too.

Ms. Kassel stated they probably need to be on all the ponds.

Mr. Walls stated the golf course is private property.

Mr. LeMenager stated the District owns only six ponds and all the other ponds are on private property.

Ms. Snyder stated I just wanted to make that observation.

TENTH ORDER OF BUSINESS

Adjournment

The next meeting will be Thursday, June 23, 2011, at 6:00 p.m. with a budget workshop at 3:00 p.m. Both are open to the public.

The meeting adjourned at 9:50 a.m.

Gary L. Moyer, Secretary

Robert D. Evans, Chairman

Third Order of Business

3A



HARMONY CDD MONTHLY LANDSCAPE MAINTENANCE REPORT

June 2011

LINE ITEM	#	SUB-SECTION	#	PERFORMANCE NOTES	
				COMPLETED	WILL BE COMPLETED
Turf Care	4.1	Mowing	4.1.1 4.1.2 4.1.3	<ul style="list-style-type: none"> Developed, undeveloped and SR192 turf has been adjusted to the following heights per turf. 4" for St. Augustine, 2.5" for Bahia, 2" for Zosia turf. 	<ul style="list-style-type: none"> Continuation of crew to edge tree rings to ring/ circle and not of an oval. That valve boxes and other hard fixtures in turf have grass grow up to them and not be edged 2-5" out.
		Pest Control	4.1.4 4.1.6	<ul style="list-style-type: none"> Arena chinch bug insecticide has been applied to Chinch bug active areas as well as dry areas for a preventative application. 	<ul style="list-style-type: none"> IPM will be performed as needed. As communicated through Todd Haskett Chinch Bug applications have been ongoing.
		Fertilization	4.1.5	<ul style="list-style-type: none"> Additional contract fertilization was completed on 6/7/11 through 6/13/11 from the town square entrance to the West Entrance including 5 Oaks, which also included the parks on 6/3/11. 	<ul style="list-style-type: none"> To complete the additional applications of fertilization Catbriar, Schoolhouse, and the East side of 5 Oaks will be applied by the end of the month.
		Annuals	4.1.8	<ul style="list-style-type: none"> Annual maintenance is ongoing. 	<ul style="list-style-type: none"> Due to appearance of Annuals and extremely warm weather, we will start with flower change out at the end of June which is ahead of the contracted schedule.
Sports Turf	4.2	Mowing	4.2.1	<ul style="list-style-type: none"> Mowing is being performed as needed. 	<ul style="list-style-type: none"> Mowing will be performed weekly.
		Pest Control	4.2.2 4.2.3	<ul style="list-style-type: none"> IPM has been performed as needed. 	<ul style="list-style-type: none"> IPM will be performed as needed.
		Fertilization	4.2.5		
Shrubs / Groundcover Care	4.3	Pruning	4.3.1	<ul style="list-style-type: none"> The shrub pruning rotation is 45% completed on common areas and 90% completed in parks. 	<ul style="list-style-type: none"> Shrub pruning will be completed throughout June.
		Weeding	4.3.2	<ul style="list-style-type: none"> The weeding rotation is 90% completed on common areas and 100% completed in parks. Sureguard has been applied with Round-up which acts as a growth inhibitor for potential weeds. 	<ul style="list-style-type: none"> The weeding rotation is to be handled by all crews, which we are also applying a pre-emergent <i>Sureguard</i> in place of the mulch turning.
		Fertilization	4.3.3	<ul style="list-style-type: none"> We are 100% complete on the shrub fertilization which was completed last month. Rhyzogen was applied to azaleas at the town square, down 5 Oaks and up Catbriar to just before the dog park. 	<ul style="list-style-type: none"> Contract fertilization was completed. The Rhyzogen was an extra and above the scope of work application to promote healthy growth and significantly more blooms. We will keep an eye on these areas for any change. Should this show positive results then a proposal will be submitted to the District.
		Pest Control	4.3.4	<ul style="list-style-type: none"> IPM has been performed as needed. 	<ul style="list-style-type: none"> Will perform IPM as needed.
		Mulching	4.3.5		
Tree Care	4.4	Pruning	4.4.1	<ul style="list-style-type: none"> Notable improved growth-patterns and growth flushes were noted as a result of past, proper pruning methods. 	<ul style="list-style-type: none"> Due to no wind storms, there have not been any broken branches hanging from trees but will be removed as needed. Branches are also being elevated as needed during our detail rotation with the health of the tree being of utmost concern.
		Fertilizer	4.4.3		
Irrigation System	4.5	General Requirements	4.5.1	<ul style="list-style-type: none"> Two main line repairs have been made which I believe is the extensive running due to the drought. Pipes were given to Todd before repairs were made. 	<ul style="list-style-type: none"> All broken irrigation parts are turned into Todd for inspection. As well as submitting a proposal for any and all work during our inspections.
		Monitoring	4.5.2	<ul style="list-style-type: none"> Monthly irrigation system inspections are 20% completed. 	<ul style="list-style-type: none"> We would like to request for the ability to review the Maxicom system on our own computer. Will discuss during Landscape Report at Board Meeting.
Unscheduled Maintenance	5	Unscheduled Maintenance	5.4	<ul style="list-style-type: none"> Turf proposal still needed as there were extenuating circumstances to some stressed and dying turf. This will be addressed during the landscape report given to the board. Mulch was completed at the playgrounds. Proposal submitted for trees to be installed on the easement on Claybrick between the District and Hwy 192. 	

3C

Fourth Order of Business

4A

**Harmony
Community Development District**

Financial Report

May 31, 2011

Prepared by



**Harmony
Community Development District**

Table of Contents

FINANCIAL STATEMENTS

Balance Sheet - All Funds	Page 1
Statement of Revenues, Expenditures and Changes in Fund Balances	
General Fund	Page 2 - 4
Debt Service Fund(s)	Page 5 - 6
Capital Project Fund	Page 7
Notes to the Financial Statements	Page 8 - 11

SUPPORTING SCHEDULES

Non-Ad Valorem Special Assessments	Page 12
Cash and Investment Report	Page 13

**Harmony
Community Development District**

Financial Statements

(Unaudited)

May 31, 2011

Harmony
Community Development District

Governmental Funds

Balance Sheet
May 31, 2011

ACCOUNT DESCRIPTION	GENERAL FUND	2001 DEBT SERVICE FUND	2004 DEBT SERVICE FUND	2004 CAPITAL PROJECTS FUND	TOTAL
ASSETS					
Cash In Bank	\$ 334,274	\$ -	\$ -	\$ -	\$ 334,274
Cash On Hand/Petty Cash	500	-	-	-	500
Assessments Receivable	12,053	38,828	-	-	50,881
Interest/Dividend Receivables	1,280	287	-	-	1,567
Due From Other Funds	-	14,771	-	-	14,771
Investments:					
Certificates of Deposit - 450 Days	127,563	-	-	-	127,563
Money Market Account	478,383	-	-	-	478,383
Construction Fund	-	-	-	66,694	66,694
Prepayment Account	-	4,581	3,229	-	7,810
Reserve Fund	-	1,416,606	861,348	-	2,277,954
Revenue Fund	-	236,243	164,989	-	401,232
TOTAL ASSETS	\$ 954,053	\$ 1,711,316	\$ 1,029,566	\$ 66,694	\$ 3,761,629
LIABILITIES					
Accounts Payable	\$ 104,136	\$ -	\$ -	\$ -	\$ 104,136
Accrued Expenses	1,530	-	-	-	1,530
Accrued Taxes Payable	106	-	-	-	106
Deposits	1,200	-	-	-	1,200
Deferred Revenue	12,053	38,828	-	-	50,881
Due To Other Funds	10,871	-	-	3,900	14,771
TOTAL LIABILITIES	129,896	38,828	-	3,900	172,624
FUND BALANCES					
Reserved for Debt Service	-	1,672,488	1,029,566	-	2,702,054
Reserved for Capital Projects	-	-	-	62,794	62,794
Unreserved/Undesignated	824,157	-	-	-	824,157
TOTAL FUND BALANCES	\$ 824,157	\$ 1,672,488	\$ 1,029,566	\$ 62,794	\$ 3,589,005
TOTAL LIABILITIES & FUND BALANCES	\$ 954,053	\$ 1,711,316	\$ 1,029,566	\$ 66,694	\$ 3,761,629

Prepared by:

Statement of Revenues, Expenditures and Changes in Fund Balances
 For the Period Ending May 31, 2011

ACCOUNT DESCRIPTION	ANNUAL ADOPTED BUDGET	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	VARIANCE (\$) FAV(UNFAV)
REVENUES				
Interest - Investments	\$ 1,500	\$ 1,000	\$ 4,877	\$ 3,877
Judgements and Fines	-	-	324	324
Interest - Tax Collector	-	-	75	75
Special Assmnts- Tax Collector	622,750	622,750	588,633	(34,117)
Special Assmnts- CDD Collected	914,363	609,576	609,576	-
Special Assmnts- Delinquent	-	-	640	640
Special Assmnts- Discounts	(24,910)	(24,910)	(12,019)	12,891
TOTAL REVENUES	1,513,703	1,208,416	1,192,106	(16,310)
EXPENDITURES				
Administrative				
P/R-Board of Supervisors	9,600	6,400	7,800	(1,400)
FICA Taxes	734	490	597	(107)
ProfServ-Arbitrage Rebate	1,200	1,200	3,000	(1,800)
ProfServ-Dissemination Agent	500	500	500	-
ProfServ-Engineering	18,000	12,000	4,972	7,028
ProfServ-Legal Services	23,000	15,336	17,168	(1,832)
ProfServ-Mgmt Consulting Serv	54,091	36,061	36,061	-
ProfServ-Special Assessment	11,422	11,422	11,422	-
ProfServ-Trustee	11,000	11,000	10,748	252
Auditing Services	8,000	8,000	4,000	4,000
Communication - Telephone	175	115	233	(118)
Postage and Freight	1,200	800	625	175
Insurance - General Liability	19,850	19,850	21,575	(1,725)
Printing and Binding	5,000	3,336	2,511	825
Legal Advertising	1,000	668	439	229
Misc-Assessmnt Collection Cost	12,455	12,455	11,531	924
Misc-Contingency	1,000	668	178	490
Office Supplies	1,500	1,000	450	550
Annual District Filing Fee	175	175	175	-
Capital Outlay	750	500	-	500
Total Administrative	180,652	141,976	133,985	7,991

Community Development District

Statement of Revenues, Expenditures and Changes in Fund Balances
For the Period Ending May 31, 2011

ACCOUNT DESCRIPTION	ANNUAL ADOPTED BUDGET	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	VARIANCE (\$) FAV(UNFAV)
Field				
Payroll-Salaries	60	60	60	-
ProfServ-Field Management	79,813	49,365	48,384	981
Total Field	79,873	49,425	48,444	981
Landscape				
Utility - Refuse Removal	11,482	9,778	5,096	4,682
R&M-Grounds	32,994	21,996	19,996	2,000
R&M-Irrigation	34,500	23,000	32,861	(9,861)
R&M-Tree Trimming Services	15,000	10,000	15,000	(5,000)
R&M-Trees and Trimming	21,115	14,077	14,843	(766)
R&M-Turf Care	283,001	188,667	185,334	3,333
R&M-Shrub Care	110,539	73,693	71,693	2,000
Miscellaneous Services	10,000	6,664	511	6,153
Total Landscape	518,631	347,875	345,334	2,541
Utility				
Electricity - General	40,000	26,664	21,336	5,328
Electricity - Streetlighting	385,220	256,813	251,432	5,381
Utility - Water & Sewer	83,000	55,336	69,205	(13,869)
Total Utility	508,220	338,813	341,973	(3,160)
Operation & Maintenance				
Contracts-Lake and Wetland	21,360	14,240	14,445	(205)
Communication - Telephone	3,950	2,632	2,344	288
R&M-Common Area	18,806	12,536	9,914	2,622
R&M-Equipment	21,000	14,000	5,929	8,071
R&M-Pools	58,187	39,551	22,067	17,484
R&M-Roads & Alleyways	3,000	2,000	-	2,000
R&M-Sidewalks	10,000	6,664	-	6,664
R&M-Parks & Amenities	6,000	4,000	866	3,134
R&M-Hardscape Cleaning	10,000	6,664	-	6,664
Misc-Contingency	44,025	29,350	17,697	11,653
Misc-Security Enhancements	30,000	20,000	950	19,050
Total Operation & Maintenance	226,328	151,637	74,212	77,425
TOTAL EXPENDITURES	1,513,704	1,029,726	943,948	85,778

Prepared by:

Statement of Revenues, Expenditures and Changes in Fund Balances
For the Period Ending May 31, 2011

ACCOUNT DESCRIPTION	ANNUAL ADOPTED BUDGET	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	VARIANCE (\$) FAV(UNFAV)
Excess (deficiency) of revenues				
Over (under) expenditures	(1)	178,690	248,158	69,468
Net change in fund balance	\$ (1)	\$ 178,690	\$ 248,158	\$ 69,468
FUND BALANCE, BEGINNING (OCT 1, 2010)	575,999	575,999	575,999	
FUND BALANCE, ENDING	\$ 575,998	\$ 754,689	\$ 824,157	

Statement of Revenues, Expenditures and Changes in Fund Balances
For the Period Ending May 31, 2011

ACCOUNT DESCRIPTION	ANNUAL ADOPTED BUDGET	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	VARIANCE (\$) FAV(UNFAV)
REVENUES				
Interest - Investments	\$ 800	\$ 528	\$ 1,780	\$ 1,252
Special Assmnts- Tax Collector	1,038,106	1,038,106	980,147	(57,959)
Special Assmnts- Prepayment	-	-	18,119	18,119
Special Assmnts- CDD Collected	432,426	312,185	432,426	120,241
Special Assmnts- Delinquent	-	-	1,072	1,072
Special Assmnts- Discounts	(41,524)	(41,524)	(20,012)	21,512
TOTAL REVENUES	1,429,808	1,309,295	1,413,532	104,237
EXPENDITURES				
Administrative				
Misc-Assessmnt Collection Cost	20,762	20,762	19,200	1,562
Total Administrative	20,762	20,762	19,200	1,562
Debt Service				
Principal Debt Retirement	305,000	305,000	305,000	-
Principal Prepayments	-	-	30,000	(30,000)
Interest Expense	1,123,388	1,123,388	1,122,663	725
Total Debt Service	1,428,388	1,428,388	1,457,663	(29,275)
TOTAL EXPENDITURES	1,449,150	1,449,150	1,476,863	(27,713)
Excess (deficiency) of revenues Over (under) expenditures	(19,342)	(139,855)	(63,331)	76,524
Net change in fund balance	\$ (19,342)	\$ (139,855)	\$ (63,331)	\$ 76,524
FUND BALANCE, BEGINNING (OCT 1, 2010)	1,735,819	1,735,819	1,735,819	
FUND BALANCE, ENDING	\$ 1,716,477	\$ 1,595,964	\$ 1,672,488	

Statement of Revenues, Expenditures and Changes in Fund Balances
For the Period Ending May 31, 2011

ACCOUNT DESCRIPTION	ANNUAL ADOPTED BUDGET	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	VARIANCE (\$) FAV(UNFAV)
REVENUES				
Interest - Investments	\$ 800	\$ 528	\$ 1,128	\$ 600
Special Assmnts- CDD Collected	1,198,145	864,774	826,295	(38,479)
TOTAL REVENUES	1,198,945	865,302	827,423	(37,879)
EXPENDITURES				
Debt Service				
Principal Debt Retirement	225,000	225,000	225,000	-
Interest Expense	1,000,688	1,000,688	1,000,688	-
Total Debt Service	1,225,688	1,225,688	1,225,688	-
TOTAL EXPENDITURES	1,225,688	1,225,688	1,225,688	-
Excess (deficiency) of revenues Over (under) expenditures	(26,743)	(360,386)	(398,265)	(37,879)
Net change in fund balance	\$ (26,743)	\$ (360,386)	\$ (398,265)	\$ (37,879)
FUND BALANCE, BEGINNING (OCT 1, 2010)	1,427,831	1,427,831	1,427,831	
FUND BALANCE, ENDING	\$ 1,401,088	\$ 1,067,445	\$ 1,029,566	

Statement of Revenues, Expenditures and Changes in Fund Balances
For the Period Ending May 31, 2011

ACCOUNT DESCRIPTION	ANNUAL ADOPTED BUDGET	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	VARIANCE (\$) FAV(UNFAV)
REVENUES				
Interest - Investments	\$ -	\$ -	\$ 70	\$ 70
TOTAL REVENUES	-	-	70	70
EXPENDITURES				
Construction In Progress				
Construction in Progress A	-	-	3,900	(3,900)
Total Construction In Progress	-	-	3,900	(3,900)
TOTAL EXPENDITURES	-	-	3,900	(3,900)
Excess (deficiency) of revenues Over (under) expenditures	-	-	(3,830)	(3,830)
Net change in fund balance	\$ -	\$ -	\$ (3,830)	\$ (3,830)
FUND BALANCE, BEGINNING (OCT 1, 2010)	-	-	66,624	
FUND BALANCE, ENDING	\$ -	\$ -	\$ 62,794	

Notes to the Financial Statements
May 31, 2011

GENERAL FUND - BALANCE SHEET

ASSETS

CASH AND INVESTMENTS	See Cash and Investment Report on page 13 for details		
CASH ON HAND/ PETTY CASH	Small amount of cash on hand for miscellaneous small expenses.		
ASSESSMENTS RECEIVABLE, NET	Delinquent assessments from FY2006 and FY2010	\$	12,053
INTEREST/DIVIDENDS RECEIVABLE	Accrued interest from Certificate of Deposit	\$	1,280

LIABILITIES

ACCOUNTS PAYABLE

Severn Trent Management Services - May 2011	\$	11,546
AT&T - May		153
Biotech Consulting - April 2011		1,530
Chapco Fence LLC		1,550
City of St. Clouds		33,435
Home Depot		491
Kissimmee Utility Authority		10,227
Lunk Brothers Inc. May 2011		39,232
Propet Distributors Inc.		648
Robert's Pool Service - May 2011		1,475
Woolpert Inc.		1,322
Young Van Assenderp, P.A.		2,412
Various invoices paid in June		115
Total	\$	104,136

ACCRUED EXPENSES	Biotech Consulting -April 2011	\$	1,530
Accrued Taxes Payable	Payroll taxes from May 31, 2011	\$	106
DEPOSITS	Deposits for Pool Keys	\$	1,200
DEFERRED REVENUE	Delinquent assessments from FY2006 and FY2010	\$	12,053
DUE TO OTHER FUNDS	Assessments received in May and transferred in June	\$	14,771
	Reimbursement for Doug Thompson Grading invoice relating to Harmony pipe extension.	\$	(3,900)
		\$	10,871

**Notes to the Financial Statements
May 31, 2011**

GENERAL FUND - REVENUES AND EXPENDITURES

REVENUES

INTEREST- INVESTMENTS	Interest earned on operating and investment accounts
JUDGMENT AND FINES	Court-ordered restitution to be paid in monthly payments until total restitution amount is collected.
SPECIAL ASSMNTS - TAX COLLECTOR	Non-Ad Valorem assessment collected by the tax collector on all the platted parcel.
SPECIAL ASSMNTS - CDD COLLECTED	Non-Ad Valorem assessments collected by the District on all the un-platted parcels.
SPECIAL ASSMNTS - DELINQUENT	Non-Ad Valorem delinquent assessments for FY2010, collected by the tax collector.
SPECIAL ASSMNTS - DISCOUNTS	Discounts on Non-Ad Valorem assessments collected by tax collector.

EXPENDITURES

ADMINISTRATIVE

P/R-BOARD OF SUPERVISORS	Payroll Board - Additional workshop in March
PROFSERV-ARBITRAGE REBATE	Grau and Associates - Arbitrage Report for Series 2004 - FY2008 through FY2010
PROFSERV-LEGAL SERVICES	Young van Assenderp, P.A. services as of May 2011
PROFSERV-TRUSTEE	Annual fees for Series 2001 and Series 2004 10/1/10 - 11/30/10
AUDITING SERVICES	Audit is in progress
COMMUNICATION - TELEPHONE	Unfavorable difference due to additional conference calls at meetings
INSURANCE - GENERAL LIABILITY	Public Risk Agency - Paid in Full for FY 2011 - General Insurance Policy Splash pad/ fountain was added to the insurance policy in October 2011, resulting in an increase in the premium.
MISC-ASSESSMNT COLLECTION COST	Administrative and collection costs from Osceola County Tax Collector \$ 11,531 This amount includes collection costs for delinquent assessments for FY2010
MISC-CONTINGENCY	CenterState Bank Wire Fees for Non-Ad Valorem assessment sent electronically by the tax collector through April 2011.

FIELD

PROFSERV - FIELD MANAGEMENT	Salary and benefits for full-time field manager/dockmaster. New full-time assistant was hired in December 2010. Increase of this expenditure is expected to be offset by elimination of certain field expenditures pertaining to facilities maintenance.
-----------------------------	--

LANDSCAPE

UTILITY - REFUSE REMOVAL	Luke Bros monthly fee for trash removal and litter control within District. The of trash removal was revisi
R&M-GROUNDS	Luke Bros monthly fee to maintain ground cover and plant annuals within District
R&M-IRRIGATION	Luke Bros monthly fee for irrigation and maintenance. Walker Tech. monthly fee for Maxi-com. Unfavorable variance due to Luke Bros invoices for increased amount of irrigation repairs completed through April.

**Notes to the Financial Statements
May 31, 2011**

GENERAL FUND - EXPENDITURE LANDSCAPE (continued)

R&M-TREES AND TRIMMING	Luke Bros monthly fee for pruning and maintenance for trees under 10 feet Unfavorable variance due to replacement of dead trees within the District in January.
R&M-TURF CARE	Luke Bros monthly fee for mowing, edging and maintenance of turf within District
R&M-SHRUB CARE	Luke Bros monthly fee for pruning, mulching and maintaining shrubs within District
UTILITY	
ELECTRICITY - GENERAL	City of St. Cloud - services through May
ELECTRICITY - STREET LIGHTING	City of St. Cloud - services through May
UTILITY - WATER & SEWER	KUA - services through May. Invoices higher than usual due to seasonal usage.
OPERATION & MAINTENANCE	
CONTRACTS-LAKE AND WETLAND	Bio-Tech Consulting monthly fees of \$1,530. Unfavorable variance due to extra pond plantings in April.
COMMUNICATION - TELEPHONE	AT&T paid through May 2011
R&M-COMMON AREA (DISTRICT FACILITIES)	District facility's expenditures; various invoices from Grainger, Northern Tool & Equipment Home Depot and Propet Distributors.
MISC-CONTINGENCY	Utility vehicle purchased from Five Star Tractor & Equipment Storage Unit from Williams Scotsman Inc., keys and jerseys for employees. Recycled fence repair and replacement.

**Notes to the Financial Statements
May 31, 2011**

DEBT SERVICE FUNDS (SERIES 2001 & 2004) - BALANCE SHEET

ASSETS

CASH AND INVESTMENTS	See Cash and Investment Report on page 13 for details		
ASSESSMENTS RECEIVABLES	Delinquent assessments from FY2006 and FY 2010	\$	38,828
INTEREST/DIVIDENDS RECEIVABLE	Accrued interest from investments in the US Bank accounts.	\$	287
DUE FROM OTHER FUNDS	Assessments received in May and transferred in June.	\$	14,771
<u>LIABILITIES</u>			
DEFERRED REVENUE	Delinquent assessments from FY 2006 and FY2010	\$	38,828

DEBT SERVICE FUNDS (SERIES 2001 & 2004) - REVENUES

REVENUES

INTEREST- INVESTMENTS	Interest earned on investments on US Bank Accounts
SPECIAL ASSMNTS - TAX COLLECTOR	Non-Ad Valorem assessment collected by the tax collector on all the platted parcels
SPECIAL ASSMNTS - PREPAYMENT	Received payments for Debt Service prepayments
SPECIAL ASSMNTS - CDD COLLECTED	Non-Ad Valorem assessments collected by the District on all the un-platted parcels.
SPECIAL ASSMNTS - DELINQUENT	Non-Ad Valorem assessment collected by the tax collector for FY 2010
SPECIAL ASSMNTS - DISCOUNTS	Discounts on Non-Ad Valorem assessments collected by tax collector

SERIES 2004 CAPITAL PROJECTS FUND - BALANCE SHEET

ASSETS

CASH AND INVESTMENTS See Cash and Investment Report for details

LIABILITIES

DUE TO GENERAL FUND	Reimbursement for Doug Thompson Grading invoice relating to Harmony Pipe Extension.	\$	3,900
----------------------------	---	----	-------

Harmony
Community Development District

Non-Ad Valorem Special Assessments
Orange County Tax Collector - Monthly Collection Report
For the Fiscal Year Ending September 30, 2011

Date Received	Net Amount Received	Discount/ (Penalties) Amount	Collection Cost	Gross Amount Received	Allocation by Fund	
					General Fund	Series 2001 Debt Service Fund
ASSESSMENTS LEVIED FY 2011				\$ 1,659,705	\$ 622,750	\$ 1,036,956
Allocation %				100%	38%	62%
11/08/10	\$ 2,186	\$ 128	\$ 45	\$ 2,359	\$ 885	\$ 1,474
11/9/2011**	-	(210)	-	-	-	-
11/18/10	54,820	2,331	1,119	58,269	21,864	36,405
12/08/10	638,052	27,128	13,021	678,202	254,473	423,729
12/23/11	46,304	1,792	945	49,040	18,401	30,640
01/07/11	21,146	649	432	22,226	8,340	13,886
02/07/11	18,488	482	377	19,347	7,259	12,088
03/09/11	18,361	187	375	18,922	7,100	11,822
04/11/11	682,810	74	13,935	696,818	261,458	435,360
05/10/11	23,642	(528)	482	23,596	8,853	14,742
TOTAL	\$ 1,505,807	\$ 32,031	\$ 30,731	\$ 1,568,779	\$ 588,633	\$ 980,147
% COLLECTED				94.52%	94.52%	94.52%
TOTAL OUTSTANDING				\$ 90,926	\$ 34,117	\$ 56,809

** Interest collected on FY 2010 delinquent assessments.

Harmony

Community Development District

Cash and Investment Report May 31, 2011

General Fund

<u>Account Name</u>	<u>Bank Name</u>	<u>Investment Type</u>	<u>Maturity</u>	<u>Yield</u>	<u>Balance</u>
Checking Account- Operating	CenterState Bank	Intaerest Bearing Account	n/a	0.05% / 0.30%	\$331,203
Checking Account	BankUnited	Business Checking Account	n/a	n/a	\$100
Checking Account	CenterState Bank	Business Checking Account	n/a	n/a	\$2,971
				Subtotal	\$334,274
Cash On Hand		Petty Cash	n/a	n/a	\$500
Certificate of Deposit	CenterState Bank	15 month CD	6/15/2011	1.75%	\$127,563
Money Market Account	CenterState Bank	Money Market Account	n/a	0.30%	\$277,129
Money Market Account	Florida Shores Bank	Money Market Account	n/a	0.85%	\$101,046
Money Market Account	BankUnited	Money Market Account	n/a	0.85%	\$100,209
				Subtotal	\$478,383

Debt Service and Capital Projects Funds

<u>Account Name</u>	<u>Bank Name</u>	<u>Investment Type</u>	<u>Maturity</u>	<u>Yield</u>	<u>Balance</u>
Series 2001 Prepayment Fund	US Bank	US Bank Open-Ended Commercial Paper	n/a	0.15%	\$4,581
Series 2001 Reserve Fund	US Bank	US Bank Open-Ended Commercial Paper	n/a	0.15%	\$1,416,606
Series 2001 Revenue Fund	US Bank	US Bank Open-Ended Commercial Paper	n/a	0.15%	\$236,243
Series 2004 Prepayment Fund	US Bank	US Bank Open-Ended Commercial Paper	n/a	0.15%	\$3,229
Series 2004 Reserve Fund	US Bank	US Bank Open-Ended Commercial Paper	n/a	0.15%	\$801,347
Series 2004 Reserve Fund	US Bank	GE Money Bank CD	8/5/2011	0.45%	\$60,000
				Subtotal	\$861,348
Series 2004 Revenue Fund	US Bank	US Bank Open-Ended Commercial Paper	n/a	0.15%	\$164,989
Series 2004 Construction Fund	US Bank	US Bank Open-Ended Commercial Paper	n/a	0.15%	\$66,694
				Total	\$3,694,407

**Harmony
Community Development District**

Utility - Irrigation

FY 2006 - FY 2011

Community Development District

Expenditure Report
 For the Period(s) from Oct 01, 2010 to May 31, 2011
 (Sorted by Department and Transaction Type)

Posting Date	Account #	Document #	Transaction Type	Vendor Name	Description	Amount
--------------	-----------	------------	------------------	-------------	-------------	--------

DEPARTMENT NAME: UTILITY

Annual Budget	\$83,000
May-11 YTD Actual	\$69,205
% of Annual Budget	83.38%

Account Name: Utility - Water & Sewer

10/31/10	543021-53903	102610	Vendor	Kissimmee Utility Authority	Billing Period 9/19-10/18	9,504.22
11/30/10	543021-53903	112410	Vendor	Kissimmee Utility Authority	Billing Period 10/18-11/17	9,653.93
12/31/10	543021-53903	122810	Vendor	Kissimmee Utility Authority	Billing Period 11/17-12/19	9,335.11
01/31/11	543021-53903	012811	Vendor	Kissimmee Utility Authority	Billing Period 12/19-1/22	6,663.86
02/28/11	543021-53903	022511	Vendor	Kissimmee Utility Authority	Billing Period 1/22-2/16	5,539.31
03/29/11	543021-53903	032511	Vendor	Kissimmee Utility Authority	Billing Period 2/16-3/17	7,676.75
04/30/11	543021-53903	042611	Vendor	Kissimmee Utility Authority	Billing Period 3/18-4/21	10,605.12
05/31/11	543021-53903	052511	Vendor	Kissimmee Utility Authority	Billing Period 4/19-5/17	10,226.69
Vendor Total						<u>69,204.99</u>
Account Total: Utility - Water & Sewer						<u>69,204.99</u>

Community Development District

Expenditure Report
 For the Period(s) from Oct 01, 2009 to Sep 30, 2010
 (Sorted by Department and Transaction Type)

Posting Date	Account #	Document #	Transaction Type	Vendor Name	Description	Amount
--------------	-----------	------------	------------------	-------------	-------------	--------

DEPARTMENT NAME: UTILITY

Annual Budget	\$50,000
Sep-10 YTD Actual	\$33,452
% of Annual Budget	103.84%

Account Name: Utility - Water & Sewer

11/30/09	543021-53903	112509	Vendor	Kissimmee Utility Authority	Billing Period 10/19-11/18	8,044.59
12/31/09	543021-53903	122909	Vendor	Kissimmee Utility Authority	Billing Period 11/18-12/18	6,645.04
01/31/10	543021-53903	012810	Vendor	Kissimmee Utility Authority	Billing Period 12/18-1/21	5,927.63
02/28/10	543021-53903	022510	Vendor	Kissimmee Utility Authority	Billing Period 1/21-2/18	4,867.72
02/28/10	543021-53903	022610-25108	Vendor	Kissimmee Utility Authority	#1525420-1125108 1/21-2/17	231.90
02/28/10	543021-53903	030310-74940	Vendor	Kissimmee Utility Authority	#1525420-774940 1/21-2/17	70.88
02/28/10	543021-53903	030310-74990	Vendor	Kissimmee Utility Authority	#1525420-774990 1/21-2/17	101.13
03/30/10	543021-53903	032510	Vendor	Kissimmee Utility Authority	Billing Period 2/17-3/17	5,459.60
03/31/10	543021-53903	032510-790660	Vendor	Kissimmee Utility Authority	Acc#1525420-790660 (Short \$5)	5.00
04/29/10	543021-53903	042910	Vendor	Kissimmee Utility Authority	Billing Period	6,683.77
05/31/10	543021-53903	052810	Vendor	Kissimmee Utility Authority	Billing Period 4/20-5/18	8,583.73
06/28/10	543021-53903	062410	Vendor	Kissimmee Utility Authority	Billing Period 5/19-6/16	11,069.10
07/30/10	543021-53903	072710	Vendor	Kissimmee Utility Authority	Billing Period 6/16-7/19	13,173.24
08/30/10	543021-53903	082510	Vendor	Kissimmee Utility Authority	Billing Period 7/19-8/17	10,435.65
08/31/10	543021-53903	090210-74940	Vendor	Kissimmee Utility Authority	#1525420-774940 7/19-8/12	199.94
09/30/10	543021-53903	092710	Vendor	Kissimmee Utility Authority	Billing Period 8/17-9/19	8,924.87
09/30/10	543021-53903	093010-84430	Vendor	Kissimmee Utility Authority	#1525420-784430 8/17-9/19	2,914.74
09/30/10	543021-53903	093010-74950	Vendor	Kissimmee Utility Authority	#1525420-774950 8/17-9/19	113.44
<i>Vendor Total</i>						<u>93,451.97</u>

Harmony
Community Development District

GENERAL FUND

Expenditure Report
 For the Period(s) from Oct 01, 2008 to Sep 30, 2009
 (Sorted by Department and Transaction Type)

Posting Date	Account #	Document #	Transaction Type	Vendor Name	Description	Amount
--------------	-----------	------------	------------------	-------------	-------------	--------

DEPARTMENT NAME: UTILITY

Annual Budget	\$120,000
Sep-09 YTD Actual	\$84,986
% of Annual Budget	70.82%

Account Name: Utility - Water & Sewer

10/30/08	543021-53903	102408	Vendor	Kissimmee Utility Authority	Billing Period 9/18-10/17	5,040.96	
12/02/08	543021-53903	112408	Vendor	Kissimmee Utility Authority	Billing Period 10/17-11/18	7,547.59	
01/02/09	543021-53903	122908	Vendor	Kissimmee Utility Authority	Billing Period 11/18-12/18	9,679.84	
01/31/09	543021-53903	012809	Vendor	Kissimmee Utility Authority	Billing Period 12/18-1/21	6,127.30	
01/31/09	543021-53903	021009-90300	Vendor	Kissimmee Utility Authority	#1525420-790300 12/18- 1/21	172.96	
02/28/09	543021-53903	022509	Vendor	Kissimmee Utility Authority	Billing Period 1/21-2/17	5,459.16	
03/30/09	543021-53903	032509	Vendor	Kissimmee Utility Authority	Billing Period 2/17-3/18	5,822.97	
04/28/09	543021-53903	042409	Vendor	Kissimmee Utility Authority	Billing Period 3/18-4/16	5,849.17	
05/04/09	543021-53903	042409-12210	Vendor	Kissimmee Utility Authority	#1525420-812210 3/18-4/17	105.00	
06/01/09	543021-53903	052709	Vendor	Kissimmee Utility Authority	Billing Period 4/17-5/19	6,739.12	
06/26/09	543021-53903	062409	Vendor	Kissimmee Utility Authority	Billing Eperiod 5/19-6/17	4,703.77	
06/30/09	543021-53903	070709-74870	Vendor	Kissimmee Utility Authority	#1525420-774870 6/17-6/30	3.50	
06/30/09	543021-53903	070909-12210	Vendor	Kissimmee Utility Authority	#1525420-812210 5/19-6/17	122.10	
07/30/09	543021-53903	072709	Vendor	Kissimmee Utility Authority	Billing Period 6/17-7/20	3,728.94	
07/30/09	543021-53903	072709-48380	Vendor	Kissimmee Utility Authority	#1525420-948380 6/17-7/20	142.80	
08/04/09	543021-53903	073109-44380	Vendor	Kissimmee Utility Authority	#1525420-944380 6/17-7/20	689.91	
08/31/09	543021-53903	082609	Vendor	Kissimmee Utility Authority	Billing 7/20-8/19	8,334.95	
08/31/09	543021-53903	090309-12210	Vendor	Kissimmee Utility Authority	#1525420-812210 7/20-8/19	522.14	
09/30/09	543021-53903	092509	Vendor	Kissimmee Utility Authority	Billing 8/19-9/18	6,953.36	
09/30/09	543021-53903	102609	Vendor	Kissimmee Utility Authority	Billing Period 9/18-10/19	7,301.20	
						<i>Vendor Total</i>	<u>85,046.74</u>
09/03/09	543021-53903	JE002019	Journal Entry		Refund From Kua For 2 Meters	(60.66)	
						<i>Journal Entries Total</i>	<u>(60.66)</u>
Account Total: Utility - Water & Sewer						84,986.08	
Department Total - Utility						84,986.08	

**Harmony
Community Development District**

GENERAL FUND

**Expenditure Report
For the Period(s) from Oct 01, 2007 to Sep 30, 2008
(Sorted by Department and Transaction Type)**

Posting Date	Account #	Document #	Transaction Type	Vendor Name	Description	Amount
--------------	-----------	------------	------------------	-------------	-------------	--------

DEPARTMENT NAME: UTILITY

Annual Budget	\$135,560
Sep-08 YTD Actual	\$99,528
% of Annual Budget	73.42%

Account Name: Utility - Water & Sewer

12/31/07	543021-53903	122707	Vendor	Kissimmee Utility Authority	December 2007 Billing 11/19-12/19	7,106.00	
02/06/08	543021-53903	012908	Vendor	Kissimmee Utility Authority	January 2008 Billing	8,957.70	
03/04/08	543021-53903	022608	Vendor	Kissimmee Utility Authority	February 2008 Billing 1/22-2/19	6,055.81	
04/01/08	543021-53903	032608	Vendor	Kissimmee Utility Authority	March Billing 2/19-3/19	6,380.53	
04/22/08	543021-53903	041408-85210	Vendor	Kissimmee Utility Authority	#001525420-000785210 2/19-3/19	304.10	
04/22/08	543021-53903	041408-33910	Vendor	Kissimmee Utility Authority	#001525420-000933910 2/19-3/19	190.50	
04/30/08	543021-53903	042508	Vendor	Kissimmee Utility Authority	April 2008 3/19-4/18	8,418.79	
06/02/08	543021-53903	052708	Vendor	Kissimmee Utility Authority	Billing May 4/18-5/19	15,426.86	
06/30/08	543021-53903	062508	Vendor	Kissimmee Utility Authority	June Billing 5/19-6/19	15,695.34	
07/08/08	543021-53903	063008-25108	Vendor	Kissimmee Utility Authority	#1525420-1125108 5/28-6/19	308.62	
07/29/08	543021-53903	072508	Vendor	Kissimmee Utility Authority	Billing Period 6/19-7/18	8,693.17	
09/04/08	543021-53903	082608	Vendor	Kissimmee Utility Authority	Billing Period 7/18-8/18	6,204.02	
09/30/08	543021-53903	092508	Vendor	Kissimmee Utility Authority	Billing Period 8/18-9/18	5,941.56	
						<i>Vendor Total</i>	<u>89,663.00</u>
12/31/07	543021-53903	JE001729	Journal Entry		NOV BILLING 10/17-11/17	9,845.00	
						<i>Journal Entries Total</i>	<u>9,845.00</u>
Account Total: Utility - Water & Sewer						99,528.00	
Department Total - Utility						99,528.00	

**Harmony
Community Development District**

GENERAL FUND

Expenditure Report
For the Period(s) from Oct 01, 2006 to Sep 30, 2007
(Sorted by Department and Transaction Type)

Posting Date	Account #	Document #	Transaction Type	Vendor Name	Description	Amount
--------------	-----------	------------	------------------	-------------	-------------	--------

DEPARTMENT NAME: UTILITY

Annual Budget	\$64,470
Sep-07 YTD Actual	\$143,625
% of Annual Budget	222.78%

Account Name: Utility - Water & Sewer

08/17/07	543021-53903	080807-84410	Vendor	Kissimmee Utility Authority	Acc#1525420 6/15-7/20	4,038.52	
09/04/07	543021-53903	082407	Vendor	Kissimmee Utility Authority	August Billing 7/20-8/17	19,265.11	
09/30/07	543021-53903	101207-84430	Vendor	Kissimmee Utility Authority	Acc#001525420-000784430 8/17-9/19	2,367.45	
09/30/07	543021-53903	092607	Vendor	Kissimmee Utility Authority	September Billing 2007 8/17-9/19	9,979.96	
						<i>Vendor Total</i>	<u>35,651.04</u>
12/30/06	543021-53903	JE001009	Journal Entry		BILLING OCT and NOV	14,633.17	
01/02/07	543021-53903	JE001010	Journal Entry		BILLING DEC	5,348.13	
04/30/07	543021-53903	JE001183	Journal Entry		BILLING JAN	8,915.46	
04/30/07	543021-53903	JE001183	Journal Entry		BILLING FEB	6,295.24	
04/30/07	543021-53903	JE001183	Journal Entry		BILLING MARCH	8,623.04	
04/30/07	543021-53903	JE001183	Journal Entry		APRIL 2007 3/19-4/18	11,241.16	
06/30/07	543021-53903	JE001292	Journal Entry		MAY 2007 BILLING 4/18-5/17	10,572.76	
06/30/07	543021-53903	JE001293	Journal Entry		JUNE 2007 BILLING	13,576.69	
07/31/07	543021-53903	JE001556	Journal Entry		JUNE 2007 BILLING	85.60	
08/06/07	543021-53903	JE001575	Journal Entry		JULY 2007 BILLING	20,677.06	
09/30/07	543021-53903	JE001652	Journal Entry		Accrue Kua	8,005.30	
						<i>Journal Entries Total</i>	<u>107,973.61</u>
Account Total: Utility - Water & Sewer							<u>143,624.65</u>
						Department Total - Utility	<u>143,624.65</u>

4B

Community Development District

Invoice Approval Report # 134

Payee	Invoice Number	A= Approval R= Ratification	Invoice Amount
<u>AT & T</u>	993377858X05262011	R	\$ 153.05
		Vendor Total	\$ 153.05
<u>BIO-TECH CONSULTING INC</u>	12344	A	\$ 1,530.00
		Vendor Total	\$ 1,530.00
<u>CENTURY LINK</u>	050711-83185	R	\$ 49.16
	052511-08324	R	\$ 44.58
		Vendor Total	\$ 93.74
<u>CHAPCO FENCE LLC</u>	1639	R	\$ 3,928.00
	1640	R	\$ 1,550.00
		Vendor Total	\$ 5,478.00
<u>CITY OF ST CLOUD</u>	051011	R	\$ 32,421.86
	051111-34548	R	\$ 18.71
	051111-34984	R	\$ 847.08
		Vendor Total	\$ 33,287.65
<u>FEDEX</u>	7-489-60089	R	\$ 7.23
	7-497-70237	R	\$ 11.03
	7-505-58835	R	\$ 69.25
		Vendor Total	\$ 87.51
<u>GRAINGER</u>	9552637291	R	\$ 156.22
	954884706	R	\$ 20.13
	9548584698	R	\$ 168.37
		Vendor Total	\$ 344.72
<u>GRAU & ASSOCIATES</u>	7638	A	\$ 500.00
		Vendor Total	\$ 500.00
<u>HARMONY DEVELOPMENT CO, LLC</u>	060611	R	\$ 634.00
		Vendor Total	\$ 634.00
<u>HOME DEPOT CREDIT SERVICES</u>	4152671	R	\$ 16.33
	4057528	R	\$ 63.21
	3026268	R	\$ 169.76
	3013825	R	\$ 205.60
	2090712	R	\$ 79.24
	2153222	R	\$ 38.07
	51914	R	\$ 29.16
	8052311	R	\$ 110.51
		Vendor Total	\$ 711.88

Community Development District

Invoice Approval Report # 134

Payee	Invoice Number	A= Approval R= Ratification	Invoice Amount
<u>ID WHOLESALER</u>	06012011-2	R	\$ 3,795.70
		Vendor Total	<u>\$ 3,795.70</u>
<u>KISSIMMEE UTILITY AUTHORITY</u>	052511	R	\$ 10,226.69
		Vendor Total	<u>\$ 10,226.69</u>
<u>LUKE BROTHERS INC.</u>	1105-90644	A	\$ 38,595.75
	J014360	A	\$ 194.50
	J014363	A	\$ 81.30
	J014362	A	\$ 150.00
	J014361	A	\$ 210.00
		Vendor Total	<u>\$ 39,231.55</u>
<u>MOYER MANAGEMENT GROUP INC</u>	052311	A	\$ 45.76
		Vendor Total	<u>\$ 45.76</u>
<u>PROPET DISTRIBUTORS INC.</u>	78724	A	\$ 648.00
		Vendor Total	<u>\$ 648.00</u>
<u>ROBERTS POOL SERVICE & REPAIR</u>	051511	A	\$ 1,475.00
		Vendor Total	<u>\$ 1,475.00</u>
<u>SEVERN TRENT ENVIRONMENTAL SER</u>	2053944	A	\$ 11,545.54
		Vendor Total	<u>\$ 11,545.54</u>
<u>WALKER TECHNICAL SERVICES</u>	900	A	\$ 250.00
		Vendor Total	<u>\$ 250.00</u>
<u>WOOLPERT INC.</u>	2011002826	A	\$ 1,073.75
	2011002290	A	\$ 248.08
		Vendor Total	<u>\$ 1,321.83</u>
<u>YOUNG VAN ASSENDERP, P.A.</u>	11179	A	\$ 2,412.14
		Vendor Total	<u>\$ 2,412.14</u>
		Total	\$ 113,772.76
		Total	\$ 113,772.76

**Harmony
Community Development District**

Check Register

May 1 - May 31, 2011

**Harmony
Community Development District**

**Check Register by Fund
For the Period from 5/1/11 to 5/31/11
(Sorted by Check No.)**

Fund No.	Check No.	Check Date	Payee	Invoice No.	Invoice Description	G/L Account Name	G/L Account #	Check Amount
GENERAL FUND - 001								
001	52263	05/04/11	CENTURY LINK	042511-08324	#311908324 4/25-5/24	Communication - Telephone	541003-53910	\$44.58
001	52264	05/04/11	FEDEX	7-474-31290	#0012-7 4/19	Postage and Freight	541006-51301	\$41.89
001	52265	05/04/11	GRAINGER	9519329685	FLAT WASHER	R&M-Common Area	546016-53910	\$9.92
001	52265	05/04/11	GRAINGER	9519884937	COTTER PIN	R&M-Common Area	546016-53910	\$3.27
001	52265	05/04/11	GRAINGER	9519884929	DIPENSER/CLEANSER/TOWELS/PINS/WASHERS	R&M-Common Area	546016-53910	\$408.04
001	52266	05/04/11	KISSIMMEE UTILITY AUTHORITY	042611	BILLING PERIOD 3/18-4/21	Utility - Water & Sewer	543021-53903	\$10,605.12
001	52267	05/06/11	ITECH MANIA HOLDINGS CORP	042511	IMPORTING DATA INTO CARD ACCESS SYSTEM	Misc-Security Enhancements	549911-53910	\$950.00
001	52268	05/09/11	DIGITAL ASSURANCE	17659	DISSEMINATION FEES	ProfServ-Dissemination Agent	531012-51301	\$500.00
001	52269	05/16/11	CENTURY LINK	050411-58819	#312158819 5/4-6/3	Communication - Telephone	541003-53910	\$48.71
001	52270	05/16/11	CITY OF ST CLOUD	051011	BILLING PERIOD 4/11-5/9	Electricity - Streetlighting	543013-53903	\$31,462.07
001	52270	05/16/11	CITY OF ST CLOUD	051011	BILLING PERIOD 4/11-5/9	Electricity - General	543006-53903	\$959.79
001	52271	05/16/11	FEDEX	7-482-00954	#0012-7 4/27	Postage and Freight	541006-51301	\$7.68
001	52272	05/16/11	LUKE BROTHERS INC.	1103-90153	LAWN MAINT-MARCH	R&M-Turf Care	546130-53902	\$7,833.07
001	52272	05/16/11	LUKE BROTHERS INC.	1103-90153	LAWN MAINT-MARCH	R&M-Turf Care	546130-53902	\$9,943.13
001	52272	05/16/11	LUKE BROTHERS INC.	1103-90153	LAWN MAINT-MARCH	R&M-Turf Care	546130-53902	\$2,474.38
001	52272	05/16/11	LUKE BROTHERS INC.	1103-90153	LAWN MAINT-MARCH	R&M-Turf Care	546130-53902	\$2,916.18
001	52272	05/16/11	LUKE BROTHERS INC.	1103-90153	LAWN MAINT-MARCH	R&M-Grounds	546037-53902	\$1,699.50
001	52272	05/16/11	LUKE BROTHERS INC.	1103-90153	LAWN MAINT-MARCH	R&M-Shrub Care	546131-53902	\$8,961.56
001	52272	05/16/11	LUKE BROTHERS INC.	1103-90153	LAWN MAINT-MARCH	R&M-Trees and Trimming	546099-53902	\$1,592.93
001	52272	05/16/11	LUKE BROTHERS INC.	1103-90153	LAWN MAINT-MARCH	R&M-Trees and Trimming	546099-53902	\$2,375.00
001	52272	05/16/11	LUKE BROTHERS INC.	1103-90153	LAWN MAINT-MARCH	R&M-Grounds	546037-53902	\$800.00
001	52272	05/16/11	LUKE BROTHERS INC.	1104-90395	LAWN MAINT-APRIL	R&M-Turf Care	546130-53902	\$7,833.07
001	52272	05/16/11	LUKE BROTHERS INC.	1104-90395	LAWN MAINT-APRIL	R&M-Turf Care	546130-53902	\$9,943.13
001	52272	05/16/11	LUKE BROTHERS INC.	1104-90395	LAWN MAINT-APRIL	R&M-Turf Care	546130-53902	\$2,474.38
001	52272	05/16/11	LUKE BROTHERS INC.	1104-90395	LAWN MAINT-APRIL	R&M-Turf Care	546130-53902	\$2,916.18
001	52272	05/16/11	LUKE BROTHERS INC.	1104-90395	LAWN MAINT-APRIL	R&M-Grounds	546037-53902	\$1,699.50
001	52272	05/16/11	LUKE BROTHERS INC.	1104-90395	LAWN MAINT-APRIL	R&M-Shrub Care	546131-53902	\$8,961.56
001	52272	05/16/11	LUKE BROTHERS INC.	1104-90395	LAWN MAINT-APRIL	R&M-Trees and Trimming	546099-53902	\$1,592.93
001	52272	05/16/11	LUKE BROTHERS INC.	1104-90395	LAWN MAINT-APRIL	R&M-Grounds	546037-53902	\$800.00
001	52272	05/16/11	LUKE BROTHERS INC.	1104-90395	LAWN MAINT-APRIL	R&M-Trees and Trimming	546099-53902	\$2,375.00
001	52272	05/16/11	LUKE BROTHERS INC.	J014093	LANDSCAPE WORK-INST OF LANTANA CONFETTI	Miscellaneous Services	549001-53902	\$300.94
001	52273	05/20/11	CENTURY LINK	050711-83185	#407-498-3185 5/7-6/6	Communication - Telephone	541003-53910	\$49.16
001	52274	05/20/11	CITY OF ST CLOUD	051111-34548	#101546-34548 4/11-5/9	Electricity - General	543006-53903	\$18.71
001	52274	05/20/11	CITY OF ST CLOUD	051111-34984	#101546-34984 4/11-5/9	Electricity - General	543006-53903	\$847.08
001	52275	05/20/11	FEDEX	7-489-60089	#0012-7	Postage and Freight	541006-51301	\$7.23
001	52276	05/20/11	HOME DEPOT CREDIT SERVICES	4152671	#0-8018 SUPPLIES	R&M-Common Area	546016-53910	\$16.33
001	52276	05/20/11	HOME DEPOT CREDIT SERVICES	4057528	#0-8018 SUPPLIES	R&M-Common Area	546016-53910	\$63.21
001	52276	05/20/11	HOME DEPOT CREDIT SERVICES	3026268	#0-8018 SUPPLIES	R&M-Common Area	546016-53910	\$183.05
001	52276	05/20/11	HOME DEPOT CREDIT SERVICES	3026268	#0-8018 SUPPLIES	R&M-Common Area	546016-53910	(\$13.29)

**Harmony
Community Development District**

**Check Register by Fund
For the Period from 5/1/11 to 5/31/11
(Sorted by Check No.)**

Fund No.	Check No.	Check Date	Payee	Invoice No.	Invoice Description	G/L Account Name	G/L Account #	Check Amount
001	52276	05/20/11	HOME DEPOT CREDIT SERVICES	3013825	#0-8018 SUPPLIES	R&M-Common Area	546016-53910	\$205.60
001	52276	05/20/11	HOME DEPOT CREDIT SERVICES	2090712	#0-8018 SUPPLIES	R&M-Common Area	546016-53910	\$79.24
001	52276	05/20/11	HOME DEPOT CREDIT SERVICES	2153222	#0-8018 SUPPLIES	R&M-Common Area	546016-53910	\$38.07
001	52276	05/20/11	HOME DEPOT CREDIT SERVICES	51914	#0-8018 SUPPLIES	R&M-Common Area	546016-53910	\$29.16
001	52276	05/20/11	HOME DEPOT CREDIT SERVICES	8052311	#0-8018 SUPPLIES	R&M-Common Area	546016-53910	\$110.51
001	52277	05/26/11	FEDEX	7-497-70237	#0012-7 5/6	Postage and Freight	541006-51301	\$11.03
001	52278	05/26/11	BIO-TECH CONSULTING INC	12160	AQUATIC PLANT MAINT-MARCH	Contracts-Lake and Wetland	534021-53910	\$1,530.00
001	52278	05/26/11	BIO-TECH CONSULTING INC	12108	HARMONY POND PLANTINGS	Contracts-Lake and Wetland	534021-53910	\$2,205.00
001	52279	05/26/11	FOLSOM SERVICES INC	2458W	MISC MATERIALS	R&M-Common Area	546016-53910	\$106.47
001	52280	05/26/11	GARYS LOCK & SAFE INC.	53591	KEYS	R&M-Pools	546074-53910	\$153.47
001	52281	05/26/11	ISMAEL GARCIA	35727050411	BATTERY GAUGE:SOLAR BOAT	R&M-Equipment	546022-53910	\$85.00
001	52282	05/26/11	MOYER MANAGEMENT GROUP INC	042811	CONF CALL FOR WORKSHOP-3/24	Communication - Telephone	541003-51301	\$55.80
001	52283	05/26/11	ROBERTS POOL SERVICE & REPAIR	041511	POOL MAINTENANCE-APRIL	R&M-Pools	546074-53910	\$1,180.00
001	52284	05/26/11	SEVERN TRENT ENVIRONMENTAL SER	2053409	MGT FEES- APRIL	ProfServ-Mgmt Consulting Serv	531027-51201	\$4,507.58
001	52284	05/26/11	SEVERN TRENT ENVIRONMENTAL SER	2053409	MGT FEES- APRIL	ProfServ-Field Management	531016-53901	\$6,909.42
001	52284	05/26/11	SEVERN TRENT ENVIRONMENTAL SER	2053409	MGT FEES- APRIL	ProfServ-Field Management	531016-53901	\$1,824.21
001	52284	05/26/11	SEVERN TRENT ENVIRONMENTAL SER	2053409	MGT FEES- APRIL	Postage and Freight	541006-51301	\$23.02
001	52284	05/26/11	SEVERN TRENT ENVIRONMENTAL SER	2053409	MGT FEES- APRIL	Printing and Binding	547001-51301	\$396.40
001	52284	05/26/11	SEVERN TRENT ENVIRONMENTAL SER	2053409	MGT FEES- APRIL	Communication - Telephone	541003-51301	\$5.66
001	52284	05/26/11	SEVERN TRENT ENVIRONMENTAL SER	2053409	MGT FEES- APRIL	Communication - Telephone	541003-51301	\$9.00
001	52285	05/26/11	SPIES POOL LLC	223351	BULK BLEACH	R&M-Pools	546074-53910	\$276.25
001	52285	05/26/11	SPIES POOL LLC	223350	BULK BLEACH	R&M-Pools	546074-53910	\$524.25
001	52286	05/26/11	STAPLES	106378021	BINDERS (2)	Office Supplies	551002-51301	\$33.28
001	52287	05/26/11	WALKER TECHNICAL SERVICES	884	MAXI-COM MONITORING-MAY	R&M-Irrigation	548041-53902	\$250.00
001	52288	05/26/11	YOUNG VAN ASSENDERP, P.A.	11134	LEGAL FEES-APRIL	ProfServ-Legal Services	531023-51401	\$2,683.95
001	52259	05/03/11	MARK W. LEMENAGER	PAYROLL	May 03, 2011 Payroll Posting			\$188.70
001	52260	05/03/11	STEVEN P. BERUBE	PAYROLL	May 03, 2011 Payroll Posting			\$188.70
001	52261	05/03/11	RAYMOND D. WALLS, III	PAYROLL	May 03, 2011 Payroll Posting			\$188.70
001	52262	05/03/11	ROBERT D. EVANS	PAYROLL	May 03, 2011 Payroll Posting			\$188.70
001	52289	05/31/11	MARK W. LEMENAGER	PAYROLL	May 31, 2011 Payroll Posting			\$188.70
001	52290	05/31/11	STEVEN P. BERUBE	PAYROLL	May 31, 2011 Payroll Posting			\$188.70
001	52291	05/31/11	RAYMOND D. WALLS, III	PAYROLL	May 31, 2011 Payroll Posting			\$188.70
001	52292	05/31/11	ROBERT D. EVANS	PAYROLL	May 31, 2011 Payroll Posting			\$188.70
Fund Total								\$148,446.96
Total Checks Paid								\$148,446.96

4C

4D

MEMORANDUM

TO Gary Moyer
FROM: Ilana Rabone
DATE: June 2, 2011
SUBJECT: Newspaper Fees

You requested a cost comparison of running the Districts meeting notices in the Orlando Sentinel (Brevard Edition) and Osceola County News Gazette. I emailed to each paper our regular notice of approximately 26 lines (see attached) and was given estimates on what it would cost to place the ad. Following are the results:

Orlando Sentinel

Osceola County Edition

53 lines @ \$1 per line

No Affidavit Fee

Total = \$53.00*

Newspaper of General Circulation
Publishes Sunday

Osceola County News Gazette

Full Newspaper

53 lines @ \$6 per column inch

\$3.00 Affidavit Fee

Total = \$36.00*

Newspaper of General Circulation
Publishes Thursday and Saturday

* Please Note that these are Approximate Amounts

Please let me know as soon as possible if the Board wishes to change the newspaper we are currently publishing in which is the Orlando Sentinel, Osceola County Edition. I hope you find this information helpful.

YOUNG VAN ASSENDERP, P.A.

ATTORNEYS AT LAW

Attorneys:

David S. Dee
Ronald A. Labasky
John T. LaVia, III
Timothy R. Qualls
Kenza van Assenderp
Robert Scheffel Wright
Roy C. Young

Gallie's Hall
225 South Adams Street
Suite 200
Post Office Box 1833
(ZIP 32302-1833)
Tallahassee, Florida 32301

Telephone (850) 222-7206
Telecopier (850) 561-6834

Of Counsel Attorneys:

Joseph W. Landers, Jr.
Philip S. Parsons

31 May 2011

TO: Board of Supervisors of the Harmony Community Development District; Gary Moyer, District Manager

FROM: Tim Qualls

RE: Publication of Legal Notices for Harmony CDD

Question

Can legal notices for Harmony CDD be published in the Osceola County Newspaper (the Osceola News Gazette) rather than in the Orlando Sentinel?

Answer

Yes, so long as the Osceola News Gazette is a newspaper which at the time of publication of the legal notice has been in existence for 1 year (we found a June 3, 2010 issue on the newspaper's website) and has been entered as periodicals matter at a post office in the county where published (newspaper indicated that once a legal notice is published by the paper, the newspaper sends an affidavit of publication attesting that the newspaper has been entered as periodicals material).

Discussion

Section 50.011, Florida Statutes, lays out the requirements for publication of legal notices as follows: "[1] publication in a newspaper printed and published periodically once a week or oftener, [2]

1 Numbers in brackets represent the individual elements required for publication of a legal notice. A checklist of requirements is provided at the end of this document with numbers in brackets that correspond to the numbers in brackets in the body of this document.

DRAFT

containing at least 25 percent of its words in the English language, [3] entered or qualified to be admitted and entered as periodicals matter at a post office in the county where published, [4] **for sale to the public generally**, [5] available to the public generally for the publication of official or other notices and customarily containing information of a public character or of interest or of value to the residents or owners of property in the county where published, or of interest or of value to the general public.” (Emphasis added.)

In laying out the requirements for publication of the meeting schedule of local governing authority, section 189.417(1), Florida Statutes, requires that: “[t]he governing body of each special district shall file quarterly, semiannually, or annually a schedule of its regular meetings with the local governing authority or authorities. The schedule shall include the date, time, and location of each scheduled meeting. The schedule shall be published quarterly, semiannually, or annually in [6] **a newspaper of general paid circulation** in the manner required in this subsection.” (Emphasis added.) “[7] The advertisement shall be placed in that portion of the newspaper where legal notices and classified advertisements appear. [8] The advertisement shall appear in a newspaper that is published at least 5 days a week, unless the only newspaper in the county is published fewer than 5 days a week. [9] The newspaper selected must be one of general interest and readership in the community and not one of limited subject matter, pursuant to chapter 50.” § 189.417(1), Fla. Stat. (2010).

The only requirements that are potentially at issue in choosing to publish notice in the Osceola News Gazette are the requirement that the newspaper be “for sale to the public generally,” that the newspaper be “entered as periodicals matter at a post office in the county where published,” and that the newspaper be published in the county where the government is located.

Requirement That the Newspaper Be For Sale to the Public Generally

To satisfy the requirement in section 50.011, Florida Statutes, that the newspaper be “for sale to the public generally,” the newspaper must in fact be sold. Fla. Att’y Gen. Op. 96-25 n.4 (1996).² Although, the Osceola News Gazette newspaper is offered for free to some residents of Osceola County, individuals residing outside of the free delivery boundaries must pay \$.50 per newspaper. Further, the front page

² The informal opinion cited in the footnote is unavailable online or in the Annual Report of the Attorney General. A request for this informal opinion has been made to the Attorney General’s office.

DRAFT

of the newspaper clearly prices the newspaper at \$.50 per copy. Thus, the Osceola News Gazette is a paper for sale to the public generally.

Requirement That the Newspaper Be Entered as Periodicals Matter

Although section 50.011, Florida Statutes, requires that the newspaper be “entered or qualified to be admitted and entered as periodicals matter at a post office in the county where published,” section 50.031, Florida Statutes, makes no exception for newspapers that are qualified to be entered as periodicals matter and instead only allows for newspapers that have in fact been entered as periodicals matter.

Section 50.031, Florida Statutes, states that “[n]o notice or publication required to be published in a newspaper in the nature of or in lieu of process of any kind, nature, character or description provided for under any law of the state, . . . shall be deemed to have been published in accordance with the statutes providing for such publication, unless the same shall have been published for the prescribed period of time required for such publication, **in a newspaper [10] which at the time of such publication shall have been in existence for 1 year and shall have been entered as periodicals matter at a post office in the county where published**, or in a newspaper which is a direct successor of a newspaper which together have been so published.” § 50.031, Fla. Stat. (2010) (emphasis added). Generally, newspapers must provide a proof of publication by affidavit which sets forth or has an attached copy of the notice, and sets forth the date of publication. *See* § 49.10(2), Fla. Stat. (2010). Section 50.051, Florida Statutes, lays out uniform form for the affidavit. The form requires the newspaper to swear that the newspaper has been entered as periodicals matter at a post office in the county in which the newspaper is published. § 50.051, Fla. Stat. (2010). The requirement for the newspaper that published the legal notice be entered as periodicals matter at the post office is satisfied so long as the Osceola News Gazette is able to produce a proof of publication affidavit. The Osceola News Gazette does provide these affidavits. When an entity requests a legal notice be published in the newspaper, the newspaper will send the affidavit to the requesting entity. As mentioned, the form for the affidavit is laid out in the Florida Statutes and requires the newspaper to swear that the newspaper has been entered as periodicals matter at a post office in the county in which the newspaper is published. This affidavit would be the proof that satisfies the requirement for the newspaper to be entered as periodicals matter at the post office.

DRAFT

Requirement for Publication in the County Where the Government is Located

The publication requirement for newspaper notices requires that the newspaper be published in the county where the local government is located. A Florida Attorney General Opinion noted that in jurisdictions outside of Florida, “[t]he weight of authority, particularly in the more recent cases, is that such statutes do not require that a newspaper be printed or initially distributed within the area or that the newspaper's principal office be located there, but only that it be published there in the general sense, i.e., ‘disseminated,’ ‘made available to the public,’ or ‘circulated.’” Fla. Att’y Gen. Op. 74-125 (1974). Further, “when the terms of [the] statutes [do] not specifically require that a newspaper be “printed” or “located” in a particular place (and even, on occasion, when such requirements [are] specified), most courts seem to [] consider[] the purpose and intent of such notice statutes as controlling their interpretation.” *Id.* Because the purpose of notice statutes is to provide an effective notice to local residents and property owners of events of legal significance, “the circulation of a newspaper and its general content and relevance to the local populace ought to take precedence over technical factors such as the actual location of the typesetters and presses.” *Id.* Thus, the Attorney General concluded that in satisfying the requirement that the newspaper be “published” in the county in which the government is located, “[t]he factors which are relevant -- local significance, local availability, and local circulation -- are required by s. 50.011, F. S.” *Id.*

4E

Harmony CDD
Website Statistics as of June 14, 2011
(counter setup March 25, 2011)

OVERVIEW

• Total Visitors:	556	• Visitors, May:	250
• Total Page Views:	2,957	• Page Views, May:	1,016
• Total Spiders:	1,867	• Visitors, June:	135
• Total Feeds:	159	• Page Views, June:	696

TOP DAYS

• May 9, 2011:	163	• June 10, 2011:	133
• June 7, 2011:	148	• April 28, 2011:	107
• April 11, 2011:	137		

OPERATING SYSTEMS

• Windows XP:	1,249	• Windows NT 4:	32
• Windows 7:	417	• Fedora Linux:	29
• Windows Vista:	219	• iPad:	27
• MAC OS X Snow Leopard:	162	• Windows 95:	24
• Windows 2000:	48	• Mac OS X Leopard:	22

BROWSERS

• Internet Explorer 8:	727	• Safari:	196
• Mozilla:	525	• Google Chrome:	122
• Internet Explorer 7:	445	• Firefox 4:	70
• Internet Explorer 6:	313	• Opera:	65
• Firefox 3:	240	• Internet Explorer 9:	55

SEARCH ENGINES

• Google:	138
• Yandex:	13
• Yahoo:	5
• Incredimail	1

TOP PAGES

• Home:	949
• About Harmony:	158
• /index.php	138
• Agendas:	137
• Recreational Facilities	123

TOP SEARCH TERMS *(shown as typed in the search engines)*

• Harmony CDD	54	• http://harmonycdd.org/	2
• harmony community development district	23	• cdd stories	2
• harmonycdd.org	10	• Thomas david belieff in kissimmee, fl	2
• www.harmonycdd.org	9	• what are CDD in harmony	2
• harmony community water problems	5	• harmony boil water alert fl	2
• cdd harmony	4	• harmony dock master Tom	2
• celabration florida ponds for fishing	3	• Harmony Florida wastewater	2
• "harmony cdd"	2	• harmony swim club	2
• http://HarmonyCDD.org	2	• harmonycdd	2
• boil water alert harmony, fl April 2011	2	• harmonycdd.com	1

TOP DAYS UNIQUE VISITORS

• April 19, 2011:	30
• May 9, 2011:	23
• April 28, 2011:	22
• April 22, 2011:	22
• May 5, 2011	20

TOP DAYS PAGE VIEWS

• June 10, 2011:	124
• May 9, 2011:	97
• June 7, 2011:	96
• April 28, 2011:	86
• June 6, 2011	82