

**MINUTES OF MEETING  
HARMONY  
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Harmony Community Development District was held on Thursday, March 27, 2008 at 9:00 a.m. at the Harmony/Greensides, 7251 Five Oaks Drive, Harmony, Florida.

Present and constituting a quorum were:

|                 |                     |
|-----------------|---------------------|
| Robert D. Evans | Chairman            |
| Greg Golgowski  | Vice Chairman       |
| James O'Keefe   | Assistant Secretary |
| Nancy M. Snyder | Assistant Secretary |

Also present were:

|                   |                         |
|-------------------|-------------------------|
| Brenda Wright     | Moyer Management Group  |
| Tim Qualls        | District Attorney       |
| Steve Boyd        | District Engineer       |
| Todd Haskett      | Harmony Welcome Center  |
| Shad Tome         | Harmony Development Co. |
| Several Residents |                         |

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Evans called the meeting to order and Ms. Wright called the roll.

**SECOND ORDER OF BUSINESS**

**Approval of the Minutes of the February 28, 2008 Meeting**

Mr. Evans stated each Board member received a copy of the February 28, 2008 minutes and requested any additions, corrections or deletions.

Mr. O'Keefe stated in the document titled "Qualifying to Run for Office," under the section "*Qualifying by Petition*," the Celebration CDD is referenced rather than the Harmony CDD.

Ms. Wright stated correct. This was my error.

Mr. Qualls asked what is the Dock Master's name?

Mr. Evans responded Mr. Belieff.

On MOTION by Mr. O’Keefe seconded by Ms. Snyder with all in favor the minutes of the February 28, 2008 meeting were approved.

**THIRD ORDER OF BUSINESS**

**District Manager’s Report**

**A. Consideration of Resolution 2008-2 Memorializing the Actions Taken at the February 29, 2008 Meeting Designating Mr. Gary Moyer as Secretary**

Ms. Wright stated first let me introduce myself. My name is Ms. Brenda Wright. I am with Mr. Moyer’s office. I am taking the place of Mr. Moyer who is on vacation. At the last meeting, the Board made a motion appointing Mr. Moyer as Secretary since Mr. Nanni left the company. Our Recording Office requested this action be memorialized in the form of a Resolution.

On MOTION by Mr. Golgowski seconded by Mr. O’Keefe with all in favor Resolution 2008-2 Memorializing the Actions Taken at the February 29, 2008 Meeting Designating Mr. Gary Moyer as Secretary was adopted.

**B. Discussion of the Upcoming 2008 General Election**

Ms. Wright stated as Mr. O’Keefe stated under the approval of the minutes, the document included in the agenda package references the Celebration CDD instead of the Harmony CDD. I have copies of this document and can leave them with you. This document briefly explains a resident interested in qualifying can either pay \$25 or obtain 25 signatures. We need to make this information available to the public. We have to number the Board seats so anyone qualifying can run for a specific seat number. Mr. Moyer recommended we have Seats 1, 3 and 5 expire this year and Seats 2 and 4 expire in 2010. In other words, Mr. Evans is in Seat 1 expiring this year, Ms. Snyder is in Seat 2 expiring in 2010, Mr. Golgowski is in Seat 3 expiring this year, Mr. O’Keefe is in Seat 4 expiring in 2010 and Mr. Peach is in Seat 5 expiring this year. Seats 3 and 5 will be elected in the General Election and Seat 1 will be elected by the landowners.

Mr. Golgowski asked is the expiration month in November?

Ms. Wright responded the terms expire in November and the General Election for Seats 3 and 5 will be held on November 7. The landowner’s election can be held any time in November.

Mr. Evans asked are you sure the terms do not run through the end of the year, although the election takes place in November? We had this occur before.

Ms. Wright responded the new members take their oath at the first meeting in January. Mr. Qualls can give you his opinion but some Districts seat their Supervisors immediately after the election, especially after the Landowners Election. When we get to the point of having General Elections, generally you are seated and sworn in at the January meeting. We need to indicate at a public meeting prior to August and advertise in the newspaper, the fact we are having a Landowners Election. The date will be determined, although we run it in conjunction with your regular November meeting. We hold the Landowner's Election first and then your regular meeting. In regards to item 10, for whatever reason, staff has always put the approval of your financials and check runs at the end of the meeting. However, in my opinion, it looks less important at the end of your agenda. With your permission going forward for future agendas, I request we make this part of the Manager's Report.

Mr. Evans stated I agree.

Ms. Wright stated generally under your Manager's Report, Item A will be the approval of your financial statements and Item B will be approval of the invoices and check run. With your permission, we will do this going forward.

#### **FOURTH ORDER OF BUSINESS**

#### **Attorney's Report**

Mr. Qualls stated I distributed to the Board a rule amendment package. As you know, your Charter provides in Section 190.012(3), F.S., the District has the power to enforce and adopt rules in connection with the provision of services through systems and facilities. Those systems and facilities include parks and recreation facilities, both indoor and outdoor and recreational use. The Charter also provides that to adopt rules, the provisions of Chapter 120, F.S., will be used, which is a tried and true method for adopting rules under the Florida Administrative Procedure Act. This requires the public to be involved. The public is noticed that there is going to be a rule adopted. You have the option of having a workshop, which we always recommend and the public is allowed to attend and give input. This allows the public to become familiar with the rule. I provided a cover letter attaching a draft of the rule incorporating the policy. The policy is the meat of the rules. You will see those rules highlighted in green. We have new policies for boat use, swimming pool use and sidewalk inspections, if approved by the Board. Primarily these are policies in place to make sure the use of the parks and recreation facilities takes place in a safe manner and in a manner protecting the infrastructure of the District. In the interest of time, I request the Board look at these rules. I also attached the

notices to be placed in the newspaper as well as the Boat Use Agreements, which will be incorporated into the rules and policies. There is also a Statement of Estimated Regulatory Costs and a memorandum summing up the rules of procedure in the District. As you go through this packet of materials, submit any comments you have and I will incorporate them into a working draft, which I will provide at the rule workshop and allow the public to review and give input. After the workshop, we will have the actual public hearing on the rules where the Board can adopt the rules, if they so desire.

Mr. Evans asked can we schedule this workshop to occur immediately prior to the next Board meeting?

Mr. Qualls responded yes. I left the time blank and will fill in 8:00 a.m.

Mr. Evans asked should it be before or after? If we are going to have the workshop and conclude it, will we then vote?

Mr. Qualls responded no, this would be at next month's meeting. You can have a workshop before or after.

Mr. Evans stated we should hold the workshop immediately following the regular meeting.

Mr. Qualls asked at 10:00 a.m.?

Ms. Wright responded it is easier if you place in the notice "At 9:00 a.m. immediately following the regular CDD meeting." If we are done at 9:20 A.M., the Board does not have to wait until 10 a.m.

Mr. Evans stated sounds good.

Ms. Wright stated we can format the notice this way.

Mr. Qualls stated I encourage you to review those rules and provide any feedback via email. I have extra copies for the public. I will fill in the blanks and send these notices to the Manager so we can get them published as they have to run 21 days.

Ms. Wright stated the intent to develop rules is 29 days notification ahead of the public hearing and the rulemaking notice is 28 days prior.

Mr. Qualls stated we will run them at the same time.

Ms. Wright stated your public hearing is not until May 29 so we have plenty of time.

Mr. O'Keefe stated we will get these on the website.

Ms. Snyder asked are these suggestions?

Mr. Qualls responded absolutely. This is a rough draft before the draft we will provide at the workshop hearing. These are the items we thought of. Keep in mind these rules are for the maintenance and provision of infrastructure. We cannot make enforcement if someone commits a misdemeanor. These are rules to protect the systems, facilities and infrastructure of the District but they are open for suggestion. I can send around the Word document and everyone can insert their comments or call me. This way, we will have a good working draft for rule workshop hearing, which will take place after next month's meeting. Unless there are any questions, this concludes my report.

#### **FIFTH ORDER OF BUSINESS**

#### **Engineer's Report**

Mr. Boyd stated to follow up on the status of the sidewalk, repairs have commenced. Last month we reported to you we received two bids in response to the CDD-wide sidewalk inspection we performed. However, I was not ready to present these bids to the Board last month as they were not representative of the scope of work we wanted to perform. One bid was from Jr. Davis Construction Company in the amount of \$47,025.83 and Florida Site & Seed in the amount of \$57,634. We obtained additional bids in the past month; however, we only received one in time for this meeting. The one we received was from Moyer Management Group in the amount of \$15,109.50. In the Sidewalk Inspection Report we previously prepared and provided copies of, we prioritized the sidewalks into two levels. Sidewalks in Level 1 required immediate action. Sidewalks in Level 2 needed to be repaired but they could wait until the next fiscal year budget. Any sidewalks in Levels 3 and 4 would be monitored on an ongoing basis and upgraded when needed. The bids from Jr. Davis and Florida Site & Seed had higher costs to rip out, re-pour and replace all of the sidewalks designated at Level 1 and Level 2. However, most of the costs were associated with Level 1 sidewalks. We asked the bidders to price the work as grinding or filling gaps wherever possible and as a last resort, provide pricing for removal of concrete and replacement. Both of those contractors responded to us they did not have the equipment and means to do anything other than a replacement, since their traditional work is new construction. However, Moyer Management Group will pursue this with the intent of getting better maintenance type work performed where grinding would be accomplished. Cart Path Company has not responded. The bid from Moyer Management Group is representative of the type of work we asked to be performed. Their detailed bid is attached to the back of the summary I provided to you. They have three components to the work: sidewalk grinding in the

areas designated totaling \$2,361, removal and replacement of a small portion of the sidewalk as well as some sealing in the amount of \$3,264 and removal and replacement of a major portion of the sidewalk in the amount of \$9,564.50. It is our recommendation as the District Engineer to accept the bid from Moyer Management Group. Because it is structured in three different levels, it would be possible for us to authorize this work to be done in phases.

Mr. O'Keefe asked do we have any guarantee on the work?

Mr. Boyd responded I will have to confirm about the length of the guarantee. We allowed each of the bidders to choose their own method of repair at each location. I assume there would be a 12-month guarantee on these repairs.

Mr. Evans asked did you say we are still expecting a bid from Cart Path Company?

Mr. Boyd responded we hoped to have their number by the end of the day yesterday but by the time I left the office this morning, I still did not receive it. The local representative had prepared the number but could not release it to us until his corporate office, which was out of State, approved it. He indicated the majority of their work would be removal and replacement. This company was not especially geared towards doing a lot of grinding. Based upon this information, their price might be closer to the higher numbers.

Mr. Evans asked where are we going to pay this expenditure from?

Ms. Wright responded we talked about using the contingency money.

Mr. Evans stated when we considered the budget last year, we went to great lengths of identifying every water and light meter to prepare a very comprehensive line item budget for this year, which received a tremendous amount of tweaking at our budget meetings. Last month, the Board approved the cameras for Ashley Park for \$4,000 on the basis we were going to receive an \$18,000 carry forward surplus from the previous year for the difference in what we projected. This leaves \$13,000 to \$14,000, plus we have the costs for the reports and the inspection exceeded the budget, so now we are looking at another \$15,000, which is not in this budget. I think this is a great idea, but we need to think about how we are going to pay for it.

Ms. Wright asked is this priority of an urgent nature to be completed in this fiscal year or something we should consider budgeting for next fiscal year? Perhaps we can do part of the work this year and part next year.

Mr. Evans responded since there has been a great deal of discussion and effort regarding this matter, I believe we should move forward.

Ms. Wright stated you do not want to increase your liability risk if you have them out there now and are aware of them.

Mr. Evans stated as I was going through the budget, I noticed the invoices for the study and report are in the O&M expenditure schedules. We may want to take those invoices along with these improvements and charge them against the Capital Improvement Fund because we still have funds remaining in capital improvements. You can argue this is an enhancement of the capital improvement.

Ms. Wright stated the removal and replacement of sections of sidewalk could be capital improvements but if you are just doing what Mr. Boyd was referring to as grinding or maintenance, it may need to be considered O&M. You could split them.

Mr. Evans stated it is a combination of all.

Mr. Boyd stated all of this was capital construction but this will be the first time we have actually implemented a Sidewalk Maintenance Program. However, we feel this could be justified as a capital improvement since it is property-wide. It will be a one-time capital improvement and going forward, I suggest we have a rotation where the annual O&M budget would look at sidewalks on a phased basis so we would not have the whole CDD being evaluated every year.

Ms. Wright stated if Bond Counsel supports it, we do not have a problem with it.

Mr. Evans stated I am just trying to figure out a way to make this happen.

Ms. Wright stated replacement of your infrastructure facilities is covered under your capital and debt service funds.

Mr. Evans stated this is what I determined. I have the reconciliation up through February and know the amount of available funds.

On MOTION by Mr. Evans seconded by Mr. Gologowski with all in favor the proposal from Moyer Management Group, Inc. for sidewalk repairs in the amount of \$15,190.50 was approved and any related engineering services will be charged against the Capital Improvements Fund.

Ms. Wright stated although the proposal came from Moyer Management Group, your actual contract would be with a subcontractor of ours.

Mr. Evans stated this was my interpretation when I reviewed the proposal. I believe the financials identify the applicable invoices. If there is adequate narrative in those invoices relative to the sidewalk Inspection Report, you would be able to earmark them to the Capital Improvement Account.

Ms. Wright asked are you referring to the invoices from Mr. Boyd's company?

Mr. Evans responded yes. I think there are three invoices.

Mr. Boyd stated we could certify which invoices would be applicable.

Ms. Wright asked Mr. Boyd, are you going to discuss the additional engineering services you emailed a couple of days ago or is it going to be considered part of the invoice approval?

Mr. Boyd responded it should not be considered this month because I do not believe your office had time to process it.

Ms. Wright stated if you are fine with us considering it next month that is fine.

Mr. Evans stated I received an email update consisting of 53 pages.

Mr. Boyd stated there was a letter from our office dated March 12. Is this what you have?

Ms. Wright responded yes. There are outstanding invoices for May and July.

Mr. Evans stated I received Invoice 7509, 7581 and 7603 applicable to the sidewalk issues.

Mr. Boyd stated correct. If the Board is okay with these invoices, we will request they be approved this month.

Mr. Evans stated they were submitted by the District Manager as an update for this month's agenda package for the Board's review and ratification.

## **SIXTH ORDER OF BUSINESS**

### **Developer's Report**

Mr. Haskett stated I am happy to report the security cameras from Wired for Tomorrow were installed at the Ashley Park Pool & Cabana facility and are operating. There are four cameras showing the main gate area and pool area. The only thing lacking is the connection with Brighthouse Networks. We are trying to get a code for the wireless. The cameras are running and if there are any activities, we can download the information onto a screen. We are very happy with it.

Mr. Evans asked up to what length of time do those cameras record?

Mr. Haskett responded it depends on how much motion is sensed. The average time is 96 hours if they are constantly in motion but they are motion sensitive and any time anyone walks in front of a camera, they will come on.

Mr. Evans asked are they time stamped?

Mr. Haskett responded yes. There is a split screen where you can have all four cameras on at once or can cycle through a single camera. Once they are connected to Brighthouse Networks, the Board members or the Management Company can simply go onto the website and view the cameras to make adjustments.

Mr. Evans stated I understand recommendations were made at the last meeting about installing some signage at the pool identifying areas under surveillance.

Mr. Haskett stated this was done through Wired for Tomorrow. They installed signs saying the area was under 24-hour surveillance.

Mr. Evans asked are these cameras located in an area that is easily accessible? I know they used to have cameras under the underpass and they were constantly damaged.

Mr. Haskett responded these are high in the ceiling, probably 14 feet up.

Mr. Evans stated so you can get plenty of pictures before the cameras are ripped out.

Mr. Haskett stated pretty much. They are in a "vandalism proof" dome. Anything can be damaged. It depends on how hard they want to damage it.

Mr. Evans asked if there is vandalism and the Sheriff is called and he sees kids vandalizing the property, is there any requirement on behalf of the District to authorize us pursuing charges or are they automatic? In other words, does the Sheriff have the authority to arrest and prosecute for vandalism or do we have to take action?

Mr. Qualls responded the Sheriff obviously has jurisdiction because this is in the County and if the Sheriff was patrolling in this area and saw a crime being committed, I do not think there is anything preventing the Sheriff from having the authority to arrest someone for vandalism. Because the District has no enforcement power, the District can call the Sheriff if something is happening. Other Districts enter into agreements with Sheriffs to patrol the area but to call the Sheriff to inform them of a crime being committed, the Sheriff would not need any extra allowances from the District in order to make an arrest.

Mr. Evans stated I meant as a property owner. Do we need to authorize prosecution? Sometimes when private property is damaged, even though a crime has been committed, a

Sheriff will come out and ask if you want to press charges. If you say “no,” then they will drop the charges. We do not want to find ourselves in a situation where there is a lack of response time. If someone is damaging this property, it should be automatic that we will take action for enforcement and recovery of damages.

Mr. Qualls stated I agree. Because this is local government property, it is a local government. However, it does not have police powers. I would call the Sheriff and get this understood to prevent any lag in time as I understand the Board wants to make sure those areas are safe and the Sheriff can do what they need to do immediately.

Mr. Evans stated exactly. I want to make sure they have the authority they need to. On HOA property, many times they have to authorize prosecution.

Mr. Qualls stated I understand. The distinction in my mind is those are private entities whereas we are a public entity but I think it still is the best course of action to contact the Sheriff and see if they have any procedures in place. Then we know ahead of time and can get this matter resolved. It is probably as simple as a phone call.

Ms. Snyder stated with this camera system, we would not catch them in the act and not find out until the next morning. Is this proof enough?

Mr. Qualls responded I used to be a State Attorney and we prosecuted people for shoplifting a couple of months after the fact. Remember, these are not security cameras. These are District cameras and the District does not have security powers. These are cameras put in place to help the District carry out the single purpose of maintaining the infrastructure. If infrastructure is being damaged, the District can do what it needs to do, which is to call the Sheriff and make sure the property is not damaged further and furthermore, the responsible party for damaging the property is brought to judgment.

Mr. Evans stated the District can make the photos available as evidence to the Sheriff's Department as Prima Facie evidence.

Mr. Qualls stated absolutely.

Ms. Wright stated there is also another aspect. If they are damaging District facilities, it is obviously after the fact. You have your eyewitnesses and the video tape. We then ask for a police or Sheriff's report and submit it to the Insurance Company. I have not read your rules but I am sure they say “If you are caught damaging the District facilities, you will lose your privileges and will also be held financially responsible.” You need to have those things in place.

The other part of not just prosecuting the individuals is making sure we get the police report so we can submit to the Insurance Company and collect any damages in order to maintain the facility.

Mr. Qualls stated we do not have those rules in place. This is all part of the package we are going to have the Board consider at the rule development hearing. Therefore, your comment is invaluable because those are the types of provisions we need to have in place. Some Districts take away privileges. I have also seen rules requiring security deposits for use of the boats. All of these options are available and we will discuss as this process continues.

Mr. O'Keefe stated I believe two meetings ago, we talked about there being vandalism to the boats. Had we received any response from the people who damaged the boats?

Mr. Qualls responded no. I am going to speak with Mr. Golgowski later about some courses of action we might take. However, thus far we have not done anything other than bolster things to make sure this does not happen again.

Mr. Golgowski stated Ms. Kerul Kassel mentioned at a prior meeting she had a monitor, which could be a cost savings to the District for a security camera system. She brought it to the meeting today. I am not sure whether the invoice from Wired for Tomorrow was in the check runs but they agreed to provide a full refund for the monitor.

Mr. Evans stated great. Where will the monitor be located?

Mr. Golgowski responded it is located in a secure spot at the cabana.

Ms. Snyder stated we need to thank Ms. Kassel.

Mr. Evans stated absolutely. On behalf of the Board, I would like to thank Ms. Kassel for her contribution and commitment in helping the Board with the Ashley Park challenges.

Ms. Kassel stated you are welcome.

Mr. Evans asked do we have an update on the Lakeshore Park project?

Mr. Golgowski stated Mr. Haskett is passing out a summary on the Lakeshore Park Project. Harmony is proud of their parks. There are many passive parks in the neighborhoods. We are gaining more knowledge about our resident base and their interest. We recently used a Recreation Specialist located in Harmony who did surveys of the residents' interests, which revealed a strong support for more active facilities within some of the parks, notably play fields and court type uses. We have done some investigations as to what we might do to respond to the interest and came up with three facilities located at Lakeshore Park. The first facility is a soccer

field, the second is a basketball court and the third is a volleyball court. The second page shows the location of these facilities in Lakeshore Park. Schoolhouse Road is shown at the bottom of the page, followed by the traffic circle to the right and the current elementary school at the edge of the page. Immediately west or left of the school will be the basketball and volleyball facilities, generally near the existing restrooms. The orange circle north of Schoolhouse Road is the water feature. The current playground and structures are in the area defined by the squiggly line. All facilities will be oriented towards the street as opposed to the woods and Buck Lake so it does not interfere with the natural area and to make it more accessible to the street. No lighting is proposed so there will be no after dark use at any of these facilities. This is an entry level plan as the soccer field will only have goals at either end, the basketball court will have adjustable goals at either end and the volleyball court will only have a net. The goals on the volleyball and soccer fields are removable.

Mr. Haskett stated the soccer field has playable turf area with sport turf (75 x 150), which is half the size of a regulation field. If we added another 25 feet of perimeter in the buffer zone or a play area for further activities, the size will be 25 x 200. In several studies on soccer fields, it was noted a regulation soccer field of 150 x 300 is for use by professionals and it was deemed children of our age group would wear themselves out on such a size field. Our plan is to have more of a recreational passive type, after school type of activity, which would be used for soccer or kickball or light football.

Mr. Golgowski stated we have come up with a budget of \$60,000 to build the three facilities. These would be capital improvements.

Ms. Snyder stated I think this is fantastic because we have received comments that the kids do not have any place to play. There was talk about the eight and ten year old kids going across the street to the High School. With our Activities Director, there is basketball every Sunday. I think this is great. This is what the residents have been asking for and will show we are listening to them.

Ms. Wright stated we can add these facilities to your rules.

Ms. Snyder stated the churches offer volleyball but eventually it is going to ruin the grass. This is great.

Mr. Haskett stated the volleyball court will have a sand area within a perimeter to keep the sand out of the grass and vice versa. Due to the area, the soccer field is quite low and tapers



this is the complaint tracking process. We have a secretary who handles complaints for several District clients. We provided her name and phone number and you can forward complaints regarding any maintenance issues, whether or not they are CDD or HOA. We can determine whether it is CDD or HOA related and if it is not CDD related, we will let you know. We will work with Mr. Haskett and the individual who took Mr. Vence Smith's place. The secretary has a way of tracking and logging these complaints. On this new website, we also have a place where you can report problems. You do not need anyone's email address; you just go to the website. This is a way to make it easier for residents to report maintenance issues and problems.

Mr. Evans stated good. One of our challenges has been to update the website as quickly and efficiently as we can.

Ms. Wright stated correct. It is fairly easy for me to do this and I know the residents are questioning who to call. Call us or go to the website and send us an email. If it does not have anything to do with the CDD, we will certainly let them know.

Mr. Evans stated this is an evolutionary process.

Ms. Snyder asked what would the turn around time be once this is agreed to?

Ms. Wright responded it will only take a day to get the information onto the website. All I need to do is to pull the existing data over and make sure I am talking with my Web Master to get the HarmonyCDD.com name with the new look.

Mr. Evans asked do we want to wait another month?

Ms. Snyder responded no.

Mr. Evans stated this has been a challenge for all of us and very frustrating because we receive a great number of questions as to when the website is going to be fixed and we are asking the same question because of the technology and personnel changes. It has been full of great intentions and effort but we have not reached that point yet. I think the substance should override the cosmetics.

Ms. Wright stated we have the substance.

Mr. Evans stated if we can get the substance, we can always add the pictures and make it look pretty. As long as we have all the documents and something functional, the residents will be satisfied.

Ms. Wright asked do you want to take a couple of days and each Board member can respond to me individually and let me know what you think? Mr. Peach sent me an e-mail informing me he had not seen anything but was totally in favor of a new website design.

Ms. Snyder responded I think we should go ahead with it.

Mr. Evans stated I think it looks great. I would like to have each Supervisor provide their comments to you individually.

Ms. Wright stated absolutely.

Mr. Evans stated I think we would like to move this forward today versus waiting until next month.

Ms. Wright asked do you want me to launch it and you can take a look at it?

Mr. Evans responded yes.

Ms. Snyder stated it has been ongoing for months.

Mr. Evans stated the substance is the same.

Ms. Wright stated it is in a different order and categorized and organized slightly differently but it is all there.

Mr. Evans stated but it is easier for you to update.

Ms. Wright stated correct.

Mr. Evans stated we can get updates more quickly, efficiently and thoroughly. I am all for it.

Ms. Snyder stated me too.

Mr. Evans asked do we need to make a motion?

Ms. Wright responded no. I have the Board's direction. Once the website is up, I will send an email to the Board informing you it is completed.

Mr. Evans stated go for it!

Ms. Snyder asked can we include another resident to take a look at it and provide comments, like Ms. Kassel?

Mr. Evans responded sure.

Ms. Wright stated I have Ms. Kassel's email address. One of my Boards does not want anything on their website the Board has not agreed to. If at any time, there is something you do not want on the website, public records are public records, but if I am wording something

incorrectly or I have something on the site, which you do not feel is appropriate, please let me know and we will remove it.

Mr. Evans stated technically the only items posted were approved items such as Resolutions, budgets and items in their final form.

Ms. Wright responded we have all of your rules and agreements and minutes going back to Fiscal Year 2005. We typically have not posted old copies of agendas but I went back and included the agendas for this fiscal year. If anyone wants them from earlier fiscal years, they can email us and we will send them. There is also a narrative of what the CDD is about and other information to clarify the difference between the CDD and HOA, such as why they have to pay assessments and how the amount is determined. I have a *Frequently Asked Questions* page.

Mr. Evans stated this would be very helpful.

Ms. Snyder asked do you have a link for voicing complaints?

Ms. Wright responded when you pull up the website, there is a link to *Report Problems*, which will bring up a form to fill out and it is emailed directly to me.

Mr. Golgowski asked can the rules prepared by Mr. Qualls be posted?

Ms. Wright responded yes, it is in the public record because Mr. Qualls handed it out to you.

Mr. Evans stated the rules are going to be constantly evolving.

Ms. Wright stated it is clearly marked draft. I have a section on the website for the upcoming rule hearing in May saying there is also a workshop and "This is a proposed draft rule subject to change, but it is available for the public to review and comment on."

Mr. Evans stated we talked about having a budget workshop. Do we need to schedule this well in advance for the end of May?

Ms. Wright responded we will be presenting your budget to you at the May meeting as we are required to present it to you by June 15. Since the rulemaking process should not be a long process at your May meeting, provided we have a good workshop next month, if you want to have a workshop at your June meeting, we can target either July or August for your public hearing to adopt the budget.

Mr. Evans stated I am not going to be at the June meeting. When you present the budget, you are going through and making projections, and at the workshop we can point out line items we want to evaluate.

Ms. Wright stated correct.

Mr. Evans asked when will you be in a position to send the budget out?

Ms. Wright responded our Accounting Department has started asking the Manager's Office for budgets now.

Mr. Evans stated when you present the budget to us at the May meeting, there is no reason why we cannot have a workshop immediately following the meeting.

Ms. Wright stated you certainly could.

Mr. Evans stated we have Supervisors available. This is a natural progression.

Ms. Wright stated while it is fresh in your mind, you may as well. Staff is available.

Mr. Evans stated let us do it because this gives us more time.

Ms. Wright stated sure. We will schedule a budget workshop immediately following the May meeting.

Mr. Evans asked do you need to notice this workshop in advance?

Ms. Wright responded yes. We need a seven-day notice.

Mr. Evans stated I would like to have more people here. The more the residents get to see and understand the process going into a budget and the line items and the obligations of the District, the more they realize there is not much discretion. The sooner we notice it, it will be more beneficial to everyone.

Ms. Wright stated the notice I am referring to is the legal notice for the newspaper. I understand we have a newsletter and now that the website is operating, the notice will be in a more prominent place for people to see when you are having your meetings. The rule and budget workshops are on the workshop schedule for now. We can post the notices anywhere you want but we have to publish them where we are legally required to. In addition, we take your direction for communicating through other media.

Ms. Snyder stated the problem last year was with the dates because the budget was delayed.

Mr. Evans stated even before last year, we spent an enormous amount of time changing the budget format and then again last year.

Ms. Wright stated their accounting system changed.

Mr. Evans stated there was a time limitation.

Ms. Wright stated once we give the budget to you, we have to allow the County 60 days to review it. Your hearing has to be at least 60 days after your May 29 meeting.

**TENTH ORDER OF BUSINESS**

**Approval of the February 2008 Financial Statements, Requisitions, Invoice Approval #95, Invoices and Check Run Summary**

Ms. Wright stated we have what Mr. Boyd submitted. I have one additional request from Sun Tel Communications in the amount of \$128.40. We wanted to get this paid because it is a utility invoice.

Mr. Golgowski stated I see \$8.40 in sales tax.

Ms. Wright stated we will have the accountant subtract this from the \$128.40 and cut a check for \$120. I would like to add this invoice to your list of approvals.

Mr. Evans stated so amended.

On MOTION by Mr. O’Keefe seconded by Ms. Snyder with all in favor the February 2008 Financial Statements, Requisitions, Invoice Approval #95, Invoices and Check Run Summary were approved as amended.

**NINTH ORDER OF BUSINESS**

**Audience Comments**

Ms. Kassel stated I would like to thank Ms. Wright for bringing up the website complaint log.

Ms. Wright stated we will call it a communication log.

Ms. Kassel asked will there be a way to track when complaints are logged to make sure there is a timely response? For example, having a page saying “Thank you for your comments” with the date.

Ms. Wright responded the complaint will come to me via email. Then I will forward it to my secretary who will log it on an Excel Spreadsheet. She will track it and if the complaint is not resolved within a couple of days, she will start making calls. This is the only tracking system we have. It is up to the Board as to whether they want to post the spreadsheet on the website. However, this is a staff working document.

Mr. Evans responded it depends on whether you want to spend more time reporting on the fire or fighting the fire. There is a balance. Let us see how this works and the number of responses.

Ms. Wright asked to see if we need to improve it?

Mr. Evans responded yes. Let's give it a chance and see how well the response time is. If we have to go to a greater level of monitoring or accountability, we can approach it.

Ms. Kassel asked what comes up on the website after we submit our complaint?

Ms. Wright responded I will have to test it. I think there is a page saying your request has been submitted.

Ms. Kassel asked can we add a code to this page?

Ms. Wright responded I think I can add a date and time stamp.

Ms. Kassel asked can it repeat the inserted text?

Ms. Wright responded you want to have a page saying the request has been submitted and the text of the request for accountability reasons.

Mr. Evans stated so Ms. Wright will know if there is a more serious problem due to the number of complaints on the same matter.

Ms. Kassel asked is there a list of the prior submitted problems so five people do not submit the same complaint?

Mr. Evans responded I do not think there will be a purging of the complaints.

Ms. Wright stated you are correct. If there are five different phone calls on the same issue, my secretary will respond to the individuals by email or phone call, letting them know we received the request. There is a disclaimer on the website saying email addresses are public record if you provide it. For example, if the complaint is for an electrical problem with a street light, we will let you know we reported it to the proper authorities and this is out of our jurisdiction.

Ms. Kassel stated we do not see a list showing us that the matter has already been reported.

Ms. Wright stated there is no list available. We maintain the list in our office. If we are receiving the same complaints, we can post a notice on the website saying we are aware of the problem.

Ms. Kassel asked will there be a field for people to submit their email address and phone number in the comment system?

Ms. Wright responded if they want to. If they leave it blank, the request gets submitted anyway but we have no way of contacting them.

Ms. Kassel asked what is the plan to educate residents on how to use and access the system? For example, the CDD approved signage for a number of places in the community so it is easy for someone to make the call to report it from their cell phone.

Ms. Wright responded you talked about having signs but came up with the disclaimer “For problems with this maintenance facility, please call...or send an email to...”

Mr. Evans stated I think it is fine to have a disclaimer if you have a broken irrigation line or something, which could be a potential hazard as it provides for a quicker response time.

Ms. Wright stated I can work with Mr. Haskett on where to install these signs. If the Board approves, I can get some pricing on a certain number of signs. We can have a basic sign with the above language.

Mr. Evans stated this is an excellent idea.

Mr. Haskett stated if you want to make a sign on cardboard, we have weatherproof boxes.

Ms. Wright stated I can email you what I have done.

Mr. Evans stated great idea.

Ms. Kassel stated I would like signs in the most heavily used doggy parks. You can tell which ones are the most heavily used by the number of waste bags used as well as by some of the recreation facilities. We would really appreciate it. Since the Board approved \$60,000 for additional recreation facilities within the CDD, I was wondering if they might approve a few hundred dollars to bolster what we raised last year to purchase a utility shed for storing the equipment for the dog parks.

Mr. Evans asked did we approve this expenditure last year?

Ms. Kassel responded no. The Board approved if the funds were raised a shed could be put in the park but you did not approve any funds to be utilized for capital improvements to purchase a shed. We were able to collect \$200 from the pet fair towards the purchase of a shed but the shed costs \$400.

Mr. Evans asked are you talking about a matching fund program? This will get you where you want to go.

Ms. Kassel responded yes.

Mr. Evans stated it shares the greater interest the community has in some of the program by working with matching funds to create an incentive and involvement.

Ms. Kassel stated I want to know if the CDD Board wanted to approve matching funds so we can purchase the shed and put it in the dog park.

Mr. Evans stated I thought this was already done or going to be done. You have the Board's full support to do this.

Mr. O'Keefe asked do we want to place some stipulations so it looks good architecturally?

Mr. Evans responded they are already there.

Ms. Wright stated I suggest the stipulation of the Chairman having the final approval to provide some accountability from the Board.

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| On MOTION by Ms. Snyder seconded by Mr. O'Keefe with all in favor the Board will provide matching funds to the dog park enhancing program, subject to final approval by the Chairman. |
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Ms. Kassel asked has the Board considered taking deposits and reservations with the new rules being proposed? Who will be administering those rules and how will the CDD pay for them? Will these items be addressed at the rules meeting?

Mr. Evans responded they will be discussed at the workshop.

Ms. Snyder stated I think asking for deposits will cause issues.

Mr. Evans stated they will have to be implemented because you can create all the rules in the world but if you cannot utilize them or have some enforcement mechanism, all you do is create a false premise that you are going to take action when you do not have the authority or mechanism to do it.

Ms. Kassel stated then you undermine your authority to do it.

Mr. Evans stated when we go through this rule process, there will be a great deal of discussion because we want to know from beginning to end how the policy is going to be implemented, monitored and whether it is going to be fair and equitable. It has to go through all of these litmus tests.

Ms. Kassel asked where is the money going to come from?

Mr. Evans responded where it is coming from and who is going to hold the money and determine whether or not we are going to accept checks, cash or credit cards will be determined. We do not have a current credit card system. As soon as there is cash flow going back and forth, we need to figure all this out.

Ms. Wright stated any time you are talking about rules, rates and fees, it has to be done by rulemaking.

Ms. Kassel stated my question was more about how the rules are going to be administered, paid for and where the money will come from.

Mr. Evans stated exactly.

Ms. Gina McGinnis stated Mr. Thomas Belieff, the Dock Master is part-time and it is hard for him to keep up but he does a good job to the best of his ability. Is there something we can put on the website where people could go online and make their reservations for a boat?

Mr. Evans responded we tried to enact this in the past and have been having problems with doing this on the website. Conceptually, this is a great idea because it simplifies trying to track someone down. If we create a procedure, we need to discuss how it is going to be implemented and whether it is going to be successful in its implementation, even knowing the current process is not perfect. We need to determine whether this works better than something that may not work quite as effectively. I think it is a benefit if there is a way you can go online and make a reservation a day or two in advance.

Mr. Tome stated Harmony Development Company has employed an Activities Director through a firm called WTS, which is an international group. They provide services for many Districts. One community called Mira Bay in South Tampa is managed by a CDD who enacted what you are talking about. We are working with WTS to learn more about their facilities and how their boat master works through the process with their website. Hopefully within the next 30 days, we will have more knowledge. Our Activities Director will spend two days at Mira Bay to understand their processes. We will report back to the Board and let them know how this worked and to see if this is something they support.

Mr. Evans stated as the weather gets warmer, you are going to see more and more kids, especially when they are out of school. We are trying to promote more education and more constructive use of our boats.

Ms. McGinnis stated I think everyone is knowledgeable with computers and the internet. From a cost standpoint, this will take a lot of pressure off.

Mr. Tome stated I am glad to see you are open to the litmus test idea on the website because this is what we need to do. We do not want to stand on what is existing and we want to make sure the Board is open.

Mr. Evans stated we can work our way through it and modify it. Then we can get into cancellations.

Ms. Wright stated you put that in the rules to have a waiting list.

Mr. Evans stated we need to have a mechanism in place because we are learning more about it.

Ms. McGinnis stated as the community grows it is going to get more and more out-of-hand.

Mr. Evans stated the best feedback from the community is getting a litmus test. It is not a perfect system, but it is getting better and better.

Ms. Wright stated we have a process in place for reservations for the Recreation Center. Reserving a boat or the Recreation Center will follow the same process. It is a matter of someone being in charge and being the point person to schedule it.

Ms. McGinnis stated you can tell when someone has been in a boat prior to renting it. I have seen Mr. Belieff clean the boats. He does a good job for what he is paid. How do we control the condition the boats go out in? Perhaps we could have someone inspect the boats or have some volunteers from the community monitor this.

Mr. Tome responded it seems like we may need to ask this question to WTS. Ms. McGinnis is talking about having someone out there to inspect the boat before it goes out again. We had an incident where we got in a boat and discovered the motor was jacked around. It took two people to make it work. This is a good suggestion and maybe WTS can help with this. The answer is we need someone to be available at the end of every session to inspect the boats before they go out again.

Ms. Wright stated we need someone there to check the boat in and out and have a damage deposit to pay for any damages, similar to the Recreation Center where if the room is not returned to its original condition, we keep their deposit so we can clean it up.

Ms. McGinnis stated I think that is great. There are people who care about the community and will continue to care and people who do not care. I learned this at last night's HOA meeting when I heard people were not paying their \$100 dues.

Mr. Evans stated this goes back to the rule policy where we can suspend someone's use of the facilities.

Ms. McGinnis stated you may have a resident who is paid on a per-inspection basis as an independent contractor. You cannot expect Mr. Belieff to be on call seven days a week.

Mr. Evans stated the more services and monitoring you want, the more it is going to cost. We had people arguing about the cell phone cost last year. We probably have the most comprehensive budget analysis of any District. This is why I do not like big contingency numbers because it means we did not take everything into account. It is a matter of whether we want to increase the budget for more hours for the benefit of the community. If we get more residents and more use, we are going to need to increase the budget because there is no sense in having these resources that cannot be utilized. There may be some shared elements such as the Activities Director, which can enhance this process. I would like to have some educational facilities such as a boating class since some residents try to drive the boat like their car. We could require taking an online FWC class in order to rent a boat. These are items we are trying to work our way through. When residents like you show up and give these suggestions, it helps create or mold these programs.

Mr. Richard Martz stated I think it is great that you are open to this type of discussion. Everyone understands you want it done cheaper but you may have to pay more to get it right. When we discussed these \$60,000 improvements, we discussed having bleachers. No soccer field I have ever been to has bleachers and perhaps this money can best be used somewhere else.

Mr. Evans stated I drove through Lakeshore Park yesterday and there were at least a dozen or so cars and 50 people out there watching kids play soccer. We should provide some seating for the grandparents who would like to come out and watch.

Mr. Martz stated I am sure you go back to the vendors and do not just take the first proposal. In regards to the sidewalk, I am sure you know what their guarantee is before voting and approving an expenditure instead of voting in one second.

Mr. Evans stated this is the final phase. This matter has been ongoing for nine months.

Mr. Martz stated if you took a car into a paint shop, they would take a marker and circle what they are going to do. This makes it apparent as to how repugnant those things are. Where I am going with this is it hampers you to go to the next guy to get a good estimate. I think they should do this with the sidewalks for identification purposes. However, with technology they can easily GPS this area. We may want to contract with someone to be the vendor of choice so they give us a break and allow us to pay them on a quarterly basis to monitor the situation in the

hopes they will correct it before it gets out of control. I do not know if these items have been discussed. Perhaps every avenue has been completely exhausted but at the last couple of meetings where we talked about this, it certainly seemed like it was going somewhere. Active versus passive is fantastic but there may be some potential for savings. When you were talking about the guarantee, a bell went off in my head because we did not know how long they were going to guarantee this and this made me think about how long the last people guaranteed it for. This is just my opinion and I do not expect an answer. However, I would like an update on the rusted pet waste stations. We were working on getting those corrected and I have not seen anything.

Mr. Boyd stated they were ordered the day after they were approved but because they were specified black and not green, we had to go through a special process. They do not come right off the shelf.

Mr. Evans asked is this in order to be consistent with the rest of the community?

Mr. Boyd responded yes. Within the next couple of weeks, I expect them to be delivered.

Mr. Martz asked can the Board members have someone sit in their seat in their absence?

Mr. Evans responded no. We are elected officials just like the Mayor, City Council or County Commissioners.

Mr. Martz asked can the security cameras in Ashley Park view the back of the parking lot so we can capture license plates?

Mr. Haskett responded I do not believe so.

Mr. Martz stated it seems like a good idea if we could re-position those in some way to be able to get this information and provide to the Police Department so they can catch the violators. At last night's HOA meeting, we discussed the budget and the percentage of collection. I was appalled to hear we only collected 30% of our assessments. What is the percentage of collection for the CDD?

Mr. Evans responded the CDD operates totally differently than the HOA. In other words, the debt and O&M assessments for the CDD are on the tax bills.

Mr. Martz asked what percentage of people do not pay their tax bills?

Mr. Qualls responded if you do not pay your special assessment, you could have a tax certificate sold against your property. After two years, the holder of the tax certificate can apply

for a tax deed. It is the first lien equal to other tax liens. I think the rate of collection is a lot higher.

Ms. Wright stated we are essentially 100% collected. This is why our bondholders like when we go onto the tax roll because you cannot partially pay your taxes. You have to pay the entire tax bill.

Mr. Martz asked what about foreclosures?

Ms. Wright responded someone owns that property and will pay the taxes so they do not lose their property.

**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

There being no further business, the meeting was adjourned at 10:40 a.m.

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Gary L. Moyer  
Secretary

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Robert D. Evans  
Chairman