

MINUTES OF WORKSHOP HARMONY COMMUNITY DEVELOPMENT DISTRICT

A workshop of the Board of Supervisors of the Harmony Community Development District was held Thursday, October 30, 2008, at 10:10 a.m. at 7251 Five Oaks Drive, Harmony, Florida.

Present were:

Robert D. Evans	Chairman
Greg Golgowski	Vice Chairman
James O'Keefe	Supervisor
Ken Peach	Supervisor
Nancy Snyder	Supervisor

Also present were:

Gary Moyer	Manager: Moyer Management Group
Tim Qualls	Attorney: Young, van Assenderp
Steve Boyd	Engineer: Miller, Einhouse, Rymer & Boyd
Brenda (Wright) Burgess	Moyer Management Group
Todd Haskett	Harmony Development Company
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 10:10 a.m.

Mr. Moyer called the roll.

SECOND ORDER OF BUSINESS

Discussion of an Amendment to Chapter 1, Rule 1.5 of the Harmony CDD Rules of Procedure Relating to Memorials in Public Spaces and Pool Rules

Mr. Qualls stated I will ask the Board to keep in mind that Chapter 190, Florida Statutes, gives the District the authority to accept gifts and to do with those gifts what the donor requests. That also has to be taken into consideration that the District has a single purpose to manage infrastructure. If someone wants to donate a set of golf clubs to the District as a gift, I do not think the District can accept that gift because those cannot be used to carry out the management of infrastructure. The beginning of these draft rules sets the layout that when a gift is given, the person donating this gift should fill out a form and indicate the gift should be used for the District's single purpose of managing infrastructure. The University of Michigan is pretty specific in their policy with plaques

and how they look so they are uniform. This is not only pleasing from an aesthetic point of view but it will also help managing and maintaining that infrastructure to make sure whatever is donated is safe. This is just a draft and there will be no decisions made on this today. It is a workshop to hear comments and for me to take notes.

Ms. Snyder stated in Section 11.2, the third paragraph says “upkeep of the bench” and it should not be just for a bench.

Mr. Qualls stated you are correct; it is too narrow and should read “memorial.”

Ms. Snyder stated the paragraph above says “the Harmony CDD Manager or the Manager’s designee will determine the appropriate location of such memorials,” but on the application, it does have a preferred location of the memorial. Can there be more connection in where it will go between the District and the person who is donating it? There may be reasons for their request, and it may not be placed in the location where the donor wanted it. I think a discussion should take place.

Mr. Qualls responded the District has to decide where the donation goes. I indicated it is the District Manager. We asked for their preferred location and there should be a discussion. That most likely will take place, but I can add some language where the Manager will consult with the donor.

Ms. Snyder stated I would like this to be done ahead of time so there is no cost involved for moving it.

Mr. Qualls stated I will amend the rule to read “the Harmony CDD Manager or the Manager’s designee will determine the appropriate location of such memorials after discussing with the donor.”

Mr. O’Keefe stated regarding plaques, one of the residents mentioned having it etched into a slat on the bench.

Mr. Qualls stated this provides if someone makes a cash donation, there will be a central location where everyone has the same size plaque so the memorial is uniform. Some may donate more money than others, but the plaques are all uniform. There is also the allowance for two other kinds of plaques; one is on a park bench and one for a tree, which is not on the tree but a plaque near the tree.

Mr. Peach stated when we discussed this initially, my first response was to put the plaques in a central location and I still have a reservation about this. We have an indication that cash donations will have a central plaque and we will also allow

individuals to donate trees, picnic tables or benches. I go back to my initial reservation on how many picnic tables do we need. I think it would be better to receive donations to the CDD and allow the CDD to choose the item. We can take advice from the person making the suggestion, but it is cleaner about determining where the need is in the community. I would rather see it done this way than someone donating a particular item.

Ms. Snyder stated I do not agree with this. Where I lived in New York, there was a bench at a walking spot where this person spent a lot of time. Some people went there just because of that bench and it made an impact.

Mr. Evans stated in Section 11.3, the comment to the third paragraph says “Usually the recipient of the donation replaces the item within a certain timeframe—with the University of Michigan, it is within 20 years.” I do understand the reference to 20 years is. Does this mean if a tree dies, I have 20 years to replace it?

Mr. Moyer asked are you saying there is an obligation on the part of the donor to replace it at some point?

Mr. Qualls responded if the donor chooses to replace the tree, a replacement tree can be provided at the cost of replacement at that time. I will look into this.

Mr. Golgowski asked does it refer to replacing the plaque?

Mr. Evans responded I do not think it is applicable. If it needs to be replaced, it needs to be replaced.

Mr. Qualls stated the donor is obligated to replace it. If a tree dies, the District does not have the obligation to purchase another tree and plant it. It is the donor who has this option.

Mr. Moyer stated if a park bench is worn out or the slats are broken and it needs to be replaced, our obligation is to remove the park bench since we own it.

Mr. Qualls stated that is correct, and the District does not have to replace it.

Mr. Evans asked are we looking at a standardized bronze plaque we can attach to the benches?

Mr. Qualls stated that is what I advise. All the policies I reviewed were specific on the number of lines, how many words per line, and certain dimensions.

Mr. Evans stated once you define the plaque, we can attach it as an exhibit to say this is what the plaque will look like, and it will be a uniform style and size. It can be mounted in front of a tree or attached to the back of a bench or whatever the gift is, so it

is standardized throughout the community. The memorial for cash donations can be a plaque that has some sort of language such as “in appreciation of the donation” and then add name plates with the names of the donors.

Ms. Snyder stated yes, I like that.

Mr. Qualls stated we can have a picture of what the plaque should look like and attach it as an exhibit.

Mr. Peach stated Park City, Utah, is one of the most branded communities I have ever seen. Everywhere you go, you see the image of the community, and the brand is on everything. It unifies the community and gives you a nice impression. As you are thinking about these plaques, you might pick up the identify piece for Harmony, with a symbol or look, that you can echo in other things.

Mr. Evans stated I think this is an excellent idea. We need to develop the look of the plaque.

Mr. Qualls stated I will change the rules to say “donations and plaques will meet the specifications of the attached” and then I will wait until there is something to attach.

Mr. Evans stated this is an excellent idea and it has taken a while to get it where it is manageable and functional. Many people would like it to be implemented as quickly as we can.

Mr. Qualls stated I will make these changes and submit them to the Board. Anytime I send you something, you can respond to me directly and it is not a violation of the Sunshine Law. If I send you something, respond just to me and not to each other. I will take your direction and revise these policies and resubmit to the Board.

A Resident stated if you have an area with all the plaques on it, to me, it will look like a war memorial and I do not think we need that. If we have to raise money to give to the CDD, it will be a lot more difficult to raise the money because it will go into “no man’s land.” We raised money for Judy’s bench. If we told people we were raising money for the CDD, I do not think we would have received as much money.

Mr. Evans stated it has to be for a specific purpose because the CDD will acquire the bench and the CDD will administer that process, so it is an administration of the District. It will not be used arbitrarily. If someone wants to make a general donation, it can go into a fund where we can purchase artwork or things for the community. It will not be used for something like mowing the grass because it is in honor of someone. It will be very

well defined, and that is our goal. We are spending time on this to be sure we accomplish the goals and the intent of the donor in making the donation. It is really to honor your friends and loved ones. We want to make sure we do not miss that objective.

Ms. Snyder asked can we still say it is a fundraiser in memory of Judy?

Mr. Evans stated you can couch it in any form. It is in memory of a loved one and this is a mechanism to do it. We are a governmental body and we have to operate within that framework of those guidelines. This is a mechanism that will accomplish what the intent was. The goal is to collect money to buy a bench for a memorial and the District has a program to allow you to do this.

Mr. Golgowski stated the downside to people selecting a bench is even under CDD specifications, you can end up with a bench that might break or is not consistent, so the District buying them makes a lot of sense.

Mr. Evans stated then you have uniformity with what is installed on District property. There are a lot of things we are trying to do with this policy so it can be implemented in a way everyone thinks it should be.

The resident asked would we go to Mr. Golgowski who deals with this program if we have any questions?

Mr. Evans responded it will end up with the District Manager to administer, but they will order the benches. We will work with you closely to make sure it is a smooth process.

Mr. Qualls stated based on our recent research for the swimming pool, this will be a part of the rules we already have, so you will notice it is numbered Section 11. Since we are amending these rules, I want to research a few other things. There were no times for hours when the swimming pool is open, but the law requires there to be a sign. I will read through the rules again regarding the swimming pool and if I think any adjustments need to be made based on my research, I will make those changes and submit them as well, since we are already updating that policy.

Mr. Evans asked is it just for the Swim Club or is it also for the Ashley Park pool? Will we allow night-time swimming in that pool? We had many objections in the past about children swimming at night and disturbing residents. Will it apply to one pool or both pools?

Mr. Qualls responded right now it is prohibited.

Mr. Evans stated but we are moving in that direction to try to satisfy the lighting requirements to be in conformance with State Statute for the Swim Club. Will we also look at Ashley Park? I presume we will receive many objections from the residents within Ashley Park about opening the pool for night use.

Mr. Moyer responded that is solely a decision of this Board. The policy will be written such if you light a pool, this is how you light it. There is no requirement we light any pool or if we light one, there is no requirement you have to light the other.

Mr. Evans stated the policy will be written so we comply with Florida Statutes as well as dark sky compliance.

Mr. Qualls stated I was thinking of just adding the requirement that the pool lists those things that shall be listed on the sign, which have already been done. It might not even be necessary. Since we are going through this process and advertising for rulemaking, I want to look at those rules again to be sure they are up to date.

Mr. Golgowski stated I would think we would want to just reference the code instead of incorporating it.

Mr. Qualls stated I agree.

Mr. Moyer stated this will be Mr. Peach's and Mr. Golgowski's last meeting. When we meet in November, there will be two new Supervisors.

Mr. Peach stated I want to thank everyone, the Board as well as the residents. I have been on the Board for eight years when the District started and there was nothing out here but cattle. To see what has come about and to have had the interaction has been wonderful. We have had wonderful staff with our manager, attorney, and engineer.

Mr. Evans stated we greatly appreciate your commitment to the District and all the efforts you put in.

THIRD ORDER OF BUSINESS

Adjournment

The workshop adjourned at 10:55 a.m.

Gary L. Moyer, Secretary

Robert D. Evans, Chairman