

# **MINUTES OF MEETING HARMONY COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Harmony Community Development District was held Thursday, October 29, 2015, at 6:00 p.m. at Harmony Golf Preserve Clubhouse, 7251 Five Oaks Drive, Harmony, Florida.

Present and constituting a quorum were:

Steve Berube	Chairman
Ray Walls	Vice Chairman
David Farnsworth	Assistant Secretary
Kerul Kassel	Assistant Secretary
Mark LeMenager	Assistant Secretary

Also present were:

Gary Moyer	Manager: Moyer Management Group
Tim Qualls	Attorney: Young, van Assenderp & Qualls, P.A.
Steve Boyd	Engineer: Boyd Civil Engineering
Garth Rinard	Davey Tree
John Rukkila	Davey Tree
Gerhard van der Snel	District Staff
Residents and Members of the Public	

## **FIRST ORDER OF BUSINESS**

### **Roll Call**

Mr. Berube called the meeting to order at 6:00 p.m.

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

## **SECOND ORDER OF BUSINESS**

### **Audience Comments**

Mr. David Peters stated I was told that there would be discussion at this meeting about whether or not trees would be planted in the park in front of Blazing Star.

Mr. Berube stated yes. It will be discussed later in the meeting.

Mr. Peters stated I oppose it. We were the first to purchase on Blazing Star. We were thrilled for the privilege of paying a lot premium to live on Blazing Star because of the existing park. We have three kids that are 11, 9, and 7 years old. We were moving from a place where our kids could run out in front of the house and play. There was not going to be a lot of homes like that in Harmony, but there was on Blazing Star. For a lot of kids, playground equipment is great for young elementary kids but not for kids who are middle elementary and teenage kids. This is a remarkable space and it is an unstructured area that the kids discovered themselves. Community is formed around this strip of land. I realize

that it is chewed up because they play football, baseball, and kickball on it. They understand what a neighborhood looks like and what a neighborhood can be and what a community can be as a result of being able to play there. Failing that, we do not have any place where those kids will be as enthusiastic about going. They look forward to seeing each other there. There would be diminution of value for families who bought in when it was not yet popular to buy in as it is today. Our purchases were premised, in part, on the existence of a park where our children can go, where they would not have to cross the street, where they can be seen in the park from any porch on Blazing Star, where smaller kids can play in the structured play area, and where the open space held the promise that the kids too big for play in that area could run and play. We do not want our kids to roam unsupervised far from home. Because this park exists, they are still eager and able to go outside. Many kids are too big for the equipment and too small to go too far without supervision at the same time. To plant trees in that strip would devalue the aesthetic of them growing in the community and learning all that the neighborhood could be. This is the place where they can do that. That is their Town Hall and their agora. We bought in reliance on the existence of such a park, not just a park with a swing set but a park with an unstructured play area. We paid a lot premium in reliance on the existence of that park. We have gotten to know many of our neighbors because we can see them through the park, as well. We can see their houses. We know who was there before us, and we know who was in the Green neighborhood long before we came along. We know them because we can see their houses and see them coming and going. We can watch out for our neighbors and them for us because of the clear sight lines through the park. Planting trees along strips where the kids play increases a security risk or at least it does not have the benefit that we have had of being able to watch the comings and goings of people at times and to collaborate with our neighbors on who is coming and going. We can see the rockets launch from our house. We can see the big night sky as we look through the park toward the night horizon. We purchased enthusiastically about that and the planting of trees along that strip would eliminate that particular harmony with nature that we otherwise enjoy. The strip is magical. We can say to kids this the structured play area and go there, but it is kind of remarkable and wonderful when they find it on their own and find it in a way that is constructive. While it has been destructive to the grass, which I can certainly concede in a heartbeat, I do not know the full solution to that because I am

conscious of concerns about diminution of value based on aesthetics. I can tell you that I think that there is a much greater diminution of value because that land is incredibly attractive to families who have kids in our age range or younger because they get to go straight out there. We would have a much easier time selling our house to people who are in this particular demographic than we would likely someone in the abstract looking for a house in Harmony. We have kids who are eager to express themselves on this, as well; two of them are mine and three are from different houses in the neighborhood, some on Blazing Star and some not. The park attracts people from everywhere in that neighborhood. It has been wonderful. I would just ask that you please consider earnestly not planting trees in that strip. I do that more on behalf of my children than anything else. They would be here if not for a baseball game tonight. They are very hopeful that you will hear them because they love the neighborhood. I cannot take my son anywhere without him wanting to come home to be with his friends. It is there that he gets to be with his friends. He thinks of being with his friends in terms of football, baseball, and kickball. I provided some letters to the Board. Thank you for your time.

Mr. Berube stated if you can stay, you will hear the proposal and view the pictures.

**THIRD ORDER OF BUSINESS**

**Approval of the Minutes of the September 24, 2015, Meeting**

Mr. Berube reviewed the minutes and requested any additions, corrections, notations, or deletions.

Mr. Farnsworth stated I provided a correction to Ms. Brenda Burgess that she caught.

On MOTION by Mr. Walls, seconded by Ms. Kassel, with all in favor, unanimous approval was given to the minutes of the September 24, 2015, regular meeting, as amended.
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**FOURTH ORDER OF BUSINESS**

**Subcontractor Reports**

**A. Aquatic Weed Control**

**i. Bio-Tech Consulting Monthly Highlight Report**

The monthly highlight maintenance report is contained in the agenda package and is available for public review in the District Office during normal business hours.

Mr. Berube stated there has been a request by Mr. Jeff Clark, who is the golf course maintenance manager. They want to assume and pay for the maintenance of the golf course ponds on their own. They want to manage Bio-Tech on their own for just the golf course ponds. I do not think that is a bad idea because they want to take it on a different

treatment plan than the road we are headed down. I do not see any negatives. Their budget starts January 1. It was their request to do this. In light of the fact that we have this major upheaval with pond treatment, I am presenting this to the Board at their request. They already had preliminary discussions with Bio-Tech.

Mr. LeMenager stated the ponds are all interlinked, and it is all one system.

Mr. Berube stated right.

Mr. LeMenager stated clearly if we adopt a policy of best practice in terms of chemicals, if they decide that they want to use chemicals, then clearly that affects all of our ponds, as well. I would like to know what their plan is.

Mr. Walls stated they own those ponds.

Mr. Berube stated they are their ponds. We have been spending public money on private ponds simply because that has been our practice since day one. Whether that is right or wrong is hard to determine, but they are their ponds.

Mr. LeMenager stated I always wondered how the developer structured this. Maybe it can be addressed. I just wondered why the golf course pays a debt assessment but has no maintenance component to their payment to the CDD.

Mr. Berube stated the developer was the CDD.

Mr. LeMenager stated I have always wondered how that occurred, which supports what they want to do now, which is to take care of it themselves. The bottom line is, it is one system, which worked well during Hurricane Fay when it rained solid for 72 hours and we had no flooding. The system works very well, but it is all one system.

Ms. Kassel stated my concern along with Mr. LeMenager is, we can tell them that they are their ponds and they can maintain them, but if they do not maintain them in a way that prevents the outfalls from operating properly and prevents the ponds from taking on the amount of water that they are supposed to, then we need to know what recourse we would have.

Mr. van der Snel stated it is just the desire to clear the outfalls.

Mr. Berube stated Mr. Clark wants more work from Bio-Tech than what we have been Bio-Tech doing. He wants to expand and be able to have the controls to tell Bio-Tech something is not right and how they want it done. There is no downside to this. Mr. Clark wants direct control and to be able to work with Bio-Tech.

Mr. LeMenager stated he wants more frequency than we have looked at.

Mr. Berube stated yes. He has specifics and wants to clear all of the outfalls. He wants cleaner pond edges. They are not looking to skim. They want to expand and direct Bio-Tech to make the ponds better than what we have been able to manage.

Mr. LeMenager stated okay.

Mr. Boyd stated the CDD still always has the ultimate control and right to go in and work on any of those ponds because you have an easement over them.

Mr. Berube stated it is a positive for us because what our guys are concentrating on, as we change this pond management procedure, we are going to be adding four more ponds. We will probably end up with 12 or 16 additional ponds. To relieve ourselves of the golf course maintenance with our guys taking over, it is going to end up being about the same as where we are now when all of these new ponds come on board. It just seems like a win/win to tell them to proceed.

Mr. Walls stated I have no problem.

Ms. Kassel asked do we need to vote?

Mr. Moyer responded I think it would be appropriate to accept their proposal.

On MOTION by Ms. Kassel, seconded by Mr. Walls, with all in favor, unanimous approval was given to the proposal for the golf course to take over maintenance of the golf course ponds.
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Mr. Berube stated Mr. van der Snel will tell Mr. Clark to proceed.

**ii. Discussion of Methods for Treating Invasive Aquatic Plants**

Mr. Berube stated I presume this is tied to the proposal that we received via email from Ms. Jennifer Dwyer today. I liked what she said in the previous proposal and in this proposal, but I think we are a little premature because our guys are not going to be ready to take on anything. You are going to hear later that we ordered the truck, but it will not arrive until early December. Once we receive the truck, we will have to outfit a boat. Coincidentally, our guys' licensing is going to be December 15. We can certainly discuss this tonight, but I would rather push it ahead so that when we have this discussion to finalize this treatment plan, our guys are ready to go. Right now, we are just allowing Bio-Tech to do what they are doing.

Mr. LeMenager asked when will this start?

Mr. Berube stated almost immediately.

Mr. LeMenager stated it said November 1.

Mr. Berube stated it is a little early.

Mr. LeMenager asked are the guys ready?

Mr. Berube stated no. Until December 15 at the earliest, we are not ready to go with our guys.

Ms. Kassel stated this is task for CDD pond staff. This was based on what Ms. Dwyer proposed and what CDD staff would be doing.

Mr. LeMenager stated it says that maintenance will begin on March 1.

Mr. Berube stated no. Quarterly maintenance should begin on March 1, 2017. That is a year beyond next year. I am not against this, but I am just saying that we are too early because we are not ready to go.

Mr. Walls stated I suggest that we table this proposal as I just received it today. It sounds reasonable, but have we looked at any other providers?

Mr. Berube stated no.

Mr. Walls stated I have not seen her résumé to see what experience she has in this realm.

Ms. Kassel asked would you like me to provide that?

Mr. Walls stated yes. I am wondering if we can look into who else provides similar services. I want to make sure that we are choosing the best person to do this job.

Mr. Berube stated I like her qualifications and what she has written. The previous proposal was to plant trees every 30 feet along the perimeter of the pond. That is probably a good idea, but trees every 30 feet will absolutely blow the budget.

Ms. Kassel stated it all does not have to be done at once.

Mr. Berube stated no. There are many, many good ideas.

Mr. Walls stated there are good ideas, but I am talking more about the day-to-day management, like what Bio-Tech does now.

Mr. Berube stated I agree with you that we should table it and get a month or two closer to our transition with our guys because we are not ready to go. It is all great stuff.

Mr. LeMenager asked are we still moving forward with our guys to take over the ponds?

Mr. Berube stated yes. Our delay right now is that they have to get licensed. They are doing the course work now. The test is December 15.

Mr. LeMenager asked is the golf course aware of that?

Mr. Berube stated yes.

Mr. LeMenager stated they want to hire Bio-Tech separately so that they can continue to work with Bio-Tech.

Mr. Berube stated yes.

Mr. Walls stated that is probably why they want to take over maintenance of the golf course ponds.

Mr. LeMenager stated it is clearer now.

Mr. Berube stated there has been a lot of interaction between Mr. van der Snel and the other entities around here.

Mr. LeMenager stated at this point in time, we are only talking about our guys taking care of six ponds.

Mr. Berube stated there are a total of nine ponds, and it will expand.

Mr. LeMenager stated it did not include neighborhood H-1 that has two new ponds. There is not a new pond in neighborhood H-2. It was always there, so it is just neighborhood H-1.

Mr. Berube stated they are pristine.

Mr. LeMenager stated there is no new pond for neighborhood F. I thought that we had six ponds before, which would be eight ponds.

Ms. Kassel stated neighborhood H-2 was developer property at that time, not CDD. I do not know if we were taking care of that one.

Mr. LeMenager stated that pond was ours.

Mr. Berube stated there are eight or nine ponds and as they add more, that will expand. The good news is that new ponds do not require a lot of maintenance. The big deal is going to be Long Pond at Lakeshore Park because of all the floating algae.

Mr. Qualls asked when does the existing Bio-Tech contract cease?

Mr. Berube stated probably January 1 because the golf course maintenance budget starts on January 1. That gives us a couple of more months to work through what we are going to do with Bio-Tech notifications. It was just to get the consent of the Board to release that portion tonight.

## **B. Landscaping**

### **i. Davey Tree Monthly Highlight Report**

The monthly landscape maintenance report is contained in the agenda package and is available for public review in the District Office during normal business hours.

Mr. Rinard stated we have a number of items on the agenda this evening. Fertilization is completed. Annuals are in the process of being installed now on the new rotation. There was some delay as far as availability was concerned. That was noted. Last month, there was a question about the number of annuals per year and whether or not we achieved that. We did look at our previous summary reports and identified those dates and times. I followed up with Mr. van der Snel about the timing. Mr. Berube asked me about our schedule. Typically, that is October and then quarterly from there on out. The timing, like what we are dealing with this time around because of availability, was pushed back slightly. That offset as far as the scheduling and installation were concerned. Yes, four rotations were put in. I would be happy to provide any copies on where that was noted in the summaries.

Mr. Berube stated overall, things look good. We had some spots that were remedied pretty well.

Mr. LeMenager asked what about along U.S. Hwy 192?

Mr. van der Snel stated I had a meeting yesterday with the project manager at OUC and the contractor that was doing the digging. They agreed that a lot of debris was left behind. Davey staff had three trailers full of debris, such as a silt fence, which remained. We talked about it yesterday and made a plan. They started today on improving it. I was surprised that they did it immediately. I took a ride on the golf cart going east to west, which mangled them up pretty good. I showed them everything.

Mr. LeMenager asked is their project completed?

Mr. van der Snel stated they thought it was until I talked with them. I showed them what they missed and that I wanted it back the way it was. I had pictures, which helped them. At the east and west entrance 150 feet in, they are putting St. Augustine into areas that they messed up. They are going to reseed it with a mix of rye and Bahia grass. They did that in the form of hay and mulch but that did not work. I told them to enrich the soil in order for the seed to grab better. Within a couple of weeks, we will have a better look. There was no way that a mower could go over it unless it was a tractor. It is pending, and I will definitely stay on top of it. It will look better than it was. They were very cooperative.

Mr. Rinard stated it sounds to me like they are going to come in and hydroseed those bare spots. What they are doing with the combination of rye grass and Bahia is a winter

mix. You are going to see the rye grass generate first. That is going to be your cover, and then the Bahia will come in on the backside. As we get into spring, we will move forward from there.

Ms. Kassel stated regarding the monthly maintenance report, some residents have seen some applications of what they believe to be pesticides or herbicides at and near the dog parks. Some residents stopped going to the dog parks because they are worried about the health of their dogs. They wanted to know what was being sprayed, including all of the sidewalks and cracks because they saw some tape on the way to the dog parks that was blocking off the sidewalk. Can you tell us what you use?

Mr. van der Snel stated they saw fertilizing on the grass. Davey fertilized the dog parks.

Mr. Rukkila stated I think Ms. Kassel is referring to our regular herbicide application. This came up in the past with Mr. Greg Golgowski, and I provided MSDS sheets to him. It satisfied the individuals who had those concerns.

Ms. Kassel asked can you send the information to me so I can post it? If there is any way to avoid potential carcinogens in what we are applying, that is what we want to do. People do not want to have their pets playing in the dog parks.

Mr. Rinard stated typically the chemicals that we use are at the low end of the spectrum. Only if it becomes necessary from an effectiveness standpoint do we change to something different. Sometimes we have to because of resistance that gets built up over time, depending on the insect or the disease you might be targeting. We also limit it to the area that is affected versus a broadcast-type scenario. Just for situations like this, as well, if we broadcast everywhere, then we potentially expose a lot more than just animals but the kids and anyone walking through the area. Those chemicals do not do us any good to anybody in an area that is good and healthy. We are just throwing stuff out there if we do that. It is target specific and as Mr. Rukkila said, we have the MSDS sheets as well as the label copies. We are more than happy to provide that information.

Ms. Kassel stated I am guessing that the MSDS sheets may cause more concern than allay it, but we should have them available. Perhaps you can explain your methodology that you use them on targets that use the lowest toxicity available and you only graduate to something more toxic when it is necessary. You should talk about what you are

treating for, in other words, cosmetics or something else. If you are treating for something else, you need to say what that is because we have to justify it.

Mr. Rinard stated absolutely. I would be more than happy to provide that information. It was discussed before the last Board meeting but we did not have to time to go into further discussion about our October invoicing. Mr. van der Snel noticed and recognized that it was off from previous invoicing. I indicated that I would look into it. We were scheduled for a 2% increase in year four. Going back to the February meeting and conversations, we asked at that time to raise the idea of extension and proposed the year four scheduled increase plus a flat fee for the next three years. That has melded a little over time, and we are still working on the future. I just wanted to make sure that I was clear that I was not moving forward in any direction that I was not supposed to be, relative to the scheduled 2% in year four.

Mr. Berube stated we are entering year three.

Mr. Rinard stated it is year four.

Mr. Berube stated we anticipated a 2% increase.

Mr. Rinard stated yes, and we just wanted to clarify that.

Mr. Berube stated we are fine. The flat fee going forward was if we were going to continue with the extension. Of course, now we are entering the hourly fee, which we are going to discuss.

#### **ii. Proposals from Davey Tree for Harmony East and West Entrances**

Mr. van der Snel stated I drove through the east and west entrances with Mr. Rukkila. We both agree that there were problems with the plant material. It looked really bad, so I told Mr. Rukkila to take out everything that was not viable that will not return to life again because it was dead, so we did. He really cleared it out, but at this point, it looks plain. We came up with a plan to spruce it up. The west entrance is a main entrance now. In the future, the east entrance will get the same attention as the west entrance, as soon as the new development is in. To be proactive about that, we propose this plant material.

Ms. Kassel stated the east entrance looks pretty good. There is a lot of arboricola.

Mr. Walls asked where are we talking about planting this material? I drove through the east entrance today. What are the bounds of the proposal for the east entrance?

Mr. van der Snel stated the median.

Mr. Walls asked how far back? The median goes all the way to the overpass.

Ms. Kassel stated when you come in the west entrance, it is the center island behind the tower.

Mr. Walls stated you are talking about the inside. I was looking outside.

Mr. van der Snel stated that needs work, too.

Mr. Walls stated I thought the outside looked worse than the center bed.

Mr. Rukkila stated what is currently there is all green. You have the hollies and ligustrums. There is a splash of color with roses on either side of the tower. I propose placing arboricola trinette in the same footprint of the hawthorne that were damaged and removed. They would line and adorn the hollies. The trinettes will fill in where the little coves come in and would fill that gap. You can see gaping holes through the white fence.

Mr. Berube stated the columns seem high, but when you walk the length, they have it on two-foot spacing. It is easy to use 360 of them.

Ms. Kassel asked is the arboricola trinette the same as what is outside the two dog parks off Primrose Willow?

Mr. Rukkila stated yes.

Mr. Berube stated they are showing up in various places around town.

Mr. Rukkila stated we use it throughout the community. You will see some of the plant materials that we are using are viable and have shown to go the distance.

Ms. Kassel stated I do not know that we had the arboricola trinette here for very long.

Mr. Rukkila stated you have not. We introduced them on small projects, and it holds up well.

Ms. Kassel stated for a year or two.

Mr. van der Snel stated our main goal is to put fresh colors in or fresh green instead of a generic.

<p>On MOTION by Ms. Kassel, seconded by Mr. LeMenager, with all in favor, unanimous approval was given to the Davey Tree proposal for the Harmony east entrance, in an amount not to exceed \$3,420.00.</p>
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Ms. Kassel stated I was going to propose replacing the society garlic, which has a spotty longevity history, with sunshine mimosa, but I am hearing from Mr. Farnsworth that he is not fond of sunshine mimosa.

Mr. Farnsworth stated I hate it.

Ms. Kassel stated I love it.

Mr. Rukkila stated it is not a bad idea. You can play with the overall theme.

Ms. Kassel stated sunshine mimosa is native, it spreads quickly, it covers nicely, and it provides color most of the year.

Mr. Berube stated society garlic is \$4.50 per plant. Is sunshine mimosa comparable in price?

Mr. Rinard stated it is less on a per-unit basis. It is a smaller plant going in.

Mr. Farnsworth stated it spreads like crazy.

Mr. Berube asked will the number of plants remain the same?

Ms. Kassel stated probably not.

Mr. Rinard stated there would be some adjustment to the count. As Ms. Kassel pointed out, the sunshine mimosa spreads quickly. We planted it on Cat Brier on 12-inch centers, and it filled in rapidly. We could loosen that up a little. The unit counts would be off a little.

Mr. Berube stated we can approve a not-to-exceed amount of \$2,573, replacing society garlic with sunshine mimosa on 12-inch centers at the west entrance.

Mr. Rukkila stated since it is a small strip, I am a fan of doing this. I think it would add something new.

Mr. Berube stated I like it in most places. It looks fine.

Mr. Farnsworth asked can it be maintained so it would not spread into other things?

Mr. Rukkila stated yes, it would be manageable.

<p>On MOTION by Ms. Kassel, seconded by Mr. LeMenager, with all in favor except Mr. Farnsworth, approval was given to the Davey Tree proposal for the Harmony west entrance, in an amount not to exceed \$2,573, replacing society garlic with sunshine mimosa on 12-inch centers.</p>
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**iii. Proposal from Davey Tree for Neighborhoods F and H-2**

Mr. Berube stated we are going to table neighborhoods F and H-2 because we are not prepared to accept maintenance responsibilities from the developer. I am not completely clear that their drainage problems have been eliminated; as a matter of fact, I know that they have not been eliminated. The developer is going to continue to maintain those neighborhoods.

Mr. LeMenager asked do both neighborhoods have drainage problems?

Mr. Berube stated neighborhood F certain does, and neighborhood H-2 may have drainage problems.

Mr. Walls asked did you say for neighborhood H-2 that annuals account for 30% of the maintenance costs?

Mr. Berube stated yes. All of that excess planting out there is coming off our proposal because they have a separate contract for maintaining all of those annuals.

Mr. Walls stated if we eliminate those, we are looking at a 38% reduction.

Mr. Berube stated exactly right; 38% of that proposal is for annuals.

Mr. LeMenager asked which proposal?

Ms. Kassel stated neighborhood H-2 for \$21,516.

Mr. LeMenager stated it is nice to have flowers around each tree. Is that what we are talking about?

Mr. Berube stated yes, that is what we are talking about.

Mr. LeMenager stated that is not something that this body wants to have. It is fine while they are trying to sell houses, but not if we have to pay for it.

Mr. Berube stated the developer knew that, and that is why the proposal was written that way.

Mr. Rinard stated that is exactly right.

**iv. Proposal from Davey Tree for Tree Pruning of Interior Streets**

Mr. Berube stated Mr. van der Snel and I met with Mr. Rinard and Mr. Rukkila and discussed the tree pruning of interior street trees. Their proposal was \$20,432. I informed Mr. Rinard that we had not budgeted that much money, and he agreed to reduce the proposal to \$18,000. I do not think that we are going to find a better deal anywhere.

Mr. Walls asked can we trim both the exterior and the interior trees?

Mr. Berube stated the exterior trees are being trimmed on a daily basis. Mr. Rukkila has been kind enough to main the trees on the main boulevards. We do not need to do much with the exterior trees at this point.

Ms. Kassel made a MOTION to approve the Davey Tree proposal for the tree pruning of interior streets, in an amount not to exceed \$18,000.

Mr. Farnsworth seconded the motion.

Mr. Qualls asked did we build this into the contract? Do we have a standard contract for tree pruning?

Mr. Berube stated no, this is separate.

Mr. Qualls stated I advise that we prepare a new contract for this work.

Mr. Berube stated yes, it is an addendum.

Upon VOICE VOTE, with all in favor, unanimous approval was given to the Davey Tree proposal for the tree pruning of interior streets, in an amount not to exceed \$18,000.

**v. Proposal from Davey Tree for Tree Pruning of Main Roadways**

Mr. Berube stated this proposal will be tabled until next year.

**vi. Proposal from Davey Tree for Blazing Star Playground Improvements**

Mr. Berube stated we had several meetings with Mr. Rukkila and Mr. Rinard about the playground, and they provided a proposal. Over the last six or seven months, many people had their own individual ideas of what should happen. This proposal incorporates, as much as possible, every person's request and desires, including planting all the small bushes and such and groundcover.

Ms. Kassel stated that was not from anybody that I spoke with.

Mr. Berube stated that was part of your proposal.

Ms. Kassel stated just the rain swale.

Mr. Berube stated there are a lot of design elements. I heard two residents, including the one who spoke to us earlier, who want to keep it as it is, but there are other people who live around that park who complain when it turns into a dust bowl and mud bowl when all that greenery goes away at certain times. It becomes nasty in winter, which will happen again this year. You will notice on the colored picture that there is a picture of a crepe myrtle, which I believe came from Celebration.

Mr. Rinard stated yes, from one of the parks.

Mr. Berube stated there is some concern about the planting of trees. The trees to be planted in the center area will be a crepe myrtle walkway that is a curve in the center. The crepe myrtles will be in the middle. It will be an inviting walkway, and there will be plenty of spacing. The groundcover is intended to be pine needles to eliminate weeds. Kids can still play in pine needles. There will be enough thickness if they want to run and fall and play in it. The maintenance of the pine needles is easy. All we need to do is put more pine needles down. This entire change does not affect our maintenance program with Davey because there is no major labor. It dresses up all of the various planter beds and expands the playground mulch area slightly to handle more kids. There is a

timberline going between the pine needles and the playground mulch to provide definition, similar to what we have seen at the dog park with multi-level groundcovers. There is always a concern about kids running through the planter beds and destroying them. There will be running and riding their bicycles through there and wrecking the planter beds. If you look at the existing planter beds, it is basically all mulch. This proposal includes composite posts, probably black or white or maybe green, along the entire ditch line. They will be plastic posts that stick up 2 or 2.5 feet, with some ropes or yellow chain to tell kids to stay out of there. That surrounds all of the planter beds. We know what the area looks like now, and the kids need a place to play. The chains will provide a protected area, which will dress it up. At this time, I will allow Mr. Rinard and Mr. Rukkila explain the rationale behind the different types of plantings and what it is going to look like. They provided color pictures to provide visualization of the end result.

Mr. Farnsworth stated I would like to provide my position statement. It is in agreement with Mr. David Peters with slightly different wording. Is it necessary to read it into the record?

Mr. Moyer stated if you provide it to me, we will include it verbatim.

Mr. Farnsworth's position statement: The proposal before the Board is for a significant alteration to the open space area of the Blazing Star Park (sometimes referred to as the small Green Neighborhood Park). The 'Title' of the proposed changes contains the word "Improvement." That is a very "subjective" word. It implies that the functionality, beauty, or some esoteric aspect of the park will be "enhanced" as a result. What it would institute is, indeed, a change, a modification, an adjustment, a revision, a restructuring, a reconfiguration, a renovation, and/or a variation to what now exists; but it is not an improvement! What it would do is functionally degrade (essentially destroy) the usefulness of the park and turn it into another overly forested area that is deliberately designed to be unfriendly to children and to discourage (with the intent, in fact, to entirely prevent) kids from playing in the area that is now open for them to roam freely. The changes would require a significant financial commitment by the District – nearly \$35,000 outlay up-front, plus undefined ongoing maintenance costs, and a potential environmental entanglement should a subsequent decision be made to remove any of the trees. The three primary "justifications" that have been put forth for the extreme alteration to the "original" (Developer promoted) purpose for the open area of the park

are: 1. Kids playing there are wearing out the grass; 2. It looks terrible with nothing but weeds and brown spots; 3. Residents living along the park are annoyed by the noise of kids playing. Promoted as the most pressing reason for the park work is the claim that residents living in homes immediately adjacent to the park are collectively in full agreement with and, in fact, “desire” a drastic modification to the park. This claim is absolutely false! Two of the residents (Mr. Manuel Lora and Mr. David Peters) have openly voiced their opposition to removing (i.e., eliminating via forestation) the open “play” area of the park. They use the area for what was intended – recreation – and they want it preserved! Since there are only eight homes along the walkway bordering the park, their two dissenting voices constitute 25% of the residents most directly impacted. As to the current and worsening aesthetic appearance of the sod in the open area of the park, this condition is the direct result of total neglect (a dearth of even basic lawn maintenance). In the original precepts of the Harmony community (before the instigation of non-turfed, indigenous groundcover lawns), any home owners who allowed their lawns to degrade to this level would have had numerous HROA fines levied against them. Now, the CDD is guilty of the same inattention and disrepair. The sod condition is easily and inexpensively correctable. It is not an excuse for destroying the “purpose” of the Blazing Star open “play” area. Wear and tear of anything and everything is natural and should dispassionately be expected when something has a useful purpose. All things wear out and must be either repaired or replaced (homes, lawns, vehicles, tools, even people – the mortal human body). The proposal that is up for consideration – on which so much time, effort, and expense have been expended – is for total replacement. It is the wrong action, at the wrong time, for the wrong reasons, and with the wrong goal! It will consume exorbitant District funds that could, and should, be directed toward further enhancement and expansion of available recreation options for District residents; especially our children. To accomplish that goal requires good stewardship, good insight, good planning, and good financial management, not reckless procurements for singular gratification. Too many governmental bodies do that – we must not! With this proposal, we do not have to “*pass it to see what’s in it*” (as Ms. Nancy Pelosi infamously intoned regarding the Affordable Health Care bill). It is our job to know and to spend wisely! Taking only the initial outlay (of \$35,000) for the proposed work and ignoring all unidentified downstream costs for tree and plant maintenance and mulch and pine straw

replacement, the full open area of the Blazing Star park could be completely resodded – starting from scratch each time – twice per year for nine years. This would be a much, much better use of our limited resources and would not destroy a beautifully configured and utilitarian landscape. While I truly admire and appreciate the attention to detail that went into preparation of the park layout and proposal documentation, I simply cannot and will not support funding of the proposed “Improvements” to the Blazing Star Park in the drastic revisionist form that they currently exist. Accordingly, I urge each of the Harmony CDD Board Supervisors to consider carefully how they vote.

Mr. Farnsworth stated it basically points out three justifications for this drastic change to that park. Do not let anyone fool you because it is a drastic change to that park. Kids are playing and wearing out the grass. It looks bad because of brown spots. Residents living by the park are annoyed by the kids playing. Those are the three justifications that are being given to the change to this park.

Ms. Kassel stated the third one is not what I have heard.

Mr. Berube stated no.

Ms. Kassel stated it is that some older kids are not respectful of CDD property and other people’s property.

Mr. Farnsworth asked can you give me an example? I do not know what you are talking about.

Ms. Kassel stated destroying residents’ landscaping.

Mr. Berube stated balls are hitting houses, kids are running between houses, kids are running up and down the easements and in planter beds, and they are chasing balls. That is what kids do. I am not picking on the kids, but not everyone who lives there has a kid.

Ms. Kassel stated even if they do, they do not want the kids running in their landscaping.

Mr. Farnsworth asked what landscaping?

Ms. Kassel stated in front of residents’ homes.

Mr. Farnsworth stated at least two residents are accounted for who have kids who want this park to stay the same. Only eight houses are there, which equates to 25%. What people are you talking about who are raising the issue? It is an emotional issue.

Mr. Berube stated it is a factual issue. I agree that people have a right to speak. Mr. Peters provided a very cogent argument. Another resident sent a letter to us this week

saying the same. I do not disagree with that, but the reality is that we represent all residents who live here. As you have seen in the forums and various meetings, there is a huge amount of differing opinions as to what needs to happen here. We discussed this matter for most of this year, and we still cannot come to any reasonable conclusion. Kids need an area to play in the grass. We just opened up an area that is going to be beautiful, two blocks to the south of this park, the pipeline easement.

Mr. Farnsworth stated most of it is sloped.

Mr. Berube stated not all of it, but I agree. Kids do not really care. They play in the slopes now and go down in the ditch.

Mr. Farnsworth stated that is a beautiful park, and it troubles me to see that destroyed.

Mr. Berube stated it is not going to be destroyed. When it is done, it is going to be enhanced.

Mr. Farnsworth stated no.

Ms. Kassel stated I would like to go back to this proposal that I brought to the meeting two months ago without the addition of the crepe myrtles. The oak trees are already there. I am proposing to put fire cracker plants in the rain swale, which will keep the area from getting muddy. Some areas are bare and mostly mulch, which would be sunshine mimosa. I would not mind having a tree here and there and still leave an area open, as the area is badly worn and will stay badly worn. There is not much that you can do about it. There will still be a fair amount of play area. We could add a couple trees on either side.

Mr. Berube stated this is all fine and dandy, but we voted on it a month or two ago, and we said no.

Ms. Kassel stated there was no vote. We tabled it.

Mr. Walls stated I spoke to several residents who have the same opinion as Mr. Peters. I am going to listen to the residents who live around the park. I spoke to at least three residents who do not want to see something like this happen. I think this is overkill. You are fundamentally changing how the park operates and what it is open to in terms of use. Last month, I suggested bringing someone in to look at the park design and provide suggestions on how we can utilize the park as a play area for kids but maybe put something heartier there. I am not an expert in this area. This shuts the whole thing down.

When people move into these houses along this park, I think they expected it to be an open area, like the way it looks now.

Mr. Farnsworth stated as it current stands, the proposal is totally kid unfriendly. It totally discourages them.

Mr. Berube stated you are absolutely right.

Mr. Walls stated I do not live there, but the people that I spoke to who do live there completely dislike a plan like this because their kids go outside and play. I am not going to vote for a total overhaul of the park; plus the cost is high.

Mr. Berube stated we spent \$42,000 two blocks away.

Mr. Walls stated which I voted against, as well.

Ms. Kassel stated that was for a much larger area.

Mr. Walls stated I would like to see us go back to the drawing board and look at ways to rearrange this park so it can be used the way that it is used now.

Mr. Farnsworth stated do some maintenance. We have been letting that park go to pot, and then resident complain because it looks bad.

Mr. Walls stated I do not think that it is a maintenance issue. Maybe it was neglected at some point, but I think it is being maintained at the same level as other areas, but it is getting more use.

Mr. LeMenager stated I do not think that is true because if it were being maintained to the same level as other areas, we would have replaced the grass a long time ago. We said that we did not want to replace the grass because we knew that we would have to replace it again. We have discussed this month after month.

Mr. Berube stated we want to keep it open. We will not do the trees and pine needles. The rest of the beds still need some upgrading, and we need to do something in the swale areas. If you want to keep grass, we will eliminate the trees and the pine needles and upgrade the rest of the planter beds. This is not as extreme as it seems. When you go over there and look at it, it is all bare.

Mr. Walls stated I totally agree. The existing beds should be fixed up. We probably need to figure out something for the swale. Residents do not like having things planted in front of their houses.

Ms. Kassel stated fire cracker plants are not very high.

Mr. Walls stated I understand.

Ms. Kassel stated residents I spoke to said that they liked the idea.

Mr. Berube stated there are a hundred different opinions. We all agree that the beds need upgrading. That part can stay. The playground area is going to expand slightly to provide for more square feet to square it off and get landscape timbers in there. The planting of trees in the middle seems to be the hold up, and Mr. Farnsworth wants to maintain grass in the center.

Mr. Farnsworth stated yes.

Mr. Berube stated we need to modify this so Davey Tree knows what they need to do. Are you okay with no trees and grass in the center? We keep grass where it is?

Ms. Kassel responded yes. I do not want pine needles.

Mr. Berube asked what is the most durable type of grass we can plant? Is it the sport turf that we keep trimmed short?

Mr. Rinard responded yes. It is built for that. It becomes a function of the level of play and activity.

Mr. Berube stated sport turf gets a lot of play.

Mr. Rinard stated it does. It has time to recover.

Mr. LeMenager asked we want to install sport turf in the middle?

Mr. Berube responded yes. We will remove the crepe myrtles. There will be some revisions to the trees around the play area to get more shade on the play structures. That is minor. The real deal is to keep virtually all of this but get rid of the crepe myrtles and replace the grass with sport turf.

Ms. Kassel stated the amount of money they are asking for is outrageous.

Mr. Farnsworth stated I would like to see the upper one removed as Mr. Walls indicated and remove another one to leave this area open for turf.

Ms. Kassel stated I disagree because that is one of the worst areas of degradation.

Mr. Berube stated that is right.

Mr. Farnsworth stated it is also the area used for play.

Mr. Berube stated I like your proposal because it addressed that whole area. We cannot make everyone happy. What I am hearing is that Mr. Farnsworth and Mr. Peters do not want to lose the grass and they do not want trees because of sight lines. We eliminated the crepe myrtles and added sport turf. Davey is already maintaining sport turf for us. We have experience with that. In the winter when it goes dormant, we will put rye

over it to keep it green and intact, and we eliminate the dust bowl and mud bowl effects as the seasons change. It is going to brown slightly, but at least it will not die.

Mr. Farnsworth stated according to the drawing, there is an area that does not exist and is being added.

Mr. Berube stated no, there is nothing new as far as planter beds.

Mr. Rukkila stated there is a slight expansion, which was optional where we are reusing the magnolias and transplanting them to Lakeshore Park. We have done work over the years down there, and it is still a bit bare. That was an idea. There were several conversations about a play structure and the expenses that would bring. That is why I included sycamores and removed the magnolias, which are damaged, and included them in an area so they can mature and fill out.

Mr. LeMenager stated magnolias and children do not mix. Children will destroy the magnolias.

Mr. Rukkila stated we are reusing them somewhere else and using a tree that would, in the future, make the area inviting as far as shade, in and around the play area.

Mr. Berube stated that is the idea. The trees in the play area do not provide shade. Do we task Davey Tree with revising this plan to include Bermuda sport turf, remove the crepe myrtles in the middle, and replace the weedy St. Augustine with Bermuda and provide a revised plan next month?

Mr. Walls stated one other objection that I heard, in terms of the swale, you need to get rid of the dirt. The people who live at the cutouts for the walkways are worried that all of the traffic is going to go right in front of their house. I would make it solid.

Ms. Kassel stated they may trample through it, but they will have to walk all the way around. Is that 80 feet?

Mr. Berube stated give or take.

Mr. Rukkila stated the spacing on the trees is 25 to 30 feet. For whatever reason, they were not consistent in that stretch.

Mr. Rinard stated part of breaking this up and not doing it solid is because typically, it is people's nature, certainly with kids, to take the path of least resistance and the straight path. No matter if your sidewalk is designed to do one thing, if they want to go there, that is where they are going.

Ms. Kassel stated it looks like those paths may be in between these houses, according to what I am seeing on the diagram.

Mr. Berube stated I presume that they lined them up that way.

Mr. Walls stated part of the complaint is that the area in between homes is used as a walkway. People are cutting through private property to get to the other side.

Ms. Kassel asked do they prefer to have it come right in front of their house?

Mr. Berube stated little chains will be open at those areas. If people object to the usage of that, the chains can be extended to cut out those crosswalks.

Mr. Farnsworth stated if you put up chains, you are asking for a kid to get hurt.

Mr. Berube stated no. It is a plastic post with a plastic white or yellow chain, like we use at the showers at the pools. It is not a chain; it is plastic. If a kid runs into it, it breaks. It will not hurt them.

Mr. LeMenager stated then they are going to get broken.

Mr. Berube stated it does not have to be a chain. It can be a rope or something. The idea is to keep kids out.

Mr. Rukkila stated I was trying to recall how this issue came about and I remember measuring the area. There was a lot of square footage, and that number was astronomical. If we go with sport turf, there is still going to be a lot of square footage to cover.

Mr. Berube stated yes, but some of it is going to get cut out and you will have the expansion of the mulch a little. The square footage is going to drop somewhat.

Mr. Rukkila stated it is.

Mr. Berube stated we have to listen to our residents. They are telling us that they want grass and no trees. That is what we hear consistently; that is the loudest voice. There have been other loud voices on the forums and other communications, but the people who have turned out and taken the time to write us are saying that they want grass and no trees. We will listen to the residents and revise the proposal to put in sport turf and eliminate the trees. You have heard the objections. We will bring it back next month and try this again.

Mr. Rinard stated we will be keeping the current footprint of the area itself.

Mr. Berube stated yes, it was going to be extended a little to square it up. The idea was to keep the kids on the playground mulch where you expect them to be. If they are want to play on the sport turf, that is expanded. If this gets heavily used and we consider another playground structure, we can extend that mulch out farther.

Ms. Kassel stated one thing that Mr. Rukkila and I discussed was that the rain swale was a teardrop shape, and this is more rectangular.

Mr. Walls stated we want to follow that teardrop contour as much as we can to preserve the amount of turf that is there.

Ms. Kassel stated I am just pointing out that this looks rectangular as a plan, and the rain swale is in the shape of a teardrop.

Mr. Rukkila asked would the revision include keeping the plantings in the swale?

Mr. Berube stated yes. The major change is to move the crepe myrtle path and replace the current sod with Bermuda sport turf.

Ms. Kassel stated it seems like the plantings are excessive.

Mr. Berube stated look at the spacing on the plantings.

Mr. Rukkila asked what is the overall consensus of relocating the magnolias?

Mr. Berube stated no magnolias where kids play. Trees need to have branches.

Mr. Farnsworth asked why?

Mr. Berube stated because kids destroy them by climbing on them.

A Resident stated from a liability standpoint, that is smart.

Mr. Berube stated we thought this through.

Mr. Rinard stated for future consideration, as part of this plan, we offered an option to take the five magnolias that are lining the walkway and move them to Lakeshore Park and add them to the oaks and the other trees and replace them with three sycamore trees to provide for seasonal shade.

Ms. Kassel stated I thought that Mr. Rukkila was talking about taking those magnolias and putting them in that left upper corner.

Mr. Rukkila stated no.

Mr. Berube stated they were always going to go to Lakeshore Park.

Ms. Kassel stated I misunderstood.

Mr. Berube asked does Bermuda require different irrigation than what is there?

Mr. Rinard stated I think we need to look at the irrigation to see how it sets up. We will take that into consideration.

Mr. Berube stated that is a minor issue because we can have someone on staff do that.

Mr. LeMenager stated I finally feel like we are making progress on this issue.

Mr. Peters stated I like your concern about being data driven and being concerned about the people in the neighborhood. I would not be here if I thought that this was not a broad consensus perspective of people who invested in that neighborhood. To the extent you are concerned about being data driven, if that is of value, I suggest gathering more hard data from the residents who live around that park. I think it will bear out what seems to be developing as a recognized consensus, which is that most people want it in the direction that you are talking about now. I do not know that anyone's property has been more torn up by kids going north and south on that lot to the back streets. We ended up putting in a fence. I understand that concern, but there is something to be said for kids finding their way there.

Mr. Berube stated thank you for coming out and sharing your opinion. Hopefully we will get this the way most people want it.

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

#### **Developer's Report**

Mr. Berube stated the developer is not here tonight but he provided some requests for the Board's consideration.

Mr. LeMenager stated those were some seriously cheap trees that they put on Five Oaks at the western entrance.

Mr. Berube stated they addressed that once. We complained about it, and the problem was that there was a significant shortage of live oaks in the caliper that they needed to match the existing ones.

Mr. Walls asked have we had any discussions with them about the fence along U.S. Hwy 192?

Mr. Berube stated we are not doing anything with it.

Mr. Walls stated not us, but some of it is falling down.

Mr. Berube stated it was repaired.

Mr. van der Snel stated I spoke with Ms. Amber Sambuca today about it, and she said that a new fence would cost around \$40,000. They are definitely not thinking about doing that. It was just repaired. They are not going to clean it or replace it in the future; however, it is their fence, so the onus is upon them.

Mr. Walls asked can we rip down the portion that is on our property? It gets more and more dirty and is falling down.

Mr. LeMenager stated the question is long-term if we want the fence.

Mr. Walls stated and if it serves a purpose.

Ms. Kassel stated the only purpose it serves is that people know it is Harmony as they are passing by.

Mr. van der Snel stated there is also cattle.

Mr. Walls stated on their property.

Ms. Kassel stated that is a different CDD.

Mr. Berube stated when that fence gets ratty enough, they will receive complaints and will probably do something about the fence. It does not benefit the CDD at all to clean or replace the fence.

Mr. Farnsworth stated when it is right, it provides a clean boundary and an appearance for the value.

Mr. Berube stated I understand.

Mr. Farnsworth asked if you remove the fence, can you put in a hedge?

Mr. Walls stated along our portion, there is landscaping down to where our portion is. There is already a natural boundary.

Mr. Berube stated if you asked the residents whether they wanted to spend \$40,000 to replace that fence along U.S. Hwy 192 so it would look pretty, the average person will say "no."

Mr. Farnsworth stated I was asking a question about the future.

Mr. Walls stated I am okay with tearing it down.

Mr. Berube stated we said that about the inner fences. When they are dirty and ratty, they can go in the recycle bin. There is a request from the developer. Behind Long Pond, there is a buffer area between the woods and the already-cut grassy area. It is growing and is wild. In the past, the developer bush hogged that area on a routine basis. It is all of the area behind Long Pond up to the tree line. It is about two or three feet tall right now. It does not look terrible. It looks like wild growth. When you look at what is behind it, you have natural growth in the trees. The developer is saying that they want us to assume cutting that on a regular basis.

Mr. LeMenager asked is it our land?

Mr. Berube stated yes. Why do we want to cut it if it is natural? That is what Harmony is all about.

Mr. LeMenager stated we asked about this once because the area gets wet. Mr. Todd Haskett said that it was a design feature that is designed to filter fertilized water before it gets into the lake. This sounds like an aesthetic question.

Mr. Berube stated it is.

Mr. LeMenager stated it is my view, and I look at it every day. Honestly, I do not notice it.

Ms. Kassel stated your view is not behind the pond; your view is behind the soccer field.

Mr. LeMenager stated it is still the same area.

Mr. Berube stated that is getting cut by the developer, as well. If they do not cut it, that will grow up, as well. The point is that the material growing there does not look bad.

Ms. Kassel stated that area had been cleared so that there would be a view of Buck Lake. If you allow that to grow up, you are going to lose that.

Mr. Berube stated you are going to lose it anyway when the trees grow in, as they are doing now.

Mr. Walls stated it is going to happen over time.

Ms. Kassel stated unless you periodically clear it out.

Mr. Berube stated it is purely for aesthetics. When they bush hog, it looks bad because they do not clear all of that stuff out. It turns to mulch. I think it looks worse after it has been cut. I have no idea what it is going to cost. I am going to estimate \$3,000 to \$4,000 every pass. I do not see it as aesthetically negative. I think it looks natural.

Mr. Walls stated I do not see any reason not to keep it natural.

Mr. Berube stated leave it alone.

Mr. van der Snel stated what also needs to be considered is, it is a wetland and you cannot always mow it. I was discussing this with Mr. Rukkila, and that was his concern. He said that he cannot mow it.

Mr. Walls stated I think that the environmental benefits are better to let it grow. It makes sense to me.

Ms. Kassel stated it is fine with me. I know some people are going to be offended.

Mr. Berube stated we cannot please everyone. The developer is requesting it just for aesthetics. He wants it to look pretty, and I do not think it looks bad. That is their opinion.

Ms. Kassel asked how far to the lakeside of the sidewalk are we talking about? How much of the land between the lakeside of the sidewalk and the woods is still going to get mowed versus not mowed?

Mr. Berube stated just the way that you see it now. There is about 10 feet from the sidewalk to where that natural growth begins. You can see it. There is grass and natural materials. It is going to stay just the way that you see it.

Ms. Kassel stated we are probably going to get complaints about snakes and alligators other things.

Mr. Berube stated I have snakes in front of my house and the grass is well cut. It is getting to be the time to cut buffers around the pond, which Mr. Rukkila asked me about. In her proposal, Ms. Dwyer suggested cutting the buffers once a year to a minimum five-inch height. That is about where they are at now. The question becomes, do we want to maintain that or clear cut them. I think she is right maintaining to that five-inch height.

Ms. Kassel stated I agree, because you want to keep trash out and keep filtration going.

Mr. Berube stated that is correct. We will look at that more carefully, but we do not want to clear cut, which has been our practice in the past. We are going with Ms. Dwyer's recommendation.

Ms. Kassel stated five inches is nothing.

Mr. Berube stated she recommended a minimum of five inches.

## **SIXTH ORDER OF BUSINESS**

### **Staff Reports**

#### **A. Engineer**

Mr. Boyd stated I want to give everyone an update on the sidewalk in the gas easement. I spoke with Jr. Davis, and they are willing to price it when it is convenient for them to provide the most economical price. We are meeting with the gas company next week to make sure that they do not have any objections to where we are proposing the sidewalk crossing. We will get that sign off, and then I will be following up with the County to find out if they are going to require a sidewalk permit or if they say it is no big deal and let us do it. I have an update to the drawing based on the input we received last month.

Mr. Berube asked when you say that Jr. Davis is talking about the sidewalk, is Jr. Davis going to be the contractor for the entire project?

Mr. Boyd stated yes. Hopefully in next month's agenda package, there will be a price from Jr. Davis for the work that you can authorize and execute. What they told me is that in order for them to provide the best price, they want the flexibility on when they can do the work when they have the crews available, such as when they are doing other concrete work.

Mr. LeMenager stated like when they are pouring the sidewalks in neighborhood H-2, it is pretty easy for them to come and do this work.

Mr. Boyd stated yes.

Mr. LeMenager stated it makes perfect sense.

Mr. Berube stated they are the primary contractor down the street, so it only makes sense to use them.

Mr. Boyd stated regarding the drawing, based on input we received last month, we changed it to a four-foot sidewalk and meandered it. We left the benches where they were before as well as the oak trees and crepe myrtles. We do not have the irrigation design for this. My preference is to have Jr. Davis do the sidewalks. If you are planning to do the landscaping, you can have Jr. Davis plant the trees.

Ms. Kassel stated I thought we were going to have Davey Tree plant the trees.

Mr. Boyd stated then Davey Tree will plant the trees and irrigation.

Ms. Kassel stated CDD field staff will install the irrigation.

Mr. Boyd stated so Jr. Davis will only be responsible for the sidewalk.

Mr. Berube stated yes.

Ms. Kassel stated and pads for trash cans.

Mr. Boyd stated I just wanted to let you know that we spoke to Jr. Davis. We will be meeting with the gas company next week, and the price from Jr. Davis will be in your next agenda package.

Mr. LeMenager stated we had another water outage.

Mr. Boyd stated I was not aware of that.

Mr. LeMenager stated the water was out for 12 hours.

Ms. Kassel stated we had a boil water alert.

Mr. Berube asked do you understand why that happened?

Mr. LeMenager stated no, I do not.

Mr. Berube stated the water main broke across the street that feeds Harmony High School. There was no shut-off valve so the main could be shut off. In order to get in there and dig and fix it all up, they had to shut down the entire system.

Mr. Boyd stated I was not aware of that. It was a Toho Water Authority issue since they maintain the system.

Mr. Berube stated they had a 10- or 12-inch main that broke with no shut-off valve.

Mr. LeMenager stated so it was not water coming to serve us but because they could turn off the high school water.

Mr. Berube stated exactly right. I believe that there is a valve in there now. My first thought was that we sold the bill of goods a couple of years back because we had to have a bypass to prevent this disaster. It is on the other side ahead of our system. We are okay.

Mr. LeMenager asked can we address Toho Water Authority?

Mr. Berube stated yes.

Mr. LeMenager asked can we do it as a Board? Does that have anything to do with us?

Mr. Berube stated no. I think the valve is in there now so if it happens again, it will not be a disaster.

## **B. Attorney**

### **i. Assessments for Neighborhoods F and H-2**

Mr. Berube stated we have a request from the developer for blending assessments in neighborhoods F and H-2.

Mr. Qualls stated I am trying to understand the request myself, but the main thing that I want to establish is that it was the Board's desire for us to move forward and look into this. I received an email, which your manager also received from Mr. Bill Kouwenhoven. They want to combine parcels H-2 and F into one parcel for assessment allocation purposes. I clarified that this would be for 2016, which makes sense since the 2015 assessment is already with the tax collector. From a legal standpoint, we want to make sure that the assessment methodology is followed to make sure that the assessments are reasonably and fairly apportioned and that it ties into the special and peculiar benefit flowing to the property. I was going to see if the Board would like the District manager and District counsel to prepare a resolution. I think there would be landowner consent we would want to prepare, as well. I just wanted to get some direction from the Board since I do not represent the developer.

Mr. Walls stated I am guessing that one of those parcels is scheduled to pay substantially higher CDD fees.

Mr. Berube stated yes. Neighborhood F is going to come in at \$2,300 per year in their CDD assessment, and neighborhood H-2 is going to come in at \$4,300 per year in their CDD assessment. The pond that was next to neighborhood F was already counted in CDD land, but the pond in neighborhood H-2 was not. The nicer area is clearly neighborhood F, yet neighborhood H-2 is going to pay more. There are roughly the same number of houses. They want to blend both neighborhoods into, effectively, parcel F/H-2 and have a \$3,300 average CDD assessment. It has already been through the methodology and standards with Severn Trent. This has been going on for two or three months behind the scenes.

Mr. LeMenager stated what they are trying to do is undo that incredible mess that the developer made when they set up the CDD where things are calculated based upon exactly how much land you have, as opposed to doing it the smart way like they do in Celebration where everyone pays the same assessment.

Mr. Berube stated that is right.

Mr. Walls stated I have no problem with it.

Mr. Berube stated we need a motion to authorize District counsel to prepare a resolution to accept a blended methodology of neighborhoods F and H-2, at the request of the developer, effective with the 2016 tax roll.

Mr. Qualls stated since there is no legal concept that I am aware of for blending assessments, I suggest that the Board authorize District counsel and the District manager to review this and bring a resolution before the Board with the concept.

Mr. LeMenager stated if I was buying a house in neighborhood F, I would feel wronged. Right now, Richmond American is selling houses and building houses in neighborhood F to people who have been told what they are going to pay. We are sitting here and saying that they have to pay an extra \$1,000 over what they were told to pay. I would be upset.

Ms. Kassel stated I do not understand why the CDD assessments are different if you have the same frontage.

Mr. Qualls stated for an assessment to be a first lien, you have to show the special and peculiar benefit flowing to the property. It is going to change in every neighborhood,

depending on the property. The legal implications are to make sure that if you proceed with what we present to you next month, the assessment would constitute a first lien, superior to all other liens and to address concerns like this to make sure that the assessment methodology is being followed.

Mr. LeMenager asked why do they not just pay down half of everyone's debt assessment in neighborhood H-2 or sell the lots in neighborhood H-2 for more money? That would solve the problem. I am not anti-developer, and I think that the current developer is playing the cards that they were dealt, but they were dealt lousy cards. It sounds like that they made a mistake with neighborhood H-2. Why make the people in neighborhood F pay for it? Why should they not have to pay for it?

Mr. Berube stated the request came from the builders, since Richmond America and Lennar have an equal number of lots in both areas. They said it did not make sense to them, and they requested it get fixed. It is not the developer fixing it. The builders are asking.

Mr. LeMenager stated for sure they are going to be upset.

Mr. Moyer stated as part of the process, we are going to have them sign consents. They are the affected property owner, and legally, to address your issue, I do not want anyone coming back to the District saying you did that inappropriately. We are going to do that with the property owners who are making the request. That is going to be our protection.

Mr. Walls asked what is this going to cost us from an administrative standpoint?

Mr. Moyer stated whatever District counsel's time is in terms of doing the assessment reallocation, which is simple and straightforward.

Mr. Walls asked it will be included in the normal fee?

Mr. Moyer stated yes.

<p>On MOTION by Mr. Berube, seconded by Mr. Farnsworth, with all in favor except Mr. LeMenager, approval was given to authorize District counsel and the District Manager to prepare a resolution for a blended methodology of neighborhoods F and H-2, at the request of the developer, effective with the 2016 tax roll, for fiscal year 2017.</p>
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**ii. Paydown for OUC Street Lights**

Mr. Qualls stated regarding the OUC paydown, I worked with the District manager and told OUC that the District is not going to pay because we had everything to them in a timely fashion. I was shocked that Mr. Alandus Sims sent an email back saying that they agreed that we did not have to pay. I thought that there would be some contention, but I have it in writing. I received a phone call from Mr. Sims today that he needs the account number associated with the lighting agreement, the account number on the bill. I sent him everything.

Mr. LeMenager asked we are not paying that bill?

Mr. Moyer stated we are not paying the bill.

Mr. LeMenager asked have we removed it from autopay?

Mr. Moyer stated yes.

Mr. Qualls stated we have now sent OUC back the account information. I just want the record to reflect that you have done everything timely. If there are any delays, it is certainly not the fault of this Board.

Mr. Berube stated I believe if we remove the 32 other accounts from autopay, that will get their attention. We will just let it be.

Mr. LeMenager stated we got their attention by not paying the bill.

Mr. Berube stated he just wanted the account number. It will take another six months of no payments before they say anything.

**C. Field Manager**

**i. Dock and Maintenance Activities Report**

The monthly dock and maintenance activities report is contained in the agenda package and is available for public review in the District Office during normal business hours.

Mr. van der Snel stated I would like to change a couple of items. It says that I have a quote for repairs on pocket parks and Town Square pillars pending. I declined that because they wanted to renew everything, which would be about \$3,000 to \$4,000. The problem is with the molding around the pillars.

Mr. Berube asked are you referring to the foam, fancy trim molding?

Mr. van der Snel stated yes. It was severely damaged. I decided to do it myself. On the quote for the rubber coating on the splash pad, the paint on the splash pad deteriorated

due to chemicals in the water, and it came into the filter system. We had to change the pump, which cost \$3,000. I had to get a rubber coating on the splash pad. Disney has one.

Ms. Kassel asked is that going to deteriorate with the chemicals, as well?

Mr. van der Snel stated I was told that it would not deteriorate. The quote came to \$6,000, and I immediately said no. We will just paint it, and I will investigate what paint will be resilient to the chemicals. With the splash pad, the water goes up and falls down on that paint. The water has chemicals, so it is really hard on it. I need to figure out a way to do that differently. However, the rubber would be a solution, but it is \$6,000.

Mr. Walls stated we would replace the pump twice.

Mr. Berube stated it gets into the filters and clogs the filters, as well.

Ms. Kassel asked do we have to paint it?

Mr. van der Snel stated yes.

Mr. Berube stated it looks pretty bad.

Mr. van der Snel stated if we paint it, we take the chance of everything getting into the filters again. I do not know if there is resilient paint for that.

Mr. Berube stated my guess is you want to use that pool paint. We will figure it out.

Ms. Kassel stated it is a little different because it is not a constant surface or a constant pounding.

Mr. van der Snel stated Insight Irrigation promised to realign clock 12 in neighborhood H-2. The report said that it is still pending. It has been completed after several emails.

Mr. Farnsworth asked did you ever receive anything from Mr. Aaron Smith?

Mr. van der Snel stated I received a voice mail message. I responded and copied everyone on it, but have not heard anything yet. That is still pending.

Mr. Berube stated if you have been watching the water bills, this month's went up for any of a number of reasons. There was a large one for neighborhood H-1. The trend has been steadily climbing because the developer tied on most of his irrigation to our existing water meter without informing us, but we figured it out pretty early on. They have been turning on the irrigation and letting it run.

Ms. Kassel stated this month, the bill was three times what it was.

Mr. Berube stated you are right. Mr. Kent Foreman is saying that they need to water the annuals so they do not die. They have been watering the annuals 24/7 for three

months. They have taken root. We finally asked them to stop running the clock manually and let Maxicom take over. The end result is that we have a \$3,300 water bill this month.

Ms. Kassel stated the park on Cat Brier Trail, there was an increase in the water bill.

Mr. van der Snel stated I can explain that one. There was a four-inch main line water break.

Mr. Berube stated Mr. van der Snel believes that the developer should pay for half of that water bill. If they should pay half of this month, then they should probably pay half of the previous month. Clearly, the water usage has increased since they have been running that clock.

Mr. LeMenager stated perhaps we should have Mr. Qualls send them a trespass letter saying opening up our boxes and turning them on is trespassing, so cease and desist.

Mr. Berube stated the same thing is occurring in neighborhood F. There is a significant water bill because they were irrigating that flooded ditch steadily.

Mr. LeMenager stated let us put them on notice if everyone agrees. There is a certain amount of water that they must use to build but they blatantly turned on our water. They should understand that there could potentially be legal ramifications to that.

Mr. van der Snel stated they do not want to install a \$1,000 meter.

Mr. LeMenager stated that is fine, but then they need to be told that they do not have the authority to turn our water on.

Ms. Kassel stated we want to be able to work with the developer and get reimbursed for a lot what we are spending on water bills. I think we should move forward with that.

Mr. Farnsworth asked will there be a separate water meter eventually?

Mr. Berube stated no.

Ms. Kassel stated it is already our property.

Mr. Berube stated if you recall a year ago, we had a battle over a \$1,000 bill that we paid to add a water meter. That is when Mr. Bob Glantz first came here. That is what they are trying to avoid, having to pay for the meter. Our meter was already there and had the capacity. The problem is that they just took it over and ran it outside of Maxicom because they were trying to get all of that grass and annuals established. They kept running it longer and longer. I just wanted to know the Board's opinion. I would be happy to take it up with Mr. Glantz and explain our concerns and ask him to refrain from excessive use of water.

Ms. Kassel stated and that we want to be reimbursed for some of those costs.

Mr. Farnsworth asked what else does that meter feed?

Mr. Berube stated our property and everything over there, including all of neighborhood H-1. They have all of that new grass and annuals. They were running it heavily to get the annuals and grass established. They never stopped running the water. The same way with neighborhood F. They were running the water constantly. The ditch was flooded and they were running water, spraying those trees.

**ii. Buck Lake Boat Use Report**

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

**SEVENTH ORDER OF BUSINESS**

**District Manager's Report**

**A. September 30, 2015, Financial Statements**

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

Mr. Berube stated we purchased a truck for field services.

Ms. Kassel asked why is it going to take almost two months to arrive?

Mr. Berube responded because we purchased it off of the Florida sheriff's purchasing contract. The sticker price on this truck is \$33,785, and we purchased it for \$24,300. It is a GMC truck and equipped properly. We are right on budget. We budgeted \$22,000 for the truck. The truck was \$22,200 bare bones, but we equipped it with an eight-foot bed, altering tires and four-wheel drive and a trailer hitch to put a boat in and out of the ponds.

Mr. LeMenager stated sounds good.

Mr. Berube stated it will be here in December. It is a 2016 truck.

Mr. LeMenager asked do we need a logo?

Mr. Berube stated a logo will be placed on it.

Mr. LeMenager asked do we have a logo?

Mr. Berube stated it will be the logo that is on the back of staffs' shirts.

Mr. LeMenager stated it looks very nice.

Mr. Berube stated it is a white truck. It is not extravagant. It is a nice looking truck. We will prepare a usage policy, as we now have six trucks on the street. This Florida sheriff's contract is a good deal. We were going to purchase a Colorado, which is the next model down, but the dealer let us know that the Silverado was cheaper.

Mr. Moyer stated in terms of revenues, we collected all our non-ad valorem assessments. We collected \$22,000 more than originally anticipated. On the expense side, except for being slightly over in administrative for some legal services work, we ended up being under budget on all of those major categories, with the notable exception of street lights. As this Board is aware, we spent \$679,000 buying down street lights last year. Do not get too concerned because part of that was in the prior year that we did not put in street lights. We put them in this fiscal year so they accrued that expense.

Mr. Berube asked did we get reimbursed from the developer for the \$161,000 in street lights that we did not pay for one neighborhood?

Mr. Moyer stated we approved that in last fiscal year, but they were not installed until March of this year.

Mr. Berube stated the key is that we paid for them and got reimbursed.

Mr. Moyer stated no.

Mr. LeMenager stated not for neighborhood H-1.

Mr. Berube stated there is another set of street lights coming up that we may need an agreement with the developer for.

Mr. Moyer stated correct.

Mr. Berube stated we have not done that yet.

Mr. Moyer stated no.

Mr. Walls stated they have not installed the lights.

Mr. Berube stated neighborhoods F and H-2 will be the same thing next year.

Mr. Moyer stated we requisitioned \$100,000 out of the construction fund from the 2015 bonds, which means that our fund balance changed by \$267,698. It was a decrease in fund balance, but when you consider that we spent \$679,000, that is not too bad.

Mr. Berube stated that is a pretty good financial performance.

Mr. Moyer stated yes. I think Mr. van der Snel has done a good job in terms of managing the field expenses, and we are in good shape.

Mr. Berube stated field services came in significantly under budget.

**B. Invoice Approval #186, Check Register, and Debit Invoices**

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

Ms. Kassel stated the water bill for 0 Harmony Square Drive East is four times the amount that it was.

Mr. van der Snel stated that was due to a four-inch main line break that has been repaired.

Ms. Kassel asked were there two four-inch main line breaks?

Mr. van der Snel stated yes. In the last two months, we had nine main line breaks.

Ms. Kassel stated that cost us \$1,800.

Mr. van der Snel stated that is correct.

Ms. Kassel stated the water bill tripled for 0 Alley Neighborhood Park C.

Mr. van der Snel stated that was in my report. After a main line break occurred October 2, Toho Water Authority was able to shut down the main line four days later. I told Ms. Barbara Arrant that we need to split that bill. If I can get \$80 out of them, that would be fine. I called them to come out here, and they did not. I called them again about four or five times. Eventually, someone came out. Apparently, the water meter is in an easement on someone's property. It is the small park behind Mr. LeMenager's house, and the meter is on Primrose Willow in an easement on a residential parcel. We could not find it, and it took Toho Water Authority four days to come out.

Mr. Berube stated we had some discussions about adding flow meters to the Maxicom system. If we had those, it would give us an instant alarm when these types of things happen. The problem is, as we learned in that discussion, adding flow meters costs about \$60,000. The tradeoff is, when you have an open flow like that, you do not know about it until water bubbles up. However, as the developer is putting in irrigation systems in the new neighborhoods, flow meters are going in as part of that.

Mr. van der Snel stated every Tuesday, all the main water meters are being checked.

Mr. Berube stated that is the advantage to having someone on staff going around all the time. He has time to look for that.

Mr. van der Snel stated I do not like spending that kind of money, either. It is a loss for me since I want to conserve water, too. When someone notifies me about a river of water and it is a four-inch break, I do not know how long it has been there. It only takes eight or ten hours to add up to significant dollars.

Mr. Berube stated a four-inch pipe puts out a lot of water.

Ms. Kassel stated Toho Water Authority does not offer anything other than noticing there was a main line break and sending us the bill.

Mr. van der Snel stated they do send a letter, but the main line break had already been going three or four days. Then I received a letter about over usage of water on that meter. We noticed that the irrigation system is 12 to 15 years old, so it happens where we get breaks.

Ms. Kassel stated on the attorney's invoice, one entry was to draft an independent contractor Harmony CDD memo on September 18. What was that about? There were some entries I did not know what they were for. You had been doing some research on the landscaping contract just before this entry, and then you finished drafting the independent contractor memo.

Mr. Berube stated that was probably when he was researching if our staff can apply pesticides.

Mr. Qualls stated yes, that is what it was.

Mr. Qualls stated we have a contract with FRM for employment of our staff, and we had to check with FRM to be sure that having them apply pesticides would not violate our employment contract.

Ms. Kassel stated there was research for CFC for press release. I am not asking because I am questioning the bill. I just want to know what it was for.

Mr. Qualls stated I like you asking these questions. That should not be on there and should be removed. It is for a different client. We did not do a press release for Harmony.

Mr. Moyer stated they will give us a credit on a future invoice.

Ms. Kassel stated one entry is for preliminary research on whether developers can put a gate on a private road prohibiting vehicular access to public road but allowing access via sidewalks.

Mr. Qualls stated that is the presentation you heard earlier tonight on the new active adult community and having the gate. We wanted to look into the legalities of having the gate. At this point, we do not see any problems with it because the District is just maintaining around the ponds. The public will still have access to those ponds via the sidewalk. Since the District is not maintaining anything else in there, we do not have an issue with having a gate.

On MOTION by Mr. Walls, seconded by Mr. LeMenager, with all in favor, unanimous approval was given to invoice approval #186, check register, and debit invoices, as presented.

**C. Website Statistics**

The website statistics are contained in the agenda package and are available for public review in the District Office during normal business hours.

**D. Motion to Assign Fund Balance**

Mr. Moyer stated we do this every year at the beginning of the fiscal year. This is shown in your financials for September 30, 2015. Our operating reserves are \$275,035, renewal and replacement is \$99,188, self insurance is \$50,000, sidewalks are \$60,000, and street lights are \$105,000. There is no unassigned fund balance.

On MOTION by Ms. Kassel, seconded by Mr. Walls, with all in favor, unanimous approval was given to assign fund balance, as presented.

**E. Consideration of Resolution 2016-01 Amending the Fiscal Year 2015 Budget**

Mr. Moyer read Resolution 2016-01 into the record by title.

Mr. Moyer stated this amendment is to cover the over expenditure related to the OUC street light buy down.

On MOTION by Mr. LeMenager, seconded by Mr. Walls, with all in favor, unanimous approval was given to approve Resolution 2016-01 amending the fiscal year 2015 budget.

**EIGHTH ORDER OF BUSINESS**

**Supervisor Requests**

Mr. LeMenager stated I do not want to come off as an old curmudgeon because I love all the activities that take place in my front yard on the soccer fields. They have a wonderful event with kids and soccer balls. I thought it was a lot of fun until the adults decided it was appropriate to put up lights after dark when the park is legally closed.

Mr. van der Snel stated I did not approve that.

Mr. LeMenager stated I do not know who the organizers were.

Mr. van der Snel stated it was the HROA.

Mr. Walls asked what kind of lights did they put up?

Mr. LeMenager stated I would describe them as the kind when you want to shoot movies.

Mr. Walls asked like construction flood lights?

Mr. LeMenager stated yes. It was dark by 7:00 p.m., and they were still out there putting stuff away at 8:00 p.m. Perhaps we can have a word that the parks are closed at dusk.

Mr. van der Snel stated I discussed it with the activity committee.

Mr. LeMenager stated it needs to be mentioned that it is not appropriate to bring your own lighting to the parks. When it is dark, the parks are closed.

Mr. Berube stated we ask them for the times of the event.

Ms. Kassel asked if we could get the builders and developer and/or others – not the CDD – to pay for the construction of a pool and community room on the lot across from the school by the Green neighborhood, are we willing to accept responsibility for the maintenance?

Mr. Walls stated yes.

Mr. Farnsworth stated I would certainly be in favor of it.

Mr. Walls stated I do not know what their motivation would be.

Ms. Kassel stated they thought the CDD would not pay for the maintenance. I indicated the CDD did not want to pay for the construction, but I think the CDD would be very happy to pay for the maintenance if someone else put it in.

Mr. LeMenager stated I would be opposed, given the problems we have with the current two pools over the years. Also, how often are they used?

Mr. Berube stated right now, they are not.

Ms. Kassel stated the problem is, the pools are not intended to be used 24 hours a day and constantly have a fair amount of use. They are mostly intended to be used on weekends or in the summer when school is out. That is when there are problems. We have more people moving into neighborhoods H-1, H-2, and F, hundreds of people. We really need another facility. If we can get that at no cost to the CDD, as well as a community room, then we would not have to meet here in this freezing cold room that we are paying for.

Mr. LeMenager stated I like the idea of a community room.

Mr. Berube stated we are not paying for this meeting space for now. On an average-sized pool, the maintenance cost is \$18,000 annually.

Ms. Kassel stated we will have a higher maintenance cost if we have a community room.

Mr. Berube stated we have staff who can handle it.

Mr. LeMenager stated I think that corner is the perfect place for a park if you are saying to have a nice community room. In Celebration, they have a park in the south neighborhood that is a voting place. That would be a good one to check out.

Mr. Berube asked by saying if they will build it, you will lead this effort?

Ms. Kassel stated yes.

Mr. Walls stated I see more value in a community room.

Mr. LeMenager stated there is one on Celebration Avenue in the south neighborhood that I can picture. When I lived there, it is where I went to vote.

Mr. Moyer stated it is called Heritage Hall.

Mr. LeMenager stated it is perfect. It is exactly what we are talking about. Go check it out, and it would be perfect here.

Mr. Berube stated consider that if you build a pool, you have to put up a building anyway for restrooms and showers.

Ms. Kassel stated yes, and just extend it for a community room. Then the restrooms are already there.

Mr. Berube stated Mr. Brock Nicholas and I had discussed that five years ago. The number at that time was right at \$500,000, with a majority of the cost being the dirt to raise it three feet. It does not need to come up three feet. The cost of the add-on to the building, which would actually be two community rooms to be split, was insignificant compared to the cost of the design of the building.

Mr. LeMenager stated I will bet Heritage Hall did not cost much to build, but it works great.

Mr. Berube stated the deal we are discussing is how much it will cost. You will have somewhere between \$15,000 and \$20,000 a year to have the pool and building. The majority of that will be the chemicals and electricity, probably a heater for the pool. We already know what the pools cost to maintain. Staff is already here, so we do not need additional staff.

Ms. Kassel stated we are already feeling pressure from residents about the situation at the pools. It is only going to get worse as they are developing these new areas.

Mr. LeMenager stated what I think you are saying is that we would like a clear statement that if they are not going to build one, it is because they are not going to build it, not because the CDD will not accept it.

Ms. Kassel stated I had a conversation, and I asked if he thought we could get the builders – Richmond American and Lennar – to construct a pool and a community room on that lot. The person I asked said he did not think the CDD wanted to pay for it. I indicated the CDD does not want to pay for the constructing of it, but I was pretty sure it would pay the maintenance if someone else built it. I offered to raise this at our next meeting, so that is why I am posing the question.

Mr. Berube stated I have no issue with it.

Mr. LeMenager stated that is not bad, especially if we can get a nice room about this size. We probably would not even need it this big.

Mr. Berube stated they would deed it to us, and the whole thing becomes ours.

Mr. LeMenager stated as much as I do not think we need another pool, I could certainly vote for such a compromise.

Ms. Kassel stated so that is at least three in favor.

Mr. Berube stated proceed with it.

Ms. Kassel stated we still have not done anything at the large dog park about the area around the benches that has some holes. There are a lot of ant mounds now that we have had some rain. Let us try the concrete fines and see how they do. It is in a bad state.

Mr. van der Snel stated I was thinking about the rubber that we have around the trees, which would be about \$800 or \$900.

Ms. Kassel stated the worst part is around the benches. I do not know what we have in the budget for parks.

Mr. van der Snel stated we can do something. I will get a proposal. I think that is the only solution. The roots will keep growing.

Ms. Kassel stated dogs also dig.

Mr. van der Snel stated yes, the rubber is pretty resilient, and they just set it in.

Ms. Kassel stated that is fine as long as the dogs are unlikely to dig it up. We need to address it since it is getting worse every week.

Mr. Farnsworth stated I asked Mr. Berube how to access the HROA documents, and you can now do that.

Mr. Berube stated yes.

Mr. Farnsworth stated if you have an account with them, then you can access the documents.

Mr. Berube stated you have to use your sign in information or set up an account.

Mr. Farnsworth stated I wanted to make sure everyone is aware that you can access them.

**NINTH ORDER OF BUSINESS**

**Adjournment**

The next meeting is scheduled for Thursday, November 19, 2015, at 6:00 p.m.

On MOTION by Mr. Walls, seconded by Mr. Farnsworth, with all in favor, the meeting was adjourned at 7:50 p.m.
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Gary L. Moyer, Secretary

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Steve Berube, Chairman