

**MINUTES OF MEETING
HARMONY COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Harmony Community Development District was held Thursday, December 19, 2019, at 6:00 p.m. at the Creative Inspiration Journey School, 2030 Old Hickory Tree Road, St. Cloud, FL 34769.

Present and constituting a quorum were:

Steve Berube	Chairman
Bill Bokunic	Vice Chairman
Kerul Kassel	Assistant Secretary
David Farnsworth	Assistant Secretary
Mike Scarborough	Assistant Secretary

Also present were:

Kristen Suit	District Manager: <i>InfraMark, IMS</i>
Tim Qualls	District Counsel: <i>Young Qualls, PA</i>
Tristan LaNasa	Associate Counsel: <i>Young Qualls, PA</i>
Steve Boyd	District Engineer; <i>Boyd Civil Eng, PE</i>
Gerhard van der Snel	Manager; <i>HCDD Field Services</i>
Scott Feliciano	<i>Servello Landscape Solutions</i>
Pete Betancourt	<i>Servello Landscape Solutions</i>
Residents and Members of the Public	

The following is a summary of the discussions and actions taken at the December 19, 2019 Harmony CDD Board of Supervisors meeting.

FIRST ORDER OF BUSINESS

Roll Call

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

Supv Berube called the roll and stated the record will reflect we have a quorum.

SECOND ORDER OF BUSINESS

Developer's Report

A. Discussion of Potential Community Center

Supv Berube noted he has nothing to offer this month on this topic.

Supv Kassel noted based on what Supervisor Berube posted on Facebook, it seems they need to poll the owners with Harmony to see if a community center is something they actually want. Before doing a poll they need upfront and ongoing costs.

Supv Bokunic noted most of the residents he has heard from have either been for them building a facility or not and it is almost unanimous not to do something with Mr. Fusilier.

Supv Kassel noted she is happy to be in communication with Mr. Rieger and some other people along with the Engineer to discuss costs for building.

Supv Berube noted Supervisor Kassel will move it forward and they will have a discussion next month.

B. Inter-local Government Agreements – Buck Lake / Harmony West

i. Hourly Wage Analysis

Supv Berube addressed the hourly wage analysis:

- Average hourly wage - \$15.71
- Management Fee (FRM) - \$3.93
- Supervisory - \$6.00
- Vehicle - \$7.50
- Phones & Tools – \$1.00
- Sub-Total Fixed Costs - \$34.14
- Allowance for chemicals, misc. supplies & unknown - \$15.86
- Total Hourly - \$50.00

Supv Berube noted he has presented the analysis to Harmony West, there is no answer as yet, but there has been some discussion back-and-forth. He further noted if they are going to do any work for the lake or the Harmony West ponds the contracts will be very specific as to what the CDD is going to handle and would exclude extraordinary events.

Discussion continued on irrigation, sprinkler heads, and controllers with Supervisor Berube noting they are doing basic maintenance and anything extraordinary would be separate.

THIRD ORDER OF BUSINESS

Audience Comments

Mr. Kramer inquired if they included benefits.

Supv Berube noted it is. The employees receive a stipend instead of health care. Supervisory is figured into the \$60,000.

Discussion followed on vehicles with Supervisor Berube noting the boats are paid for.

Discussion followed on the cost for an outside vendor to provide the services to Harmony West. It was noted BioTech would charge \$800 to Harmony and Harmony West to do the lake. The thought is, they can do the lake for 12 hours per month at \$50 per hour, charging Harmony West 50%.

An unidentified speaker inquired how much time this is going to take away from Harmony CDD staff.

Supv Berube noted Mr. van der Snel feels they can do the lake for less than 12 hours per month. They added 2,000 hours of labor to field services this budget year for sidewalk cleaning, weed eradication and some other minor things. There will be some available labor from the addition.

An unidentified speaker inquired what if Harmony West contributed to the community center so it would be on unified town.

Discussion followed on where a common community center could be built.

An unidentified speaker further addressed a community center noting he had not heard anything about it until a couple of months ago and the problem may be education of the homeowners.

Supv Berube outlined how the community center conversations came to be.

An unidentified speaker addressed the invoices noting there is an invoice for over \$20,000 in legal fees and inquired why.

Supv Kassel noted the invoice from the firm details what the cost were.

Mr. Qualls noted the total of the two months is \$13,000 and they do very detailed invoices.

Discussion continued on legal fees, budget and year to date.

The unidentified speaker addressed bringing the meetings back to Harmony.

Supv Kassel noted they have paid for this space for the year.

Discussion continued on a meeting location with it being noted it will be part of the budget process.

An unidentified speaker addressed being a resident of South Lake and inquired about using the community center.

Supv Berube noted the HOA declined to allow CDD meetings.

FOURTH ORDER OF BUSINESS

Approval of the Minutes

A. November 21, 2019 – Regular Monthly Meeting Minutes

On MOTION by <i>Supv</i> Kassel seconded by <i>Supv</i> Bokunic, with all in favor, the November 21, 2019 regular meeting minutes were approved as amended.

FIFTH ORDER OF BUSINESS

Subcontractors' Reports

A. Servello Landscape Solutions

i. Grounds Maintenance Status (Work Chart)

Mr. Feliciano reported they have started every other week service. They have a few grass areas to cut back, and annuals have been postponed to the first week of January. For the tree trimming, there are a couple of areas that have been pointed out that will be completed on Monday.

One area with questions is H-1 – Little Blue Lane – all of the trees on in front of homes and not sidewalk and curb.

Supv Berube noted it is a unique situation in this area with the trees being on the home side of the sidewalk. He agrees they should not be going on the home side to trim trees.

Supv Berube noted for H-2, it does not look like any trees have been done. Have they gone to H-2?

Mr. Feliciano noted they are going to go through it. For the ones with tree straps they will remove the suckers.

Supv Kassel inquired when they anticipate the tree trimming being completed.

Mr. Feliciano noted Monday.

Supv Berube noted on the conservation areas he noticed they have started pushing some of it back, but it still looks like the conservation areas are moving onto what used to be grassy property.

Mr. Feliciano noted he will look at it with Mr. Betancourt to start pushing some of it back next week.

Supv Berube noted some of the signs look like they have been moved; they are in the ground loose and leaning over. They have to push the conservation areas back.

Mr. Feliciano noted some of the conservation areas were sprayed.

Supv Kassel noted they have been sprayed where there are invasives.

Supv Berube noted overall, the property looks good. There are still some weeds in the tree rings.

ii. Proposal 3256 – Dead Tree Removal - \$6,770.00

Discussion followed on Proposal 3256 and the cost.

This item tabled to January.

SIXTH ORDER OF BUSINESS

Staff Reports

A. District Engineer

i. Update on Billy's Trail Staking

Mr. Boyd reported he does not have an update on Billy's Trail.

Supv Kassel reported it has been staked, Servello brush hogged the area, Mr. van der Snel had a new fence installed. She noted; she needs to contact the mower to have the trail mowed.

Mr. Boyd noted Mr. Qualls inquired about a report that there may have been a problem with the way the sewer service was being handled at the old trailer. He spoke with Mr. van der Snel and looked at it himself; what was there was a storage tank that was being pumped out, it was disconnected and hauled away. There are no problems that need to be investigated there; everything is clean, they are fine.

Supv Kassel noted he is asking for a Phase 1 and Phase 2.

Supv Berube noted there was an email today.

Mr. Qualls noted he forwarded to them.

Supv Berube reported the email from Mr. Fusilier's attorney alleges they had a septic tank in a drain field that was improperly installed, not to code and improperly removed. At the trailer, we had a plastic holding tank, which held 200 gallons of sewage, attached to the sewer line on the trailer. It was above ground and pumped out on a regular basis by a professional company, Kincaid Inc., until they determined that they were going to stop using the restroom and sink in the trailer as they had other facilities available and they could stop paying for the sewage hauling. When the trailer was vacated, the CDD took their steps, sewage tank, and disconnected the electricity, which was connected to the CDD meter. Through his attorney, Mr. Fusilier is alleging the CDD had a septic tank on the site, which they did not.

Supv Farnsworth inquired if there were any chance photographs taken while the prior trailer was in use.

Mr. van der Snel noted there might be.

Mr. Boyd noted there are also records of it being pumped out.

Supv Berube noted the original claim was there was an open sewer on the property. What is there is an open sewer pipe coming from the trailer that can be connected to a sewer line, a septic tank, or a plastic holding tank as the CDD had it.

Supv Kassel addressed the electric; and whether they give it to him.

Supv Berube noted the electric is on the CDD meter. Counsel has suggested the steps be put back on and they will place a plastic tank there. They can pay to reconnect the electric, but Mr. Fusilier has to supply a meter. The meter there is the CDD's. What Mr. Fusilier is asking for is to remove the trailer completely or make the trailer usable and we can leave it there. It is now a matter of who is going to pay for the electric.

Supv Scarborough noted he does not know why they are thinking about conforming to the demands. They paid for this to begin with.

Supv Berube inquired if he wants to say no to all of it.

Supv Scarborough noted he would.

Supv Farnsworth noted the question becomes if they remove the trailer where they are going to put it.

Supv Kassel noted there is going to be a cost to remove the trailer.

Supv Berube noted it \$6,000. He reiterated that they could put the steps back on, reconnect a holding tank, and reconnect the electric to satisfy the demands. The Engineer is telling them they do not have to do anything with a Phase 1 or Phase 2 environmental because the CDD has not put anything in the ground.

An unidentified speaker inquired whether on Billy's Trail the gate will remain, and be opened as needed.

Supv Kassel noted there might still be cattle there and this way it protects the people and the cattle.

Supv Berube noted Field Services supplied and installed the gate at no cost.

B. District Counsel

i. Update on Servello Landscape Addendum Removing Maintenance of Certain Property – Retail Property & Harmony Golf

Mr. Qualls noted the Servello contract is completed.

Supv Berube addressed the issue with the delamination of the pool noting Mr. Qualls had sent a letter to the pool contractor stating mid-winter they would ask them to come back, drain the pool again, acid wash it and potentially look for additional delamination of the surface. Should Mr. van der Snel make contact with Pool Works to see what they say before involving Counsel?

Mr. Qualls noted he should.

C. Field Manager

i. Facilities Maintenance (Parks, Pools, Docks, Boats, etc.)

ii. Facility Use Records (Inclusive – Boats & Other)

iii. Resident Submittals (Facebook & Direct)

iv. Pond Maintenance (Chart & Map)

Mr. van der Snel inquired if there were any comments or questions.

Supv Farnsworth inquired if Mr. van der Snel knows how to use Windows 10 to print PDFs.

Mr. van der Snel noted currently he scans and prints it.

Discussion continued on operating systems for Mr. van der Snel's computer.

Mr. van der Snel noted a resident contacted him because the sailboat does not have a rudder. A new rudder is about \$600.

On MOTION by <i>Supv</i> Kassel seconded by <i>Supv</i> Bokunic, with all in favor, the purchase of a rudder for the sailboat, in the amount of \$600, was approved.
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v. Wetlands Report (Chart & Map)

Supv Farnsworth inquired if the numbers will be straightened out.

Mr. van der Snel noted he believes he did.

vi. Well Permit Application

Mr. van der Snel reported, as of today the well is active. It is working and they are hooking it up tomorrow to the garden.

Supv Scarborough inquired how deep they had to drill.

Mr. van der Snel noted it was 430 feet.

Supv Kassel inquired as to the cost.

Mr. van der Snel noted it was \$12,000.

Discussion followed on a bathroom sink being off the wall; with it being noted this is the second sink.

vii. Update on the Move of Field Services

Previously addressed.

SEVENTH ORDER OF BUSINESS

District Manager's Report

A. Financial Statements for November 30, 2019

Supv Berube addressed the Unassigned Fund Balance noting it is trending down and will probably stay down for a bit for a number of reasons. He outlined unbudgeted expenses which have happened in the last quarter of calendar year 2019 which are hitting FY 2020. He outlined the Davey Landscaping item and the costs associated with it.

The remediation action for Old World Climbing Fern was addressed.

Discussion followed O&M and Debt Service assessments.

B. Approval of: #236 Invoices, Check Register and Debit Purchases

Supv Berube addressed the website billing.

Ms. Suit noted Inframark billed for emailing and archiving; they have not billed in the past for this and she has requested it be removed from the invoice. We are going to have to start paying for some of this stuff at some point; it is going to have to be a consideration. We are going to take it off the bill because it was something that was not discussed.

On MOTION by *Supv* Kassel seconded by *Supv* Berube, with all in favor, the November 30, 2019 financials, Invoice Approval #236, as amended, Check Register and Debit Purchases were approved.

C. Facilities Usage Applications

i. Harmony Community Church – Easter Services 7:00 a.m. to 12:00 p.m.

Supv Berube noted they have routinely given them permission to do Easter services.

On MOTION by *Supv* Kassel seconded by *Supv* Scarborough, with all in favor, the facilities usage application for Harmony Community Church Easter Services was approved.

EIGHTH ORDER OF BUSINESS

Community Business

A. Discussion of Boardwalk & Docks

Ms. Suit noted she sent it via email this afternoon.

Supv Kassel requested in the future Mr. Leet send to the District Manager and copy her.

Supv Kassel noted the last time they talked about Site 1, but they had also talked about the possibility of expanding it. Based on the discussion about being a bit tight on funds, I propose if we do anything with it be Site 1 A.

Supv Farnsworth inquired what they are calling Site 1 A.

Mr. Leet noted it was clearer in his email to Supervisor Kassel. He will repackage for next month.

Supv Berube noted he likes the fact that they own the south shore of Buck Lake. If they are going to continue to shape a community center on VC-1, right behind that area is a natural pond with nice features to it. He was thinking about a walk path from community center property onto a path around the pond and extending off the pond at the east end of the property through the woods with another boardwalk at that area, putting a boardwalk in that area. As money permits run a boardwalk coming west all along the Buck Lake shore.

Supv Kassel noted that is an expensive proposal.

Supv Berube addressed keeping Harmony leading edge and Buck Lake a showpiece.

Discussion continued on a proposed project for walking paths, trails and boardwalks and tying it into the community center.

Discussion followed on sprucing up Town Square and the entrances with *Supv* Berube noting Town Square is the HROA and the east entrance is not the CDDs.

Supv Kassel suggested moving forward with Site 1 A.

Mr. Leet noted he would repackage it and bring it back next month.

B. Discussion of Website Accessibility

i. Records Retention

Supv Berube addressed the policy that the website would be purged of anything over seven years old. There are numerous older items still on the website.

Supv Farnsworth noted they are no longer there. He noted there is a problem with the motion for documents that cannot be made screen readable. There is an issue an issue with invoices and it would be his recommendation not to post them on the website but continue to distribute as currently being done.

Mr. Qualls noted the invoices are a public record and are available if someone requests them.

Ms. Suit addressed the debit card receipts.

Supv Farnsworth noted it is the same issue and they need to come out of the agenda package.

Mr. Qualls noted they have adopted a policy and what is being recommended is consistent with the policy. They are not putting items on the website that are not screen readable.

Supv Kassel suggested a note on agenda package stating they are not ADA compliant and if you would like to see them please request from the District Manager.

Ms. Suit addressed numerous public records requests and the possibility it may generate a charge for the records.

Mr. Qualls noted the invoices would continue to be available under public records.

ii. Accessibility Plug-ins

Mr. Qualls noted Supervisor Farnsworth found some technology that helps those who have visual or hearing impairments access the website.

Supv Farnsworth noted the cost is \$45 to have IT install it.

Discussion continued on the UserWay widget for the website.

<p>On MOTION by <i>Supv</i> Farnsworth seconded by <i>Supv</i> Bokunic, with <i>Supv</i> Kassel, <i>Supv</i> Scarborough, <i>Supv</i> Bokunic, and <i>Supv</i> Farnsworth voting aye, and <i>Supv</i> Berube voting nay, to add the UserWay accessibility plug-in widget to the District website (at a cost \$45) was approved.</p>

Supv Farnsworth reviewed information from the Florida Insurance Alliance noting everything they have suggested doing the District has done with the exception of one area that being in order to be insured you have to pay a third party to do quarterly audits. Where did this come from?

Supv Berube requested Ms. Suit check with the District insurance agency.

Ms. Suit noted she brought it up on the record - when they chose to not go with an outside vendor - that it was one of the requirements and was something the outside vendors provided in their proposals.

Supv Farnsworth noted there are two places – one being \$1,400 per year and the other is \$1,600 per year.

Ms. Suit noted she provided a third one, which included maintaining & updating the website for \$3,000 or \$4,000.

Supv Farnsworth noted the one uses Lighthouse. He is requesting District Counsel get in touch with this vendor to see if they would be willing to handle an audit for the District, and ask what they would charge.

Supv Berube inquired why District Counsel would do this rather than the District Manager.

Supv Scarborough noted it is 100% impossible for them to be ADA compliant without a certificate or a seal.

Supv Farnsworth noted that the real problem appears to be with the insurance requirements.

Ms. Suit noted in the last proposal she provided the company, which provides the insurance, with the quarterly audit reports. The District's insurance company has currently not responded.

Supv Berube noted they do not yet have a requirement from the insurance company.

Ms. Suit noted the insurance company asked if they had and she said they were getting it. For this year, there is a little leeway.

Supv Scarborough inquired would it not be up to the insurance company to determine what they would see fit as an audit.

Supv Berube requested Ms. Suit contact the insurance agent to inquire what they require the District to do at this point and if they have an auditor, they can recommend for discussion next month.

C. Infrastructure Maintenance

Supv Farnsworth addressed the Engineer's Report and updating; and suggested a camera drone.

Supv Berube requested Supervisor Farnsworth contact Mr. Boyd about the report; and what it should encompass.

Mr. Qualls noted anything from a drone would be a public record.

Mr. van der Snel noted he thinks the best monitoring is the staff on the ground.

Supv Bokunic noted there are multiple people within Harmony with drones they could pay for pictures of the lakes, ponds and such.

Supv Berube noted Supervisor Bokunic would look into it.

NINTH ORDER OF BUSINESS

Supervisors' Requests

There being none, the next item followed.

TENTH ORDER OF BUSINESS

Adjournment

There being no further business,

On MOTION by <i>Supv</i> Kassel seconded by <i>Supv</i> Scarborough, with all in favor, the meeting was adjourned.
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Kristen Suit
Secretary

Steven Berube
Chairman