

**MINUTES OF MEETING
HARMONY COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Harmony Community Development District was held Thursday, June 25, 2020, at 6:00 p.m. via virtual teleconferencing using WebX.

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: Inframark
Tim Qualls	District Attorney: Young Qualls, P.A.
Tristan LaNasa	Young Qualls, P.A.
Steve Boyd	District Engineer
Gerhard van der Snel	Field Services Manager
Pete Betancourt	Servello
Residents and Members of the Public	

The following is a summary of the discussions and actions taken at the June 25, 2020 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 VC-1 Parcel Usage

Supv Berube addressed the lawsuit he has been served with by Mr. Fusilier and outlined prior discussions/events/actions.

THIRD ORDER OF BUSINESS

Audience Comments

Ms. Ash-Mower addressed Ms. Suit managing Field Services and inquired if she was involved in the decision of the road to the garden and parking area and if an engineer was involved in the construction of the road. The road is horrible and the ramp for the shed is underwater because of the way the road drains down in and around the shed.

Ms. Suit noted the road was a Board discussion; they voted to approve shell rock and the District Engineer oversaw the project.

Ms. Ash-Mower inquired how she can get the road reconfigured, so the shed does not flood and destroy the new ramp.

Ms. Suit noted it is something the Board would need to discuss.

Discussion continued on the road and the moving and placement of the trailer when it was moved to the current location.

Ms. Ash-Mower addressed the well inquiring if it has been permitted and tested.

Supv Berube noted it has.

Discussion continued on the well with Ms. Ash-Mower noting the pump is inadequate.

Discussion followed on the chain of command for Field Services with Ms. Suit noting she works at the direction of the Board. If it is something outside of a meeting, she does not direct Mr. van der Snel on those matters.

Mr. Farnsworth inquired what Ms. Ash-Mower is looking/asking for.

Ms. Ash-Mower noted she is looking for an adequate pump on the well so the garden can use the sprinkler system to water the garden.

Supv Berube noted if the Board approves it, he will be happy to investigate to find out why the pump maybe not be performing up to the expectations. It may be a clogging issue at the screen and filter. For the grading, he will be happy to look into it.

Mr. Qualls addressed phone meetings noting if the audience would take the three minutes and say everything that needs to be said, then the Board can decide to comment at that point. There is no room to have a back and forth, it is complicated. He requested the audience speak for three minutes and then the Board can respond or not respond. There are avenues to make sure everyone is heard between meetings as well.

Supv Berube noted he will look into both issues and try to get them resolved as soon as possible.

Ms. Teresa Kramer addressed the paving bids for alleyways noting she would like to see a more scope of work as well as an RFP. In addition, she addressed the tax certificate for VC-1 and outstanding taxes from the prior owner.

Supv Berube noted District Counsel will address it during his agenda section.

Ms. Kramer continued addressing the VC-1 tax certificate and a 5% fee that will be added.

Supv Berube inquired if there are any other audience comments.

A resident, Justin, addressed the waiver requirements around conflicting issues. He would like to have Mr. Qualls comment on whether the Board has informed consent of that waiver or if Supervisor Berube has posted his waiver as well. He further noted he has questions and concerns around the disparity in the bids and prices received. Additionally, he would like an update on last week's vote on the Board items as there seems to be some disagreement on what exactly "representation" meant to the Board versus what was being voted on at the time.

Supv Berube inquired if there are any other audience comments.

Hearing none, the next item followed.

FOURTH ORDER OF BUSINESS **Approval of the Minutes**

A. May 28, 2020 – Workshop Minutes

On MOTION by Supv Berube seconded by Supv Farnsworth, with all in favor, the May 28, 2020 workshop minutes were approved. [5-0]

B. May 28, 2020 - Regular Monthly Meeting Minutes

Supv Berube MOVED to approve the May 28, 2020 regular meeting minutes and Supv Bokunic seconded the motion.

Before approving the May meeting minutes, a discussion ensued concerning Supervisor Farnsworth's adopted motion dealing with certain litigation filed against Chairman Berube. Pursuant to Section 112.3143(3)(a), the attached memorandum was provided by Chairman Berube "disclos[ing] the nature of his interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes.

On VOICE vote, with all in favor, the May 28, 2020 regular meeting minutes were approved. [5-0]

FIFTH ORDER OF BUSINESS **Subcontractors' Reports**

A. Servello

i. Grounds Maintenance Status (*Work Chart*)

Mr. van der Snel reported there were some concerns that lists were not completed in an acceptable time. He is working with Servello to address this. They are fighting the weather, the growing grass and weeds and in his opinion, they are doing their best. They are working overtime to get the weeds handled. They are also working on some small projects that were on the list.

Mr. Betancourt reported they will be onsite tomorrow to do detailing and some spraying for weeds.

Supv Berube inquired if the pine needle project is still open.

Mr. Betancourt noted it is still an open item. As soon as he has a date that the pine needles will go down, he will let Mr. van der Snel know.

SIXTH ORDER OF BUSINESS

Staff Reports

A. District Engineer

Supv Berube request Mr. Boyd bring them up to date on the fence.

Mr. Boyd noted it has gotten bogged down a bit. He needs to get with Mr. John Adams to see what they can move forward.

Supv Berube requested the latest update on Pond 48.

Mr. Boyd noted the pond was constructed with Neighborhood O and is part of the Neighborhood O infrastructure that was conveyed to the CDD. The exhibit prepared when the CDD first took over maintenance of the CDD tracts within Neighborhood O does show Pond 48, but it was not included on the updated community-wide maps showing the ponds. He will be happy to get any of the maps updated that need to be.

Supv Farnsworth noted Pond 48 is not on the map everybody refers to. With no apparent forewarning Pond 48 showed up in our list when we had never had a Pond 48 before. He wanted for the Board to acknowledge that it is a legitimate pond, it is legitimate that they need to maintain it and then once that is recognized get the records up to date with all the maps, charts and everything so they are correct.

Mr. Boyd noted he has the maps they first generated when they updated landscape and waterbodies maps, he will update and send out.

Supv Farnsworth inquired if it is the large map Mr. Boyd is going to update.

Mr. Boyd noted that is correct.

Supv Farnsworth noted any variations of that for roads, maintenance, ponds, street names, needs to have the same updates.

Mr. Boyd noted he thinks there are three versions of the map. He will make sure they are all updated.

Supv Berube noted he, Supervisor Farnsworth and Ms. Suit need to get together to figure out what they are doing with the website. They will need to have discussion regarding an orderly transition.

B. District Attorney

i. Update on PoolWorks Matter

Mr. Qualls reported there is nothing to update.

ii. Update of Waiver for Use of Recreational Facilities

Mr. Qualls reported they drafted a waiver for COVID-19 for the Soccer Shots. Two or three sentences have been added to the existing waiver for the use of recreational facilities to cover the COVID-19.

Ms. Suit noted Supervisor Farnsworth has updated the website for the waiver and all applications now have the revised waiver and is required to be signed before she signs off on any facility usage applications.

iii. Discussion and Consideration of Agreement for Use of Central Bark

Mr. Qualls reported he drafted a straightforward agreement for use of Central Bark with the idea being if the residents could again use Central Bark then the District would agree to maintain that facility, as traditionally it used to happen. It was sent to Supervisor Kassel who made some changes for clarification. He thinks what will have to happen is Supervisor Kassel will have to see if Compass had any interest in that and then they would have to bring it back to the Board for approval. They did provide the information for Compass and its Registered Agent to Supervisor Kassel.

**** Audience Comments**

Mr. Qualls commended everyone on the last two comments. He addressed the question on the VC-1 parcel owned by the District noting the developer agreed to pay any ad valorem taxes. They have reached out to the developer who said they would get it taken care of.

Mr. Qualls outlined the tax certificate sale process with regard to interest. They do want to make sure moving forward from the date the District took possession of the property that they are not being assessed property taxes as a government. They are doing some due diligence both with the Tax Collector and Property Appraiser to make sure it is cleared up and the developer's attorney has said she will work on that as well.

Mr. Qualls noted the last question circled around ongoing litigation, while he appreciates the questions they cannot get into the nitty gritty of the litigation and strategy. It is not that they do not want to share information, it just does not make sense and would be very dangerous as he would not want to do anything that would impact attorney/client privilege. They drafted a general memo outlining how the process works and submitted it to the Board. They cannot discuss ongoing litigation. They may consider having a Shade Meeting to further address the matter with the Board, but he is unclear how this would work with telephonic meetings.

Supv Berube requested Mr. Qualls expound on the ethics complaint filed by Mr. Fusilier; he noted he is waiving the confidentiality that is normally assigned to that for Mr. Qualls to explain what the impact of that is, what the allegations are and how the process works.

Mr. Qualls addressed and outlined the Florida Commission on Ethics. An ethics complaint was filed, and the allegation is that in his capacity as Chairman, it relates to the trespass, it is an ethical issue which is different than a criminal issue, which is different than a civil issue, and the best thing to say right now is an ethics complaint has been filed against the Chairman. We are aware of it, we are researching it and preparing a response. He further outlined the process the Ethics Committee will follow.

Supv Scarborough requested Mr. Qualls address and clarify the Board's decision to allow Counsel to provide representation to Supervisor Berube as there seems to be some confusion.

Mr. Qualls inquired if the Board members received the memo from his office. It was noted they did. He noted he had hoped the memo would explain the parameters set up by the Florida Legislature and how they were interpreted by the court system. Per the Florida Legislature a CDD is authorized to provide an attorney to defend an action; and this is true even if the action is against a government officer in the government officer's individual capacity and further addressed the memo.

A resident, Justin, addressed Bar rules requiring informed consent by both parties when a conflict is apparent. He noted in listening to the last meeting the Board did not seem to have informed understanding that Mr. Qualls would be defending Supervisor Berube as a part of this. They seemed to be willing to pay legal fees, but not fully understanding Mr. Qualls would be the actual representation at that point. Since Supervisor Berube has already used him, he thinks they are a little late on the informed consent concept. He would like to hear how Mr. Qualls was able to get informed consent from the Board and Supervisor Berube at this time.

Mr. Qualls noted they are very aware of the Florida ethical requirements. They are familiar with how that works, and it is addressed in the memo. He will say he believes assumptions are being made based on what has been filed in the court which is always dangerous because people do not know what is going on behind the scenes. They are aware of the rules governing the conduct of being an attorney and will follow those rules. It does start to get into strategy, and he can assure them they have those bases covered.

Supv Kassel noted she sent the Central Bark agreement to Mr. Fusilier and has followed up twice. He has said his business partner is out of town and is supposed to be back Friday, June 26th at which time they will discuss it. She noted she had a number of residents contact her after last month's meeting with regard to how it was possible that Supervisor Berube did not recuse himself on the vote to have legal representation paid for and whether that was an ethical violation. The third is Directors and Officers Insurance, they have it why are they not using it.

Supv Kassel MOVED for the District Manager to contact the District's insurance provider for D&O insurance to alert them to the lawsuit.

Discussion followed on the motion from last month's meeting to provide legal representation to Supervisor Berube.

Supv Bokunic noted he does not understand the motion.

Supv Kassel noted it is to alert the D&O insurance carrier that a Board member is being sued.

Supv Bokunic inquired if it is necessary.

Supv Kassel noted it is appropriate and she would like to hear from both the District Manager and District Counsel.

Ms. Suit noted whether they alert the insurance carrier or not, when they do the preparations for next year it is one of the questions – are there any pending lawsuits. It is disclosed in the manner.

Mr. Qualls noted he does not know if they have to inform the insurance carrier, but he does not see a downside for doing so. Don't they do so like in the slip and fall on the sidewalk.

Ms. Suit noted they would proceed with an inquiry and as essentially the defense or settlement for the District.

Supv Bokunic seconded the motion. On VOICE vote, with Supv Kassel and Supv Bokunic voting aye and Supv Farnsworth, Supv Scarborough and Supv Berube voting nay, the motion failed. [2-3]

Supv Berube addressed the conflict question raised noting it is covered in the policy and procedure guidelines. If there is a conflict the Supervisor must declare the conflict and is expected to vote. They have never released Supervisor's from voting; they are expected to vote and in his case the conflict was made clear.

Supv Farnsworth noted that is not quite true. Supervisor Bokunic recused himself from a motion regarding the church. He noted it would not have mattered if he had recused himself, the vote would have been 3 to 1.

Discussion continued on the conflict. Ms. Suit noted if someone recuses themselves from voting they have to file a Form 8B.

Mr. LaNasa reported Osceola County remains under the State of Emergency originally implemented on March 16th as does Emergency Order #5 regarding face masks. They continue to advise that the District should be following all the recommendations of State and local health officials keeping in mind how the CDD may adopt rules and regulations that are stricter than those guidelines and regulations. The newest Executive Order, 20-150, was the extension of Executive Order 20-69 which permits the virtual local government public meetings by suspending some of Chapter 286 rules. In Executive Order 20-149 some of the things for the upcoming elections were changed and

the ongoing COVID-19 memo will be updated to that effect. With the extension of Executive Order 20-150 regarding local government public meetings it goes to August 1st. The next meeting could continue to be virtual and in light of the recent spikes they would advise for public health for the Board and members of the public they continue with the virtual meetings.

Supv Berube noted he agrees with the recommendation to continue the virtual meetings. Secondly, they are still under reasonably tight guidelines which are posted, and most are following along well with the parks, soccer and pools. However, they are still not taking any reservations for facility usages.

Ms. Suit noted they were advised that they could accept applications with a signed waiver which provides for the guidelines limiting the amount of people to less than 50.

Discussion continued on facility usage applications and following the limitations until further notice.

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)**
- v. Wetlands Report (Chart & Map)**

Mr. van der Snel noted his reports were in the package and inquired if there were any questions or concerns. He reported they have finalized the first concrete project for the sidewalks. There is more to do than anticipated due to root sizes and he would like to ask the Board to do another project at the same value at \$9,500 to continue to have the sidewalks repaired. The stump grinder is working very well but they are going through a lot of chainsaw chains. The contractor is working out well also. He anticipates there will be two projects to be done – the boulevards, the Green Neighborhood and the inside of Cupseed, Bluestem and Bracken Fern.

Supv Berube noted to be clear the stump grinder does certain roots and the chainsaw does the others which are not practical to grind and need to be cut and removed. He inquired if the contractor has finished Phase 1.

Mr. van der Snel noted there are three units that are chipped and need to be fixed. They took them out today and will pour them tomorrow.

Ms. Suit requested Mr. van der Snel provide her the invoice as they can get a credit up to \$5,000 from the insurance provider for preemptive repairs on sidewalks over \$10,000.

Supv Berube noted the Arrow contract was \$9,600 and involved 800 square feet of panel replacement at \$12 per square foot.

Discussion followed on requesting a credit from the insurance provider.

Discussion continued on the additional work by Arrow Pavement.

On MOTION by Supv Berube seconded by Supv Kassel, with all in favor, the Arrow Pavement Services additional work in the amount of \$19,200.00 was approved subject to District Counsel drafting an addendum to the current contract. [5-0]

Mr. van der Snel reported a new staff member started Tuesday. At the request of Supv Scarborough the boat reservation system has been changed to blocks. This allows for more people to reserve a boat for the day. In addition, a boat can now be reserved up until midnight for the next morning rather than 24 hours in advance. The new canopy was installed at the Swim Club today.

- vi. Discussion and Consideration of Proposals to Repave Neighborhoods C1 & C2**
 - a. Atlantic Southern**
 - b. D&C Parkin Lot Maintenance**
 - c. Seminole Asphalt**

Supv Berube noted there has been some objections raised to the proposals as received. He noted as he stated last month, he is against repaving the alleys and is for having Field Services do the required maintenance.

Supv Berube MOVED to decline the proposals to repave the alleys and having Field Services to repair deficiencies.

Supv Scarborough addressed the proposals noting they are not obligated by anything with them, so he does not understand the motion to reject the proposals.

Supv Berube noted it is not to reject the proposals but the repaving of the alleys at this time.

Discussion continued on the proposals and doing spot maintenance where needed.

Supv Scarborough seconded the motion. On VOICE vote with Supv Berube, Supv Bokunic and Supv Scarborough voting aye and Supv Farnsworth and Supv Kassel voting nay, to decline the repaving of alleys and Field Service to repair deficiencies was approved. [3-2]

SEVENTH ORDER OF BUSINESS

District Manager's Report

A. Financial Statements for May 31, 2020

B. Approval of: #242 Invoices, Check Register and Debit Purchases

Ms. Suit reported the District is 100% on non-ad valorem assessment collections.

The May distribution was \$494,628. The June 13th distribution received of \$1,060,548 were all tax certificate sales.

Supv Kassel addressed user facility revenues being down \$5,810 and inquired if the new facility projected to be in use is not in use.

Supv Berube noted the receipts from the garden are down significantly because the rates went down and yes, they did not have the anticipated revenue from the parking area.

Supv Kassel inquired if the misc. property taxes of \$26,600 does that represent the payment by the developer on VC-1.

Ms. Suit noted it is not.

Supv Berube noted it is in two places – the misc. property tax and another under Revenue - Special Assessments-Tax Collector-VC1 - \$22,435. There is an accounting entry as both relate to VC-1 to clarify how they accounted for the cost involved in VC-1.

Ms. Suit noted it is in Operations – Transfers In and Out within the \$83,196 which was the prior year and this year - it is the Debt Service payment.

Supv Kassel noted there is a lot of money in the Money Market and inquired if some of it can be placed in a CD with better rates.

Ms. Suit noted they just looked at CD and the rates are currently very low. She noted her suggestion following the adoption of the budget for FY 2021 is to move the accounts to Valley National Bank as they provide interest on checking and consistently higher Money Market rates and CD 3, 6- and 12-month rates.

Supv Kassel inquired if this is something the Board has to decide or something Ms. Suit can do.

Ms. Suit noted the Board will need to vote on it. It is a long process and does take about three months to get everything transferred over.

It was requested Ms. Suit provide for the July meeting information regarding the rates and transfer procedures.

Supv Kassel noted funds were moved from the O&M to the bond funds and inquired if they have now received the money to pay that will they be reimbursing the O&M fund for the monies moved to Debt Service.

Ms. Suit noted it has been reimbursed.

On MOTION by Supv Berube seconded by Supv Kassel, with all in favor, the May 31, 2020 financials, Invoice Approval #242, Check Register and Debit Purchases was approved. [5-0]

Supv Berube addressed the email regarding the website changes. He acknowledged Supervisor Farnsworth's many hours keeping the website compliant noting he thinks it is a good idea to go along with what is going to be a widespread adoption of these non-posting changes.

Supv Berube MOVED to adopt the new Legislation regarding limited posting to the website. Motion died for lack of a second.

Supv Kassel noted she would like to have this agenda item to have more time to understand it before voting.

Ms. Suit noted she had asked Mr. Qualls to look into what the term content means. Her understanding is you would only post the agenda page on the website and none of the backup content. She will add it to the July agenda.

Mr. Qualls noted they did a memo and can send it out to the Board. You can remove documents and provide links as it relates to the most recent audit and some other items. They will provide summary prior to the July meeting.

C. Facilities Usage Applications

There being none, the next item followed.

EIGHTH ORDER OF BUSINESS

Old Business

There being none, the next item followed.

NINTH ORDER OF BUSINESS

New Business

A. Discussion of Policy Regarding Sales on District Property

Extensive discussion ensued regarding restaurant sales at the pool with the outcome being it is a moot point. It was reiterated that no alcoholic beverages or glass containers allowed at the pool. Outside food service is acceptable. The CDD has a no solicitation rule which is posted so menus or delivery information placed at the pool or on the tables will be removed.

TENTH ORDER OF BUSINESS

Topical Subject Discussions

There being none, the next item of business followed.

ELEVENTH ORDER OF BUSINESS

Supervisors' Requests

There being none, the next item of business followed.

TWELFTH ORDER OF BUSINESS

Adjournment

There being no further business,

On MOTION by Supv Berube seconded by Supv Scarborough, with all in favor, the meeting was adjourned. [5-0]

Kristen Suit
Secretary

Steven Berube
Chairman

MEMORANDUM

To: District Management Recording Department

From: Steve Berube, Chairman

Date: July 2, 2020

Re: Form 88 Voting Interest Disclosure

This memorandum is intended to disclose the nature of my interest on a particular vote during the May 28, 2020, Harmony CDD Board of Supervisors telephonic meeting.

On May 28, 2020, there was a vote on a measure before the Board and the nature of my interest in the measure approved by the Board was that, "*the District provide representation to Supervisor Berube in the lawsuit.*" At the June 25, 2020 public meeting, the motion to provide representation to myself was formally adopted in the minutes by vote of the Board. This memorandum attached to Form 8b is being provided within 15 days of the adoption of the motion pursuant to section 112.3143, Florida Statutes. The measure before the Board and the nature of my interest in the measure approved by the Board is as follows:

The attached lawsuit complaint was filed against me on May 14, 2020, in the Ninth Judicial Circuit Court of Florida. The allegations of the complaint stem from the July 25, 2019 public meeting where by vote of the Board it was approved to cease spending public dollars to fund the irrigation of private property where there was no ascertainable public benefit and then those actions taken thereafter by field staff to carry out the will of the Board.

It has come to my attention that in order to have avoided the appearance of receiving a special private gain or loss I should have abstained from the vote for, "*the District provide representation to Supervisor Berube in the lawsuit.*" It is arguable that I have a conflict of interest in voting on this matter because if the Board did not adopt the motion, then I would have to personally pay attorney's fees to defend my actions as a public official. However, pursuant to Section 111.07, Florida Statutes, the CDD may recoup legal fees from myself should I not prevail in court, and vice-versa, I may recoup personally paid legal fees from the CDD if I prevail in court. Accordingly, when I voted on the matter, the inuring of a special benefit to myself did not occur to me since I do not receive a special benefit by the language of Section 111.07, Florida Statutes.

While I can no longer abstain from the vote, I do hereby withdraw my vote on the May 28, 2020 motion in question and submit Form 8b with this memorandum of voting interest disclosure attachment to the District Management 's Recording Department.

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Steve Berube, hereby disclose that on May 28, 2020:

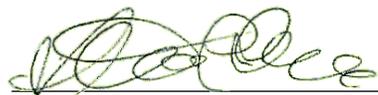
(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

07/02/2020
Date Filed


Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.