

1 **MINUTES OF MEETING**
2 **HARMONY COMMUNITY DEVELOPMENT DISTRICT**
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4 The regular meeting of the Board of Supervisors of the Harmony Community Development
5 District was held Thursday, October 6, 2022, at 6:00 p.m. at the Jones Model Home, 3285
6 Songbird Circle, Saint Cloud, FL 34773.

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8 Present and constituting a quorum were:

9 Teresa Kramer	Chair
10 Daniel Leet	Vice Chair
11 Kerul Kassel	Assistant Secretary
12 Joellyn Phillips	Supervisor
13 Dane Short	Supervisor

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15 Also present were:

16 Angel Montagna	District Manager: Inframark
17 Michael Eckert	District Legal Counsel: Kutak Rock
18 David Hamstra (<i>by phone</i>)	District Engineer: Pegasus Engineering
19 Pete Betancourt	Servello & Sons
20 Brenda Burgess (<i>by Zoom</i>)	Project Manager, Inframark
21 Sean Israel	Inframark
22 Vincent Morrell	Field Services Supervisor
23 Brett Perez	Area Field Director, Inframark
24 Residents and Members of the Public	

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26 *This is not a certified or verbatim transcript but rather represents the context of the*
27 *meeting. The full meeting recording is available in audio format upon request. Contact the*
28 *District Office for any related costs for an audio copy.*
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30 **FIRST ORDER OF BUSINESS** **Call to Order and Roll Call**

31 Ms. Kramer called the meeting to order at 6:00 p.m.

32 Ms. Kramer called the roll and indicated a quorum was present for the meeting.

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34 **SECOND ORDER OF BUSINESS** **Audience Comments**

35 Ms. Kramer asked the audience to turn cell phones off, and to complete a speaking
36 request form for those wishing to speak. This section of audience comments is
37 distinguished from the budget hearing. For anyone wanting to ask questions or make
38 comments about the budget, it would be best to speak during the budget hearing. This
39 period is for anyone who has comments or requests of the Board. Comments are limited to
40 three minutes for each speaker to address the Board. It is not a back-and-forth discussion,
41 but it is a time to make your voice heard.

42 Mr. Michael Van Houten stated I wanted to let the Board know that by the golf club
43 maintenance facility, the roadway continues to flood during heavy rains. It flooded this

44 past weekend, and it has flooded numerous weekends. I am not sure if anything can be
45 done with the storm drains to address that area. You have maybe four inches of water in
46 that area, and it slowly drains off.

47 Ms. Kassel asked is that the garden road or on Five Oaks Drive?

48 Mr. Van Houten stated it is the golf maintenance area on Five Oaks Drive.

49 Ms. Kassel asked is the flooding on Five Oaks Drive?

50 Mr. Van Houten stated yes, it is flooding on Five Oaks Drive.

51 Ms. Kassel stated that is an Osceola County (“County”) road, so it is probably County
52 drainage, as well. You can call the County Road and Bridge department.

53 A Resident asked even though it blows onto the sidewalk, that is the District’s?

54 Ms. Kassel stated the problem is in the drainage system that the County provides.

55 Mr. Perez stated Mr. Morrell will also call the County Road and Bridge department.

56 Mr. Joseph Janeczek stated regarding the garden road to get to the garden and
57 recreational vehicle (“RV”) parking, I do not know where that stands anymore. One
58 meeting, it is canceled, and the next meeting, it is on. The last meeting I attended, they
59 were supposed to grade the road, but nothing has happened. It floods.

60 Ms. Kassel stated we received a bid for redoing the garden road, but it was too
61 expensive for what they were requiring, so we put it off indefinitely. However, that road
62 will be regraded once they are done with the neighborhood to the right of the road. The
63 people who are constructing infrastructure in the neighborhood promised to regrade the
64 road when they are done. I do not think it pays to do it before then because it will get worse
65 before it gets better.

66 Mr. Janeczek asked is there any action to fence the RV storage area?

67 Ms. Kramer stated we cannot have the RV storage area without doing a formal
68 improvement of the road. In fact, the County wanted us to pave it. The gas transmission
69 line folks said we cannot ever pave it, so we are at a stand-off. That is the very expensive
70 road we were going to put in. Since we cannot afford it, technically we cannot move
71 forward with the RV storage lot; we are going to need to think about the fate of that RV
72 storage lot. All total, it was close to \$500,000 to do the improvements to make that happen.

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74 **THIRD ORDER OF BUSINESS** **New Business**

75 **A. Consideration of Resolution 2022-13, Registered Agent**

76 Ms. Kramer read Resolution 2022-13 into the record by title.

77 Ms. Kramer stated this normally happens whenever the legal counsel changes, and the
78 Board made that change at the last meeting. Mr. Eckert with Kutak Rock is our attorney
79 and should be designated as our registered agent, which change is made by Resolution.

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Ms. Kassel made a MOTION to approve Resolution 2022-13 designating Mr. Eckert as the District's registered agent and the offices of Kutak Rock as the registered office.
Mr. Leet seconded the motion.

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Upon VOICE VOTE, with all in favor, unanimous approval was given to Resolution 2022-13 designating Mr. Eckert as the District's registered agent and the offices of Kutak Rock as the registered office.

91 **B. Consideration of Resolution 2022-10, Amending the Budget Public Hearing**
92 **Date**

93 Ms. Kramer read Resolution 2022-10 into the record by title.

94 Ms. Kramer stated Resolution 2022-10 amends the date of the public hearing to today.
95 We had an extensive discussion about the budget at our last meeting, but we did not amend
96 the date, so we are ratifying staff's actions in amending the date.

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Ms. Kassel made a MOTION to approve Resolution 2022-10 amending the public hearing date for adoption of the fiscal year 2023 budget from July 28, 2022, to August 15, 2022.
Mr. Leet seconded the motion.

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Upon VOICE VOTE, with all in favor, unanimous approval was given to Resolution 2022-10 amending the public hearing date for adoption of the fiscal year 2023 budget from July 28, 2022, to August 15, 2022.

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109 **C. Public Hearing for Adoption of the Fiscal Year 2023 Budget**
110 **i. Fiscal Year 2023 Budget**

111 Ms. Kramer stated we have reviewed the budget extensively. It has been a difficult
112 year. We have considerable costs, and we are moving forward to adopt the budget.

113 Ms. Kramer opened the public hearing for adoption of the fiscal year 2023 budget.

114 **ii. Public Comments**

115 Mr. Janeczek stated I am curious, and I know costs have increased. Two years ago, the
116 Board at the time talked about the surplus and building a community center. Where did all
117 that money go? You talk about paying down debt and other items, and now you are talking

118 about a 28% assessment increase, which I presume is a one-time assessment increase. At
119 least that is what it is looking like. I do not know if it is a 28% increase. If so, I will say
120 that is ridiculous. I am curious why the golf course and other places do not have
121 assessments. Town Center pays a very low assessment, in my opinion, based on everyone
122 else's footage. If it truly is a one-time assessment and not an annual increase, could it be
123 spread out over a couple years as the need for money comes, when we know we need the
124 money, rather than putting \$2 million in the bank that will not earn interest right now? You
125 proposed a 28% increase. If we are all sharing the costs, should it not be a flat fee per
126 household?

127 Ms. Kassel stated you asked a lot of questions, and I will be happy to answer them if
128 you want to take my card and get in contact with me. I know it is preferable to answer them
129 now, but we will be here all night if we answer every single question. We have a lot of
130 good answers that I am happy to provide to you and anyone else.

131 Ms. Kramer stated each of us has an email address. We would be more than happy to
132 talk with residents. I had a town hall meeting at the Lakes to discuss a lot of these issues.
133 We had a nice time and answered a lot of questions. If you want to reach out and find out
134 about what is going on, we are more than happy to answer your questions.

135 A Resident asked can you answer one question if this is a one-time increase, or of it
136 will always be increased?

137 Ms. Kramer stated this will be an ongoing increase to your annual assessment unless
138 the Board votes later to reduce it. I reviewed most of the sections throughout Harmony,
139 and the dollar amount varies. The 28.1% increase is only for the operation and maintenance
140 ("O&M") assessment, not the entire assessment.

141 Ms. Kassel stated unless you paid down the bond debt. Your non-ad valorem
142 assessment is made up of the O&M assessments (the everyday operating costs for the
143 District) and the bond debt, which is what everyone pays back related to the cost of
144 installing the infrastructure for the community. If you have not paid off your bond debt but
145 are still paying it annually through the assessments, it is increasing only 12.2%. If you paid
146 off your bond debt, like I have, my increase is 28.1%.

147 A Resident asked is the bond debt 20 years?

148 Mr. Leet stated I believe it matures in nine years for west of the town square, and 13
149 years for east of the town square.

150 Ms. Kramer stated to answer the previous question, yes, it is a permanent increase for
151 most people. On average, it is approximately \$27 per month. Most of you are paying this
152 with your escrow through your mortgage. Some people will pay less if you are in a less-
153 impactful unit; if you live in a larger unit or have more acreage, it will be higher. It is based
154 on a historical, established assessment methodology for each product type.

155 Ms. Kassel stated the assessment methodology is not something the Board has much
156 influence over.

157 Mr. Fred Meek stated I am speaking to the District's Supervisors to address the
158 proposed 28.1% increase in assessments. I strongly oppose the increase. I am pretty sure I
159 am not the only one in the community who feels this way. As of yesterday, my Facebook
160 straw poll that I sent out with 267 votes, 74% say they understand an increase is needed
161 but not at the proposed 28.1%. Let us be smart in how we spend our money and tighten our
162 wallet. Doggie pot bags should not cost 50% more. If they do, then people need to get their
163 own. It is a convenience, not a necessity to the community. I say we put a moratorium on
164 doggie pot bags. Save your shopping bags, go to Dollar Tree and get 100 bags for \$1.25.
165 Engineering has a proposed 25% increase in the hourly rate. I wish I received a 25%
166 increase in my hourly rate. If you pay someone well to find problems, then they will find
167 problems. Ask me how I know. Twenty-five percent is a little excessive. Let us prioritize
168 and take care of the urgent items. Not everything is urgent. Patch potholes and maybe
169 consider sealing the asphalt instead of replacing it. Defer some maintenance until costs of
170 goods stabilize. Now is not the time to take care of high-ticket items. Regarding a 400%
171 increase for management of invasive aquatic weeds in Buck Lake and ponds, maybe three
172 or four people really care about the invasive climbing fern you have to go way back in the
173 forest to find. Regarding fire ladders, we have a fire station across the street and
174 homeowners insurance. Do the minimum to keep us in compliance with South Florida
175 Water Management District ("SFWMD"). What happens to all these increased fees once
176 they are collected? Will they all be earmarked and appropriated to the proposed line items?
177 Will they be placed in a big pot to spend, spend, spend? A lot of single-stream-income
178 families live in our community. A lot of families are really struggling. In line 1127 from
179 the May 26 minutes, someone stated that. People should not have to do extra to make sure
180 they take care of their priorities. Now is not the time to increase assessments just because
181 of the current economic status of inflation. A lot of people have to figure out how to do

182 more with the same amount of money, or less. A lot of residents are angry, stressed, and
183 concerned due to this proposed increase. I am one of many. I am hoping you Supervisors
184 make some wise decisions in light of what 74% of the community would like. I am hoping
185 you show a little more fiscal responsibility. It is my money, so spend it wisely.

186 Ms. Kassel offered a copy of the budget to answer some of the questions raised.

187 Mr. Meek stated I have reviewed the budget, and I know how to reach out to the Board.

188 Mr. Richard Slaughter stated I moved here in 2019. Grass around the ponds used to be
189 mowed down to the water's edge. Now it is six or seven feet of grass. We need to have
190 signage by the golf course and by houses because alligators are getting too big, and they
191 are laying in the grass. We are waiting for an accident to happen with that.

192 Ms. Kramer stated our landscape company was supposed to be cutting within four feet
193 of the pond's edge. To prevent erosion, we do not want to go all the way to the pond's
194 edge. We had amended that, and in our latest landscape proposal, they will mow within
195 two feet of the pond's edge. Twice a year, they will mow all the way to the edge. That will
196 be an improvement going forward. One of the biggest issues is, particularly on your pond
197 and some of the ponds in the Lakes, the developer did not put in any littoral zone vegetation
198 whatsoever. Some of the increase will go to put in proper littoral zone vegetation, which
199 will make those ponds look more like natural ponds.

200 Mr. Slaughter stated they are full of weeds.

201 Ms. Kramer stated yes, I know.

202 Mr. Slaughter stated you said they are supposed to mow to within four feet of the edge.

203 Ms. Kramer stated they will mow within two feet.

204 Mr. Slaughter asked when are they going to start?

205 Ms. Kramer stated October 1.

206 Mr. Slaughter stated children play in that area.

207 Ms. Kramer stated that is a steep bank.

208 Mr. Slaughter asked can we still get signs? In 2019, the alligators were small. These
209 alligators are six or seven feet, and they lay in the grass all day. Kids are out there walking
210 around all the time. We are just waiting for something to happen.

211 Ms. Kramer stated we can look into that. We have signs in other ponds.

212 Ms. Kassel asked what kind of signs?

213 Mr. Slaughter stated regarding alligators.

214 Ms. Kramer stated the small “caution” signs. Field services will put together some of
215 those signs.

216 Mr. Slaughter stated one of the previous speakers had most of the same questions I did,
217 so I want to echo what he said.

218 Mr. Brendan McGovern stated I want to address the 28% assessment increase and give
219 my thoughts. People often come and complain, and no one will mention 28% is a little
220 exorbitant, which it really is. You can do this in other ways over another period of time.
221 Mr. Steve Berube at one time proposed a special assessment regarding some things that
222 need to be paid off within this community. I agree that we need an increase because we
223 need to maintain our environment. During this time between inflation and uncertainty over
224 what will happen in the housing market and people’s jobs, I believe you are asking too
225 much from the people of this community, all of us. Some of us can afford it without a
226 problem, and some of us cannot. Some people are living paycheck to paycheck. That
227 amount of money, while it is \$35 per month for me and \$27 per month for others, is
228 breaking their backs. You are proposing a 400% increase for invasive weeds. That is an
229 assessment you are adding to our annual amount. Instead of doing a flat increase over that
230 time, why not do a special assessment that has a beginning and an end so people will know
231 this is not going to continue forward but is limited to a certain amount of time? Then you
232 can reassess it and see if we have combatted the aquatic weeds and do not need to address
233 it every year with this amount of money, but it can decrease. Then you can levy a new
234 special assessment for a different amount, less than what it was originally intended for. It
235 is the same with this 28.1% increase. It includes things such as new legal counsel and a
236 25% increase for the engineer. These are things that, while they might have been needed,
237 you need to look at the environment in which we are living now. I am not one to spend
238 frivolously, which it seems to a lot of people is what you are doing. Regardless of what
239 you paint for us on what this picture looks like, what we see is different. What we feel is
240 different from you. We ask that you look at it from our point of view, of how it will impact
241 us financially, day to day, living our lives, not just how it will impact where we live with
242 weeds, with Inframark and Servello & Sons (“Servello”) and how they handle our
243 environment, but how it impacts what we do. Changing it from one lump necessary
244 assessment to perhaps a temporary or possibly a special assessment gives you a three-year
245 window or however you set the terms. Tell us that you have budget constraints and have to

246 meet this budget, and define the window you need to do it in, and you will look at it again
247 after that time period. Those are the ideas I came up with in looking at our current budget
248 and our current situation, as well as talking with some people who live in this community.
249 Do not think we can afford anything you push out there because not many people can right
250 now.

251 Mr. Leet stated I saw we had some connection issues with Zoom. We are also recording
252 the entire meeting locally. If I see Zoom has disconnected, I am trying to reconnect as
253 quickly as possible. A couple people on the Zoom call had raised their hand. You need to
254 have emailed a speaking request to Ms. Montagna, and I am not sure if we received any of
255 those. If you are participating via Zoom, make sure you email in a speaking request form.

256 Ms. Amber White stated I have lived in this community for four years, and I am fairly
257 happy living here. My children like it, it is close to the school, and we are very involved in
258 the high school. My questions are about the due diligence process in coming up with these
259 increases. Did you go out for proposals? Did you look at three or four different groups? I
260 pulled up the doggie bags because it is the one line item generating a lot of feedback. I do
261 not see a 50% increase. When I shop for doggie bags online, I do not see that increase.
262 Then that makes me wonder if we went out for bids or polled three or four different
263 companies that might offer these items. Did we go with the lowest price, or did we go with
264 the same company we have always used so we are just going to continue to use them? It is
265 just a thought. My second comment is about alleys. Infrastructure in our County is a
266 problem. Everyone talks about it. We do not have enough roads. We do not have enough
267 of this. We do not have enough of that. The last thing the City of Saint Cloud (“City”) or
268 the County is going to do is rip up pavement and repave it. They will try to reseal and
269 restripe it to get more life out of it. Even though it may have met its useful life because it
270 is 20 years old, I can tell you about parking lots in the City and County that are over 20
271 years old that they just reseal and restripe to keep them going because of the cost. Have we
272 considered that?

273 Ms. Kassel stated alleys belong to the District, not the County.

274 Ms. White stated my point is, I am using the City and the County as an example.

275 Ms. Kramer stated the County is repaving roads; in fact, they are repaving Harmony
276 section by section now. They did the section from U.S. Hwy 192 to the Schoolhouse Road
277 roundabout last year. They did the section between the two roundabouts on Five Oaks

278 Drive. They are coming in and repaving. They recognize the way Harmony was built was
279 not on the most stable soil structure. Roads have cracking and potholes. A neighbor stopped
280 me yesterday regarding a pothole on the alley. He stepped in it, and it went halfway up his
281 shin. This is a serious issue we have to address. If we do not repave them now and correct
282 that cracking, we will have damage to the base under the road. Then we will have to rip it
283 all out and start again, which will be extremely expensive. We defer some maintenance.
284 We are piecing together the pool furniture with extra parts. We are trying to be as cost
285 effective as we can. We have a procurement procedure that we put in place last year.
286 Depending on the cost of the item, we have to obtain two or three quotes that have to be
287 presented to the Board. It is a requirement that we do our comparison shopping and provide
288 that information and make it available to the public for you to see what we are doing to be
289 responsible with your money.

290 Ms. White stated regarding the parking lot, I understand we might have some alleys
291 that might be in disarray or eroding more than others, but it appears to the consumer—to
292 the person living in the community—it is a blanket, and we are just going to do them all.

293 Ms. Kramer stated no, we are not.

294 Ms. White stated my first question is if we are going to assess them all. My second
295 point is, we, as a community, voted you in. We should not have to come to you and ask
296 you to be transparent and show us your bids. You should want to do that. I do not have
297 Facebook, so I look at my husband's account because I do not want to see all the negativity.
298 I did not want to come here today and be negative, but it would seem to me that you would
299 want to put the information out there, that you would want to be transparent.

300 Ms. Kassel stated it is out there.

301 Ms. White stated I could not see it.

302 Ms. Kassel stated it is in our meeting agenda, which is online.

303 Ms. White stated I could not see it when I looked.

304 Ms. Kramer stated I will be happy to show you after the meeting how to navigate the
305 website. We are more transparent now than the Board ever has been. Instead of a short
306 agenda package, we require that every item includes backup and information with the
307 quotes we receive. You can see them in the agenda package. We have verbatim minutes
308 you can read if you are interested in a specific item. You can do a word search for it and
309 immediately find the topic you are interested in and read all the discussion the Board had

310 so that you can be fully aware of the discussion and what went into the decision to do a
311 certain thing. We provide participation through Zoom for these meetings so you can stay
312 in your own home and watch the meetings. As far as transparency, we have gone above
313 and beyond, more than is required by any State law or local ordinance.

314 Ms. White asked if we want to make a public records request, we can do that here right
315 now and we would email that to you?

316 Ms. Montagna stated you would send an email, and the address is on the website, which
317 is publicrecords@inframark.com, or you can send the email to me listing out whatever you
318 want. We will provide whatever documents you request.

319 Ms. White stated I am listening to what you are saying, and I do not typically come to
320 these meetings. But I am looking around the room at all the people who are here, and I will
321 go out on a limb and say the bulk of these people are here because they do not support the
322 proposed assessment. If it is that transparent, then they would have already been very clear
323 why the assessments are being increased, and they would be okay with it. They would not
324 be wanting to stand up here and talk about it.

325 Ms. Kramer stated out of 1,100 homes, we have received five requests to speak.

326 Ms. White asked how is it that your bylaws will allow a renter to be on the Board, when
327 they have no skin in the game? It is just a question. I am not asking you to respond.

328 Ms. Kramer stated I will answer. It is in the Florida Statutes. The requirement is that
329 you reside in the District. You do not have to be a property owner in the District.

330 Ms. White stated it does not seem to me, as a homeowner, that they have any skin in
331 the game. They can make decisions about our community, and when their lease is up, they
332 can bolt out of here and move down the road.

333 Ms. Kramer stated similarly you can always sell your home.

334 Ms. Montagna stated we are getting off topic. We need to move through the agenda.

335 Ms. Kramer stated we are receiving comments on the budget.

336 Ms. White stated I oppose the budget, and I oppose the increase.

337 Ms. Lauren Millan stated I was participating via Zoom, but it was hard to here, so I am
338 here in person. I am brand new to the community. I purchased a home here because I loved
339 it. The comment Ms. Kramer just made, with all due respect, was hurtful. You just told her
340 that if she does not like it, then she could always sell her house.

341 Ms. Kramer stated let me clarify. I did not say that. She was disrespectful to a Board
342 member who happens to be a renter. What I said was, just as a Board member who is a
343 renter can leave at the end of their lease, any one of us at any time can choose to pick up
344 and move. I was not asking her to move.

345 Ms. Millan stated moving here, falling in love with Harmony, and coming from
346 Orlando, I was not expecting a 28% increase on a brand new home. We just closed three
347 weeks ago. Taking that into consideration, we are still under construction. The District has
348 not gone into our neighborhood and put doggie bags, for example. I walk my dog, and I
349 have to pick up trash because we have no trash service. In the back of our neighborhood,
350 the weeds are completely messing our home. You are demanding things, but where are you
351 giving?

352 Ms. Kramer stated I presume you are in the Enclave, which has not been turned over
353 to the District yet. You are still under developer control, so the District has no control over
354 anything in your neighborhood now. We are working to get it turned over, and we are
355 working with the developer to ensure the proper corrections are made prior to it being
356 turned over to the District.

357 Ms. Kassel stated so we do not have to spend more money to correct what they did not
358 do right.

359 Ms. Millan stated I agree with that. However, we are getting an increase without it
360 having been turned over.

361 Ms. Kramer stated your property has been paying assessments the entire time, and you
362 are able to use the docks, pools, boats, and everything that is available to you.

363 Ms. Millan stated we can use half of the facilities. That is why I am here. You say it
364 has not been turned over so you cannot do anything yet. Most people are listening from
365 home but could not come to this meeting. I offered to come and I will let them know what
366 is happening. An increase of 28% is huge. Some residents have lived here for years.
367 Imagine a new homeowner who moved from Orlando for a reason to now have a \$400 or
368 \$500 increase.

369 Ms. Kramer stated I do not have the exact values, but it is \$400 or \$500 per year.

370 Ms. Millan stated but it is still a budget item. As has been commented whether it is \$30
371 or \$25, it impacts our budget.

372 Mr. Leet stated thank you for coming here and speaking. One thing the District has
373 been doing, even ahead of the property to be turned over, the property that runs behind the
374 Enclave is a District-owned tract that will connect to the wilderness trail that has been here
375 from the beginning. It used to run through your neighborhood. We are waiting for it to be
376 turned over. We are waiting for some landscaping and runoff issues to be fixed. For me
377 personally, that has been a project since before I was elected, and it has the Board's
378 attention. I feel sympathy for you. When I was building, I was in neighborhood F. After
379 we moved in, because some properties had been replatted by the developer, I also had an
380 increase shortly after moving in. I feel your pain. As was mentioned earlier, the assessments
381 are determined by the property's size across the entire community, which methodology
382 goes back many years.

383 Ms. Millan stated the Zoom call was cut off during the conversation regarding driving
384 down by the flooding. What was the outcome for that?

385 Ms. Kassel stated the flooding is occurring on a County road, so our field services will
386 contact the County to ask them to address the issue.

387 Ms. Millan stated I have a daughter, so I pick her up, and I see kids out. This past
388 weekend when it rained, a little girl got soaked by a car. She was on her bicycle, and all
389 she did was stand there. We have to put our kids as a priority.

390 Ms. Debra Baer stated I do not like being lumped into the category of people who are
391 here for a certain reason. I do not want the budget to increase, but that is life. Costs increase.
392 I compare it to your house. You have a house payment and a house you take care of. In
393 20+ years, you need to improve the air conditioner, refrigerator, roof, and so forth. This is
394 a fact of life. I started coming to these meetings maybe a year ago. I have learned so much
395 information. I have learned the process you go through to come up with this budget. This
396 community has yelled and screamed about what they want, but you chose one of the least
397 expensive landscaping companies because you wanted to keep the budget down. People
398 should take the time to look at the minutes and come to the meetings. I think I have
399 contacted each of the Board members when I had questions. Ms. Phillips and Mr. Short are
400 new, so I will reach out to them. I have challenged you. I may not agree with everything in
401 this budget, but that is life. We are not all going to agree on everything. I commend each
402 of you for taking the challenge to run for a seat. People commented on Facebook they are
403 going to take your seat. When two positions became available, nobody wanted them.

404 Thanks to Ms. Phillips and Mr. Short. If you want a beautiful community, you have to pay
405 for the infrastructure. You have to keep the infrastructure up and running. The O&M
406 assessments fund the operating and maintenance budget, which keep the infrastructure
407 running. It is that simple. Go to the website. The information is available, and it explains
408 everything. We are all intelligent people. For someone to stand here and say they do not
409 know what is going in and that you are not transparent, I will ask if you are blind or have
410 you not listened? The information is available. It ticks me off that some people say they
411 are here to take you down. I am not here for that. I am here to learn, continue to support
412 you where I can, disagree at times, but respect you at the same time. We have all been
413 renters at one point in our lives, so we need to stop bashing renters.

414 Mr. Richard Conway stated I addressed the Board three or four months ago. I want to
415 make the point that South Lakes and East Lakes were advertised in a magazine as where
416 to retire, where we could save money. We could live in retirement and not pay
417 Massachusetts sales or income taxes, and we could live in Harmony. Since I purchase my
418 house, homeowner association (“HOA”) fees for my home have essentially doubled, from
419 \$250 to \$475 every quarter. My HOA fees for the Lakes of Harmony clubhouse have gone
420 from \$222 to \$247 per quarter. It may not seem like much, but it has doubled in four years.
421 I am a retiree who has no income other than social security and savings. As a child, we
422 used to play pig pile where everyone jumped on you and yelled “pig pile.” Right now, I
423 feel like you are playing pig pile, and it is starting to hurt.

424 Hearing no further public comments, Ms. Kramer closed the public hearing.

425 **iii. Consideration of Resolution 2022-11, Adopting the Budget**

426 Ms. Kramer read Resolution 2022-11 into the record by title.

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Ms. Kassel made a MOTION to approve Resolution 2022-11, adopting the budget for fiscal year 2023, as presented. Mr. Leet seconded the motion.
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Ms. Phillips stated I am intrigued by the comments regarding doggie pot bags. Do we have more dog parks now? Will we need more bags?

Ms. Kassel stated we have more residents and more neighborhoods.

Ms. Phillips asked did the price of the bags themselves increase 50%?

Ms. Kramer stated no, not totally. I did extensive research on this.

Ms. Montagna stated we have a cost analysis on doggie pot bags.

438 Ms. Kramer stated during the pandemic, a lot of residents got dogs. Over the past seven
439 years when we had no increases, we brought on many new neighborhoods. The Enclave
440 will be getting theirs soon, but we now have 83 doggie stations, which is a lot of stations.
441 We refill them every Tuesday and Saturday. It is not just the cost of bags but also the cost
442 of maintenance. We are using a lot more bags and the cost has gone up, so it is both. We
443 are always struggling to keep this cost down. We investigated and found a provider on
444 Amazon that has them a little cheaper. We are hoping they will maintain their supply, but
445 we cannot guarantee it. The problem is, we need to include it in our budget now. We cannot
446 run short, or we will end up with problems legally if we cannot pay for the services. I do
447 not think anyone—dog owner or not—wants us to get rid of the doggie pot stations. If we
448 do, those of you who do not own dogs will have so much dog waste in your yard. Unless
449 an overwhelming number of people want us to get rid of that service, we will continue it.

450 Mr. Short asked when was the last time we increased assessments?

451 Ms. Kassel stated over ten years ago.

452 Mr. Short stated I just did a little math. In the last 12 years, inflation has increased a
453 cumulative of 35%, so increasing assessments by 28.1% feels like are in alignment or
454 perhaps behind.

455 Mr. Leet stated this is a sizable increase to hit all at once. If we had been raising it 1.5%
456 per year, it is an increase. I am not saying to increase it for the sake of increasing it, but
457 had we been doing that, it would have kept up with inflation, and we would not be in this
458 situation where we now have drainage issues, weeds, and other issues and have a shortfall
459 where we need to increase by this amount. It could have been a more gradual transition.

460 Ms. Kramer stated the other thing we also have is aging infrastructure.

461 Ms. Kassel stated which has not been addressed.

462 Ms. Kramer stated that is correct. We have deferred maintenance, and we are paying
463 for it now. The repairs are becoming more costly in order to keep up with the standard that
464 Harmony residents expect.

465 Mr. Short stated this would have been a lot less painful if it had been incrementally
466 increased. It feels like a gut punch right now because it is all at once.

467 Ms. Kassel stated a previous Board wanted to keep things status quo to keep everyone
468 happy. I have been pushing for a reserve study for years so that we can have a clear picture
469 of how much we need to set aside to refurbish our infrastructure. Our engineer at the time

470 provided us with a summary, but it was not complete. He explained that we should hire
471 someone, which we just did. The draft reserve study that first came to us showed certain
472 prices, and we have gone back to them to say the reserve study needs to reflect prices now.
473 So those have increased substantially from the first draft to the current draft. Plus, prices
474 have been rising very significantly for things like repaving alleys and redoing pools. All
475 these costs have been increasing, and we cannot hold those costs down because we are
476 depending on vendors to provide services to us. They have also seen cost increases.

477 Mr. Leet stated we approved a reserve study to be done in the past year or so. It is not
478 like we are changing the assessments without a plan. We have a very detailed plan over the
479 course of the next 15 to 30 years. Granted, we still have the option, the alleys for example,
480 at the recommendation from our civil engineer. We have drainage issues, and the proper,
481 best fix is to regrade when we repave them. We have not done that, and we reserve the
482 ability to consider it. We are kicking the can down the road, and it could be a snowball
483 effect with this reserve study. If we plan on this work to be done in a certain timeframe but
484 we push it down the road, we will have the same problem in four or five or eight years.

485 Ms. Kassel stated because it will have degraded further and will be more expensive.
486 Costs can also increase.

487 Mr. Leet stated all these things will get harder and more of a safety issue and more
488 expensive to fix the longer we put them off.

489 Ms. Kramer stated these are difficult decisions, and none of us wants to increase
490 assessments. I am on a fixed income, and not a very big one. People know that I am a
491 lawyer, but I have been a public service lawyer all my life, which means I made next to
492 nothing. I have social security and a tiny bit of savings. It is hurting all of us. We do not
493 want to increase assessments, but we recognize what is going to happen if we do not. None
494 of you will be happy with that.

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Upon VOICE VOTE, with all in favor, unanimous approval was given to Resolution 2022-11, adopting the budget for fiscal year 2023, as presented.

500 **D. Public Hearing for Levying Assessments**

501 **i. Public Comments**

502 Ms. Kramer opened the public hearing for consideration of imposing and levying the
503 assessments.

504 Ms. Kramer stated many residents already spoke on the assessments, but if anyone has
505 input regarding a particular item, the assessment itself, or any concerns about the way it is
506 being levied, you may make your comments.

507 Ms. Nancy Snyder stated I have been listening to people's comments. I have attended
508 most of the meetings, and I also used to be a Board member many years ago. What I am
509 hearing is, the O&M part of our budget is like an HOA. I have owned several rental
510 properties outside of Harmony and several in Harmony, also. I remember maybe only one
511 or two years when the HOA dues were not raised. When we are talking \$30 to \$50 per
512 month, HOA dues were raised much more than that. We can compare dues from the HOA
513 and other communities to the District's assessments. Plus, the District's assessment is tax
514 deductible. Those are some of the things I thought of to maybe make it easier. You are
515 correct that it has not been raised in many years. I have lived here 17 years, and we have
516 not had many increases. Thanks to the Board members for all your work.

517 Ms. Millan stated I work for talent acquisition for a big corporation, and I have an
518 overall statement. I understand a 28% increase is needed, but that is not how much the
519 average American is getting. If you look around, people are leaving their jobs, and I see it
520 every day. People are not making as much. You increasing it now by this much will hurt
521 those people who are not working and those who are barely receiving 3% raises each year.
522 I am not saying not to increase the assessments, but I am asking if it is smart to increase
523 them 28% at once.

524 Hearing no further comments, Ms. Kramer closed the public hearing regarding levying
525 the assessments.

526 **ii. Consideration of Resolution 2022-12, Levying the Assessments**

527 Ms. Kramer read Resolution 2022-12 into the record by title.

528 Ms. Kassel stated for the benefit of the audience, these resolutions are included in the
529 agenda packages on the District's website, HarmonyCDD.org.

530

531 Ms. Kassel made a MOTION to approve Resolution 2022-
532 12 imposing and levying assessments for fiscal year 2023.
533 Mr. Leet seconded the motion.

534

535

536 Upon VOICE VOTE, with all in favor, unanimous approval
537 was given to Resolution 2022-12 imposing and levying
538 assessments for fiscal year 2023.

539

540 **E. Acceptance of Fiscal Year 2023 Meeting Schedule**

541 Ms. Kramer stated the schedule included in the agenda package has us meeting on the
542 fourth Thursday of each month with the exception of November and December due to the
543 holidays, so those will be the third Thursday. In the past, the Board has met on the last
544 Thursday of every month except in November and December.

545 Ms. Kassel stated we want to change the schedule for meetings to be the last Thursday
546 of each month, except for November and December.

547 Ms. Montagna stated that affects three meetings: March, June, and August. We will
548 change those meetings to the last Thursday, as opposed to what it states for the fourth
549 Thursday.

550 Ms. Kramer stated this is the way the Board has done it for a long time. We can discuss
551 if anyone wants to meet on a different schedule.

552 Mr. Leet stated those dates are good for me. Is the situation with Jones Homes okay for
553 us to continue meeting in this model home location?

554 Ms. Montagna stated I have not been told anything differently.

555

556 Ms. Kassel made a MOTION to approve the meeting
557 schedule for fiscal year 2023, amending the dates for March,
558 June, and August to be the last Thursday of the month.
559 Mr. Leet seconded the motion.

560

561 Upon VOICE VOTE, with all in favor, unanimous approval
562 was given to the meeting schedule for fiscal year 2023,
563 amending the dates for March, June, and August to be the
564 last Thursday of the month.

565

566 **F. South Lake Items**

567 Ms. Kramer stated these are items with some landscaping issues.

568 Mr. Van Houten stated I am a board member for the South Lake community, as is
569 Barbara. I first want to thank Ms. Kramer for speaking with the Lakes community. It was
570 appreciated to address the budget and our questions. As you may be aware, South Lake has
571 reached our numbers and is getting ready to turn over the HOA from the developer to the
572 homeowners. As part of that, Ms. Barbara Finazzo and I have walked through the
573 communities. In that process, we identified key areas that are District properties we would
574 like to have addressed. The first is to the right of 7450 Oakmark. The sprinkler system has
575 not been on for a while, and the grass had died. Some has grown back due to the rain we
576 have gotten, but it still has patches.

577 Ms. Kassel asked is it being irrigated now?

578 Mr. Van Houten stated I have not seen the sprinklers on in a while. I know they were
579 looking at the valves, but I have not seen it.

580 Ms. Kramer stated this is the subject of a proposal from Servello, and I have some
581 questions when we discuss that proposal. I agree. I looked at it the other day. It is quite
582 green now, but it is all weeds. The property owners on either side are maintaining their St.
583 Augustine well, but it is a serious weed patch. We have been under contract with Servello
584 from the time this was damaged, so we need to discuss whose responsibility it is.

585 Mr. Van Houten stated between 3391 and 3393 Sagebrush Street, when Lennar finished
586 its last home, this was one of the properties that was left barren. Then they quickly put
587 down grass, but they never graded it properly. The lawn curves, so when it rains, water
588 flows toward the homes instead of being graded inward and water flowing toward the street
589 or retention pond in the back. The property needs to be looked at and graded. Otherwise,
590 homeowners on both sides will have water intrusion, especially during a hurricane.

591 Ms. Finzaao stated that area is also full of weeds and construction debris.

592 Mr. Van Houten stated you can see areas where it has died out.

593 Ms. Kassel stated people were discussing before about accepting the Enclave, but we
594 do not want to accept the Enclave until issues like this are addressed.

595 Ms. Kramer stated I know people are upset with the engineer, but since this involves
596 drainage, this is where we utilize the services of our engineer. We can move dirt around
597 with our tractor, but that might make it worse. We really need to take a close look at it to
598 make sure it is done properly.

599 Mr. Van Houten stated my wife and I had the same problem in the house we moved
600 into. When we brought it up to Lennar, they literally came in and had to scrape all the soil
601 away, regrade it down, and replant grass. It was a time-consuming process. I just want
602 people to be aware.

603 Ms. Kramer stated we may need to bring Lennar back in and see if they will do
604 anything.

605 Mr. Van Houten stated this was a Lennar issue, so it is under Lennar, not Jones Homes.

606 Mr. Short asked do we know if that area is irrigated?

607 Mr. Van Houten stated I am not sure. It is District property, but I have not walked by
608 there at night.

609 Ms. Finazzo stated I have seen sprinklers on, but I have never seen them on at the
610 Oakmark address.

611 Mr. Perez stated Mr. Betancourt thinks they are.

612 Ms. Kramer stated I am pretty sure they are. We have done some investigation, and we
613 are investing further in all these areas. Sprinklers are at the back edges, some of which
614 irrigate bahia, which should not be irrigated unless it is under drought conditions, but the
615 St. Augustine stub-outs between the houses should be irrigated. We need to look at the
616 irrigation system to see what is going on and what should be adjusted. Irrigating bahia right
617 now creates a field of weeds.

618 Mr. Van Houten stated the last item is on Atwood Drive between South Lake and East
619 Lake. The South Lake homes back up to the three retention ponds. I know Jones Homes
620 has gone in and put down some dirt or tried to address the drainage issues, but every single
621 time it rains heavily, like it has been, everyone's backyard gets significant ponding. We
622 have pictures that Ms. Finazzo took this morning where you can see the water that remains
623 from this past weekend. I know it will cost money, but water is coming up to the back of
624 people's homes. We are looking to the engineer to see if those ponds can be regraded or if
625 Jones Homes can regrade them.

626 Mr. Perez stated regarding the Jones Homes lots, including Songbird, I have reached
627 out to them. When they grade out their lots, they grade out to District property. Then they
628 finish the lot, install a fence, and put in a barrier. They do not sod behind it. They originally
629 said they were going to seed it, and I requested they not because that is not very good for
630 the sod. Bahia has a low germination rate. They are coming back to a lot of areas. Behind
631 Songbird, they are going to install sod. Regarding the area with ponding on Atwood and
632 Songbird, that was just shared with them yesterday, and they sent it to their construction
633 supervisor, the vice president of construction, to get that area corrected. I have not received
634 a response, but I will stay diligent on them. The proposal in the agenda package addresses
635 the area between the homes with the grading issue. At first, I was told it had no irrigation,
636 so two proposals are included: one for bahia and one for St. Augustine. It is up to the Board,
637 and you can go with bahia if you want, but it would make sense to go with St. Augustine
638 for the side yards. The last proposal we will discuss with Servello. Those are the three I am
639 aware of. Moving forward for any work with Jones Homes in the Enclave, we will hold
640 them accountable to make sure they correct any deficiencies to District property.

641 Mr. Van Houten stated I have one last item that was not included on the email. The
642 area between 3326 and 3330 Sagebrush Street is a large area of District property, and a
643 sprinkler is broken and has now created a hole. It is on the street side between the street
644 and the sidewalk. You cannot miss the hole.

645 Ms. Kramer stated in the future, you do not have to wait for a meeting. You can email
646 the District at cddmaintenance@inframark.com. Mr. Morrell can address your issues.

647 Ms. Finazzo stated Mr. Morrell said it was not District property.

648 Mr. Van Houten stated we went back and forth on that sprinkler.

649 Mr. Morrell stated I reviewed the area this week, and it is not the District's property.

650 Mr. Van Houten stated it is not HOA property. It is in the segment between the homes,
651 which is District property.

652 Mr. Morrell stated I will meet you onsite and show you.

653 Mr. Van Houten stated if it is not on District property, then we will address it from an
654 HOA standpoint. Up until now, I have been under the impression that segment is all District
655 property.

656 Mr. Morrell stated I will show you tomorrow.

657 Ms. Finazzo stated that sprinkler came on when the District's sprinklers were irrigating.
658 It does not come on with the homeowner's irrigation system.

659 Ms. Kramer stated staff will work with Mr. Van Houten and get it straightened out.

660

661 **FOURTH ORDER OF BUSINESS** **Contractors' Reports**

662 **A. Servello & Sons**

663 Mr. Betancourt stated all breaks are fixed. The only thing is, water is not on Cat Brier
664 Trail yet. All the mainline breaks and lateral line breaks, approved in previous proposals,
665 were fixed today.

666 Ms. Kramer stated the proposals were on the Board's agenda, but our contract says that
667 anything in the amount of \$2,500 or less can be approved by the District Manager. That
668 way we do not have to wait for a Board meeting for certain repairs, like these breaks that
669 will run up our water bills. These are not-to-exceed proposals. Now that repairs have been
670 made, Servello will provide actual costs, and the management team will scrutinize the bills.

671 Mr. Betancourt stated we also took pictures of the repairs.

672 Ms. Kramer stated for the awareness of the audience, the irrigation system is 20 years
673 old. We are having a number of breaks, which cause some serious problems getting areas
674 irrigated and also loss of water, which runs up the water bills. We are trying to stay on top

675 of these and get them fixed. Toho Water Authority (“Toho”) has been wonderful working
676 with us, and, in fact, is giving us new metrics to see and identify water breaks much earlier
677 than waiting to receive utility bills. We are excited about that. When the new system comes
678 online, it will give us almost a real time look at our water usage.

679 Ms. Kassel asked have we received an answer from Toho on that one very high bill?

680 Ms. Montagna stated they are working on that one with Mr. Perez. We are providing
681 all the information to them.

682 Ms. Kramer stated Toho indicated they would forgive that, provided we show them we
683 fixed it. I have received several other bills like that, also.

684 Ms. Kassel stated it was a \$24,000 bill.

685 Mr. Betancourt asked was that for the mainline break on the other property?

686 Ms. Kramer stated yes.

687 Mr. Betancourt stated when I was at the square, one of the Toho employees asked me
688 who the manager was. I replied that I am. He took me over there to show me. By then,
689 outside the fence, the whole ditch area was flooded. I do not know how long it was running.

690 Ms. Kramer stated we will be staying on top of that because the water bills are a big
691 part of our budget.

692 Mr. Betancourt stated on the new parcel the District just accepted is U-2.

693 Ms. Kramer stated yes, let me apologize and announce to the Board that it was not
694 Servello who delayed in mowing. The agreement ended up in my box, and I neglected to
695 sign it and get it back to them. Mowing of that area is not the full area. I will need to show
696 Mr. Betancourt the area. Plus, it is the area along the front fence and around in that east
697 entrance. We now own all that area on either side of the east entrance, and we need to get
698 it mowed and cleaned up.

699 Mr. Betancourt stated I would like to meet you onsite. I am visual.

700 Ms. Kramer stated I am, too. We will meet regarding that area, so let me know your
701 availability.

702 Mr. Betancourt stated I received an email from Mr. Morrell with a very vague
703 description: broken sprinkler on Five Oaks Drive by Town Square, but I do not know where
704 that is. A puddle always appears going to the swim club in front of the restaurant. That
705 irrigation is not ours. Whatever sprinkler is broken belongs to the tavern. I think that is
706 where it is coming from.

707 Ms. Kramer stated I will ask Mr. Morrell to meet Mr. Betancourt onsite to address that
708 vague description. The problem when we get comments from residents, sometimes they
709 are not very descriptive. Those comments help us and are wonderful because they are
710 providing us with input. Without that input, we could have breaks that go unnoticed for a
711 long time. Mr. Betancourt and Mr. Morrell can meet and perhaps reach out to the resident
712 who reported it.

713 **i. Proposals**

714 Ms. Kassel stated for the benefit of the residents, we were just discussing irrigation and
715 water use and how it has increased so much. Not only is water use increasing because we
716 have a lot of new neighborhoods, but also costs for maintaining the irrigation have
717 increased. When the developer installed the irrigation systems along the roadways, he
718 planted oak trees not far from the irrigation lines. Those oak trees are 20+ years old, and
719 the roots are growing into the lines and causing major breaks. The piping does not have a
720 very long longevity, so all of this is now an issue. Wiring is also involved, so all the pipes
721 are being broken by tree roots and need to be replaced, which are very expensive repairs.
722 We are having to repair more and more of them, and all the streets have trees down them.
723 The new neighborhoods, even though they are not being affected now, in 10 or 15 years
724 will have the same kind of problem.

725 **a. #6683 to Replace Sod with St. Augustine at 3329 Sagebrush Street**

726 **b. #6684 to Replace Sod with Bahia at 3329 Sagebrush Street**

727 Ms. Kramer stated proposals #6683 and #6684 are for the same location, which is the
728 location we just discussed that does not have the drainage issue. I was confused about these.
729 I measured the area for St. Augustine. The bahia looks okay between the two houses. The
730 area was 36 feet by 15 feet, which is 540 square feet for St. Augustine, but the proposal
731 has 1,200 square feet.

732 Mr. Betancourt stated we do not purchase half pallets or quarter pallets; we have to buy
733 the whole pallet.

734 Ms. Kassel asked is the whole pallet 1,200 square feet? I thought it was 450 square feet.

735 Mr. Betancourt stated a pallet is 400 square feet, and it will take three pallets.

736 Mr. Leet asked could you get two pallets?

737 Mr. Betancourt stated yes. I believe I measured the whole area for bahia and one for St.
738 Augustine.

739 Ms. Kramer stated as previously mentioned, this area has more of a recent issue of the
740 irrigation not being on. One of the reasons we switched irrigation over to Servello is so
741 they would be responsible. I know this is something you probably have to review with Mr.
742 Scott Feliciano. If you have not been able to keep the irrigation on, and the sod died, would
743 you not be responsible to replace the sod?

744 Mr. Betancourt stated if we know about a problem with the clock or a certain valve and
745 the sod dies, yes. It is warrantied.

746 Ms. Kramer stated you are supposed to be monitoring those on a regular basis. You
747 should have known about the problem. I would like to kick this back to the District
748 management staff to work out with Servello. I know this is a level above Mr. Betancourt.

749 Ms. Montagna asked you want us to address both proposals #6683 and #6684?

750 Ms. Kramer stated yes.

751 Mr. Betancourt stated one is for bahia, and one is St. Augustine.

752 Ms. Kramer stated the properties on either side have St. Augustine, and we need to
753 make sure the irrigation system is fixed and running properly before we do anything.

754 Mr. Betancourt stated it is running now.

755 Ms. Kramer stated I recommend St. Augustine. If you put in bahia, it will go into the
756 adjacent yards.

757 Mr. Betancourt stated it was probably bahia at one time when they first built the house.
758 The easement was probably bahia.

759 Ms. Kramer stated no, when I was looking at it, I think they put St. Augustine in all
760 those if you look closely at it. They put St. Augustine between the houses up to the back
761 property line, and then they started the bahia from there.

762 Mr. Betancourt stated that was before my time.

763 Ms. Kramer asked have you been here five years?

764 Mr. Betancourt stated three years.

765 Ms. Kramer stated sprigs of St. Augustine are running through there. I will ask the
766 District Manager to resolve this.

767 Ms. Montagna stated yes, I will get right on it.

768 **c. #6833 to Replace Sod with St. Augustine at Nine Locations on**
769 **Schoolhouse Road**

770 Ms. Kramer stated this is for the rights-of-way on Schoolhouse Road. These are the
771 areas that we are turning back to the residents. This proposal is for nine residences,

772 proposing to sod in front of each residence. When I went out to take a look, I did not see
773 significant damage. It was not like the whole areas have gone bad. The question is if this
774 is really needed. The cost is \$1,000 per house to install St. Augustine in front of all the
775 houses. In front of each house, I would say over 50% of the sod is still good. The damaged
776 sod or bare areas are where the residents walk to their cars parked on the roadway. I do not
777 support this proposal. Hopefully residents will take better care once it is their responsibility.

778 Ms. Kassel asked will their responsibility start as of October 1, 2022?

779 Ms. Kramer stated yes.

780 Ms. Kassel stated we need to let them know that.

781 Ms. Kramer stated yes.

782 Ms. Phillips asked should the fuel surcharge be taken off?

783 Ms. Kramer stated yes.

784 Ms. Kassel stated we are not moving forward with that.

785 Ms. Kramer stated we have discussed it with Servello, and they have removed it. The
786 other ones came below \$2,500, and they were able to remove the surcharge.

787 Ms. Montagna stated I did not quite hear. You are not tabling this but taking it
788 completely off.

789 Ms. Kramer stated yes.

790 Ms. Kassel stated at least for the time being, unless something drastically changes.

791 **d. #7037 for Irrigation Main Line Break on Buttonbush Loop**

792 **e. #7038 for Irrigation Main Line Break at 3356 Cat Brier Trail**

793 **f. #7040 for Irrigation Lateral Line Break at 3374 Cat Brier Trail**

794 Ms. Kramer stated proposals #7037, #7038, and #7040 do not need to be considered at
795 today's meeting. They have all been handled between the management company and
796 Servello. We will get with Mr. Betancourt to show him where the easements are.

797 Mr. Betancourt stated I need the visual to see where the lines are. If I use the property
798 appraisal, it does not really give me what I need. The other mainline break we addressed
799 on parcel U-2 was also running for a while.

800 Ms. Kramer stated if you will give me the meter number, I will get with Toho and see
801 if they can adjust the bill.

802 Mr. Betancourt stated it is where the clocks are.

803 Ms. Kramer stated you will need to send it to me.

804 Mr. Betancourt stated I will.

805

806 **FIFTH ORDER OF BUSINESS** **Consent Agenda**
807 **A. Acceptance of May 26, 2022, Workshop and Meeting Minutes**
808 The minutes are included in the agenda package and available for review on the website
809 or in the District office during normal business hours.

810 Ms. Kramer stated we provided amendments to the workshop minutes.
811 Ms. Kassel stated I have one correction to the meeting minutes where it was labeled as
812 the Juniper representative voting on a Board decision. I presumed it was Ms. Kramer, and
813 I asked Ms. Montagna to have that corrected.

814 **B. Acceptance of Financial Statements (July 2022)**
815 The financial statements are included in the agenda package and available for review
816 on the website or in the District office during normal business hours.

817 **C. Approval of #267 Invoices and Check Register (Invoices available upon request)**
818 The invoices and check register are included in the agenda package and available for
819 review on the website or in the District office during normal business hours.

820
821

Ms. Kassel made a MOTION to approve the consent 822 agenda, regular meeting minutes as amended. 823 Mr. Leet seconded the motion.

824

825 Ms. Philips stated I was not here for this meeting, so I take it that I should not vote.
826 Mr. Eckert stated you are certainly allowed to vote, and generally, we encourage Board
827 members to vote. Some attorneys say you can abstain, but I do not agree with that opinion.
828 You have different rules than I have with my districts, so I will defer to those who have
829 been here a while on how to address that issue.

830 Mr. Leet stated you are still able to review the minutes, and if you see any glaring
831 errors, you can mention them.

832 Ms. Phillips stated I did read them.

833
834

Upon VOICE VOTE, with all in favor, unanimous approval 835 was given to the consent agenda, regular meeting minutes as 836 amended.

837

838 **SIXTH ORDER OF BUSINESS** **Staff Reports**
839 **A. District Engineer's Report**
840 The engineer's report is included in the agenda package and available for review on the
841 website or in the District office during normal business hours.

842 Ms. Kramer asked when can we expect the summary report on the Estates to give us an
843 idea what work needs to be done to correct the issues?

844 Mr. Hamstra stated we are trying to solicit realistic bids for the repairs to present to the
845 Board at the September meeting.

846 Ms. Kramer stated even if you do not have all the numbers, I will ask Mr. Hamstra to
847 give us a summary of everything that needs to be done.

848 Mr. Hamstra stated yes, you will have a map showing all the areas to be repaired or
849 replaced, with our estimate and hopefully complementary, realistic numbers.

850 Ms. Kramer stated wonderful, thank you.

851 **B. District Counsel Report**

852 Ms. Kramer stated since Mr. Eckert is new to the Board, we did not have a written
853 report in the agenda package. In the future, you should include a report in the agenda
854 package with any items to address. Mr. Eckert provided us with a new supervisors package
855 to inform the new supervisors of a number of different things.

856 Mr. Eckert stated I have a couple items to discuss with the Board. I stated at the last
857 meeting that I would have a conversation with each Board member at no charge, to
858 introduce myself as well as get up to speed on issues individual Board members have
859 concerns about. I have spoken with three Board members, and I will speak with the other
860 two hopefully within the next week. That is underway. I also reached out to your former
861 legal counsel and requested any public records. That is what your duty is as an attorney. It
862 is your attorney's file; however, when you represent a public body, it is your duty to turn
863 over all public records, electronic and paper. I have made that request. I also suggested a
864 conference call with him, for me to get up to speed on any pending issues so we do not
865 miss anything. I am waiting to hear back from him, but that was just sent today. I prepared
866 the AAA Court Surfaces contract for the basketball court resurfacing. I provided it to the
867 District Manager, who is working to get it executed. We are also in the process of preparing
868 the landscaping maintenance contract and working with the Chair in terms of some
869 language changes we will look at that have worked for us in a couple other communities
870 in terms of dealing with missed time, when they have missed mows or other missed
871 services, and how the District gets either a credit financially or through additional services.
872 We will be pretty proactive on that and will include it in the contract. I anticipate you will
873 see that at the next meeting. Our fee agreement is on the agenda, but I do want to discuss
874 with the Board perhaps some cost savings or allocation of your resources that I think might
875 be the best for the District. We hit the ground running, and I feel good about it. Do you

876 want to incur the expense of me preparing a written report for each agenda package? I am
877 happy to do that.

878 Ms. Kramer stated yes, if extensive items need an explanation, but not if it is just
879 regular, mundane activities.

880 Mr. Eckert stated what I just described verbally is not what you want.

881 Ms. Kramer stated no, we do not need that in a report.

882 Mr. Eckert stated for action items, I will include a memorandum explaining what we
883 are doing and why, and what the recommended action of the Board is.

884 Ms. Kramer stated yes, that is correct, unless another Board member has something
885 they would like to see in a written report.

886 Ms. Kassel stated I have nothing at this time. I presume the invoices will show what
887 Mr. Eckert is working on, which will give us, and any resident who wants to review the
888 invoices, a good idea of what you have been working on and spending time on. When we
889 receive it, we can request it be added to the next agenda if we want.

890 Ms. Montagna stated Kutak Rock's invoices are lined out as to exactly where their time
891 is spent.

892 Mr. Eckert stated we will discuss this further when we get to the alternative fee
893 agreements in terms of the level of communication I want to have with the Board and the
894 check-ins so we can make sure it is a fair relationship for everyone. If we have a flat fee, I
895 will show you exactly who worked on a matter, how much time it took, and what it would
896 have been if we billed it hourly. That will be detailed out and provided to the Board so you
897 can see if you are getting value or not, and so I can also see. That is how it has to be in
898 order for it to work. To me, a flat fee is simple and convenient, but it is not intended to be
899 a windfall for either party.

900 Ms. Kassel stated we agree with that.

901 Mr. Eckert stated a bill passed through the legislature dealing with noticing of public
902 meetings. I do not know if you have discussed this at meetings previously.

903 Ms. Montagna stated no.

904 Mr. Eckert stated the legislature, the local governments, and the newspapers have
905 always had a fight in terms of advertising. The newspapers want to keep everything
906 published in print advertisement, local governments want to go online, and the legislature
907 is in between. Each year, incrementally we are able to get the legislature to do a little more.

908 Last session, they passed a bill that said if a county or a city creates a website, then other
909 local governments within that jurisdiction can post their meeting advertisements on that
910 website if it is cheaper than using the newspaper. You have to run an advertisement in the
911 newspaper saying you are going to be posting electronically, but that is one advertisement.
912 We will monitor that. We have a lot of communities and CDDs in the County. Hopefully
913 the County will get on top of that. Once they implement that, presuming they do, that
914 should save your advertising costs significantly.

915 Ms. Kramer stated that is wonderful news. Legal advertising is a significant expense.

916 Mr. Eckert stated it goes into effect January 1, 2023, but it only matters if they have a
917 website.

918 Mr. Leet stated nothing against the Osceola News Gazette, where we advertise, but the
919 County's website will be more accessible.

920 **C. Field Manager Report**

921 **i. Field Report**

922 The field report is included in the agenda package and available for review on the
923 website or in the District office during normal business hours.

924 Mr. Perez stated regarding the color scheme for resurfacing the basketball court, other
925 color options are available. We talked with some of the basketball players, and they
926 mentioned blue and green. This is what was shared with AAA Court Surfaces, along with
927 the contract for execution. I have not received that back yet. As soon as I do, we will get it
928 fully executed.

929 Ms. Kramer asked do any of the Supervisors have any changes or objections to the
930 color? We reached out to the basketball community in Harmony, and they prefer a dark
931 green or a dark blue. When this was put before them, they liked this rendering.

932 Mr. Leet stated I agree; it looks like a nice balance.

933 Ms. Kassel stated yes, it is dark, which is what they were looking for.

934 Ms. Kramer stated the reflective white is horrible to try to play basketball on.

935 Mr. Perez stated it will still have white striping to identify the boundaries. Once the
936 contract is signed, I will let them know the Board approved the colors, and we can move
937 forward. We gave them until December 15 once the contract is executed, so four months I
938 think is reasonable. I have never resurfaced a basketball court, but I presume that is plenty
939 of time. If they come back with any changed language, I will make sure it is communicated
940 accordingly. Related to the field report, Mr. Morrell did a nice job on the report, including

941 a plethora of field-related items and Servello-related items. Unfortunately, we received Mr.
942 Brad Vinson's resignation, so we no longer have a certified pest operator ("CPO") for pond
943 spraying or mitigation spraying. He has since moved on to the landscaping world. We are
944 actively looking for a replacement. We are working closely with Mr. Bill Bokunic for the
945 Harmony Life magazine. I just sent him a revised job description for the two position we
946 are looking to fill. They should be posted on the community forum. He mentioned the
947 magazine comes off the press mid- to late-September, which will include those ads. He did
948 not mention a charge.

949 Ms. Kramer stated I understand he is not going to charge us.

950 Ms. Montagna stated which is very nice.

951 Mr. Perez stated we are grateful for that. We are continuing to look. The good news is,
952 we are in the middle of the aquatic weed control work going on, and they are doing a
953 phenomenal job. So, we have enough time to find someone or options to bring to the Board.

954 Ms. Kramer stated the bigger concern on that is, having Aquatic Weed Management
955 doing the work right now is great because this would be a real problem if they were not.
956 But we still have a cogongrass issue. We are having more and more patches of it showing
957 up in our landscaping and open field areas that we mow. As soon as it becomes noticeable,
958 we need to get it treated. We will need a quick backup unless Aquatic Weed Management
959 will do something in the interim. We do need that coverage if it is going to be any period
960 of time because that gets out of control.

961 Mr. Perez stated yes. Unfortunately, no one on staff right now has that license. We will
962 need to discuss that and figure something out. We will figure it out. I have held the license
963 in the past, but unfortunately I do not have one anymore because I was on the golf course
964 side of things. If I have to retake the test, that is fine. The good thing is, it is nothing special,
965 just saying you are applying chemicals to cogongrass. No one on staff can do that yet. We
966 can also talk with Servello about spraying Roundup in those areas if we mark them all.

967 Ms. Kramer stated we just need to stay on top of it. On the field report, issue #9 stated
968 the pergola needs to be painted, but that structure has severe rot.

969 Mr. Perez stated yes.

970 Ms. Kramer stated that definitely needs to be fixed. This item is on page 209 of the
971 agenda package.

972 Mr. Perez stated Mr. Morrell is working with Mr. Chris Woods to get that corrected.

973 Ms. Kramer stated that is a critical health and safety issue if it gets any worse. They
974 fixed the utility gate in the dog park.

975 Ms. Kassel stated the gate at the small dog park off Bracken Fern Drive and Primrose
976 Willow Drive needs to be looked at.

977 Mr. Morrell stated I will look at it tomorrow.

978 Ms. Kassel stated the solar lights are not working, either.

979 Mr. Morrell stated they were working last week, but I will check them.

980 Ms. Kassel stated the ones in the front are fine.

981 Ms. Kramer stated regarding issue #38, I noticed from our billings that the irrigation
982 has been down since July 16.

983 Mr. Morrell stated yes.

984 Ms. Kramer stated that is great for our water bill but lousy for our grass.

985 Mr. Perez stated I spoke with Mr. Betancourt about that. He informed me tonight that
986 the valves on Clay Brick Road and Cat Brier Trail are on District property, so he is able to
987 manually water and turn on the zones by hand. That is what he has been doing. I asked for
988 a proposal for a water truck or installing spigots where we can attach a hose. I have not
989 received them yet, but I told him they would be a good idea to provide. In the interim, they
990 can also put nodes to battery-operated hockey pucks on those valves to run them. I told
991 him I need that proposal. It is not good to tell me now when we are past that point. We are
992 looking for a little more proactivity from them.

993 Ms. Kramer stated issue #45 is for the east entrance, which we discussed. They said
994 they submitted proposals for work they said needed to be done, but I looked and most of
995 those proposals never made it to the Board. Mr. Betancourt is no longer present at the
996 meeting, but pass this on to Mr. Feliciano, who promised us renderings.

997 Mr. Perez stated I requested those, as well, but I have not received them.

998 Ms. Kramer stated they are for landscape issues at the swim club and Ashley Park pool.
999 We really need to see them so we can get moving on some of these replacements.
1000 Regarding trimming of palms, I encourage the Supervisors to go to the swim club and look
1001 at how the palms were trimmed. They did not take the loose boots off. I understand
1002 removing the boots is not in the contract, but where they are hanging on by a thread and
1003 are a safety issue, I would imagine being our landscape contractor, they would take care of
1004 those.

1005 Mr. Perez stated yes, we can discuss that with Servello. Normally for any palm
1006 trimming, regardless how loose they are, if it is not discussed, then it is not included.

1007 Ms. Kramer stated let us make sure in the new one that it is discussed. I do not want
1008 our palms stripped all the way up. In the past, some of them have been. Where the boots
1009 are falling off, either because the ladder is hitting them or whatever reason when they are
1010 trimming the palms, something needs to be done about that.

1011 Mr. Perez stated you mentioned the “new one.” Do you mean the new contract?

1012 Ms. Kramer stated yes.

1013 Mr. Perez stated that contract has already been agreed upon, as has the price. Do you
1014 want me to go back to them and ask for an addendum?

1015 Ms. Kramer stated no. If we need to include that and they are willing to come up with
1016 a price, then yes.

1017 Mr. Perez stated so it will be an addendum.

1018 Ms. Montagna stated yes.

1019 Mr. Perez stated regarding pressure washing the sidewalks, we ran a cost analysis. I
1020 went through Mr. Hamstra’s maps of District-owned sidewalks, versus non-District-owned
1021 sidewalks, and I put together total linear footage and total mileage so people can see it
1022 either way. On average, it shows the number of days it would take an employee or District
1023 staff to wash all District-owned sidewalks. We have three options. When you look at the
1024 map, all District-owned sidewalks means in some of the rights-of-way that we are giving
1025 back to residents, those sidewalks are still District owned. That is included in option #1. It
1026 would take them pretty much a full year to get through them all, one person and that is all
1027 they do 24/7 for 22.58 miles of sidewalks. They vary in width, too: 4 feet, 5 feet, 6 feet, 8
1028 feet, 10 feet. All that changes the process, as well. Option #2 would be to pressure wash
1029 only District-owned sidewalks that abut District landscaped areas and outer roads, which
1030 means interior roads that you are discussing giving back to the homeowners would fall to
1031 the homeowner to maintain in terms of pressure washing.

1032 Ms. Kassel stated the interior street homeowners take care of their own already.

1033 Mr. Perez stated correct, interior roads would go back to the homeowners to maintain.

1034 Ms. Kassel stated it is already with the homeowners.

1035 Ms. Montagna that is the question, which is what I talked with you about. Currently, it
1036 is not in the HOA documents for residents to do that. A while back, a Board member stated

1037 it should go to the homeowners, or the District should take it away from the homeowners,
1038 but no motion was ever made. That is what we are trying to determine if the Board wants
1039 to go with this.

1040 Ms. Kramer stated three or four years ago, I did the research for trips and falls.

1041 Ms. Kassel stated a number of years ago when the developer was on the Board, the
1042 developer did not want to be responsible for paying the costs for sidewalk maintenance in
1043 terms of cleaning. It was said the responsible for cleaning belonged to homeowner. More
1044 recently, because we have had some slips and falls, and some sidewalks are black with
1045 fungus, we took it upon ourselves to clean all the sidewalks. I am interpreting what is in
1046 the agenda package to ask if we are going to clean all the sidewalks or some of the
1047 sidewalks. I think we do all the sidewalks. It is a liability issue for the District. The District
1048 owns the sidewalks. Some people will maintain their sidewalks in terms of washing, and
1049 some will not. For those residents who do not, the District owns the sidewalk. If someone
1050 slips and falls, it will come back on us. We have established the precedent, and we are
1051 buying the equipment.

1052 Mr. Perez stated we have the equipment. This just breaks down the work. If we do all
1053 of them, it will take one dedicated employee more than a year, since we do not have 294
1054 working days in a year. This is just putting that into perspective for the Board to understand.
1055 We have no problems breaking it into quadrants and working through, but we wanted to
1056 make sure we got direction from the Board.

1057 Ms. Kassel stated I am just presenting my opinion. Others may have a different opinion.

1058 Mr. Perez stated yes.

1059 Ms. Kramer stated this is where I look to our legal counsel.

1060 Mr. Leet asked would Mr. Eckert agree with our interpretation of the exposure?

1061 Mr. Eckert stated I have done extensive research on sidewalks and a district's
1062 responsibility. Some HOA documents will put the burden on the homeowner, but that does
1063 not matter when someone falls, because they are going to sue the homeowner if they find
1064 out that is in the HOA documents, and they are going to sue the District because we are the
1065 property owner. Florida has case law that says local governments cannot delegate their
1066 responsibility for sidewalks on their property. So it is this Board's responsibility to deal
1067 with sidewalks ultimately.

1068 Ms. Kassel stated that is another cost.

1069 Ms. Kramer stated yes. I think we should formalize this since it was never formalized
1070 previously, with a vote on which of the three options we want to approve.

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Ms. Phillips asked does it need to be once a year? Is every other year enough?

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Ms. Kassel made a MOTION to approve option #1 for the District going forward on an ongoing basis to be responsible to pressure wash all District-owned sidewalks within the District, one time annually.

Mr. Short seconded the motion.

Ms. Kassel stated it has good drainage and lots of sunlight. But we have a lot of sidewalks with trees everywhere.

Mr. Leet asked should we word this “as needed” instead of a rigid one time annually?

Ms. Kramer stated yes.

Mr. Perez stated that would probably make more sense.

Ms. Kassel amended the MOTION to approve option #1 for the District going forward on an ongoing basis to be responsible to pressure wash all District-owned sidewalks within the District, one time annually or as needed.

Mr. Short seconded the motion.

Ms. Phillips stated if we say annually, someone whose sidewalk is gray will call and complain.

Mr. Short stated that makes more sense than to say we will power wash every sidewalk annually.

Ms. Kramer stated some people are power washing their own sidewalks.

Mr. Short stated I did and paid for it just a little bit ago.

A resident stated “as needed” might be ten times a year.

Ms. Kramer stated yes.

Ms. Kassel stated if it is needed.

Ms. Kramer stated we may need to do some ten times a year. My question is if the motion is okay with “or,” to say “annually or as needed.”

1106 Mr. Eckert stated I think staff can figure that out. If you get a report of a slippery
1107 condition, you will address it.

1108 Ms. Kassel stated we are asking if the wording “annually or as needed” will cover us.

1109 Mr. Eckert stated yes, it does.

1110 Mr. Perez stated past field management did no pressure washing of the entire
1111 community. Know that going forward.

1112 Ms. Kramer stated yes, they did.

1113 Mr. Perez stated they did not get everything.

1114 Ms. Montagna stated we are essentially starting from scratch.

1115 Mr. Perez stated on top of that, we have all the fences, which we are also working on.

1116 Mr. Short asked this is for all sidewalks?

1117 Ms. Kramer stated yes.

1118 Ms. Kassel stated sidewalks owned by the District.

1119 Mr. Perez stated inside the Enclave and South Lake.

1120 Ms. Kramer stated for all the communities behind gates, those sidewalks are owned by
1121 the HOA. Middlebrook Place, Feather Grass Court, Cordgrass Place, and the lower part of
1122 Dark Sky Drive across from the school are all owned by the County. The rest are ours.

1123

1124 Upon VOICE VOTE, with all in favor, unanimous approval
1125 was given to option #1 for the District going forward on an
1126 ongoing basis to be responsible to pressure wash all District-
1127 owned sidewalks within the District, one time annually or as
1128 needed.

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1130 Mr. Perez stated regarding an update on the Umax, I emailed them the beginning of the
1131 month because he said August. I received a response that Yamaha has not provided a firm
1132 ship date yet.

1133 Ms. Kassel stated August would be wonderful. I placed an order for a John Deere gator
1134 in February, and it is supposed to arrive in August.

1135 Ms. Kramer asked are we making it with the vehicles we have?

1136 Mr. Perez stated right now we are. Instead of the staff being five full-time employees,
1137 it is four right now.

1138 Ms. Kramer stated you have staggered schedules.

1139 Mr. Perez stated yes.

1140 Ms. Montagna stated we have an Inframark truck, as well.

1141 **ii. Proposals**

1142 Mr. Perez stated a few weeks ago, we received a report over the weekend that on the
1143 foot bridges, kids—probably teenagers—were jumping off the bridges into the little canals.

1144 Ms. Kramer stated those are stormwater ponds.

1145 Mr. Perez stated yes. When we went out to inspect and investigate the call, they were
1146 gone by the time we got there. We thought to do something proactive by getting signs
1147 saying, “no swimming” or “caution alligators” as was mentioned earlier.

1148 Ms. Kassel stated I think the alligator sign would be great.

1149 Ms. Kramer stated yes, maybe alligators and snakes.

1150 Mr. Perez stated some signs say, “dangerous wildlife” and have a picture of an alligator
1151 and a snake. I think that is what Disney uses, if I am not mistaken. It just says, “dangerous
1152 wildlife.”

1153 Ms. Montagna asked do we need to have one or the other?

1154 Mr. Eckert stated neither one do you need to have in Florida. It is helpful and
1155 educational. Pictures help, and I have seen that, too.

1156 Ms. Kramer stated it might help them remember.

1157 A Resident stated we had a signage issue regarding fishing and no fishing, and we took
1158 them down. This is Florida. It is part of the ambiance.

1159 Ms. Kramer stated that is my concern. Just a reminder that we have pretty stringent
1160 sign restrictions, which are evidenced in our planned development (“PD”) documents. We
1161 have to meet certain criteria when we install signs. We need to be very careful in how many
1162 we put up, but the small signs on either side should be fine. When you are getting the signs
1163 for other areas, we can add these.

1164 Mr. Perez stated that was going to be my question for counsel. A resident commented
1165 earlier, I believe tract G, when we were discussing alligators and installing signs. If we put
1166 them in one area, do we have to put them in all areas?

1167 Mr. Eckert stated no. If you have seen alligators in one area and you want to put signs
1168 in that area, that is fine. Florida law has no requirement to warn of wildlife that is natural.
1169 However, you can take those extra steps if you want.

1170 Mr. Perez stated maybe we just look at the area that was discussed earlier, and then
1171 around the foot bridges.

1172 Ms. Kramer stated yes, the low-profile signs, like we already have.

1173 Mr. Perez stated Fast Signs has been very reliable and very cost effective. We will send
1174 proofs for approval prior to purchasing, and we will include Mr. Eckert, as well.

1175 Mr. Leet asked will they be small enough that they can be installed on the existing
1176 bridge structure already? Or are we adding new posts?

1177 Mr. Perez stated we could find a plaque to put on the handrail of the post.

1178 Ms. Kramer stated the other ones are put on a low-profile 4x4 post in the ground. It
1179 comes up maybe mid-shin. My concern about putting too much on the actual structure of
1180 the foot bridges is, the more holes we drill in the wood, the more wicking of water will get
1181 in and the more we will have problems with rot. That is my recommendation.

1182 Mr. Leet stated I am hesitant to mess with people's view.

1183 Ms. Kramer stated they are very low profile; they will not affect anyone's view.

1184 Ms. Montagna stated I will discuss this under my report, but I want to ask about Polaris.

1185 Mr. Perez stated it has been rectified.

1186 Ms. Montagna stated it has not been deemed anything yet because we are still working
1187 on it.

1188 Mr. Perez stated Mr. Brent Maynard was on vacation two weeks ago, the same time I
1189 was out for a couple days. He was going to circle back with Kissimmee Motor Sports.

1190 Ms. Kramer asked he is from Polaris governmental?

1191 Mr. Perez stated yes, we found out that Polaris was apparently commercial
1192 governmental and should have been serviced originally at Briggs. This Polaris was bought
1193 in 2019, serviced in-house, and then moved to Kissimmee Motor Sports for the initial
1194 service. The information I received from Polaris was, the dealer—Kissimmee Motor
1195 Sports—should have said they do not service these. They did not, and they took it in for
1196 service. In multiple emails and phone calls regarding the warranty repair on the clutch that
1197 took place last year, that is something they are working on and looking into.

1198 Ms. Kramer stated we are hoping to get that rebated.

1199 Mr. Perez stated yes, we are hoping to get that rebated and get it back. In terms of the
1200 engine, the update I received from Mr. Maynard was, he stated Kissimmee Motor Sports
1201 said oil was coming from the muffler, but nowhere on our service reports is that stated, nor
1202 was it discussed with Mr. Morrell when he picked it up. It is in for service. I look at it the
1203 same as when you take your car in for an oil change. If they find the timing belt is cracking,
1204 they will tell you the timing belt is cracking. If they saw oil coming out of the muffler, why

1205 did they not say it had oil coming out of the muffler and suggest we investigate what is
1206 going on, but none of that was done. I will follow up with Mr. Maynard at Polaris, because
1207 it was middle of last week when I emailed him. He should be getting back, as well. He said
1208 he will circle back with Elio, the Kissimmee Motor Sports service manager. He has to tread
1209 lightly because oversees the military side of Polaris. He is actually dabbling with this
1210 concern and complaint into the commercial side that is not his area, but he is working
1211 closely with that gentleman, who will not respond to me.

1212 Ms. Kramer stated I do not know that we would want him to respond to you. If Mr.
1213 Maynard cannot do anything, Mr. Perez needs to go up the chain from Elio to get them to
1214 tell us.

1215 Mr. Perez asked Kissimmee Motor Sports?

1216 Ms. Kramer stated not the local dealer, but the Polaris company itself.

1217 Mr. Perez stated Elio is local at Kissimmee Motor Sports, and Mr. Maynard is with
1218 Polaris. I will get back with Mr. Maynard to see if he has any updates for me.

1219 Ms. Kramer stated that might still be a vehicle we can put back into service.

1220 Mr. Perez stated that is correct. Late last week, we received the insurance check for the
1221 Viking in the amount of \$11,000. We have not received the insurance check for the
1222 Kawasaki yet, but it is on the way, in an amount just over \$3,000.

1223 Ms. Montagna stated we have the potential to get \$1,000 more for our deductible once
1224 it all plays out.

1225 Ms. Kramer stated the \$11,000 should cover the Umax that we approved.

1226 Ms. Montagna stated I do not have the price for that.

1227 Ms. Kramer stated it was \$10,000 or \$11,000.

1228 Mr. Perez stated I think it was closer to \$16,000. I will double check; it may be \$11,000.

1229 Ms. Kramer stated that will allow us to swap out that vehicle. The repair work has been
1230 done on the swim club bathhouse?

1231 Mr. Perez stated yes. Mark Davis Construction complete the repair work. We received
1232 their final invoice. Mr. Morrell has reviewed it, and I do not see any issues.

1233 Ms. Kramer asked is insurance paying them directly?

1234 Mr. Perez stated no, we are going to pay them, and then collect from our insurance,
1235 who will reimburse us. Then we are going to go back to the driver's insurance to collect
1236 the deductible.

1237 Ms. Montagna stated when all is said and done, the District will have paid Mark Davis
1238 Construction, the District will receive that money back, so it will be a wash and no cost to
1239 the District. To get the job done and done right, the District will pay Mark Davis
1240 Construction.

1241 Mr. Perez stated I have one last minor update on the ventilation fans in the swim club.
1242 I have shared emails with everyone. The swim club has ventilation fans. The back story is,
1243 they were shut off a long time ago, but I have no idea why. Of the five or six vendors we
1244 have had come out, two said they will give a proposal, and the others said it is so old the
1245 whole thing needs to be replaced. We have not asked for that proposal yet. We did receive
1246 a rough estimate today ranging from \$6,000 to \$8,000 to get this ventilation system up and
1247 running. I shared some pictures that showed the vent fan has rusted and is pretty corroded
1248 from chlorine.

1249 Ms. Kramer stated evidently, they have not been working for maybe ten years. A
1250 resident complained that the bathhouses were extremely hot. I put a monitor in there, and
1251 the women's bathhouse in the afternoon on a sunny day was up to 110°. In the interim, we
1252 have been propping doors open for air circulation. We may want to look at some Bahama
1253 shutters for that side of the building. I do not know why that past Board member refused
1254 to have it fixed and then told our staff there were not any vent fans. The ventilation fans
1255 are in process, but it might be a pricey repair.

1256
1257 **SEVENTH ORDER OF BUSINESS** **District Manager**

1258 **A. District Manager's Report**

1259 Ms. Montagna stated a lot of the things on my list have been addressed by Mr. Perez
1260 or Mr. Eckert. We are doing some housekeeping and full audits of many things. We wanted
1261 to get through the budget cycle. In September, you will start seeing some housekeeping
1262 things we want to get cleaned up. Some will pertain to rules, and some will pertain to
1263 different things. I am glad Mr. Perez gave his update on the Polaris. I received an email
1264 from Mr. Steve Berube. He asked me to have a conversation with the Board. He wants to
1265 buy all the failed equipment that is down currently. He listed prices to be delivered to him
1266 in Saint Cloud. As the Board is aware, we cannot offer it to one person. We have to offer
1267 it to everyone. The District also has a policy to have it declared surplus material. The
1268 Polaris is not part of that at this time, but other pieces of equipment are not fixable and can
1269 be identified as surplus, according to the policy. If he bids on it, that is a different story.

1270 Ms. Kramer stated our policy lays it out and a portion says it should be offered to other
1271 public entities.

1272 Mr. Eckert stated I would like to see that policy.

1273 Ms. Montagna stated I need to send it to you because I am a little unclear. I have never
1274 seen one written like this.

1275 Ms. Kramer stated the State has a policy for disposal of assets.

1276 Mr. Eckert stated the District has two options under the State policy, and I did not
1277 recognize the one that was just presented.

1278 Ms. Montagna stated I will send the policy to Mr. Eckert for his review and any
1279 revisions that need to be made before we go forward in declaring anything as surplus.

1280 Ms. Kramer stated we had a good meeting with Inframark to complete an annual review
1281 of where they are doing well and where they need some improvement. I think you will see
1282 a good team effort.

1283 Ms. Montagna stated yes, it was a very good meeting on both sides that were presented.
1284 Some things we want to rectify, and some things will be coming before the Board. You
1285 will see that rolling out starting in September and moving forward.

1286 **B. Kutak Fee Agreement**

1287 Mr. Eckert stated I wanted to come up with a couple options for the Board to consider.
1288 When we submitted our proposal, it was a straight hourly rate. I wanted to look at any
1289 options that makes sense from a flat-fee perspective. I think we need to talk about how you
1290 will use me, in terms of, do I need to be at every meeting. I need to attend every meeting,
1291 but I think you might get more value on the meetings that do not have a lot for me to do,
1292 for me to attend via Zoom. Some of that budget you can then use for other projects. It even
1293 works out better for you if I talk to each Board member for 30 minutes the week before the
1294 meeting to brief them. You will come out ahead on something like that. I tried to come up
1295 with a flat fee that will cover the months in which we attend meetings in person.

1296 Ms. Kassel stated I see in your proposal it is \$3,500, but I thought last month, you said
1297 it would be \$2,200.

1298 Mr. Eckert stated I did, for meeting attendance and the meeting preparation. This also
1299 includes preparation of contracts and resolutions, as well as phone conferences and email
1300 interactions with Board members. When you asked me before, that cost was just for us to
1301 come and attend the meeting, which I said would be between \$2,000 and \$2,200.

1302 Ms. Kassel asked what does this proposal represent?

1303 Mr. Eckert stated this is in addition to the estimate I quoted. The \$3,500 would be for
1304 attending meetings and preparing for the meetings. It also includes preparing resolutions
1305 you need. The proposal says routine resolutions, but the ones that will count will be for
1306 special assessments when you refinance bonds, and things like that. Preparation of
1307 contracts was not included in the \$2,000 to \$2,200 estimate.

1308 Ms. Kassel stated I am trying to get clarity without too much back-and-forth since we
1309 are over our two-hour meeting time. The \$3,500 includes an in-person meeting, and all the
1310 other work that is not included in litigation.

1311 Mr. Eckert stated as long as it is not litigation or a special project. If you tell me you
1312 want me to figure out every easement in the community, that will not be included in the
1313 \$3,500. But if you have a question on the current landscape contract language, that is not a
1314 special research project and would fall within the \$3,500.

1315 Ms. Kassel asked what if you do not attend meeting in person?

1316 Mr. Eckert stated if I attend by phone or Zoom, I would suggest you not do any kind
1317 of flat fee but do hourly for that time. I think you will find that you will come out ahead.
1318 What I am proposing matters, but what really matters is in three to five months, I will show
1319 you how much time I spent and the related flat fee for these months, and you can see exactly
1320 how much time that was. You can then compare it to the hourly fees to see if the flat fee
1321 we are establishing today makes sense for both parties. I think it has to be fair to both
1322 parties. I think this cost comparison will be more important than the amount of the flat fee
1323 we establish today. Some of my districts have flat fees, but most of them do not. They got
1324 away from the flat fee and use me better and more efficiently. I am happy to look at any
1325 kind of flat fee. I can also come up with flat fee that is more consistent with what we talked
1326 about, which was \$2,000 to \$2,200, but that only included meeting attendance. I do not
1327 think that works as well for you, but I am willing to do that if the Board wants.

1328 Ms. Kramer stated the previous attorney was on a flat fee of \$4,000. We can use that
1329 amount well and pick up the phone to call anytime, but the conversation was direct and to
1330 the issue. It also included emails.

1331 Mr. Eckert stated I suggest I attend the next meeting by Zoom, try it out, and see how
1332 it works. I would say for two-thirds of your meetings in a year, Zoom attendance will be
1333 fine. If I need to present something to the Board that will have a lot of back-and-forth
1334 comments, then I suggest I attend in person.

1335 Mr. Kramer stated the only thing that concerns me about a flat fee is the ten-minute
1336 window. I do not know how strict that is if we call you with a quick question.

1337 Mr. Eckert stated I bill by tenths of the hour.

1338 Ms. Kassel stated that is six minutes.

1339 Mr. Eckert stated I can change it to 12 minutes if that helps. I think it is good for us to
1340 be efficient when we have conversations. Most of the time, it will be asking what a contract
1341 says or asking if we have a contract. Questions regarding terms of contracts or requesting
1342 a copy of a contract should go to the manager first, and then to me second if for some
1343 reason you have a question, for example, regarding an email I sent on that contract. Most
1344 conversations I have with my board members are less than 10 minutes. Some board
1345 members call me three times a week, but the calls are less than ten minutes. I am fine with
1346 either approach. It does not matter to me because we are going to discuss this in three or
1347 four months and see how it is working or not working.

1348 Ms. Kassel stated the proposal includes option B. If we decide not to go with that
1349 option, do we delete that paragraph? How do we work that in terms of approving the
1350 agreement.

1351 Ms. Kramer stated he provided two fee agreements

1352 Mr. Eckert stated correct. We provided two fee agreements. One is straight hourly, and
1353 one has the flat fee option for months when I attend in person. You can approve either one.
1354 The agreement says that at any time, either party can say the flat fee is not working, and
1355 you want to go to hourly. Or if it is not working at all and you are not comfortable with
1356 hourly, then you will want to find a new attorney, and that is okay, too. We will help
1357 transition to make sure we did not drop any projects.

1358 Ms. Kramer stated in reviewing the agreements and understanding them, I recommend
1359 we go with the flat fee for in-person meetings. It gives us the availability to get resolutions
1360 and contracts and so forth done. Then we can assess in three or four months.

1361 Ms. Phillips stated I agree.

1362 Mr. Short stated I lean toward that, especially at the beginning of this transition. Things
1363 might be a bit of a mess, and he may have more questions. It will be best to assess it later.

1364 Ms. Kassel stated to clarify, that means he will be attending every meeting in person.

1365 Mr. Eckert stated no. I would reach out to the Chair before every meeting. My
1366 suggestion is that I attend by Zoom unless you feel there is a compelling need for me to be

1367 here. On those months, the billing be hourly, not a flat fee. Only when I am here in person
1368 will it be a flat fee, because it is a significant amount of travel time. One month, it might
1369 be hourly, and the next month it may be a flat fee, depending if I attend in person. I thought
1370 that was fairer. Most of the other flat-fee contracts I have done, it is regardless if I am in
1371 person or in my office. I found over time that I do not feel that is appropriate.

1372 Ms. Kassel stated that was not clear to me. The first proposal is, anytime you attend a
1373 meeting in person, it is a flat fee. Anytime you do not attend a meeting in person, it is
1374 hourly.

1375 Mr. Eckert stated that is correct.

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Mr. Leet made a MOTION to approve option 1 fee agreement from Kutak Rock, charging \$3,500 per month for counsel to attend meetings in person, and charging hourly for months when counsel does not attend meetings in person.
Mr. Short seconded the motion.

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Upon VOICE VOTE, with all in favor, unanimous approval was given to option 1 fee agreement from Kutak Rock, charging \$3,500 per month for counsel to attend meetings in person, and charging hourly for months when counsel does not attend meetings in person.

1389

1390 Mr. Eckert stated I am excited to work with you. I will be working with the manager
1391 on quite a few policies. I will be showing what I suggest moving forward. You will see
1392 several of those in the next few months, but they are routine policies and will be covered
1393 in the flat fee.

1393

1394

EIGHTH ORDER OF BUSINESS

Old Business

1395

A. Informational Signs

1396

Ms. Kramer stated this is not critical and can be moved to the next agenda.

1397

1398 Ms. Kassel stated I have a request regarding this. I presume this came from field
1399 services.

1399

Ms. Kramer stated this came up several months ago.

1400

1401 Ms. Kassel stated yes, I know but I presume the photographs and suggestions came
1402 from field services.

1402

Ms. Kramer stated no, I put it together.

1403

1404 Ms. Kassel stated some of these have possible recommendations on what to do with
1405 them, and others do not.

Harmony CDD
August 15, 2022, meeting

1403 Ms. Kramer stated I prepared this, and the Board can come up with whatever we think
1404 would be good information on those signs. The one thing that is lacking is a map to show
1405 the location of each one. You can see if you are coming in the west entrance, the first sign
1406 is the first one in the package. Should that state in large letters "Welcome to Harmony"?
1407 Should one give you a message about Harmony? If members of the audience have any
1408 input on these signs, let us know. The old informational, big signs used to look beautiful,
1409 and they are peeling off now and have been abandoned by the developer. So we are going
1410 to put them to good use. Take some time between now and the next meeting to look at
1411 them, maybe drive around, and come up with suggestions. The recommendations are
1412 thoughts I had. The options are wide open on what the Board wants to do. I would like field
1413 services to give us an idea of prices for changing the signs. Then we will know if we can
1414 afford it or not.

1415
1416 Ms. Kassel made a MOTION to table discussion of
1417 information signs to the next meeting.
1418 Ms. Phillips seconded the motion.

1419
1420 Upon VOICE VOTE, with all in favor, unanimous approval
1421 was given to table discussion of information signs to the next
1422 meeting.

1423
1424 **NINTH ORDER OF BUSINESS** **Supervisors' Requests**
1425 Ms. Kramer stated for the benefit of our new members, this agenda item is for when
1426 you want to bring something forward to be on the next agenda for us to discuss. If it is
1427 something imperative or with a quick timeline, we can discuss it now. Typically if it needs
1428 a vote, it needs to be posted on the agenda so the public is aware we will be considering it.

1429
1430 **TENTH ORDER OF BUSINESS** **Adjournment**

1431
1432 On MOTION by Ms. Kassel, seconded by Mr. Leet, with all
1433 in favor, the meeting was adjourned at 8:15 p.m.

1434
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1436 
1437 Secretary/Assistant Secretary

1438 
Chair/Vice Chair