

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

The regular meeting of the Board of Supervisors of the Harmony Community Development District was held Thursday, September 28, 2023, at 6:00 p.m. at the Jones Model Home, 3285 Songbird Circle, Saint Cloud, FL 34773.

Present and constituting a quorum were:

Teresa Kramer	Chair
Daniel Leet	Vice Chair
Joellyn Phillips	Assistant Secretary
Lucas Chokanis ( <i>via Zoom</i> )	Supervisor
Kerul Kassel	Assistant Secretary

Also present, either in person or via Zoom Video Communications, were:

Angel Montagna	District Manager, Inframark
Kate John ( <i>via Zoom</i> )	District Legal Counsel, Kutak Rock
David Hamstra	District Engineer, Pegasus Engineering
Lynn Hayes	District Manager, Inframark
Nick Mr. LomasneyMr. Lomasney	Benchmark Landscaping
Michael Eckert	District Counsel, Kutak Rock
Brett Perez ( <i>via Zoom</i> )	Benchmark Landscaping
Residents and Members of the Public	

*This is not a certified or verbatim transcript but rather represents the context of the meeting. The full meeting recording is available in audio format upon request. Contact the District Office for any related costs for an audio copy.*

32

33 **FIRST ORDER OF BUSINESS** **Call to Order and Roll Call**

34

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

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

37

38 **SECOND ORDER OF BUSINESS** **Audience Comments**

39

40 Ms. Kramer, the second item on the agenda is our audience comment. It is at this  
41 time where our members of our audience, both here and on Zoom, can take up any  
42 subject relating to the Harmony CDD, that you would like to bring to our attention. It is  
43 not a time for back and forth, or explanations, or questions. It's a time for you to present  
44 what your concerns are to the Board. Do we have any speaker requests?

45 A Resident, Yes.

46 Ms. Kramer, be careful and not talk over each other and not interrupt each other. We  
47 have a new way of doing minutes, and it's really important that we all stay in our lane  
48 and not talk over or finish each other.

49 A Resident, That sounds good to me. Yes.

50 A Resident, My name is Clifford Mac Intosh. My address is 7504 Castlewood Court,  
51 in East Lakes. My concern is that the Five Oaks Road water continues to flood. I know  
52 that the city had been out to vacuum out the lines, so it would not flood when it rains,  
53 but it's continuing to still flood. And I am concerned that when we have hurricane  
54 weather, then it gets so high that we cannot go out to get to higher ground or whatever  
55 we need to do. I am new to Florida period. So, I am not used to the weather as high.  
56 The water gets high here. So, that is the only concern that I have. If we can find a way  
57 to drain, to have that water draining at Five Oaks.

58 Ms. Kramer, and that will be addressed. So, stay with us, and our Engineer will be  
59 discussing that.

60 A Resident, Ok. All right. Thank you.

61 A Resident, I am Todd McClimans at 7133 Indian Grass Road, near the Estates, but  
62 not in the Estates. I have two letters here from June Marsowicz and I am going to read  
63 this. It says, we the undersigned oppose the location of the field services maintenance  
64 facility and the dumpster at Buck Lake Park site and urge the Harmony board to rescind  
65 their August 24, 2023, 3 to 1 decision. At the June CDD meeting with all five board  
66 members in attendance. There was a unanimous decision to increase CDD fees to  
67 include \$350,000.00 proposal for the Five Oak site with added amenities, unnecessary  
68 bathroom facilities, larger office room for CDD meeting. It was approved by the Zoning  
69 Board. At the August 24, 2023, CDD meeting there was a 3 to 1 decision to locate the  
70 building at the Buck Lake site, because of cost savings for an inequitable proposal. Both  
71 sites were approved by the Zoning Board. Increased fees were still voted into the  
72 budget. We clearly understand the need to be fiscally responsible. We clearly  
73 understand the funds allocated for the alley paving project and splashed project were  
74 overrun. We clearly understand the reserves dilemma. We clearly understand the timing  
75 issue along with penalty fees for noncompliance. However, we are deeply concerned  
76 about the negative impact of your decision on our neighborhoods, property values,  
77 increased noise pollution, and increased air pollution. This is a residential  
78 neighborhood, not a commercial area. Additionally, this is a park. We have been  
79 blessed with green space coveted by so many communities locating a maintenance  
80 facility in dumpster, with pet waste collection, etcetera in a prime location. The entrance  
81 way path to Buck Lake is of dire concern. We are most deeply concerned about  
82 people's safety, especially that of our children who walk across the area and bicycle  
83 across the area, to get to the park. People who walk their dogs, and jog, stroll, and  
84 access to the path of Buck Lake.

85 Mr. Leet, it disconnected.

86 Ms. Kramer, If you will pause just a moment, we want to make sure everybody out in  
87 the audience can hear.

88 Mr. Leet, And, it has connected.

89 Mr. Leet, It might be.

90 Mr. Chokanis, Lucas is here. Can you hear me?

91 Mr. Chokanis, Oh, I can see your faces now.

92 Ms. Kramer, Thank you, Lucas. We have a gentleman reading us a letter concerning  
93 the location of our community maintenance facility. If you would like to continue, sir.

94 Mr. McClimans, Sure. We are most concerned about people's safety, especially that  
95 our children who walk across area and bicycle across the area, to get to the park.  
96 People who walk their dogs, jog, and stroll the area, access the path to Buck Lake.  
97 Having need to jockey with field services, golf carts, and workers frequently on cell  
98 phones, small trucks, and garbage trucks. In addition, we have witnesses, girls  
99 practicing cheer, dads pitching to the kids, families flying kites, people bringing tables  
100 and chairs to utilize the gazebo, and those who use the gazebo for exercise class. Next  
101 one, the original intent of our petition was to urge the board to rescind their August 24,  
102 2023, decision to locate the field services maintenance facility and dumpster at the Buck  
103 Lake Park site. After the conversations with Theresa Kramer, I realized that she was not  
104 open to that regardless of if we have 100 or 1000 signatures. We currently have 167  
105 signatures to show there is considerable opposition to the facility in particular to the  
106 dumpster, which is a collection drop off for dog pots throughout the community. Not one  
107 person we approached, refused to sign our petition. We respectfully urge you to be  
108 prudent in this decision, to keep the dumpster at the current location or find a more  
109 suitable location, which is definitely not in the parking lot to Buck Lake. Moving it closer  
110 to the gazebo is thoughtless and picnic tables will eventually be returned to the gazebo.  
111 Moving a dumpster to Buck Lake site will only create more problems that we currently  
112 don't have. Mainly people using a dumpster for their trash, leaving trash outside a

113 dumpster. In addition, I am almost done. In addition, we are urging the Board to not  
114 expand the field service maintenance storage, to include boat trailers. As these are  
115 seldom used, they should be left where they are currently stored. Since that area is a  
116 mess and is being cleaned up by Jake. As I was told that would preclude the Buck Lake  
117 site from having the appearance of the junkyard. Another item of concern, when I  
118 mentioned the need to protect our green space Teresa replied, "We have plenty of  
119 green space." Unfortunately, there is only one entrance path to the Buck Lake dock.  
120 Lining the path of the metal storage building, fencing, etcetera, detracts from the  
121 ambience we currently enjoy. We respectfully request that you consider the above  
122 concerns of the community. June Marsowicz is a neighbor of mine. So, the biggest  
123 issue and the whole thing that I just read is the dumpster, that dumpster, the dumpster,  
124 the dumpster. Would you want to have the dumpster around your house? I do not think  
125 so. That is all I have.

126 Ms. Kramer, You will have to come up with your name and address for the record.

127 Margaret Odden, 7147 Oak Glen Trail. When I went around with June to collect the  
128 signatures, we were mainly talking about not having the maintenance shed there at all.  
129 Later on, she wrote about adding the dumpster. She was saying the other day that  
130 when they redid the calculation for the price of the Five Oaks and Schoolhouse Road,  
131 the Schoolhouse Road was not changed, but the one on Five Oaks was about adding a  
132 bathroom and all the others, but that was not recalculated for the one on Schoolhouse.  
133 And I was wondering if that's the case.

134 Ms. Kramer, I will just say we did evaluate all.

135 Ms. Odden, So both were reevaluated? I do not know how much it is going to cost,  
136 moving bathrooms and all the other adds that were on.

137 Ms. Kramer, Well, from what I understand, they are the exact same size, and the  
138 price was \$88,000.00 for the Schoolhouse location rounded up to \$100,000.00. Correct  
139 me if I am wrong, David and \$350,000.00, because you have to do everything from  
140 scratch. You have to break the fire hydrant down. You have to design a storm water

141 system and build it. It's just a lot more to do in infrastructures there. But again, this is for  
142 you to give us, and I broke my own rule. My apologies.

143 Ms. Odden, But that is what I heard is that one reason was because there was a  
144 cement pad here. It is cracking, not even level. So, that is going to have to be redone.  
145 So that would have to add up the price too. Would it not?

146 Ms. Kramer, I think that was considered.

147 Mr. Leet, and we will be discussing it. I believe with the Engineer. I remember I  
148 asked specifically about what the added cost would be of just doing a different a new  
149 pad just somewhere else in that same area, just moving it away from the pathway, and  
150 further away from the park side, and all that. So, the price of the new pad is on our  
151 radar.

152

153 Ms. Kramer, So we will discuss that more, and hopefully answer all your questions at  
154 that time.

155 Ms. Odden, Thank you.

156 Ms. Kramer, Thank you. And do we have any other comments?

157 Ms. Kramer, if you will come forward, and we need your name and address for the  
158 record.

159 Mr. Chokanis, Hey. I just want to say I know we talked about not having a back-and-  
160 forth discussion with the residents. If we are going to stick to it, we just stick to it. If not,  
161 then we need to go away with it, because you cannot pick and choose on who we want  
162 to discuss with.

163 Ms. Kramer, That is correct, Lucas. Thank you for correcting me. Yes.

164 Marilyn Ash-Mower, My name is Marilyn Ash - Mower and I live at 6852 Butterfly  
165 Drive. I have been involved with the community garden for 13 years. I wanted to thank

166 this Board very much, for approving a garden shed. Which we still need. And I am  
167 speaking on behalf of the garden committee. as their Treasurer. I am happy to say that  
168 we have a new President who is Dan Heck. Dan is a gardener, and he has some great  
169 ideas, and we look forward to having a good time. So, thank you. I appreciate the  
170 Board, all your support.

171 Ms. Kramer, Thank you.

172 Ms. Kassel, Thank you. We appreciate you, Marilyn. Thank you and the garden.

173 Ms. Kramer, Ok. Do we have any other comments here?

174 Ms. Kramer, If not, we will look to the Zoom. Do we have anything there?

175 Mr. Leet, A few people on, but no one has indicated they would like to speak. Oh  
176 sorry, there is. Sorry.

177 A Resident Can you hear me?

178 Mr. Leet, Yes, I see your name and address and, you have two minutes.

179 Joe Janeczek, This is Joe Janeczek at 7159 Oak Glen Trail. And I guess my  
180 concerns are, I will just read them off real quick because I know you can't respond to  
181 them. So, the one is there's a lot of trees that are over hanging the streets and when it  
182 rains and stuff, they are hitting the cars. Tons of the cars. I know they cut some stuff  
183 down, but it, does not look like they cut down a lot of the trees. Because I'm still hitting  
184 them when I'm driving out. I drive a pickup, just so you know. Second comment is the  
185 area towards the west end of the development, I know they are digging that all up. I  
186 assume this is for houses or condos there. I'd be interested in what is going on there  
187 and if you can comment on that sometime, maybe today. And I was wondering if the  
188 Board had reached out to whoever was doing that development, to get the sense,  
189 because they all went and trashed on Saturday. Why they did not get that fence. They  
190 could use it. And maybe an update on the future development of Harmony? September  
191 20, 2023, a Board Member and council did put out a note on it was Facebook, or

192 something. I appreciate that. But there are going to be 1245 new residents coming in. I  
193 would be curious as to what impact that is going to have on Harmony, besides the  
194 obvious. What, can they use? Our parks, our pools, and our trails. Are they going to be  
195 donating or contributing to the CDD budget? And then the petition to not have the  
196 maintenance yard, I like. I agree with that. A month later, to me it is an eyesore for one  
197 and two, areas that everybody gets to see and use. It is just a shame that we have to  
198 take that away. The other comment is that I missed two meetings and I tried to find out  
199 what the minutes were for the June and July meeting. They are not anywhere to be  
200 seen on the website. I realized June is probably being approved. Maybe June, I am  
201 sorry, June is on, on file. July and August are not there. August is probably being  
202 approved today, but July should be there by now. It is over a month old. So, I do not  
203 know why it is not on the website. I would encourage the Board to, I know you cannot  
204 go back and forth at this point with everybody, but I think the Board needs to reach out  
205 and start talking to the owners. Not just hear us and ignore us, for three minutes. I think  
206 you are serving, to serve us. I think you can hear what we have to say as you move  
207 forward on everything. And even if it is just another day, another meeting, it is informal.  
208 No, no commitment, but just then you hear what we have to say and that is it. Thank  
209 you for your time.

210 Ms. Kramer, Thank you so much. Anyone else on Zoom?

211 Mr. Leet, No, there is none indicating they would like to speak.

212 Ms. Kramer, All right. Hearing no other requests to speak, we will close the audience  
213 comments at this time. The next item on our agenda is contractor Reports.

214 **THIRD ORDER OF BUSINESS Contractor Reports**

215

216 **A. Benchmark Landscaping ("Benchmark")**

217



218 Mr. Lomasney, We will have a lot to discuss with the reports on the pocket parks  
219 and the maintenance on these.

220 Mr. Lomasney, So as for the progress on the oak trees, we have started on them.  
221 Typically, in June, July and August it is more maintenance. Now, we are coming into  
222 fall and that becomes our main priority, along with irrigation. We will continue to  
223 move forward with that this Wednesday coming up. I have a tree company coming in  
224 to get some of these problem ones that are over the road or over a structure. That  
225 gives us a head start and then we can focus on the ones that are further off the  
226 property. So, there will be big results and you will be able to see those by the time  
227 we have our next meeting.

228 Ms. Kramer, And that takes them up to the, I think it was, 15 feet in the contract.

229 Mr. Lomasney, feet over the road and eight or so over the sidewalk. A little bit  
230 was done today in the far West entrance, blocking the signs. I have already started  
231 prioritizing which trees that need to be done.

232 Mr. Lomasney, And then we will go on down the list from there, as far as that.  
233 Irrigation is still going. I have been checking the system quite a bit over the past  
234 couple of days. I noticed we got the emails. That was me turning it on, on a regular. I  
235 am trying to find some of these breaks. You will notice there are a couple of flags,  
236 that I am still very much still working on that. So, we are still good within that budget.  
237 And that was about it.

238 Ms. Kassel, it. How far along are we in that budget? How far along are we  
239 percentage-wise? Because we were at, I think about 75% or so?

240 Mr. Lomasney, Yeah, the ones completed, as far as like where we are sitting  
241 today, I would have to get with Jacob to get that exact number. I know this month we  
242 located three valves that were stuck on. Which resulted in two meters being down.  
243 Those have since been replaced with wire. You and I had spoken on part of that

244 location that has been resolved. So, now it is going to get some more of the pipes  
245 versus wires. And,

246 Ms. Kassel, We would like to know, because this has been going on for a number  
247 of months now. When do you expect to have it completed?

248 Mr. Lomasney, I will get with Jacob and get that information for you.

249 Ms. Kramer, The other thing we have requested that we have not seen, and  
250 again it does not have to be a real formal map, but if you could just give us the map  
251 that went with the contract and mark where you have already worked and corrected  
252 all the issues. That way we will know and can see. And when they kick off, we know  
253 that that is an area that has been corrected.

254 Mr. Lomasney, All right. That is perfect. Then you will know where the problem  
255 areas are and what is next. I will get it.

256 Ms. Kramer, any other questions from the Board on the general landscape  
257 maintenance?

258

259 Mr. Lomasney, I have one more thing to add. There are still a couple of areas of  
260 flooding on the backside of Dark Sky being the main one. I see the areas on both.  
261 We are checking them weekly. If there is standing water, we cannot run the machine  
262 through it. We will create ruts. It is better for us to let it dry up. So, a couple of spots  
263 we went in there with string trimmers that were getting too wild. Until it dries up, we  
264 cannot really do anything. You see those tall areas, I have done as much as we can,  
265 as far as the maintenance side.

266 Ms. Kassel, We had a lot of rain. Yeah.

267 Ms. Kramer, The other thing on maintenance, I do not think we have had a mulch  
268 application at all this year.

269 Mr. Lomasney, Not yet. It is currently getting ready to come to you guys. I am  
270 going to touch on that a little bit today, but just a little bit. I know that is going to be  
271 coming up next.

272 Ms. Montagna, We talked about November. Right before the holidays.

273 Ms. Kramer, wait until any chance of hurricanes,

274 Mr. Lomasney, It is going to be a mess.

275 Ms. Kramer, I just wanted to get that out there. All right. That is all I have. What  
276 else? Lucas, do you have anything on the landscape? Just the general landscape  
277 maintenance that has been going on?

278 Mr. Chokanis, Not much. I have seen a few trees. There was one kind of by  
279 Schoolhouse Road. I have seen some sprinklers spray into the Five Oaks area. But  
280 other than that, I think our grass looks really good and they have been doing a good  
281 job.

282 Ms. Kramer, Ok. Thank you. All right. We will move on to the pocket parks. We  
283 had a number of pocket parks that we reviewed.

284

285 **1. Report on Harmony's Pocket Parks**

286 Mr. Lomasney, In our last meeting, you asked me to go look at and evaluate  
287 each one. I did not give documents on two or three, because I feel they did not  
288 need anything. I feel my fertilization program will handle what needs to be healed  
289 and the proper mowing. So, I feel those are fine and did not need any attention.  
290 The ones that are listed are just areas that I think that need to be changed or  
291 corrected, and what I will put as a priority. The main dog park on Cat Briar, Buck  
292 Lake Front, like the food trucks out there, big area, whole families come out  
293 there. So, I walked everything and nothing needed a complete overhaul. But it

294 was itemized, so you can pick and choose and select what you guys would like to  
295 do with each individual location. Based on what you feel is a level of priority.

296 Ms. Kramer, So this is kind of like a road map going forward?

297 Mr. Lomasney, Right as far as the current conditions.

298 Ms. Kramer, Yeah, if things vary, we have to ask for an exact proposal at the  
299 time we want to address a certain issue.

300 Mr. Lomasney, Yeah, things could die out, things could fill in. So, the longer on  
301 certain areas then we would have to revisit it and resubmit. But as it stands  
302 today,

303 Ms. Kassel, So, like there is a lot of expenditures here. You are right. We are  
304 talking about how we are a bit tight with funds at the moment. My suggestion is  
305 that I work with Nick. I do maybe a drive-through and just kind of look at the  
306 areas and prioritize with him and then ask him to bring us, well, it is not exactly a  
307 proposal, but their prices are here. Then we can come back to the Board next  
308 month, maybe with a proposal for what we can work out. What is really a big  
309 priority now to get the place looking a little nicer for the holidays. With the money  
310 that we may have available after we discuss the finances a little later.

311 Mr. Lomasney, Yeah, that is terrific. I can meet with you as soon as next  
312 week and go from there.

313 Ms. Kramer, And yes, it is, again for those of you who have not reviewed the  
314 agenda, I think for that. Yeah. This is not an extravagant amount of work. It is just  
315 that we are 20 years old and some of our trees have grown up, the shade has  
316 changed, and the sun and shade combination has changed. It would be  
317 approximately \$73,000.00 and that is without any repair on the soccer field. If we  
318 added a soccer field, the least expensive alternative with the soccer field, it would  
319 bump that up to about \$123,000.00. So, we were looking for this just for us to get

320 a feel for what we need to do to revitalize Harmony's landscaping since some of  
321 it has literally aged out and others have been shaded out. Yeah, we will look at  
322 that. So, that is where we are at. Are there any other questions as far as the park  
323 proposals?

324 Ms. Montagna, Brett is on and wanted to go over the name assignment for  
325 Benchmark,

326 Ms. Kassel, name assignment?

327 Ms. Kramer, Yes. Oh, ok. I was going to do the next proposal.

328 Ms. Montagna, and that is fine. That's fine. When Nick is done with his, Brett is  
329 on there to address that before we move on.

330  
331 **2. Consideration of Pruning for Building Clearance Proposal**

332 Ms. Kramer, Ok. There is also a consideration of pruning for building clearance  
333 proposal. Explain that, because it did not really give us the idea of what scope we  
334 were doing.

335 Mr. Lomasney, So it is field inspection., and there are a few problematic trees  
336 as far as , let me give you an example, if I have one in front of me. The tree is too  
337 big it is too far to save. This is something in there. I believe there is a tree right  
338 over the canopy at Buck Lake, and it is not like a traditional fence where I can  
339 allow a branch to hit it. Things like that would not allow a truck to come in and  
340 safely bring it down without any damage.

341 Ms. Kramer, Ok. So, it is not one building location. It is the items in the field.

342 Mr. Lomasney, Yeah. And they are in red, in the packet of which trees this  
343 would go under.

344 Ms. Kassel, What is the date on that?

345 Mr. Lomasney, September.

346 Ms. Kassel, Good. Thanks.

347 Mr. Lomasney, It goes over a few of them.

348 Ms. Kramer, There are a number of trees. I think over some of them,

349 Mr. Lomasney, Page nine item 16. This is what I was referring to. Stuff like  
350 that, which is what I call a problematic tree.

351 Ms. Kassel, Can we get more specified proposal from Benchmark, that states  
352 what tree, where?

353 Ms. Kramer, Take it out of the field report and put it in something. Because we  
354 have to reduce this to a work order and an itemized list of things. So, we know  
355 exactly what number and how many things that we have to include in this work  
356 order.

357 Mr. Lomasney, Ok. I will try to get that and have that in time for our meeting, to  
358 go over.

359 Ms. Kramer, All right. Anything else Nick before we turn to Brett?

360 Mr. Lomasney, No. I think Brett can take from here. Unless you guys have any  
361 questions.

362 Ms. Kramer, Any other questions on landscaping?

363 Ms. Kramer, OK. All right. Thank you, Nick. Brett,

364 Ms. Kramer, Is Brett Perez on?

365 Ms. Montagna, He should be.

366 Ms. Montagna, I will give introduction of what I know, which is not much.

367 Ms. Montagna, So, essentially, they are merging with ULS.

368 Ms. Kassel, Another merger?

369 Ms. Montagna, And so if you remember when you approved the first merger,  
370 when we went out to RFP and then Mike prepared the name change assignment.  
371 This would be similar. That is what it is and Mike, we talked about it kind of prior  
372 to. He can tell you what he is comfortable with. And that is really essentially what  
373 it is.

374 Ms. Kassel, So, ULS is United Landscaping?

375 Ms. Montagna, Yes

376 Ms. Kassel, And they are in Harmony West?

377 Ms. Montagna, That I do not know.

378 Mr. Lomasney, they are, but I would still remain the manager for Harmony  
379 here.

380 Ms. Kassel, I saw a Benchmark truck coming from Harmony West into  
381 Harmony.

382 Mr. Lomasney, That was me. I was checking out some areas that I had  
383 sprayed.

384 Ms. Montagna, Yeah. And to my knowledge, I asked Brett, you know, are they  
385 doing any name changes? Truck changes? And he said, no. Not any time soon,  
386 but they would let the Board know well, before any sort of name changes happen  
387 or rebranding happens. So, they would remain Benchmarked as far as your  
388 everything. And that is as far as really what we have and then whatever Mike is  
389 requiring.

390 Ms. Kassel, So the Board is not going to do anything now. We will wait for  
391 Mike to prepare whatever, and then approve it. Is that the idea?

392 Mr. Eckert, What I saw was an assignment document that needs a little bit of  
393 work on it, because it talked about confidentiality and more public entities. So, we  
394 are not going to agree to any confidentiality. But if the Board is comfortable, you  
395 could approve the assignment in substantially the same form as you approved  
396 the last one and it would only become effective once we get the new insurance  
397 certificates. Because when a company buys out another company, I want new  
398 insurance certificates in the favor of the district in the new company name. Not  
399 the old company name. What I'm suggesting is you can approve it now approve  
400 the assignment now, subject to my review as well as getting the insurance  
401 certificates that are required.

402 Ms. Montagna, And I did ask Brett when we would be able to have that, and he  
403 said Monday. We would have a new insurance certificate as well as the new W9.

404 Ms. Kramer, I have a motion. Do I have a second?

405 Mr. Eckert, Before we vote because it is not on the agenda,

406 Ms. Kramer, So I have a motion and a second to approve the name  
407 assignment for the merger of Benchmark with United Landscaping. Being that  
408 this is an add-on and was not on the agenda and notice we would open the  
409 comment period for anyone who has any comments about this potential change.  
410 Is there anyone here in the audience in person? Nothing. Is there anyone on  
411 ZOOM?

412 Mr. Chokanis, Is there any additional cost associated with this merger? And  
413 are we losing the current team?



414 Ms. Kramer, Lucas, let me finish with public comment and then the Board will  
415 discuss it. So, if you hold that question for one minute then, have you seen  
416 anybody with comments.

417 Ms. Montagna, Brett texted me and said if you would unmute him, he is happy to  
418 talk. He has been talking, but nobody can hear him.

419 Mr. Chokanis, OK.

420 Ms. Kramer, So, there is no other public comments?

421 Ms. Kassel, What is he signed in under?

422 Mr. Leet, Number? I guess.

423 Ms. Montagna, 813.

424 Ms. Montagna, the second from the bottom.

425 Mr. Leet, Yeah, I can say I asked him to unmute, but he will have to push a  
426 button on his phone.

427 Ms. Kramer, Ok. First, let me, let me close the public comment period. Hearing  
428 no public comment, we will close the public comment period. And Brett, we will  
429 take the information that you have. Again. We have a motion and a second on  
430 the floor. Go ahead.

431 Mr. Perez, Yeah, I can answer a couple of questions that that did come up  
432 while I was trying to talk. Nothing is changing. Like myself, I am still involved with  
433 the company and Jacob is still there. Nick's role is not changing. He will continue  
434 to be on site. This is basically just a backing in terms of power of funded in a  
435 sense. The change is in the groups, is what it is. It does bring more opportunity  
436 for Harmony because, we add more branches in for more labor. So, we have  
437 more responsibility for natural disasters, etcetera. But nothing in terms of, there is

438 no cost change, there is no staff change. None of that is going to be a part of any  
439 of this. This is just in the contract. It states that if the name of the company does  
440 change, we have to get to that agreement and that is all it is. So, I should have  
441 the COI and, and certificates earliest by Monday.

442 Ms. Kramer, Ok. And Brett is not going to be both our manager and Harmony  
443 West manager?

444 Mr. Perez, Nick is Hamony's manager. We do a very, very small common area  
445 section in the town home community over there. He popped in and just checked  
446 on that like Friday afternoon. So that is all that is there. But, Nick is going to be  
447 right there with you guys.

448 Ms. Kassel, Because I see their are trucks all over the place.

449 Mr. Perez, Who's trucks?

450 Ms. Kassel, United Landscaping Services.

451 Mr. Perez, Yeah, but here is how this works. We are currently merging with  
452 them, but the deal is not finalized. The way it works is they review the contract,  
453 Harmony's contract and a couple others have to consent, to bring them over. So,  
454 in order for us to move forward with this merger, we have to give the request that  
455 says, "Hey, if this deal was able to change the name in the contract would be  
456 over like a contractor's name in our current agreement." That is all this is., They  
457 have a land installation division, which we do as well. They are doing some work;  
458 I believe next door for the developer putting in for new builds and stuff. I do feel  
459 that is all that I know right now. I cannot really tell you much more about them  
460 today. I have not met anybody on that team yet.

461 Ms. Kassel, So it is tentative, right? It is not even definite?

462 Mr. Perez, Correct. It is just part of the process.

463 Mr. Perez, So it would be finalized tomorrow. So, you are aware.

464 Ms. Kramer, Ok. I know there is a cart before the horse type thing here, but I guess we  
465 will actually hold the signing of the document. We will approve it contingent also upon  
466 our attorney's approval of the document, the receipt of the certificate of insurance, and  
467 the formal merger going through. Is that an acceptable amendment to the motion in the  
468 second? Ok. I have approval from the second and the maker of the motion to have that  
469 contingency. So, I just want to make sure that we do not have a situation where we sign  
470 the name change. Then the merger does not go through and all of a sudden, we have  
471 United instead of them.

472 Mr. Eckert, Correct. Yeah. No, that is a good point.

473 Ms. Kramer, So, are there any other questions about the order or discussion?

474 Ms. Kramer, Lucas, you had some questions? Do you have, did you get some  
475 clarification through what Brett said?

476 Mr. Chokanis, Not really, It is kind of surprising that we get this thrown on us  
477 after we spent, I don't know \$80,000.00 on repairs and now they are merging  
478 with some other company. We do not know their background. I am a big no on  
479 this. I do not like getting thrown on to things spontaneously. I have brought things  
480 up and it is set for the next Board meeting. So, this is a no for me.

481 Ms. Kramer, Ok. Any anybody else? What happens if we turn this down?

482 Mr. Perez, If we merge, then we would not be able to invoice you and we  
483 would have to stop service.

484 Ms. Kramer, Ok. I'm just checking.

485 Mr. Perez, I think there is a misconception. The answer to Lucas' question he  
486 asked, is there any added cost? The answer is no. A contract is a contract. The  
487 amount is the amount. Is there going to be any change in who is doing the

488 services, in terms of the employees? No, the staff is still on site. Myself, Jacob,  
489 Nick, and Jacob. We are all part of the company. This happens quite often. There  
490 are companies that are up and coming. Another company decides, hey, we want  
491 to grow some more. and they change practices. There should not, again, all that  
492 is changing is the capital behind the name. Like we have more capital now to our  
493 name to whether it is to buy more equipment or provide additional services. Like  
494 ULS offers tree services. They have in-house platforms; they have an in-house  
495 Nursery. So, you are actually getting more benefit in this because there is more  
496 to offer. So, I understand this at this point, I'm not downplaying it, but there is  
497 nothing changing.

498 Ms. Kramer, Ok, thank you, Brett.

499 Mr. Chokanis, And I am going to touch back, Brett. Thank for explaining all  
500 that. But why was this drawn off at the last minute. Like, you guys probably knew  
501 last month or so that this was going on, Right? It was not just like last week you  
502 knew that you were getting merged with another company, and now we are  
503 discussing it at the Board meeting. So, that is my question. It just seems a little  
504 sketchy and last minute.

505 Mr. Perez, It's a fair question, Lucas. But unfortunately, part of these deals,  
506 you have to go with your nondisclosure agreement. So, that way either party are  
507 not impacted by it. Meaning if we were to announce it before anything happens,  
508 there could be contracts that are lost during a bid process, for either side. So,  
509 you go through the legalities of these transitions. There are NDA's signed. We  
510 cannot disclose this stuff prior to being told, ok. Now we are at this step now, we  
511 can alert any contacts that have the consent assignments in them, to ask if this is  
512 available. So, it is again, nothing changed behind. We have on our website there  
513 and look behind it. I mean, it is all there.

514 Mr. Chokanis, So, I understand that, but you just said that the deal is not done  
515 yet. So now, you are relaying this information to us, and it is not something that  
516 you are letting it go at ahead of time that you guys are merging or getting bought  
517 out.

518 Mr. Perez, So, right. So again, I am trying to explain that the best I can. So,  
519 the current agreement that was set up by your current District Council has a  
520 consent assignment clause So, in order for this company that is looking at  
521 merging with us to accept the contract that we currently hold, they have to follow  
522 the letters of these contracts. The contractor has a consent agreement.  
523 Therefore, we have to ask for consent for a name change of just the contract, the  
524 contract name. It is not going to be Harmony with Benchmark. It is going to be  
525 Harmony with ULS. That is all we are asking for in this request. And when that  
526 happens, if they get told no, then theoretically that revenue from that contract is  
527 not included in the deal. Because the name will change.

528 Mr. Chokanis, So, I understand that. But does it say you have to tell them that  
529 the day of the Board meeting, or does it say that you can go out and reach out to  
530 them because they have a contract with you saying that you need to tell them  
531 that you are getting caught out or working with another company and give them a  
532 heads up.

533 Mr. Perez, Well unfortunately, this the only forum we can discuss these items  
534 due to the Sunshine Laws. I mean, I could have reached out individually to all of  
535 you, but I cannot do that. I did inform the District Manager; I believe it was last  
536 week when I found out. And we talked about what was added to this agenda. So,  
537 I again, I cannot just pick up the phone and group call you all, due to the  
538 Sunshine Law. So, this was the time and the place to describe it. This is where  
539 you have to make a decision.

540 Mr. Chokanis, This is the place to make a decision. But you could have had  
541 the District Manager reach out to us and give us an email. And say, hey, this is  
542 added to the agenda. We are going to discuss this. And not just throw it on us at  
543 the last minute.

544 Mr. Perez, The agenda was already published when I found out. So, I just  
545 asked if we could add it to this meeting and there was discussion when I found  
546 out we can talk about now. If you want to table it until November, that is fine.

547 Mr. Chokanis, I will digress, Brett. But I have made quite clear that I do not  
548 approve this, and the Board can vote on the rest of it.

549

550 Ms. Kramer, Alright. Do any other Board members have any questions or  
551 comments? Hearing none, then I will call the question all in favor. All those In  
552 favor?

553 Board Members: Ms. Kramer, Mr. Leet, Ms. Kassel, and Ms. Phillips all said,  
554 aye.

555 Ms. Kramer, any opposed?

556 Mr. Chokanis, Yes.

557 Ms. Kramer, Ok. Motion passes four votes to one with Mr. Chokanis opposed.

558 Upon VOICE VOTE, on a motion by Supervisor, Kassel, seconded  
559 by Supervisor, Leet, with four in favor and Mr. Chokanis opposed,  
560 the Board approved the assignment agreement draft between  
561 Florida United Landscaping Services operating, LLC and Benchmark  
562 Landscape subject to receiving Florida United Landscaping Services  
563 operating certificate of insurance and W9 with Mr. Eckert's approval  
564 before signing.

565

566 Ms. Kramer, Anything else we need to do with this? Thank you so much. Is  
567 that all for Benchmark?

568 Mr. Lomasney, Yes, that is all I have.

569 Ms. Kramer, Thank you so much.

570 **FOURTH ORDER OF BUSINESS**

**Staff Reports**

571

572 **A. Field Manager**

573 **1. Field Report and Responses**

574 Ms. Kramer, All right. The next item on our agenda are staff reports. Is Jeison  
575 here today?

576 Ms. Montagna, No, Jeison is still at his family emergency. He should be back  
577 on September 29, 2023. The field report is in the agenda which most of it covered  
578 anything that was outstanding. And, as far as the splash pad update, Lynn has a  
579 splash pad update which he also distributed to the Board as well.

580 Mr. Hayes, That was the pool heaters.

581 Ms. Kramer, Oh, sorry. Then if you would like to come up front and explain  
582 what the update you have on that.

583  
584 **2. Update on Splash Pad**

585  
586 Mr. Hayes, You want an update on the splash pad?

587 Ms. Kramer, yes, please.

588 Mr. Hayes, All right. So, the update on the splash pad is it is not operational. I  
589 checked in with the vendor. They went ahead and finished what the Board has  
590 authorized to be fixed on the heater. They came out last Friday on the 22nd and  
591 completed that work. With that being said, once he added the additional parts to it  
592 and fired up the pool heater, which has been what he calls flap, not operational for  
593 almost a year, the compressor came on, but he found that there were leaks in the  
594 coils

595 Mr. Leet, All of this is for the pool heater? Ok. Sorry. I thought you started to  
596 talk about the splash pad.

597 Mr. Hayes, Well, I went backwards. So, that is what I put for you tonight. And I  
598 know I had circulated some emails with regards to this. So, when I took a step  
599 further and, and got him to provide us a worksheet or a spreadsheet, to show you  
600 what you have spent on these pool heaters at the swim club. At this point, he did  
601 the repairs that were authorized by the Board and now there is an additional  
602 problem. Which is what I also shared for a bid of \$5,700.00 which is not reflected  
603 in the spreadsheet that shows you what you have already decided. We spent

604 \$3,700.00 and some dollars already, in July. And then this last visit was  
605 \$4,100.00, which is in that spreadsheet that I provided.

606 Ms. Kramer, Ok. So let me clarify. So basically, since January of this year, we  
607 had spent \$8,000.00 or we have had \$8,000.00 of what is going on. Now, I want to  
608 go back to the Board and remind you that this was the mistake. Remember when  
609 there was a proposal to fix the pool heaters came before us for 34.4. We assumed  
610 as the board that that would fix both pool heaters, and whatever our problem was.  
611 At that time, they approved it, then they hesitated in doing the work because they  
612 wanted us to approve two proposals. We had not seen the second one. But  
613 because we had approved the first one, they went ahead and did the work, without  
614 the Board knowing that we needed extensive additional work. on the second pool  
615 heater. When that was brought back to us, we then went ahead and approved the  
616 additional work on the second pool heater, because we were already into it about  
617 \$4,000.00.

618 Ms. Kramer, So here we are now, and we did that with the understanding that  
619 they are old. They would need that. We felt the information relayed to us was that  
620 it should buy us two or three or four years. And that has not happened, is that  
621 what I am hearing? So, we are into the pool heaters \$8,000.00. They want another  
622 \$5,746.00 to do the next repair. But they caution us and have it in there that they  
623 expect the compressor, although it is operating now it has considerable rust, and it  
624 may go out at any time. To the tune of about another \$8,000.00. And that's still, I  
625 feel like I am going down a splash pad road.

626 Ms. Kassel, Yeah. Well, if these are leaking, are they under warranty? We  
627 replaced them this year.

628 Ms. Kramer, No, we replaced the one. The first full heater. We have a dual pool  
629 heater system.

630 Ms. Kassel, It says to replace both poolside compressor.

631 Ms. Montagna, Yeah, only on one though. You have two pool heaters.

632 Ms. Kassel, Right? So, it said to replace both.

633 Mr. Leet, on July 24.

634 Mr. Hayes, Yes, there are two coils. There are two coils within those.



635 Ms. Kramer, in each unit?

636 Mr. Hayes, Yes, ma'am.

637 Ms. Kramer, So we have a total of four coils in the two units?

638 Mr. Hayes, Yes, ma'am.

639 Ms. Montagna, And I think back then too, Teresa. Correct me if I am wrong, I  
640 think they also provided quotes to replace both heaters because they were aged.

641 Ms. Kramer, Right. They did not tell us that until we were \$4,000.00 into it.

642 Ms. Montagna, That is correct.

643 Ms. Kramer, And you had mentioned that we can replace it. But one of our  
644 problems is this is a Symbiont system. Only Symbiont can work on it, is what I  
645 have been told.

646 Ms. Montagna, That is what I was told. Yes.

647 Ms. Kramer, These are the only folks who can do it on these. There are other  
648 pool heater systems, but you said they would be at what about \$20,000.00-  
649 \$30,000.00?

650 Ms. Montagna, Yeah. Actually, I think when Brett was back here, that question  
651 was asked. Right now, you are kind of cornered to Symbiont, because that is the  
652 only one that will work on these. But there are other companies that will provide  
653 pool heaters. But yeah, you are looking at \$30,000.00 to \$40,000.00, and that was  
654 back then. We can definitely look into,

655 Ms. Montagna, Yeah, and it could be that, but this was back what I think last  
656 year. I do not have it right on the top of my head. But there are other companies  
657 out there. I think he looked at one that started with a "D."

658 Mr. Hayes, Now there is another company called,

659 Ms. Kramer, Ok. We do not need the pool heaters right this very minute. But  
660 we are coming real fast on the pool heater season. What I would like to run by the  
661 Board and see if you all are in agreement, is for us to very quickly get out there  
662 and get some quotes on brand new pool heaters. I do not want to go down the  
663 splash pad road again. I mean, we are already halfway down it with the pool  
664 heaters. But I want to stop the bleeding right now.

665 Ms. Montagna, Proposals to replace both?

666 Ms. Kramer, To replace at least one. I do not know if they can work with them.

667 Ms. Montagna, They run together. So, you have to replace both, because they  
668 do run together.

669 Ms. Kramer, Well, have the companies come out. Three of them. And look at it  
670 and tell us what they can and cannot do. Maybe somebody has something that  
671 can work with you.

672 Ms. Montagna, Ok.

673 Ms. Kramer, Does anyone else want to act on this proposal today or does that  
674 seem like a reasonable thing to?

675 Mr. Leet, Yeah, I think obviously we should consider all options. My only  
676 thought is just making sure that if we were to decide at next month's meeting, it is  
677 something that it is not going to take until March to get installed.

678 Ms. Kramer, Right? So, yeah. When you get the proposal, have them give you  
679 a date, that they can start and get it completed by.

680 Mr. Leet, Are there any dates associated with what we have heard from  
681 Symbiont? Are there any dates associated with this replacement from Symbiont?

682 Mr. Hayes, No, he just provided his narrative of what you guys should  
683 consider. whether you want to continue to do the next repair. He also stated that  
684 the units are over 15 years old and the possibility of a compressor being the next  
685 issue.

686 Ms. Kassel, Is the quote for new pool heaters, two of them, going to include  
687 the cost of the compressor?

688 Ms. Kassel, Here is a question?

689 Ms. Kramer, Well, I think is the compressor a part of the pool?

690 Mr. Hayes, Yes.

691 Ms. Kramer. Ok. So that,

692 Mr. Leet, So make sure please that they include lead time or whatever. So,  
693 that is a part of that. So, we can make a good decision next month.

694 Ms. Kassel, Does the Board need to take any other action?

695 Mr. Hayes, So, I will get a proposal from Symbiont and I will see if I can get  
696 two others. To include lead time, starting and completion dates.

697 Ms. Kramer, Now you can enlighten us about the splash pad.

698 Mr. Hayes, All right.

699 Mr. Hayes, So, the splash pad as it is reported, has a leak in the wall. You all  
700 authorized to get two pumps and in new valves in the actual wall. Now one of the  
701 valves is connected to the piping that goes into the actual cement wall. There is a  
702 round union connection, it is leaking from there, It was discovered in the morning  
703 right away from the field team. They immediately responded to the issue and  
704 contacted me. They pumped out the water out of the vault. It was approaching the  
705 fins for the new motor. So, we are hopeful that no water got in those. And they  
706 obviously turned off the unit. There is a three-inch PVC pipe that goes from the  
707 pump motor to the filter motor. That also has a leak in it. It was also reported that  
708 a pressure gauge was broken. So, in the interim, working with Florida Aqua where  
709 we are going to get the PVC pipe placed and the pressure gauge then we right  
710 away reached out to PFS to try to get them on site to resolve the valve to the wall  
711 issue. There was some concern whether he had power there. We did confirm we  
712 still have power and there is no issue where we need to contact the electrician.  
713 We are just waiting for Mo to give us the date to come out and do his part. And I  
714 already was working with the field team to have Florida Aqua group come out and  
715 do their part.

716 Ms. Kramer, The first time we went to do the massive work, the first massive  
717 work, on this. And again, you were not here. We were told that that would fix  
718 everything, and I do not remember that was \$20,000.00.

719 Ms. Montagna, I need to look it up.

720 Ms. Kramer, Then we came back and as they did their work, another pipe  
721 blew. And we had to replace, not only the brand-new motor in the new pump that  
722 we bought, for an expensive amount of money, but we also have to replace the  
723 panel, the electronic panel in there. Because all of that flooded. And that had been  
724 replaced only two years ago.

725 Ms. Kramer, And they said the reason it flooded was because a leak in a pipe  
726 where they just installed a valve. So, they were going to come back and basically,  
727 they were going to use everything in the vault, and everything that was not a pipe

728 actually buried in the ground. So, they said the entire vault. Now, I am hearing that  
729 there was a pressure valve that was not replaced. That there was a U-shaped  
730 pipe coming from a pump or something that is now leaking. And then another leak  
731 was caused by them, installing another valve. Is that what I'm hearing?

732 Mr. Hayes, what you're hearing is the PSI gauge was broken. It broke and that  
733 was our conversation where we are getting the PSI gauge replaced.

734 Ms. Kramer, I know, but what I have been asking, and again, I am not  
735 attacking you. I have been angry at the history and the fact that we were led, this  
736 Board was led, to believe that there was nothing more that could break without us  
737 having to dig up the ground to find the break. And I feel lied to twice now. Not from  
738 you, from your people before you. And so how much, it's been 35,000.00,

739 Ms. Kramer, We have put in the,

740 Ms. Kramer, splash pad.

741 Ms. Montagna, I do not know. I would have to look that up.

742 Ms. Kramer, Yeah, That approximately with the brand-new pump. All the work  
743 that PFS has done. And now we got several new folks who came through did what  
744 they could that.

745 Ms. Kassel, So what, is your point about moving forward? I mean, I  
746 understand that you are frustrated. We all are. with TNT, like blow it up.

747 Ms. Kramer, We cannot afford to continue putting band-aids on a system that  
748 is constantly breaking down.

749 Ms. Kramer, Now, I would have thought with the last repair that it would have  
750 been essentially like a new system. But it is not working again. I cannot continue,  
751 even though we have invested so much, which destroys me, I cannot see putting  
752 more money towards a splash pad.

753 Ms. Kramer, Having the insurance. The other thing, I spoke to the folks that  
754 deal with the Harmony West splash pad, which is a brand-new splash pad. And  
755 they said it breaks down every other week.

756 Ms. Montagna, Celebration's does too. The vault just flooded there, tore up  
757 everything and they just put in their budget for this Fiscal Year. It was either shut it  
758 down or break it up and rebuild it. And they had not made a decision. They are

759 like, we do not know that we want to put another couple \$100,000.00 splash pad.  
760 But if not, so they shut it down. They break constantly.

761 Ms. Kassel, But this, that had not been a problem until a couple of years ago  
762 when we started having issues. I am sure part of it is age; I am not ready to  
763 entirely give up on the splash pad. I also feel very frustrated. I feel like we were  
764 assured that everything in the vault would be,

765 Ms. Montagna, So, I think your best bet is to have the vendor come to your  
766 next meeting and go through. We can have all the invoices pulled. I can pull them  
767 and send a report to the Board. So, you know what you have spent to date with  
768 whatever splash pad company and whatever has had anything to do with the  
769 splash pad. You have those vendors come or at least join the call and you ask  
770 them. Because the Field Team can only relay what the vendors tell them. Right.  
771 So, I think that is your biggest thing. We have spent X amount of money. You  
772 have evaluated this numerous times. This is what we have done. Now, tell us. I  
773 think that is the only way you are really going to be able to understand is to have  
774 these vendors come here and talk to them and ask them your questions.

775 Ms. Kramer, And one of the things I asked at our last meeting was to reach out  
776 to the municipalities surrounding us, that have experience with splash pads, and  
777 other water features. Has that been done?

778 Ms. Montagna, I reached out to Ocala County Parks and Rec. I talked to two  
779 gentlemen there and they use a lot of the same companies. They did not have  
780 anyone in specific that they used. Anyone new that we have not tried. We have  
781 also sent Russ who has been managing the splash pad at Celebration for the last  
782 28 years. We sent him out here to look at it. He agreed with the stuff that was  
783 being said. So, we have exhausted every avenue and I do not know what else. It  
784 is frustrating. I know.

785 Ms. Kramer, I guess the next question would be I get them band aiding, band  
786 aiding, trying to fix, trying to fix.

787 Mr. Leet, This last one was not a band aid. We replaced,

788 Ms. Kramer, It was supposed to have been the whole vault. It was supposed  
789 to. Right? Yeah, I am remembering this. Right?

790 Ms. Kramer, So, in addition to bringing the vendors here, I'd also like to have  
791 some idea. They have things that are not fountain oriented play areas, but they  
792 are essentially where the water flows at a consistent rate constantly up and  
793 through the pipes and into buckets and things and they tilt down. There is one on  
794 the lakefront in Saint Cloud. If we can see what it would cost to convert our  
795 fountain slash pad into a different type. That type of area, a water play area. And  
796 whether that would deal with the same pumps and VFD panel and everything else.  
797 If that is more simplistic and easier to maintain.

798 Ms. Montagna, Ok. We can do that.

799 Ms. Kramer, That way we would know what our options are. In the meantime,  
800 Mo is going to come out and look and figure out what happened. And why his  
801 perfectly replaced vault is leaking again.

802 Mr. Leet, Yeah. Was not there like some kind of a maintenance agreement  
803 with that installation? Do we have any kind of recourse or recovery if it is,

804 Ms. Montagna, You do unless it is an act of God.

805 Mr. Hayes, If I may, comment again, when he is coming out to fix PVC, and I  
806 understand and can feel your frustration and rightfully so. Ok. But for him to  
807 replace the PVC connection with regards, we spent an enormous amount of  
808 money on trying to fix this. You have new parts and pieces as far as PVC pipe and  
809 the, the pressure gauge, you are talking about \$150.00. Ok. You are talking about  
810 Mo coming out to, to replace the piping union, the wall. Which he knows that that  
811 was part of his connections, right. That he would be responsible to get that  
812 repaired. So, that was the plan that I was moving forward with unless the Board  
813 advises otherwise.

814 Ms. Kramer, However, from what I remember before the week started, nobody  
815 could figure out why it did not,

816 Ms. Kassel, I think that. Right. And there were several.

817 Ms. Kramer, It is not working properly.

818 Ms. Kassel, there were several jets around the backside that were not working.  
819 Four or five of them.

820 Ms. Kramer, Yeah, so even before this last round of leakage, it was not  
821 working right. We had a static fountain and that was it.

822 . Ms. Kramer, So

823 Mr. Leet, Well, no. I saw it my own eyes. It briefly was.

824 I mean, I guess we will go over this next month with the vendor. I guess. But  
825 was there like a sequence of failures where it had to be static and then died  
826 completely?

827 Mr. Hayes, I do not know the answer to that.

828 Ms. Kassel, All right, I think we should move along.

829 Ms. Kramer, Well, I am going to give Lucas and Joe a chance if they have  
830 anything to interject.

831 Ms. Phillips, Oh, I am just totally frustrated with it, and I do not have an answer  
832 either.

833 Ms. Kramer, Lucas. Do you have any ideas or comments?

834 Mr. Chokanis, All right. I got kicked off for a second. What was, the last topic  
835 that we were discussing?

836 Ms. Kramer, We are dealing with the splash pad.

837 Mr. Chokanis, Oh, Jesus.

838 Ms. Kramer, So what, I don't know if you heard what we are thinking about  
839 doing. They are going with Mo from PFS, who was supposed to completely make  
840 what is inside the vault brand new, is going to come in and repair the leaks and  
841 things and the PSI now. So about \$150.00, worth of work he is estimating. But that  
842 still may not fix the whole problem. What we are asking is to have some different  
843 folks look at converting it from a slash, a fountain type slash pad, to a child's water  
844 play area like similar to the lakefront in Saint Cloud. And to see if that's a less  
845 complex system and a less costly system to maintain.

846 Mr. Chokanis, Well, I would like Mo to go and look at it and try to fix it in the  
847 near term. I do not know if that is going to be a less costly option, but the way we  
848 are with our finances, we could definitely get a quote and see what that looks like.  
849 But we need to get running. It has been going on for what four or five minutes  
850 now. On and off. So, I would say we can let Mo try to do what he can to fix it and

851 get up and running. And then yeah get an option to convert it. I guess. But I think it  
852 is good as it is. But let us look into it.

853 Ms. Kramer, All right. So, no action is needed at this and we will leave it in  
854 your hands. Anything else from the field at this point?

855 Mr. Hayes, If I can make a comment on the grinds. There were some grinds  
856 that were supposed to be completed. There were two more spots that were  
857 supposed to be completed today. They got wet so they could not finish it  
858 yesterday. And if so then that whole list is completed.

859 Ms. Kramer, And a couple of months ago our conservationist, Catherine  
860 Bowman, was out and reviewed all the areas. She did find a lot of, a fair amount,  
861 of new growth in some of the areas. That information has been passed on to Brad  
862 Vinson on staff. And he will be working to treat them. But again, he is reiterating  
863 that we all know the pace at which it grows is phenomenal. So, just be aware that  
864 he is struggling to keep up with it all. Any other field items you know, of since  
865 Jeison,

866 Mr. Hayes, I mean, you are all aware with the fencing that is been removed as  
867 far as,

868 Ms. Kramer, That came off a week later.

869 Mr. Hayes, And you know, as it stands right now, there is not going to be any  
870 fining to the District, because the fence has been removed and taken care of.

871 Ms. Kramer, The signs are down?

872 Mr. Hayes, The signs are all removed. And we will save the posts. We asked  
873 them to do that. That's about it.

874 Ms. Kassel, So, I would like to just inquire; we get these reports all the time.  
875 Assigned to Benchmark or whatever. We have said before these reports are nice,  
876 but there are things I know that four months ago were on that report and have not  
877 been addressed. I can think of two just off the top of my head. For example, the  
878 power washing of the sign at the sundial. Right? It has black mold down it. It was  
879 probably four or five months ago that it was reported that that needed to be  
880 addressed. Also, the Clock Tower, that now houses that house, that needs power  
881 washing. It is probably from March or April that that was in the list. I am sure there



882 are many items on the list that have just not been done, it is one thing to make a  
883 list of things that need to be addressed. It is another to actually address them. So  
884 personally, I would like to see more of a spreadsheet about with these items and  
885 when they were completed, because we keep on getting the list, but things do not  
886 get completed. What is the point? What is the point of making the list?

887 Ms. Montagna, Is the shared doc or drive that you guys were doing is that?  
888 Has that not been kept updated? I let you all know what the link is to access it.

889 Ms. Kramer, That we can check up at the end of the meeting.

890 Ms. Montagna, Yeah, because that is your point where it was supposed to be  
891 updated on the projects, and when the completion dates, and all that. So, if that  
892 has fallen off,

893 Ms. Kassel, It would be helpful if that link under field services was just in the  
894 agenda each month so that we could take a look at it.

895 Ms. Montagna, We can absolutely do that. If the Board is ok with that. We can  
896 do that.

897 Ms. Kassel, I would like to see it.

898 Ms. Montagna, Sure.

899 Ms. Kramer, Any other comments? Oh, and I have put in a request to make  
900 sure they save the signposts. Those are the architecturally designed signposts.

901 Ms. Kassel, Last time I was voted down.

902 Ms. Montagna, Well, yeah, you asked to leave them up. And then she was not  
903 here at that meeting. And then she had said, wait a minute, can we at least keep  
904 them? I know that was voted to take the whole entire thing down,

905 Ms. Kassel, And throw it away, because we don't have storage.

906 Ms. Montagna, Correct.

907 Ms. Kassel, So, we need to amend or revise that vote here, because the vote  
908 was to discard. So, I move that we rescind the vote.

909 Ms. Kramer, It has to be someone off prevailing the side.

910 Mr. Leet, Is that what happened? The signs have been taken down and we still  
911 have the posts. Do we have a place to store them?

912 Ms. Montagna, So, the Board voted yes to take the entire sign down. Post and  
913 all and discard them. So, they were taken down. Teresa asked, she reached out  
914 and said, can you at least keep these posts? They are architectural post. Just  
915 keep them instead of throwing them away. And to my knowledge, the field staff  
916 has done that.

917 Mr. Hayes, I know. It has been since then, to my understanding,

918 Ms. Kramer, Yeah, They were there on Sunday.

919 Mr. Leet, So, if they have a place to store the posts from the old signs and that  
920 is not going to be a cost of hardship, then I would,

921 Ms. Kramer, You will ask them, for re-consideration?

922 Mr. Leet, Yeah

923 Ms. Kramer, So, would you like to make that motion?

924 Mr. Leet, I will move to reconsider that, or would it be to amend to save?

925 Ms. Kramer, You can make a new motion to save?

926 Mr. Leet, I moved to save the posts from the signs.

927 Ms. Kassel, Do we need to rescind the previous motion?

928 Mr. Eckert, I think at this point, I do not really think that you have formally  
929 adopted Robert's rules or not. All my districts, I say we do not formally adopt them  
930 for this reason. So, I think if you say, I moved to modify it in the last motion that  
931 was passed, so that we are going to go ahead and keep the posts.

932 Ms. Kramer, So, do I hear a second?

933 Ms. Phillips, I am. Second.

934 Ms. Kramer, I have a motion and this second. Any discussion.

935 Ms. Kassel, Where are we going to store them?

936 Ms. Kassel, I think you can in the new garden shed? I think,  
937 we can find room there.

938 Ms. Kramer, The garden shed offered when it is built, storage. Yeah. All right.  
939 All in favor?

940 Ms. Kassel, aye.

941 Mr. Leet, aye.

942 Mr. Chokanis, aye.

943 Ms. Kramer, aye, Ok, the motion passes unanimously. Thank you. We will be  
944 saving the posts because they have a lot of different uses.

945 Upon VOICE VOTE, on a motion by Supervisor Leet,  
946 seconded by Supervisor Phillips, with all in favor, the Board  
947 approved to save the architectural posts from the developer  
948 signs removed in Harmony CDD.

949  
950 Ms. Kassel, One more question.

951 Ms. Kramer, Yes, ma'am.

952 Ms. Kassel, We had discussed boulders to help protect the ribbon curbs. I had  
953 reached out because that was back in April or May. It is now September. I have  
954 reached out and asked him what the status was. And he said that you requested  
955 by email, the Children At Play signs be installed instead.

956 Ms. Kramer, That has been a long time ago too. We did. Jeison and I were  
957 going. Jeison asked that I join him to show him where the boulders should be  
958 placed. We went around to those areas that were of concern. Where there is like a  
959 T or a sharp turn where we do have our curbs. We noticed in two locations there  
960 had been no damage to landscaping or anything ever because they had some  
961 time, I do not know who it was, in the past had placed a directional sign and then  
962 the Children At Play sign in two locations. That would prevent a vehicle from going  
963 over the ribbon curb and the grass. So, we talked about it, wanted to bring it back  
964 to the Board. That placement of those signs will serve the same purpose as the  
965 boulders a lot less expensively. And, we have seen the boulders actually moved  
966 by the big shingle delivery trucks. And which would mean that our staff would have  
967 to try and go out and wrestle those boulders back in place. Which I do not think  
968 would be a task we really want them to do, because it is a very heavy lifting task.

969 Ms. Kassel, So, what happens to the signs when those companies come  
970 through.

971 Ms. Kramer, If they hit them, they will significantly damage their vehicle instead  
972 of just driving over boulders. They will actually hit them and then we have to

973 replace the post. But that would be a lot less expensive. So, if the Board would  
974 consider that in place of, I am not sure we were going to try out in a couple places.  
975 I do not think they have been up yet, but it appears to be a good working solution  
976 for that. And that should the, the staff that is there now should be able to get that  
977 up really quickly.

978 Ms. Kassel, Well, apparently, they have already been purchased, because  
979 Lynn's email said that they already have them. So, apparently the decision was  
980 made and signed for purchased.

981 Ms. Montagna, That is correct.

982 Ms. Kassel, So, do we need to vote on anything?

983 Ms. Kramer, I think it would be a good idea, because I think we did vote. Did  
984 we vote on the boulders?

985 Ms. Montagna, Yes, the boulders were voted to be put in. And the vote was  
986 Supervisor Kassel was to meet with Jeison walk the areas and determine what  
987 type of boulder were going to be placed there. And, there was a few comments of  
988 places that boulders could be obtained. So, that was the conversation in the vote.

989 Ms. Kassel, Right. And then I followed up several times. Jeison emailed me  
990 photos from which I could not determine the size of them. There was not  
991 something of an estimable size next to them so that I could say, "Ok, these are  
992 this big and those are this big and those are that big." And then the next thing I  
993 heard when I followed up was that you had met with Jeison and signs had already  
994 been ordered and the Board had not been consulted. So, I would just request that  
995 the Board be included. Since the signs have already been bought and it seems  
996 like a reasonable change. In addition to my request that the Board be consulted  
997 before something is done, I will move to revise my vote to purchase boulders to  
998 instead approve the purchase of Children At Play signs to be installed by the  
999 ribbon curbs.

1000 Mr. Leet, Also, move.

1001 Ms. Kramer, I have a motion and a second. Do I hear any further discussion?

1002 Mr. Leet, About how much did these signs cost a piece?

1003 Mr. Hayes, They were like, I do not know.

1004 Mr. Leet, Low enough that they were able to,  
1005 Mr. Hayes, I mean, I thought they were \$12.00, or \$13.00. Teresa even  
1006 provided some other website. But we were looking at fast signs and website. We  
1007 found them really inexpensive.

1008 Ms. Kramer, It was a stop gap. If we could not get the boulders or boulder  
1009 decision was not made, something needs to go in to prevent our ribbon curbs from  
1010 coming up.

1011 Ms. Kassel, But meanwhile, it's been five months they have been in and  
1012 nothing is there.

1013 Ms. Kramer, That is right.

1014 Ms. Kassel, So we have a motion and a second.

1015 Ms. Kramer, All in favor.

1016 Ms. Kramer, Mr. Leet, Mr. Chokanis, Ms. Kassel, and Ms. Phillips, aye.

1017 Ms. Kramer, All right. All opposed? Hearing none the motion passes  
1018 unanimously to substitute "Children at Play," signs for boulders in an effort to  
1019 prevent large vehicles, or any vehicles, from rolling over our ribbon curves and  
1020 landscaping. Thank you.

1021

1022 Upon VOICE VOTE, on a motion by Supervisor Kassel,  
1023 seconded by Supervisor Leet, with all in favor, the Board  
1024 approved to not use boulders at alley ribbon curbs and to  
1025 purchase and install "Children at Play," signs to prevent  
1026 vehicles running over ribbon curbs and landscaping.

1027

1028 Ms. Kassel, Get the signs up quickly.

1029 Ms. Montagna, Yes, I am sending a message.

1030 Ms. Kramer, Anything else on, you said you might have a couple of things.

1031 Ms. Kassel, During Supervisor's requests.

1032 Ms. Kramer, Oh, I'm sorry. Ok. Anyone else have anything for field?

1033 Ms. Kramer, Hearing none, we will move on to our District Engineer.

1034 Ms. Kassel, Watch your head, David.

1035  
1036 **B. District Engineer**

1037  
1038 **1. Five Oaks Drive Storm Sewer System Analysis**

1039  
1040 Mr. Hamstra, Good evening, everyone. David Hamstra here, District Engineer. I  
1041 have six items to go over this evening. I will make them quick. First one is Five  
1042 Oaks dry flooding and brought up in public commons and it was brought up also at  
1043 the last meeting. We have done what we call a hydraulic grade line analysis to see  
1044 the capacity of the pipe, versus the area that is getting to it. And the current pipes  
1045 are on the ground are too small to convey the water that is getting into the pipes.  
1046 Hence the reason we are having, I call it, surcharging at the sag of the system.  
1047 The pipes vary in size from 15 inches to 18 inches only. Roughly about two acres  
1048 of land that gets to it, and that system is controlled by one of the ponds within the  
1049 golf course. So, similarly to what we are doing for other CDD's, whether you are  
1050 interested in upsizing one or two segments of the pipes to improve their capacity,  
1051 to address the localized flooding issue the right way.

1052 Mr. Hamstra, And if you are, I can give you a cost estimate for the next  
1053 meeting, but we did finish the analysis and the pipes are too small.

1054 Ms. Kramer, What was that?

1055 Mr. Hamstra, Hydraulic grade line analysis. I will send you the actual document.  
1056 You have got figures and exhibits and computations and so

1057 Ms. Kassel, what size pipe is recommended to be,

1058 Mr. Hamstra, It will probably go from an 18 inch to at least a 24 inch, and then  
1059 the 15 inch may go to an 18 inch. It is easy when you cross the golf course  
1060 because it is an open space and you start getting within the right of way. That is  
1061 when the costs escalate quickly. So, we will look at if we upsize the pipe and the  
1062 road to the pond that will go a long way of improving the capacity, or if we have to  
1063 do another run a pipe within the right way. But I can provide those for the next  
1064 meeting.

1065 Ms. Kassel, And this is the CDD responsibility? Is there nobody else that could  
1066 be responsible?

1067 Mr. Leet, County Road.

1068 Mr. Hamstra, It was designed, permitted, built per the plans. I think it has been  
1069 too many years to go back to the Engineer of record.

1070 Ms. Kramer, Ok. County roads and bridges typically will come out and do if it is  
1071 actually in the roadbed itself. They will change out the pipe there. But anything  
1072 outside of that falls to us. This is my understanding.

1073 Mr. Leet, So, that means that the County might then do the under the road. You  
1074 should have to,

1075 Mr. Hamstra, I would have to give the analysis to make sure they concur their  
1076 findings. If they are willing to share the cost.

1077 Ms. Montagna, Which one are you talking about? Number?

1078 Ms. Kramer, Three.

1079 Mr. Hamstra, Sorry, I was wrong.

1080 Ms. Montagna, It is ok. You jump around.

1081 Ms. Kassel, I would like to hear both what, whether the County will shoulder the  
1082 cost for replacing under the road and then also what it would cost the CDD to  
1083 replace the pipe back into the pond from there.

1084 Ms. Kramer, Ok. So, you will bring that back next month?

1085 Mr. Hamstra, Whether they are willing to cooperate or share the load and bring  
1086 back the approximate cost on your end if they are.

1087 Mr. Leet, Ok. And rain will not give here for a minute. So, knowing that it is a  
1088 pipe capacity issue, if we did have a major rain event, is that just telling us that it a  
1089 longer time for it to drain to a safer passage level? Or is there also an increased  
1090 risk of it being clogged? Being a smaller pipe and a much longer duration this  
1091 year. I live on Dark Sky. We have CDD properties back there. That if there is  
1092 heavy rain, it might flood, it might even get into some people's backyards. But in a  
1093 matter of hours, it is gone. So, with that analysis, is there anything that would tell  
1094 us? Like, what is the cost of not acting? And, if we do have a major rain event, is it

1095 just it would be there for like three hours versus one hour. If we replaced it? It will  
1096 not back up at all if we replace it.

1097 Ms. Kassel, Or, six hours versus four hours. Right?

1098 Mr. Hamstra, So, there is two things. That depends heavily on how the pond is  
1099 discharging too. So, we got to make sure that pond is ok and working like it  
1100 should. Since they are small diameter pipes. And it is lined with a bunch of trees.  
1101 We assume the pipes are clean. They could be partially clogged. Which can make  
1102 the matters worse, because the storm event we look at is not what you guys have  
1103 been getting, you are getting less events, right? That is leading to it. So, it leads  
1104 me to believe even though they cleaned it, there might be issues inside the pipes.  
1105 The last thing we look at is the capacity of the inlets. Are the inlets too small to  
1106 capture what is coming into it. So, those will all be brought forward to the County  
1107 and then to see if they will cooperate. They were very helpful in the estates when  
1108 that issue was going on. I will reach out to the same gentleman and just see if we  
1109 can get some dialogue going on.

1110 Ms. Kramer, We have that same issue right where Cat Briar comes into the  
1111 Five Oaks round-a-bout it is on actually Cat Briar, and even in a small storm event  
1112 it backs up there too. So, if we are going to have people out here working, you  
1113 may want to look at that one too.

1114 Ms. Kassel, And we may also, I do not know if pays to have APS do a camera  
1115 view of the pipes from the pond to from wherever we have to. To see if there is a  
1116 blockage in the pipes and maybe there are blocks. Maybe there are trees and or  
1117 maybe there are roots or whatever. But I do not know if you need to replace the  
1118 pipes anyway.

1119 Mr. Hamstra, Well, they could tell us that there is root intrusion. They can tell us  
1120 that the joints have separated and there is dirt coming into the pipe. So, we can do  
1121 a budget, a closed-circuit televised camera inspection. They are pretty much; they  
1122 will block the end pump the pipe out dry. Run the camera through there, and then  
1123 see if there are other issues.

1124 Ms. Kassel, My question is in paying for that, if they find stuff, are we going to  
1125 have to replace the pipe, anyway? Is that a redundant expense to do that?



1126 Mr. Hamstra, No. That cost should probably, I am guessing from what they are  
1127 doing for this lake, \$2,000.00 or \$3,000.00. So, it is a good x-ray, what is going on  
1128 underneath if you do not see.

1129 Mr. Leet, And would that maybe, if there were blockages that were able to be  
1130 repaired versus a full replacement, that might tell us that?

1131 Mr. Hamstra, Well, with the joint survey, you can do joint repair, But we are still  
1132 saying the pipe is too small. But I am not recommending replacing the entire  
1133 system. Maybe just the downstream end. So, if I know we are going to make it  
1134 bigger, I am not sure if it is worth the camera work in the downstream end. But  
1135 maybe the upstream end, where I do not plan on touching it. The upstream main  
1136 is the of the area that floods and then it kind of bucks and goes to the pond.

1137 Ms. Kassel, But it never used to. Right.

1138 Mr. Hamstra, Well, that is why you have something going on. We do not know  
1139 about. Which is like a root intrusion, or,

1140 Ms. Kassel, Which is why I am suggesting it. But,

1141 Ms. Kramer, Yeah, I do not know if this additional development out on this end  
1142 contributes at all. Or if it would even get down, I do not know what they,

1143 Mr. Hamstra, Does not take much to set the scales on a 12 inch to 15 inch pipe.

1144 Ms. Kramer, So, in other words, it is too small, but it was getting by for a while.

1145 Mr. Hamstra, I mean, when they are in there for a while things happen. I have  
1146 seen strange things stuck in there by accident, so maybe.

1147 Ms. Kassel, Maybe worth getting a quote to have a camera to be done.

1148 Ms. Kramer, Our district manager can go ahead and approve if it is under  
1149 \$5,000.00. She does not want to take responsibility. So maybe we can get that  
1150 done before it comes back next month because we want to move pretty quickly or  
1151 at least know for budget-wise. Ok, what cost we may be looking at here?

1152 Ms. Montagna, If that is what you want, then I could definitely do that.

1153 Ms. Kramer, If it is a reasonable amount, we want it scoped first then because  
1154 that could prevent, possibly prevent, us from having to take on,

1155 Ms. Kassel, A bigger expense.

1156 Ms. Kassel, Should they put in a bigger amount?

1157 Mr. Hamstra, I am sure the Engineer is going to come back and say it properly  
1158 sized. And there is modeling has its assumptions you have make.

1159 Ms. Kassel, 20 years ago,

1160 Mr. Hamstra, Standards change. Rainfall conditions are changing if you believe  
1161 it or not, but we will get more intense storms. So, when you get that rapid run off  
1162 the pavement, it overloads the inlets, and it does eventually drain. But it could be  
1163 unsettling for those trying to drive through it.

1164 Ms. Kramer, So, this is just one of those things that it is not anyone's fault? It  
1165 just needs to be taken.

1166 Mr. Hamstra, I think. So, from what I think Teresa shared with me a month ago,  
1167 photographs from what I heard from a gentleman behind me, and I think it was  
1168 reported last meeting as well.

1169 Ms. Kramer, I mean, we cannot lay the blame on anyone's feet though, so to  
1170 speak.

1171 Ms. Kramer, 20 years later.

1172 Ms. Kassel, Well, actually it is less. It is probably only like 12 or 13 years,  
1173 because they did not, it was a dirt road for a long time. It was not really until they  
1174 started,

1175 Mr. Eckert, It is going to be an uphill battle if it was permitted and approved by  
1176 the government agencies, that is going to be a defense.

1177 Ms. Kassel, Yeah.

## 1179 **2. Consideration of Community Maintenance Facility at Lakeshore Park**

### 1181 **Survey Proposal**

1182 Mr. Hamstra, All right. Item number two is the survey proposal for the Lakes. I  
1183 call it Lake Shore Park, you guys call it Buck Lake Park, but Lake Shore Park  
1184 survey proposal for the potential future community maintenance facility. I walked it  
1185 on Labor Day. Checked the statewide contour maps to the actual conditions. It

differs enough that I am not comfortable doing construction plans based on our aerial topo. There are also three abandoned electrical systems that are out there from the school. Depending on where we shift this footprint. We want to make sure we get the grade right to meet the criteria. We do the sidewalks. So, it is just good practice to do work based on a survey, not an aerial map if we can avoid it.

Ms. Kassel, How much is the proposal? I have not seen it yet.

Mr. Hamstra, I did not submit it to the group. But anyway, it is \$3,986.00.

Ms. Kassel, And that is to do a survey?

Mr. Hamstra, It is a topographic survey to locate utilities all above from features, all designators by utility providers. And then we will take that and do the construction plans if that location is good.

Ms. Kramer, Now, how much? Is that for the whole parcel or just for that,

Mr. Hamstra, What is cross hashed in red is the limits of the survey. I know somebody going to say, "We do not need an area that big.", but once the survey is out there, they are mobilized, and they get the control to go out there, it is not a big deal. It is getting out there and getting it under way. There is a small parking lot. There are 1, 2, 3 electrical service issues. We know this thing is going move depending on,

Ms. Kramer, Possibly. We have a whole section of the community that does not want it to move back, and it is moving it back. So, that is something.

Mr. Hamstra, When I was out there, people stopped to ask what you do and then they wanted to. So, I am not here to pick and choose. So, it is a broad window, topographically utility-wise. We know we have a fire hydrant at the exit that was brought up in a pre-application meeting. So, what you see in red is a big blanket depending on where this thing is going, more fencing and grading, the sidewalk. This whole sidewalk has got to be blown up and redone. It is all busted up from the trees. Concrete is not salvageable. So, we just did a big area not knowing where this thing is going to gravitate to, based on the public feedback.

Ms. Kassel, This is why when we had this conversation several months ago and we had an \$88,000.00 price versus something that costs over a \$300,000.00 something cost that looks. I said I believe that that was a very significant

1217 underestimate of the costs. So, now we were talking \$80,000.00 or \$100,000.00,  
1218 but now we are talking another \$20,000.00 \$30,000.00 \$40,000.00 to rip up all the  
1219 concrete and we make the sidewalks, and we laid the pad. So, I am,

1220 Mr. Hamstra, So, I was in there. We did not just drop them exactly there.

1221 Ms. Kramer, Yeah, that would have been \$20,000.00.

1222 Mr. Hamstra, I mean, Greg included that being redone, because we knew that  
1223 was in bad condition. Some of the sidewalks leading to it. You can see from  
1224 Google Earth needed to be worked. So, there is some contingencies in there for  
1225 the unknown. So, I will not be coming back say it is going to be \$200,000.00 over  
1226 when we are done. But hearing the public, hearing the discussions, and journey  
1227 with you guys, I do not know where this thing is going to move to. So, that is why I  
1228 decided to crash the line net for the survey, or I can make it a lot narrower and  
1229 drop it \$500.00. I figured really at this point, since we do not know where this thing  
1230 is going, the \$4,000.00 will be well spent, at this point.

1231 Mr. Leet, Would it benefit for any other future use of that property as well?

1232 Mr. Hamstra, Yeah, whenever you guys decide to put there. Whatever else. A  
1233 new slash pad.

1234 Ms. Kassel, Yeah, love his jokes.

1235 Mr. Hamstra, I have got a couple more, trust me.

1236 Ms. Kassel, So, I am wondering if what the cost would be to create a rendering  
1237 of what this facility might look like. That could possibly allay the fears of many  
1238 residents. Because I know that the dumpster is an issue. How that is going to be  
1239 addressed. Now, obviously, the dumpster is not going to be visible. It is going to  
1240 be within fencing and in front of the fencing is going to be landscaping. So, the  
1241 fencing will be somewhat camouflaged, and the dumpster will not be visible. But  
1242 how will we manage the smells? How will we manage the possibility of wildlife?  
1243 Just let me finish. How will we address the concerns about the appearance and it  
1244 affecting the sort of look of that more natural area? I will say for those people who  
1245 are listening, that parcel was always, from the get-go, since 2004, when I first  
1246 moved here, that parcel was quite possibly going to be developed into  
1247 commercial. So, it is not as though that parcel was supposed to remain

1248 undeveloped. That parcel was always slated for some kind of development, and it  
1249 was mixed use. Originally, I remember they were talking about putting up a bar,  
1250 like a restaurant bar there. And it is one of the reasons I did not buy the parcel  
1251 right there at that corner that is now what we call the bed and breakfast. So just to  
1252 put a little perspective on it. That parcel was always slated for development. It was  
1253 never slated to remain a green space. But I would like to see some kind of  
1254 rendering that we can share with our residents who are going to be putting out  
1255 money for this. Or so that we can kind of allay the concerns about it, and what we  
1256 do about the dumpster. Ok.

1257 Ms. Kramer, I wanted to mention the dumpster. When June and I were  
1258 discussing this. I am pretty sure that what we can do. One, it would be totally  
1259 fenced with probably a white fence, like you see in a lot of areas. In addition, as  
1260 far as the dog waste, we can arrange for the pickup of that dumpster to be right  
1261 after the dog waste pick-up time. We do not have to say, the dog waste pick up is  
1262 every Tuesday and the dumpster is on Friday, and you are just going to have to  
1263 suffer with the smell. We have flexibility and we can do things that can allay some  
1264 of the concerns.

1265 Mr. Leet, So, speaking of flexibility, the dumpster now is near the storage area  
1266 right back from the garden. Right? Would not it be possible for the field staff, as  
1267 they work through the day, to have a 55-gallon drum or something like that? Why  
1268 cannot the permanent dumpsters stay where it is now and just had it be filled up,  
1269 at the end of the day?

1270 Ms. Kramer, part of it is for the maintenance facility. I do not know if the County  
1271 would allow us to put it somewhere else. They shudder when they hear anything  
1272 going down there.

1273 Ms. Kassel, Well, there is something down there now. It needs a dumpster on  
1274 its own, does it not?

1275 Mr. Leet, Well, it is a dumpster. It is not a building. It is not an inhabited  
1276 structure.

1277 Ms. Kramer, But it is a very large trek up and down that way.

1278 Mr. Leet, Well, is it worth at least asking?

1279 Ms. Kramer, Well, what I was going to ask? And again, this is kind of in the  
1280 middle of Harmony but it is not next to any houses. I do not know if the County  
1281 would allow us to have a dumpster off site. But we could propose it when we send  
1282 in a site development plan for approval. Where we were first talking about putting  
1283 the possible field services on the stub out where the apartments are going.

1284 Ms. Kassel, I do not think they are going to allow it.

1285 Ms. Kramer, We control that property. That is the one that goes right off of Five  
1286 Oaks halfway between the condo town homes,

1287 Ms. Kassel, I would like to ask Mike about that.

1288 Mr. Eckert, Yeah, we would just have to make sure that the use is consistent  
1289 with the County code, and we have to follow the code.

1290 Ms. Kramer, Again, I do not know if the County will let us move the dumpster  
1291 anywhere but where the facility is. That is typically a requirement of the site plan  
1292 for the facility.

1293 Ms. Phillips, And what is that space, when you come out of School House,  
1294 going towards the dog parks? Just to the right of the school, there is a cutout area  
1295 with some kind of,

1296 Ms. Kassel, Oh, that is a station.

1297 Ms. Kramer, A lift station. And down there, you are right on top of, if you come  
1298 closer to the school, you are on the gas.

1299 Ms. Phillips, Oh, I thought maybe it could go right in that little,

1300 Ms. Kassel, Yeah. But it is all,

1301 Ms. Phillips, Are there problems where the dumpster is now?

1302 Ms. Kramer, Yeah. It is part of the community maintenance facility. It has got to  
1303 go.

1304 Ms. Phillips, No, I meant other problems with rats and smells and that type of  
1305 thing.

1306 Ms. Kramer, I do not know. Are there rats in there?

1307 Ms. Ash-Mower, I have not seen rats, but the smell can get pretty bad.

1308 Ms. Phillips, How often does it get emptied?

1309 Ms. Ash-Mower, I do not know.

1310 Ms. Kramer, Again, that is if we are going to put it up here, we are going to  
1311 have to control when it is emptied. When waste is put in it. And that is no question.  
1312 I do not think any of us wants, "Oh, sure."

1313 Ms. Phillips, And the thing is when dog waste is picked up, because that smells  
1314 the most. But that could be sealed into something before it is thrown in there.  
1315 There are things to dissolve it. So, they can get some barrels with tight lids. I  
1316 mean, there are other things we can do.

1317 Ms. Kramer, I think we would have to do whatever,  
1318 Mr. Leet, Let's make sure there is no other choice from the County before,  
1319 Ms. Kramer, Right. Right. For sure.

1320 A Resident, That is what I would say.

1321 Ms. Kramer, Ok. We cannot take public audience purchases during the  
1322 meeting. You can email us after meeting. You can call us on the telephone, and  
1323 we can talk to you. But during the meeting. So, that is government rules. We do  
1324 not make the rules. The other thing we can do is try and minimize, find out exactly  
1325 what size we need. I think we have a really small one anyway. It is not one of the  
1326 monster ones. But we can see what the different sizes are to minimize that.

1327 Ms. Kramer, So the survey, you said it would not drop if we cut that down to  
1328 about 10%?

1329 Mr. Hamstra, It is \$4,000.00 now. If we cut 10% maybe,

1330 Ms. Kramer, Well, but we are not going to change anything. So, again, I think  
1331 somebody mentioned we could use that. We have found it valuable to use our  
1332 surveys.

1333 Mr. Leet, Having the one for that other park location was how we were able to  
1334 get such an accurate run up for,

1335 Mr. Hamstra, That one that Greg did for that location, we had a couple of  
1336 surveys done.

1337 Ms. Kassel, Now where is the proposal? Oh, so this is the subcontractor?

1338 Mr. Hamstra, That is the surveyor. There are one or two surveyors we use. So,  
1339 I reached out to Southeastern.

1340 Ms. Kassel, Move to approve the SSMC quote for \$3,986.00 for a topographic  
1341 survey of the portion of VC-1, or VC-10 I think it is called, that is hash marked on  
1342 the drawing,

1343 Mr. Hamstra, Which is also on the back of the proposal.

1344 Ms. Kramer, It is on all the deeds as VC-1. The Tax Property Appraiser's office  
1345 put a zero on the end.

1346 Ms. Kassel, And I was always calling it VC-1. It was corrected to ten. Anyway,  
1347 move to approve,

1348 Mr. Leet, I will second.

1349 Ms. Kramer, So, we have a motion and a second to accept the proposal to  
1350 survey the front block VC-1, the portion hashmarked.

1351 Ms. Montagna, \$3,986.00.

1352 Ms. Kramer, Any other discussion? There are none. All in favor?

1353 Ms. Kramer, Mr. Leet, Ms. Kassel, and Ms. Phillips, aye.

1354 Ms. Kramer, All opposed?

1355 Ms. Kramer, Lucas.

1356 Mr. Chokanis, Yes, me.

1357 Ms. Kramer, You are opposed?

1358 Ms. Kramer, Lucas, are you for or against the survey?

1359 Mr. Chokanis, Against.

1360 Ms. Kramer, Against. Ok. So, on a vote of 4 to 1 with Lucas opposing the  
1361 motion, the motion is approved to complete.

1362 Upon VOICE VOTE, on a motion by Supervisor Kassel, and a  
1363 second by Supervisor Leet with Ms. Kassel, Mr. Leet, Ms. Kramer,  
1364 and Ms. Phillips in favor and Mr. Chokanis opposed, the Board  
1365 approved the SSMC topographical survey, totaling \$3,986.00.

### 1367 **3. 3136 Dark Sky Drive Swale Issue**

1368  
1369 Mr. Hamstra, All right. Item number three is a little quicker. 3136 Dark Sky  
1370 swale issue with the pool contractor. I bring forth the response from the pool  
1371 contractor. It appeared from his language, he is in absolutely no mood to talk



1372 about this further, because he thought it was resolved many years ago. I do not  
1373 know if you ride it along or tackle it as a CDD to regrade it. If it really is a problem.  
1374 But did not seem to be any openness to get this resolved. So,

1375 Ms. Kassel, So did we not have this field staff,

1376 Ms. Kramer, It is a different one. This is the one closer to the sidewalk back  
1377 behind Dark Sky and you can see the slope coming down from the pool. It is a  
1378 Regatta pool. And there is a pretty hefty amount of water ponding behind it. And  
1379 from there, you can actually see the inlet. You can see the slope that should not  
1380 be there. But this sloping and dirt,

1381 Mr. Hamstra, It can be corrected. It whether we as a group do it or whether you  
1382 go back to Regatta and keep fighting It.

1383 Ms. Kassel, Was the CDD field staffs' remedy for the other location successful?

1384 Unknown, Yes.

1385 Ms. Kassel, So, I suggest that we just have field services address it and see if  
1386 they can correct it.

1387 Mr. Hamstra, That is on PJ. The guy we can use for the small projects. I mean,  
1388 he can knock that off quickly and not put the burden on field services. Get our  
1389 tractor, grade all, and do that kind of work. But I can get a quote from PJ with  
1390 Element Environmental, that we use all the time for the small-scale stuff.

1391 Ms. Kramer, Ok. And, we do have a tractor that needs a little exercise. So,  
1392 either one. Well just let me know what the costs are, and we will go from there.  
1393 Ok? And the other thing I do want to put on the record is that the information that  
1394 the developer from Regatta Pools provided was not accurate. It has not been  
1395 three years. I must admit it has been two, because I have pictures from all stages.

1396 Mr. Hamstra, I did a recommendation for him to do it in 2021.

1397 Ms. Kramer, So I mean they should step forward. But again, if we had a staff  
1398 member on board, then let it go through. There is not a whole lot we can do about  
1399 it now.

1400  
1401 **4. Update on the Cat Tails**  
1402

1403 Mr. Hamstra, Item number four, you guys love the cat tails. So, I talked to the  
1404 water quality expert in the Southeast United States. And, he says there are several  
1405 detrimental things that cattails bring. They do shed their coating, I guess annually.  
1406 So, that creates a muck layer which increases the nutrient loading. They tend to  
1407 crowd a good desirable species that should be in there. And they tend to colonize  
1408 during dry periods and the lake water goes down and they can take over actually  
1409 the entire wet pond. So, it is something that left uncontrolled it can basically both  
1410 quality and quantity impact the pond. So, I know you see the one when you come  
1411 in Teresa, that we looked at a couple of weeks ago from the golf course, that one  
1412 is getting quite extensive. So, I do not know if you want to reach out to Catherine's  
1413 guy who is doing the climbing firm to do that work, or if there are other guys that  
1414 can do removal. Not killing, because if you kill it is going to go to the bottom. So let  
1415 me know how you want as a Board, once you hear that. So,

1416 Ms. Kramer, We could get three quotes. I am sure there are several groups that  
1417 do that kind of work. Get three quotes on the removal. I do not know that any of our  
1418 ponds have it. It is mainly those golf course ponds that are right there between  
1419 Five Oak and 192 on the West side.

1420 Ms. Kassel, Just for those who may have been in the north, lived in the north;  
1421 where cattails are something you really want because the common reed is taking  
1422 over everything and pushing out the cattails. It is a different story here, in Florida.  
1423 They are more invasive. They are causing problems here. Unfortunately. I wish we  
1424 could just dig them out and ship them up more North.

1425 Ms. Kramer, Ok. So next month this will be on the agenda with proposals?

## 1426 **5. Garden Road Aerial Site Plan**

1427 Mr. Hamstra, Item number five has to do with the site plan we have given to the  
1428 County, on the shed building. For Garden Road, garden shed, not a maintenance  
1429 building, garden shed. Teresa added some valuable input in the location. Greg  
1430 made the changes already so that package is ready to give it to the person at the  
1431 County. Let me get them back in a happy place.

1432 Ms. Kramer, Yeah, it has to go. It needs to go in with our building application,  
1433 and I do not think we have the Engineer drawn yet for the building permit. Do we,  
1434 Lynn?

1435 Mr. Hayes, No, that is a whole other topic to discuss with the Board, if you would  
1436 like to hear.

1437 Ms. Kramer, Well, yeah. If you give us a brief update, can we,  
1438 Mr. Hayes, Sure, I would be happy to.

1439 Ms. Kramer, I asking our current presenter, if it is ok, or if you want to go on the  
1440 last one, or can he quickly give us an update?

1441 Mr. Hamstra, I do not mind.

1442 Mr. Hamstra, And the last thing I have is to do with Mike, we are merging with  
1443 Benchmark next month.

1444 \*Everyone laughs\*

1445 Ms. Montagna, Well, he did say he had a couple more.

1446 Mr. Hamstra, Yeah there might be one more. Thank you.

1447 Ms. Kramer, Lynn, if you want to tell us where the garden shed is,

1448 Mr. Hayes, Yeah, at this point it has been back and forth. Let me come back  
1449 around. So, the Board approved the shed purchased with Ever Safe. In summary, their  
1450 project manager and Carports Anywhere is the manufacturers and installs. So, between the  
1451 last meeting and now we found this information out. I worked with Council to get the  
1452 agreement revised and shared this with the Chair. Then sent it back to them to review and  
1453 sign. We wanted to be on section 2B of the agreement which is the commencement start  
1454 and an anticipated start and end date or installation of the shed. At this point, they got it  
1455 back. They signed it, but they will not fill in the TD section for the start and end, because  
1456 the building has not been ordered. Which is in my mind kind of backwards and I will let  
1457 Counsel speak to that. I was looking for them to put an anticipated date start, and even if it  
1458 is slightly exaggerated because there is a whole process of getting a building and getting  
1459 the drawings together. There is a six to eight week lead time. So, at this point, I turned it  
1460 back to the District Counsel and ask for some advice. They are not going fill that  
1461 information in until the building is ordered. The permitting process has started and,

1462 Ms. Montagna, And that requires just for us to put a deposit in? Or to purchase  
1463 the whole thing?

1464 Mr. Hayes, The whole thing. It was encompassed of the deposit which in turn  
1465 gives us the signed and sealed engineering plans that we need. And it also  
1466 includes a final payment which is not due until they actually bring the building and  
1467 install the building. Which the balance due is \$5,016.00, if I remember correctly.  
1468 So, we are at an impasse at this point and bring it back to the Board and ask what  
1469 you want to do, at this point. I will let Mike briefly speak on this. If you would not  
1470 mind summarizing.

1471 Mr. Eckert, Yeah, Lynn has been working really hard on this and, and  
1472 communicating with Kate in my office. I am always hesitant to have you sign a  
1473 contract that has no completion date. So, you are going to pay money and you  
1474 have no assurances as to the date that it is completed. And therefore, I'm sorry,  
1475 go ahead.

1476 Ms. Kassel, Well, I am sorry. I meant to talk after you were done, but I am  
1477 wondering if we can have something in instead of like a drop-dead completion  
1478 date, a date like a period after the permit is obtained, that they would fill out. Right.  
1479 So, they do not know when the permit is going to come. And that may be part of  
1480 their hesitation in putting a date there. But maybe if we amend it to say that the  
1481 contractor will install within six weeks or eight weeks after the permit is received.

1482 Mr. Eckert, Right. And who is doing the permitting? Is that you or is that them?

1483 Mr. Hayes, We are doing the permit. They are doing the drawing.

1484 Mr. Eckert, Ok. So, then they do the drawings. And you can do that if the Board  
1485 is comfortable with it. Say if we are doing the permitting, from the issuance of the  
1486 permit, you get it done within so many days.

1487 Ms. Kassel, Hold on. Because we have to put in a pad. do we have to put in a  
1488 pad for it?

1489 Mr. Hayes, Yes.

1490 Ms. Kassel, After permitting is done and the installation of the pad, because they  
1491 could balk at that. So, anything that we need to do, make the day six or eight  
1492 weeks after those requirements are done. Maybe they will not block it.

1493 Mr. Eckert, Do you need to have a start date within so many days? And when  
1494 the pad is on. The pad is going to come after the permit. It is the first step within  
1495 so many days and then it has to be completed within so many days after that  
1496 requirement start date. I mean that is fine. We are happy to do that. But what we  
1497 were getting was we are not going to agree to anything, because we just do not  
1498 know.

1499 Ms. Kramer, The one thing I would do also, is I want a date when we can get the  
1500 engineering. Because they are providing the engineering. I do not want them to  
1501 not provide the engineering.

1502 Mr. Eckert, Which is why it is always better just to have some liberal dates in  
1503 there, that are more from this point.

1504 Ms. Kramer, If this would make them feel,

1505 Ms. Kassel, Maybe we say that they will provide the Engineering drawings to us  
1506 within one week after we place the order.

1507 Mr. Hayes, And pay the deposit. Which is \$1,126.00.

1508 Mr. Eckert, So let us run it that way. I think we can take care of that. But again,  
1509 we just could not have nothing.

1510 Ms. Kramer, Thank you for the update. I appreciate.

1511 Mr. Hayes, You're welcome.

1512 Ms. Kramer, The next item on our agenda is our District Counsel.

1513  
1514 **C. District Counsel**

1515  
1516 Mr. Eckert. There are three items on the agenda and one that is more of an  
1517 informational request.

1518  
1519 **1. Discussion on VC-1**

1520  
1521 Mr. Eckert, The first one is discussion of a prior conveyance to the District back  
1522 in 2019. The District took a conveyance of some land that was subject to debt  
1523 assessments. However, those debt assessments were not paid off by the seller

1524 and they were not paid off by the CDD at the time. So, the CDD technically owns  
1525 land that used to have a debt assessment on it. And what we pledge to our  
1526 bondholders is the debt assessments. And what the District has been doing is the  
1527 District has been paying the annual assessment for that for that parcel. This raises  
1528 an inconsistency with your Master trust's signature, that we have to solve. This is  
1529 something that came to light from my review of the note in the audit. And again, it  
1530 was not a finding of the audit that anything has been done wrong. It was just  
1531 something I was like, well, first, the CDD properties are not subject to liens. So,  
1532 you do not have a debt assessment lien because of that. And second, when you  
1533 own a property, you cannot also have a lien on your own property. Because it all  
1534 merges and you get the whole bundle of rights of ownership. So, where we are at  
1535 today is you really have two options to fix this. And in fact, these options were  
1536 discussed some time ago with your prior counsel. Who said you talked to Bond  
1537 Council about this, but I have no way of verifying that. Either the District would  
1538 have to pay the remaining debt assessment on the property, or we would have to  
1539 engage Bond Council and attempt to negotiate an agreement with the trustee and  
1540 the Bondholders. So that you could substitute a contractual obligation to pay an  
1541 amount equal to the assessment for the debt assessment lien, because right now  
1542 you told the Bondholders you've got a debt assessment lien on all the property  
1543 when they really do not. At this point in time, the District does not have a lien on  
1544 that property. So, those are your two options to fix it. Angel has done some more  
1545 research on this. I will tell you that, paying the remaining amount is certainly going  
1546 to have the least amount of transaction cost. If you want to do it that way. If you  
1547 want to try to work out an agreement where you are just paying on an annual  
1548 basis, you have got to track down the Bondholders. Which there may be one or  
1549 there may be 100. And then you have to engage the Bond Counsel to help with  
1550 that as well. So, those are your two options. I am happy to talk about either one of  
1551 them more, but Angel has some more information, I think she wanted to present to  
1552 the Board.

1553 Ms. Montagna, So this is the paper you have in front of you. With this is two  
1554 parts, right. Number one, this is your financial standing right now as it sits right

1555 now. As of August 23, 2023, the number at the top. That is what you have  
1556 currently, in your reserves. You currently have \$60,440.00. And these are the  
1557 things that are remaining that we need to come out of that top note. You have your  
1558 accounts payable. You have the Trustee fees, that have to be paid the remaining  
1559 amount needed for Fiscal Year 2023 to finish out. Even though there is only one  
1560 more week, but stuff kind of comes in late. We have not paid the landscape or  
1561 those types of things that is a very conservative number. And then there is the  
1562 money set aside that has been set aside from day one of this transaction for VC-1.  
1563 So, in orange, you will see that is the payoff. Leah gave me that payoff today. So, if  
1564 we were to do all these things that leaves you with the last number, at the bottom,  
1565 remaining available for first quarter of 2024. Which will be short, because typically  
1566 we run about \$200,00.00 to \$250,00.00 a month for expenditures. I have talked to  
1567 Mike about this, and he can update you on that as well. You have the money to  
1568 pay off the VC-10 without going into reserves and that type of thing. However, I  
1569 talked to our accounting and the finance director before I came here today. He had  
1570 asked, "yes, you have the money to pay it off. You absolutely do. But if Counsel is  
1571 ok and the Board is ok, he would recommend, because we are going to be so tight,  
1572 getting to the end of this year. And getting into the first quarter, if you would make  
1573 that payment in late December." Mike and I talked about it previously before the  
1574 meeting started, to get it cleaned up, before the end of the calendar year. And I will  
1575 let Mike give his opinion on that. Which to me with the holidays and stuff. I would  
1576 say if the Board does approve that, and Mike says it is ok. I would go back and tell  
1577 Steven that we need to write that check before the holidays. So, I would say mid-  
1578 December. So, that way it is actually cleaned up by the end of the calendar year.

1579 Ms. Kassel, I am wondering, if this has been going on since 2019. Can we just  
1580 continue what we have been doing?

1581 Mr. Eckert, Yeah, in my opinion, that was a mistake in 2019. And that is not  
1582 consistent with the Bond Covenant that you have in place under your Master  
1583 Trusts Indenture. And my recommendation is you fix it. Not keep doing what you  
1584 have been doing. Which is again inconsistent with your Master Trust Indenture.  
1585 Where this can be a problem is if you ever go to refinance your bonds and things

1586 like that, you have to make various assurances when you refinance, that you have  
1587 complied with your Trust and Venture obligations before. So, I think it is something  
1588 that needs to be fixed. And one of those, one of those two options I cannot  
1589 recommend to you to do something that is inconsistent with the Invention.

1590 Ms. Montagna, And I will tell you, to tag on to what you just said, I reached out.  
1591 I have been trying to piece this together for a while. I did reach out to Ackerman,  
1592 which was the original Bond Council on the 2015 Bonds. Which this tract was a  
1593 part of. So, I reached out to them just to get some history and background. And I  
1594 have his email in front of me. We concur with Mike Eckert, the CDD cannot not  
1595 impair its bond obligations, by purchasing properties subject to assessments,  
1596 without paying off the assessments. And he goes on. The bottom line is he is  
1597 saying, and I also followed up with a phone call this morning, That he is not  
1598 surprised that it happened. However, it is not permissible, and you are in default, is  
1599 essentially what he said. And it can get very costly if Bondholders come or  
1600 somebody does something. It can get very costly. So, he does concur with Council.  
1601 And he also told me that he was not part of Ackerman and was not consulted, back  
1602 when this was done. That was just a question I was asking myself. Because your  
1603 minutes reflected that your then-current Counsel did reach out too. So, I assumed,  
1604 my own assumption, that it would have been like the original Bond Counsel. That  
1605 they have no record of that. Not to say it did not happen or who they reached out  
1606 to. I do not know. But he does recommend paying it off and not going down the  
1607 process of trying to get the Bondholders. Because it is going to be very time  
1608 consuming and very costly. He is saying that the minimum you are looking at is  
1609 \$40,000.00, but he expects that the process would take a lot longer and will very  
1610 much exceed that cost to be able to do that.

1611 Ms. Kassel, So, I am still very confused by these numbers. I do not really know  
1612 what they mean. I look at this balance sheet and look at the balance sheet that we  
1613 have \$500,000.00, as of August 31, 2023. We still have \$554,000.00 in operating,  
1614 in unsigned fund. So, I do not know. I do not understand.

1615 Ms. Montagna, That was in August. So, we had stuff come out already from  
1616 September, right? You have not seen the September Financials. Which is why



1617 those numbers do not tie. That is why I had this done. This is done as of today.  
1618 These are your actual numbers as of today.

1619 Ms. Kassel, Yeah, but they are not, they are not lining up like,  
1620 Ms. Montagna, No, it is just a summary.

1621 Ms. Kassel, I do not really understand what these numbers are I do not feel  
1622 comfortable making a decision, tonight. I want time to look at this and understand  
1623 what is going on. I do not understand why it says the debt service is \$319,000.00  
1624 here, but here the payoff is \$230,000.00.

1625 Ms. Montagna, I think they are also kind of referring for interest, because you do  
1626 have interest payments on that. If I am not mistaken.

1627 Mr. Eckert, You definitely have interest payments, but I do not understand where  
1628 the \$319,000.00, came from. I was not your Counsel then. I cannot comment on  
1629 that, but it seems like if you went ahead and paid it off, you are going to have some  
1630 money left over, that is not going to have to be used for the next 10 years of  
1631 interest.

1632 Ms. Montagna, If you look back,  
1633 Ms. Kramer, \$79,000.00.

1634 Ms. Montagna, If you look back in your previous budgets, which is kind of what I  
1635 did last night all of your budgets going back, if you look on Exhibit A, this number  
1636 has been there. And every year that number has gone down because you have  
1637 made that \$26,000.00 debt payment. This was well before my time, as well. But  
1638 the audit actually shows \$254,000.00 or something like that.

1639 Mr. Eckert, Yeah \$263,000.00.

1640 Ms. Montagna, \$263,000.00 is what the audit noted in the last audit. That was  
1641 the balance of that VC-1 property. And the payoff that Leah got today is  
1642 \$238,060.50. I cannot answer that where that \$319,000.00, came from or where  
1643 the original. I was not part of that. And the only documentation that we have is not  
1644 a whole lot. and it is kind of piecing together and reading minutes and, and all that  
1645 stuff. And unfortunately, when we asked your last Counsel for a release of records,  
1646 that we did not have, we did not get anything. And I am not saying that these  
1647 documents would have been in there, or they would not have been. So, we pieced

1648 it together, by what we had, and this money has been in there ever since this deal  
1649 was done. I can tell you that much. The number has changed because you all paid  
1650 X amount every single year.

1651 Ms. Phillips, So, I understand we have been paying \$26,000 a year.

1652 Ms. Montagna, Per your agreement, yes.

1653 Ms. Phillips, And if we kept doing it, it would eventually get paid off.

1654 Ms. Montagna, Correct.

1655 Ms. Phillips, But we need to pay it off now. So, in the long run, it is not going to  
1656 cost us anything. It can save us money, but it is coming up with the cash, now.  
1657 That is the problem.

1658 Ms. Montagna, Correct.

1659 Ms. Kassel, But we will. It is paid. It should be paid out of the Series 2015 debt  
1660 service fund. Not out of our operating or, our reserves.

1661 Mr. Eckert, Well, there are no assessments on this property going into the debt  
1662 service fund. I am assuming that you guys are cutting a check and putting in the  
1663 debt service fund from the general fund.

1664 Ms. Montagna, It is and that has been noted in your budget every year. When  
1665 the conveyance was made and the deal was structured, this was pulled from the  
1666 tax roll when that was done. So, no assessments have been collected to pay into  
1667 that. So, the only thing we can put together, is when this deal was done, whatever  
1668 the purchase price was, that money was set aside. And every year you have just  
1669 been writing a check from your money, to pay that amount that was agreed upon in  
1670 the structure. Which is \$26,000.00.

1671 Mr. Leet, So tell me if this is accurate. So, I have the budget right here and it  
1672 says Series 2015, that service was a VC-1 and that budget is \$319,000.00, and  
1673 that is assigned fund balance. That is money that we already have, that is set  
1674 aside, for that purpose of paying off over the remaining life of the bond in to 12  
1675 more years or whatever it is. But we are learning now that we cannot keep paying  
1676 that. There is nothing contractually holding us to that, as required by the bond  
1677 indenture. So, we have the money that is set aside to pay this off over the life of  
1678 the remaining bond. But we need to either enter into a contract to formally pay it off

1679 over time as we have been doing. But, now with a signed contract behind it, which  
1680 would be expensive to get executed, with all the unknown bondholders. Or use the  
1681 money that we have set aside to pay it off. And I think just the general agreement  
1682 is ok. Let us wait a few months, until the 2024 taxes start to come in. So, we are  
1683 not depleting our,

1684 Ms. Montagna, You can make sure you can pay your expenditures for the first  
1685 quarter. That is all. It would be very tight. You could write the check tomorrow and  
1686 we are not disputing that. But the only request was if Counsel was ok with that  
1687 recommendation to the Board if we made that payment in mid to late December.  
1688 That way you are not running so tight. Because if you do it tomorrow, it will be tight.  
1689 That is all.

1690 Ms. Kassel, Well, if you do this I would prefer to wait. I mean, I understand you  
1691 want to get it done this year, but I prefer to wait until you contact somebody.

1692 Ms. Kramer, I would rather get it done sooner than later. But I understand our  
1693 cash flow issue. When I added up the numbers and the difference. If we are paid  
1694 off today, we would be able to have an additional \$89,000.00, out of that  
1695 \$319,201.00.

1696 Ms. Montagna, Correct.

1697 Ma. Kramer, That is the difference. And that would go added into the  
1698 \$388,939.00, would end up being \$477,939.00. That is still short of what our  
1699 reserve should be. Right?

1700 Ms. Montagna, For the first quarter. Yes. Because you run about \$250,000.00, a  
1701 month for expenditures. Between \$200,000.00 and \$250,000.00.

1702 Ms. Kramer, That is \$600,000.00

1703 Ms. Montagna, Right. So, here you already have \$200,000.00 set aside. Right?  
1704 And, we just said that is very conservative number,

1705 Ms. Kramer, But that is the amount needed to finish this year. To finish what will  
1706 be due within the next two or three days. Right?

1707 Ms. Montagna, Which may not be enough.

1708 Ms. Kramer, I am not looking at that at all. That is it. So, we will still be short on  
1709 our operating reserves. So, although I would like to pay it off as soon as possible,

1710 because if the Bondholders got wise, so to speak, in a lower interest rate time  
1711 would have been willing to say I will turn a blind eye.

1712 If they spot it now, they may call it in now and try to get their money out of it.  
1713 And I would want it to endanger all of our bonds. I sure do not want to have to  
1714 come up with what my payoff is to my home right now.

1715 Mr. Eckert, Sure. No. I do not think anybody would want it to get to that. I have  
1716 not researched all the different scenarios that could happen. What I think you have  
1717 got to do is you got to come up with a plan. Then I have to take a look at what your  
1718 disclosure obligation is, in implementing that plan, and when you make the  
1719 disclosure compared to when you fix the issue. So, I have got to look at that issue  
1720 and I will not have an answer for you until the next meeting. Because I did not  
1721 know what you guys were going to choose to do here. Certainly, the information  
1722 that Angel gave me before the meeting seems to indicate, my concern is it is  
1723 expensive to go and get Bondholder consent. I had a client pay \$50,000.00 on a  
1724 board. Signed a piece of paper on something that was not affecting them  
1725 negatively at all. So, I think that if you wait until December, when you get your  
1726 money in. I think that is good. I mean, the bondholders do not want the District to  
1727 be in jeopardy of not meeting it is obligations, that does not help their bonds.

1728 Ms. Kassel, And, we have every year since 2000.

1729 Mr. Eckert, I understand that, but the problem is that the Bondholders rely on  
1730 foreclosure and/ or the sale of tax certificates, to get their money. And you could  
1731 have a CDD Board which we saw in 2007 and 2008 that said we are just not going  
1732 to pay it anymore. And then the Bondholders say, "Ok, we will foreclose on the  
1733 property, or sell the tax certificates." Well, we are not on the tax roll, and you  
1734 cannot foreclose on government property. I mean, we have got to be proactive in  
1735 resolving it, but there is a disclosure issue that we will look at. But really, I do not  
1736 think the Board needs to make a decision tonight. But you need to give staff some  
1737 direction which way you went ahead with this, so we can set it up to get it done.

1738 Mr. Chokanis, All right, I do not see anything happening, like upsetting in the  
1739 near term. Maybe next year, at some point time. But I think we will be fine and I  
1740 think with our financial situation, we have to tread lightly on how we go about

1741 spending our cash flow. Spending \$50,000.00 to look at this bond situation, I think  
1742 that is a little more extreme, with the way we are strapped for cash. So, that is my,  
1743 my two cents, but I think we should just hold off on this.

1744 Ms. Kramer, Ok. So, what do you mean by hold off on this, Lucas? Hold off till  
1745 December?

1746 Mr. Chokanis, Yeah. I do not think we should pay off right now. Once we get  
1747 some more cash flow. I do not think people are going to go running for their bonds  
1748 and trying to cash out anytime soon. I think we can wait till we get to some more  
1749 cash flow and revisit this down road.

1750 Mr. Eckert, We all have a disclosure obligation. You can either disclose it and  
1751 say we are thinking about it, or you can disclose it and say, here is our plan, here  
1752 is what we are doing to rectify it.

1753 Ms. Kassel, What if we table this discussion until October? Until we have more  
1754 time to understand,

1755 Mr. Eckert, I think that is reasonable, if you wanted to do that. I think that is fine,  
1756 but,

1757 Ms. Kassel, Table the discussion until October, until the next meeting.

1758 Ms. Kramer, Developing a plan. We need to develop a plan in October.  
1759 Whatever that plan may be. Now, I understand if we go to reach out to the  
1760 Bondholders, and you have to get all of them to agree with my understanding. So,  
1761 if one gets out, we are back to paying it off.

1762 Ms. Kassel, Well, it sounds like you are thinking about paying it off anyway. It is  
1763 a matter of when. It is a matter of when to disclose. But because this is really just  
1764 introduced to us, over the last few days, and I do not have an understanding, I do  
1765 not feel like I can make any decisions about this now. I think we table the  
1766 discussion and plan making. Thank you so much.

1767 Ms. Kramer, Ok. We will table it until, October.

1768 Mr. Eckert, I happy to talk to any Board members outside of the meeting. To  
1769 give you the background that I am aware of.

1770 Ms. Kramer, And you will provide us with the information, as to what our  
1771 disclosure obligations are? I do want to say that the reason I am very hesitant to

1772 kick it out further down the road past December, is because it really puts us in a  
1773 bad state. Should we have to go back to that bond market. It is like destroying your  
1774 credit rating. And the other thing is that just because we have not tripped up yet. It  
1775 is frustrating that this whole thing is where we are. We could have paid it off years  
1776 ago.

1777 Ms. Phillips, But we have a legal obligation to do the disclosure. And if we hold  
1778 off too long, we could be in trouble. Then we will really have to spend a lot of  
1779 money. It could double, because,

1780 Ms. Kassel, I think it is a good argument to the Bondholders that we want to  
1781 continue paying our bonds. So, we need to be fiscally responsible about when we  
1782 are able to pay this. To make sure we can continue paying our bonds and our  
1783 obligations. And if that means we do not pay it off until January, because that is the  
1784 right conservative financial plan. And I think that, it is a month or two. If that is what  
1785 our plan is, because we are going to have more revenue from the tax collector  
1786 based on the assessments. Then I cannot see that they are,

1787 Ms. Kramer, Well, we will talk it over in October, and see what the right month is  
1788 to pay it off. But then seems like that is where we are going.

1789 Ms. Kassel, Ok. Yeah.

1790

1791 **2. Discussion of status of Ownership and Maintenance of Stormwater**  
1792 **Management**

1793 **Facilities in the Enclave and North Lake**

1794

1795 Mr. Eckert, The second item is discussion of status of ownership and  
1796 maintenance of storm water management facilities in the Enclave and North Lake.  
1797 So, there has been a flurry of deeds and affidavits and surveyor and all that going  
1798 on with some of the new plants up there. One of the issues that I have discussed  
1799 with the Board before, there is a large pond, called Track K 900, that when it was  
1800 brought to our attention or we discovered it, but there was a deed out there from

1801 an HOA to the CDD for that track. This Board never accepted it, this Board never  
1802 reviewed it. Your Chair was kind enough to provide me with the settlement  
1803 agreement that was worked out among all the parties to even get that flat signed  
1804 that said, "Track 900 was not going to go to the CDD. And working with that  
1805 Developer's Council we have a quit claim deed that is set to go from the CDD  
1806 back to the HOA. It still reserves all the easements, we got in the settlement  
1807 agreement, and in the HOA declaration and things of that nature. So, that is how  
1808 we are going solve that issue. As long as the Board is ok with that. And it would be  
1809 consistent with the settlement agreement. So, I do not think I need more Board  
1810 authority on that. Because again, we are just trying to get that back. Yes?

1811 Ms. Kassel, Just to clarify and make sure I understand correctly. What you are  
1812 saying is their HOA is going to take responsibility for that Tract and not the CDD.  
1813 Yes?

1814 Mr. Eckert, Correct. Yeah. In fact, the problem with this, to HOA was not even  
1815 an effective deed. I call it kind of a wild deed. So, because the HOA was never  
1816 deeded the land, formally from the Developer. So, we had this deed out there and  
1817 the county thinks that we own it. Which we did not own it. So, this is our way of  
1818 fixing it. Short of litigation. So, we got that. There was also an issue where the  
1819 developer was asking the CDD to sign some easements for OUC to come in. But  
1820 again, these were over tracks that we did not believe were ever intended to go to  
1821 the CDD. And, we refused to sign those easements, because we did not want to  
1822 accept ownership of those properties and the maintenance responsibilities. They  
1823 finally figured out that they could do a survey or affidavit, to correct that. That  
1824 those would go back to the HOA and then they could go ahead and sign the  
1825 easement. So, we did not have to sign those easements. So that is kind of the  
1826 status. It looks like most of those things are getting worked out. This is really a  
1827 question for David, the Chair and I talked about this just briefly. The district is  
1828 going to be on the Stormwater management permit, and the CDD needs to agree  
1829 to do what is required by the permit, but nothing more. We are not going to be  
1830 mowing around those lakes and doing that sort of thing. So, I just want to make  
1831 sure the Board knows that. At least that has been my understanding of what we

are willing to do from the CDD. But, if anybody has any different thoughts, let me know. And David I do not want to,

Mr. Hamstra, When you say only mow. I mean if the structure gets clogged or something breaks, are we,

Mr. Eckert, If it is required by our permit for us to fix it, then I would think that would be a CDD issue. Unless we can determine somebody did something intentionally to damage. Somebody went out with a sledgehammer and broke up all our concrete structures. Then I think we would go after them, to do it. But the CDD, if they are going to be on the permit, they are going to have the permit maintenance responsibility.

Ms. Kramer, For the pond. So, it will be things like the golf course ponds where we are required to maintain the structures and the water quality and quantity. But we will not be mowing the pond banks.

Mr. Eckart, Right. So, we just need to make sure when we accept responsibility, we are not accepting more than that we just talked about.

Ms. Kramer, Have they approached you more, or given you the aspects statement?

Mr. Hamstra, I have not got the as builts, but their Engineers must have emailed me three or four times, asking me to sign something blindly. Which I have been waiting until this all got sorted out.

Ms. Kramer, Well, thank you. Just make sure we get those as builts, so we know what we are maintaining.

Mr. Eckert, We have requested them and just do not sign until we do.

### **3. Discussion of Potential Spending Authorization Resolution to Supplement Procurement Policy**

Mr. Eckert, the third thing, I think that is working itself out, which is good. And then the third thing is discussion of potential spending authorization resolution to supplement procurement policy. You all can take action on this tonight, or not, or defer it. But basically, in all of my Districts, I have a spending authorization



1863 resolution. Which clearly says, ok, here is when people can spend money. There  
1864 are continuing obligations. Here is when they can spend money when it is a non-  
1865 continuing obligation. And here is what we do in the event of emergencies. So, I  
1866 have just provided a draft resolution that is in your agenda package. You all have  
1867 really good procurement policies too. That I think has saved you all some money.  
1868 So, if the Board wants me to, we could try to kind of marry the two policies to  
1869 make sure one is not redundant and two make sure that it actually is added value  
1870 to the District. So, if you have not had a chance to look at that, we can address it  
1871 at a different time. But our recommendation is that you do have some sort of a  
1872 spending authorization resolution that is kind of along the lines of what we  
1873 prepared there.

1874 Ms. Kassel, Yeah.

1875 Mr. Eckert, And you have not had it for a while, so I think it is fine.

1876  
1877 Mr. Eckert, And then the fourth thing which is not on there, is just I took a hard  
1878 look at all your policies, resolutions, and rules that you have in place. To see is  
1879 there something missing. Like a prompt payment policy or public participation  
1880 policy, things like that. I have just not looked at those. I am just bringing that to  
1881 your attention at some point. If somebody wanted to compile all this together and  
1882 give them to me rather than me, go search through to find everything. That would  
1883 be the most efficient thing. I am not looking for work, but I just want you to know  
1884 that I have not gone through there to say, "Hey, I think you might want to change  
1885 this, or this is based on a statute that was repealed two years ago." Those sorts of  
1886 things. So, if at any point you want me to do that work, I am happy to do that work.

1887 Ms. Kassel, When we have more of a budget,

1888 Mr. Eckert, That is completely up to you.

1889 Ms. Montagna, Wes and I discussed this a while back. I am doing that right now.  
1890 They have not had their rules looked at or updated in a very long time. I am  
1891 putting together, all the resolutions from establishment on down. Kind of  
1892 compiling everything red lining some stuff. And then I was going to send it over.  
1893 What we talked about, and Teresa was part of this conversation with Wes and I.

1894 Angel, obviously it would be cheaper for you to get all this stuff and then send us  
1895 the red lines, so we can just kind of glance at it and say, "Ok. Yeah. They do not  
1896 have this, and we need to do this." So, I'm in the process of doing that. I hope to  
1897 have it done over the next month to month and a half. And have everything  
1898 compiled, for you guys.

1899 Mr. Eckert, I can wait and look at it whenever the Board tells me they want me  
1900 to.

1901 Ms. Montagna, Right. It was going to come to them first, and with the red lines  
1902 and all that kind of stuff. Then they would give direction to staff.

1903 Mr. Eckert, It is really just to make sure you all know that I was not out there  
1904 looking at that stuff to comb through it. That is all I have, but I am happy to answer  
1905 questions, unless I missed something.

1906 Ms. Kramer, I think you got a phone call.

1907 Mr. Eckert, Oh, yeah. I got a phone call from somebody saying that they were  
1908 the Developer of the 377 Unit apartment complex. Wanting to know how he could  
1909 use CDD bond financing to help with their public infrastructure over there. And,  
1910 and I told him I am not your attorney. I represent the Board, but if you want to  
1911 present something to the Board, you need to put it in writing. You need to say  
1912 exactly what you want the Board to do, and what your development is. What your  
1913 timeline is? How much bonds are you talking about? What is the infrastructure?  
1914 Are you going to pay off the existing bonds, or are you going layer these bonds on  
1915 top of them? I do not know anything about it. So, I said if you put something in the  
1916 letter and provide it to me, I will make sure the Board gets it and then the Board  
1917 can decide what they want to do there. You are under no obligation to do  
1918 anything. And the only thing I would say is in the event that you would want to look  
1919 at doing something here, it would only be so that you could have input in making  
1920 sure that whatever the final result was as good as it can be. If that is not a  
1921 concern, then there is really no benefit to the District to proceed with that. But  
1922 again, until we have something in writing, it is not real.

1923 Ms. Kramer, And that is all. Any questions from any Board members?

1924 Ms. Phillips, I do. Can I go back? I do have a question on the disclosure on the  
1925 \$230,000.00, Is there a timeline? I assume the disclosure means from the time  
1926 you discovered it. Is there a time when you have to give them the disclosure? Is it  
1927 like 90 days?

1928 Mr. Eckert, that is part of the research that I need to do. I have not looked at  
1929 your continuing disclosure agreement that you went into with the 2015 bonds. So,  
1930 any time you enter bonds you have certain disclosure on.

1931 Ms. Kramer, I thought it was a legal thing that the disclosure had to be made.

1932 Mr. Eckert, No, it is going to be governed by the agreement as well as the IRS  
1933 rules.

1934 Ms. Phillips, Ok, Very good. Thank you.

1935 Ms. Kramer, Ok. Any other questions, before I let go of Council? Lucas, You  
1936 have anything?

1937 Ms. Kramer, Dan.

1938 Ms. Chokanis, I am good over here.

1939 Ms. Kramer, Ok. Thank you, Lucas.

1940 Mr. Leet, Yeah, I mean it was going to be during Supervisor requests.

1941 Ms. Kramer, All right, we will move on to the District managers' Business.

1942

#### 1943 **D. District Manager**

1944 Ms. Montagna, I only have a couple of things and I think that Lynn would have.  
1945 No, maybe it is all mine. I got an email from Zachary Gonzalez from Ocoila  
1946 County about resurfacing Five Oaks Drive. The resurfacing of Five Oak Drive has  
1947 been completed. However, there are some areas that are in need to be cleaned  
1948 where the dump trucks turned around and or stained the curbing. The contractor  
1949 has been notified. I am awaiting the schedule and if we need anything in the  
1950 meantime, please let them know. So, that is just kind of an FYI for you all.

1951

#### 1952 **1. Discussion Regarding Verbatim Minutes**

1953

1954 Ms. Montagna, Second is the verbatim minutes. The ones you saw, Teresa, it  
1955 was the format or a forum that she used. Which was Amazon.

1956 Ms. Kramer, I use the Amazon Transcribe. So, for about \$10.00 or so I was  
1957 able to get Amazon Transcribe to take the recording to transcribe it over and it  
1958 would give you speaker one, speaker two, speaker three. I then took the  
1959 document, and I went through it and made corrections, assign the names to each  
1960 one of the speakers and made the corrections of our "Ums" and all that type of  
1961 language.

1962 Ms. Kramer, Going all the way through it and everything and came up with a  
1963 really nice-looking package. It took about 11 hours. Now that was learning the  
1964 system. And while I was doing it, I was also writing up an instruction manual for  
1965 whoever in Inframark will take over to make it quick, Do a lot of universal searches  
1966 and find and replace and things like that. So, it should really slim down the thing.  
1967 Now, I have given it then to Inframark. Angel is going find out what all they did. I  
1968 just asked them to basically do a quick review and the text boxes they indicated in  
1969 what they did from what I handed, and it took another 11 hours, and I do not know  
1970 how,

1971 Ms. Montagna, 10.

1972 Ms. Kramer, I don't know.

1973 Ms. Montagna, And I do not either. I told Teresa that I would ask Kristee for  
1974 what she did. I know she kept track of the time, but I will ask her exactly what she  
1975 did. So, we can kind of look at that. So that is kind of where we are at. So, we will  
1976 use that same format,

1977 Ms. Kramer, And I will just go ahead and provide the instruction manual to you  
1978 send,

1979 Ms. Montagna, You can send it to me. Yeah, I think what I want to do is, you all  
1980 have seen Brenda's Minutes. She does great minutes. She is familiar with the  
1981 voices and everything. And have her go through it and do it on this format and it  
1982 will kind of give us a baseline of how long it is going to take. I know she is  
1983 probably a little bit better than others, but we can kind of give or take a little bit  
1984 there and kind of get a baseline.

1985 Ms. Kramer, So, we are heading towards working out this problem.

1986

1987 **2. Discussion of Website-Campus Suites Onboarding**

1988

1989 Ms. Montagna, Yeah. So that is that. Campus suite, I talked to them. So, a  
1990 couple things, I know David Farnsworth sent an email in saying this particular  
1991 thing is an ADA compliance. When we send whatever we send does not matter,  
1992 agenda, a document, a picture, whatever it is that we want posted on the website,  
1993 they have 48 hours to make that document ADA compliant. So, if you realized  
1994 whatever reason your normal report was not in there this month, which is originally  
1995 what he had questioned. So, I had to take that, put it in there, revise the agenda,  
1996 put it on. So, they are still within their 48 hours to get that revised. And then your  
1997 expenditures invoices were sent separately. As you told him in the email, which  
1998 was absolutely correct. So, I just want to cover that, number one. Number two, I  
1999 talked to Ted at Campus Suite, because I think the question that was arose, we  
2000 want some more historical documents on our website. And is it going to charge?  
2001 Because according to the contract, it says you are allowed 1500 pages of  
2002 historical document. It was, but there was still a question and so I called and  
2003 answer of that. I mean, you are well over that 1500 pages now, you are almost at  
2004 like 3500 now. And they have never charged us but wanted to get confirmation.  
2005 So, Ted is aware of it. We are going to have a call tomorrow, and he is going to  
2006 confirm it. And I am going to ask him to confirm it in writing. I do not know how  
2007 much stuff you want on there. I think the goal was to get your website cleaned up  
2008 because it was very cumbersome. So, I guess I need to know, what are you  
2009 looking to put on there. How much? Do you want to go back to inception? that is  
2010 an awful lot of stuff. So, that is what they originally,

2011 Ms. Kramer, I think what they had done originally David had put through  
2012 inception. And the Board, before my time came, said no, we have to keep seven  
2013 years of records. So, just cut it down to seven years. So, that is seven years of  
2014 back minutes and pack it back on the website.

2015 Ms. Montagna, We do not have to if we keep that.

2016 Ms. Kramer, Statutorily.

2017 Ms. Montagna, we keep it as your record keeper.

2018 Ms. Kramer, I know. But what I am saying, statutorily we do not have to do that.

2019 However, I have found it enormously beneficial.

2020 Ms. Montagna, Ok. So, seven years is what you want?

2021 Ms. Kramer, That would be good.

2022 Mr. Leet, All right, in the scheme of data storage, we are talking about, a few

2023 PDF files. So, in the industry wise, in the grand scheme of things, it is a pretty

2024 small amount.

2025 Ms. Kramer, And also,

2026 Ms. Montagna, I am not a tech person, so I do not know.

2027 Mr. Leet, I know.

2028 Ms. Kramer, And our rules, I think should be on there. Anything else

2029 historically?

2030 Ms. Montagna, So when you say seven years, you are talking seven years of

2031 minutes?

2032 Ms. Kassel, Financials.

2033 Ms. Kramer, And agendas.

2034 Ms. Montagna, Well, your financials are in your agenda packages. And your

2035 minutes are in your agenda packages. So, do you want them separated out or do

2036 you want just counting the agendas?

2037 Ms. Kramer, Well, the final minutes are not in the agenda packages.

2038 Mr. Leet, Yeah. We have minutes being approved here in the agenda. But then

2039 they would be a final, executed copy would be published separately as here is a

2040 standalone. Here are just the minutes as they were approved and are now

2041 published for,

2042 Ms. Montagna, Right. Minutes. What else?

2043 Mr. Leet, We had the financials. Being able to look at what is going to be going

2044 and the approved budget or amendments to budget. Yeah.

2045 Ms. Montagna, Yeah, your budget is already on there. That seven years of  
2046 minutes, standalone approved minutes, seven years of agendas, which include  
2047 your financials. Anything else besides minutes and agendas?

2048 Mr. Leet, Resolutions maybe.

2049 Ms. Kramer, Yeah, Rules and Resolutions.

2050 Ms. Kassel, The Resolutions are in the agenda.

2051 Mr. Leet, Yeah, they are in the agenda, but here a list of year by year. Here is  
2052 everything that was,

2053 Ms. Montagna, You want resolutions from inception?

2054 Mr. Leet, No, I think we are talking about the difference of whether having three  
2055 or something or seven or something. It does not seem like a big ask.

2056 Ms. Montagna, Ok, so you want seven years of resolutions?

2057 Mr. Leet, It is basically, that is what we had previously. So, this way, yes, we  
2058 have streamlined the website. It is definitely easier to use and navigate. But at the  
2059 same time, we are not taking away anything that we were previously providing to  
2060 residents.

2061 Ms. Kassel, I have not had time to go through the website, because it was off. It  
2062 was not functional for a while. And so far, I am not finding it intuitive to navigate.  
2063 But there were things on the old website that were about our obligations to  
2064 maintain ponds and there was just a whole bunch of data on there. Information on  
2065 there that residents could look at. It was kind of easy to find. And the main page  
2066 laid things out. So, it was easy to understand where you could find things with  
2067 links to things. I would also, I know we talked about this once before, I know there  
2068 is some bad blood between us and the HOA or at least some of us and the HOA.  
2069 But I would like to have a link to the HOA website for people, because they do not  
2070 know the difference between the HOA and the CDD. I would just like on one of the  
2071 pages or maybe on the main page.

2072 Mr. Eckert, We have a,

2073 Ms. Montagna, So, when you put links though, my understanding is,

2074 Mr. Eckert, Is the HOA page ADA compliant?

2075 Ms. Montagna, Yeah, it has to be ADA compliant. Whatever links we put on our  
2076 website; those have to be ADA compliant as well. Or we cannot,  
2077 Ms. Kassel, Well, we can at least put a phone number and an email address.  
2078 Ms. Montagna, Absolutely.  
2079 Mr. Eckert, Absolutely.  
2080 Ms. Kassel, I don't know if they are ADA compliant. I do not know if they were  
2081 required to be.  
2082 Mr. Eckert, But private companies are getting sued for them not being a  
2083 compliant, like grocery stores and things like that.  
2084 Ms. Montagna, The other thing to remember is you have a 30 day out. You do  
2085 not like this website then you can go back to your old one like that.  
2086 Ms. Phillips, Well, I do not like it at all. To be honest, I do not like how it is not  
2087 intuitive. At least the other website you could always, it was intuitive how to find  
2088 things. I thought we were going to have a search feature. That is the thing that I  
2089 really wanted. So, say I am going go back and search the minutes for all our  
2090 conversations about perennials or annuals or flowers to just use a simple  
2091 example. Because right now, the only way to find it is to open each set of minutes  
2092 and use the control F. And that can be very cumbersome. And I liked having more  
2093 minutes on there also. And I wish there was a section that had our annual budget,  
2094 our annual expenditure sheet, at the end of the year. And I would like to have  
2095 those separate from all the other things. So, a person can look and compare from  
2096 year to year.  
2097 Ms. Montagna, Ok. Do you want to make a motion to go back to your old  
2098 website?  
2099 Ms. Kassel, I do not think we are able to do that.  
2100 Ms. Kramer, No, I mean, we are still willing to work with this. I wanted to go  
2101 back and look at the financials for several years, going back. The old website  
2102 could do that.  
2103 Mr. Leet, And when we just talked about, we would like to add those/



2104 Ms. Kramer, Right. So, let us see, once the stuff that is to be added is added.  
2105 And what it looks like. We did not have a search on the old website. I know that is  
2106 frustrating.

2107 Ms. Kassel, That was my incentive to push for the new one.

2108 Ms. Kramer, I thought there was a,

2109 Ms. Montagna, To my knowledge, none of the District websites have them. But  
2110 I can ask,

2111 Ms. Kramer, I can give you a clue. Now,

2112 Ms. Kramer, Who do we call? Now if we need,

2113 Ms. Kassel, Ghostbusters.

2114 Ms. Kramer, If a board member needs information, about a specific topic and  
2115 needs the historic information.

2116 Ms. Montagna, Oh, Sandra.

2117 Ms. Kramer, We call Sandra Demarco, and she will pull that out. They have a  
2118 special searching ability that they can pull that out for you. So, if you need  
2119 something, do that and that will help you a lot.

2120 Ms. Montagna, So, just so I am clear. I am going to go back, we are going to  
2121 ask for seven years of minutes, seven years of agendas, seven years of financials  
2122 and seven years of Resolutions.

2123 Ms. Kramer, and the rules. The rules are not set in years.

2124 Ms. Montagna, No. Right. The District Rules. They should be there anyways.

2125 Mr. Leet, Yeah, there is an order to establish. I think so. Well, there are  
2126 amendments to it that are already there. The main part of it is just these file names  
2127 that could be maybe made a little more descriptive and friendly for someone that  
2128 is browsing to see. Oh, this is the rules. This is the third amendment to the things  
2129 like that.

2130  
2131 **3. Consideration of Relocating/ Digitizing/ Disposal of Storage Boxes**  
2132

2133 Ms. Montagna, Got it. I will let them know. Um, next is the consideration of  
2134 relocating, digitizing or disposal of your current storage boxes.

2135 Ms. Kassel, So, I would like to know, you are the record keepers. Right? I  
2136 would like to know what is in those boxes. You have been keeping those boxes,  
2137 you show what is in them, right?

2138 Ms. Montagna, So this is the history I got, because this is before my time.  
2139 When Gary Moyer started all these Districts, he loved to keep everything. So, this  
2140 is what he did. You are not the only District that has, I do not know how many  
2141 banker boxes. I think Celebration has 375 banker boxes. So, all these banker  
2142 boxes he wanted to keep everything going back from day one. So, currently you  
2143 have 52 boxes in storage and Carol says they should be any District records from  
2144 old minutes, to as builds, to maps to, to just anything, anything pertaining to the  
2145 District. And back whenever, and I do not know when, the Board chose to keep all  
2146 records. Permanently. So, the monthly cost for that storage was going to be  
2147 \$780.00. It is \$15.00 a box. You guys did sign a contract to do that. I,

2148 Ms. Kramer, I need to interject you.

2149 Ms. Montagna, Well, I have it on file. So,

2150 Ms. Kramer, Let me finish.

2151 Ms. Montagna, Well, can I finish my statement?

2152 Ms. Kramer, Well, this applies., I do not want to let it go by. Ok, when that  
2153 contract which was in 2021 was signed, the question came up about this \$15 per  
2154 box and I specifically asked, how many boxes do we have? The answer was  
2155 none. I said, "Then I do not care what the monthly charge is because we will not  
2156 be paying anything." So,

2157 Ms. Montagna, I cannot answer that. I'm just telling you what is in the contract.  
2158 That is all I can tell you or what I have.

2159 Ms. Kramer, but I'm, I'm clarifying that.

2160 Ms. Montagna, So anyways, if you finally choose to adopt the state GS1-SL  
2161 schedule, you will have 20 boxes of permanent records left in storage. And the  
2162 monthly storage fee would be \$300.00, \$15.00 per box.

2163 Ms. Kassel, I have a question.

2164 Ms. Montagna, Sure.

2165 Ms. Kassel, What happens to the other 32 boxes?

2166 Ms. Montagna, They get rid of them.

2167 Ms. Kassel, Well, so in other words, we are required to keep 20 boxes. I do not  
2168 understand what the "20 box" thing is about.

2169 Ms. Montagna, You are required to keep x amount of,

2170 Mr. Eckert, So, the state has a record retention schedule that provides for  
2171 destruction of records. So, I think what the analysis is based on.

2172 Mr. Eckert, Some that you are required to keep either permanently or a long  
2173 period of time. So, I think the analysis they did is they looked, we got 52 boxes.  
2174 Your policy is to keep everything. Therefore, you have to either keep 52 boxes or  
2175 digitize them and get rid of the paper records. If you go to the state schedule,  
2176 which allows for the destruction of records, after a certain period of time, for  
2177 certain records, I think what they have done is they have said you can probably  
2178 destroy 32 boxes worth of records. You are still going to have 20 boxes that you  
2179 either have to store and digitize.

2180 Ms. Montagna, Correct.

2181 Mr. Eckert, Because our state schedule said you can get rid of documents on a  
2182 rolling basis once they get too old.

2183 Ms. Montagna, So that is what you see in your agenda. What you all choose to  
2184 do, I know Teresa also said when Chris was here, I was not, there was a  
2185 conversation about not having to pay that fee. In that conversation you and I had. I  
2186 think when Chris was here, he was like, oh no, you will not have to pay a storage  
2187 fee or something.

2188 Ms. Kramer, All I remember was the storage that did not apply to us, because  
2189 we did not need it. I do not know who made the decision to keep 52 boxes.

2190 Ms. Montagna, Well, I think it was, it was probably way prior in the beginning. I  
2191 do not know which Board, when it came into effect. But that is where you are  
2192 today. And again, like Mike said, you would have 32 boxes that are past retention  
2193 that you can get rid of that.

2194 Mr. Leet, How old is that?

2195

2196 Mr. Eckert, It depends on the record. Yeah, the type of record dictates how long  
2197 you have to keep it. So, for example, a bond document, you have to keep it until  
2198 basically about two to three years after your bonds are paid off. So, 32 to 33  
2199 years.

2200 Ms. Phillips, Does this include like the check registers?

2201 Ms. Montagna, No.

2202 Ms. Kassel, We do not even know what is in those boxes. We could have,

2203 Mr. Chokanis, And Mike said that you have to keep a bond for 32 to 33 years.

2204 But we are going to have to go and look at every box of what is in there. I cannot  
2205 imagine how much time and effort and money to go figure out what is in those  
2206 boxes. I want to make a motion to destroy all the boxes that we do not need. But  
2207 at the same time, we do not know about what is in the boxes. So, I think we are  
2208 getting in a conundrum right now. We should not be paying for boxes in the store  
2209 that we do not need, but we do not know what is in those boxes.

2210 Ms. Kramer, Well I think what they are saying, in the memorandum that was  
2211 sent out from Sandra, was that she has gone through the boxes and in 32 of the  
2212 boxes, we are not required by statute to keep. And then 20 boxes are things we  
2213 are required to keep.

2214 Ms. Montagna, It is determining. It is subjective, right.

2215 Mr. Chokanis, Then I will just make a motion, I will make a motion to destroy  
2216 the boxes we do not need and keep the boxes that we do. Anyone on board?

2217 Mr. Eckert, We would need a resolution to adopt a different records retention  
2218 schedule. Which we have to bring in your next meeting.

2219 Ms. Kassel, Ok. So can we,

2220 Ms. Kramer, We have a motion on the floor. Ok, Hold on a minute.

2221 Ms. Montagna, Motion to destroy the,

2222 Ms. Kramer, I have a motion to destroy the 32 boxes that have been deemed  
2223 as past retention. Do I hear a second?

2224 Ms. Kramer, Ok. Hearing no second, the motion fails for lack of a second. .

2225 Upon VOICE VOTE, on a motion by Supervisor, Chokanis  
2226 with no second, the motion to destroy the 32 boxes that have  
2227 been deemed as past retention fails.  
2228

2229 Mr. Eckert, Yeah, I am sorry, I interrupted you. Any time I hear destroy  
2230 documents, without it being consistent with the schedule I speak up. So, what you  
2231 will need to do if the Board wants to switch to the state retention schedule is we  
2232 would prepare a resolution, bring it to your next meeting. Saying that we are going  
2233 to follow the state records retention schedule, which not only would allow them to  
2234 go ahead and get rid of the 32 boxes, which would reduce your cost on a moving  
2235 forward basis, whether you digitize or store them. It also allows them to take away  
2236 electronic records that are past that retention schedule if you adopt that.

2237 Ms. Kassel, So, I think we are getting ahead of ourselves. If Sandra has gone  
2238 through those boxes, then she knows what is in them. Let us hear from her, what  
2239 is in those boxes. So that we know before we are making any decision to destroy  
2240 or let go of anything. We have an idea of what we are dealing with. I,

2241 Mr. Leet, Like Even if it is summarized,

2242 Ms. Kramer, Ok, I have a question. What if, let us talk about the 52 boxes. All of  
2243 52 total?

2244 Ms. Montagna, Yes. 52 total.

2245 Ms. Kramer, What if the District sends a representative to pick up these boxes,  
2246 that gets stored in a climate control locked area, and then they can go be gone  
2247 through. By whichever Supervisor may want to go through them. To see what is  
2248 there, and what may be valuable to this District. To digitize them and then keep  
2249 electron.

2250 Ms. Montagna, Before you make a motion there,

2251 Ms. Kramer, I am not making a motion.

2252 Ms. Montagna, I just want to let you know they are located in Coral Springs,  
2253 Florida.

2254 Ms. Kramer, I do not care.

2255 Ms. Montagna. I just wanted to put that out there.

2256 Ms. Kramer, Versus paying \$15.00 per a box, every month, to store them.

2257 Ms. Montagna, I agree.

2258 Mr. Chokanis, I,

2259 Ms. Kramer, Because we can rent a storage shed that has about 10 times the  
2260 amount needed to store this for \$54.00, a month. And I just cannot see that. If we  
2261 have, and tell me, because then again, we are taking records, required records to  
2262 be saved, out of the hands of our custodian.

2263 Ms. Kramer, And what is the ramification of that?

2264 Mr. Eckert, Well it is usually not recommended? If the custodian of the records  
2265 has access to the facility, then I think that it can probably be worked out. It is not  
2266 going to be very convenient, because you are going to have a Board member  
2267 there and you are also going to have a custodian of the records there. I do not  
2268 know how that works. What you might want to do is look at digitizing the 20 boxes  
2269 you have to keep, because I do not know where you are going to go. I do not think  
2270 you want to keep paper boxes anymore. Most Districts do not want to keep  
2271 anything on paper. So, put that off the table. Then you have the 32. Then you are  
2272 looking at, do we move the 32 boxes to a facility that is convenient. That you guys  
2273 can try to go through them or have somebody go through them. I think that that  
2274 probably logistically can be worked out. But you do have a risk of somebody  
2275 saying, "That was in there. But the Supervisor went through it, and I am sure they  
2276 destroy it." That is a,

2277 Ms. Kramer, Basically it would be deemed as destroyed for purposes of the  
2278 public records. Because it could be. Right?

2279 Mr. Eckert, Not right now.

2280 Ms. Kramer, Not right now. After we adopt it. And then we decided, it could be  
2281 destroyed, but we need to keep it for whatever the story is.

2282 Mr. Eckert, Yeah. I am sorry. Go ahead.

2283 Ms. Montagna, What if I offered an easy solution? Why do not I have the  
2284 records shipped to the Celebration office? And if you would like one Supervisor, or  
2285 if all of you want to come, one at a time, different schedules, and look through  
2286 those boxes, you are more than welcome to do that. That way they are not in

2287 Coral Springs. They are right here in Celebration. Anybody can come and look at  
2288 them. You do not even have to make a schedule, as long as it is between eight  
2289 and five, they will be set up in the conference room. But I do agree with Mike. The  
2290 20 boxes, those are required. You have to keep those no matter what is in them.

2291 Ms. Kassel, Has she separated them?

2292 Ms. Montagna, I'm sorry? Yeah. She has. That is why she is saying you have,  
2293 Ms. Kramer, So we do not need to go through those.

2294 Ms. Montagna, But that is what they are saying. They want to go through them  
2295 though.

2296 Ms. Kramer, The 32.

2297 Mr. Chokanis, I got an idea as well. On top of what Angel said. Can you guys  
2298 hear me?

2299 Multiple Board Members, Yes.

2300 Mr. Chokanis, So going forward, I think we should digitize everything. Keep the  
2301 20 boxes, somewhere stored, for the next seven years, somewhere where we do  
2302 not pay money for it. Destroy the 32 boxes we do not need, as long as we know  
2303 that we do not need that data anymore. We are good with that. And then move  
2304 forward no one wants to go through 20 boxes and digitize all that. It is going to be  
2305 costly, if we put it somewhere safe, where we know where it is at. We can keep  
2306 that safe and move forward with everything else being digitized. We do not have  
2307 to go through the boxes. I mean, I am not going to go through boxes. I will tell you  
2308 that. But you guys want to? Go for it. But I would say just store the 20 boxes, that  
2309 we need. Destroy the 32 boxes, that we do not need, and then digitize everything  
2310 else going forward. Mike, can you try and make sure that is ok legally and all that  
2311 stuff?

2312 Mr. Eckert, It is ok legally.

2313 Ms. Montagna, Ok, and everything now is digitized. And it has been,

2314 Ms. Kramer, Without a charge.

2315 Ms. Montagna, Right. Except for these records because,

2316 Ms. Kramer, You are right. Nothing was ever,

2317 Mr. Leet, I know from like when we were having earlier discussions about the  
2318 website, there are legal requirements for how those documents are stored. And  
2319 that applies to the 20 boxes. And as long as we were talking about digitizing them  
2320 that, if is there a cost associated with the digitizing of those 20 boxes?

2321 Ms. Montagna, \$4,000.00. It is \$4,000.00.

2322 Ms. Kramer, And how much would the storage be for, let us say the next 10  
2323 years?

2324 Ms. Montagna, It is \$15.00,

2325 Ms. Kramer, There is 20 boxes.

2326 Ms. Kassel, \$15.00 a box times 20 boxes. \$300.00.

2327 Ms. Leet, A month.

2328 Ms. Kassel, \$300.00 times 12 equals \$3,600.00

2329 Ms. Kramer, So for me, it is a no brainer to digitize them.

2330 Ms. Phillips, And I will personally say, I do not have any desire or need to go  
2331 through the other 32. We pay the District manager and Inframark to be the  
2332 experts, and to know. And I am willing to take their word.

2333 Ms. Kassel, We do not even know what is in those boxes.

2334 Ms. Phillips, They do.

2335 Ms. Kassel, I know they do, but that is what I am asking. Can we get Sandra,  
2336 since she has gone through the boxes, to tell us what is in them.

2337 Ms. Montagna, I can ask her if she can summarize that.

2338 Mr. Eckert, I will just tell you in my office. When we went through this process  
2339 with other Districts, I would say for a District that is old, probably 10 to 15 boxes  
2340 were agenda packages.

2341 Mr. Eckert, Which we already have digital copies of.

2342 Ms. Montagna, I have all of your hard bound bond books, in my Celebration  
2343 office. That are like this big. So, those are not even in there. But most of them  
2344 agendas, it could be invoices, it could be anything.

2345 Ms. Kassel, But can we ask to please get,

2346 Ms. Montagna, I can ask her?

2347 Mr. Leet, This would be for a resolution next month, to consider changing,



2348 Ms. Montagna, Mike would prepare the resolution, to be put on the agenda next  
2349 month.

2350 Mr. Eckert, Yeah, we have a formal resolution that we, you know, do with this  
2351 and the Board to keep everything forever, which they regret. Or follow the state  
2352 schedule, which is more work for your manager to follow in the state schedule,  
2353 because it is easy just to keep everything. It is a lot harder to say. Ok, well, we are  
2354 at the end of this year now, we do not need to keep these anymore. Let us purge  
2355 them.

2356 Mr. Leet, Keeping everything to the statutory requirements is very costly. I  
2357 think. Are we maybe in unofficial agreement of we may be like the chance to go  
2358 through the 32 boxes, before they are being purged. And at the same time, look at  
2359 digitizing the 20 being paperwork, going forward. That kind of everyone's rough,

2360 Ms. Kassel, Once we digitize the 20, we do not need to keep the paper copies.

2361 Mr. Leet, Correct. The 32 are already outside of the statutory requirement. So,  
2362 they can go Celebration or whatever. They do not have that expensive of the  
2363 humidity control or whatever kind of requirements they have for the storing them.

2364 Ms. Kassel, If we adopt this, then we can remove them from the District  
2365 managers in custody and put them in,

2366 Mr. Eckert, You have to certify it to the State Record Keeper that you have  
2367 destroyed them, and what you have done with them. There is a process that  
2368 Inframark has to go through.

2369 Ms. Kramer, So we cannot just keep them ourselves.

2370 Mr. Eckert, What I would suggest, is go ahead digitize the 20. Get the other 32,  
2371 adopt your resolution saying that you are going to discard them. Have an  
2372 opportunity for any Supervisor, that wants to go through this 32, to pluck out  
2373 anything they think would be good for the District to have. For instance, an as  
2374 built, it may not be required to be kept, but it may be there, and you may want it.  
2375 So, then you have that and then after the Supervisor has gone through it, that is  
2376 when they get destroyed. Then Inframark can certified to the state, here is what  
2377 happened with these records.

2378 Mr. Leet, Surveys, and there is definitely value in there, but we do not want to  
2379 be incurring an unneeded cost.

2380 Mr. Eckert, You are not required to purge if it is something that you want.

2381 Ms. Montagna, So I just want to make sure I understand, because I am hearing  
2382 like four different opinions here. You want us to, I am happy to get them shipped. I  
2383 am actually going to be in Coral Springs, next week. Happy to get these boxes.  
2384 Bring them to Celebration. But you are asking me on one hand, do you want  
2385 Sandra to summarize it? Because I do not want her to go through that, if I am just  
2386 bringing them to Celebration for you all to go through anyway. You know what I  
2387 mean? Kind of seems like double work.

2388 Ms. Kassel, Well, we want to know if we need to go through them.

2389 Mr. Leet, I would say if she has already gone through the process, it might be a  
2390 summary. It might be a very high level, but we do not want to make extra work for  
2391 her, but she has already done some work organizing. We would like to see that.

2392 Ms. Montagna, Ok. But you do want them in the celebration office?

2393 Ms. Kramer, The 32.

2394 Ms. Montagna, Ok.

2395 Ms. Kassel, Then we will have a resolution about digitizing the 20 next month?

2396 Ms. Montagna, You do not need that.

2397 Mr. Eckert, You can make that decision tonight about digitizing them to approve  
2398 that. What you will see next month, will be a resolution that says we are going to  
2399 switch from keeping everything, to adopting the state schedule. Which allows us to  
2400 periodically destroy and purge records that are no longer relevant, according to  
2401 the state schedule.

2402 Ms. Kassel, So, then we have to have a motion to approve the digitizing of the  
2403 20 boxes at \$200.00 a box.

2404 Ms. Kramer, Ok. I got one question before we go for a motion.

2405 Ms. Kassel, I just made a motion.

2406 Ms. Kramer, Ok. We have a motion on the floor, to digitize the 20 boxes for  
2407 \$4,000.00. Do I hear a second?

2408 Ms. Leet, I will second.

2409 Ms. Kramer, I have a motion and a second.  
2410 Ms. Kramer, Any other comments?  
2411 Ms. Kassel, Were you going to say something?  
2412 Ms. Kramer, I will say it later because it is not,  
2413 Ms. Kramer, All in favor?  
2414 Ms. Kassel, Mr. Leet, Ms. Phillips, And Ms. Kramer, aye  
2415 Ms. Kramer, Lucas?  
2416 Ms. Kassel, Is he still here?  
2417 Mr. Hamstra,  
2418 Ms. Kramer, Lucas?  
2419 Mr. Hamstra, He is gone.  
2420 Ms. Kramer, Lucas is no longer with us, so it is four to nothing.

2421 Upon VOICE VOTE, on a motion by Supervisor, Kassel and a  
2422 second by Supervisor, Leet and with all in favor, unanimous  
2423 approval was given to approve the digitalization of the 20  
2424 boxes of records, totaling, \$4,000.00.

2425  
2426 Ms. Kramer, Now, my question is the other part of that, which is requiring a  
2427 \$50.00 annual fee, to maintain them digitally.  
2428 Ms. Kramer, We are not charged now for our digital records. Why would that  
2429 be?  
2430 Ms. Montagna, I do not know, I can ask.  
2431 Ms. Kramer, Ok.  
2432 Ms. Kramer, So right now we are not agreeing to that.  
2433 Ms. Montagna, \$50.00? Ok. What about the one time? \$250.00 per box fee.  
2434 Ms. Kramer, 20 boxes?  
2435 Ms. Montagna, That includes it. I am sorry. But the \$4,000.00, correct? Ok. I  
2436 will find out, and let you know about the fee. That is all.  
2437 Ms. Kassel, That is a \$50.00 annual for all of it or for,  
2438 Ms. Montagna, for the 20 boxes. For whatever is digitized.

2439 Ms. Phillips, Just for the 20.  
2440 Ms. Kramer, I do not understand why that, will those digital files be separate  
2441 than the ones you are already doing?  
2442 Ms. Montagna, I honestly do not know.  
2443 Ms. Kramer, She will find out.  
2444 Ms. Montagna, Yes, I will.  
2445 Ms. Kramer, All right. Anything else?  
2446 Ms. Montagna, Are you coming back up, David? Did you have anything to  
2447 finish?  
2448 Mr. Hamstra, I thought I was asked about something after the boxes. I am lost  
2449 now.  
2450 Ms. Kramer, Do you have something else, David?  
2451 Ms. Montagna, I thought we cut you short, because of Lynn. But,  
2452 Mr. Hamstra, No.  
2453 Mr. Hayes, No I said go for it.

2454

2455 **FIFTH ORDER OF BUSINESS** **Consent Agenda**

2456

2457 **A. Approval of Minutes from the Regular Meeting held on August 24, 2023**

2458 **B. Approval of Minutes from the Regular Meeting held on July 27, 2023**

2459 **C. Review of August 2023 Financial Statements**

2460 **D. Approval of August 2023 Invoices and Check Register**

2461

2462 Ms. Kramer, All right. At this time, we will move on to item five, our consent  
2463 agenda, which includes approval of the minutes from the regular meeting. August  
2464 24, 2023, approval of minutes from regular meeting July 27, 2023, review of  
2465 August 2023 statements, and approval of the invoices and check register.

2466 Ms. Kassel, So, I went through the minutes. There was a vote missing, which I  
2467 reported to Angel, for July. Yeah, for GoTranscript. There was a motion and a  
2468 second but no vote. There were some minor typos that I did not follow up. So,

2469 pending those and I just wrote to Lynn and Angel today about it, that we have  
2470 been paying, well that we have been billed hundreds of dollars a month in late  
2471 fees by Toho for months and months and months the whole year. I do not know  
2472 about going back further. I had to look; I did not notice that we were paying late  
2473 fees. Angel is sending me something about that those late fees were not paid, but  
2474 we approved those numbers. And I was told there is some new portal that they are  
2475 moving to. But meanwhile, that was August 3, 2023, that I heard. Here at the end  
2476 of September and they are still charging us late fees. Because we are not paying  
2477 the bills. The bills are not getting paid on time for some reason.

2478 Ms. Montagna, The bills are getting paid on time. It is due to Toho switched their  
2479 whole billing system, everything. And I believe it is not only us, but also residential  
2480 as well. It is affecting everyone. And yes, it has been a nightmare. The District,  
2481 yes, it is reflected. You are correct. But the District has not paid any late fees.  
2482 They are hoping that Toho has now got this new billing system worked out. They  
2483 are hoping that starting this coming month, people are not going to see this. It is  
2484 not only you as a District that are seeing it, but it is also residential people that are  
2485 seeing it. It is, from what I am told from Toho and Paula who has been working, it  
2486 is due to them changing their whole entire billing system. And it is been a disaster  
2487 for not only the District but for residents as well. You are not the only District,  
2488 Celebration, and Enterprise. Their water comes through them as well. And it has  
2489 been all kinds of stuff.

2490 Ms. Kassel, It has been at least three months.

2491 Ms. Montagna, Oh, it has actually been longer than that.

2492 Ms. Kramer, It's been three months,

2493 Ms. Kassel, No. It has been at least January,

2494 Ms. Montagna, No, since they started seeing it. But they were working on  
2495 putting in their new system way prior to that. So, regardless, you have not been  
2496 paying late fees. And you are right, any time there are late fees, we always,  
2497 Inframark pays them, or we get a reimbursement if they are not supposed to be  
2498 there. Because we are responsible for your bills being on time.

2499 Ms. Kramer, And there is something else that would help us with this. When I  
2500 get an invoice and it says taxes and fees and things like that. I go to Avid and  
2501 double check it. It typically says that they took out this much and they did not pay  
2502 all that stuff. But if that could be on the invoices, if we could have that information  
2503 so that the question did not arise. That would be very helpful.

2504 Ms. Kassel, Yeah, I asked for that information a while back. When I spoke with  
2505 Paula, long ago, she was showing me the Avid system. I said, I want to be able to  
2506 see the invoices, and the list so I have to click on it. She was like, well, we cannot  
2507 really do that. And I am like, well, then I will not see the value of logging in and  
2508 viewing it. Because what I need to see is what I am getting in paper anyway. And  
2509 if I cannot get that on avid, then I still want it on paper. But what Teresa is saying  
2510 would be even more valuable, because then it would show us; the \$700.00, that  
2511 we paid for trees, that you were going to reimburse us, was reimbursed. You tell  
2512 me it was reimbursed, but I do not see that it has been. I feel it is kind of my fiscal  
2513 responsibility, on behalf of the residents, to make sure those things are done.

2514 Ms. Montagna, Yeah. What can you not see on Avid? Because you can see all  
2515 that in Avid. You can see the invoice, how much it was paid, if it was short paid,  
2516 you can see all on Avid. Are you not being,

2517 Ms. Kramer, But we cannot see the refund. Like the we paid for the two,

2518 Ms. Montagna, Yeah no, you would not.

2519 Ms. Kramer, So, stuff like that.

2520 Ms. Montagna, Ok.

2521 Ms. Kramer, I had some concerns about some bills, also. I just want to bring it to  
2522 attention. We have asked that we get the more detail for our credit card statement.  
2523 We still are not seeing that. We normally get the receipts from it. So, we know  
2524 what was bought from Amazon, what was bought from Home Depot?

2525 Ms. Kassel, And were there ever taxes charged.

2526 Ms. Montagna, Yeah, they are not. Everyone has your tax exempt. Like your  
2527 Home Depot account, all that stuff.

2528 Ms. Kramer, But it still does show up sometimes. So, anyway, like there was a  
2529 charge for \$684.00 at Paradise Pool Supply. I was not sure what that was. And so,  
2530 I do not know.

2531 Ms. Montagna, The credit card receipts are easy to pull. I will talk to Paula  
2532 tomorrow and see what is an easy way to be able to do that separate. Yeah, I do  
2533 not know what would have changed.

2534 Ms. Kassel, that was a few months ago.

2535 Ms. Kramer, Yeah. And then Lynn, I guess used the Inframark credit card at  
2536 Toho Marine, for \$730.00. Lynn, do you remember what that was for?

2537 Ms. Montagna, Was it for the batteries?

2538 Ms. Kramer, That is a lot of batteries.

2539 Ms. Montagna, Was it for the motor?

2540 Mr. Hayes, No, I got a check for Elco for the, the motor. I would have to look it  
2541 up.

2542 Ms. Kramer, Ok, so you are going to get back, and let us know that. But we do  
2543 need that. Ok. Our Toho bills, my concern is that a lot of our usage has gone way  
2544 up on several of these. Which means there must be leaks or problems. And I want  
2545 to be sure that, one, they are getting corrected, they are addressed right away.  
2546 And that two, we are requesting the refund of grants provided that we have fixed,  
2547 provided proof of repair.

2548 Ms. Kassel, It is possible that now that those zones that have been fixed are  
2549 operating or using water, where it was shut off prior.

2550 Ms. Kramer, Right. But these are just, these are just outrageously high. They  
2551 should not be. And I know one of them, which was the Harmony Square Drive was  
2552 the area with a major leak. That should be like \$2,000.00, coming back to us.

2553 Ms. Kassel, Schoolhouse Road, one too is,

2554 Ms. Kramer, Also, that is very high. So, we need somebody, we need to be sure,  
2555 somebody is watching this, other than managing this for us. The total. And not just  
2556 the few that should give us weekly reports on. Instead of just paying the bill, look  
2557 at it and see what the problem is and getting. And we did really good, and Bret  
2558 used to get a lot of that money. And got \$22,000.00, back for us. So, if we can do

2559 that. Our Waste Connections, I noticed that our bill for the dumpster, such an  
2560 important part of our existence, went up 15%. Can we check and see if there is  
2561 another dumpster operator in the area?

2562 Ms. Montagna, We can, but across everywhere that was part of the budgeting  
2563 process, when we talked about that. That is part of it that went up. Republican.  
2564 And what is the name of the other one? Some sanitation. They all went up about  
2565 10% to 15%.

2566 Ms. Kramer, We can do a comparison.

2567 Ms. Montagna, Sure.

2568 Ms. Kramer, So we are getting the best thing for the money. Since money is so  
2569 tight. Also, I do not know why the William Scott invoices keep showing up in our  
2570 invoices and payments. There is another one this month that is in there.

2571 Ms. Montagna, In Avid or just in the invoices?

2572 Ms. Kramer, No, just in the invoices.

2573 Ms. Montagna, I need to look into Avid, because we had several conversations.  
2574 Paula even called it, because she put one in, and I said we are done with that like.

2575 Ms. Kramer, Right. We should never see them.

2576 Ms. Montagna, Speaking of that. Celebration asked me to ask you if are you  
2577 willing to sell one of them to them? If not, they are going to go buy a use one.  
2578 They are getting rid of their rentals.

2579 Ms. Kassel, We have been wanting,

2580 Ms. Kassel, We just need a place to store the stuff, until we have another place  
2581 to store the stuff.

2582 Ms. Kramer, Ok. So as soon as, yes. Yes, because we want to sell it to them.  
2583 Unless anybody says something different.

2584 Ms. Kassel, I thought we had two, we wanted to sell to them.

2585 Ms. Kramer, We have two, if they want two.

2586 Ms. Montagna, We would take two of them. But if it is not going to happen over  
2587 the next month or so, they are going to want to move on and get rid of their rentals  
2588 and buy some.



2589 Ms. Kassel, Then probably we cannot, because we do not have someplace else  
2590 to put this stuff. Because it is going to take longer than that,  
2591 Ms. Montagna, Understood.  
2592 Ms. Kramer, So except for those billings,  
2593 Ms. Kassel, Do you want to make the motion? Because you,  
2594 Ms. Kassel, I mean, I move to approve the with amendments to the minutes,  
2595 and the removal of the William Scott invoice, I move to approve the consent  
2596 agenda.  
2597 Ms. Kramer, I have a motion. Do I hear a second?  
2598 Ms. Phillips, I will second.  
2599 Ms. Kramer, I have a motion and a second. All in favor?  
2600 Ms. Kassel, Ms. Phillips, Ms. Kramer, Mr. Leet, and Mr. Chokanis, aye.  
2601 Ms. Kramer, All opposed?  
2602 Ms. Kramer, Lucas, are you here with us, yet?  
2603 Mr. Chokanis, Yes  
2604 Ms. Kramer, The consent agenda, are you in favor of passing that? The minutes  
2605 and financials.  
2606 Mr. Leet, I think I heard an aye.  
2607 Ms. Kramer, Ok. You think you heard an "aye". Ok, Lucas, unless you say  
2608 otherwise, we are putting you down as an aye.  
2609 Ms. Kramer, Motion passage unanimously.

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Upon VOICE VOTE, on a motion by Supervisor, Kassel and a second by Supervisor, Phillips and with all in favor, unanimous approval was given to approve the amended July 27, 2023, meeting minutes, August 24, 2023, meeting minutes August financials, and the Invoices and Check Register without the William Scott invoice.

2619 **SIXTH ORDER OF BUSINESS** **Update on Existing Code Enforcement**  
2620 **Violations-Frontage Fence and Storage**  
2621 **Containers**  
2622

2623 Ms. Kramer, Old business, how is the Code Enforcement? Have you received a  
2624 formal word back from the County on the frontage fence? Lynn?

2625 Mr. Hayes, I am sorry.

2626 Ms. Kramer, Have you got formal word back from Code Enforcement that we,

2627 Mr. Hayes, Yeah. You all are ok. As far as compliance, with regards to the frontage  
2628 fence. And the storage,

2629 Mr. Chokanis, Can you hear me now?

2630 Ms. Kassel, Yes.

2631 Mr. Chokanis, I did approve that motion.

2632 Mr. Hayes, So, yes. You are in compliance, with regards to the frontage fencing.

2633 As far as the storage containers, she is still putting that off, with no fines for the District.

2634 District Engineers presenting plans for the community building, at the end of September.  
2635 Correct?

2636 Mr. Hamstra, No, the survey has got to be done before first.

2637 Mr. Hayes, The survey and then the plans. And speaking with Lisa, our contact  
2638 with Code Enforcement, once that has been submitted to the County, and we get some  
2639 form of like a confirmation or anticipated date, I just need to provide that back to her. In  
2640 which she will provide a consent order and she will just wipe it off the slate, until the  
2641 building is built.

2642 Ms. Kramer, Ok. So, we will go through the same process we went through with  
2643 the fence.

2644 Mr. Hayes, Yeah, we just need some more information to provide back to them.

2645 Ms. Kassel, The four violations we had on landscaping, they were taken care of?

2646 Mr. Hayes, Yes. That was presented back to Lisa. We did show her the information  
2647 of the building permits and she understands that those are being maintained now. The  
2648 other two that were the landscapers they are maintaining. So, there are no issues with  
2649 that. So, that should be closed, as well.

2650 Ms. Kassel, So Jeison is away on a family emergency right now and that is why he  
2651 did not see the fencing come down by the townhouses and could not ask that it be set  
2652 aside.

2653 Ms. Montagna, Yeah, he is not on vacation. His mother had a stroke. So, he had to  
2654 leave kind of quickly. And he is supposed to be back tomorrow barring any  
2655 complications. But we will find out if there are.

2656 Ms. Kassel, Because I was seeing that come down, and I was wondering myself, if  
2657 anybody had approached them and said, could you just set your fencing aside and we'll  
2658 take it? Of course, we do not have a place to store it. But,

2659 Ms. Kramer, Right. And the problem also was, is that it was aluminum fencing, and  
2660 it is not really compatible with what we had. It was a three rail versus a four rail. So,

2661 Ms. Kassel, I do not,

2662 Ms. Kramer, It is a huge point, at this point.

2663 Ms. Kassel, But just to address somebody who may still be on the call, the concern  
2664 about we could have used that. And I was thinking the same thing, but it was just a  
2665 really just a timing and opportunity, a timing window opportunity that could not be  
2666 addressed.

2667

2668 **SEVENTH ORDER OF BUSINESS**

**Consideration of Movie Night Facility  
Usage Applications**

2669

2670

2671 Ms. Kramer, Ok, on to your business consideration. Movie Night facility usage  
2672 application. I see one in here for October, but on our website, we have a November and  
2673 December already scheduled. Have we gotten those requesting?

2674 Mr. Chokanis, Yeah. So, I had an issue with Jen requesting facility usage. And  
2675 apparently, we have a document, that says it was established in 2019, that says that if  
2676 there are more than 50 people then you have to have Board approval. I am not really  
2677 sure how that document came about and how it was approved. I wanted to revisit that  
2678 and ask Angel to put this on the docket for the Board to review. It is a quite lengthy

2679 document, but it does highlight if they have 50 people and over for Inframark to be able  
2680 to approve the usage for a facility. So, this is what brought it up.

2681 Ms. Kramer, Right. Lucas,

2682 Ms. Montagna, I was just going to say there is way more issues than that. We have  
2683 been having problems. I brought it to the Board previously. A lot of stuff gets posted, as  
2684 far as events and stuff. The applications are not submitted in. The proper insurance is  
2685 not submitted. We have talked about this ad nauseum. I do not know what the Board  
2686 wants to do. We get applications sometimes. Sometimes we do not. Sometimes I do not  
2687 even know that there is an event until someone will send me a screenshot. Going, "Hey,  
2688 do you know about this event that is going on?" And I will ask Jeison, and he is like,  
2689 "No, she has not come to me." And Jeison talks to Jennifer on the phone. They have a  
2690 good working relationship. Lynn has talked to her several times, as well. Sometimes we  
2691 get it, sometimes we do not.

2692 Ms. Kassel, So, my conversations that I have had. She feels that if the events are  
2693 taking place in the streets, the streets are not CDD property. So, she does not have to  
2694 submit an application, because she is not on CDD property. And that may be why now  
2695 Movie Night may be an exception because Movie Night may happen in the  
2696 amphitheater, which is on CDD property, and that is why something is being submitted  
2697 for those events.

2698 Ms. Kramer, But there is only the one for this month. There is not one for November  
2699 and we will not have a meeting.

2700 Mr. Hayes, if I may, I did shoot over the email Teresa with those three events.

2701 Ms. Kramer, Lucas, Lynn is talking for a moment. Lynn, if you will come up here for  
2702 a moment.

2703 Mr. Chokanis, Let me know when I can talk.

2704 Mr. Hayes, I did provide on the 26 at 4:16. The upcoming events. The one is on the  
2705 first, one is on the 19<sup>th</sup>, and the one that is in November. I sent them the applications  
2706 too.

2707 Ms. Kramer, So that is the Harmony market.

2708 Mr. Hayes, Yes, there are three of them. And in talking with Jennifer, she was  
2709 having this girl Nancy, that she works with, that is supposed to provide the COI. I did

2710 request it again. Still waiting for the one for the October 1st. So that we will be  
2711 compliance. I have registered it as an additional insured. I have not received it. And as  
2712 far as the other events, if you look at that one for the first, she says that it was going to  
2713 be in the streets. But then she has the stage. Then when I talked her on the phone, she  
2714 said, "Well, no, it is not going to be on the stage." So, whether it is in the streets or not,  
2715 my only concern is trying to protect the District. It spills out of the streets on the District  
2716 property. I will let Council speak to that if he thinks that is incorrect.

2717 Ms. Montagna, I would like to ask Council, because we were told from way back,  
2718 even if she is having something in the street and she is blocking off the street, she is  
2719 supposed to have the MOT. Whether that is true and right wrong or otherwise.

2720 Ms. Kramer, And a safety plan.

2721 Ms. Montagna, Right. And a safety plan and all this stuff. And from the County.  
2722 Whether that is right, wrong, or otherwise, I do not know, but that was in place before  
2723 we took over. So, we have just been following suit.

2724 Mr. Eckert, Yeah, if you are going to be on County property for an event, the County  
2725 has got requirements that you are going to have to satisfy. So, since the event occurs  
2726 on the CDD property, we have the right to make sure that we are protected. Regardless  
2727 of whether it is an HOA or any anybody.

2728 Ms. Montagna, And being that it is in the street. Yeah, she has got to go through the  
2729 County, but the District policy is, we want to see that. We want to see that you set it up.  
2730 And that is the protection for residents and everything else. That is where,

2731 Ms. Kassel, Yeah. But can we require that if it is not on our property?

2732 Mr. Eckert, I think to the extent that there is no part of this on CDD property, it is  
2733 going to be up to the Country. To the extent that it is partially on CDD property and  
2734 partially on County property, then both of us are going to have to consent. And if it is all  
2735 on CDD property, the County does not have to consent, but we do.

2736 Ms. Montagna, But I think her question is, let us say it is in the street. All of it is in  
2737 the street. And the District wants to see her safety plan that she has submitted to the  
2738 County. Do we have the right to ask that? Because we do not,

2739 Mr. Eckert, We do have the right to ask it but we do not have the right to require it.

2740 Ms. Montagna, And we do not have a right to shut the event down.

2741 Mr. Eckert, No. Only standing on our property.

2742 Ms. Montagna, Ok.

2743 Ms. Kramer, She has got the one for the October. I guess we will have another  
2744 meeting before November 16, 2023. It seems like it would have been easier, since the  
2745 dates are already set, and they are publicized. I understand if we get another request to  
2746 reserve this particular area, before she gets her request in, they take priority, and then  
2747 she is going to be bumped from the date she has publicized.

2748 Mr. Leet, What did you want to say Lucas?

2749 Mr. Chokanis, Am I allowed to talk now? I am just making sure.

2750 Ms. Kramer, Oh yes, definitely.

2751 Mr. Chokanis, I was waiting for a silent moment. No, I just think she runs a lot of the  
2752 community events. This document that we have says that we have the vote if it is over  
2753 50 people. And we have to wait for the next Board member meeting is kind of not  
2754 efficient. And having so many events that pop up. Yes, I am going to follow all the  
2755 legalities and if they are on their property, yes, we need to go through the right  
2756 channels. But having to approve our community to use our facilities as far as our land  
2757 for events. I do not think it really makes sense. Like they do the legal aspect, and they  
2758 get all the paperwork done. I do not think we need to vote on it. We are just saying yes.  
2759 I mean, they are getting all the paperwork done and the community is enjoying the  
2760 event. We got Halloween. We got Thanksgiving. You got Christmas. All these events  
2761 are going to pop up. Where you have one meeting, every month, at the end of this  
2762 month. Are we going to approve these things that they thought of it. If we do not hit the  
2763 right time, they do not approve it. that is just not fair. It is not right. I mean, we need to  
2764 update this document that we, someone approved in 2019, and established of all these  
2765 things that we have to agree upon.

2766 Ms. Kramer, Ok. And let me clarify that for you, Lucas. Those are our rules that are  
2767 adopted through statutory rule making procedure. It is quite a lengthy process with legal  
2768 advertising and the paper and everything. So, when we do revisit,

2769 Mr. Chokanis, they are not all statutory though. All those are not statutory.

2770 Ms. Montagna, The requirements are.

2771 Ms. Chokanis, We made some of those rules based on what we wanted done.  
2772 There is no statutory rule that says a District has to approve over 50 people.

2773 Ms. Kramer, No, I understand that Lucas, but what I am trying to explain is that  
2774 those rules were adopted following the formal statutory process that is laid out for rule  
2775 adoption. And so, it is a,

2776 Mr. Chokanis, It was adopted by the Board who agree on those rules. There is no  
2777 legal,

2778 Ms. Kramer, I understand that Lucas, but,

2779 Mr. Chokanis, Do you though? I do not think you do, because those rules are not  
2780 validated by any statutory legal rule. We have to,

2781 Mr. Leet, Can I have a second, Lucas? There are statutory requirements for how  
2782 we set those rules, and how we change those rules. I think she is just trying to tell you  
2783 that we can. There are rules. We can set whatever we want within the confines of the  
2784 law. But to do that change, it is a lengthy process. Is that kind of summarizing, Teresa,  
2785 what you were saying?

2786 Ms. Kramer, Yes, Dan. That is exactly what I'm trying to,

2787 Mr. Eckert, Lucas is raising a substantive question. Can we make that change?  
2788 And I think the Chair is just saying there is a process for any change we want to make.

2789 Mr. Chokanis, Right. We have to vote on it.

2790 Ms. Montagna, No.

2791 Mr. Chokanis, It is a CDD Board. We voted on that, that need to be changed in  
2792 mind. Not a legal rule that we have to have the Board to vote on event that is happening  
2793 with 50 or more people. That is something that the Board voted on when this document  
2794 was established in 2019. So, I want to put this on docket to revisit this whole document,  
2795 because it is outdated. I told Angel about this whole document. There is a bunch of stuff  
2796 in there that needs to be revisited, because it is totally outdated, and it has not been  
2797 revisited in say four or five years.

2798 Ms. Kramer, Lucas, in order to do that, Angel is going to address your concern.

2799 Ms. Montagna, Lucas, you are correct. This Board can vote to change its rules, but  
2800 there is a process to that. You cannot just come before a Board in a board meeting and  
2801 vote to change a rule. We have to advertise it. There is a process of how we have to

2802 make rules. How you change the rules. That is what we are saying. In order to get it  
2803 done, it has nothing to do with the statute of the rule that you are talking about. There is  
2804 no statute that says they have to approve 50 people or less. That is not what we are  
2805 talking about. What we are saying is if this Board wants to make changes to their  
2806 policies and rules, that is fine, you can do that. However, there is a process. It has to be  
2807 advertised. There is a process that we have to go through in order for that to happen.  
2808 That is all that is being said.

2809 Mr. Leet, And we did bring up earlier in the meeting that we were in the process of  
2810 getting our rules together for potentially having our new Council give them a review, to  
2811 see if there are anything that are outdated. So, your comment it fits in what we are  
2812 already potentially looking at. Refreshing our rules. It can't happen just like that, the  
2813 process we have to follow.

2814 Mr. Chokanis, Well, I am not saying it happens tonight, but I am just saying I  
2815 brought it up obviously for a reason. It needs to be addressed. Obviously, we are not  
2816 going to vote on it tonight, but it does need to be revisited. The whole topic can be  
2817 revisited because it is way outdated. So, that is just what I am saying. I am not saying  
2818 we are going vote on it tonight. And it cannot be tomorrow, and here we go. I am  
2819 addressing this, because it is kind of cumbersome, and it is not the way things should  
2820 be done in my opinion.

2821 Ms. Kramer, Ok. So, we have before us, consideration of movie night facility uses  
2822 application. And this is for a movie in October and,

2823 Ms. Kassel, We have not received the COI?

2824 Ms. Montagna, You have not received the insurance name. The District has  
2825 additional insured, which is required. We have not received that.

2826 Ms. Kassel, So can we approve a pending receipt of that?

2827 Ms. Montagna, Of course.

2828 Ms. Kassel, So moved.

2829 Mr. Leet, Second.

2830 Ms. Kramer, I have a motion and a second to approve it on the contingency that we  
2831 received the certificate of insurance, prior to that date. All in favor?



2832 Ms. Kassel, Mr. Leet, Ms. Kramer, Ms. Phillips, and Mr. Chokanis, aye.

2833 Ms. Kramer, All opposed? Hearing non the motion passes unanimous. We do need  
2834 to be looking for those other ones. You may want to call her and just remind her to get  
2835 them in.

2836 Upon VOICE VOTE, on a motion by Supervisor, Kassel and a second  
2837 by Supervisor, Leet and with all in favor, unanimous approval to approve  
2838 the movie night HROA application, pending the receipt of the COI naming  
2839 the District as an additional insured.

2840

2841 Ms. Montagna, Yeah, we have the applications. We just do not have the  
2842 documentation to go with it.

2843

2844 **EIGHTH ORDER OF BUSINESS** **Consideration of Egis Insurance Proposal**

2845

2846 Ms. Montagna, I can be quick. The next one is Egis. We budgeted. They sent over  
2847 the preliminary premiums, for your District insurance. When they sent that over, it was  
2848 budgeted according to what they said at \$20,000.00. The premium, actually they sent  
2849 us the full banded package, it came in at \$22,932.00. So, we under budgeted by  
2850 \$2,932.00. So, typically I would just sign these, and we would get them done. But being  
2851 that it went over what we typically budgeted, I just wanted to let you know. Obviously,  
2852 we have to have insurance. Your new insurance starts, October 1, 2023. So, I just need  
2853 Board approval, so we can pay this and get it going.

2854 Ms. Kramer, Do I have a motion to,

2855 Ms. Kassel, So moved.

2856 Mr. Leet, Seconded.

2857 Ms. Kramer, I have a motion and a second to accept the proposal for insurance for  
2858 the next fiscal year. Any other discussion? Hearing none I will call the question, all in  
2859 favor?

2860 Ms. Kassel, Mr. Leet, Ms. Kramer, Ms. Phillips, Ms. Chokanis, aye.

2861 Ms. Kramer, All opposed? Hearing none the motion passes.

2862 Upon VOICE VOTE, on a motion by Supervisor, Kassel and a second  
2863 by Supervisor, Leet and with all in favor, unanimous approval to approve  
2864 the Fiscal year 2024 Egis Insurance proposal, totaling \$22,932.00.

2865

2866 **NINTH ORDER OF BUSINESS** **Discussion Regarding a Parking**  
2867 **Study**

2868 Ms. Kramer, The next item on the agenda is a discussion regarding the parking  
2869 study. This really is not a parking study. We came up under supervisors businesses.  
2870 There are two items dealing with our roadways. The District cannot actually do anything  
2871 with the public roads, but the County has already told us that if we request any changes  
2872 to things such as parking, that they will do it, if at all possible, both mosquito control and  
2873 fire rescue has stated that it is a very dangerous situation. Mosquito control cannot get  
2874 in to do some treatments that they need to do. Which could put us all in danger and fire  
2875 rescue on many of our streets, when we have heavy parking on both sides of the street,  
2876 just cannot get associate trucks through. So, I do not know if the Board wants to  
2877 formally request that the County have one side street parking or some other solution to  
2878 this issue.

2879

2880 Ms. Kassel, This is a parking study, rather than asking the County to do it. What is  
2881 the parking study?

2882 Ms. Montagna, It is not labeled correctly. That is the bottom line. It should not have  
2883 been labeled study. It is not a study. Does the Board want staff to go to the County and  
2884 ask for these two things that are on the agenda? For Harmony.

2885 Ms. Kassel, It seems to me before we do that, that we should be at least somehow  
2886 canvassing the residents. Because they are going to be directly affected. A lot of people  
2887 operate out of their house, and they cannot operate in front of their house, and they  
2888 have a full garage, their driveways, other vehicles on it. I think we cannot just request  
2889 the County to do something without even notifying the residents that we are considering  
2890 doing such a thing. And why,

2891 Ms. Phillips, How would you propose we do this canvassing?

2892 Ms. Kassel, That is a question for our DM, and our DC?

2893 Mr. Eckert, Yeah, I do not have a concern. In terms of you can put out some sort of  
2894 E blast or whatever saying, we are considering this. Please let us know your thoughts  
2895 on it. You can do that.

2896 Ms. Kramer, I thought we did not have a way to do something like that.

2897 Ms. Montagna, We would ask the HOA if they would put out an E blast, on behalf  
2898 of the District.

2899 Mr. Eckert, That would be legally permitted, then you could take that feedback into  
2900 account for what you are doing. That is probably the easiest way to do that. You can do  
2901 surveys and things like that, but that gets a little bit more cumbersome.

2902 Ms. Kramer, And expensive.

2903 Mr. Eckert, But I think an E blast saying, "hey, we are having challenges with  
2904 parking that are creating safety concerns. We are contemplating asking the County to  
2905 do XY and Z. If you have any thoughts on this, please let us know and the Board will be  
2906 discussing it in December or whatever date. That would probably be the easiest way.

2907 Ms. Montagna, Yeah. Do you want us to include in the E blast? About requesting a  
2908 fire station?

2909

2910 **TENTH ORDER OF BUSINESS** **Discussion Regarding Fire Rescue Services**

2911

2912 Ms. Kramer, That was the next one. The fire rescue services, the actual rescue  
2913 services. Lucas, that you were approached about.

2914 Mr. Chokanis, Yes. Actually, one of the firefighters that I am kind of friends with. He  
2915 approached me and messaged me on Facebook, and he said that the fire station which  
2916 is across from the high school does not have a rescue team. Which is basically the  
2917 people who come and save your life. The one that we have currently closest to us is in  
2918 Palm. And he recommends we get one with how many older folks we have in our  
2919 community. But he said we have to reach out to the Government official.

2920 Ms. Kassel, County Commissioner? Ricky Booth?

2921 Mr. Chokanis, To get it approved. So, I mentioned this last time at our meeting. So,  
2922 I do not know how we reach out to him, but,

2923 Ms. Kramer, We can also include this in our email blast. Asking people their  
2924 opinion on requesting the County to have more. Unless the Board feels comfortable  
2925 authorizing that request to go out. It is just the Board requesting or asking our District  
2926 Manager to contact to Ricky Booth to say, hey, we support additional emergency  
2927 management services.

2928 Ms. Phillips, Is that within our role?

2929 Mr. Chokanis, I will make a motion to do that.

2930 Ms. Kramer, Ok. I have a motion for our District Manager to reach out to our  
2931 County Commissioner to request additional emergency services. Kind of like ambulance  
2932 transport services.

2933 Mr. Chokanis, Yeah. Rescue, rescue squad or team.

2934 Mr. Leet, Second.

2935 Ms. Kramer, So I have a motion and a second. All in favor?

2936 Ms. Chokanis, Mr. Leet, Ms. Kramer, Ms. Kassel, Ms. Phillips, aye.

2937 Ms. Kamer, All opposed? Hearing none the motion passes.

2938 Upon VOICE VOTE, on a motion by Supervisor, Chokanis and a  
2939 second by Supervisor, Leet and with all in favor, unanimous approval for  
2940 the District Manager to contact the County for more information on street  
2941 parking, and to request additional emergency services for Harmony CDD.

2942

2943 Ms. Kramer, So it will not be in the email blast. It will not be in the email blast,  
2944 requesting citizen input. We will just go ahead and request that from, Lucas. Since you  
2945 have contacts with the fire department, could you ask them one night if they could come  
2946 down and check out our roads and see if they can get through? I mean, I have had  
2947 several fire officials approach me on this it might be good to have them give it a try.

2948 Mr. Chokanis, Yeah. What road were you specifically referring to?

2949 Ms. Kramer, Well, it is basically all of them. But,

2950 Ms. Kassel, Well the interior roads. Not the Boulevards.

2951 Ms. Kramer, Oh, not the boulevards. Of course, they could, roll under those and  
2952 make sure that the trees are cut for the proper for the clearance, which is important  
2953 also. The ones that are the most serious is I know,  
2954 Ms. Kassel, Middlebrook, Feather Grass,  
2955 Ms. Kramer, Middlebrook, Feather Grass, Dark Sky. That is down to the next light,  
2956 Mr. Leet, Bear Grass.  
2957 Ms. Kramer, Basically, it is all of our streets. Not the main boulevards. The main  
2958 boulevards are trees. Interior streets are,  
2959 Mr. Chokanis, Yeah, I will reach out to my mate, my buddies and have them come  
2960 through and see if there are any issues with getting access to any of them. Yeah.  
2961 Ms. Kramer, And it is particularly on weekends and nights.  
2962 Mr. Chokanis, Yeah.  
2963 Ms. Kramer, So, we really appreciate your help. Yeah, because that would help us  
2964 decide about the road harding. Ok. We are now on supervisor request.

2965

2966 **ELEVENTH ORDER OF BUSINESS** **Supervisor Requests**

2967

2968 Ms. Kramer, Ms. Kassel.

2969 Ms. Kassel, A couple of things. I wanted to bring up the tower at the East entrance.  
2970 I feel that it needs to be addressed. It is not only in disrepair, but it also just looks really  
2971 awful. It is a mess. I have been approached by folks in The Lakes because they come in  
2972 that way, and they see it every day. I have never gone out over that way. I do not know  
2973 what, I think field services needs to take a look at that tower and tell us what they can  
2974 do on their own, and tell us what we need to get close to doing. If nothing else, it needs  
2975 to be repainted. It needs to be power washed, and repainted. And all those signs for  
2976 doctor's offices need to be painted, also.

2977 Ms. Montagna, Needs evaluation and list out everything that it needs. Not that we  
2978 need Board approval, but just let us summarize it and send it to the Board and get  
2979 started on the work.

2980 Ms. Kassel, Right.

2981 Ms. Montagna, Is that good?

2982 Mr. Leet, Tradition, going down South Florida, just redid theirs very recently. It is  
2983 very nice.

2984 Ms. Montagna, Ok.

2985 Ms. Kassel, My second thing, as most of the others were addressed, is I just  
2986 published something from growth spotter, that we are getting another 1200 dense  
2987 apartments, right. Like it is five stories, etcetera. We are getting a lot of new residents  
2988 who are occupying small spaces. And I think we need to look at revising our  
2989 assessment methodology so that these people are paying the pittance toward getting  
2990 the same benefits as the rest of the residents. I think that things need to be adjusted.  
2991 So, I had a quick conversation with Mike, and I am going to hand it over to him to talk  
2992 about.

2993 Mr. Eckert, Yeah. So, when we are talking about your assessment methodology,  
2994 we are talking about your operation and maintenance methodology, not your debt  
2995 methodology, that is fixed, that is set in stone pretty much. So, when you look at your  
2996 operation and maintenance assessments, if you are following your debt assessments,  
2997 which I am assuming that you are doing, some of that does not make sense following it  
2998 such as recreation. So, for example, if you have a three-bedroom town home and a  
2999 three-bedroom house, that is probably the same number of people who are using your  
3000 recreation. It is a reasonable interpretation. However, if you are following your debt  
3001 methodology, which usually is based on front footage or square footage, or something  
3002 like that, that is not really as fair as coming up with something that is square footage of  
3003 the home or the number of bedrooms or something like that. So, I think there are ways  
3004 that you can look at the O&M side. How would you make adjustments to your  
3005 methodology to more equitably split the cost? And that is certainly something that you  
3006 could do. I would say that if you were going to look at doing that, you should start talking  
3007 about it in January. Because you want to incorporate it with your upcoming budget that  
3008 comes up. Finally, I would say that whatever you do would apply to anything that is new  
3009 as well as anything that is existing. So, if you have an existing two-bedroom town home,  
3010 that is going to be the same size as a two-bedroom town home that is going to be built  
3011 next year. That methodology will have to apply to them in a fair and equitable manner.

3012 Ms. Montagna, And I will tell you this information has all been sent to Leah, which  
3013 is our assessment director. So, she is kind of already starting to look into it and  
3014 preliminary numbers and kind of stuff like that. I know you have had a back and forth  
3015 with her a little bit.

3016 Ms. Kramer, We were looking at the 377 apartments that are proposed. And again,  
3017 I want to caution you, these are articles in a magazine, these are pipe dreams of the  
3018 developers. Even if they have gone through part of the County process, it is still a pipe  
3019 dream, until they have the money. they are coming to us asking us to gin up bond  
3020 money, so they can make this really happen. So, I do not want our residents to get all  
3021 upset. Some of what they have proposed is not even on property that is in the CDD or  
3022 that it has any type of zoning that would ever permit it. So please, some folks get all  
3023 concerned about this, but we need to look at it. The one that is closest to reality is that  
3024 377 and we took the two parcels, one we found last year or the year before it was not  
3025 even assessed, because of the split out that was done. But now they are both being  
3026 assessed. The total of the two assessments divided by the 377 units would come to an  
3027 assessment. Now this I think is O&M and a debt service of \$466.00. The condo units  
3028 are right now paying almost \$1,200.00 per unit. So, you can see there is a huge  
3029 disparity. So, I think you need to look at it closely. So,

3030 Ms. Kassel, We will keep it out and make sure I get on the agenda for January?

3031 Ms. Montagna, Yeah, and we already have Leah. So, between now and then she  
3032 will gather more information and kind of started putting together something. And then  
3033 have some rough draft or something for you guys to start looking at. And then whenever  
3034 there is a process and yeah. We will go through that.

3035 Mr. Eckert, And keep in mind too, if it is an apartment building, it will not be a  
3036 separate assessment per apartment. It will be one bulk bill to the owner of the  
3037 apartment building.

3038 Mr. Hamstra, I just want you know, Vista Lakes did this last year. So, you want me  
3039 to give you a copy with that? They hired somebody and they outsource that and did it.  
3040 So,

3041 Ms. Montagna, Yeah, it is the same guy. We gave them that guy. Yeah, Leah is  
3042 really good. But again, there are options as they just stated.

3043 Ms. Kramer, And do understand that when we start doing this, it may have a  
3044 negative impact on some of the owners. So, a house that has five-bedrooms but is on a  
3045 very small lot. What they are owing may go up too. So, just be aware that that it has  
3046 repercussions. Any other supervisor requests?

3047 Mr. Leet, Mine was just to echo that. I noticed the Cat Lake access that only  
3048 started showing up in our budget, I think two years ago. So, I do not know if that is,

3049 Ms. Kramer, Yes, I found that and then they went and started an assessment. It  
3050 was not only that but a couple of their properties.

3051 Mr. Leet, Ok, but that would not have any bond impact? I guess if there were to  
3052 now be something built out on there.

3053 Mr. Eckert, I do not know whether there are bonds on that right now, or not.

3054 Ms. Kramer, Not that and not parcel GA.

3055 Ms. Montagna, Right.

3056 Mr. Eckert, I just need to see was it the assessment area originally. And if it was  
3057 never in any assessment areas and it is a different answer. If it was in an assessment  
3058 area, it just was not allocated, because it was originally thought not to be developable,  
3059 then,

3060 Ms. Kramer, Yeah.

3061 Mr. Eckert, But if it is now is going to be housing then we will look to reallocate  
3062 those debt assessments. And bondholders like it when you have more rooftops. And for  
3063 GA that is the empty lot across from the elementary school.

3064 Ms. Kramer, Any other supervisors requests? Lucas, did you have anything you  
3065 want to discuss?

3066 Mr. Chokanis, No, that is going to do it today. No, just a few things, Angel. Is it  
3067 possible to get a quote for the, this East side fence line, on the east side entrance, just  
3068 that front left corner? It is kind of look at from the side.

3069 Ms. Montagna, I am non directional. East side fence line?

3070 Ms. Kramer, East entrance, to where all developments fences is?

3071 Mr. Chokanis, Just from the woods, from the central back side where our property  
3072 line starts, to the entrance where we have the signs that need be pressure washed, that  
3073 says doctors and all of that stuff.



3074 Ms. Kramer, We do not, Lucas, we do not own all of that.

3075 Mr. Chokanis, No, I am not saying all the way down there. I am saying is that side.

3076 Mr. Leet, The portion that we took down for Code Enforcement.

3077 Mr. Chokanis, You got me, right.

3078 Mr. Leet, That little slice, just east entrance, going east until we leave our property.

3079 Ms. Kramer, To the development land.

3080 Mr. Leet, Just so it looks a little if we are talking aesthetically,

3081 Mr. Chokanis, A quote for what we took down, to replace that. So can you,

3082 Ms. Montagna, Can you just tell me, I am not directional. I got it. Yes, Lucas, we

3083 can get you a quote.

3084 Ms. Kassel, Can we do it ourselves? We have leftover fencing material.

3085 Ms. Montagna, We did take the stuff they took down that was salvageable. They

3086 do have that.

3087 Ms. Kramer, So, we could look at that.

3088 Mr. Chokanis, Yeah. So, I would just say it does not look the same, obviously. And

3089 it does look a little tacky with having columns that are not fenced. So, if we can piece

3090 part certain areas with low cost, I think that is probably a good strategy. I think going

3091 forward we need fence. I think probably community people will agree with that. I just

3092 want to see how much it costs is for that little portion of what we need.

3093 Ms. Montagna, All right, then we get some quotes.

3094 Ms. Kramer, Did you have something else, Lucas?

3095 Mr. Chokanis, Yeah, this is not CDD, but there is a huge puddle that is in on Five

3096 Oaks, going towards Feather Grass where I live. At when it rains a lot earlier.

3097 Ms. Kassel, We discussed that earlier.

3098 Mr. Leet, Yeah, that was the Engineer report. Yeah, we will have more. He is going

3099 to send out a report. They did analysis and we might be,

3100 Mr. Chokanis, All Right. Sorry, I missed that about that one. Thanks for the info.

3101 But the other one just informational apartment dates in public. I had a couple community

3102 members ask for some dates on when those things are happening. They are

3103 happening.

3104 Ms. Kassel, We do not know.

3106 Mr. Chokanis, All Right. Sorry, I missed that about that one. Thanks for the info.  
3107 But the other one just informational apartment dates in public. I had a couple community  
3108 members ask for some dates on when those things are happening. They are  
3109 happening.

3110 Ms. Kassel, We do not know.

3111 Mr. Chokanis, Ok. All right. Well, I take it. That is, it. Thank you.

3112 Ms. Kramer, Ok, thank.

3113

3114 **TWELFTH ORDER OF BUSINESS** **Adjournment**

3115

3116 Ms. Kassel, Move to adjourn.

3117 Ms. Kramer, I have a motion to adjourn. Do I hear a second?

3118 Mr. Leet, I will second.

3119 Ms. Kramer, I have a second. All in favor?

3120 Ms. Kassel, Mr. Leet, Ms. Kramer, Ms. Phillips, Mr. Chokanis, I

3121

3122

3123 Upon VOICE VOTE, on a motion by Supervisor, Kassel and a second  
3124 by Supervisor, Leet and with all in favor, the Board voted to adjourn the  
3125 meeting at 10:01 p.m.

3126

3127

3128

3129 Secretary/Assistant Secretary

3130

Chair/Vice Chair