

1 **MINUTES OF MEETING**  
2 **HARMONY COMMUNITY DEVELOPMENT DISTRICT**  
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4 The regular meeting of the Board of Supervisors of the Harmony Community Development  
5 District (“CDD” or “District”) was held Thursday, February 29, 2024, at 6:00 p.m. at the Jones  
6 Model Home, 3285 Songbird Circle, Saint Cloud, FL 34773.

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8 Present and constituting a quorum were:

9 Mark LeMenager	Chairman
10 Daniel Leet	Vice Chairman
11 Lucas Chokanis	Supervisor
12 Kerul Kassel	Supervisor
13 Joellyn Phillips	Supervisor

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

16 Angel Montagna	District Manager, Inframark
17 Michael Eckert ( <i>via Zoom</i> )	District Legal Counsel, Kutak Rock
18 David Hamstra	District Engineer, Pegasus Engineering
19 Jorge Baez	Field Services Supervisor, Inframark
20 Nick Lomasney	Benchmark Landscaping/United Land Service
21 Victor Morrell	Field Services, Inframark
22 Kerry Satterwhite	Area Field Manager, Inframark
23 Residents and Members of the Public	

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25 *This is not a certified or verbatim transcript but rather represents a recap of the discussions and*  
26 *actions taken at the meeting. The full meeting recording is available in audio format upon request.*  
27 *Contact the District Office for any related costs for an audio copy.*  
28

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

30 Mr. LeMenager called the meeting to order at 6:01 p.m.

31 Mr. LeMenager called the roll and indicated a quorum was present for the meeting.

32  
33 **SECOND ORDER OF BUSINESS** **Audience Comments**

34 Mr. LeMenager indicated a three-minute time limit for comments. It is not a question-and-  
35 answer period. Residents may email Board members with questions.

36 Ms. Mary Jane Sledz thanked the Board for movement of the speed signs, which is making the  
37 situation much better. Regarding the apartments and estimated number of cars, the Lakes is  
38 requesting the District be the voice for the residents as the project continues through Osceola  
39 County (“County”). Amenities are limited, so residents will be using the Harmony pools. Ms.  
40 Sledz provided her comments in writing, which will be made part of the minutes of this meeting.

41 Mr. Joe Janeczek commented on previous discussion regarding the maintenance facility and  
42 associated costs related to each location, first estimates are lower and then revised estimates are  
43 much higher. Mr. Janeczek asked why the Board is accepting such disparities in costs. Assessments

have increased the past two years. Mr. Janeczek suggested Spanish moss be left alone instead of removed because it does not harm the tree and is pretty. Ponds are filling in and no budget item relates to dredging. Flooding is probably due to leaves in the ponds, which are at stage 3. Mr. Janeczek described the various stages of ponds. Mr. Janeczek raised the question if the District is working for the Harmony Residential Owners Association (“HROA”), or vice versa, related to action item list, which was clarified the HROA is separate from the District. Landscapers missed a couple spots trimming the low-hanging branches.

Mr. George Schiro referenced comments made at a previous meeting about him and suggested the comments were unprofessional and out of place for a Board meeting. Mr. Schiro raised points to his defense that he was not nasty in a phone call and referenced prior instances with other public officials, indicating he has remained calm and not launched personal attacks in meetings or in other conversations, asking why he was labeled as nasty, and suggested records and emails have been deleted or lost.

### **THIRD ORDER OF BUSINESS**

#### **Staff Reports**

##### **A. Landscaping: Benchmark Landscaping/United Land Services (“Benchmark”)**

Mr. Lomasney reviewed work efforts, and discussed items with the Board, including the pocket parks at Harmony Square and Buck Lake Park are complete. Irrigation will be adjusted for the next couple weeks. Cat Brier Trail had a leak, which is being investigated. Oak trees are 80% complete. It is leaf fall season, and residents and/or their landscape contractors are blowing leaves onto District property, notably areas Benchmark has been working to bring back, such as shaded areas. Leaf removal averages 25 to 30 trucks per week and is the number-one priority. Leaves have not been picked up on residential properties because it is not District property, but Mr. LeMenager suggested that policy be revisited because leaves will affect the storm drains. Leaves will still get in the storm drains through falling on the ponds and other means. Options were discussed utilizing the County to sweep the streets more often, vacuum trucks have been used, getting a proposal for Benchmark to remove leaves from residential properties, cleaning the storm drains are a District maintenance responsibility, and leaves fall over a period of time.

A proposal for leaf removal in the verges on the main boulevards will be on the March agenda.

##### **i. Proposal #81424 for Tree Removal on Blue Stem**

Mr. Lomasney reviewed proposal #81424 for three tree removals on Blue Stem.

Discussion ensued regarding Ms. Kassel reviewing the sites with Mr. Lomasney, eight additional trees will be a separate proposal, and the quantities and locations are confusing on the proposals.

A revised proposal with an itemized count will be provided for the March meeting.

**ii. Proposal #81428 for Tree Removals, Entrance and Harmony Square**

Mr. Lomasney reviewed proposal #81428 for tree removals at the entrance and Harmony Square.

Discussion ensued regarding this is a priority because the trees are near a walking path.

Ms. Kassel made a MOTION to approve proposal #81428 from Benchmark Landscaping/United Land Service to remove trees at the entrance and Harmony Square, in the amount of \$2,907.  
Mr. Leet seconded the motion.

Discussion ensued regarding quantities on the proposal will be amended on the proposal.

Upon VOICE VOTE, with all in favor, unanimous approval was given to proposal #81428 from Benchmark Landscaping/United Land Service to remove trees at the entrance and Harmony Square, in the amount of \$2,907.

**iii. Proposal #81431 for Tree Elevation Along U.S. Hwy 192**

Mr. Lomasney reviewed proposal #81431 for tree elevation along U.S. Hwy 192.

Ms. Kassel commented on the high cost of the proposal for removing some limbs. Mr. Lomasney explained the limbs need to be trimmed higher up because they have been let go. Ms. Kassel suggested only limbs in danger of damaging the fence be removed, but Mr. Lomasney explained the plant material underneath is in danger of being choked out or dying. Further description was given regarding the current condition of the trees and retaining plant material underneath.

A revised proposal will be provided for the March meeting.

**iv. Miscellaneous**

Mr. Chokanis mentioned a broken sprinkler head inside the goal at the soccer field at the Buck Lake playground. Ms. Phillips asked how many miles of irrigation lines. Mr. Lomasney explained the system has 32 controllers, each having six zones. The irrigation system will always require some sort of maintenance efforts.

**B. Field Manager: Inframark**

**i. Monthly Report**

Mr. Baez reviewed the landscaping report and discussed the following items: replacements at Ashley Pool and the splash pad. Staff is obtaining proposals for the splash pad computer. The motors are working, but the computer is not. Mr. Leet suggested running the motor so the splash pad is on but without dancing sprays. Staff has to turn it on and off manually since it does not have

a timer. Hoses will need to be replaced. Mr. Chokanis suggested some weekend hours for it to be turned on for a few hours, and staff is onsite until 4:00 p.m. Mr. Baez will show Supervisors how to turn it on and off. Staff has hauled debris from the garden to the landfill, including pvc pipe and wood. The trolling motors and batteries were replaced in the bass boats. Ms. Phillips mentioned the fading seat covers, and Mr. Baez is looking for proposals.

**ii. Harmony School Learning to Swim Program**

Discussion ensued regarding the Learning to Swim program the school has done on a regular basis at the pool, with fees and deposit being waived. Mr. Eckert will provide a waiver for parents of students to sign. Waivers will be signed prior to the event and sent back to the District.

**iii. Ponds**

Discussion ensued regarding ponds on Middlebrook Place, Billy's Trail, and Five Oaks Drive. Mr. Chokanis sent pictures to Mr. Hamstra of the pond on Middlebrook Place and asked about the District's responsibility regarding the ponds. Staff treats the ponds but does not remove vegetation. Proposals can be obtained if the Board would like vegetation removed. The pond on Middlebrook Place is maintained by the golf course. Further discussion will take place under the engineer's report. If work needs to be done by the District, staff will obtain proposals.

**C. District Engineer: Pegasus**

**i. Golf Course Maintenance Facility**

Mr. LeMenager met with golf course manager and Mr. Satterwhite today at 4:00 p.m. to tour the facility, and provided pictures. Ms. Montagna wanted to allow all Supervisors to attend the tour, but it was received last minute and could not be advertised as a workshop. Mr. Leet also toured the facility earlier in the week. Mr. LeMenager believes the facility is perfect for the District's needs. It has a large area with air-conditioned offices, appropriate for Board meetings and other community events. The space is more than sufficient for the field staff. It is two buildings. Benchmark has indicated they would like to rent the covered garage building. Parking is available in the back. Income can be generated by renting out spaces. An appraisal is not yet available. The golf course wants their own pro shop, so they are building their own.

A brief discussion ensued regarding ownership of the golf course and related amenities. Ms. Kassel would like to move forward with the current community facility plans until other details and information can be provided, including financing, to which Mr. LeMenager agreed. The current meeting location will not be available in the future.

Discussion ensued regarding a PD amendment for parking at the RV storage area. Ms. Kassel requested a proposal and photos of the area, which photos will be provided. The Board expressed consensus to have a backup plan for the maintenance facility in the agreed-upon location while the

golf course builds their new facility, and suggested perhaps the District could rent their building in the meantime. One area is 40 feet by 45 feet including restrooms and a breakroom, plus some alcoves that are air conditioned, area available for the landscaping company and to rent to others, and plenty of room for the District's needs. Ms. Kassel is hesitant for the District to act as a property manager and landlord, to which Mr. Leet agreed. Ms. Phillips brainstormed that rooms could be rented hourly for people working from home, which was disagreed with and suggested to hold a brainstorming session at a workshop.

**ii. Lakefront Park Community Maintenance Facility**

Mr. Hamstra reviewed the permit officially submitted to the County, which has been received and logged.

**iii. Blazing Star Lane Alley Repairs. Tracts AC-6 and AC-7**

Mr. Hamstra provided an update on the Blazing Star Lane alley repairs, which plans have been finalized. The dollar is below the bidding threshold, so four contractors were contacted to provide proposals: Element Environmental, Carr & Collier, Gregory, and Jr. Davis. An addendum was issued on February 26. Two submitted bids and two declined. Gregory's price was \$80,718, and Carr & Collier's price was \$135,464. DOT cost estimates of \$48,000 are still well below pricing received. Options were presented to accept low price, reject and readvertise, or request a contribution from the garbage company.

Mr. LeMenager reviewed the letter drafted by legal counsel that was sent to the County regarding this issue, and the County sent it to Waste Management's insurance company as a potential claim. The Chairman received two phone calls but the District has received no other response. Staff will follow up.

Mr. Hamstra will ask the low bidder to hold the price for 30 more days. Ms. Kassel commented \$48,000 feels unconscionable for one alley turn, \$80,000 seems outrageous, and requested to wait for the insurance company's response before approving to spend funds.

Ms. Phillips asked about the urgency of getting the alley turn repaired. Mr. Hamstra suggested waiting to award a contract to hold some leverage since they might be able to find a cheaper contractor.

**iv. Five Oaks Drive and Cat Brier Trail Drainage Maintenance**

Mr. Hamstra indicated Element Environmental located the pipes, pumped the ponds down, and found a lot of sediment inside the pipes. Video showed sediment going partially into the lake and was packed at the end. The pipes were cleaned, the area backfilled, riprap installed, and the disturbed area sodded. Staff will monitor through summer. Mr. Leet noted two inches of rain two weeks ago showed no flooding or ponding.

**v. Alley Paving**

Mr. Leet discussed the alley paving done a year ago with a current construction bond still in place, and asked if any follow up needed to be done. Mr. Hamstra will provide an inspection before the one year. Mr. Leet pointed out some minor issues, including some wear and normal cracking. Mr. LeMenager loves them. Ms. Phillips indicated some areas do not drain for an hour or two after a rain event, and the standard is 24 hours, so these are not a concern.

**vi. Billy's Trail**

Mr. Leet requested an update on the netting not on District property but perhaps a resolution through Toho Water Authority ("Toho") to improve the state of it.

Mr. Hamstra called about moving the pedestrian bridge out of the pond and onto the trail, and the cattails were sprayed. Mr. Hamstra is not aware if the developer or builder has been contacted to remove his silt fencing and stakes. Ms. Montagna will follow up.

Mr. Leet asked what communications were done. Toho sent an email to the Board. Ms. Kassel reached out to Toho with a question but has not received a response. She will try again. Mr. Hamstra will reach out to Toho regarding the netting.

**vii. Buck Lake Control Structures**

Mr. Hamstra indicated Element Environmental picked up the grates that fell into the structure and reset them. Pictures were provided in an email. Mr. Hamstra will reach out to South Florida Water Management District ("SFWMD") regarding the need to survey before obtaining proposals.

Ms. Kassel asked if the entire control structure sank, due to the fact that it sank and was not draining, which prompted a lot of growth in the path from the control structure to Buck Lake. Ms. Kassel asked also if the District had permission to put it in and it was supposed to drain, why is a survey needed to re-dredge. It is supposed to drain through the wetland. Mr. Hamstra walked the length and does not know the depth. It may have been installed without knowing the depth of the lake to remain unconstructed. It has been cleaned. The one by the Estates with the grate is always flowing to Buck Lake, but this one may have been an oversight. Mr. Hamstra wanted to make sure it was not compromised by a fallen tree but appears not to have been properly located. It has not caused flooding, and mitigating would not be worth the cost, if so directed by SFWMD.

**viii. Alleys**

Mr. Hamstra reviewed a prior conversation about contacting Waste Management before installing boulders, which might be part of the other conversation with Waste Management.

**ix. The Estates**

Mr. Hamstra reported from Inframark's staff that all 13 structures have been properly maintained and are ready for hurricane season.

**x. Golf Course Driving Range**

Mr. Hamstra has not heard from the golf course yet as they are discussing with Mr. Satterwhite what debris they will remove.

**xi. Site Inspection**

Mr. Hamstra will perform a pre-hurricane site inspection of all the control structures, as was done two years ago, and also take inventory of all the ponds with cattails. Once ponds are determined to be the District's maintenance responsibility, Mr. Hamstra will solicit for cattail removal, not spraying.

**D. District Counsel: Kutak Rock**

Mr. Eckert indicated they have not been very busy working on legal matters. He has not received a response regarding the street lighting issue related to an easement from the developer, nor will he pursue them for a response.

**E. District Manager: Inframark**

Ms. Montagna provided updates on the following items:

**i. Project Boards**

Ms. Montagna provided an update on project boards, which will be provided twice a month since many items will not be updated between boards.

**ii. Request to Post Meeting Follow-Up Sheets on the Website**

Ms. Montagna reviewed a request from a resident to post follow-up sheets or project boards on the website. Ms. Kassel is not opposed to posting them since it is public knowledge and shows the Board endeavors to be transparent and accountable. Ms. Montagna will post the project boards on the website when they are emailed to the Board, and keep updating them. Mr. LeMenager requested they be posted the Friday prior to a meeting. After a brief conversation, the project boards will be posted the first and third Fridays of each month.

Ms. Kassel indicated the request was for the emailed summary showing action items and follow up to be posted on the website, which was replaced with the project boards. Staff can provide the summary if that is the Board's desire, which used to be sent shortly after each meeting. Ms. Kassel argued the project boards do not show everything the follow-up summaries did, including motions. Mr. LeMenager indicated that is the purpose of the minutes. Summaries used to be posted on the website at the direction of the previous District manager. Ms. Kassel shared the conversation with the resident that they wanted to know the motions taken during the meeting, which is the purpose of the minutes. Mr. LeMenager suggested the project boards be posted on the website. Ms. Kassel prefers a synopsis of the meetings that residents are requesting. The meeting video and audio are available.

Discussion ensued regarding Ms. Kassel's preference providing a meeting summary, it is easier to read a summary than listen to a two-hour meeting, and summaries are different from the project

boards. Decisions of the Board are included in the summaries but not details of the votes. Meeting summaries are double information but staff can provide the summaries again. Project boards show action items, and the minutes show the decisions made. Minutes are provided in the agenda package to be accepted at the next meeting.

Further discussion ensued regarding the scope of Inframark's services, information is available to residents, the District cannot email the residents with updates or summaries but would have to be done by the HROA which Mr. LeMenager is opposed to doing, and purpose of the project boards is to show the action item list. Mr. Chokanis suggested residents attend the meetings for real-time data.

### **iii. Fiscal Year 2025 Budget Dates**

Ms. Montagna reviewed the budget process, where the proposed budget has to be provided by June 15. The schedule anticipates presenting the draft budget at the May meeting, with at least 60 days before the budget hearing, which is in July. The County's deadline for the assessment roll is mid-August. The May meeting is scheduled for May 23, not 30. The budget template will be sent to the Board over the next few weeks with preliminary numbers in Excel.

Discussion ensued on the previous fiscal year budget meeting and workshop dates. The budget workshop will be May 23 prior to the regular meeting. Discussions will be held at the March and April meetings.

Further discussion ensued regarding the assessment methodology for new developments and options to amend the methodology discussed at previous meetings. Various options allow the District to assess on front footage or square footage or other options depending on the use, density, and amenities. Timing was discussed when a methodology should be considered. Ms. Kassel indicated a previous request for an assessment methodology and requested the current methodology be revised because it is not equitable. Ms. Kassel requested four or five methodology options and the ramifications of each, to address the issues. Mr. Chokanis suggested comparing to what other communities have used in this situation. Ms. Leah Popelka is already working with the developer for the new development.

## **FOURTH ORDER OF BUSINESS                      Business Items**

### **A. Discussion of Golf Course Maintenance Facility**

This discussion having been held under the engineer's report, the next item followed.

### **B. Harmony Isle Townhomes/Mailboxes**

Mr. Mark Langford is working with Hartizen Homes to develop townhomes off Five Oaks Drive for Harmony Isles townhomes. The request is to add mailboxes to serve the 46 townhome units, to be located on District property at no cost to the District. The PowerPoint presentation was



included in the agenda package. The location was approved by the United States postal service (“USPS”), near existing mailboxes.

Mr. Eckert indicated an agreement needs to be in place for facilities on District-owned property, notably regarding who will provide maintenance.

Discussion ensued regarding poor condition of existing community mailboxes, developer is not willing to sign such an agreement, and a suggestion the sub-HOA be responsible for maintenance subject to USPS regulations.

Mr. Leet made a MOTION to approve the mailbox location for Harmony Isle townhomes, as presented.  
Mr. Chokanis seconded the motion.

Upon VOICE VOTE, with all in favor, unanimous approval was given to the mailbox location for Harmony Isle townhomes, as presented.

Ms. Kassel requested landscaping in front of the townhomes abutting the sidewalk have a barrier to prevent mulch from washing over the sidewalk and into the street during rain events. Mr. Langford will take the request to his contact at Hartizen Homes, which representative will provide an update to the Board.

#### **FIFTH ORDER OF BUSINESS**                      **Consent Agenda**

##### **A. Minutes for the January 25, 2024, Regular Meeting**

The minutes are included in the agenda package and available for public review on the District’s website or in the District Office during normal business hours.

Ms. Kassel provided minor amendments to staff, which were incorporated in the minutes provided to be signed after the meeting.

##### **B. Financial Statements (January 2024)**

The financial statements are included in the agenda package and available for public review on the District’s website or in the District Office during normal business hours.

##### **C. Check Register #285 (January 2024)**

The check register is included in the agenda package and available for public review on the District’s website or in the District Office during normal business hours.

##### **D. Arbitrage Rebate Report, Series 2014 Refunding Bonds**

The arbitrage rebate report is included in the agenda package and available for public review on the District’s website or in the District Office during normal business hours.

Ms. Kassel made a MOTION to approve the consent agenda,  
minutes as amended.  
Mr. Chokanis seconded the motion.

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

Ms. Montagna reviewed two questions Ms. Kassel had on the check register: \$2,500 refund to  
a resident due to an easement deposit for constructing a pool, and two entries for assessments from  
the tax collector on the same date are correct.

Ms. Kassel noted the last assessment deposit is from January 10, and nothing from the end of  
January, when the financials were prepared the end of February. Ms. Kassel asked if the bulk of  
assessments to be received are from a number of owners or just a few, which Ms. Montagna will  
find out.

**SIXTH ORDER OF BUSINESS**                      **Supervisor Requests**

There being none, the next order of business followed.

**SEVENTH ORDER OF BUSINESS**                      **Adjournment**

On MOTION by Ms. Kassel, seconded by Mr. Leet, with all in  
favor, the meeting adjourned at 7:37 p.m.

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Secretary/Assistant Secretary

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Chairman/Vice Chairman