

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.

7
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

14
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	

24
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.

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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

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

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

57
58 **THIRD ORDER OF BUSINESS** **Staff Reports**

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

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

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

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

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

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

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

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

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

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

83

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

88

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

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

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

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

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

104 A revised proposal will be provided for the March meeting.

105 **iv. Miscellaneous**

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

110 **B. Field Manager: Inframark**

111 **i. Monthly Report**

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

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

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

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

125 **iii. Ponds**

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

132 **C. District Engineer: Pegasus**

133 **i. Golf Course Maintenance Facility**

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

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

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

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

157 **ii. Lakefront Park Community Maintenance Facility**

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

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

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

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

172 Mr. Hamstra will ask the low bidder to hold the price for 30 more days. Ms. Kassel commented
173 \$48,000 feels unconscionable for one alley turn, \$80,000 seems outrageous, and requested to wait
174 for the insurance company's response before approving to spend funds.

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

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

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

184 **v. Alley Paving**

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

190 **vi. Billy's Trail**

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

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

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

199 **vii. Buck Lake Control Structures**

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

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

212 **viii. Alleys**

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

215 **ix. The Estates**

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

218 **x. Golf Course Driving Range**

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

221 **xi. Site Inspection**

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

226 **D. District Counsel: Kutak Rock**

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

230 **E. District Manager: Inframark**

231 Ms. Montagna provided updates on the following items:

232 **i. Project Boards**

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

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

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

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

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

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

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

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

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

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

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

281
282 **FOURTH ORDER OF BUSINESS Business Items**

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

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

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

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

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

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

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

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

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

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

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310 **FIFTH ORDER OF BUSINESS** **Consent Agenda**

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

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

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

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

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

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

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

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

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

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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.

Secretary/Assistant Secretary

Chairman/Vice Chairman